

**AVON PLAN COMMISSION**  
**SPECIAL MEETING AGENDA**

**MEETING DATE: July 27, 2020**

**TIME: 7:00 PM**

**PLACE: AVON TOWN HALL COUNCIL CHAMBERS**

1. **Call to order/Pledge of Allegiance**
2. **Roll Call/ Determination of Quorum**
3. **Approval of Minutes: June 22<sup>nd</sup>, 2020**
4. **Committee Reports: None**
5. **Request for Continuances or Agenda Modifications:**
6. **Public Comments: (Public may comment on items NOT on the Agenda)**
7. **Introductions: PUD(P) 20-02 Avon Logistics Center**

**8. Old Business:**

**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. New Business / Public Hearings:**

**DOCKET# DPR 20-15 AVON LANDING (INFRASTRUCTURE), DEVELOPMENT PLAN REVIEW**

A request for the approval of a development plan to build phase one infrastructure development including mass grading, earthwork, and construction of we detention ponds as well as roads and utility. The property is 58.79 acres and is zoned PUD (Avon Landing). The property is located 2375 N Country Road 900E

**PETITIONER: SCOTT SENEFELD**

**DOCKET# DPR 20-16 CAMDEN TOWNHOMES, DEVELOPMENT PLAN REVIEW**

A request for the approval of a development plan to build 83 townhome units on 9.991 acres. The property is 9.991 acres and is zoned PUD (Reagan Park). The property is located near the intersection of County Road 100 North and Ronald Reagan Parkway.

**PETITIONER: KYLE EICHHORN**

**9. Other Business:**

**Adjournment:**

**Next Meeting: August 24, 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 JUNE 22<sup>nd</sup>, 2020**  
**AVON PLAN COMMISSION**  
**REGULAR MEETING**

- I. **Call to Order/Pledge of Allegiance** – 7:00 P.M.
- II. **Roll Call/Determination of a Quorum** – In attendance: Mr. Petrides, Mrs. Ransburg, Mr. Duval, and Mr. Guckenberger, Mr. Bischoff as were Town Planner Desire Irakoze, and Town Attorney Mitchell Ray.
- III. **Consideration of minutes** – April 27<sup>th</sup>, 2020. Mr. Guckenberger made a motion to approve the minutes for April 27<sup>th</sup>, Mrs. Ransburg seconded the motion and the motion passed 4-0
- IV. **Committee Reports:**
  - BZA: VAR 20-10 Countryside** Crossing landscape was approved for a landscape buffer variance.
  - RDC:** None-
  - Town Council:** none
- V. **Request for Continuances or Agenda Modifications:** DPR 20-15 Avon Landing continued to July 27<sup>th</sup> Plan Commission.
- VI. **Public Comment:** Mr. Petrides opened the floor to public comment at 7:04 P.M. seeing no one he closed the floor to public comment at 7:05 P.M.
- VII. **Old Business: None**
  - New Business:**

**MAP(A) 20-07 Avon Marketplace MOB (Replat of Lot 4), Major Plat Amendment. / DPR 20-13 Avon Marketplace MOB, Development Plan Review.**

Mr. Irakoze presented both the major plat amendment and development plan review at the same time. He briefly went over the projects. He noted they are located at 120 Avon Marketplace. The plat seeks a re-plat of lot 4 of the commercial Avon Marketplace. This will form two lots. One 5.100-acre lot, and the other 2.36-acre lot. On the 2.36-acre lot, the petitioner will build a two-story multi-tenant 12,323 square foot Avon Medical Office building. The petitioner is requesting four (4) waivers. Waiver one is to increase to required parking spaces by more than 15% the maximum allowed. The Zoning Ordinance allows 99 parking spaces and the petitioner is requesting 120. The second waiver is to change the building orientation to face Avon Marketplace instead of US Highway 36. The third waiver is to allow Nichiha Rainscreen systems as a masonry building unit. The fourth waiver is to reduce the masonry requirement of the building from an 80% to 42% masonry requirement. Staff recommends approval of MAP(A) 20-07 and DPR 20-13 with waivers.

Gene Beiermann and Rob Bray presented for the petitioner. They gave a brief project run down. They went over the waiver request and the building architectural standards. They went over the use of Kurastone as a masonry product. They spoke on their other buildings around Indiana with Kurastone as the primary building unit.

The Commissioners went over the overall site development. They discussed what should be considered a masonry product. They briefly went over the staff's interpretation of the intent of masonry in the US Highway 36 Overlay District. They discussed the four (4) waivers being requested by the petitioner.

Mr. Petrides opened the floor to public comment at 7:58 P.M.

Mr. Petrides read a letter submitted by Robert Culler. In the letter, Mr. Culler supported 3 of the 4 waivers. The only waiver not supported is the reduction of masonry requirement.

Mr. Petrides closed to the floor for comment at 8:02 P.M.

