



Avon Advisory Planning Commission Meeting  
**Monday, February 23, 2026** at 6:30 pm  
at Avon Town Hall

**1. Start Of Meeting**

- Call to Order
- Pledge of Allegiance
- Roll Call
- Determination of Quorum
- Election of Officers

**2. Approval Of Minutes**

**2.1. December 22, 2025 Meeting Minutes**

*Documents:*

[DEC 2025 PLAN COMMISSION MEETING MINUTES.PDF](#)

**3. Public Comment**

The public may comment on items on the agenda that are not a public hearing or on a specific matter within the Council's jurisdiction.

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

**5. Old Business**

**5.1. DPR 25-12: Park Place Crossing**

Requesting approval of a Development Plan Review to provide for construction of a one-story, multi-tenant office building. The 1.68-acre property is located along the west side of Park Place Boulevard, approximately 200 feet north of U.S. Highway 36 (approximate address 100 Park Place Boulevard).

***Petitioner: Tranquility, LLC, by Kruse Consulting, Inc.***

*Documents:*

[DPR 25-12 STAFF REPORT FEB 2026.PDF](#)

**5.2. DPR 25-18: Walmart Market**

Requesting approval of a Development Plan Review to provide for construction of a ~50,000-square foot retail building, with a pharmacy drive-through, surface parking, and related

improvements, with a Waiver of Design Standards of UDO 7.21(E)(1) to allow for a full-access commercial driveway being ~260 feet from a street intersection (minimum 400-foot separation required), and Waivers of Development Standards of UDO 6.10(A) & 6.10(C) to allow for excessive parking lot lighting and excessive light spillage across property lines. The 9.73-acre property is located at the southeast corner of Avon Avenue and Governors Row (~1439 South Avon Avenue).

***Petitioner: Walmart Real Estate Business Trust, c/o Misha Rabinowitch***

*Documents:*

[DPR 25-18 STAFF REPORT FEB 2026.PDF](#)

### 5.3. DPR 25-20: Avon Retail Shops

Requesting approval of a Development Plan Review to provide for construction of two retail buildings totaling ~29,400 square feet, with a Waiver of Design Standards of UDO 2.10(L) to allow for two driveway access points with drive separations of approximately 50 feet, 150 feet and 280 feet, (minimum 600-foot separation between access driveways required). The four-acre property is located at 10654, 10688, and 10690 East U.S. Highway 36.

***Petitioner: Evergreen Commons, LLC, by Brian Cross, Civil Site Group, Inc.***

*Documents:*

[DPR 25-20 STAFF REPORT 02232026.PDF](#)

## 6. New Business

### 6.1. DPR 25-21: Mo' Bettahs

Requesting approval of a Development Plan Review to provide for renovation of an existing 1,580-square foot restaurant building, including a 760-square foot building addition with a drive-through pick-up window and miscellaneous changes to parking and landscaping, with a Waiver of Design Standards of UDO 7.10(I)(1) to allow for the use of "thin brick" siding (brick less than four inches thick not permitted). The 1.32-acre property is located at 8894 East U.S. Highway 36.

***Petitioner: Savory MB Stores LLC, c/o Will Scott***

*Documents:*

[DPR 25-21 STAFF REPORT FEB 2026.PDF](#)

## 7. ZA 25-03: The Gatherings, Lot 2

Requests a favorable recommendation of a petition to rezone 2.08 acres, from the I-2 General Industrial District to the C-2 General Commercial District, to legally establish existing retail uses. The property is located 8403 East U.S. Highway 36

***Petitioner: Churchyard LLC, c/o David Gilman***

*Documents:*

[STAFF REPORT ZA 25-03 FEB 2026.PDF](#)

8. **Other Business**

8.1. **Plan Commission Annual Training**

9. **Committee Reports**

10. **Adjournment**

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.

*"Avon is a safe, vibrant community for active families and thriving businesses."*

Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | [avonindiana.gov](http://avonindiana.gov) | Next Meeting: **03/23/2026**

<b>Member</b>	<b>Appointed by:</b>	<b>Term</b>
Dave Kauffman	Town Council	1/2026 - 12/2026
Andrew Rockabrand	Council President	1/2023 - 12/2026
Jennifer Spencer	Council President	1/2023 - 12/2026
Bill Reed	Town Council	1/2026 - 12/2026
Greg Zusan	Town Council	1/2023 - 12/2026
Paul Guckenberger	Council President	1/2024 - 12/2027
Kathryn Ransburg	Council President	1/2024 - 12/2027



Avon Advisory Planning Commission Meeting Minutes for 12/22/2025 at 6:30 pm at Avon Town Hall

12/22/2025 - Minutes

**1. Start Of Meeting**

Meeting commenced at 6:30 p.m.

Present members were as follows: Kathryn Ransburg, President; Bill Reed, Commissioner; Andrew Rockabrand, Commissioner; Jennifer Spencer, Commissioner; and Dave Kauffman, Commissioner.

Linda Ahlbrand, Staff and Dan Taylor, Legal.

**2. Approval Of Minutes**

**2.1. Minutes For Approval - November 24, 2025**

B. Reed makes a motion to **approve the November 24, 2025 Plan Commission Meeting Minutes as presented**. Seconded by A. Rockabrand. Motion passes 5-0.

**3. Public Comment**

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

**4.1. DPR 25-12: Park Place Crossing**

DPR 25-12 Park Place Crossing, requesting approval of a Development Plan Review to provide for construction of a one-story, multi-tenant office building. The 1.68-acre property is located along the west side of Park Place Boulevard, approximately 200 feet north of U.S. Highway 36 (approximate address 100 Park Place Boulevard).

*Petitioner: Tranquility, LLC, by Kruse Consulting, Inc*

D. Kauffman makes a motion to **continue DPR 25-12 Park Place Crossing** to the 1/26/26 Plan Commission Meeting. Seconded by B. Reed. Motion passes 5-0.

**4.2. DPR 25-18 Walmart Market**

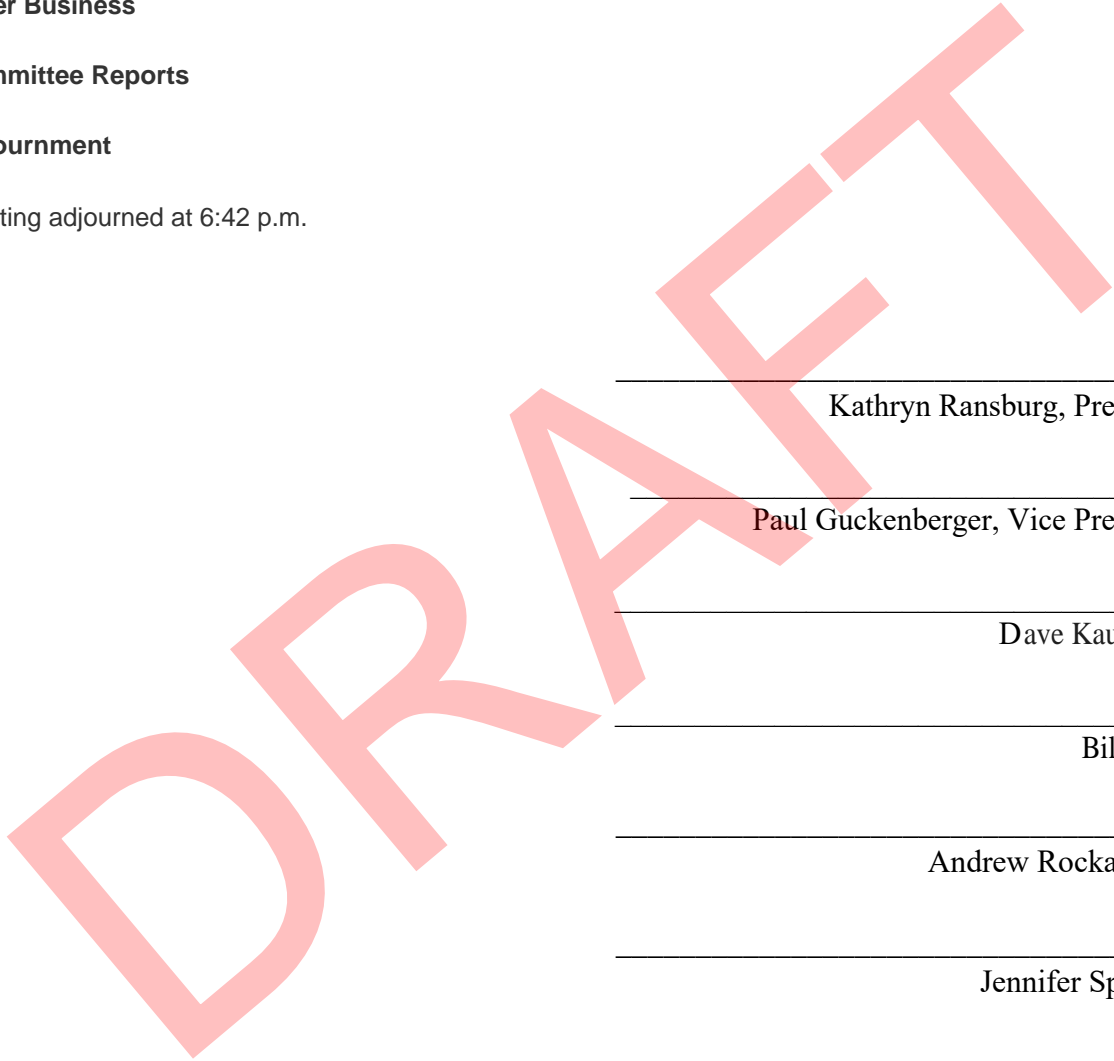
B. Reed makes a motion to **continue DPR 25-18 Walmart Market** to the 1/26/26 Plan Commission Meeting. Seconded by J. Spencer. Motion passes 5-0.

**4.3. DPR 25-20 Avon Retail Shops**

A. Rockabrand makes a motion to **continue DPR 25-20 Avon Retail Shops** to the 1/26/26 Plan Commission Meeting. Seconded by B. Reed. Motion passes 5-0.

- 5. **Old Business**
- 6. **New Business**
- 7. **Other Business**
- 8. **Committee Reports**
- 9. **Adjournment**

Meeting adjourned at 6:42 p.m.



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Kathryn Ransburg, President

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Paul Guckenberger, Vice President

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Dave Kauffman

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Bill Reed

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Andrew Rockabrand

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Jennifer Spencer

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Greg Zusan

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Paul Lambie, Secretary

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.

*“Avon is a safe, vibrant community for active families and thriving businesses.”*

Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | [avonindiana.gov](http://avonindiana.gov) | Next Meeting: **01/26/2026**

DRAFT



## DPR 25-12: Park Place Crossing – 56-108 Park Place Boulevard (approx. address)

Planning & Building Department Staff Report

For Hearing on February 23, 2026

Plan Commission, Public Hearing

Paul J. Lambie, Senior Planner

<b>A. PETITION NUMBER</b>	DPR 25-12: 267 Park Place Crossing
<b>B. APPLICANT</b>	Tranquility, LLC, by Kruse Consulting, Inc.
<b>C. LOCATION</b>	56, 82, & 108 Park Place Boulevard (approximate addresses)  Lots 5, 6, & 7 in Avon Park Place
<b>D. PARCEL SIZE</b>	1.68 acres
<b>E. LAND USE &amp; ZONING</b>	The site is undeveloped, is zoned C-2: General Commercial District, and located within Tiers 1 & 2 of the U.S. Highway 36 Zoning Overlay.
<b>F. ACTION REQUESTED</b>	Request for approval of a Development Plan Review to allow for construction of a one-story, multi-tenant commercial building with surface parking and related improvements.
<b>G. HISTORY</b>	<p>The site was platted and recorded in 1988 under the jurisdiction of Hendricks County.</p> <p>This petition was discussed at the September 18, 2025 Technical Advisory Committee (TAC) meeting, and accordingly docketed for the October 27, 2025 Plan Commission (PC) meeting. The petition was continued to the December 22, 2025 meeting, and then to the January 26, 2026 hearing to allow for the submission of revised plans and/or waiver requests. Prior to the January 26, 2026 PC meeting being canceled due to the Hendricks County Travel Advisory Warning, a request to continue this matter to the February 23, 2026 PC meeting had been published. Revised plans and waiver requests have been submitted and reviewed, and legal</p>



	<p>notice has been submitted for publication and provided to the petitioner for mailing to surrounding property owners.</p>
<b>H. STAFF COMMENTS</b>	<p>This request would allow for construction of 9,000-square foot commercial building indicated for use as “flex office” space. Initial plans proposed locating the building across Lots 5 &amp; 6 with a drainage facility to the south on Lot 7 (see Exhibit B). It was determined that, per UDO 2.10(L), an extension of Beechwood Centre Road is required to be built by the property owner in conjunction with development of the site. While a waiver request has been submitted to reduce the width of the street extension, the revised development plans now include an extension of the street that would generally match what was constructed across Park Place Boulevard when that property was developed. Accommodating the required street extension resulted in the proposed building location shifting southward straddling Lots 6 &amp; 7, with Lot 5, north of the Beechwood Centre Road extension remaining unimproved (see Exhibit B2).</p> <p>The southward relocation of the proposed building and trash enclosure resulted in imposition of the Tier 1 architectural standards for the south façade of the proposed building and the trash enclosure. The building elevations (see Exhibit D) have been revised to meet all applicable architectural standards, except for the request to waive the articulation requirement for the rear façade (see Waiver F).</p> <p>The 184-foot depth of this commercial property measured east to west is considerably more shallow than typical modern commercial lots. This condition presents practical difficulties in developing these lots for typical commercial uses permitted by the site’s zoning. Specifically, designing a viable commercial building with the necessary vehicular circulation and parking while meeting the requirements for front and rear buffer yards and foundation landscaping on all sides of the building would be difficult. The requirement to dedicate land for the construction of a public street extension is an additional condition exacerbating the difficulty in developing the site. Because of these challenges, several waivers of Unified Development Ordinance (UDO) standards have been requested. Each waiver is individually evaluated below. All</p>



other issues indicated in the Planning TAC letter and subsequent reviews have been adequately addressed.

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**-Sec. 8-10(A) Development Plan Purpose:**

Per UDO 8.10(A), the development plan review process is designed to: promote the safe and efficient use of land, protect property values, and ensure for an orderly and harmonious development pattern according to the Comprehensive Plan.

**Development Standards:** Development Plans are required to meet the applicable development standards set forth in the Unified Development Ordinance (UDO). The Technical Advisory Committee reviewed this proposal for compliance with those standards, as well as those of the Storm Water Management Ordinance. The development plan was found to meet the development standards of the UDO, except as described below, which necessitates conditions requiring submission of revised plans.

**1) Miscellaneous Applicable Development Standards:**

Except for the waivers requested, the development plans appear consistent with the development standards for the C-2 District, such as building setbacks, height, and bulk.

**2) Applicable Overlay District Standards:**

The property is located within Tiers 1 & 2 of the U.S. Highway 36 Overlay Zoning District. This imposes additional development and design requirements, including higher architectural standards, a greater front landscape buffer yard, and a requirement to extend a public street westward through the site. Except for the waivers requested, the development plans appear consistent with the Overlay standards.

**3) Lighting, Chapter 6:**

A lighting plan has been submitted, however, it needs to be revised in order to not cause excessive light spillage into the right-of-way.

**4) Off-Street Parking and Loading, Chapter 6:**



a) **Parking:** The site plan proposes 27 spaces. UDO Table 6.3 specifies the required amount of off-street parking based upon the type of commercial use that occupies each building, such as two (2) spaces per 1,000 square feet of Gross Floor Area (GFA) for general office use, two and one-half (2.5) spaces per 1,000 for retail sales, and five (5) parking spaces per 1,000 for restaurants or taverns. The proposed three (3) spaces per 1,000 square feet of GFA would meet the requirement for either general office or retail uses. If permitted uses requiring additional parking are proposed in the future, additional parking could be required at that time.

The waiver request to reduce the parking space length from the required twenty (20) feet to the proposed eighteen (18) feet is discussed specifically in the Waiver section.

b) **Loading:** A loading space, as required, is identified on the site plan at the rear of the building in a location that does not prevent ingress/egress to any parking areas.

**5) Landscaping and Screening, Chapter 6:**

Except for Waivers B & D to reduce the front buffer yard and foundation planting areas, the proposed landscape plan appears to meet all other requirements of the UDO.

**6) Floodplain Regulations:**

This property is not located within a regulatory floodplain.

**7) Signs, Chapter 6:**

Signs were not proposed or reviewed as part of this development plan. Signs are typically reviewed for compliance during the sign permit application review process.

**8) Engineering / Stormwater Management:**

The revised submissions from the petitioner following TAC review are under review by our consulting engineer.



**9) Subdivision Control Regulations:**

The site will need to be replatted to combine Lots 6 & 7 prior to issuance of a building permit.

**10) Architectural Standards**

Except for the requested Waiver F, the building elevations appear to meet both the requirements of UDO 7.10 and the additional U.S. Highway 36 Overlay requirements of UDO 2.10(O).

**11) Comprehensive Plan**

The Comprehensive Plan Future Land Use Map recommends Mixed Use development for this site, and the proposed development would be consistent with said recommendation. It should be noted that this petition was filed prior to adoption of the current Comp Plan. The previous Comp Plan provided no specific recommendation for this property. Therefore, development permitted by the existing C-2 zoning was supported by the Plan.

**12) Additional Development Plan Review Criteria**

The proposed development appears generally compliant with the review criteria indicated in UDO 8.10(F).

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**WAIVER “A”**

Waiver: A waiver of development standards of UDO 2.10(L), to construct a 28-foot wide private access road within a 44-foot wide access easement in lieu of constructing a public street extension of Beechwood Centre Road with a 36-foot wide street and 5-foot wide sidewalks within a 60-foot wide public right-of-way (construction to public street standards required).

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, and welfare:

*Petitioner’s response: “because this reduction still allows for future collector street access from east to west.”*



Staff concurs with the petitioner's response. The proposed pavement width and easement (or right-of-way) width would be adequate to provide for future traffic needs.

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located:

*Petitioner's response: "because the roadway is similar to the access collector to the east."*

Staff concurs with the petitioner's response. The proposal matches what was constructed and dedicated for Beechwood Centre Road immediately east of Park Place Boulevard.

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area:

*Petitioner's response: "because the standard reduction in the roadway is similar to that roadway the provides access to the east."*

Staff concurs with the petitioner's response. Matching what was dedicated and constructed across the street to the east will enhance the surrounding area.

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:

*Petitioner's response: "because the reduction in roadway standard still allows for street access from the east to the west."*

Staff concurs with the petitioner's response for the reason indicated above for Finding #3.

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.

*Petitioner's response: "because it allows future roadway connectivity to the west."*

Staff concurs with the petitioner's response. While not needed immediately, the area proposed for the easement (or right-of-way) would allow for future construction of a sidewalk to increase pedestrian connectivity.

**Staff recommends approval of this waiver request.**



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**WAIVER “B”**

Waiver: A waiver of development standards of UDO 2.10(M)(1) to provide for a 16.9-foot front landscape buffer with sidewalk therein (minimum 20-foot front landscape buffer required).

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, and welfare:

*Petitioner’s response: “because this reduction still allows for street plantings and pedestrian access as well as providing the required sidewalk/ tree plot.”*

Staff concurs with the petitioner’s response. The request is a minor deviation from the standard and will not preclude meeting the overall required number and type of landscape plantings.

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located:

*Petitioner’s response: “because the addition of an interconnected and additional plantings along the corridor matches or exceeds those developments previously constructed.”*

The request is a minor deviation from the standard and would still meet the purpose and intent of the district by providing all required plantings as well a buffer between the sidewalk and both the street and parking lot.

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area:

*Petitioner’s response: “because the reduction in the bufferyard is larger than several other developments in this corridor of Park Place that have been previously constructed under archived ordinances.”*

Staff concurs with the petitioner’s response. The proposed front buffer yard would exceed what has been provided on some nearby commercial properties on Park Place Boulevard.



Therefore, it would enhance the streetscape, neighborhood, and surrounding area.

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:

*Petitioner's response: "because the reduction in bufferyard still allows room for street plantings and pedestrian access across the frontage of the development for connectivity."*

**Staff concurs with the petitioner's response.**

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.

*Petitioner's response: "because the reduction in bufferyard still allows room for street plantings and pedestrian access across the frontage of the development for connectivity."*

**Staff concurs with the petitioner's response..**

**Staff recommends approval of this waiver request.**

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#### **WAIVER "C"**

Waiver: A waiver of development standards of UDO Table 6.1 to provide for a row of 18-foot deep off-street parking spaces (minimum 20-foot parking space depth required).

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, and welfare:

*Petitioner's response: "because this reduction still allows for the average car size to fit within the stall."*

**Staff concurs with the petitioner's response. A 10' x 18' parking space with a 24' two-way drive aisle will provide adequate maneuvering for drivers visiting an office development that typically has lower parking lot turnover than many other retail commercial uses.**

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located:

*Petitioner's response: "because the reduced length in parking stall along the eastern façade matches or exceeds those*



*parking stalls within developments previously constructed within the corridor.”*

Staff believes this finding would be met. The requested deviation is minor, and the length of the spaces in conjunction with the 24’ wide drive aisle will meet the purpose and intent of the zoning district.

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area:

*Petitioner’s response: “because the reduced stall length does not contrast from the typical developments within this corridor of Park Place that have been previously constructed under archived ordinances.”*

The requested two-foot reduction in parking space length allows for additional depth of the front buffer yard, which improves the abutting streetscape. Therefore, staff believes this finding would be met.

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:

*Petitioner’s response: “because the reduction in parking stalls still allows room for the average car on the streets within the development corridor.”*

Staff believes that this finding would be met, because this minor deviation from the standard does not create an impractical site design and because the appearance of the development would be more attractive.

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.

*Petitioner’s response: “because the reduction in parking stalls still allows room for the average car on the streets within the development corridor.”*

Staff believes this finding would be met because this minor deviation from the standard allows for more area for landscape area to be included in the site design.

