

CITY OF SHELBYVILLE



PLANNED UNIT DEVELOPMENT APPLICATION PACKET

Shelbyville Planning & Building Department
Plan Commission
44 W. Washington Street
Shelbyville, IN 46176
317-392-5102
www.cityofshelbyvillein.com

Quick Check List

- Completed Application (notarized) – 10 copies
- Completed Finding of Facts sheet – 10 copies
- Site plans and other supporting materials – 10 copies
- Letter of Intent – 10 copies
- Notarized Affidavit & Consent of Property Owner (if the petitioner doesn't own the property)
- Property Deed with Legal Description of land for the file
- Filing Fee – check made payable to the City of Shelbyville
- Completed Post Office Form 3877
- Attend Meeting

DEADLINE DATE: _____

MEETING DATE: _____

PLANNED UNIT DEVELOPMENT APPLICATION PROCEDURES

Origination of Proposals

Any applicant may propose a Planned Unit Development district in accordance with the procedures established in Article 5 of the Shelbyville Zoning Ordinance. The applicant making the proposal must intend to act as the developer or sponsor of the development. A parcel or site proposed for a Planned Unit Development may or may not be under single ownership. However, if not under single ownership, the multiple owners must have a contractual agreement (1) not to develop the parcels separately, and (2) in which the separate owners have given their express intentions to enter into such private agreements and to assure its completion as planned and to the satisfaction of the Plan Commission.

Detailed Plan Decision Criteria

In reviewing the Planned Unit Development Detailed Plan application, the Plan Commission and Common Council shall pay reasonable regard to the following, consistent with IC 36-7-4-603:

1. Requirements & Intent: The extent to which the proposal fulfills the requirements and intent of Article 5 of the Zoning Ordinance and the Subdivision Control Ordinance.
2. Planning Documents: The Comprehensive Plan and any other applicable, adopted planning studies or reports;
3. Characteristics: The current conditions and the character of current structures and uses in each zoning district;
4. Desired Use: The most desirable use of which the land in each district is adapted;
5. Property Values: The conservation of property values throughout the City of Shelbyville's jurisdiction; and
6. Growth Management: Responsible growth and development.

General Procedure

The general procedure for establishing a Planned Unit Development (PUD) is as follows:

1. Sketch Plan: Prior to filing a PUD petition, the applicant must submit a sketch plan to the Plan Commission Director. The Plan Commission Director will make a cursory review of the sketch plan and give the applicant comments within 30 days of submission.
2. Conceptual Plan: The applicant then files a Conceptual Development Plan application and supporting materials with the Plan Commission Director.
 - a. The Technical Review Committee reviews the application materials and provides comments to the applicant.
 - b. The application is placed on the City Council agenda for review, then forwarded to the Plan Commission.
 - c. The application is placed on the agenda of the Plan Commission for a public hearing and for review of the Conceptual Development Plan.
 - d. The Plan Commission reviews and takes action on the petition.
3. Detailed Plan & Rezoning: The applicant then files a Planned Unit Development Detailed Plan application and supporting materials with the Plan Commission Director. If a subdivision is required, a Preliminary Plat shall also be filed at this time and shall follow the procedures established by the Shelbyville Subdivision Control Ordinance.
 - a. The Technical Review Committee reviews the application materials and provides comments to the applicant.
 - b. The application is placed on the City Council agenda for review, then forwarded to the Plan Commission.
 - c. The application is placed on the agenda of the Plan Commission for a public hearing on the rezoning of the property, the Detailed Development Plan, and the Preliminary Plat (if applicable).
 - d. The Plan Commission reviews the petition and forwards a recommendation to the City Council.
 - e. The City Council reviews the proposed Planned Unit Development, and takes action on the request. If the PUD is approved, the Official Zoning Map will be amended to reflect the zoning change.
4. Subdivision: The Plan Commission must have approved the Detailed Development Plan prior to the issuance of any Improvement Location Permit. If a subdivision is required, the Preliminary and Final Plats must also be

approved, consistent with the requirements of the Shelbyville Subdivision Control Ordinance, prior to the issuance of an Improvement Location Permit.

5. Signatures & Filing: When approved, the Plan Commission President and Secretary shall sign the Detailed Development Plan. The approved Detailed Plan, including all development requirements serving as the zoning requirements on the subject property, shall be filed with the Plan Commission Director by the applicant. The documents must clearly state that the development requirements and any written commitments are enforceable by the Plan Commission
6. Covenant Recording: Any covenants for the development shall be recorded with the Shelby County Recorder. The documents must (a) clearly distinguish covenants for the development requirements and written commitments and (b) indicate that covenants are private agreements that are not enforceable by the Plan Commission. The developer must provide 1 copy of the recorded covenants to the Plan Commission Director.

