

Johnson County Plan Commission

March 22, 2021 Meeting Minutes

The Johnson County Advisory Plan Commission met on Monday, March 22, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 6:00 PM by Chairman Nathan Bush.

I. ROLL CALL:

Present: Chad Bowman, Nathan Bush, Charlie Canary, Gregg Cantwell, Pete Ketchum, Chris Kinnett, John Schilling, Pat Vercauteren, Ron West, Attorney Jeremy Fisk (Legal Counsel - not voting), Michele Hansard (Director – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: Jonathan Myers (Alternate)

II. APPROVAL OF MEETING MINUTES:

Chairman Nathan Bush called for a motion to approve the February 22, 2021 Plan Commission meeting minutes.

Motion: Approval of February 22, 2021 Plan Commission meeting minutes. **Moved by** Ron West. **Seconded by** Pat Vercauteren. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Schilling, Vercauteren and West. **No:** None. **Motion approved 9-0.**

III. PUBLIC HEARINGS:

P-2-20; Lennar Homes of Indiana - Eagle Springs Major Subdivision – Preliminary Plat Request. 4444 W. Stones Crossing Rd.

Staff presented findings and facts to the board and recommended approval of this request subject to the following conditions:

1. Per the requirements of the Johnson County Highway Department, an improvement plan to Stones Crossing Road at the subdivision entrance must be approved by the Highway Department with the construction plans for the first phase of development. If additional land is necessary from those improvements, an easement, deed, or dedication shall be established prior to release for construction and approval of the construction plans.
2. Development within the subdivision shall be beholden to the residential design standards added January 1, 2021 as an amendment to the Johnson County Zoning Ordinance.
3. Acceptance of the commitments present by Lennar Homes on page.

Staff provided one (1) Remonstrator **Exhibit** letter to the board.

Attorney Brian Tuohy with Bailey & Moore, LLP (50 S. Meridian St., Ste. 700, Indianapolis 46204) and Keith Lash, Vice President, Land Acquisition and Development (700 NW 107th Ave., Fountainebleau, FL 33172) on behalf of Lennar Homes of Indiana were present to speak and address concerns. A visual presentation **Exhibit** was presented to the board.

Board members asked questions and expressed concerns, which were addressed by Petitioner, Remonstrators and staff, as follows:

- Q. Board member Nathan Bush inquired as to whether or not the proposed homes would be similar to the current Lennar homes being built near Bargersville?
A. Yes.
- Q. Board member Chad Bowman what are your plans for the rear exterior of the homes adjacent to Forest Hills?
A. The homes have and will include an exterior feature that can be selected from a list of agreed upon options.
- Nathan Bush expressed his concerns regarding property density.

Remonstrator Kim Cowan (2534 Forest Hills Blvd., Greenwood 46143) was present to express her concerns regarding home sizes, number of homes traffic and road safety.

Remonstrator Kelly Pyers (4680 Osprey Dr., Greenwood 46143) was present to express her concerns regarding nature of the area, sewer and drainage, traffic and road safety.

Remonstrator Sue Bardy (4586 Osprey Dr., Greenwood 46143) was present to express her concerns regarding exterior design standards, nature of the area and traffic and road safety.

Motion: To approve P-2-20 20 to approve the Eagle Springs Preliminary Plat to create a 91.6 acre, 154 lot major subdivision, with staff's conditions, amended Highway Department's conditions, no vinyl on any exterior elevation, with minimal ranch size of 2,096 square feet, minimal two (2) story 2,772 square feet and Petitioner's Findings of Fact. **Moved** by Pat Vercauteren. **Seconded** by Charlie Canary. **Recused:** Schilling and West. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett and Vercauteren. **No:** None. **Motion approved 7-0.**

W-6-21; Ryan Wampler – Waiver Request. 5397 Travis Rd.

Staff presented findings and facts to the board and recommended approval of this request.

Petitioner Ryan Wampler (5326 Travis Rd., Greenwood 46143) was present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner and staff, as follows:

- Q. Board member Ron West inquired as to whether or not they were going to have three (3) separate driveways or one (1) driveway with an easement?
A. One (1) driveway with easement.
- Q. Board member Charlie Canary asked if the road frontage was really an issue?
A. Yes.
- Q. Board member Charlie Canary asked if there would a lane turn issue?
A. Unknown at this time.
- Q. Board member Ron West inquired as to whether or not there Lot 1 had an existing residence?
A. Yes, the existing residence shall be removed.

Motion: To approve W-6-21 to provide for a three (3) lot Minor Subdivision with two (2) of the lots having depth to width ratio greater than 2:1 and Petitioner's Findings of Fact. **Moved** by John Schilling. **Seconded** by Ron West. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Schilling, Vercauteren and West. **No:** None. **Motion approved 9-0.**

IV. NEW BUSINESS:

Board Appointments to the Technical Review Committee and Board of Zoning Appeals.

Motion: To approve John Schilling as representative for the Technical Review Committee. **Moved** by Ron West. **Seconded** by Pat Vercauteren. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Schilling, Vercauteren and West. **No:** None. **Motion approved 9-0.**

Motion: To approve Charlie Canary as representative for the Board of Zoning Appeals. **Moved** by Ron West. **Seconded** by Pat Vercauteren. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Schilling, Vercauteren and West. **No:** None. **Motion approved 9-0.**

V. ADJOURNMENT:

Chairman Nathan Bush called for a motion to adjourn the meeting at 7:15 PM.

