MEETING DATE: June 22, 2020
TIME: 7:00 PM
PLACE: Avon Town Hall, 6570 E US Hwy 36, Avon, IN 46123

1. Call to order/Pledge of Allegiance
2. Roll Call/ Determination of Quorum
3. Approval of Minutes: April 27, 2019
4. Committee Reports:
5. Request for Continuances or Agenda Modifications: DPR 20-15 Avon Landing (Continued), DPR(A) 18-04 Misty Eyes (Tabled)
6. Public Comments: (Public may comment on items NOT part of a public hearing)
7. Old Business: None.

8. New Business / Public Hearings:

DOCKET# MAP(A) AVON MARKETPLACE (REPLAT OF LOT 4), MAJOR PLAT AMENDMENT
A request for the plat amendment to turn lot 4, in the Avon Marketplace Commercial Subdivision, from one lot into two lots. The new lots will be Lot 4A, a 5.1-acre lot, and Lot 4B, a 2.336-acre lot. The property is 7.41 acres and is zoned C-2 (General Commercial). The property is located at 120 Avon Marketplace Road.

PETITIONER: GENE BEIREMANN

DOCKET# DPR 20-13 AVON MARKETPLACE MOB, DEVELOPMENT PLAN REVIEW
A request for the approval of a development plan to build a 12,323sqft building footprint two-story multi-tenant medical office building. The petition is requesting several waivers form the development standards of chapter 15, and 23. The property is 7.47 acres and is zoned C-2 (General Commercial). The property is located 120 Avon Marketplace.
PETITIONER: GENE BEIERMANN

9. Other Business:
10. Adjournment:

Next Meeting: July 27, 2020

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.
MINUTES
FOR THE APRIL 27th 2020
AVON PLAN COMMISSION
MEETING

I. Call to Order/Pledge of Allegiance – 7:05 P.M.

II. Roll Call/Determination of a Quorum – In attendance were: Mr. Petrides, Mr. Bischoff, Mr. Duval Ms. Albers, Mr. Niemeyer, and Mr. Guckenberger, as were Town Planner Jodi Dickey, and Desire Irakoze, Town Attorney Dan Taylor, Public Works Director Ryan Cannon, and Town Engineer Greg Ilko. Staff and members attended the meeting remotely and the meeting was live-streamed on the Town's YouTube channel.

III. Consideration of minutes – Mr. Bischoff made a motion to approve the February 24th, 2020 minutes. Mr. Niemeyer seconded the motion, and the motion passed 6-0.

IV. Committee Reports:

BZA: Held a special meeting concerning the Avon Schools variance which was approved. Held the regular BZA Meeting held to allow Gibbs Memorial Park variance to allow parking lots no curbing.

RDC: Reviewed County Road 100 S plans and Avon Landing project agreements.

Town Council: None.

V. Request for Continuances or Agenda Modifications: Misty Eyes Animal Center Continued to May 18th Plan Commission.

VI. Public Comment: None

VII. Old Business:

MIP(P) 19-01 Stevenson Minor Plat, Primary Plat.

Desire Irakoze presented for staff. He stated that the petitioner is requesting to re plat one lot into two lots. One is a five-acre lot, and the other is a 35-acre lot. The property is located at 4616 Gibbs Road. Staff noted the need for the re plat was an estate issue. Staff recommends the approval of MIP(P) 19-01 Stevenson Minor Plat.

Dale Kruse presented for the petitioner. He went over the project history. He then mentioned the required dedication of the 50’ road right-of-way.

The Plan Commissioners deliberated on the time frame of approvals.

Dan Taylor noted that there is no time frame for approved petitions. Approved petitions may file again.

Mr. Petrides opened the floor to public comment at 7:18 P.M. Seeing no comments, Mr. Petrides closed the floor to public comment at 7:19 P.M.

The Plan Commissioners discussed the 50’ right-of-way requirement.

Mr. Bischoff made a motion to approve MIP(P) 19-01 Stevenson Minor Plat, Mr. Duval seconded the motion, and the motion passed 6-0.
DPR(A) 20-04 Crew Carwash Building Addition, Development Plan Review

Desire Irakoze presented for staff. He noted that the property is located at 1074 E US Highway 36. The property is zoned C-2 and is requesting a development plan to build a 5,700 square foot interior cleaning building. Staff recommends approval of DPR(A) 20-04 Crew Carwash Building Addition.

Austin Tracey and Justin Furr presented for the petitioner. They highlighted the project details. They then went over the physical limitation of putting the sidewalk on the site.

The Plan Commissioners deliberated sidewalk requirement, The Avon Sidewalk Contribution Fund, and the sidewalk waiver. The Commissioners also deliberated about the northern access easement.

Mr. Canon discussed the physical aspects of the property, INDOTs future involvement in sidewalk requirements, and the access easement.

