



CITY OF WESTFIELD, IN

Advisory Planning Commission Meeting Agenda_08_01_2022

Monday, August 01, 2022 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, August 01, 2022 at 07:00 PM

MEETING PLACE: Westfield City Hall, 130 Penn Street, Westfield, IN 46074

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION

Public input can be submitted in 1 of 2 ways:

- Email to planners@westfield.in.gov
- Show up at Westfield City Hall for an opportunity to participate in this public hearing. Staff will be present to help direct traffic inside the room.

OPENING OF MEETING

Documents: [Online viewable @ https://www.youtube.com/user/CityofWestfieldIN](https://www.youtube.com/user/CityofWestfieldIN)

Note the Presence of a Quorum

Approval of Minutes

July 18, 2022 APC Minutes

Documents: [July 18, 2022 APC Minutes](#)

Approval of Amended Rules of Procedure

Documents: [Exhibit 1: Department Report](#) | [Exhibit 2: APC Rules of Procedure 2022 clean](#) | [Exhibit 3: APC Rules of Procedure 2022 redline](#) | [Exhibit 4: APC Rules 2013 with 2020 Amendment](#)

Review APC Rules & Procedures

CONSENT AGENDA

2207-DDP-22

Westfield Health Pavilion at Midtown

NEC of US 31 and 191st Street, Approximately

CBRE by Weihe Engineers requests Detailed Development Plan review of a 100,000 SF +/- medical building on 8.09 acres +/- in the Midtown at Westfield PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Building Elevations](#) | [Exhibit 5: Landscape Plan](#) | [Exhibit 6: Photometric Plan](#)

ITEMS OF BUSINESS

2206-ODP-06 & 2206-SPP-06

Springwater

East side of Westfield Boulevard/Union Street, North of 161st Street

Apollo Developers, LLC by HWC Engineering requests Overall Development Plan and Primary Plat approval for 90 Single-family Attached residential Lots on 50.5 acres +/- in the Springwater PUD District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Narrative Statement](#) | [Exhibit 4: Primary Plat Plan](#) | [Exhibit 5: Overall Development Plan](#) | [Exhibit 6: Overall Open Space Plan](#) | [Exhibit 7: Landscape Plan & Details](#)

2207-PUD-15

Midtown at Westfield PUD, Amendment I

NEC of US 31 and 191st Street

Alderson Development Group, LLC by Church Church Hittle + Antrim requests an amendment to the Development Standards of the Midtown at Westfield PUD on 10 acres +/-.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Narrative Statement](#) | [Exhibit 4: Proposed Ord. 22-28](#) | [Exhibit 5: Proposed Ord. 22-28 \(Redline Version\)](#) | [Exhibit 6: Concept Plan](#) | [Exhibit 7: Building Elevations - Bldg 1](#) | [Exhibit 8: Building Elevations - Bldg 2](#) | [Exhibit 9: Character Imagery Exhibit](#) | [Exhibit 10: Light Fixture Exhibit](#) | [Exhibit 11: Signage Exhibit](#)

PUBLIC HEARING ITEMS

2208-PUD-16 [PUBLIC HEARING]

Westfield Yard PUD

West Side of Gray Road, 200 feet south of State Road 32

Grand Communities, LLC by Nelson & Frankenberger, LLC requests a change in zoning for 10.8 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Westfield Yard Planned Unit Development (PUD) District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 22-32](#) | [Exhibit 4: Concept Plan](#) | [Exhibit 5: Front Load Townhome Exhibits](#) | [Exhibit 6: Alley Load Townhome Exhibits](#) | [Exhibit 7: Foundation Planting Exhibit](#) | [Exhibit 8: Amenity Exhibits](#) | [Exhibit 9: Neighbor Meeting Summary](#) | [Exhibit 10: Public Comment Exhibit](#) | [Petitioner's Presentation](#)

2208-ZOA-02 [PUBLIC HEARING]

Unified Development Ordinance Amendment (Landscape Bonds)

The City of Westfield requests approval of an ordinance to amend Article 6.8 of the Westfield-Washington Township Unified Development Ordinance.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Documents: [Exhibit 1: Department Report](#) | [Exhibit 2: Ordinance 22-31](#)

MISCELLANEOUS ITEMS

2207-PUD-13 [DISCUSSION]

Woods Robinson Briggs PUD Amendment II

Generally at 904 East 191st Street

PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, and modify the proposed Park/Trail Head District standards.

(Planner: Weston Rogers - wrogers@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Narrative Statement](#) | [Exhibit 3: Location Map](#) | [Exhibit 4: Draft Ordinance 22-19](#) | [Exhibit 5: Concept Plan](#) | [Exhibit 6: District Plan](#) | [Exhibit 7: Park Plan](#) | [Exhibit 8: Water Feature Exhibit](#) | [Exhibit 9: Neighborhood Meeting Summary](#) | [Exhibit 10: 191st Grand Park Roundabout Exhibit](#)

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09 [CONTINUED]

Northpoint II PUD

North side of SR 38 between Anthony Road and Hinkle Road

Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Northpoint II PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

North of David Brown Drive, East and West of Westfield Blvd

31/32 Investors by Edgerock Development, LLC requests an Amendment to the Permitted Uses and General Regulations of the Grand Millennium Center PUD District.

(Presenting Planner: Pam Howard - phoward@westfield.in.gov)

2111-PUD-27 [CONTINUED]

TowneRun PUD

Northwest corner of Towne Road & West 146th Street

LOR Corporation by Church Church Hittle + Antrim requests a change in zoning for 26.94 acres +/- from AG-SF1: Agriculture / Single-family Rural District to the TowneRun Planned Unit Development (PUD) District.

(Planner: Kevin Todd - ktodd@westfield.in.gov)

2112-ODP-26 [CONTINUED]

Southpark Industrial

16465 Southpark Drive

CTC02, LLC by Total Engineering Solutions Co. requests Overall Development Plan review of one Lot on 3.69 acres +/- in the Southoak PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2203-PUD-05 [CONTINUED]

Towns at Union PUD

East of and adjacent to Union Street and south of David Brown Drive

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC request a change of zoning of 12.85 acres +/- from the AG-SF1 District to the Towns at Union PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2206-PUD-11-06 [CONTINUED]

Towne Road Crossing PUD Amendment I

South of SR 32, west of Little Eagle Creek Avenue

H&H Stables, LLC by Nelson & Frankenberger, LLC requests an amendment to the Towne Road Crossing PUD to permit an Equestrian Facility and a maximum of thirty (30) residential Lots on 69 acres +/- in the Towne Road Crossing PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

2205-PUD-09 [CONTINUED]

iBeach31 at Grand Park PUD

724 East 181st Street

iBeach31, LLC by Church Church Hittle + Antrim request a change in zoning for 3 acres +/- from OI-PD: Open Industrial / Planned Development District to the iBeach 31 at Grand Park Planned Unit Development (PUD) District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

REPORTS/COMMENTS

Plan Commission Members

Downtown Update

City Council Liaison

Board of Zoning Appeals Liaison

Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

August 1, 2022
2206-ODP-06 & 2206-SPP-06
Exhibit 1

Petition Number: 2206-ODP-06 & 2206-SPP-06

Project Name: Springwater

Subject Site Address: Generally, east adjacent to Westfield Blvd. about 2,000 feet north of the E 161st & Union intersection; between the Lantern Park subdivision and the Summit Lawn Cemetery (the "Property")

Petitioner: Apollo Developers, LLC

Representative: HWC Engineering

Request: Apollo Developers, LLC by HWC Engineering requests Overall Development Plan and Primary Plat approval for 90 Single-family residential lots on 50.5 acres +/- in the Springwater PUD District.

Current Zoning: Springwater PUD

Current Land Use: Residential

Approximate Acreage: 50.5 acres +/-

Property History: Springwater PUD ([Ord. 21-52](#), 02/14/22)
Springwater SFP (2208-SFP-44, *pending*)

Exhibits:

1. Staff Report
2. Location Map
3. Narrative Statement
4. Primary Plat
5. Overall Development Plan
6. Overall Open Space Plan
7. Landscape Plan & Details

Public Comments

Staff Reviewer: Ryan Collingwood, Associate Planner

Procedural

- | | |
|------------------------------|------------|
| • TAC Meeting | 05/24/2022 |
| • APC Public Hearing | 06/06/2022 |
| • APC Approval Consideration | 08/01/2022 |



BACKGROUND

The Property is currently zoned the Springwater PUD District.

Ordinance 21-52, Springwater PUD (2112-PUD-29), was approved at the February 14, 2022, City Council meeting.

The comments contained herein are in review of the filed Overall Development Plan and Primary Plat scheduled for the May 24, 2022, Technical Advisory Committee meeting.

PRIMARY PLAT STANDARDS (Article 10.12(J) of UDO)

The plans comply.

- 1) Proposed name of subdivision.
- 2) Names and addresses of the owner, owners, land surveyor or land planner.
- 3) Title, scale, north arrow and date.
- 4) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
- 5) Easements (locations, widths and purposes). (Article 8.3)
- 6) Statement concerning the location and approximate size or capacity of utilities to be installed.
- 7) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
- 8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
- 9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).



- 10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
- 11) Building setback lines. (Article 4.14)
- 12) Legend and notes.
- 13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
- 14) Other features or conditions which would affect the subdivision favorable or adversely.
- 15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
- 16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
- 17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
- 18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.
- 19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.
- 20) Misc.

OVERALL DEVELOPMENT PLAN (Article 10.7 of the UDO)

The plans comply.

- 21) Title, scale, north arrow and date.
- 22) Proposed name of the development.



- 23) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 24) Address and legal description of the property.
- 25) Boundary lines of the property including all dimensions.
- 26) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 27) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 28) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 29) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 30) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 31) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 32) Location and dimensions of all existing structures and paved areas.
- 33) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 34) Location of all Floodplain areas within the boundaries of the property.
- 35) Names of legal ditches and streams on or adjacent to the site.



iv) Maximum Building Height Two and one-half (2 ½ stories) (Article 4.2)

v) Minimum Living Area

1. Single Story 1,350 square feet (Article 4.2)

2. All others 800 square feet (Article 4.2)

41) Single Family Subdistrict – Alley-Load (Article 4.7 SF4: Single-family High Density District and Springwater PUD Ord. 21-52) ([LOTS 33-43, 65-78](#))

a) Minimum Lot Area 4,800 SF (Ord. 21-52)

b) Minimum Lot Width 45' (Ord. 21-52)

c) Minimum Lot Frontage No minimum, however all lots shall have vehicular access to a street (via public street, private street, alley, or shared ingress/egress easement) (Ord. 21-52)

d) Minimum Building Setbacks (Ord. 21-52)

i) Front Yard 10'

ii) Side Yard 5'

iii) Rear Yard 10' (a driveway at least 18' deep shall be required)

e) Maximum Building Height 35' (Ord. 21-52)

f) Minimum Living Area 1600 SF (Ord. 21-52)

42) Single Family Subdistrict – Front-Load (Article 4.7 SF4: Single-family High Density District and Springwater PUD Ord. 21-52) ([LOTS 44-50, 51-64, 79-90](#))

a) Minimum Lot Area 6,800 SF (Ord. 21-52)



- b) Minimum Lot Width 60' (Ord. 21-52)
- c) Minimum Lot Frontage No minimum, however all lots shall have vehicular access to a street (via public street, private street, alley, or shared ingress/egress easement) (Ord. 21-52)
- d) Minimum Building Setbacks (Ord. 21-52)
 - i) Front Yard 10' (Garages shall be set back 10' from front façade)
 - ii) Side Yard 5'
 - iii) Rear Yard 30' (a driveway at least 18' deep shall be required)
- e) Maximum Building Height 35' (Ord. 21-52)
- f) Minimum Living Area 1600 SF (Ord. 21-52)

43) Townhome Subdistrict (Article 4.9 SFA: Single-family Attached and Springwater PUD Ord. 21-52) [\(LOTS 1-32\)](#)

- a) Minimum Lot Area No Minimum (Article 4.9(c))
- b) Minimum Lot Frontage No Minimum (Article 4.9(d))
- c) Maximum Density Shall Not Apply (Ord. 21-52)
- d) Maximum Dwellings Four (4) per building (Article 4.9(f))
- e) Maximum Project Size Within District Shall Not Apply (Ord. 21-52)
- f) Minimum Building Setbacks (Ord. 21-52)
 - i) Front Yard 0'. However, a minimum 8' landscape area shall be provided between the path or sidewalk and the front of each townhouse.
 - ii) Front Setback Stagger Townhouse units shall be staggered within a building a minimum of 1.5' between the end units and the inside unit(s)



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| g) Minimum Distance Between Structures | 12' (Ord. 21-52) |
| h) Project Perimeter Setback | Shall Not Apply (Ord. 21-52) |
| i) Maximum Building Height | 35' (Two-Story) (Ord. 21-52) |
| j) Minimum Living Area | 1,600 SF (Ord. 21-52) |

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

- 44) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 45) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 46) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 47) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.



OVERLAY DISTRICTS (Chapter 5 of UDO and Springwater PUD, Ord. 21-52)

The plans comply, as applicable to a Primary Plat and Overall Development Plan.

48) Article 5.2: US Highway 31 Overlay District shall not apply to the development of the District.

DEVELOPMENT STANDARDS (Chapter 6 of UDO and Springwater PUD, Ord. 21-52)

The plans comply, as applicable to a Primary Plat and Overall Development Plan.

49) Accessory Use and Building Standards (Article 6.1 & Ord. 21-52)

- a) Shall not apply to existing structures in the Private Residence & Store Subdistrict

50) Architectural Standards (Ord. 21-52)

- a) Character Exhibit: The "Character Exhibit", attached hereto as Exhibit C. is hereby incorporated to capture the intended Transitional Architecture of Townhouses Subdistrict and Single-Family Subdistrict to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.
- b) Four-Side Architecture: Design detailing shall be continued completely around the building consistent with the building's intended architectural style. Detailing elements shall include, but are not limited to, style of windows, window placement, trim detailing, roof design, and Exterior Materials, unless otherwise required by this Ordinance.
- c) Homes constructed in the Single Family Subdistrict shall comply with the following architectural standards:
 - 1. Building Materials.
 - (i) Vinyl and aluminum siding shall be prohibited.

- (ii) All single family homes will have masonry (either stone or brick veneer) at ground level. This masonry material will be continuous all the way around the base of each building except where interrupted by access points (like steps or doors). This masonry will extend – at a minimum - from the ground up to the level of the watertable.
- 2. Exterior Trim Materials: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window trim, door trim, and as a transitional material between two different Exterior Materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials; and provided further, that if windows have shutters, then such windows shall not require a trim wrap. Required trim shall be a minimum of five and one-half inches (5 and 1/2") wide.
- 3. Windows:
 - (i) All windows shall have either shutters and/or architectural treatment. For windows in a masonry facade, the architectural treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-masonry facade, the architectural treatment shall be of a natural material and be applied to the sill, header and jams.
 - (ii) All homes shall have a minimum of three (3) windows on all four (4) sides of the home. For the purposes of this calculation, a double window shall be counted as two (2) windows.
- 4. Minimum Overhangs: All homes shall have a minimum of 12" roof overhangs.
- 5. Roof Pitches: Homes designed in the Midcentury Modern, Modern Prairie, or other modern styles that typically have low slope roofs may have a minimum roof pitch of 4:12 for the main roof. The minimum roof pitch for the main roof of all other architectural styles shall be 6:12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles. The building permit application shall indicate whether the home is designed in a modern architectural style.
- 6. Roofing Materials: All homes shall have dimensional or architectural grade shingles. Full metal roofs will not be allowed. Metal accent roofs may be used

as coverings over a porch, a window seat, a bump-out, a dormer, or similar architectural feature.

7. Garages: All homes must have at least a 2-car attached garage and meet the following requirements:
 - (i) For front loading garages, a two-bay garage door width may not exceed forty percent (40%) of the linear footage of the front elevation of the home. For the purpose of the standard, a third car bay shall not be included in calculating the linear footage of the front elevation of the home.
 - (ii) Two (2) dusk-to-dawn coach lights shall be provided on all garages.
 - (iii) If a home has a three car garage, the third car bay shall be setback behind the Established Front Yard a minimum of two (2) feet.
 - (iv) All garage elevations shall (i) include at least two (2) design elements or windows to vary the appearance of the garage façade and (ii) be painted a color to match the Exterior Material or a color to accent the Exterior Material. Design elements include the garage door, garage hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.
8. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - (i) Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.
 - (ii) Architecturally enhanced / decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
 - (iii) Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or, two (2) or more roof planes.



- (iv) All one-story dwellings shall have a minimum of four (4) windows on the Front Facade and all two-story dwellings shall have a minimum of six (6) windows on the Front Facade.
9. Side Building Facade Requirements: All Dwellings (i) on Corner Lots (side facing a street) or (ii) with a Side Lot Line abutting a Common Area (side facing the common area) which have a gable end on the side Building Facade shall incorporate a minimum of one (1) of the following elements on the side Building Facade. The following elements shall be used and shall be consistent with elements included on the Front Building Facade:
- (i) A change in the exterior color separated by trim;
 - (ii) A change in the Exterior Material pattern separated by trim;
 - (iii) A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.)
 - (iv) A minimum of ten (10) square foot gable window;
 - (v) A gable peak with a change in Exterior Material; or
 - (vi) A projecting chimney running the full height of the side Building Facade constructed with Masonry Material.
10. Streetscape Diversity: Single-Family Dwellings located within three (3) Lots with a Front Lot Line abutting the same Street and Single Family Dwellings located across the street or diagonally opposite shall, at the time of the issuance of the Certificate of Occupancy:
- (i) Be a significantly different front Building Facade (i.e. architectural style, roof lines, window placement, proportion of siding materials). Minor variations in architectural features or materials (i.e. shutters, door styles, siding patterns) shall not qualify as significantly different if the Dwelling on the adjacent Lot is of a similar floorplan; and
 - (ii) Have a different primary siding color than the adjacent Lot.



11. The homes in the Townhouses Subdistrict shall comply with the following architectural standards:

- (i) Building Materials: Permitted Exterior Materials are as follows:
 - 1. Masonry Material (brick or cultured stone), fiber cement siding, composite trim, composite veneer panels, vinyl shutters, aluminum facia, aluminum soffits, aluminum downspouts/gutters.
 - 2. All townhouses will have masonry (either stone or brick veneer) at ground level. This masonry material will be continuous all the way around the base of each building except where interrupted by access points (like steps or doors). This masonry will extend - at a minimum - from the ground up to the level of the watertable.

12. Roof Design:

- (i) Minimum Overhang: The primary/main roof overhang or eaves shall be a minimum of twelve inches (12") on all facades of each Building, as measured prior to the installation of any Masonry Materials.
- (ii) Roofing Materials: All homes shall have dimensional or architectural grade shingles. Full metal roofs will not be allowed. Metal accent roofs may be used as coverings over a porch, a window seat, a bump-out, a dormer, or similar architectural feature.
- (iii) Roof Pitch: Townhouses designed in the Midcentury Modern, Modern Prairie, or other modern styles that typically have low slope roofs may have a minimum roof pitch of 4:12 for the main roof. The minimum roof pitch for the main roof of all other architectural style shall be 6:12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles. Shed roof dormer accents shall be no less than 3:12. The building permit application shall indicate whether the home is designed in a modern architectural style.

13. Garages: All Dwellings shall have a two (2) car garage.



14. Front Building Facade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Front Building Façade (façade including the entry door) unless specifically noted otherwise:

- (i) Shall consist of Masonry Material and two (2) of the following materials: composite trim, composite veneer panels, horizontal siding, shake siding or board and batten siding.
- (ii) Shutters or a six-inch (6") nominal trim board on all operable windows (windows which open) shall apply unless wrapped in masonry.
- (iii) A minimum of one (1) offset at least one and a half feet (1.5') deep by a minimum height equivalent to one-story (exclusive of relief for doors, windows and other openings). Said relief could be either on the first floor or second floor.
- (iv) A minimum of four (4) windows.
- (v) Front door entranceways shall include a porch not less than three feet (3') deep by five feet (5') wide (prior to installation of any Masonry Material).
- (vi) The roof design shall include at least one (1) of the following features: dormer, jerkinhead roof, shed roof accent, cornice returns, gable, or two (2) or more roof planes.
- (vii) Gable ends shall include a minimum of one (1) of the following architectural treatments: brackets, trim detail, change in material pattern, sub-rake board not less than four-inch (4") nominal width or composite veneer panels.

15. Side Building Facade Requirements: At a minimum, the side elevation for each end unit on each Townhouse building shall utilize the following architectural elements (exclusive of common firewalls separating units contained in same building structure):

- (i) A minimum of three (3) windows shall be required.
- (ii) All windows shall have a minimum four-inch (4") nominal width trim.



(iii) Architectural treatment (trim detail, a change in material pattern, etc.) shall be utilized on gable ends.

16. Rear Building Facade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Rear Facade (façade opposite the facade including the entry door):

(i) A minimum of two (2) windows shall be required.

(ii) Windows shall have minimum four-inch (4") nominal width trim.

17. Streetscape Diversity: The following design criteria shall apply only to Townhomes whose Front Building Facades face Union Street and shall be provided to achieve streetscape diversity along the Union Street frontage:

(i) Townhouses adjacent to Union Street shall require the front door to face Union Street and the garage shall face an internal street or alley.

(ii) A sidewalk/pedestrian corridor and courtyard shall be provided between buildings along Union Street as shown in the Concept Plan.

(iii) Each unit shall have outdoor living areas along the streetscape.

51. Building Standards (Article 6.4)

52. Fence Standards (Article 6.5)

53. Height Standards (Article 6.6)

54. Landscaping Standards (Article 6.8 & Ord. 21-52)

- a. Tree Preservation (Article 6.8(E)): The Open Space Amenity and Preservation Exhibit, attached hereto as Exhibit D is hereby incorporated. Existing vegetation shall be protected in a Tree Preservation Easement where shown as "Tree Preservation Easement" in Exhibit D in accordance with Chapter 8 of the Design Standards except as modified by this Ordinance. (Ord. 21-52)



- b. Street Trees (Article 6.8 (J)): Shall apply, unless otherwise approved by the Director or Department of Public Works, except the following: (Ord. 21-52)
 - 1. Street trees are not required on alleys or private streets with Townhouse Dwelling frontage.
 - 2. Street Tree spacing (Article 6.8(J)(3)): shall not apply
- c. Foundation Plantings (Article 6.8 (L)(1): Shall apply to Townhouse Dwellings only. Along Union Street, the foundation plantings shall be a landscaped area between the front of the townhomes and the perimeter trail with the following requirements: (Ord. 21-52)
 - 1. The landscaped area shall be a minimum of 8' wide, between the buildings and the trail. A minimum of One (1) ornamental tree and five (5) shrubs shall be provided per Townhouse in this area. In addition, shade trees shall be provided between the trail and Union Street if permitted by Section 8.3D below in accordance with the Street Tree standards of Article 6.8 (J) of the UDO. Landscaping within the landscaped area may be installed in the Right-of-way, subject to approval from the Department of Public Works.
 - 2. Minimum of six (6) different species of shrubs shall be used along the streetscape to provide diversity. The number of plantings shall comply with the 8.3C of this document.
- d. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply. However, plantings accomplishing an aesthetic similar to Street Trees may be installed in the Union Street Right-of-way between the pedestrian path and public street, subject to approval from the Community Development and Public Works Departments. (Ord. 21-52)
- e. Buffer Yard Requirements (Article 6.8 (N)): There is no Buffer Yard required adjacent to the Lantern Park subdivision to the south and east. Buffer Yard B (40' minimum), as indicated in Article 6.3(N), shall be provided along the north and east property lines (except at the Private Residence & Store Subdistrict). Tree Preservation Easement areas shall be credited toward required Buffer Yard plantings in accordance with Article 6.8(E)(6)(b). Along the east property line, to

the west of the Tree Preservation Area and within the 40-foot Buffer Yard (as shown on the Concept Plan, Exhibit B) a 10 foot wide row of evergreen trees shall be provided. This row shall consist of a minimum of thirty (30) evergreen trees and shall count towards the Buffer Yard B plantings. (Ord. 21-52)

- f. Minimum Lot Landscaping Requirements (Article 6.8 (K)): Single-family residential lots under 8,000 SF are required to have at a minimum two (2) shade trees, one (1) evergreen tree, and four (4) shrubs. Single-family residential lots over 8,000 SF are required to have at a minimum four (4) shade trees, two (2) evergreen trees, and four (4) shrubs. (Article 6.8 (K))
- g. Parking Area Landscaping (Article 6.8 (O)): Minimum Area Required

Number of Parking Spaces	% of Parking Area to be Islands
0 to 4	0%
5 to 24	5%
25 to 49	7.5%
50 or more	10%

- i. Interior Parking Area Islands:
 - 1. Location: Parking Area islands shall be dispersed throughout Parking Areas in a design and configuration that aesthetically corresponds to the size and shape of Parking Areas. Combining or placing Parking Area islands together such that more than one (1) tree may be planted in the island shall be considered when possible. Parking Area islands shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.
 - 2. Design: Parking Area islands shall be: (a) constructed at least six (6) inches above the surface of Parking Areas and curbed in a manner that restricts vehicles from driving over landscaped areas; (b) a minimum area of one hundred twenty (120) square feet; and (c) a



minimum of seven (7) feet in width, measured from back of curb to back of curb.

3. Plantings: Parking Area islands shall include at least one (1) tree and four (4) shrubs per island. One hundred (100) percent of every island shall be covered with permitted Groundcover material to achieve complete coverage.
 4. Vision Clearance: No landscaping within Parking Area islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting Parking Areas. Such landscaping shall be constructed in compliance with Article 6.19 Vision Clearance Standards.
- ii. Perimeter Parking Area Landscaping:
1. Application: Perimeter landscaping is required for Parking Areas with ten (10) or more spaces where the Parking Area is located within: (i) an Established Front Yard; (ii) a required Yard; or (iii) twenty (20) feet of a Lot Line or Right-of-way line. In instances where parking is shared between adjacent Lots, the standards of this article shall not apply to the shared Lot Line.
 2. Design: Perimeter Parking Area landscaping shall be a minimum of five (5) feet wide and shall extend along the perimeter of Parking Areas and include:
 - a. A minimum of one (1) tree per thirty (30) linear feet of Parking Area length. Trees may be clustered in an aesthetically pleasing manner.
 - b. A minimum of one (1) shrub per three (3) feet of Parking Area length. Shrubs may be clustered in an aesthetically pleasing manner.
 - c. Grass or other permitted Groundcover for areas not planted with trees or shrubs. c.
 3. Drive Aisles: Plantings within the perimeter Parking Area landscape areas between drive aisles and a Rear or Side Lot Line may be reduced by up to fifty percent (50%) of the required plantings



above, if no Parking Spaces are located between the Lot Line and the drive aisle.

55. Lighting Standards (Article 6.9)

56. Lot Standards (Article 6.10)

57. Outside Storage and Display (Article 6.12)

58. Outdoor Café and Eating Areas (Article 6.13)

59. Parking and Loading Standards (Article 6.14)

60. Setback Standards (Article 6.16)

61. Sign Standards (Article 6.17 & Ord. 21-52)

- a. One (1) sign in accordance with Article 6.17(H) Individual Nonresidential Signs may be installed within the Real Estate for the Private Residence & Store Subdistrict (but not within one-hundred (100') feet of the Union Street right-of way). This sign shall not count toward the residential signs permitted for the Townhouses and Single Family Subdistricts by Article 6.17(G). Existing sign may remain until a new sign is installed.

62. Vision Clearance Standards (Ord. 21-52)

- a. Thirty-five (35) feet from the intersection of Union Street and the entrance roads. The vision clearance shall be measured between the Union Street right-of-way line and the back of curb of the entrance road as shown on Exhibit B.
- b. Ten (10) feet from all other intersections including Local streets, Driveways, and Alleys as measured from the back of curb.

63. Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO and the Springwater PUD District (Ord. 21-52))



The plans comply.

64. Block Standards (Article 8.1)

- a. The maximum length of a block in a single-family residential Subdivision shall not exceed one thousand two hundred and fifty (1,250) feet; except where an Internal Street or Frontage Road parallels an Expressway or Arterial.

65. Easement Standards (Article 8.3)

66. Monument and Marker Standards (Article 8.5)

67. Open Space and Amenity Standards (Ord. 21-52)

- a. Open Space and Amenity Standards shall substantially comply with Exhibit D. The location of the amenities (playground, gazebo, firepit) shall be determined by the developer and will not be required to be in substantial compliance with the Concept Plan.

68. Pedestrian Network Standards (Article 8.7 & Ord. 21-52)

- a. Internal Pedestrian Network Standards (Article 8.7(C)(2)): Sidewalk shall be required on both sides of the Internal streets and Internal Private Streets in all developments except the following:
 - i. Sidewalks are not required on private streets on rear of townhouses
- b. Perimeter/External Pedestrian Network Standards (Article 8.7(D)): The pedestrian trail along Union Street shall be extended south along the roadway frontage to 161st Street as required by Article 8.7(D)(1) except where installed in this corridor by others including the roundabout project proposed at 161st and Union Street, provided the roundabout project has commenced prior to the recording of the Secondary Plat.

69. Storm Water Standards (Article 8.8)

70. Street and Right-of-Way Standards (Article 8.9)

71. Street Light Standards (Article 8.10)



72. Street Sign Standards (Article 8.11)

73. Surety Standards (Article 8.12)

74. Utility Standards (Article 8.13)

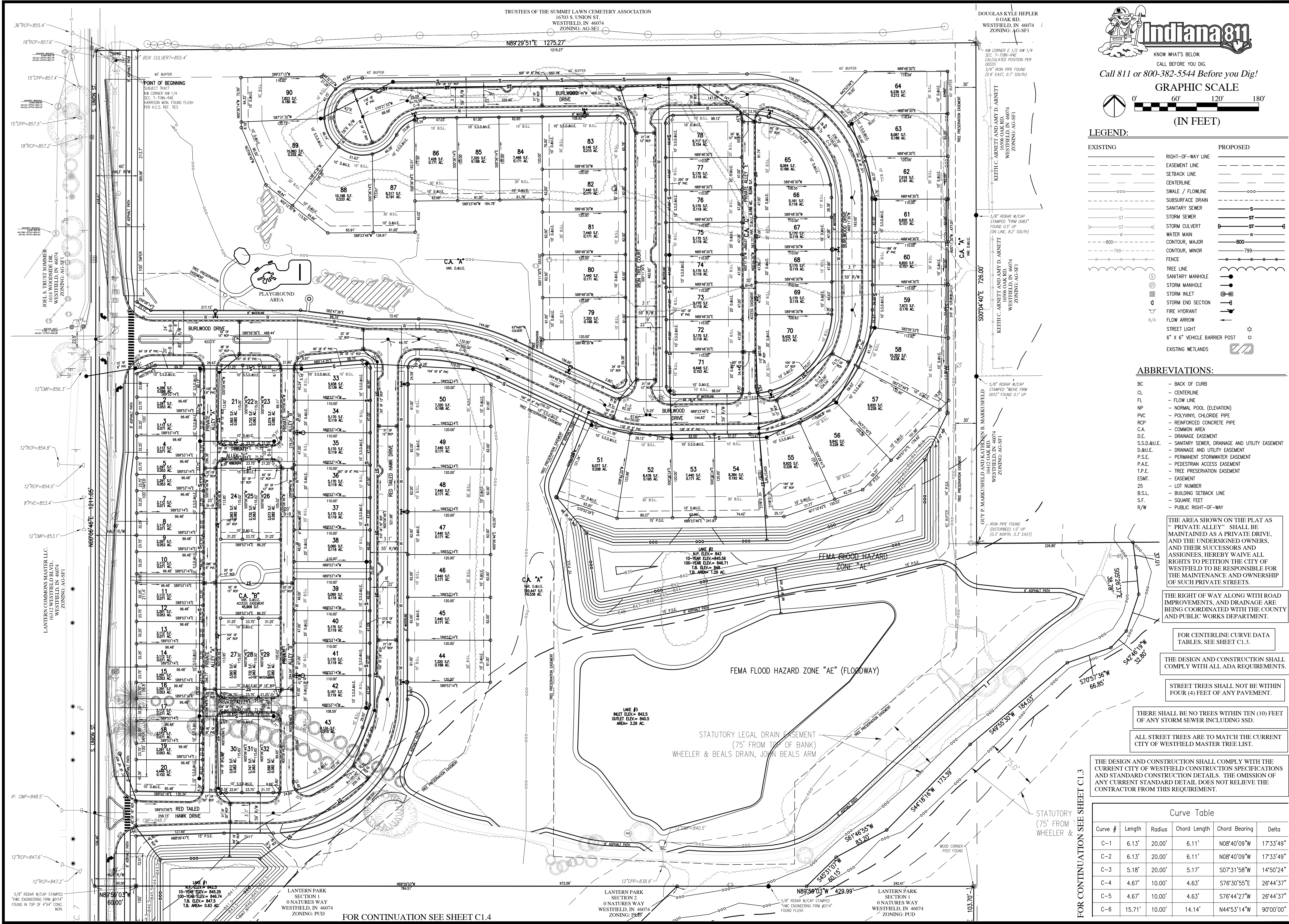
DEPARTMENT COMMENTS

- 1) **Action: 2206-ODP-06 (Overall Development Plan) & 2206-SPP-06 (Primary Plat) comply with the UDO. The Department recommends approving the petition with the following condition:**
 - a. **All necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the issuance of an Improvement Location Permit.**
- 2) If any Plan Commission member has questions prior to the meeting, please contact Ryan Collingwood at 317-741-8857 or rcollingwood@westfield.in.gov.

NARRATIVE STATEMENT

Apollo Developers, LLC respectfully requests this primary plat and overall development plan approval for the 50.5 acres± located on the east side of Union Street north of 161st Street. The existing zoning of the subject property is the Springwater Planned Unit Development (PUD) District Ordinance 2112-29, as adopted by the City Council on February 8, 2022.

The proposed subdivision is consistent with the approved Springwater PUD District Ordinance and consists of ninety (32) townhomes, (25) cottages, and (33) villas, along with 16 acres± of open space. The overall development plan fits with the wooded area and incorporates the unique buffer standards to the adjacent property owners, as set forth in the applicable ordinance.



REVISIONS

DATE	DESCRIPTION	BY

HWC
ENGINEERING

INDIANAPOLIS - TERRE HAUTE
LAFAYETTE - MUNCIE - NEW ALBANY
www.twcengineering.com

SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA

PRIMARY PLAT PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

No. PE10809001
STATE OF INDIANA
APPROVED FOR RECORDATION

DRAWN BY
TD/MM

CHECKED BY
MM

DATE
APRIL 29, 2022

SCALE
AS SHOWN

SHEET

C1.2

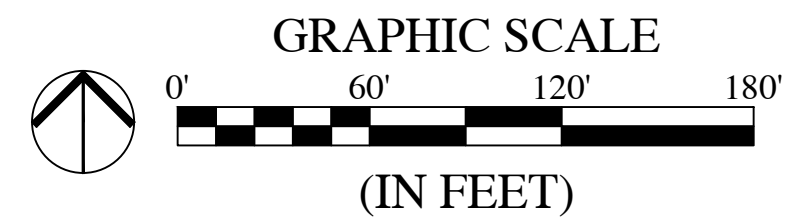
PRIMARY PLAT PLAN

JOB NUMBER
2022-036

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Call 811 or 800-382-5544 Before you Dig.



LEGEND:

EXISTING		RIGHT-OF-WAY LINE		PROPOSED
		EASEMENT LINE		
		SETBACK LINE		
		CENTERLINE		
		SWALE / FLOWLINE		
		SUBSURFACE DRAIN		
		SANITARY SEWER		
		STORM SEWER		
		STORM CULVERT		
		WATER MAIN		
		CONTOUR, MAJOR		
		CONTOUR, MINOR		
		FENCE		
		TREE LINE		
	③	SANITARY MANHOLE		
	②	STORM MANHOLE		
	①	STORM INLET		
	d	STORM END SECTION		
	h	FIRE HYDRANT		
	N/A	FLOW ARROW		
		STREET LIGHT		
		6" x 6" VEHICLE BARRIER POST		
		EXISTING WETLANDS		

ABBREVIATION

BC	- BACK OF CURB
CL	- CENTERLINE
FL	- FLOW LINE
NP	- NORMAL POOL (ELEVATION)
PVC	- POLYVINYL CHLORIDE PIPE
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T.P.E.	- TREE PRESERVATION EASEMENT
ESMT.	- EASEMENT
25	- LOT NUMBER
B.S.L.	- BUILDING SETBACK LINE
S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.

STREET TREES SHALL NOT BE WITHIN
FOUR (4) FEET OF ANY PAVEMENT.

THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.

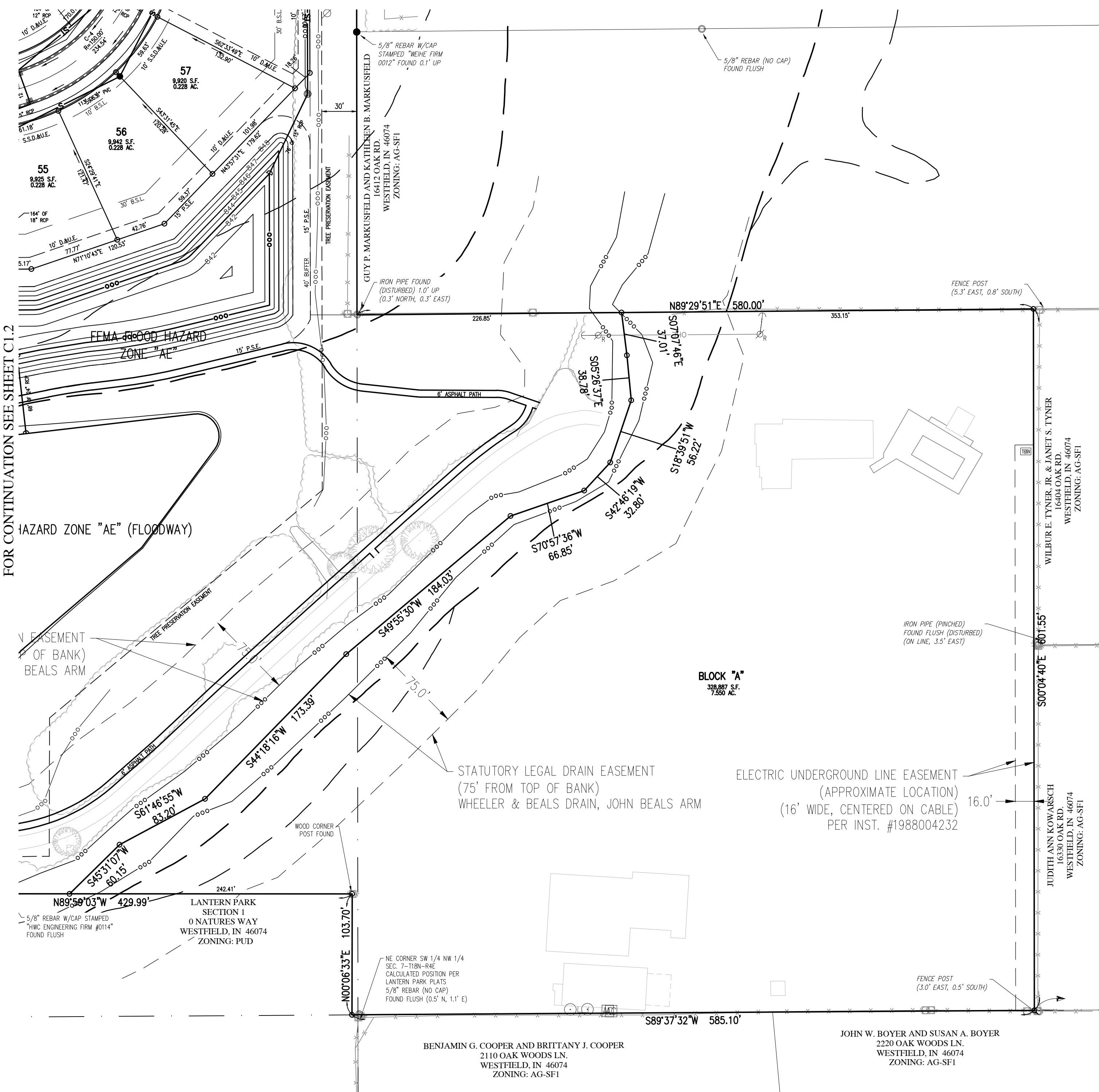
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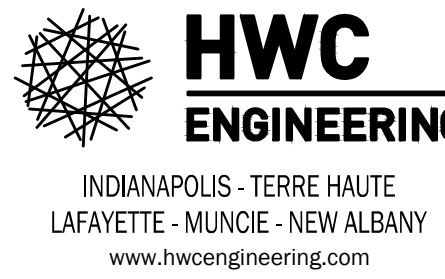
THE AREA SHOWN ON THE PLAT AS
“ PRIVATE ALLEY” SHALL BE
MAINTAINED AS A PRIVATE DRIVE,
AND THE UNDERSIGNED OWNERS,
AND THEIR SUCCESSORS AND
ASSIGNEES, HEREBY WAIVE ALL
RIGHTS TO PETITION THE CITY OF
WESTFIELD TO BE RESPONSIBLE FOR
THE MAINTENANCE AND OWNERSHIP
OF SUCH PRIVATE STREETS.

THE DRAINAGE FOR THE SITE HAS BEEN COORDINATED WITH THE COUNTY SURVEYORS'S OFFICE AND THE COUNTY DRAINAGE BOARD.

THE DESIGN FOR CONSTRUCTION ACTIVITIES IN THE ONSITE FLOODPLAIN AREA HAS BEEN COORDINATED WITH THE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WATER



REVISIONS

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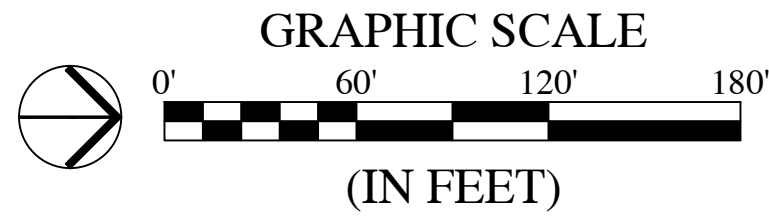
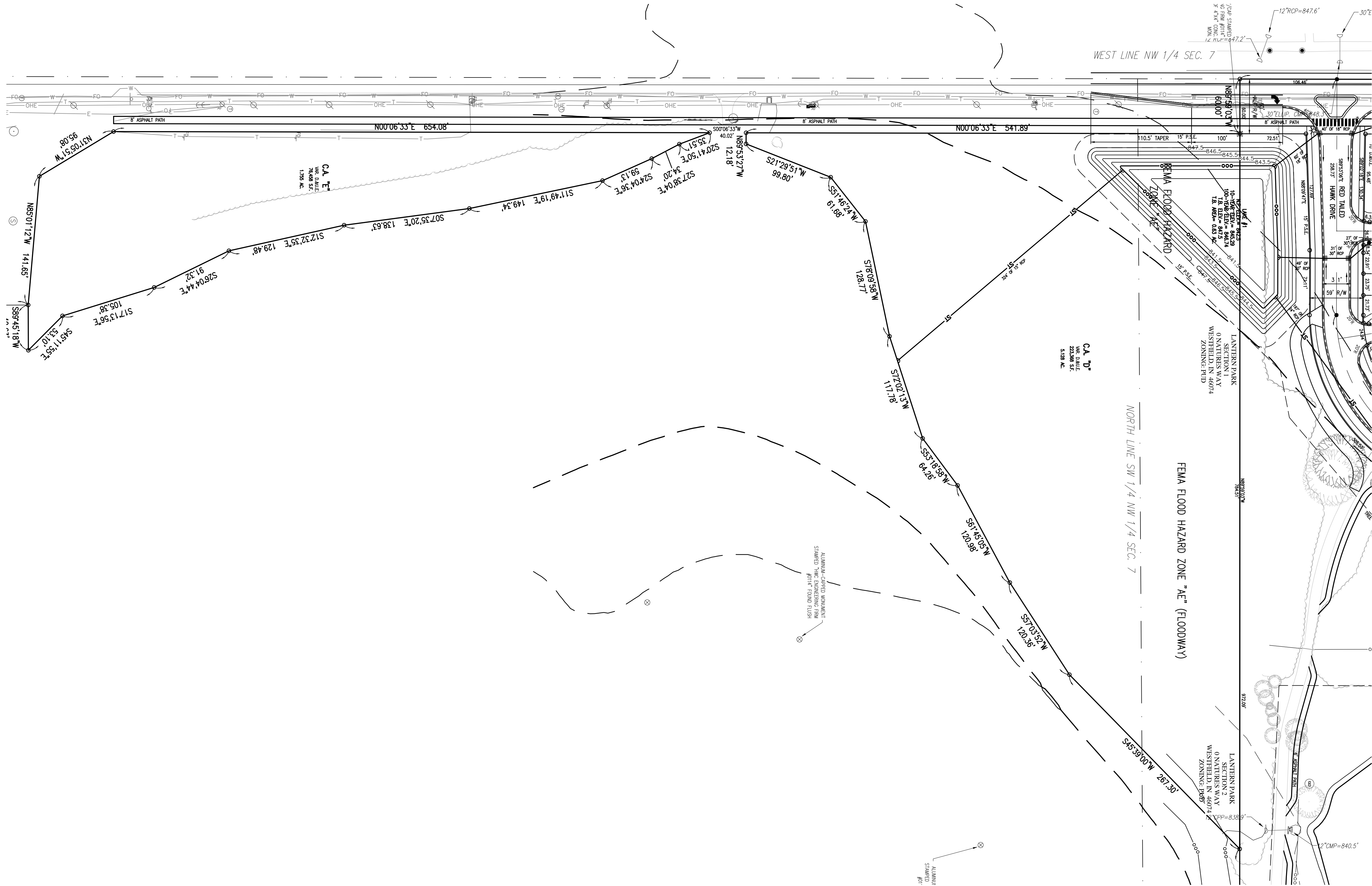
SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA
PRIMARY PLAT PLAN

PREPARED BY
 REGISTERED
 No.
 PE10809001
 STATE OF
 INDIANA
 PROFESSIONAL ENGINEER

DRAWN BY TD/MM	JOB NUMBER 2022-036
CHECKED BY MM	
DATE APRIL 29, 2022	
SCALE AS SHOWN	
SHEET	

C1.3

PRIMARY PLAT PLA



LEGEND:

EXISTING	PROPOSED
RIGHT-OF-WAY LINE	RIGHT-OF-WAY LINE
EASEMENT LINE	EASEMENT LINE
SETBACK LINE	SETBACK LINE
CENTERLINE	CENTERLINE
SWALE / FLOWLINE	SWALE / FLOWLINE
SUBSURFACE DRAIN	SUBSURFACE DRAIN
SANITARY SEWER	SANITARY SEWER
STORM SEWER	STORM SEWER
STORM CULVERT	STORM CULVERT
WATER MAIN	WATER MAIN
CONTOUR, MAJOR	CONTOUR, MAJOR
CONTOUR, MINOR	CONTOUR, MINOR
FENCE	FENCE
TREE LINE	TREE LINE
SANITARY MANHOLE	SANITARY MANHOLE
STORM MANHOLE	STORM MANHOLE
STORM INLET	STORM INLET
STORM END SECTION	STORM END SECTION
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FLOW ARROW	FLOW ARROW
STREET LIGHT	STREET LIGHT
6" X 6" VEHICLE BARRIER POST	6" X 6" VEHICLE BARRIER POST
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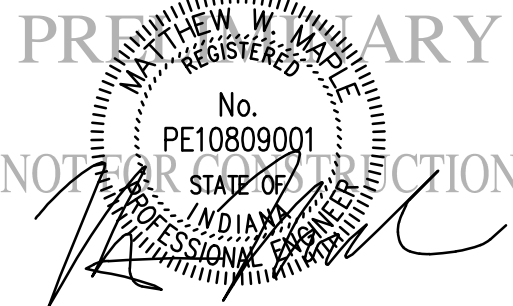
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REVISIONS

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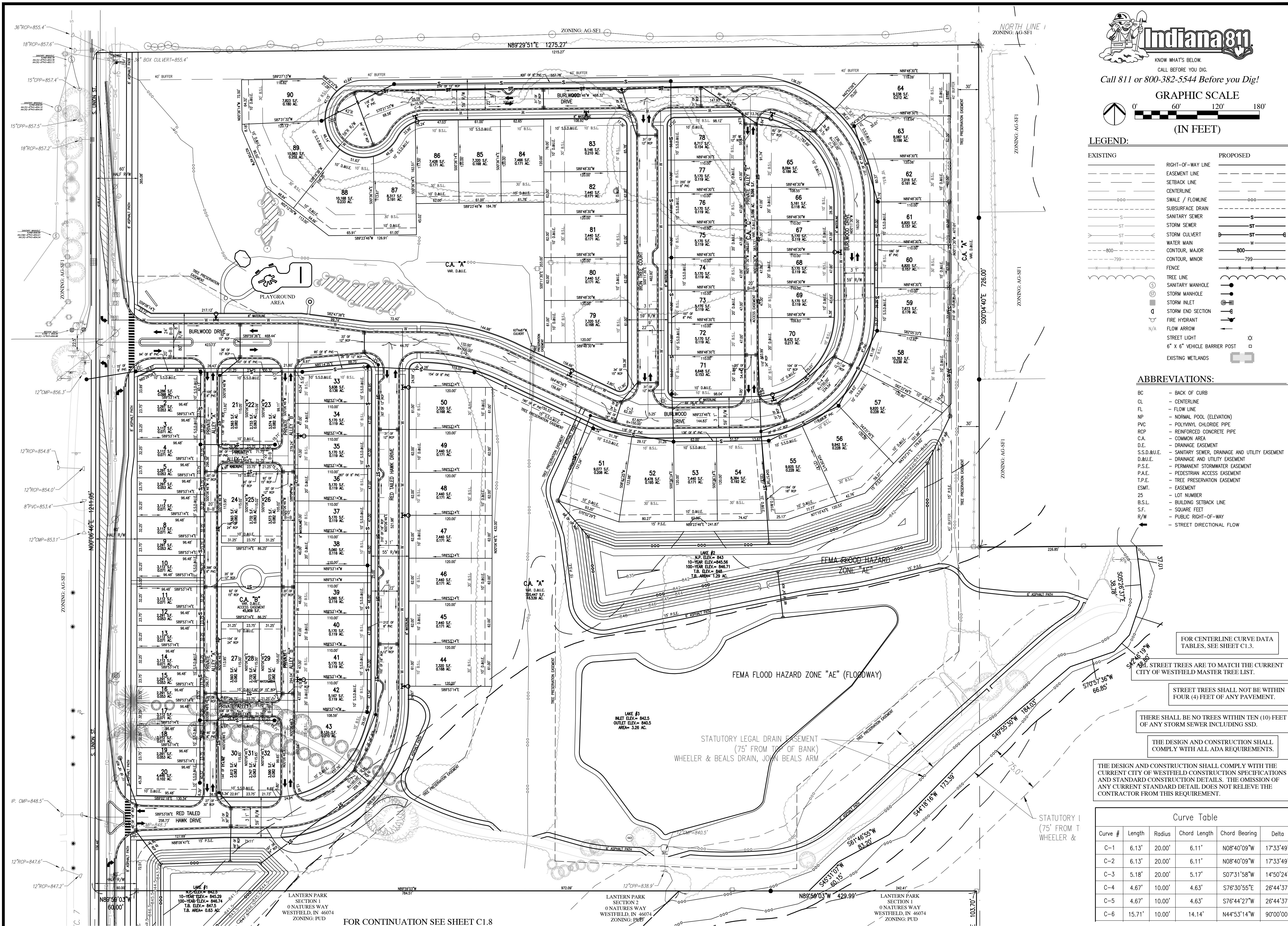


SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA
PRIMARY PLAT PLAN



DRAWN BY TD/MM	JOB NUMBER 2022-036
CHECKED BY MM	
DATE APRIL 29, 2022	
SCALE AS SHOWN	
SHEET	

C1.4
PRIMARY PLAT PLAN



KNOW WHAT'S BELOW.
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GRAPHIC SCALE

0' 60' 120'

(IN FEET)

LEGEND:

EXISTING		PROPOSED
	RIGHT-OF-WAY LINE	
	EASEMENT LINE	
	SETBACK LINE	
	CENTERLINE	
	SWALE / FLOWLINE	
	SUBSURFACE DRAIN	
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	STORM SEWER	
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ZS	~ LOT NUMBER
B.S.L.	~ BUILDING SETBACK LINE
S.F.	~ SQUARE FEET
R/W	~ PUBLIC RIGHT-OF-WAY
←	~ STREET DIRECTIONAL FLOW

Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-1	6.13'	20.00'	6.11'	N08°40'09"W	17°33'
C-2	6.13'	20.00'	6.11'	N08°40'09"W	17°33'
C-3	5.18'	20.00'	5.17'	S07°31'58"W	14°50'
C-4	4.67'	10.00'	4.63'	S76°30'55"E	26°44'
C-5	4.67'	10.00'	4.63'	S76°44'27"W	26°44'
C-6	15.71'	10.00'	14.14'	N44°53'14"W	90°00'

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www.hwcengineering.com

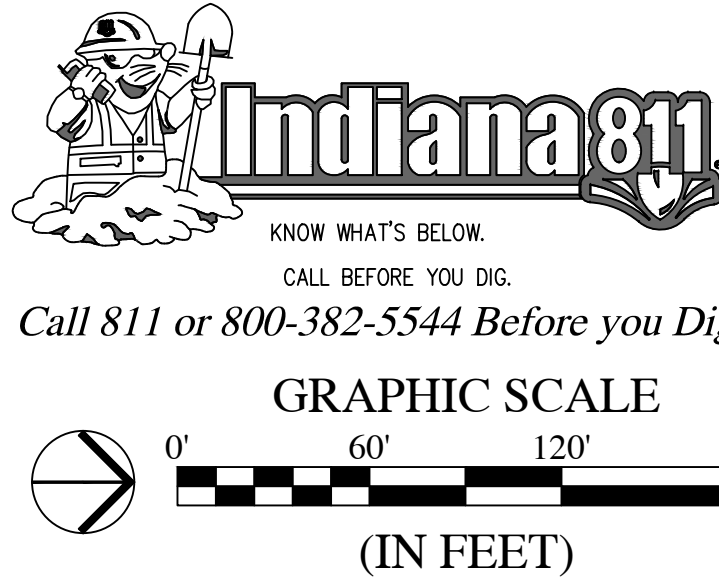
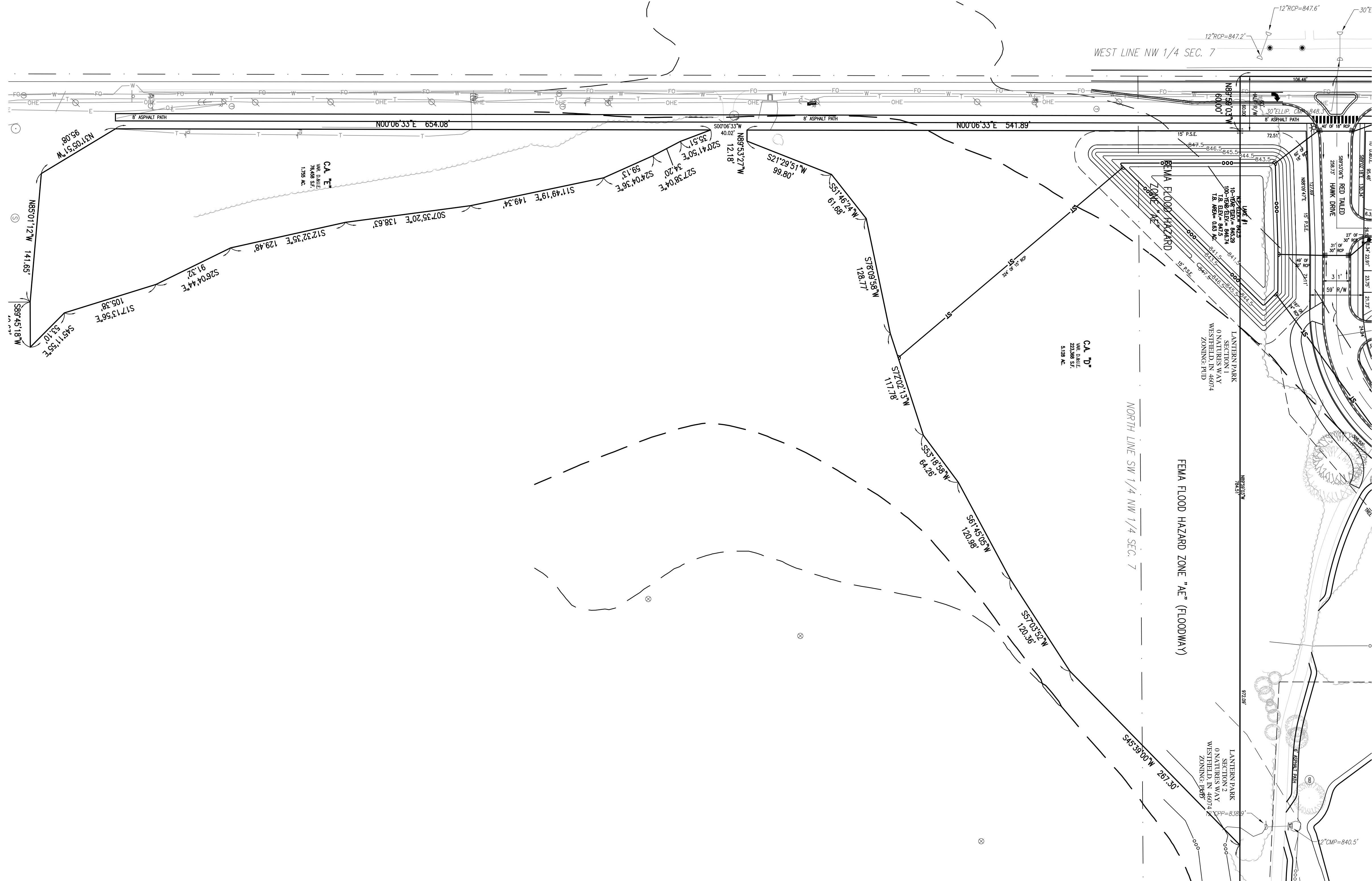
SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
 CITY OF WESTFIELD, INDIANA
 DEVELOPMENT PLAN