Motion: Adjourn the meeting. **Moved** by Charlie Canary. **Seconded** by Ron West. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Schilling, Vercauteren and West. **No:** None. **Motion approved 9-0.**

Approved on: April 26, 2021

By:


Nathan Bush, Chairman

Attested By:


Pat Vercauteren, Secretary

Hansard Michele - Planning & Zoning

From: Tolbert, Karrie Lenn <kreising@iu.edu>
Sent: Monday, March 22, 2021 7:57 AM
To: Hansard Michele - Planning & Zoning
Subject: email regarding hearing on 3.22.21: Eagle Springs

Happy Monday!

My name is Karrie Reising Tolbert and I live in Forest Hills, on Brentridge Parkway. I have written opposition letters before each meeting, and have attended both the water drainage board meeting, and the February Planning Commission meeting. My husband and I wanted to be there tonight, but as you may, or may not know, this is Center Grove's Spring Break, and after a year cooped up with 3 kids, we needed to get away! We were upset by Lennar's denial for us to request a continuance of this meeting, keeping many families from being able to attend. This whole process has brought many together to fight for what is best for our community, where WE live!

I just wanted to make a couple of comments to have on record: We have tried to work with Lennar, but each dealing has shown that they don't care about us, or our community!

- They have been available just two times to talk to all remonstrators, with the second resulting in yelling, and information coming out that Lennar purposely falsified an identity to become part of our remonstrator group.
- Since the last Planning Commission meeting, the remonstrators tried multiple times to connect with Lennar to start communications to come to a resolution, but just this past week responded stating that they weren't going to entertain anymore discussions, and they were trying to spin past meetings/communications against us in an unfair manner.
- Most eye-opening, is that just a couple of days later, this past Friday, they magically decide to concede minimal things, with the caveat that we have to drop our opposition. This gives us no time to discuss as a group before today's meeting. How dirty is this?

We are at a loss as to what the right decision is, and feel we shouldn't be put in this position without having some time to consider. It would be wonderful if a continuance is granted for this meeting on 3/22/21, for all of us to have more time to meet as a group to work through this. I would also like more information on how Lennar is held to these commitments, and who we go too if they are not holding up to them?

I also wanted it recorded that since traffic and safety is one of my main concerns, that there was another car roll-over at the proposed Lennar site, just last week during school release. This road cannot afford any more traffic without updates!

We appreciate your time, as a lot of research and work has went into this by the remonstrators in fighting for what is best for OUR community, that WE live in. We will be tuning in, and hope the Planning Commission can see our concerns.

