

**PLAN COMMISSION APPLICATION
COMMERCIAL DEVELOPMENT PLAN**

10645 Randolph Street
Winfield, IN 46307

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The Plan Commission must review and approve Commercial Development Plans prepared by any commercial property owner seeking to begin new construction or modification of an existing structure, which results in an increase or decrease in the total square footage of the structure of more than 25%. Any Owner or Petitioner must submit the attached application and the **non-refundable** filing fee in the amount specified in the Town of Winfield’s Code of Ordinances by the **1st business day of the month**. This will begin the Commercial Development Plan review process. At the end of the final meeting, the Plan Commission will take one of the following actions detailed in 156.043(C)(4).

- 4th Thursday @ 6:00 pm..... Plan Commission Study Session if needed
- 2nd Wednesday of the next month (subject to change at a time to be announced).....TAC meeting
- 2nd Tuesday of the following month @ 6:00 pm..... Plan Commission
- 2nd Thursday at 6:00 p.m.....Plan Commission – Request for Approval

1. Filing a complete application **requires** the following:

- Completed application with an original, notarized signature, from the property owner, along with the required sets of plans
- Completed Affidavit of Ownership with an original, notarized signature of the property owner along with Proof of Ownership
- Payment of the filing fee

Failure to include all of these items at the time of filing **may** delay a hearing on your application.

The petitioner is urged to review the attached Winfield Zoning Ordinance sections for other possible requirements.

TOWN OF WINFIELD

PLAN COMMISSION APPLICATION

COMMERCIAL DEVELOPMENT PLAN

RESPONSIBILITY OF COSTS: FILING FEE IS DETERMINED BY TOWN CODE SECTION 150.26 (F). ANY ADDITIONAL PLAN COMMISSION MEETING IN EXCESS OF ONE SHALL BE CHARGED TO DEVELOPER AT REFERENCED RATE FOR EACH MEETING. IN THE EVENT THE ENGINEERING REVIEW FEE (APPLICATION PERMIT/FEE) DOES NOT COVER THE TOWN'S ACTUAL COST OF REVIEW, THE TOWN SHALL CHARGE DEVELOPER ADDITIONAL FEES FOR THIS SERVICE BASED UPON THE ACTUAL COSTS INCURRED. ALL SUBDIVIDER, DEVELOPERS, AND PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE COSTS OF ALL REVIEWS FOR ENGINEERING FEES, LEGAL FEES, AND ETC. IT SHALL BE THE RESPONSIBILITY OF THE PETITIONER OR THE AGENT TO SUBMIT (2) FULL-SIZE (24"X36"), (2) HALF-SIZE (12"X18"), AND (2) COPIES OF ALL DRAWINGS BOUND INTO ONE ELECTRONIC PDF FILE (1 PDF to Town @ nbellar@winfield.in.gov & 1 PDF to Town Engineer @ mduffy@dlz.com)

PLANS & DATA: 10 HARD COPIES OF EACH FILED WITH PETITION AND ONE PDF ELECTRONIC COPY TO BE SUBMITTED IN ELECTRONIC FORMAT TO ZONING ADMINISTRATOR (nbellar@winfield.in.gov) AND TOWN ENGINEER (mduffy@dlz.com): PLAT OF SURVEY AND LEGAL DESCRIPTION, LOCATION MAP, AND ENGINEER PLANS.

OWNER: _____ PHONE: _____
 ADDRESS: _____ E-MAIL: _____
 PETITIONER: _____ PHONE: _____
 ADDRESS: _____ E-MAIL: _____
 ENGINEER/SURVEYOR: _____ PHONE: _____
 ADDRESS: _____ E-MAIL: _____

PROPOSED NAME OF SUBDIVISION/PROJECT: _____

GENERAL LOCATION: _____

ANTICIPATED TYPE OF DEVELOPMENT: _____

GROSS LAND AREA: _____ EXISTING ZONING: _____ PROPOSED ZONING: _____

NUMBER OF LOTS/UNITS: _____ ACRES: _____ DENSITY: _____

PROPOSED DEVELOPMENT TO BE SERVED WITH:

PAVED STREETS CURB AND GUTTER SIDEWALKS COMMON WATER
 SWALES AND DITCHES STORM SEWERS SANITARY SEWER

I HAVE READ AND FULLY UNDERSTAND THE ABOVE REQUIREMENTS AND/OR RESPONSIBILITIES REGARDING THE SUBMITAL FOR A DEVELOPMENT IN THE TOWN OF WINFIELD.

