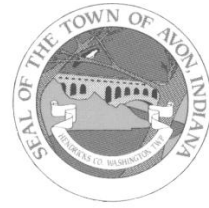


PLANNED UNIT DEVELOPMENT (DETAILED AMMENDMENT) APPLICATION PROCEDURES



DEFINITION: Any change to an approved PUD that would modify or terminate a condition of approval, modify or terminate a commitment of approval, increase the density or intensity of the project (e.g. additional structures, additional square footage, etc...), a new right-of-way is proposed, a right-of-way is proposed to be removed from the approved PUD zoning district, concept plan, Development Plan Review or Primary Plat for the project, the ratio of platted lot area to common area and/or open space is being increased, or the boundary of the area included in the PUD zoning district is being expanded to include additional area or contracted to exclude areas previously included in the approved PUD zoning district. *A detailed amendment must receive consent of at least fifty-one percent (51%) of the owners of record of all properties included within the PUD zoning district, except for PUD amendments initiated by the Avon Town Council in which case property owner consent is not needed.* Detailed amendments must go before the Plan Commission for a scheduled public hearing, but do not require an informational meeting in front of the Plan Commission. Once all preliminary steps are completed, the amendment may proceed directly to the public hearing.

PRELIMINARY APPLICATION: An applicant for a Planned Unit Development (Detailed Amendment) must schedule a Pre-Filing conference between the petitioner and the Zoning Administrator a minimum of ten (10) days prior to the filing of a proposed PUD amendment. The petition shall provide a minimum of the draft PUD zoning district ordinance text and a Preliminary Plan. Standards for the information required of the documents necessary for a Pre-Filing Conference shall be as per Appendix A-8 of the Avon Zoning Ordinance. 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. **If the application fails to meet all requirements of a complete submittal, staff reserves the right to deny the request to be placed on the agenda and the case may be continued to the next scheduled meeting.** All applications will be reviewed for completeness and accuracy prior to acceptance. Please refer to the Application Checklist in this packet for a complete list of information that must be submitted. The following information is just a portion of the items that must be submitted with the application:

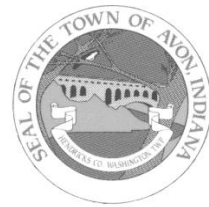
- A **notarized application** filed at least fifty (50) days before the date of the Plan Commission's public hearing;
- A copy of the **proposed ordinance** specifying the requested change;
- Three (3) copies of the **preliminary plan** including the topographic overlay and area map as per Appendix A-8 PUD Concept Plan;
- A **legal description** of the property;
- 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 sample notification letter**;
- An **application fee** payable by check to the Town of Avon.
- Affidavits of submittal to each affected TAC agency (or letters waiving need to see plans).

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

(Please see fee schedule online at avongov.org)

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.**
4. Engineering Review Fee by check made payable to **Crossroads Engineering.**

PLANNED UNIT DEVELOPMENT (DETAILED AMENDMENT) APPLICATION PROCEDURES



NEIGHBORHOOD MEETING: The petitioner shall be responsible to host a neighborhood meeting for abutting property owners a minimum of fifteen (15) days prior to the scheduled public hearing date. Mail notification of this Neighborhood Meeting shall be provided in accordance with the Legal Notice provisions of Chapter 3 of the Avon Zoning Ordinance and with the Rules of Procedure of the Town of Avon Plan Commission. Notice of this Neighborhood Meeting does not need to be provided by Certified Mailing and does not need to be published in papers of general circulation. The Neighborhood Meeting shall not constitute a public hearing on the proposed Planned Unit Development, and shall not be administered by Town staff or appointed board members as such. No action may be taken on any proposed PUD zoning district at a Neighborhood Meeting, and no comments, proposed changes, or requested changes shall be considered binding.

- (a) A report detailing the events, attendance, and information presented by the petitioner at the Neighborhood Meeting shall be submitted to the petition file a minimum of ten (10) days prior to the scheduled public hearing.
- (b) Copies of this report shall be distributed to the membership of the Avon Plan Commission by the staff of the Town of Avon as a component of any staff report provided prior to the public hearing.
- (c) Any person or persons in attendance at the Neighborhood Meeting may submit written questions, concerns, or desired changes to the petition file up to and including the date of the scheduled public hearing.

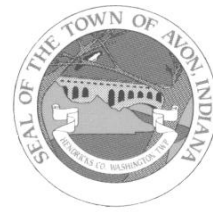
(1) Copies of comments submitted by persons in attendance at Neighborhood Meetings will be provided to Avon Plan Commission members as indicated in (b) above.

TAC SUBMITTAL AND REVIEW: *The applicant shall be responsible for the submittal of any proposed project within the Town of Avon to members of the Technical Advisory Committee (TAC). A Copy of TAC members and contact information can be found online at avongov.org or provided at Avon Town Hall. 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 after the TAC 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 Flyer for publication at least ten (10) days prior to the date of the Plan Commission's public hearing.
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.) Metal stake signs are available at Avon Town Hall for use in posting notification on the subject property.

REQUIREMENTS FOR FILING PLANNED UNIT DEVELOPMENT (DETAILED AMENDMENT) CHECKLIST



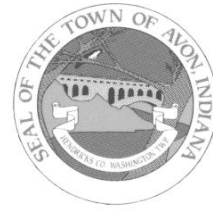
PLAN COMMISSION REVIEW: The Plan Commission must hold a public hearing to consider the request for the Planned Unit Development (Detailed Amendment). The Plan Commission meetings are held on the fourth Monday of every month in the Avon Town Hall located at 6570 East U.S. Highway 36, 46123 at 7:00 PM.

