



CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda_07_01_2019

Monday, July 01, 2019 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, July 01, 2019 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

OPENING OF MEETING

Note the Presence of a Quorum

Approval of Minutes - June 17, 2019

Documents: [APC Minutes - July 17, 2019](#)

Review APC Rules & Procedures

CONSENT AGENDA ITEMS

1904-DDP-05

Firestone Bridgestone

17577 Carey Road

Westfield BF BTS Retail, LLC c/o Zaremba Group by Woolpert, Inc. requests Detailed Development Plan review for a 6,116 square foot commercial building on approximately 1.02 acres +/- in the Oak Manor PUD District.

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

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

ITEMS OF BUSINESS

1904-PUD-08

Urban Vines PUD

303 East 161st Street

Urban Vines, LLC requests a change in zoning of 5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Urban Vines PUD District to accommodate an existing Agritourism Use.

(Planner Pam Howard - PHoward@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibit](#) | [Exhibit 5: Sound Mitigation Exhibit](#) | [Exhibit 6: Permanent Outdoor Restroom Exhibit](#) | [Exhibit 7: Proposed Additional Landscaping Plan](#) | [Exhibit 8: Ordinance 19-10 Redlined](#) | [Exhibit 9: Ordinance 19-10 Clean](#) | [Exhibit 10: Petitioner's Narrative](#) | [Exhibit 11: Recorded Acknowledgement of Variance April 2016](#) | [Exhibit 12: Recorded Acknowledgement of Variance December 2016](#) | [Exhibit 13: Neighbor Meeting Summary 3-26-19](#) | [Exhibit 14: Petitioner's Update](#) | [Exhibit 15: Neighbor Meeting Summary 5-6-19](#) | [Exhibit 16: Petitioner's Response to Issue List](#) | [Exhibit 17: Public Comments \(UPDATED 07/01/19 @ 5:20 PM\)](#)

1906-PUD-13

Springmill Trails PUD Amendment: Gristmill Crossing Commercial Area
Northwest Corner of SR 32 and Ditch Road

William Tres Development requests an amendment to approximately 73.5 acres +/- of the Springmill Trails PUD to accommodate commercial development.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Zoning District Map](#) | [Exhibit 4: Illustrative Layout](#) | [Exhibit 5: Commercial District Character Exhibit](#) | [Exhibit 6: Ordinance 19-16 Redlined](#) | [Exhibit 7: Ordinance 19-16 Clean](#) | [Exhibit 8: Original Springmill Trails PUD Ordinance 11-19](#) | [Exhibit 9: Neighbor Meeting Summary](#) | [Exhibit 10: Petitioner Response to Issue List](#)

1906-PUD-14

Monon Hills PUD (formerly Fox Hollow PUD)

1111 E. 156th Street

Noah Herron by 40th Parallel Surveying LLC requests a change in zoning of 8 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Fox Hollow PUD District.

(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibits](#) | [Exhibit 5: Proposed Ordinance 19-17](#) | [Exhibit 6: Ordinance Redline](#) | [Exhibit 7: Neighbor Meeting Summary](#)

1906-SPP-10 & 1906-ODP-10

Monon Hills (formerly Fox Hollow)

1111 E. 156th Street

Noah Herron by 40th Parallel Surveying LLC requests Primary Plat and Overall Development Plan review of 4 Single-Family Lots on approximately 8 acres +/- in the (pending) Fox Hollow PUD District.

(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Primary Plat](#) | [Exhibit 5: Development Plan](#)

1907-PUD-16

Grand Park Fieldhouse PUD Amendment II (Ord. 19-20)

200 E. 186th Street

Indiana Recovery Facilities, LLC requests an amendment to the Grand Park Fieldhouse PUD District to modify the development standards for an external storage tank on approximately 8.07 acres +/- in the Grand Park Fieldhouse PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 19-20](#) | [Exhibit 4: Concept Plan](#) | [Exhibit 5: Character Exhibits](#)

PUBLIC HEARING ITEMS

1907-OPD-12 & 1907-SPP-12 [PUBLIC HEARING]

Aberdeen at Chatham Hills

Southeast corner of 199th Street and Horton Road

Henke Development Group, LLC by Nelson & Frankenberger, LLC requests Overall Development Plan and Primary Plat review of 276 Lots on 153 acres +/- in the Chatham Hills PUD District.

(Planner Caleb Ernest - CE Ernest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Overall Development Plan & Primary Plat](#) | [Exhibit 4: Landscape Plan](#) | [Presentation Slides](#)

1907-PUD-15 [PUBLIC HEARING]

Oak Manor North PUD Amendment III

Approximately 400 feet North of State Road 32, approximately 600 feet East of Grassy Branch Road

Options Charter School, Inc. by Coots, Henke & Wheeler, P.C. requests an amendment to the Oak Manor North PUD District to permit an educational institution on approximately 3 acres +/- in the Oak Manor North PUD District.

(Planner Daine Crabtree - DCrabtree@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 19-19](#)

1907-PUD-18 [PUBLIC HEARING]

Union Row PUD

606 and 608 Union Street

Patch Development, LLC by Onpointe Land Matters, LLC requests a change of zoning of approximately 2.5 acres +/- from the AG-SF1-I: Agricultural / Single-Family Westfield District to the Union Row PUD District.

(Planner Jonathan Dorsey - JDorsey@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibits](#) | [Exhibit 5: Proposed Ordinance 19-23](#) | [Exhibit 6 Presentation Material](#) | [Exhibit 7: Public Comments](#) | [Exhibit 8: Neighbor Meeting Summary](#)

1907-PUD-19 [PUBLIC HEARING]

Westchester PUD Amendment

East side of Towne Road, between 151st Street and 169th Street

Platinum Properties Management Company, LLC by Nelson & Frankenberger, LLC requests an amendment to the Architectural Standards of the Westchester PUD District, as well as modifications to the associated zoning commitments.

(Planner Pam Howard - PHoward@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ordinance 19-22](#) | [Exhibit 4: Proposed Modified Commitments](#) | [Exhibit 5: Westchester PUD Ord. 17-46](#) | [Exhibit 6: Existing Commitments](#) | [Exhibit 7: Petitioners Narrative](#) | [Exhibit 8: Neighborhood Meeting Summary](#) | [Public Comments \(UPDATED: 07/02/19 @ 9:45 AM\)](#) | [Petitioners Presentation](#)

1907-REZ-01 [PUBLIC HEARING]

Bridlewood Subdivision

Southeast corner of 151st Street and Carey Road

The City of Westfield requests a change of zoning of approximately 75 acres +/- from the SB-PD: Special Business / Planned Development District to the SF4: Single-Family High Density District.

(Planner Caleb Ernest - CErnest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ordinance 19-24](#) | [Exhibit 4: HOA Request Letter](#)

ITEMS CONTINUED TO A FUTURE MEETING

1907-ODP-11 & 1907-ODP-11 [CONTINUED]

Alpha Tau Park, Lots 1-3

510 E. State Road 32

Alpha Tau Enterprises, LLC by Coots, Henke & Wheeler requests Overall Development Plan and Primary Plat review of three (3) Lots on approximately 8.42 acres +/- in the EI: Enclosed Industrial District.

(Planner Daine Crabtree - DCrabtree@westfield.in.gov)

1904-PUD-05 [CONTINUED]

iBeach31 at Grand Park PUD

North side of 186th Street, west of Grand Park Boulevard

iBeach31 requests a change in zoning of 3 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the iBeach31 at Grand Park PUD District to accommodate a Commercial Recreational Facility.

(Planner Pam Howard - PHoward@westfield.in.gov)

1905-ZOA-01 [CONTINUED]

Unified Development Ordinance Amendment

303 East 161st Street

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

(Planner Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS

Advisory Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Economic and Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1904-PUD-08
Exhibit 1

Docket Number: 1904-PUD-08 (Ordinance No. 19-10)

Petitioner: Urban Vines, LLC

Request: A change in zoning of 5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Urban Vines PUD District to accommodate an existing Agritourism Use.

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

Current Land Use: Commercial / Agritourism

Acreage: 5 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Character Exhibit
5. Sound Mitigation Exhibit
6. Permanent Outdoor Restroom Exhibit
7. Landscaping Plan
8. Proposed Ord. 19-10 (Redlined, text only)
9. Proposed Ord. 19-10 (Clean)
10. Petitioner's Narrative
11. Acknowledgement of Variance (1604-SE-01 & 1604-VS-07)
12. Acknowledgement of Variance (1612-VS-16)
13. Neighbor Meeting Summary (3/26/19)
14. Petitioner's Update (4/24/19)
15. Neighbor Meeting Summary (5/6/19)
16. Petitioner's Response to Issue List
17. Public Comment

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the March 11, 2019, City Council meeting. The petition received a public hearing at the May 8, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

The petitioner hosted a neighbor meeting on March 26, 2019, and a follow up meeting on May 6, 2019. Summaries of the meetings have been provided by the petitioner and are included as **Exhibit 13** and **Exhibit 15**, respectively.

PROJECT OVERVIEW

Location: This subject property is approximately 5 acres in size and is located at 303 E. 161st Street (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agriculture / Single-Family Rural District. Adjacent properties are also zoned AG-SF1.