Karrie Tolbert



Eagle Springs

Residential Subdivision

Johnson County
Planning Commission
February 22, 2021

EXHIBIT

tabbles®

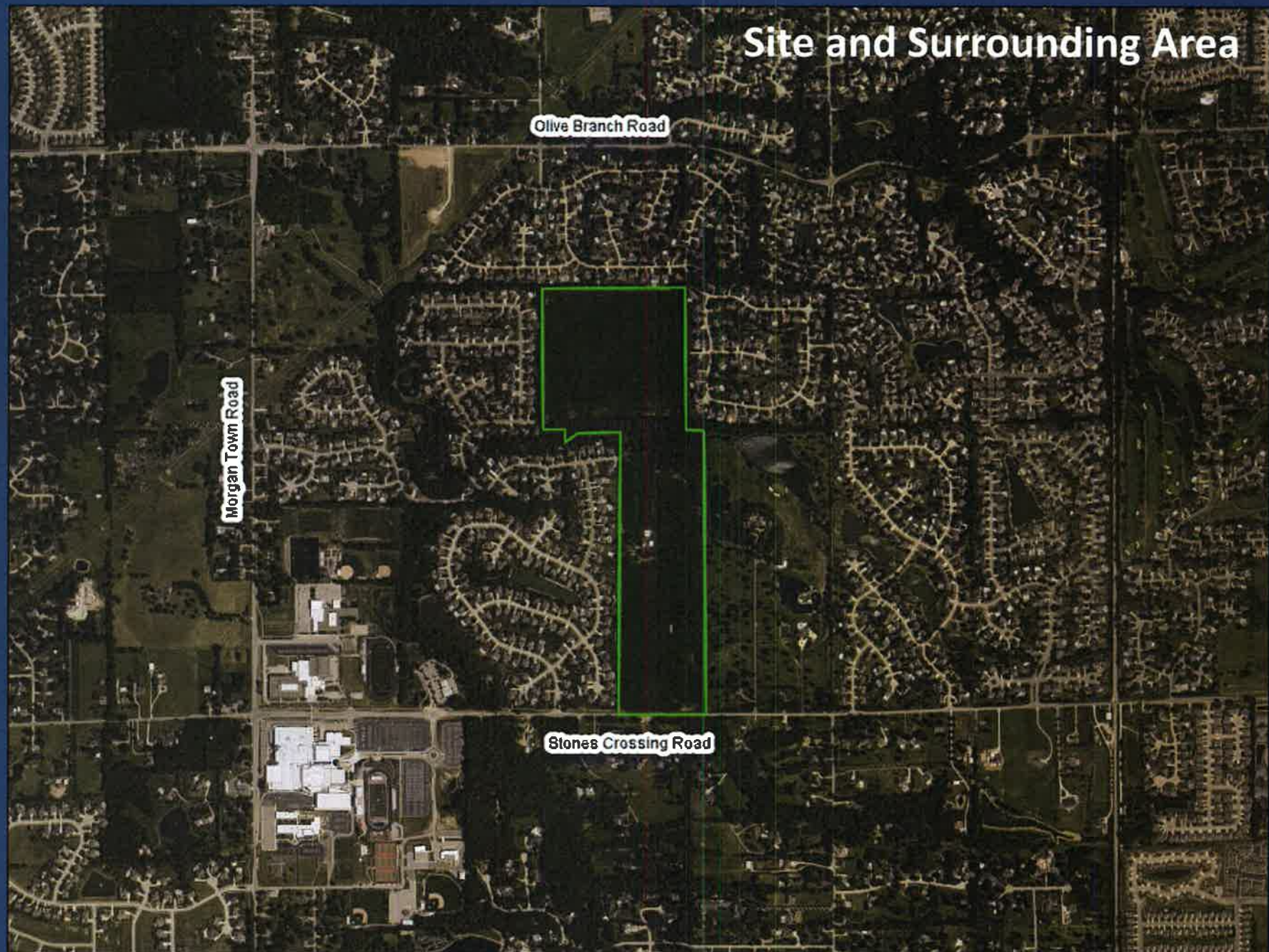
P-2-20

Lennar Homes

- Building Homes in Central Indiana since 1974
- Largest builder in Central Indiana delivering 1,300 new homes in 2020
- Publicly Traded and Largest Builder in US
- All Homes and Communities Locally Designed



Site and Surrounding Area



Current Zoning Classification = R-1

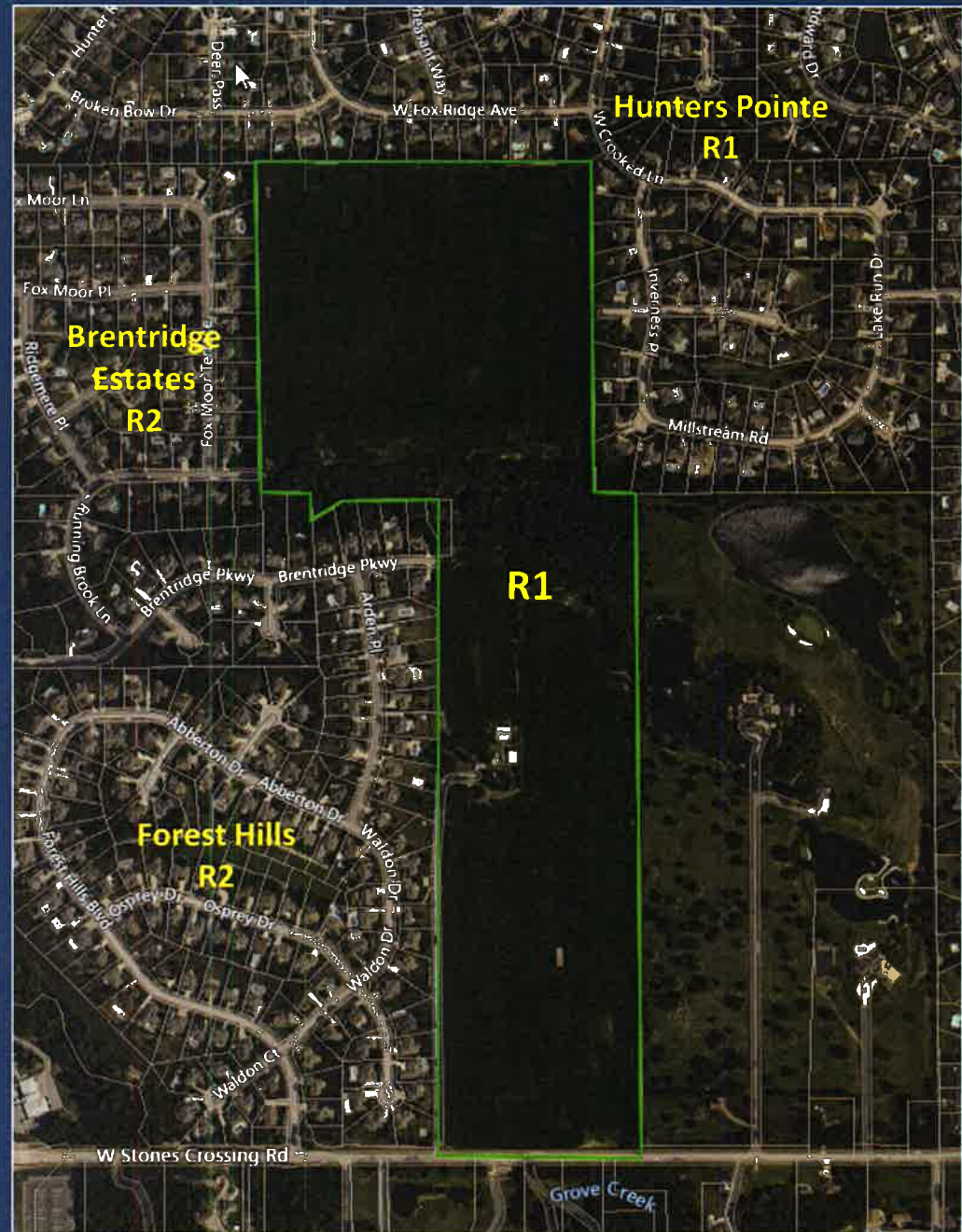
- No rezoning requested
- No variances or waivers requested

R-1 Development Requirements

- Min. Lot Width = 90'
- Min. Home S.F. 2 story = 2,400 sf
- Min. Home S.F. 1 story = 1,600 sf
- Average Density = 2 units per acre

Development Schedule

- Construction would begin upon completion of the sanitary sewer interceptor project.
- Anticipated project completion is 4-5 years.



