

MINUTES
FRANKLIN CITY PLAN COMMISSION
July 20, 2021

Members Present:

Pam Ault (by phone)	Member
Suzanne Findley	Secretary
Georganna Haltom	Member
Jim Martin	President
Irene Nalley (by phone)	Member
Mark Richards	Member
Chris Rynerson	Member
Charlotte Sullivan	Vice President
Debbie Swinehamer	Member

Others Present:

Lynn Gray	Legal Counsel
Joanna Myers	Senior Planner II

Members Not Present:

Janice Giles	Member
Diane Gragg	Member

Call to Order:

Jim Martin called the meeting to order at 6:00 p.m.

Roll Call & Determination of Quorum

Pledge of Allegiance

Approval of Minutes

Chris Rynerson made a motion to approve the June 15, 2021 minutes. Suzanne Findley seconded. Roll call vote was taken. Passed unanimously 9-0.

Swearing In

Ms. Gray swore en masse all intending to speak during the proceedings.

Report of Officers and Committees: June 24, 2021 – Joanna Myers reported on four petitions on the Technical Review Committee Agenda. Three are being heard this evening, Commerce Point and Yarnell Annexation and Rezoning. The other item at the meeting was a Site Development Plan for The Links at

Franklin located on the south side of E. King Street near Benjamin Drive east of the City of Franklin fire station and west of Umbarger Lane. It is for the development of a multi-family, residential development.

Old Business

New Business

PC 2021-25 (PP): Commerce Point – Ms. Myers presented this request of a primary plat for a commercial subdivision. The petitioner is Schoolcraft Development. It is located at the northwest corner of Commerce Drive and US 31/Morton Street. The common address is 2480 and 2490 N. Morton Street. The request is for a three-lot commercial subdivision. It includes a waiver request for the detention facility to be located in a drainage and utility easement for underground detention in lieu of a common area.

Donna Smithers from Northpointe Engineering and Surveying presented, accompanied by Steve Schoolcraft. Ms. Smithers explained that the existing structures are to be demolished, and they proposed a conceptual plan for three commercial lots. Lot 1 along US 31 is where the proposed underground detention facility would be located. It would be under the parking lot and not in a common area. The ordinance requires it to be in a common area, so they are asking for the waiver. Easements will be platted, and it will be accessible and able to be maintained. All utilities are onsite. Petitioner agrees with all staff comments and recommendations. They needed to add a no access easement along US 31 and Commerce Drive. The decision criteria for the waiver were submitted and presented to the Commission with their agenda packets.

Ms. Gray sought assurance that it would be a drainage easement only for the underground detention and not in conflict with any other easements such as utility. Ms. Smithers identified that it is currently a drainage and utility easement, but they could make it strictly a drainage easement. All the utilities will be located around it.

A public hearing was held with no respondents. The public hearing was closed.

Ms. Myers stated that the waiver request would need to be acted upon first. She stated that should the Plan Commission find sufficient evidence to approve the waiver request, staff recommends approval of the primary plat with one condition.

1. No access easements to be provided along the entire US 31/Morton Street frontage and along Commerce Drive frontage, with the exception of the location of the shared drives to be constructed along Commerce Drive, consistent with the plans received June 28, 2021.

Ms. Smithers stated that the condition was acceptable to the petitioner.

Mr. Richards made a motion to approve the waiver request. Mr. Rynerson seconded. Roll call vote was taken. Motion passed unanimously, 9-0.

Mr. Richards made a motion to approve the primary plat with the condition noted by staff. Mr. Rynerson seconded. Roll call vote was taken. Motion passed unanimously, 9-0.

PC 2021-27 (A) & PC 2021-28 (R): Yarnell Annexation & Rezoning – Ms. Myers presented the request for annexation and rezoning from the current IBD (Industrial: Business Development) to IL (Industrial: Light). The property is approximately 36 acres and is located on the south side of Earlywood Drive and east of Graham Road. It has been before Technical Review Committee. They have submitted all the required information.