**Staff recommends approval of this waiver request.**

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#### WAIVER “D”

Waiver: A waiver of development standards of UDO 6.5(A) to provide for no foundation planting area adjacent to the west façade and a reduced width of foundation planting area along portions of the east façade (minimum 5-foot wide planting area required around the building except at loading areas and doorways);

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, and welfare:

*Petitioner’s response: “because this reduction still allows for the area to be planted as required and plantings to be located elsewhere on-site where they can be planted.”*

**Staff concurs with the petitioner’s response.**

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located:

*Petitioner’s response: “because the reduced landscape strip along the eastern façade matches or exceeds those foundation planting areas within developments previously constructed within the corridor.”*

**Staff concurs with the petitioner’s response. The limited depth of the site, along with the requirement to construct an extension of Beechwood Centre Road, present challenges in meeting all development standards. However, the overall proposal would be harmonious with the purpose and intent of the zoning district.**

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area:

*Petitioner’s response: “because the reduced landscape strips still allow for foundation plantings for screening, the intent of the UDO and landscape to be planted elsewhere on the site.”*

**Staff believes the overall proposal would enhance the neighborhoods and surrounding area.**

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:



*Petitioner's response: "because the reduction in landscape strip still allows room for foundation plantings to screen the building as intended and plantings to be located in areas where the quantities can be provided."*

Staff believes the reduced areas of foundation plantings would not detract significantly from the appearance of the proposed development, and the overall proposal would improve the appearance of the surrounding area.

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.

*Petitioner's response: "because the reduction in landscape strip still allows room for foundation plantings to screen the building as intended and plantings to be located in areas where the quantities can be provided."*

Staff concurs with the petitioner's response. A waiver to reduce the foundation plantings areas allows for a public sidewalk and landscaping to be provided along the site's frontage. Given the practical difficulties present in developing this site and the need to balance the areas available to provide landscaping, staff believes the proposal adequately provides for the necessary pedestrian connections and landscaping.

**Staff recommends approval of this waiver request.**

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#### **WAIVER "E"**

Waiver: A waiver of design standards of UDO 7.21(E) to provide for a full-access driveway onto Park Place Boulevard offset from two existing driveways on the opposite side of the street (minimum 150-foot separation required).

Applicant must demonstrate compliance with the following:

1. The proposed alternative will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent or nearby property because:

*Petitioner's response: "this location of the driveway allows for access to the roadway with no visual interference to the other drive locations."*

Staff concurs with the petitioner's response. The proposed location being generally centered opposite two existing



driveways appears to be the safest option available to provide access along Park Place Boulevard.

2. The proposed alternative will not contradict the intent of the design standards or the purpose of the Subdivision Regulations because:

*Petitioner's response: "the drive location is similar to those within the subdivision and not aligned with others."*

Staff believes that maximizing separation from the Beechwood Centre Road intersection would be consistent with the intent of the standard and the purpose of the Subdivision Regulations.

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner's response: "the drive location allows additional access to the development and keeps cars from stacking on Park Place that are traveling west."*

The need for the waiver is caused by the existence of two driveways opposite the site that do not conform to the Town's separation standards, and thus, no compliant location is available that would be properly separated from both those driveways. This is not a condition generally applicable to other properties.

4. The proposed alternative enhances the proposed development and the surrounding area because:

*Petitioner's response: "the drive location is similar to those developments that are constructed along the corridor."*

Staff believes that the proposal represents the safest location to provide access to the site from Park Place Boulevard.

**Staff recommends approval of this waiver request.**

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**WAIVER "F"**

Waiver: A waiver of design standards of UDO 2.10(O)(3)(a) to provide for construction of a building without the required recesses or projections along the rear (west) façade.

Applicant must demonstrate compliance with the following:



1. The proposed alternative will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent or nearby property because:

*Petitioner's response: "by not constructing the building with wall projections at the rear of the building, the building would be the same façade projection along the entire wall so there would be no projections to run or bump into along the length of the wall."*

Staff does not believe that the lack of projections or recesses along the rear façade would be detrimental to the public or injurious to nearby properties because the overall design of the building generally meets the intent and purpose of the architectural standards of the ordinance.

2. The proposed alternative will not contradict the intent of the design standards or the purpose of the Subdivision Regulations because:

*Petitioner's response: "the façade is similar to the rear of other commercial buildings in the local district."*

Staff believes that the proposed waiver is a minor deviation considering that the required articulation is provided on the other three facades and that the rear façade meets the intent of the design standard through use of different materials and colors as well as roofline variation.

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner's response: "with the flat façade of the rear wall of the building, it makes access into the rear of these buildings for deliveries easier to maneuver."*

Staff believes that the relatively shallow depth of the lot, combined with the requirement to extend a public street through the site, creates a condition that is challenging to design a commercial development and meet all standards of the ordinance. The unarticulated rear façade allows for a viable building size and landscape yards of a depth similar to nearby properties.

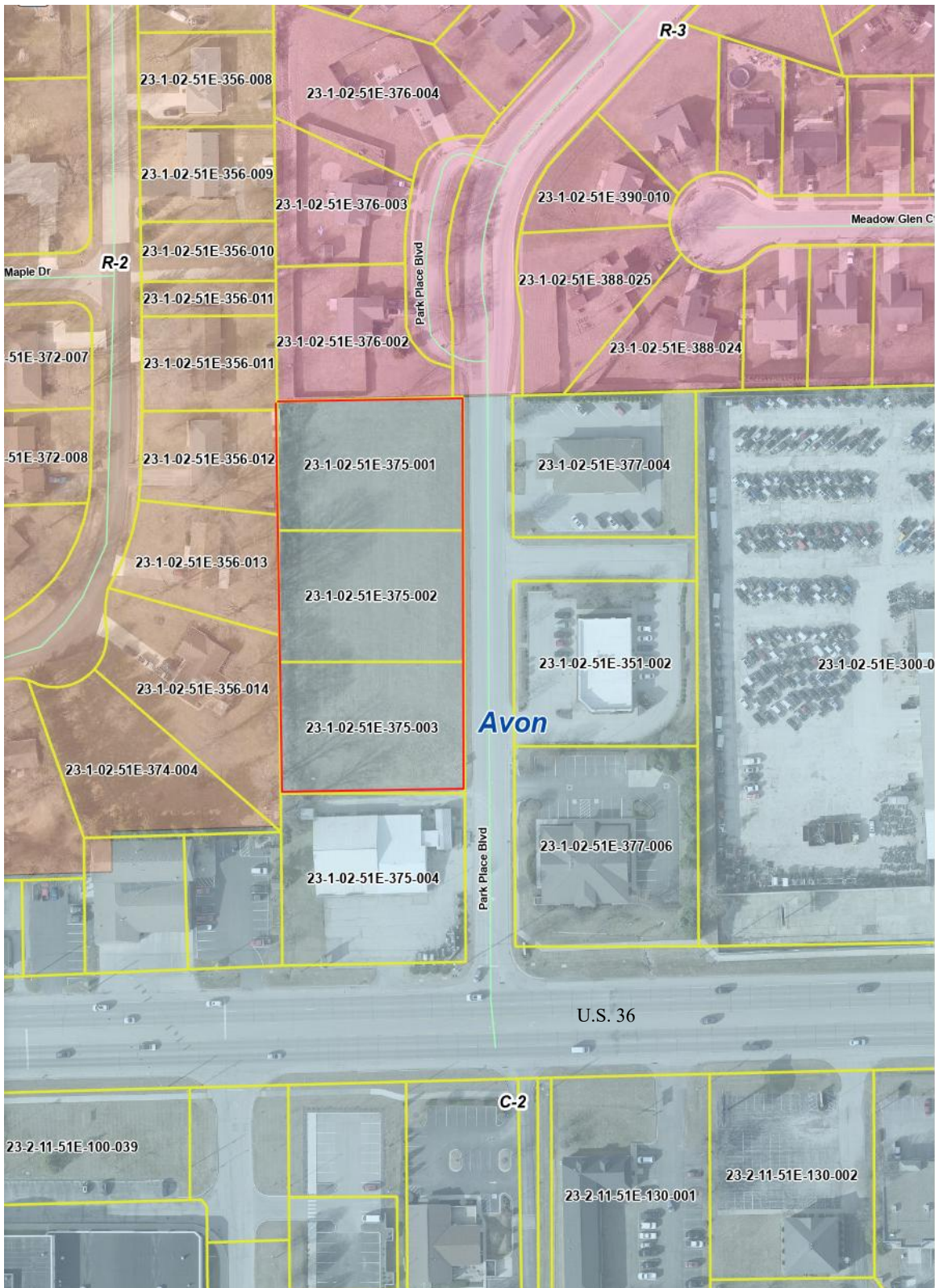
4. The proposed alternative enhances the proposed development and the surrounding area because:



	<p><i>Petitioner's response: "with the rear wall being flat with no projections or recesses does not detract from the overall architectural features of the building that the public will see from Park Place Blvd. and is similar to other commercial buildings in the area."</i></p> <p><b>Staff believes that the overall development proposal generally meets the intent of the architectural standards of the ordinance and would thereby enhance the surrounding area.</b></p> <p><b>Staff recommends approval of this waiver request.</b></p>
<b>I. RECOMMENDATION</b>	<p>If the requested waivers are approved, Staff finds that the overall development plan would be consistent with the standards of the UDO, except as requiring modification per requested Conditions One &amp; Two below, and therefore, <b>staff would recommend approval of petition DPR 25-12: Park Place Crossing, subject to the following conditions:</b></p> <ol style="list-style-type: none"><li>1. Prior to issuance of a building permit, a revised lighting plan shall be submitted for approval of the Administrator.</li><li>2. Prior to issuance of a building permit, a plat combining Lots 6 &amp; 7 and dedicating right-of-way for Beechwood Centre Road (unless a waiver is granted to allow for an easement in lieu of right-of-way) shall be submitted and approved. Said plat shall be recorded prior to issuance of a certificate of occupancy.</li><li>3. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.</li><li>4. A landscape bond is required per Section 6.1(D)(3) of the Unified Development Ordinance. This bond must be provided to the Town of Avon prior to the issuance of a full Certificate of Occupancy for the subject site.</li><li>5. The development shall comply with all relevant portions of Town Code, the necessary approval by Crossroad Engineers on behalf of the Town, and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.</li></ol>

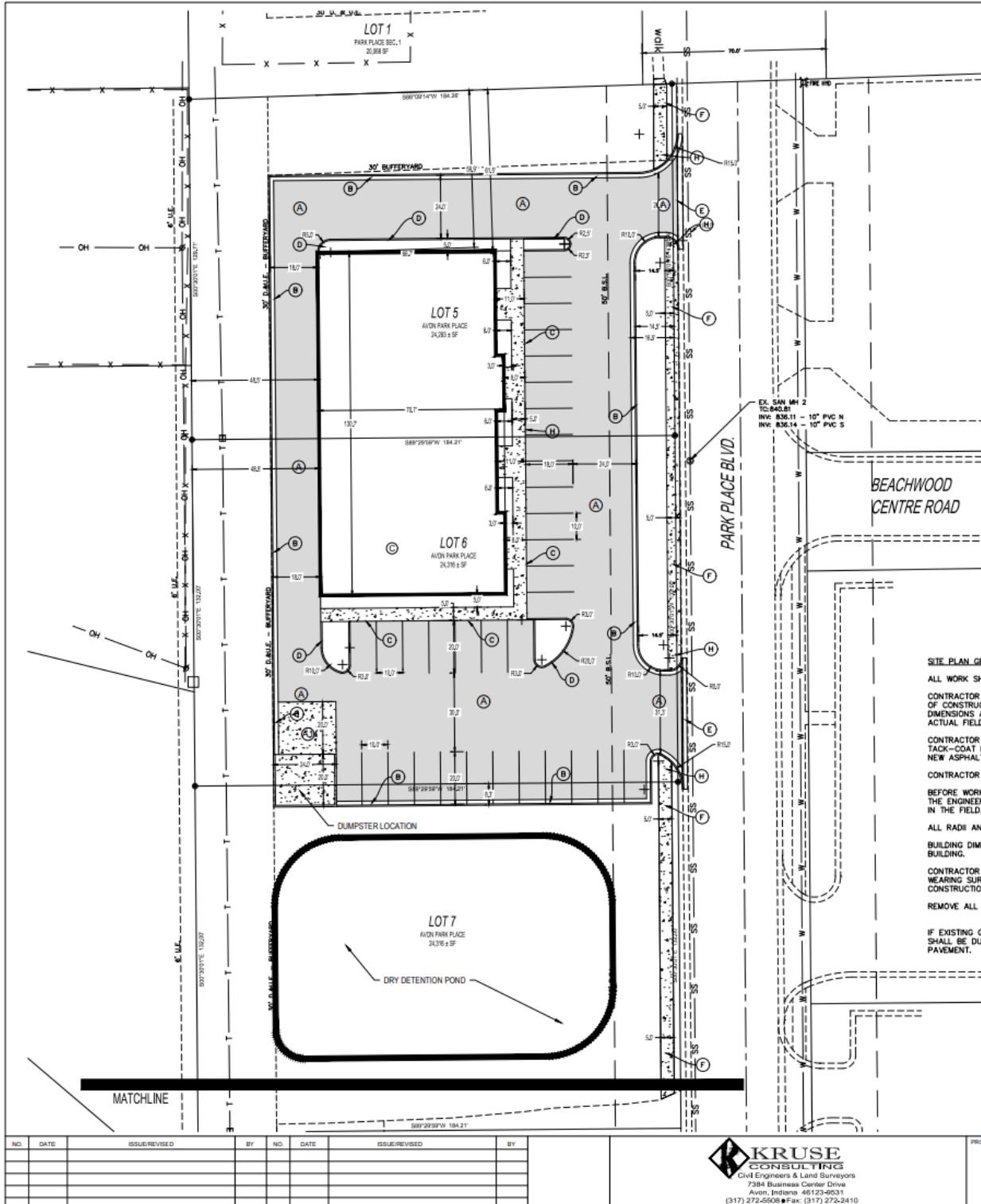


## Exhibit A –Location / Zoning Map



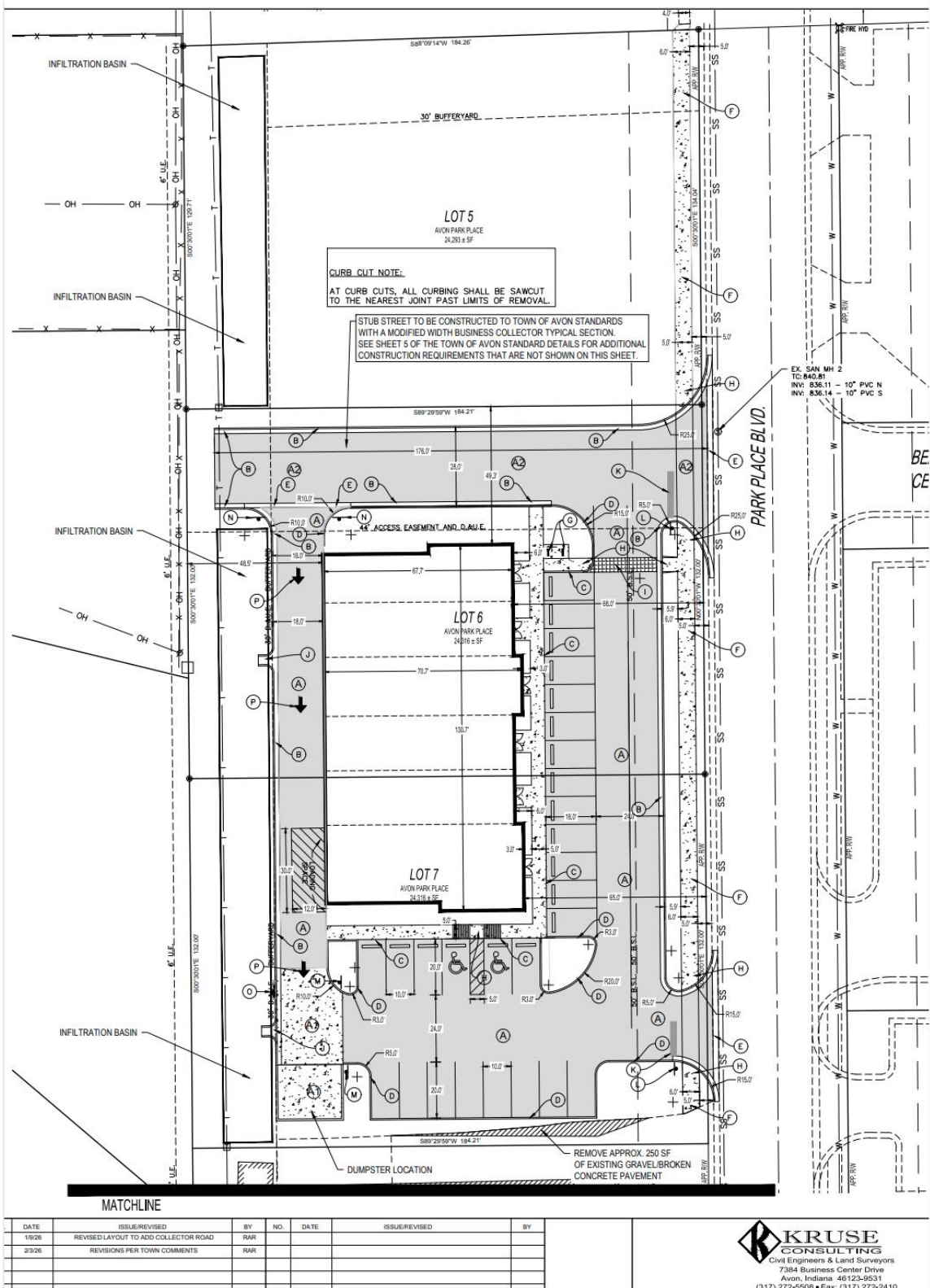


## Exhibit B – Proposed Site Plan



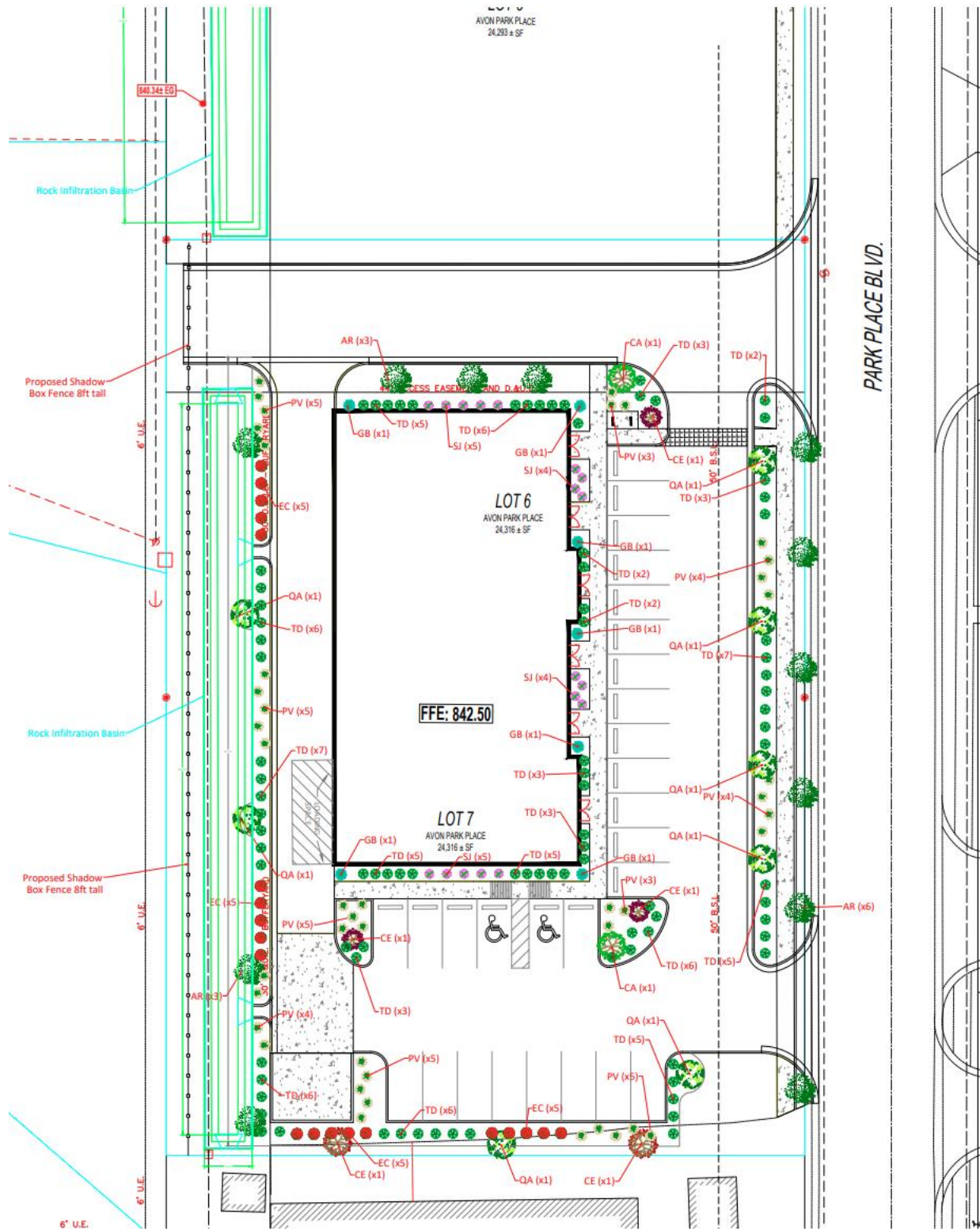


## Exhibit B2 – Revised Site Plan (6-Feb-2026)





# Exhibit B3 – Revised Landscape Plan (6-Feb-2026)





## Exhibit C – Planning TAC Letter (Page 1 of 4)

### MEMORANDUM

To: Dale Kruse, Kruse Consulting, Inc.

