



Avon Advisory Planning Commission Meeting Minutes for **May 23, 2022 at 6:30 p.m.** at Avon Town Hall

5/23/2022 - Minutes

1. **Start Of Meeting**

In attendance were Kathryn Ransburg, Mason Pike (early departure at 8:20 p.m.), Ed Rosenbaum, Paul Guckenberger (late arrival at 6:45 p.m.), Planning Director William Peoples, Senior Planner Ian Loera, Engineering Consultant Greg Ilko, and Town Attorney Mitchell Ray.

2. **Approval Of Minutes**

2.1. **April 25, 2022 Plan Commission Regular Meeting Minutes**

Mr. Loera stated that he revised a portion of the minutes related to a motion after the staff reports were distributed. The plan commission was in agreement with the revisions. Mr. Hiser made a motion to approve the minutes as revised. Seconded by Ed Rosenbaum. Motion passed 4-0.

3. **Committee Reports**

Mr. Loera stated that there was one Variance of Development Standards heard at the last Board of Zoning Appeals meeting to allow for illuminated signage at the Ziggi's Coffee site. The variance was approved subject to some conditions.

4. **Public Comment**

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

Mr. Peoples stated that there were several requests for continuances that were received by staff after the agenda had been published.

John Moore, 50 S Meridian St, STE 700, Indianapolis, IN, requested continuances for **MAP(P) 22-08 Fairwood Sections 5 & 6** and **PUD 22-01 Oriole Estates** to allow for further revisions.

Mr. Hiser made a motion to continue both cases to the June 27th, 2022 Plan Commission meeting. Seconded by Mason Pike. Motion passed 4-0.

6. **Old Business**

6.1. **ZA 17-01 Recreation Impact Fee**

Mr. Peeples briefly introduced the Recreation Impact Fee.

Ryan Cannon, Town Manager, 6093 Lacebark Way, Avon, IN. Mr. Cannon further explained the proposed Recreation Impact Fee to the Commission and recommended approval.

Mrs. Ransburg opened the floor for public comment at 6:50 p.m. Hearing none, Mrs. Ransburg closed the floor for public comment.

Mr. Rosenbaum made a motion to approve the Recreation Impact Fee. Seconded by Paul Guckenberger. Motion passed 5-0.

6.2. **DPR 21-16 RISE Of Avon, LLC**

Mr. Peeples presented his report to the commission. Staff recommended approval of the requested waivers and the Development Plan Review petition subject to the conditions outlined within the staff report.

The commission discussed staff's change in recommendation as it relates to the requested waivers.

The petitioner presented their proposal to the Plan Commission. The commission further discussed the requested waivers. The petitioner stated that they were able to meet the standards of the ordinance for the six buildings which front on Ronald Reagan, but are still requesting waivers for the rest of the buildings.

Mrs. Ransburg opened the floor for public hearing at 7:11 p.m.

Jim Hutchek, 2342 Fisher Ave, Speedway, IN, 46224. Mr. Hutchek stated that there is no remonstrance against this development and discussed the several meetings held with staff regarding this proposal. He discussed and expressed his support for the waiver of architectural standards.

Developer, Jim Sapp, 870 Castleton Rd, Indianapolis, requested a brief recess to discuss matters with his team.

The petitioner requested a continuance of this petition.

Mr. Pike stated that he would not support the waiver of architectural features unless the most northwest building also met the requirements of the ordinance.

Mr. Rosenbaum asked what changes will be made if the continuance is granted. The petitioner stated that they would discuss the new information given by Mr. Pike and are requesting due to the number of board members.

Mr. Guckenberger stated that he wants the development to look better than just storage units and wants to maintain the aesthetic appeal of Ronald Reagan. He further expressed his desire for all buildings to meet the standards of the Overlay District.

The commission requested that the petitioner come back with a last and final proposal that satisfies the desires of the commission.