Attorney Larry Gesse, accompanied by property owner Jerry Yarnell and Tom Thompson. Mr. Gesse addressed the state criteria as follows:

1. Comprehensive Plan: They feel the rezoning is consistent and complimentary to the comprehensive plan.
2. Current Conditions: They also believe it is consistent and complimentary to current conditions existing in the area.
3. Desired Use: The desired use will allow the land around it to be compliant with Franklin's Comprehensive Plan.
4. Property Values: Once developed and annexed in to the city, they do not believe it will do anything to hurt surrounding property values.
5. Responsible Growth: The annexation and rezoning will allow Franklin to have responsible growth in the area.

The real estate lies within the Needham Fire Protection District. They have received word from Needham that they will sign the request to remove the property from the fire protection district in a timely manner when received. Mr. Gesse also stated that they concur with staff findings as presented in the staff report.

A public hearing was held. Adjacent homeowner, Jack Kean, asked if they will also be annexed and covered by the Franklin Fire Department. Ms. Gray responded that neither would be the case. Discussion ensued on the zoning in the area and what IL (Industrial: Light) allowed. The public hearing was closed.

Mr. Rynerson asked what the property to the north is zoned. Ms. Myers responded it to be IG (Industrial: General), Franklin's highest industrial classification. IL (Industrial: Light) is the middle classification and IBD (Industrial: Business Development) is the lowest.

Ms. Myers presented staff's recommendation for a favorable recommendation to be sent to City Council for annexation and rezoning to IL (Industrial: Light).

Debbie Swinehamer made a motion for a favorable recommendation to be forwarded to City Council for annexation. Ms. Findley seconded. Roll call vote was taken. Passed unanimously, 9-0.

Mr. Richards made a motion for a favorable recommendation to be forwarded to City Council for rezoning. Mr. Rynerson seconded. Roll call vote was taken. Passed unanimously, 9-0.

The case will be introduced at the August 16th City Council meeting. The public hearing will be conducted at the following meeting, which will be September 7, 2021.

PC 2021-24 (R): Starek Rezoning – Attorney Melissa Garrard introduced those she was accompanied by, Jeff Pape, Forestar's Midwest Division President, Mark Mastrococco, Forestar's Director of Land Acquisition and Brian Gray, Forestar's Director of Engineering and Entitlements. Mark Bridwell, Division Vice President of Land Development for D.R. Horton, was late arriving due to traffic.

Ms. Garrard apologized to Plan Commission if her enthusiasm in last month's presentation came across too strongly. She went on to state that the petitioner agrees with all staff recommendations. They have revised written commitments to include all the requests of staff and legal counsel. Ms. Garrard explained the relationship between Forestar and D.R. Horton. Forestar is a subsidiary of D.R. Horton. Ms. Garrard explained multiple meetings with D.R. Horton and reviewed data submitted with their written filing. She also gave a number of examples of D.R. Horton products. Premium lots make up about 40% of the proposed development.

Mr. Bridwell arrived at this point in the meeting and presented an overview of D.R. Horton and how Franklin offers what their homeowners look for. Mr. Pape also presented, explaining that they have not signed with any contractor other than D.R. Horton in the six states he is responsible for.

A public hearing was held. Duane Mercer expressed his concern with regards to the appearance of the back side of the homes which will be his view from his property. He requested a knoll or barrier with trees to buffer the view. Sharon Acton highlighted her continuing concern about drainage and also how recreational areas and green spaces will be handled. She would like the location to be central and not encroaching on the north and south boundaries of the property. She also asked if the current elevated costs of construction materials factor in to the price of the planned homes. She wanted to know the resale value of surrounding developments and the quality of construction materials. Bill Harmenang asked about drinking water concerns. Ms. Gray stated that Franklin's water comes from Shelbyville (Indiana American Water) as Franklin has no wells.

Ms. Garrard stated their commitment to work with rear elevation concerns regarding the mounding and landscaping. Drainage studies will come at the primary plat stage and also be reviewed by the Johnson County Drainage Board. Ms. Garrard also stated their commitment to work on the recreational areas and green space locations to be internally and centrally located. The demand is driving the prices more than elevated construction material costs and they are committed to quality building materials.