 (PRINT ONLY) (SIGNATURE)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BEFORE THE ABOVE PETITIONER(S) AND OWNER(S) AND ACKNOWLEDGED THE EXECUTION OF THE ABOVE AND FOREGOING INSTRUMENT TO BE TRUE VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

DATED THIS _____ DAY OF _____, 20 _____.

MY COMMISSION EXPIRES: _____

NOTARY SEAL



STATE OF _____

COUNTY OF _____

NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC PRINTED NAME

COUNTY OF RESIDENCE

FOR OFFICE USE ONLY ↓

PC DOCKET #: _____ CHECK #: _____ DATE PAID: _____

RECEIPT #: _____ FEE: _____ RECEIVED BY: _____

**TOWN OF WINFIELD
PLAN COMMISSION APPLICATION**

AFFIDAVIT OF OWNERSHIP *

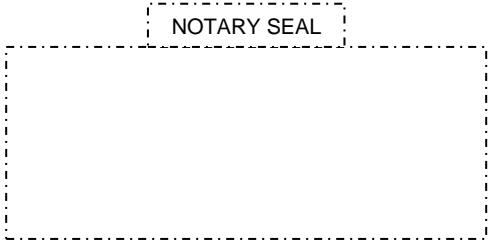
[I / We], being duly sworn, depose and say that [I am / We are] the [owner / owners] of fifty percent (50%) or more of the property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of [my / our] knowledge and belief.

Name	Address	Signature
Name	Address	Signature
Name	Address	Signature

The correspondent or agent [if different from owner(s)]

Name	Address	Signature
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STATE OF _____
COUNTY OF _____



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

My Commission Expires: _____

NOTARY PUBLIC SIGNATURE

County of Residence: _____

NOTARY PUBLIC PRINTED NAME

*** MUST BE FILED WITH PROOF OF OWNERSHIP
(EX: DEED, LEASE, ASSESSOR RECORDS) IN FORM ACCEPTABLE TO TOWN ATTORNEY**

(A) *Applicability.*

(1) Development plan review shall be required in all commercial zoning and Planned Development-Commercial (PD-C) Districts in accordance with I.C. 36-7-4-1400 through 36-7-4-1406, inclusive, as outlined hereafter.

(2) At any time a property owner seeks to apply for approval to begin new construction or to modify an existing structure such that it results in either an increase or decrease of total square footage of the structure of 25% or more in a geographic area zoned or to be zoned as C-1, C-2, C-3, M-1, or PD- C, the property owner/petitioner shall prepare a preliminary development plan for submission to the Plan Commission.

(3) No person or business entity shall be permitted to operate a business on a location, subject to this chapter, without first obtaining approval of a development plan by the Plan Commission.

(B) *Development plan submission.* To initiate the procedure for review and approval of a preliminary development plan, the property owner/petitioner shall submit the proposed plan to the Zoning Administrator. The initial submission shall:

(1) Be made on forms available at the office of the Zoning Administrator and be submitted with the fee as set forth in § 150.26.

(2) Be accompanied by ten hard copies and one PDF electronic copy of the proposed preliminary development plan.

(3) Be accompanied by documentation indicating proof of an ownership interest in the subject property, such as but not limited to a deed, purchase contract, or a power of attorney, for review by the Commission's attorney.

(4) Be filed by the first day of the month in which the petitioner will be attending the Plan Commission study session required below.

(C) *Review procedure.* The procedure for review and approval of the preliminary development plan shall be as follows:

(1) Petitioner shall attend a Plan Commission Study Session, as scheduled by the Zoning Administrator. At that study session, the petitioner shall provide sufficient individual copies of their proposed plan for all members of the Plan Commission. The petitioner will briefly describe their plan and receive comments from the Commission and staff.

(2) Petitioner shall then appear before the Plan Commission at a public meeting to describe and present the preliminary concepts, uses and intent of the proposed preliminary development plan. After confirming that all items of the initial submission are in order, the Plan Commission shall place the proposal on the agenda of their next public meeting and refer the petitioner to the Technical Advisory Committee (TAC) for the committee's review. After review, the TAC shall take one (1) of the following actions:

(a) Recommendation to Plan Commission for approval;

(b) Recommendation to Plan Commission for denial;

(c) Recommendation to submit additional information for review; or

(d) Recommendation to Plan Commission for approval with modifications.