Property History: On April 12, 2016, the Board of Zoning Appeals (the “BZA”) approved a Special Exception to permit an Agritourism Use on the Property, along with Variances of Development Standard related to landscaping, parking, and architecture (see **Exhibit 11**). On December 13, 2016, the BZA approved a Variance of Development Standard related to signage (see **Exhibit 12**).

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to the Urban Vines PUD District to accommodate the existing business, as described in the Petitioner’s Narrative (see **Exhibit 10**).

Applicability: The proposed ordinance will replace and supersede the previously granted Variances and Special Exception. The standards related to the previous approvals have been incorporated into the proposed ordinance.

Definitions: The proposed ordinance includes a definition for Outdoor Event Stage, which is not a defined term in the UDO.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 3**). The real estate is required to remain in substantial compliance with that exhibit.

Legally Established Pre-Existing Improvements: As proposed, the PUD Ordinance legally establishes all previously constructed improvements to the property, as shown in the Existing Character Exhibit (see **Exhibit 4**). Any new improvements would be subject to the processes and permits outlined in Chapter 11 of the UDO.

Permitted Uses: In addition to the uses permitted in the Underlying Zoning District (AG-SF1), the proposed ordinance permits uses related to current and proposed activities on the property. Additionally, conditions would be placed on two of the permitted uses, as further outlined below:

Temporary Use and Events: Several conditions are being proposed for this use, as follows:

- A separate Temporary Use and Event Permit would not be required for each event in a recurring series if temporary structures will not be used. Instead, an annual permit could be issued for the series.
- Outside equipment used at the events would be limited to equipment related to sound and to Mobile & Food Service Vending.
- The sound blankets depicted in the Sound Mitigation Exhibit (see **Exhibit 5**) shall be in place for every event held on the Outdoor Event Stage.
- A maximum 4 events per month would be permitted on the Outdoor Event Stage. Additional restriction on the days and times of the events are also included.

- The PUD Ordinance proposes alternative noise limitation to those included in the Nuisance Standards for the Municipal Code. This would include lowering the maximum decibels from 90 to 70 as measured from a point 6 feet outside of the property line, and eliminating the standard that noise not be clearly audible 40 feet outside of the property. This is the first instance of an alternative nuisance standard being proposed. The appropriateness of this change should be considered.

Mobile & Food Service Vending: The Proposed Ordinance limits the number of Mobile & Food Service Vendors permitted to be on the property at one time, and also limits service to patrons of the primary business.

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

Accessory Use and Building Standards: The proposed ordinance permits the existing stage to be located 15 feet off of the east property line. The UDO would require it to meet the minimum setback for the underlying zoning district, which is 30 feet. Additionally, the proposed ordinance would permit an outdoor restroom building, as depicted in the Permanent Outdoor Restroom Exhibit (see Exhibit 6), and would require installation by September 1, 2020.

Architectural Standards: The proposed ordinance exempts the property from the standards for Article 6.3 and instead requires new buildings to be consistent with existing buildings, as depicted in the Character Exhibit.

Landscaping Standards: As proposed, the PUD ordinance exempts the property from the standards of UDO Article 6.8, and instead requires that the existing landscaping, as depicted on the Concept Plan (see Exhibit 3), be maintained. Additional landscaping is also being proposed to screen the parking area, this is depicted on the Proposed Additional Landscaping Exhibit (see Exhibit 7).

Lighting Standards: The proposed ordinance defaults to the Lighting Standards of the UDO, except that when determining compliance of the light meter readings in Article 6.9(F)(2), a distance of ten (10) feet from the building façade will be used instead of the property line.

Parking and Loading Standards: As proposed, the PUD ordinance defaults to the Parking and Loading standards of the UDO, with the exception of exempting the property from the surfacing and curbing requirements of the UDO, which was previously approved by variance.

Sign Standards: As proposed, the PUD Ordinance defaults to the Sign Standards of the UDO, with the exception of permitting two (2) signs at the entrance, which were permitted by variance.

CHANGES SINCE THE PUBLIC HEARING

Several changes have been made to the text of the Proposed Ordinance since the May 8, 2019, public hearing. First, the definitions for Special Event and Temporary Use and Event have been removed from the PUD. Instead, the UDO's definition of Temporary Use and Event will apply. Second, a definition was added for Outdoor Event Stage. Next, there were several changes made to the conditions of some of the uses, as outlined in the Permitted Use section of this report. Lastly, detailed have been provided for a permanent outdoor restroom, which will be installed by September 1, 2020.

Several changes have been made to the exhibits as well. First, a more detailed Concept Plan has been incorporated into the Proposed Ordinance. Second, an exhibit has been provided to show the design of the proposed outdoor restroom building. Lastly, an exhibit has been provided to show the proposed landscaping to screen the parking area.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Suburban Residential". The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

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 was held at the May 8, 2019, 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.

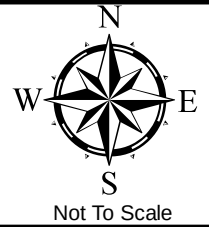
Council Introduction: The petition was introduced at the March 11, 2019, City Council meeting.

DEPARTMENT COMMENTS

1. **Discussion:** Is the proposed location-specific change to the nuisance standards appropriate, adequate?
2. **Action:** Forward a recommendation to the City Council.
3. If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard at (317) 531-3751 or poward@westfield.in.gov.