Mr. Mercer asked if there will be brick on the rear elevations. Ms. Garrard stated there will not be. The public hearing was closed.

Georganna Haltom asked if the proposed price points are affordable and desired in Franklin and Ms. Garrard assured after their research that they were. She also asked about their goal for the number of homes built at one time, and they explained they will buy approximately 18 lots a quarter totaling about 70 homes constructed yearly.

Mr. Richards asked for elaboration on the different price points for the same home in varying communities. Ms. Garrard explained that it is because they are different communities and also varying land prices. They believe Franklin to be comparable to Bargsville and Greenwood's price points. Ms. Garrard also confirmed the lot cost to be part of the quoted prices. Ms. Myers followed up to say that at the beginning of Ms. Garrard's presentation she stated that the costs did not include lot premiums. Ms. Garrard stated that the website includes base lot costs as they know that when purchased from the developer. They do not include whether it is a lake lot or upgrades such as granite countertops. Mr. Richards pointed out that they are showing estate lots less than a third of an acre. They should refer to them as oversized or large lots. Mr. Richards pointed out that in Johnson County an estate lot is two or more acres. Ms. Garrard stated that almost half of the lots in this subdivision will be considered premium or oversize lots due to such features as water view. Ms. Haltom asked about the identified backlog in the written exhibits. Ms. Garrard explained it to refer to lots that have not been closed yet but were under contract.

Ms. Myers presented staff's recommendation for a favorable recommendation to be forwarded to the Franklin City Council for the RS-2 rezoning request with the following commitments as offered by the petitioner:

1. Ponds: All ponds installed on the Real Estate in connection with any development thereof, along with a minimum 20 ft. drainage easement from the top of bank, shall be located entirely within the common area of any subdivision and not on any lot(s) on the Real Estate.
2. Monuments: If any stones or monuments of record are found while the survey of the Real Estate is prepared, Owner will use its best efforts to protect them from damage.
3. Legal Drain: The Real Estate is located within the Hurricane Creek Legal Drain Watershed, and future development will require review by the Johnson County Drainage Board.
4. Hurricane Road Landscaping: At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a row of broad-leaf deciduous canopy trees shall be planted parallel to the property line and be placed within a

common area adjacent to Hurricane Road with 1 tree placed every 40 feet along the boundary; provided, however, that such canopy trees required within the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533 shall be small trees (30 ft. or less). The developer shall have a good faith obligation in obtaining approval from the easement Grantee. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road.

At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a 3 to 5-foot tall undulating mound shall be provided parallel to the property line and placed within a common area adjacent to Hurricane Road, with the slope of said mounds not to exceed 3:1, and improved with shrubs and/or evergreen trees at a rate of one shrub for every 20 feet of continuous boundary or one evergreen for every 35 feet of continuous boundary or a combination thereof; provided, however, that shrubs and not evergreens shall be provided at the ratio above in the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533. The developer shall have a good faith obligation in obtaining approval from the easement Grantee for the plantings and mounding. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road and the mounding only within the 150 feet easement shall be waived.

- a. All shrubs required pursuant to the terms above shall be 18 inches tall, measured from grade, at the time of planting, and all evergreen trees required pursuant to the terms above shall be 5 feet in height, measured from the top of the root ball, at the time of planting and be planted 2 feet laterally from the peak of the mound.

5. Trail System: An asphalt trail meeting the City Engineer and Department of Parks and Recreation requirements shall be provided along Hurricane Road as an extension of the Franklin Greenways Trail and shall be connected to the internal sidewalk system.
6. Minimum Ground Floor Living Area: The minimum Ground Floor Living Area (as defined in the City of Franklin Zoning Ordinance) shall be 950 square feet.
7. Windows: For all Dwelling Units which are adjacent to a common area depicted on any plat, at least one (1) window, with a minimum area of 8 square feet, shall be incorporated on the sides which are adjacent to the common areas; provided, however, that, to the extent that additional windows are incorporated, they may be smaller.