From: Paul J. Lambie, Senior Planner

Date: September 17, 2025

Re: DPR 25-12: Park Place Crossing – 102 Park Place Boulevard (approx. address)

After reviewing the submittal for the above-mentioned project, the Planning staff has the following comments

1. The site is zoned C-2 and is located partly within Tier 1 of the U.S. Highway 36 Overlay, and partly within Tier 2 of the U.S. Highway 36 Overlay. It appears that all proposed improvements, with the exception of the detention pond, would be located within Tier 2.
2. Per comments from the Department of Public Works and UDO 2.10(L), an extension of the business collector street (Beechwood Centre Road) identified in the Town of Avon Thoroughfare Plan must be constructed with development of this site. The site plan will need to be revised to relocate the proposed improvements to accommodate said street extension.
3. Per UDO 2.10(O)(2)(a), buildings in Tier 2 must have at least 80% masonry, excluding windows and doors, on the side facing U.S. 36. EIFS does not meet the definition of masonry. Staff's rough calculation indicates ~ seventy-six percent (76%) of the south façade, exclusive of windows and doors, would be masonry. Please provide calculations on the elevations sheet indicating the square footage of each material and the percentage of masonry to show compliance.
4. There appear to be discrepancies between the submitted site plan and building elevations in that the submitted building elevations appear to show six entrances on the east facade, but the site plan shows only four. Please make sure these plans match.
5. Per UDO 2.10(O)(3)(a), building elevations in Tier 1 and 2 greater than 60 feet in length must incorporate wall plane projections or recesses every 40 feet, having a depth of at least 3 feet and a width of at least 20 feet. The east façade provides projections, but the other three facades do not meet this requirement.
6. Per UDO 2.10(O)(3)(b), buildings up to 25,000 square feet must have a minimum of two of the architectural features listed therein. Please demonstrate compliance with this standard on the building elevations.



## Exhibit C – Planning TAC Letter (Page 2 of 4)

7. Per UDO 2.10(M)(1), a minimum 20' deep front yard landscape buffer is required. The submitted plans are deficient. Please revise plans accordingly or request a variance or waiver (if eligible).
8. Per UDO 6.6(C), one parkway tree is required to be planted in the right-of-way per 50 lineal feet of frontage. No parkway trees are indicated on the submitted landscape plan. Please revise the landscape plan accordingly.
9. Per UDO 2.10(M)(4) & UDO 6.7(C), two (2) shade trees per seventy feet of lineal feet of parking lot perimeter are required. This appears to require four trees along the east perimeter and six along the west perimeter, where only three and four respectively are shown on the landscape plan. Please revise the landscape plan accordingly.
10. Per UDO 6.7(C)(2)(b), a continuous dense hedge running the length of the parking lot is required abutting the west and north perimeters of the lot, and covering 75% of the east and south perimeters of the lot. Please revise the landscape plan accordingly.
11. Per UDO 6.8(D), a solid, year-round screen at least 8 feet high is required within the north and west buffer yards. A 6-foot high shadow box fence is proposed on the landscape plan. Please revise plans to indicate compliance with one or more of the options listed in UDO 6.8(D).
12. Per UDO Table 6.1, 90-degree angle parking requires 20-foot deep spaces, however, 18-foot deep spaces are shown in one of the rows. A variance or waiver can be requested, or the plans will need to be revised accordingly.
13. The application indicates that the building would be used for "office flex space". The closest match to this for purpose of parking requirements in UDO Table 6.3 would be "Office, All Others", which requires 2 spaces per 1,000 square feet of gross floor area, which would require 49 parking spaces for the proposed 24,293 square-foot building. Only 33 spaces are shown on the proposed plan. A variance or waiver can be requested or the plans will need to be revised accordingly, unless the proposed use of the building is revised.
14. Per UDO Table 6.5, one loading space would be required, which would need to be a minimum dimension of 12 feet by 30 feet, unless tractor-trailers would be servicing the site, and would need to meet the standards in UDO 6.13(C). Please revise plans accordingly.
15. Per UDO Table 6.4, a development providing parking spaces within a range of 26 to 50 must provide a minimum of two (2) accessible parking spaces meeting the standards of UDO 6.12(E). No such spaces appear to be indicated on the plans. Please revise the plans accordingly.



## Exhibit C – Planning TAC Letter (Page 3 of 4)

16. Per UDO 6.11(F), wheel stops are required adjacent to pedestrian walkways. Please revise plans accordingly.
17. Per UDO 6.11(G), all rows of parking must have terminal islands with a minimum width of eight (8) feet and a minimum area of 130 square feet. The terminal island at the north end of the parking in front of the building appears to measure ~ five (5) feet wide and ~ ninety square feet. Please revise plans accordingly.
18. Per UDO 6.11(D)(3), the first twenty (20) feet of a drive must be kept free from parking maneuvers. The parking space at the southeast corner of the site would violate this requirement. Please revise plans accordingly.
19. Per UDO 6.5(A), a minimum five (5)-foot wide landscaped strip is required around the perimeter of all principal buildings exclusive of doorways and loading areas. The west façade and portions of the east façade do not appear to meet this requirement. Please revise plans accordingly.
20. Per UDO 6.12, a minimum of two bicycle racks meeting the standards listed therein must be provided. Please revise plans accordingly.
21. Per UDO 7.19 and UDO 2.10(J), the development must integrate the interior and exterior pedestrian network through means of a safe dedicated pedestrian connection between the public sidewalk and the building, and where said connection crosses driving surfaces it must be distinguished therefrom through means of low maintenance materials such as pavers, bricks, or scored/stamped concrete or asphalt. Please revise plans accordingly.
22. Per UDO 5.11(H), landscaping is required around the trash enclosure. Please revise the landscaping plan accordingly.
23. Per UDO 6.10(A), light trespass onto adjoining public right-of-way must not exceed 0.3 footcandles. The submitted plan indicates light trespass up to 1.5 footcandles. Please revise the lighting plan accordingly.
24. Per 7.10(D)(9), retail buildings must provide glazing on a minimum of 35% of the ground floor front façade, with a minimum 10% glazing required on side façades. The UDO counts a maximum story height of 14 feet. Since the building is one-story, but taller than 14 feet, we will only calculate the ground floor façade as being 14 feet tall. Staff's rough calculation indicates ~forty percent (40% glazing on the front façade, which appears to be compliant, but only ~ seven percent (7% glazing on the side (north and south) façades. Please submit revised elevations indicating compliance with this requirement with calculations of glazing area vs ground floor façade area.



25. Per UDO 7.10(E), roofs must include at least two of the listed features. Please revise architectural plans accordingly to meet/demonstrate compliance with this standard.
26. Other than the aforementioned items, staff's initial review finds that this request appears to be consistent with the requirements of the Unified Development Ordinance. This review does not preclude the need to meet all applicable standards of the UDO, even if not included in this review letter.
27. A variance or waiver, depending on the item and extent of deviation from the applicable UDO standard, may be requested. Waivers may be included with this DPR request. Variances must be requested from the Board of Zoning Appeals. Please let us know at your earliest opportunity if you plan to request waivers and/or variances for any items.

Responses to these comments and any additional information for the submittal are due back on or before **October 2, 2025**. This petition is scheduled for a hearing at the Plan Commission on **October 27, 2025**. The Plan Commission requires the presentation at the meeting to be digital. Information that is not submitted on time may result in the continuance of this project to the subsequent Plan Commission meeting. Town Staff reserves the right to highlight additional issues as they may develop.

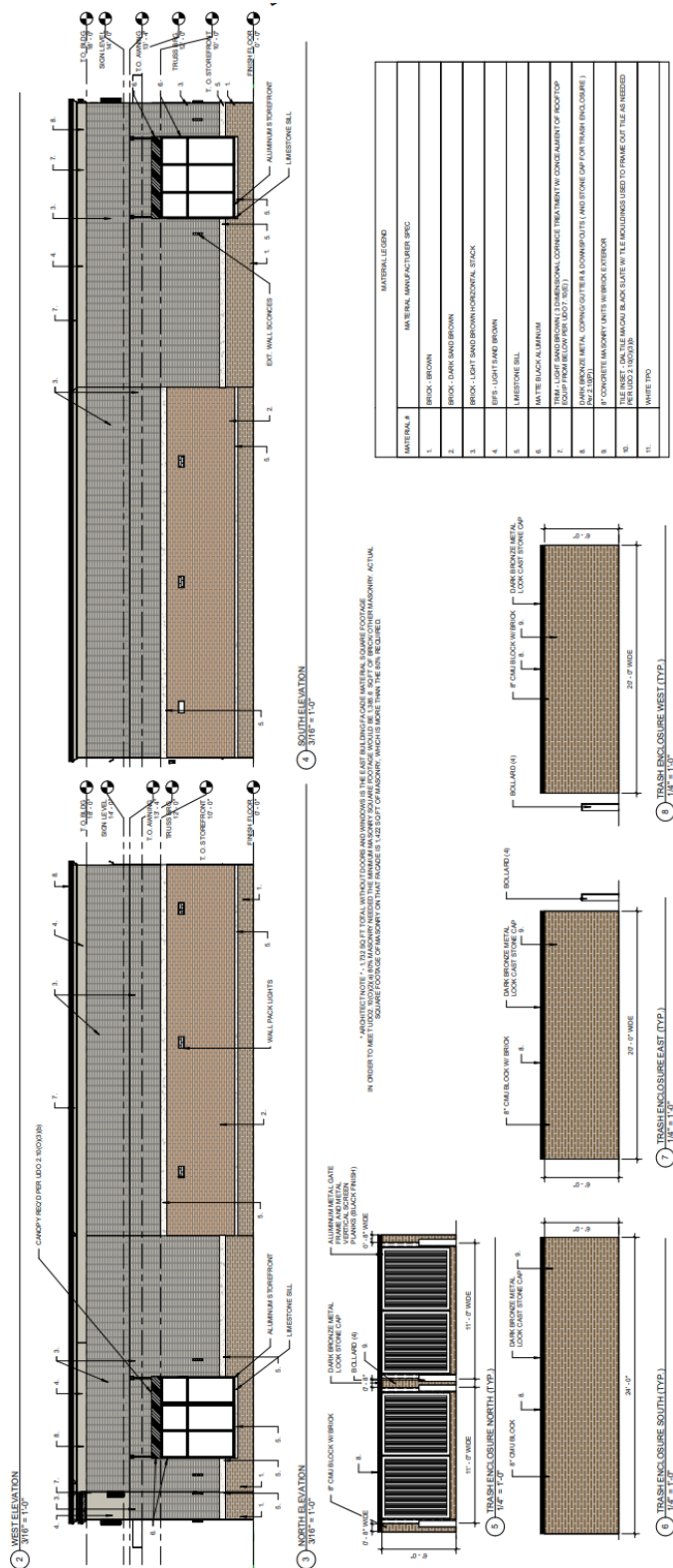
The following items should be submitted:

1. The written response to comments – For those comments with which you agree, the plans must be revised. For those comments with which you disagree, a written explanation must be provided and a written waiver (or variance) requested, when necessary.
2. Eight (8) copies of all required exhibits for review by the full Plan Commission no larger than 11x17 paper, unless specifically exempted by staff in writing;
3. Two hard copies and two flash drives with PDF versions of the final revised plans.
4. **PUBLIC NOTICE:**
  - i) Public notice letters must be mailed to adjoining property owners on or before **October 17, 2025**. Please provide the notice letter for this hearing date even if a continuance is likely.
  - ii) One sign per public road frontage must be posted on the property by the same date. Staff will place this sign.
  - iii) Affidavits attesting to the mailings must be received by the Planning and Building Department prior to the public hearing.
5. **For the Public Hearing:** The Plan Commission requires that presentations before them be PowerPoint or another digital format in lieu of presentation boards. All presentations must be submitted to Town Staff at least 24 hours prior to the public hearing.





# Exhibit D – Revised Building Elevations (6-Feb-2026) (Sides & Trash Enclosure)





## Exhibit E – Site Photos



1) View of site facing west across Park Place Boulevard from Beechwood Centre Road.



2) Facing south along Park Place Boulevard from front of site.



**Exhibit E – Site Photos**



**3) Facing north along Park Place Boulevard from front of site.**



**4) Facing east across Park Place Boulevard from front of site.**



## DPR 25-18: Walmart Market Avon Avenue

Planning & Building Department Staff Report

For Hearing on February 23, 2026

Plan Commission, Public Hearing

Paul J. Lambie, Senior Planner

<b>A. PETITION NUMBER</b>	DPR 25-18: Walmart Market Avon Avenue
<b>B. APPLICANT</b>	Walmart Real Estate Business Trust, c/o Michael Rabinowitch
<b>C. LOCATION</b>	1439 South Avon Avenue, Avon IN 46123  Lot 2 in Governors Row Road Extension at Turner Trace
<b>D. PARCEL SIZE</b>	9.73 acres
<b>E. LAND USE &amp; ZONING</b>	The site is zoned C-2 and is unimproved, except for an existing shared access drive from Oriole Way (CR 150 South) and two existing access cuts from Governors Row.
<b>F. ACTION REQUESTED</b>	Request for approval of a Development Plan Review to allow for construction of a 50,074-square foot retail building, with a drive-through pharmacy, surface parking, and related improvements, with a Waiver of Design Standards of UDO 7.21(E)(1) to allow for a new full-access commercial driveway on Avon Avenue, being ~260 and ~320 feet from existing street intersections (minimum 400-foot separation required), and Waivers of Development Standards of 6.10(C) to allow for excessive average parking lot lighting and excessive light spillage across property lines.
<b>G. HISTORY</b>	The subject property is part of the Governors Row Road Extension at Turner Trace subdivision, which was platted and recorded in 2009.  Petition ZA 97-03 rezoned 17.36 acres (including the subject site) from R-2 to C-2, as well as rezoning 49.49 acres (Village of Turner Trace to the east) from R-2 to R-4.  Petition ZA 22-05 modified commitments from petition



	<p>ZA 97-03.</p> <p>This petition was discussed at the November 13, 2025 Technical Advisory Committee (TAC) meeting. This petition was continued from the December 22, 2025 hearing, to the January 26, 2026 hearing, in order for the petitioner to gather additional traffic counts to update their Traffic Impact Study (TIS).</p> <p>On January 23, 2026, the petitioner indicated that they would request a continuance at the January 26, 2026 meeting. However, because the January 26, 2026 Plan Commission meeting was canceled due to a travel advisory warning, this petition was automatically moved to the February 23, 2026 meeting.</p>
<p><b>H. ADDITIONAL COMMENTS FOR FEBRUARY 23, 2026</b></p>	<p><b>(These comments are in response to additional information submitted by the petitioner after publication of the staff report for the January Plan Commission meeting that was canceled. Please see original staff comments under Section “1” of this report.)</b></p> <p>Revised site and landscape plans were submitted February 12, 2026 (see Exhibits B2 &amp; C3) that address the issues raised by staff regarding bicycle racks, foundation plantings, interior parking lot landscaping, and the required site amenities. Additionally, more information was provided with the architectural plans to verify compliance with the glazing and roof requirements.</p> <p>The revised site plan indicates a triangular median at the proposed Avon Avenue access point, which would be intended to prevent left turns to/from the site. A revised version of the petitioner’s Traffic Impact Study (TIS) was submitted on February 9, 2026, which added a third scenario examining the proposed Avon Avenue access point as right-in, right-out only. Staff has consulted with the Department of Public Works and the Town’s consulting engineer for review of the revised study.</p> <p>A right-in, right-out access point would still require a waiver of design standards because it would be deficient of the requirement to provide a minimum 300-foot separation from</p>



each existing intersection. While the proposed access point would meet this separation requirement from the CR 150 S / Oriole Way intersection, it would still be too close to the Governors Row intersection. Staff continues to be concerned that an additional access point with deficient separation would present public safety concerns and contradict the intent of the standard. It is staff's opinion that the site conditions, which include full access to Avon Avenue via existing driveways to both Governors Row and CR 150 S / Oriole Way, do not necessitate an alternative to the design standard, which prohibits a direct access to Avon Avenue. For these reasons, **staff continues to recommend denial of Waiver A, as indicated in the January 26, 2026 staff comments.**

A revised lighting plan indicating an allowable average parking lot lighting level has not been submitted. Therefore, **staff's recommendations for Waivers B & C remain as indicated in the January 26, 2026 staff comments.**

Absent inclusion of the necessary street improvements, which have not been included on the revised plans, staff finds that the overall development plan is not consistent with the standards of the UDO. Therefore, **staff continues to recommend denial of petition DPR 25-18: Walmart Market Avon Avenue.**

**If the Plan Commission were to make a motion to approve DPR 25-18, staff recommends that any approval be subject to the following conditions:**

1. Prior to issuance of a building permit, revised plans shall be submitted, requiring approval of the Administrator and the Public Works Director, which provide for the following public street improvements, all of which to be designed and constructed to the Town's standards, with all improvements completed by the property owner prior to issuance of a Certificate of Occupancy:
  - a. construction of a roundabout at the intersection of Avon Avenue and Governors Row, including two northbound approach lanes, one of which would be dedicated to right turns,
  - b. widening of Governors Row to a four-lane



	<p>cross-section from Avon Avenue to the site's eastern Governors Row driveway access, including intersection improvements to accommodate truck turning radii,</p> <ul style="list-style-type: none"><li>c. installation of four speed humps on Governors Row (two eastbound and two westbound, between the site's eastern Governors Row driveway access and Turner Trace Place, and one speed hump on Turner Trace Place South, south of Lockford Walk North, with exact locations to be determined by the Department of Public Works, and</li><li>d. construction of a dedicated right turn lane with acceleration and deceleration lanes/tapers for from westbound County Road 150 South at the existing driveway access.</li></ul> <ul style="list-style-type: none"><li>2. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.</li><li>3. A landscape bond is required per Section 6.1(D)(3) of the Unified Development Ordinance. This bond must be provided to the Town of Avon prior to the issuance of a full Certificate of Occupancy for the subject site.</li><li>4. The development shall comply with all relevant portions of Town Code, the necessary approval by Crossroad Engineers on behalf of the Town, and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.</li></ul> <p><b>If one or more of the requested waivers are not approved,</b> staff would recommend that additional conditions be requiring revised plans meeting the lighting standards and/or to remove the proposed driveway access onto Avon Avenue.</p>
<p><b>I. STAFF COMMENTS (JANUARY 26, 2026)</b></p>	<p>This request would allow for construction of a ~50,000-square foot retail building oriented to Avon Avenue to be occupied by a grocery store, with a drive-through pharmacy on the north (side) façade. A 225-space parking lot would be mostly to the west (front) of the building, with approximately two dozen of those spaces located on each side (north and south) of the building, The spaces on the north side of the building, adjacent to Governors Row, are indicated for online order pickup. Loading, trash enclosures, and a stormwater retention pond</p>



would be located to the east (rear) of the building. (See Exhibit B.)

The site is currently served by two driveway stubs along the north side of the property accessing Governors Row, and one existing driveway on the south side accessing County Road 150 South/ Oriole Way, which would be shared with the existing adjacent office building. A Waiver of Design Standards has been requested to allow for an additional driveway providing direct access onto Avon Avenue.

Waivers of Development Standards have been requested to allow for an excessive average parking lot lighting level and for excessive light spillage into the abutting rights-of-way.

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**UDO 8-10(A) Development Plan Purpose:**

Per UDO 8.10(A), the development plan review process is designed to: promote the safe and efficient use of land, protect property values, and ensure for an orderly and harmonious development pattern according to the Comprehensive Plan.

**Development Standards:** Development Plans are required to meet the applicable development and design standards set forth in the Unified Development Ordinance (UDO). The Technical Advisory Committee (TAC) reviewed this proposal for compliance with those standards, as well as those of the Storm Water Management Ordinance. The development plan was found to meet the standards of the UDO, except as described below, which might necessitate conditions requiring submission of revised plans, and as described in the requested waivers of design and development standards.

**1) Miscellaneous Applicable Development Standards:**

This request appears consistent with the basic development standards for the C-2 District, such as setbacks and building height and bulk.

**2) Applicable Overlay District Standards:**

The property is not located within a zoning overlay district.

**3) Lighting, Chapter 6:**



Two waivers of development standards have been requested to allow for excessive parking lot lighting and excessive light spillage into rights-of-way (see Exhibit F), which is discussed later in this report.

**4) Off-Street Parking and Loading, Chapter 6:**

- a) **Parking:** The site plan indicates the provision of 225 off-street vehicle parking spaces, with eight (8) of those being reserved accessible spaces. UDO Table 6.3 specifies that a minimum of 2.5 spaces per 1,000 square feet of gross floor area for a grocery store or other retail use, thus, a minimum of 127 spaces would be required for the proposed 50,700-square foot store. Based on the overall number of spaces provided, a minimum of seven (7) reserved accessible spaces would be required.
- b) **Loading:** Retail buildings between 7,500 and 75,000 square feet are required to provide a minimum of one (1) dedicated loading space. The site plan indicates two (2) dedicated loading spaces meeting the spatial requirements for tractor-trailer deliveries.
- c) **Bicycle Parking:** The UDO requires one bicycle rack per every twenty (20) required vehicle parking spaces, thus, six (6) bicycle racks would be required. While the revised site plan shows bicycle racks in a compliant location, the plan only indicates five racks. At least one additional rack would be required.

**5) Landscaping and Screening, Chapter 6:**

Per UDO 6.5 (A), a minimum five-foot planting area must be provided around the perimeter of the building, excluding access to the buildings, such as loading areas and doorways. The landscape plan submitted subsequent to TAC review has increased the proposed foundation planting areas, but is still deficient along several portions of the building (see Exhibits C1 & C2).



Per UDO 6.7(B)(4), each parking lot landscape island must have a minimum of one tree. The revised landscape plan is still deficient of this standard.

A further revised landscape plan should be submitted to demonstrate compliance with the foundation planting and interior parking lot landscaping requirements.

**6) Floodplain Regulations:**

This property is not located within a regulatory floodplain.

**7) Signs, Chapter 6:**

Signs were not reviewed as part of this development plan. Signs are typically reviewed for compliance during the sign permit review process.

**8) Engineering / Stormwater Management:**

The revised drainage plans submitted following TAC review are under review by our consulting engineer.

**9) Subdivision Control Regulations:**

Aside from the request for a waiver to allow for an access point along Avon Avenue, the plans appear to be consistent with the applicable subdivision regulations.

**10) Architectural Standards**

The revised building elevations, submitted subsequent to TAC review, appear to be deficient of several of the architectural standards (see Exhibit D).

UDO 7.10(D)(9) requires that the front of the building provide glazing on a minimum of 35% of the ground floor front façade. The elevations submitted do not provide dimensions and do not provide a calculation of the glazing provided. Staff's evaluation of the front façade has determined that 30% glazing would be provided. The petitioner would either need to provide revised plans or request a waiver.



UDO 7.10(E) requires that two of the five listed roof features be included. The revised plans indicate compliance with only one of these features.

The plans do not indicate compliance with UDO 7.10(H) which requires provision of two of the listed amenity options in order to contribute to the establishment and enhancement of community and public spaces. Plans should be revised accordingly.

