

# PLANNED UNIT DEVELOPMENT (PRELIMINARY) APPLICATION PROCEDURES



**DEFINITION:** A Planned Unit Development (PUD) is an area of a minimum contiguous size, as specified by ordinance, to be planned and developed as a single entity containing one (1) or more residential clusters or planned unit residential developments and one (1) or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as shall be specified.

**PRELIMINARY APPLICATION:** Prior to submitting an application for a Planned Unit Development (Preliminary), the applicant must schedule an appointment with the Plan Commission Staff for an in-house preliminary consultation to discuss the proposed project. The applicant should provide a sketch showing the preliminary details of the project. There is no fee for this meeting. A written summary of this preliminary consultation will be provided upon request.

**APPLICATION:** The application will not be considered complete until all information is received. All applications and supplemental material must be submitted by close of business on the posted schedule deadline and **must be completed on Original Town Forms**. All applications will be reviewed for completeness and accuracy prior to acceptance. The following information is just a portion of the items that must be submitted with the application. Please refer to the Application Checklist in this packet for a complete list of information that must be submitted:

1. A **notarized application** filed at least forty-five (45) days before the date of the Plan Commission's public hearing;
2. Five (5) copies of the **preliminary plan** including the topographic overlay and area map;
3. A **legal description** of the property;
4. A **list of adjacent property owners** within six hundred and sixty (660) feet but no more than two (2) property owners in depth and a copy of **completed notification letter**;
5. An **application fee** payable by check to the Town of Avon.

**FEES: \*Fees are nonrefundable\*** The following fees apply to a planned unit development (preliminary):  
**(Please see fee schedule)**

1. Application Fee by check made payable to the **Town of Avon**.
2. Legal Advertisement Fee by check made payable to the **Town of Avon**.
3. Traffic Study Review Fee by check made payable to **The Schneider Corporation**.

**STAFF REVIEW:** The Avon Plan Commission Staff will schedule a technical review meeting, where Town Staff, including the Town's Engineering consultant, will provide written comments. The petitioner will be given an opportunity to address the concerns and submit revised plans approximately two weeks before the Plan Commission meeting. In the event these issues are not addressed, staff reserves the right to recommend a continuance for the application to be considered at the next available meeting. Copies of the technical review and Staff comments will be made available to the applicant prior to the public hearing.

**PUBLIC NOTIFICATION:** The following public notification is required:

1. **NEWSPAPER NOTIFICATION:** The Plan Commission Staff will submit legal notices to the Hendricks County Weekend Flyer and the Republican newspapers for publication at least ten (10) days prior to the date of the Plan Commission's public hearing.

# PLANNED UNIT DEVELOPMENT (PRELIMINARY) APPLICATION PROCEDURES



2. **WRITTEN NOTIFICATION:** The applicant shall mail certified letters with return receipts requested to adjacent property owners at least ten (10) days prior to the date of the Plan Commission's public hearing. An adjacent property owner is defined as all property owners two (2) deep or within six hundred and sixty (660) feet, whichever is less, of the applicant's property. The applicant must follow the sample written notification letter. A signed affidavit attesting to the mailings and a copy of a sample mailing must be submitted to the Plan Commission staff prior to the public hearing. (See attached sample letter and affidavit form.)
3. **POSTING OF PROPERTY:** Ten (10) days prior to the date of the Plan Commission's public hearing, the applicant must submit an affidavit stating that the applicant has placed posters on the property providing a brief description of the project and the date, time, and place of the public hearing. (See attached affidavit and sample poster language.)

**PLAN COMMISSION REVIEW:** The Plan Commission must hold a public hearing to consider the request for the Planned Unit Development (Preliminary). The Plan Commission meetings are held on the fourth Monday of every month in the Avon Town Hall located at 6570 East U.S. Highway 36, 46123 at 7:00 PM.

# REQUIREMENTS FOR FILING PLANNED UNIT DEVELOPMENT (PRELIMINARY) CHECKLIST



**An application shall include the following items:**

1. \_\_\_\_\_ One (1) completed checklist, **signed and dated**. (Attach completed copy of this form with the application.) *Mark all items N/A (Not Applicable) which do not apply to your project.*
2. \_\_\_\_\_ One (1) completed application form: typewritten, signed by the owner or an authorized agent of the subject property, notarized, and filed at least forty-five (45) days prior to a scheduled Plan Commission meeting. If application is not complete, staff reserves the right to deny the request to be placed on the Agenda. Be sure to include the following:
 