Those Dwelling Units built on corner lots within the Real Estate shall include at least one (1) window per story, with a minimum area of 8 square feet, on the sides of the dwelling facing the streets; provided, however, that, to the extent that additional windows are incorporated, they may be smaller.

8. Exterior Materials: The front elevations of all Dwelling Units shall incorporate at least two (2) exterior building materials, profiles and/or textures and at least three (3) colors on surfaces other than stone, brick, and masonry (but including trim, shutters or other window ornamentation, and garage doors). At least 50% of the front elevation (excluding windows, doors, garage doors, and areas above the roof line) shall be stone, brick, or masonry.
9. Roof Pitch: All Dwelling Units shall feature a minimum of 6:12 primary roof pitch; provided, however, ancillary roofs (including, but not limited to porches, garage extensions, overhangs,

accent roofs, sunrooms or third car garages with a separate roof structure) shall not be considered primary roofs for purposes of this 6:12 roof pitch requirement.

10. Roof Overhang: All Dwelling Units located on the Real Estate shall have a minimum of a twelve (12) inch gable overhang on dwellings where the side consists of siding at the eave and a minimum of eight (8) inch gable overhang on dwellings where the side consists of brick at the eave.
11. Garages: All Dwelling Units on the Real Estate shall have a minimum two-car garage. Three-car garages shall have a separate door and shall be required to be recessed from other bays.
 - a. For Dwelling Units with two-car garages, a single-family dwelling façade shall comprise at least fifty-five percent (55%) of the total façade width; the garage door shall not exceed more than forty-five percent (45%) of the façade.
 - b. For Dwelling Units with three-car garages, a single-family dwelling façade shall comprise at least fifty percent (50%) of the total façade width; the total width of the garage doors combined shall not exceed more than fifty percent (50%) of the façade width.
12. Anti-Monotony: The same front dwelling elevation will not be constructed within two lots in either direction on the same side of the street or directly across the street so far as to ensure that significant architectural features will differentiate dwellings within the subdivision.
13. Prohibited Structures: Above-ground pools and sheds, mini-barns, or other detached storage buildings are prohibited.
14. These Commitments shall run with the land, be binding upon the Owner of the Real Estate and subsequent owners of the Real Estate. These Commitments may only be modified or terminated by a decision of the Franklin Plan Commission.

Ms. Myers also gave staff's recommendation for a favorable recommendation to be forwarded to the Franklin City Council for the RS-3 rezoning request with the following commitments as offered by the petitioner:

1. Ponds: All ponds installed on the Real Estate in connection with any development thereof, along with a minimum 20 ft. drainage easement from the top of bank, shall be located entirely within the common area of any subdivision and not on any lot(s) on the Real Estate.
2. Monuments: If any stones or monuments of record are found while the survey of the Real Estate is prepared, Owner will use its best efforts to protect them from damage.
3. Legal Drain: The Real Estate is located within the Hurricane Creek Legal Drain Watershed, and future development will require review by the Johnson County Drainage Board.
4. Hurricane Road Landscaping: At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a row of broad-leaf deciduous canopy trees shall be planted parallel to the property line and be placed within a common area adjacent to Hurricane Road with 1 tree placed every 40 feet along the boundary; provided, however, that such canopy trees required within the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533 shall be small trees (30 ft. or less). The developer shall have a good faith obligation in obtaining approval from the easement Grantee. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road.

At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a 3 to 5-foot tall undulating mound shall be provided parallel to the property line and placed within a common area adjacent to Hurricane Road, with the slope of said mounds not to exceed 3:1, and improved with shrubs and/or evergreen trees at a rate of one shrub for every 20 feet of continuous boundary or one evergreen for every 35 feet of continuous boundary or a combination thereof; provided, however, that shrubs and not evergreens shall be provided at the ratio above in the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533. The developer shall have a good faith obligation in obtaining approval from the easement Grantee for the plantings and mounding. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road and the mounding only within the 150 feet easement shall be waived.

