

**ORDINANCE 2009-26**

**AN ORDINANCE OF THE TOWN OF AVON  
TO CHANGE THE ZONING FOR REAL ESTATE  
LOCATED AT THE SW CORNER OF CR 100 N AND CR 1050 E**

WHEREAS, the Town Council of the Town of Avon, Indiana has adopted a Zoning Ordinance for the Town that includes a map showing the zone classifications assigned to land within the Town boundaries; and

WHEREAS, a petition (PUD(P) 09-02) has been filed by Sanders Development Group, the agent for Avon Community School Corporation the owner of approximately 37.01 acres of real estate located at the southwest corner of CR 100 N and CR 1050 E, further described in Exhibit A; and

WHEREAS, on September 21, 2009, the Avon Plan Commission conducted a public hearing on the petitioner's proposed zone classification for this territory; and

WHEREAS, in considering this proposal, the Avon Plan Commission has paid reasonable regard to the comprehensive plan; considered the degree of innovation and creativity in the design and layout of the development; the provision for a more efficient use of land, including the reduction of land area disturbed for utility lines and motor vehicle access; the conservation of special attributes of the property such as identifiable natural or topographical features, historical significance, landscape amenities, and size and shape; the imaginative uses of common areas and open space; the ability of the project to be effectively developed through the use of the standard zoning districts; and

WHEREAS the Avon Plan Commission has certified the proposal with a favorable recommendation to the Avon Town Council for the rezoning of the approximately 37.01 acres real estate from R-1 to PUD; and

WHEREAS, the Avon Town Council has reviewed and considered the Plan Commission's recommendation and has decided to act favorably on this petition.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF AVON, INDIANA AS FOLLOWS:

**SECTION 1. DECLARATION**

That the text of the Zoning Code of the Town of Avon, Indiana, Ordinance 2002-14, and the Official Zoning Map, Town of Avon, Indiana, which accompanies and is part of the Zoning Code of the Town of Avon, Indiana, as amended, are hereby amended as follows:

That the Zoning Classification of the following-described Real Estate is hereby zoned as a PUD, and this ordinance shall hereinafter be referred to as the Sanders PUD Ordinance.

SEE EXHIBIT A ATTACHED HERETO.

**SECTION 2. GENERAL PURPOSE STATEMENT**

The purpose and intent of the Sander PUD is to provide an innovative mixed use development which promotes creativity and flexibility in the development of the Real Estate.

SECTION 3. CONCEPTUAL DEVELOPMENT PLAN

The Concept and Development Plan (the "Conceptual Plan") is attached hereto as Exhibit B and is adopted as part of this ordinance.

SECTION 4. DEVELOPMENT STANDARDS

The development standards shall be as set out in the Development and Architectural Standards and Commitments, attached hereto as Exhibit C and adopted as part of this ordinance.

SECTION 5. PROCEDURES

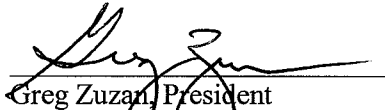
The adoption of this ordinance and the subsequent consideration of any detailed and final development plan shall be consistent and pursuant to the provisions of the Planned Unit Development process as set forth in the Avon Zoning Ordinance.

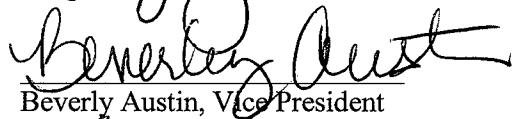
SECTION 6. APPROVAL

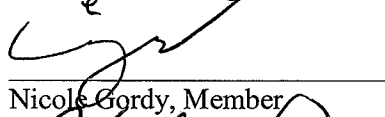
This ordinance shall be in full force and effect from and after its passage by the Town Council and after the occurrence of all other actions required by law. All provisions or parts thereof in conflict herewith are hereby repealed.

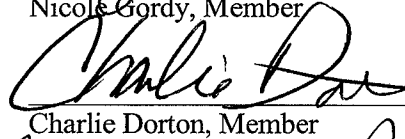
This ordinance is hereby passed and adopted this 8TH day of OCTOBER, 2009.