Property Location Map
Urban Vines PUD
1904-PUD-08



Aerial Location Map



Zoning Map

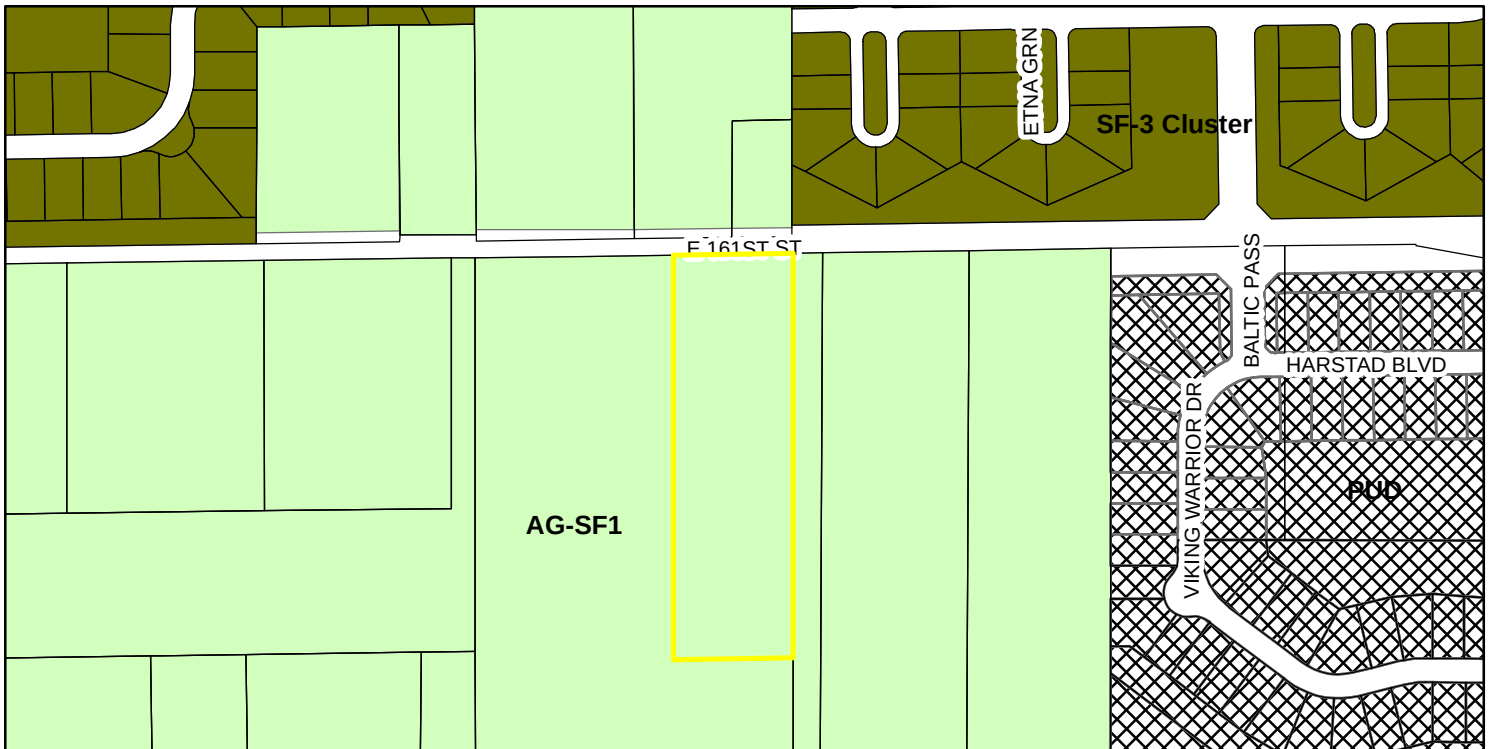


EXHIBIT B
CONCEPT PLAN

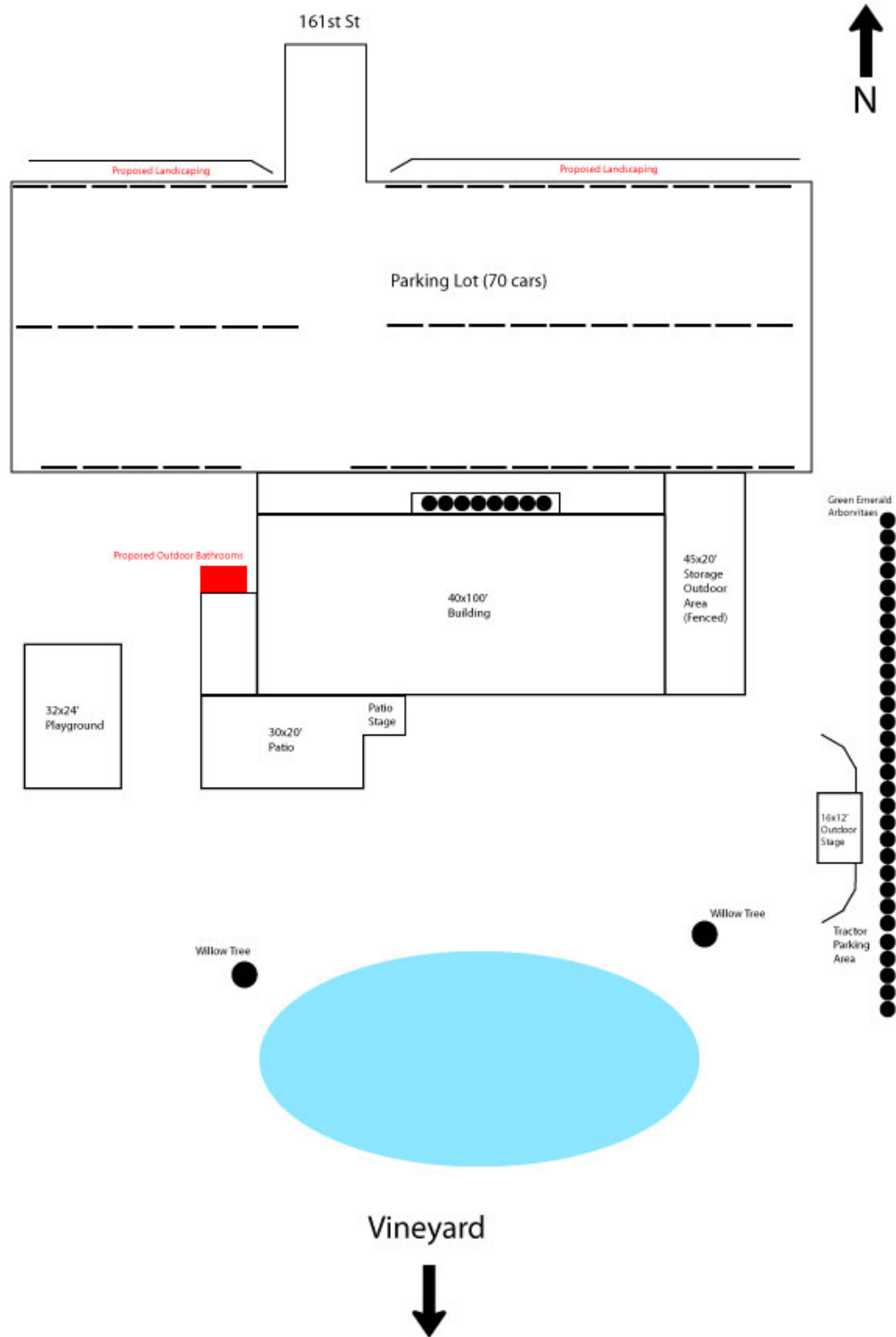


EXHIBIT C
CHARACTER EXHIBIT

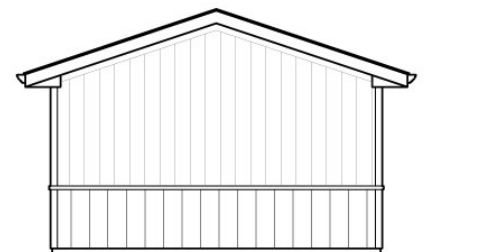
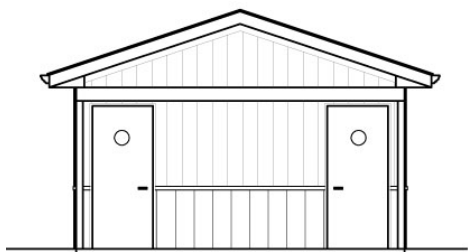


EXHIBIT D
SOUND MITIGATION EXHIBIT









**URBAN
VINES** LLC
303 EAST 161ST STREET
WESTFIELD, INDIANA

EXHIBIT E
PERMANENT OUTDOOR RESTROOM

URBAN WINERY
BATHROOM
303 EAST 161ST STREET
CARMEL, INDIANA

DATE: 6.2019
SCALE: 1/4"=1'-0"

A2

SCHEMATICS

EXHIBIT E **PROPOSED ADDITIONAL LANDSCAPING PLAN**



505 West 186th St.
Westfield, IN 46074
phone: (317) 846-0600
fax: (317) 846-4938
web: sundowngardens.com

Scale: 1/2" = 1.0'
Date: 06.12.19
Designer: SL
Drawn By: DBa

URBAN VINES
303 E 161st St
Westfield, IN 46074

REVISION	DATE
1	
2	
3	
4	

* SPECIMIES *
UNLESS OTHERWISE NOTED
AND ALL NEW PLANT MATERIAL
REPLANT AND/OR RECYCLED
WILL BE DELIVERED ON A TRAILER AND
WATERED.
ANY LANDSCAPING AND/OR
REPLANTING SHALL BE DONE
WITHIN THE SPECIFIED TIME FRAME
AND NOT BE LATER THAN THE
FENCE POST LAYOUT AND
SHALL BE THE RESPONSIBILITY OF THE CLIENT



Columnar Maple "Armstrong"



ORDINANCE NUMBER 19-10

Urban Vines PUD District

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

This is a Planned Unit Development District Ordinance (to be known as the “**URBAN VINES PUD DISTRICT**”) 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. 1904-PUD-08**), requesting an amendment to the Unified Development Ordinance and to 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. 1904-PUD-08** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 2019;

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; and

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 "**URBAN VINES 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, unless otherwise specified herein.
- 1.4 All provisions and representations of the Unified Development Ordinance and Code of Ordinances, of Westfield, Indiana Chapter 34(II)(2): Environment; Nuisances; Noise 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.
- 1.5 This Ordinance is adopted with the intent and purpose to repeal, supersede and/or void any and all variances and special exceptions previously granted to the Real Estate by the Board of Zoning Appeals ("Granted Variances"). Further, this Ordinance is adopted with the expressed request and consent of the Petitioner. Any Granted Variance held to be valid after the adoption date of this Ordinance shall render this Ordinance void.

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

~~2.1 — Outdoor Event Stage: A stage, not attached to the Principal Building, as depicted in Exhibit B, on which various entertainment events and gatherings are held. Special Events: The use of the Real Estate for activities and events that typically include cultural (e.g., weddings), community (e.g., educational tours, fundraising events, charitable events, corporate outings), entertainment (e.g., festivals, concerts), and other similar uses.~~

~~2.22.1 Temporary Use and Events: The use of the Real Estate for activities that generally occur over short periods of time with varying frequency but that typically include the use of tents, pavilions, patios and related equipment or displays which are ancillary uses to other permitted uses on the Real Estate. Temporary Use and Events, including Special Events, shall be deemed and defined as a permanent and ongoing ancillary use to the existing operations of the Real Estate and shall not~~

~~require a temporary use and event permit.~~

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*. The Real Estate shall be developed and maintained in substantial compliance with the Concept Plan.

Section 4. Legally Established Pre-Existing Improvements. The Real Estate has been developed as an Agritourism Use, as generally depicted on the Concept Plan and the ~~Existing~~ Character Exhibit, attached hereto as **Exhibit C** ~~(the “Existing Character Exhibit”)~~, in compliance with the zoning ordinance in effect at the time that each improvement was made to the Real Estate. ~~(collectively, the “Existing Improvements”)~~. All existing structures and conditions of the Real Estate, as shown in Exhibit B and Exhibit C, are hereby legally-established.

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Section 5. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the AG-SF1: Agriculture / Single-Family Rural District (the “Underlying Zoning District”).

Section 6. Permitted Uses and Conditions of Use. All uses permitted in the underlying zoning District shall be permitted on property, in addition to the following:

6.1 Additional Uses: The following uses shall be permitted, and subject to the specified conditions:

- A. Agritourism Use (or Agritainment Use), including related outdoor storage not visible from an External Street and display
- B. Agricultural Use, including ~~the Agricultural p~~Processing (e.g., ~~grape processing~~) of on-site crops as it relates to a vineyard, winery, brewery, or distillery use; and related outdoor storage and display not visible from an External Street

~~C. Special Events~~

C. Temporary Use and Events, subject to the following conditions:

- a. An annual Temporary Use and Event Permit, issued by the City of Westfield Community Development Department, shall be required for recurring events which do not utilize tents or other temporary structures. A separate permit shall be required for every event utilizing tents or other temporary structures.
- b. Outside equipment, not related to sound or Mobile & Food Service Vending, shall be prohibited.
- c. The sound blankets placed on the stage, fence, and building, as depicted in the Sound Mitigation Exhibit, attached hereto as **Exhibit D**, shall be in place for every event utilizing the Outdoor Event Stage.
- d. Events held on the Outdoor Events Stage shall be limited to no more than 4 concert days a month. Permitted Thursday, Friday and

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Saturdays unless a holiday falls on a weekday. Concerts will end by 9pm on Thursdays unless it falls on a holiday.

e. The Nuisance provisions of the Code of Ordinance, of Westfield, Indiana shall be replaced with the following:

i. Outdoor music shall not be permitted after 10 pm

ii. The decibel level shall not exceed seventy (70) decibels when measured from a point six (6) feet outside the property line.