Matthew W. Madole
 Registered Professional Engineer
 No. PE10809001
 State of Indiana

DRAWN BY TD/MM	JOB NUMBER 2022-036
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DEVELOPMENT PLAN



LEGEND:	
EXISTING	PROPOSED
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	SETBACK LINE
	CENTERLINE
	SWALE / FLOWLINE
	SUBSURFACE DRAIN
	SANITARY SEWER
	STORM SEWER
	STORM CULVERT
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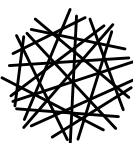
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REVISIONS		
DATE	DESCRIPTION	BY



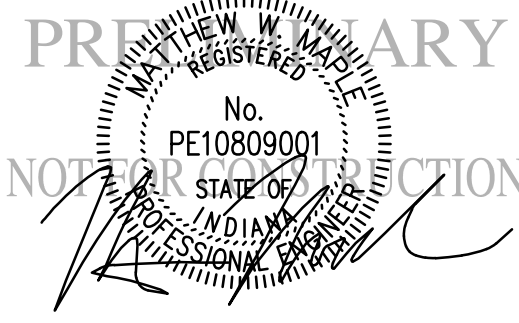
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SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN

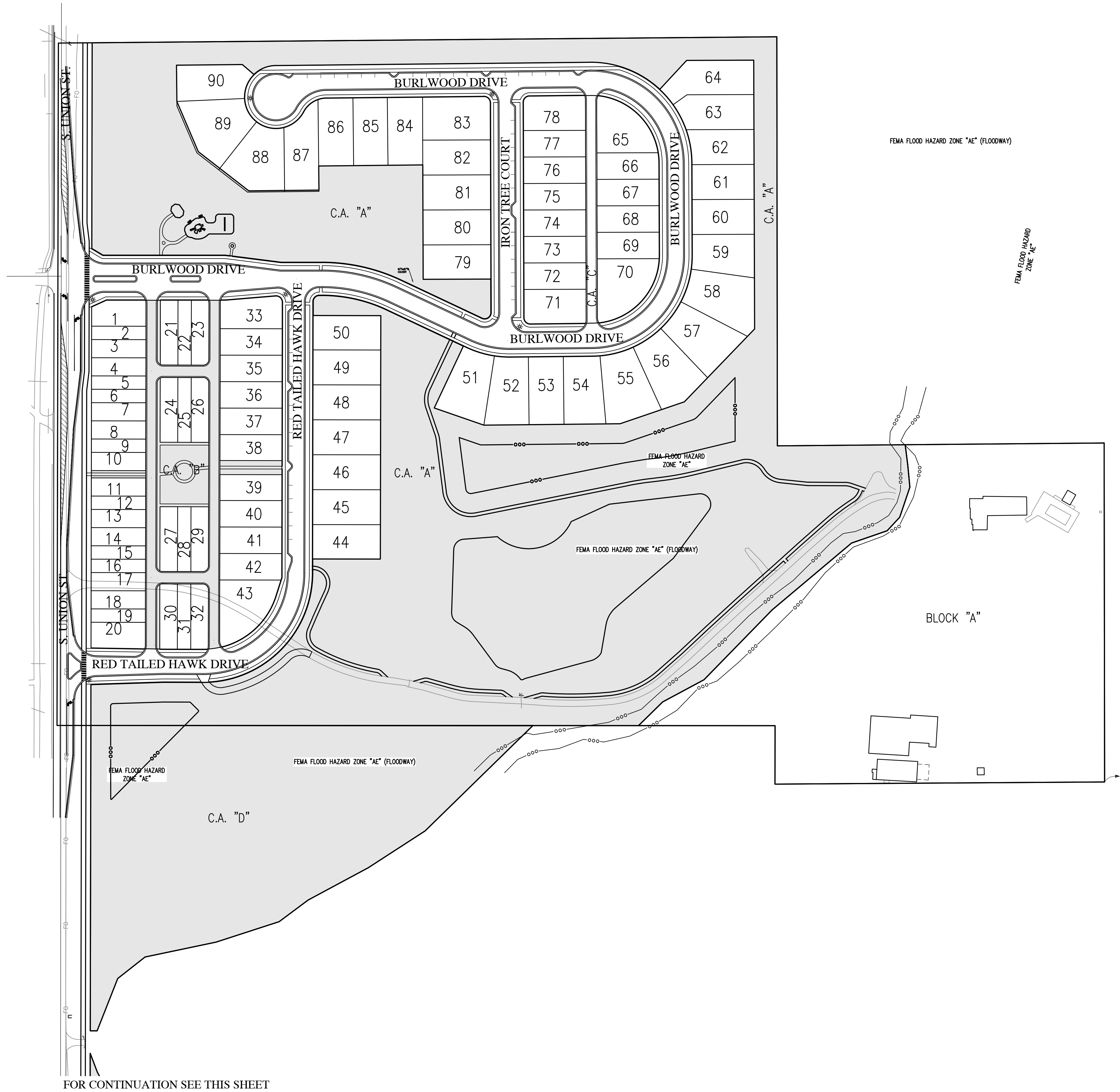
CITY OF WESTFIELD, INDIANA

DEVELOPMENT PLAN

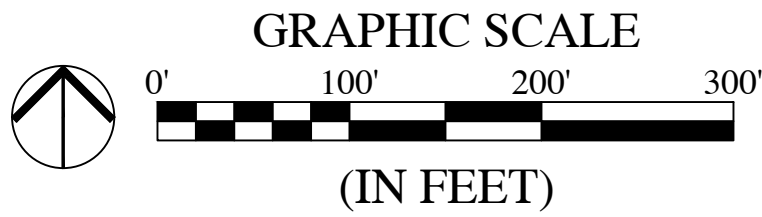


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CHECKED BY MM	
DATE APRIL 29, 2022	
SCALE AS SHOWN	
SHEET	

C1.8
DEVELOPMENT PLAN



FOR CONTINUATION SEE THIS SHEET



LEGEND:

EXISTING	PROPOSED

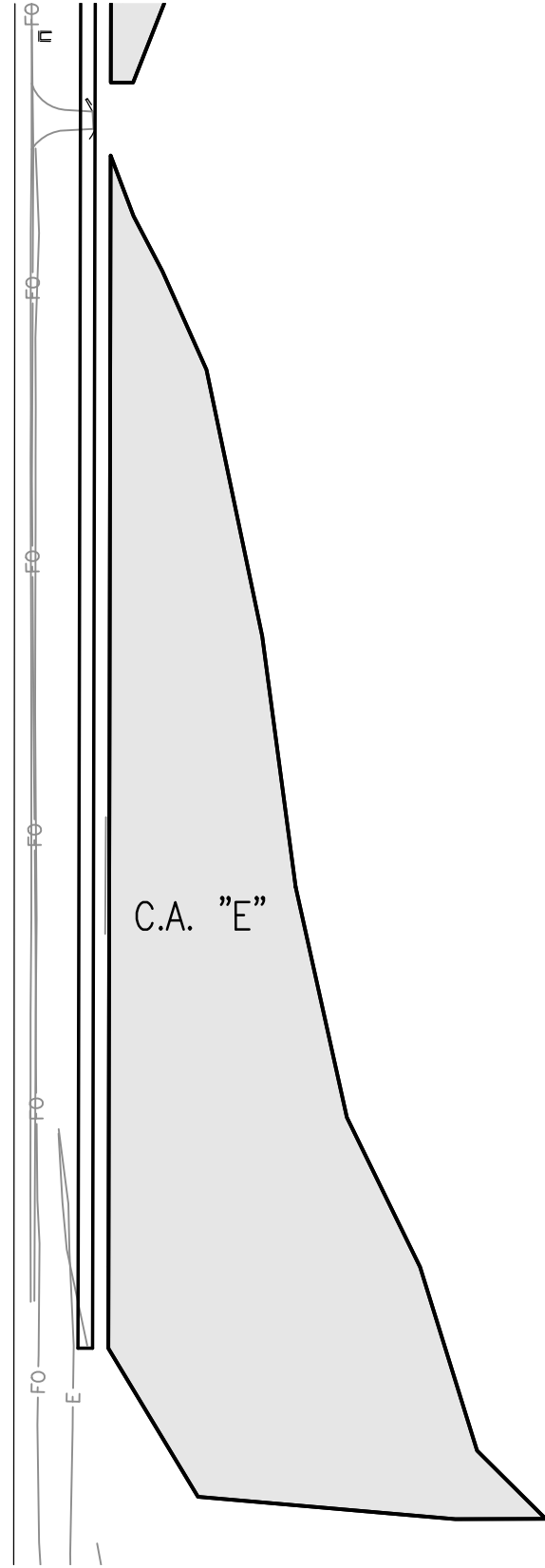
ABBREVIATIONS:

C.A.	- COMMON AREA
ZS	- LOT NUMBER

COMMON AREA SUMMARY (OPEN SPACE)	
CA "A"	= 721,393 SF
CA "B"	= 45,909 SF
CA "C"	= 223,368 SF
CA "D"	= 76,458 SF
TOTAL COMMON AREA = 1,067,128 SF	
TOTAL COMMON AREA = 24.50 ACRES	

OPEN SPACE REQUIRED = 15.0%
OPEN SPACE PROVIDED
OPEN SPACE AREA = 24.50 AC. = 56.95%
TOTAL ACREAGE = 43.02 AC.

FOR CONTINUATION SEE THIS SHEET



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THE DESIGN AND CONSTRUCTION SHALL COMPLY WITH ALL ADA REQUIREMENTS.

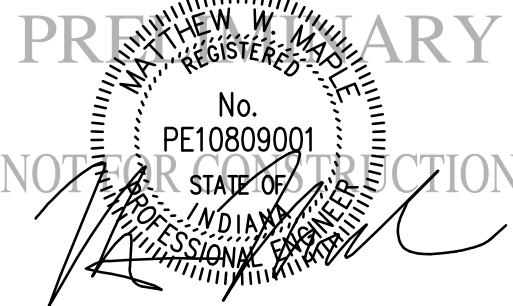
THE DESIGN AND CONSTRUCTION SHALL COMPLY WITH THE CURRENT CITY OF WESTFIELD CONSTRUCTION SPECIFICATIONS AND STANDARD CONSTRUCTION DETAILS. THE OMISSION OF ANY CURRENT STANDARD DETAIL DOES NOT RELIEVE THE CONTRACTOR FROM THIS REQUIREMENT.

REVISIONS

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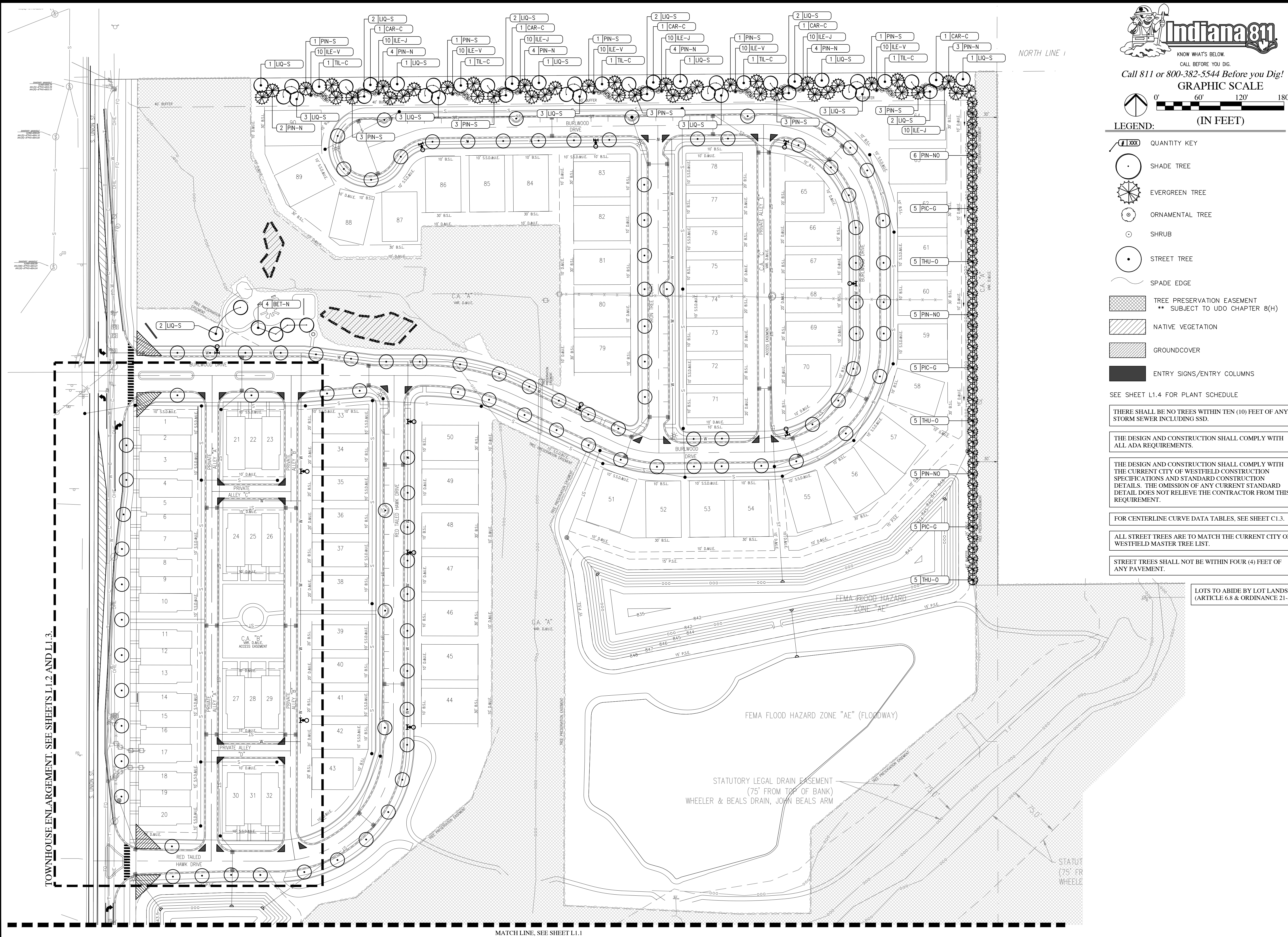
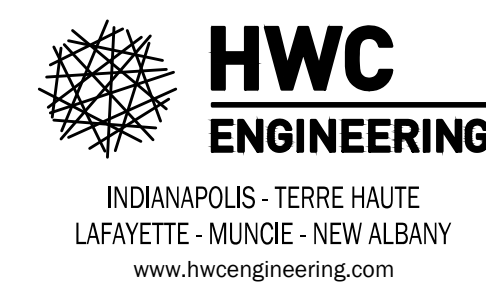
SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA
OVERALL OPEN SPACE PLAN



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OVERALL OPEN SPACE
PLAN

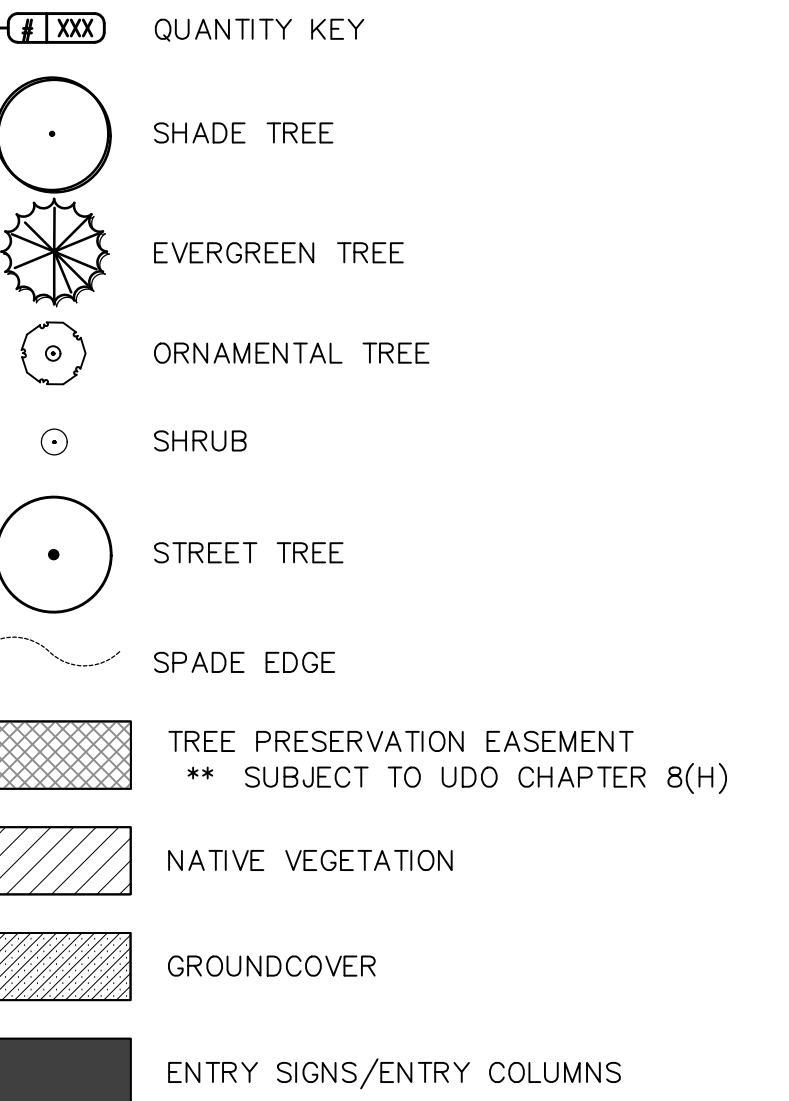
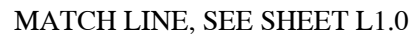
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SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA

OVERALL LANDSCAPE PLAN



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DATE APRIL 29, 2022	
SCALE AS SHOWN	
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L1.0 OVERALL LANDSCAPE PLAN	



**LOTS TO ABIDE BY LOT LANDSCAPING
(ARTICLE 6.8 & ORDINANCE 21-52)**

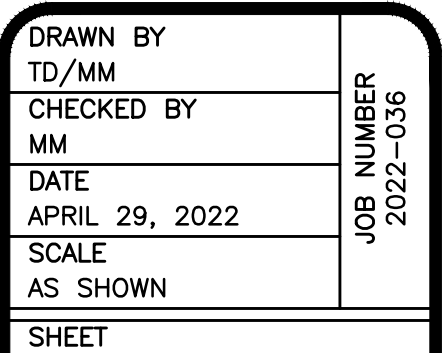


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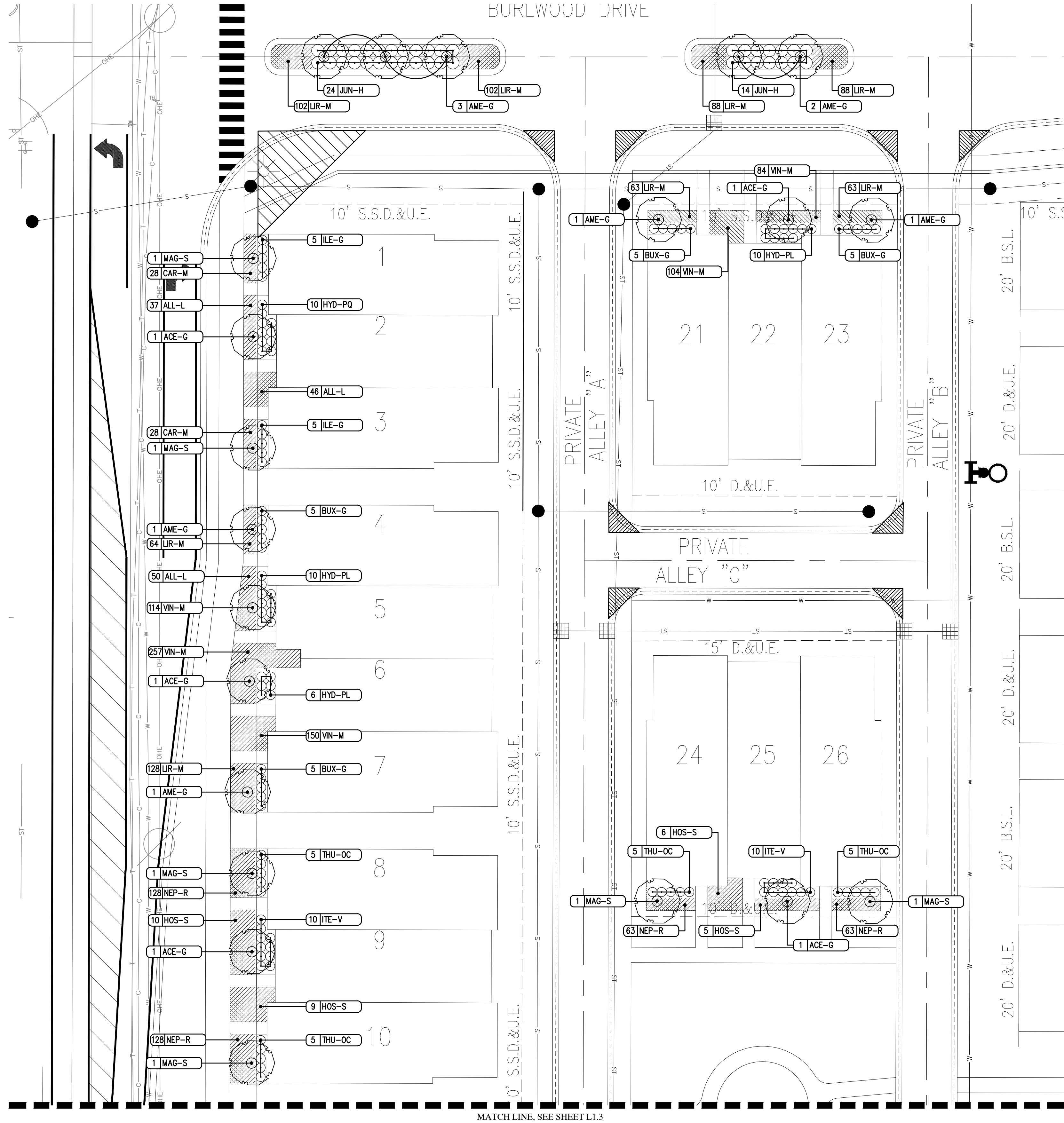
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OVERALL LANDSCAPE PLAN

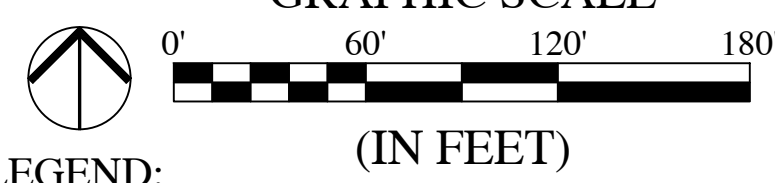


OVERALL LANDSCAPE PLAN

Plot Date: Jul 18, 2022 Plot Time: 9:17am File Name: W:\palla Developers\2022-036-S Springwater\Design\CAD\Development Plan Sheet Set\22036.DP - Landscape Plan.dwg Layout: L1.2 By: mmale



Call 811 or 800-382-5544 Before you Dig!



LEGEND:

- QUANTITY KEY
- SHADE TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- SHRUB
- STREET TREE
- SPADE EDGE
- TREE PRESERVATION EASEMENT
** SUBJECT TO UDO CHAPTER 8(H)
- NATIVE VEGETATION
- GROUNDCOVER
- ENTRY SIGNS/ENTRY COLUMNS

SEE SHEET L1.4 FOR PLANT SCHEDULE

THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.

THE DESIGN AND CONSTRUCTION SHALL COMPLY WITH ALL ADA REQUIREMENTS.

THE DESIGN AND CONSTRUCTION SHALL COMPLY WITH THE CURRENT CITY OF WESTFIELD CONSTRUCTION SPECIFICATIONS AND STANDARD CONSTRUCTION DETAILS. THE OMISSION OF ANY CURRENT STANDARD DETAIL DOES NOT RELIEVE THE CONTRACTOR FROM THIS REQUIREMENT.

FOR CENTERLINE CURVE DATA TABLES, SEE SHEET C1.3.

ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.

STREET TREES SHALL NOT BE WITHIN FOUR (4) FEET OF ANY PAVEMENT.

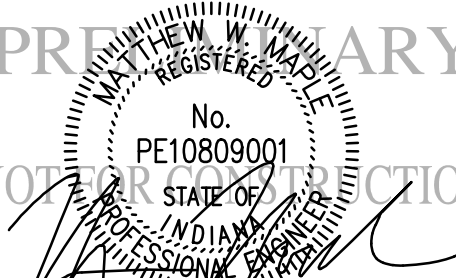
FOR STREET TREE LOCATIONS, SEE L1.0.

LOTS TO ABIDE BY LOT LANDSCAPING (ARTICLE 6.8 & ORDINANCE 21-52)

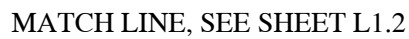
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SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA
TOWNHOUSE ENLARGEMENT



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SCALE AS SHOWN	
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L1.2	
TOWNHOUSE ENLARGEMENT	



LEGEND:



QUANTITY KEY

()

SHADE TREE

EVERGREEN TREE

ORNAMENTAL TREE

SHRUB

 $\bullet$

STREET TREE

SPADE EDGE



TREE PRESERVATION EASEMENT

NATIVE VEGETATION



GROUND COVER

11/11/2019

ENTRY SIGNS/ENTRY COLUMNS

SEE SHEET L1.4 FOR PLANT SCHEDULE

THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.

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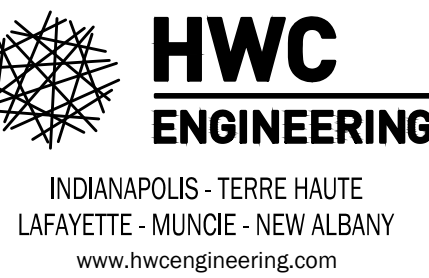
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FOR STREET TREE LOCATIONS, SEE L1.0.

LOTS TO ABIDE BY LOT LANDSCAPING
(ARTICLE 6.8 & ORDINANCE 21-52)

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SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN
CITY OF WESTFIELD, INDIANA
TOWNHOUSE ENLARGEMENT

A circular professional engineer seal for Matthew W. Maple, Registered Professional Engineer, No. PE10809001, State of Indiana. The seal is stamped over the signature of Matthew W. Maple.

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SHEET	

L1.3

TOWNHOUSE ENLARGEMENT

File Name: W:\palla Developers\2022-036-S Springwater\Design\CAD\Development Plan Sheet Set\22036.DP - Landscape Plan.dwg, Layout: L1.4 By: mmmaple Plot Date: Jul 18, 2022 Plot Time: 9:17am

MASTER PLANTING SCHEDULE:

KEY	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	HGT	ROOT	SPACING	REMARKS
SHADE TREES								
BET-N	4	BETULA NIGRA 'CULLY'	RIVER BIRCH	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
CAR-C	5	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
TIL-C	5	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2.5"	8'	B&B	SEE PLAN	CENTAL LEADER
STREET TREES								
		*ACER FREEMANII	FREEMAN MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
		*ACER PSEUDOPLATANUS	SYCAMORE MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
		*LIRIODENDRON TULPIFERA	TULIPTREE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
		*TILIA TOMENTOSA 'STERLING SILVER'	STERLING SILVER LINDEN	2.5"	8'	B&B	SEE PLAN	CENTRAL LEADER
		*ULMUS 'MORTON'	ACCOLADE ELM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
ORNAMENTAL TREES								
ACE-G	11	ACER GRISEUM	PAPERBARK MAPLE	-	6'	#20 CONT	SEE PLAN	MULTI-TRUNK, MIN. 3 CANES
AME-G	15	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
MAG-S	10	MAGNOLIA X SOULANGIANA	SAUCER MAGNOLIA	-	6'	B&B	SEE PLAN	MULTI-TRUNK, MIN. 3 CANES
EVERGREEN TREES								
PIC-G	15	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIN-N	21	PINUS NIGRA	BLACK PINE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIN-NO	16	PINUS NIGRA 'OREGON GREEN'	OREGON GREEN AUSTRIAN PINE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIN-S	20	PINUS STROBUS	EASTERN WHITE PINE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
THU-O	15	THUJA OCCIDENTALIS	AMERICAN ARBORVITAE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
EVERGREEN SHRUBS								
BUX-G	40	BUXUS X 'GREEN VELVET'	GREEN VELVET BOXWOOD	-	18"	#3 CONT	SEE PLAN	FULL IN POT
ILE-G	20	ILEX GLABRA 'DENSE'	DENSE COMPACT INKBERRY	-	18"	#3 CONT	SEE PLAN	FULL IN POT
JUN-H	60	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	BLUE CHIP JUNIPER	-	12"	#3 CONT	SEE PLAN	FULL IN POT
THU-OC	40	THUJA OCCIDENTALIS 'CONGABE'	FIRE CHIEF GLOBE ARBORVITAE	-	18"	#3 CONT	SEE PLAN	FULL IN POT
DECIDUOUS SHRUBS								
HYD-PL	52	HYDRANGEA PANICULATA 'LITTLE LIME'	LITTLE LIME HYDRANGEA	-	18"	#3 CONT	SEE PLAN	FULL IN POT
HYD-PQ	20	HYDRANGEA PANICULATA 'LITTLE QUICK FIRE'	LITTLE QUICK FIRE HYDRANGEA	-	18"	#3 CONT	SEE PLAN	FULL IN POT
ILE-J	50	ILEX VERTICILLATA 'JIM DANDY'	JIM DANDY WINTERBERRY	-	18"	#3 CONT	SEE PLAN	FULL IN POT - MALE, BRED TO POLLINATE MOST WINTERBERRIES
ILE-V	50	ILEX VERTICILLATA 'RED SPRITE'	RED SPRITE WINTERBERRY	-	18"	#3 CONT	SEE PLAN	FULL IN POT
ITE-V	40	ITEA VIRGINICA 'LITTLE HENRY'	LITTLE HENRY DWARF SWEETSPIRE	-	18"	#3 CONT	SEE PLAN	FULL IN POT
GROUNDCOVERS								
ALL-L	273	ALLIUM LUSITANICUM 'SUMMER BEAUTY'	SUMMER BEAUTY ORNAMENTAL ONIC	-	-	#1 CONT	18" O.C.	FULL IN POT
CAR-M	168	CAREX MORROWII 'ICE DANCE'	ICE DANCE SEDGE	-	-	CLUMP #1 CONT	18" O.C.	FULL IN POT
HOS-S	60	HOSTA 'SUN POWER'	SUN POWER HOSTA	-	-	CLUMP #2 CONT	48" O.C.	FULL IN POT
LIR-M	1405	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILY TURF	-	-	CLUMP #1 CONT	12" O.C.	FULL IN POT
NEP-R	764	NEPETA RACEMOSA 'BLUE WONDER'	CATMINT	-	-	CLUMP #2 CONT	12" O.C.	FULL IN POT
VIN-M	1475	VINCA MINOR 'BOWLES VARIETY'	PURPLE MYRTLE	-	-	#1 CONT	12" O.C.	FULL IN POT

* INDICATES STREET TREE SPECIES

Table 1
Preferred Street Trees
Large/ Medium Tree List

Trees from Table 1 Will eventually reach a height of between thirty (30) to eighty (80) feet in most urban situ-ations. Variations of the plant selections not included on the Preferred Shade Tree List may be approved through the City's designee. Improved cultivars, seedless, and/or thornless varieties must be used when available. Locally grown stock is advised to improve tree survival rates. Minimum caliper of 2 inches is re-quired for all Shade Trees at installation unless otherwise specified.

COMMON NAME	SCIENTIFIC NAME
Coffeetree, Kentucky Elm, Accolade Ginkgo	Gymnocladus dioica (male only) Ulmus Morton Ginko biloba (male only)
Hackberry Honeylocust (thornless)	Celtis occidentalis Gleditsia triacanthos var. inermis, seedless cultivars
Horechestnut, Red Katsurstree	Aesculus x carnea Briotii Cercidiphyllum japonicum
Linden, Silver Sterling Silver Maple, Black Maple, Freeman	Tilia tomentosa Sterling Silver Acer nigrum Acer freemanii
Maple, Red Maple, Sugar Maple, Sycamore	Acer rubrum Acer saccharum Acer pseudoplatanus
Oak, Chinkapin Oak, Northern Red Oak, Shingle	Quercus muehlenbergii Quercus rubra Quercus imbricaria
Oak, Swamp White Oak, White Sweetgum	Quercus bicolor Quercus alba Liquidambar styraciflua
Tulip Zelkova	Liriodendrom tulipifera Zelcova serrata

Table 2
Alternative/ Substitute Trees
Small Tree List

Trees from Table 2 will eventually reach a height of between fifteen (15) to thirty (30) feet in most urban situations. The Alternate/ Substitute Tree List may be used with the approval of the City's designee under circumstances not conducive to trees listed in Table 1 (i.e. overhead power lines, narrow planting strips).

COMMON NAME	SCIENTIFIC NAME
Cherry, Cornelian Crabapple Var. Hawthorn Var.	Cornus mas Malus var. Crataegus crusgalli var.
Hornbeam, American Hornbeam, European Ironwood	Carpinus caroliniana Carpinus betulus Ostrya virginiana
Japanese Lilac Maple, Amur Maple, Hedge	Syringa reticulata Acer ginnala (single stem) Acer campestre
Maple, Paoerbark Redbud Serviceberry	Acer griseum Cercis canadensis Amelanchier var.

OPEN SPACE/ COMMON AREA
LANDSCAPING REQUIREMENT:

10 SHADE, ORNAMENTAL OR EVERGREEN TREES PER ACRE

TOTAL PROVIDED COMMON AREA = 24.0 ACRES

TOTAL TREE PRESERVATION AREA CREDIT = 11.4 ACRES

TOTAL COMMON AREA WITH CREDIT OF 11.4 ACRES = 12.6 ACRES

TREE REQUIREMENT = 12.6 ACRES * 10 TREES = 126 TREES

CREDIT PROVIDED FROM UNION STREET PLANTINGS = 12 TREES

CREDIT PROVIDED FROM BUFFER YARDS = 129 TREES

	REQUIRED	PROVIDED
SHADE TREE	-	47
ORNAMENTAL TREE	-	12
EVERGREEN TREE	-	88
TOTAL	129	147*

*TOTAL PROVIDED CALCULATION INCLUDES
UNION STREET PLANTINGS AND BUFFER YARD
CREDITS

LANDSCAPE GENERAL NOTES:

- ALL PLANT MATERIAL IS TO BE PROVIDED WITH A ONE-YEAR REPLACEMENT GUARANTEE AND SHALL BE REPLACED IF DEAD, DYING, OR OTHERWISE UNACCEPTABLE TO THE CIVIL ENGINEER OR LANDSCAPE ARCHITECT.
- NOTIFY THE LANDSCAPE ARCHITECT IF SITE CONDITIONS ARE UNSUITABLE OR OTHER UNFORESEEN CONDITIONS ARE FOUND.
- CONTRACTOR SHALL LOCATE AND VERIFY EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK, AND SHALL COORDINATE ALL LANDSCAPE WORK WITH CIVIL AND ELECTRICAL DRAWINGS, PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED TO REMAIN, AND REPAIR UTILITIES DAMAGED DURING OPERATIONS AT CONTRACTOR'S EXPENSE.
- ALL PLANT MATERIAL SHALL BE IN CONFORMANCE WITH THE "AMERICAN STANDARD FOR NURSERY STOCK" ANSI Z60.1 LATEST EDITION.
- ALL LANDSCAPING SHALL BE INSTALLED PER LOCAL ZONING REQUIREMENTS.
- THE LANDSCAPE ARCHITECT OR CIVIL ENGINEER SHALL INSPECT THE QUALITY OF PLANT MATERIAL UPON ARRIVAL ON-SITE BEFORE PLANTS ARE PLACED IN THE GROUND. THE LANDSCAPE ARCHITECT OR CIVIL ENGINEER MAY REJECT ANY PLANT MATERIAL AND IT SHALL BE REPLACED WITH ACCEPTABLE MATERIAL BY THE LANDSCAPE CONTRACTOR.
- NO SUBSTITUTIONS FOR THE SPECIFIED LANDSCAPE MATERIAL ARE ALLOWED UNLESS ACCEPTED IN WRITING BY THE LANDSCAPE ARCHITECT OR CIVIL ENGINEER PRIOR TO PLANTING OPERATIONS.
- CONTRACTOR TO THOROUGHLY WATER ALL PLANT MATERIAL WITHIN SIX (6) HOURS OF INSTALLATION.
- THE SITE IS TO BE LEFT IN A CLEAN AND NEAT CONDITION AT ALL TIMES.
- MULCH: FINELY SHREDDED HARDWOOD BARK, AGED TO BE APPLIED AT A THREE (3) INCH DEPTH FOR ALL PLANTING BEDS AND TREE SAUCERS AND TO BE RENEWED EVERY GROWING SEASON DURING THE MAINTENANCE PERIOD.
- SEED WITH TURF GRASS/LAWN ALL DISTURBED AREAS NOT SCHEDULED FOR OTHER IMPROVEMENTS.
- ALL PLANTING BEDS WITH ADJOINING LAWN AREAS SHALL BE EDGED WITH A SPADE.
- ALL PLANTS SHALL BE PUT INTO THE GROUND AFTER ALL ROUGH GRADING HAS BEEN FINISHED AND APPROVED.
- CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUALITY AND QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING AS SHOWN ON DRAWINGS. IF THERE IS A DISCREPANCY BETWEEN THE PLANS AND THE PLANT LIST, THE PLANS SHALL TAKE PRECEDENCE. IF THERE IS A DISCREPANCY BETWEEN THE QUANTITY OF PLAN SYMBOLS AND THE QUANTITY LABEL, THE PLAN SYMBOLS SHALL TAKE PRECEDENCE.
- NO PLANT SHALL BE PUT INTO THE GROUND BEFORE ROUGH GRADING HAS BEEN FINISHED AND APPROVED.
- THE DAY PRIOR TO PLANTING, THE LOCATIONS OF ALL TREES AND SHRUBS SHALL BE STAKED FOR APPROVAL BY THE OWNER'S REPRESENTATIVE. STAKES AND GUY WIRES SHALL BE REMOVED AT END OF WARRANTY PERIOD.
- ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN AS SPECIFIED. NO CONTAINER GROWN STOCK WILL BE ACCEPTED IF IT IS ROOTBOUND. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT THE TIME OF PLANTING. ALL TWINE OR ROPE SHALL BE REMOVED FROM AROUND CROWN OF TRUNK TO PREVENT GIRDLING OF TREE.
- WITH CONTAINER GROWN STOCK, THE CONTAINER SHALL BE REMOVED AND THE ROOT BALL SHALL BE CUT THROUGH THE SURFACE IN TWO VERTICAL LOCATIONS.
- LANDSCAPE CONTRACTOR SHALL GUARANTEE NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FROM THE TIME OF PROVISIONAL ACCEPTANCE. ALL PLANT MATERIAL IS TO BE PROVIDED WITH A ONE-YEAR REPLACEMENT GUARANTEE AND SHALL BE REPLACED IF DEAD, DYING, OR OTHERWISE UNACCEPTABLE TO THE CIVIL ENGINEER OR LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL REPAIR ANY DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO THE OWNER.
- ALL EXISTING LANDSCAPING SHALL BE MAINTAINED DURING CONSTRUCTION. ANY MATERIAL DEEMED DEAD OR UNSATISFACTORY BY CIVIL ENGINEER WILL BE REPLACED EQUIVALENT IN SIZE AND SHAPE AT NO COST TO THE OWNER.

LANDSCAPE NOTES:

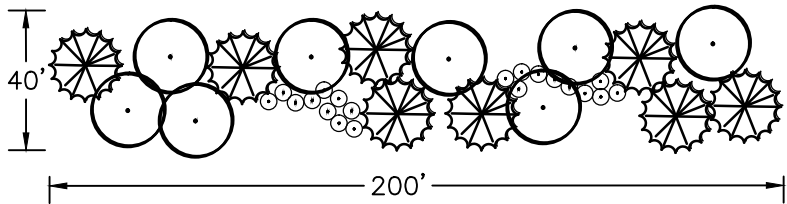
- LANDSCAPING AS SHOWN SUBJECT TO UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS AND EASEMENTS.
- SEE MASTER PLANTING SCHEDULE ON SHEET L1.11 FOR PLANT KEY AND QUANTITIES.
- THERE SHALL BE NO TREES WITHIN 10 FEET OF ANY STORM SEWER OR SSD.
- STREET TREES:
 - SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE PLANS, DO NOT INSTALL THE SAME SPECIES NEXT TO EACH OTHER.
 - COMMON AREAS: TO BE SPACED APPROXIMATELY 50' O.C., (MIN. 20' O.C., MAX. 60' O.C.).
 - LOTS: ONE (1) STREET TREE SHALL BE REQUIRED PER DWELLING LOT, PER FRONTAGE.
 - STREET TREES SHALL BE PLANTED A MINIMUM OF 10 FEET AWAY FROM ANY DRIVEWAY, ALLEY, FIRE HYDRANT, MAILBOXES AND OTHER SIMILAR IMPROVEMENTS.
 - TREES SHALL BE PLANTED A MINIMUM DISTANCE OF 4' FROM THE EDGE OF A STREET CURB OR PEDESTRIAN PATHWAY/SIDEWALK.
 - ALL STREET TREES TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST. USE A RANDOM MIX OF THE FOLLOWING TREES, AS SPECIFIED IN THE MASTER PLANTING SCHEDULE AS STREET TREE:

TOTAL QUANTITY: NAME:
22.....FREEMAN MAPLE
22.....SYCAMORE MAPLE
22.....TULIP TREE
22.....STERLING SILVER LINDEN
22.....ACCOLADE ELM

BUFFERYARD LANDSCAPING REQUIREMENT:

BUFFERYARD TYPE B (NORTH):

- MINIMUM WIDTH = 40'
- LANDSCAPE STANDARD REQUIREMENT PER 100 LF:
 - 4 EVERGREEN TREES
 - 4 SHADE TREES
 - 10 SHRUBS



* ABOVE TYPICAL SECTION REFLECTS PLANTINGS WITHIN
A 40' x 200' LANDSCAPE AREA

SUBJECT TO GAS PIPELINE, UTILITY AND DRAINAGE
RESTRICTIONS.

NORTH BUFFERYARD 'B' - XX LF TOTAL *NOT ABLE TO MEET REQUIREMENTS DUE TO UTILITIES		
STANDARD PER 100'	REQUIRED	PROVIDED
4 EVERGREEN	24	42
4 SHADE	24	41
10 SHRUBS	61	100

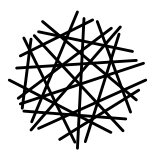
BUFFERYARD TYPE B (EAST):

- MINIMUM WIDTH = 40'
- 30' TREE PRESERVATION EASEMENT
- 10' ROW OF EVERGREEN TREES
- LANDSCAPE STANDARD REQUIREMENT:
 - 30 EVERGREEN TREES

NORTH BUFFERYARD 'B' - XX LF TOTAL *NOT ABLE TO MEET REQUIREMENTS DUE TO UTILITIES		
STANDARD	REQUIRED	PROVIDED
30 EVERGREEN	30	46

REVISIONS

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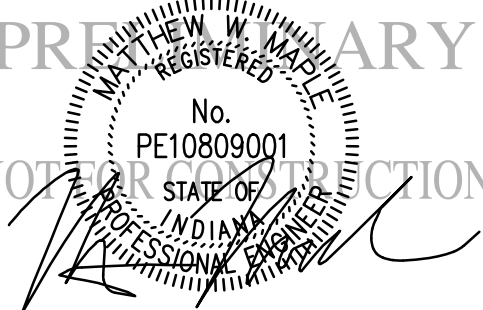
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SPRINGWATER PRIMARY PLAT / DEVELOPMENT PLAN

CITY OF WESTFIELD, INDIANA

LANDSCAPE DETAILS

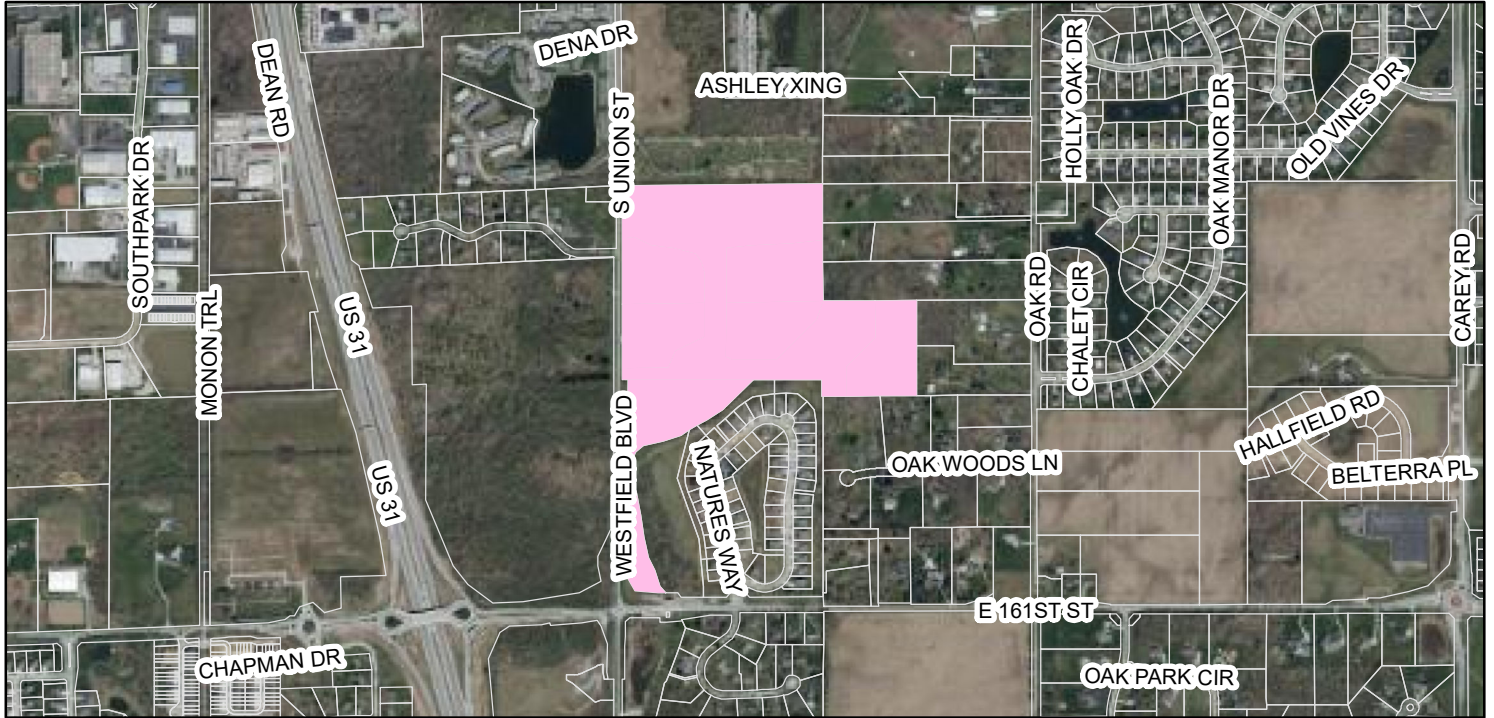


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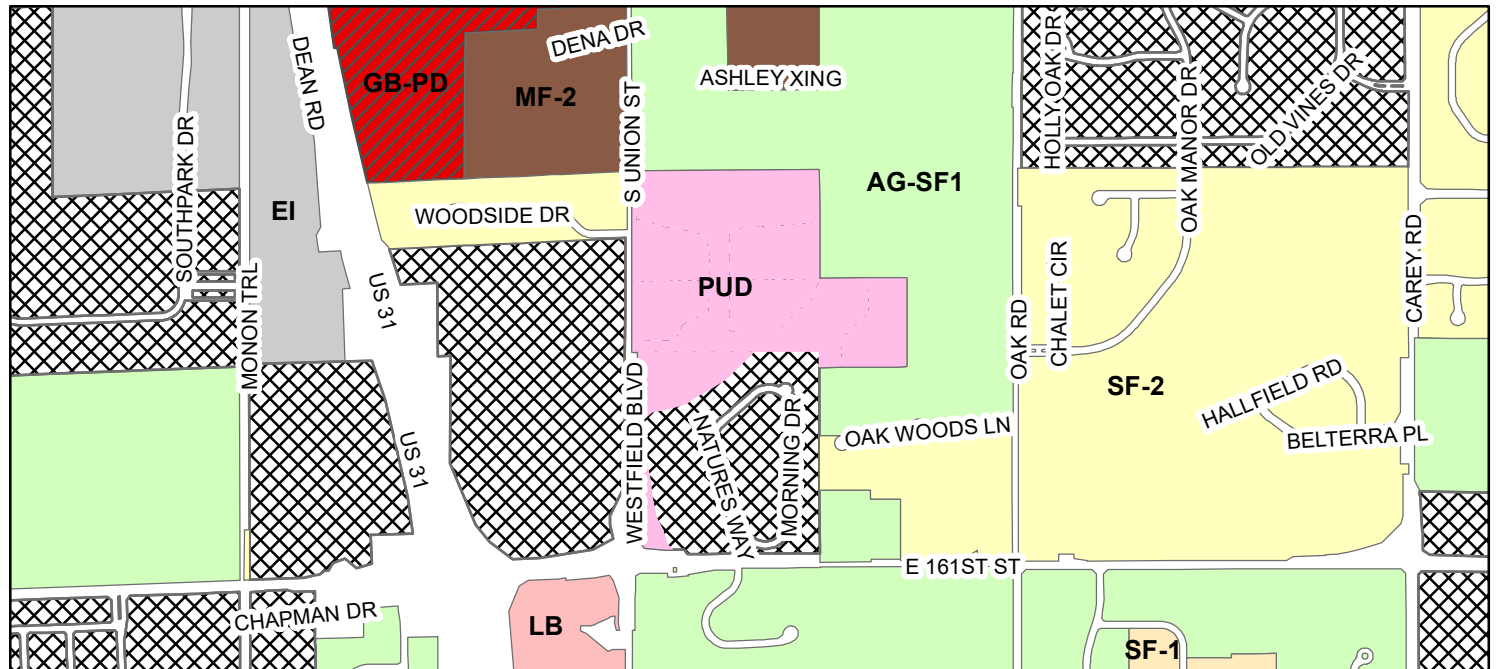
L1.4

LANDSCAPE DETAILS

Aerial Location Map



Zoning Map



SITE Zoning

AG-SF1 (Agriculture - Single Family - 1)

EI (Enclosed Industrial)

GB-PD (General Business - Planned Development)

LB (Local Business)

MF-2 (Multiple Family - 2)

PUD (Planned Unit Development)

SF-1 (Single Family - 1)

SF-2 (Single Family - 2)



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 1, 2022
2208-ZOA-02
Exhibit 1

Docket Number: 2208-ZOA-02 (Ordinance No. 22-31)

Petitioner: City of Westfield

Request: Approval of an Ordinance to amend Article 6.8 of the Westfield-Washington Township Unified Development Ordinance.

Exhibits:

1. Department Report
2. Ordinance 22-31

Staff Reviewer: Caleb Ernest, Senior Planner

PETITION HISTORY

This ordinance was introduced at the July 11, 2022, City Council meeting. The ordinance will receive a public hearing at the August 1, 2022, Advisory Plan Commission (the "Plan Commission") meeting.

OVERVIEW

The Westfield-Washington Township Unified Development Ordinance (the "UDO") was originally adopted in September 2014. Since then, seven amendment ordinances have been adopted (November 2014, May 2015, May 2017, April 2018, August 2019, September 2019 and May 2022). This amendment ordinance is proposed to address the following topic, which is further summarized herein.

Article 6.8 Landscaping Standards:

UDO Article 6.8(F)(3)(a)(ii) Selection, Installation, and Maintenance of Plant Materials; Installation; Timing and Permits; requires a landscape inspection for all Common Area landscaping within each Secondary Plat section once one of two thresholds has been met:

1. More than fifty percent (50%) of the Lots within the Secondary Plat section have been issued Building Permits; or
2. Twelve (12) months have passed since the issuance of the first Building Permit within the Secondary Plat section.

This process has created several issues when one of the above thresholds has been met:

- i) During off-season parts of the year where planting is not ideal (winter and peak summer months) plantings would be installed and later die or are not available for installation resulting in temporarily permitting otherwise compliant building permits. This prevents the homeowner from moving into their home due to seasonal delays in

- inspecting the required landscaping when the home itself is ready for a homeowner to move in.
- ii) Due to either supply chain issues, lack of irrigation systems installed or continued maintenance of the landscaping areas, once the City's landscaping inspection has occurred, the landscaping could die after the inspection has been passed when further construction of the remaining 50% of the section ensues.
 - iii) Construction of any given Secondary Plat section damages installed plantings at 50% build out of a section. Essentially, installed plantings per the City's above requirement are sometimes either destroyed due to its location for future construction of lots and infrastructure or damaged due to the location being too close in proximity to current construction.
 - iv) The City has a lack of sureties in place to guarantee the landscaping will be installed according to the landscape plan on file. Revised landscape plans created during the section's construction results in City records not being as updated as when the landscape plan was approved months prior to construction.

Due to the above concerns as well as other one-off occurrences, it is the City's recommendation to replace the current UDO standard with requiring a performance bond for Common Area landscaping within each residential Secondary Plat section.

A performance bond would create a surety with the City that landscaping will be installed either by the builder or the City if the bond is ever pulled. A performance bond would also grant the builder to complete installation of required landscaping at a time best appropriate for the builder. Once installation is then completed, a City inspection will occur to confirm the accurate landscaping has been installed; which will result in releasing the performance bond.

Similarly, if construction of the bonded section has not been completed within a twelve (12) month timeframe, the performance bond can be pulled per this proposed standard. A bond could be pulled any time with proof of incomplete installation of landscaping, however, the twelve (12) month language would provide another surety that prevents the builder from ignoring the performance bond and potentially never installing landscaping.

Lastly, requiring a performance bond will create a more efficient process alleviating staff time and tracking of every Secondary Plat section and one of the two thresholds aforementioned.

STATUTORY CONSIDERATIONS

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.

5. Responsible growth and development.

PROCEDURAL

Procedures to amend a zoning ordinance are established by Indiana Code (I.C. 36-7-4-600, et seq.). Amendments are required to be considered at a public hearing. The public hearing for this petition is being held at the August 1, 2022, Plan Commission meeting.

DEPARTMENT COMMENTS

1. **Action: Conduct a public hearing and any subsequent discussion. If Plan Commission is otherwise satisfied with the proposed ordinance, after the public hearing and any discussion, then forward a recommendation to the City Council.**
2. If any Plan Commission member has questions prior to the meeting, then please contact Caleb Ernest at (317) 519-8630 or cerneest@westfield.in.gov.

ORDINANCE 22-31

AN ORDINANCE TO AMEND PROVISIONS IN THE WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the City of Westfield, (the “City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (the “Council”); and,

WHEREAS, it is the duty and the responsibility of the City to administer the Westfield-Washington Township Unified Development Ordinance (the “UDO”) throughout the City and Washington Township, Indiana as identified through the adoption of a Joinder Agreement; and,

WHEREAS, from time to time it is necessary to amend and revise the UDO, and pursuant to I.C. § 36-7-4-602 and I.C. § 36-7-4-701, the City is authorized to amend the UDO; and

WHEREAS, on _____, the Westfield-Washington Township Advisory Plan Commission forwarded Petition No. _____ to the Council with a _____ recommendation in accordance with Indiana Code § 36-7-4-607; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the following provisions of the Unified Development Ordinance are amended as follows:

Section 1. **Article 6 Development Standards** shall be amended as follows:

A. **Article 6.8 Landscaping Standards** shall be amended as follows:

- A. **Article 6.8(F)(3)(a)(ii) Selection, Installation, and Maintenance of Plant Materials; Installation; Timing and Permits;** shall be replaced as follows:
- ~~B. Landscaping and related improvements (e.g., paths, Development Amenity improvements, mounds) for Open Space, Development Amenities, Common Areas, Buffer Yards or External Street Frontage Landscaping shall be installed prior to the issuance of a subsequent Building Permit for more than fifty percent (50%) of the Lots within the Secondary Plat section in which the required landscaping or improvements located, or within twelve (12) months from when the first Building Permit in the Secondary Plat section was issued, whichever occurs first.~~
- C. Landscaping located within all Common Areas (e.g., Buffer Yards, External Street Frontage Landscaping, Parking Area Landscaping,

Unified Development Ordinance Amendment

Detention and Retention Areas) shall require a performance bond, filed and approved with the Department, prior to the release of each section of a Secondary Plat in which the required landscaping is located. If construction of the bonded section has not been completed within twelve (12) months of the Department's approval, bonds will be pulled, unless as modified by the Director.

Section 2.

This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. All acts undertaken to in creation of this Ordinance are hereby ratified.

[The remainder of this page intentionally left blank.]