DEVELOPMENT SUMMARY

TOTAL AREA: 91.6 ACRES +/-

SINGLE FAMILY RESIDENTIAL;

NUMBER OF SINGLE-FAMILY LOTS: 154 (1-154)

MIN. LOT WIDTH: 90'

MIN. LOT DEPTH: 140'

MIN. SIDE YARD SETBACK: 10'

MIN. FRONT YARD SETBACK: 30'

MIN. SINGLE-FAMILY LOT SIZE: 12,600 SQ. FT.

DENSITY: 1.7 UNITS / ACRE

TOTAL AREA OF COMMON AREA: 23.2 ACRES ± (25.3%)

TOTAL AREA OF RIGHT-OF-WAY: 13.0 ACRES ± (14.2%)

TOTAL POND AREA: 7.8 ac.+/-

MILES OF DEDICATED STREET RIGHT OF WAY: 1.9 +/- MILES



Timeline - Case History

Oct 6, 2020	Application submitted to the Johnson County Drainage Board
Oct 23, 2020	Application for Preliminary Plat submitted Johnson County Planning
Nov 5, 2020	1st scheduled Drainage Board hearing - Continued at suggestion of staff for the purpose of meeting with adjacent neighbors to address questions and concerns
Nov 11, 2020	Neighborhood information meeting @ Dyes Walk GC
Nov 23, 2020	2 nd Neighborhood information meeting – Virtual - Lennar responds to over 60 questions received from adjacent neighbors
Dec 1, 2020	2nd scheduled Drainage Board hearing - Lennar agrees to 2 nd Continuance at request of Homeowners Association for review of drainage plans by 3 rd party engineer.
Dec 31, 2020	Received review from 3 rd party engineer with request for clarifications.
Jan 4, 2021	Responses provided to request for clarifications (1 business day)
Jan 5, 2021	3rd scheduled Drainage Board hearing – Unanimous Approval
Jan 25, 2021	1 st Plan Commission hearing – Continued at request of remonstrators
Feb 12, 2021	Email from attorney for remonstrators stating “...we anticipate filing a motion on Monday to continue the February 22 hearing on the above-referenced petition until at least May of 2021.”
Mar 16, 2021	Remonstrators filed Motion to Continue hearing for 6 months.



JOHNSON COUNTY

Department of Planning and Zoning
86 West Court Street
Courthouse Annex
Franklin, Indiana 46131

Phone: (317) 346-4350
Website: www.co.johnson.in.us

January 5, 2021

Johnson County Drainage Board
Johnson County Surveyor's Office
86 West Court Street
Franklin, IN 46131

RE: DR-3424-20 – Eagle Springs Major Preliminary Subdivision
01/05/2021 Meeting

Dear Board Members:

I have reviewed the construction plans and drainage report for DR-3424-20, Eagle Springs Major Preliminary Subdivision, and have the following comments:

- The Petitioner has provided a proposed drainage report and a preliminary plat for a 91.7-acre subdivision located on the north side of Stones Crossing Road, approximately ¼ of a mile east of Morgantown Road in White River Township. The preliminary plat shows a layout of 154 lots with streets and detention facilities that will control runoff and provide water quality. Access to the site will be from Stones Crossing Road as well as three additional connections through the surrounding subdivisions. The site is surrounded by residential subdivisions including:
 - Hunters Pointe (North)
 - Defabis Minor, Armstrong Mini minor, individual residential lots (South)
 - Ray Skillman Minor (East)
 - Forest Hills, Brentridge Estates (West)
- The existing site consists of seven basins:
 - Existing Basin 1 consists of 7.2 acres onsite area and 4.2 acres offsite area which discharge south to Stones Crossing Road.
 - Existing Basin 2 consists of 16.3 acres onsite area and 17.1 acres offsite area which discharge west into Forest Hills subdivision.
 - Existing Basin 3 consists of 6.0 acres onsite area and discharges west into Forest Hills subdivision.
 - Existing Basin 4 consists of 23.4 acres onsite area and 1.5 acres offsite area which discharges into Lake Run and convey runoff west into Honey Creek. Lake Run has a total drainage area of approximately 0.47 square miles.
 - Existing Basin 5 consists of 20.5 acres onsite area and drains west to Brentridge Estates.
 - Existing Basin 6 consists of 6 acres onsite area which drains north into Hunters Pointe subdivision.

Discharge Reduction Table

Exist. Boundary Number	Exist. 10-Yr Discharge (cfs)	Prop. 10-Yr Discharge (cfs)	% Reduction of 10-Yr Discharge	Exist. 100-Yr Discharge (cfs)	Prop. 100-Yr Discharge (cfs)	% Reduction of 100-Yr Discharge
1	3.96	0.70	82.3	11.72	1.03	91.2
2	8.72	0.60	93.1	26.41	0.88	96.7
3	3.71	0.00	100.0	9.26	0.00	100.0
4	6.40	2.25	64.8	20.59	3.07	85.1
5	3.00	0.00	100.0	9.6	0.00	100.0
6	0.91	0.00	100.0	3.18	0.00	100.0
7	0.45	0.00	100.0	1.57	0.00	100.0

- Existing Basin 7 consists of 3.0 acres of area which drains north in Hunters Pointe Subdivision.