Mr. Petrides opened the floor to public comment at 7:46 P.M. Seeing no one Mr. Petrides closed the floor to public comment at 7:48 P.M.

Mr. Bischoff made a motion to approve the sidewalk waiver with the condition of payment of $7,500 to the Avon Town Sidewalk Fund. Mr. Guckenberger seconded the motion, and the motion was approved 6-0.

Mr. Bischoff made a motion to approve DPR(A) 20-04 Crew Carwash Building Addition with the condition that Crew Carwash turn away customers once stacking impedes onto public roadways. Ms. Albers seconded the motion, and the motion passed 6-0.

VIII. New Business:

DPR 20-06 Countryside Crossing, Development Plan

Desire Irakoze presented for staff. He noted that the property is located near the intersection of Dan Jones and County Road 100 North. The property is zoned PUD Countryside Crossing. The petition is for construction of Phase 1 of the development. Phase 1 includes a commercial office, storage facility, and 26 duplex homes. The petitioner is requesting two waivers from the development standards of 150’ minimum distance between two intersections. The petitioner is requesting to reduce the minimum standards to 106’ on the north side and 126’ on the southern side. Staff recommends the approval of the wavier and DPR 20-06 Countryside Crossing.

Greg Ilko presented for the petitioner. He gave a brief overview of the Countryside Crossing development plan. He went over the need for the waiver request.

Mr. Petrides opened the floor to public comment 8:09 P.M. Seeing no one, Mr. Petrides closed the floor to public comment at 8:10 P.M.

The Plan Commissioners discussed the project and the waiver request.

Mr. Bischoff made a motion to approve the drive separation waiver request. Mr. Guckenberger seconded the motion, and the motion passed 6-0.

Mr. Duval made a motion to approve DPR 20-06 Countryside Crossing, Ms. Albers seconded the motion, and the motion passed 6-0.
MAP(A) 20-04 Replat of Lot 2, Major Plat Amendment

Desire Irakoze presented for staff. He noted that the property is located at 10325 E County Road 100 North. The petitioner is requesting to divide Lot 2 (in the Reagan Crossing PUD) into two lots. The petition would split one 2.47-acre lot into one 1.28 lot (Lot 2A), and 1.19-acre lot (Lot 2B). Staff recommends the approval of MAP(A) 20-04 Replat of Lot 2.

Jon Szutaraski presented for the petitioner. He went over the project details and cross access agreements.

Mr. Petrides re-opened the floor to public comment at 8:19 P.M. Seeing no one, Mr. Petrides closed the floor to public comment at 8:20 P.M.

The Plan Commissioners deliberated the access agreements and future parking and findings for the petition.

Mr. Niemeyer made a motion to approve MAP(A) 20-04 Replat of Lot 2 (Reagan Crossing), Mr. Guckenberger seconded the motion, and the motion passed 6-0.

DPR 20-07 W.S. Gibbs Memorial Park Phase 1, Development Plan Review

Mr. Niemeyer recused himself from this petition and left the meeting.

Desire Irakoze presented for staff. He noted that the petition is zoned AG, and is located at 4481 Gibbs Road. The petitioner is requesting to approval of a development plan to build the first phase of the park which includes infrastructure, driveways, and parking areas. The petition received one variance form the Board of Zoning Appeals. VAR 20-03 W.S. Gibbs Memorial Park allowed the petition to be exempt from having curbing along the perimeter of parking areas. Staff recommends the approval of DPR 20-07 W.S. Gibbs Memorial Park.

Mr. Canon went over the waiver of the dedicated left-turn lane and sidewalks being put forth at a later phase.

Ryan Lemley and Jessica Hartmann presented for the petitioner. They briefly described the project details, including the initial request waiver request. They then detailed the need to delay the dedicated left-turn land and sidewalks to a later phase.

The Plan Commissioners deliberated the dedicated left-turn lane, and sidewalk waiver requirements and the need to delay installation.

Mr. Petrides opened the floor to public comment at 9:04 P.M. Seeing no one, Mr. Petrides closed the floor to public comment at 9:05 P.M.

Mr. Guckenberger made a motion to approve the waiver of dedication left turn lane be delayed to later phase. Mrs. Albers seconded the motion, and the motion passed 5-0.

Ms. Albers made a motion to approve the installation of sidewalks at a later phase waiver. Mr. Bischoff seconded the motion, and the motion passed 5-0.

Ms. Albers made a motion to approve DPR 20-07 W.S. Gibbs Memorial Park Phase 1. Mr. Duval seconded the motion, and the motion passed 5-0.
DPR(A) 20-05 O'Reilly Auto Parts, Development Plan Review

Mr. Niemeyer returned to the plan commission meeting at 9:06 P.M.