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____, 2022.
WESTFIELD CITY COUNCIL

Voting For**Voting Against****Abstain**_____
James J. Edwards_____
James J. Edwards_____
James J. Edwards_____
Scott Frei_____
Scott Frei_____
Scott Frei_____
Jake Gilbert_____
Jake Gilbert_____
Jake Gilbert_____
Mike Johns_____
Mike Johns_____
Mike Johns_____
Troy Patton_____
Troy Patton_____
Troy Patton_____
Cindy L. Spoljaric_____
Cindy L. Spoljaric_____
Cindy L. Spoljaric_____
Scott Willis_____
Scott Willis_____
Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 22-31 was delivered to the Mayor of Westfield

on the _____ day of _____, 2022, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 22-31

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 22-31

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

This document prepared by:

Caleb Ernest, Senior Planner

City of Westfield, Community Development Department

2728 East 171st Street, Westfield, Indiana 46074 | (317) 804-3170

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Caleb D. Ernest.



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 1, 2022
Rules of Procedure Update
Exhibit 1

Petitioner: City of Westfield

Request: Approval of an amendment to the Westfield-Washington Township APC Rules of Procedure.

Exhibits:

1. Department Report
2. 2022 Amended Rules
3. 2013 Approved Rules (complied with 2020 amendment)
4. Redline (7/6/22 – 8/1/22)

Staff Reviewer: Pamela Howard, Assistant Director

HISTORY

The currently applicable Rules of Procedure document was adopted on March 18, 2013. An amendment related to the BZA appointment was adopted in 2020. On June 13, 2022, the City Council adopted an amendment to the Unified Development Ordinance related to the rezoning and subdivision processes, including the creation of a Plat Committee. These changes require an update to the Rules of Procedure.

SUMMARY OF CHANGES

As shown in the Comparison Document, several changes are being made to the current Rules of Procedure. Many of these are formatting changes, or changes to the order of the document. More substantial changes include:

1. Incorporation of rules relating to the Plat Committee, including membership and meetings.
2. Separating out the first and second APC meeting, designating the first for Public Hearings and Items of Business, and the second for Workshop Items. Consent Agenda Items can be approved at either meeting.
3. Formalizing the adopted best practice of prohibiting ex-parte communications with petitioners and between APC/Plat Committee members.
4. Removing the 6-month continuance rule and replacing it with administrative dismissal rules, as further outlined below.
 - a. Previous Rule (2013): Petitions that continue to appear on the Commission docket for a period of six (6) months beyond the originally noticed Commission meeting (the "Initial Period") shall be administratively dismissed and removed from the Commission docket, unless a continuation or postponement is granted by the Director for due cause. Petitioners aggrieved by the Director's determination to dismiss and remove a petition from the Commission docket may appeal such determination to the Commission, without notice, at the next regularly scheduled Commission meeting. In the event the Director administratively grants a continuation or postponement beyond the Initial

Period (or in the event the Commission grants a continuation or postponement beyond the Initial Period, in the event of a successful appeal), the Director may require additional public notice to be served if the Director determines such additional notice is warranted.

b. Proposed Rules:

i. Petitions that require a Public Hearing:

1. Petitions which have not received a public hearing will be administratively dismissed six (6) months after the date of filing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.
2. Petitions which have received a public hearing will be administratively dismissed six (6) months after the public hearing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.

ii. Petitions that do not require a Public Hearing: Petitions for which no action has been taken will be administratively dismissed one (1) year after the date of filing unless the Director approves an extension. Secondary Plats are exempt from this rule.

iii. All Petitions: Any Petition may also be dismissed by the Commission or Committee for lack of jurisdiction or for lack of representation by the Petition Representative at a meeting where the item appears on the agenda (as a non-continued item).

CHANGES SINCE JULY 5

As shown in the Redline (see Exhibit 3), several changes have been made since these were presented at the July 5 meeting. The most substantial changes are:

1. Updating the Ex-parte communications language by limiting it to pending petitions and allowing for limited exceptions when approved by the director.
2. Moving the Second Monthly Commission Meeting to the City Services Building.
3. Updating the mailed notice requirement to 2 property owners deep (removing the 660' option), and adding "unless otherwise reduced by the Director" to allow for some discretion when requested by the county.
4. Updating the Administrative Dismissal section to address the concerns regarding the 1-year rule. As described above, we are now proposing separate dismissal timelines prior to a public hearing, after a public hearing, and for items that don't require a hearing.

DEPARTMENT COMMENTS

1. **Action: Approve the amended Rules of Procedure.**
2. If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard at (317) 531-3751 or phoward@westfield.in.gov.

Westfield / Washington Planning Commission

Rules of Procedure

ARTICLE I: AUTHORITY & DUTIES

Section 1 – Authority

The Westfield / Washington Planning Commission (hereinafter called “Commission”) exists as an Advisory Planning Commission under the authority of IC 36-7-4-401 and the Zoning Ordinance of the City of Westfield, Indiana, and any amendments thereto. These rules are adopted in accordance with the requirements of IC 36-7-4-401.

Section 2 – Duties

The duties of the Commission shall be those set forth in IC 36-7-4-400 *et seq.*, and such other responsibilities as may be required by State Statute or the Westfield City Code and as follows:

- 1) The Commission shall be governed by the provisions of the City of Westfield Zoning Ordinance, specifically, Chapter 16.04, as adopted and amended by the City Council and the Rules and Procedures set forth herein, as adopted and amended by the Commission;
- 2) Any member of the Commission who has a conflict of interest in a matter before the Commission shall remove him / herself from hearing the matter and not vote thereon, as further described in Article IV, Section 5, Item 3;
- 3) Nothing herein shall be construed to give or grant to the Commission the power of authority to alter or change the Zoning Ordinance, including all official zoning maps; this authority is reserved for and with the City Council of the City of Westfield;
- 4) The Westfield / Washington Advisory Planning Commission Attorney shall be consulted in all cases where the powers of the Commission are not clearly defined; and,
- 5) The office of the Commission shall be located in the offices of the City of Westfield, Community Development Department, , Westfield, Indiana, 46074.

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

ARTICLE II: JURISDICTION & RESPONSIBILITIES

Section 1 – Jurisdiction

The jurisdiction of the Commission shall be the whole of Washington Township, Hamilton County, Indiana, inclusive of the corporate City of Westfield, Indiana.

(Generally described and beginning as follows: The intersection of Hamilton-Boone Road and 216th Street (northwest corner of Washington Township) then extending east to and with the intersection of Hinkle Road (northeast corner of Washington Township) then extending south along Hinkle Road connecting to Moontown Road and then connecting to Gray Road to the intersection of Gray Road and 146th Street (southeast corner of Washington Township), then extending west along 146th Street to Hamilton-Boone Road (southwest corner of Washington Township), then extending north along Hamilton-Boone Road to the intersection with 216th Street, which is inclusive of approximately fifty-six (56) square miles and the corporate City of Westfield.)

Section 2 – Responsibilities

The responsibilities of the Commission shall be to act in an advisory capacity to the Westfield City Council (hereinafter called “Council”) regarding the following:

1. The adoption of a Comprehensive Plan and amendments thereto in accordance with IC 36-7-4-500 Series-Comprehensive Plan;
2. The adoption of a Zoning Ordinance and Zoning Map and amendments thereto in accordance with IC 36-7-4-600 Series-Zoning Ordinance;
3. Vacation of any Public Right-of-Way, as per IC 36-7-3 *et al*; and,
4. Any other matter, within the responsibilities of the Commission, authorized by the advisory planning law or City Code.

Section 3 – Final Decisions

The Commission shall render Final Decisions concerning the following applications / petitions, provided, that the Community Development Department / Planning Division has made evidentiary findings as to their compliance with the Westfield City Code of Ordinances and City of Westfield Zoning Ordinance:

- 1) Plats of Subdivision / Re-Plats of Subdivision (IC 36-7-4-700 Series-Subdivision Control); and,
- 2) Development Plan Review (IC 36-7-4-1400 Series-Development Plans).

ARTICLE III: MEMBERSHIP & OFFICERS

Section 1 – Membership

The Commission shall consist of nine (9) voting members (IC 36-7-4-1210.5) to begin as follows:

- 1) Four (4) city residents who are not elected officials or city employees, to be appointed by the City Executive Officer (Mayor) shall each serve a four (4) year term. Section 1, (5) herein then applies;
- 2) One (1) city resident who is not an elected official or city employee, to be appointed by the City Council shall serve a four (4) year term. Section 1, (5) herein then applies;
- 3) Two (2) members of the City legislative body (City Council), may be appointed by the City Council for a one (1) year term; and,
- 4) Two (2) township residents who are not elected officials, township employees or city employees, to be appointed by the Township Executive with the approval of the township legislative body shall serve a four (4) year term.
- 5) Each Commission member appointed herein are eligible for reappointment.
- 6) Vacancy: If a vacancy occurs among the membership, then the appointing authority shall appoint a member for the unexpired term of the vacancy or vacating member.
- 7) Removal for cause: The appointing authority may remove a member pursuant to IC 36-7-4-218(f).
 - a) In addition, if a member of the Commission has three (3) unexcused absences (i.e. workshop, regular or special meeting) of the Commission in any calendar year, that member becomes disenfranchised at the sole discretion of the appointing authority and shall no longer be considered a viable member of the Commission.
 - i) An excused absence(s) shall be considered as a call in to the Director of Community Development.
 - b) In the event of removal by the appointing authority, the Commission member shall receive a mailed notice in accordance with the terms of IC 36-7-4-218(f). The appointing authority shall mail notice of the removal, along with written reasons for the removal, to the members at their address. A member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the appointing

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authority. The appointing authority may consider the appeal and hold a hearing to either uphold or overturn the removal of the member.

c) Commission Communications

All Commission members are encouraged to discuss any concerns that they may have with a particular petition or application with the Director of Community Development or Department Planning Staff.

8) Appointment to the Board of Zoning Appeals:

- a) In accordance with IC 36-7-4-902, the Commission shall, from its membership, appoint one representative to serve on the Board of Zoning Appeals. This appointee shall not hold elective office, other appointive office or be a City or Township employee.
- b) In accordance with IC 36-7-4-907, the Commission may, in the absence of its appointment under the above paragraph (8) (a), appoint an alternate member to the Board of Zoning Appeals as needed.
- c) In accordance with City of Westfield Ordinance 06-02, the President of the Commission shall not be eligible for membership on the Board of Zoning Appeals.
- d) In accordance with IC 36-7-4-903 this member shall not reside within the Corporate Limits of the City.

9) Training, Seminars, Continuing Education and/or Field Trips

a) Training

- i) Within the first ninety (90) days of the Commission each new member shall be given an opportunity to attend an introductory training session conducted by the Department of Community Development. This session will be offered at least twice during this time period and take place at a scheduled workshop meeting of the Commission.
- ii) Each new member(s) will receive a certificate stating the completion of the introductory course.
- iii) Should a member fail to attend the initial training requirements, or subsequent scheduled session, that member and appointing authority shall be duly notified of failure to fulfill requirement.

b) Seminars / Conferences / Workshops

- i) Each member of the APC appointed to a four (4) year term, shall be required to attend at least one (1) planning seminar / conference / workshop offered by the Department of Community Development, other Governmental Offices, Local Builders Association, American Planning Association or local universities regarding planning principals and how they affect local planning, during each term of service (This excludes the legislative body appointments under Article III, Section 1 – 3).
 - ii) These events shall be fully reimbursable (if a cost is involved) upon proof of completion by the member in attendance through the Department of Community Development.
- c) Continuing Education
- i) Each new member shall become a member of the American Planning Association (APA) and Indiana Planning Association (IPA) through the Department of Community Development.
 - ii) With your membership you are encouraged to participate in Planning Commissioners Programs and Services with the American Planning Association online in the following areas: 1) Live Audio Conference Series; 2) Training Resource Center; 3) Chapter Workshops; 4) Planning and Land Use Law; and, 5) Ethics Training.
- d) Field Trips
- i) These trips are not mandatory; however, the membership is strongly encouraged and advised to attend as Community Development Staff will be providing education and research into new development proposals. Staff will make available areas for each Commissioner to see first hand how other Indiana or out of State municipalities have been managing their growth.

Section 2 – Officers

The Commission shall, at its first regular meeting in each year, elect from its membership a President and Vice-President.

- 1) The President shall preside over all meetings of the Commission.
- 2) The Vice-president shall have the authority to act as President of the Commission during the absence or disability of the President.
- 3) In the absence of both the President and Vice-president, the Secretary shall preside over the election of a President pro-tempore who shall have the

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authority to act as President of the Commission for the specific meeting at which they are elected.

- 4) Upon resignation or replacement of the President or Vice-president as a member of the Commission, the Commission shall elect a successor at its next regularly scheduled meeting.
- 5) In accordance with City of Westfield Ordinance 06-02, members of the City Council who are appointed to serve on the Commission shall not be eligible for the position of President, Vice-president or Secretary of the Commission.
- 6) The Community Development Director ("Director") shall be permanently appointed as the Secretary of the Commission. In the event of a vacancy in the position of Director, the office of Secretary shall be transferred to the interim Director as appointed by City Council.
- 7) The Director shall be responsible for recording and transcribing of all regular and special meeting minutes of the Commission.

Section 3 – Vacancies

The President, through the Director of Community Development, shall inform the appropriate appointing authority as promptly as possible, when a member has three (3) unexcused absences, as outlined in Section 1 (7) (a) herein, for the purpose considering the replacement of said member so that the appointing authority may appoint a replacement to fulfill the unexpired term. Other vacancies occurring in the Commission shall also be reported to the appropriate appointing authority for similar action.

ARTICLE IV: MEETINGS

Section 1 – First Monthly Meeting

1) Meeting Time, Date & Location

The First Monthly Meeting (the “First Meeting”) of the Commission shall be the first Monday of each month at 7:00 p.m. The location of the First Meeting shall be in the Council Chambers of the City of Westfield, City Hall, Westfield, Indiana. If the date of the First Meeting falls on a legal holiday, or if it is impossible to conduct the First Meeting at that time or place, the meeting will be on the following Tuesday. If that is unavailable, the Community Development Director may administratively set an alternate date, time or place for the First Meeting, or the First Meeting may be postponed with the unanimous consent of the members of the Commission, provided that the notice requirements of IC 5-14-1.5 are satisfied.

2)_ Meeting Purpose & Intent

The primary purpose of the First Meeting is to hold public hearings, for the petitioner to comment on its petition, and for APC members to ask questions and identify issues the petitioner should address prior to the APC taking action on the petition. The APC may also take action on pending matters, including rezonings, ordinance amendments, and comprehensive plan amendments, at this meeting.

Section 2 – Second Monthly Meeting

1) Meeting Time, Date & Location

The Second Monthly Meeting (the “Second Meeting”) of the Commission shall be the third Monday of each month at 7:00 p.m. The location of the meeting shall be in the Council Chambers of the City of Westfield, City Hall, Westfield, Indiana. If the date of the Second Meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, the meeting will be on the following Tuesday. If that is unavailable, the Community Development Director may administratively set an alternate date, time or place for the Second Meeting, or the meeting may be cancelled with the unanimous consent of the members of the Commission, provided that the notice requirements of IC 5-14-1.5 are satisfied.

2)_ Meeting Purpose & Intent

The primary purpose of the Second Meeting is to take action on matters that have received a public hearing at the previous APC meeting. However, in some instances the APC may hold a public hearing at this meeting as well. The APC may hear additional public comment at the APC President’s discretion, or by a majority of the APC members present.

Section 3 – Special Meetings

Special meetings of the Commission may be called by the President or by two (2) members of the Commission upon written request to the secretary (IC 36-7-4-307). The secretary shall send to all members, at least five (5) calendar days

before the special meeting, a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if:

- 1) The date, time, and place of a Special Meeting are fixed in a First Meeting or Second Meeting;
- 2) All members of the Commission are present at the First Meeting or Second Meeting where the Special Meeting was called; and,
- 3) The secretary complies with the notice requirements of IC 5-14-1.5.

Section 4 – Order of Business (Agenda)

1) The Order of Business at **First and Second Meetings** shall be as follows:

- o Call to Order
- o Roll Call
- o Determination of a Quorum
- o Meeting Announcements:
 - o Changes to the Agenda
 - o Continuance Requests
 - o Withdrawal Requests
- o Consideration / Approval
 - o Minutes of Previous Meetings
 - o Procedural Items
 - o Items of Discussion
- o Review Meeting Rules & Procedures
- o Consent Agenda Items
- o Old Business
 - o Petition Presentation
 - o Public Hearing (typically at First Meeting only)
 - o APC Action (typically at Second Meeting only)
- o New Business
 - o Petition Presentation
 - o Public Hearing (typically at First Meeting only)
 - o APC Action (typically at Second Meeting only)
- o Reports:
 - o Commission Members
 - o City Council Liaison
 - o BZA Liaison
 - o City Staff
- o Commission Membership Comments
- o Adjournment

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

Section 5 – Quorum and Decisions

- 1) Quorum, a majority, five (5), of the membership of the Commission shall constitute a quorum. No action, however, is official unless authorized at a workshop, regular or properly called special meeting by a majority of the Commission.
- 2) Voting
 - a) Except as provided in Section 5, 2b below, decisions of the Commission shall be by roll call vote of the members. The first roll of each meeting shall be called in alphabetical order of the members' last names. Each successive roll call shall be called in the same order as the immediately preceding roll except that the member who voted first in the immediately preceding roll call shall vote last. For example: 1st Roll Call = 1,2,3,4,5,6,7,8,9; 2nd Roll Call = 2,3,4,5,6,7,8,9,1; 3rd Roll Call = 3,4,5,6,7,8,9,1,2; and, etc.
 - b) Approval of Minutes and Adjournment shall be conducted by voice vote, unless a roll call vote is requested by a member of the Commission
- 3) Conflict
 - a) No member of the Commission shall participate in the hearing or decision upon any zoning matter, other than the preparation and enactment of an overall or comprehensive plan, in which the member is directly or indirectly having or holding a financial interest in a petition or application that is being presented to the City for consideration.
 - b) In the event of a conflict, the member shall describe the conflict immediately after the matter is introduced by the presiding officer, leave the room, and take no part in the discussion and/or decision making process described herein.
 - c) The presiding officer shall note the existence and description of the conflict and it shall be entered into the record.
- 4) The Commission shall keep minutes of its proceedings showing the vote of each member on each question presented, or indicating that the member is absent or not voting.
- 5) The Director, or their designee, shall keep a record of all proceedings (minutes) of the Commission which shall be presented to the Commission at the next regular succeeding meeting for review and acceptance into the record. Upon acceptance, the record shall be signed by the President and attested by the Secretary.

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

- 6) The Commission may continue any case(s) that have not been called onto the floor by 10:30 p.m. Such cases shall be continued to either the next First Meeting, Second Meeting or Special Meeting. The Commission shall adjourn the meeting no later than 10:30 p.m. This rule may be suspended by a simple majority vote of the Commissioners present.
- 7) Continuances may be granted at the discretion of the Commission in any case for good cause shown, and to any interested party who has entered their appearance as follows:
 - a) New cases appearing for the first time on the Agenda – continuances may be granted upon request.
 - b) Cases which have previously appeared on the agenda of the Commission constitute continued cases. A request for the further continuance of a case may be granted by the Planning Commission for any of the following reasons:
 - i) At the request of petitioner because they will be unable to proceed with their hearing and are requesting time to answer questions or modify petition.
 - ii) At the request of the Director of Community Development or Department Planning Staff to allow time for further modification of the Petition / Application.
 - c) The Commission at its discretion and on an affirmative vote of a majority of the Commission, may continue or postpone a public meeting or hearing of any case where, in its judgment, the petitioner has not provided sufficient evidence on which to make a final determination.
- 8) Adjournment. The Commission may adjourn so long as all business has been conducted in accordance with these Rules of Procedure.

ARTICLE V: DOCKET

Each case that is to be publicly heard before the Commission shall be filed in proper form with the required data, shall be numbered serially and placed on the docket of the Commission. The docket numbers shall include the year and begin anew on January 1 of each year.

As soon as the case receives a docket number it shall be placed on the docket of the Commission and a date set for hearing. Cases shall come before the Commission in the regular order of their consecutive numbers unless otherwise ordered by the Director or changed by the Commission at the beginning of a meeting.

ARTICLE VI: FILINGS

Petitions / Filings. The Community Development Director shall administratively establish petition filing deadlines for all First Meeting or Second Meeting of the Planning Commission. Those deadlines shall be approved by the APC no later than their first December meeting of each year.

ARTICLE VII: HEARINGS & CONDUCT OF HEARINGS

Section 1 - Hearings

- 1) Public hearings shall be held on the adoption or amendment of a Comprehensive Plan, the adoption or amendment of a Zoning Ordinance (text or map), vacation of public rights-of-way and the approval of a preliminary subdivision plat and other petitions as presented to or required by Indiana Code or planning law.
- 2) A petitioner who seeks to amend the Zoning Ordinance or the Comprehensive Plan or to gain approval of a preliminary subdivision plat as may be required by the Zoning Ordinance shall file such petition with the Secretary (Director of Community Development). Upon the receipt of such petition, the Secretary shall prepare a notice in accordance with Article VIII Notices, contained herein.
- 3) In order for a petition to be heard, the petitioner, agent or representative for the petitioner ("Petition Representative"), shall be in attendance to present the petition and answer questions about the petition. If no one is present to represent the petition, then the Commission shall dispose of the petition in accordance with Section 3 of this Article.
- 4) Administrative rules and deadlines are established by the Secretary (Director of Community Development) for procedures such as filing petitions and are available in the Community Development Department.

Section 2 – Conduct of Hearings

- 1) Public hearings shall be conducted according to the following procedure. Please note the time limitations for each hearing segment.
 - a) For any petition for which a public hearing is required, after a petition is introduced by the President, a staff report will be given.
 - b) After being recognized by the President, the Petition Representative will step up to the podium, and state their name and address.
 - c) The Petition Representative shall present the facts and arguments in support of the case (15 minutes maximum).
 - d) Comments and questions from the Commission and staff shall be held until the end of the initial presentation.
 - e) The official public hearing shall then be opened. Comments from organized groups, committees (5 minutes maximum), and individuals,

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

other than the petitioner, shall then follow (3 minutes maximum per speaker). Speakers should present new points and not repeat comments from previous speakers. The public hearing shall then be closed.

- f) The petitioner shall then receive time for rebuttal. (5 minutes maximum) There shall be no time granted for a rebuttal to the rebuttal.
 - g) To maintain orderly procedure, each side should proceed without interruption by the other side.
 - h) After the discussion of the case has concluded, the commission may consider the petition; however, action on a petition will typically occur at the APC meeting following a public hearing.
- 2) In the presentation of a case:
- a) The burden shall be upon the Petition Representative to supply all information, including charts, diagrams and other exhibits necessary for a clear understanding of the case.
 - b) Statements and/or discussions to the Commission made by the Petition Representative at the meeting regarding anticipated methods of operation, site design / layout or other details relevant to the decision shall be incorporated into a binding agreement between the petitioner and Commission and shall become written commitments as per WC 16.04.010 W. (in the case of Development Plans and rezones) or if they are included as conditions to any motion to approve. Such commitments or conditions shall be reflected in the minutes of that meeting.
- 3) Every person appearing before the Commission shall abide by the orders and directions of the President. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission and shall be dealt with as the President directs.
- 4) Applicants shall be entitled to one postponement/continuance to another scheduled Commission meeting following the meeting advertised by public notice. Such postponement/continuance must be requested in writing by the petitioner / applicant, or their representative, at the scheduled meeting.
- 5) Subsequent postponements, continuances or requests for such action to a meeting beyond the meeting referred to in paragraph "4" above shall be made to the Commission in person by the petitioner / applicant, or by their representative.
- 6) Failure of the applicant, or Petition Representative, to appear in order to make the request referred to in paragraph "5" above shall result in the dismissal of the petition. If the applicant chooses to proceed with the petition, it will be treated as a new petition and shall be re-filed in proper form with the required

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

data, numbered serially and placed on the docket of the Commission by City staff. Should the above occur the petitioner / applicant shall be responsible for paying all associated fees with the new petition / application.

- 7) Petitions that continue to appear on the Commission docket for a period of six (6) months beyond the originally noticed Commission meeting (the "Initial Period") shall be administratively dismissed and removed from the Commission docket, unless a continuation or postponement is granted by the Director for due cause. Petitioners aggrieved by the Director's determination to dismiss and remove a petition from the Commission docket may appeal such determination to the Commission, without notice, at the next regularly scheduled Commission meeting. In the event the Director administratively grants a continuation or postponement beyond the Initial Period (or in the event the Commission grants a continuation or postponement beyond the Initial Period, in the event of a successful appeal), the Director may require additional public notice to be served if the Director determines such additional notice is warranted.
- 8) All members present shall vote on every question unless prevented by conflict or excused by the presiding officer.

Section 3 – Failure to Appear

Failure on behalf of a petitioner to appear during a public hearing shall be dealt with as follows:

- 1) The President may entertain a motion from the Commission to dismiss the case for failure of the petitioner to appear. In the absence of a motion by the Commission, the Petition shall be continued to the next First Meeting or Second Meeting.
- 2) In cases which are dismissed for failure of the petitioner to appear, the petitioner will be furnished with a written notice by the Secretary of the Commission.
- 3) The petitioner shall have thirty (30) days from the date of the notice of dismissal to apply for reinstatement of the case. In such cases, the petitioner must file a written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the President for good cause shown, and upon payment of the appropriate fees by the petitioner.
- 4) In all cases reinstated in the above-described manner, the case will be docketed with new advertisement and public notifications as required by State Law and Westfield Code, as if this were a new case.

Approved: 01/28/08;

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ARTICLE VIII: NOTICES

In the event that a public hearing is required, the following requirements for notice must be met:

1) General Requirements

- a) All public hearings shall be noticed using each of the following means of communication:
 - i) Letter mailed via First Class U.S. Mail to Interested Parties (as defined in the Zoning Ordinance, WC 16.04.210);
 - ii) Yard Sign(s) posted on the subject property; AND
 - iii) Newspaper Publication, per IC 5-3-1.
- b) All three (3) forms of notice shall be postmarked/posted/published at least ten (10) calendar days before the scheduled public hearing.
- c) For all Commission meetings other than public hearings, a 48-hour notice shall be made by posting the meeting time and location at the entrance of the building where the meeting will occur and at City Hall. No other notice shall be required.
- d) The Community Development Department may cause notice to be posted on the official City of Westfield website.
- e) Appearance at any hearing on an application or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.

2) Exemptions

- a) A public hearing shall not be required for Final Plat approval, per IC 36-7-4-710.
- b) Applications to change, repeal, replace or amend all or portions of the zoning ordinance or comprehensive plan shall only be required to give notice of the hearing by Newspaper Publication.

3) Public Notice – First Class Mail

- a) The applicant shall provide notice to all Interested Parties. Such notice shall state:
 - i) The general location by address or other identifiable geographic description of the subject property or area.
 - ii) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.

Approved: 01/28/08;

Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

- iii) Case number of the petition or appeal.
 - iv) The name of the applicant(s).
 - v) The time and place that the petition has been set for hearing (including First Meeting and Second Meeting dates).
 - vi) That the application and file may be examined in the office of the Community Development Department.
 - vii) That written objections to the proposal may be filed in the office of the Community Development Department before the hearing will be considered.
 - viii) That oral comments concerning the proposal will be heard at the public hearing.
 - ix) That the hearing may be continued from time to time as may be found necessary.
- b) In order to determine the names and addresses of property owners to whom notice must be sent, the applicant or the applicant's agent shall consult with the County Mapping and Transfers Office, Hamilton County, Indiana, for a list of parties requiring notification per the zoning ordinance. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine the name and address of the current owner of record.
- c) The manner in which notice must be sent to Interested Parties shall be as follows:
- i) Required notices to Interested Parties shall be sent by First Class U.S. Mail (or an equivalent alternative accepted by the Director of Community Development or designee) and postmarked at least 10 calendar days before the public hearing. City staff will advise the Commission at the public hearing of any deficiencies in providing notice.
 - ii) Proof that notice has been mailed shall consist of a verified affidavit by the applicant or the applicant's agent indicating compliance with the notice requirements (or an equivalent alternative accepted by the Director of Community Development or designee) and shall be sufficient proof of notice under these rules regardless of actual receipt by the intended recipient. Said affidavit and a copy of the mailing list from the County Mapping and Transfers Office, must be filed in the

office of the Community Development Department four (4) calendar days prior to the public hearing.

- d) The applicant shall bear the cost of and responsibility for all mailed notice to Interested Parties.

4) Public Notice – Yard Signs

- a) The applicant shall post a sign or signs on the subject property in a location clearly visible to passing traffic.
- b) The sign(s) shall not obstruct vehicular line of site, in compliance with the City of Westfield's Construction Standards and Specifications.
- c) The City staff shall determine sign locations with not less than one sign placed on the property per street frontage, per block.
- d) Signs shall be available in the office of Community Development.
- e) The Community Development Department shall bear the cost of the initial sign(s). The cost for any subsequent replacement signage shall be borne by the applicant. The responsibility of sign placement shall be borne by the applicant.

5) Public Notice – Newspaper Publication

- a) The Community Development Department shall cause a legal notice to be published in a newspaper(s) qualified to publish legal notices as established by Council, in accordance with IC 5-3-1. Such notice shall state:
 - i) The general location by address or other identifiable geographic description of the subject property or area.
 - ii) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - iii) Case number of the petition or appeal.
 - iv) The name of the applicant(s).
 - v) The time and place that the petition has been set for hearing.
 - vi) That the application and file may be examined in the office of the Community Development Department.

- vii) That written objections to the proposal may be filed in the office of the Community Development Department before the hearing will be considered.
 - viii) That oral comments concerning the proposal will be heard at the public hearing.
 - ix) That the hearing may be continued from time to time as may be found necessary.
- b) The applicant shall bear the costs of and responsibility for all newspaper notices.
- 6) In the event that a petition which has met all public notice requirements is postponed or continued for any reason prior to a public hearing being held, no further public notice shall be necessary, so long as at the meeting for which the public hearing was noticed and scheduled, the APC President has announced the date, time and place of the new public hearing.
- 7) In accordance with City of Westfield Ordinance 07-09, all development proposals which are located within the area designated as the U.S. Highway 31 Overlay Zone, as defined in the Westfield-Washington Township Zoning Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.
- 8) In accordance with City of Westfield Ordinance 07-15, all development proposals which are located within the area designated as the State Highway 32 Overlay Zone, as defined in the Westfield-Washington Township Zoning Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.

ARTICLE IX: FINAL DISPOSITION OF CASES

- 1) After Commission consideration of any reports, testimony (written or verbal) and the recommendations of the Department of Community Development, the final disposition of any case shall be in the form of a decision or report, setting forth, when deemed appropriate, the recommendation (if any), findings and determinations of the Commission, together with any modifications, specifications or limitations which it makes.
- 2) The disposition of cases requiring final approval from the Westfield City Council ("Council") shall be in the form of a recommendation to the Council.
- 3) The final disposition of cases requiring only Commission approval shall set forth the findings and determinations of the Commission, together with any modification, specification or limitation it makes.
 - a) In any case in which the Commission is required to make written findings along with a final decision, the Commission may adopt findings as submitted by the petitioner or by any interested party, with or without modifications, specifications or limitations, or the Commission may delegate to Staff and/or legal counsel the authority to prepare written findings.
 - b) When written findings are required, the Commission's findings shall be executed by the President and Secretary of the Commission and filed in the office of the Commission within forty-five (45) days after the date of the Commission's final decision.
- 4) The Commission may dismiss a case for lack of representation by the petitioner or lack of jurisdiction. If a petition is dismissed for lack of representation and a postponement/continuation in accordance with Article VIII has not been granted by the Commission, then the case may be dismissed and the petitioner may re-file in accordance with these rules.
- 5) A petitioner may not withdraw a case after a roll call vote has been ordered by the President.
- 6) Cases Withdrawn.
 - a) A case which has been withdrawn by the petitioner shall not be placed on the docket again for consideration within a period of six (6) months after the date of withdrawal.
 - b) A new case involving the same property that was the subject of a case which has been withdrawn by any petitioner shall not be placed on the

docket for consideration within a period of three (3) months after the date of withdrawal.

7) Cases Decided Upon.

- a) A case which has been decided adversely to the petitioner shall not be placed on the docket again for consideration until the legality of the Commission's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of twelve (12) months following the date of the adverse decision previously rendered, whichever is later.
 - b) A new case involving the same property that was the subject of a case which has been decided adversely to any petitioner shall not be placed on the docket for consideration until the legality of the Commission's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of six (6) months following the date of adverse decision previously rendered, whichever is later.
- 8) Because the Commission's recommendation (if any) is advisory in matters of Rezones and Text Amendments to the Zoning Ordinance or Comprehensive Plan, all such matters shall be certified to the City Council for its consideration in accordance with State Statute. The Commission's recommendation (if any) on any such matter may then be followed or overturned by the City Council in accordance with State Statute and the rules of the Council.

ARTICLE X: AMENDMENTS

Amendments to these rules of procedure may be made by the Commission at a First Meeting, Second Meeting, or Special Meeting. With and upon the affirmative vote of a majority of the members of the Commission it shall be effective.

A suspension of any rule may be so ordered by the Commission at any meeting by a majority vote of the members present.

These Rules of Procedure are for and of the "Westfield / Washington Planning Commission", Westfield, Indiana have been approved by the affirmative vote of the membership of said Commission () – () – () at a meeting of the Commission held on the _____ day of _____, _____. This approval repeals any prior Rules of Procedure.

_____ President	_____ Date
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_____ Vice-President	_____ Date
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_____ Commissioner	_____ Date
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_____ Commissioner	_____ Date
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_____ Commissioner	_____ Date
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_____ Commissioner	_____ Date
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Attested by:

_____ Secretary/Director of Economic & Community Dev.	_____ Date
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Approved: 01/28/08;
Amended: 01/04/10; Amended: 01/18/11; Amended 03/18/13

Proposed Change to the BZA Appointment Requirements

Article III; Section 1(8)(d) shall be modified as follows: In accordance with IC 36-7-4-903 this member shall ~~not reside within the Corporate Limits of the City.~~ be from the citizen membership appointed by the Township Executive and shall represent the unincorporated area.

Article III; Section 1(8)(e) shall be added to state: The term of the appointment shall be two (2) years.



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 5, 2022
2207-PUD-13
Exhibit 1

Docket Number: 2207-PUD-13 (Ordinance No. 22-29)

Petitioner: 191st Land Acquisition, LLC

Request: An amendment to the Woods-Robinson-Briggs PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, modify the proposed Park/Trail Head District standards, and replace the district map and site plan.

Current Zoning: Woods Robinson Briggs PUD District, as amended (Ord. 21-10)

Current Land Use: Vacant

Acreage: 162 acres +/-

Exhibits:

1. Staff Report
2. Project Narrative
3. Location Map
4. Draft Ord. 22-29
5. Concept Plan
6. District Plan
7. Park Plan
8. Water Feature Exhibit
9. Neighborhood Meeting Summary
10. 191st St. / Grand Park Blvd. Roundabout Concept Exhibit

Staff Reviewer: Weston Rogers, Associate Planner

PETITION HISTORY

This petition was introduced at the June 13th, 2022 City Council meeting. The discussion for this petition can be viewed [here](#). The petitioner held a neighbor meeting on June 28, 2022. A summary this meeting has provided by the petitioner and included as Exhibit 9. The petition is scheduled for a public hearing at the July 5th, 2022 Advisory Plan Commission (the "Plan Commission") meeting.

This filed petition is related to the following previous applications associated with the subject real estate.

- 03/22/2021
 - o Real estate incorporated into Woods Robinson Briggs PUD Zoning District
 - o Docket No. 2103-PUD-10 / Zoning Ordinance 21-10
- 05/09/2022
 - o PUD Amendment I approved by Council
 - o Docket No. 2203-PUD-06 / Zoning Ordinance 22-05

PROJECT OVERVIEW

Location: The subject real estate is approximately 157.53 acres +/- in size and is located on the north side of 191st St., west of the Monon Trail, north of Grand Park Blvd. (see **Exhibit 3**).

Project Description: The petitioner is requesting an amendment to the Woods-Robinson-Briggs PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, modify the proposed Park/Trail Head District standards, and replace the district map and site plan with updated versions.

ORDINANCE DETAILS

Real Estate:

The original PUD contained approximately 157.53 acres +/- of real estate. The proposed amendment would add 4.54 acres +/- of real estate to the Woods Robinson Briggs PUD. The additional real estate is currently zoned AG-SF1 – Agriculture / Single-family Rural District. Please see **Exhibit 3** outlining the contextual location of the real estate to be added to the Woods Robinson Briggs PUD.

The proposed amendment includes an additional legal description (see Exhibit B of the PUD Amendment) that outlines the real estate to be added to the Woods Robinson Briggs PUD.

District Plan:

The original PUD District Plan outlined district assignments for the real estate located within the Woods Robinson Briggs PUD. The proposed PUD amendment would replace the original District Plan with a revised District Plan that integrates the additional 4.54 acres +/- of real estate as shown on **Exhibit 6**.

The proposed PUD amendment would assign the additional 4.54 acres +/- of real estate to be located within District 1 which is identified as the Commercial District.

General Regulations:

District 1 –

The original PUD included language requiring a centrally located water feature; character exhibits specifically showed a large water fountain. The proposed PUD amendment would modify these regulations by revising the design of the District 1 water feature which also modifies some buildings' orientation. The proposed PUD amendment would replace the original Concept Plans with an updated Concept Plan as shown on **Exhibit 5** in order to capture the proposed modifications.

The proposed PUD Amendment requires the water feature to be developed in substantial compliance with the character exhibit as shown on **Exhibit 8**. The revised water featured

character exhibit (see **Exhibit 8**) would replace the character exhibits of water features in the original PUD Ordinance.

District 2 –

The original PUD included General Regulations associated with the Park / Trail Head District. The proposed PUD Amendment would replace these General Regulations with revised text that details the following modifications below:

- Revision of text:
 - o stating the park “shall” serve as a trail head of the Monon Trail, in lieu of “anticipated to” serve as a trail head of the Monon Trail
 - o stating the park “shall” be developed as a nature-focused park/ recreation area available to the public
 - o revising amenities such as WIFI and play spaces for adults, teens, and children
- Addition of text:
 - o permitting amenities and features commonly related to a passive park use as determined by the Director of the Community Development Department

The proposed PUD Amendment also requires the park to be development in substantial compliance with the “Park Plan” as shown on **Exhibit 7**.

COMPREHENSIVE PLAN

Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

The Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the “New Suburban” and “Employment Corridor” land uses as the appropriate land use for the Property. However, the Property also falls within the area identified in the Family Sports Capital Addendum II of the Westfield-Washington Township Comprehensive Plan (the “Addendum”), which supersedes the Comprehensive Plan to the extent that policies and recommendations conflict. The Addendum sets forth the following goals:

- Provide intergenerational health, recreation and sporting opportunities within the City and provide facilities for state, regional and national tournaments
- Cooperate with the Hamilton County Convention and Visitor’s Bureau (the “HCCVB”) to make Westfield the “Family Sports Capital of America” – a regional and national destination for sporting events and tournaments for all ages; and
- Pursue economic development opportunities to capitalize on Westfield’s already developing intergenerational sports niche. Examples include: multiple championship quality sports facilities; complementary health, recreation and technology related land uses; supporting entertainment, dining, lodging land uses; and, other uses which would support and compliment the Westfield intergenerational sports initiative

PROCEDURAL

Council Introduction: The petition was introduced at the June 13, 2022, City Council meeting.

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the July 5, 2022, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

DEPARTMENT COMMENTS

1. **Action:** Hold a public hearing at the July 5, 2022 Plan Commission meeting.
2. The petitioner will make any necessary revisions to the proposal based on the Plan Commission comments, public comments, and any additional Department comments, prior to the Plan Commissions' further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Weston Rogers at (317) 408-9895 or wrogers@westfield.in.gov

Amendment to Woods Robinson Briggs PUD Narrative

The applicant would like to add the Patricia Gerth Property (4.5) acres to District 1 as shown on the District Map as GB: General Business District.

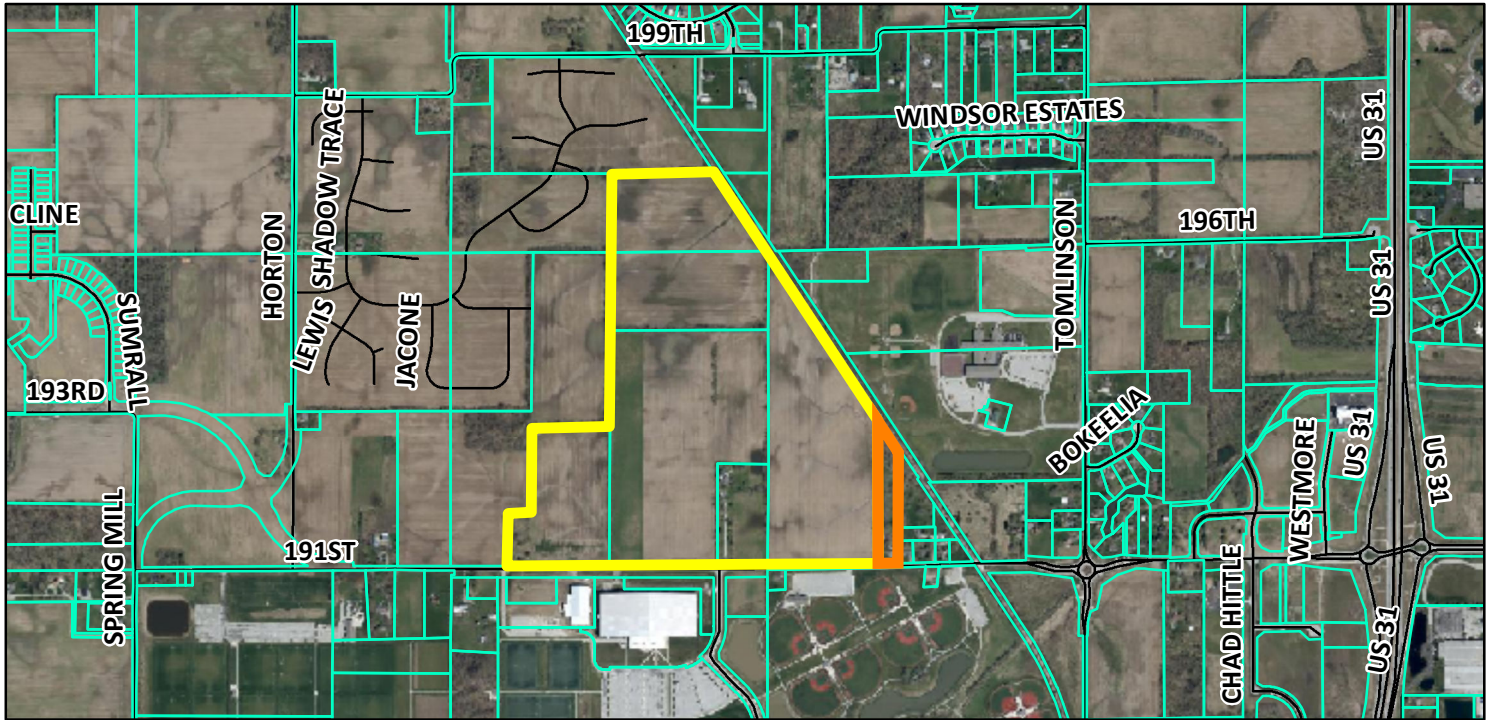
Further, the amendment requests some minor changes to section 8.2 "District 2: Park / Trail Head District" as noted in the proposed ordinance amendment.

Woods Robinson Briggs PUD

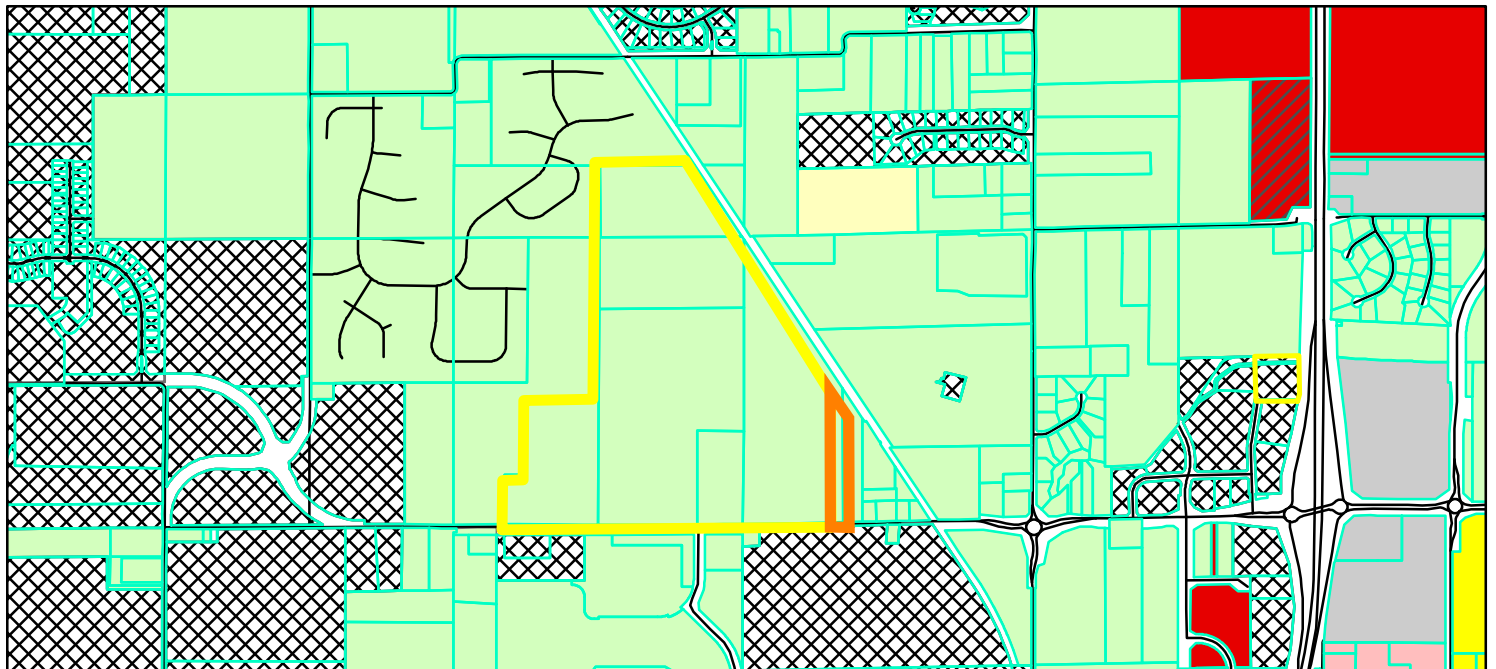
Aerial Location Map

 Existing PUD Limits

 Gerth Property Pproposed



Zoning Map



 Parcel
 GIS, DBO, PW, Streets

Zoning - All

Zoning

 AG-SF1 (Agriculture - Single Family - 1)
 EI (Enclosed Industrial)
 GB (General Business)
 GB-PD (General Business - Planned Development)
 LB (Local Business)
 PUD (Planned Unit Development)
 SF-2 (Single Family - 2)
 SF-3 (Single Family - 3)

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Miles



ORDINANCE 22-19

Woods - Robinson - Briggs PUD Amendment II

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is an Ordinance to amend the Westfield-Washington Township UDO of the City of Westfield and Washington Township, Hamilton County, Indiana (the “UDO”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 *et seq.*, as amended.

WHEREAS, the City of Westfield, Indiana (the “City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Common Council enacted Ordinance No. 21-10, The Woods-Robinson-Briggs Planned Unit Development on March 22, 2021;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (**2207-PUD-XX**), requesting (i) an amendment to the Unified Development Ordinance and the Zoning Map with regard to the subject real estate more particularly described in **Exhibits A** (the “Gerth Property”) and **Exhibit B** (the “Original Woods-Robinson-Briggs PUD Real Estate”), and (ii) an amendment to the District and Concept Plans of the Woods-Robinson-Briggs PUD Ordinance;

WHEREAS, the Commission forwarded Petition No. **2207-PUD-XX** to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a _____ recommendation (**X-X**) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2022; and,

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Woods-Robinson-Briggs PUD Ordinance, Unified Development Ordinance, and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the Gerth Property into the **Woods-Robinson-Briggs Planned Unit Development District** (the "District").
- 1.2 This Ordinance shall also amend the Woods Robinson Briggs PUD Ordinance as applicable to the Original Woods Robinson Briggs PUD Real Estate.
- 1.3 Development of the Gerth Property and the Original Woods-Robinson-Briggs PUD Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, the Woods-Robinson-Briggs PUD Ordinance; and (iii) the provisions of the Unified Development Ordinance as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.4 Chapter ("Chapter") and Article ("Article") cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.5 All provisions and representations of the (i) Unified Development Ordinance and (ii) the Woods-Robinson-Briggs PUD Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Gerth Property and the Original Woods Robinson Briggs PUD Ordinance and shall be superseded by the terms of this Ordinance.

Section 2. District Area Assignment

- 2.1 The Gerth Property is hereby assigned to District 1/the Commercial District, as originally set forth in Ordinance 21-10 (the "Assigned Area"). The standards of the Woods-Robinson-Briggs PUD Ordinance applicable to the Assigned Area shall apply to the development of the Gerth Property.
- 2.2 The District Plan attached hereto and incorporated herein by reference as **Exhibit C** (the "District Plan") hereby amends the Woods Robinson Briggs PUD District Plan.

Section 3. Water Feature

- 3.1 A Water Feature, as originally required in Article 8.1 of Ord. 21-10, shall still be required. However, the Water Feature may not contain a fountain, and the size, scale, and features of the Water Feature shall be amended so that substantial compliance shall be required with what is shown on the revised Concept Plan (see **Exhibit D**).

In addition, Character Exhibits of fountain Water Features in Ord. 21-10 shall not apply. Instead, new Character Exhibits of a linear waterfall have been added (see **Exhibit E**) for which substantial compliance must be achieved.

Section 4. District 2: Park/Trail Head District

- 4.1 Article 8.2 of Ordinance 21-10, “District 2 Park/Trail Head District” shall be replaced with following:

The Park District (a minimum of 3 acres in size up to a maximum of 5 acres) is to be a donation or designated conservatory by Wood Family Farm of Hamilton County, LLC or a successor in interest (the “Owner”) with respect to the Park District. The Park District shall be developed as a nature-focused park/recreation area available to the general public (the "Park"). The Park District shall serve as a trail head of the Monon Trail. The following standards shall apply to District 2:

1. Open-sided shelters shall be permitted.
2. Enclosed buildings for park-related activities and/or facilities such as restrooms, maintenance, and similar other uses deemed appropriate for a passive activity park as determined by the Director of Community Development, shall be permitted.
3. Park amenities shall include the following:
 - a. Lighting and safety features as may be reasonably required for a dusk-to-dawn community park;
 - b. Exercise stations;
 - c. Lawn area for recreational play such as frisbee, croquet, corn hole, etc;
 - d. Sculptured walking areas;
 - e. Crushed stone trails similar to Cool Creek connecting features within the Park; and
 - f. Other similar amenities and features commonly related to a passive park use as determined by the Director of the Community Development Department
4. An application for Detailed Development Plan Review for the park/trail head in District 2 shall be submitted to the Community Development Department within one year from the issuance of the first Improvement Location Permit for the Real Estate. The park amenities listed above shall be installed within District 2 within one year of the aforementioned Detailed Development application submittal unless The Director of the Community Development Department approves an extension due to unforeseen circumstances.

3.2 Development of District 2, the Park District, shall be in substantial compliance with **Exhibit F**, the Park Plan, as determined by the Director of Community Development.

**ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS ____ DAY OF
_____, 2022.**

**WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: R. Birch Dalton

This Instrument prepared by: Birch Dalton, EdgeRock Development, 555 E. Main Street, Westfield, IN 46074

I hereby certify **ORDINANCE 22-19** was delivered to the Mayor of Westfield on the _____ day of _____, 2021.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 22-19
this _____ day of _____, 2022.

I hereby VETO ORDINANCE 22-19
this _____ day of _____, 2022.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
GERTH PROPERTY LEGAL DESCRIPTION

~~Acreage 4.54 Section 25, Township 19, Range 3~~

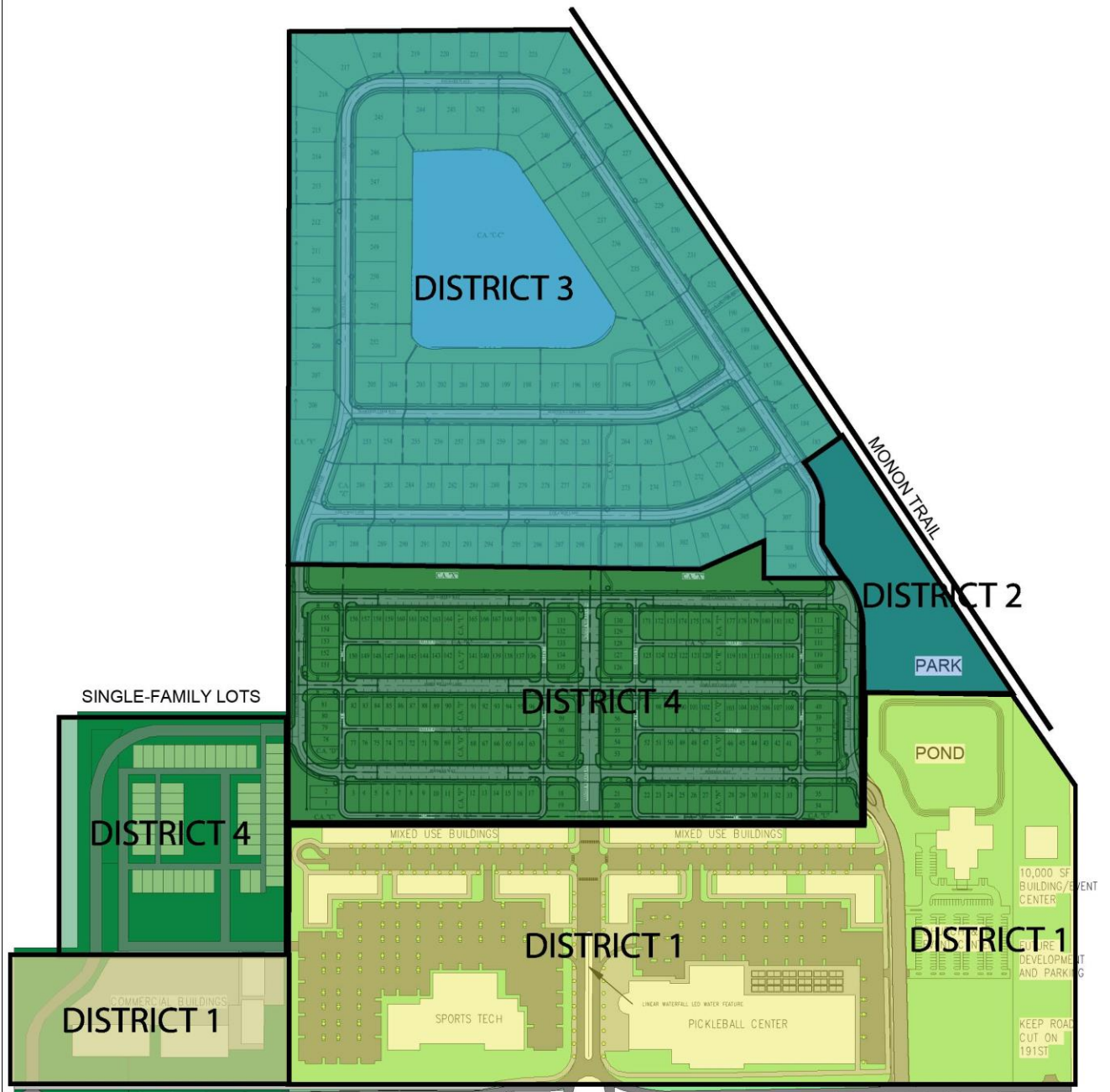
NEED ACTUAL METES AND BOUNDS LEGAL DESCRIPTION

EXHIBIT B
ORIGINAL WOODS-ROBINSON-BRIGGS PUD LEGAL DESCRIPTION (sans GERTH
PROPERTY)

A part of the Southeast Quarter of Section 23, part of the Northwest Quarter of Section 25, and part of the Northeast Quarter of Section 26 all in Township 19 North, Range 3 East Hamilton County, Indiana, described as follows:

BEGINNING at the Southeast Corner of the Northeast Quarter of Section 26; thence along the south line of said Quarter South 89 degrees 54 minutes 14 seconds West (bearings are derived from coordinates based on the Indiana State Plane Coordinate System East Zone NAD 83 (2011) epoch 2010.0) a distance of 1323.22 feet to the Southeast Corner of the West Half of said northeast Quarter; thence continue along the south line of said Quarter Section South 89 degrees 54 minutes 14 seconds West 850.18 feet to a point 188.57 feet west of the Southwest Corner of the East Half of said Half Quarter Section; thence parallel with the west line of said East Half of said West Half Quarter Section North 00 degree 13 minutes 27 seconds East 462.01 feet; thence parallel with aforesaid south line North 89 degrees 54 minutes 14 seconds East 188.57 feet to the west line of the East Half of said West Half; thence along said west line North 00 degree 13 minutes 27 seconds East 723.04 feet to the northwest corner of 18 acres off the entire south end of said Half Half Quarter Section; thence along the north line of said 18 acres North 89 degrees 54 minutes 14 seconds East 661.74 feet to the northeast corner of said 18 acres; thence along the west line of the East Half of said Northeast Quarter North 00 degrees 13 minutes 50 seconds East 1463.08 feet to the Southwest Corner of the South Half of the of the Southeast Quarter of the Southeast Quarter of said Section 23; thence along the west line of said Half Quarter Quarter of said Section 23 North 00 degrees 01 minute 08 seconds West 663.50 feet to the Northwest Corner of the South Half of the Southeast Quarter of said Southeast Quarter; thence along the north line of said Half Quarter Quarter Section North 89 degrees 39 minutes 04 seconds East 866.88 feet to the westerly line of the lands of the City of Westfield (Former Monon Railroad); thence along said westerly line South 33 degrees 30 minutes 30 seconds East 2461.68 feet to the east northeast corner of the lands of the Wood Family Farm of Hamilton County, LLC as described in Instrument No. 2015012811; thence along the east line of Wood South 00 degrees 16 minutes 39 seconds East 1242.37 feet to the south line of the Northwest Quarter of said Section 25; thence along said south line South 88 degrees 46 minutes 09 seconds West 919.30 feet to the place of beginning, containing 157.53 acres, more or less.