_____ Project name	_____ Acres
_____ Project address	_____ Number of lots/parcels
_____ Section, Township, Range	_____ Nearest intersection
_____ Key/Parcel number(s)	_____ Current zoning classification
_____ Existing land use	_____ Previous planning/zoning approvals
3. \_\_\_\_\_ If the applicant is not the owner, one (1) signed and notarized Letter Granting Authority for an Agent.
4. \_\_\_\_\_ One (1) copy of the legal description of the property.
5. \_\_\_\_\_ One (1) copy of the Letter of Intent. This should include a brief description of the project.
6. \_\_\_\_\_ Three (3) copies of a Preliminary Plan of the Planned Unit Development District prepared at a scale not less than 1" = 200'. The submission shall include:
  - \_\_\_\_\_ a. Boundary lines --bearings, distances and acreage.
  - \_\_\_\_\_ b. Easements -- location, width and purpose.
  - \_\_\_\_\_ c. Existing land-use adjacent to the site.
  - \_\_\_\_\_ d. General conditions on adjoining land
  - \_\_\_\_\_ e. Zoning on and adjacent to the tract.
  - \_\_\_\_\_ f. Proposed public improvements
  - \_\_\_\_\_ g. Utilities on, adjacent to, the tract
  - \_\_\_\_\_ h. Ground elevation on the tract and on the first 50 feet on all adjacent tracts of land showing one (1) foot contours for land which slopes less than one-half (1/2) percent along with all breaks in grades, at all drainage channels or swells, and at selected points not more than 100 feet apart in all directions; for land that slopes more than one-half (1/2) percent showing two (2) foot contours. Any land within the 100 year floodplain within the project area shall be identified on these plans.
  - \_\_\_\_\_ i. Open space -- all parcels of land intended to be dedicated for public use or reserved for the use of all property owners, with the purpose indicated.
  - \_\_\_\_\_ j. Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the Planned Unit District.
  - \_\_\_\_\_ k. Covenants (see Section 5-11(4)(B)(d))
7. \_\_\_\_\_ Development schedule indicating:
  - \_\_\_\_\_ a. Stages in which project will be built, with emphasis on area, density, use and public facilities, such as open space to be developed with each stage. Each stage shall be described and mapped as a unit of the project. Overall design of each unit shall be shown on the plan and through supporting graphic material; and
  - \_\_\_\_\_ b. Anticipated dates for beginning and completion of each stage.
8. \_\_\_\_\_ Three (3) copies of typical floor plans and elevation plans, including foundation styles and building materials, for all prototype buildings shall be submitted to permit an understanding of the style of the development, the design of the building, and the number, size, and type of dwelling units. Also, the architectural standards proposed to be minimum requirements.

**REQUIREMENTS FOR FILING  
PLANNED UNIT DEVELOPMENT  
(PRELIMINARY) CHECKLIST  
(Cont'd)**



9. \_\_\_ Three (3) copies of preliminary engineering site plans and feasibility reports for:
- \_\_\_ a. Roads, including classification, width of right-of-way, width of pavement, and construction details.
  - \_\_\_ b. Sidewalks.
  - \_\_\_ c. Sanitary sewers.
  - \_\_\_ d. Storm drainage,
  - \_\_\_ e. Water supply system.
  - \_\_\_ f. Street lighting.
  - \_\_\_ g. Public utilities.
10. \_\_\_ Three (3) copies of a landscaping plan depicting the location of all buffer and transitional landscaping areas for the planned unit development and a typical perimeter landscaping cross-section plan for the site.
11. \_\_\_ Three (3) copies of a lighting plan depicting the location, style, size, and level of illumination of all outdoor lighting fixtures for the planned unit development and depicting the light spillage for perimeter planned unit development site. See Section 14-15(11) for requirements for a lighting plan.
12. \_\_\_ Three (3) copies of a traffic study indicating the impact caused by the planned unit development on the street and highway systems operating in the Town will be required along with a check (made payable to **"The Schneider Corp."**)
13. \_\_\_ Additional Surveys and Studies:
- \_\_\_ a. Market Survey
  - \_\_\_ b. Fiscal Impact Analysis
  - \_\_\_ c. Community Impact Analysis
  - \_\_\_ d. Environmental Analysis
  - \_\_\_ e. Permitted Uses
  - \_\_\_ f. Density
  - \_\_\_ g. Developmental Standards
  - \_\_\_ h. Platting Procedures
  - \_\_\_ i. Requested waivers from SCO
14. \_\_\_ Professional Seal of engineer/architect who prepared the site plan
15. \_\_\_ One (1) completed Conflict of Interest Form.
16. \_\_\_ Adjacent property owners list.
17. \_\_\_ Plat map page(s).
18. \_\_\_ Nonrefundable preliminary application fee. (Check made payable to the **"Town of Avon"**).
19. \_\_\_ Design review fee. (Check must be made payable to **"EMH&T"**)

