



Avon Advisory Planning Commission Meeting Minutes for **October 23, 2023** at **6:30 p.m.** at Avon Town Hall

10/23/2023 - Minutes

1. **Start Of Meeting**

Meeting commenced at 6:30 p.m.

Present members were as follows:

Paul Guckenberger, Vice President
Dave Kauffman, Commissioner
Greg Zusan, Commissioner
Bill Reed, Commissioner
Jennifer Spencer, Commissioner
Bill Peebles, Planning Staff
Ian Loera, Planning Staff
Dan Taylor, Legal Counsel
Anna Cron, Legal Counsel

Absent were as follows:

Kathryn Ransburg, President
Mason Pike, Commissioner

2. **Approval Of Minutes**

Zusan made a motion to approve the August 28th, 2023 and September 25th, 2023 Plan Commission meeting minutes as presented. Seconded by Reed. Motion passed 5-0.

3. **Public Comment**

Ron Frasier, 8806 Prairie Trail, expressed concerns regarding the notification requirements for planning petitions.

4. **Request For Continuances Or Agenda Modifications**

4.1. **DPR 23-13 C-Store (1137 N. Avon Ave.)**

Reed made a motion to continue **DPR 23-13 C-Store (1137 Avon Ave.)** to the November 27, 2023 Plan Commission meeting. Seconded by Kauffman. Motion passed 5-0.

4.2. **ZA 23-03 UDO Text Amendment**

Zusan made a motion to continue **ZA 23-03 UDO Text Amendments** to the November 27, 2023 Plan

Commission meeting.

5. Old Business

5.1. DPR 23-06 Sudan Trucking

Peeples presented staff's report to the Commission. Staff recommended approval of **DPR 23-06 Sudan Trucking** 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 8.10(G) 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.
4. Future revised plans shall include the most recent updates to the Town of Avon Construction Standards prior to the Preconstruction Meeting.

The Commission inquired as to the design of the concrete on the lot and of the asphalt on Kingston St.

The petitioner, Dale Kruse, Kruse Consulting, 7384 Business Center Dr., Avon, further described the proposal to the commission.

Guckenberger opened the floor for public comment at 6:47 p.m. Hearing none, Guckenberger closed the floor for public comment at 6:48 p.m.

The commission discussed the previous BZA approvals and verified that the proposal met the engineering requirements.

Zusan made a motion to approve **DPR 23-06 Sudan Trucking** 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.
4. Future revised plans shall include the most recent updates to the Town of Avon Construction Standards prior to the Preconstruction Meeting.

Seconded by Kauffman. Motion passed 5-0.

5.2. DPR 23-10 Avon Business Park

Peeples presented staff's report to the Commission. Staff recommended approval of **Waiver A** to allow the use of canopies and unit colors in place of articulation, **Waiver B** to allow relief from two different materials on building facades, **Waiver C** to allow the use of metal panels and masonry on building facades, and **Waiver D** to allow modification of masonry percentages on buildings facades. Staff recommended approval of **DPR 23-10 Avon Business Park** 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 8.10(G) 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.

4. Plans shall be amended to include the most recent version of the Town of Avon Construction Standards prior to the Preconstruction Meeting.

The petitioner Ben Comer, 71 W. Marion St., Danville, IN 46122 further detailed the proposal.

Guckenberger opened the floor for public comment at 7:00 p.m. Hearing none, Guckenberger closed the floor for public comment at 7:01 p.m.

The Commission expressed their appreciation for the petitioner listening to the Commission's feedback at the last meeting.

Zusan made a motion to approve **Waiver A** of UDO 2.10(O)(3)(a)/7.11(D) to allow for the use of canopies and unit colors in place of articulation. Seconded by Spencer. Motion passed 5-0.

Kauffman made a motion to approve **Waiver B** of UDO 2.10(O)(2)(c) to allow relief from two different materials on building facades. Seconded by Reed. Motion passed 5-0.