E.D. Brewing, Winery and Distilling Production Facility & Tastings

E. Mobile & Food Service Vendors, subject to the following conditions:

a. Only 2 Mobile & Food Service Vendors shall be permitted at one time.

F.b. Service shall be limited to patrons of the primary business.

G.F. Serving of food prepared on the Property

6.2 Conditions of Use:

A. The sound blankets placed on the stage, fence, and building, as depicted in the Sound Mitigation Exhibit, will remain in place for every outdoor stage event.

B. Short throw speakers, provided by a 3rd party sound technician, will be used for every outdoor stage event

C. A 3rd party sound technician will be present at every outdoor stage event

D. The Nuisance provisions of the Code of Ordinance, of Westfield, Indiana shall be replaced with the following:

i. Outdoor music shall not be permitted after 10 pm

ii. The decibel level shall not exceed seventy (70) decibels when measured from a point six (6) feet outside the property line.

Section 7. Development Standards. The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

7.1 Article 6.1 Accessory Use and Building Standards: Shall apply, except as otherwise modified below.

A. Existing Stage: The Minimum Side Yard Setback for the existing Outdoor Event Stage, as depicted in the Existing Character Exhibit, is permitted to be located shall be fifteen (15) feet, as depicted on the Concept Plan and Character Exhibit off of the east property line.

B. Permanent Outdoor Restrooms: A Permanent Outdoor Restroom building, constructed in substantial compliance with the Permanent Outdoor Restroom Exhibit, attached hereto as Exhibit E, shall be installed by September 1, 2020.

7.1

7.2 Article 6.3 Architectural Standards: Shall not apply, rather, in order to ensure compatibility with the surrounding rural and agricultural character, new Buildings

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shall use exterior building materials, roof line treatments and roofing materials that are compatible with and consistent with the existing buildings within the District, as depicted in the ~~Existing~~ Character Exhibit.

7.3 Article 6.8 Landscaping Standards: Shall not apply, rather, ~~existing~~ landscaping ~~within the District~~ shall be maintained, ~~as depicted in the Existing Character Exhibit and Sound Mitigation Exhibit,~~ in substantial compliance with the Concept Plan and Proposed Additional Landscaping Plan

7.4 Article 6.14 Parking and Loading Standards: Shall apply, except as otherwise modified below.

A. Article 6.14(G)(7) Off-street Parking; Surfacing and Curbs: Shall not apply.

7.5 Article 6.17 Sign Standards: Shall apply, except as otherwise modified below.

A. Article 6.17(H)(2): Shall apply, except that two (2) signs shall be permitted at the entrance on 161st Street, one (1) affixed to each fence on either side of the entrance.

Section 8. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see *Chapter 7: Subdivision Regulations*), 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.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ~~DD~~ ____ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-10** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-10**

this _____ day of _____, 2019.

I hereby VETO **ORDINANCE 19-10**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Pamela L. Howard, Senior Planner, City of Westfield, Economic and
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: Pamela L. Howard.

ORDINANCE NUMBER 19-10

Urban Vines PUD District

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

This is a Planned Unit Development District Ordinance (to be known as the “**URBAN VINES PUD DISTRICT**”) 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. 1904-PUD-08**), requesting an amendment to the Unified Development Ordinance and to 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. 1904-PUD-08** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 2019;

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; and

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 "**URBAN VINES 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, unless otherwise specified herein.
- 1.4 All provisions and representations of the Unified Development Ordinance and Code of Ordinances, of Westfield, Indiana Chapter 34(II)(2): Environment; Nuisances; Noise 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.
- 1.5 This Ordinance is adopted with the intent and purpose to repeal, supersede and/or void any and all variances and special exceptions previously granted to the Real Estate by the Board of Zoning Appeals ("Granted Variances"). Further, this Ordinance is adopted with the expressed request and consent of the Petitioner. Any Granted Variance held to be valid after the adoption date of this Ordinance shall render this Ordinance void.

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

- 2.1 Outdoor Event Stage: A stage, not attached to the Principal Building, as depicted in **Exhibit B**, on which various entertainment events and gatherings are held.

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*. The Real Estate shall be developed and maintained in substantial compliance with the Concept Plan.

Section 4. Legally Established Pre-Existing Improvements. The Real Estate has been developed as an Agritourism Use, as generally depicted on the Concept Plan and the Character Exhibit, attached hereto as **Exhibit C**, in compliance with the zoning ordinance in effect at the time that each improvement was made to the Real Estate.

All existing structures and conditions of the Real Estate, as shown in **Exhibit B** and **Exhibit C**, are hereby legally-established.

Section 5. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be the AG-SF1: Agriculture / Single-Family Rural District (the “Underlying Zoning District”).

Section 6. **Permitted Uses and Conditions of Use.** All uses permitted in the underlying zoning District shall be permitted on property, in addition to the following:

- 6.1 Additional Uses: The following uses shall be permitted, and subject to the specified conditions:
- A. Agritourism Use (or Agritainment Use), including related outdoor storage not visible from an External Street and display
 - B. Agricultural Use, including the processing of on-site crops as it relates to a vineyard, winery, brewery, or distillery use; and related outdoor storage and display not visible from an External Street
 - C. Temporary Use and Events, subject to the following conditions:
 - a. An annual Temporary Use and Event Permit, issued by the City of Westfield Community Development Department, shall be required for recurring events which do not utilize tents or other temporary structures. A separate permit shall be required for every event utilizing tents or other temporary structures.
 - b. Outside equipment, not related to sound or Mobile & Food Service Vending, shall be prohibited.
 - c. The sound blankets placed on the stage, fence, and building, as depicted in the Sound Mitigation Exhibit, attached hereto as **Exhibit D**, shall be in place for every event utilizing the Outdoor Event Stage.
 - d. Events held on the Outdoor Events Stage shall be limited to no more than 4 concert days a month. Permitted Thursday, Friday and Saturdays unless a holiday falls on a weekday. Concerts will end by 9pm on Thursdays unless it falls on a holiday.
 - e. The Nuisance provisions of the Code of Ordinance, of Westfield, Indiana shall be replaced with the following:
 - i. Outdoor music shall not be permitted after 10 pm
 - ii. The decibel level shall not exceed seventy (70) decibels when measured from a point six (6) feet outside the property line.
 - D. Brewing, Winery and Distilling Production Facility & Tastings
 - E. Mobile & Food Service Vendors, subject to the following conditions:
 - a. Only 2 Mobile & Food Service Vendors shall be permitted at one time.
 - b. Service shall be limited to patrons of the primary business.
 - F. Serving of food prepared on the Property

Section 7. **Development Standards.** The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

- 7.1 Article 6.1 Accessory Use and Building Standards: Shall apply, except as otherwise modified below.
- A. Existing Stage: The Minimum Side Yard Setback for the Outdoor Event Stage shall be fifteen (15) feet, as depicted on the Concept Plan and Character Exhibit.
- B. Permanent Outdoor Restrooms: A Permanent Outdoor Restroom building, constructed in substantial compliance with the Permanent Outdoor Restroom Exhibit, attached hereto as **Exhibit E**, shall be installed by September 1, 2020.
- 7.2 Article 6.3 Architectural Standards: Shall not apply, rather, in order to ensure compatibility with the surrounding rural and agricultural character, new Buildings shall use exterior building materials, roof line treatments and roofing materials that are compatible with and consistent with the existing buildings within the District, as depicted in the Character Exhibit.
- 7.3 Article 6.8 Landscaping Standards: Shall not apply, rather, landscaping shall be maintained in substantial compliance with the Concept Plan and Proposed Additional Landscaping Plan
- 7.4 Article 6.14 Parking and Loading Standards: Shall apply, except as otherwise modified below.
- A. Article 6.14(G)(7) Off-street Parking; Surfacing and Curbs: Shall not apply.
- 7.5 Article 6.17 Sign Standards: Shall apply, except as otherwise modified below.
- A. Article 6.17(H)(2): Shall apply, except that two (2) signs shall be permitted at the entrance on 161st Street, one (1) affixed to each fence on either side of the entrance.

Section 8. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see *Chapter 7: Subdivision Regulations*), 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.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-10** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-10**
this _____ day of _____, 2019.

I hereby VETO **ORDINANCE 19-10**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Pamela L. Howard, Senior Planner, City of Westfield, Economic and
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: Pamela L. Howard.