EXHIBIT C
REVISED DISTRICT PLAN



① WOODS/ROBINSON/BRIGGS PUD DISTRICT PLAN
 1" = 400'-0"

WOODS ROBINSON
PUD 191ST



EXHIBIT D
REVISED CONCEPT PLAN

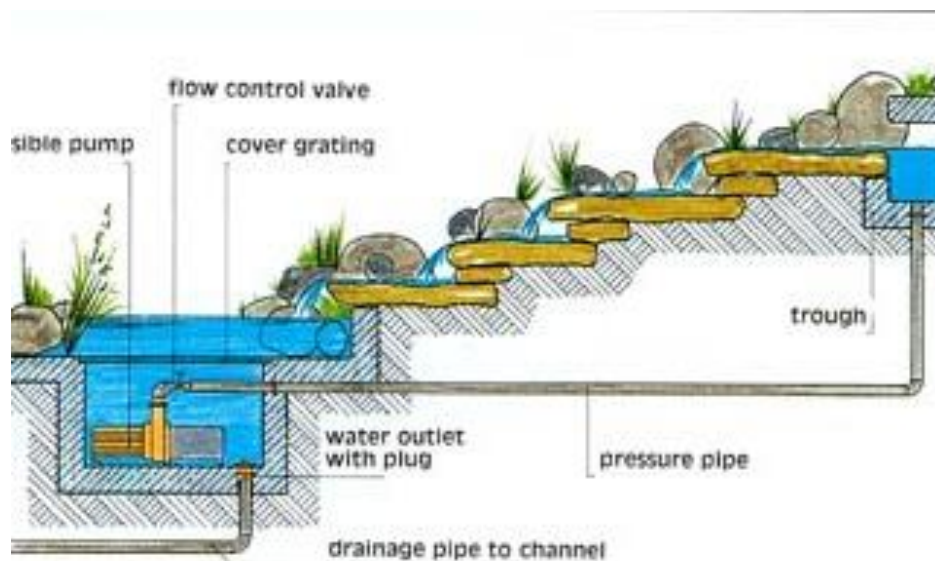
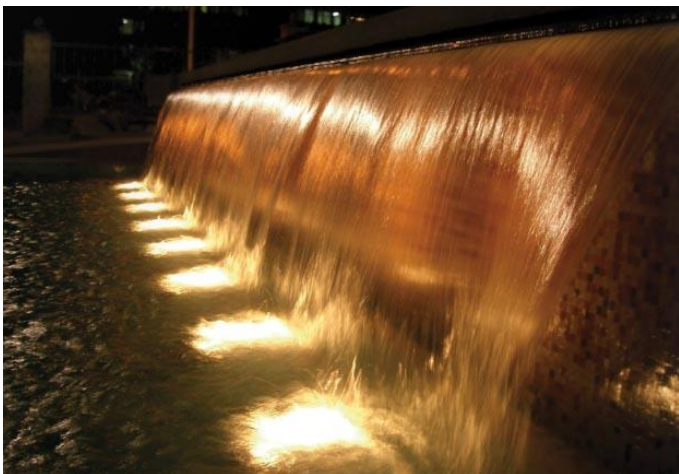


① WOODS/ROBINSON/BRIGGS PUD CONCEPT PLAN
1" = 400'-0"

**WOODS ROBINSON
PUD 191ST**



EXHIBIT E
LINEAR WATERFALL EXHIBITS



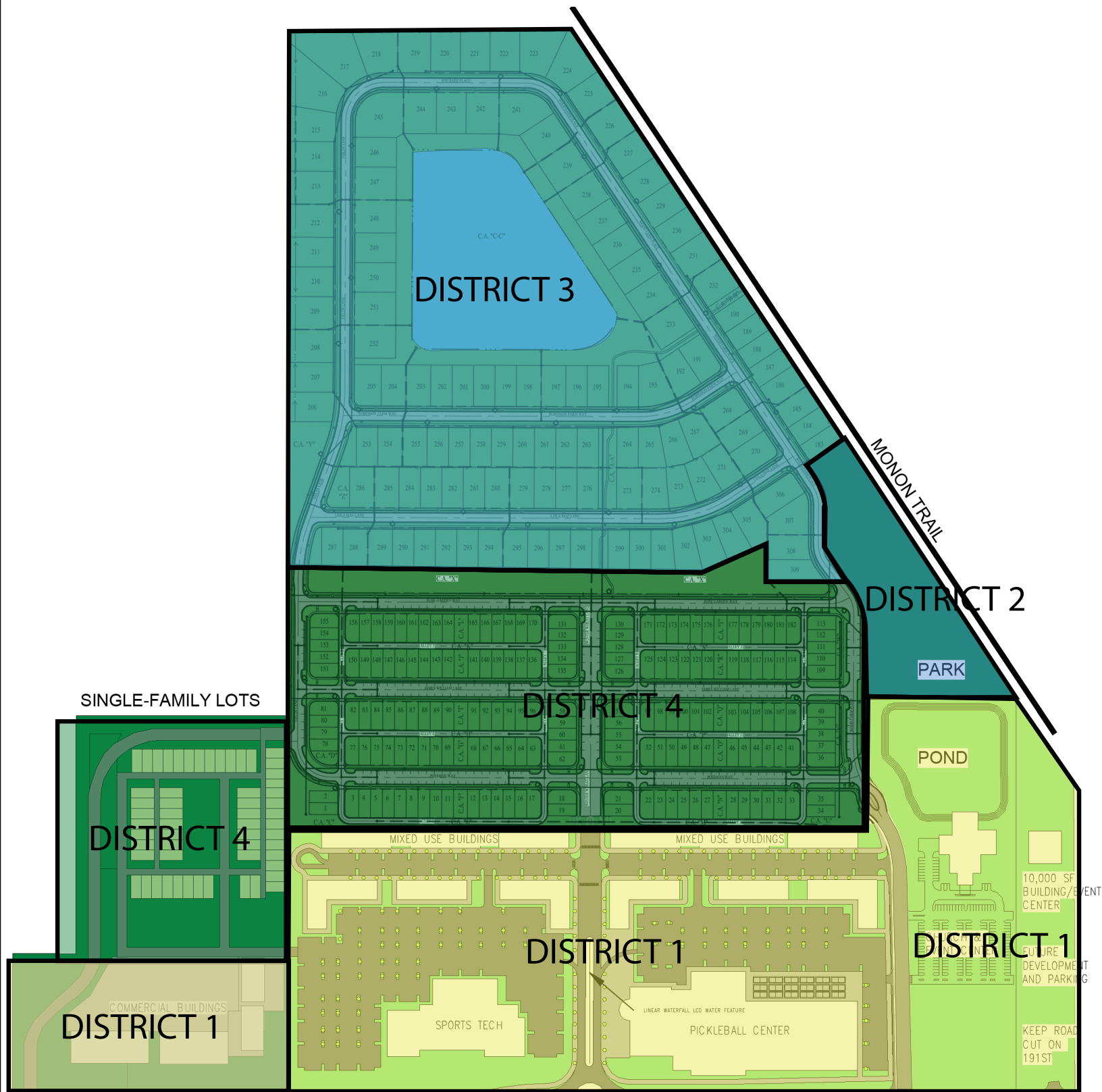
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Page | 11



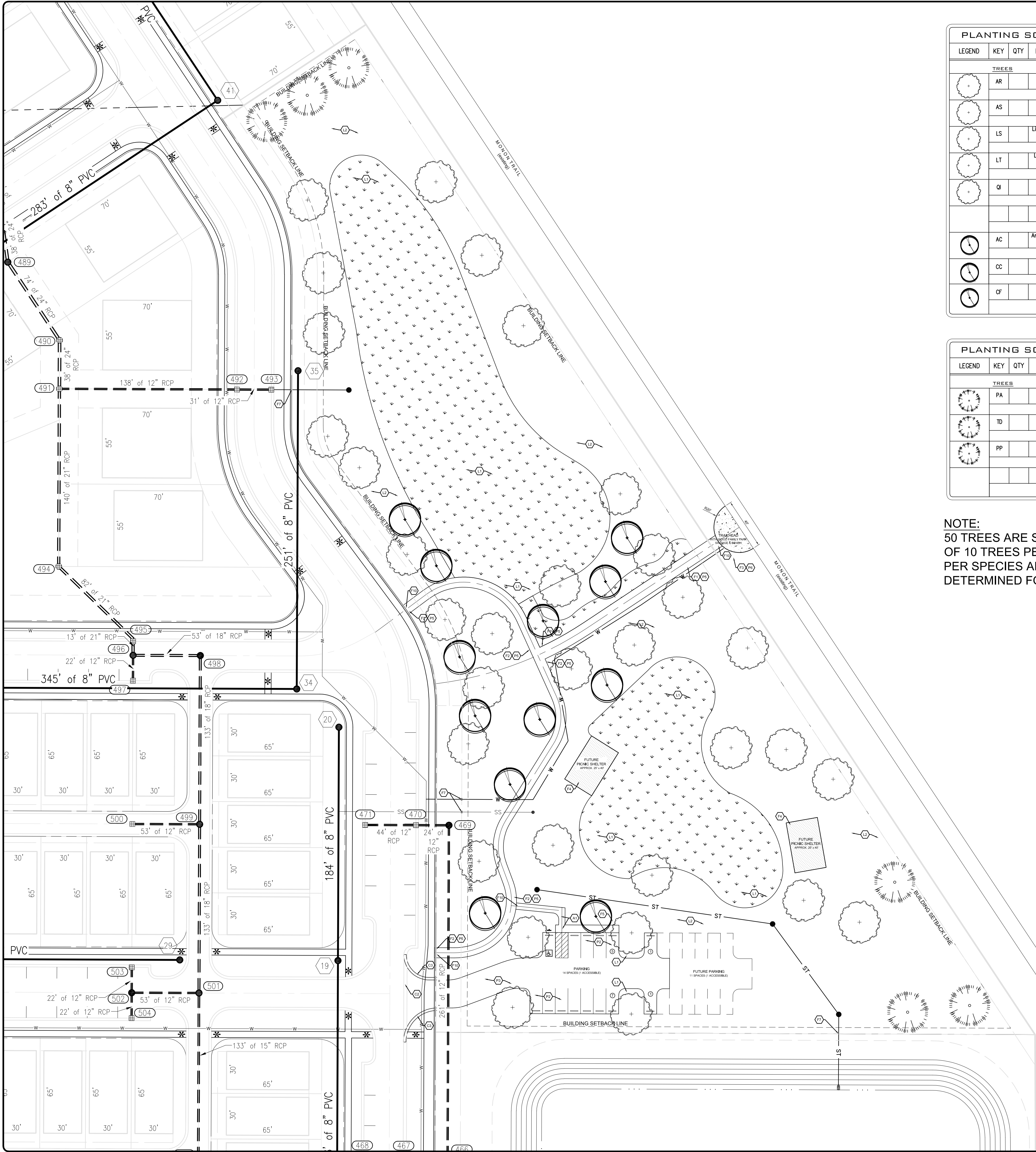
① WOODS/ROBINSON/BRIGGS PUD CONCEPT PLAN
1" = 400'-0"

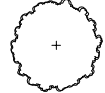
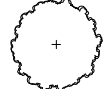
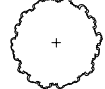
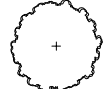
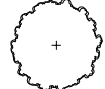
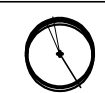
WOODS ROBINSON PUD 191ST



① WOODS/ROBINSON/BRIGGS PUD DISTRICT PLAN
1" = 400'-0"

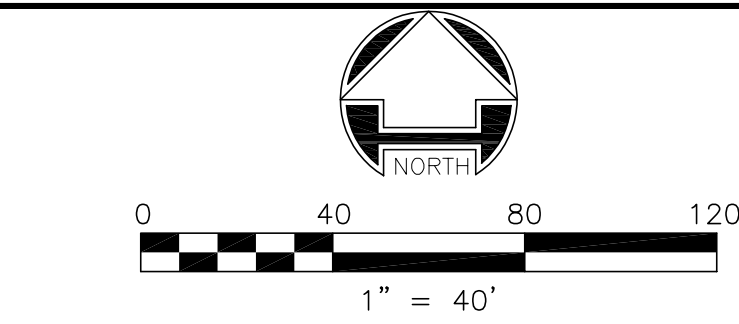
WOODS ROBINSON PUD 191ST



PLANTING SCHEDULE - TREES							
LEGEND	KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE COND	REMARKS	MATURE HEIGHT MATURE SPREAD
TREES							
	AR		Acer x freemanii 'Jeffersred'	Autumn Blaze Maple	2-1 1/2" B & B	Deciduous canopy (2 relocated)	50'
							45'
	AS		Acer saccharum 'Ballista'	Fall Fiesta Maple	8' B & B	Deciduous Shade Tree	50'
							40'
	LS		Liquidambar styraciflua	Sweet Gum	2-1 1/2" B & B	Deciduous Shade Tree	40'
							25'
	LT		Liriodendron tulipifera	Tulip Tree	2-1 1/2" B & B	Deciduous Shade Tree	70'
							40'
	QI		Quercus imbricaria	Shingle Oak	2-1 1/2" B & B	Deciduous Canopy	50'-60'
							50'
							
	AC		Amelanchier canadensis	Shadblow Serviceberry	8' B & B	Ornamental Tree	25'
							20'
	CC		Cercis canadensis	Redbud	8' B & B	Ornamental Tree	25'
							25'
	CF		Cornus alternifolia	Pagoda Dogwood	1-1 1/2" B & B	Ornamental Tree	25'
							25'

PLANTING SCHEDULE - EVERGREEN TREES							
LEGEND	KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE COND	REMARKS	MATURE HEIGHT MATURE SPREAD
TREES							
	PA		Picea abies	Norway Spruce	24"	Evergreen Tree	80'
					B & B		30'
	TD		Taxodium distichum	Bald Cypress	8"	Deciduous Tree	75'
					B & B		50'
	PP		Picea pungens	Colorado Spruce	24"	Evergreen Tree	60'
					B & B		20'
							

NOTE:
50 TREES ARE SHOWN PER THE ORDINANCE REQUIREMENT
OF 10 TREES PER ACRE OF OPEN SPACE. NUMBER OF TREES
PER SPECIES AND FINAL SPECIES SELECTION TO BE
DETERMINED FOR TAC PLAN SUBMITTAL.



(#) SHEET KEYNOTES:
(See City of Westfield details.)

PAVEMENT:
P1. Saw cut existing pavement along this line.
P2. Light duty asphalt pavement
P3. Heavy duty asphalt pavement.
P4. Concrete pavement (road).
P5. Perimeter Trail asphalt pavement per City of Westfield detail 2505-001.
P6. Concrete pavement at Trailhead.
P7. Trail surface alternate: crushed aggregate over geogrid.

CURB:
C1. Concrete straight curb.
C2. Concrete curb with 1" lip (Depressed Concrete Gutter).
C3. Combined concrete curb and gutter.

SITE ACCESSIBILITY (walks, ramps, striping)
A1. Concrete sidewalk.
A2. Van Accessible parking space.
A3. Accessible parking space.
A4. Accessible parking pavement markings.
A5. Detectable warning strip per details.
A6. Painted cross walk.

MISC. SITE FEATURES:
F1. Perimeter Trail, 10' wide, remaining standards per Westfield details.
F2. Perimeter Trail, 8' wide, standards per Westfield details.
F3. Trailhead, concrete pavement.

F4. Picnic shelters to be a future construction phase.
F5. Bicycle rack to be Inverted "U" type per detail or Urban Staple Brand, Model # UB-1000-STD or approved equal. See details.
F6. Monument sign for Wood Family Park Dedication. Sign to be in compliance with city standards.
F7. Utility stub from residential.
F8. Light standard (base, pole & fixture), TYP. See site lighting plan for detail. Conduits required. Pole locations and number are preliminary until final photometric plan (by others) is available.
F9. Park bench with plaque from Wood Family.
F10. Bollard, removable & lockable. Brand & model to be chosen by Owner.

LANDSCAPE:
L1. Landscape island/area to be uncompacted and have a minimum depth of 6 inches of topsoil placed to proper grade. Protect landscape island areas from compaction during construction.
L2. Turf grass area.
L3. Native seed mix to be used for all remaining previous areas.

NOTE: CONTRACTOR TO KEEP PARK PROPERTY SOIL IN PLACE EXCEPT WITHIN 30 FEET OF PAVEMENT AREA. DO NOT REMOVE TOPSOIL IN OTHER AREAS OF PARK PROPERTY. ADDITIONAL TOPSOIL MAY BE ADDED IF COORDINATED WITH PARK OWNER AND ENGINEER.

SEE ADDITIONAL NOTES ON GENERAL NOTES SHEET (L201)

SITE PLAN LEGEND	
	PROPOSED BUILDING (Future Phase)
	HEAVY DUTY ASPHALT PAVEMENT (See P3 above)
	LIGHT DUTY ASPHALT PAVEMENT (See P2 above)
	CONCRETE PAVEMENT (IN R/W) (See P4 above)
	TURF GRASS
	# OF PARKING SPACES (per aisle)

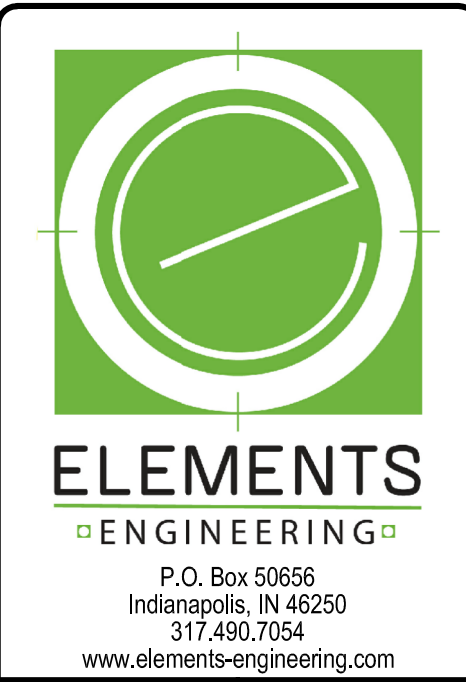
NOTE:
CURB RADII WITH NO LABEL ARE 5' DIAMETER.

SITE ZONING: PUD
SITE IMPERVIOUS % =

BUILDING SETBACK SUMMARY:
FRONT: 25'
REAR: 40' From edge of Monon Trail
SIDE: 5'

ORIGINAL FIELD SURVEY
PREPARED BY
WEIHE ENGINEERS, INC.
10505 N. COLLEGE AVENUE
INDIANAPOLIS, IN 46280
317-845-6811
DATED 2021

UTILITY STATEMENT:
THE UTILITIES INDICATED ON THESE PLANS AND ON THE SURVEY HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR/ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR/ENGINEER DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR/ENGINEER HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



Wood Family Farm of Hamilton Co.
Westfield, IN
Wood Family Park at Harvest Trail
Wood Farm Place
Westfield, IN

PARK PLAN

APPROVAL PENDING
NOT FOR
CONSTRUCTION

DATE:

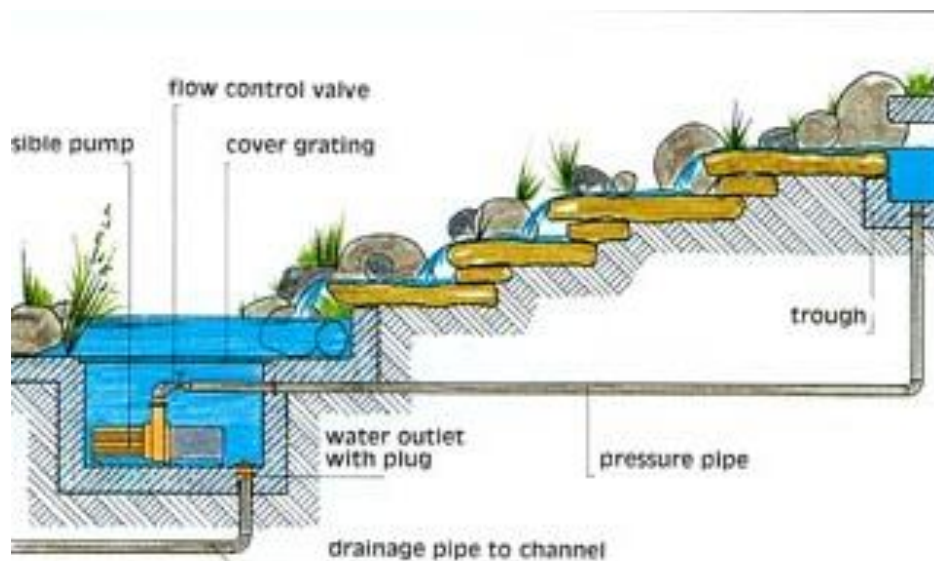
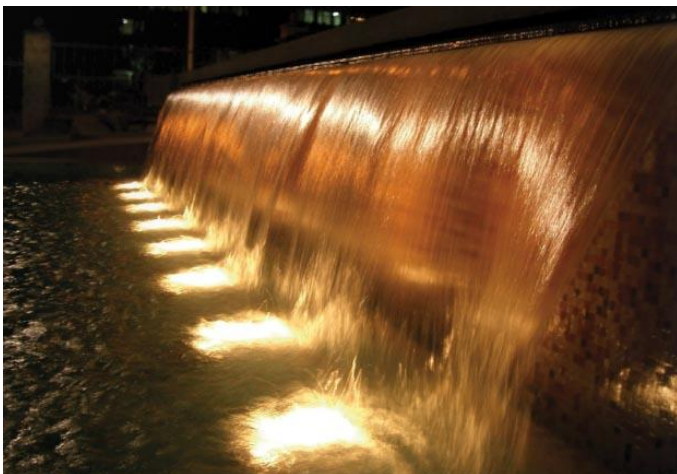
DWN BY: JLR
CHKD. BY: CLH
SCALE: AS NOTED
DATE: 05/24/22

PROJECT NUMBER
21-99-002

DESIGN PHASE
PRELIMINARY

PLAN NUMBER
Exhibit C

EXHIBIT E
LINEAR WATERFALL EXHIBITS



Meeting Minutes

Project: Woods Robinson PUD Amendment (Docket #: 2207-PUD-17)

Meeting Date/Time: June 28, 2022 at 6:00 PM

Meeting Location: Grand Park Event Center 1st Floor Cafeteria

Purpose: Neighborhood Meeting

Attendees: See attendance sheet

In addition, the following were in attendance

Weston Rogers - Associate Planner City of Westfield

The following were present representing 191st Land Acquisition LLC

Birch Dalton

Mike Pepiot

Kyle Emgenbroich

Birch reviewed the proposed changes to the existing PUD.

Birch used the three display boards to explain the changes. The following were the three display boards:

1. Concept Plan
2. District Plan

District 2 Park Layout

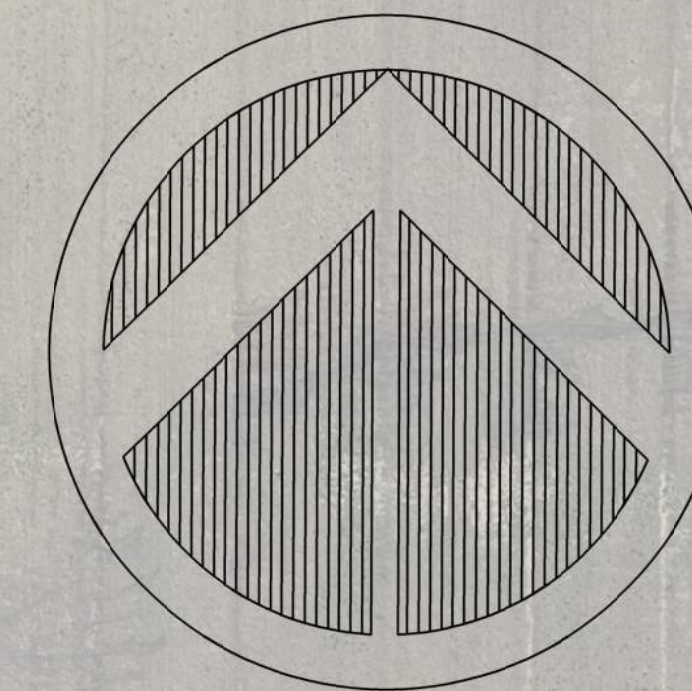
Most of the question were about timing of the process and question around the widening of 191st Street.

Attendees were told the public meeting would be on July 5th at City Hall. Weston Rogers did mention if they were not able to attend, they could still submit their questions / comments in writing.

Neighbor Hood Meeting AT GPEC: 6PM

6/28/2021

	NAME	ADDRESS	EMAIL ADDRESS	PHONE NUMBER
1	Dan & Teresa Cox	910 E 151st		317 764 0258
2	Craig Wood	167 E. 191st St		317 532 7426
3	Joell Mani's	4248 Gledits: Delass, 21025 Villa		
4	Ed Fredriks	922 E 191st	efredriks@aol.com	
5	Sorey Wood	167 E. 191st		
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				



191st St.

Grand Park Blvd



CITY OF
Westfield
INDIANA

LOCHMUELLER
GROUP



Westfield-Washington Township Advisory Plan Commission (APC)

Minutes of the July 18, 2022 APC Meeting

Presented for approval: August 1, 2022

Westfield-Washington Township Advisory Plan Commission
met at 7:00 p.m. on Monday, July 18, 2022 at Westfield City Hall.

Active links for this meeting:

[July 18, 2022 APC Agenda & Exhibits](#)

[July 18, 2022 YouTube Video](#)

OPENING OF MEETING

[YouTube Time: 0:04](#)

Roll Call

Commissioners Members Present In-Person: Matt Deck, Ginny Kelleher, Robert Horkay, Mike Johns, Andre Maue, Victor McCarty, Dave Schmitz, and Cindy Spoljaric.

Commissioners Present Virtually: None

Commissioners Absent: Kristen Burkman.

City Staff Present In-Person: Kevin Todd, Director; Caleb Ernest, Senior Planner, and Ryan Collingwood, Associate Planner.

City Staff Present Virtually: None.

Legal Counsel Present Virtually: Beth Copeland with Taft Stettinius & Hollister LLP.

APPROVAL OF MINUTES

Kelleher motioned to approve the July 5, 2022 Minutes.

Deck seconded. Motion passed. Vote 7-0. (Schmitz abstained)

REVIEW RULES AND PROCEDURES

Todd reviewed APC rules and procedures.

CONSENT AGENDA ITEMS

[YouTube Time: 2:38](#)

2206-DDP-19

Slim Chickens

100 East Spring Mill Pointe Drive (approximate)

CBRE by Weihe Engineers requests Detailed Development Plan review of a 4,095SF restaurant on 1.17 acres +/- in the Spring Mill Pointe PUD District.

(Planner: Weston Rogers - wrogers@westfield.in.gov)

McCarty motioned to approve the Consent Agenda.

Maue seconded. Motion passed. Vote 8-0.

ITEMS OF BUSINESS

2207-ODP-07 & 2207-SPP-07

[YouTube Time: 3:45](#)

Osborne Trails, Phase III

West side of Horton Road, North of 191st Street

Lennar Homes of Indiana, LLC by HWC Engineering requests Overall Development Plan and Primary Plat approval for 107 single-family lots on 43.7 acres +/- in the Osborne Trails PUD District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

Staff presentation / APC comments / Petitioner responses.

Deck motioned to approve 2207-ODP-07 & 2207-SPP-07 subject to the conditions stated in the motion.

Schmitz seconded. Motion passed. Vote 8-0.

Agendas and minutes for all City meetings are updated and available at the City's website.

Website: www.westfield.in.gov | Community Development Department E-mail: community@westfield.in.gov

APC Minutes for July 18, 2022 Page 1 of 4

PUBLIC HEARING ITEMS

No Public Hearing Items.

MISCELLANEOUS ITEMS

[YouTube Time: 10:06](#)

2203-PUD-05 [DISCUSSION]

[YouTube Time: 10:16](#)

Towns at Union PUD

East of and adjacent to Union Street and south of David Brown Drive

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC request a change of zoning of 12.85 acres +/- from the AG-SF1 District to the Towns at Union PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Staff presentation / Petitioner presentation / APC comments / Petitioner responses.

2205-PUD-09 [DISCUSSION]

iBeach31 at Grand Park PUD

[YouTube Time: 55:10](#)

724 East 181st Street

iBeach31, LLC by Church Church Hittle + Antrim request a change in zoning for 3 acres +/- from OI-PD: Open Industrial / Planned Development District to the iBeach 31 at Grand Park Planned Unit Development (PUD) District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

Staff presentation / Petitioner presentation / APC comments / Petitioner responses.

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09 [CONTINUED]

Northpoint II PUD

North side of SR 38 between Anthony Road and Hinkle Road

Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Northpoint II PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

North of David Brown Drive, East and West of Westfield Blvd

31/32 Investors by Edgerock Development, LLC requests an Amendment to the Permitted Uses and General Regulations of the Grand Millennium Center PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

2111-PUD-27

TowneRun PUD [CONTINUED]

Northwest corner of Towne Rd & West 146th Street

LOR Corporation by Church Church Hittle + Antrim requests a change in zoning for 26.94 acres +/- from AG-SF1: Agriculture / Single-family Rural District to the TowneRun PUD District.

(Planner: Kevin Todd - ktodd@westfield.in.gov)

2112-ODP-26 [CONTINUED]

Southpark Industrial

16465 Southpark Drive

CTC02, LLC by Total Engineering Solutions Co. requests Overall Development Plan review of one Lot on 3.69 acres +/- in the Southoak PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Agendas and minutes for all City meetings are updated and available at the City's website.

Website: www.westfield.in.gov | Community Development Department E-mail: community@westfield.in.gov

2206-ODP-06 & 2206-SPP-06 [CONTINUED]

Springwater

East side of Westfield Blvd/Union Street, North of 161st Street

Apollo Developers, LLC by HWC Engineering requests Overall Development Plan and Primary Plat approval for 90 Single-family Attached residential Lots on 50.5 acres +/- in the Springwater PUD District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

2206-PUD-11

Woods Robinson Briggs PUD Amendment II [CONTINUED]

Generally at 904 East 191st Street

191st Land Acquisition, LLC requests an amendment to the Woods-Robinson-Briggs PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, and modify the proposed Park/Trail Head District standards.

(Planner: Weston Rogers - wrogers@westfield.in.gov)

2207-PUD-13 [CONTINUED]

Midtown at Westfield PUD Amendment I

NEC of US 31 and 191st Street, Approximately

Alderson Development Group, LLC by Church Church Hittle + Antrim requests an amendment to the Development Standards of the Midtown at Westfield PUD on 10 acres +/-.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov) (Presented by Pam Howard – phoward@westfield.in.gov)

2207-PUD-15 [CONTINUED]

Midtown at Westfield PUD Amendment I

NEC of US 31 and 191st Street, Approximately

Alderson Development Group, LLC by Church Church Hittle + Antrim requests an amendment to the Development Standards of the Midtown at Westfield PUD on 10 acres +/-.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

REPORTS/COMMENTS:

[YouTube Time: 1:27:45](#)

- Plan Commission Comments
- Downtown Update
- City Council Liaison
- Board of Zoning Appeals Liaison
- Community Development Department

ADJOURNMENT

McCarty motioned to adjourn the meeting. Schmitz seconded. Motion passed. Vote 8-0.

The meeting adjourned at 8:34 p.m.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Agendas and minutes for all City meetings are updated and available at the City's website.

Website: www.westfield.in.gov | Community Development Department E-mail: community@westfield.in.gov

APC Minutes for July 18, 2022 Page 3 of 4

Signature Page for APC Minutes for July 18, 2022

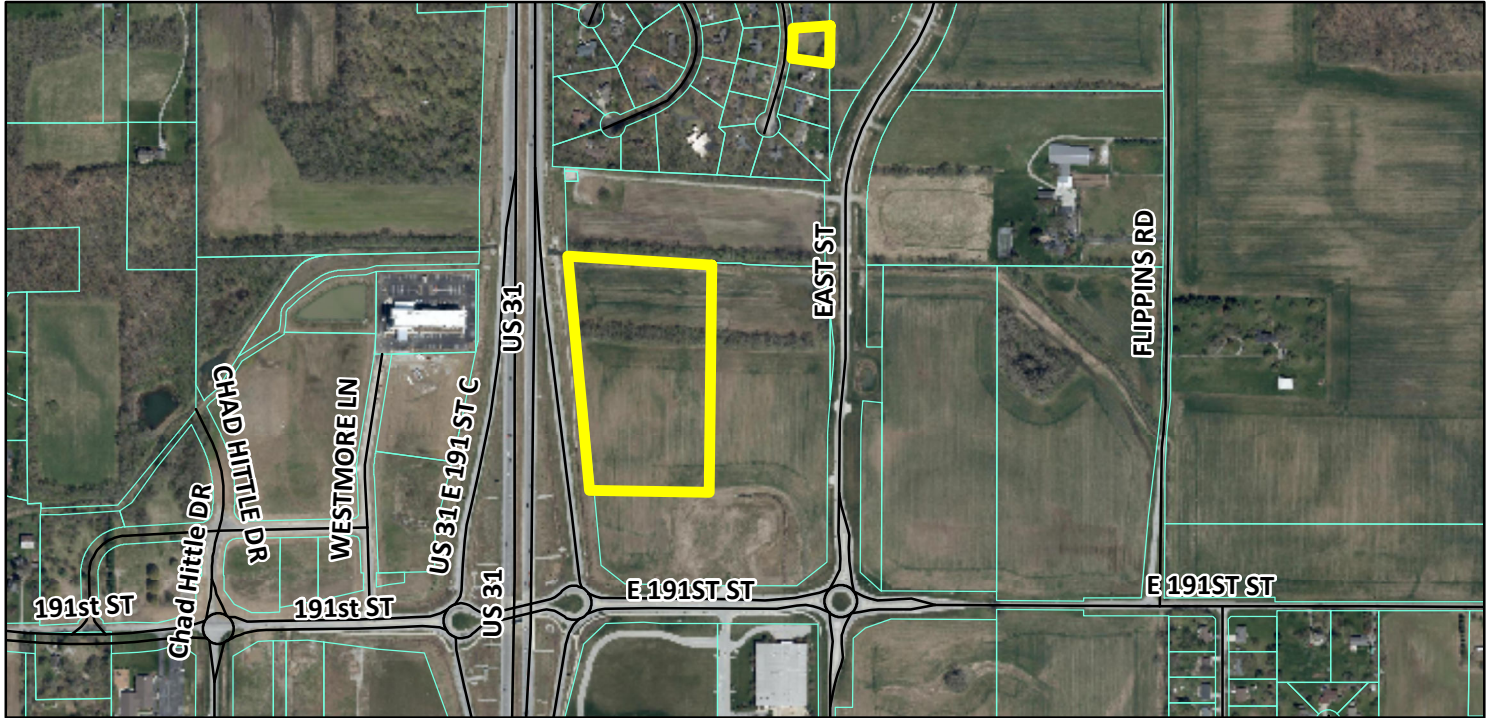
Robert Horkay, President

Ginny Kelleher, Vice President

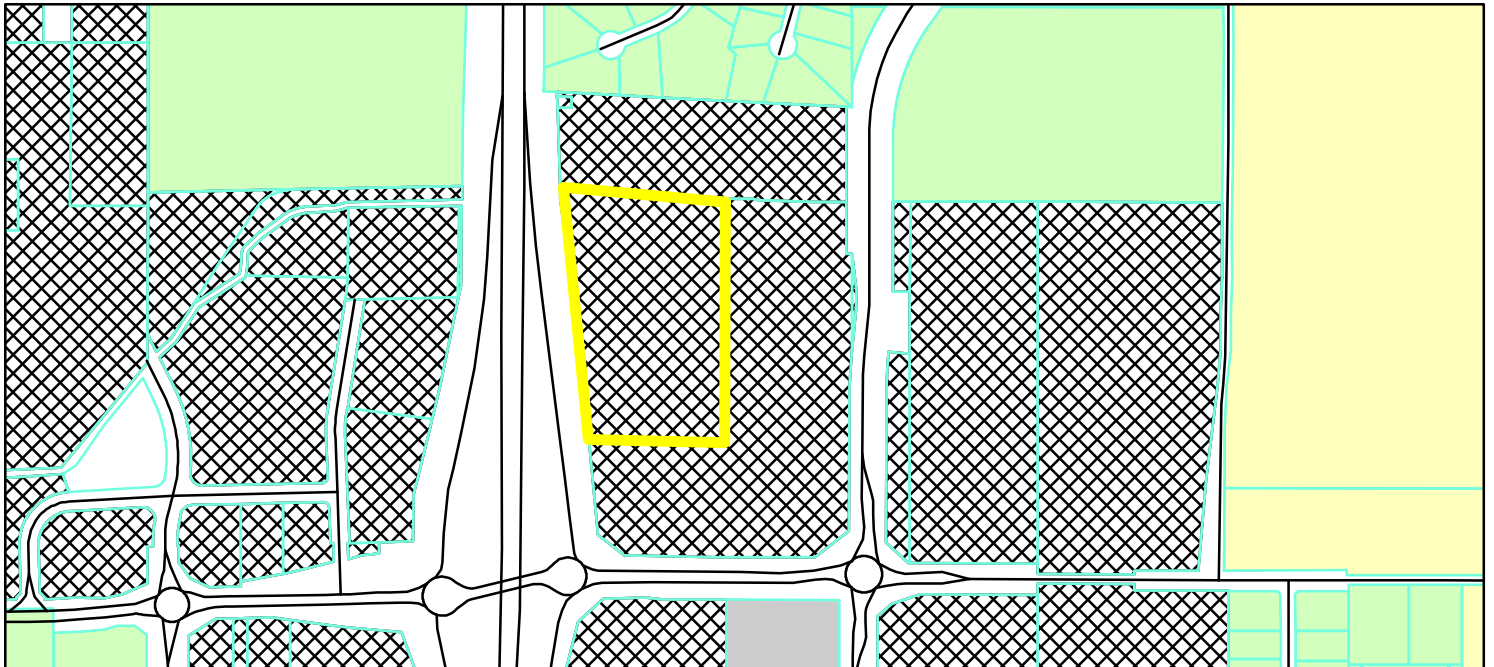
Kevin M. Todd, Secretary

Aerial Location Map

 Site



Zoning Map

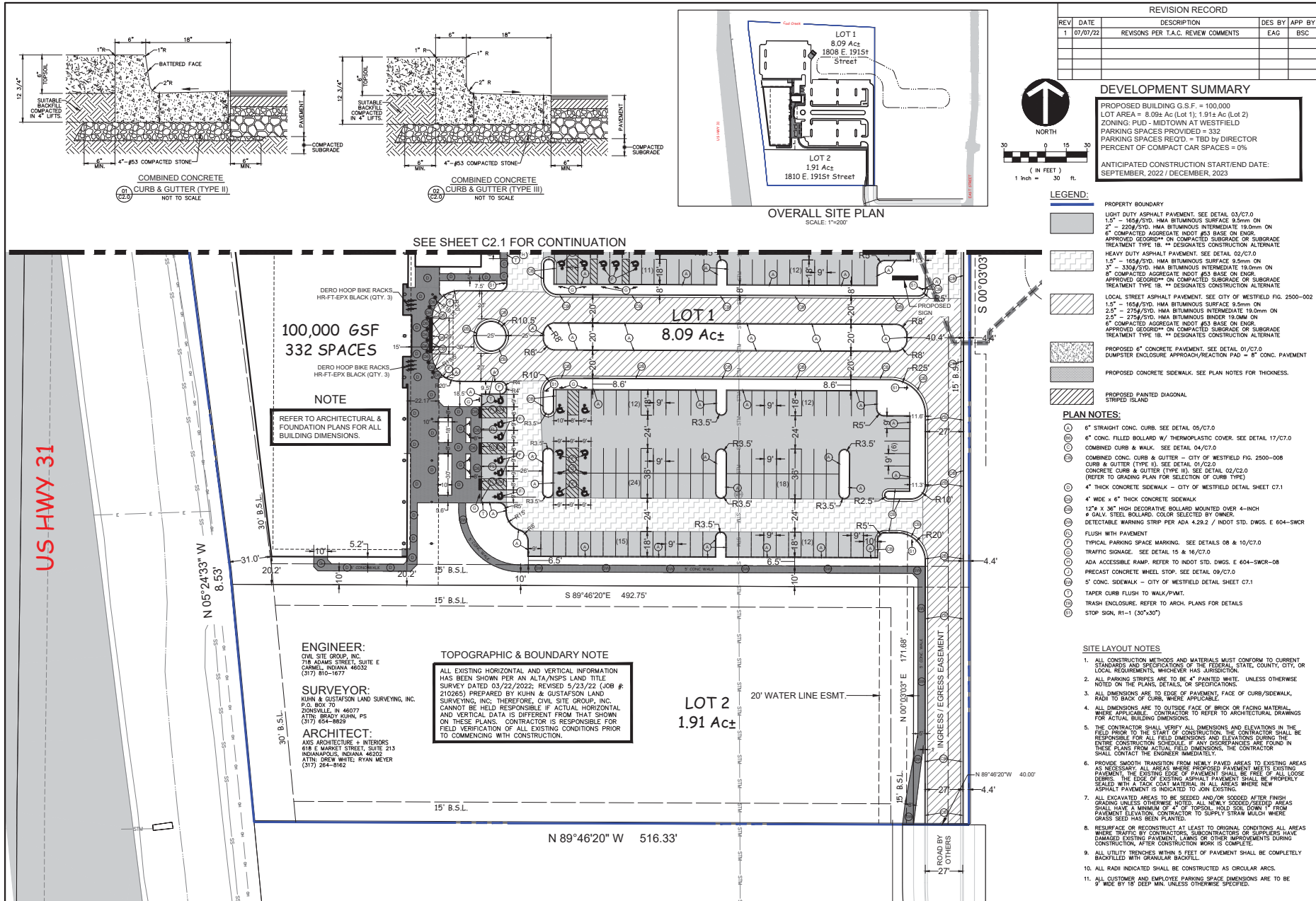


GIS.DBO.PW_Streets
Parcel
Parcel
Zoning - All

Zoning
AG-SF1 (Agriculture - Single Family - 1)
EI (Enclosed Industrial)
PUD (Planned Unit Development)
SF-2 (Single Family - 2)

0 0.05 0.1
Miles





ALDERSON COMMERCIAL GROUP, INC.
425 W SOUTH STREET, STE 100
INDIANAPOLIS, INDIANA 46225

CIVIL SITE GROUP, INC.
716 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 810-1677

WESTFIELD HEALTH PAVILION AT MIDTOWN
NE CORNER OF US 31 & E 191ST STREET
WESTFIELD, INDIANA 46074

SITE PLAN
(Sheet 1 of 2)

PROJECT NUMBER
ACG.060

DRAWING NUMBER
C2.0
SHEET 3 OF 28

ALL EXISTING HORIZONTAL AND VERTICAL INFORMATION HAS BEEN SHOWN PER AN ALTA/NSPS LAND TITLE SURVEY DATED 03/22/2022; REVISED 5/23/22 (JOB # 210265) PREPARED BY KUHN & GUSTAFSON LAND SURVEYING, INC.; THE INFORMATION GROUP, INC. CANNOT BE HELD RESPONSIBLE IF ACTUAL HORIZONTAL AND VERTICAL DATA IS DIFFERENT FROM THAT SHOWN ON THESE PLANS. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING CONDITIONS PRIOR TO COMMENCING WITH CONSTRUCTION.

THIS LOT LIES PARTIALLY IN FLOOD HAZARD ZONE "AE" AS
 SCALED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR
 HAMILTON COUNTY, INDIANA, COMMUNITY NAME CITY OF
 WESTFIELD, COMMUNITY NUMBER 180083, MAP/PANEL NUMBERS
 18057C0109G, 18057C0128G, DATED NOVEMBER 19, 2014.

REFERENCE NFIP FIRM MAP #: 18057C0109G; 18057C0128G
 EFFECTIVE DATE: NOVEMBER 19, 2014.

SURVEYOR:
KUHN & GUSTAFSON LAND SURVEYING, INC.

DEVELOPMENT SUMMARY

PROPOSED BUILDING G.S.F. = 100,000
LOT AREA = 8.09± Ac (Lot 1); 1.91± Ac (Lot 2)
ZONING: PUD - MIDTOWN AT WESTFIELD
PARKING SPACES PROVIDED = 332
PARKING SPACES REQ'D. = TBD by DIRECTOR
PERCENT OF COMPACT CAR SPACES = 0%
ANTICIPATED CONSTRUCTION START/END DATE:
SEPTEMBER, 2022 / DECEMBER, 2023



- LEGEND**
- PROPERTY BOUNDARY**
- LIGHT DUTY ASPHALT PAVEMENT. SEE DETAIL 03/C7.0
1.5" - 165#/SYD. HMA BITUMINOUS SURFACE 9.5mm ON
2 - 239#/SYD. HMA BITUMINOUS INTERMEDIATE 19.0mm ON
6 COMPACTED AGGREGATE INDOT #53 BASE ON ENGR.
APPROVED GEOTECH ON COMPACTED SUBGRADE OR SUBGRADE
TREATMENT TYPE 1B. ** DESIGNATES CONSTRUCTION ALTERNATE
- HEAVY DUTY ASPHALT PAVEMENT. SEE DETAIL 02/C7.0
1.5" - 165#/SYD. HMA BITUMINOUS SURFACE 9.5mm ON
3 - 339#/SYD. HMA BITUMINOUS INTERMEDIATE 19.0mm ON
6 COMPACTED AGGREGATE INDOT #53 BASE ON ENGR.
APPROVED GEOTECH ON COMPACTED SUBGRADE OR SUBGRADE
TREATMENT TYPE 1B. ** DESIGNATES CONSTRUCTION ALTERNATE
- LOCAL STREET ASPHALT PAVEMENT. SEE CITY OF WESTFIELD PG. 2500--00
1.5" - 165#/SYD. HMA BITUMINOUS SURFACE 9.5mm ON
2.5" - 279#/SYD. HMA BITUMINOUS INTERMEDIATE 19.0mm ON
2.5" - 279#/SYD. HMA BITUMINOUS INTER 19.0mm ON
6 COMPACTED AGGREGATE INDOT #53 BASE ON ENGR.
APPROVED GEOTECH ON COMPACTED SUBGRADE OR SUBGRADE
TREATMENT TYPE 1B. ** DESIGNATES CONSTRUCTION ALTERNATE
- PROPOSED #6 CONCRETE PAVEMENT. SEE DETAIL 01/C7.0
DUMPSHED ENCLOSURE APPROACH/REASON FOR #6 CONC. PAVEMENT
- PROMOTED CONCRETE SIDEWALK. SEE PLAN NOTES FOR THICKNESS.
- PROPOSED PAINTED DIAGONAL
STREET ISLAND

PLAN NOTES:

- ⑥ 6" STRAIGHT CONCR. CURB, SEE DETAIL 09/7/0.
- ⑦ 6" CONCR. FILLED BOLLARD W/ THERMOPLASTIC COVER, SEE DETAIL 17/7/0.
- ⑧ COMBINED CURB & WALK, SEE DETAIL 04/C7/0.
- ⑨ COMBINED CONCR. CURB & GUTTER - CITY OF WESTFIELD FIG. 2500-00 CURB & GUTTER (TYPE I), SEE DETAIL 02/G/0.
- ⑩ CONCRETE CURB & GUTTER - CITY OF WESTFIELD FIG. 2500-00 CURB & GUTTER (TYPE II), SEE DETAIL 02/G/2.0 (REFER TO GRADING PLAN FOR SELECTION OF CURB TYPE)
- ⑪ TAPED CONCRETE SIDEWALK - CITY OF WESTFIELD DETAIL SHEET C7.1
- ⑫ 4" WIDE + 3" THICK CONCRETE SIDEWALK
- ⑬ 12" X 36" HIGH DEPRESSIVE BOLLARD MOUNTED OVER 4-INCH 12 GA. STEEL BOLLARD, COLOR SEEN AT OWNERS
- ⑭ DETACHABLE WARNING STRIP PER ADA 2.02.2 / INDOT STD. 604-1
- ⑮ FLUSH WITH PAVEMENT
- ⑯ TYPICAL PAVING SURFACE MARKING, SEE DETAILS 08 & 10/C7/0.
- ⑰ TRAFFIC SIGNALING, SEE DETAILS 15 & 16/C7/0.
- ⑱ PRECAST CONCRETE WHEEL STOP - INDOT STD. 604-3 (SMA-08)
- ⑲ PRECAST CONCRETE WHEEL STOP, SEE DETAIL 09/7/0.
- ⑳ 5" CONCR. SIDEWALK - CITY OF WESTFIELD DETAIL SHEET C7.1
- ㉑ TAPER CURB FLUSH TO WALK/PAVT.
- ㉒ TAPER ENCLOSURE, REFER TO ARCH. PLANS FOR DETAILS
- ㉓ STOP SIGN, R1-1 ("30"/30")

SITE LAYOUT NOTES

- [illegible]

ALDERSON COMMERCIAL GROUP, INC.
425 W SOUTH STREET, STE 100
INDIANAPOLIS, INDIANA 46225



DWN BY:	BSC
CHKD. BY:	BSC
SCALE:	1" = 30'
DATE:	06/01/22

WESTFIELD HEALTH PAVILION AT MIDTOWN
NE CORNER OF US 31 & E 191ST STREET
WESTFIELD, INDIANA 46074

SITE PLAN
(Sheet 2 of 2)

PROJECT NUMBER
ACG.060

DRAWING NUMBER
C2.1
SHEET 4 OF 28

Material Square Footage

1. Aluminum Panel	4,801 sqf	(79.00%)
2. Masonry	1,336 sqf	(21.00%)
Total	6,137 sqf	(100.00%)



East Elevation

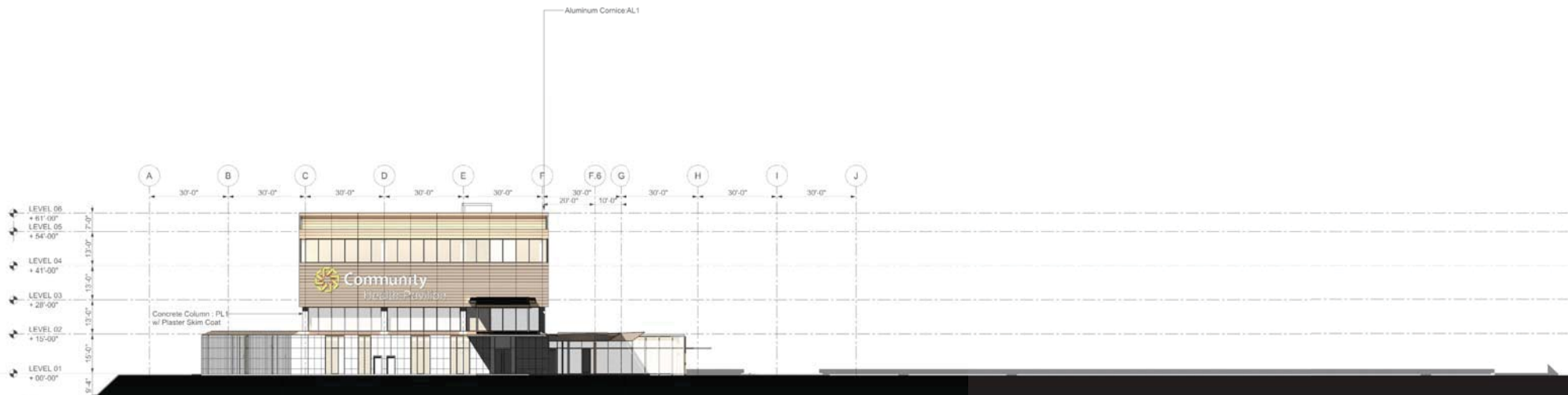
Material Square Footage

1. Aluminum Panel	3,997 sqf	(56.00%)
2. Masonry	3,041 sqf	(44.00%)
Total	7,038 sqf	(100.00%)



Material Square Footage

1. Aluminum Panel	2,639 sqf	(75.00%)
2. Masonry	901 sqf	(25.00%)
Total		3,540 sqf (100.00%)

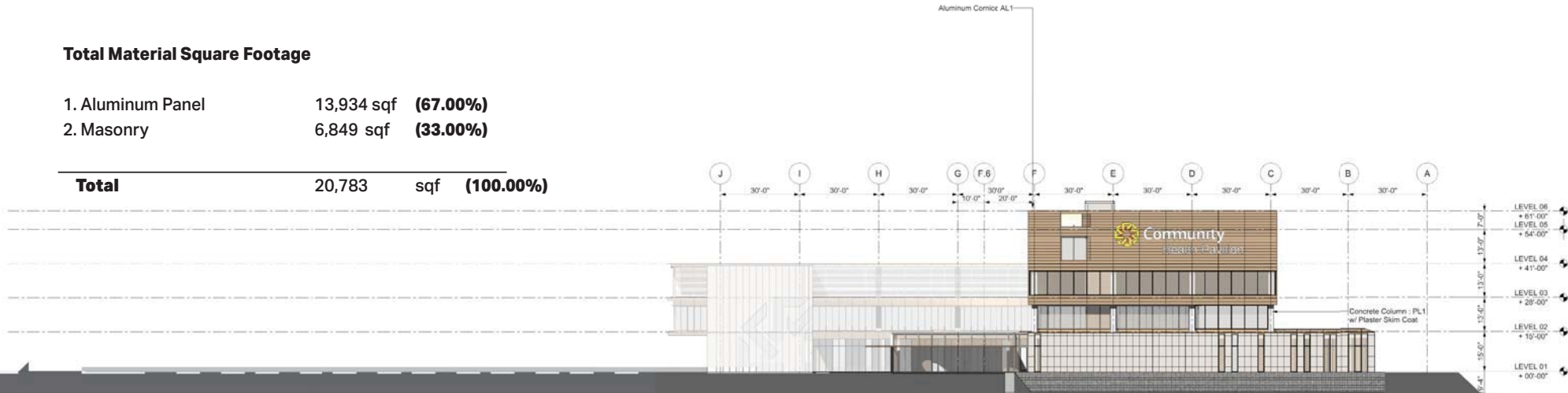


Material Square Footage

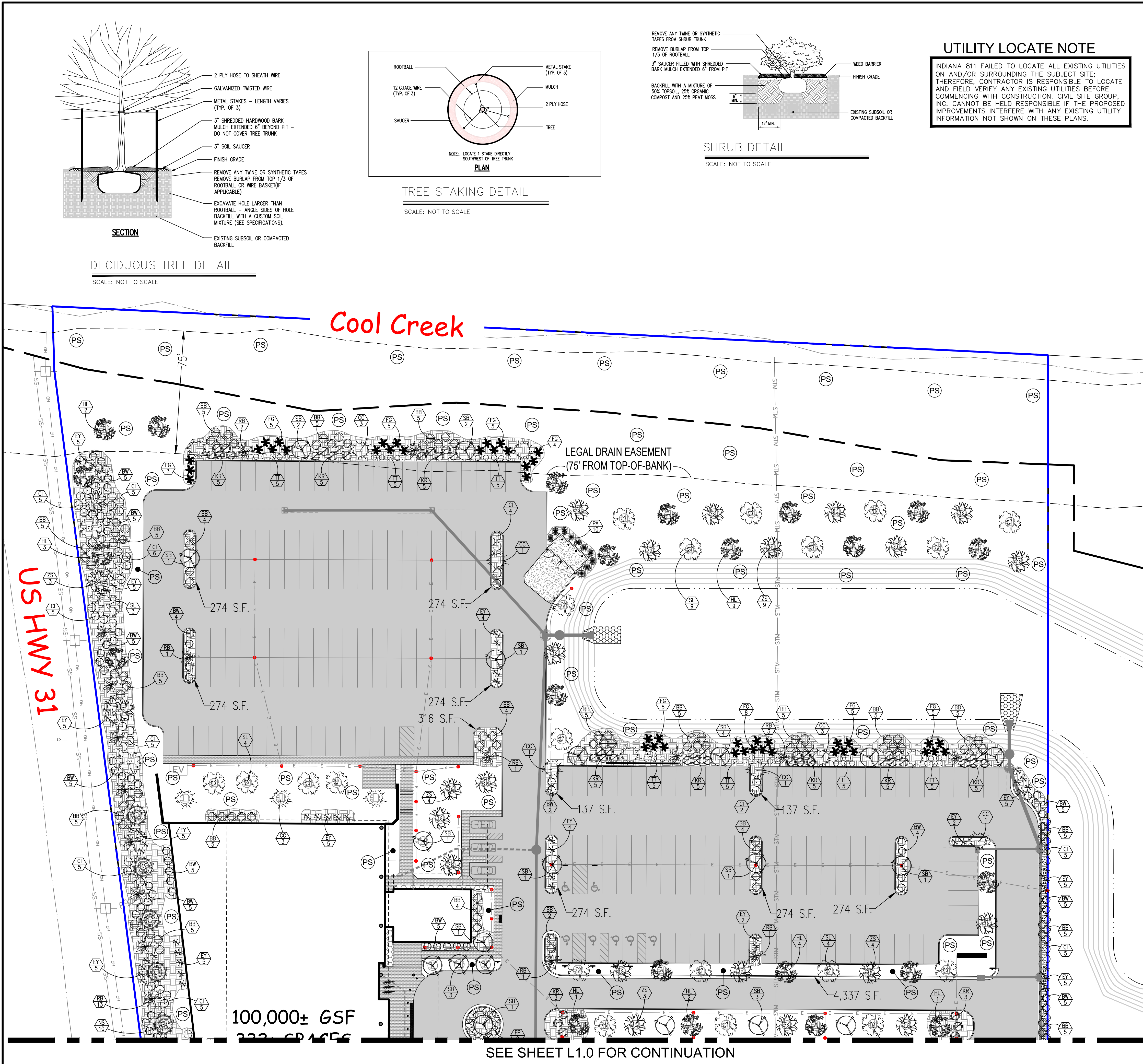
1. Aluminum Panel	2,497 sqf	(61.00%)
2. Masonry	1,571 sqf	(39.00%)
Total	4,068 sqf	(100.00%)

Total Material Square Footage

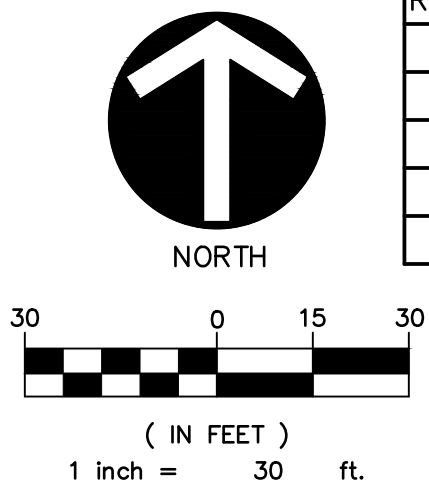
1. Aluminum Panel	13,934 sqf	(67.00%)
2. Masonry	6,849 sqf	(33.00%)
Total	20,783 sqf	(100.00%)



North Elevation



REVISION RECORD				
REV	DATE	DESCRIPTION	DES BY	APP BY
1	07/07/22	REVISIONS PER T.A.C. REVIEW COMMENTS	EAG	BSC



IRRIGATION NOTE

SITE IRRIGATION IS NOT SHOWN ON THESE PLANS. IF SITE IRRIGATION IS REQUIRED, CONTRACTOR SHALL WORK WITH THE LOCAL WATER UTILITY TO DETERMINE THE REQUIREMENTS & LOCATION FOR THE IRRIGATION METER & SITE IRRIGATION SYSTEM.