#### **11) Comprehensive Plan**

This petition was filed prior to adoption of the 2025 Comprehensive Plan. The 2017 Plan in effect at that time recommended Neighborhood Retail, which is intended for “smaller, neighborhood scale retail uses...” which includes “... small-scale grocers.” The 2025 Plan now in effect recommends Mixed Use development for this site. Mixed Use is described in the Plan as “intended to support vibrant districts with a combination of complementary residential, commercial, and institutional uses. These uses may be adjacent to one another, or within a single development.” While it is arguable whether a ~50,000-square foot grocery store fits the Plan recommendations, the UDO does not specify compliance with the Comprehensive Plan as a requirement for approval of a Development Plan Review.

#### **12) Additional Development Plan Review Criteria**

UDO 8.10(F)(4) requires that development plans provide traffic circulation that creates conditions favorable to the health, safety, and harmonious development including street and highway access points that minimize safety hazards and congestion by their design and location, and that capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic generated by the proposed development.

After evaluating the proposed development plan, the petitioner’s TIS, and comments from the Town’s consulting traffic engineer and Public Works Director, the Town opposes the requested waiver for direct access to Avon Avenue (see



Exhibits E & G), and the Town has determined that the property owner should construct the following necessary improvements concurrently with development of the site.

- a) The intersection of Avon Avenue and Governors Row should be converted to a roundabout.
- b) Governors Row should be widened to a four-lane cross-section from Avon Avenue to the eastern Governors Row driveway to the property.
- c) Speed humps should be installed on Governors Row between the site's eastern Governors Row driveway and Turner Trace Place, and on Turner Trace Place South, just south of Lockford Walk North.
- d) A right turn lane should be constructed to the Town's standards on westbound County Road 150 South/ Oriole Way to the existing driveway.

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#### **WAIVER "A"**

Waiver of Design Standards of UDO 7.21(E)(1), to allow for a new full-access commercial driveway onto Avon Avenue being ~260 feet from Governors Row and ~320 feet from County Road 150 South/ Oriole Way (minimum 400-foot separation from each existing intersection required).

Applicant must demonstrate compliance with the following:

1. The proposal will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent or nearby property because:

*Petitioner's response: "as indicated in the Traffic Impact Study, the driveway functions as designed and there is sufficient queuing for westbound left turn movements, with an estimated 2-3 vehicles during peak hour, all of which is entirely contained on site."*

It is the opinion of the Town's Public Works Director and consulting traffic engineer that inadequate spacing of intersections along an arterial street with a 45 MPH speed limit would increase the risk of collisions and injuries. Staff believes this finding would not be met.



2. The proposed alternative will not contradict the intent of the design standards or the purpose of the Subdivision Regulations because:

*Petitioner's response: "the ordinance requires 400 feet of separation, however a 35% reduction of the 400 feet, to 260 feet, is permitted via a waiver. The proposed plan provides a separation distance between intersections over 260 feet."*

The Town's consulting traffic engineer indicates that, in addition to not meeting the Town's minimum standard, the proposed alternative would also be deficient of the 360-foot separation standard for a 45 MPH roadway that is indicated in INDOT's Driveway Permit Manual. Staff believes this proposal does contradict the intent of the Town's public street and access design standards.

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner's response: "the subject property's size and shape limit the ability to achieve the 400-foot separation without creating significant design challenges such as encroaching into the adjacent roundabout intersection."*

While the property's frontage is not lengthy enough to meet the separation standards for a new direct access point to Avon Avenue, the site is already served by driveways onto County Road 150 South/ Oriole Way and onto Governors Row, both of which provide full access to/from Avon Avenue.

4. The proposed alternative enhances the proposed development and the surrounding area because:

*Petitioner's response: "the positioning of this access aligns with the existing Todd Road intersection on South Avon Avenue. Aligning intersections is typically desired and is generally accepted engineering practice."*

The existing Todd Road intersection was constructed several decades ago prior to incorporation of the Town of Avon. Adding a tenfold increase in traffic turning onto Avon Avenue at the peak hour, as the petitioner's Traffic Impact Study indicates, would decrease traffic safety and flow. Thus, the proposed waiver would not enhance the surrounding area.



**Staff recommends denial of this waiver request.**

**WAIVER “B”**

Waiver of Development Standards of UDO 6.10(C), to allow an average parking lot lighting level of 2.16 foot-candles (Fc), which exceeds the 1.6 Fc maximum average allowed.

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, and welfare because:

*Petitioner’s response: “safe light levels are necessary for a parking facility of this size. Light levels meet applicable recommended guidelines published by the Illuminating Engineers Society (IES).”*

The Town’s lighting standards allow for a range of lighting levels, and the 1.6 Fc maximum average is in line with the recommendation of the IES, which recommends an average lighting level of 1.0 Fc for parking lots in suburban settings. Excessive lighting adds to light pollution, which can have negative impacts upon the public such as diminishing the quality of night sky views.

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located because:

*Petitioner’s response: “the average light level is only 35% in excess of the permitted amount. This is not a difference that is expected to create a negative impact or a nuisance to users or neighbors of the site, but provides appropriate light levels for safe vehicular movements through a space frequented by pedestrians.”*

Because most developments comply with the standard, it is staff’s opinion that an average lighting level 35% higher than the maximum allowable level would not be harmonious with the purpose and intent of the zoning district.

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area because:

*Petitioner’s response: “it provides safe and adequate lighting for the parking facility.”*



Staff does not believe that a parking lot brighter than the allowable level would enhance the surrounding area, which predominantly consists of single-family dwellings.

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:

*Petitioner's response: "the average light level is only 35% in excess of the permitted amount. This is not a difference that is expected to create a negative impact or a nuisance to users or neighbors of the site, but provides appropriate light levels for safe vehicular movements through a space frequented by pedestrians."*

For the reason stated above in Finding #3, staff disagrees with the petitioner's assertion that this finding would be met. While all surrounding properties would be impacted by the excessive lighting level, the impact upon the low-density single-family dwelling properties across Avon Avenue to the west and across County Road 150/ Oriole Way to the south would likely be the most pronounced.

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.

*Petitioner's response: "the provided lighting provides safe light levels for the property."*

It does not appear that the excessive lighting level requested is specifically related to pedestrian connections, enhanced landscaping, tree preservation or public art. The site plan does include pedestrian walkways connecting to each abutting street as is required by UDO 7.19. It could be argued that this finding would be met.

**Staff recommends denial of this waiver request.**

#### **WAIVER "C"**

Waiver of Development Standards of UDO 6.10(A), to allow light spillage of 0.4 foot-candles (Fc) into the abutting rights-of-way, which exceeds the 0.3 Fc maximum allowed.

Applicant must demonstrate compliance with the following:



1. The proposal does not create conditions detrimental to the public health, safety, and welfare because:

*Petitioner's response: "the light levels exceed only in a small area along parking close to the right-of-way line, but falls off before the edge or cartway."*

Staff concurs with the petitioner's assertion that this is a minor deviation, and the Town is generally not opposed to slightly higher light spillage at an intersection (see Exhibit F).

2. The proposal is harmonious with the purpose and intent of the zoning district in which the project is located because:

*Petitioner's response: "trespass complies on adjacent residential and commercial properties. The only trespass is along a right-of-way, is only 0.1 Fc higher than max permitted, and falls off to compliant levels before the cartway of Governors Row."*

Staff concurs with the petitioner's assertion that this finding would be met.

3. The proposal enhances the overall Development Plan, the abutting streetscapes and neighborhoods, and surrounding area because:

*Petitioner's response: "it provides safe and adequate lighting for the driveway, which allows for safe transition of vehicles both into and out of the street right-of-way."*

Staff concurs with the petitioner's assertion that this finding would be met.

4. The proposal does not produce a site design that is impractical or detracts from the appearance of the proposed development and the surrounding area:

*Petitioner's response: "the difference between the permitted maximum and the proposed maximum trespass is only 0.1 Fc, which is not detectable to the human eye."*

Staff concurs with the petitioner's assertion that this finding would be met.

5. The proposal provides improved site design characteristics such as increased pedestrian connections, enhanced landscaping, tree preservation, or public art.



	<p><i>Petitioner's response: "the proposed lighting provides safe lighting levels for the property."</i></p> <p>Staff is not opposed to slightly higher light spillages specifically at the area of intersections, and thus, staff believes this finding would be met.</p> <p><b>Staff recommends approval of this waiver request.</b></p>
<p><b>J. RECOMMENDATION</b></p>	<p>Staff finds that the overall development plan is inconsistent with the standards of the UDO. Therefore, <b>staff recommends denial of petition DPR 25-18: Walmart Market Avon Avenue.</b></p> <p>If the Plan Commission were to make a motion to approve DPR 25-18, staff recommends that any approval be <b>subject to the following conditions:</b></p> <ol style="list-style-type: none"><li>1. Prior to issuance of a building permit, revised plans shall be submitted, requiring approval of the Administrator and the Public Works Director, which provide for the following public street improvements, all of which to be designed and constructed to the Town's standards, with all improvements completed by the property owner prior to issuance of a Certificate of Occupancy:<ol style="list-style-type: none"><li>a. construction of a roundabout at the intersection of Avon Avenue and Governors Row, including two northbound approach lanes, one of which would be dedicated to right turns,</li><li>b. widening of Governors Row to a four-lane cross-section from Avon Avenue to the site's eastern Governors Row driveway access, including intersection improvements to accommodate truck turning radii,</li><li>c. installation of four speed humps on Governors Row (two eastbound and two westbound, between the site's eastern Governors Row driveway access and Turner Trace Place, and one speed hump on Turner Trace Place South, south of Lockford Walk North, with exact locations to be determined by the Department of Public Works, and</li><li>d. construction of a dedicated right turn lane with</li></ol></li></ol>



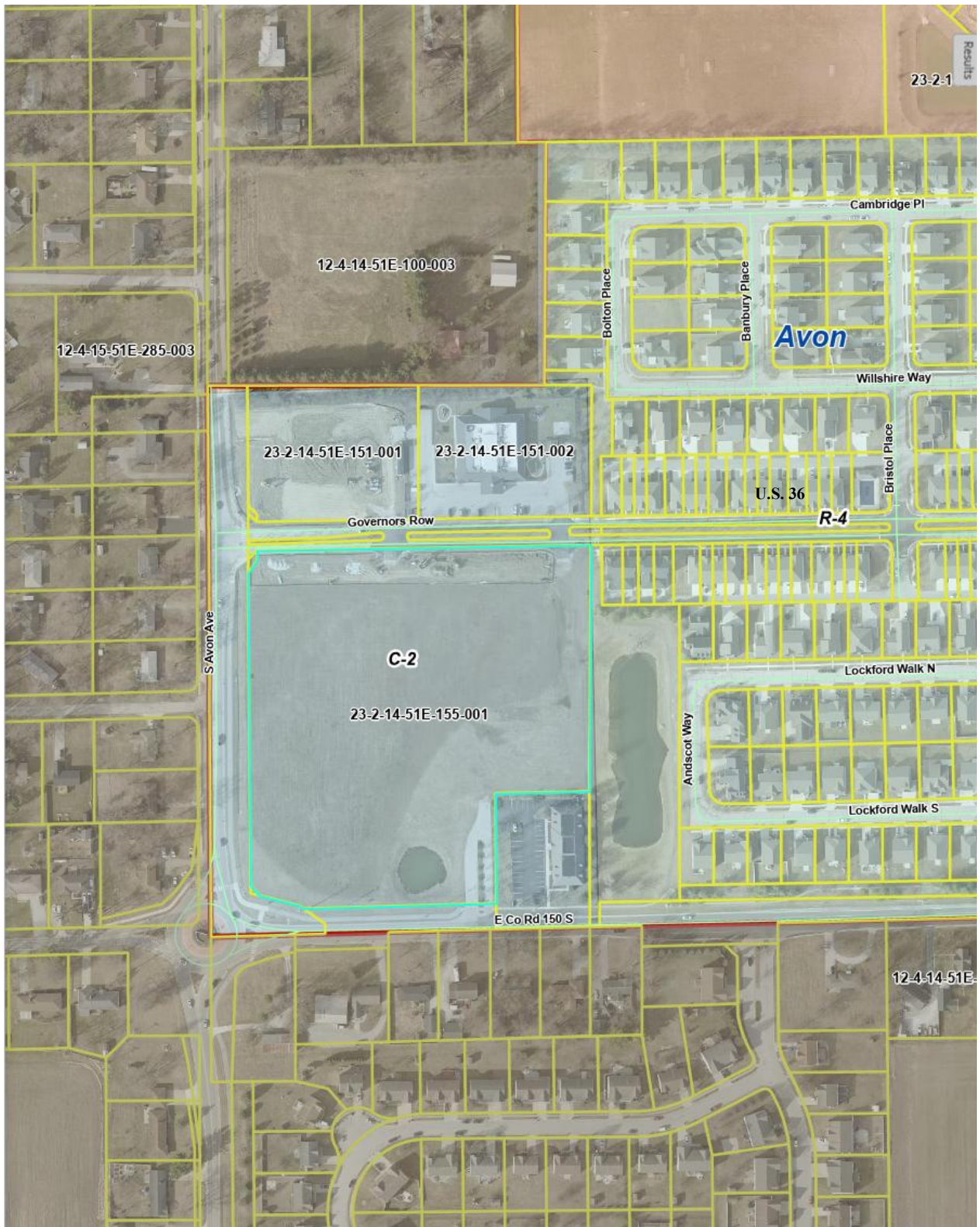
acceleration and deceleration lanes/tapers for from westbound County Road 150 South at the existing driveway access.

2. Prior to issuance of a building permit, a revised landscape plan shall be submitted, requiring approval by the Administrator, indicating compliance with all landscaping standards of the UDO.
3. Prior to issuance of a building permit, a revised set of plans shall be submitted, requiring approval by the Administrator, indicating compliance with all architectural requirements of UDO 7.10.
4. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.
5. A landscape bond is required per Section 6.1(D)(3) of the Unified Development Ordinance. This bond must be provided to the Town of Avon prior to the issuance of a full Certificate of Occupancy for the subject site.
6. The development shall comply with all relevant portions of Town Code, the necessary approval by Crossroad Engineers on behalf of the Town, and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.

**If the requested waivers are not approved**, staff recommends that additional conditions would be needed requiring revised plans meeting the lighting standards and to remove the proposed driveway access onto Avon Avenue.

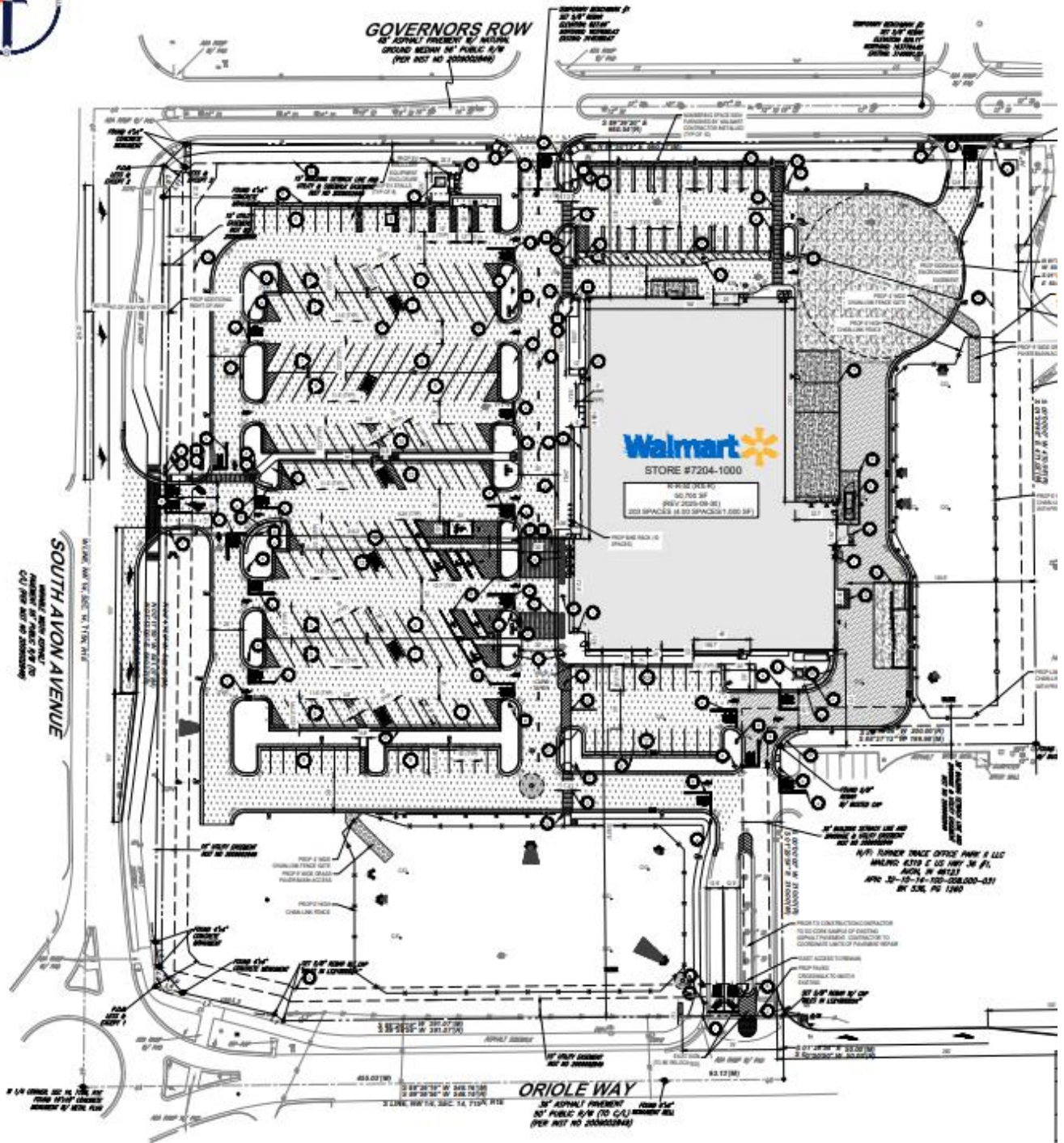


## Exhibit A – Location / Zoning Map





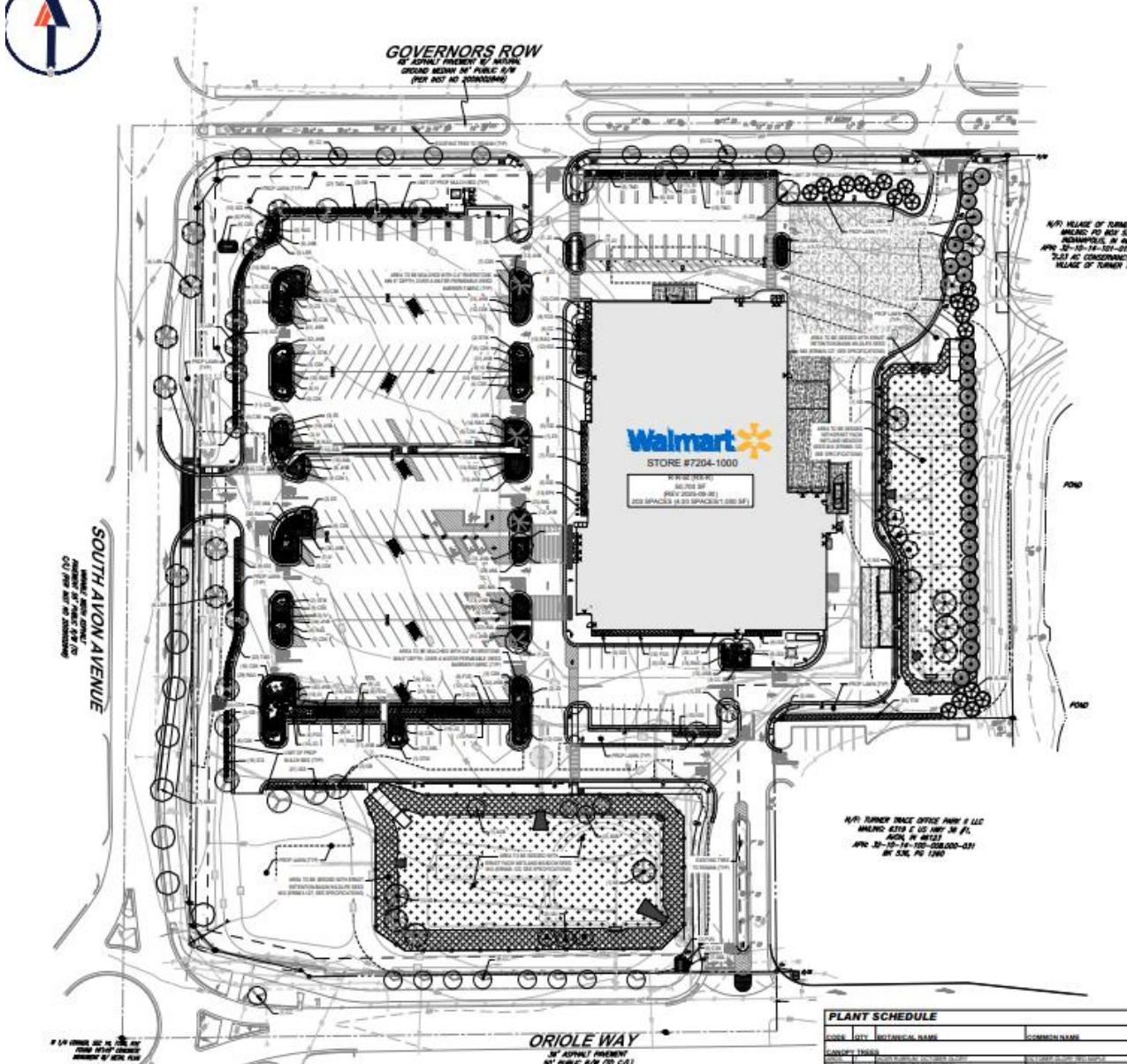
# Exhibit B – Revised Site Plan (5-January-2026)







# Exhibit C1 – Revised Landscape Plan (2-January-2026)



**TO CONTRACTOR:**  
 1. SEE MICH 312P IS REQUIRED.  
 2. DO ALL CONCER TO CURBS/APPARS.  
 3. NO CURB GRASS WILL BE  
 4. BUSHES ADJACENT TO CURBS  
 5. SURFACING, EXTERNA 1/4" OR 3/8"  
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 7. IS REQUIRED.