Mr. Bischoff made a motion to approve MAP(A) 20-07 Avon Marketplace MOB. Mr. Guckenberger seconded the motion and the motion passed. 5-0

Mr. Guckenberger made a motion to continue DPR 20-13 Avon Marketplace MOB to next month's plan commission meeting. Mrs. Ransburg seconded the motion and the motion passed 5-0.

**VIII. Other Business:**

Plan Commissioners asked that staff investigate masonry building requirements and materials.

**IX. Adjournment: 8:16 P.M.**

**NEXT PLAN COMMISSION REGULAR MEETING  
MONDAY –August 24<sup>th</sup>, 2020  
Avon Town Hall**

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**James Petrides - President**

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**Desire Irakoze – Assistant Secretary**

**DPR 20-13 Avon Marketplace MOB**  
 Planning & Building Department Staff Report  
 July 27<sup>th</sup> 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              | <p>Previous approvals for this area are related to an Avon Marketplace. These include:</p> <ul style="list-style-type: none"> <li>• MAP(P) 07-02 Avon Marketplace: Approved a commercial subdivision of 7 lots on approximately 34 acres</li> <li>• MAP(F) 07-04 Avon Marketplace: A secondary plat.</li> <li>• 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.</li> <li>• DPR 07-20 The Goddard School (Lot 1): To build an 8,000 sq. ft. facility.</li> <li>• DPR 07-07 Terry Lee Honda (Lots 5&amp;6): To build a Honda dealership on Lot #5 in Avon Marketplace.</li> <li>• SE 11-01 Avon Marketplace Lot 6: Allowed for a temporary gravel parking lot.</li> <li>• DPR 14-02 Avon Marketplace Professional Center: Approved the development plan for a 27,000 sq. ft. medical office building.</li> <li>• VAR 14-01 Avon Marketplace Professional Center: To allow the minimum width of parking spaces be reduced from 10' to 9'.</li> <li>• VAR 14-02 Avon Marketplace Professional Center: To allow</li> </ul> |

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'.
- DPR 20-01 Avon Self Storage: Approved Extra Space Storage building development.

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. (Wavier 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. (Wavier 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

the Comprehensive Plan, Thoroughfare Plan and Bicycle & Pedestrian Master Plan as the change in building orientation does not conflict with the land use plans.

**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. (Wavier 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 aluminum 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 23 Section 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 then 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 Overlay District by being more than 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. (waiver required)

The petitioner has provided a waiver should the waiver 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 waiver 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 wavier 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

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### AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan

**Case Number: DPR 20-13, Avon Marketplace MOB**

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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

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## AVON ADVISORY PLAN COMMISSION

**Case Number: DPR 20-13, Avon Marketplace MOB**

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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 27th DAY OF July 2020

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James Petrides, President

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Desire Irakoze, Assistant Secretary

This instrument was prepared on July 20<sup>th</sup>, 2020 by:  
Desire Irakoze  
Assistant Planner, Planning & Building  
Town of Avon, Indiana



**DPR 20-15 Avon Landing Infrastructure.**  
 Planning & Building Department Staff Report  
 July 27<sup>th</sup>, 2020  
 Advisory Plan Commission, Public Hearing  
 Desire Irakoze

- |                         |  |
|-------------------------|--|
| A. Petition Number:     | DPR 20-15 Avon Landing (Infrastructure), Development Plan Review   |
| B. Applicant:           | Scott Senefeld, Veridus Group, Inc.  |
| C. Location:            | The subject property is located at 2375 N County Road 900 E.   |
| D. Parcel Size:         | The subject parcel is 120.93 acres.  |
| E. Land Use and Zoning: | The current parcel is zoned PUD Avon Landing and is currently a vacant lot.<br>To the north, the property is zoned AGR and is located in Hendricks County and contains the B and O trail and vacant land. To the east, the property is zoned AGR and is located in Hendricks County and contains farmland. To the south, the property is zoned R-1 and contains farmland. To the west, the property is zoned PUD Avon Landing and contains farmland. |
| F. Action Requested:    | To approve a development plan to build road infrastructure and detention ponds to serve future developments of the Avon Landing PUD.   |
| G. History              | Previous approvals for this area are related to the Avon Landing PUD. These include:<br>PUD(P) 16-05 Avon Landing<br>DPR 18-19 Avon Landing Apartments. (withdrawn)<br>DPR 18-21 Avon North Substation.  |
| H. Staff Comments:      | The petitioner is requesting a development plan approval to start the development of the Avon Landing Subdivision. This is the first phase of infrastructure plan. This phase includes drainage and road construction. The road in this phase will serve as the entrance to the Avon Landing and Block B of the PUD.   |

**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 outlined in the zoning district in which the use is or is proposed to be located.

**(a) All applicable Overlay Districts-** This petition is governed by the Avon Landing PUD. The plans provided are compliant with the PUD Ordinance

**(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) –**

This petition is for the addition of street infrastructure and drainage ponds. The petition meets the requirements of chapter 14

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

No parking is proposed with this petition.