Desire Irakoze presented for staff. He noted that the property is located at 7752 Cobblespring Dr. The petitioner is requesting approval to build a 7,398 square foot O'Reilly Auto Parts store. The petition received two variance approvals from the Board of Zoning Appeals. The first, VAR 19-11 allowed the reduction of the front yard landscape buffer from 20 feet to 16 feet. The second, VAR 19-16 allowed the reduction of the side yard setback from 10' to 5' and allowed the loading area to face a public street. Staff recommends the approval of DPR(A) 20-05 O'Reilly Auto Parts with the condition that the petitioner provide the cost of the sidewalk and allow the Town to install the sidewalk at a later date.

Mr. Canon went over the sidewalk waiver condition and the need for the sidewalk contribution fund.

The Plan Commissioners deliberated sidewalk waiver condition and the need for the sidewalk contribution fund.

Bobby Deitz presented for the petitioner. He briefly described the project. He also discussed the sidewalk contribution.

Mr. Petrides opened the floor to public comment 9:13 PM. Seeing no one, Mr. Petrides closed the floor to public comment at 9:14 P.M.

Mr. Guckenberger made a motion to approve DPR 20-05, O'Reilly Auto Parts, with the condition that the petitioner provides funds at the rate of $30 per linear foot for the sidewalk that fronts US Highway 36. Mr. Duval seconded the motion, and the motion was approved 6-0.

IX. Other Business: None

X. Board Comments:

XI. Adjournment: 9:18 P.M.

NEXT PLAN COMMISSION REGULAR MEETING
MONDAY – June 22, 2020

__________________________________________  _______________________________________
James Petrides, President                      Desire Irakoze, Assistant Secretary
**DPR 20-13 Avon Marketplace MOB**
Planning & Building Department Staff Report
June 22nd 2020
Advisory Plan Commission, Public Hearing
Desire Irakoze

A. Petition Number: DPR 20-13 Avon Marketplace MOB, Development Plan Review

B. Applicant: Gene Beiermann, CHA Consulting Inc.

C. Location: The subject property is located near the intersection of US Highway 36 and Avon Marketplace. The property is located at 120 Avon Marketplace.

D. Parcel Size: The subject parcel is 7.41 acres.

E. Land Use and Zoning: The current parcel is zoned C-2 and is currently a vacant lot. To the north, the property is zoned C-2 (General Commercial) and contains The Goddard School, American Health Network and Express Care. To the east, the property is zoned C-2 (General Commercial) and contains Hare Honda. To the south, the property is zoned SC (Shopping Center) and contains Extra Space Storage. To the west, the property is zoned I-2 (Light Industrial) and Hendricks County. The properties contain single family residential and Infinity Products.

F. Action Requested: To approve a development plan to build a 12,323 sq. ft. building footprint, two-story multi-tenant medical office building in the US 36 Overlay District.

G. History
Previous approvals for this area are related to an Avon Marketplace. These include:
- MAP(P) 07-02 Avon Marketplace: Approved a commercial subdivision of 7 lots on approximately 34 acres
- MAP(F) 07-04 Avon Marketplace: A secondary plat.
- MAP(A) 07-09 Avon Marketplace: A plat amendment to the secondary plat to remove the condition that a letter from CSX showing approval of their storm water prior to recording the plat.
- DPR 07-20 The Goddard School (Lot 1): To build an 8,000 sq. ft. facility.
- DPR 07-07 Terry Lee Honda (Lots 5&6): To build a Honda dealership on Lot #5 in Avon Marketplace.
- DPR 14-02 Avon Marketplace Professional Center: Approved the development plan for a 27,000 sq. ft. medical office building.
- VAR 14-01 Avon Marketplace Professional Center: To allow the minimum width of parking spaces be reduced from 10' to 9'.
- VAR 14-02 Avon Marketplace Professional Center: To allow
more than two rows of parking within the US Highway 36 Overlay District.

- MAP(A) 20-01 Avon Self Storage: Approved the building set back from 50' to 20'.

H. Staff Comments:

The petitioner is requesting four waivers.

The first waiver is to increase the minimum parking by 21%. The minimum standards set forth by the Avon Zoning Ordinance, chapter 15, section 15-7 is 1 space per 250 square feet of gross floor area. The building footprint is 24,620 square feet. That would give the petition 99 parking spaces. The petition is showing 120 parking spaces and increase of 21%. Chapter 15 Section 15-7, note 2, of the Avon Zoning Ordinance allows a property owner to ask for a waiver of the standards to allow any increase over 15%.

The second waiver is to allow the building orientation to face Avon Marketplace instead of US Highway 36. Chapter 23, section 23-18, maintains that "All buildings within Tier 1 and Tier 2 shall be oriented so that they face U.S. Highway 36." The site does not have a public road facing US Highway 36. The petition faces Avon Marketplace instead. (Chapter 23, section 23-18, 4 Waivers of Standards allows the petitioner to request a waiver for Chapter 23, section 23-18 subsections 1-3.)

