



Avon Advisory Planning Commission Meeting Minutes for **April 24th, 2023** at **6:30 p.m.** at Avon Town Hall

4/24/2023 - Minutes

1. Start Of Meeting

The meeting commenced at 6:30 p.m.

Present were:

Kathryn Ransburg, President
Paul Guckenberger, Vice President
Bill Reed, Commissioner
Jennifer Spencer, Commissioner
Mason Pike, Commissioner
Dave Kauffman, Commissioner
Bill Peebles, Secretary/Staff
Mitchell Ray, Legal Counsel
Anna Cron, Legal Counsel
Ian Loera, Staff
Greg Ilko, Contract Engineer

Absent was:

Greg Zusan, Commissioner

2. Approval Of Minutes

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

Pike made a motion to approve the minutes as presented. Seconded by Guckenberger.

3. Committee Reports

4. Request For Continuances Or Agenda Modifications

4.1. DPR 23-05 Avon Marketplace Surgery Center

Requested a continuance to the May 22nd, 2023 Plan Commission meeting to allow for time to obtain a Variance of Development Standards to allow for a 3' side setback. This continuance was granted by right.

4.2. DPR 23-06 Sudan Trucking

Requested a continuance to the June 26th, 2023 Plan Commission meeting, to allow for time to obtain a Variance of Development Standards to allow for a fence in the front yard and a Special Exception to allow for a gravel lot. This continuance was granted by right.

5. Public Comment

None.

6. Old Business

6.1. MAP(P) 22-16 Countryside Estates Primary Plat

Peoples presented staff's report to the Commission. Staff recommended approval of the **Waiver** request to allow for one access to perimeter streets (two required). Staff recommended approval of **MAP(P) 22-16 Countryside Estates** subject to the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.
2. The project shall receive any necessary review and approval by Crossroad Engineers on behalf of the Town, HCSO, and the HC Drainage Board.
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 and staff discussed the design and intent of the newly proposed fire access/trail.

The petitioner, Jeff Banning, Banning Engineering, 853 Columbia Rd STE 101, Plainfield, further detailed his proposal to the Commission.

Ransburg opened the floor for public comment at 6:54 p.m.

Linda Leonard, 7782 Jessica Ln, Avon, stated that the developer should follow the rules of the Ordinance.

David Goeckner, 7531 E County Road 100 N, Avon, stated that there were no significant changes made to the plan and that the Commission should stick to the rules that they established.

Daniel Hofmann, 1025 Forest Commons Dr, Avon, stated that there hasn't been sufficient change to justify approval of the waiver. He raised concerns regarding public safety and traffic.

Stephen Kilbourn, 7701 E County Road 100 N, Avon, advocated for a smaller development. He discussed interactions with the developer regarding their driveway.

Karen Foster, 7574 Black Walnut Dr, Avon, expressed appreciation for the developers efforts to conform to the desires of the commission and preserve the forested area at the south end of the property.

Barbara Kilbourn, 7701 E County Road 100 N, Avon, stated that the church plans to expand other programs and thus traffic will not necessarily be reduced.

Ransburg closed the floor for public comment at 7:05 p.m.

The petitioner, Jeff Banning, responded to the concerns of the Commission and the remonstrators. He discussed previous options that were proposed and displayed an less favorable alternative option that would be permitted by the standards of the Ordinance.

The Commission discussed the proposal as it relates safety. The Commission discussed with the petitioner, any issues that would occur as a result of widening the fire access/trail. The Commission also raised questions regarding the pedestrian crossing and turn lanes. The petitioner clarified that those details will be further reviewed as part of the secondary plat process. The Commission and staff also discussed tree mitigation processes.

Kauffman made a motion to approve the **Waiver of Design Standards** to allow for a subdivision of 61

lots with one access to a perimeter street, subject to the following conditions:

1. A secondary emergency access point that complies with fire and safety requirements and connects to County Road 100 N will be included.

Seconded by Reed. Motion passed 6-0.

Reed made a motion to approve **MAP(P) 22-16 Countryside Estates Primary Plat**, subject to the conditions outlined within the staff report on file. Seconded by Pike. Motion passed 6-0.