**(d) Chapter 16 (Landscaping and Screening)**

Requirements: Parkway trees shall be provided at the equivalent of (1) tree / 50 l.f. apart in the right-of-way adjacent to the parcel.

Local Roadway. = 872 l.f. Required: 18 trees (per side) x 2 = 36 trees Provided: 37 trees Collector Roadway. = 605 l.f. Required: 13 trees (per side) x 2 = 26 trees Provided: 26 trees

The petition has compliant landscape plans.

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

**(f) Chapter 18 (Signs) -** signs were not submitted at this time.

**(g) All stormwater 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.

**(h) 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 20-15 Avon Landing (Infrastructure) **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 20-15 Avon Landing (Infrastructure) Location Map



## Sample Plan Commission Motion

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### AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan

**Case Number: DPR 20-15, Avon Landing (Infrastructure)**

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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 20-15, Avon Landing (Infrastructure), 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

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## AVON ADVISORY PLAN COMMISSION

**Case Number: DPR 20-15, Avon Landing (Infrastructure)**

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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 20-15, Avon Landing (Infrastructure), 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 27th DAY OF July 2020

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James Petrides, President

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Desire Irakoze, Assistant Secretary

This instrument was prepared on July 20<sup>th</sup>, 2020 by:  
Desire Irakoze  
Assistant Planner, Planning & Building  
Town of Avon, Indiana

**DPR 20-16 Camden Townhomes**

Planning & Building Department Staff Report  
July 27<sup>th</sup> 2020  
Advisory Plan Commission, Public Hearing  
Desire Irakoze

- A. Petition Number: DPR 20-16 Camden Townhomes, Development Plan Review
- B. Applicant: Kyle Eichhorn, PE PS, HWC Engineering.
- C. Location: The subject property is located near the intersection of County Road 100 N and Ronald Reagan Parking way. It is located in the Reagan Park PUD.
- D. Parcel Size: The subject parcel is 9.991 acres.
- E. Land Use and Zoning: The current parcel is zoned PUD Regan Park and is currently a vacant lot.  
To the north, the property is zoned PUD (Reagan Park) and contains the Camden single-family subdivision. To the east, the property is in Hendricks County and zoned AGR (single family residential). To the south, the property is zoned PUD (Reagan Park) and contains Traditions at Reagan Park. To the west, the property is zoned PUD (Reagan Park) and contains the Camden single-family subdivision.
- F. Action Requested: To approve a development plan to build a multi-family residential development to be named Camden Townhomes which will consist of 83 units.
- G. History: Previous approvals for this area are related to Camden Section of the Reagan Park PUD. These include:  
DPR 17-18 Camden Section 1 A/ MAP(F) 17-11 Camden Section 1A  
DPR 17-18 Camden Section 1B / MAP(F) 17-16 Camden Section 1B  
DPR 18-16 Camden Section 2/ MAP(F) 18-12 Camden Section 2  
DPR 18-24 Camden Amenity Area  
DPR 19-09 Camden Section 3/ MAP(F) 19-05 Camden Section 3  
DPR 20-03 Camden Section 4/ MAP(F) 20-03 Camden Section 4
- H. Staff Comments: There are two PUD Ordinances that apply to this development. The first was approved in 2006 and the second is an amendment to that PUD and was approved in 2017.  
The 2017 approved PUD amendment has language in the letter of intent that allows for 98 units in the same parcel area. In the same PUD amendment section five (Architectural Standards) notes

"Architectural Standards is amended to include standards specific to single-family residential buildings, and the following standards shall replace any residential standards established in the original PUD." Staff believes this allows the townhomes to follow the Town of Avon Zoning Ordinance Architectural Standards.

## **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 petition is governed by the Reagan Park PUD. The plans provided are compliant with the PUD Ordinance

**(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) –**

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

Only street lighting ins being provided. Petition meets the standards

#### **(Chapter 15 (Off-Street Parking and Loading)**

The petition meets the off-street parking of the PUD ordinance.

#### **(d) Chapter 16 (Landscaping and Screening)**

Per the Regan Park PUD 1 shade tree or ornamental tree per 70 lineal feet of road. Total lineal feet of road are 4,460 feet. Total trees required 64 trees. Total trees provided 64 trees. The petition meets the requirement for landscaping.

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

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

**(g) 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.

**(h) 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 20-16 Camden Townhomes 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

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### AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan

**Case Number: DPR 20-16, Camden Townhomes**

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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 20-16, Camden Townhomes, 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

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## AVON ADVISORY PLAN COMMISSION

**Case Number: DPR 20-16, Camden Townhomes**

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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 20-16, Camden Townhomes, 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 27th DAY OF July 2020

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James Petrides, President

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Desire Irakoze, Assistant Secretary

This instrument was prepared on July 20<sup>th</sup>, 2020 by:  
Desire Irakoze  
Assistant Planner, Planning & Building  
Town of Avon, Indiana