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibit
Exhibit D	Sound Mitigation Exhibit
Exhibit E	Permanent Outdoor Restroom
Exhibit F	Landscaping Plan

EXHIBIT A
REAL ESTATE

A part of the Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East, located in Washington Township, Hamilton County, Indiana, being described as follows: Commencing at a PK Nail at the Northwest Corner of said Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East; thence North 89 degrees 10 minutes 59 seconds East (assumed bearing) along the North line of said Southeast Quarter 414.17 feet to a mag nail, said point also being the point of beginning; thence continue thence North 89 degrees 10 minutes 59 seconds East along the North line of said Southeast Quarter 250.00 feet to a mag nail; thence South 00 degrees 06 minutes 35 seconds West parallel to the East line of said Southeast Quarter 871.20 feet to a 5/8 inch iron pin with a orange cap stamped "Polaris 9600005"; thence South 89 degrees 10 minutes 59 seconds West parallel to the North line of said Southeast Quarter 250.00 feet to a 5/8 inch Iron pin with a orange cap stamped "Polaris 9600005"; thence North 00 degrees 06 minutes 35 seconds East parallel to the East line of said Southeast Quarter 871.20 feet to the point of beginning and containing 5.00 acres more or less.

Rights and benefits of a utility easement and an Ingress and egress easement as described in and created in Easement Agreement recorded December 10, 2004 as Instrument Number 200400083566 in the Office of the Recorder of Hamilton County, Indiana.

Tax ID Number(s): 08-09-11-00-00-013.103

EXHIBIT B
CONCEPT PLAN

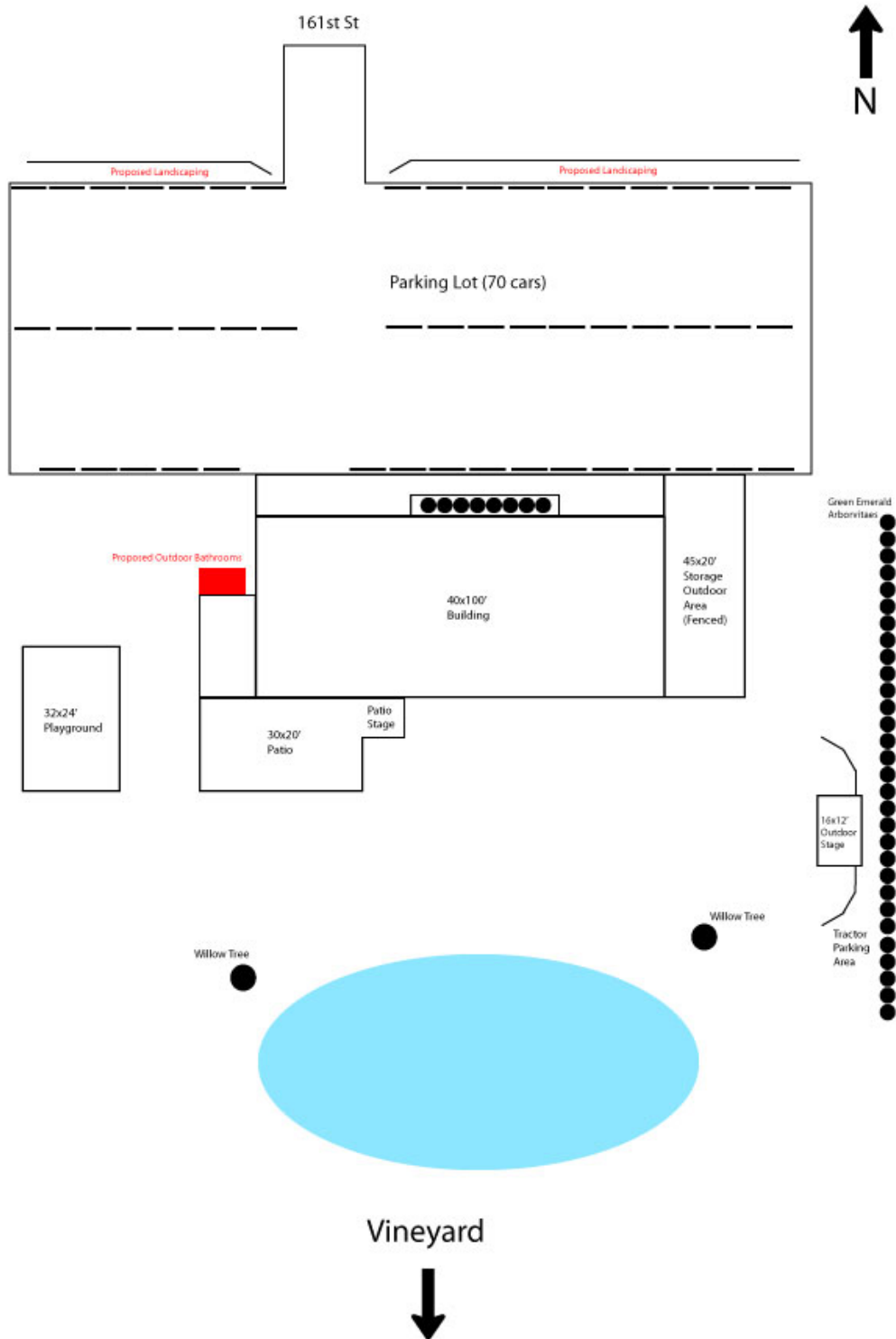


EXHIBIT C
CHARACTER EXHIBIT



EXHIBIT D
SOUND MITIGATION EXHIBIT







EXHIBIT E
PERMANENT OUTDOOR RESTROOM

**URBAN
VINES** LLC
303 EAST 161ST STREET
WESTFIELD, INDIANA

URBAN WINERY
BATHROOM
303 EAST 161ST STREET
CARMEL, INDIANA

DATE: 6/2019
SCALE: 1/4"=1'-0"

A2

SCHEMATICS

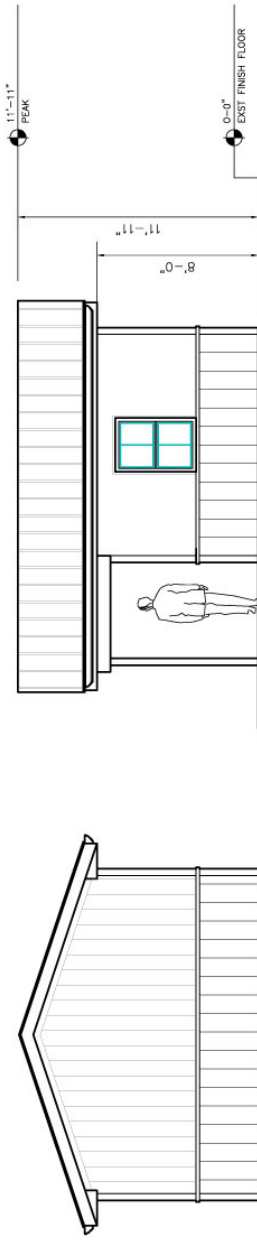
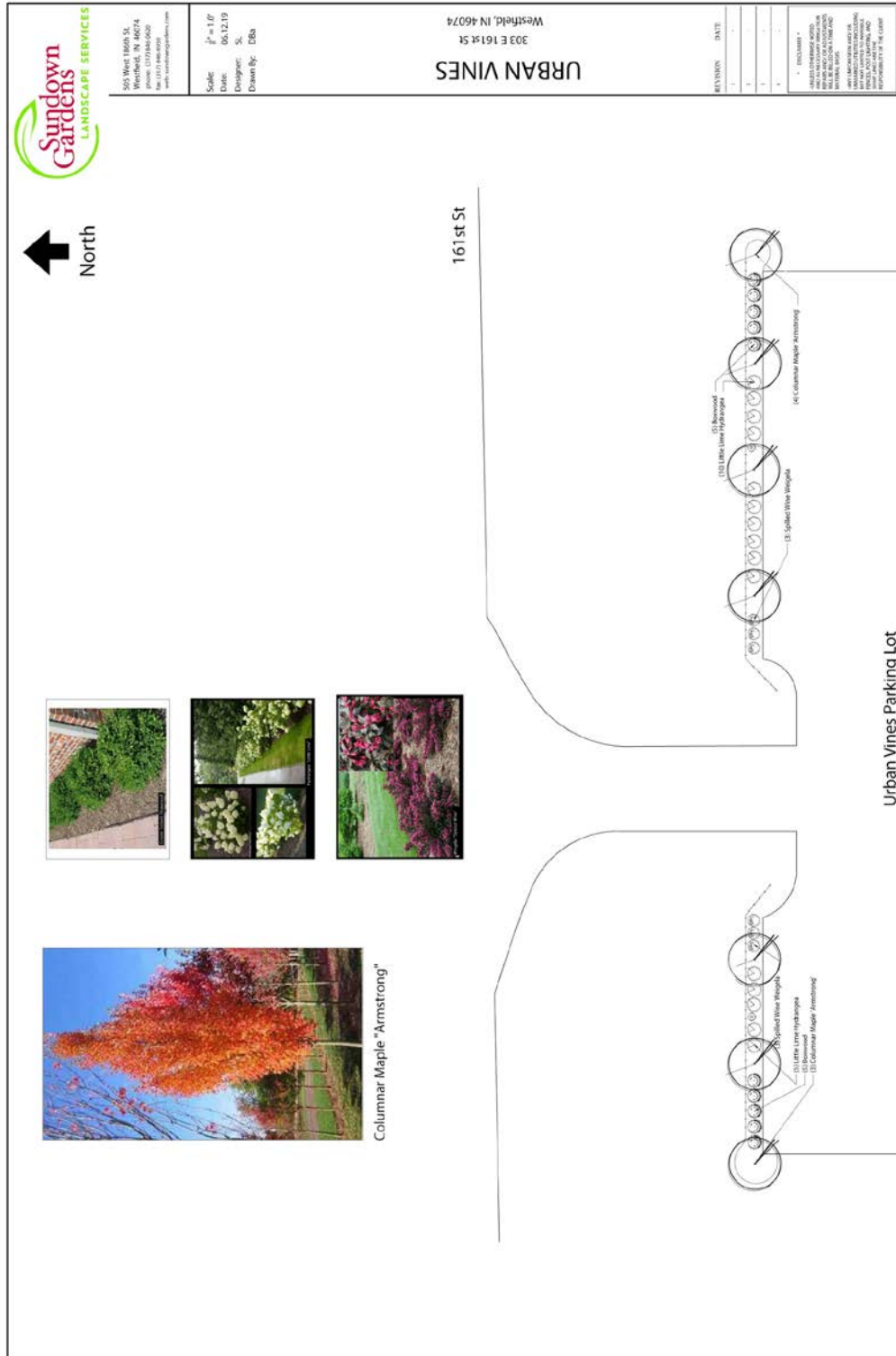