LANDSCAPE NOTE

ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF WESTFIELD ZONING ORDINANCE. THE MINIMUM LANDSCAPING IMPROVEMENTS ARE SUBJECT TO FINAL INSPECTION.

CITY OF WESTFIELD STANDARDS

CONTRACTOR TO CONSTRUCT ALL APPLICABLE SITE IMPROVEMENTS TO THE CITY OF WESTFIELD'S CURRENT STANDARDS/SPECIFICATIONS AND STANDARD DETAILS.

LANDSCAPE NOTES:

All species of plant materials and substitutions thereof are subject to acceptance by the City of Westfield Community Development Department and approval of the Owner(s) or a representative of the Owner(s).
All plant materials are to be warranted for a period of no less than one year from final acceptance by the Owner(s) or a representative of the Owner(s).
All plant material is to be planted in a manner that ensures its survival. Any environmental or other type of situation that is noted by the landscape Contractor that could potentially injure the plant or shorten its longevity is to be made known to the Owner(s) and potential substitutions or corrections to the situation can be made at no expense to the Contractor.
All materials falling the one year warranty period are to be replaced at the expense of the Landscape Contractor.
Any deviation from responsible landscape practices and the City of Westfield Ordinances will result in the immediate termination of the Landscape Contract and the Contractor will pay all costs associated with the corrections.
All plant material is to come from reputable sources within 100 miles of the site on which it is being installed. If no source for a plant species or acceptable substitute is available within this area, the project Landscape Architect/Engineer is to be notified immediately to make a determination of possible options.
All plant material is subject to approval by the project Landscape Architect/Engineer prior to installation and may be rejected for reasons of health, aesthetics, size or other reasonable causes.
The Landscape Contractor is responsible for the timely installation of all material in his contract. Should there be a delay due to weather or other unforeseeable, natural circumstances, the timeline will be adjusted.
IRRIGATION CONTRACTOR IS RESPONSIBLE TO SUPPLY WATER METER PIT, SERVICE TAPS AT PUBLIC MAIN, AND ALL APPURTENANCES REQUIRED BY THE WATER SERVICE PROVIDER.

ENGINEER:

CIVIL SITE GROUP, INC.
718 ADAMS STREET, SUITE E
CARMEL, INDIANA 46032
(317) 810-1677

SURVEYOR:

KUHN & GUSTAFSON LAND SURVEYING, INC.
P.O. BOX 70
ZIONSVILLE, IN 46077
ATTN: BRADY KUHN, PS
(317) 654-8829

ARCHITECT:

AXIS ARCHITECTURE + INTERIORS
618 E MARKET STREET, SUITE 213
INDIANAPOLIS, INDIANA 46202
ATTN: DREW WHITE, RYAN MEYER
(317) 264-8162

WESTFIELD HEALTH PAVILION AT MIDTOWN
NE CORNER OF US 31 & E 191ST STREET
WESTFIELD, INDIANA 46074

PROJECT NUMBER
ACG.060

DRAWING NUMBER
L1.1
SHEET 18 OF 28

LANDSCAPE PLAN
(Sheet 2 of 2)

ALDERSON COMMERCIAL GROUP, INC.
425 W SOUTH STREET, STE 100
INDIANAPOLIS, INDIANA 46225

Civil Site
GROUP, INC.
718 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 810-1677



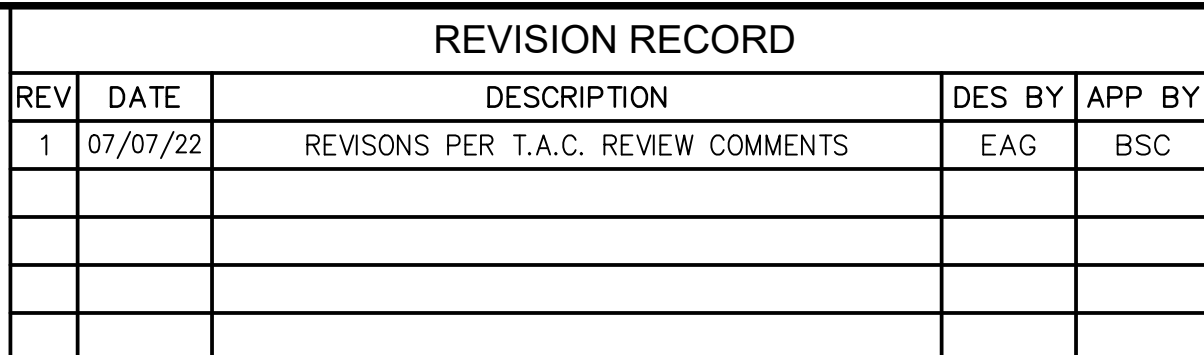
DWN BY: BSC

CHKD. BY: BSC

SCALE: 1" = 30'

DATE: 06/01/22

REQUIREMENT	MINIMUM REQUIRED	PROVIDED
PARKING LOT INTERIOR • 50 or more spaces = 10% interior landscape area • Parking area islands shall include at least 1 tree + 4 shrubs per island • 100% of landscape area shall be covered by permitted ground cover	Parking Lot Area = 133,544 SF • 133,544/10 = 13,354 SF interior landscape • 18 islands = 18 trees + 72 shrubs • 100% of landscape area shall be covered by permitted ground cover	INTERIOR LANDSCAPE AREA = 18,760 SF • 18,760 SF provided • 27 trees + 77 shrubs • 100% of landscape area shall be covered by permitted ground cover
PARKING LOT PERIMETER • 1 tree per 30 LF + 1 shrub per 3F; minimum 5 feet in width • External street frontage requirement credited toward parking lot perimeter requirement per Section 6.8.M.2 of the Westfield UDO	South Parking Lot Adjacent to Future Outlot = 253 LF (Future parking expansion to the south planned) • 253/30 = 9 trees • 144/3 = 85 shrubs North Parking Lot Adjacent to Pond = 279 LF • 279/30 = 10 trees • 279/3 = 93 shrubs North Parking Lot Adjacent to Creek = 199 LF • 199/30 = 7 trees • 199/3 = 67 shrubs East Drive Aisle Adjacent to Future Outlot = 500 LF (Subsurface Infrastructure Limits Trees) • 500/30 = 17 trees • 500/3 = 167 shrubs	South Parking Lot Adjacent to Future Outlot (Deficiency due to future parking expansion) • 2 trees (PUD Text Amendment) • 45 shrubs (PUD Text Amendment) North Parking Lot Adjacent to Pond • 10 trees • 93 shrubs North Parking Lot Adjacent to Creek • 7 trees • 67 shrubs East Drive Aisle Adjacent to Future Outlot (Subsurface Infrastructure Limits Trees) • 0 trees (PUD Text Amendment) • 170 shrubs



SITE IRRIGATION IS NOT SHOWN ON THESE PLANS. IF SITE IRRIGATION IS REQUIRED, CONTRACTOR SHALL WORK WITH THE LOCAL WATER UTILITY TO DETERMINE THE REQUIREMENTS & LOCATION FOR THE IRRIGATION METER & SITE IRRIGATION SYSTEM.

ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF WESTFIELD ZONING ORDINANCE. THE MINIMUM LANDSCAPING IMPROVEMENTS ARE SUBJECT TO FINAL INSPECTION.

THE SPECIES OF THE TREES AND SHRUBS SHOWN ON THIS LANDSCAPE PLAN ARE SUBJECT TO CHANGE BASED ON SEASONAL AVAILABILITY. ALL SUBSTITUTIONS WILL BE OF SPECIES APPROVED BY THE CITY OF WESTFIELD DEPARTMENT OF COMMUNITY DEVELOPMENT.

CONTRACTOR TO CONSTRUCT ALL APPLICABLE SITE IMPROVEMENTS TO THE CITY OF WESTFIELD'S CURRENT STANDARDS/SPECIFICATIONS AND STANDARD DETAILS.

All species of plant materials and substitutions thereof are subject to acceptance by the City of Westfield Community Development Department and approval of the Owner(s) or a representative of the Owner(s). Any plant material or substitution of plant materials are to be warranted for a period of no less than one year from final acceptance by the Owner(s) or a representative of the Owner(s). All plant material to be planted in a manner that ensures its survival. Any substitution of material or type of material must be approved by the Contractor that could potentially injure the plant or shorten its longevity is to be made known to the Owner(s) and potential substitutions or corrections to the situation can be made at no expense to the Contractor.

All materials that are less than one year warranty period are to be replaced at the expense of the Landscape Contractor.

Any deviation from responsible landscape practices and the City of Westfield Ordinances will result in the immediate termination of the Landscape Contractor and the Contractor will be held responsible for all costs.

All plant material is to come from respectable sources within 100 miles of the site on which it is being installed. If no source for a plant species or acceptable substitute is available within this area, the project Landscape Architect/Engineer is to be notified immediately to make alternate arrangements.

All plant material is subject to approval by the project Landscape Architect/Engineer prior to installation and may be rejected for reasons of health, aesthetics, size or other reasonable causes.

The Contractor shall be responsible for the timely installation of all material in his contract. Should there be a delay due to weather or other unforeseeable, natural circumstances, the timeline will be adjusted.

AT THE CITY OF WESTFIELD, MASSACHUSETTS, SUPPLY WATER METER PIT, SERVICE TAPS AT PUBLIC MAIN, AND ALL APPURTENANCES REQUIRED BY THE WATER SERVICE CONTRACT.

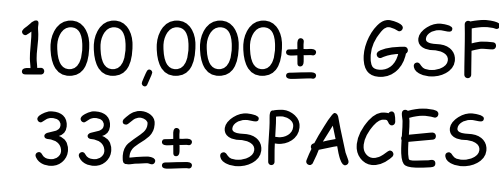
CIVIL SITE GROUP, INC.
718 ADAMS STREET, SUITE E
CARMEL, INDIANA 46032
(317) 810-1677

KUHN & GUSTAFSON LAND SURVEYING, INC.
P.O. BOX 70
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AXIS ARCHITECTURE + INTERIORS
618 E MARKET STREET, SUITE 213
INDIANAPOLIS, INDIANA 46202
ATTN: DREW WHITE; RYAN MEYER
(317) 264-8162

SYMBOL	Quantity	Species
	EG - 49	"DWARF FOUNTAIN GRASS" - (Min. 18" Height)
	BB - 149	Myrica Pensylvanica - "BAYBERRY" (Min. 18" Height)
	PA - 10	THUJA OCCIDENTALIS PYRAMIDALIS ARBORVITAE - (Min. 4' Height)
	EY - 125	Taxus Baccata 'Repandens' - "DWARF ENGLISH YEW" (Min. 18" Height)
	QL - 121	Ilex Glabra "Compacta" - Compact Inkberry (Min. 18" Height)
	BW - 131	Buxus microphylla - "LITTLELEAF BOXWOOD" (Min. 18" Height)
	EP - 17	Perennial Flowering Plant (Daylilies, Hydrangeas, Bee Balm (Monarda Didyma), or other acceptable perennial species - (Min. 18" High at Planting)
	MD - 4	BEE BALM, MONARDA DIDYMA - (Min. 12" High at Planting)
	KR - 46	KNOCKOUT SHRUB ROSE (Rosa Radrazz) - (Min. 18" High at Planting)
	II - 47	Tiny Tuff Stuff (Hydrangea serrata "MAKD" USPP 24,842) (Min. 12" at Planting)

SYMBOL	Quantity	Species
	HL - 26	Glendisia triacanthos – Thornless Honey Locust (Min. 2" Caliper & 8' Min. Height) **Large Shade Tree**
	ZS - 27	Zelcova serrata – Zelkova (Min. 2" Caliper & 8' Min. Height) **Large Shade Tree**
	SL - 28	Tilia tomentosa – Silver Linden "STERLING SILVER" (Min. 2" Caliper & 8' Min. Height) **Large Shade Tree**
	SB - 31	Amelanchier var. – Serviceberry (Min. 2" Caliper) **Ornamental Tree**
	RB - 25	Cercis canadensis – Redbud (Min. 2" Caliper) **Ornamental Tree**
	CC - 15	Cornus mas – Cornelian Cherry – (Min. 2" Caliper) **Ornamental Tree**
	NS - 10	Picea Abies – "NORWAY SPRUCE" (6' Min. Height) **Evergreen Tree**



CLOUDED AREA DENOTES FUTURE SHARED PARKING LOT EXPANSION TO THE SOUTH; THEREFORE, PROPOSED LANDSCAPING IS LESS THAN REQUIRED

FUTURE BLDG.

FUTURE OUTLOT (1.91± ACRES)
NOT INCLUDED (CROSS-HATCH)

US HWY 31

10 HEALTH PAVILION AT MIDTOWN
CORNER OF US 31 & E 191ST STREET
WESTFIELD, INDIANA 46074

LANDSCAPE PLAN
(Sheet 1 of 2)

ALDERSON COMMERCIAL GROUP, INC.
425 W SOUTH STREET, STE 100
INDIANAPOLIS, INDIANA 46225

CIVIL SITE GROUP, INC.
718 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 810-1677



DWN BY: BSC

CHKD. BY: BSC

SCALE: 1" = 30'

DATE: 06/01/22

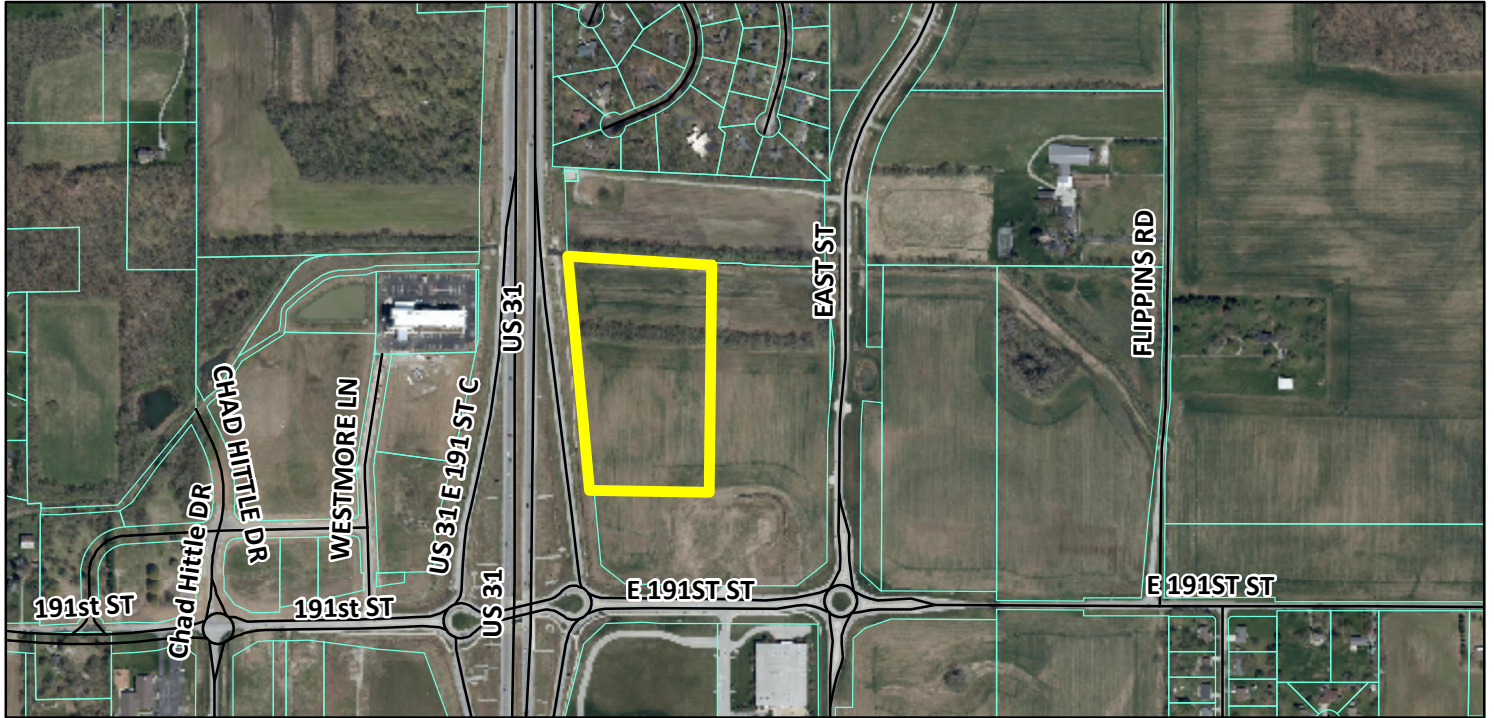
PROJECT NUMBER
ACG.060

DRAWING NUMBER
L1.0
SHEET 17 OF 28

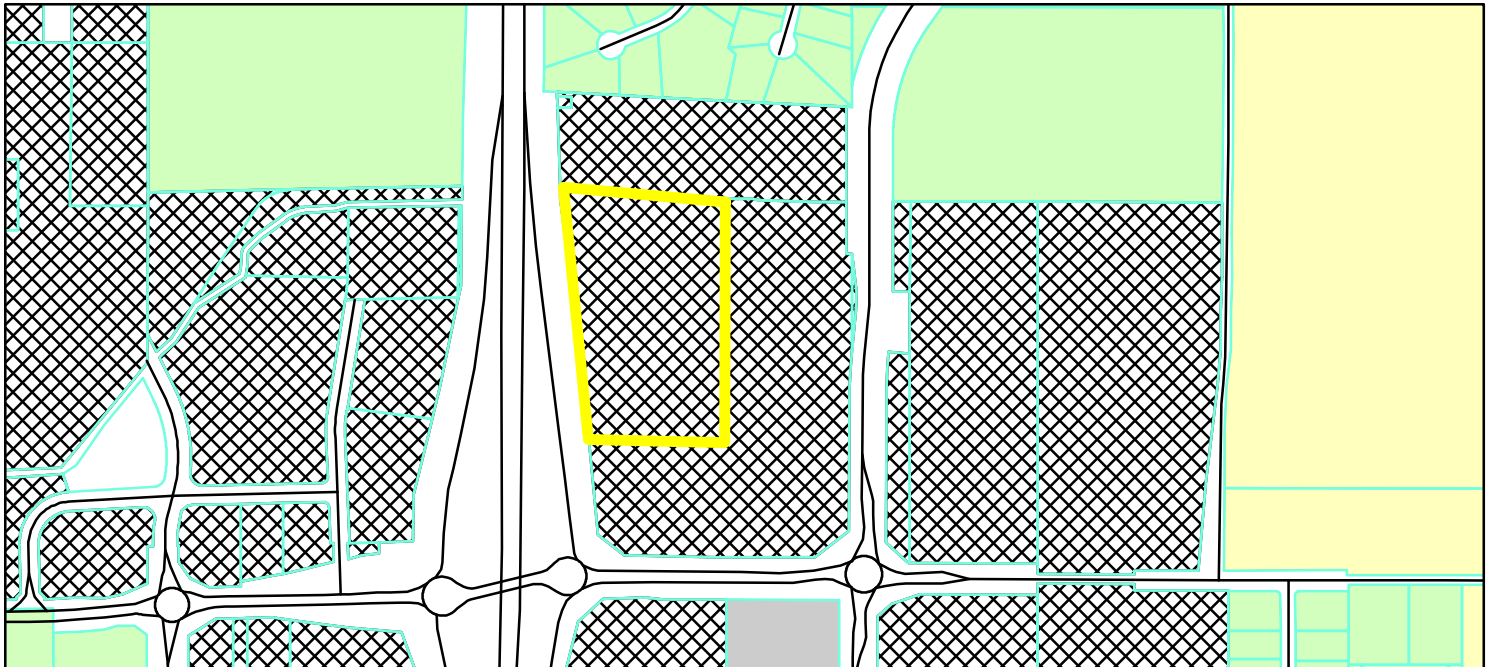
Midtown at Westfield PUD Amendment I

Aerial Location Map

 Site



Zoning Map



GIS.DBO.PW_Streets
Parcel
Parcel
Zoning - All

Zoning
AG-SF1 (Agriculture - Single Family - 1)
EI (Enclosed Industrial)
PUD (Planned Unit Development)
SF-2 (Single Family - 2)

0 0.05 0.1
Miles



Narrative Statement

Midtown At Westfield PUD amendment

Northwest corner 191st Street and North East Street

Alderson Development Group is excited to bring forward a proposal to develop a new comprehensive medical campus for Community Health Network within the Midtown at Westfield Planned Unit Development. The location is on ten +/- acres near the northeast corner of 191st Street and U.S. 31 North. An amendment to the existing PUD is proposed to address certain architectural and design elements unique to the proposed medical campus.

The campus will be developed in two phases. Phase I will include the new Community Health Network pavilion and Phase II will include a connecting medical office building to the south.

Alderson would like to begin construction as soon as the required City approvals are obtained.

ORDINANCE NUMBER 22-__

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE
TEXT OF THE MIDTOWN AT WESTFIELD PLANNED UNIT DEVELOPMENT BEING
THAT OF ORDOINACE 19-21 AND TITEL 16 – LAND USE CONTROLS**

“Midtown at Westfield PUD Amendment I”

This amendment to a Planned Unit Development District Ordinance (the “**Amendment**”), known as the MIDTOWN AT WESTFIELD PUD DISTRICT (Ordinance 19-21, the “**Midtown Ordinance**”), to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “**UDO**”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code§ 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the “**City**”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. ____-PUD-__), filed with the Commission requesting an amendment to Ordinance 19-21, enacted by the Common Council of the City of Westfield (the “**Council**”) on September 9, 2019;

WHEREAS, the Amendment pertains to the subject real estate located north of 191st Street and east of U.S. Highway 31 North, and more particularly identified by legal description in Exhibit A attached hereto and incorporated herein (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. ____-PUD-__ to the Council with a favorable recommendation (Vote: __ in favor, __ opposed) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code§ 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2022;

WHEREAS, the Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Council, meeting in regular session, that the UDO and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Midtown Ordinance is hereby amended for the Real Estate. In all other respects, the Midtown Ordinance shall remain in effect and unchanged. To the extent that the provisions of the UDO or the Midtown Ordinance conflict with the provisions of this Amendment, the provisions of this Amendment shall prevail.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment and any exhibits attached hereto, and (ii) the Midtown Ordinance, and (iii) the provisions of the UDO, as amended and applicable to the Real estate, except as modified, revised, supplemented or expressly made inapplicable by this Amendment.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Amendment.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO.

Section 3. Concept Plan. The concept plan, attached hereto as Exhibit B (the “**Concept Plan**”), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The District is hereby divided into two (2) areas, as depicted on the Concept Plan and labeled as “**Lot 1**” and “**Lot 2**” (individually or collectively, the “**Lot**” or “**Lots**”).
- 3.2 Development of each Parcel shall be regulated as set forth in this Amendment.
- 3.3 The boundaries of the Parcels shall be developed in substantial compliance with the Concept Plan. The final layouts and site plans within the Parcels shall be subject to the terms of this Amendment and may vary from the depictions shown in the Concept Plan.

Section 4. Overlay Districts. Section 6.2 of the Midtown Ordinance shall not apply to the Real Estate. Instead, the Building on Lot 1 of the Real Estate (“**Building 1**”) shall be constructed in substantial compliance with the elevations attached hereto as Exhibit C (“**Building 1 Elevations**”). The Building on Lot 2 (“**Building 2**”) shall be constructed in substantial compliance with the same character and quality as Building 1; however, the design of Building 2 may be different. Conceptual elevations of Building 2 are shown in Exhibit D (“**Building 2 Conceptual Renderings and Elevations**”).

Section 5. General Regulations. The standards of Section 7 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

- 5.1 Minimum Building Height: Section 7.7(A) of the Midtown Ordinance is hereby modified to permit a Minimum Building Height of: (i) two (2) stories on Lot 2; (ii) three (3) stories on no more than 50% of Building 1; and (iii) four (4) stories on at least 50% of Building 1.

Section 6. Development Standards. The standards of Section 8 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

- 6.1 Character Imagery: Section 8.2(A) of the Midtown Ordinance is hereby modified for the Real Estate and is hereby replaced by Exhibit E (the “**Character Imagery Exhibit**”) of this Amendment. In all other respects, Section 8.2(A) of the Midtown Ordinance shall remain in effect and unchanged.

- 6.2 Hotel and Office Subdistrict: Section 8.2(B) of the Midtown Ordinance is replaced and restated for the Real Estate as follows:

- i. Glass shall constitute at least thirty-five (35) percent of the exterior surfaces of each Building Façade.
- ii. In addition to glass, each Building Façade shall utilize a minimum of two (2) other exterior building materials.
- iii. A minimum of twenty (20) percent of each Building Façade (exclusive of windows and doors) shall be Masonry Materials.
- iv. No more than eighty (80) percent of each Building Façade (exclusive of windows and doors) shall be architectural aluminum panels.

- 6.3 Landscaping Standards.

- i. Foundation Plantings. Section 8.4(B) of the Midtown Ordinance is amended to include the following additional text: Foundation plantings shall not be required along portions of the Front Building Façade where pedestrian infrastructure or covered canopy areas abut such façade.
- ii. Parking Area Design. Section 8.4(E)(i) of the Midtown Ordinance shall be amended to include the following additional text: Perimeter Parking Area Landscaping shall not be required along the south property line of Lot 1.

- 6.4 Lighting Standards: Section 8.5(A) of the Midtown Ordinance is hereby modified to permit the street light and parking lot light fixtures included in Exhibit F (the “**Light Fixtures**”) of this Amendment to be installed on the Real Estate. The luminaires on

the street light fixtures shown on Page 1 of Exhibit F shall include full covers to prevent light from projecting vertically from the fixtures.

6.5 Parking and Loading Standards: Section 8.7 of the Midtown Ordinance is hereby modified for the Real Estate as follows: Parking Space requirements shall be determined by the Director based upon data supplied in response to traffic and parking data requested to be furnished with the application for a Detailed Development Plan.

6.6 Sign Standards: Section 8.8 of the Midtown Ordinance is hereby modified to permit signage on Lot 1 in substantial compliance with the sizes and locations of the signage included in Exhibit C ("**Building 1 Signage**") of this Amendment.

- i. Building 1 Signage shall not exceed the Sign Areas shown on Exhibit G, attached hereto.
- ii. Corporate logos incorporated into exterior building materials on Buildings on the Real Estate shall not constitute Signs.
- iii. All other Signs on the Real Estate shall comply with the UDO.

Section 7. Infrastructure Standards. Infrastructure on the Real Estate shall comply with the UDO, the Midtown Ordinance and the City's Construction Standards (see Chapter 7 Subdivision Regulations) unless otherwise approved by the Department of Public Works.

Section 8. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 22-__** was delivered to the Mayor of Westfield on the ____ day of _____, 2022, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 22-__**
this _____ day of _____, 2022.

I hereby VETO **ORDINANCE 22-__**
this _____ day of _____, 2022.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074, (317) 773-2190.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

EXHIBIT A

“Real Estate”

A PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 46 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 1330.93 FEET TO A HARRISON MONUMENT AT THE SOUTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST, 129.37 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 04 SECONDS EAST, 74.58 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 191ST/ STREET AS CONVEYED TO THE STATE OF INDIANA AS INSTRUMENT NUMBER 2014010926 AND 2014021561 RECORDED IN THE OFFICE OF THE RECORDER FOR HAMILTON COUNTY; THENCE ALONG THE NORTHERN AND EASTERN LINES OF SAID INSTRUMENT NUMBERS FOR THE NEXT SEVEN (7) COURSES: (1) NORTH 89 DEGREES 47 MINUTES 50 SECONDS WEST, 350.00 FEET; (2) THENCE NORTH 88 DEGREES 54 MINUTES 57 SECONDS WEST, 325.04 FEET; (3) THENCE NORTH 52 DEGREES 08 MINUTES 13 SECONDS WEST, 118.93 FEET; (4) THENCE NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST, 437.38 FEET TO THE POINT OF BEGINNING; (5) THENCE CONTINUING NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST 181.05 FEET; (6) THENCE NORTH 07 DEGREES 21 MINUTES 55 SECONDS WEST, 575.59 FEET; (7) THENCE NORTH 01 DEGREE 39 MINUTES 52 SECONDS WEST, 39.10 FEET; THENCE SOUTH 87 DEGREES 11 MINUTES 19 SECONDS EAST 609.73 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 03 SECONDS WEST 762.31 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST, 516.33 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES, MORE OR LESS.

EXHIBIT B
“Concept Plan”

The Concept Plan appears on the following page of this exhibit.

Cool Creek



DETENTION POND

LOT 1
8.09 Ac±

LOT 2
1.91 Ac±

US HWY 31

US HWY 31 & E 191ST STREET, WESTFIELD, IN

CSG PROJECT NUMBER
ACG.060

DATE: 05/22/22
DWN. BY: BSC
CHKD. BY: BSC
SCALE: 1" = 100'

SHEET 1 OF 1

CIVIL SITE GROUP, INC.

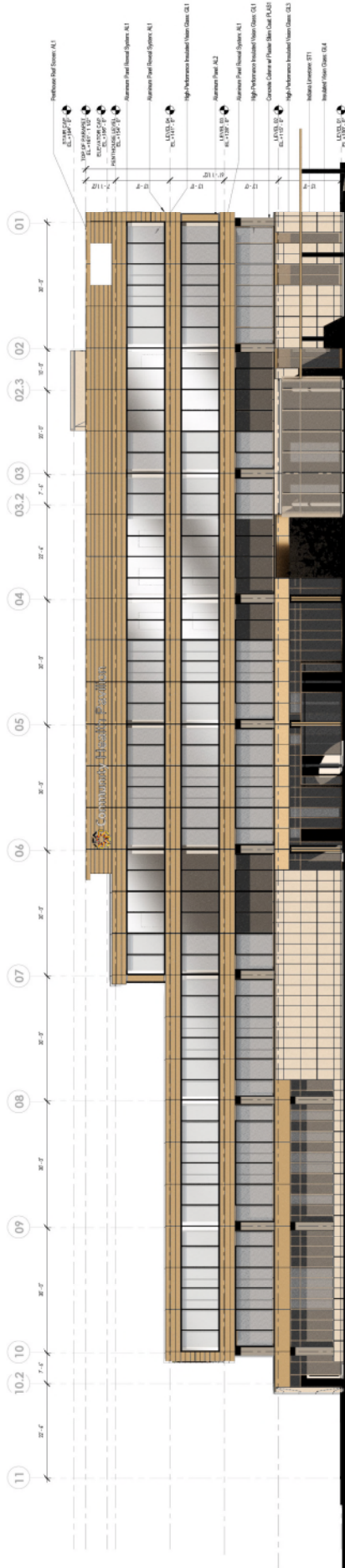
718 ADAMS STREET, SUITE E
CARMEL, INDIANA 46032
(317) 810-1677

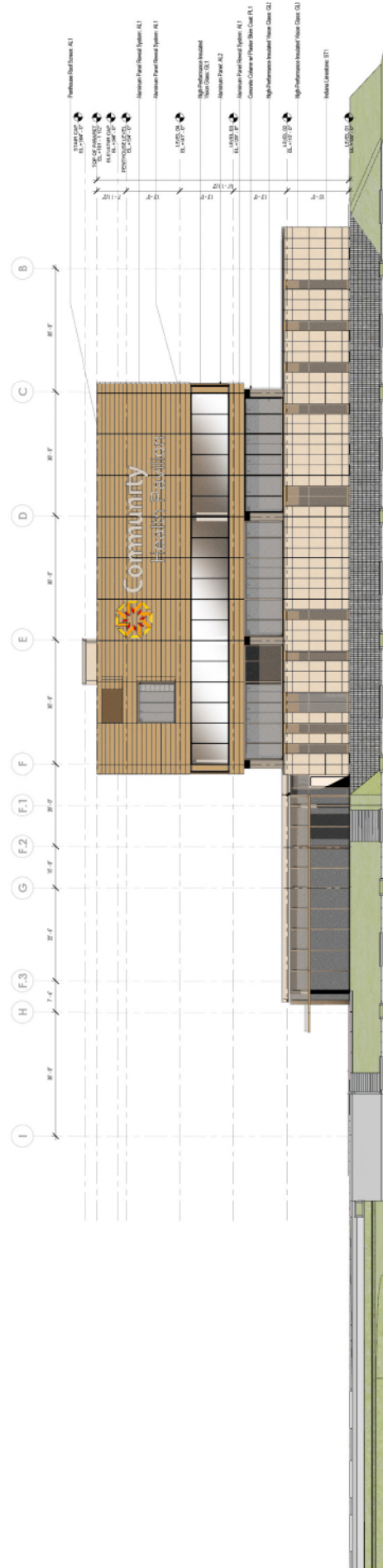
Civil Site
GROUP, INC.

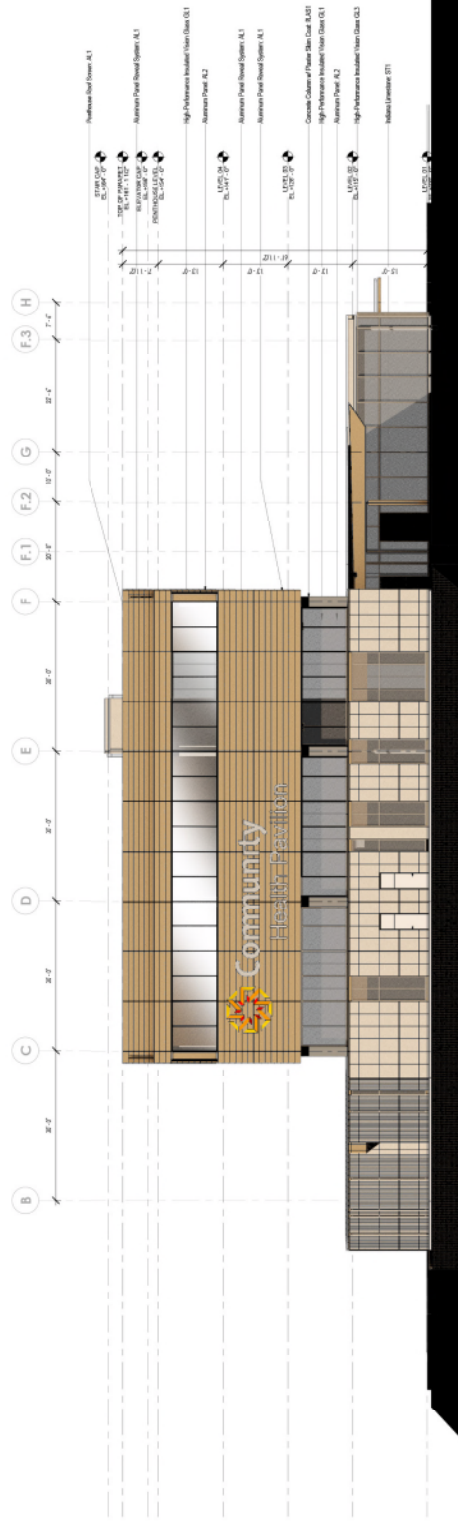
EXHIBIT C

“Building 1 Elevations”

The Building 1 Elevations appear on the following four (4) pages of this exhibit.





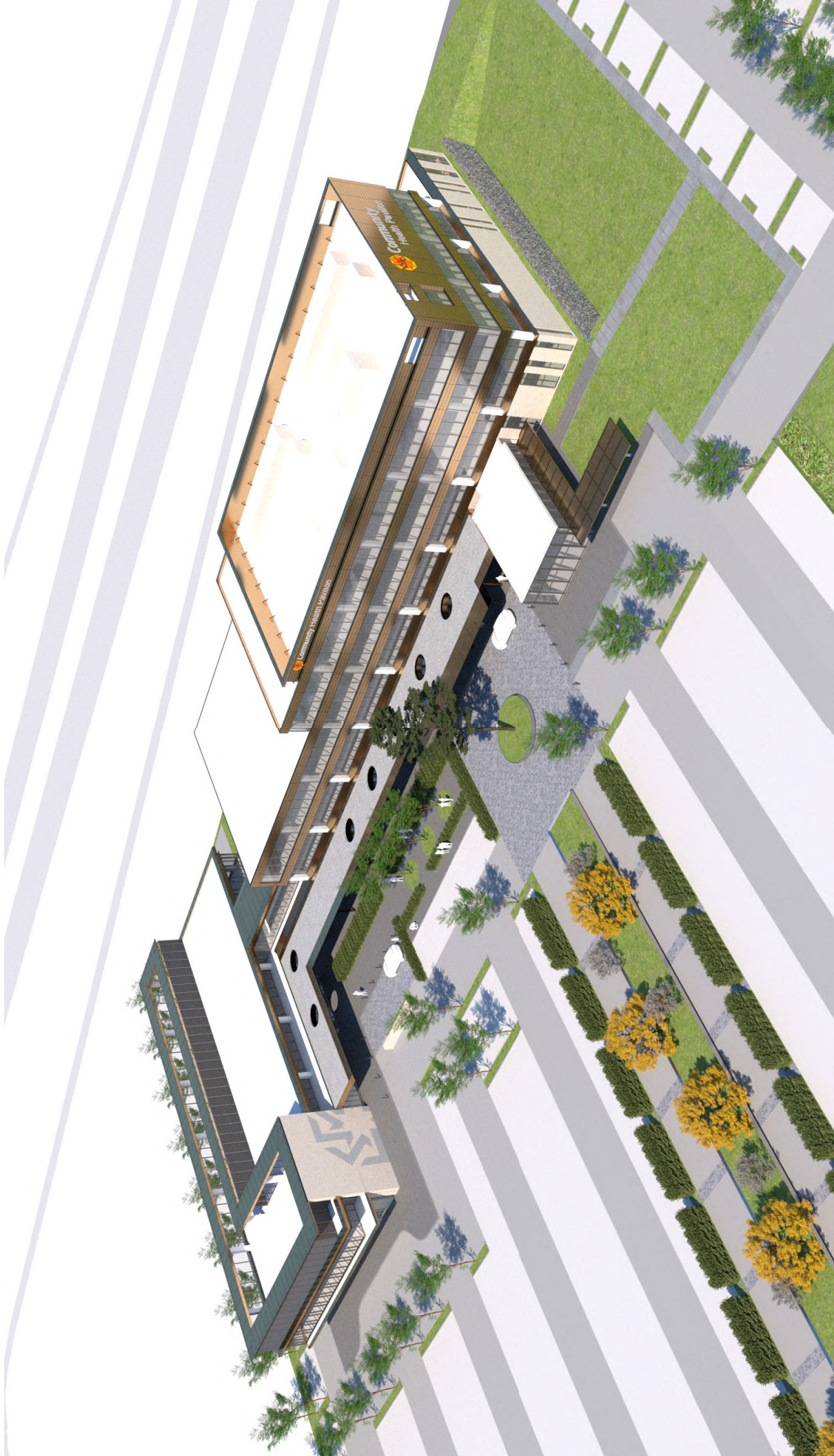


South Elevation

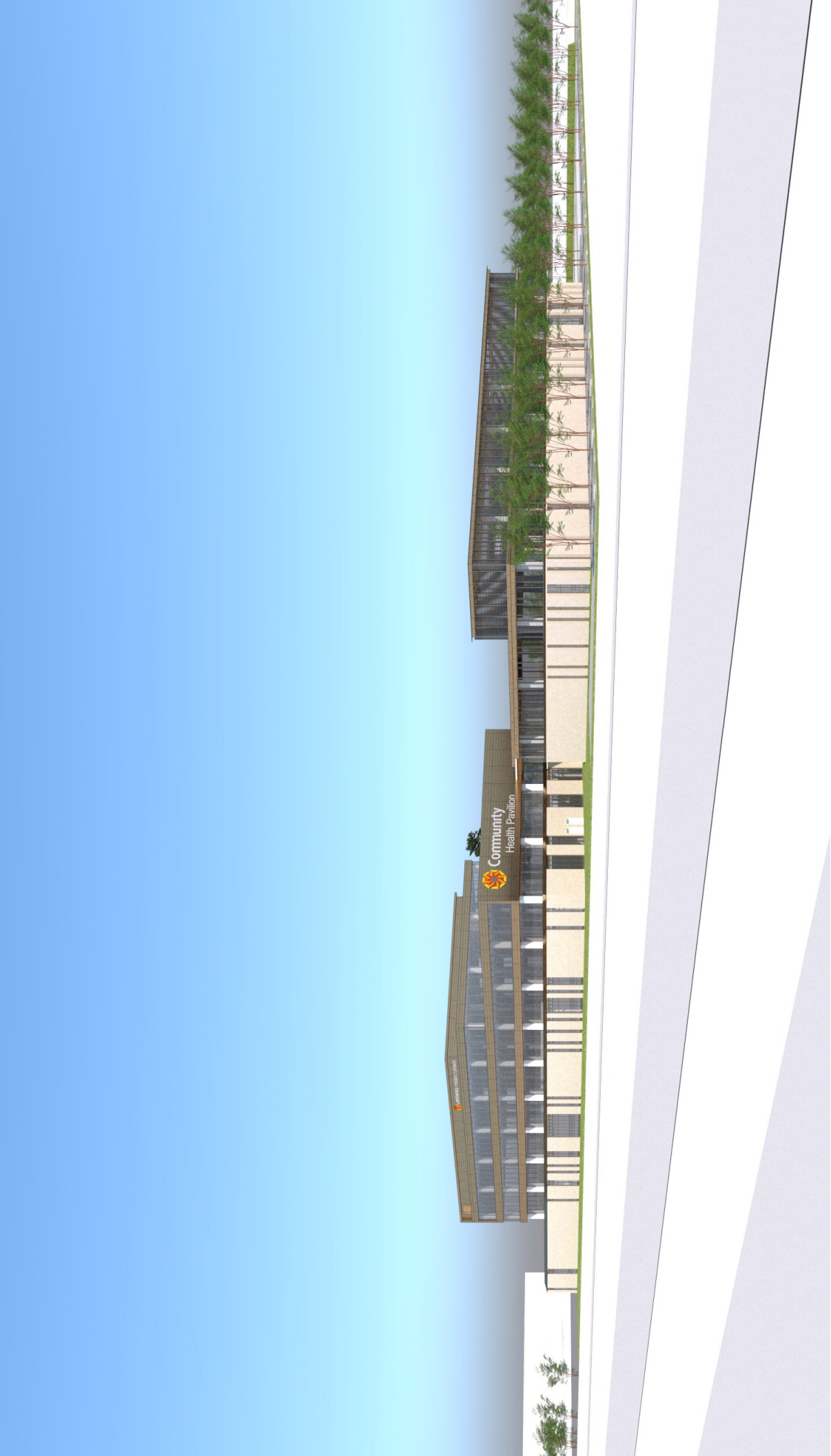
EXHIBIT D

“Building 2 Conceptual Renderings and Elevations”

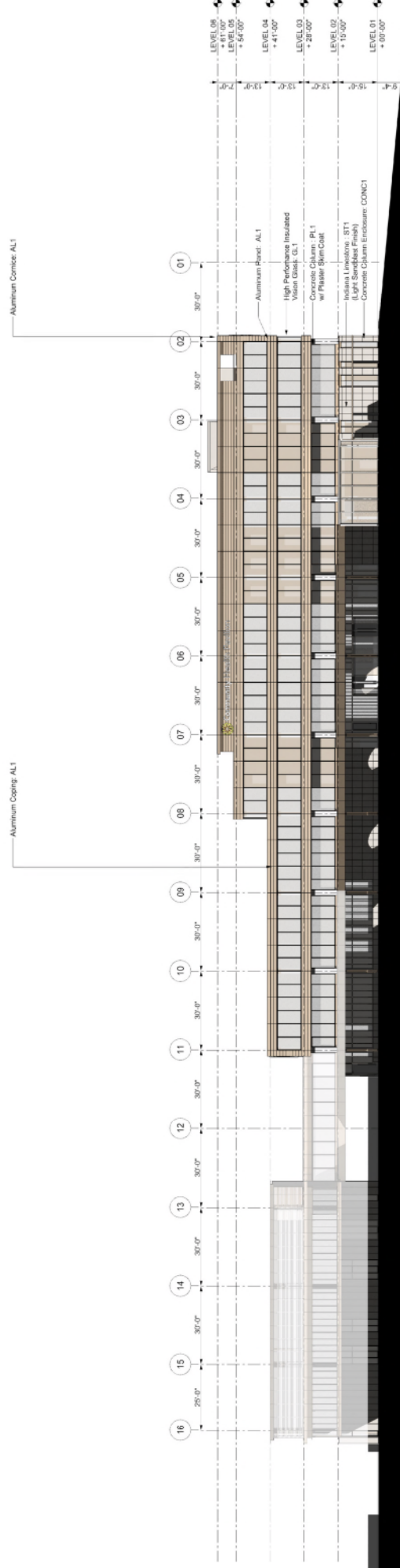
The Building 2 Conceptual Renderings and Elevations appear on the following seven (7) pages of this exhibit.













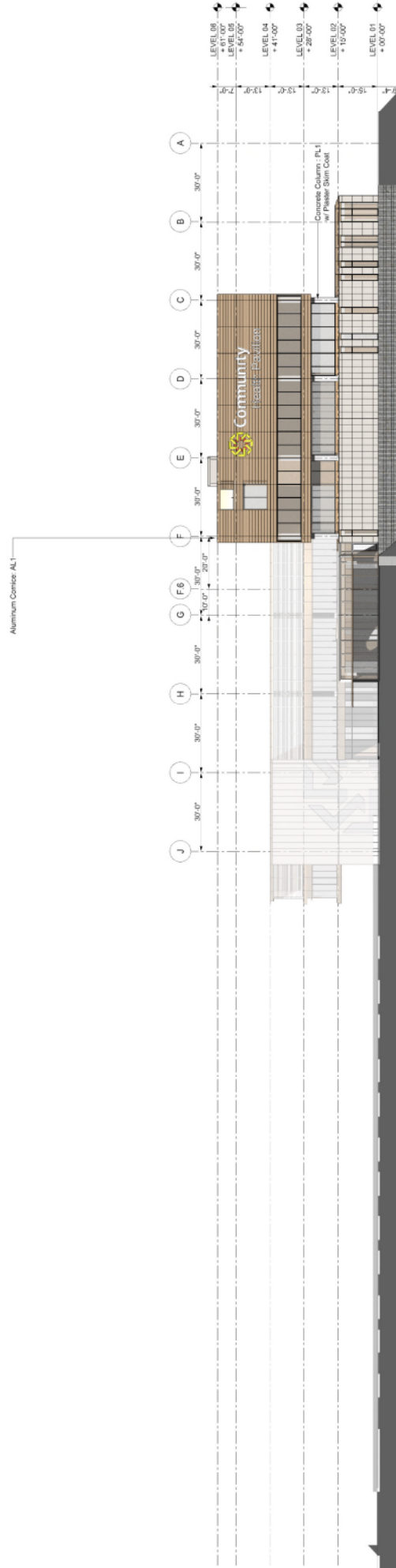


EXHIBIT E

“Character Imagery Exhibit”

The Character Imagery Exhibit appears on the following seven (7) pages of this exhibit.

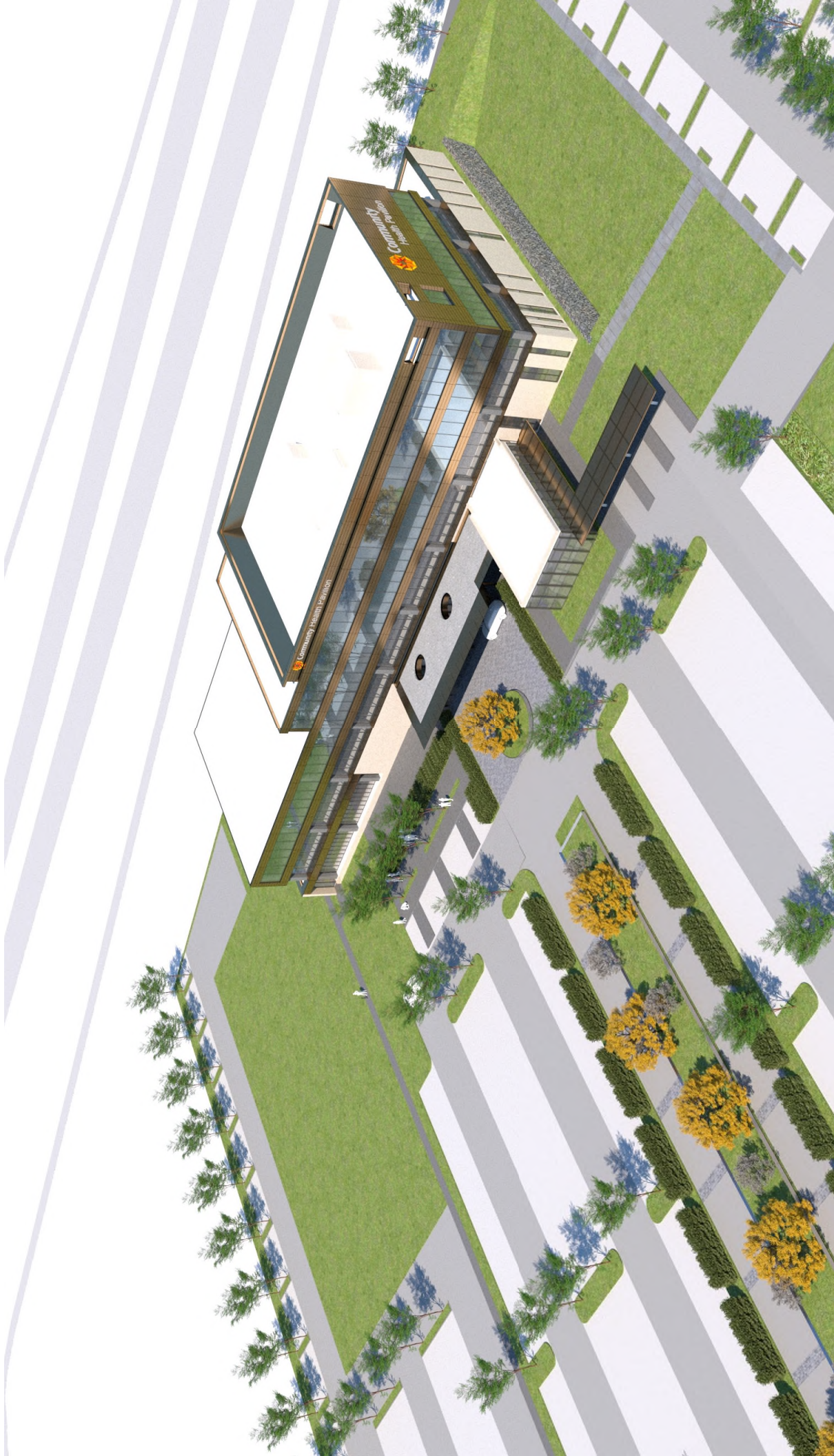














EXHIBIT F

“Light Fixtures”

Page 1 of 2

Street lights installed within the green shaded area on the site plan figure on this Page 1 of Exhibit F shall be in substantial compliance with the light fixture image included on this Page 1 of Exhibit F.

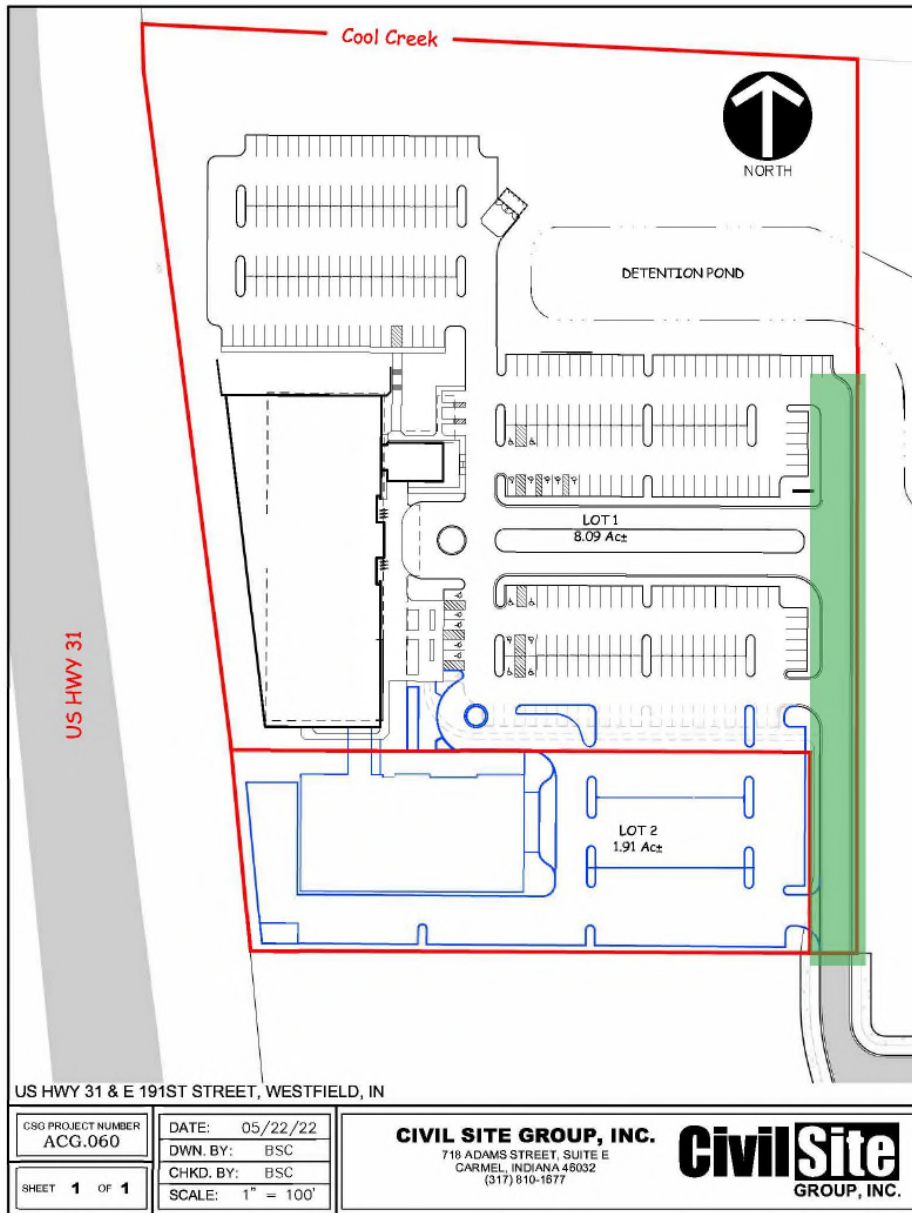


EXHIBIT F

“Light Fixtures”

Page 2 of 2

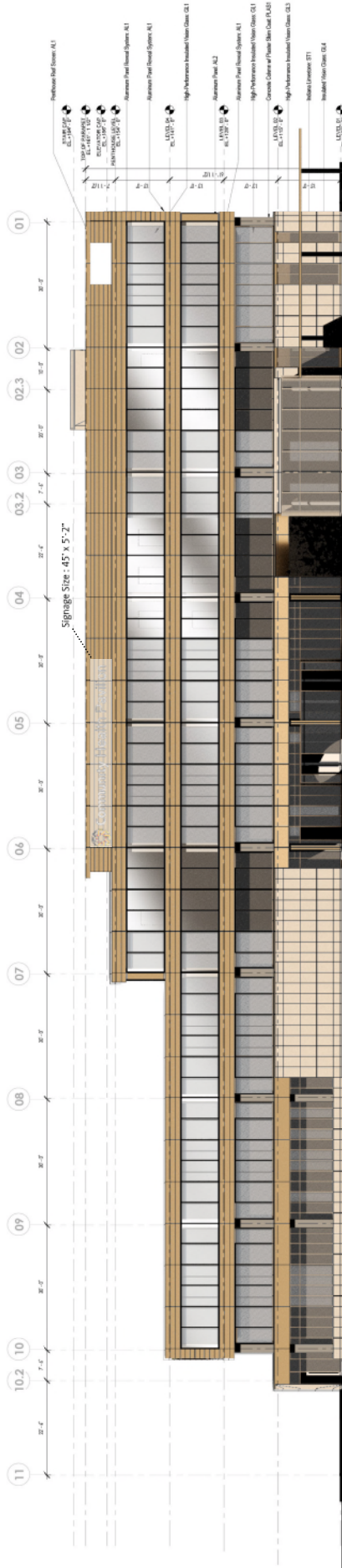
Parking lot lighting installed on the Real Estate outside of the green shaded area on the site plan figure on Page 1 of Exhibit F shall be in substantial compliance with the style of light fixtures included on this Page 2 of Exhibit F.