The third waiver is to allow the use of Nichiha Rainscreen system for the majority of the building materials in lieu of more the tradition, full-depth masonry products. Nichiha Rainscreen is not considered masonry product in chapter 23, section 23-18 2. Building Materials A. Masonry. The petitioner believes Nichiha Board will meet the intent of the Masonry requirement of chapter 23. (Chapter 23 Section 23-18 4 Waivers of Standards allows the petitioner to request a waiver for Chapter 23 section 23-18 subsections 1-3.)

The fourth waiver is to reduce the masonry requirements of buildings facing US Highway 36. This requirement according to chapter 23, section 23-18, is 80%. The petitioner is requesting to reduce the percentage of 80% to a 42% masonry requirement. This would allow for more architectural features and accents to be included. (Chapter 23, section 23-18, 4 Waivers of Standards allows the petitioner to request a waiver for chapter 23, section 23-18 subsections 1-3.)

Waiver Request from Chapter 15 Section 15-07 Off Street Parking
Requirement. (Waiver application in Plan Commission Packet.)

Waiver Request: To allow an increase in the parking spaces provided by more than 15% as allowed in chapter 15, section 15-7, note 2.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc....):

   The alternate plan complies with the Thoroughfare and Pedestrian Plans of the Town.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

   The intent of the C-2 zoning parking and the US Highway 36 Overlay District is to provide safe parking for the clients. The petitioner believes the alternative provides safe parking.

3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance, were, the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan.

   The built environment is a medical building to the north, a car sale to the east, a self-storage to the south and Infinity Products. All companies that need a lot of parking. This increase in parking matches the built environment.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard

   This petition is the first phase. The petitioner intends to build to the south in the future. The layout given allows for the best circulation between the two buildings.

Waiver Request from chapter 23, section 23-18 Architectural Design Standards Requirement. (Waiver application in Plan Commission Packet.)

Waiver Request: To allow the building to be orientated toward Avon Marketplace instead of US Highway 36

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc....):

   The proposed alternative is consistent with the recommendations of
2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

The intent of the Overlay District is to have all visible buildings face US Highway 36. This is apparent in the fact that Tier 3 has no such requirements. The building in question is not visible from US Highway 36, therefore, this intent is met.

3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance, were, the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan.

The built environment demonstrates consistency as Avon Marketplace road is the main road into the Avon Marketplace Commercial subdivision and along with Kingston Street are the only public roads that abut the site. Avon Marketplace is the nearest public street to US highway 36. Facing Avon Marketplace, therefore, is consistent with the existing built environment.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard

As Avon Marketplace Road is where the patients, visitors and staff will be arriving from having the front façade face Avon Marketplace Road would be an improvement to the façade facing a private drive.

Waiver Request from Chapter 23 Section 23-18 Architectural Design Requirements. (Waiver application in Plan Commission Packet.)

Waiver Request: To allow the use of Nichiha Rainscreen System for the majority of the tradition masonry products as allowed in chapter 23, section 23-18, 4 Waivers of Standards 7. B. Building Materials.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc....):

The alternate plan complies with the Thoroughfare and Pedestrian Plans of the Town.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

The intent of US Highway 36 is focused on the appearance of the architecture from US Highway 36. Nichiha Kura Stone is not stated as prohibited product. Masonry is also not defined in the zoning
ordinance. If Nichiha Kura Stone meets the appearance of stone, then the intent is met.

3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan.

Hare Honda and other car dealerships have used pre-cast concrete, glass, and albumin buildings. The built environment along 36, have used alternative masonry to achieve the masonry requirement. Therefore, the proposed alternative demonstrates consistency with the built environment.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard

The proposed alternative will produce a high-end architectural aesthetic as desired from US Highway 36.

Waiver Request from Chapter 23Section 23-18 Architectural Design Standards Requirement. (Waiver application in Plan Commission Packet.)

Waiver Request: To allow a decrease in the Masonry requirement of 80% facing US Highway 36 and 50% on remaining sides as allowed in chapter 23, section 23-18, 4 Waivers of Standards.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc…):

The proposed alternative does not impact the Comprehensive Plan or any related land use plans. This is a request to allow the side of the building to be 42% masonry on the front façade and to be 38% on the side. The facades don't impact the Comprehensive Plan, Thoroughfare Plan, or Bicycle & Pedestrian Master Plan.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

The intent of the zoning district is for developments visible from US Highway 36 to be 80% masonry façade facing the front and 50% masonry on the side. As this building is not visible from US Highway 36, a reduction in the masonry requirement is not unwarranted as buildings in Tier 3 of the Overlay District has reduced requirements.

3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the
Town of Avon Comprehensive Plan.

Hare Honda located to the east of the project uses pre-cast concrete, glass and albumin building. The reduction in percent of masonry requirement would meet the existing built environment.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard

The proposed alternative represents an improvement as the added accents and features create a more aesthetically pleasing building façade than what is required by the Zoning Ordinance.