EXHIBIT F **PROPOSED ADDITIONAL LANDSCAPING PLAN**



Narrative Statement

The Urban Vines PUD is submitted to address a few areas that are needed to keep us in compliance with the UDO. Things such as food trucks, tent usage and property usage are addressed and updated within the submitted PUD.

Noah Herron

A handwritten signature in blue ink, appearing to read 'Noah', followed by a long, horizontal, slightly wavy line that extends to the right.



2016020974 VARIANCE \$27.00
05/10/2016 01:37:13P 9 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented
[Barcode]

ACKNOWLEDGEMENT OF VARIANCE

Document Cross Reference Number: 2013052337

This **ACKNOWLEDGEMENT**, made this 14th day of April, 2016, by Matthew S. Skelton, Economic and Community Development Director, City of Westfield, Indiana (the "Director") WITNESSETH:

Mayor
Andy Cook

City Council
Chuck Lehman
Jim Ake
Joe Edwards
Steven Hoover
Robert L. Horkay
Dr. Mark Keen
Cindy L. Spoljaric

Clerk Treasurer
Cindy J. Gossard

WHEREAS, on Tuesday, April 12, 2016, the Westfield-Washington Township Board of Zoning Appeals (the "Board") heard Petition No. 1604-SE-01 (the "Special Exception") and Petition No. 1604-VS-07 (the "Variances of Development Standard") (collectively, the "Petition"), filed by Noah Herron (d/b/a Urban Vines) (the "Petitioner"), for approval of a Special Exception and Variances of Development Standard from the Westfield-Washington Township Unified Development Ordinance regarding property commonly known as 303 East 161st Street, Westfield, Indiana 46074 (Parcel No. 08-09-11-00-00-013.103), and more particularly described in the attached **Exhibit A** (the "Property").

WHEREAS, the Petitioner requested approval of a Special Exception to allow an Agritourism Use (vineyard and winery) within the AG-SF1: Agriculture / Single-Family Rural District.

WHEREAS, the Board voted five (5) to zero (0) to approve the Special Exception with the following conditions:

1. The Agritourism Use shall be developed and operated in substantial compliance to the Petitioner's Narrative and Site Plan Exhibit, as revised and attached hereto as **Exhibit B** and **Exhibit C**, respectively, subject to review and approval for compliance with applicable ordinances and laws of the development plan and appropriate permits. Any expansion or substantial alteration to the scope and operation of the Agritourism Use, as determined by the Director, shall require approval by the Board.
2. The standards of Chapter 6 and Chapter 8 of the Unified Development Ordinance that are applicable to nonresidential uses and buildings in a Business District shall apply to the Agritourism Use, except as otherwise varied by an approved variance of development standard, or waiver by the Plan Commission as part of a Detailed Development Plan approval.
3. The Petitioner shall record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Economic and Community Development Department prior to the approval of a development plan and/or issuance of a building permit for the property.

COPY

**Economic and
Community
Development**

(317) 804-3170

2728 East 171st Street
Westfield, IN 46074

westfield.in.gov

WHEREAS, the Petitioner requested the following Variances of Development Standard:

1. Petitioner requests the following landscaping standards not apply: Minimum Lot Landscaping Requirements (Article 6.8(K)); External Street Frontage Landscaping Requirements (Article 6.8(M)); Buffer Yard Requirements (Article 6.8(N)); Interior Parking Area Landscaping (Article 6.8(O)(1)).
2. Petitioner requests the standards of Article 6.14(G)(7) (Off-street Parking Surfacing and Curbs) not apply.
3. Petitioner requests the standards of Article 6.3 (Architectural Standards) not apply.

WHEREAS, the Board voted five (5) to zero (0) to approve the Variances of Development Standard with the following conditions:

1. Approval shall be subject to the approval of a Detailed Development Plan that ensures that adequate surface design, parking space delineation, and maintenance is provided (e.g., for storm water management, traffic circulation and management, and emergency equipment access), as deemed appropriate by the City (e.g., Department of Public Works, Fire Department, Economic and Community Development Department) and County Surveyor's Office.
2. Buildings on the Property shall exceed or be substantially similar in quality and character to the Illustrative Character Exhibit, attached hereto as Exhibit D.

NOW, THEREFORE, the Director hereby declares that all the Property as it is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, or occupied and improved, is subject to the Special Exception and Variances of Development Standard approved by the Board on April 12, 2016. Unless otherwise modified herein, this Special Exception and Variances of Development Standard shall run with the land, and shall be binding upon the owner, heirs and assigns, and all parties having an interest in and to the Property or any part or parts thereof subject to such Special Exception and Variances of Development Standard, and shall inure to the benefit of the owner and every one of his/her successors in title to any real estate in the Property.

WESTFIELD ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
"DIRECTOR"



MATTHEW S. SKELTON, ESQ., DIRECTOR
Economic and Community Development Department, City of Westfield, IN

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

Mteck, LLC, the Property Owner, hereby acknowledges the accuracy of the information contained in this Acknowledgement of Variance and any conditions and limitations placed on the Petition and Property, as set forth herein.

IN WITNESS WHEREOF, the Property Owner has executed this instrument, on the 3rd day of May, 2016.

Mteck LLC

Mteck, LLC

By: Steve Schneider

Title: President

5/31/2016

Date

STATE OF Indiana

)

) SS:

COUNTY OF Hamilton

)

Signed and acknowledged before me this 3rd day of May, 2016.

(SEAL)

Jacqueline G. Morgan

Signature of Notary Public



Jacqueline G. Morgan

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: 9/4/21

PREPARED BY:

[Signature]

"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."

(name) [Signature]

nistration

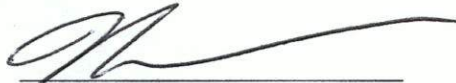
3040 office
4-3190 fax

71st Street
, IN 46074

Id.in.gov

Noah Herron (d/b/a Urban Vines), the Petitioner, hereby acknowledges the accuracy of the information contained in this Acknowledgement of Variance and any conditions and limitations placed on the Petition and Property, as set forth herein.

IN WITNESS WHEREOF, the Petitioner has executed this instrument, on the 10th day of MM, 2016.



Noah Herron

5-10-16

Date

STATE OF INDIANA)

COUNTY OF HAMILTON)

SS:

Signed and acknowledged before me this 10 day of May, 2016.

(SEAL)

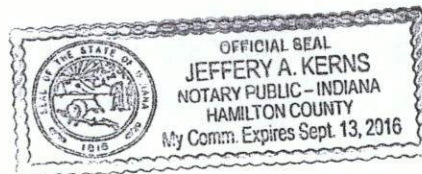


Signature of Notary Public

JEFFERY ALLEN KERNS
Printed name of Notary Public

My County of Residence: HAMILTON

My Commission Expires: September 13, 2016



Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT A
THE PROPERTY

Property Address: Vacant Land, 303 East 161st Street, Westfield, IN 46074

A part of the Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East, located in Washington Township, Hamilton County, Indiana, being described as follows:

Commencing at a PK Nail at the Northwest Corner of said Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East; thence North 89 degrees 10 minutes 59 seconds East (assumed bearing) along the North line of said Southeast Quarter 414.17 feet to a mag nail, said point also being the point of beginning; thence continue thence North 89 degrees 10 minutes 59 seconds East along the North line of said Southeast Quarter 250.00 feet to a mag nail; thence South 00 degrees 06 minutes 35 seconds West parallel to the East line of said Southeast Quarter 871.20 feet to a 5/8 inch iron pin with a orange cap stamped "Polaris 9600005"; thence South 89 degrees 10 minutes 59 seconds West parallel to the North line of said Southeast Quarter 250.00 feet to a 5/8 inch iron pin with a orange cap stamped "Polaris 9600005"; thence North 00 degrees 06 minutes 35 seconds East parallel to the East line of said Southeast Quarter 871.20 feet to the point of beginning and containing 5.00 acres more or less.

Rights and benefits of a utility easement and an ingress and egress easement as described in and created in Easement Agreement recorded December 10, 2004 as Instrument Number 200400083566 in the Office of the Recorder of Hamilton County, Indiana.