Reed made a motion to approve **Waiver C** of UDO 2.10(O)(2)(b) to allow use of metal panels and masonry on building facades. Seconded by Kauffman. Motion passed 5-0.

Reed made a motion to approve **Waiver D** of UDO 2.10(O)(2)(a) to allow modification of masonry percentages on building facades. Seconded by Zusan. Motion passed 5-0.

Reed made a motion to approve **DPR 23-10 Avon Business Park** 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 8.10(G) 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.
4. Plans shall be amended to include the most recent version of the Town of Avon Construction Standards prior to the Preconstruction Meeting.

Seconded by Spencer. Motion passed 5-0.

6. New Business

6.1. DPR 23-14 Harvest Landing, Lot 2

Loera presented staff's report to the Commission. Staff recommended approval of **Waiver A** to allow for a 27.3 foot landscape buffer. Staff recommended approval of **Waiver B** to allow for relief from articulation requirements for the westernmost portion of the northern façade. Staff recommended approval of **DPR 23-14 Harvest Landing, Lot 2** 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 8.10(G) 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.

4. An ingress/egress access shall be provided along N County Road 900 E as required by the Department of Public Works.
5. Revised site plans shall be submitted to the Zoning Administrator for approval prior to the scheduling of a Preconstruction Meeting.
6. Future revised plans shall include the most recent updates to the Town of Avon Construction Standards prior to the Preconstruction Meeting.

The petitioner, Dillon Reynolds, SPACECO, Inc., 3850 Priority Way S Drive, Ste 110, Indianapolis, IN, further detailed the request to the commission.

The petitioner, Jason Miller, 253 W 16th St, Speedway, IN, further described the architecture of the building.

The commission inquired as to the proposed landscaping and architectural materials.

Guckenberger opened the floor for public comment at 7:22 p.m.

Raymond Albee, 506 N County Rd 900 E, Avon, IN, raised concerns regarding traffic along 900 E.

Ron Fraizer, 8806 Prairie Trail, Avon, IN, expressed further concern regarding traffic along 900 E.

Guckenberger closed public comment at 7:26 p.m.

The Commission and Staff discussed past traffic studies and safety analysis conducted as part of this development. They discussed the potential for road improvements on 900 E and staff explained the proposed road improvements at the ingress egress point of this development.

Zusan made a motion to continue **DPR 23-14 Harvest Landing, Lot 2** to the November 27th, 2023 Plan Commission meeting. Seconded by Reed. Motion passed 5-0.

6.2. **ZA 23-04 Avon Christian Church Subdivision**

Loera presented staff's report to the Commission. Staff recommended a favorable recommendation be forwarded to the Town Council for **ZA 23-04 Avon Christian Church Subdivision** subject to the following commitments:

1. 'Dwellings - Duplex', 'Dwellings - Triplex and Fourplex', 'Dwellings - Bungalow Court', 'Dwellings - Townhouse', 'Dwellings - Apartment Building: Small', 'Live/Work Dwelling', 'Assisted Living Facilities', 'Fraternity, Sorority, or Student Housing', 'Group Residential Facility', 'Nursing Homes, Hospice', shall be prohibited uses.
2. A 60-foot half right-of-way shall be dedicated along the entirety of the subject property.

The Commission inquired as to the maximum density under the current zoning.

The petitioner, Chris Barnett, 3135 N Meridian St., Indianapolis, IN further described the proposal to the Commission.

Guckenberger opened the floor for public comment at 8:05 p.m.

Ed Abbott, 7895 Amsterdam Ct., Avon, IN, told the commission that he is a longtime volunteer for Habitat for Humanity and expressed support for the petition.

Bob Culler, 1483 Laurel Oak Dr., asked the Commission to inquire as to what happens when the ownership of the home changes.

Guckenberger closed public comment at 8:07 p.m.

The petitioner, Barnett, stated that Habitat for Humanity holds the mortgage and will be the provided to the next occupant.

