



Avon Advisory Planning Commission Meeting Minutes for **March 27, 2023** at **6:30 p.m.** at Avon Town Hall

3/27/2023 - Minutes

1. Start Of Meeting

The meeting commenced at 6:30 p.m.

Present:

Kathryn Ransburg, President
Paul Guckenberger, Vice President
Bill Reed, Commissioner
Jennifer Spencer, Commissioner
Dave Kauffman, Commissioner
Greg Zusan, Commissioner
Bill Peeples, Secretary/Planning Director
Dan Taylor, Legal Counsel
Ian Loera, Senior Planner

Absent:

Mason Pike, Commissioner
Greg Ilko, Consulting Engineer

2. Approval Of Minutes

2.1. February 27th, 2023 Plan Commission Regular Meeting Minutes

Reed made a motion to approve the February 27th, 2023. Seconded by Guckenberger. Motion passed 6-0.

3. Public Comment

None.

4. Request For Continuances Or Agenda Modifications

None.

5. Old Business

5.1. DPR 23-01 Harvest Landing Lot 4

Peeples presented the report to the commission. Staff recommended approval of the masonry waiver. Staff also recommended approval of **DPR 23-01 Harvest Landing Lot 4 Development Plan** subject to the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.
2. A landscape bond is required per Section 4-9 of the Zoning Ordinance. This bond must be provided to the Town of Avon Prior to the issuance of a full Certificate of Occupancy for the subject site.
3. The development shall comply with all relevant portions of Town Code and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.

The commission discussed the waiver request. They discussed with staff the percentage of masonry to fiber cement board that was approved for use on Lot 7 and the intent of the masonry standard within the Ordinance. Staff detailed the Administrative Approval made by the Zoning Administrator to substitute the originally approved wood for fiber cement.

The petitioner, Dylan Reynolds, SPACECO, 3850 Priority Way S Dr, STE 110, Indianapolis and Jason Miller, OVALIS, 5253 W 16th St, Speedway, IN 46224 made themselves available for questions from the Commission. The Commission inquired as to the petitioner's justification for the waiver request. The petitioner stated that they wanted a cohesive development with Lot 7 and were seeking a more aesthetic building.

Ransburg opened the floor for public comment at 6:55 p.m. Hearing none, Ransburg closed the floor for public comment at 6:56 p.m.

The commission further discussed the intent of the masonry architectural standard in the Overlay District.

Guckenberger made a motion to approve the waiver of Section 2.10.O.2.A of the Unified Development Ordinance to allow fiber cement siding to be considered masonry as it applies to the masonry requirement for building in Tier One of the US Highway 36 Overlay Zoning District associated with DPR 23-01 Harvest Landing, Lot 4.

Seconded by Zusan. Motion passed 5-1

Guckenberger made a motion to approve DPR 23-01 Harvest Landing, Lot 4 subject to the conditions outlined in the staff report on file. Seconded by Reed. Motion passed 6-0.

6. New Business

6.1. MAP(P) 23-02 Oak Groves

Peebles presented staff's report to the commission. Staff recommended approval of **MAP(P) 23-02 Oak Groves** subject to the following conditions:

1. The following elevations can be used on any lot: Lincoln, Madison and Coolidge.
2. A 6-foot colored concrete path shall be substituted for the 5 foot concrete sidewalk from County Road 900 East to the east/west connecting trail into the Satori Pointe PUD.
3. Any revised plans shall comply with all commitments and conditions noted as part of any approval granted:
4. The project shall receive any necessary review and approval by Crossroad Engineers on behalf of the Town, HCSO and HC Drainage Board; and,
5. The final plat shall comply with all the relevant portions of the Unified Development Ordinance and the Town Code.

The Commission and Staff discussed the condition related to the concrete path. Staff explained the desire for connectivity from the trail along 900 E to the Hendricks Regional Health recreation area and how a compromise led to the colored concrete path.

Staff verified for the Commission that consulting engineer, CrossRoad Engineers, was comfortable moving forward with Primary Plat approval.

The Commission and Staff discussed transitional uses and required accesses related to the subject property.

The petitioner, Matt Price, Dentons, 10 W Market St, Indianapolis, IN, representing AMH Development further detailed the proposal for the commission. The commission discussed with the petitioner trail location, greenspace, and emergency access.

Petitioner, Jerry Kittle, Innovative Engineering, 3962 N Perry Blvd, Whitestown, IN, further detailed the emergency access easement for the commission.

Ransburg opened the floor for public comment at 7:35 p.m.

Tim Pettigrew, 8854 Prairie Trl, Avon, IN, expressed concerns regarding traffic congestion, housing density, and devaluation of surrounding properties. He also expressed concerns regarding the business practices of the developer. He expressed opposition to the proposed Plat.

Jennifer Howard, 8809 Prairie Trl, Avon, IN, referenced the letter she submitted to the Plan Commission and stated that she was also opposed to the development for all of the reasons stated the previous remonstrator, Pettigrew.

Dinesh Patel, 8879, Prairie Trl, Avon, IN, expressed further concerns regarding traffic and property devaluation and expressed his opposition to the proposed plat.

James Thomas, 7380 Autumn Ct, he stated that agreed with much of what was said before him and expressed disapproval of the business practices of the developer and expressed support for owner-occupied housing.

Vlado Mlagic, 8899 Prairie Trl, expressed concerns regarding traffic and the effect that additional housing will happen. He also expressed concerns regarding the business practices of the developer.

Ransburg closed the floor for public comment at 7:48 p.m.

The petitioner, Matt Price, defended the criticisms of the Developer stating that they were not an accurate representation of the company.

The Commission conferred with Town Attorney, Dan Taylor, regarding the Commissions' role as it relates to owner-occupied vs rented properties. Taylor stated that such considerations are not able to be made during the platting process. He stated that plats are ministerial petitions and the Commissions role is solely to determine if the proposal meets the standards of the Unified Development Ordinance.

Zusan made a motion to approve MAP(P) 23-02 Oak Groves subject to the conditions outlined within the staff report except that Condition 2 shall be amended to read "a 6-foot colored path shall be substituted for the 5-foot concrete sidewalk from CR 900 E to the East-West connecting trail into the Satori Pointe PUD. Zusan also added a condition that an emergency easement shall be platted between lots 2 and 3 as outlined by the petitioner. Seconded by Guckenberger.

Motion passed 6-0.

7. Other Business

8. Committee Reports

BZA: Loera reported that the Board of Zoning Appeals approved a Variance to allow the reorientation of the Pana Donuts Drive Through and denied a variance to allow for a wall sign greater than that which is allowed by Ordinance.

RDC: Reed reported that the Redevelopment Commission approved invoices, had an update on Ivy Tech Funding that had been allocated a while back, had an update on 100 S, and conducted delivery of annual report.

9. **Adjournment**

Meeting adjourned at 8:06 p.m.

Kathryn Ransburg, President _____

Paul Guckenberger, Vice President _____

Greg Zusan _____

Mason Pike _____

Dave Kauffman _____

Jennifer Spencer _____

Bill Reed _____

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Avon, should contact the Town Administrative Offices as soon as possible but no later than 48 hours before the scheduled event.

“Avon is a safe, vibrant community for active families and thriving businesses.”

Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | avongov.org | Next Meeting: **04/24/2023**