- a. All shrubs required pursuant to the terms above shall be 18 inches tall, measured from grade, at the time of planting, and all evergreen trees required pursuant to the terms above shall be 5 feet in height, measured from the top of the root ball, at the time of planting and be planted 2 feet laterally from the peak of the mound.

5. Trail System: An asphalt trail meeting the City Engineer and Department of Parks and Recreation requirements shall be provided along Hurricane Road as an extension of the Franklin Greenways Trail and shall be connected to the internal sidewalk system.
6. Minimum Lot Width: Notwithstanding the minimum Lot Width stated in the Table in Section 3.3 and in Section 3.9 of the City of Franklin Zoning Ordinance, the minimum Lot Width (as defined in the City of Franklin Zoning Ordinance) shall be 60 feet.
7. Minimum Ground Floor Living Area: The minimum Ground Floor Living Area (as defined in the City of Franklin Zoning Ordinance) shall be 950 square feet.
8. Windows: For all Dwelling Units which are adjacent to a common area depicted on any plat, at least one (1) window, with a minimum area of 8 square feet, shall be incorporated on the side(s) which are adjacent to the common areas; provided, however, that, to the extent that additional windows are incorporated, they may be smaller.

Those Dwelling Units built on corner lots within the Real Estate shall include at least one (1) window per story, with a minimum area of 8 square feet, on the sides of the dwelling facing the streets; provided, however, that, to the extent that additional windows are incorporated, they may be smaller.
9. Exterior Materials: The front elevations of all Dwelling Units shall incorporate at least two (2) exterior building materials, profiles and/or textures and at least three (3) colors on surfaces other than stone, brick, and masonry (but including trim, shutters or other window ornamentation, and garage doors). At least 50% of the front elevation (excluding windows, doors, garage doors, and areas above the roof line) shall be stone, brick, or masonry.
10. Roof Pitch: All Dwelling Units shall feature a minimum of 6:12 primary roof pitch; provided, however, ancillary roofs (including, but not limited to porches, garage extensions, overhangs, accent roofs, sunrooms or third car garages with a separate roof structure) shall not be considered primary roofs for purposes of this 6:12 roof pitch requirement.

11. Roof Overhang: All Dwelling Units located on the Real Estate shall have a minimum of a twelve (12) inch gable overhang on dwellings where the side consists of siding at the eave and a minimum of eight (8) inch gable overhang on dwellings where the side consists of brick at the eave.
12. Garages: All Dwelling Units on the Real Estate shall have a minimum two-car garage. Three-car garages shall have a separate door and shall be required to be recessed from other bays.
 - a. For Dwelling Units with two-car garages, a single-family dwelling façade shall comprise at least fifty-five percent (55%) of the total façade width; the garage door shall not exceed more than forty-five percent (45%) of the façade.
 - b. For Dwelling Units with three-car garages, a single-family dwelling façade shall comprise at least fifty percent (50%) of the total façade width; the total width of the garage doors combined shall not exceed more than fifty percent (50%) of the façade width.
13. Anti-Monotony: The same front dwelling elevation will not be constructed within two lots in either direction on the same side of the street or directly across the street so far as to ensure that significant architectural features will differentiate dwellings within the subdivision.
14. Prohibited Structures: Above-ground pools and sheds, mini-barns, or other detached storage buildings are prohibited.
15. These Commitments shall run with the land, be binding upon the Owner of the Real Estate and subsequent owners of the Real Estate. These Commitments may only be modified or terminated by a decision of the Franklin Plan Commission.

Ms. Garrard agreed to all commitments.

Mr. Richards made a motion for a favorable recommendation for rezoning of RS-2 and RS-3 with commitments outlined by staff to be forwarded to City Council. Mr. Rynerson seconded. Roll call vote was taken. Passed unanimously, 9-0.

Both annexation and rezoning will be docketed for introduction at the August 16th City Council meeting at 6:00 p.m. The public hearing will be at the September 7th City Council meeting. Official action will be before City Council October 4th.

Other Business

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted this 17th day of August, 2021.

Jim Martin, President

Suzanne Findley, Secretary