7. New Business

7.1. DPR 23-02 Bank Of America - Avon

Peeples presented staff's report to the Commission. Staff recommended denial of the **Waiver** request to allow for the building to be clad in metal and stucco, and recommended approval of the **Waiver** request to allow for drive through lanes to be less than 12 feet wide. Staff recommended approval of **DPR 23-02 Bank of America - Avon**, 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 6.1(D)(2) of the Unified Development 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 petitioner, Brian Emrich, Allegro Civil Engineers, 4322 N Lincoln Ave, further detailed the proposal to the Commission.

Ransburg opened the floor for public comment at 7:45 p.m. Hearing none, Ransburg closed the floor for public comment at 7:46 p.m.

The commission discussed the waiver request as it relates to the proposed masonry percentages. The commission argued that the proposed alternative architectural materials are not superior to those mandated by the Ordinance.

The petitioner requested a continuance to the June 26, 2023 meeting at this time.

Pike made a motion to continue **DPR 23-02 Bank of America - Avon** to the June 26th, 2023 meeting. Seconded by Reed. Motion passed 6-0.

7.2. DPR 23-03 Skillman Hyundai South Lot

Peeples presented staff's report to the Commission. Staff recommended approval of **DPR 23-03 Skillman Hyundai South Lot**, 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 6.1(D)(2) of the Unified Development 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 Banning Engineering at the preconstruction meeting.

The Commission discussed that this property was consistent with the surrounding properties.

The petitioner, Brady Vaughan, CrossRoad Engineers, PC, 115 N 17th Avenue Beech Grove, IN 46107, further detailed the report to the Commission.

Ransburg opened the floor for public comment at 8:09 p.m. Hearing none, Ransburg closed the floor for public comment at 8:10 p.m.

The Commission agreed with the proposal and found it to be consistent with the surrounding properties.

Pike made a motion to approve **DPR 23-03 Skillman Hyundai South Lot**, subject to the conditions outlined within the staff report on file, however CrossRoad Engineers shall be replaced with Banning Engineering. Seconded by Kauffman. Motion passed 6-0.

7.3. **DPR 23-04 Plaza 267**

Peeples presented staff's report to the Commission. Staff recommended approval of **DPR 23-04 Plaza 267** 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 6.1(D)(2) of the Unified Development 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 Banning Engineering at the preconstruction meeting.

The Commission inquired as to if a traffic study was required. Peeples stated that the DPR would not prompt the requirement of a traffic study.

The petitioner, Brady Vaughan, CrossRoad Engineers, PC, 115 N 17th Ave, Beech Grove, IN, further detailed the proposal to the Commission.

Ransburg opened the floor for public comment at 8:22 p.m.

Cindy Sanders, 7153 Maple Dr., Avon, expressed concerns regarding traffic and street maintenance.

Mary Przybyszewski, 7157 Avondale, Avon, expressed further concerns regarding traffic and traffic safety, stating that she is unable to exit south from Maple Dr. She also raised concerns regarding traffic visibility.

Nicole Davis, 7092 Maple Dr, Avon, expressed concerns regarding traffic influxes and requested a traffic study be conducted.

Ransburg closed the floor for public comment at 8:34 p.m.

The petitioners, Brady Vaughn and Greg Ilko, addressed the remonstrators concerns regarding traffic. They further detailed the road improvement designs included as part of this proposal.

The Commission further discussed traffic concerns related to the proposal. They discussed with staff when the Ordinance required traffic studies to be conducted.

Ray informed the Commission that the petition was ministerial and that if the Commission found that the proposal met all of the standards of the Ordinance, they have a duty under state law to pass the petition. Only if the Commission could articulate an issue with the proposal that did not meet the standards of the Ordinance could they vote to deny the proposal.

The staff and Commission further discussed the process for road improvements by the Town.

Kauffman made a motion to approve DPR 23-04 Plaza 267 subject to the conditions outlined within the staff report on file, except that CrossRoad Engineers be replaced with Banning Engineering. Seconded by Reed. Motion passed 6-0.

8. Other Business

BZA: Peeples reported that the Board of Zoning Appeals heard four petitions for two different properties. Approving both Variances for the Skillman Hyundai South Lot, and denying the both Variances for the Lamar Billboard Conversion.

RDC: Reed reported that the RDC approved several invoices, heard an update on CR 100 S project and the pending Dan Jones S Project.

9. Adjournment

Meeting adjourned at 9:00 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: **05/22/2023**