FACTORY IS CUT OVER THAT  
 8. MASTER CONVEYANCES AND PERS  
 9. AND BOTTOM CAN BE DAMAGED IF  
 10. THE BENCH, UNLESS THESE SOILS ARE  
 11. ANY RESOURCES DAMAGED ARE THE  
 12. LIABILITY OF THE CONTRACTOR TO  
 13. WHAT IS EXPRESS TO OWNER.

**RT TO CONTRACTOR:**  
 GENERAL CONTRACTOR SHALL BE COMPLETED (EARTHWORK, FINAL  
 1. AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.  
 2. AND TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE  
 3. CITY MILESTONE DATE FOR THE OUTLET. THE GENERAL CONTRACTOR TO  
 4. CLEAR ACCESS FOR OUTLET CONTRACTOR TO THE SPECIFIC PARCELS. AT  
 5. IS AFTER MILESTONE DATE. # PROHIBITOR OF OUTLET TO PROVIDE PERMIT  
 6. WTS AND SWPPP REQUIRED BY STATUTORY REQUIREMENTS FOR SPECIFIC

**GENERAL LANDSCAPE NOTES:**

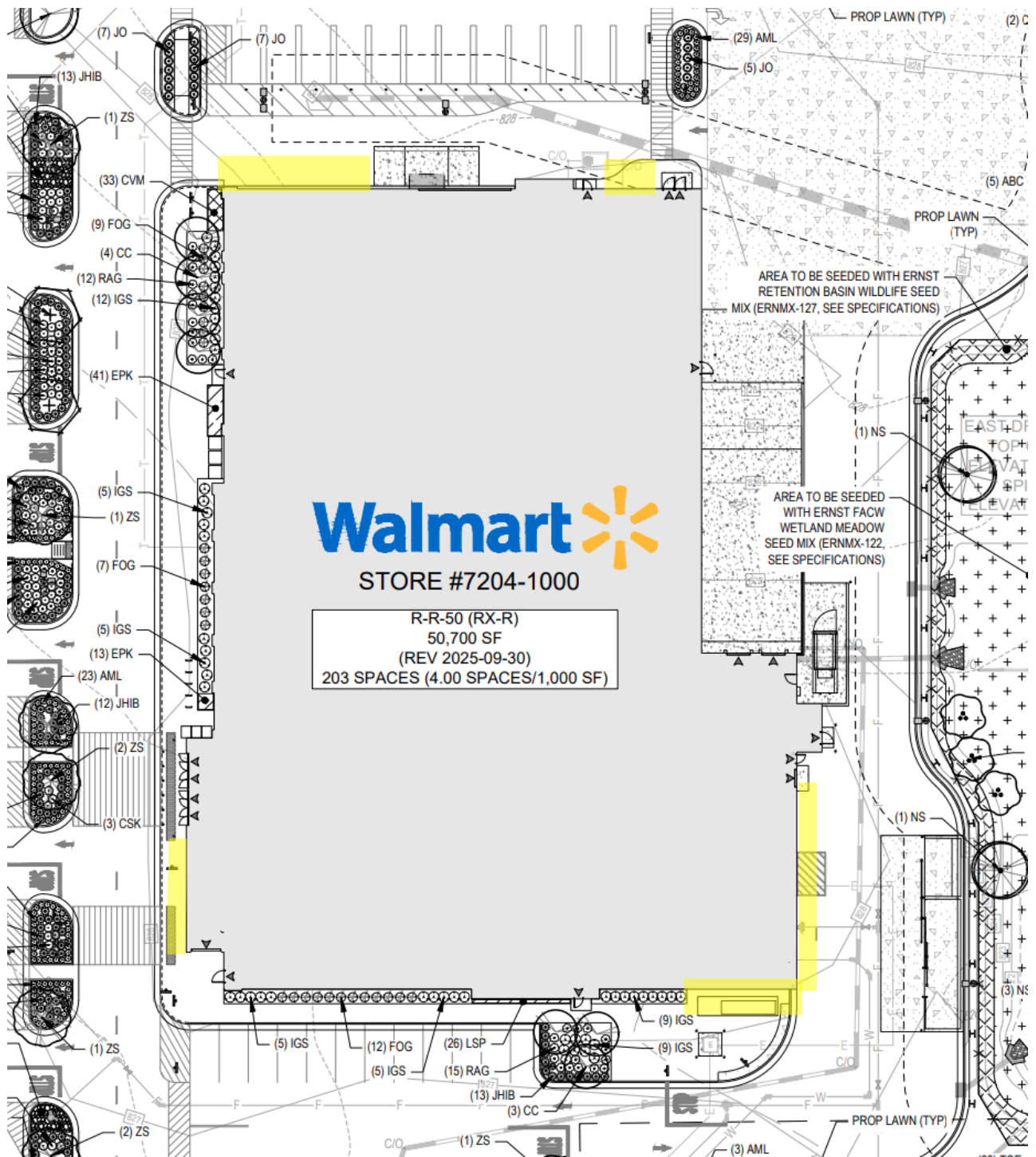
1. THESE LANDSCAPE PLANS ARE TO BE READ IN CONJUNCTION WITH THE LANDSCAPE SPECIFICATIONS AND RECORDED DETAILS FOUND ON THE LANDSCAPE DETAILS SHEET. THE GENERAL NOTES FOUND ON THE NOTES PAGE OF THIS PLAN SET ARE CONSIDERED PART OF LANDSCAPE PLANS. THE CONTRACTOR MUST REFER TO THE PLAN SET WITH ALL NOTES, SPECIFICATIONS AND DETAILS FOR COMPLETION. ON THE LANDSCAPE PLANS AND IN THE LANDSCAPE DETAILS SHEET.
2. ALL LANDSCAPE PLANTS OR MATERIALS SPECIFIED IN THESE PLANS ARE TO BE INSTALLED AS SHOWN IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS. UNLESS OTHERWISE SPECIFICALLY STATED ON THIS PLAN.
3. MATERIALS AND SPECIFICATIONS LISTED IN THESE PLANS ARE INTENDED TO PROVIDE A GENERAL GUIDE TO THE TYPE OF PLANT MATERIALS TO BE USED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANT MATERIALS TO BE USED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANT MATERIALS TO BE USED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANT MATERIALS TO BE USED.
4. PLANT MATERIALS SUBJECT TO TONS MUST BE FORMALLY SUBMITTED TO THE MUNICIPALITY'S ENGINEERING AND LANDSCAPE CONSULTANTS FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
5. WITHOUT A SPECIFIC WRITTEN AGREEMENT, PLANTS SHALL NOT BE INSTALLED WITHIN ANY STORED MATERIALS OR WITHIN ANY OTHER AREAS WHERE PLANTS ARE NOT INTENDED TO BE INSTALLED.
6. IF PROTECTION IS REQUIRED BY THE OWNER OR APPROVED MUNICIPALITY, THE CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION FOR THE PLANTS AND MATERIALS TO BE INSTALLED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANT MATERIALS TO BE USED.
7. ACCORDANCE TO ALL APPLICABLE LAWS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THE INSTALLATION OF ALL PLANTS TO BE USED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THE INSTALLATION OF ALL PLANTS TO BE USED.
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AUTOMATIC IRRIGATION IS NOT REQUIRED ON THIS PROJECT DUE TO ENVIRONMENTAL CONCERNS THAT DO NOT WARRANT THE INSTALLATION OF A WATERING SYSTEM FOR PLANT ESTABLISHMENT AND SURVIVAL.

CODE	CITY	BOTANICAL NAME	COMMON NAME
LANDSCAPE TREES			
LANDSCAPE SHRUBS			
LANDSCAPE PERENNIALS			
LANDSCAPE ANNUALS			
LANDSCAPE GRASSES			
LANDSCAPE MULCH			
LANDSCAPE SOIL			
LANDSCAPE ROCKS			
LANDSCAPE LIGHTING			
LANDSCAPE FURNITURE			
LANDSCAPE SIGNAGE			
LANDSCAPE PAINTS			
LANDSCAPE MATERIALS			
LANDSCAPE TOOLS			
LANDSCAPE EQUIPMENT			
LANDSCAPE SUPPLIES			
LANDSCAPE SERVICES			
LANDSCAPE CONTRACTORS			
LANDSCAPE DESIGNERS			
LANDSCAPE ENGINEERS			
LANDSCAPE ARCHITECTS			
LANDSCAPE PLANNERS			
LANDSCAPE MANAGERS			
LANDSCAPE MAINTENANCE			
LANDSCAPE REPAIRS			
LANDSCAPE REPLACEMENTS			
LANDSCAPE REMOVALS			
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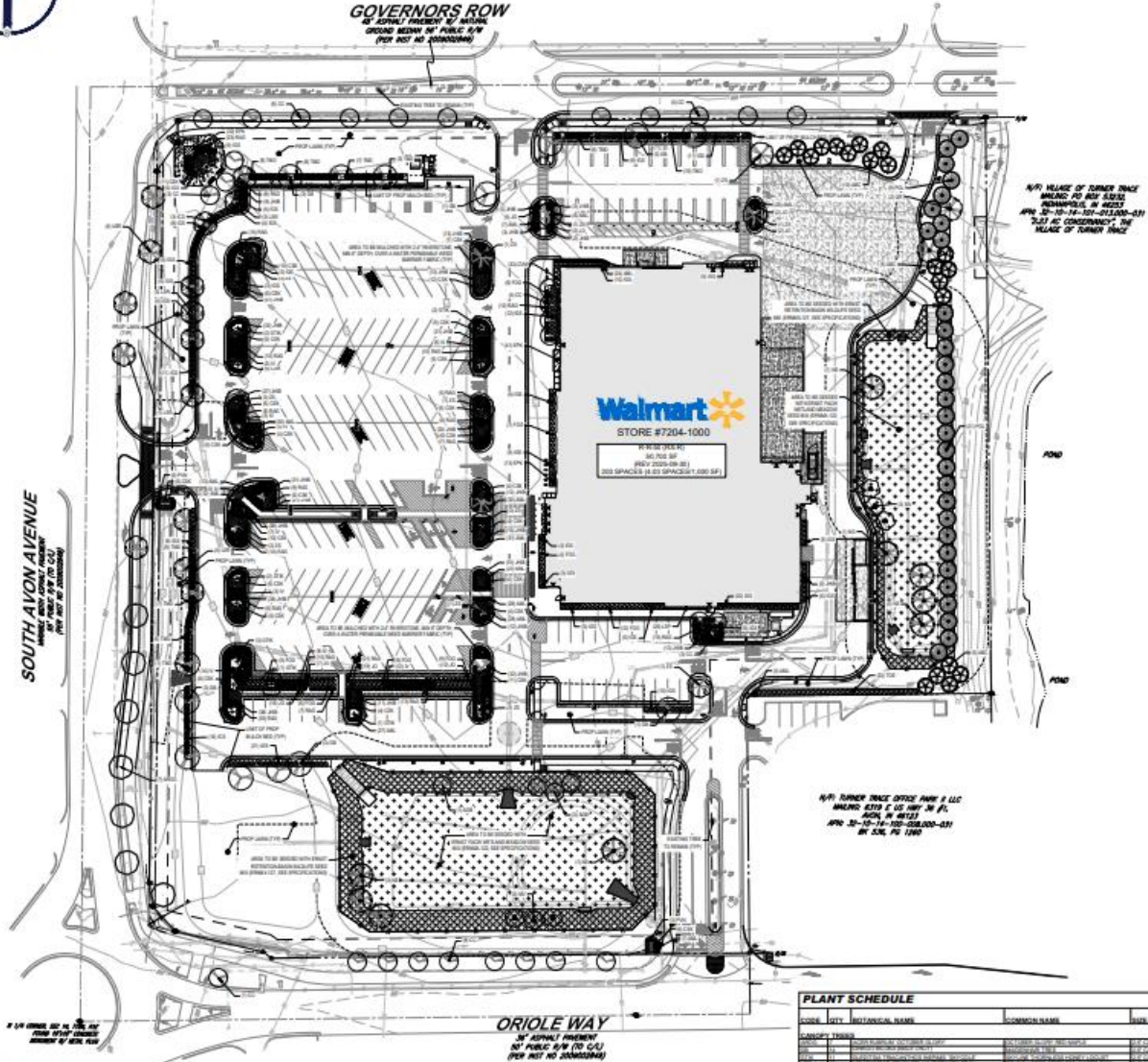


## Exhibit C2 – Areas Deficient of Foundation Planting Requirement





# Exhibit C3 – Revised Landscape Plan (12-February-2026)



**E TO CONTRACTOR:**  
 WEED-MULCH STEP IS REQUIRED  
 AND ALL CONCRETE CURBS/SUPPLEMENTS  
 TO BE ADJUSTED TO CONFORM TO  
 REQUIREMENTS. 6" OR 24"  
 REINFORCEMENT ON ALL 4 MILITARY WEED SOD  
 IS REQUIRED.

**ERT TO CONTRACTOR:**  
 BE GENERAL CONTRACTOR TO BE COMPLETED (SURVEILLANCE, FINAL  
 MS, AND 1 PAID AS APPLICABLE) BY THE MILITARY SITE IN PROJECT DOCUMENTS.  
 IT AREA TO BE KEPT FREE OF JOB TOOLS AND STORAGE AFTER THE  
 NEXT BUSINESS DAY FOR THE CO. OF. THE GENERAL CONTRACTOR TO  
 BE IN SAFE ACCESS FOR THE CONTRACTOR TO THE SPECIFIC PARCEL AT  
 ALL TIMES. MILITARY DATE, FURNISHING OF OUTLET TO PROVIDE PARKING  
 MENTS AND SNIPPY REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC  
 IT.

**GENERAL LANDSCAPE NOTES:**

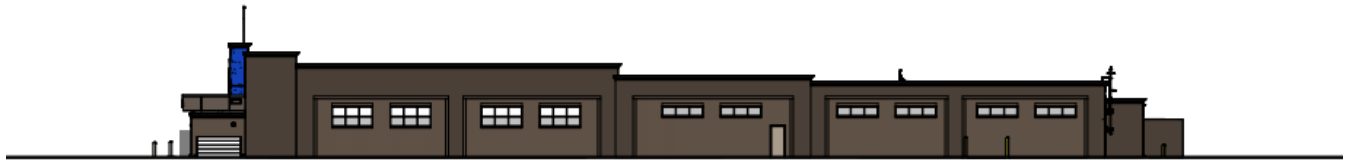
1. THESE LANDSCAPE PLANS ARE TO BE READ IN CONJUNCTION WITH THE LANDSCAPE SPECIFICATIONS AND ASSOCIATED DETAILS FOUND ON THE LANDSCAPE DETAIL SHEET. THE GENERAL NOTES FOUND ON THE OTHER PAGE OF THESE PLANS ARE CONSIDERED PART OF THESE PLANS. THE CONTRACTOR MUST REFER TO AND FULLY COMPLY WITH ALL NOTES, SPECIFICATIONS AND DETAIL REQUIREMENTS ON THE LANDSCAPE PLANS AND THE LANDSCAPE DETAIL SHEET.
2. ALL DISTURBED AREAS, INCLUDING PLANTING AREAS, ARE TO BE INSTALLED AS LAIN IN ACCORDANCE WITH A MINIMUM 2" SECTION OF THE LANDSCAPE ENGINEERING MANUAL, LATEST EDITION, OR AS SPECIFIED ON THE PLANS.
3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANS. TO BE IN COMPLIANCE OF THE TREE PROTECTION ACT, THE CONTRACTOR SHALL MAINTAIN A PROTECTIVE BARRIER AROUND ALL EXISTING TREES TO BE PRESERVED.
4. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANS. TO BE IN COMPLIANCE OF THE TREE PROTECTION ACT, THE CONTRACTOR SHALL MAINTAIN A PROTECTIVE BARRIER AROUND ALL EXISTING TREES TO BE PRESERVED.
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10. THE CONTRACTOR SHALL MAINTAIN A PROTECTIVE BARRIER AROUND ALL EXISTING TREES TO BE PRESERVED.

AUTOMATIC IRRIGATION IS NOT REQUIRED ON THIS PROJECT DUE TO IMPROVEMENTAL CONDITIONS THAT DO NOT WARRANT THE INSTALLATION OF A WATERING SYSTEM FOR PLANT ESTABLISHMENT AND SURVIVAL.

PLANT SCHEDULE	CODE	CITY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
LANDSCAPE TREES	101	101	FRAXINUS AMERICANA	WHITE BIRCH	12" DBH	10' GAL
LANDSCAPE TREES	102	102	QUERCUS ALBA	WHITE OAK	12" DBH	10' GAL
LANDSCAPE TREES	103	103	QUERCUS PRINCEPIUM	PRINCIPAL OAK	12" DBH	10' GAL
LANDSCAPE TREES	104	104	QUERCUS ROBUR	ROBUR OAK	12" DBH	10' GAL
LANDSCAPE TREES	105	105	QUERCUS SERRATA	SERRATA OAK	12" DBH	10' GAL
LANDSCAPE TREES	106	106	QUERCUS STUARTEANA	STUARTEANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	107	107	QUERCUS VARIANS	VARIANS OAK	12" DBH	10' GAL
LANDSCAPE TREES	108	108	QUERCUS VIRGINICA	VIRGINICA OAK	12" DBH	10' GAL
LANDSCAPE TREES	109	109	QUERCUS BICOLOR	BICOLOR OAK	12" DBH	10' GAL
LANDSCAPE TREES	110	110	QUERCUS LAEVOGLOBOSA	LAEVOGLOBOSA OAK	12" DBH	10' GAL
LANDSCAPE TREES	111	111	QUERCUS MARSHIANA	MARSHIANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	112	112	QUERCUS MONTANA	MONTANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	113	113	QUERCUS NORTONII	NORTONII OAK	12" DBH	10' GAL
LANDSCAPE TREES	114	114	QUERCUS PHOENIXIANA	PHOENIXIANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	115	115	QUERCUS SPANISH	SPANISH OAK	12" DBH	10' GAL
LANDSCAPE TREES	116	116	QUERCUS TONKINENSIS	TONKINENSIS OAK	12" DBH	10' GAL
LANDSCAPE TREES	117	117	QUERCUS VAGINATA	VAGINATA OAK	12" DBH	10' GAL
LANDSCAPE TREES	118	118	QUERCUS VITIFOLIA	VITIFOLIA OAK	12" DBH	10' GAL
LANDSCAPE TREES	119	119	QUERCUS WATKINSIANA	WATKINSIANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	120	120	QUERCUS WILSONII	WILSONII OAK	12" DBH	10' GAL
LANDSCAPE TREES	121	121	QUERCUS YONGEANA	YONGEANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	122	122	QUERCUS ZONATA	ZONATA OAK	12" DBH	10' GAL
LANDSCAPE TREES	123	123	QUERCUS ALBA	WHITE OAK	12" DBH	10' GAL
LANDSCAPE TREES	124	124	QUERCUS PRINCEPIUM	PRINCIPAL OAK	12" DBH	10' GAL
LANDSCAPE TREES	125	125	QUERCUS ROBUR	ROBUR OAK	12" DBH	10' GAL
LANDSCAPE TREES	126	126	QUERCUS SERRATA	SERRATA OAK	12" DBH	10' GAL
LANDSCAPE TREES	127	127	QUERCUS STUARTEANA	STUARTEANA OAK	12" DBH	10' GAL
LANDSCAPE TREES	128	128	QUERCUS VARIANS	VARIANS OAK	12" DBH	10' GAL
LANDSCAPE TREES	129	129	QUERCUS VIRGINICA	VIRGINICA OAK	12" DBH	10' GAL
LANDSCAPE TREES	130	130	QUERCUS BICOLOR	BICOLOR OAK	12" DBH	10' GAL
LANDSCAPE TREES	131	131	QUERCUS LAEVOGLOBOSA	LAEVOGLOBOSA OAK	12" DBH	10' GAL
LANDSCAPE TREES	132	132	QUERCUS MARSHIANA	MARSHIANA OAK	12" DBH	10' GAL
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LANDSCAPE TREES	136	136	QUERCUS SPANISH	SPANISH OAK	12" DBH	10' GAL
LANDSCAPE TREES	137	137	QUERCUS TONKINENSIS	TONKINENSIS OAK	12" DBH	10' GAL
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LANDSCAPE TREES	140	140	QUERCUS WATKINSIANA	WATKINSIANA OAK	12" DBH	10' GAL
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LANDSCAPE TREES	193	193	QUERCUS BICOLOR	BICOLOR OAK	12" DBH	10' GAL
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LANDSCAPE TREES	237	237	QUERCUS MARSHIANA	MARSHIANA OAK	12"	