Tax ID Number(s):
08-09-11-00-00-013.103

29-09-11-000-013.103-015

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT B
PETITIONER'S NARRATIVE

We intend to purchase 303 East 161st Street in Westfield, Indiana and start a vineyard and winery to be known as "Urban Vines". As a result, this request is to allow a Special Exception for an Agritourism Use and related Variances of Development Standard to accommodate our proposed use. The Agritourism Use will include a vineyard (4.5 acres +/-) and 4,000 sq. ft. +/- building. The building is proposed to include wine processing (i.e. grape crushing, fermenting, aging, storage) and related sales (i.e. retail, tasting facilities). Urban Vines will host wine tours and small events on the premises, which may on accession include live music. Event sizes will be limited to the capacity of the parking lot and tasting room, as regulated by the Fire Department.

The requested Variances of Development Standard include:

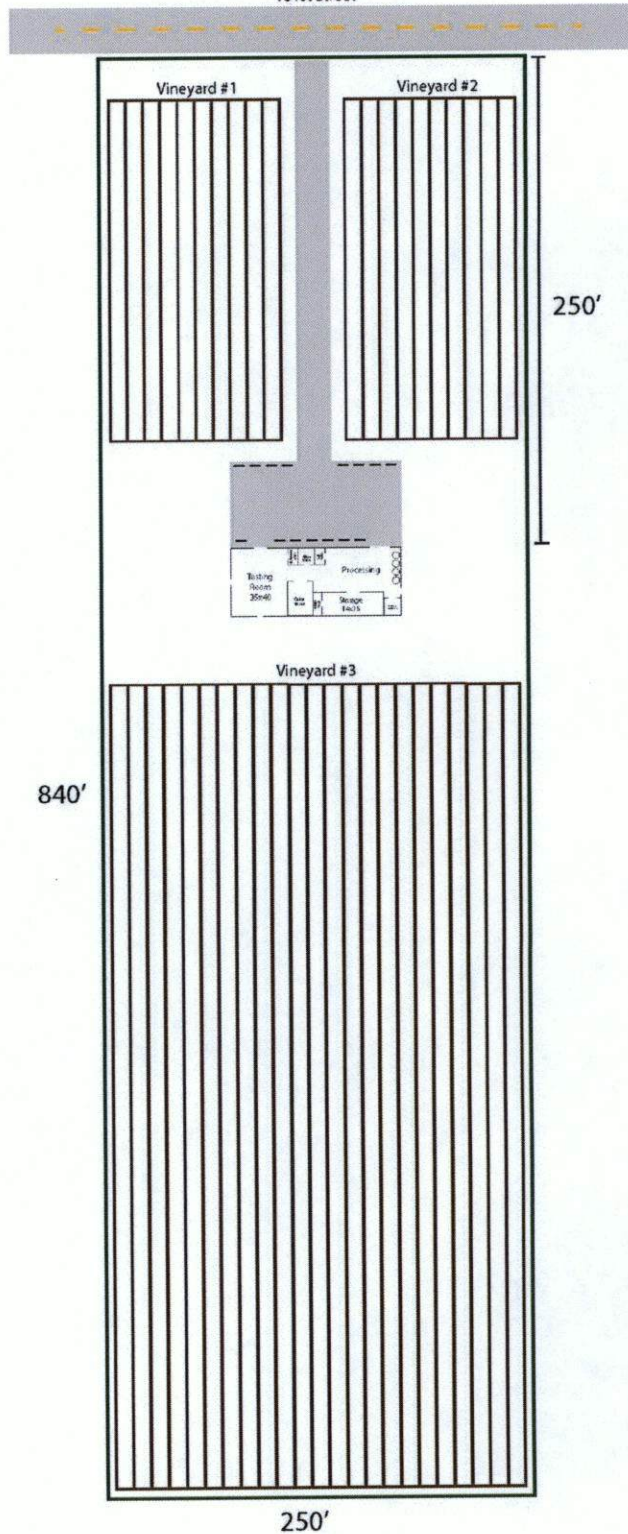
1. **Landscaping Standards (Article 6.8).**
Petitioner requests that the following landscaping standards not apply to the property: Minimum Lot Landscaping Requirements (Article 6.8(K)); External Street Frontage Landscaping Requirements (Article 6.8(M)); Buffer Yard Requirements (Article 6.8(N)); Interior Parking Area Landscaping (Article 6.8(O)(1)). The property is proposed to consist of over 2,000 grape vines that will span the entire area of property. The grape vines will require full sun and air circulation for viability, and the property will otherwise include the required foundation plantings and perimeter parking area landscaping required by the UDO.
2. **Off-street Parking Surfacing and Curbs (Article 6.14).**
Petitioner requests that the standards of Article 6.14(G)(7) (Off-street Parking Surfacing and Curbs) not apply to the property; rather, a gravel driveway and parking surface is proposed to better allow for storm water management for the grape vines. Petitioner agrees to work with the City and County to ensure adequate surface design, parking space delineation, and maintenance is being provided (e.g., for storm water management, traffic circulation and management, and emergency equipment access).
3. **Architectural Standards (Article 6.3).**
Petitioner requests that the standards of Article 6.3 (Architectural Standards) not apply to the property; rather, to enhance and contribute to the desired agricultural theming of the proposed use and surrounding properties, the petitioner agrees that buildings on the property shall be substantially similar in quality and character to the illustrative building exhibits attached hereto.

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT C-1
SITE PLAN EXHIBIT: SITE PLAN
161st Street

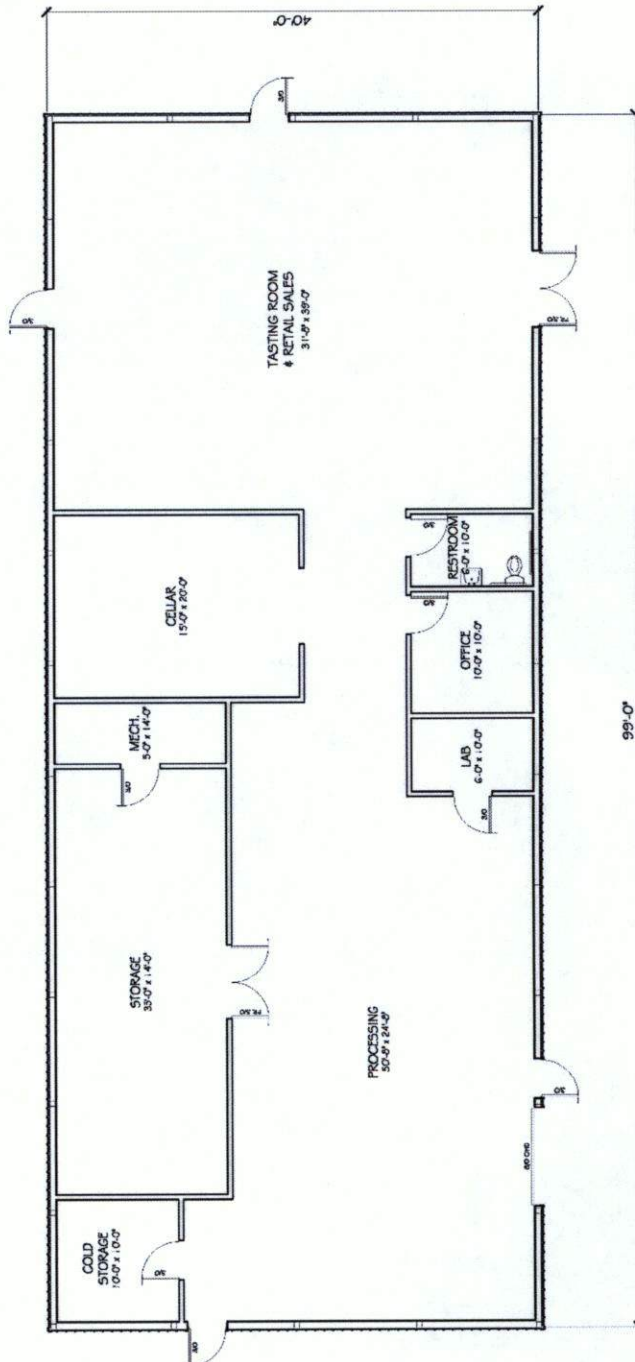


Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT C-2
SITE PLAN EXHIBIT: FLOORPLAN