3. The proposed conditions will create three basins and discharge points:

- Developed Basin 1 will consist of 13.8 acres onsite area and 4.2 acres offsite area which will drain into two ponds that will detain runoff and release it south to Stones Crossing Road at the rates of Q_{10pro} less than or equal to Q_{2ex} and Q_{100pro} less than or equal to Q_{10ex} , with both existing rates determined using the Existing Basin onsite area only.
- Developed Basin 2 will consist of 8.7 acres onsite area and 17.1 acres offsite area which will drain into one pond that will detain runoff and release it west to Forest Hills subdivision at the rates of Q_{10pro} less than or equal to Q_{2ex} and Q_{100pro} less than or equal to Q_{10ex} , with both existing rates determined using Existing Basin 2 onsite area only.
- Developed Basins 3, 4, and 5 will drain to 4 ponds that will detain runoff and release it west to Forest Hills subdivision at the rates of Q_{10pro} less than or equal to Q_{2ex} and Q_{100pro} less than or equal to Q_{10ex} , with both existing rates determined using Existing Basin 4 onsite area only.

4. The 2- and 10-year pre-developed discharge rates have been established using the Subdivision Control Ordinance requirements for the site. Through the use of a storm sewer system and a detention pond, the 10- and 100-year post-developed discharge rates have also been established.

5. Based upon the above, the development will eliminate discharge from Existing Basin 3 west into Forest Hills, Existing Basin 5 west into Brentridge Estates, and Existing Basins 6 and 7 north into Hunters Pointe. The development will reduce discharges to less than allowable rates into the remaining three discharge points, Existing Basin 1 south to Stones Crossing Road, Existing Basin 2 west into Forest Hills, and Existing Basin 4, Lake Run west to Honey Creek. *It should also be noted that runoff from all offsite areas will also be detained although not required by ordinance.* A table is included below to illustrate the reduction of flows from the developed site flowing into the surrounding subdivisions.

6. Emergency spillways have been sized in accordance with the Subdivision Control Ordinance.

7. The Subdivision Control Ordinance requirements for water quality (detaining 20% of the volume of the ½" direct runoff 24 hours after the peak) have been met.

Because the information submitted meets with the Johnson County Subdivision Control Ordinance, approval of this petition is recommended.

Very truly yours,

Richard R. Hoover, P.E.
Planning Engineer

cc: Gregg Cantwell/ Johnson County Surveyor
Project File/ Office File

Johnson County Highway Department

1051 Hospital Road | Franklin, Indiana 46131 | Phone: (317) 346-4630 | Fax: (317) 738-5378

Lucas M. Mastin
Director

Neil B. VanTrees, P.E.
Highway Engineer

Date: February 10, 2021
To: File
From: Neil B. VanTrees, P.E., Highway Engineer
Luke Mastin, Highway Director
cc: Michele Hansard, Senior Planner, Johnson County Planning & Zoning

Subject: Eagle Springs subdivision - Stones Crossing Road entrance

The proposed Eagle Springs subdivision will have its main entrance onto Stones Crossing Road approximately 1,600 feet west of Saddle Club Road. Stones Crossing Road is a 2 lane roadway classified as a minor arterial, posted for 40 mph, Level of Service (LOS) C, and has an AADT of 8,872. In addition to the main entrance onto Stones Crossing Road, the proposed subdivision will connect into three separate existing subdivision roads. Brentridge Parkway, Running Brook Terrace, and Cobblestone Way. The subdivision will also stub a roadway to the east for a future connection if the eastern adjoining property ever develops into a subdivision.

The new connection onto Stones Crossing Road will add traffic to the main roadway. This is logical given the change of use. However, there will be three other connections into existing subdivisions. Providing access to abutting land and road connectivity is part of Johnson County's Subdivision Control Ordinance and Comprehensive plan. It is a requirement that is supported by best practices of land use development and public safety. The three connections were all designed to be extended with future development. The other connections will allow motorists, including public safety, to have other options to enter & exit into the subdivision not solely relying on Stones Crossing Road.

The connection onto Stones Crossing Road will be required to have an acceleration lane, deceleration lane, and a passing blister. The improved entrance will aid in traffic flow on Stones Crossing Road when vehicles enter & exit the subdivision. During peak times (morning & evening rush hour and school events), Stones Crossing Road will function as it does today. Johnson County Highway Department realizes additional vehicles will be accessing Stones Crossing Road since the land use has changed. Given the road segment operates at an acceptable LOS and the other three connections present, it will not be detrimental to the roadway.

Johnson County Highway Department

1051 Hospital Road | Franklin, Indiana 46131 | Phone: (317) 346-4630 | Fax: (317) 738-5378

Lucas M. Mastin
Director

Neil B. VanTrees, P.E.
Highway Engineer

Date: March 10, 2021
To: File
From: Neil B. VanTrees, P.E., Highway Engineer
Lucas Mastin, Highway Director
cc: Michele Hansard, Senior Planner, Johnson County Planning & Zoning

Subject: Eagle Springs subdivision - Stones Crossing Road entrance

This letter serves as a clarification for the proposed entrance improvements needed for the Eagle Springs subdivision. The proposed Eagle Springs subdivision will have its main entrance onto Stones Crossing Road approximately 1,600 feet west of Saddle Club Road. Stones Crossing Road is a 2 lane roadway classified as a minor arterial, posted for 40 mph, Level of Service (LOS) C, and has an AADT of 8,872.

The new connection onto Stones Crossing Road will require an improved entrance with acceleration & deceleration lanes for westbound traffic and accommodation for eastbound traffic turning left into the entrance. The construction of a passing blister on the south side of the road would be the typical method to allow through traffic to move around left-turning vehicles, but this can also be accomplished by constructing a dedicated left-turn lane and a corresponding shift of the westbound through lane. An aerial photograph of a lane shift constructed on Demaree Road is attached to better illustrate the overall layout of this option. Any entrance improvements constructed by the developer will be the owned and maintained by Johnson County Highway Department once the improvements have been inspected and any deficiencies addressed.

