



**AVON PLAN COMMISSION  
MEETING AGENDA**

**MEETING DATE:** February 22, 2021  
**TIME:** 6:30 PM  
**PLACE:** **VIA ZOOM**

1. Call to order/Pledge of Allegiance
2. Roll Call/ Determination of Quorum
3. Approval of Minutes: January 25, 2021
4. Committee Reports:
5. Request for Continuances or Agenda Modifications:
6. Public Comments: (Public may comment on items NOT on the Agenda)
7. Introductions:
8. Old Business:

9. **New Business:**

**Public Hearings:**

**MAP (P) 20-15, Harvest Landing Primary Plat** -- Request for approval of a Major Subdivision Primary Plat with 8 lots and two (2) waivers from the Subdivision Control Ordinance. The 41.68 acre property, located at Northwest corner of US 36 and County Road North 900 East is in Tier 1 of the US Highway 36 Overlay District and the base zoning district is C-2.

**MAP (P) 20-15 Waiver Requests:**

1. From Appendix A: Engineering Standards, Figure 2A to allow a 13.5' wide lane width instead of the 12' width shown.
2. From Appendix A: Engineering Standards, Roadway Development, to allow a waiver from the minimum "distance between public roadway intersection and full access Commercial/Industrial curb cuts" to allow for curb cut spacing less than 150'.

*Daniel Kmiecik – American Structurepoint*

**ZA 21-01 - Murphy Park** -- Request for approval of rezoning to Institutional Zoning District, at the Town of Avon's request. The 37.69 acre property, located at 753 South County Road 625 East. and is zoned R-1. Ben Comer – Comer Law Office, LLC.

10. **Other Business:**

11. **Adjournment:** *Special Meeting: 03/03/2021 @ 6:30PM*  
*Next Regular Meeting: 03/22/2021 @ 6:30PM*

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.

**ZA 21-01, Murphy Park Rezoning Staff Report**

Planning & Building Department

February 6, 2021

Advisory Plan Commission, Public Hearing

Deborah Luzier, AICP

A. Petition Number:	ZA 21-01, Murphy Park
B. Applicant:	Ben Comer on behalf of Washington Township, Hendricks County
C. Location:	The subject property is located at 8190 S 625 E, on the east side of 625 E and north of 100 S.
D. Parcel Size:	The property contains 37.69 acres total on 3 parcels.
E. Land Use and Zoning:	<p><b>Subject Property:</b> Current zoning of these parcels is R-1 (Single Family Residential District) The subject property is currently being used for residential and agricultural purposes.</p> <p><b>Surrounding Properties:</b></p> <ul style="list-style-type: none"><li>• <u>West:</u> The property to the west (on the west side of 625 E) is predominantly floodplain in the unincorporated area of Washington Township. To the southwest is Avon Junior Athletic Association (AJAA).</li><li>• <u>East:</u> Property to the east is part of unincorporated Washington Township. Northeast is Lake Forest Estates residential subdivision. Property to the southeast is agricultural.</li><li>• <u>North:</u> Property to the north is a residential parcel presumably zoned R-2.</li><li>• <u>South:</u> Property to the south is a residential parcel in the unincorporated area of Washington Township.</li></ul>
F. Action Requested:	<p>Rezone the subject parcel from R-1 Single-family Residential to INST Institutional Use District along with the required INST Master Plan.</p> <p>Washington Township wishes to develop a community parks and recreation site including an aquatics facility to be used as a pool during the summer and an ice rink during the winter. Other amenities include a playground, native landscaping multi-use fields, and a trail connection to AJAA ball fields.</p> <p>The Plan Commission must hold a public hearing, offer comments and suggestions on the petition, and forward a recommendation to the Town Council.</p>

G. History

The proposed rezoning was discussed during the TAC meeting on January 14, 2021.