Mr. Pike made a motion to continue **DPR 21-16 Rise of Avon, LLC** to the July 25, 2022 Plan Commission meeting. Seconded by Paul Guckenberger. Motion passed 5-0.

6.3. **MAP(P) 22-08 Fairwood Section 5 & 6**

Continuance granted. See *Requests for Continuances or Agenda Modifications*.

6.4. **PUD(P) 22-01 Oriole Estate PUD**

Continuance granted. See *Requests for Continuances or Agenda Modifications*.

6.5. **ZA 22-05 Turner Trace Modification Of Commitments**

Mr. Peeples presented his report to the commission. Staff recommended approval of the petition subject to the alternate commitments provided on May 5, 2022.

The commission and staff discussed the the current zoning of the property as it relates to permitted uses under the current ordinance as opposed to what is permitted as part of the recorded commitments. They also discussed the changes made to the petition since the last Plan Commission meeting.

Amy Comer-Elliot, Comer Law Office, 71 W Marion St, Danville, IN, spoke on behalf of the petitioner, Ben Comer. She stated that the petitioner has amended their request to include gas stations and convenience stores as prohibited uses and made herself available for questions.

The commission discussed the historical context behind the commitments as it relates to the current development of the property. They also revisited the discussions had at the previous plan commission meeting on this petition.

Nicki Martin, 10774 Miller Dr, stated that she is speaking on behalf of several residents in the area surrounding 1285 Hope Dr. She expressed concerns related to drainage stormwater runoff, roadway conditions, traffic, and permitted uses of the commercial area.

Laurie Rolston, 1311 S Avon Ave, Avon, IN explained the historical context related to the recorded commitments. She further expressed concerns regarding taverns/bars and drive-throughs as permitted uses.

Shirley Eagle, 1304 S Avon Ave, Avon, IN expressed concerns regarding flooding on her property and traffic on Avon Ave.

Bob Culler, 1483 Laurel Oak Dr, Avon, IN, stated that he is representing the Coalition for Responsible Growth. He found that previous speakers had sufficiently addressed the concerns with the commercial aspect, but asked the commotion to include a condition which states that the architectural standards will meet or exceed the standards set forth within the Unified Development Ordinance if they choose to approve the petition.

Jerry Bennett, 1285 Hope Dr, Avon, IN, referenced the petition in opposition to this petition and expressed his concerns with the commercial development as it relates to traffic infrastructure and congestion.

Rick Floerke, 7204 Cambridge Pl, Avon, IN, expressed concerns regarding additional traffic as it relates to speeding and disregard for the nearby stop sign.

Carl Skinner, 6867 Riviera Dr, expressed concerns regarding the damage of property values due to the proposed change in zoning commitments. He further discussed concerns regarding drainage and road infrastructure.

Ronald Porter, 1284 Hope Dr, Avon, IN, expressed safety concerns related to increased traffic within the Price Addition neighborhood.

The commission further discussed the proposed changes to the zoning commitments.

Mr. Pike made a motion to approve **ZA 22-05 Turner Trace Modification of Commitments** subject to

the following conditions:

1. Subject to the alternate commitments provided to the Planning Director on May 5th, 2022 as attached within the staff report
2. That the petitioner agrees to add to the commitments compliance with the UDO standards as outlined within the Town Code.

Seconded by Ed Rosenbaum. Motion passed 5-0.

7. New Business

7.1. DPR 22-09 Holiday Inn Express

Mr. Peeples presented his report to the commission. He noted that the petitioner filed revised plans subsequent to the publishing of the staff report. He stated that the revised plans did address some of the issues detailed within the staff report. Staff recommended approval of the waiver request for a reduced buffer yard and recommended approval of the petition subject to the following conditions:

1. A photometric plan shall be reviewed and approved by the Zoning Administrator prior to the scheduling of a preconstruction meeting for the project.
2. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
3. The project receives an necessary review and approval by CrossRoad Engineers on behalf of the Town and the HC Drainage Board; and
4. The development will comply with all the relevant portions of the Subdivision Control Ordinance and the Town Code, and comments by Public Works, the Fire Department, and CrossRoad Engineers at the preconstruction meeting.