Staff recommends the approval of the increase of more than 15% of the parking space calculations.

The Plan Commission must first hear and act upon the requested waivers, the development plan may then be heard and acted upon.

The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.

Staff recommends approval of DPR 20-13, increase in parking spaces by more than 15%.

Staff recommends approval of the building orientation waiver

The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.

Staff recommends approve of DPR 20-13, building orientation waiver.

Should the Plan Commission choose to deny the waiver staff recommends that the commissioners continue the petition to allow the petitioner to decide if they want to continue with new layout.

Staff recommends approval of the use of Nichiha Kurastone as a masonry product.

The Plan Commission must first hear and act upon the requested waivers, the development plan may then be heard and acted upon.

The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.

Staff recommends approval of DPR 20-13, Nichiha Kurastone as a masonry product.

Should the Plan Commission choose to deny the use of Nichiha Kurastone as a masonry product, staff recommends the Commissioners to continue the petition to allow the petitioner to discuss different building materials.

Staff recommends approval of the decrease in the masonry
requirement.
The Plan Commission must first hear and act upon the requested waivers, the development plan may then be heard and acted upon.
The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.
Staff recommends approve of DPR 20-13, of a reduction of the 80% front façade and 50 % side masonry requirement.
Should the Plan Commission deny the waiver, staff recommends the petitioner provide new plans that show 80% front masonry and 50% masonry sides.

DPR RELEVANT ORDINANCES
Development Standards, Zoning Ordinance Sec. 4-8 (7)

A. A Development Plan under this Section shall be required to meet:

the development standards set forth in the zoning district in which the use is or is proposed to be located.

(a) All applicable Overlay Districts- This petitioner is governed by the US Highway 36 (Chapter 23)

Chapter 23, section 23-3; Boundaries. This petition is within Tier 2 of the US Highway 36 Overly District by being more then 260 feet from the edge of US Highway 36 right-of-way but less than 660 feet.

Chapter 23, section 23-18 Architectural Design Requirements. All buildings within Tier 1 and Tier 2 shall be oriented so that they face U.S. Highway 36. (wavier required)
The petitioner has provided a waiver should the wavier be granted the petition will meet this requirement.

Chapter 23, section 23-18, Architectural Design Requirements. 2 Building Materials A. Masonry Buildings within Tier 2 shall be 80% masonry, excluding windows and doors, on the side facing US Highway 36 and 50% masonry, excluding windows and doors, on the remaining sides.
The petitioner has provided a waiver should the wavier be granted, the petition will meet this requirement.
(b) The standards of the Subdivision Control Ordinance-
The standards of the Subdivision Control Ordinance are met by this petition.

(c) Chapter 14 (Performance Standards) – At this time the only enforceable section of chapter 14 is the outdoor lighting.

Per Chapter 14, Section 14-15 (Outdoor Lighting) (1) Light Trespass All areas containing outdoor lighting (except street lighting) shall limit light spillage onto adjacent property, when measured at any point along a property line to the requirements set forth below

(E-1, R-1, R-2, R-3, R-4, R-5, MHP, Residential PUD, Residential/Commercial PUD) 0.10-foot candles at the property line. (C-1, C-2, C-3, C-4, SC-1, Commercial PUD, Commercial/Industrial PUD, I-1, I-2, I-3, I-4, Industrial PUD, Public Right-of-Way) =0.30-foot candles at the property line.

The petitioner has provided plans that indicate 0.2 at the property line.

(d) Chapter 15 (Off-Street Parking and Loading)

The petitioner has requested a waiver to increase the number of parking. If the waiver is approved then the petition meets the requirements of chapter 15

(e) Chapter 16 (Landscaping and Screening)

Per Chapter 16, Landscaping. The petitioner has provided adequate foundation, front yard landscaping, interior parking lot, and perimeter parking lot. The petitioner is providing 31 trees, 226 shrubs, and 130 perennials.

(f) Chapter 17 (Floodplain Regulations) – no portion of this petition lies within the floodplain.

(g) Chapter 18 (Signs) - Signs were submitted with this petition. Signs are reviewed/approved by staff.

(h) All storm water management, erosion control and soil conservation, and technical specifications of the Town of Avon –. The plans submitted by the petitioner have been through TAC review and received comments by the Town's engineering consultants and Public Works Department. The plans are compliant.

(i) All applicable recommendations of the Town of Avon Comprehensive Plan and all associated components of
the Comprehensive Plan (ex. Thoroughfare Plan, Gateway Plan, etc.), the submitted plans are compliant with all applicable recommendations of the Town of Avon Comprehensive Plan.

I. Action: The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition. Development Plan Reviews are ministerial; if the plan complies, the Plan Commission must approve.