H. Staff Comments:

**Avon Zoning Ordinance: INST, Institutional Use District (Chapter 26)**

- **Purpose** – The INST district is established to promote and maintain the development facilities for institutional uses within the town. Permitted uses include, but are not limited to: community centers, conference centers, congregate care facilities, municipal and public safety uses, hospitals, libraries, places of worship, and religious institutions. This district also allows accessory and temporary uses that are relative to the primary use.
- **INST Master Plan Approval** – When rezoning to INST, a Master Plan is required to be submitted as part of the application for consideration by the Plan Commission. This plan needs to be approved before the development of an institutional use may begin. The plan must include general guidelines for the improvements contemplated, landscaping, and compliance with all the applicable standards.

I. Statutory Criteria for Rezoning

**Rezoning Criteria:** In accordance with Indiana Code Sections 36-7-4-603, in considering a proposal for rezoning, the Plan Commission must “pay reasonable regard” to the following:

**Criteria 1: The Comprehensive Plan**

- **2017 Comprehensive Plan** – The Future Land Use Map doesn't show this area to be in proximity to any contemplated land use clusters. The Future Park & Trails Connectivity Map does show a future trail connection running east and west across the southern boundary of the property.
- **2018 Thoroughfare Plan** -- Map 12 identifies a connectivity opportunity from 625 E to the Woodland Heights neighborhood to the east via Woodland Heights Drive.
- **Bicycle & Pedestrian Master Plan** – The Plan shows a Multi-Use Path from the AJAA that follows the wooded area along the southern property line.

*Based on the INST Master Plan submitted, Staff believes this criterion has been met.*

**Criteria 2: Current conditions and the character of the current structures and uses in each district:**

The surrounding property is rural in nature with environmentally significant features (vegetation and floodplain). Parkland and trails are planned for or are already in place in this area. With the proposed land use and the INST Master Plan, the proposed zoning will complement the area.

*Staff believes this criterion has been met.*

**Criteria 3: The most desirable use for which the land in each district is adapted:**

Public parkland and open space would be a very desirable land use for this area. In addition to the INST Master Plan, it is recommended that the land uses be limited to:

- artificial lake >3 acres
- community center
- conference center
- government buildings and offices
- public park
- playground

*With the proposed land use limitation, Staff believes this criterion has been met.*

**Criteria 4: The conservation of property values throughout the jurisdiction:**

The development of a large, public, year-round recreational facility space is expected to have a positive impact on area property values and property values throughout Avon.

*Staff believes this criterion has been met.*

**Criteria 5: Responsible development and growth:**

The subject property is located in a more suburban/rural area of the community and township. Environmental features, floodplain, and area recreational uses make the development of a recreational facility a logical addition to the area. To facilitate access, improvements to 625 E and/or 100 S, if needed, should be coordinated with the Town and County respectively.

*With the proposed roadway improvement condition, Staff believes this criterion has been met.*

**COMMITMENTS**

Indiana Code 36-7-4-600 Series also allows communities to gain 'commitments' from developers through the rezone process. These commitments are voluntary on the part of the landowner and developer and must be recommended

by the Advisory Plan Commission and approved by the Town Council.

*As noted in Criterion 3 and 5, recommended conditions include:*

1. The land uses be limited to:
  - artificial lake >3 acres
  - community center
  - conference center
  - government buildings and offices
  - public park
  - playground
2. To facilitate access, improvements to 625 E and/or 100 S, if needed, should be coordinated with the Town and County respectively.

J. Recommendation:

Staff recommends that the rezoning from R-1 Single-family Residential to INST Institutional Use District with the required INST Master Plan be given a favorable recommendation with the following conditions:

1. The land uses be limited to:
  - artificial lake >3 acres
  - community center
  - conference center
  - government buildings and offices
  - public park
  - playground
2. To facilitate access, improvements to 625 E and/or 100 S, if needed, should be coordinated with the Town and County respectively.

ZA 21-01, Murphy Park  
Location Map