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 fifty (50) 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. Text and Table Submittals:
 - ____ 1. Legal Description;
 - ____ 2. Letter of Intent;
 - ____ 3. Draft PUD district zoning standards including Development Standards;
 - ____ 4. Comparison of proposed standards and existing Avon ZO standards;
 - ____ 5. Permitted Use table;
 - ____ 6. Comparison of permitted uses and existing Avon ZO permitted uses;
 - ____ 7. Proposed infrastructure standards;
 - ____ 8. Comparison of existing infrastructure standards and proposed standards;
 - ____ 9. Market Survey;
 - ____ 10. Fiscal Impact Analysis
 - ____ 11. Traffic Analysis;
 - ____ 12. Phasing Schedule;
 - ____ 13. Proposed Commitments; and
 - ____ 14. Draft Covenants.

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



B. Graphic Submittals

- _____ 1. Survey / Plot Plan;
- _____ 2. Area Map;
- _____ 3. Existing site plan;
- _____ 4. Topography;
- _____ 5. Existing waterways and wetlands;
- _____ 6. Tree Identification Plan;
- _____ 7. Proposed underlying zoning district plan;
- _____ 8. Yield Plan
- _____ 9. PUD Concept Plan;
- _____ 10. PUD Open Space Plan;
- _____ 11. PUD Alternative Transportation Network Plan;
- _____ 12. Proposed infrastructure plan;
- _____ 13. Sample Floor Plans and Elevations;
- _____ 14. Sample lighting plan; and
- _____ 15. Sample landscaping plan;

7. _____ Phasing 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. Proposed earliest and latest dates for beginning and completion of each stage.
- _____ C. Any limits to beginning construction of any specific section based on completion of all or a portion of any other section.

8. _____ Additional Surveys and Studies:

- A. The Zoning Administrator may require additional documents.
 - 1. The Zoning Administrator shall inform the petitioner of such requirements during the Zoning Administrator review stage.
- B. The Zoning Administrator may waive any of the aforementioned requirements if upon examination such information or data is not relevant to the review of the Planned Unit Development District.

9. _____ Nonrefundable preliminary application fee. (Check made payable to the **"Town of Avon"**).

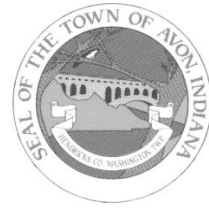
10. _____ Design review fee. (Check must be made payable to **"Crossroads Engineering"**)

* **Specific information regarding submittal requirements can be found in Appendix A, Section A-8 and Chapter 5 Section 7 of the Zoning Ordinance.**

Signature of Person Completing Application

Date

**PLANNED UNIT DEVELOPMENT
(DETAILED AMENDMENT)
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**

Approximate Number of Dwelling Units: (Max.) _____ (Min.) _____

Approximate Square Footage of Commercial: (Max.) _____ (Min.) _____

Approximate Acreage of Open Space: (Max.) _____ (Min.) _____

Miles of New Streets to be Dedicated to the Public: _____ **nearest fraction**
(Full width) (Half width)

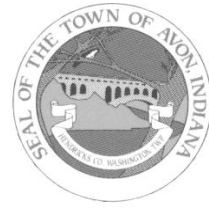
Brief description of the PUD: _____

Existing Zoning Classification: (list all that apply) _____

Existing Land Use: _____

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

**PLANNED UNIT DEVELOPMENT
(DETAILED AMENDMENT)
APPLICATION
(Page 2)**



I (We) do hereby apply for approval 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

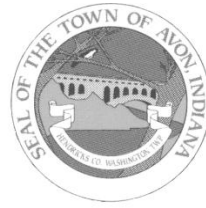
_____ Printed Name

My Commission Expires: _____

Residing in _____ County

<u>FOR OFFICE USE ONLY:</u>	
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: _____

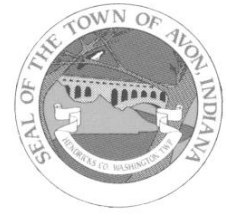
Address: _____

Daytime Phone: _____

Fax Number: _____

E-mail: _____

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



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

to seek a Planned Unit Development (Detailed Amendment) 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 _____.

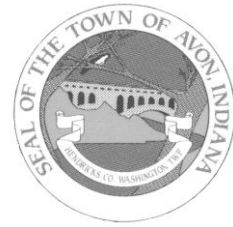
Notary Public: Signature

Notary Public: Printed Name

My Commission Expires _____

Residing in _____ County

**DISCLOSURE STATEMENT
 PLANNED UNIT DEVELOPMENT
 (DETAILED AMENDMENT)
 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)

5. 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
(DETAILED AMENDMENT)**

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 **(Type of Use)** planned unit development project to be know as **(Case Number, Case Name and a brief description of the 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).**

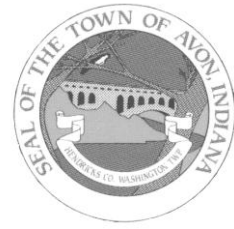
A copy of this application, legal description, and all preliminary plans pertaining to this proposed planned unit development are on file and available for examination prior to the public hearing in the office of the Planning and Zoning Department at the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana 46123, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Objections to a proposal may be filed in writing to the Plan Commission Staff up to and including the date of the public hearing. Written objections should be sent to the Avon Town Hall at the above address and such objections will be considered. Objections may also be voiced at the scheduled public hearing below in accordance with the rules of procedure.

The Avon Plan Commission will hold a public hearing on this proposed planned unit development (preliminary) 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
 (DETAILED AMENDMENT)
 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 (Detailed Amendment) before the Avon Plan Commission

 (Name of Project)

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

1. That the Avon Zoning 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 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 Expire: _____

Residing in _____ County

NOTICE OF PUBLIC HEARING

The Avon Plan Commission will consider

(Case Number)

(Case 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**