EXHIBIT G

“Building 1 Signage”

The Building 1 Signage exhibit appears on the following four (4) pages of this exhibit.





STUDIO AXIS

ORDINANCE NUMBER 22-__

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE
TEXT OF THE MIDTOWN AT WESTFIELD PLANNED UNIT DEVELOPMENT BEING
THAT OF ORDINANCE 19-21 AND TITLE 16 – LAND USE CONTROLS**

“Midtown at Westfield PUD Amendment I”

This amendment to a Planned Unit Development District Ordinance (the “**Amendment**”), known as the MIDTOWN AT WESTFIELD PUD DISTRICT (Ordinance 19-21, the “**Midtown Ordinance**”), to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “**UDO**”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the “**City**”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. ____-PUD-__), filed with the Commission requesting an amendment to Ordinance 19-21, enacted by the Common Council of the City of Westfield (the “**Council**”) on September 9, ~~2011~~2019;

WHEREAS, the Amendment pertains to the subject real estate located north of 191st Street and east of U.S. Highway 31 North, and more particularly identified by legal description in Exhibit A attached hereto and incorporated herein (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. ____-PUD-__ to the Council with a favorable recommendation (Vote: __ in favor, __ opposed) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2022;

WHEREAS, the Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Council, meeting in regular session, that the UDO and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Midtown Ordinance is hereby amended for the Real Estate. In all other respects, the Midtown Ordinance shall remain in effect and unchanged. To the extent that the provisions of the UDO or the Midtown Ordinance conflict with the provisions of this Amendment, the provisions of this Amendment shall prevail.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment and any exhibits attached hereto, and (ii) the Midtown Ordinance, and (iii) the provisions of the UDO, as amended and applicable to the Real estate, except as modified, revised, supplemented or expressly made inapplicable by this Amendment.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Amendment.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO.

Section 3. Concept Plan. The concept plan, attached hereto as Exhibit B (the “**Concept Plan**”), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The District is hereby divided into two (2) areas, as depicted on the Concept Plan and labeled as “**Lot 1**” and “**Lot 2**” (individually or collectively, the “**Lot**” or “**Lots**”).
- 3.2 Development of each Parcel shall be regulated as set forth in this Amendment.
- 3.3 The boundaries of the Parcels shall be developed in substantial compliance with the Concept Plan. The final layouts and site plans within the Parcels shall be subject to the terms of this Amendment and may vary from the depictions shown in the Concept Plan.

Section 4. Overlay Districts. Section 6.2 of the Midtown Ordinance shall not apply to the Real Estate. Instead, the Building on Lot 1 of the Real Estate (“**Building 1**”) shall be constructed in substantial compliance with the elevations attached hereto as Exhibit C (“**Building 1 Elevations**”). The Building on Lot 2 (“**Building 2**”) shall be constructed in substantial compliance with the same character and quality as Building 1; however, the design of Building 2 may be different. Conceptual elevations of Building 2 are shown in Exhibit D (“**Building 2 Conceptual Renderings and Elevations**”).

Section 45. General Regulations. The standards of Section 7 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

45.1 Minimum Building Height: Section 7.7(A) of the Midtown Ordinance is hereby modified to permit a Minimum Building Height of: (i) two (2) stories on Lot 2; (ii) three (3) stories on no more than 50% of Building 1; and (iii) four (4) stories on at least 50% of Building 1.

Section 56. Development Standards. The standards of Section 8 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

56.1 Character Imagery: Section 8.2(A) of the Midtown Ordinance is hereby modified for the Real Estate and is hereby replaced by Exhibit ~~C-E~~ (the “**Character Imagery Exhibit**”) of this Amendment. In all other respects, Section 8.2(A) of the Midtown Ordinance shall remain in effect and unchanged.

56.2 Hotel and Office Subdistrict: Section 8.2(B) of the Midtown Ordinance is replaced and restated for the Real Estate as follows:

- i. Glass shall constitute at least thirty-five (35) percent of the exterior surfaces of each Building Façade.
- ii. In addition to glass, each Building Façade shall utilize a minimum of two (2) other exterior building materials.
- iii. A minimum of twenty (20) percent of each Building Façade (exclusive of windows and doors) shall be Masonry Materials.
- iv. No more than eighty (80) percent of each Building Façade (exclusive of windows and doors) shall be architectural aluminum panels.

6.3 Landscaping Standards.

i. Foundation Plantings. Section 8.4(B) of the Midtown Ordinance is amended to include the following additional text: Foundation plantings shall not be required along portions of the Front Building Façade where pedestrian infrastructure or covered canopy areas abut such façade.

ii. Parking Area Design. Section 8.4(E)(i) of the Midtown Ordinance shall be amended to include the following additional text: Perimeter Parking Area Landscaping shall not be required along the south property line of Lot 1.

5.36.4 Lighting Standards: Section 8.5(A) of the Midtown Ordinance is hereby modified to permit the street light and parking lot light fixtures included in Exhibit ~~D-F~~ (the “**Light Fixtures**”) of this Amendment to be installed on the Real Estate. The luminaires on

the street light fixtures shown on Page 1 of Exhibit F shall include full covers to prevent light from projecting vertically from the fixtures.

5.46.5 Parking and Loading Standards: Section 8.7 of the Midtown Ordinance is hereby modified for the Real Estate as follows:

- ~~i. Article 6.14(G)(5) of the UDO is hereby modified to permit up to 20% of all parking spaces required on the Real Estate to be a minimum of 8' wide and 18' deep to accommodate compact cars.~~

Parking Space requirements shall be determined by the Director based upon data supplied in response to traffic and parking data requested to be furnished with the application for a Detailed Development Plan.

5.56.6 Sign Standards: Section 8.8 of the Midtown Ordinance is hereby modified to permit signage on ~~the Real Estate~~Lot 1 in substantial compliance with the sizes and locations of the signage included in Exhibit E-C ("**Building 1 Signage**") of this Amendment.

- i. Building 1 Signage shall not exceed the Sign Areas shown on Exhibit G, attached hereto.
- ii. Corporate logos incorporated into exterior building materials on Buildings on the Real Estate shall not constitute Signs.
- i.iii. All other Signs on the Real Estate shall comply with the UDO.

Section 67. Infrastructure Standards. Infrastructure on the Real Estate shall comply with the UDO, the Midtown Ordinance and the City's Construction Standards (see Chapter 7 Subdivision Regulations) unless otherwise approved by the Department of Public Works.

Section 78. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 22-__** was delivered to the Mayor of Westfield on the ____ day of _____, 2022, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 22-__**
this _____ day of _____, 2022.

I hereby VETO **ORDINANCE 22-__**
this _____ day of _____, 2022.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074, (317) 773-2190.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

EXHIBIT A

“Real Estate”

A PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 46 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 1330.93 FEET TO A HARRISON MONUMENT AT THE SOUTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST, 129.37 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 04 SECONDS EAST, 74.58 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 191ST/ STREET AS CONVEYED TO THE STATE OF INDIANA AS INSTRUMENT NUMBER 2014010926 AND 2014021561 RECORDED IN THE OFFICE OF THE RECORDER FOR HAMILTON COUNTY; THENCE ALONG THE NORTHERN AND EASTERN LINES OF SAID INSTRUMENT NUMBERS FOR THE NEXT SEVEN (7) COURSES: (1) NORTH 89 DEGREES 47 MINUTES 50 SECONDS WEST, 350.00 FEET; (2) THENCE NORTH 88 DEGREES 54 MINUTES 57 SECONDS WEST, 325.04 FEET; (3) THENCE NORTH 52 DEGREES 08 MINUTES 13 SECONDS WEST, 118.93 FEET; (4) THENCE NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST, 437.38 FEET TO THE POINT OF BEGINNING; (5) THENCE CONTINUING NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST 181.05 FEET; (6) THENCE NORTH 07 DEGREES 21 MINUTES 55 SECONDS WEST, 575.59 FEET; (7) THENCE NORTH 01 DEGREE 39 MINUTES 52 SECONDS WEST, 39.10 FEET; THENCE SOUTH 87 DEGREES 11 MINUTES 19 SECONDS EAST 609.73 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 03 SECONDS WEST 762.31 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST, 516.33 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES, MORE OR LESS.

EXHIBIT B
“Concept Plan”

The Concept Plan appears on the following page of this exhibit.

EXHIBIT C

“Building 1 Elevations”

The Building 1 Elevations appear on the following four (4) pages of this exhibit.

EXHIBIT D

“Building 2 Conceptual Renderings and Elevations”

The Building 2 Conceptual Renderings and Elevations appear on the following seven (7) pages of this exhibit.

EXHIBIT E

“Character Imagery Exhibit”

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EXHIBIT F

“Light Fixtures”

Page 1 of 2

Street lights installed within the green shaded area on the site plan figure on this Page 1 of Exhibit F shall be in substantial compliance with the light fixture image included on this Page 1 of Exhibit F.

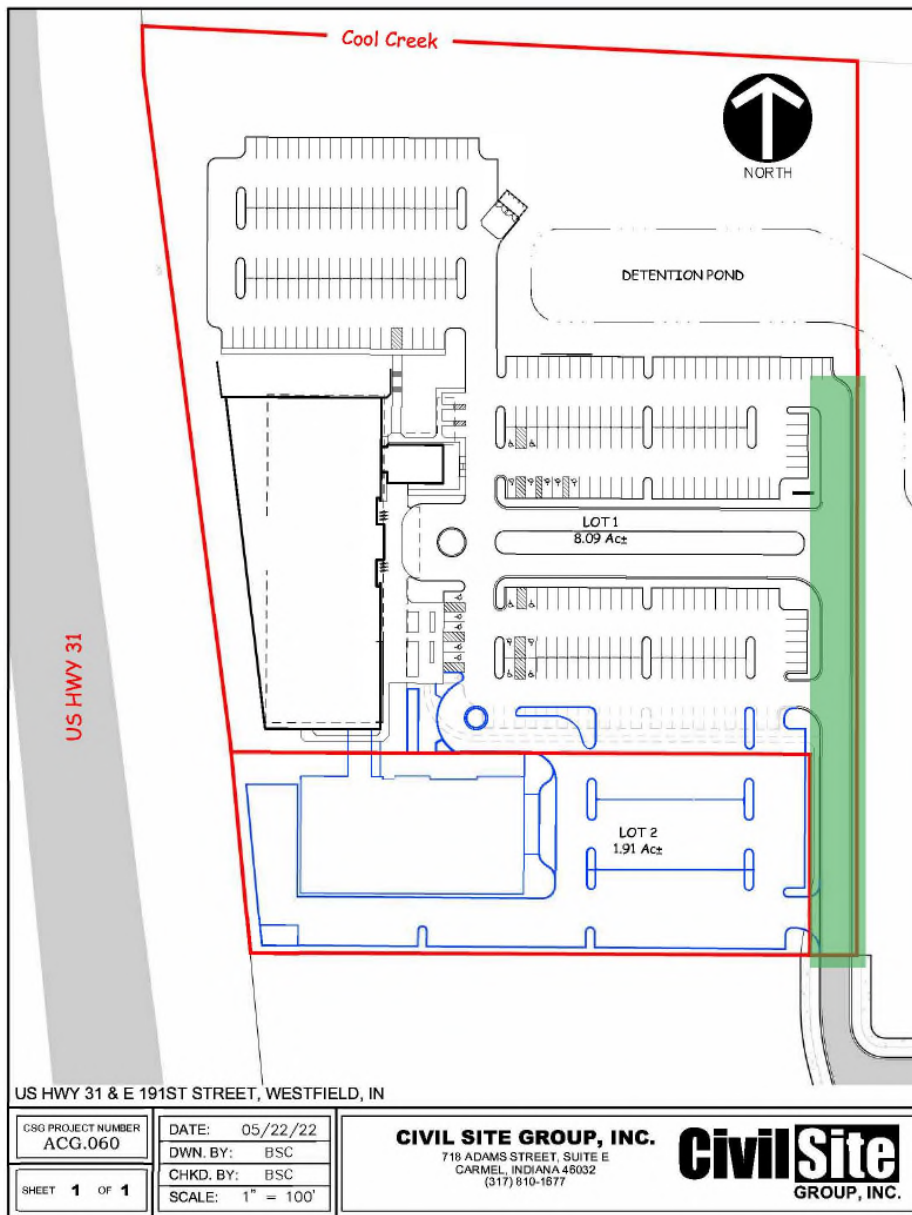


EXHIBIT F

“Light Fixtures”

Page 2 of 2

Parking lot lighting installed on the Real Estate outside of the green shaded area on the site plan figure on Page 1 of Exhibit F shall be in substantial compliance with the style of light fixtures included on this Page 2 of Exhibit F.



EXHIBIT G

“Building 1 Signage”

The Building 1 Signage exhibit appears on the following four (4) pages of this exhibit.

Cool Creek



DETENTION POND

LOT 1
8.09 Ac±

LOT 2
1.91 Ac±

US HWY 31

US HWY 31 & E 191ST STREET, WESTFIELD, IN

CSG PROJECT NUMBER
ACG.060

DATE: 05/22/22

DWN. BY: BSC

CHKD. BY: BSC

SCALE: 1" = 100'

SHEET 1 OF 1

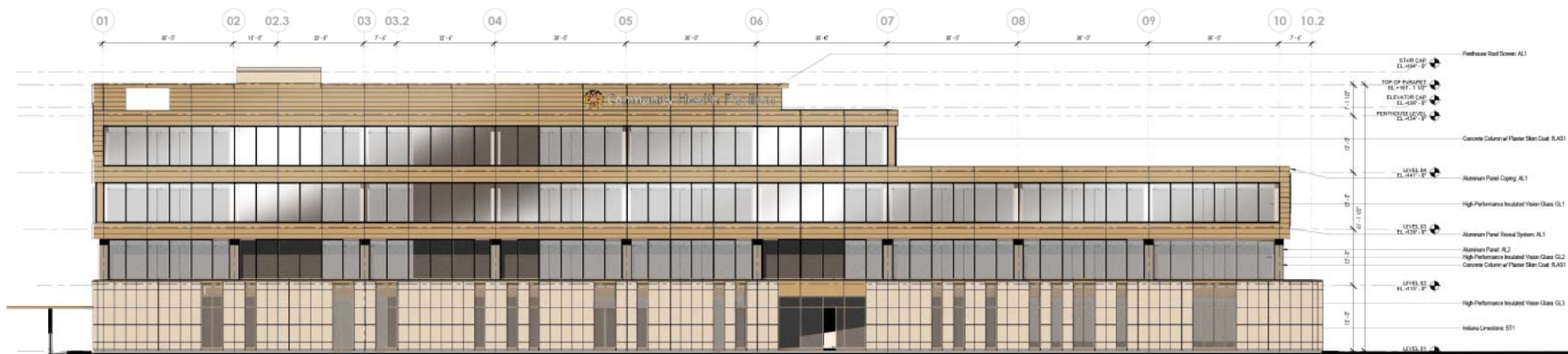
CIVIL SITE GROUP, INC.

718 ADAMS STREET, SUITE E
CARMEL, INDIANA 46032
(317) 810-1677

Civil Site
GROUP, INC.



East Elevation



West Elevation



North Elevation



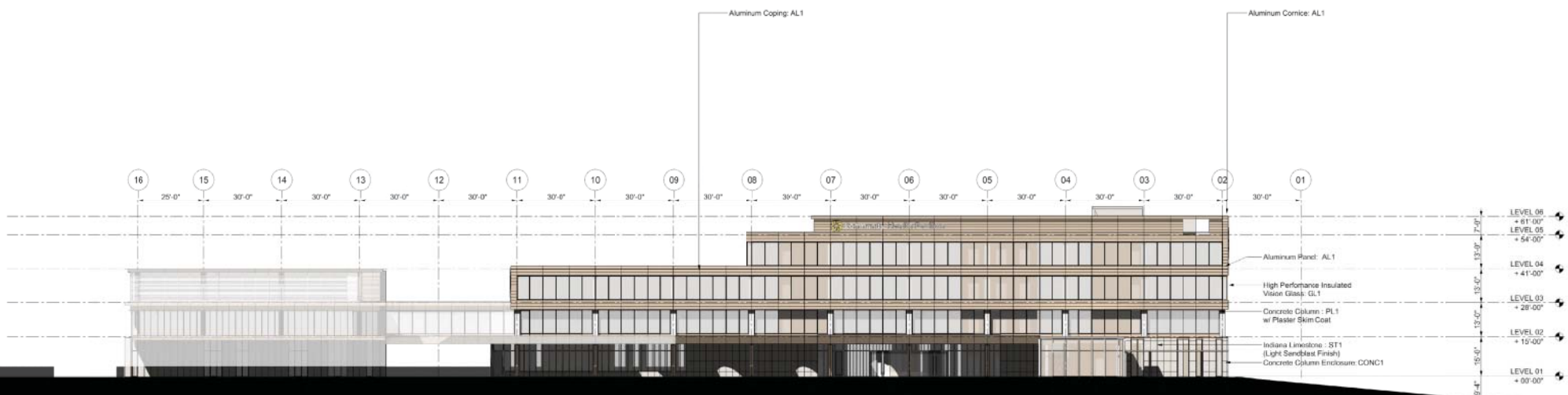
South Elevation



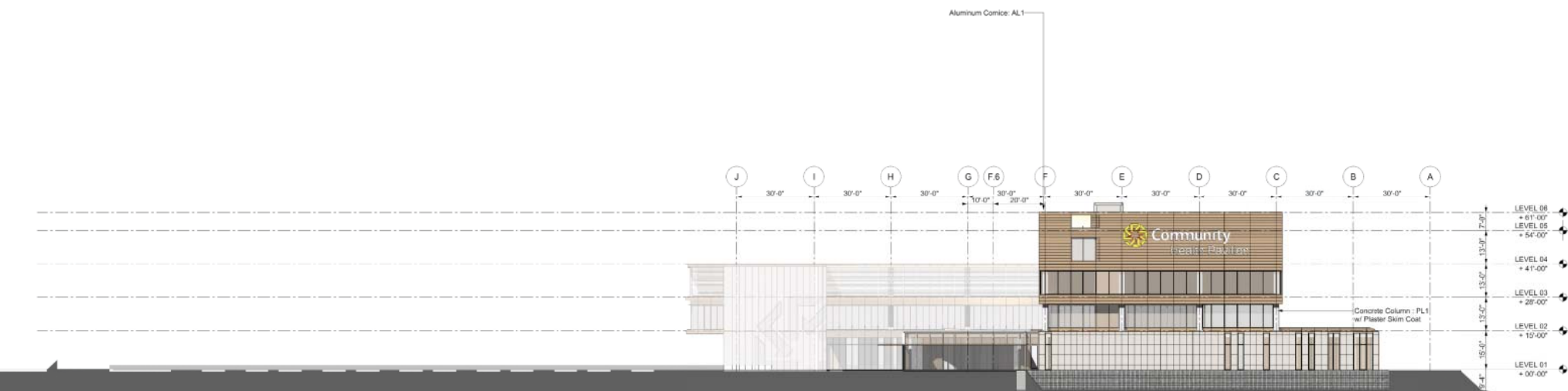












North Elevation















EXHIBIT F

“Light Fixtures”

Page 1 of 2

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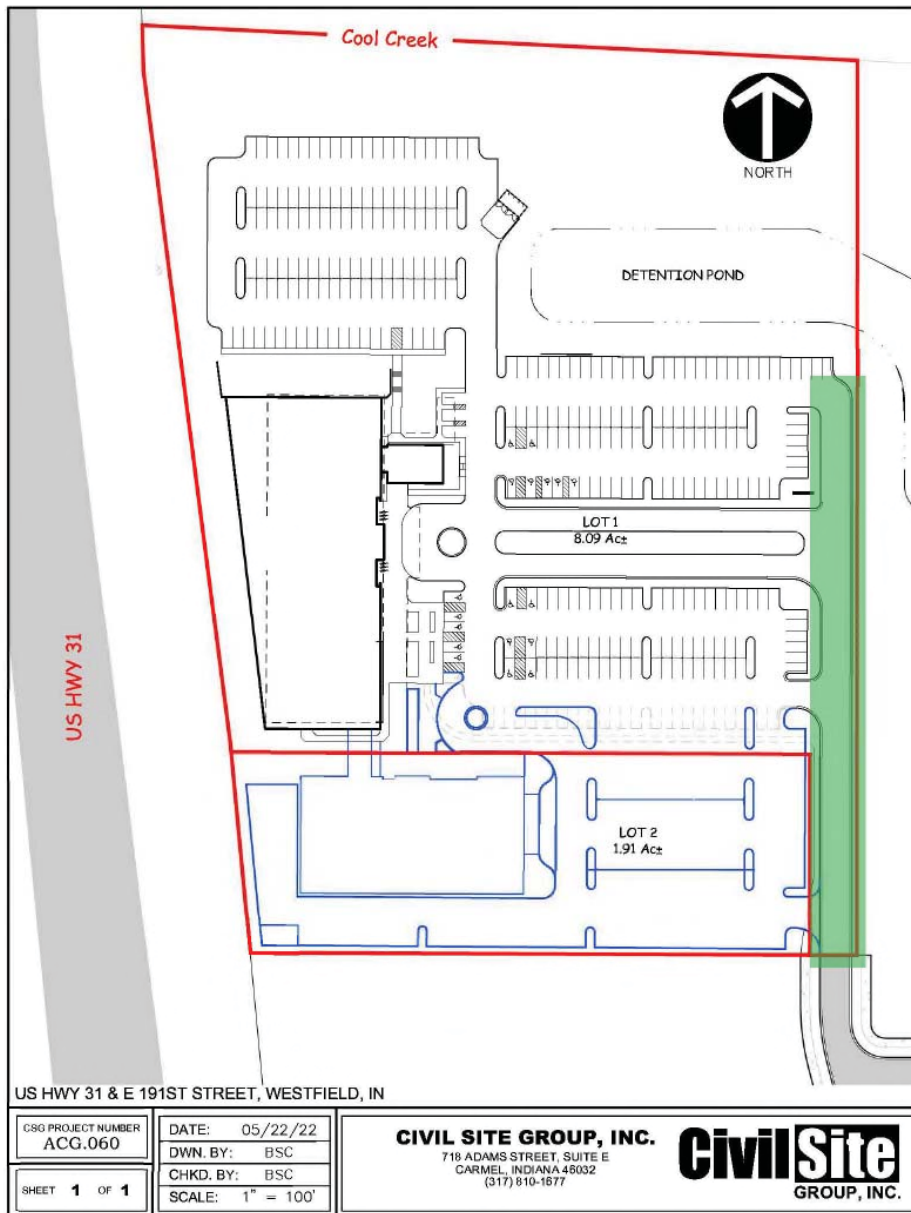


EXHIBIT F

“Light Fixtures”

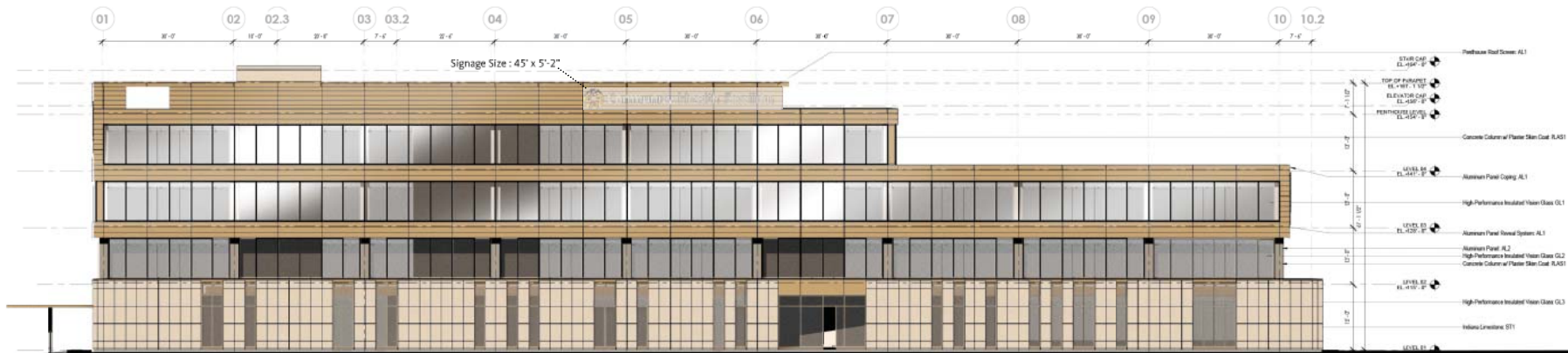
Page 2 of 2

Parking lot lighting installed on the Real Estate outside of the green shaded area on the site plan figure on Page 1 of Exhibit F shall be in substantial compliance with the style of light fixtures included on this Page 2 of Exhibit F.





East Elevation



West Elevation

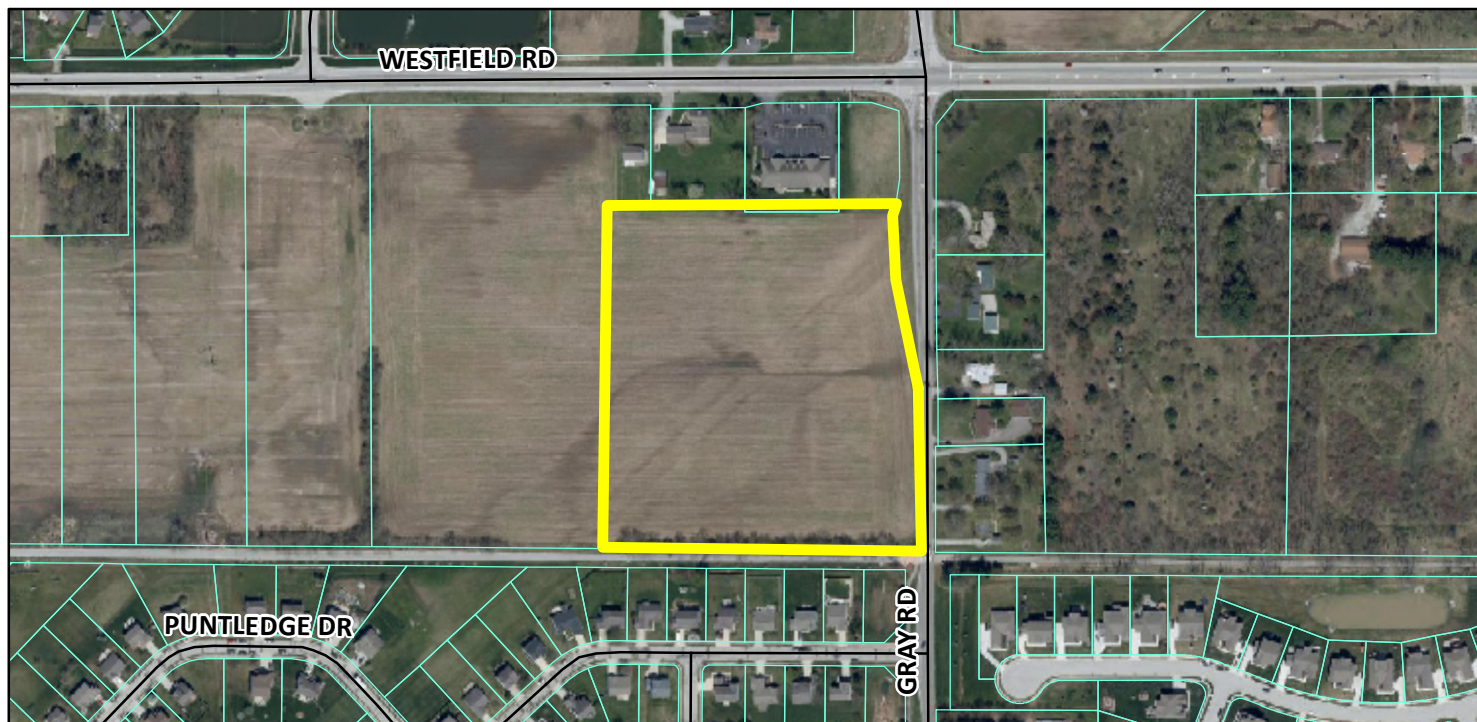




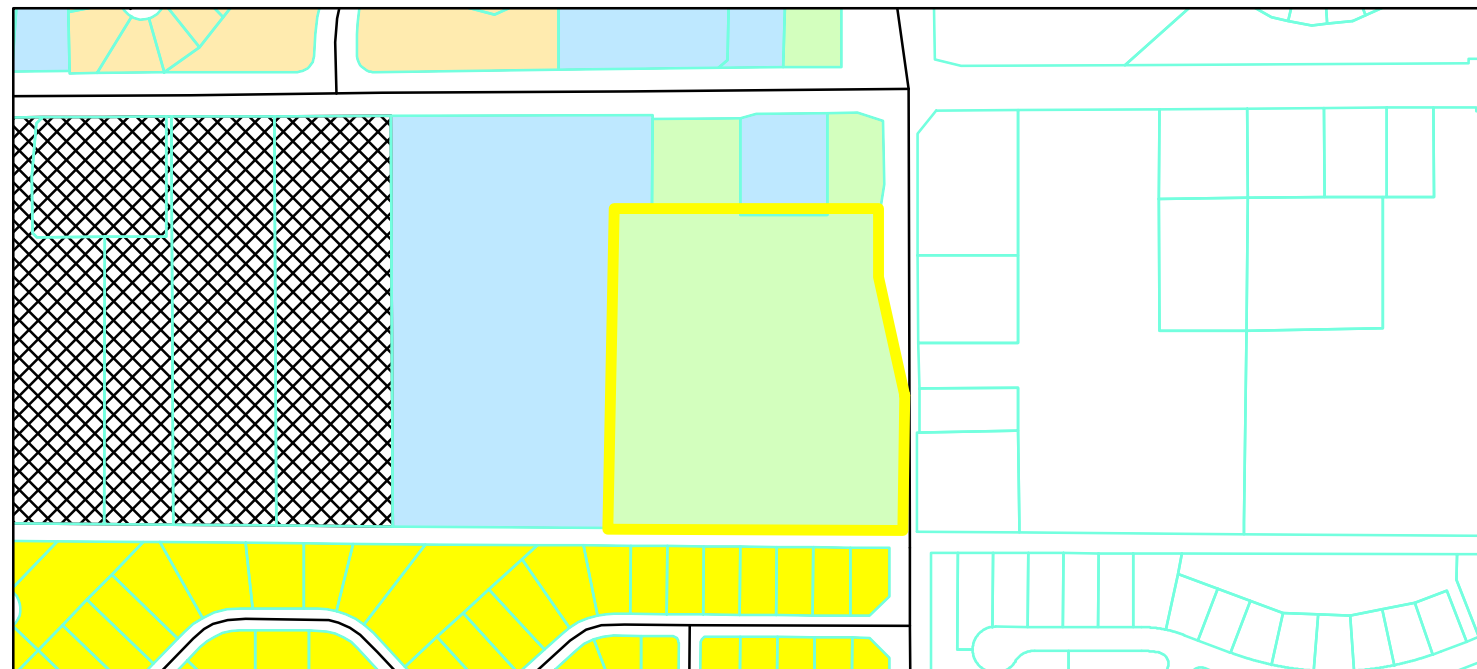
South Elevation

Aerial Location Map

 Site



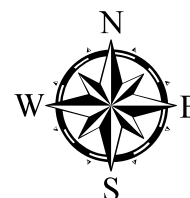
Zoning Map



GIS.DBO.PW_Streets Zoning

 Parcel	 AG-SF1 (Agriculture - Single Family - 1)
 Parcel	 GO (General Office)
Zoning - All	 PUD (Planned Unit Development)
	 SF-3 (Single Family - 3)
	 SF-4 (Single Family - 4)

0 0.05 0.1
Miles



ORDINANCE NUMBER 22-__

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

“Westfield Yard”

This is a Planned Unit Development District Ordinance (to be known as the "**Westfield Yard PUD**") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 22__-PUD-__**), requesting an amendment to the Unified Development Ordinance and the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 22__-PUD-__** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (- vote) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2022; and

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Westfield Yard PUD District**" (the “District”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development

Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

- 1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO.

- 2.1 **"Different Color Package"** The Subject Townhome Unit's Dominant Exterior Material color shall be at least two (2) shades different to be a Different Color Package. Color shades shall be identified according to the "Sherwin Williams Color Prime System" or its successor system consistent with the "Munsell Color Theory."
- 2.2 **"Dominant Exterior Material"** The Exterior Material that occupies the most surface area (compared to other Exterior Materials) of a front dwelling unit facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.
- 2.3 **"Exterior Material"** The separate architectural siding materials and patterns on a front dwelling unit facade such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- 2.4 **"Subject Townhome Unit"** A unit included within a townhouse building that is the subject of an application for an improvement location permit.
- 2.5 **"Underlying Zoning Districts"** For the purposes of this Ordinance only, shall mean the Zoning Districts of the UDO that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The Real Estate shall be developed in substantial compliance with the Concept Plan. The Buildings illustrated in the concept plan may be repositioned as final engineering of the District is completed, however, the street network and

general design of the townhome community shall be in substantial compliance with the Concept Plan.

Section 4. Underlying Zoning District. The Underlying Zoning District shall be SFA: Single-Family Attached District.

Section 5. Permitted Uses. The permitted uses shall be as set forth below:

- 5.1 All uses permitted in the Underlying Zoning Districts, as set for in Chapter 4 and Chapter 13 of the UDO, shall be permitted unless otherwise provided in this Ordinance.
- 5.2 Townhouse Dwellings shall be permitted. The Townhouse Dwellings shall consist of a maximum of seventy-five (75) three-story Townhouse Dwellings.

Section 6. General Regulations. The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below with the following table which replaces and supersedes the Section 4.9 (A-L) of the UDO:

Standard	
Minimum Lot Area	No Minimum
Minimum Lot Frontage	No Minimum
Maximum Density	See Section 5.2
Maximum Dwelling Units Per Building	8
Maximum Project Size	See Real Estate
Minimum Building Setback Lines from perimeter of Real Estate	
Setback from Gray Road	20'
Setback form north, west & south perimeter of Real Estate	20'
Minimum Driveway Length	20'
Minimum Internal Building Setbacks	
Minimum Distance Between Structures	20'
Maximum Lot Coverage	Not Applicable
Minimum Lot Width	No Minimum
Maximum Building Height	3 Stories
Minimum Living Area (Total) Per Dwelling Unit	1,500sqft

Section 7. State Highway 32 Overlay District. The standards of the State Highway 32 Overlay Zone shall not apply to the District unless specified in this Ordinance.

Section 8. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District, except as otherwise modified below.

8.1 Article 6.3 Architectural Standards: Article 6.3 shall not apply, rather, the following shall apply:

- A. Townhome Elevations: The Townhouse Dwellings shall be constructed in substantial compliance with **Exhibit C** (“Townhome Perspectives and Elevations – Front Load”) and **Exhibit D** (“Townhome Perspectives and Elevations – Alley Load”) (collectively, the “Townhome Elevations”). To the extent the applicable architectural standards of the UDO conflict with the Townhome Elevations, the Townhome Elevations shall prevail.
- B. Building Materials: Vinyl siding shall be prohibited.
- C. Garages: All Dwellings shall have a minimum two (2) car attached garage.
- D. Variation: Townhome Units immediately adjacent to and immediately across the street from the Subject Townhome Unit shall be a Different Color Package than the Subject Townhome Unit.

8.2. Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified or enhanced below.

- A. Street Trees: Article 6.8(J) Street Trees shall apply, however, a maximum spacing requirement of eighty (80) feet and a minimum spacing requirement of twenty feet (20') shall apply to void conflict driveway and utility conflicts.
- B. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified and enhanced below:
 - 1. At a minimum, all Established Front Yards shall be sodded and the remainder of the Lot shall be seeded.
 - 2. A minimum of: one (1) Shade Tree and four (4) Shrubs shall be required per Townhouse Dwelling.
 - 3. Foundation Plantings: Article 6.8(L) shall not apply, rather the following shall apply: Each Townhouse Building shall be landscaped in compliance with the landscaping shown in **Exhibit E**, attached hereto and incorporated herein. If the landscaping shown in **Exhibit E** is prevented from being installed as shown, then alternative locations for such landscaping within the District may

be approved by the Director.

- C. Buffer Yards and External Street Frontage Landscaping: Article 6.8 (N) shall apply except as modified and enhanced below:
- i. Buffer Yard and External Street Frontage landscaping shall be provided as generally depicted in Exhibit B.
 - ii. Buffer Yard Type A shall be provided along the north and south perimeter of the Real Estate.
 - iii. Relocation of plant materials within the Buffer Yards and External Street Frontage area shall be permitted as part of the Development Plan approval.
- D. Trailside Tree Preservation: Any trees within ten (10) feet of the Midland Trace Trail, that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in this area shall not be disturbed by the Developer unless required by the City, or for drainage/utility installation.
- E. Entrance Improvements: An "Entrance Sign" and "Entrance Landscaping" shall be constructed at the entrance to the District so long as it is in accordance with the Standards of the UDO.
- F. Parking Area Landscaping: Article 8.6 (O)(3) shall not apply as parking is provided in driveways and not freestanding parking areas.
- 8.3 Bike Parking: Article 6.14(H) Parking and Loading Standards – Bicycle Parking shall not apply.

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations) except as modified below, unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

Section 10. **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the District, except as otherwise modified below.

- 10.1 Minimum Open Space: Open Space (green space area on lots, common areas and the area of ponds) shall be a minimum of twenty-five (25) percent and as generally shown on the Concept Plan. The Landscape qualifier for ponds shall not apply.

- 10.2 **Amenities:** Article 8.6(H) Multi-family Districts: Shall not apply, rather site amenities shall include Open space including trails shall be provided for passive recreation opportunities, including but not limited to benches or swings, sidewalk pathways and/or dog walking areas, in substantial compliance with the Concept Plan attached hereto as **Exhibit B** and incorporated herein. The Amenities shall be consistent with the quality and character of those shown in **Exhibit F**, attached hereto. If the Amenities are prevented from being installed as shown, then alternative locations for such landscaping within the District may be approved by the Director.
- 10.3 **Midland Trace Trail Access:** Access points, including landscape plantings shall be provided to permit pedestrian access to the Midland Trace Trail as generally depicted as the "Trail Connections," on the Concept Plan attached hereto as **Exhibit B** and incorporated herein. The final locations of the trail access points and improvements are subject to City approvals and final engineering. If the trail connections shown in the Trail Connections are prevented from being installed as generally shown, then alternative locations providing comparable trail access to the Midland Trace Trail may be approved by the Director.
- 10.4 **Mail Delivery.** Mail delivery is intended to occur through cluster box units (CBU's). CBU's shall be located in appropriate areas throughout the PUD, as determined by the Secondary Plat. All CBU's shall have a uniform and consistent design, to give a decorative appearance within the PUD

Section 11. **Maintenance Standards:** The following shall be included in the Covenants, Conditions and Restrictions of the Owner's Association for the Real Estate.

- 11.1. All lots shall be subject to a required landscape maintenance program including seasonal mulching, hard edging, fertilization, mowing and trimming, weeding of landscape beds, pruning and fall clean up.
- 11.2 All lots shall be subject to a required snow removal program for driveways and sidewalks.
- 11.3 The above provisions shall be included in the initial Covenants, Conditions and Restrictions of the Owner's Association and all future administration and enforcement of the provisions shall be solely and exclusively the responsibility of the Owner's Association.

Section 12. **Duration.** Failure to obtain Secondary Plat / Construction Plan approval for the District within forty-eight (48) months shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF1 District.

Section 13. **Annexation.** The Real Estate, or parts thereof that may be the subject of a secondary plat approval shall be annexed into the corporate limits of the

City of Westfield prior to the recording of a secondary plat for the Real Estate.

Section 14. **Severability.** If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 22-__** was delivered to the Mayor of Westfield
on the ____ day of _____, 2022, at ____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 22-__
this ____ day of _____, 2022.

I hereby VETO Ordinance 22-__
this ____ day of _____, 2022.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document,
unless required by law: Jon C. Dobosiewicz

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz; Nelson & Frankenger
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Townhome Perspectives and Elevations – Front Load
Exhibit D	Townhome Perspectives and Elevations – Alley Load
Exhibit E	Foundation Planting Exhibit
Exhibit F	Amenity Exhibits

EXHIBIT A
REAL ESTATE
(Page 1 of 3)

PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SECTION LINE, SAID POINT BEING 270.4 FEET SOUTH OF THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 29 MINUTES 22 SECONDS WEST 689.6 FEET; THENCE SOUTH 693.74 FEET TO THE RAILROAD RIGHT-OF-WAY; THENCE SOUTH 87 DEGREES 01 MINUTES 36 SECONDS EAST 690.5 FEET TO THE SECTION LINE; THENCE NORTH 735.7 FEET TO THE POINT OF BEGINNING, CONTAINING 11.31 ACRES.

EXCEPTING THEREFROM:

THAT PART OF THE ABOVE-DESCRIBED PROPERTY CONVEYED TO STATE OF INDIANA BY WARRANTY DEED RECORDED MAY 20, 2004, AS INSTRUMENT NUMBER 200400034300, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTORS' LAND TYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID QUARTER SECTION 270.40 FEET SOUTH (BEARING AND DISTANCE QUOTED FROM INSTRUMENT NUMBER 9909942078) OF THE NORTHEAST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "6" ON SAID PARCEL PLAT, WHICH POINT OF BEGINNING IS THE NORTHEAST CORNER OF THE GRANTORS' LAND; THENCE SOUTH 0 DEGREES 25 MINUTES 26 SECONDS EAST 230.337 METERS (755.70 FEET) ALONG THE EAST LINE OF SAID QUARTER SECTION AND THE EAST LINE OF THE GRANTORS' LAND TO THE SOUTHEAST CORNER OF THE GRANTORS' LAND; THENCE NORTH 87 DEGREES 12 MINUTES 38 SECONDS WEST 5.037 METERS (16.53 FEET) ALONG THE SOUTHERN LINE OF THE GRANTORS' LAND TO THE WEST BOUNDARY OF GRAY ROAD; THENCE NORTH 0 DEGREES 25 MINUTES 26 SECONDS WEST 101.742 METERS (333.80 FEET) ALONG SAID WEST BOUNDARY TO THE POINT DESIGNATED "32" ON SAID PARCEL PLAT; THENCE NORTH 12 DEGREES 01 MINUTE 51 SECONDS WEST 5.303 METERS (17.40 FEET) TO THE POINT DESIGNATED "163" ON SAID PARCEL PLAT; THENCE NORTH 0 DEGREES 25 MINUTES 26 SECONDS WEST 123.090 METERS (403.84 FEET) PARALLEL WITH SAID WEST BOUNDARY TO THE NORTH LINE OF THE GRANTORS' LAND; THENCE NORTH 89 DEGREES 18 MINUTES 23 SECONDS EAST 6.096 METERS (20.00 FEET) ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1292 HECTARES (0.319 ACRES), MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT-OF-WAY WHICH CONTAINS 0.1158 HECTARES (0.286 ACRES), MORE OR LESS, FOR A NET ADDITIONAL TAKING OF 0.0134 HECTARES (0.033 ACRES), MORE OR LESS.

FURTHER EXCEPTING THEREFROM:

THAT PART OF THE ABOVE-DESCRIBED PROPERTY CONVEYED TO STATE OF INDIANA BY WARRANTY DEED RECORDED JULY 15, 2003, AS INSTRUMENT NUMBER 200300068648, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTORS' LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "6" ON SAID PARCEL PLAT: THENCE SOUTH 0 DEGREES 25 MINUTES 26 SECONDS EAST (BASIS OF BEARINGS IS THE CENTERLINE OF S.R. 32 AS SHOWN ON A CERTAIN LOCATION CONTROL ROUTE SURVEY PLAT RECORDED IN INSTRUMENT NUMBER 200100063561 IN THE OFFICE OF THE RECORDER OF THE COUNTY AND STATE AFORESAID) 82.418 METERS (270.40 FEET) ALONG THE EAST LINE OF SAID

EXHIBIT A
REAL ESTATE
(Page 2 of 4)

QUARTER SECTION TO THE NORTH LINE OF THE GRANTORS' LAND; THENCE SOUTH 89 DEGREES 18 MINUTES 23 SECONDS WEST 6.096 METERS (20.00 FEET) ALONG SAID NORTH LINE TO THE WEST BOUNDARY OF GRAY ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 0 DEGREES 25 MINUTES 26 SECONDS EAST 123.090 METERS (403.84 FEET) ALONG SAID WEST BOUNDARY TO THE POINT DESIGNATED "163" ON SAID PARCEL PLAT, THENCE NORTH 12 DEGREES 01 MINUTE 51 SECONDS WEST 76.497 METERS (250.97 FEET) TO THE POINT DESIGNATED "136" ON SAID PARCEL PLAT; THENCE NORTH 0 DEGREES 40 MINUTES 50 SECONDS WEST 39.991 METERS (131.20 FEET) TO THE POINT DESIGNATED "135" ON SAID PARCEL PLAT; THENCE NORTH 8 DEGREES 23 MINUTES 25 SECONDS EAST 8.195 METERS (26.89 FEET) TO THE NORTH LINE OF SAID GRANTORS' LAND; THENCE NORTH 89 DEGREES 18 MINUTES 23 SECONDS EAST 14.315 METERS (46.97 FEET) ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1317 HECTARES (0.325 ACRES), MORE OR LESS.

FURTHER EXCEPTING THEREFROM:

THAT PART OF THE ABOVE-DESCRIBED PROPERTY CONVEYED TO THE CITY OF WESTFIELD BY QUITCLAIM DEED RECORDED NOVEMBER 07, 2014, AS INSTRUMENT NUMBER 2014050331, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTORS' LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION, SAID NORTHEAST CORNER BEING DESIGNATED AS POINT "7" ON SAID PARCEL PLAT; THENCE SOUTH 0 DEGREES 08 MINUTES 24 SECONDS EAST 1,024.21 FEET ALONG THE EAST LINE OF SAID SECTION TO THE CENTER LINE OF THE FORMER CENTRAL INDIANA RAILROAD AND WHITE RIVER, WESTFIELD AND NOBLESVILLE RAILROAD; THENCE NORTH 89 DEGREES 33 MINUTES 17 SECONDS WEST 16.50 FEET ALONG SAID CENTER LINE TO THE WEST BOUNDARY OF GRAY ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 33 MINUTES 17 SECONDS WEST 673.10 FEET ALONG SAID CENTERLINE TO THE SOUTHWEST CORNER OF THE GRANTORS' LAND; THENCE NORTH 0 DEGREES 08 MINUTES 24 SECONDS WEST 20.00 FEET ALONG THE WEST LINE OF THE GRANTORS' LAND TO THE NORTH LINE OF SAID RAILROAD; THENCE SOUTH 89 DEGREES 33 MINUTES 17 SECONDS EAST 673.10 FEET ALONG SAID NORTH LINE TO THE WEST BOUNDARY OF SAID GRAY ROAD SAID POINT BEING DESIGNATED AS "405" ON SAID PARCEL PLAT; THENCE SOUTH 0 DEGREES 08 MINUTES 24 SECONDS EAST 20.00 FEET ALONG THE BOUNDARY OF SAID GRAY ROAD TO THE POINT OF BEGINNING AND CONTAINING 0.309 ACRES, MORE OR LESS.

FURTHER EXCEPTING THEREFROM:

THAT PART OF THE ABOVE-DESCRIBED PROPERTY CONVEYED TO ALLCARE HOLDINGS, LLC, AN INDIANA LIMITED LIABILITY COMPANY BY WARRANTY DEED RECORDED JUNE 08, 2017, AS INSTRUMENT NUMBER 2017026477, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 46 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION A

EXHIBIT A
REAL ESTATE
(Page 3 of 4)

DISTANCE OF 383.50 FEET TO THE NORTHWEST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NO. 9809825791; THENCE SOUTH 00 DEGREES 33 MINUTES 08 SECONDS WEST ALONG THE WEST LINE OF SAID INSTRUMENT NO. 9809825791 A DISTANCE OF 270.40 FEET TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NO. 9809825791, SAID CORNER IS ALSO ON THE NORTH LINE OF THE LAND DESCRIBED IN INSTRUMENT NO. 9909942078 AND IS THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 46 MINUTES 36 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE 198.50 FEET TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NO. 9809825791; THENCE SOUTH 00 DEGREES 13 MINUTES 24 SECONDS WEST A DISTANCE OF 15.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 36 SECONDS WEST PARALLEL WITH SAID NORTH LINE A DISTANCE OF 198.50 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2,978 SQUARE FEET MORE OR LESS.

EXHIBIT A
REAL ESTATE
(Page 4 of 4)

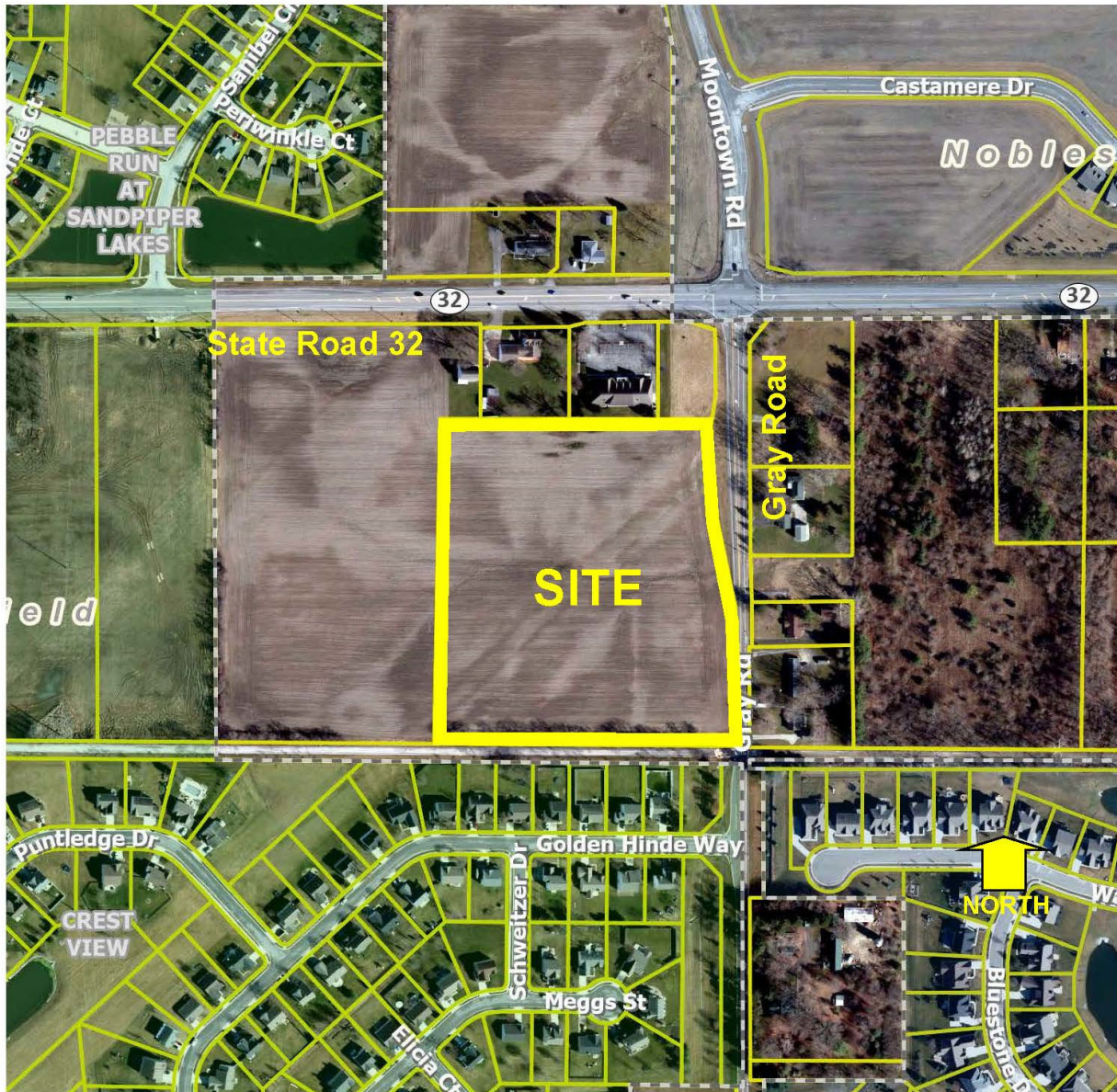


EXHIBIT B
CONCEPT PLAN
(Page 1 of 1)



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 22__-PUD-__.

EXHIBIT C
Townhome Perspectives and Elevations – Front Load
(See Following 5 Pages)

Contemporary Classic







REAR ELEVATION

SCALE

3/32" = 1'-0"



LEFT SIDE HIGH BRICK ELEVATION

SCALE

3/32" = 1'-0"



RIGHT SIDE HIGH BRICK ELEVATION

SCALE

3/32" = 1'-0"



EXHIBIT D
Townhome Perspectives and Elevations – Alley Load
(See Following 4 Pages)

Contemporary Classic







REAR ELEVATION

SCALE

1/8" = 1'-0"



LEFT SIDE HIGH BRICK ELEVATION

SCALE

1/8" = 1'-0"

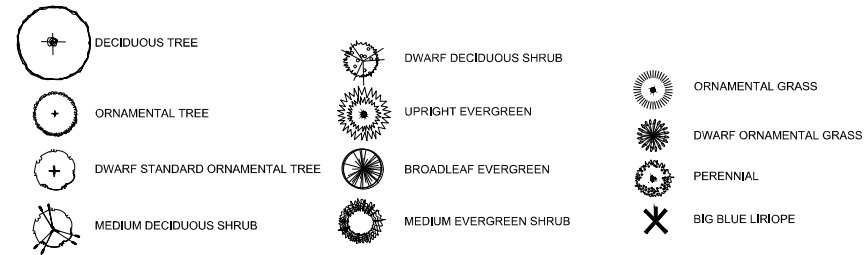
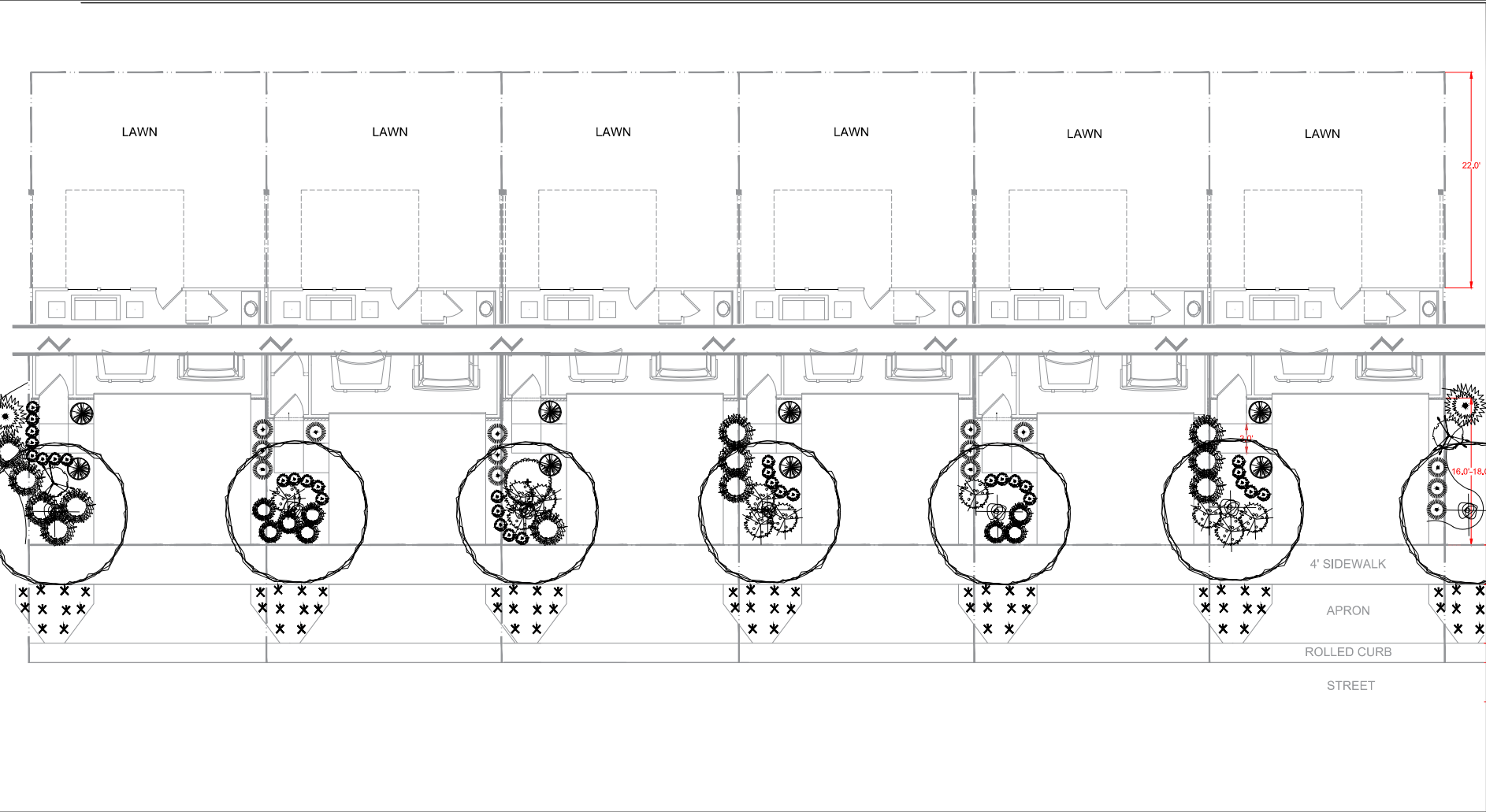


RIGHT SIDE HIGH BRICK ELEVATION

SCALE

1/8" = 1'-0"

EXHIBIT E
Foundation Planting Exhibit
(See following 2 pages)



Notes:

1. Trees, minimum 2" caliper
2. Cannot repeat plant selection on adjacent units. E.g., if boxwood is used for broadleaf evergreen on one unit, boxwood may not be used as the broadleaf evergreen on adjacent units.