As is typical in this type of situation, the developer will be required to secure the necessary property interests to construct the required entrance improvements. Johnson County will not engage the property owners on behalf of the developer.

Cornerstone/Estate Collection

Approximate Home Sizes

- Ranch 2,096 s.f. to 2,225 s.f. (R-1 Standard: 1,600 s.f.)
- Two Story 2,772 s.f. to 3,488 s.f. (R-1 Standard: 2,400 s.f.)

Estimated Home Values

- Ranch \$400,000 to \$500,000+
- Two Story \$450,000 to \$600,000+









Area Home Values

Brentridge Estates

Median Sale Price	\$375,000
Sale Price Range:	\$204-\$649
Median Assessed Value	\$356,500
Median Yr. Built	1988
Median Square Ft	3,892*

Hunters Pointe

Median Sale Price	\$300,000
Sale Price Range:	\$235-\$410
Median Assessed Value	\$267,200
Median Yr. Built	1986
Median Square Ft	2,752*

Eagle Springs (estimated)

Sale Price Range:	\$400-600k+
Square Ft Range	2,000-5,000*

Forest Hills

Median Sale Price	\$412,500
Sale Price Range:	\$327-\$549
Median Assessed Value	\$378,500
Median Yr. Built	1999
Median Square Ft	4,076*

Source: MIBOR BLC – Sales in previous 24 months & Johnson County tax records
*includes basement area finished and unfinished



853 Columbia Road, Suite 101, Plainfield, IN 46168
Phone: (317) 707-3700 | Fax: (317) 707-3800

March 22, 2021

Ty Rinehart
Land Acquisition Manager
Lennar Homes
9025 North River Road, Suite 100
Indianapolis, IN 46240

RE: Eagle Springs Preliminary Plat

Dear Mr. Rinehart,

To the best of my knowledge and belief, the Preliminary Plat prepared by Banning Engineering, latest revision date March 22, complies with the Johnson County Subdivision Control Ordinance and the standards of the R-1 Zoning District.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Staton", is written over the typed name.

Robert Staton

P-2-20 STAFF FINDINGS OF FACT

FINDINGS OF FACT – PRELIMINARY PLAT

PLAN COMMISSION

In taking action on requests for approval of a preliminary plat for a major subdivision or a sketch plan for a minor subdivision, the Plan Commission shall use the following criteria as the basis for its decision, which includes proposed findings for this petition:

1. Subdivision Control Ordinance Requirements: The consistency of the proposed preliminary plat with the requirements of the Subdivision Control Ordinance, including without limitation the Design Principles and Standards;

The proposed preliminary plat is consistent with the regulations and requirements of the Subdivision Control Ordinance, as outlined in the planning staff's report for this petition (which is incorporated into these Finding of Fact).

2. Zoning Ordinance Requirements: The consistency of the proposed preliminary plat with the standards and requirements of the Zoning Ordinance and the zoning district in which the property is located;

The proposed preliminary plat is consistent with the applicable standards and requirements of the Johnson County Zoning Ordinance, as outlined in the planning staff's report for this petition.

3. Other Requirements: The consistency of the proposed primary plat with any other applicable standards and requirements.

The proposed preliminary plat is consistent with the applicable standards and requirements of the applicable checkpoint agencies of the Subdivision Control Ordinance.

Excerpts from Staff Report

- Built out, the proposed subdivision, with 154 single-family dwellings developed on 91.6 acres, would have a density of 1.68 dwellings/acre.
- The proposed density is very similar to the neighborhoods with close proximity.
- Lennar Homes has provided an example plat (page 22) of Eagle Springs where the common area is dispersed among individual lots to illustrate the density remains the same and the average lot size increase. The average lot size goes from 15,670 to 20,918 square feet. This plat would be acceptable as well as comply with the subdivision control ordinance. However, the Staff would not encourage this design over the proposed plat.
- . . .the single-family residential zoning was already in place prior to the 2017 Amendment, and a review of historical zoning maps indicates that such zoning has been in place for over 50 years.

Excerpts from Staff Report

- The architecture design standards listed on pages 5 & 6 are development standards that are enforced during the building permit application review process.
- These design elements are standards not typically shown on a preliminary plat. It is also not listed as a submittal item in the Subdivision Control Ordinance.
- The administration indicated that school district's growth plan is accommodative of ongoing residential development within the township.
- Greenwood has stated that when its Western Regional Interceptor project is completed, capacity will be available for future connections.

Excerpts from Staff Report

- The proposed plat complies with the recently-amended lot standards for R-1 zoning district.
- This request is consistent with the Subdivision Control Ordinance and Zoning Ordinance requirements.
- The Technical Review Committee reviewed this petition at its September 9, 2020 meeting. The plat has satisfied all comments made in the Technical Review Committee memo.
- The Johnson County Drainage Board reviewed and approved preliminary drainage plans at its January 5th, 2021 meeting.
- All the above parties have reviewed this petition and given preliminary approval.