(3) The petitioner may appeal a decision of the TAC to the Plan Commission.

(4) Following review by the TAC, petitioner shall appear at a regular or special Plan Commission public meeting to describe and present the final concepts, uses and intent of the proposed plan for consideration. After review, the Plan Commission shall take one of the following actions:

(a) Approval;

(b) Denial;

(c) Carry over for further consideration at the next regularly scheduled meeting;

(d) Request the petitioner to submit additional information for review, either by the Plan Commission or the TAC;

(e) Approval with conditions, if the conditions are reasonably necessary to satisfy the intent of this chapter; or

(f) Approval with written commitments, executed by the petitioner.

(D) *Remedies.* All remedies available to the Plan Commission shall be the same as those contained in § [155.014](#) of the subdivision control ordinance. The review fee shall be that as set forth in town code § [150.26](#) for development plan review.

(E) *Plan requirements.* The preliminary development plan shall include both a map and written text and drawings in an electronic form containing the following information. The drawing format must be in either the current or previous version of the AutoDesk AutoCAD software. The submittal shall be provided to the town in a standard form of magnetic or optical media that is readable by the town information systems. Alternate drawing formats or means of submittal may be accepted upon prior approval from the town.

(1) Elevation and perspective drawing or model of proposed structures.

(2) A development schedule indicating:

(a) The approximate date for beginning construction.

(b) If staged, the approximate date for beginning construction of each stage.

(c) Agreements, provisions or covenants which govern the use, maintenance and continued protection of the development and common space.

(d) Plans and diagrams as required to fully explain the development proposal.

(3) Petitioner shall designate each lot's intensity of use on the plan.

(4) A detailed, written review of the following factors relevant to the development:

(a) Availability and coordination of water, sanitary sewers, storm water drainage, and other utilities.

(b) Management of vehicular and pedestrian traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community.

(c) Building set back lines.

(d) Building coverage.

(e) Building separation.

- (f) Parking.
- (g) Landscaping.
- (h) Height, scale, materials and style of improvements.
- (i) Signage.
- (j) Outdoor lighting.
- (k) Noise.

(5) The development factors specified in number subdivision (E)(4)(a) above, concerning the availability and coordination of water, sanitary sewers, storm water drainage and other utilities shall be in full compliance with the subdivision control ordinance, as it may be amended from time to time.

(6) The development factors specified in subdivision (E)(4)(b) above, concerning the management of vehicular and pedestrian traffic shall ensure the following:

- (a) That the design and location of proposed street and highway access points minimize safety hazards and congestion.
- (b) That the capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
- (c) That the entrances, streets and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments.

(7) The development factors specified in subdivision (E)(4)(c), (d), (e), (f), (g), (h), and (i) concerning building setback liens, building coverage, building separation, parking, landscaping, height and materials, and signage shall be in full compliance with the requirements set forth in the zoning ordinance, as it may be amended from time to time. Additionally, with regard to subdivision (E)(4)(h), knock boxes shall be required to be installed on businesses that are not occupied 24 hours a day.

(8) The development factors specified in subdivision (E)(4)(j) above concerning outdoor lighting shall ensure that lighting shall be reflected inward and shall be shielded to the extent that no light ascertainable to a standard light meter held one foot above the ground at the property line shall exceed five foot candles.

(9) The development factors specified in subdivision (E)(4)(k) concerning noise shall only apply to development in a Light Industrial (M-1) District and shall ensure that the development complies with § [156.326](#).

(10) The plan documentation and supporting information that must be supplied shall include the following:

- (a) The location and character of the following:
 1. Existing and proposed primary structures and accessory structures.
 2. Utilities.
 3. Signage.
 4. Landscaping.
- (b) The nature and intensity of uses in the development.
- (c) The condition and size of public thoroughfares and parking, vehicles, and pedestrian facilities.
- (d) The location and capacity of drainage facilities and sewer systems serving the development.

(Ord. 191, passed 6-15-2010) [Penalty, see § 156.999](#)

(F) *Other Plan Commission Fees.*

Commercial Development Review/Approval	\$900.00 plus \$500.00 per acre or portion thereof*

*Any additional Plan Commission meeting in excess of one shall be charged to developer at above rate for each meeting. In the event the engineering review fee (application permit/fee) does not cover the town's actual cost of review, the town shall charge developer additional fees for this service based upon the actual costs incurred.