Mrs. Ransburg announced that the commission is now down to four present board members and stated that any approval would have to be unanimous and offered the petitioner the option to request a continuance. The petitioner declined.

The commission and staff discussed the changes to the plans that occurred after the staff report was published. Mr. Peeples stated that he had sufficient opportunity to review the revised plans and give a recommendation based upon those revised plans.

The petitioner, Pete Gensic, Gensic Engineering, 407 N Office Park, Fort Wayne, IN explained his proposal to the commission and justification for the waiver request.

Mrs. Ransburg opened the floor for public comment at 8:29 p.m. Hearing none, Mrs. Ransburg closed the floor for public comment at 8:29 p.m.

The commission discussed signs, parking lot ingress/egress, and buffer yard waiver request.

Mr. Guckenberger made a motion to approve Waiver #1 to allow for a reduced buffer yard. Seconded by Mr. Hiser. Motion passed 4-0.

Mr. Guckenberger made a motion to approve **DPR 22-09 Holiday Inn Express** subject to the following conditions:

1. A photometric plan shall be reviewed and approved by the Zoning Administrator prior to the scheduling of a preconstruction meeting for the project.
2. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
3. The project receives an necessary review and approval by CrossRoad Engineers on behalf of the Town and the HC Drainage Board; and

4. The development will comply with all the relevant portions of the Subdivision Control Ordinance and the Town Code, and comments by Public Works, the Fire Department, and CrossRoad Engineers at the preconstruction meeting.

Seconded by Ed Rosenbaum. Motion passed 4-0.

7.2. **ZA 22-06 Village Place Townhomes**

Mr. Loera presented his report to the commission. Staff recommended approval subject to the conditions outlined within their staff report.

The commission discussed the emergency access and traffic and road improvements.

Town Manager, Ryan Cannon, discussed potential road improvements for 900 E.

Brian Tuohy, representing Lennar Homes, 50 S Meridian, Indianapolis, further explained the proposal to the commission.

The commission further inquired about the emergency access and discussed density standards, road improvements, and traffic congestion.

Mrs. Ransburg opened the floor for public comment at 9:15 p.m.

Tim Pettigrew, 8854 Prairie Trail, raised concerns regarding the written notice sent by the petitioner. He raised attention to an improper address within the notice letter. He further expressed concerns regarding traffic along 900 E and density of the housing.

Brenda Pettigrew, 8854 Prairie Trail, felt that this was a good buffer use, but encouraged less density.

The commission discussed continuing the petition to allow for property notice to be sent to adjoining property owners.

Mr. Guckenberger made a motion to continue ZA 22-06 Village Place Townhomes to the June Plan Commission meeting. Seconded by Mr. Hiser. Motion passed 4-0.

7.3. **ZA 22-07 Floodplain Regulation Amendment**

Mr. Peebles presented his report to the commission. Staff recommended that the Plan Commission forward a favorable recommendation of the text amendment to the Council.

Mrs. Ransburg opened the floor for public comment at 9:45 p.m. Hearing none, Mrs. Ransburg closed the floor for public comment.

Mr. Hiser made a motion to forward **ZA 22-07 Floodplain Regulation Amendment** to the Town Council with a favorable recommendation. Seconded by Mr. Rosenbaum. Motion passed 4-0.

8. **Other Business**

8.1. **Report Of Administrative Approvals By The Planning Director**

Mr. Peebles informed the Plan Commission of four administrative approvals for the following:

1. Costco; Alternative landscape elements.
2. Harvest Landing, Lot 7; substitution of architectural materials

3. Ray Skillman Avon Hyundai; Addition for car maintenance facility
4. Wynne Farms; Substitution of children's play equipment for a gazebo in the common area.

9. Adjournment

Adjourned at 9:50 p.m.

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.

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Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | avongov.org | Next

Meeting: **06/27/2022**

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