## Exhibit D – Proposed Building Elevations



ACME Brick  
Swiss Country



ACME Brick  
Bayou City



Paint P216  
Dark Brown



Paint P214  
Medium Brown



Paint P218  
True Blue



PF21  
Pre-Finished  
Metal Bronze



PF15  
Pre-Finished  
Metal True Blue

12/22/2025



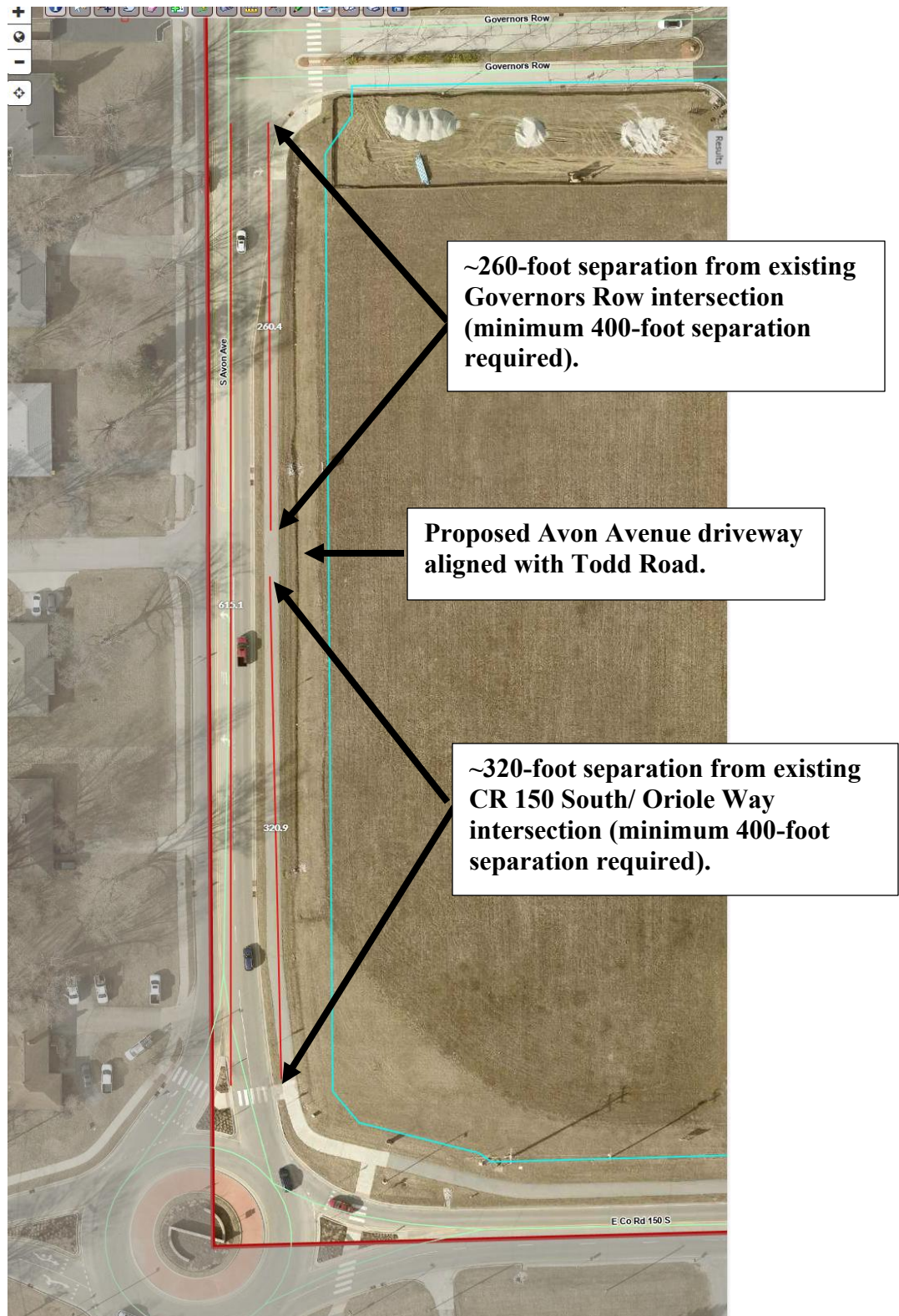
# 7204

Avon, IN

Presentation Elevations

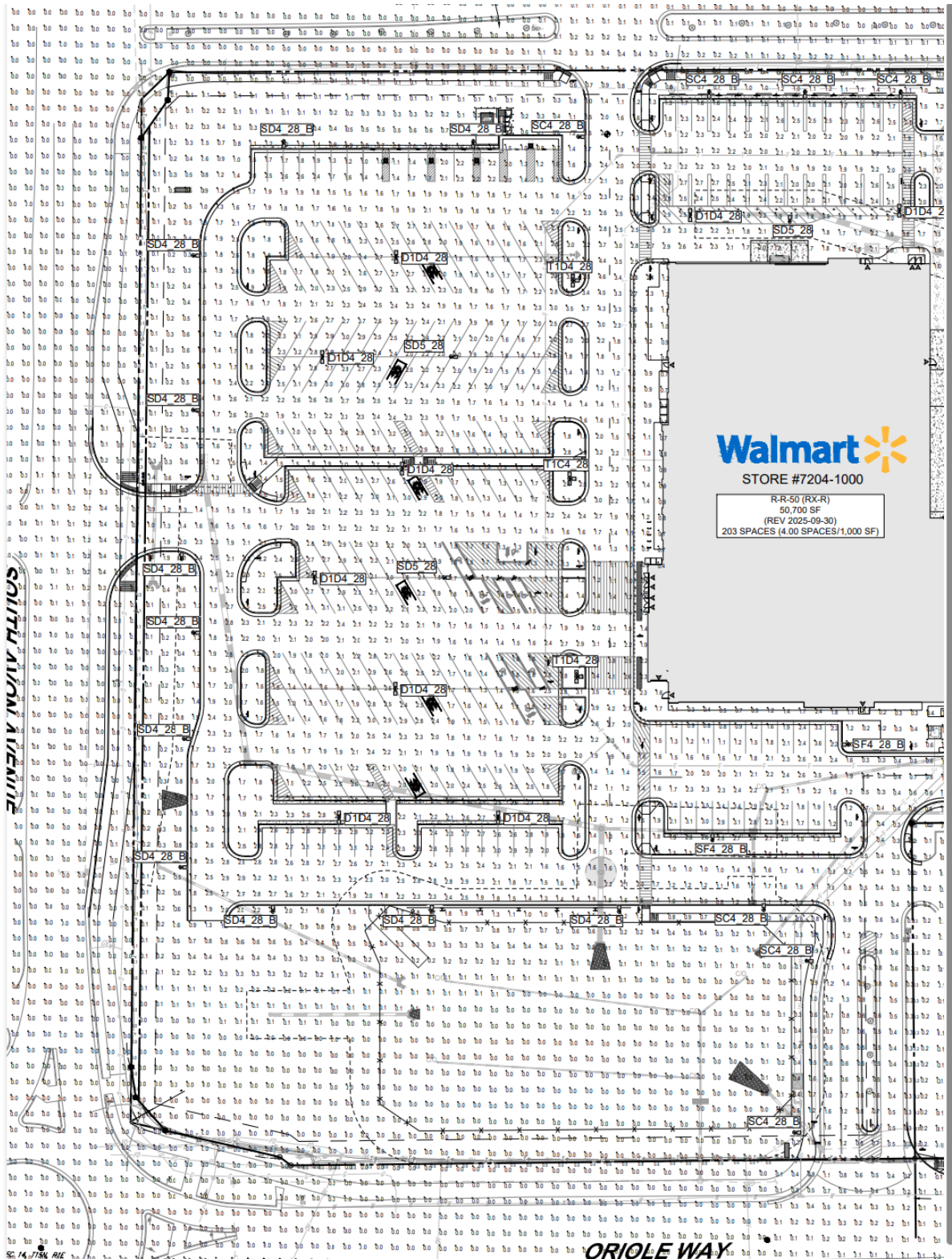


## Exhibit E – Aerial Photo w/ Measurements of Proposed Driveway Separation





# Exhibit F – Lighting Plan





**Exhibit G – Site Photos**



**1) View of site facing north from existing access to CR 150 S / Oriole Way.**



**2) Existing access to CR 150 S / Oriole Way, facing east.**



## Exhibit E – Site Photos



**3) View of site, facing south at existing western access to Governors Row.**



**4) Site and adjacent dwellings to east, facing southwest from Governors Row.**



## Exhibit E – Site Photos



5) Facing west from site toward proposed access point onto Avon Avenue.



6) Facing east from Todd Road to site and proposed Avon Ave access point.



**Exhibit E – Site Photos**



**7) Facing south from intersection of Avon Ave & Todd Rd toward CR 150 S.**



**8) Facing north from intersection of Avon & Todd toward Governors Row.**



## DPR 25-20: Avon Retail Shops

Planning & Building Department Staff Report

For Hearing on February 23, 2026

Plan Commission, Public Hearing

Linda Ahlbrand, Planning Director

<b>A. PETITION NUMBER</b>	DPR 25-20: Avon Retail Shops
<b>B. APPLICANT</b>	Evergreen Commons, LLC, by Brian Cross, Civil Site Group, Inc.
<b>C. LOCATION</b>	10654, 10688, and 10690 East U.S. Highway 36
<b>D. PARCEL SIZE</b>	Four acres
<b>E. LAND USE &amp; ZONING</b>	The site is zoned C-2 and was improved with various vacant buildings, which have recently been demolished. It is located within the US 36 Overlay District and the Ronald Reagan Parkway Overlay District.
<b>F. ACTION REQUESTED</b>	Request for approval of a Development Plan Review to provide for construction of two retail buildings totaling ~29,400 square feet, with a Waiver of Design Standards of UDO 2.10(L) to allow for two driveway access points with drive separations of approximately 50 feet, 150 feet and 280 feet, (minimum 600-foot separation between access driveways required) and a Waiver of Design Standards of UDO 2.10(O)(2)(a) to provide for reduced masonry (80% masonry required).
<b>G. HISTORY</b>	<p>The subject property has never been platted. The site contained various vacant commercial buildings that were recently demolished. The buildings were most recently used for a construction/development business and an automobile repair business.</p> <p>Because the January 26, 2026 Plan Commission meeting was canceled due to a travel advisory warning, this petition was automatically moved to the February 23, 2026 meeting.</p>



<b>H. STAFF COMMENTS</b>	<p>This petition was continued from December 22, 2025 to January 26, 2026 to allow time for the petitioner to revise plans and submit waiver requests.</p> <p>This request would allow for construction of two retail buildings totaling ~29,400 square feet with 157 parking spaces.</p> <p>The development plans show two rows of parking in front of the multi-tenant buildings and several rows behind the buildings. Stormwater detention would be provided underground. The required buffer yards have been shown adjacent to the residential properties to the north and northwest.</p> <p>-----</p> <p><b>UDO 8-10(A) Development Plan Purpose:</b></p> <p>Per UDO 8.10(A), the development plan review process is designed to: promote the safe and efficient use of land, protect property values, and ensure for an orderly and harmonious development pattern according to the Comprehensive Plan.</p> <p><b>Development Standards:</b> Development Plans are required to meet the applicable development standards set forth in the Unified Development Ordinance (UDO). The Technical Advisory Committee (TAC) reviewed this proposal for compliance with those standards, as well as those of the Storm Water Management Ordinance. The development plan was found to meet the development standards of the UDO, except as described below, which might necessitate conditions requiring submission of revised plans, and as described in the requested waivers of design standards.</p> <p>1) <b>Miscellaneous Applicable Development Standards:</b></p> <p>This request appears consistent with the development standards for the C-2 District, such as setbacks and building height and bulk.</p> <p>2) <b>Applicable Overlay District Standards:</b></p>



The property is located within Tiers 1 & 2 of the U.S. Highway 36 Zoning Overlay and appears consistent with the applicable overlay standards, except as noted in the waiver requests below. The site is also located within the Ronald Reagan Overlay District and appears consistent with those applicable overlay standards.

**3) Lighting, Chapter 6:**

The lighting plan appears to meet all standards of the lighting requirements in the UDO for maximum spillage at the property line and maximum average parking lot limits.

**4) Off-Street Parking and Loading, Chapter 6:**

a) **Parking:** The site plan proposes 157 parking spaces. While the future tenants of the commercial space are not known at this time, the number of parking spaces proposed would be sufficient for general retail users or restaurant users.

b) **Loading:** Adequate temporary loading areas would be available on the sides of the proposed buildings. No loading space is required for retail uses under 7,500 square feet. The sizes of the future tenant spaces will likely be under 7,500 square feet.

c) **Bicycle Parking:** The UDO requires eight bicycle racks for a development of this size. Eight racks have been shown.

**5) Landscaping and Screening, Chapter 6:**

The revised landscape plan appears to comply with the landscape requirements of the UDO including the buffer yard landscaping standards.

**6) Floodplain Regulations:**

This property is not located within a regulatory floodplain.

**7) Signs, Chapter 6:**



Signs were not proposed or reviewed as part of this development plan. Signs are typically reviewed for compliance during the sign permit review process.

**8) Engineering / Stormwater Management:**

The revised submissions from the petitioner following TAC review are under review by our consulting engineer.

**9) Subdivision Control Regulations:**

The revised site plan indicates compliance with UDO 7.19, by providing perimeter sidewalks in or adjacent to the abutting public rights-of-way with internal pedestrian walkways connecting to the proposed building from the abutting street.

A subdivision plat will be required to combine the parcels into one lot prior to development of the site.

**10) Architectural Standards**

The building elevations appear to meet both the general architectural standards of UDO 7.10 as well as the additional U.S. Highway 36 overlay requirements found in UDO 2.10(O), with the exception of the 80% brick requirement. A waiver of this requirement is discussed below.

**11) Comprehensive Plan**

The Comprehensive Plan Future Land Use Map recommends Commercial/Office uses for this site. Therefore, the proposed development would be consistent with the Comprehensive Plan.

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**WAIVER "A"**

Waiver of Design Standards of UDO 2.10(L) to allow for two driveway access points with drive separations of approximately 50 feet, 150 feet and 280 feet, which exceed the minimum 600-foot separation between access driveways required.

Applicant must demonstrate compliance with the following:



1. The proposed alternative will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent nearby property because:

*Petitioner's response: "The total property frontage along US 36 is 500 feet. The proposed project combines five (5) parcels into a cohesive commercial development and reduces the number of existing driveway access points from four (4) to two (2); keeping safe vehicular access along the commercial corridor. An engineering traffic analysis supports the number of access drives/locations and also benefits emergency services to the site."*

**Staff concurs with the petitioner's response.**

2. The proposed alternative will not contradict the intent of design standards or the purpose of the Subdivision Regulations because:

*Petitioner's response: "The property is zoned C-2/US 36 Overlay. The proposed project incorporates permitted commercial land uses and development standards (including architectural character, landscape buffer yards, and landscaping along the street frontage) that enhance the surrounding area consistent with the intent of the zoning district and the existing adjacent commercial properties along US 36. The project reduces the number of existing driveway access points from four (4) to two (2) allowing for more streetscape landscaping and safe vehicular access along the commercial corridor."*

**Staff concurs with the petitioner's response.**

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner's response: "The project reduces the number of existing driveway access points from four (4) to two (2) allowing for more streetscape landscaping and safe vehicular access along this commercial corridor."*

**Because the subject site has four legally established access points, the reduction of the overall number would not generally apply to other surrounding properties.**

4. The proposed alternative enhances the proposed development and the surrounding area because:



*Petitioner's response: "The project incorporates the UDO and Overlay Districts high-quality design intent for architecture and landscaping as a cohesive development while integrating safe vehicular access to and from the surrounding area and the existing adjacent commercial properties along US 36.."*

Staff concurs with the petitioner's response.

Staff reviewed the waiver request in the context of the existing curb cuts that serviced the previous development. There are four existing curb cuts that access the overall site. These cuts are legally established and could remain. The proposed development would reduce the total number of curb cuts to two. The easternmost entrance would be maintained, three would be removed, and a new curb cut would be located at the middle of the US 36 frontage. The new entrance would line up with the drive between the buildings.

The resulting separation of those two curb cuts would not meet the required minimum separation distance of 600 feet. However, the overall number of access points that could create a conflict is greatly reduced. Additionally, because this stretch of US 36 has a raised median preventing any left turns in or out of the site, safety concerns are significantly reduced.

INDOT has reviewed the proposed locations of the drives for the development and does not have concerns with two access points. Additionally, the Fire Department would prefer to have two access points for better maneuverability into the site and around the buildings.

**Staff recommends approval of this waiver request.**

**WAIVER "B"**

Waiver of Design Standards of UDO 2.10(O)(2)(a) to provide for reduced masonry (80% masonry required)

Applicant must demonstrate compliance with the following:

1. The proposed alternative will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent nearby property because:



*Petitioner's response: "The design of this façade will not lower or damage the property value of this site or other adjacent sites' property values."*

This portion of US 36 has a diverse mix of building materials and façade types. The proposed buildings offer a high-end design that fits well with both the brick and non-brick structures along the corridor.

2. The proposed alternative will not contradict the intent of design standards or the purpose of the Subdivision Regulations because:

*Petitioner's response: "this design improves upon the aesthetics of the surrounding area and uses high quality finishes, including: brick, cast stone, Nichiha panels and EIFS accents."*

This finding applies to the brick requirement because architecture requirements are contained within the subdivision regulations. Additionally, the purpose statement of the U. S. Highway 36 Overlay District states that its intent is to establish high standards for development of properties and establish standards that will promote quality development. In staff's opinion the proposed materials are generally considered high-quality, durable products.

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner's response: "it is keeping/improving upon the character of the area, and abides by the UDO's design quality intent, while also providing signage area above each tenant to allow ease of modification and maintenance through material selection, creating a better-looking façade over time."*

Staff concurs with the petitioner's response.

4. The proposed alternative enhances the proposed development and the surrounding area because:

*Petitioner's response: "it consists of high-quality finishes and offers a new and unique design to the area."*

Staff concurs with the petitioner's response.

The proposed percentage of brick ranges from 36% on the front façade to 97% on the rear façade. Therefore, the overall



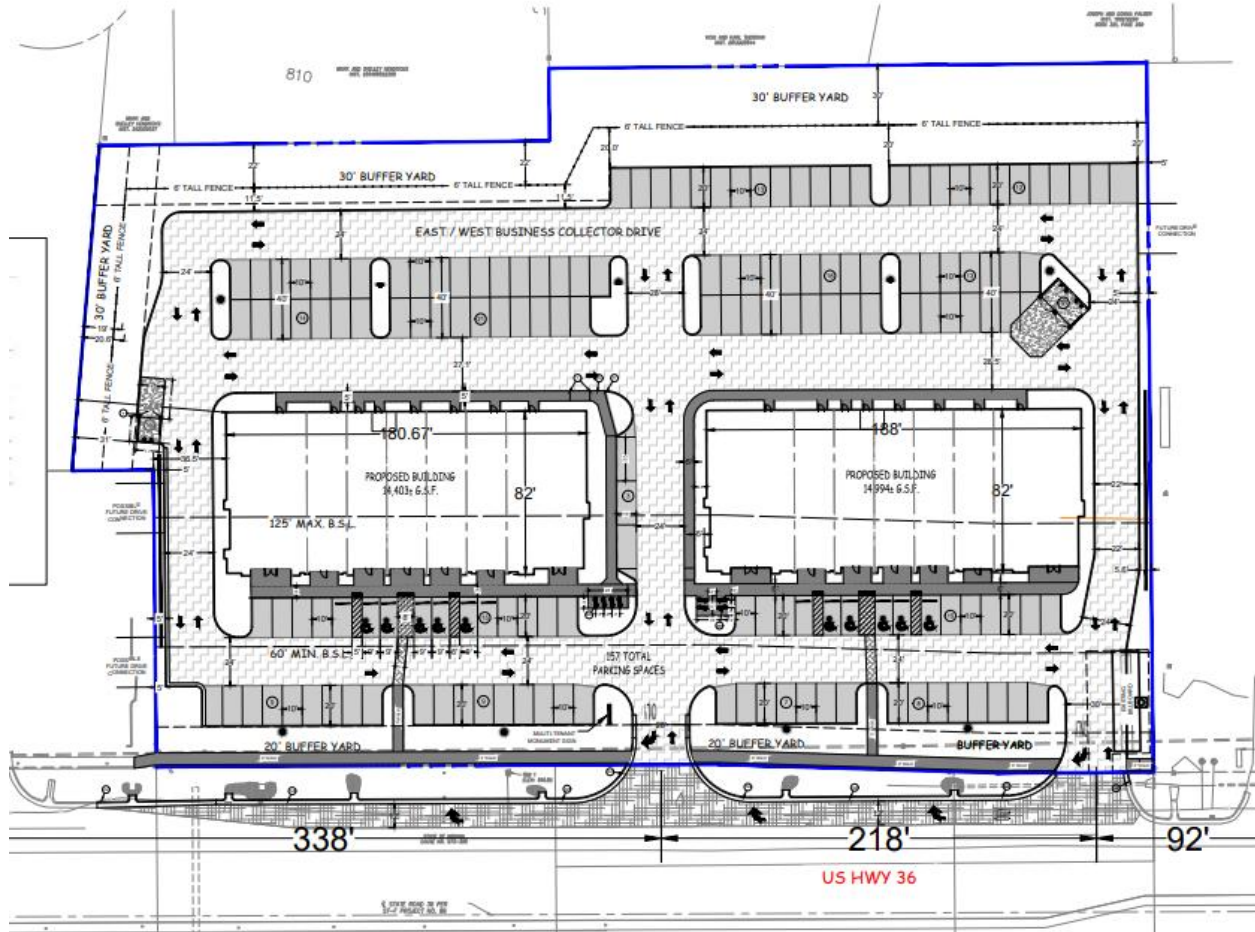
	<p>appearance of the buildings will meet the intent of the UDO for having high-quality materials. While the front façade does not meet the 80% requirement, the change of materials offers a superior visual interest to warrant a deviation from the brick standard.</p> <p><b>Staff recommends approval of this waiver request.</b></p>
<ul style="list-style-type: none"><li><b>RECOMMENDATION</b></li></ul>	<p>Staff finds that the overall development plan would be consistent with the standards of the UDO. Therefore, if the requested waivers are approved, <b>staff recommends approval of petition DPR 25-20: Avon Retail Shops, subject to the following conditions:</b></p> <ol style="list-style-type: none"><li>1. Prior to issuance of a building permit, a subdivision plat must be filed and approved to combine the properties into one lot.</li><li>2. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.</li><li>3. A landscape bond is required per Section 6.1(D)(3) of the Unified Development Ordinance. This bond must be provided to the Town of Avon prior to the issuance of a full Certificate of Occupancy for the subject site.</li><li>4. The development shall comply with all relevant portions of Town Code, the necessary approval by Crossroad Engineers on behalf of the Town, and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.</li></ol>

### Exhibit A – Location / Zoning Map





## Exhibit B – Proposed Site Plan



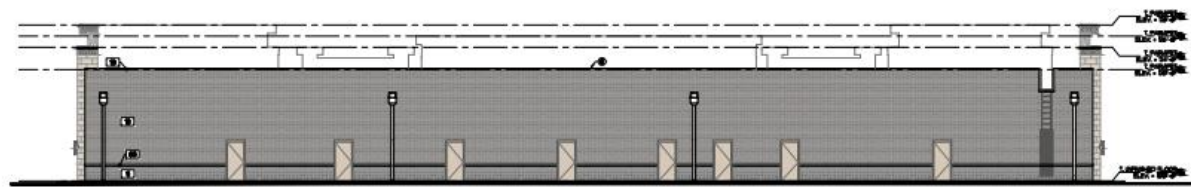




## Exhibit D – Building Elevations Building A



① **SOUTH ELEVATION** TOTAL HEIGHT OF - 14'6" IF TOTAL HEIGHT OF - 12'6" IF  
SCALE 1/8" = 1'-0"