The Commission and staff further discussed density and road access.

Kauffman made a motion to forward **ZA 23-04 Avon Christian Church Subdivision** to the Town Council with a favorable recommendation subject to the following conditions:

1. 'Dwellings - Duplex', 'Dwellings - Triplex and Fourplex', 'Dwellings - Bungalow Court', 'Dwellings - Townhouse', 'Dwellings - Apartment Building: Small', 'Live/Work Dwelling', 'Assisted Living Facilities', 'Fraternity, Sorority, or Student Housing', 'Group Residential Facility', Nursing Homes, Hospice', shall be prohibited uses.
2. A 60-foot half right-of-way shall be dedicated along the entirety of the subject property.

Seconded by Reed. Motion passed 5-0.

6.3. **ZA 23-05 Village Place Townhomes**

Peeples presented staff's report to the commission. Staff recommended a favorable recommendation be forwarded to the Town Council for **ZA 23-05 Village Place Townhomes II** subject to the following commitments:

1. 'Dwellings - Apartment Building: Small' and 'Dwellings - Apartment Building: Large' shall be prohibited.
2. Required architectural standards shall be that of Single-Family Detached Dwellings as required by the Unified Development Ordinance.
3. An 8-foot asphalt trail shall be constructed through the development connecting the trail along County Road 900 East with the trail system within the Satori Pointe Planned Unit Development.

The Commission inquired as to the required trail width and ROW dedication.

The petitioner, John Moore, on behalf of Lennar Homes, 50 S Meridian St, Ste. 700, Indianapolis, IN, further detailed the request to the Commission.

The Commission and the petitioner discussed the pending Traffic Study.

The petitioner, Tony Bagato, Lennar Homes, 11555 N Meridian St, Ste 400, Carmel, IN, committed to retaining the landscape buffer to the north with the condition that they be permitted leniency in their ability to remove trees as necessary for utility work.

The commission raised concerns regarding the driveway encroaching into the boulevard entrance.

Guckenberger opened the floor for public comment at 8:49 p.m.

Tim Pettigrew, 8854 Prairie Trail, Avon, IN expressed concerns regarding traffic along CR 900 E and provided 85 signed petitioner in opposition to the proposed rezoning. He further expressed concerns regarding the cost of the neighboring homes, their owner/rental status, and their density.

Ron Frazier, expressed concerns regarding the public hearing notice requirements, the proximity of access drive from neighboring properties, traffic along CR 900 E, and the width of driveways in the development.

Guckenberger closed public comment at 9:01 p.m.

The Commission inquired as to if the houses will be rentals or owners. The petitioner stated that the intent is to sell them to homeowners, but that the developer can't control who the buyer sells to. The petitioner further iterated that short term rentals would be prohibited.

The petitioner stated that the proposed driveways are deep enough to park cars without blocking sidewalks, parking will be prohibited on streets, and they have agreed to commission a traffic study to analyze current and projected traffic along CR 900 E.

The Commission inquired as to the emergency access from the Costco lot.

The petitioner requested a continuance to the November 27th, 2023 Plan Commission meeting.

Zusan made a motion to continue **ZA 23-05 Village Place Townhomes II** to the November 27th, 2023 Plan Commission meeting with the condition that a traffic study be conducted, an analysis of available ROW acquisition be conducted, Costco access agreement provided in writing, and County input be provided regarding potential street improvements.

Seconded by Reed. Motion passed 5-0.

7. Other Business

Lanice Scott Halloway expressed her desire to name a Town of Avon street after her grandmother's last name, Blair due to their long family history in the Town of Avon.

8. Committee Reports

RDC: Reed reported there was a 100 S update, Dan Jones Widening update, sprinkler alarm repair for police department, recommendation of a construction manager for Government Center at Easton Grey.

BZA: Loera reported that the Board of Zoning Appeals approved one variance request for dumpsters along CR 900 E.

9. Adjournment

Meeting adjourned 8:56 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: **11/27/2023**