DATE: September 17, 2020

REVISED: January 20, 2022

DRAWN BY: GAF

SCALE: 1"=10'

UI_Landscape 6 of 23

TEM_UI_Front Single Family

Attached_Landscape_Typical_6UNIT

FISCHER HOMES

The

This information is not for public distribution without the written consent of The Fischer Group. All information is deemed reliable at time of print, but is subject to revisions at the discretion of The Fischer Group.

Notes:

1. Trees, minimum 2" caliper
2. Cannot repeat plant selection on adjacent units. E.g., if boxwood is used for broadleaf evergreen on one unit, boxwood may not be used as the broadleaf evergreen on adjacent units
3. No turf area to be smaller than 24" - Mulch area if less than 24"
4. Add additional plantings <=30" high (to maintain vision from vehicle when backing out) in the alley of the RSFA (Midtown-Tustin) as space allows and does not interfere with placement and access to utilities.
5. Utilize stone instead of mulch in planting area of the alley

DATE: September 17, 2020
REVISED: January 20, 2022
DRAWN BY: GAF
SCALE: 1"=10'
UI_Landscape 15 of 23

TEM_UI_Rear Single Family
Attached_Landscape_Typical_6UNIT

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ALLEY

ALLEY

ALLEY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

LAWN

LAWN

LAWN

LAWN

LAWN

LAWN

4' SIDEWALK

6'0"

6'0"

Varies



DECIDUOUS TREE



ORNAMENTAL TREE



DWARF STANDARD ORNAMENTAL TREE



MEDIUM DECIDUOUS SHRUB



DWARF DECIDUOUS SHRUB



UPRIGHT EVERGREEN



BROADLEAF EVERGREEN



MEDIUM EVERGREEN SHRUB



ORNAMENTAL GRASS



DWARF ORNAMENTAL GRASS



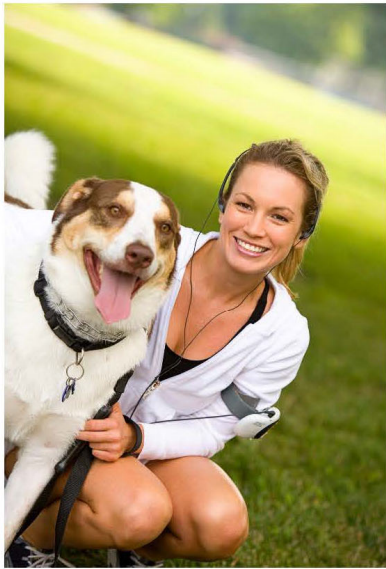
PERENNIAL



BIG BLUE LIRIOPE



EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 1 of 1)



- Sidewalks throughout community
- Pathways and seating areas
- Midland Trace Trail Connections
- Low-Maintenance Living
- Designated Dog Area



EXHIBIT B
CONCEPT PLAN
(Page 1 of 1)



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 22__-PUD-__.

Contemporary Classic







REAR ELEVATION

SCALE

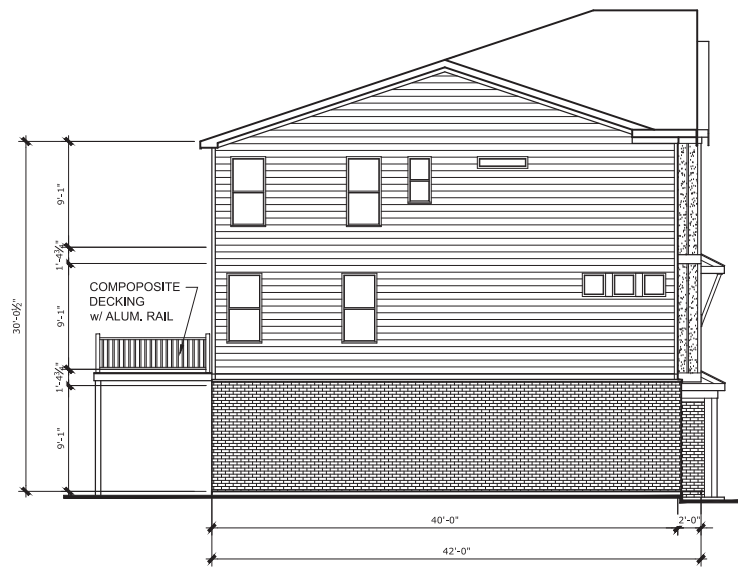
3/32" = 1'-0"



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BROOKLINE 6-UNIT - HAMPTON WALK

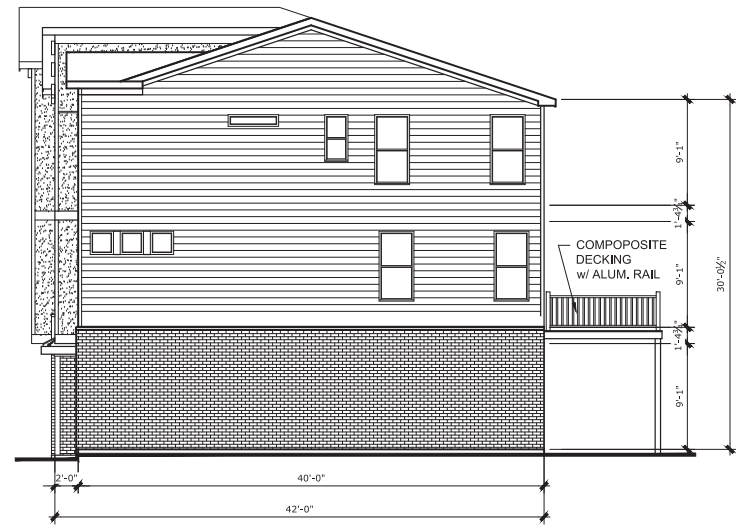
NOT FOR CONSTRUCTION



LEFT SIDE HIGH BRICK ELEVATION

SCALE

3/32" = 1'-0"



RIGHT SIDE HIGH BRICK ELEVATION

SCALE

3/32" = 1'-0"





Contemporary Classic







REAR ELEVATION

SCALE

1/8" = 1'-0"



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TUSTIN 6-UNIT - HAMPTON WALK

NOT FOR CONSTRUCTION



LEFT SIDE HIGH BRICK ELEVATION

SCALE

1/8" = 1'-0"



RIGHT SIDE HIGH BRICK ELEVATION

SCALE

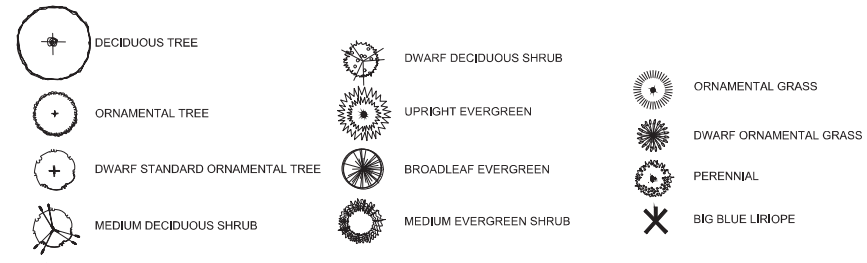
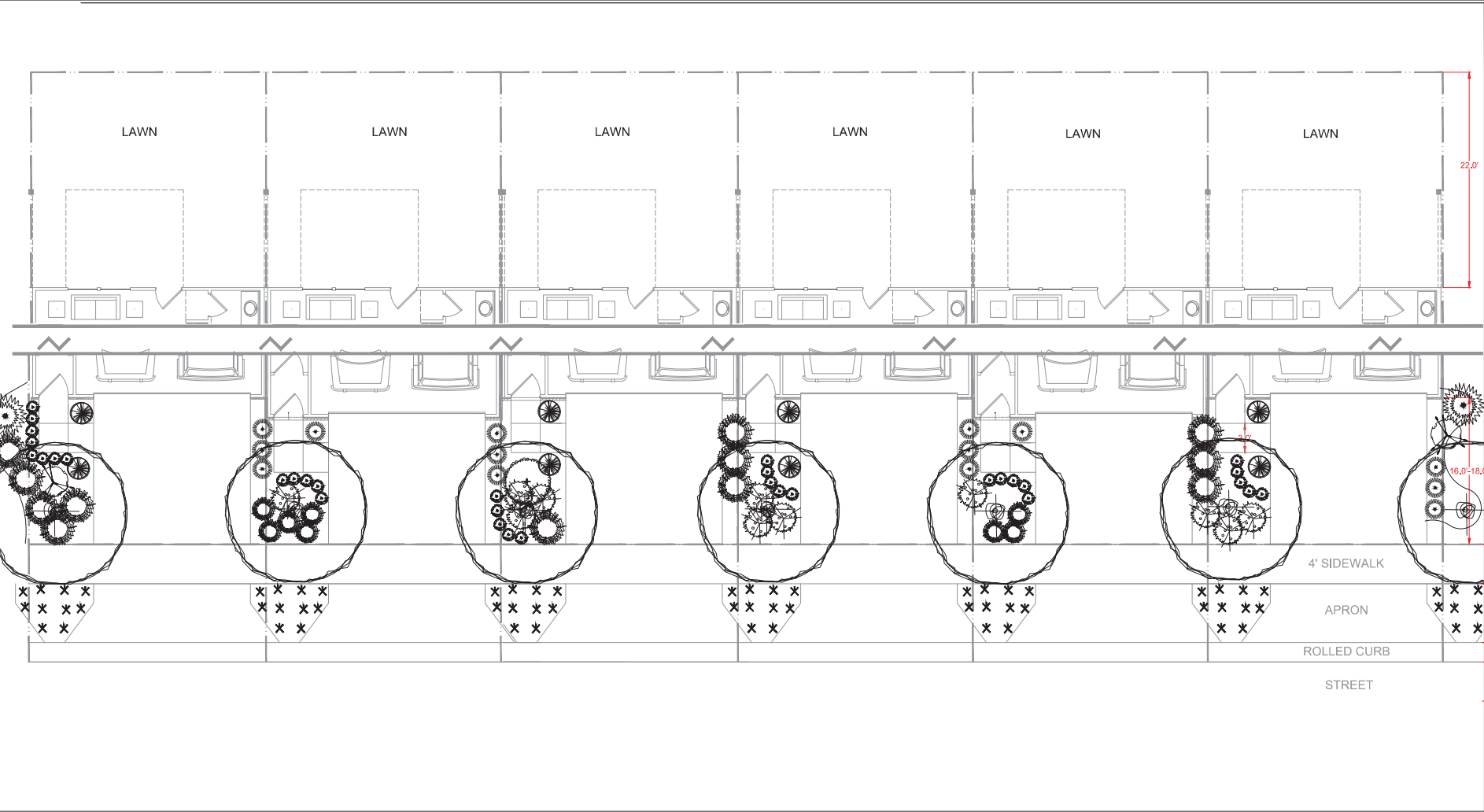
1/8" = 1'-0"



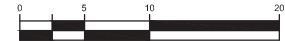
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TUSTIN 6-UNIT - HAMPTON WALK

NOT FOR CONSTRUCTION



- Notes:
1. Trees, minimum 2" caliper
 2. Cannot repeat plant selection on adjacent units. E.g., if boxwood is used for broadleaf evergreen on one unit, boxwood may not be used as the broadleaf evergreen on adjacent units.



DATE: September 17, 2020
REVISED: January 20, 2022
DRAWN BY: GAF
SCALE: 1"=10'
UI_Landscape 6 of 23

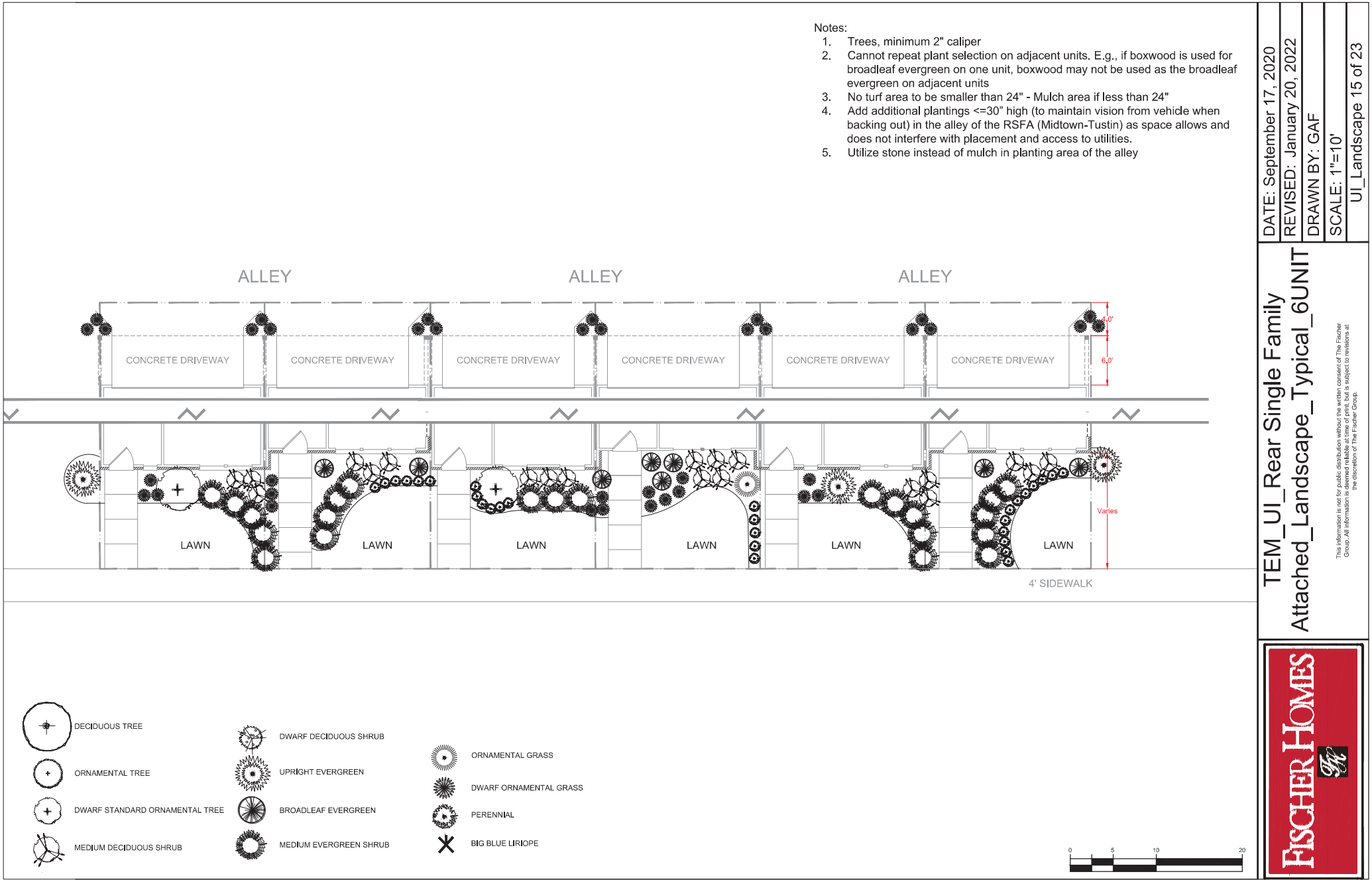
TEM_UI_Front Single Family
Attached_Landscape_Typical_6UNIT

FISCHER HOMES

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Notes:

1. Trees, minimum 2" caliper
2. Cannot repeat plant selection on adjacent units. E.g., if boxwood is used for broadleaf evergreen on one unit, boxwood may not be used as the broadleaf evergreen on adjacent units
3. No turf area to be smaller than 24" - Mulch area if less than 24"
4. Add additional plantings <=30" high (to maintain vision from vehicle when backing out) in the alley of the RSFA (Midtown-Tustin) as space allows and does not interfere with placement and access to utilities.
5. Utilize stone instead of mulch in planting area of the alley



DATE: September 17, 2020
REVISED: January 20, 2022
DRAWN BY: GAF
SCALE: 1"=10'

UI_Landscape 15 of 23

TEM_UI_Rear Single Family
Attached_Landscape_Typical_6UNIT

FISCHER HOMES

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EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 1 of 1)



- Sidewalks throughout community
- Pathways and seating areas
- Midland Trace Trail Connections
- Low-Maintenance Living
- Designated Dog Area



Westfield Yard PUD Zoning Request - Neighborhood Meeting Summary

Project/Applicant: Grand Communities, LLC
Westfield Yard PUD Zoning Request
Docket No. 2208-PUD-16

Date: July 25, 2022 at 6:30 pm

Location: Hampton Inn Westfield
17400 Wheeler Road, Westfield, IN 46074

Presenters: Jon Dobosiewicz – Nelson & Frankenger, LLC
Amanda Webb, Grand Communities, LLC
Nate Hollander, Grand Communities, LLC

Attendees: See attached Sign-In-Sheet

The Neighborhood Meeting began at 6:30 pm and an overview summary of the proposal and the review process was provided to the neighbors by Jon Dobosiewicz.

Neighbor Meeting Comments and Questions:

1. Will the townhomes have basements and what type of utilities?
 - No, the townhomes will not have basements. They will be slab on grade with all electric service (no gas service).
2. General Question about entrance locations off of Gray Road, whether accel/decel lanes will be provided and INDOT comments related to SR 32?
 - The Applicant consulted with Planning Staff and Public Works on the locations and designs of entryway locations into the neighborhood and there will be an accel/decel lane at the entrances. Final design and plans for such improvements would be reviewed at the Preliminary Development Plan phase which would occur after a decision on the rezone request by the City Council.
3. Are there any plans to “take” any adjacent real estate from other landowners for any of the road improvements?
 - No.
4. What jurisdiction controls Gray Road?
 - Gray Road is subject to the City of Westfield’s jurisdiction.
5. Do you know if the vacant parcel at the southwest intersection of Gray Road and SR 32 may be developed?

- That parcel is zoned AG-SF 1, so any proposed use that is not permitted under AF-SF 1 zoning would require rezone approval and we are not aware of any proposed plans for the development of that parcel.
6. General comments and questions about gas easement and other easements around the real estate.
- A general discussion occurred on easements within and around the real estate.
7. Does Grand Communities have any plans to develop the vacant parcel to the west?
- No, our client does not have that property under contract and has no plans to develop it.
8. General comments and questions about proposed pond within the community and general drainage comments and questions.
- A general response and short discussion on the proposed pond and drainage occurred. It was also explained that the final design for the drainage system and pond would be reviewed at the Preliminary Development Plan phase which would occur after a decision on the rezone request by the City Council.
9. Will there be any type of perimeter fencing around the community?
- No.
10. Miscellaneous and general comments and questions related to rentals, building height, trash service, why not single family detached homes on the site?
- This proposal is for a for-sale townhome community, not a rental community; building height was explained; trash cans will be in garages and site will be served by trash service as other townhome communities are served; and, that due to the gas pipeline easement and commercial uses to the north, a townhome community would be an appropriate transition to the neighborhood to the south and that it seemed unlikely the site would be developed for a single family detached neighborhood considering the site issues and surrounding uses and zoning.

- **The meeting concluded at 7:15 pm**

Neighborhood Meeting Sign In-Sheet

RE: Neighborhood Meeting
Grand Communities, LLC

Westfield Yard PUD – Rezone Request
Docket No.: 2208-PUD-16

Location:

Wednesday, July 25, 2022, at 6:30 pm
Hampton Inn Westfield located at 17400 Wheeler Road, Westfield, IN. 46074

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. Wallace Brown	3511 Westfield Rd	317-896-5401	
2. Dayna Brown	Westfield, IN 46062 Westfield, IN 46062		
3. Charlene Connolly	17585 N GRAY ROAD NOBLESVILLE IN 46062	317-896-2102	
4. Robert Whitmoyer	334 S. CHERRY ST Apt 137	Westfield	
5.			
6. Howard L. Hamilton	17917 N Gray Rd	317-997-1017	
7. Janet Brought	17533 N. Gray Rd	317-331-3175	
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 1, 2022
2208-PUD-16
Exhibit 1

Docket Number: 2208-PUD-16 (Ordinance No. 22-32)

Petitioner: Grand Communities, LLC by Nelson & Frankenberger, LLC

Request: A change of zoning for 10.8 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Westfield Yard Planned Unit Development (PUD) District.

Current Zoning: AG-SF1: Agriculture/Single-Family Rural

Current Land Use: Agriculture

Acreage: 10.8 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ord. 22-32
4. Concept Plan
5. Front Load Townhome Exhibits
6. Alley Load Townhome Exhibits
7. Foundation Planting Exhibit
8. Amenity Exhibits
9. Neighbor Meeting Summary

Staff Reviewer: Daine Crabtree, Senior Planner

PETITION HISTORY

This petition was introduced at the [July 11, 2022, City Council meeting](#). The petition will receive a public hearing at the August 1, 2022, Advisory Plan Commission (the "Plan Commission") meeting.

The petitioner held a neighbor meeting on July 25, 2022. A summary this meeting has provided by the petitioner and included as **Exhibit 9**.

PROJECT OVERVIEW

Location: This subject real estate is approximately 10.8 acres in size and is located on the west side of Gray Road, 200 feet south of State Road 32 (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agriculture/Single-Family rural. Adjacent zoning districts include AG-SF1 and GO: General Office to the North, GO to the west, and SF3: Single-Family Medium Density to the south.

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to the Westfield Yard PUD District to accommodate a Townhouse Dwelling development.

ORDINANCE DETAILS

Definitions: As Proposed, the PUD Ordinance includes definitions that are not present in the UDO.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 4**) for which substantial compliance must be achieved; buildings may be repositioned after final engineering, however the street network and general design of the townhome community must be substantially compliant.

Underlying Zoning: As proposed, the PUD Ordinance assigns SFA: Single-Family Attached as the underlying zoning district.

Permitted Uses: The proposed ordinance defaults to the underlying zoning district of SFA and adds the use of Townhouse Dwellings. Per the UDO, Townhouse dwellings are only permitted in MF1: Multi-Family Low Density districts.

General Regulations: The PUD proposes the following standards, compared to the UDO's SFA standards:

Standard	The Yard PUD	SFA (UDO)
Minimum Lot Area	No Minimum	No Minimum
Minimum Lot Frontage	No Minimum	No Minimum
Maximum Density	75 units max (6.94 DU/acre)	4 DU/acre
Maximum Dwelling Units Per Building	8	4
Maximum Project Size	10.8 acres (the Property)	Thirty (30) acres
Setback from Gray Road	20 feet	25 feet
Setback from north, west & south perimeters	20 feet	N/A
Minimum Driveway Length	20 feet	N/A
Minimum Distance Between Structures	20 feet	25 feet
Maximum Lot Coverage	N/A	N/A
Minimum Lot Width	No Minimum	N/A
Maximum Building Height	3 Stories	35 feet
Minimum Living Area (Total) Per Dwelling Unit	1,500 SF	1,300 to 1,800 SF depending on number of stories

Overlay Districts: The PUD proposes that the State Highway 32 Overlay District be inapplicable to the Property.

Development Standards: As proposed, the PUD Ordinance establishes some alternative development standards from the UDO. The development standards of note are briefly highlighted below:

- Architectural
 - Elevations for Front Load and Rear Load Townhomes are included in the PUD (see **Exhibits 5 and 6**) for which substantial compliance is required.
 - Vinyl is prohibited
 - All dwellings shall have a minimum two (2) car attached garage
- Landscaping
 - A Foundation Plantings exhibit is included (see **Exhibit 7**) for which compliance must be achieved. Alternative locations for said landscaping may be approved by the Director if necessary.
 - Buffer Yard A shall be provided along the north and south perimeter of the Real Estate.
 - Trees within ten (10) feet of the Midland Trace Trail (that are in good health and not otherwise required to be removed) shall be preserved. Existing trees shall not be disturbed unless required by the City or for drainage/utility installation

Infrastructure Standards: As proposed, the PUD Ordinance defaults to the City's Construction Standards and the UDO, unless otherwise approved by the Public Works Department.

Design Standards:

- Minimum Open Space is proposed to be 25 percent. This is less than the UDO's requirement for SFA districts (35 percent), but more than the UDO's requirement for MF1 districts (20%), which is the only district in which Townhouse Dwellings are permitted by-right.
- An amenity exhibit (see **Exhibit 8**) is provided as part of the PUD Ordinance.
- Access points shall be provided to permit pedestrian access to the Midland Trace Trail from the Property

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies this Property within the "Local Commercial" land use classification. Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

Development Policies for "Local Commercial" include: (i) locate local commercial development only in planned centers and only on streets classified as arterials or on frontage roads as depicted on the Land Use Concept Map; (ii) require the size, materials, color, and design of buildings to be unique to Westfield; (iii) Parking areas should be broken up by landscaping or by being located on more than one side of the buildings; (iv) encourage signs that are easy to locate and read, sized and designed in relation to the buildings and the traffic conditions in which they are viewed; and (v) encourage pedestrian connections between local commercial areas and adjacent residential areas.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Primary Arterial 1: SR 32, (ii) Secondary Arterial: Gray Road, (iii) Proposed Local: other proposed streets internal to the development, and (iv) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the August 1, 2022, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

Council Introduction: The petition was introduced at the July 11, 2022, City Council meeting.

DEPARTMENT COMMENTS

1. **Action:** Hold a public hearing at the August 1, 2022, Plan Commission meeting.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Daine Crabtree at (317) 416-2586 or dcrabtree@westfield.in.gov



Petition Number: 2207-DDP-22

Project Name: Westfield Health Pavilion at Midtown

Subject Property: NEC of US 31 & 191st Street, Approximately (the "Property")

Petitioner: CBRE by Weihe Engineers

Request: Petitioner requests Detailed Development Plan review of a 100,000 SF medical building on 8.09 acres +/- in the Midtown at Westfield PUD District

Current Zoning: Midtown at Westfield PUD ([Ord. 19-21](#))

Proposed Zoning: Midtown at Westfield PUD, Amendment I (Ord. 22-28)

Current Land Use: Undeveloped

Approximate Acreage: 8.09 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Building Elevations
5. Landscape Plan
6. Photometric Plan

Staff Reviewer: Daine Crabtree, Senior Planner

DEVELOPMENT PLAN (Article 10.7(H) of the UDO):

The plans comply.

- 1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.



- 5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.
- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

The plans comply.

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is compliant with the following requirements:

- 18) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.



- 19) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 20) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 21) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

MIDTOWN AT WESTFIELD PUD (ORD. 19-21) & AMENDMENT I (ORD. 22-28)

The plans comply.

- 22) Concept Plan (Ord. 19-21)

Comment: The Property is located in the Hotel/Office subdistrict.

- 23) Concept Plan (Ord. 22-28)

- 24) Underlying Zoning District

Comment: The Hotel/Office Subdistrict defaults to GB: General Business.

- 25) Permitted Uses

- a) Hotel and Office Subdistrict

Comment: The proposed use is permitted.

- 26) Overlay Districts

- a) US Highway 31 Overlay: Does not apply

- b) State Highway 32 Overlay: Architectural standards apply as if 191st Street was State Highway 32

Comment: Modified by Proposed Ord. 22-28

- 27) General Regulations

- | | |
|-------------------------------|------------|
| a) Minimum Lot Area: | No minimum |
| b) Minimum Tract Requirement: | No minimum |

- c) Minimum Lot Frontage: No minimum, vehicular access to a street required
- d) Minimum Lot Width: No minimum
- e) Maximum Lot Coverage: No maximum
- f) Minimum Building Setback Lines
 - i) US Highway 31: 30 feet
 - ii) 191st Street
 - iii) East Street
 - iv) Flippins Road
 - v) All Other Streets (eg: internal to District): 15 feet
 - vi) District Perimeter Not Abutting a Street: 30 feet
 - vii) All other Setback Lines: No Minimum
- g) Minimum Building Height
 - i) Hotel and Office Subdistrict: Four (4) stories or sixty (60) feet

Comment: Modified by Ord. 22-28

- h) Maximum Building Height
 - i) Hotel and Office Subdistrict
- i) Proximity Slope: Maximum 1:5 proximity slope abutting Morgan Woods and/or Brookview Place
- j) Maximum Multi-Family Dwelling Units

28) Development Standards

- a) Accessory Buildings
- b) Architectural Standards
 - i) Character Imagery
 - (1) Modified and replaced specifically for the Property by Exhibit C of Ord. 22-28
 - ii) Hotel and Office Subdistrict (Replaced and Restated for the Real Estate by Ord. 22-28)
 - (1) Glass shall constitute at least thirty-five percent (35%) of the exterior surfaces of each Building Façade
 - (2) Each Building Façade shall utilize a minimum of two (2) other exterior building materials
 - (3) A minimum of twenty percent (20%) of each Building Façade exclusive of windows and doors shall be Masonry Materials
 - (4) No more than eighty percent (80%) of each Building Façade, exclusive of windows and doors, shall be architectural aluminum panels.

Comment: Modified by Ord. 22-28

- iii) Mechanical/Utility Meter Screening
- c) Fence Standards
- d) Landscaping Standards: Article 6.8 of the UDO shall apply except as modified.
 - i) Foundation Plantings: Shall only be required along a Front Building Façade

Comment: Modified by Ord. 22-28

- ii) External Street Frontage Landscaping: Shall not apply if the Front building Façade of the Lot's Principal Building is oriented towards the External Street.
- iii) Buffer Yard Requirements
 - (1) Reforestation Area: Required generally where shown on the Concept Plan. Exact size and configuration will be determined at the time of approval of the Overall Development Plan for that portion of the District and is subject to final engineering of detention and the permitting and approval by the city's Department of Public Works, County Surveyor's Office and the Indiana Department of Natural Resources.

The Reforestation Area shall be planted in accordance with the Reforestation Guidelines (Exhibit D of the PUD). No Buildings shall be permitted within the area shown on the Concept Plan as the Reforestation Area.
 - (2) Tree Preservation Areas: Existing areas of trees to be preserved and maintained in accordance with Article 6.8(E) of the UDO are identified on the Concept Plan. A tree preservation easement, in accordance with Article 8.3 of the UDO shall be required for a Tree Preservation Area at the time of platting. A Tree Preservation Area may overlap another regulatory easement in which case, the removal of trees directed to be removed by municipal, county, state or federal agencies or departments or a public utility may occur within a Tree Preservation Easement.
 - (3) Buffer Yard abutting Existing Neighborhood: A buffer yard with a minimum depth of forty (40) feet shall be required abutting an Existing Neighborhood. The buffer yard shall include a minimum of six (6) shade trees, six (6) evergreen trees, and ten (10) shrubs per 100 lineal feet. A minimum four (4) foot tall undulating mound shall also be required for at least 60 percent of the length of the shared Lot Line. No mound shall be required if a Reforestation Area or Tree Preservation Easement abuts an Existing Neighborhood. New plantings within a buffer yard that overlaps a Tree Preservation Area may be clustered or grouped in order to simulate natural tree stands and/or ensure viability due to the impact by existing trees, according to best practices. Plantings around detention and retention areas within a buffer yard shall be credited toward the buffer yard planting requirement.
 - (4) Detention Areas: The Concept Plan depicts detention and retention areas along the District's north and east property lines. The Lakes shall be located thin the District as generally shown on the Concept Plan. The exact size and location of the Lakes may vary and is subject to engineering and the permitting and approval by the City's Department of Public Works, County Surveyor's Office, and the Indiana Department of Natural Resources.
- iv) Parking Area Landscaping

Comment: Modified by Ord. 22-28

- v) Perimeter Drainage and Utility Easements: If plantings required by this Ordinance are not permitted by the City within Restrictive Easements, then the required plantings shall be relocated and installed elsewhere on the subject Lot. If the relocation of the plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a detailed development plan may be approved with fewer plantings than otherwise required.
 - vi) Town Centre
 - e) Lighting Standards
 - Comment: Modified by Ord. 22-28 to include specific light fixtures**
 - i) Decorative Fixtures and Uniformity
 - ii) Full Cut-off Fixtures
 - iii) Maximum Light Levels
 - iv) Parking Area Lighting
 - v) Neon lighting prohibited
 - f) Outdoor Storage and Display
 - g) Parking and Loading Standards
 - i) Modified by Ord. 22-28 to permit up to twenty percent (20%) of all required parking spaces may be a minimum of 8' wide by 18' deep to accommodate compact cars.
 - ii) Modified by Ord. 22-28 so that parking space requirements shall be determined by the Director based upon data supplied in response to traffic and parking data requested to be furnished with the application for a Detailed Development Plan
 - h) Sign Standards
 - Comment: Modified by Ord. 22-28**
- 29) Design Standards: Chapter 8 shall apply to each Subdistrict's Underlying Zoning District except as modified
- a) Pedestrian Network Standards
 - i) Cool Creek Trail
 - ii) Mixed-Use Subdistrict
 - b) Decorative Streetscape Elements
- 30) Annexation
- 31) Infrastructure Standards
- 32) Severability
-



DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply.

33) Accessory Use and Building Standards (Article 6.1)

34) Architectural Standards (Article 6.3)

Comment: Modified by Ord. 22-28

35) Building Standards (Article 6.4)

36) Height Standards (Article 6.6)

37) Landscaping Standards (Article 6.8)

a) Minimum Lot Landscaping Requirements

8.09 Acre Site	Shade Trees (10 per acre)	Ornamental/Evergreen Trees (10 per acre)	Shrubs (25 per acre)
Required	80	80	200
Shown	81	81	529

b) Foundation Plantings:

Planters at the base of a building or attached to a façade shall be counted to meet the requirement.

Plant materials shall be required along the Front Building Façade of all Buildings at a minimum ratio of one (1) shrub or ornamental tree per twelve (12) lineal feet.

Plantings shall be located within fifteen (15) feet of the Building Façade, Fence, or other barrier and shall occur within planting beds at least eight (8) feet in width.

Comment: Superseded by Ord. 22-28

c) External Street Frontage Plantings

Street Frontage Plantings shall not apply if the Front building Façade of the Lot's Principal Building is oriented towards the External Street.

d) Parking Area Landscaping

i) Interior Parking Area Islands



- ii) Perimeter Parking Area Landscaping
- e) General Screening Standards
 - i) Service and Loading Areas
 - (1) Service areas shall be screened from Rights-of-way.

- 38) Lighting Standards (Article 6.9)
- 39) Lot Standards (Article 6.10)
- 40) Outside Storage and Display (Article 6.12)
- 41) Parking and Loading Standards (Article 6.14)
- 42) Setback Standards (Article 6.16)
- 43) Sign Standards (6.17)
- 44) Vision Clearance Standards (Article 6.19)
- 45) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply.

- 46) Block Standards (Article 8.1)
 - 47) Easement Standards (Article 8.3)
 - 48) Monument and Marker Standards (Article 8.5)
 - 49) Open Space and Amenity Standards (Article 8.6)
 - 50) Pedestrian Network Standards (Article 8.7)
 - 51) Storm Water Standards (Article 8.8)
 - 52) Street and Right-of-Way Standards (Article 8.9)
 - 53) Street Light Standards (Article 8.10)
 - 54) Street Sign Standards (Article 8.11)
 - 55) Surety Standards (Article 8.12)
 - 56) Utility Standards (Article 8.13)
-



DEPARTMENT COMMENTS

- 1) The plans as presented comply with the applicable and proposed zoning ordinances.
- 2) Action: Approve Detailed Development Plan 2207-DDP-22 with the following conditions:
 - That Ordinance 22-28 is approved by the Westfield City Council at a subsequent meeting;
 - That associated Secondary Plats 2207-SFP-38 & 2207-SFP-40 are signed and recorded prior to the issuance of an Improvement Location Permit; and
 - That all necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to any work beginning on the Property.
- 3) If any Plan Commission member has questions prior to the meeting, please contact Daine Crabtree at dcrabtree@westfield.in.gov or (317) 416-2586.



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 1, 2022
2207-PUD-15
Exhibit 1

Docket Number: 2207-PUD-15 (Ord. No. 22-28) (the “Proposed Amendment”)

Petitioner: Alderson Development Group, LLC by Church Church Hittle + Antrim

Request: An amendment to the Midtown of Westfield PUD to modify Development Standards on 10 acres +/-

Current Zoning: Midtown of Westfield PUD ([Ord. 19-21](#)) (the “Current PUD”)

Current Land Use: Vacant

Acreage: 10 acres +/- (the “Property”)

Exhibits:

1. Staff Report
2. Location Map
3. Narrative Statement
4. Proposed Ord. 22-28
5. Proposed Ord. 22-28 (Redline Version)
6. Concept Plan
7. Building Elevations – Bldg 1
8. Building Elevations – Bldg 2
9. Character Imagery Exhibit
10. Light Fixture Exhibit
11. Signage Exhibit

Staff Reviewer: Daine Crabtree, Senior Planner

PETITION HISTORY

The Midtown of Westfield PUD was approved at the September 9, 2019 Westfield City Council meeting.

This petition was introduced at the June 13, 2022, City Council meeting. This introduction can be viewed [here](#). The petition received a public hearing at the July 5, 2022 Advisory Plan Commission (the “Plan Commission”) meeting.

PROJECT OVERVIEW

Location: This subject real estate is approximately 10 acres in size and is located at the northeast corner of US Highway 31 and 191st Street, approximately (see [Exhibit 2](#)).

Project Description: The petitioner is requesting an amendment to the Midtown of Westfield PUD for various development standards to accommodate a new ambulatory health care pavilion (see **Exhibit 3**).

The Proposed Amendment includes a Concept Plan for the Property and its development (see **Exhibit 6**). The final layout and site plan(s) may vary from the Concept Plan.

The Proposed Amendment includes specific Character Imagery which may vary from the Character Imagery provided in the Current PUD (see **Exhibit 9**).

The Proposed Amendment states that the State Highway 32 Overlay District shall not apply to the Property; instead, Building Elevation Exhibits (see **Exhibits 7** and **8**) shall apply and shall be constructed in substantial compliance with said exhibits.

The Proposed Amendment seeks to modify the following development standards for the Midtown of Westfield PUD, as applicable to the Property:

- *Building Height*
 - The Minimum Building Height standards would permit a two-story building on Lot 2 and a three-story building on Lot 1, provided that at least 50% of the building on Lot 1 would be four (4) stories in height.
 - The Current PUD sets forth a minimum building height of four (4) stories or sixty (60) feet.
- *Architectural Standards*
 - In addition to glass, each Building Façade shall utilize a minimum of two (2) other exterior building materials
 - The Current PUD requires three (3) different exterior building materials; the PUD does not state whether glass is considered as such.
 - A minimum of thirty-five percent (35%) of each Building Façade shall be glass
 - A minimum of twenty percent (20%) of each Building Façade (exclusive of windows and doors) shall be Masonry Materials
 - The Current PUD permits a minimum of thirty-three percent (33%) Masonry Materials if Architectural Insulated Panels are used.
 - No more than eighty percent (80%) of each Building Façade (exclusive of windows and doors) shall be architectural aluminum panels
 - The Current PUD permits a maximum of sixty-seven percent (67%) of each Building Façade to be comprised of Architectural Insulated Panels.
- *Landscaping Standards*
 - Foundation plantings are proposed to not be required where portions of the Front Building Façade are covered by canopy areas or where pedestrian infrastructure is immediately adjacent.
 - Perimeter Parking Area landscaping shall not be required along the south property line of Lot 1; eventually, if/when Lot 2 is developed, this landscaping would be removed for the expansion of the pavilion.

- *Lighting Standards*
 - A light fixture exhibit (see **Exhibit 10**) has been included in the PUD, which would permit the light fixtures shown within and requires substantial compliance with the fixture images.
 - Luminaries on the street lights shall include full covers to prevent light from projecting vertically.
- *Parking and Loading Standards*
 - Parking Space calculation requirements shall be determined by the Director of the Community Development Department
- *Sign Standards*
 - A sign exhibit (see **Exhibit 11**) has been included in the PUD, which would permit the signage shown within and requires substantial compliance.
 - Building 1 wall signage shall not exceed the Sign Areas shown within Exhibit 11
 - Corporate logos incorporated into exterior building materials on Buildings shall not constitute as Signage
 - All other Signs shall comply with the UDO.

COMPREHENSIVE PLAN

Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

The Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the “Employment Corridor” land uses as the appropriate land use for the Property.

For the Employment Corridor area, the Comprehensive Plan lists office and service uses, research and development and retail and institutional uses that are subordinate to and supportive of the office and service uses as appropriate.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Primary Arterial 1: US 31; (ii) Primary Arterial 2: 191st Street; (iii) Secondary Arterial: East Street; (iv) Local: Flippins Road (v) Proposed Local: other proposed streets internal to the development; and (vi) Alternative Transportation Plan: proposed Cool Creek Trail, perimeter pathways along perimeter streets, and sidewalks along internal streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the June 6, 2022, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

Council Introduction: The petition was introduced at the June 13, 2022, City Council meeting.

DEPARTMENT COMMENTS

1. **Action:** Forward a recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Daine Crabtree at (317) 416-2586 or dcrabtree@westfield.in.gov.

RULES OF PROCEDURE

WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION

ARTICLE I: AUTHORITY & JURISDICTION

Section 1: Authority

The Westfield-Washington Township Advisory Plan Commission (the "Commission") exists as an Advisory Planning Commission under the authority of I.C. 36-7-4-401 and the Westfield-Washington Township Unified Development Ordinance (the "Unified Development Ordinance"), and any amendments thereto. The Commission shall appoint a Plat Committee (the "Committee") in accordance with I.C. 36-7-4-701. These rules are adopted in accordance with the requirements of I.C. 36-7-4-401.

Section 2: Jurisdiction

As set forth in Article 2.3 Authority and Purpose; Jurisdiction and defined in Article 12.1 Definitions of the Unified Development Ordinance, the jurisdiction of the Plan Commission and Committee is all land within Washington Township, Hamilton County, Indiana, and all land incorporate into the City of Westfield, Hamilton County, Indiana.

ARTICLE II: DUTIES & RESPONSIBILITIES

Section 1: Duties

Article 3.6 Administration; Plan Commission; Duties of the Unified Development Ordinance sets forth the duties and powers of the Commission, as defined by Indiana law (I.C. 36-7-4-400 *et seq.*) or as may otherwise be required by the Unified Development Ordinance, as generally described below:

- 1) The Commission shall be governed by the provisions of the Unified Development Ordinance, as adopted and amended by the City Council of the City of Westfield, Indiana (the "City Council") and the Rules and Procedures set forth herein, as adopted and amended by the Commission;
- 2) Any member of the Commission who has a conflict of interest in a matter before the Commission shall remove him / herself from hearing the matter and not vote thereon, as further described in Article IV, Section 5, Item 3;
- 3) Nothing herein shall be construed to give or grant to the Commission the power of authority to alter or change the Unified Development Ordinance, including all official zoning maps; this authority is reserved for and with the City Council;
- 4) The Commission attorney shall be consulted in all cases where the powers of the Commission are not clearly defined; and,

- 5) The office of the Commission shall be located in the offices of the City of Westfield, Community Development Department, Westfield, Indiana (the "Department").

Section 2: Responsibilities

The responsibilities of the Commission shall be to act in an advisory capacity to the City Council regarding the following:

- 1) The adoption of a Comprehensive Plan and amendments thereto in accordance with I.C. 36-7-4-500 *et seq.*;
- 2) The adoption of a Unified Development Ordinance and Zoning Map and amendments thereto in accordance with IC 36-7-4-600 *et seq.*;
- 3) Any other matter, within the responsibilities of the Commission, authorized by Indiana law or the Unified Development Ordinance.

Section 3: Final Decisions

The Commission shall render final decisions concerning the following matters, unless delegated to the Department or Committee; provided, that the Department has made evidentiary findings as to their compliance with the Unified Development Ordinance:

- 1) Plats or re-plats of Subdivisions (see Article 10.12 Subdivision of the Unified Development Ordinance);
- 2) Vacations of Subdivisions; and,
- 3) Development Plans and amendments to Development Plans (see Article 10.7 Development Plan Review of the Unified Development Ordinance).

ARTICLE III: MEMBERSHIP & OFFICERS

Section 1: Commission Membership

- 1) **Members:** The Commission shall consist of nine (9) voting members (see I.C. 36-7-4-1210.5) as follows:
 - a) Four (4) residents who reside within the corporate limits of the City and are not elected officials or employees of the City. These members shall be appointed by the City's executive officer (Mayor) and shall each serve a four (4) year term.
 - b) One (1) resident who resides within the corporate limits of the City and who is not an elected official or employee of the City. This member shall be appointed by the City Council and shall serve a four (4) year term.

- c) Two (2) members of the City's legislative body (City Council), who may be appointed by the City Council for a one (1) year term
 - d) Two (2) residents of Washington Township who are not elected officials, employees of the Township or City. These members shall be appointed by the Township's executive (Township Trustee) with the approval of the Township's legislative body and shall serve a four (4) year term.
- 2) Reappointment: Each Commission member appointed herein are eligible for reappointment.
- 3) Removal for cause: The appointing authority may remove a member pursuant to I.C. 36-7-4-218(f).
- a) In addition, if a member of the Commission has three (3) unexcused absences¹ in any calendar year from a meeting on the Commission's adopted schedule of meetings (see Article 3.1(B) of the Unified Development Ordinance) (the "Schedule of Meeting and Filing Dates"), then that member becomes disenfranchised at the sole discretion of the appointing authority and shall no longer be considered a viable member of the Plan Commission.
 - b) In the event of removal by the appointing authority, the Plan Commission member shall receive a mailed notice in accordance with the terms of I.C. 36-7-4-218(f). The appointing authority shall mail notice of the removal, along with written reasons for the removal, to the members at their address. A member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the appointing authority. The appointing authority may consider the appeal and hold a hearing to either uphold or overturn the removal of the member.
- 4) Vacancy:
- a) If a vacancy occurs among the membership, then the appointing authority shall appoint a member for the unexpired term of the vacancy or vacating member.
 - b) The President, through the Director, shall inform the appropriate appointing authority as promptly as possible, when a member has three (3) unexcused absences, as outlined herein, for the purpose of considering the replacement of said member so that the appointing authority may appoint a replacement to fulfill the unexpired term. Other vacancies occurring in the Commission shall also be reported to the appropriate appointing authority for similar action.

¹ An excused absence(s) shall be considered as a call, text, or email in to the Director of the Department or Commission President.

5) Commission Communications:

- a) Commission members are prohibited from discussing the details of any petition pending on the Commission's agenda outside of a public meeting, unless an exception is approved by the Director.
- b) Verbal ex-parte communications with the applicant, property owner, agent or representative for the applicant (the "Petition Representative") regarding a pending petition is prohibited, unless approved by the Director. Commission members may email Petition Representatives so long as the assigned planner is copied on the email. No other Commission member shall be included in the email chain. These emails will be provided by the Department to the full Commission and made available to the public as an exhibit for the related agenda item. This prohibition does not apply to Commission members who are also members of the City Council.
- c) All Commission members are encouraged to discuss any concerns that they may have with a particular petition or application with the Department or legal counsel.

6) Appointment to the Board of Zoning Appeals:

- a) In accordance with I.C. 36-7-4-902, the Commission shall, from its membership, appoint one representative to serve on the Westfield-Washington Township Board of Zoning Appeals (the "Board of Zoning Appeals"). This appointee shall not hold elective office, other appointive office or be an employee of the City or Township.
- b) In accordance with I.C. 36-7-4-907, the Commission may, in the absence of its appointment under the above paragraph (a), appoint an alternate member to the Board of Zoning Appeals, as needed.
- c) In accordance with I.C. 36-7-4-903 this member be from the citizen membership appointed by the Township Executive and shall represent the unincorporated area.
- d) The term of the appointment shall be two (2) years.

7) Appointment to the Plat Committee: In accordance with I.C. 36-7-4-701, the Commission shall appoint members to the Plat Committee, in accordance with Section 2 of this Article.**Section 2: Committee Membership**

- 1) **Members:** The Committee shall consist of five (5) voting members (see I.C. 36-7-4-701) as follows:
 - a) At least one (1) member of the Commission.

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Amended: 01/04/10; 01/18/11; 03/18/13, 07/05/22

- b) At least one (1), but not more than two (2), City of Westfield staff members.
 - c) At least one (1) Citizen member.
 - d) All members are appointed by the Commission.
 - e) All membership terms are for one (1) year.
- 2) Reappointment: Each Committee member appointed herein is eligible for reappointment.
- 3) Removal for cause: The Commission may remove a member pursuant to I.C. 36-7-4-701.
- a) In addition, if a member of the Committee has three (3) unexcused absences² in any calendar year from a meeting on the Committee's adopted schedule of meetings (see Article 3.1(B) of the Unified Development Ordinance) (the "Schedule of Meeting and Filing Dates"), then that member becomes disenfranchised at the sole discretion of the Commission and shall no longer be considered a viable member of the Committee.
 - b) In the event of removal by the Commission, the Committee member shall receive a mailed notice in accordance with the terms of I.C. 36-7-4-701(e). The appointing authority shall mail notice of the removal, along with written reasons for the removal, to the members at their address. A member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the appointing authority. The appointing authority may consider the appeal and hold a hearing to either uphold or overturn the removal of the member.
- 4) Vacancy: If a vacancy occurs among the membership, then the appointing authority shall appoint a member for the unexpired term of the vacancy or vacating member.
- 8) Committee Communications:
- a) Committee members are prohibited from discussing the details of any petition pending on the Committee's agenda outside of a public meeting, unless an exception is approved by the Director.
 - b) Verbal ex-parte communications with the applicant, property owner, agent or representative for the applicant (the "Petition Representative") regarding a pending petition is prohibited, unless approved by the Director. Committee members may email Petition Representatives so long as the assigned planner is copied on the email. No other Committee member shall be included in the email chain. These emails will be provided by the Department to the full Committee and made available to the public as an exhibit for the related agenda item. This

² An excused absence(s) shall be considered as a call, text, or email in to the Director of the Department or Committee President.

prohibition does not apply to Committee members who are also members of the City Council.

- c) All Committee members are encouraged to discuss any concerns that they may have with a particular petition or application with the Department or legal counsel.

Section 3: Officers

The Commission and Committee shall, at their first regular meeting in each year, elect from its membership a President and Vice-president.

- 1) The President shall preside over all meetings of the Commission or Committee.
- 2) The Vice-president shall have the authority to act as President during the absence or disability of the President.
- 3) In the absence of both the President and Vice-president, the Secretary shall preside over the election of a President pro-tempore who shall have the authority to act as President for the specific meeting of the Commission or Committee at which they are elected.
- 4) Upon resignation or replacement of the President or Vice-president as a member of the Commission or Committee, the Commission or Committee shall elect a successor at its next regularly scheduled meeting.
- 5) In accordance with City of Westfield Ordinance 06-02, members of the City Council who are appointed to serve on the Commission shall not be eligible for the position of President, Vice-president or Secretary of the Commission.
- 6) The Director of the Department ("Director") shall be permanently appointed as the Secretary of the Commission and Committee. In the event of a vacancy in the position of Director, the office of Secretary shall be transferred to the interim Director as appointed by the Mayor.
- 7) The Director shall be responsible for recording and transcribing all regular and special meeting minutes of the Commission or Committee.

Section 4: Training, Seminars, Continuing Education and/or Field Trips

- 1) Training
 - a) Within the first ninety (90) days of serving on the Commission, each new member shall be given an opportunity to attend an introductory training session conducted by the Department. This session will be offered at least twice during this time period and take place at a scheduled workshop meeting of the Commission.

- b) If a member fails to attend the initial training requirements, or subsequent scheduled session, then that member and appointing authority shall be duly notified of failure to fulfill requirement.
- 2) Seminars / Conferences / Workshops
- a) Each member of the Commission appointed to a four (4) year term, is encouraged to attend at least one (1) planning seminar / conference / workshop offered by the Department, other governmental offices, local builders association, American Planning Association or local universities regarding planning principals and how they affect local planning, during each term of service (this excludes the legislative body appointments).
 - b) The cost to participate in one event (per member, per term) shall be fully reimbursable if the event details are reviewed and approved by the Department prior to registration. The cost to participate in additional events may be reimbursable, at the Department's discretion.
- 3) Continuing Education
- a) Each new member shall become a member of the American Planning Association (APA) and the Indiana Chapter (APA Indiana) through the Department. With this membership, you are encouraged to participate in programming offered by these organizations.

ARTICLE IV: MEETINGS

Section 1: Monthly Meetings

- 1) **Schedule of Meetings:** The Commission shall adopt an annual Schedule of Meetings and Filing Dates of the regularly scheduled Commission and Committee meetings each year and deadlines for filing applications for placement on a meeting agenda (the "Schedule of Meeting and Filing Dates"). The Schedule of Meetings and Filing Dates shall be maintained by the Department (see Article 3.1(B) of the Unified Development Ordinance) and shall be approved by the Commission no later than their first December meeting of each year.
- 2) **Commission Meeting Time, Date & Location:** The meetings of the Commission shall be the first and third Monday of each month at 7:00 p.m. If the date of the meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, then the meeting will be held on the following Tuesday. If that is unavailable, then the Director may administratively set an alternate date, time or place for the meeting, or the meeting may be postponed with the unanimous consent of the members of the Commission, provided that the notice requirements of I.C. 5-14-1.5 are satisfied.

- a) First Monthly Commission Meeting: The meeting location shall be in the Council Chambers of the City of Westfield, City Hall, Westfield, Indiana.
- b) Second Monthly Commission Meeting: The meeting location shall be at the Westfield City Services Building, Westfield, Indiana.
- 3) Committee Meeting Time, Date & Location: The meetings of the Committee shall be the second and fourth Monday of each month at 11:00 a.m. The meeting location shall be at the Westfield City Services Building, Westfield, Indiana. If the date of the meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, then the meeting will be held on the following Tuesday. If that is unavailable, then the Director may administratively set an alternate date, time or place for the meeting, or the meeting may be postponed with the unanimous consent of the members of the Committee, provided that the notice requirements of I.C. 5-14-1.5 are satisfied.
- 4) Special Meetings: Special meetings of the Commission or Committee may be called by the President or by two (2) members of the Commission or Committee upon written request to the Secretary (IC 36-7-4-307). The Secretary shall send to all members, at least five (5) calendar days before the special meeting, a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if:
 - a) The date, time, and place of a Special Meeting are already fixed on the Schedule of Meeting and Filing Dates;
 - b) All members of the Commission or Committee are present at a meeting on the Schedule of Meetings and Filing Dates where the Special Meeting was called; and,
 - c) The Secretary complies with the notice requirements of I.C. 5-14-1.5.
- 5) Meeting Purpose & Intent:
 - a) First Commission Meeting of Month: The primary purpose of the first Commission meeting of the month is to hold public hearings and take action Items of Business and Consent Agenda Items.
 - b) Second Commission Meeting of Month: The primary purpose of the Second Commission Meeting is to hold workshops for Zoning Map Changes, including Rezone, PUD, and PUD Amendment petitions. The purpose of the workshop is to allow the commission to provide comments on changes that have been made following the public hearing, and to allow the petitioner to gain final comments prior to returning for a recommendation. Consent Agenda Items may be acted upon at this meeting.
 - c) Committee Meetings: The purpose of Plat Committee meetings is to hold public hearings and take action on Primary Plat and Overall Development Plan petitions.

This will typically occur at the same meeting, but it is possible that some items will need to attend more than one meeting.

Section 2: Order of Business (Agenda):

1) The order of business at **First Monthly Commission Meetings** shall be as follows:

- Call to Order
- Roll Call
- Determination of a Quorum
- Meeting Announcements:
 - o Changes to the Agenda
 - o Continuance Requests
 - o Withdrawal Requests
- Consideration / Approval
 - o Minutes of Previous Meetings
 - o Procedural Items
 - o Items of Discussion
- Review Meeting Rules & Procedures
- Consent Agenda Items
- Items of Business
- Public Hearing Items
- Reports:
 - o Commission Members
 - o City Council Liaison
 - o Board of Zoning Appeals Liaison
 - o Plat Committee Liaison
 - o Department
- Adjournment

2) The order of business at **Second Monthly Commission Meetings** shall be as follows:

- Call to Order
- Roll Call

- Determination of a Quorum
- Meeting Announcements:
 - Changes to the Agenda
 - Continuance Requests
 - Withdrawal Requests
- Consideration / Approval
 - Minutes of Previous Meetings
 - Procedural Items
 - Items of Discussion
- Review Meeting Rules & Procedures
- Consent Agenda Items
- Workshop Items
- Reports:
 - Commission Members
 - City Council Liaison
 - Board of Zoning Appeals Liaison
 - Plat Committee Liaison
 - Department
- Adjournment

3) The order of business at **Committee Meetings** shall be as follows:

- Call to Order
- Roll Call
- Determination of a Quorum
- Meeting Announcements:
 - Changes to the Agenda
 - Continuance Requests
 - Withdrawal Requests
- Consideration / Approval
 - Minutes of Previous Meetings
 - Procedural Items

Approved: 01/28/08;

Amended: 01/04/10; 01/18/11; 03/18/13, 07/05/22

- o Items of Discussion
- Review Meeting Rules & Procedures
- Items of Business
- Public Hearing Items
- Reports:
 - o Committee Members
 - o Plan Commission Liaison
 - o Department
- Adjournment

Section 3: Quorum and Decisions

1) Quorum:

- a) Commission: A majority of five (5) of the Commission membership shall constitute a quorum. No action, however, is official unless authorized at a workshop, regular or properly called special meetings by a majority of the Commission.

Committee: A majority of three (3) of the Committee membership shall constitute a quorum. No action, however, is official unless authorized at a regular or properly called special meetings by a majority of the Committee.

