

APPLICATION PROCEDURES PLANNED UNIT DEVELOPMENT (FINAL)



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 (final), the applicant must schedule an appointment with the Plan Commission Staff for an in-house or on-site preliminary consultation to discuss the proposed project. The applicant should provide a sketch showing the preliminary details of the project. The applicant's engineer is also encouraged to attend this meeting. 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 **final plan** including the topographic overlay and area map;
3. A **legal description** of the property; and
4. An **application fee** payable by check to the **Town of Avon**.

FEES: *Fees are Nonrefundable* The following fees apply to a planned unit development (final):

(Please see fee schedule)

1. Application Fee by check made payable to **Town of Avon**.
2. Legal Advertisement by check made payable to **Town of Avon**.

FILING JOINTLY FOR PRELIMINARY AND FINAL PUD APPROVAL: An applicant may file jointly for preliminary and final PUD approval, if the submittal meets the requirements for final review as set forth in the Avon Zoning Ordinance and this application. In the event that preliminary and final PUD approval are granted at the same Plan Commission meeting, the final PUD approval will be conditioned on the approval of the zoning map amendment by the Town Council. When filing for preliminary and final PUD approval jointly, both the preliminary and final PUD review applications must be submitted, along with the application filing fees for each review.

WAIVERS: Where compliance to the Town of Avon Subdivision Control Ordinance Standards cannot be achieved, an application for a waiver from the standards of the Ordinance may be submitted with an application for preliminary plat approval. Such application shall be submitted on the form included in this packet and is subject to an additional fee by check made payable to **EMH & T**.

STAFF REVIEW: The Avon Plan Commission 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 these concerns and submit revised plans approximately two (2) 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 meeting.

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PUBLIC NOTIFICATION: The following public notification is required for a final planned unit development review:

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.
2. **WRITTEN NOTIFICATION:** The applicant must mail letters by first class US Mail 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 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 location of the public hearing. (See attached affidavit and sample poster language.)

PLAN COMMISSION MEETING: 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, Avon, Indiana 46123 at 7:00 PM.

REQUIREMENTS FOR FILING PLANNED UNIT DEVELOPMENT (FINAL) 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. ___ The petitioner shall submit three (3) copies of a final plan. The Final Plat of the planned unit development shall include, but not be limited to:
 - ___ Area map insert showing the general location of the proposed subdivision;
 - ___ Location map showing the zoning, land use and owners of adjacent properties;
 - ___ Topographic contour every five (5) feet superimposed upon the Final Plan;
 - ___ Proof of final approval of Engineering Site Plans;
 - ___ Designation of the location of all buildings envelopes, and a designation of the specific internal uses of each building;
 - ___ Location and name of all existing and proposed public and private roads, access easements and rights-of-way within two hundred (200) feet of the real estate;
 - ___ Sidewalk plan or alternative plan for pedestrian ways;
 - ___ General location, purpose, and height of each building, including construction details, showing center line elevations, pavement type, curbs, gutters, culverts, etc., and a street numbering designation shall be furnished for each building;
 - ___ Certifications, seals, and signatures required for the dedication of land and recording of the document;
 - ___ Tabulation on each separate subdivided use area, including land area, number of buildings, floor area, building height, the amount and location of common open space, the hours of operation, number of employees, and specific uses, and the number of dwelling units per acre;
 - ___ Construction schedule;
 - ___ Provide information on all service facilities, driveways, private streets, paths and off-street parking facilities; and
 - ___ Final restricted covenants that will govern the use, maintenance, and continue protection of the planned unit development and any of its common open space. Proposed condominium declaration and by laws of condominium form of ownership or homeowners association if it is to be used in the planned unit development.

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



7. ____ Three (3) copies of preliminary architectural plans for all primary buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the building, and the number, size, and type of dwelling units including the proposed architectural standards to be established as the minimum.
8. ____ Three (3) copies of a detailed landscape planting plan for the site including a plant list containing the common and botanical names, sizes at the time of installation, and quantities of all plants, permanent signs and street fixtures. A "typical" planting detail may be provided for any area such as a building foundation that will use a specific planting layout in more than one location on the site.
9. ____ Professional Seal of engineer/architect who prepared the site plan
10. ____ One (1) completed Conflict of Interest Form.
11. ____ Adjacent property owners list.
12. ____ Plat map page(s).
13. ____ Nonrefundable final application fee. (Check made payable to the **"Town of Avon"**).

Signature of Person Completing Application

Date

APPLICATION FOR A PLANNED UNIT DEVELOPMENT (FINAL)



Name of PUD: _____ **Section No.** _____

Applicant(s): _____ Telephone: _____
 Address: _____ Fax: _____
 Owner(s): _____ Telephone: _____
 Address: _____

Applicant's Attorney **Applicant's Registered Land Surveyor/Engineer**
 Name: _____ Name: _____
 Address: _____ Address: _____
 Telephone: _____ Telephone: _____

Property Location

Street Address: _____
Nearest Street Intersection: _____
Section: _____ **Township:** _____ **Range:** _____
Key/Parcel Number(s): _____
Area: _____ **acres** **Number of Lots:** _____

Existing Zoning Classification: (check on 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.

APPLICATION FOR A PLANNED UNIT DEVELOPMENT (FINAL)



I (We) do hereby apply for approval final layout of the proposed planned unit development or redevelopment of land in accordance with the provisions of the Comprehensive Plan Zoning 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, inspections, 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

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County

FOR OFFICE USE ONLY:	
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
(FINAL) PLANNED UNIT DEVELOPMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



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

to seek Final Planned Unit Development 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 Final 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
(FINAL) PLANNED UNIT DEVELOPMENT
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)

2. 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)

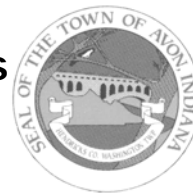
- A. None
Or
B. List any and all contracts, arrangements, or financial agreements, and all entities to such contracts arrangements or financial agreements.

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

Date

Signature

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
(FINAL) PLANNED UNIT DEVELOPMENT
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 Final Planned Unit Development Review before the Avon Plan Commission

(Name of Project)

I, _____, do hereby certify that notice to
(Name of Person Mailing Letters)

interested parties of the date, time, and place of the public hearing on the above referenced planned unit development, Project Number _____, being the application for _____ was
(Name of Project)

mailed to the last known address of each of the following interested persons owning property affected by this petition as defined in the Avon Zoning Ordinance (attach additional sheets, if necessary):

	<u>OWNER(S)</u>	<u>ADDRESS</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

And, that said notices were sent by first class mail on or before the _____ day of _____, 20____, being at least ten (10) days prior to the date of the public hearing.

(Applicant 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

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

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 Final Planned Unit Development to be known as **(Name of Project)** in the Town of Avon, Indiana, in Section _____, Township _____, Range _____ located near **Give the Location of the Project in Relationship to the Nearest Street Intersection.**

A copy of this application, legal description, and all 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 Avon Town Hall at the above address and such objections will be considered.

The Avon Plan Commission will hold a public hearing on this proposed Final 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
(FINAL) PLANNED UNIT DEVELOPMENT
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 Final Planned Unit Development Review before the Avon Plan Commission

(Project Number)

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

1. That the Avon Zoning Ordinance which requires the posting of sign on the property being considered for final 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 Zoning 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 Expires: _____

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.