Staff recommends approval of DPR 20-13 Avon Marketplace MOB Addition with the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, DLZ at the preconstruction meeting.
DPR 20-13 Avon Marketplace MOB
Location Map
Sample Plan Commission Motion

AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan
Case Number: DPR 20-13, Avon Marketplace MOB

The Avon Plan Commission Staff has considered the proposed Development Plan on the subject property and has found that the plan will meet all the standards of the Subdivision Control Ordinance and the Zoning Ordinance, under the conditions of this approval.

I move that we approve DPR 20-13, Avon Marketplace MOB, 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 petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, DLZ at the preconstruction meeting.
FINDINGS OF FACT FOR A DEVELOPMENT PLAN

AVON ADVISORY PLAN COMMISSION

Case Number: DPR 20-13, Avon Marketplace MOB

The Avon Plan Commission Staff has considered the proposed Development Plan Amendment on the subject site and has found that the plan will meet the criteria set forth in the Avon Zoning Ordinance. The Avon Plan Commission Staff further finds that the proposed development meets the requirements of the Town of Avon’s Subdivision Control Ordinance, Storm Drainage, Erosion and Sediment Control Ordinance, and the land use policies and goals and objectives of the Comprehensive Plan, with the conditions listed below:

DECISION

IT IS THEREFORE THE DECISION OF THE AVON STAFF THAT DEVELOPMENT PLAN APPROVAL BE GRANTED TO PETITION DPR 20-13, Avon Marketplace MOB, 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 petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, DLZ at the preconstruction meeting.

ADOPTED THIS 22nd DAY OF June 2020

James Petrides, President

Desire Irakoze, Assistant Secretary

This instrument was prepared on June 16th, 2020 by:
Desire Irakoze
Assistant Planner, Planning & Building
Town of Avon, Indiana
*Applicant MUST submit a waiver request for each standard intended to be waived.

Name of Project: DPR 20-13 Avon Marketplace Medical Office Building

Applicant: Cornerstone Companies, Inc.

Waiver Request from Avon Zoning Ordinance Section #: Chapter 23, Section 23-18, Architectural Design Requirements

Waiver Request: We are requesting approval to orient the front building entrance to the east, toward Avon Marketplace which is where all patients would be entering/arriving on the site. Both our north and east elevations are "front-like" facades based on visibility. Site size & layout prevent the front entrance to be located on the north facade, impacts tenant layouts.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc.): The proposed building orientation and entry sequence to the building does not impact the land use plans and is consistent with the recommendations.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District: The proposed building orientation is focused on Avon Marketplace as well as US 36 since we have a corner lot with less visibility from US 36 than from Avon Marketplace. So the main entrance faces east toward Avon Marketplace but is visible from US 36 and our north elevation matches the same materiality to give it a "front-like" facade aesthetic.
3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan: ________________________________

The proposed alternative building orientation is consistent with the medical office building immediately north of this project. Our main entrance (east elevation) is visible from US 36 as well as Avon Marketplace, which is the main access route for patients. ________________________________

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard: __________________________________________

The proposed alternative building orientation benefits the patients, visitors and staff for ease of way-finding and parking access. The building orientation still focuses on the main facades and visibility from both US 36 and Avon Marketplace. __________________________________________
*Applicant MUST submit a waiver request for each standard intended to be waived.

Name of Project: DPR 20-13 Avon Marketplace Medical Office Building

Applicant: Cornerstone Companies, Inc.

Waiver Request from Avon Zoning Ordinance Section #: Chapter 23, Section 23-18, Architectural Design Standards 2. A. Buildings within Tier 2

Waiver Request:

Our north elevation facing US Highway 36 will have less than 80% masonry as well as less than 50% on the remaining sides. Our design has a consistent stone veneer across the base of the building with fiber cement and metal panel rainscreen systems on the 2nd level for consistency in look and wall performance. Our main building entrance is also oriented toward the east off of Avon Marketplace, so it has a similar percentage as the north elevation.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc...):

   The proposed alternative exterior cladding does not impact the land use plans and is consistent with the recommendations.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

   The proposed alternative exterior cladding is intended to provide a masonry look in a consistent rainscreen application. The Nichiha Architectural wall panels meet the intent of the Overlay District which is focused on the appearance of the Architecture from US 36 view. The use of Nichiha's KuraStone and fiber cement panels will achieve the required percentages in lieu of a more traditional masonry product.
3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan:

The proposed alternative exterior cladding is consistent with a masonry wall which is installed as a rainscreen system, so we intend to use the Nichiha Rainscreen system in a similar manner as a full-depth masonry wall but with cost savings for installation and a high-end architectural aesthetic as desired from US 36 view.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard:

The proposed alternative exterior cladding is consistent with a masonry wall which is installed as a rainscreen system, so we intend to use the Nichiha Rainscreen system in a similar manner as a full-depth masonry wall but with cost savings for installation and a high-end architectural aesthetic as desired from US 36 view.
TOWN OF AVON, INDIANA
APPLICATION FOR A WAIVER
FROM THE STANDARDS OF THE
ZONING ORDINANCE FOR A
DEVELOPMENT PLAN REVIEW

*Applicant MUST submit a waiver request for each standard intended to be waived.

