

**MINUTES
FOR THE September 21, 2009
AVON PLAN COMMISSION
REGULAR MEETING**

- I. Call to Order/Pledge of Allegiance**
- II. Roll Call/Determination of Quorum-** in attendance: Mr. Batic, Mr. Elmore, Mr. Rogers, Mr. Turner and Mr. Petrides, as were Planning Director, Mr. Salzman, Assistant Planner, Mr. Granata, Attorney, Mr. Chadd and Mr. Neilson with EMH&T.
- III. Consideration of the minutes from the July 21, 2009 meeting. July minutes not available at this time.**
- IV. Committee Reports - None**
- V. Requests for Continuances and Other Agenda Modifications – None**
- VI. Old Business**

ZA 09-05: TEXT AMENDMENT FOR FENCES LOCATED IN DRAINAGE EASEMENTS for a text amendment. The proposed amendment to Section 13-5.3 of the Avon Zoning Ordinance would allow the placement of fences in drainage easements with the approval of the Avon Public Works Department and the execution of an Encroachment Agreement.

Mr. Salzman presented for staff – This case has been brought back before the Plan Commission due to additional text changes made by the Town Council. Text change will require the Public Works Director or their designer to sign of on the permit.

Public Hearing opened & closed with no one coming forward.

Motion made by Mr. Petrides to approve ZA 09-05: Text Amendment for Fences located in Drainage Easements, with the modified text. Motion was seconded by Mr. Batic. Roll call vote called:

Mr. Elmore	for
Mr. Eisenbarth	absent
Mr. Turner	for
Mr. Aiello	absent
Mr. Petrides	for
Mr. Rogers	for
Mr. Batic	for

5-for, 0-against, 2-absent, Motion passed 5-0

PUD(P) 09-02: SW CORNER OF CR 100 N. AND CR 1050 E. for a planned unit development to provide for Commercial, Multiple Family Residential and Attached Single Family Dwellings. The property is a 37.01 acre parcel in the Town of Avon, Section 5 Township 15N, Range 2E, Parcel Number(s) 12-2-05-52E-100-016 located at the South West corner of CR 100 N. & CR 1050 E., in a PUD: Planned Unit Development District.

Mr. Salzman presented for Staff – Mr. Salzman summarized the changes to the ordinance. Four of the five conditions have been met.

Lee Comer presented for the petitioners

Public Hearing opened and closed with no one coming forward.

Plan Commission discussed some concerns regarding this case.

Staff Recommendation:

- Drive-thru restaurants are prohibited
- That 50% or less of dryvit or stucco is allowed in areas a and c.
- The 1st floor elevation of retail buildings include 50% or greater of glazing on the front elevation and at least 30% on the side elevations, with future petitioners allowed to request less glazing from the Plan Commission.
- Vinyl siding is prohibited as an architectural material from the multi-family component.
- Only 50% of the apartments may receive a Certificate of Occupancy until 5,000 square feet of non-residential is constructed; if retail is provided on the first floor of the apartments, then 100% of the apartments may receive a Certificate of Occupancy.

Motion made by Mr. Elmore to approve PUD(P) 09-02: SW Corner of CR 100 N. and CR 1050 E. Motion was seconded by Mr. Rogers. Roll call vote called:

Mr. Elmore	for
Mr. Eisenbarth	absent
Mr. Turner	for
Mr. Aiello	absent
Mr. Petrides	for
Mr. Rogers	for
Mr. Batic	for

5-for, 0-against, 2-absent, Motion passed 5-0

VII. New Business

WC 09-01: THE GABLES OF AVON for a amendment to written commitments to amend zoning commitment No. 14 to allow for the enlargement of a pylon sign from the existing 100 sq. ft. allowance to 130 sq. ft

Ryan Granata presented for the staff.

Bob Wildman presented for the petitioner.

Public Hearing opened:

- Deloris Wuertley – Concern regarding limiting to one pylon sign.

Public Hearing closed:

Staff Recommendation:

- Planning staff will record the signed written commitments with the Hendricks County Records Office at the expense of the petitioner.

Motion made by Mr. Petrides to approve WC 09-01: The Gables of Avon amendment to the written commitments. Motion was seconded by Mr. Elmore. Role call vote called:

Mr. Elmore	for
Mr. Eisenbarth	absent
Mr. Turner	for

Mr. Aiello absent
Mr. Petrides for
Mr. Rogers for
Mr. Batic for

5-for, 0-against, 2-absent, Motion passed 5-0

VIII. Other Business

A. PC Training – Training moved to the October 26, 2009 meeting.

IX. Wishes to be heard – None

X. Public Comment – None

XI. Adjournment – 9:12 P.M.

Motion made by Mr. Elmore to adjourn. Motion seconded by Mr. Petrides. Roll call vote called:

Mr. Elmore for
Mr. Eisenbarth absent
Mr. Turner for
Mr. Aiello absent
Mr. Petrides for
Mr. Rogers for
Mr. Batic for

5-for, 0-against, 2-absent, Motion passed 5-0

**NEXT PLAN COMMISSION REGULAR MEETING
MONDAY-October 26, 2009**

Marcus Turner - President

Al Salzman, AICP