\_\_\_\_\_  
**Signature of Person Completing Application**

\_\_\_\_\_  
**Date**

**PLANNED UNIT DEVELOPMENT  
(PRELIMINARY)  
APPLICATION**  
(Page 1)



**Name of Project:** \_\_\_\_\_

Applicant(s): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Owner(s): \_\_\_\_\_  
 Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

**Applicant's Attorney**

**Applicant's Registered Land Surveyor**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

**Property Location:**

**Street Address:** \_\_\_\_\_

**Nearest Street Intersection:** \_\_\_\_\_

**Section:** \_\_\_\_\_ **Township:** \_\_\_\_\_ **Range:** \_\_\_\_\_

**Key/Parcel Number(s):** \_\_\_\_\_

**Area:** \_\_\_\_\_ **acres**      **Number of Lots:** \_\_\_\_\_

**Miles of New Streets to be Dedicated to the Public:** \_\_\_\_\_ **nearest fraction**  
 (full width)                      (half width)

**Brief description of the PUD:** \_\_\_\_\_

**Existing Zoning Classification:** (check one or all that apply)

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| _____ E-1 Single Family Estate        | _____ R-1 Single Family Residential   |
| _____ R-2 Single Family Residential   | _____ R-3 Single Family Residential   |
| _____ R-4 Multiple Family Residential | _____ R-5 Multiple Family Residential |
| _____ C-1 Neighborhood Commercial     | _____ C-2 General Commercial          |
| _____ C-3 Highway Commercial          | _____ C-4 Transitional Office         |
| _____ I-1 Transitional Industrial     | _____ I-2 Light Industrial            |
| _____ I-3 Heavy Industrial            | _____ I-4 Industrial Park             |
| _____ PUD Planned Unit Development    | _____ SC Shopping Center              |

**Existing Land Use:** \_\_\_\_\_

**Legal Description of the project must be attached to the application.**

**PLANNED UNIT DEVELOPMENT  
(PRELIMINARY)  
APPLICATION**  
(Page 2)



I (We) do hereby apply for approval of the plat or re-plat of the proposed planned unit development or redevelopment of land in accordance with the provisions of the Comprehensive Plan and Subdivision Control Ordinance of Avon, Indiana. I (we) am (are) the owner(s) of the real estate included in the proposed planned unit development. The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

I (We) also understand that the application fee does not include the fees associated with design review and/or construction management review. Fees for design review and/or construction management review are the direct responsibility of the applicant payable directly to the engineering firm(s) specified by the Town at rates set out by various agreements and/or ordinances of the town, for services, inspection, reports, and the like required by the Town.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner(s) or Agent

STATE OF INDIANA            }  
  } SS:  
COUNTY OF HENDRICKS    }

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public: Signature

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

Residing in \_\_\_\_\_ County

<b><u>FOR OFFICE USE ONLY:</u></b>	
DATE RECEIVED: _____	FEE PAID: _____
RECEIVED BY: _____	APPLICATION # _____

# CONTACT INFORMATION



The person indicated below will receive all correspondence between the Plan Commission Staff and the applicant. It shall be the responsibility of the contact person to provide copies of information to other interested parties.

Indicate the Contact Person to be notified to request additional information, schedule meetings, receive Plan Commission Staff Letters and Recommendations, and to receive the Plan Commissions Findings-of-Fact:

**Please type or print legibly.**

Business Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

**LETTER GRANTING AUTHORITY FOR AN AGENT  
PLANNED UNIT DEVELOPMENT  
(PRELIMINARY)  
AVON PLAN COMMISSION  
TOWN OF AVON, INDIANA**



I (We) do hereby grant authority to \_\_\_\_\_  
(Name of agent)

to seek a Planned Unit Development (Preliminary) approval from the Avon Plan Commission for the property  
located at \_\_\_\_\_  
[Property address or parcel ID number(s)]

I (We) am (are) the owner(s) of the real estate included in the proposed Planned Unit Development.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Signature of Owner(s) or Agent

STATE OF INDIANA     }  
                                  } SS:  
COUNTY OF HENDRICKS }

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public: Signature  
\_\_\_\_\_  
Notary Public: Printed Name  
My Commission Expires \_\_\_\_\_  
Residing in \_\_\_\_\_ County