Expiration, Abandonment, & Extensions

Expiration: Detailed Plans shall expire 2 years from the date of adoption of the Planned Unit Development ordinance by the Common Council if, in the opinion of the Plan Commission Director, no construction activity has begun. Any corresponding Preliminary Plat approval shall also expire at the time of Detailed Plan expiration.

Abandonment: The PUD may be considered officially abandoned if, in the opinion of the Plan Commission Director, the development is incomplete and no, or minimal, construction activity has occurred for a period of 5 consecutive years. Any outstanding surety for the project may be used by the City consistent with the Subdivision Control Ordinance provision for subdivision surety.

Extensions: An extension, not to exceed 6 months, for accomplishing any processes required by this Article, or for resuming construction activity in an abandoned development, may be granted by the Plan Commission upon written request from the Applicant. All requests for extensions must occur a minimum of 30 days prior to the applicable deadline.

Rezoning: The Plan Commission may initiate a rezoning for any property included in a Planned Unit Development that has been abandoned or for which the Detailed Plan approval has expired. Any rezoning by the Plan Commission shall meet all applicable requirements for the rezoning process provided by Chapter 12.5 of the Zoning Ordinance.

Public Hearing Notification

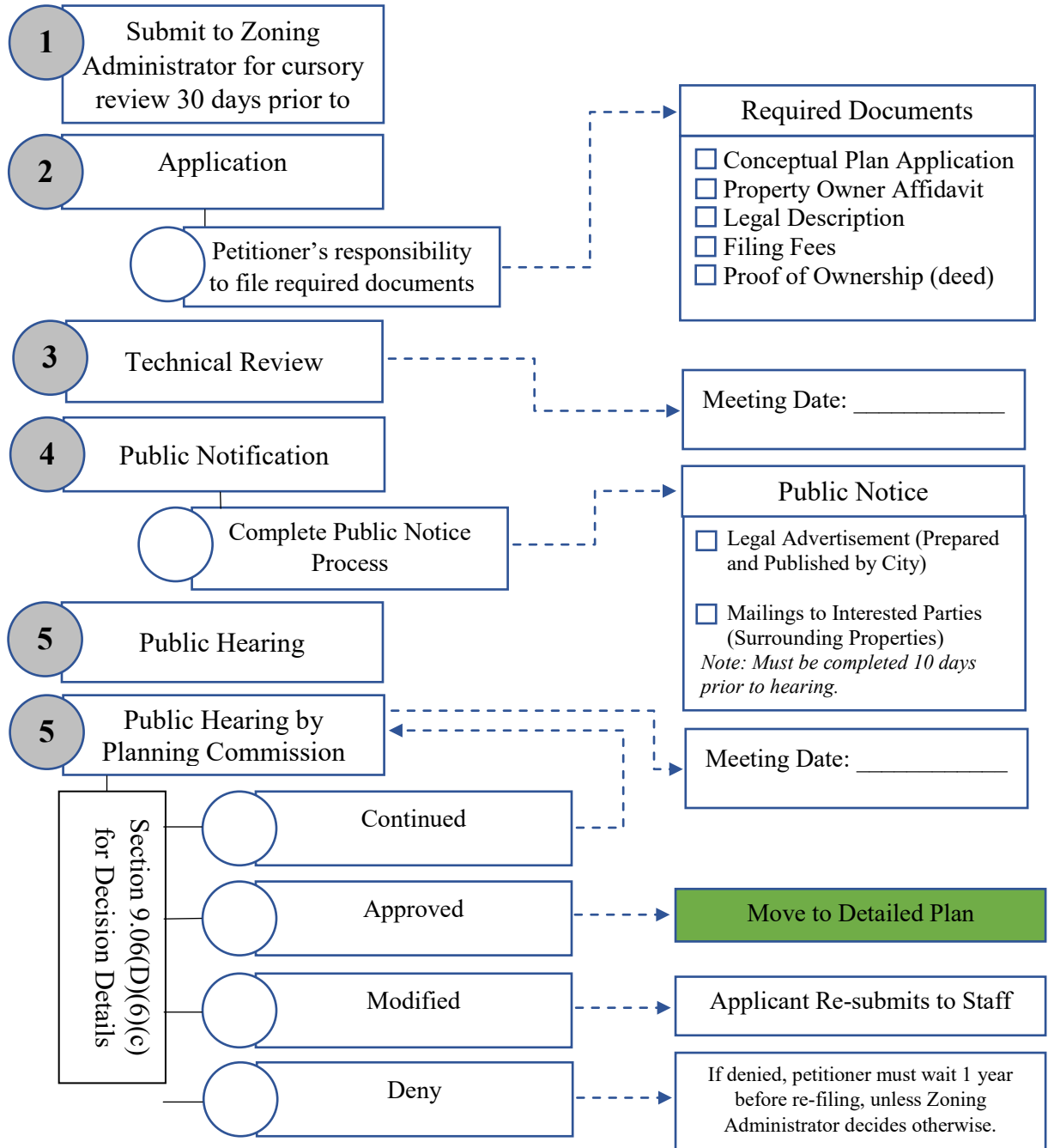
Notice of Public Hearing for the Plan Commission is to be completed as set forth in Chapter 9 of the Shelbyville Unified Development Ordinances. The City of Shelbyville is responsible for placing the Notice of Public Hearing in the local newspaper. The legal advertisement must run at least 10 days prior to the hearing (not including the date of the hearing). The applicant is responsible for:

1. Notice to Interested Parties: The applicant is responsible for preparing and distributing written notice of the petition (including the same information found in the Legal Notice) to all property owners within a defined radius of the subject property. Names and addresses of those property owners will be provided by the Plan Commission staff. The notices must be sent at least once, at least 10 days prior to the hearing. Notice may be distributed through either a certificate of mailing (requiring USPS Form #665), certified mail, or hand delivery (requiring signatures on form provided by Plan Commission Office).
2. Notification Certification: A copy of the materials provided to each property owner, the completed mailing and/or delivery forms, and a signed and notarized Affidavit of Notice certifying the correctness of the mailing list shall be provided to the Plan Commission Director by the petitioner a minimum of 2 business days prior to the date of the public hearing.

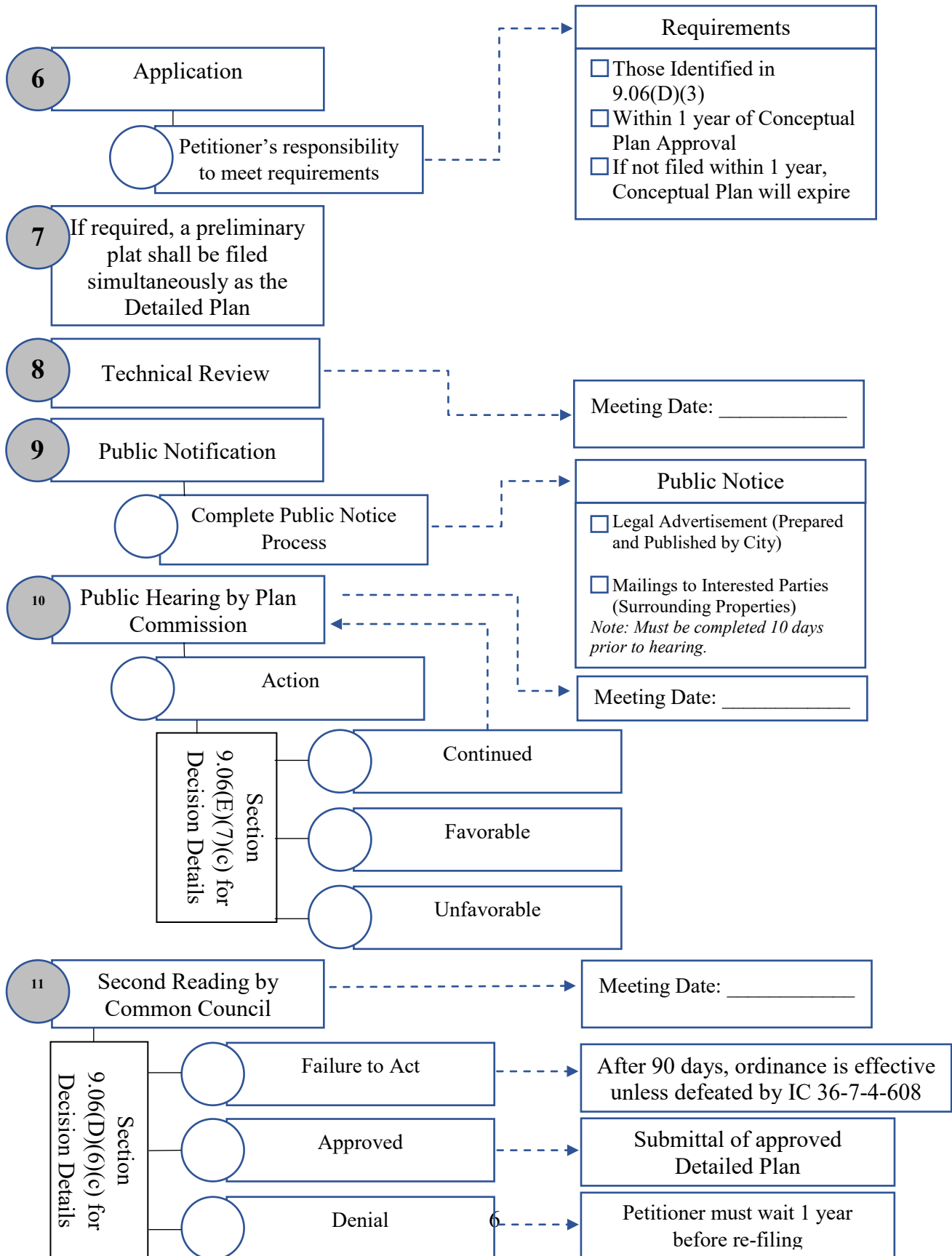
9.06 Planned Development

Process Outline

Conceptual Plan



9.06 Detailed Plan





PUD CONCEPTUAL PLAN APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

<i>For Office Use Only:</i>	
Case #: PC _____ - _____	
Hearing Date: _____	
Fees Paid: \$ _____	
Final Decision:	
Approved	Denied