Excerpts from Staff Report

- Staff recommends approval of the Preliminary Plat subject to the following conditions:
 1. Per the requirements of the Johnson County Highway Department, an improvement plan to Stones Crossing Road at the subdivision entrance must be approved by the Highway Department with the construction plans for the first phase of development. If additional land is necessary from those improvements, an easement, deed, or dedication shall be established prior to release for construction and approval of the construction plans.
 2. Development within the subdivision shall be beholden to the residential design standards added January 1, 2021 as an amendment to the Johnson County Zoning Ordinance.
 3. Acceptance of the commitments present by Lennar Homes on page

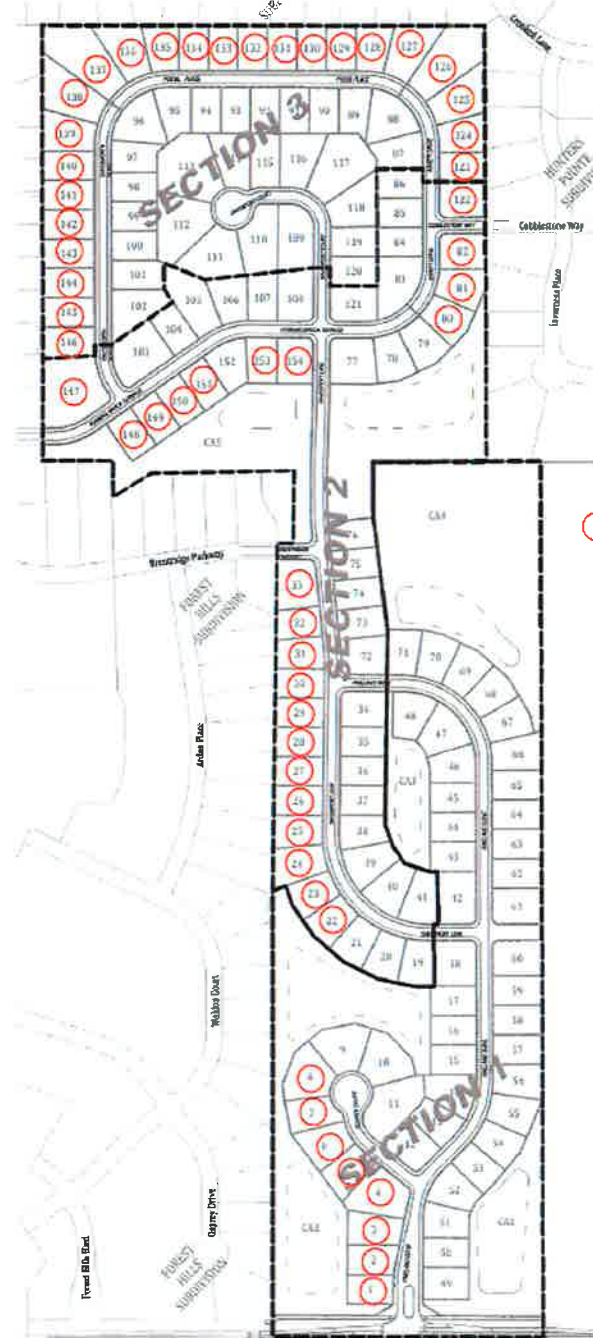
Eagle Springs Memo of Commitment for Preliminary Plat

1. Minimum Home Square Footage
 - a. Ranch home: 2,096 square feet
 - b. Two Story home: 2,772 square feet
2. Vinyl exterior siding shall be prohibited.
3. A minimum of two (2) trees shall be installed in the front yard of each home site.
4. All homes shall have roof overhangs with minimum depth of 12" from framing.
5. A minimum of dimension shingles shall be required for roofing material
6. All homes shall have 2 car or 3 car garage.
7. Colored and stamped concrete, interlocking pavers, exposed aggregate, and concrete with brick borders shall be allowed.
8. All street facing garage doors shall include windows and/or decorative hardware.
9. Membership of the Homeowners Association shall be mandatory for all property owners within the community. The recorded Covenants, Conditions and Restrictions for the community shall include the following provisions
 - a. No above ground swimming pools shall be erected, constructed, or installed on any Lot.
 - b. Wood fences, chain link fences and stockade style fences are prohibited. Aluminum, wrought iron and PVC fences must be either be black, white or earth toned in color.
 - c. Each Owner of a Lot shall maintain the mailbox which was originally installed by a builder, and shall replace same as necessary with a mailbox which is substantially the same in appearance as that which was originally installed.
 - d. No storage tanks of any kind shall be allowed upon a Lot with the exception of a small propane tank used exclusively for residential gas grills.
 - e. No storage shed, mini-barn or other similar detached structure shall be placed upon a Lot
 - f. No clothesline of any kind may be erected, maintained, or permitted on or at any Lot.
 - g. No window air conditioning units may be installed in or at any Lot.
10. Best efforts will be made to preserve trees located on the property line with adjoining property owners and in good health. Designing and maintaining proper stormwater drainage may require the removal of trees located within the boundaries of the Eagle Springs neighborhood including trees located along the property line with adjoining properties.
11. Best efforts shall be made to limit construction traffic to the entrance on Stones Crossing Road. "No Construction Traffic" signage shall be installed at each road connection to the adjoining neighborhood and maintained until such time all home construction is completed.
12. In order to satisfy the neighboring property owners concerns pertaining to Architectural Diversity, Lennar makes the following commitment for the homes to be built in Eagle Springs.
 - a. Vinyl siding shall be prohibited.
 - b. No fewer than two-thirds of the homes built on home sites list below shall contain masonry (brick or stone) on all four sides of the home. Provided however, that no fewer than 50% of the identified lots within a platted section shall meet such masonry requirement.
 - c. All homes built in Eagle Springs shall contain or offer as an option able to be purchased by the buyer, rear façade features. Such features may include, but are not limited to the following:
 - i. Sunroom
 - ii. Morning room
 - iii. Dining room or dining room extension which protrudes the main rear façade
 - iv. Kitchen nook or kitchen nook extension which protrudes the main rear façade
 - v. Covered rear deck or patio
 - vi. Screened rear deck or patio
 - vii. Integrated rear outdoor living or patio
 - viii. Third car carriage garage

Home Sites Subject to 12.b Requirement:

1-8, 22-33, 80-82, 122-151, 153, 154

EXHIBIT A



○ - Lot subject to masonry requirement

P-2-20 LETTER OF SUPPORT RECEIVED AFTER FEBRUARY 22, 2021

Johnson County Planning Office

RE: Case No. P-2-20

I am writing in support of Lennar's application to the JCPC for its Preliminary Approval of a 154 lot Major Plat subdivision ("Eagle Springs"). I live in one of the surrounding neighborhoods that will connect to the proposed subdivision. I support the construction of this neighborhood and welcome the connectivity that this proposed neighborhood will provide streets and sidewalks. I have a young family that loves to spend our time outside. We have longed for connectivity to other neighborhoods, and even more so, to my children's schools (CGES, Honey Grove Education Center). We enjoy our wonderful community and wish for other individuals to move into and share our community.

Sincerely,

Danielle Campbell

Hunters Pointe

P-2-20 LETTER OF SUPPORT

Hansard Michele - Planning & Zoning

From: Stoner, Scott <Scott.Stoner@sbdinc.com>
Sent: Monday, February 8, 2021 6:14 AM
To: Hansard Michele - Planning & Zoning
Subject: Eagle Springs Development

Hello

My name is Scott Stoner, I live in Forest Hills adjacent to the proposed development off of Stones Crossing Road in the Center Grove Area. I am in support of the development. Thank You.

Summary

1. Lennar met with neighbors once in person and another virtual meeting. Responded to over 60 questions submitted by neighbors.
2. Lennar's proposed house sizes ranging from approx. 2,096 sf to approx. 3,488 sf exceed the R-1 District development standards.
3. Planning Staff recommends approval of the Preliminary Plat subject to three conditions, agreed by Lennar.
4. The Findings of Fact support the approval of the Preliminary Plat.
5. Planning Staff determined the Preliminary Plat complies with lot standards for the R-1 Zoning District.
6. Evidence supports determination that Eagle Springs Preliminary Plat complies with the Subdivision Control Ordinance and the R-1 zoning standards.
7. Per Indiana statutory and case law, it is a mandatory duty of the Plan Commission to approve the plat, as it complies with the standards of the Subdivision Control Ordinance and the Zoning Ordinance.

Eagle Springs

Residential Subdivision



<u>Remonstrator's Objections</u>	<u>Response</u>
Traffic & Safety	<ul style="list-style-type: none"> • Per Johnson County Highway Department (JCHD), providing access to abutting land and road connectivity is supported by best practices of land use development and public safety. • Improvements will be made to Stones Crossing Rd. • Per JCHD, Stones Crossing Road will function as it does today during peak times.
Comprehensive Plan and Wetlands Mitigation	<ul style="list-style-type: none"> • Per Staff Report, the site's single-family residential zoning in place for over 50 years, prior to the 2017 White River Township Comprehensive Plan. • Per Staff Report, the road crossing over Lake Run and the detention outlets will be reviewed and approved by US Army Corps of Engineers, IDEM and DNR.
Lot Sizes	<ul style="list-style-type: none"> • Plat complies with R-1 Standards • Staff does not "encourage" an alternative design that increased lot sizes and dispersed common areas
Architectural Diversity	<ul style="list-style-type: none"> • Development will comply with the Residential Design Standards, which require certain Architectural Diversity standards to be met. • Per the Staff Report, the design standards are enforced during the building permit process.

Indiana Code § 36-7-4-707(a)

Sec. 707. (a) If, after the hearing, the plan commission or plat committee determines that the application and plat comply with the standards in the subdivision control ordinance, the commission or committee shall make written findings and a decision granting primary approval to the plat. This decision, which must also specify any condition imposed or waiver granted under section 702 of this chapter, must be signed by an official designated in the subdivision control ordinance. *(emphasis added)*

Hickory Hills Development Co., L.L.C. v. Coffman
Ind. Ct. App 699 N.E.2d 1214 (1998)

The outcome of this appeal is determined by the function of the Commission insofar as the review of subdivision plat applications is concerned. Subdivision control ordinances must provide concrete standards under which the Commission will consider plat applications.⁵ *Id.* at 96. The Commission's only role when reviewing plat applications is to "determine whether a plat presented to them comports with the requirements of their subdivision ordinance." *Dosmann v. Area Plan Comm'n of St. Joseph County*, 160 Ind.App. 605, 312 N.E.2d 880, 884 (1974), *reh. denied*. If the Commission determines that a plat complies with the standards set forth in the subdivision control ordinance, it *shall* make written findings *and grant* primary approval for the plat. IND.CODE § 36-7-4-707 (1993); *Brant*, 677 N.E.2d at 96. Thus, it is a mandatory duty of the Commission to approve a plat which complies with applicable statutes and ordinances, *Tippecanoe County Area Plan Comm'n v. Sheffield Developers, Inc.*, 181 Ind.App. 586, 394 N.E.2d 176, 180 (1979) *trans. denied*, and the Commission does not have the discretion to reject a subdivision plat once compliance is demonstrated. *See Dosmann*, 312 N.E.2d at 884 (planning commissions have no discretion to approve some plats and disapprove others); *Suburban Homes Corp. v. Anderson*, 147 Ind.App. 419, 261 N.E.2d 376 (1970). Accordingly, the review of a subdivision plat is considered a ministerial, as opposed to discretionary, act. *Brant*, 677 N.E.2d at 96; *Cundiff v. Schmitt Development *1217 Co.*, 649 N.E.2d 1063, 1069 (Ind.Ct.App.1995) (plat approval is a ministerial, not discretionary, function).