



Town of Cumberland, Indiana
Department of Planning & Development

**APPLICATION PROCEDURES
FOR SECONDARY PLANNED UNIT DEVELOPMENT (PUD)**

A Planned Unit Development (PUD) is an area of a minimum contiguous size, as specified by ordinance, to be planned and developed containing residential, commercial, industrial, or other permitted land use or a combination of these.

Prior to Filing Application: Prior to submitting an application for a development plan review the applicant must schedule an appointment with the Plan Commission Staff for a preliminary consultation to discuss the proposed project and its timeline. The Plan Commission schedule shows the deadline for preliminary consultations for each filing deadline. At this meeting the applicant should provide a sketch showing the preliminary details of the project. There is no fee for this meeting.

Application: The application will not be considered complete until all information is received. All applications and supplemental materials must be submitted by close of business on the posted schedule deadline unless stated otherwise and must be completed on the Town's most current application forms. Applications may be picked up at the Cumberland Town Hall, 11501 E. Washington Street, or downloaded at www.town.cumberland.in.us. 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 thirty (30) days prior to the date of the Plan Commission's public hearing;
2. Five (5) copies of the **preliminary plan** showing topographic overlay and area map;
3. **Legal description** of the property;
4. A **Letter of Intent** identifying the scope and nature of the proposed project; and
5. **Application fees** as set forth below.

Fees: Fees are nonrefundable and are as follows:

- **Application Review Fee** \$750 plus \$10 per lot by check made payable to the **Town of Cumberland**. New Materials submitted following a continuance will be subject to a \$100 review fee each time.
- **Design Review Fee** of \$1,100 made out to the CrossRoad Engineers, PC. This fee includes up to 4 hours of review; (1) TAC Meeting; and (1) Plan Commission Meeting. Review and meeting representation that exceeds this will be billed at a rate of \$120 per hour.
- **Construction Plan, Drainage Calculation & SPPP Review Fee** of \$1,250 made out to CrossRoad Engineers, PC. This fee includes up to 4 hours of review; (1) TAC Meeting; and (1) Plan Commission Meeting. Review and meeting representation that exceeds this will be billed at a rate of \$125 per hour.
- **Traffic Study Review Fee** of \$1,100 made out to the CrossRoads Engineers, PC

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 Cumberland 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



Town of Cumberland, Indiana
Department of Planning & Development

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 Cumberland 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 additional fees as follows:

- \$50 made payable to the Town of Cumberland
- \$120 for the first and \$75 for each additional made payable to CrossRoads Engineers, PC.

Technical Review: The Cumberland Plan Commission Staff will schedule a technical review meeting, where Town Staff, including the Town's consulting Engineer(s), will provide written comments. The petitioner will be given an opportunity to address the concerns and submit revised plans, according to the Plan Commission Meeting Schedule. 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 comments will be made available to the applicant prior to the public hearing.

Public Notification: The following public notification if required –

1. **Written Notification:** The applicant must mail letters by certified 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 within 660 feet or two (2) properties deep, whichever is less. The applicant should follow the format of the sample letter included in this packet for mailings. A copy of the draft letter shall accompany the application for staff to review and a copy of the letter mailed and signed affidavit attesting to the mailing of the letters shall be submitted to staff prior to the public hearing. If this information is not received prior to the Plan Commission meeting, this will be grounds for an automatic continuance of the case to the next available Agenda.
2. **Newspaper Notification:** The Plan Commission Staff will submit legal notices to the Indianapolis Star East and Greenfield Reporter newspapers for publication at least ten (10) days prior to the date of the Plan Commission hearing.

Plan Commission Meeting: The Plan Commission meetings are held on the fourth Wednesday of every month, as long as there is business pending before the Commission, in the Cumberland Town Hall located at 11501 E. Washington St. at 7:00 p.m., unless notified differently.