Name of Project: DPR 20-13 Avon Marketplace Medical Office Building

Applicant: Cornerstone Companies, Inc.


Waiver Request:

We are requesting approval to utilize the Nichiha Rainscreen system for the majority of the building materials in lieu of more traditional full-depth masonry products, which are also considered a rainscreen system. We have three (3) major exterior cladding materials, a stone veneer at the base of the building with two types of architectural wall panels on the 2nd floor and a metal panel accent feature around the parapet and outlining the facades.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc...):

   The proposed alternative exterior cladding does not impact the land use plans and is consistent with the recommendations.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District:

   The proposed alternative exterior cladding is intended to provide a masonry look in a consistent rainscreen application. The Nichiha Architectural wall panels meet the intent of the Overlay District which is focused on the appearance of the Architecture from US 36 view. The use of Nichiha's KuraStone and fiber cement panels will achieve the required percentages in lieu of a more traditional masonry product.
3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan:______________________________

The proposed alternative exterior cladding is consistent with a masonry wall which is installed as a rainscreen system, so we intend to use the Nichiha Rainscreen system in a similar manner as a full-depth masonry wall but with cost savings for installation and a high-end architectural aesthetic as desired from US 36 view.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard:________________________________________________________

The proposed alternative exterior cladding is consistent with a masonry wall which is installed as a rainscreen system, so we intend to use the Nichiha Rainscreen system in a similar manner as a full-depth masonry wall but with cost savings for installation and a high-end architectural aesthetic as desired from US 36 view.
TOWN OF AVON, INDIANA
APPLICATION FOR A WAIVER FROM THE STANDARDS OF THE
ZONING ORDINANCE FOR A DEVELOPMENT PLAN REVIEW

*Applicant MUST submit a waiver request for each standard intended to be waived.

Name of Project: DPR 20-13 Avon Marketplace Medical Office Building

Applicant: Cornerstone Companies, Inc.

Waiver Request from Avon Zoning Ordinance Section #: Chapter 15, Section 15-7

Waiver Request: The ordinance States "Off-Street Parking Requirements 1. Required Spaces – Automobiles note 2. A property owner may provide off-street parking in excess of the minimum requirement up to but not to exceed an additional fifteen percent (15%) of the minimum requirement." Cornerstone and CHA Consulting are requesting a variance to waive the ordinance minimum due to the use of the facility (medical office) and this being part of an overall development plan for which maximizing parking is advantageous. The current site plan shows 121% of the ordinance minimum.

Applicant must demonstrate compliance with the following:

1. The proposed alternative demonstrates consistency with the recommendations of the Comprehensive Plan and all related land use plans (ex. Thoroughfare Plan, Bicycle & Pedestrian Master Plan, etc...): 

   The alternate presented complies with the thoroughfare and pedestrian plans of the town and has been coordinated with the Town to ensure the needs of the town are met. Due to the nature of the development, maximizing the parking will allow clientele to safely and efficiently access the medical office building.

2. That the proposed alternative demonstrates consistency with the intent of the applicable Zoning District and/or Overlay District: The maximum parking requirement creates a restrictive range of allowable parking spaces and does not take into account the varied uses within the C-2 commercial zoning district.

   The alternate allows for sufficient parking capacity and incorporate plans for a future development. See response to item 4 for additional information.
3. That the proposed alternative demonstrates consistency with both the existing built environment and the built environment that would be required under the terms of the ordinance were the waiver not granted compliance with the recommendations of the Town of Avon Comprehensive Plan: The proposed alternative is consistent with the zoning ordinance and adjacent conditions. The alternative does not negatively impact the utility or safety of any adjacent parcels. The provided parking is consistent with the historical data for this use showing need greater than the code requirement.

4. That the proposed alternative represents an improvement, increase, advance, or expansion beyond the terms of the applicable standard: The grant of a waiver would allow the end users to maximize the space and parking and ensure that sufficient parking adjacent to the building be available to clients in need of medical care. Maximizing the parking for this development will also allow for utilizing shared parking for a future phase. A concept for a future phase has been shared with the Town which would yield a total parking count of ±112% of the code minimum. Granting a waiver will allow this future building to have sufficient parking.
MAP(A) 20-07 Avon Marketplace MOB (Replat of Lot 4)
Planning & Building Department Staff Report
June 22nd, 2020
Advisory Plan Commission, Public Hearing
Desire Irakoze

A. Petition Number: MAP(A) 20-07 Avon Marketplace (Replat of Lot 4), Plat Amendment.

B. Applicant: Gene Beiermann, CHA Consulting Inc.

C. Location: 120 Avon Marketplace.

D. Parcel Size: The entire parcel is 7.41 acres.

E. Land Use and Zoning: The current parcel is zoned C-2 and is currently a vacant lot. To the north, the property is zoned C-2 (General Commercial) and contains The Goddard School, American Health Network and Express Care. To the east, the property is zoned C-2 (General Commercial) and contains Hare Honda. To the south, the property is zoned SC (Shopping Center) and contains Extra Space Storage. To the west, the property is zoned I-2 (Light Industrial) and Hendricks County. The properties contain single family residential and Infinity Products.