**DISCLOSURE STATEMENT  
PLANNED UNIT DEVELOPMENT  
(PRELIMINARY)  
AVON PLAN COMMISSION  
TOWN OF AVON, INDIANA**



In order to avoid any questions about conflicts of interest, all applicants for permits, and petitioners to the Plan Commission and the Board of Zoning Appeals must disclose any and all financial or business relationships between the applicant and any entity associated with the applicant and any person associated with the Town of Avon, the Avon Town Council, the Avon Plan Commission, and/or the Avon Board of Zoning Appeals. If you are in doubt as to whether or not to disclose something, you should resolve that doubt by disclosing it.

I, \_\_\_\_\_ being duly sworn upon my oath state as follows:

*(Strike inapplicable provision)*

1. A. I am the applicant for a \_\_\_\_\_  
(Type of Action)
- Or
- B. I represent the applicant \_\_\_\_\_ for a  
(Name of Applicant)
- \_\_\_\_\_
- (Type of Action)

4. To the best of my knowledge, the applicant named above has no financial agreements, or contracts or other arrangements between the applicant or any other entity associated with the applicant and anyone associated with the Town of Avon, the Avon Town Council, the Avon Board of Zoning Appeals, or the Avon Plan Commission except:

*(Strike inapplicable provision)*

- A. None
- Or
- B. List any and all contracts, arrangements, or financial agreements, and all entities to such contracts arrangements or financial agreements.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I affirm under the penalties of perjury that the foregoing is correct to the best of my knowledge and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



**SAMPLE PUBLIC NOTIFICATION LETTER  
PLANNED UNIT DEVELOPMENT  
(PRELIMINARY)**

Date: **(Date Letters Mailed)**

Name  
Address **(Mailing Address of Adjacent Property Owner)**  
City, State, and Zip Code

Dear: **(Name of Adjacent Property Owner):**

Please be advised that the undersigned property owner or agent for the property owner has made application to the Avon Plan Commission for a **(Number of Lots)** lot(s) planned unit **(Type of Use)** development to be know as **(Name of Project)** in the Town of Avon, Indiana, in Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_ located near **(Give the Location of the Property to be Rezoned in Relationship to the Nearest Street Intersection).**

A copy of this application, legal description, and all preliminary plans pertaining to this proposed planned unit development are on file and available for examination prior to the public hearing in the office of the Planning and Zoning Department at the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana 46123, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written objections to a proposal may be filed with the Plan Commission Staff within ten (10) days after the receipt of this letter at the above address and such objections will be considered.

The Avon Plan Commission will hold a public hearing on this proposed planned unit development in the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana 46123 on **(Date of the Public Hearing)** at 7:00 PM.

Very truly yours,

**(Name and Signature of Applicant  
or Agent for the Applicant)**

**AFFIDAVIT OF SIGN POSTING  
 PLANNED UNIT DEVELOPMENT  
 (PRELIMINARY)  
 AVON PLAN COMMISSION  
 TOWN OF AVON, INDIANA**



**Affidavit must be submitted prior to the scheduled public hearing.**

STATE OF INDIANA            )  
   ) SS:  
 COUNTY OF HENDRICKS    )

RE:    Request for Planned Unit Development (Preliminary) before the Avon Plan Commission

\_\_\_\_\_  
 (Name of Project)

I, \_\_\_\_\_, after being first duly sworn states:  
 (Name of Person Posting Sign)

1. That the Avon Subdivision Control Ordinance which requires the posing of a sign on the property being considered for preliminary planned unit development review, as adopted by the Avon Plan Commission, has been fully complied with in connection with the above referenced request; and
2. That said sign(s) was (were) duly erected on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in full compliance with the requirements of the Avon Subdivision Control Ordinance and the sign(s) remain(s) on said property to this date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 (Signature of Person Posting Sign)

STATE OF INDIANA            )  
   ) SS:  
 COUNTY OF HENDRICKS    )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Notary Public: Signature

\_\_\_\_\_  
 Notary Public: Printed Name

My Commission Expire: \_\_\_\_\_

Residing in \_\_\_\_\_ County

# NOTICE OF PUBLIC HEARING

The Avon Plan Commission will consider \_\_\_\_\_

---

(Case Number and Name)

This case will be heard on \_\_\_\_\_  
(Day, Date and Time)

at a public hearing in the Avon Town Hall, 6570 East U.S.  
Highway 36, Avon, Indiana 46123.

**For additional information, call 317-272-0948**