1.

Applicant

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

Property Owners Information (if different than Applicant)

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

2.

Applicant's Attorney/Representative

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

Project Engineer

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

3. Project Information:

General Location of Property (and address is applicable): _____

Current Zoning: _____ Existing Use of Property: _____
Proposed Zoning: _____ Proposed Use: _____
Proposed Name of Development: _____ Proposed No. of Lots/Density _____

4. Attachments

- Affidavit and Consent of Property Owner (if applicable)
- Proof of Ownership (copy of deed, recent property card)
- Letter of Intent
- Proposed Conceptual Plan
- Vicinity Map
- Application Fee
- Additional Supporting Materials (Optional)

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: _____ Date: _____

State of _____)
County of _____) SS:

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public / Printed

Residing in _____ County. My Commission Expires: _____



PUD DETAIL PLAN APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

<i>For Office Use Only:</i>	
Case #: PC _____ - _____	
Hearing Date: _____	
Fees Paid: \$ _____	
Final Decision:	
Approved _____	Denied _____

1.

Applicant

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

Property Owners Information (if different than Applicant)

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

2.

Applicant's Attorney/Representative

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

Project Engineer

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

3. Project Information:

General Location of Property (and address is applicable): _____

Current Zoning: _____ Existing Use of Property: _____
Proposed Zoning: _____ Proposed Use: _____
Proposed Name of Development: _____ Proposed No. of Lots/Density _____

4. Attachments

- Affidavit and Consent of Property Owner (if applicable)
- Proof of Ownership (copy of deed, recent property card)
- Letter of Intent
- Proposed Detail Plan
- Vicinity Map
- Additional Materials Described In UDO 9.06
- Application Fee

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: _____ Date: _____

State of _____)
County of _____) SS:

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public / Printed

Residing in _____ County. My Commission Expires: _____

**AFFIDAVIT & CONSENT OF PROPERTY OWNER
APPLICATION TO THE SHELBYVILLE PLAN COMMISSION**

State of Indiana)
County of Shelby) SS:

I, _____, AFTER BEING DULY SWORN, DEPOSE AND SAY THE
(Name of the property owner)

FOLLOWING:

1. That I am the owner of real estate located at _____;
(Address of affected property)
2. That I have read and examined the Application made to the Shelbyville Plan Commission Appeals by: _____
(Name of applicant)
3. That I have no objections to and consent to the request(s) described in the Application made to the Shelbyville Plan Commission.

Owner's Name (Please print)

Owner's Signature

State of Indiana)
County of Shelby) SS:

Subscribed and sworn to before me this _____ day of _____, _____

Notary Public / _____
Printed

Residing in _____ County. My Commission Expires _____

ORDINANCE NUMBER _____

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF SHELBYVILLE, INDIANA, AND TO REPEAL ALL ORDINANCES IN CONFLICT THEREWITH TO THE EXTENT OF SUCH CONFLICT ONLY

BE IT ORDAINED by the Common Council of the City of Shelbyville, Indiana, as follows, to-wit:

Section 1. That the following tract of real estate in the City of Shelbyville, Indiana, described as follows:

[Insert Legal Description Here]

be, and the same is, hereby rezoned from a(n) _____ classification to a(n) _____ classification.

Section 2. Any ordinance of the City of Shelbyville, Indiana, which is in conflict with the terms and provisions of this ordinance is hereby repealed, to the extent of such conflict only, as to the above-described real estate only.

PASSED ON FIRST READING THIS _____ DAY OF _____ - BY A VOTE OF _____ AYES AND _____ NAYS,

Tom DeBaun, Mayor

ATTEST:

Frank Zerr, City Clerk-Treasurer

PASSED ON SECOND READING THIS _____ DAY OF _____, _____ BY A VOTE OF _____ AYES AND _____ NAYS.

Tom DeBaun, Mayor

ATTEST:

Frank Zerr, City Clerk-Treasurer

Presented by me to the Honorable Mayor this _____ day of _____, _____

Frank Zerr, City Clerk-Treasurer

APPROVED by me this _____ day of _____, _____

Tom DeBaun, Mayor