F. Action Requested: The petitioner is requesting to replat one lot into two lots. Lot 4 of the Avon Marketplace will be split into Lot 4B, a 2.336-acre lot, and Lot 4A, a 5.100-acre lot.

G. History Previous approvals for this area are related to Avon Marketplace. These include:
- MAP(P) 07-02 Avon Marketplace: Approved a commercial subdivision of 7 lots on approximately 34 acres.
- MAP(F) 07-04 Avon Marketplace: A secondary plat.
- MAP(A) 07-09 Avon Marketplace: A plat amendment to the secondary plat to remove the condition that a letter from CSX showing approval of their storm water prior to recording the plat.
- DPR 07-20 The Goddard School (Lot 1): To build an 8,000 sq. ft. facility.
- DPR 07-07 Terry Lee Honda (Lots 5&6): To build a Honda dealership on Lot #5 in Avon Marketplace.
- DPR 14-02 Avon Marketplace Professional Center: Approved the development plan for a 27,000 sq. ft. medical office building.
- VAR 14-01 Avon Marketplace Professional Center: To allow the minimum width of parking spaces be reduced.
from 10' to 9'

- VAR 14-02 Avon Marketplace Professional Center: To allow more than two rows of parking within the US Highway 36 Overlay District.
- MAP(A) 20-01 Avon Self Storage: Approved the building set back from 50' to 20'

H. Staff Comments: The petitioner will split lot 4 in the Avon Marketplace commercial subdivision into two lots (Lot 4A and Lot 4B). The petitioner intends to build a medical office building on Lot 4B with the intention of further development onto Lot 4A at a future phase. Lot 4A has a 25-foot access easement that will allow for future connection of Lot 4B and Lot 4A onto Kingston Street.

Plat Analysis:
The petitioner has met all procedural requirements for this case and is in compliance with the Avon Subdivision Control Ordinance.

I. Recommendation:

Staff recommends approval of MAP(A) 20-07 Avon Marketplace MOB, (Replat of Lot 4) Plat Amendment with the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The final plat will comply with all the relevant portions of the Subdivision Control Ordinance and the Town Code
MAP(A) 20-07 Avon Marketplace MOB Plat Amendment.
Location Map
Sample Plan Commission Motion

AVON ADVISORY PLAN COMMISSION

Motion for approval of a Primary Plat for a Major Subdivision
Case Number: MAP(A) 20-07 Avon Marketplace MOB (Replat of lot 4) Plat Amendment.

The Avon Plan Commission Staff has considered the proposed primary plat on the subject property and has found that the plat meets all the standards of the Subdivision Control Ordinance and the Zoning Ordinance, with the following conditions:

I move that we approve MAP(A) 20-07 Avon Marketplace MOB (Replat of Lot 4) Plat Amendment, subject to the following conditions:

Prior to recording a final plat:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The final plat will comply with all relevant portions of the Subdivision Control Ordinance.
FINDINGS OF FACT FOR A SUBDIVISION PLAT

AVON ADVISORY PLAN COMMISSION

Motion for approval of a Primary Plat for a Major Subdivision
Case Number: MAP(A) 20-07 Avon Marketplace MOB (Replat of Lot 4) Plat Amendment.

The Avon Plan Commission Staff has considered the proposed primary plat on the subject property and has found that the plat will meet all the standards of the Subdivision Control Ordinance and the Zoning Ordinance.

The Avon Plan Commission Staff further finds that the proposed development meets or will meet the requirements of the Town of Avon's Zoning Ordinance, Storm Drainage, Erosion and Sediment Control Ordinance, and the land use policies and goals and objectives of the Comprehensive Plan.

DECISION

IT IS THEREFORE THE DECISION OF THE AVON ADVISORY PLAN COMMISSION THAT PRELIMINARY PLAT APPROVAL BE GRANTED TO PETITION MAP(A) 20-07, Avon Marketplace MOB, Plat Amendment, subject to the following conditions:

Prior to recording a final plat:
1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The final plat will comply with all relevant portions of the Town Code.

ADOPTED THIS 22nd DAY OF June 2020

James Petrides, President
Desire Irakoze, Assistant Secretary

This instrument was prepared on June 16th, 2020 by:
Desire Irakoze
Assistant Planner, Planning & Building
Town of Avon, Indiana