② **NORTH ELEVATION** TOTAL HEIGHT OF - 10'6" IF TOTAL HEIGHT OF - 7'6" IF  
SCALE 1/8" = 1'-0"



③ **EAST ELEVATION** TOTAL HEIGHT OF - 12'6" IF TOTAL HEIGHT OF - 10'6" IF  
SCALE 1/8" = 1'-0"



④ **WEST ELEVATION** TOTAL HEIGHT OF - 14'6" IF TOTAL HEIGHT OF - 12'6" IF  
SCALE 1/8" = 1'-0"

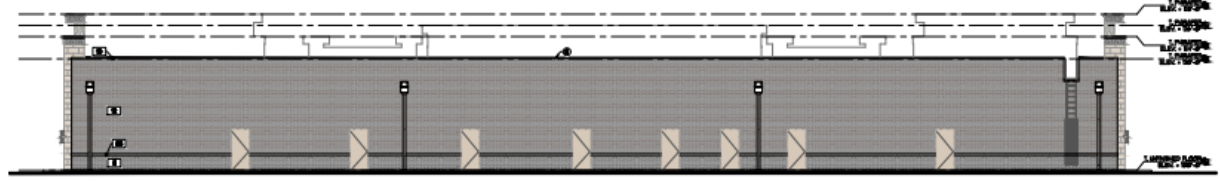
PLAN NOTES		
①	3-DIMENSIONAL CURVE	
②	SHINY FINISH SHIP CREATED WITH MATE'S MIRROR/LAND POLYMER	
MATERIAL SCHEDULE		
TYPE	DESCRIPTION	MATERIAL SAMPLE
(1)	BRICK - BELDEN - DORRIS BLACK HEAVY ORIGNAL	
(2)	BRICK - BELDEN - POLYGLASS BLIND GRAPE ORIGNAL	
(3)	BRICK - BELDEN - POLYGLASS BLIND GRAPE ORIGNAL	
(4)	STONE - BELDEN - FRANKLIN BRICK PLANTER WHITE BRICK ORIGNAL	
(5)	CAST STONE FILL - COLOR MATCH	
(6)	ARCHITECTURAL PANEL - BELDEN - VETERANWOOD COLOR	
(7)	FIN - GREY - 1/4" CONC. SANDABLE FIN	
(8)	FIN - GREY - 3/8" CONC. SANDABLE FIN	
(9)	FIN - GREY - 3/4" CONC. SANDABLE FIN	
(10)	FIN - POLY - BELDEN - POLYGLASS BLIND GRAPE ORIGNAL	
(11)	CH- BRICK - BELDEN - POLYGLASS BLIND GRAPE ORIGNAL	
(12)	CH- BRICK - BELDEN - POLYGLASS BLIND GRAPE ORIGNAL	



## Exhibit D – Building Elevations Building B



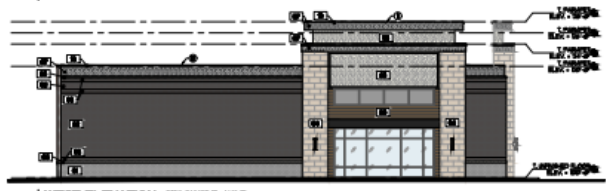
① **SOUTH ELEVATION** WALL THICKNESS - 1200 0"  
SCALE 1/4" = 1'-0"



② **NORTH ELEVATION** WALL THICKNESS - 1200 0"  
SCALE 1/4" = 1'-0"



③ **EAST ELEVATION** WALL THICKNESS - 1200 0"  
SCALE 1/4" = 1'-0"



④ **WEST ELEVATION** WALL THICKNESS - 1200 0"  
SCALE 1/4" = 1'-0"

PLAN NOTES			
①	DIFFERENTIAL CORNER		
②	SLOPED ROOF RISE DETERMINED WITH WHITE THERMOPLASTIC POLYURETHAN		
MATERIAL SCHEDULE			
MARK	DESCRIPTION	MANUFACTURER/COLOR	MATERIAL SAMPLE
(M)	BRICK	BELEN - DORSET BLAZE 1/2" x 3 1/2" x 8"	
(N)	BRICK	BELEN - YELLOW BLIND COMMON BRICK	
(O)	SPRINKLER COVER	BELEN - YELLOW BLIND COMMON BRICK	
(P)	STONE	BELEN - TRAVERTINE SAND TONED SAND CRACK & SEAL	
(Q)	CHIP BRICK WALL	COLOR NATURAL	
(R)	ARCHITECTURAL PANEL	BELEN - UNFINISHED CONCRETE	
(S)	EPS	CRUYT - 15 LBS/CSQ BANDSPRIBBLE FIBER	
(T)	EPS	CRUYT - 20 LBS/CSQ BANDSPRIBBLE FIBER	
(U)	EPS	CRUYT - 30 LBS/CSQ BANDSPRIBBLE FIBER	
(V)	PEEL OFFING	BEAUGLAD PELL - WHITE BLACK CRACKING	
(W)	CONCRETE	BELEN - SPECIAL EXPOSED AGGREGATE FINISH 10% POLYMER	
(X)	CONCRETE	BELEN - SPECIAL SMOOTH FINISH 10% POLYMER	



## DPR 25-21: Mo' Bettahs

Planning & Building Department Staff Report

For Hearing on February 23, 2026

Plan Commission, Public Hearing

Paul J. Lambie, Senior Planner

<b>A. PETITION NUMBER</b>	DPR 25-21: Mo' Bettahs
<b>B. APPLICANT</b>	Savory MB Stores LLC, c/o Will Scott, PGAL
<b>C. LOCATION</b>	8894 East U.S. Highway 36, Avon IN 46123  Lot 5 in Harvest Landing
<b>D. PARCEL SIZE</b>	1.32 acres
<b>E. LAND USE &amp; ZONING</b>	The site is zoned C-2, located within Tier 1 of the U.S. Highway 36 Overlay, and improved with a vacant drive-up restaurant, surface parking and related improvements.
<b>F. ACTION REQUESTED</b>	Requesting approval of a Development Plan Review to allow for renovation of an existing 1,580-square foot restaurant building, including a 760-square foot building addition, with a drive-through pickup window and miscellaneous changes to parking, and landscaping, with a Waiver of Design Standards of UDO 7.10(l)(1) to allow for the use of "thin brick" siding (brick less than four inches thick not permitted).
<b>G. HISTORY</b>	ZA 20-02 rezoned 41.68 acres (including the subject site) from R-1 to C-2.  This property was platted as part of the Harvest Landing subdivision via petitions MAP(P) 20-15 & MAP(F) 20-17.  SE 22-01 granted Special Exception approval for a restaurant with drive-up service.  DPR 22-04 granted Development Plan Review approval for a drive-up restaurant, with a Waiver of Design Standards to allow for reduced building articulation, and with a Waiver of



	<p>Development Standards to provide for deficient foundation planting area.</p> <p>SE 25-04: pending request for approval of Special Exception for a drive-through pickup window.</p> <p>Because the January 26, 2026 Plan Commission meeting was canceled due to a travel advisory warning, this petition was automatically moved to the February 23, 2026 meeting.</p>
<b>H. STAFF COMMENTS</b>	<p>This petition would allow for re-use of the existing restaurant building that was previously occupied as Swenson’s Drive-In. The proposal includes an addition to the west side of the building that would increase the interior floor area by approximately 48 percent, which would also include a new drive-through lane and pickup window. The proposed addition would eliminate a row of surface parking, however, the site would still be compliant with off-street parking requirements. Minor changes to the site’s landscaping include the planting of parkway trees adjacent to the site’s U.S. 36 frontage and additional terminal islands in the parking lot, which will bring the site more into compliance with the applicable requirements of the Unified Development Ordinance.</p> <hr/> <p><b>UDO 8-10(A) Development Plan Purpose:</b></p> <p>Per UDO 8.10(A), the development plan review process is designed to: promote the safe and efficient use of land, protect property values, and ensure for an orderly and harmonious development pattern according to the Comprehensive Plan.</p> <p><b>Development Standards:</b> Development Plans are required to meet the applicable development standards set forth in the Unified Development Ordinance (UDO). The Technical Advisory Committee (TAC) reviewed this proposal for compliance with those standards, as well as those of the Storm Water Management Ordinance. The development plan was found to meet the development standards of the UDO, except as described below, which might necessitate conditions requiring submission of revised plans, and as described in the requested waiver of development standards.</p> <p><b>1) Miscellaneous Applicable Development Standards:</b></p>



This request appears consistent with the development standards for the C-2 District, such as setbacks, building height and bulk.

**2) Applicable Overlay District Standards:**

The property is located within Tiers 1 of the U.S. Highway 36 Zoning Overlay and appears consistent with the applicable overlay standards.

**3) Lighting, Chapter 6:**

No change to the existing exterior lighting is proposed.

**4) Off-Street Parking and Loading, Chapter 6:**

a) **Parking:** The revised plans indicate forty (40) parking spaces (two ADA spaces). The UDO requires a minimum of five (5) spaces 1,000 square feet for restaurants, which would require a minimum of twelve (12) spaces. The UDO requires a minimum of two accessible (ADA) spaces when between 26 and 50 total spaces are provided.

b) **Loading:** No dedicated loading space is required for retail buildings having less than 7,500 square feet.

c) **Bicycle Parking:** The UDO requires one bicycle rack per every twenty (20) required vehicle parking spaces. While a bicycle rack exists on site, a compliant rack nearer to the public entrance of the renovated building has been proposed.

**5) Landscaping and Screening, Chapter 6:**

The revised landscape plan, submitted subsequent to the Technical Advisory Committee (TAC) meeting, addresses staff comments requesting additional tree plantings along the site's U.S. Highway 36 frontage and the west perimeter of the parking lot, terminal islands on each end of the parking row adjacent to the south façade, and additional foundation planting areas. It appears that additional landscaping should



be included north of the trash enclosure to screen it from Harvest Landing Drive as required by UDO 5.1(H)(1).

**6) Floodplain Regulations:**

This property is not located within a regulatory floodplain.

**7) Signs, Chapter 6:**

Signs were not proposed or reviewed as part of this development plan. Signs are typically reviewed for compliance during the sign permit review process. It is presumed that the UDO's sign regulations will provide for adequate building identification signage.

**8) Engineering / Stormwater Management:**

The revised submissions from the petitioner following TAC review are under review by our consulting engineer.

**9) Subdivision Control Regulations:**

No changes to the site's vehicular access are proposed. The site is connected via walkway to the public sidewalks along the two abutting streets, and the revised site plan will increase compliance with the UDO's pedestrian network standards by including an internal pedestrian crosswalk with a contrasting surface material connecting the building to the asphalt path adjacent to U.S. Highway 36.

**10) Architectural Standards**

The revised building elevations submitted subsequent to TAC review appear to meet both the general architectural standards of UDO 7.10 as well as the additional U.S. Highway 36 overlay requirements found in UDO 2.10(O), except for the waiver for use of "thin brick", which is addressed below.

**11) Comprehensive Plan**

The Future Land Use Map in the 2025 Comprehensive Plan recommends Commercial use for this site. Restaurants are a typical use anticipated in such areas.

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### WAIVER “A”

Waiver of Design Standards of UDO 7.10(I)(1), to allow for the use of “thin brick” siding (brick less than four inches thick not permitted).

Applicant must demonstrate compliance with the following:

1. The proposal does not create conditions detrimental to the public health, safety, or general welfare, or be injurious to adjacent or nearby property because:

*Petitioner’s response: “the proposed thin brick will match the existing thin brick.”*

“Thin brick” was not a prohibited material when the building was approved in 2022. Using additional thin brick to match the remainder of the existing building which is now legally nonconforming should not harm the public or adjacent properties.

2. The proposed alternative will not contradict the intent of the design standards or the purpose of the Subdivision Regulations because:

*Petitioner’s response: “we are asking for this waiver so the addition with thin brick exterior will match existing building exterior, since it will be the most aesthetically pleasing to not have mismatched building exterior materials on the same building.”*

Staff agrees that matching the existing exterior material is reasonable and preferable to using a permitted material that might not blend well aesthetically, and that it would be unreasonable to expect the petitioner to replace the existing siding material that is only a few years old.

3. The proposed alternative is due to conditions specific to the property and the proposed development and not applicable generally to other properties because:

*Petitioner’s response: “the proposed waiver is unique to this building as this building is currently constructed using thin brick.”*



	<p>Staff agrees that the legal nonconforming design of the existing building is a unique condition that is not generally applicable to other nearby properties.</p> <p>4. The proposed alternative enhances the proposed development and the surrounding area because:</p> <p><i>Petitioner’s response: “if thin brick is allowed to be used, the addition’s exterior brick will better match the existing building’s exterior brick. Doing this will help the building blend into the environment.”</i></p> <p>Staff concurs that matching the existing siding material is preferable to adding another permitted siding material that might not blend well aesthetically.</p> <p><b>Staff recommends approval of this waiver request.</b></p>
<p><b>I. RECOMMENDATION</b></p>	<p>Staff finds that the overall development plan would be consistent with the standards of the UDO, except as requiring modification per requested Condition One, and except as described in the waiver request. Therefore, if the waiver request is approved, <b>staff recommends approval of petition DPR 25-21: Mo’ Bettahs, subject to the following conditions:</b></p> <ol style="list-style-type: none"><li>1. Prior to issuance of a building permit, a revised landscape plan shall be submitted, requiring approval by the Administrator, indicating compliance with the Town’s landscaping requirements, including UDO 5.1(H) regarding screening of trash enclosures.</li><li>2. Any revised plans must comply with all commitments and conditions noted as part of any approval granted.</li><li>3. A landscape bond is required per Section 6.1(D)(3) of the Unified Development Ordinance. This bond must be provided to the Town of Avon prior to the issuance of a full Certificate of Occupancy for the subject site.</li><li>4. The development shall comply with all relevant portions of Town Code, the necessary approval by Crossroad Engineers on behalf of the Town, and comments by Public Works, the Fire Department, and Crossroad Engineers at the preconstruction meeting.</li></ol>