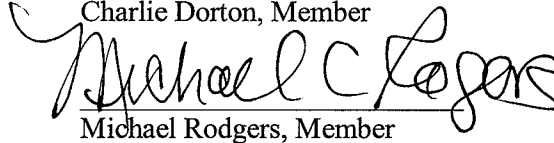
TOWN COUNCIL OF AVON, INDIANA

  
Greg Zuzan, President

  
Beverly Austin, Vice President

  
Nicole Gordy, Member

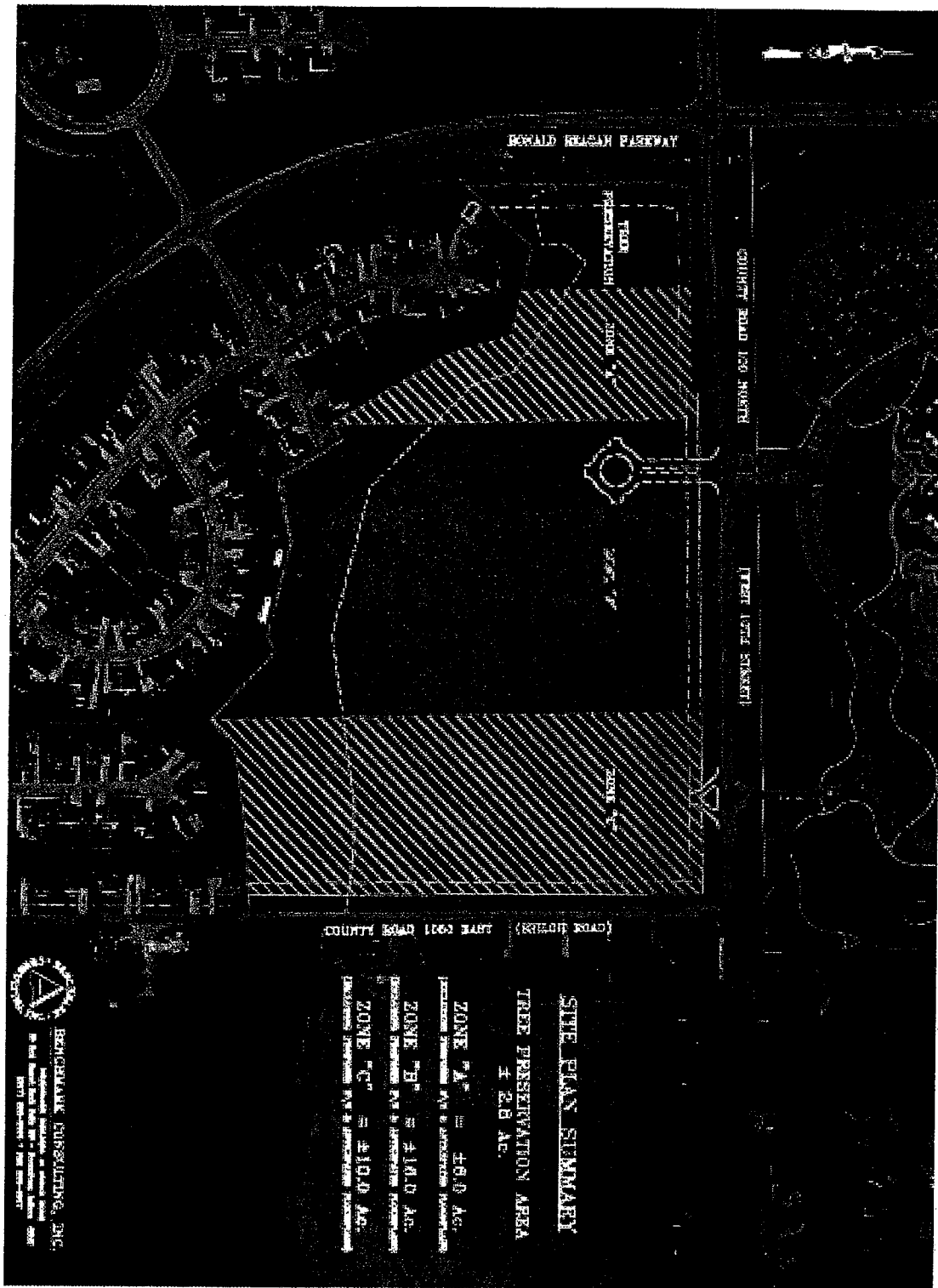
  
Charlie Dorton, Member

  
Michael Rodgers, Member

ATTEST:

  
Sharron Howell, Clerk-Treasurer

EXHIBIT B



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