Town of Cumberland, Indiana
Department of Planning & Development

REQUIREMENT FOR FILING PRELIMINARY PUD REVIEW 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 thirty (30) 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 copy of the 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;



Town of Cumberland, Indiana
Department of Planning & Development

- ___ 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.
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. ___ Five (5) copies of preliminary covenants
11. ___ Five (5) copies of the preliminary PUD ordinance (development standards)
12. ___ Five (5) copies of typical elevations and floor plans.
13. ___ Adjacent property owner(s) list and completed sample notification letter.
14. ___ Nonrefundable application fees. (As set forward on the first page of this package)

Signature of Person Completing Application

Date



Town of Cumberland, Indiana
Department of Planning & Development

APPLICATION FOR
SECONDARY PLANNED UNIT DEVELOPMENT

Applicant(s): Telephone:

Address: Fax: Email:

Owner(s): Telephone:

Address: Fax: Email:

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: 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 PUD:

Existing Zoning Classification

- A-1 Agricultural District
C-1 Conservation District
R-1 Residential District
R-2 Residential District
R-3 Residential District
R-4 Residential District
R-5 Residential District
R-6 Residential District
B-1 Business District
B-2 Business District
I-1 Industrial District
I-2 Industrial District
PUD Planned Unit Development



Town of Cumberland, Indiana
Department of Planning & Development

Existing Land Use: _____

Surrounding Land Use: North _____ South _____ East _____ West _____

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

I (We) do hereby apply for approval of the preliminary in accordance with the provisions of the Comprehensive Plan, Cumberland Zoning Ordinance and Subdivision Control Ordinance of Cumberland, Indiana. I (We) am (are) the owner(s) of the real estate included in the proposed subdivision. 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

Signature of Owner(s) or Agent

STATE OF INDIANA }
} SS:
COUNTY OF HANCOCK }

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County



Town of Cumberland, Indiana
Department of Planning & Development

CONTACT INFORMATION

The person indicated below will 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 in the event additional information is required, to schedule meetings, receive Plan Commission Staff Letters and Recommendations, and to received the Plan Commission's Findings of Fact:

Please type or print legibly.

Business Name: _____

Contact Person: _____

Address: _____

Daytime Phone: _____ Fax Number: _____

Email: _____



Town of Cumberland, Indiana
Department of Planning & Development

**LETTER GRANTING AUTHORITY FOR AN AGENT
PLANNED UNIT DEVELOPMENT**

I (we) do hereby grant authority to _____
(Name of Agent)

To seek Secondary Planned Unit Development approval from the Cumberland Plan Commission for the property

located at _____
(Property Address or parcel number(s))

I (we) am (are) the owner(s) of the real estate included in the proposed development plan.

Date

Signature of Owner(s) or Agent

Signature of Owner(s) or Agent

STATE OF INDIANA }
 }
COUNTY OF HANCOCK }

SS:

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County



Town of Cumberland, Indiana
Department of Planning & Development

AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
SECONDARY PLANNED UNIT DEVELOPMENT
CUMBERLAND PLAN COMMISSION

Affidavit must be submitted prior to the scheduled public hearing.

STATE OF INDIANA)
COUNTY OF HANCOCK) SS:
)

Re: Request for Secondary Planned Unit Development before the Cumberland Plan Commission

(Name of Subdivision)

I, _____, do hereby certify that notice to interested parties of the date, time, and place of the public hearing on the above referenced subdivision, Project Number _____, being the application for _____, was certified and mailed to the last known address of each of the following interested persons owning property affected by this petition as defined in the Cumberland Zoning Ordinance (attach additional sheets, if necessary):

Table with 2 columns: OWNERS, ADDRESS. Rows 1-10.

And, that said notices were sent by certified 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)
COUNTY OF HANCOCK) SS:
)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County



Town of Cumberland, Indiana
Department of Planning & Development

**SAMPLE PUBLIC NOTIFICATION LETTER
SECONDARY PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT**

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 Cumberland Plan Commission for a secondary planned unit development for **(site address)** in the Town of Cumberland, Indiana, in Section _____, Township _____, Range _____ located near **Give the to the Nearest Street Intersection).**

A copy of this application, legal description, and all plans pertaining to the proposed planned unit development are on file and available for examination prior to the public hearing in the Planning and Development Department at the Cumberland Town Hall located at 11501 E. Washington Street, Cumberland, Indiana, 46229 between the hours of 9 a.m. and 4 p.m., 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 Cumberland Town Hall at the above address and such objections will be considered.

The Cumberland Plan Commission will hold a public hearing on this proposed major subdivision in the Cumberland Town Hall located at 11501 E. Washington Street, Cumberland, IN 46229 on **(Date of the Public Hearing)** at 7:00 p.m.

Very Truly Yours,

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