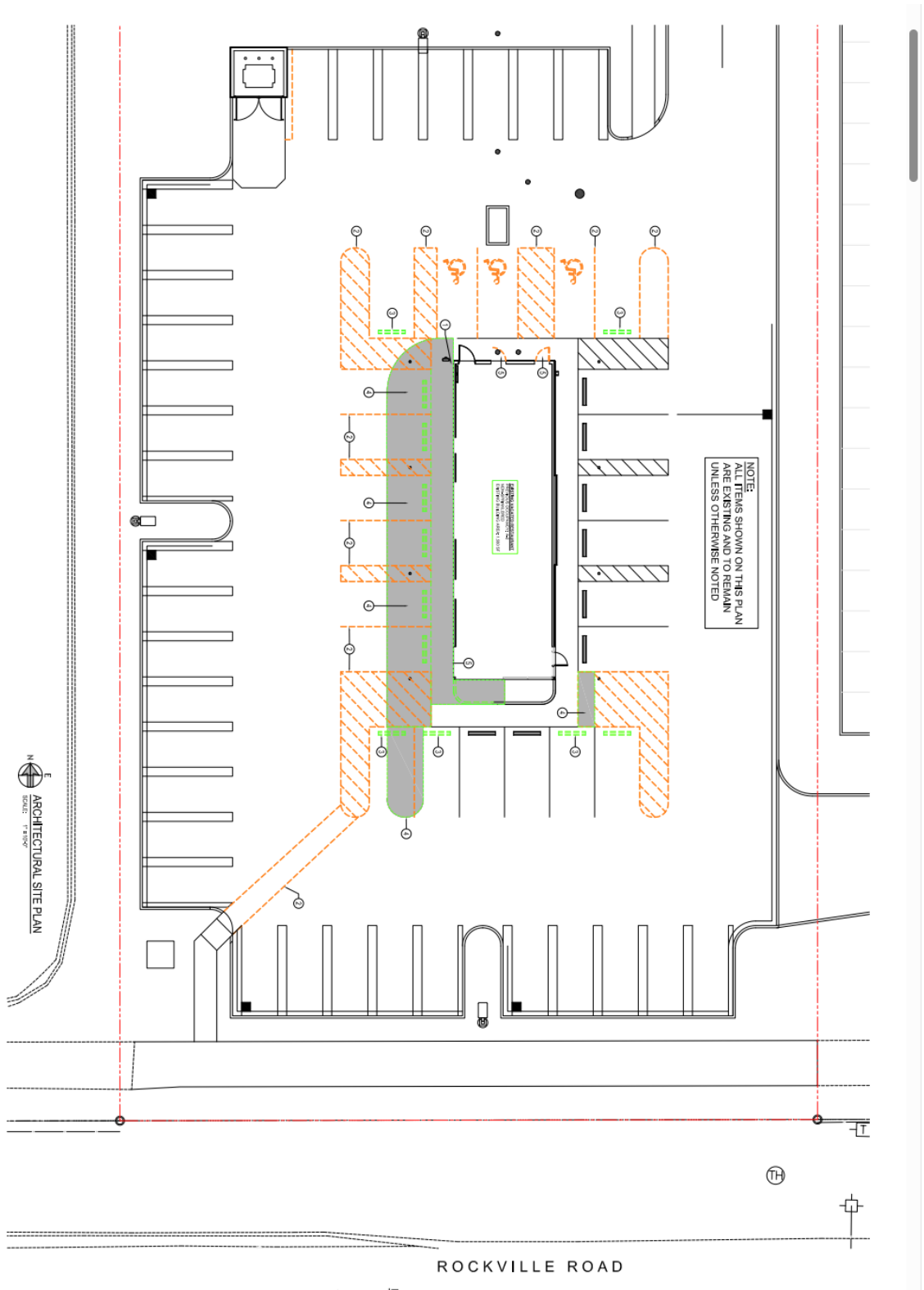


## Exhibit A – Location / Zoning Map





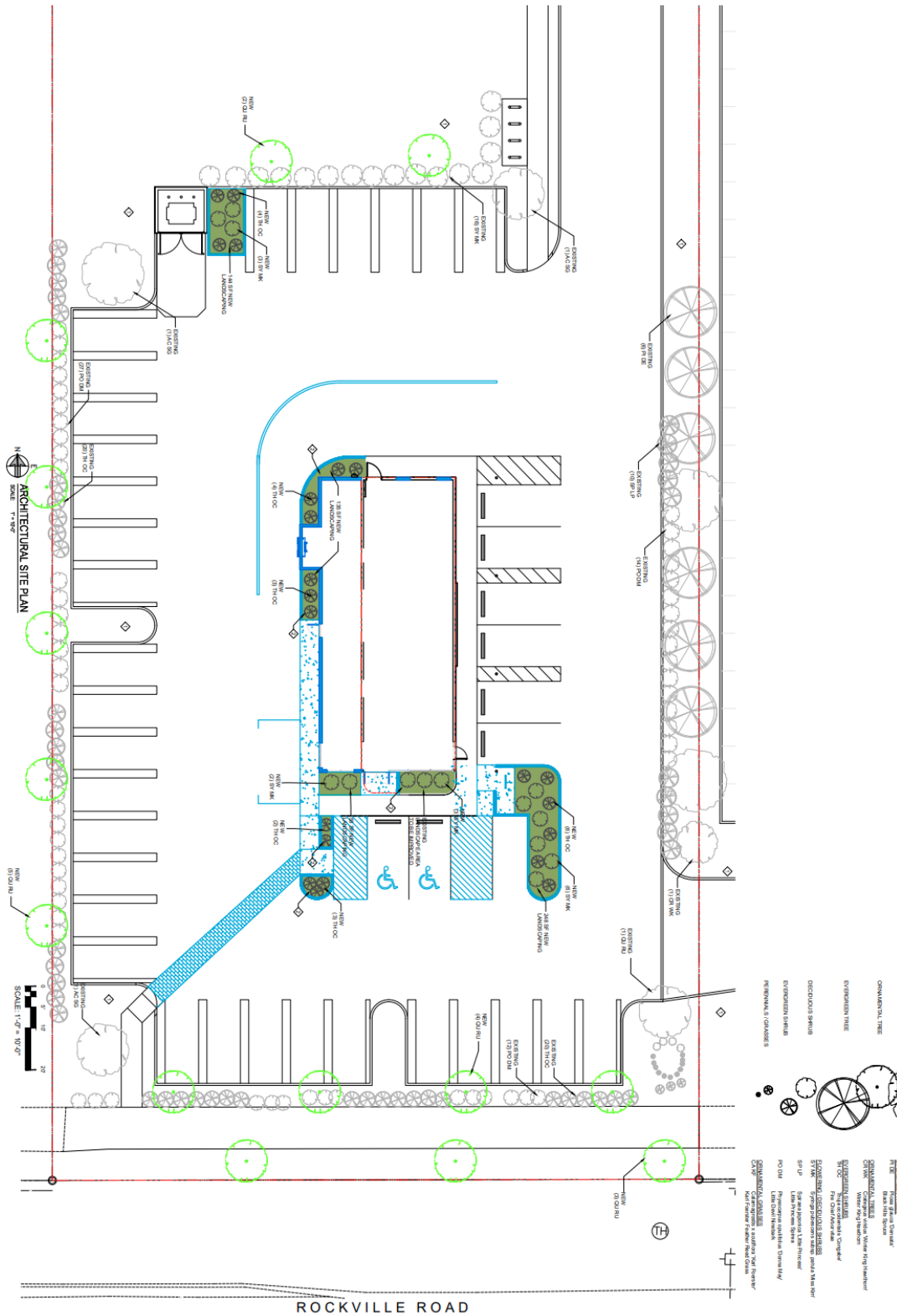
## Exhibit B – Existing Conditions





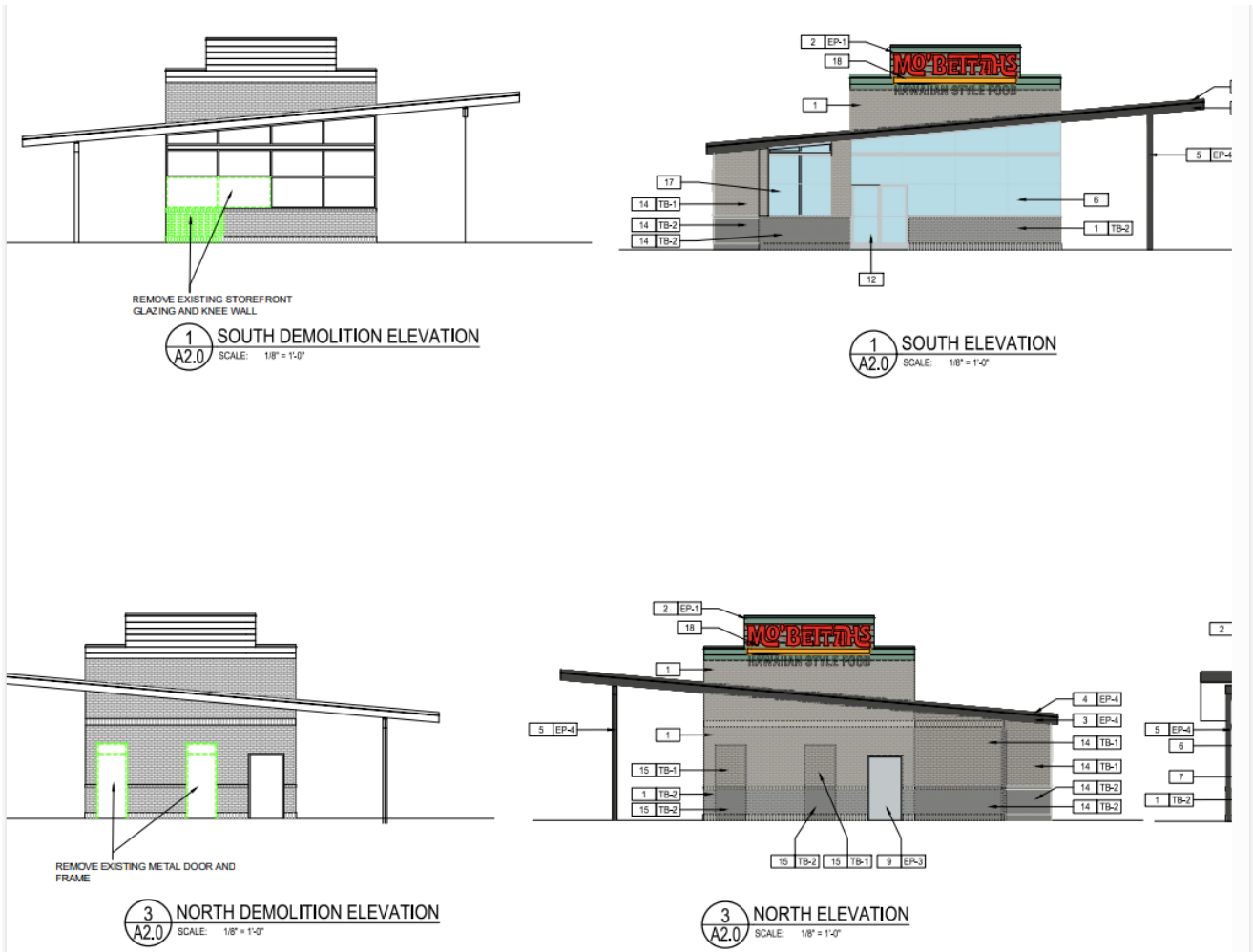


## Exhibit D – Proposed Landscape Plan



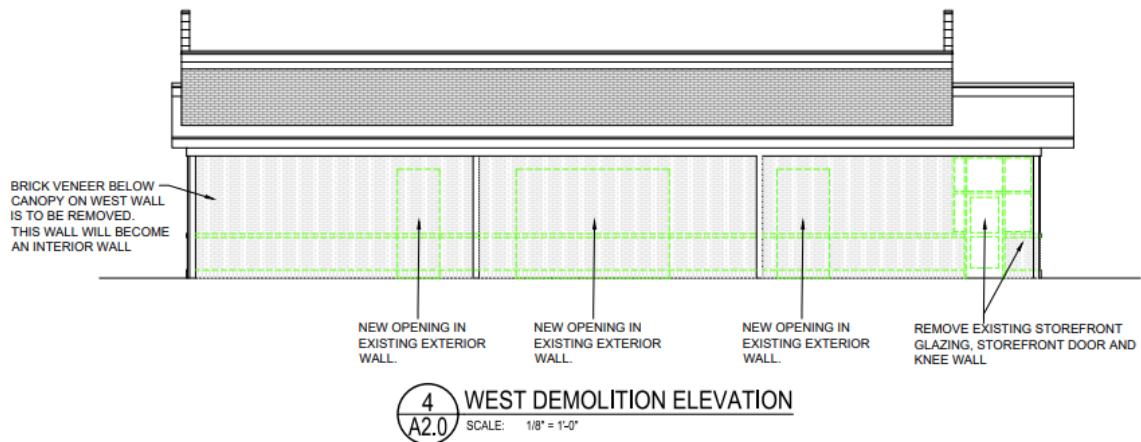
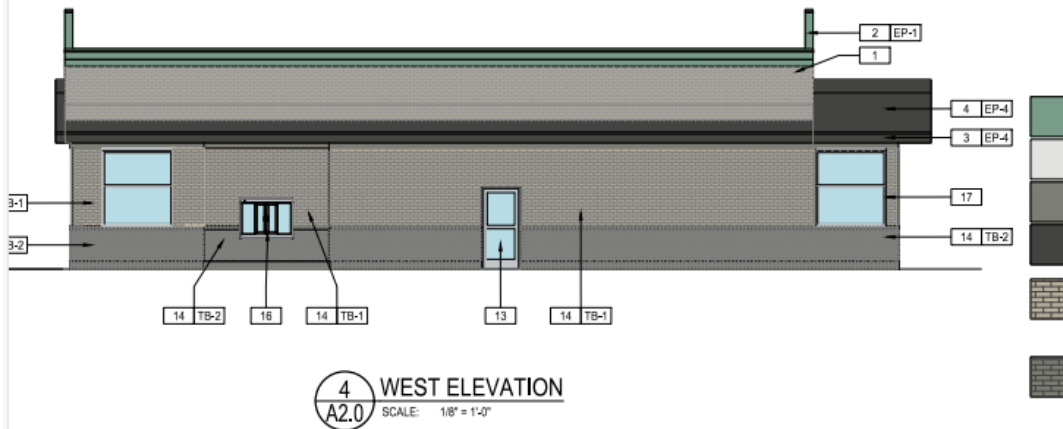
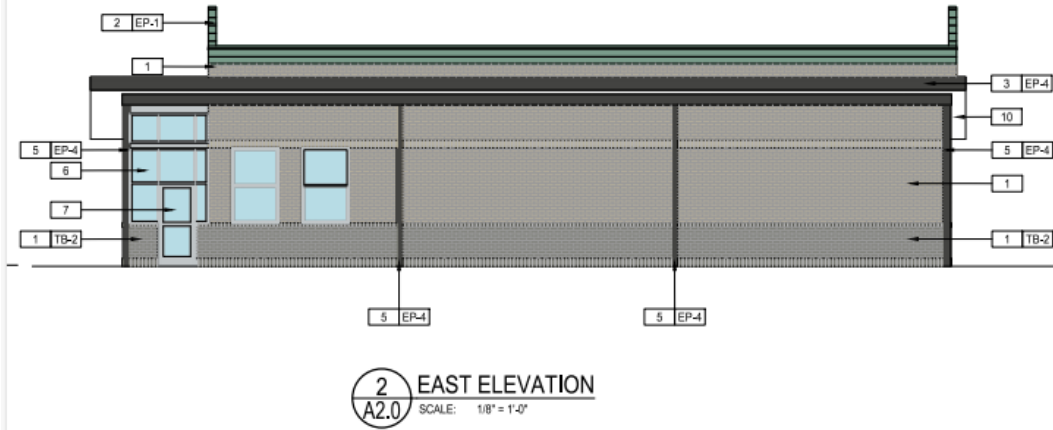


## Exhibit E – Existing & Proposed Building Elevations (South & North)





## Exhibit E – Existing & Proposed Building Elevations (East & West)





**Exhibit F – Site Photos**



**1) View of site facing north from U.S. Highway 36.**



**2) Facing west from front of site toward pedestrian walkway from U.S. 36.**



**Exhibit F – Site Photos**



**3) South and east façades of building.**



**4) South and west façades of building.**



## ZA 25-03: The Gatherings, Lot 2

Planning & Building Department Staff Report

For Hearing on February 23, 2026

Plan Commission, Public Hearing

Paul J. Lambie, Senior Planner

<b>A. PETITION NUMBER</b>	ZA 25-03: The Gatherings, Lot Two
<b>B. APPLICANT</b>	Churchyard, LLC c/o David Gilman
<b>C. LOCATION</b>	8403 East U.S. Highway 36, Avon, Indiana 46123
<b>D. PARCEL SIZE</b>	2.08 acres
<b>E. LAND USE &amp; ZONING</b>	The property is zoned I-2 and is improved with two one-story commercial buildings and surface parking.
<b>F. ACTION REQUESTED</b>	Petitioner requests a favorable recommendation of a Zoning Map Amendment that would rezone 2.08 acres from I-2 (General Industrial) to C-2 (General Commercial) to legally establish existing retail uses.
<b>G. HISTORY</b>	<p>ZA 06-03: Approval of a Zoning Map Amendment rezoning 1.52 acres (The Gatherings Lot 1) from I-2 to C-2 to allow redevelopment of a building for multi-tenant retail.</p> <p>MIP 06-02: Approval of a Minor Subdivision Plat named “The Gathering” dividing 5.46 acres into three lots.</p> <p>DPR 06-03: Approval of a Development Plan Review to allow for reuse/redevelopment of existing buildings (The Gatherings Lots 1 &amp; 2).</p> <p>DPR(A) 07-05: Approval of a Development Plan Review Amendment to allow for the use of alternative building materials.</p> <p>VAR 06-07: Approval of Variances of Development Standards</p>



	<p>to allow for two primary uses on Lot 2 and to allow access to Lot 2 from the existing private access drive from U.S. 36.</p> <p>SE 07-03: Approval of a Special Exception to allow commercial indoor recreation in I-2 within the eastern building on Lot 2.</p> <p>VAR 07-18: Approval of a Variance of Development Standards to allow separate businesses in the same building in I-2 within the eastern building on Lot 2.</p> <p>DPR(A) 07-17: Approval of a Development Plan Review Amendment to provide additional parking, lighting, and landscaping, along with revised drainage plans.</p> <p>VAR(U) 25-05: Approval of a Variance of Use to allow for the expansion of an “Auto Services – Light” use (automobile repair) within Tier 1 of the U.S. Highway 36 Overlay District.</p> <p>DPR(A) 25-19: Approval of a Development Plan Review to allow for a revised parking and interior landscaping layout.</p> <p>Because the January 26, 2026 Plan Commission meeting was canceled due to a travel advisory warning, this petition was automatically moved to the February 23, 2026 meeting.</p>
<b>H. STAFF COMMENTS</b>	<p>This is a request to rezone 2.08 acres from I-2 to C-2 to legally establish commercial retail uses. The subject property is part of a former lumber yard, which was redeveloped for a combination of commercial and industrial uses approximately two decades ago. The portion of the former lumber yard fronting U.S. Highway 36 (The Gatherings Lot 1), immediately north of the subject property, was rezoned from I-2 to C-2 at that time. The subject property remained zoned I-2 and one of its two buildings long housed and electrical contractor, an industrial use, but an indoor commercial recreation use was also allowed by a special exception. Other commercial retail uses have operated at the site in the intervening years despite not being listed as permitted uses in the I-2 District. Currently, the subject property is occupied by a small grocery, a martial arts studio, a performing arts studio, and an auto detailing business, all of which are permitted uses in the C-2 District, but the auto detailing business is the only one of these that is</p>



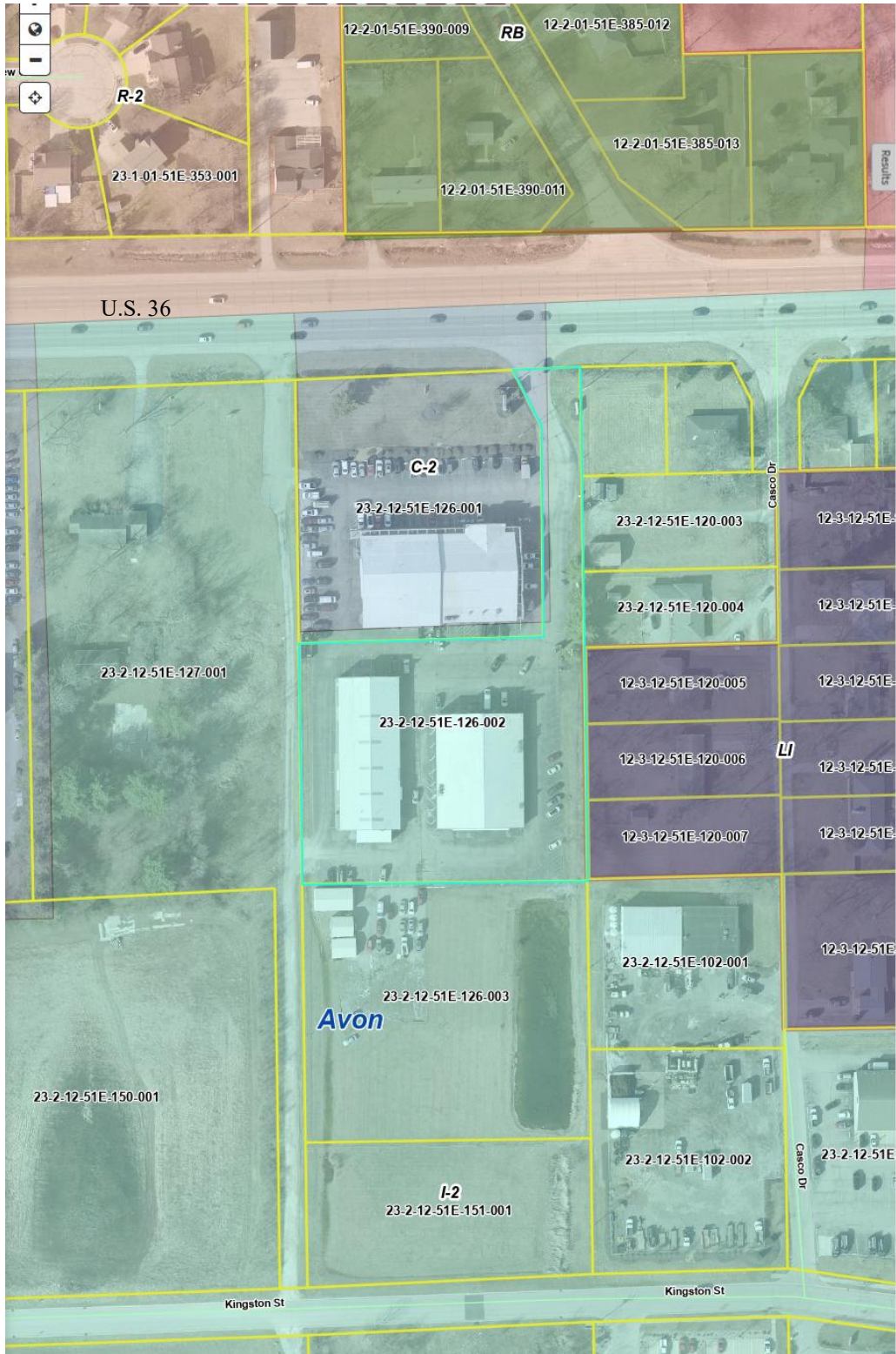
	<p>permitted by right in the I-2 District.</p> <p>The Future Land Use Map in the 2025 Comprehensive Plan recommends Mixed Use development for this property, as well as the vacant site abutting to the west. The abutting property to the east is recommended for Commercial development. The Plan describes Mixed Use development as “intended to support vibrant districts with a combination of complementary residential, commercial, and institutional uses. These uses may be adjacent to one another, or within a single development...”</p> <p>The 2018 Thoroughfare Plan Update designates this portion of U.S. Highway 36 as a primary arterial, with such streets typically having a 120-foot right-of-way proposed. U.S. Highway 36, which is under the jurisdiction of INDOT, appears to have an existing right-of-way exceeding this width.</p> <p>Although single-family dwellings are the predominant development pattern on the adjacent properties to the east and west, those abutting properties are zoned industrially, either I-2 by the Town of Avon, or I1 by Hendricks County. The abutting property to the south, which is mostly unimproved is also zoned I-2 within the Town.</p>
<b>I. STATUTORY GUIDANCE</b>	<p><b>State law (IC-36-7-4-603) establishes five criteria for any zoning change and requires Plan Commission and Town Council to pay reasonable regard to them:</b></p> <p>Criterion 1: The Comprehensive Plan, as adopted and amended from time to time</p> <p>The proposed C-2 zoning would legally establish existing uses and allow future uses that would be more consistent with the Comprehensive Plan’s recommendation for Mixed Use development than would the existing I-2 zoning. Staff finds that this proposal is consistent with the Plan.</p> <p>Criterion 2: Current conditions and the character of the current structures and uses in each district</p> <p>Although originally developed for an industrial use, the structures on the subject property have long been occupied by commercial uses that are permitted in the proposed C-2 District. The proposed rezoning would be consistent with the character of the uses in this district.</p>



	<p>Criterion 3: The most desirable use for which the land in each zoning district is adapted</p> <p>Given the renovation of this formal industrial property approximately two decades ago and the longstanding use of the buildings for commercial uses, the C-2 District would allow for the most desirable use of the land.</p> <p>Criterion 4: The conservation of property values throughout the jurisdiction</p> <p>There is no reason for staff to conclude that continued commercial use of this site would have a greater impact on the value of other properties than would the currently permitted industrial uses.</p> <p>Criterion 5: Responsible development and growth</p> <p>Staff believes that continued use of the site for commercial use would represent responsible development and growth.</p> <p>The Town Council, as with any Zoning Amendment, has the ultimate decision on this petition.</p> <p><b>COMMITMENTS</b></p> <p>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.</p>
<b>J. RECOMMENDATION</b>	<b>Staff recommends the forwarding of a favorable recommendation for ZA 25-03: The Gatherings, Lot 2 Zoning Map Amendment.</b>

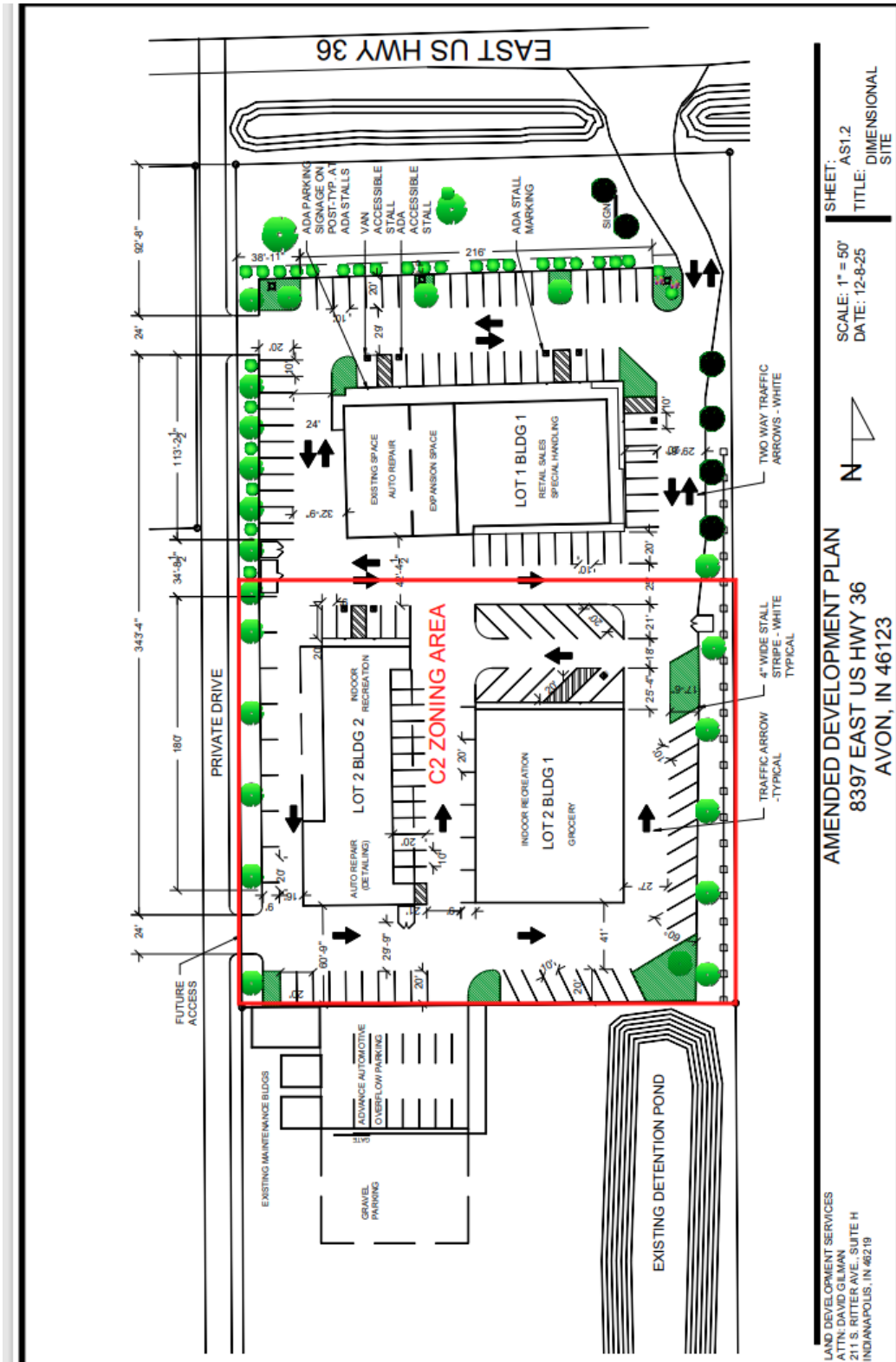


## Exhibit A – Location / Zoning Map





# Exhibit B – Zoning Exhibit / Amended Development Plan





## Exhibit C – Photographs



1) View of subject property, facing southwest from near northeast corner of lot.



2) View of abutting lot to north and subject property access, facing southeast from US 36.



**Exhibit C – Photographs (cont.)**



3) View of abutting lot to north, zoned C-2, facing southeast.



4) Abutting lot to southwest, zoned I-2, facing southeast from SE corner of subject property.



**Exhibit C – Photographs (cont.)**



5) View of abutting properties to east, facing east from subject property.



6) View of abutting properties to west, facing west from subject property.