2) Voting:

- a) Except as otherwise provided below, decisions of the Commission or Committee shall be by roll call vote of the members. The first roll of each meeting shall be called in alphabetical order of the members' last names. Each successive roll call shall be called in the same order as the immediately preceding roll except that the member who voted first in the immediately preceding roll call shall vote last. For example: 1st Roll Call = 1,2,3,4,5,6,7,8,9; 2nd Roll Call = 2,3,4,5,6,7,8,9,1; 3rd Roll Call = 3,4,5,6,7,8,9,1,2; and, etc.
- b) Approval of minutes and adjournment may be conducted by voice vote, unless a roll call vote is requested by a member of the Commission or Committee, or any member is attending virtually.

3) Conflict:

- a) No member of the Commission or Committee shall participate in the hearing or in any decision on any zoning matter, other than the preparation and enactment of a comprehensive plan, in which the member has a direct or indirect financial interest in a petition or application that is being presented to the Commission or Committee for consideration.

- b) A member of the Commission or Committee is disqualified and may not participate in a hearing if the member is biased or prejudiced or otherwise unable to be impartial.
- c) In the event of a conflict, then the member shall describe the conflict immediately after the matter is introduced by the presiding officer and take no part in the discussion and/or decision-making process described herein.
- d) The presiding officer shall note the existence and description of the conflict and it shall be entered into the record.

Section 4: Minutes

- 1) The Commission and Committee shall keep minutes of its proceedings showing the vote of each member on each question presented, or indicating that the member is absent or not voting.
- 2) The Director, or their designee, shall keep a record of all proceedings (minutes) of the Commission and Committee which shall be presented to the Commission at the next regular succeeding meeting for review and acceptance into the record. Upon acceptance, the record shall be signed by the President and attested by the Secretary.

Section 5: Decisions

All members present shall vote on every question unless prevented by conflict or excused by the presiding officer.

Section 6: Adjournment

The Commission or Committee may adjourn so long as all business has been conducted in accordance with these Rules of Procedure. The Commission may, by a majority vote, continue any case(s) that have not been called onto the floor by 10:30 p.m. to allow for adjournment. Such cases shall be continued to a subsequent meeting.

ARTICLE V: DOCKET

Each petition that is to be publicly heard before the Commission or Committee shall be filed in proper form with the required data, shall be numbered serially and placed on the docket of the Commission (see Chapter 10: Processes and Permits of the Unified Development Ordinance). The docket numbers shall include the year and begin anew with the January filing deadline.

As soon as the petition receives a docket number, then it shall be placed on the docket of the Commission or Committee and a date set for hearing, in accordance with the Schedule of Meeting and Filing Dates. Petition items shall come before the Commission or

Committee in the regular order of their consecutive docket numbers unless otherwise ordered by the Department or changed by the Commission or Committee at the beginning of a meeting.

ARTICLE VI: NOTICES

In the event that a public hearing is required, the following requirements for notice must be met:

Section 1: General Requirements

- 1) All public hearings shall be noticed using each of the following means of communication:
 - a) Letter mailed via First Class U.S. Mail to Interested Parties (as defined in Section 3 of this Article);
 - b) Yard Sign(s) posted on the subject property; AND
 - c) Newspaper Publication, per IC 5-3-1.
- 2) All three (3) forms of notice shall be postmarked/posted/published at least ten (10) calendar days before the scheduled public hearing.
- 3) For all Commission or Committee meetings other than public hearings, a 48-hour notice shall be made by posting the meeting time and location at the entrance of the building where the meeting will occur and at City Hall. No other notice shall be required.
- 4) The Department may cause notice to be posted on the official City of Westfield website.
- 5) Appearance at any hearing on an application or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
- 6) In the event that a petition which has met all public notice requirements, as set forth herein, is postponed or continued for any reason prior to a public hearing being held, no further public notice shall be necessary, so long as at the meeting for which the public hearing was noticed and scheduled, the President has announced the date, time and place of the new public hearing.

Section 2: Exemptions

- 1) A public hearing shall not be required for Secondary Plat approval, per I.C. 36-7-4-710.
- 2) A public hearing shall not be required for a Detailed Development Plan, per Article 10.7(G)(3) of the Unified Development Ordinance.
- 3) Applications to change, repeal, replace or amend all or portions of the Unified Development Ordinance or Comprehensive Plan (docketed as ZOA or CPA petitions) shall only be required to give notice of the hearing by newspaper publication, as set forth herein. Additionally, information regarding these petitions shall be made available on the City's Website.

Section 3: Public Notice by First Class Mail

- 1) Interested Parties: Public notice in accordance with this article and with I.C. 5-3-1-2 and I.C. 5-3-1-4 and due notice to interested parties. Interested parties shall be:
 - a) The owners of real property adjacent to the property subject of the petition to a depth of two (2) ownerships of no direct or indirect financial or other interest to the petitioner or property owner unless otherwise reduced by the Director.
 - b) Additional parties deemed advisable by the Director.

A list of the interested parties' last known address shall be obtained from the Hamilton County Auditor, Office of Transfers and Mapping. The list of interested parties should be obtained and dated no earlier than ninety (90) days prior to the postmarked date of the mailed public notice. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine the name and address of the current owner of record.

- 2) The applicant shall provide notice to all Interested Parties. Such notice shall state:
 - a) The general location by address or other identifiable geographic description of the subject property or area.
 - b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time, date and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.
 - g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.

- h) That oral comments concerning the proposal will be heard at the public hearing.
 - i) That the hearing may be continued from time to time as may be found necessary.
- 3) The manner in which notice must be sent to Interested Parties shall be as follows:
- a) Required notices to Interested Parties shall be sent by First Class U.S. Mail (or an equivalent alternative accepted by the Director) and postmarked at least ten (10) calendar days before the public hearing. The Department will advise the Commission at the public hearing of any deficiencies in providing notice.
 - b) Proof that notice has been mailed shall consist of a verified affidavit by the applicant or the Petition Representative indicating compliance with the notice requirements (or an equivalent alternative accepted by the Director) and shall be sufficient proof of notice under these rules regardless of actual receipt by the intended recipient. Said affidavit and a copy of the mailing list from the County Mapping and Transfers Office, must be filed in the office of the Department four (4) calendar days prior to the public hearing.
- 4) The applicant shall bear the cost of and responsibility for all mailed notice to Interested Parties.

Section 4: Public Notice by Yard Sign(s)

- 1) The applicant shall post a sign or signs on the subject property in a location clearly visible to passing traffic.
- 2) The sign(s) shall not obstruct vehicular line of site, in compliance with the City of Westfield's Construction Standards and Specifications.
- 3) The Department shall determine sign locations with not less than one (1) sign placed on the property per street frontage, per block.
- 4) Signs shall be available in the office of Department.
- 5) The Department shall bear the cost of the initial sign(s). The cost for any subsequent replacement signage shall be borne by the applicant. The responsibility of sign placement shall be borne by the applicant.

Section 5: Public Notice by Newspaper Publication

- 1) The Department shall cause a legal notice to be published in a newspaper(s) qualified to publish legal notices as established by Council, in accordance with I.C. 5-3-1. Such notice shall state:
 - a) The general location by address or other identifiable geographic description of the subject property or area.

- b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.
 - g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.
 - h) That oral comments concerning the proposal will be heard at the public hearing.
 - i) That the hearing may be continued from time to time as may be found necessary.
- 2) The applicant shall bear the costs of and responsibility for all newspaper notices.

Section 6: INDOT Notice

- 1) In accordance with City of Westfield Ordinance 07-09, all development proposals which are located within the area designated as the U.S. Highway 31 Overlay Zone, as defined in the Unified Development Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.
- 2) In accordance with City of Westfield Ordinance 07-15, all development proposals which are located within the area designated as the State Highway 32 Overlay Zone, as defined in the Unified Development Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.

ARTICLE VII: HEARINGS & CONDUCT OF HEARINGS

Section 1: Hearings

- 1) Public hearings shall be held on the adoption or amendment of a Comprehensive Plan, the adoption or amendment of the Unified Development Ordinance or Zoning Map, vacation of Subdivisions and the approval of a Primary Plat, Overall Development Plan and other petitions as presented to or required by the Unified Development Ordinance or Indiana law.
- 2) A petitioner who seeks to amend the Unified Development Ordinance, Zoning Map, or the Comprehensive Plan or to gain approval of a Primary Plat, as may be required

by the Unified Development Ordinance, shall file such petition with the Department on forms provided by the Department, with documentation and supporting information set forth in the Unified Development Ordinance, and in accordance with the Schedule of Meeting and Filing Dates. Upon the receipt of such petition, the Department shall prepare a notice in accordance with these Rules of Procedure.

- 3) In order for a petition to be heard, the Petition Representative, shall be in attendance to present the petition and answer questions about the petition. If no Petition Representative is present at the meeting, then the Commission or Committee may dispose of the petition in accordance with Section 3 of this Article.

Section 2: Conduct of Hearings

- 1) Public Hearings: Public hearings shall be conducted according to the following procedure. Please note the time limitations for each hearing segment.
 - a) The President of the Commission or Committee will introduce the agenda item, followed by a report from the Department.
 - b) After being recognized by the President, the Petition Representative will step up to the podium, and state their name and address.
 - c) The Petition Representative shall present the facts and arguments in support of the case (15 minutes maximum).
 - d) Comments and questions from the Commission or Committee and Department shall be held until the end of the initial presentation.
 - e) The official public hearing shall then be opened. Comments from organized groups, committees (5 minutes maximum, 1 member per group), and individuals, other than the petitioner, shall then follow (3 minutes maximum per speaker). Speakers should present new points and not repeat comments from previous speakers. The public hearing shall then be closed.
 - f) The Petition Representative shall then respond to comments. Additional discussion may occur between Commission members and the Petition Representative.
 - g) To maintain orderly procedure, parties should proceed without interruption by other interested parties.
 - h) After the discussion of the petition has concluded:
 - i) The Commission may consider the petition; however, action will typically occur at a future meeting.
 - ii) The Committee will typically take action on a petition; however, petitions may be continued if it is determined to be noncompliant.

- 2) **Presentations:** In the presentation of a petition:
 - a) The burden shall be upon the Petition Representative to supply all information, including charts, diagrams and other exhibits necessary for a clear understanding of the petition.
 - b) Statements and/or discussions to the Commission or Committee made by the Petition Representative at the meeting regarding anticipated methods of operation, site design / layout or other details relevant to the decision may be incorporated into a binding agreement between the applicant and Commission or Committee (see Article 10.6: Processes and Permits; Commitments of the Unified Development Ordinance), or they may be included as conditions to any Commission or Committee motion to approve. Such commitments or conditions shall be reflected in the minutes of that meeting.
- 3) **Conduct:** Every person appearing before the Commission or Committee shall abide by the orders and directions of the President. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission and shall be dealt with as the President directs.

Section 3: Failure to Appear

Failure on behalf of an application or Petition Representative to appear during a public hearing shall be dealt with as follows:

- 1) The President may entertain a motion from the Commission or Committee to dismiss the case for failure to appear. In the absence of a motion by the Commission or Committee, the petition shall be continued to the subsequent meeting.
- 2) If a petition is dismissed for failure to appear, then the applicant will be furnished with a written notice by the Department.
- 3) The applicant shall have thirty (30) days from the date of the notice of dismissal to apply for reinstatement of the petition by submitting a written request with the Department for reinstatement. Reinstatement shall be at the discretion of the President for good cause shown, and upon payment of the appropriate fees by the applicant.
- 4) In all reinstated petitions, the petition will be treated as a new petition and shall be re-filed in proper form with the required data, numbered serially and placed on the docket of the Commission or Committee by the Department. The applicant shall be responsible for paying all associated fees with the new petition. Advertisement and public notifications as required herein shall be required as if the petition were a new application.

ARTICLE VIII: FINAL DISPOSITION OF CASES

- 1) After Commission or Committee consideration of any reports, testimony (written or verbal) and the recommendations of the Department, the final disposition of any petition shall be in the form of a decision or report, setting forth, when deemed appropriate, the recommendation (if any), findings and determinations of the Commission or Committee, together with any modifications, specifications or limitations which it makes.
- 2) The disposition of petitions requiring final approval from the Council shall be in the form of a recommendation to the Council.
- 3) A Petition Representative may not withdraw a petition after a roll call vote has been ordered by the President.
- 4) Petitions Withdrawn.
 - a) A petition which has been withdrawn shall not be placed on the docket again for consideration within a period of six (6) months after the date of withdrawal.
 - b) A new application involving the same property that was the subject of a petition which has been withdrawn shall not be placed on the docket for consideration within a period of three (3) months after the date of withdrawal.
- 5) Petitions Decided Upon.
 - a) A petition which has been decided adversely to the petitioner shall not be placed on the docket again for consideration until the legality of the Commission's or Committee's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of twelve (12) months following the date of the adverse decision previously rendered, whichever is later.
 - b) A new petition involving the same property that was the subject of a case which has been decided adversely to any petitioner shall not be placed on the docket for consideration until the legality of the Commission's or Committee's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of six (6) months following the date of adverse decision previously rendered, whichever is later.
- 6) The Commission's recommendation is advisory in matters of Zoning Map changes and amendments to the Unified Development Ordinance or Comprehensive Plan. As a result, all such matters shall be certified to the Council for its consideration in accordance with Indiana law. The Commission's recommendation on any such matter may then be followed or overturned by the Council in accordance with Indiana law and the rules of the Council.

ARTICLE VIII: ADMINISTRATIVE DISMISSAL

- 1) Petitions that require a Public Hearing:
 - a) Petitions which have not received a public hearing will be administratively dismissed six (6) months after the date of filing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.
 - b) Petitions which have received a public hearing will be administratively dismissed six (6) months after the public hearing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.
- 2) Petitions that do not require a Public Hearing: Petitions for which no action has been taken will be administratively dismissed one (1) year after the date of filing unless the Director approves an extension. Secondary Plats are exempt from this rule.
- 3) All Petitions: Any Petition may also be dismissed by the Commission or Committee for lack of jurisdiction or for lack of representation by the Petition Representative at a meeting where the item appears on the agenda (as a non-continued item).

ARTICLE X: VIRTUAL MEETING POLICY

Plan Commission Resolution 21-01 (the "Virtual Meeting Policy") is hereby incorporated into these rules. If a provision of the Virtual Meeting Policy conflicts with these rules, then the Virtual Meeting Policy shall supersede.

ARTICLE XI: TRANSITION RULES

Petitions submitted prior to the adoption of these amended rules, will be subject to the previously approved rules (dated March 18, 2013).

ARTICLE XII: AMENDMENTS

Amendments to these Rules of Procedure may be made by the Commission at any meeting of the Commission with and upon the affirmative vote of a majority of the members of the Commission.

A suspension of any rule herein may be so ordered by the Commission or Committee at any meeting by a majority vote of the members present.

ARTICLE XIII: ADOPTION

These Rules of Procedure are for and of the “Westfield-Washington Township Advisory Plan Commission”, Westfield, Indiana have been approved by the affirmative vote of the membership of said Commission (__) – (__) – (__) at a meeting of the Commission held on the ____ day of _____, _____. This approval repeals any prior Rules of Procedure.

_____ President	_____ Date
_____ Vice-president	_____ Date
_____ Commission member	_____ Date
_____ Commission member	_____ Date
_____ Commission member	_____ Date
_____ Commission member	_____ Date
_____ Commission member	_____ Date
_____ Commission member	_____ Date

Commission member

Date

Attested by:

Secretary,
Director of the Community Development Department

Date

RULES OF PROCEDURE

WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION

ARTICLE I: AUTHORITY & JURISDICTION

Section 1: Authority

The Westfield-Washington Township Advisory Plan Commission (the "Commission") exists as an Advisory Planning Commission under the authority of I.C. 36-7-4-401 and the Westfield-Washington Township Unified Development Ordinance (the "Unified Development Ordinance"), and any amendments thereto. The Commission shall appoint a Plat Committee (the "Committee") in accordance with I.C. 36-7-4-701. These rules are adopted in accordance with the requirements of I.C. 36-7-4-401.

Section 2: Jurisdiction

As set forth in Article 2.3 Authority and Purpose; Jurisdiction and defined in Article 12.1 Definitions of the Unified Development Ordinance, the jurisdiction of the Plan Commission and Committee is all land within Washington Township, Hamilton County, Indiana, and all land incorporate into the City of Westfield, Hamilton County, Indiana.

ARTICLE II: DUTIES & RESPONSIBILITIES

Section 1: Duties

Article 3.6 Administration; Plan Commission; Duties of the Unified Development Ordinance sets forth the duties and powers of the Commission, as defined by Indiana law (I.C. 36-7-4-400 *et seq.*) or as may otherwise be required by the Unified Development Ordinance, as generally described below:

- 1) The Commission shall be governed by the provisions of the Unified Development Ordinance, as adopted and amended by the City Council of the City of Westfield, Indiana (the "City Council") and the Rules and Procedures set forth herein, as adopted and amended by the Commission;
- 2) Any member of the Commission who has a conflict of interest in a matter before the Commission shall remove him / herself from hearing the matter and not vote thereon, as further described in Article IV, Section 5, Item 3;
- 3) Nothing herein shall be construed to give or grant to the Commission the power of authority to alter or change the Unified Development Ordinance, including all official zoning maps; this authority is reserved for and with the City Council;
- 4) The Commission attorney shall be consulted in all cases where the powers of the Commission are not clearly defined; and,

- 5) The office of the Commission shall be located in the offices of the City of Westfield, Community Development Department, Westfield, Indiana (the "Department").

Section 2: Responsibilities

The responsibilities of the Commission shall be to act in an advisory capacity to the City Council regarding the following:

- 1) The adoption of a Comprehensive Plan and amendments thereto in accordance with I.C. 36-7-4-500 *et seq.*;
- 2) The adoption of a Unified Development Ordinance and Zoning Map and amendments thereto in accordance with IC 36-7-4-600 *et seq.*;
- 3) Any other matter, within the responsibilities of the Commission, authorized by Indiana law or the Unified Development Ordinance.

Section 3: Final Decisions

The Commission shall render final decisions concerning the following matters, unless delegated to the Department or Committee; provided, that the Department has made evidentiary findings as to their compliance with the Unified Development Ordinance:

- 1) Plats or re-plats of Subdivisions (see Article 10.12 Subdivision of the Unified Development Ordinance);
- 2) Vacations of Subdivisions; and,
- 3) Development Plans and amendments to Development Plans (see Article 10.7 Development Plan Review of the Unified Development Ordinance).

ARTICLE III: MEMBERSHIP & OFFICERS

Section 1: Commission Membership

- 1) **Members:** The Commission shall consist of nine (9) voting members (see I.C. 36-7-4-1210.5) as follows:
 - a) Four (4) residents who reside within the corporate limits of the City and are not elected officials or employees of the City. These members shall be appointed by the City's executive officer (Mayor) and shall each serve a four (4) year term.
 - b) One (1) resident who resides within the corporate limits of the City and who is not an elected official or employee of the City. This member shall be appointed by the City Council and shall serve a four (4) year term.

- c) Two (2) members of the City's legislative body (City Council), who may be appointed by the City Council for a one (1) year term
 - d) Two (2) residents of Washington Township who are not elected officials, employees of the Township or City. These members shall be appointed by the Township's executive (Township Trustee) with the approval of the Township's legislative body and shall serve a four (4) year term.
- 2) Reappointment: Each Commission member appointed herein are eligible for reappointment.
- 3) Removal for cause: The appointing authority may remove a member pursuant to I.C. 36-7-4-218(f).
- a) In addition, if a member of the Commission has three (3) unexcused absences¹ in any calendar year from a meeting on the Commission's adopted schedule of meetings (see Article 3.1(B) of the Unified Development Ordinance) (the "Schedule of Meeting and Filing Dates"), then that member becomes disenfranchised at the sole discretion of the appointing authority and shall no longer be considered a viable member of the Plan Commission.
 - b) In the event of removal by the appointing authority, the Plan Commission member shall receive a mailed notice in accordance with the terms of I.C. 36-7-4-218(f). The appointing authority shall mail notice of the removal, along with written reasons for the removal, to the members at their address. A member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the appointing authority. The appointing authority may consider the appeal and hold a hearing to either uphold or overturn the removal of the member.
- 4) Vacancy:
- a) If a vacancy occurs among the membership, then the appointing authority shall appoint a member for the unexpired term of the vacancy or vacating member.
 - b) The President, through the Director, shall inform the appropriate appointing authority as promptly as possible, when a member has three (3) unexcused absences, as outlined herein, for the purpose of considering the replacement of said member so that the appointing authority may appoint a replacement to fulfill the unexpired term. Other vacancies occurring in the Commission shall also be reported to the appropriate appointing authority for similar action.

¹ An excused absence(s) shall be considered as a call, text, or email in to the Director of the Department or Commission President.

5) Commission Communications:

~~a) Communication between~~ Commission members ~~outside of a meeting~~ ~~is~~are prohibited ~~from discussing the details of any active petition pending on the Commission's agenda~~ outside of a public meeting, unless an exception is approved by the Director.

~~b) Verbal Ex-parte~~ communications with the applicant, property owner, agent or representative for the applicant (the "Petition Representative") regarding a pending petition is prohibited, unless approved by the Director; Commission members may email Petition Representatives so long as the assigned planner is copied on the email. No other Commission member shall be included in the email chain. These emails will be provided by the Department to the full Commission and made available to the public as an exhibit for the related agenda item. This prohibition does not apply to Commission members who are also members of the City Council.

~~5)c) however, a~~ All Commission members are encouraged to discuss any concerns that they may have with a particular petition or application with the Department or legal counsel.

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6) Appointment to the Board of Zoning Appeals:

a) In accordance with I.C. 36-7-4-902, the Commission shall, from its membership, appoint one representative to serve on the Westfield-Washington Township Board of Zoning Appeals (the "Board of Zoning Appeals"). This appointee shall not hold elective office, other appointive office or be an employee of the City or Township.

b) In accordance with I.C. 36-7-4-907, the Commission may, in the absence of its appointment under the above paragraph (a), appoint an alternate member to the Board of Zoning Appeals, as needed.

c) In accordance with I.C. 36-7-4-903 this member be from the citizen membership appointed by the Township Executive and shall represent the unincorporated area.

d) The term of the appointment shall be two (2) years.

7) Appointment to the Plat Committee: In accordance with I.C. 36-7-4-701, the Commission shall appoint members to the Plat Committee, in accordance with Section 2 of this Article.

Section 2: Committee Membership

1) Members: The ~~Commission Committee~~ shall consist of five (5) voting members (see I.C. 36-7-4-701) as follows:

- a) At least one (1) member of the Commission.
 - b) At least one (1), but not more than two (2), City of Westfield staff members.
 - c) At least one (1) Citizen member.
 - d) All members are appointed by the Commission.
 - e) All membership terms are for one (1) year.
- 2) Reappointment: Each Committee member appointed herein is eligible for reappointment.
- 3) Removal for cause: The Commission may remove a member pursuant to I.C. 36-7-4-701.
- a) In addition, if a member of the Committee has three (3) unexcused absences² in any calendar year from a meeting on the Committee's adopted schedule of meetings (see Article 3.1(B) of the Unified Development Ordinance) (the "Schedule of Meeting and Filing Dates"), then that member becomes disenfranchised at the sole discretion of the Commission and shall no longer be considered a viable member of the Committee.
 - b) In the event of removal by the Commission, the Committee member shall receive a mailed notice in accordance with the terms of I.C. 36-7-4-701(e). The appointing authority shall mail notice of the removal, along with written reasons for the removal, to the members at their address. A member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the appointing authority. The appointing authority may consider the appeal and hold a hearing to either uphold or overturn the removal of the member.
- 4) Vacancy: If a vacancy occurs among the membership, then the appointing authority shall appoint a member for the unexpired term of the vacancy or vacating member.

8) Committee Communications:

- a) Committee members are prohibited from discussing the details of any petition pending on the Committee's agenda outside of a public meeting, unless an exception is approved by the Director.
- b) Verbal ex-parte communications with the applicant, property owner, agent or representative for the applicant (the "Petition Representative") regarding a pending petition is prohibited, unless approved by the Director. Committee members may email Petition Representatives so long as the assigned planner is copied on the email. No other Committee member shall be included in the email chain. These emails will be provided by the Department to the full Committee and

² An excused absence(s) shall be considered as a call, text, or email in to the Director of the Department or Committee President.

made available to the public as an exhibit for the related agenda item. This prohibition does not apply to Committee members who are also members of the City Council.

8)c) All Committee members are encouraged to discuss any concerns that they may have with a particular petition or application with the Department or legal counsel. Communication between Committee members outside of a meeting is prohibited. Ex parte communications with Petition Representatives is prohibited; however, all Committee members are encouraged to discuss any concerns that they may have with a particular petition or application with the Department.

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Section 3: Officers

The Commission and Committee shall, at their first regular meeting in each year, elect from its membership a President and Vice-president.

- 1) The President shall preside over all meetings of the Commission or Committee.
- 2) The Vice-president shall have the authority to act as President during the absence or disability of the President.
- 3) In the absence of both the President and Vice-president, the Secretary shall preside over the election of a President pro-tempore who shall have the authority to act as President for the specific meeting of the Commission or Committee at which they are elected.
- 4) Upon resignation or replacement of the President or Vice-president as a member of the Commission or Committee, the Commission or Committee shall elect a successor at its next regularly scheduled meeting.
- 5) In accordance with City of Westfield Ordinance 06-02, members of the City Council who are appointed to serve on the Commission shall not be eligible for the position of President, Vice-president or Secretary of the Commission.
- 6) The Director of the Department ("Director") shall be permanently appointed as the Secretary of the Commission and Committee. In the event of a vacancy in the position of Director, the office of Secretary shall be transferred to the interim Director as appointed by the Mayor.
- 7) The Director shall be responsible for recording and transcribing all regular and special meeting minutes of the Commission or Committee.

Section 4: Training, Seminars, Continuing Education and/or Field Trips

- 1) Training
 - a) Within the first ninety (90) days of serving on the Commission, each new member shall be given an opportunity to attend an introductory training session conducted by the Department. This session will be offered at least twice during this time period and take place at a scheduled workshop meeting of the Commission.
 - b) If a member fails to attend the initial training requirements, or subsequent scheduled session, then that member and appointing authority shall be duly notified of failure to fulfill requirement.
- 2) Seminars / Conferences / Workshops
 - a) Each member of the Commission appointed to a four (4) year term, is encouraged to attend at least one (1) planning seminar / conference / workshop offered by the Department, other governmental offices, local builders association, American

Planning Association or local universities regarding planning principals and how they affect local planning, during each term of service (this excludes the legislative body appointments).

- b) The cost to participate in one event (per member, per term) shall be fully reimbursable if the event details are reviewed and approved by the Department prior to registration. The cost to participate in additional events may be reimbursable, at the Department's discretion.
- 3) Continuing Education
 - a) Each new member shall become a member of the American Planning Association (APA) and the Indiana Chapter (APA Indiana) through the Department. With this membership, you are encouraged to participate in programming offered by these organizations.

ARTICLE IV: MEETINGS

Section 1: Monthly Meetings

- 1) Schedule of Meetings: The Commission shall adopt an annual Schedule of Meetings and Filing Dates of the regularly scheduled Commission and Committee meetings each year and deadlines for filing applications for placement on a meeting agenda (the "Schedule of Meeting and Filing Dates"). The Schedule of Meetings and Filing Dates shall be maintained by the Department (see Article 3.1(B) of the Unified Development Ordinance) and shall be approved by the Commission no later than their first December meeting of each year.
- 2) Commission Meeting Time, Date & Location: The meetings of the Commission shall be the first and third Monday of each month at 7:00 p.m. ~~The meeting location shall be in the Council Chambers of the City of Westfield, City Hall, Westfield, Indiana.~~ If the date of the meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, then the meeting will be held on the following Tuesday. If that is unavailable, then the Director may administratively set an alternate date, time or place for the meeting, or the meeting may be postponed with the unanimous consent of the members of the Commission, provided that the notice requirements of I.C. 5-14-1.5 are satisfied.
 - a) First Monthly Commission Meeting: The meeting location shall be in the Council Chambers of the City of Westfield, City Hall, Westfield, Indiana.
 - a)b) Second Monthly Commission Meeting: The meeting location shall be at the Westfield City Services Building, Westfield, Indiana.
- 2)3) Committee Meeting Time, Date & Location: The meetings of the Committee shall be the second and fourth Monday of each month at 11:00 a.m. The meeting location

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shall be at the Westfield City Services Building, Westfield, Indiana. If the date of the meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, then the meeting will be held on the following Tuesday. If that is unavailable, then the Director may administratively set an alternate date, time or place for the meeting, or the meeting may be postponed with the unanimous consent of the members of the Committee, provided that the notice requirements of I.C. 5-14-1.5 are satisfied.

~~3)4)~~ Special Meetings: Special meetings of the Commission or Committee may be called by the President or by two (2) members of the Commission or Committee upon written request to the Secretary (IC 36-7-4-307). The Secretary shall send to all members, at least five (5) calendar days before the special meeting, a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if:

- a) The date, time, and place of a Special Meeting are already fixed on the Schedule of Meeting and Filing Dates;
- b) All members of the Commission or Committee are present at a meeting on the Schedule of Meetings and Filing Dates where the Special Meeting was called; and,
- c) The Secretary complies with the notice requirements of I.C. 5-14-1.5.

~~4)5)~~ Meeting Purpose & Intent:

- a) First Commission Meeting of Month: The primary purpose of the first Commission meeting of the month is to hold public hearings and take action Items of Business and Consent Agenda Items.
- b) Second Commission Meeting of Month: The primary purpose of the Second Commission Meeting is to hold workshops for Zoning Map Changes, including Rezone, PUD, and PUD Amendment petitions. The purpose of the workshop is to allow the commission to provide comments on changes that have been made following the public hearing, and to allow the petitioner to gain final comments prior to returning for a recommendation. Consent Agenda Items may be acted upon at this meeting.
- c) Committee Meetings: The purpose of Plat Committee meetings is to hold public hearings and take action on Primary Plat and Overall Development Plan petitions. This will typically occur at the same meeting, but it is possible that some items will need to attend more than one meeting.

Section 2: Order of Business (Agenda):

1) The order of business at **First Monthly Commission Meetings** shall be as follows:

- Call to Order
- Roll Call
- Determination of a Quorum
- Meeting Announcements:
 - o Changes to the Agenda
 - o Continuance Requests
 - o Withdrawal Requests
- Consideration / Approval
 - o Minutes of Previous Meetings
 - o Procedural Items
 - o Items of Discussion
- Review Meeting Rules & Procedures
- Consent Agenda Items
- Items of Business
- Public Hearing Items
- Reports:
 - o Commission Members
 - o ~~Downtown Update~~
 - o City Council Liaison
 - o Board of Zoning Appeals Liaison
 - o Plat Committee Liaison
 - o Department
- Adjournment

2) The order of business at **Second Monthly Commission Meetings** shall be as follows:

- Call to Order
- Roll Call
- Determination of a Quorum
- Meeting Announcements:

Approved: 01/28/08;

Amended: 01/04/10; 01/18/11; 03/18/13, 07/05/22

- o Changes to the Agenda
- o Continuance Requests
- o Withdrawal Requests
- Consideration / Approval
 - o Minutes of Previous Meetings
 - o Procedural Items
 - o Items of Discussion
- Review Meeting Rules & Procedures
- Consent Agenda Items
- Workshop Items
- Reports:
 - o Commission Members
 - o ~~Downtown Update~~
 - o City Council Liaison
 - o Board of Zoning Appeals Liaison
 - o Plat Committee Liaison
 - o Department
- Adjournment

3) The order of business at **Committee Meetings** shall be as follows:

- Call to Order
- Roll Call
- Determination of a Quorum
- Meeting Announcements:
 - o Changes to the Agenda
 - o Continuance Requests
 - o Withdrawal Requests
- Consideration / Approval
 - o Minutes of Previous Meetings
 - o Procedural Items
 - o Items of Discussion

- Review Meeting Rules & Procedures
- Items of Business
- Public Hearing Items
- Reports:
 - o Committee Members
 - o Plan Commission Liaison
 - o Department
- Adjournment

Section 3: Quorum and Decisions

1) Quorum:

a) Commission: A majority of five (5) of the Commission membership shall constitute a quorum. No action, however, is official unless authorized at a workshop, regular or properly called special meetings by a majority of the Commission.

~~b) Committee~~: A majority of three (3) of the Committee membership shall constitute a quorum. No action, however, is official unless authorized at a regular or properly called special meetings by a majority of the Committee.

2) Voting:

- a) Except as otherwise provided below, decisions of the Commission or Committee shall be by roll call vote of the members. The first roll of each meeting shall be called in alphabetical order of the members' last names. Each successive roll call shall be called in the same order as the immediately preceding roll except that the member who voted first in the immediately preceding roll call shall vote last. For example: 1st Roll Call = 1,2,3,4,5,6,7,8,9; 2nd Roll Call = 2,3,4,5,6,7,8,9,1; 3rd Roll Call = 3,4,5,6,7,8,9,1,2; and, etc.
- b) Approval of minutes and adjournment may be conducted by voice vote, unless a roll call vote is requested by a member of the Commission or Committee, or any member is attending virtually.

3) Conflict:

- a) No member of the Commission or Committee shall participate in the hearing or in any decision on any zoning matter, other than the preparation and enactment of a comprehensive plan, in which the member has a direct or indirect financial interest in a petition or application that is being presented to the Commission or Committee for consideration.
- b) A member of the Commission or Committee is disqualified and may not participate in a hearing if the member is biased or prejudiced or otherwise unable to be impartial.

~~c)~~ In the event of a conflict, then the member shall describe the conflict immediately after the matter is introduced by the presiding officer and take no part in the discussion and/or decision-making process described herein.

~~d)~~ c) _____

~~e)~~ d) _____ The presiding officer shall note the existence and description of the conflict and it shall be entered into the record.

Section 4: Minutes

- 1) The Commission and Committee shall keep minutes of its proceedings showing the vote of each member on each question presented, or indicating that the member is absent or not voting.
- 2) The Director, or their designee, shall keep a record of all proceedings (minutes) of the Commission and Committee which shall be presented to the Commission at the next regular succeeding meeting for review and acceptance into the record. Upon acceptance, the record shall be signed by the President and attested by the Secretary.

Section 5: Decisions

All members present shall vote on every question unless prevented by conflict or excused by the presiding officer.

Section 6: Adjournment

The Commission or Committee may adjourn so long as all business has been conducted in accordance with these Rules of Procedure. The Commission may, by a majority vote, continue any case(s) that have not been called onto the floor by 10:30 p.m. to allow for adjournment. Such cases shall be continued to a subsequent meeting.

ARTICLE V: DOCKET

Each petition that is to be publicly heard before the Commission or Committee shall be filed in proper form with the required data, shall be numbered serially and placed on the docket of the Commission (see Chapter 10: Processes and Permits of the Unified Development Ordinance). The docket numbers shall include the year and begin anew with the January filing deadline.

As soon as the petition receives a docket number, then it shall be placed on the docket of the Commission or Committee and a date set for hearing, in accordance with the Schedule of Meeting and Filing Dates. Petition items shall come before the Commission or Committee in the regular order of their consecutive docket numbers unless otherwise ordered by the Department or changed by the Commission or Committee at the beginning of a meeting.

ARTICLE VI: NOTICES

In the event that a public hearing is required, the following requirements for notice must be met:

Section 1: General Requirements

- 1) All public hearings shall be noticed using each of the following means of communication:
 - a) Letter mailed via First Class U.S. Mail to Interested Parties (as defined in Section 3 of this Article);
 - b) Yard Sign(s) posted on the subject property; AND
 - c) Newspaper Publication, per IC 5-3-1.
- 2) All three (3) forms of notice shall be postmarked/posted/published at least ten (10) calendar days before the scheduled public hearing.
- 3) For all Commission or Committee meetings other than public hearings, a 48-hour notice shall be made by posting the meeting time and location at the entrance of the building where the meeting will occur and at City Hall. No other notice shall be required.
- 4) The Department may cause notice to be posted on the official City of Westfield website.
- 5) Appearance at any hearing on an application or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
- 6) In the event that a petition which has met all public notice requirements, as set forth herein, is postponed or continued for any reason prior to a public hearing being held, no further public notice shall be necessary, so long as at the meeting for which the public hearing was noticed and scheduled, the President has announced the date, time and place of the new public hearing.

Section 2: Exemptions

- 1) A public hearing shall not be required for Secondary Plat approval, per I.C. 36-7-4-710.
- 2) A public hearing shall not be required for a Detailed Development Plan, per Article 10.7(G)(3) of the Unified Development Ordinance.
- 3) Applications to change, repeal, replace or amend all or portions of the ~~zoning~~ Unified Development Ordinance or ~~comprehensive~~ Comprehensive plan Plan (docketed as ZOA or CPA petitions) shall only be required to give notice of the hearing by newspaper publication, as set forth herein. Additionally, information regarding these petitions shall be made available on the City's Website.

Section 3: Public Notice by First Class Mail

- 1) Interested Parties: Public notice in accordance with this article and with I.C. 5-3-1-2 and I.C. 5-3-1-4 and due notice to interested parties. Interested parties shall be:
 - a) The owners of real property adjacent to the property subject of the petition to a depth of two (2) ownerships of no direct or indirect financial or other interested interest to the petitioner or property owner, ~~or six hundred and sixty (660) feet, whichever is less; and~~ unless otherwise reduced by the Director.
 - b) Additional parties deemed advisable by the Director.

A list of the interested parties' last known address shall be obtained from the Hamilton County Auditor, Office of Transfers and Mapping. The list of interested parties should be obtained and dated no earlier than ninety (90) days prior to the postmarked date of the mailed public notice. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine the name and address of the current owner of record.
- 2) The applicant shall provide notice to all Interested Parties. Such notice shall state:
 - a) The general location by address or other identifiable geographic description of the subject property or area.
 - b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time, date and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.

- g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.
 - h) That oral comments concerning the proposal will be heard at the public hearing.
 - i) That the hearing may be continued from time to time as may be found necessary.
- 3) The manner in which notice must be sent to Interested Parties shall be as follows:
- a) Required notices to Interested Parties shall be sent by First Class U.S. Mail (or an equivalent alternative accepted by the Director) and postmarked at least ten (10) calendar days before the public hearing. The Department will advise the Commission at the public hearing of any deficiencies in providing notice.
 - b) Proof that notice has been mailed shall consist of a verified affidavit by the applicant or the Petition Representative indicating compliance with the notice requirements (or an equivalent alternative accepted by the Director) and shall be sufficient proof of notice under these rules regardless of actual receipt by the intended recipient. Said affidavit and a copy of the mailing list from the County Mapping and Transfers Office, must be filed in the office of the Department four (4) calendar days prior to the public hearing.
- 4) The applicant shall bear the cost of and responsibility for all mailed notice to Interested Parties.

Section 4: Public Notice by Yard Sign(s)

- 1) The applicant shall post a sign or signs on the subject property in a location clearly visible to passing traffic.
- 2) The sign(s) shall not obstruct vehicular line of site, in compliance with the City of Westfield's Construction Standards and Specifications.
- 3) The Department shall determine sign locations with not less than one (1) sign placed on the property per street frontage, per block.
- 4) Signs shall be available in the office of Department.
- 5) The Department shall bear the cost of the initial sign(s). The cost for any subsequent replacement signage shall be borne by the applicant. The responsibility of sign placement shall be borne by the applicant.

Section 5: Public Notice by Newspaper Publication

- 1) The Department shall cause a legal notice to be published in a newspaper(s) qualified to publish legal notices as established by Council, in accordance with I.C. 5-3-1. Such notice shall state:

- a) The general location by address or other identifiable geographic description of the subject property or area.
 - b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.
 - g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.
 - h) That oral comments concerning the proposal will be heard at the public hearing.
 - i) That the hearing may be continued from time to time as may be found necessary.
- 2) The applicant shall bear the costs of and responsibility for all newspaper notices.

Section 6: INDOT Notice

- 1) In accordance with City of Westfield Ordinance 07-09, all development proposals which are located within the area designated as the U.S. Highway 31 Overlay Zone, as defined in the Unified Development Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.
- 2) In accordance with City of Westfield Ordinance 07-15, all development proposals which are located within the area designated as the State Highway 32 Overlay Zone, as defined in the Unified Development Ordinance, that require a public hearing or action by the Commission shall provide notice to the Indiana Department of Transportation in accordance with the requirements established on the INDOT Notice Form.

ARTICLE VII: HEARINGS & CONDUCT OF HEARINGS

Section 1: Hearings

- 1) Public hearings shall be held on the adoption or amendment of a Comprehensive Plan, the adoption or amendment of the Unified Development Ordinance or Zoning Map, vacation of Subdivisions and the approval of a Primary Plat, Overall Development Plan and other petitions as presented to or required by the Unified Development Ordinance or Indiana law.

- 2) A petitioner who seeks to amend the Unified Development Ordinance, Zoning Map, or the Comprehensive Plan or to gain approval of a Primary Plat, as may be required by the Unified Development Ordinance, shall file such petition with the Department on forms provided by the Department, with documentation and supporting information set forth in the Unified Development Ordinance, and in accordance with the Schedule of Meeting and Filing Dates. Upon the receipt of such petition, the Department shall prepare a notice in accordance with these Rules of Procedure.
- 3) In order for a petition to be heard, the Petition Representative, shall be in attendance to present the petition and answer questions about the petition. If no Petition Representative is present at the meeting, then the Commission or Committee may dispose of the petition in accordance with Section 3 of this Article.

Section 2: Conduct of Hearings

- 1) **Public Hearings:** Public hearings shall be conducted according to the following procedure. Please note the time limitations for each hearing segment.
 - a) The President of the Commission or Committee will introduce the agenda item, followed by a report from the Department.
 - b) After being recognized by the President, the Petition Representative will step up to the podium, and state their name and address.
 - c) The Petition Representative shall present the facts and arguments in support of the case (15 minutes maximum).
 - d) Comments and questions from the Commission or Committee and Department shall be held until the end of the initial presentation.
 - e) The official public hearing shall then be opened. Comments from organized groups, committees (5 minutes maximum, 1 member per group), and individuals, other than the petitioner, shall then follow (3 minutes maximum per speaker). Speakers should present new points and not repeat comments from previous speakers. The public hearing shall then be closed.
 - f) The Petition Representative shall then respond to comments. Additional discussion may occur between Commission members and the Petition Representative.
 - g) To maintain orderly procedure, parties should proceed without interruption by other interested parties.
 - h) After the discussion of the petition has concluded:
 - i) The Commission may consider the petition; however, action will typically occur at a future meeting.

- ii) The Committee will typically take action on a petition; however, petitions may be continued if it is determined to be noncompliant.

2) Presentations: In the presentation of a petition:

- a) The burden shall be upon the Petition Representative to supply all information, including charts, diagrams and other exhibits necessary for a clear understanding of the petition.
- b) Statements and/or discussions to the Commission or Committee made by the Petition Representative at the meeting regarding anticipated methods of operation, site design / layout or other details relevant to the decision may be incorporated into a binding agreement between the applicant and Commission or Committee (see Article 10.6: Processes and Permits; Commitments of the Unified Development Ordinance), or they may be included as conditions to any Commission or Committee motion to approve. Such commitments or conditions shall be reflected in the minutes of that meeting.

3) Conduct: Every person appearing before the Commission or Committee shall abide by the orders and directions of the President. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission and shall be dealt with as the President directs.

Section 3: Failure to Appear

Failure on behalf of an application or Petition Representative to appear during a public hearing shall be dealt with as follows:

- 1) The President may entertain a motion from the Commission or Committee to dismiss the case for failure to appear. In the absence of a motion by the Commission or Committee, the petition shall be continued to the subsequent meeting.
- 2) If a petition is dismissed for failure to appear, then the applicant will be furnished with a written notice by the Department.
- 3) The applicant shall have thirty (30) days from the date of the notice of dismissal to apply for reinstatement of the petition by submitting a written request with the Department for reinstatement. Reinstatement shall be at the discretion of the President for good cause shown, and upon payment of the appropriate fees by the applicant.
- 4) In all reinstated petitions, the petition will be treated as a new petition and shall be re-filed in proper form with the required data, numbered serially and placed on the docket of the Commission or Committee by the Department. The applicant shall be responsible for paying all associated fees with the new petition. Advertisement and public notifications as required herein shall be required as if the petition were a new application.

5)4)**ARTICLE VIII: FINAL DISPOSITION OF CASES**

- 1) After Commission or Committee consideration of any reports, testimony (written or verbal) and the recommendations of the Department, the final disposition of any petition shall be in the form of a decision or report, setting forth, when deemed appropriate, the recommendation (if any), findings and determinations of the Commission or Committee, together with any modifications, specifications or limitations which it makes.
- 2) The disposition of petitions requiring final approval from the Council shall be in the form of a recommendation to the Council.
- 3) A Petition Representative may not withdraw a petition after a roll call vote has been ordered by the President.
- 4) Petitions Withdrawn.
 - a) A petition which has been withdrawn shall not be placed on the docket again for consideration within a period of six (6) months after the date of withdrawal.
 - b) A new application involving the same property that was the subject of a petition which has been withdrawn shall not be placed on the docket for consideration within a period of three (3) months after the date of withdrawal.
- 5) Petitions Decided Upon.
 - a) A petition which has been decided adversely to the petitioner shall not be placed on the docket again for consideration until the legality of the Commission's or Committee's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of twelve (12) months following the date of the adverse decision previously rendered, whichever is later.
 - b) A new petition involving the same property that was the subject of a case which has been decided adversely to any petitioner shall not be placed on the docket for consideration until the legality of the Commission's or Committee's decision is finally determined pursuant to IC 36-7-4-1000 *et seq.*, or for a period of six (6) months following the date of adverse decision previously rendered, whichever is later.
- 6) The Commission's recommendation is advisory in matters of Zoning Map changes and amendments to the Unified Development Ordinance or Comprehensive Plan. As a result, all such matters shall be certified to the Council for its consideration in accordance with Indiana law. The Commission's recommendation on any such matter may then be followed or overturned by the Council in accordance with Indiana law and the rules of the Council.

ARTICLE VIII: ADMINISTRATIVE DISMISSAL1) Petitions that require a Public Hearing:

- a) Petitions which have not received a public hearing will be administratively dismissed six (6) months after the date of filing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.
- b) Petitions which have received a public hearing will be administratively dismissed six (6) months after the public hearing unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.

2) Petitions that do not require a Public Hearing: Petitions for which no action has been taken will be administratively dismissed one (1) year after the date of filing unless the Director approves an extension. Secondary Plats are exempt from this rule.3) All Petitions: Any Petition may also be dismissed by the Commission or Committee for lack of jurisdiction or for lack of representation by the Petition Representative at a meeting where the item appears on the agenda (as a non-continued item).

~~1) Petitions for which no action has been taken will be administratively dismissed one (1) year after the date of filing, unless the Commission or Committee approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission or Committee meeting prior to the dismissal date.~~

~~a) —~~

~~b) Petitions may also be dismissed by the Commission or Committee for lack of jurisdiction or for lack of representation by the Petition Representative at a meeting where the item appears on the agenda (as a non-continued item).~~

~~c) —~~

ARTICLE X: VIRTUAL MEETING POLICY

Plan Commission Resolution 21-01 (the "Virtual Meeting Policy") is hereby incorporated into these rules. If a provision of the Virtual Meeting Policy conflicts with these rules, then the Virtual Meeting Policy shall supersede.

ARTICLE XI: TRANSITION RULES

Petitions submitted prior to the adoption of these amended rules, will be subject to the previously approved rules (dated March 18, 2013).

ARTICLE XII: AMENDMENTS

Amendments to these Rules of Procedure may be made by the Commission at any meeting of the Commission with and upon the affirmative vote of a majority of the members of the Commission.

A suspension of any rule herein may be so ordered by the Commission or Committee at any meeting by a majority vote of the members present.

ARTICLE XIII: ADOPTION

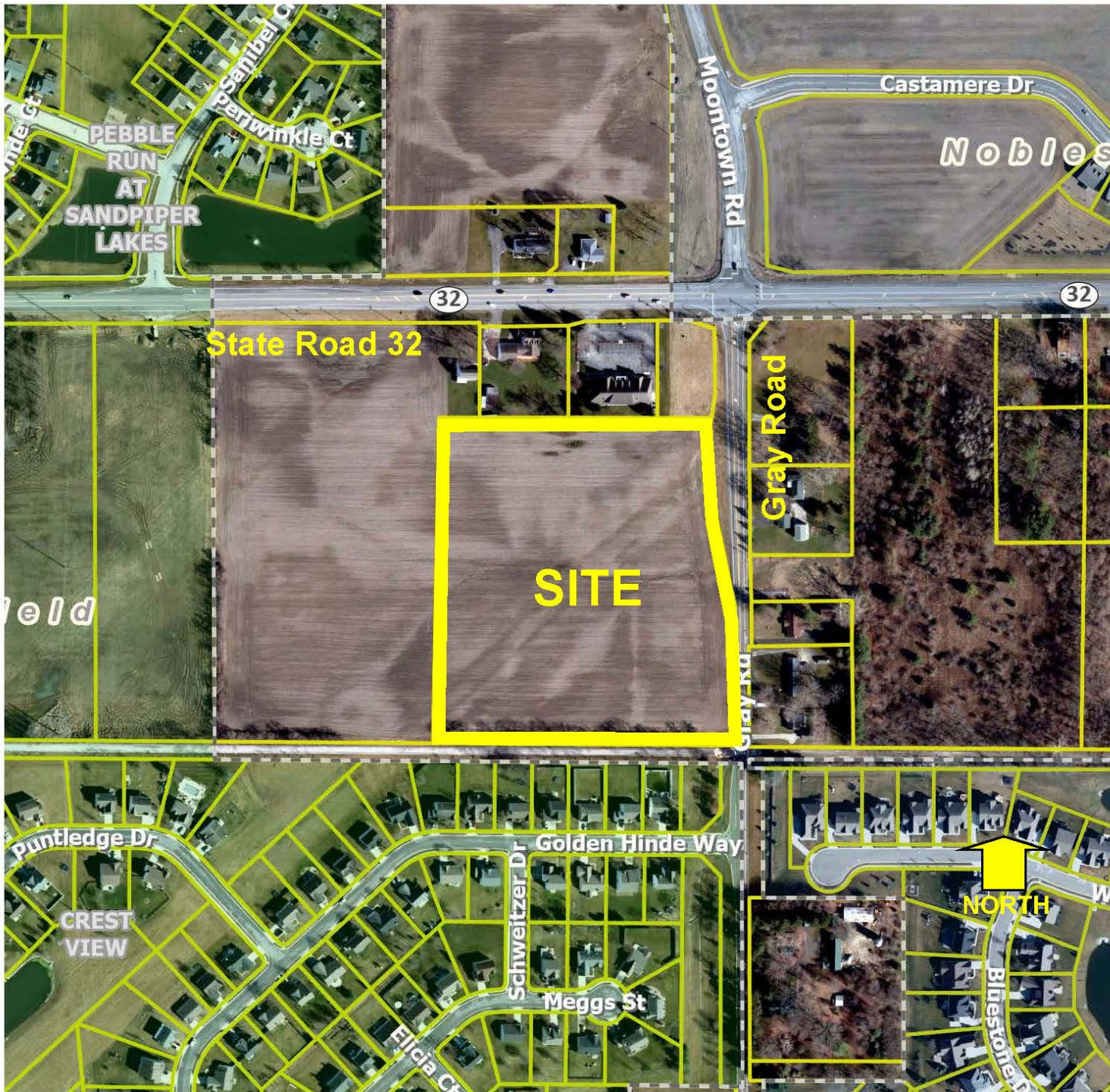
These Rules of Procedure are for and of the “Westfield-Washington Township Advisory Plan Commission”, Westfield, Indiana have been approved by the affirmative vote of the membership of said Commission () – () – () at a meeting of the Commission held on the ____ day of _____, _____. This approval repeals any prior Rules of Procedure.

_____	_____
President	Date
_____	_____
Vice-president	Date
_____	_____
Commission member	Date
_____	_____
Commission member	Date
_____	_____
Commission member	Date

Date _____

Secretary, _____ Date _____
Director of the Community Development Department

Westfield Yard Site Location Map



Westfield Yard Concept Plan



Westfield Yard Townhome Dwellings



Westfield Yard Townhome Dwellings



Westfield Yard Concept Plan



WRITTEN PUBLIC COMMENTS

Docket Number: 2208-PUD-16 (Ord. 22-32)

Petitioner: Grand Communities, LLC by Nelson & Frankenberger, LLC

Request: A change of zoning for 10.8 acres +/- from the AG-SF1:
Agriculture/Single-Family Rural District to the Westfield Yard
Planned Unit Development District

Enclosed Attachments (as of 5:00 pm Monday, August 1, 2022):

August 1, 2022 Advisory Plan Commission Meeting

1. Anonymous

(8/1/22)

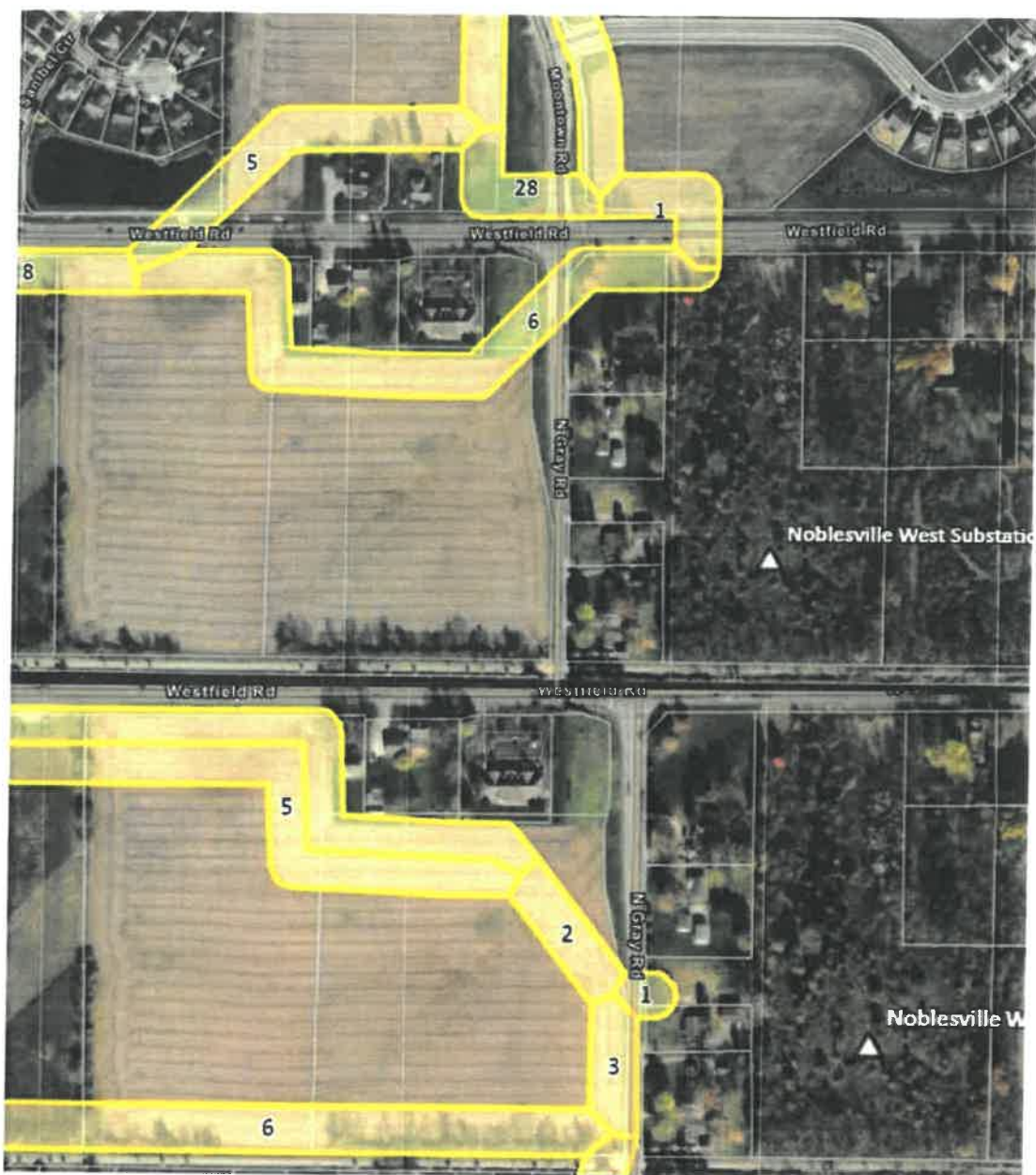
Daine Crabtree

From: [REDACTED]
Sent: Monday, August 1, 2022 2:07 PM
To: planners
Subject: 2208-PUD-16 [PUBLIC HEARING] Westfield Yard PUD
Attachments: Fischer Homes proposing to build 75 townhouses in Westfield – Indianapolis Business Journal.pdf

WARNING: This external email is from
[REDACTED]

I questions

- On the neighborhood meeting summary are they required to list every question asked? I asked 2 questions that I don't see being answered or listed.
 - I asked if they would comment on quotes in an IBJ article about the busyness of the area and location near substation. I believe one answered no comment and another asked what article. I did give them a copy of the article and attached it to this email.
 - I also asked if they were doing proactive planning to help with the traffic congestion and crashes that would be added to the traffic flow analysis SR-32-May-18-Presentation <https://projectmeetingonline.com/sr32-hamilton-county/>
- Based on the Duke website interactive maps of the proposed substation location and transmission lines will be going through the site location. <https://www.duke-energy.com/our-company/about-us/electric-transmission-projects/Noblesville>
 - If the Duke site is correct it looks like they may have to make changes to the site plan so should this issue be voted on now or wait till Duke releases official path and Grand Communities can submit updated site plans
 - 2 screen shots from the Duke site below.



Thank you for your time.

If possible I would not like my named released to general public

I own a home in Sandpiper Lakes but I also work in the Real Estate industry so i would like to keep them separate if possible

[REDACTED]