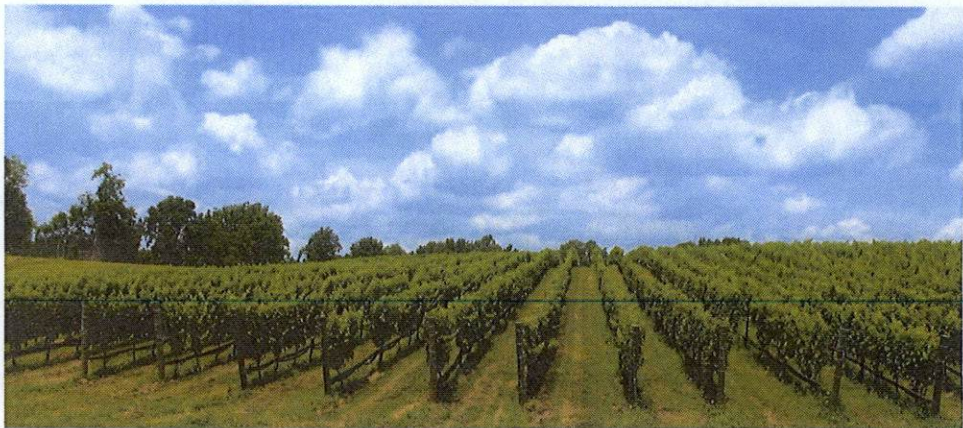
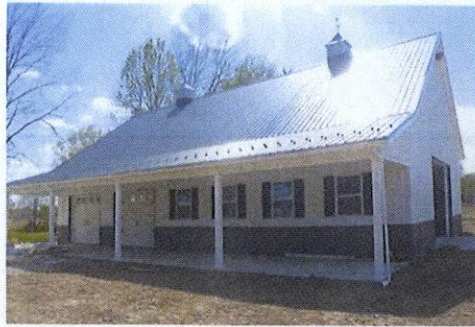


Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBIT



Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov



2017018259 VARIANCE \$25.00
04/27/2017 10:30:09A 7 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented


ACKNOWLEDGEMENT OF VARIANCE

Document Cross Reference Number: 2013052337

This **ACKNOWLEDGEMENT**, made this 15th day of December, 2016, by Matthew S. Skelton, Economic and Community Development Director, City of Westfield, Indiana (the "Director") WITNESSETH:

Mayor
Andy Cook

City Council
Chuck Lehman
Jim Ake
Joe Edwards
Steven Hoover
Robert L. Horkay
Dr. Mark Keen
Cindy L. Spoljaric

Clerk Treasurer
Cindy J. Gossard

WHEREAS, on Tuesday, December 13th, 2016, the Westfield-Washington Township Board of Zoning Appeals (the "Board") heard Petition No. 1612-VS-16 (the "Variance"), filed by Noah Herron (d/b/a Urban Vines) (the "Petitioner"), for approval of a Variance of Development Standard from the Westfield-Washington Township Unified Development Ordinance regarding property commonly known as 303 East 161st Street, Westfield, Indiana 46074 (Parcel No. 08-09-11-00-00-013.103), and more particularly described in the attached **Exhibit A** (the "Property").

WHEREAS, the Petitioner requested approval of a Variance of Development Standard to allow a second monument sign be placed on the Property.

WHEREAS, the Petitioner requested the following Variances of Development Standard:

Petitioner requests the standard of Article 6.17(H)(2) (Monument Signs) not apply.

WHEREAS, the Board voted five (5) to zero (0) to approve the Variance of Development Standard with the following conditions:

1. Signs shall be installed in substantial compliance (e.g. design, size, location) with the Site Plan (**Exhibit B**) and Sign Elevations (**Exhibit C**).
2. The property shall not exceed the maximum Sign Area otherwise set forth by the Unified Development Ordinance.

NOW, THEREFORE, the Director hereby declares that all the Property as it is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, or occupied and improved, is subject to the Variance of Development Standard approved by the Board on December 13, 2016. Unless otherwise modified herein, this Variance of Development Standard shall run with the land, and shall be binding upon the owner, heirs and assigns, and all parties having an interest in and to the Property or any part or parts thereof subject to such Variance of Development Standard, and shall inure to the benefit of the owner and every one of his/her successors in title to any real estate in the Property.

**Economic and
Community
Development**

(317) 804-3170

2728 East 171st Street
Westfield, IN 46074

westfield.in.gov

WESTFIELD ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
"DIRECTOR"



MATTHEW S. SKELTON, ESQ., DIRECTOR
Economic and Community Development Department, City of Westfield, IN

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

"PROPERTY OWNER"

Herron Holdings, LLC, the Property Owner, hereby acknowledges the accuracy of the information contained in this Acknowledgement of Variance and any conditions and limitations placed on the Petition and Property, as set forth herein.

IN WITNESS WHEREOF, the Property Owner has executed this instrument, on the 26 day of APRIL, 2017.



Herron Holdings, LLC

By: NOAH HERRON

Title: OWNER

4-26-17
Date

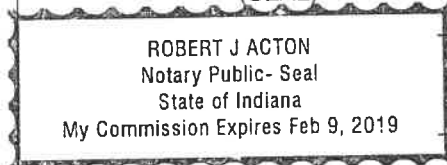
STATE OF INDIANA)

) SS:

COUNTY OF HAMILTON)

Signed and acknowledged before me this 26 day of APRIL, 2017.

(SEAL)





Signature of Notary Public

Robert Acton

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: FEB 9, 2019

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

"PETITIONER"

Noah Herron (d/b/a Urban Vines), the Petitioner, hereby acknowledges the accuracy of the information contained in this Acknowledgement of Variance and any conditions and limitations placed on the Petition and Property, as set forth herein.

IN WITNESS WHEREOF, the Petitioner has executed this instrument, on the 26 day of APRIL, 2017.



Noah Herron

4-26-17

Date

STATE OF INDIANA

)

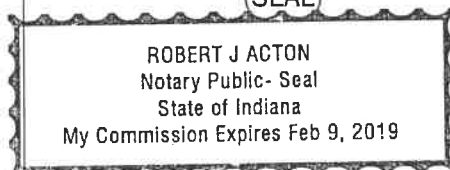
) SS:

COUNTY OF HAMILTON

)

Signed and acknowledged before me this 26 day of APRIL, 2017.

(SEAL)





Signature of Notary Public

Robert Acton

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: Feb 9 2019

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: Daine Crabtree

Prepared by: Daine Crabtree, Associate Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 804-3170

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT A
THE PROPERTY

Property Address: Vacant Land, 303 East 181st Street, Westfield, IN 46074

A part of the Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East, located in Washington Township, Hamilton County, Indiana, being described as follows:

Commencing at a PK Nail at the Northwest Corner of said Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East; thence North 89 degrees 10 minutes 59 seconds East (assumed bearing) along the North line of said Southeast Quarter 414.17 feet to a mag nail, said point also being the point of beginning; thence continue thence North 89 degrees 10 minutes 59 seconds East along the North line of said Southeast Quarter 250.00 feet to a mag nail; thence South 00 degrees 06 minutes 35 seconds West parallel to the East line of said Southeast Quarter 871.20 feet to a 5/8 inch Iron pin with a orange cap stamped "Polaris 9600005"; thence South 89 degrees 10 minutes 59 seconds West parallel to the North line of said Southeast Quarter 250.00 feet to a 5/8 inch Iron pin with a orange cap stamped "Polaris 9600005"; thence North 00 degrees 06 minutes 35 seconds East parallel to the East line of said Southeast Quarter 871.20 feet to the point of beginning and containing 5.00 acres more or less.

Rights and benefits of a utility easement and an Ingress and egress easement as described in and created in Easement Agreement recorded December 10, 2004 as Instrument Number 200400083586 in the Office of the Recorder of Hamilton County, Indiana.

Tax ID Number(s):
08-09-11-00-00-013.103 29-09-11-000-013.103-015

Administration

(317) 804-3040 office
(317) 804-3190 fax

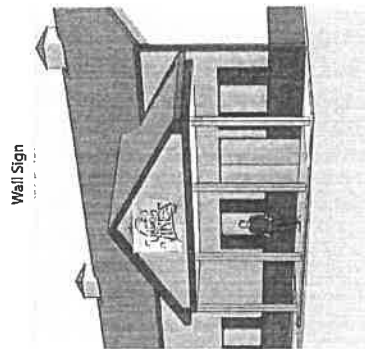
2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

[illegible]

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

EXHIBIT C SIGN ELEVATIONS

Landscaping Plan



Wall Sign



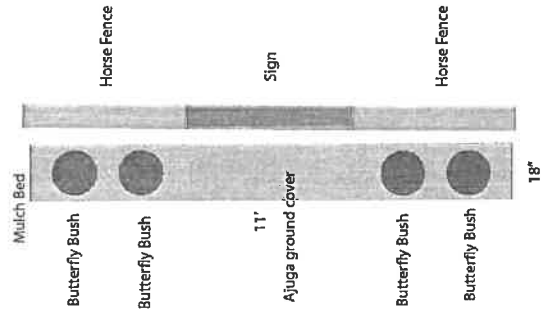
4'

4'

16 sq. ft.



Monument Sign



Mulch Bed

Butterfly Bush

Butterfly Bush

11'

Ajuga ground cover

Sign

Horse Fence

Butterfly Bush

Butterfly Bush

Horse Fence

18'

Administration

(317) 804-3040 office
(317) 804-3190 fax

2728 East 171st Street
Westfield, IN 46074
westfield.in.gov

Urban Vines PUD Neighborhood Meeting 3/26/19

Introduced the PUD to neighbors about the food trucks and tents. No neighbors had concerns about the food trucks or tents. Just wanted to know how many food trucks. We will not have any more than 1-2 food trucks on the property at one time.

There were a few neighbors that were concerned with the sound carrying from the outdoor concerts. Some neighbors could hear the music and voices of patrons carrying over the field and into parts of Viking Meadows and Mulberry Farms. They requested that a sound engineer be hired to find ways to reduce sound carry. We agreed to do more research and bring in experts that can find ways to reduce sound reflection and carry.

Noah Herron
Urban Vines

Pamela Howard

From: Urban Farmer <noah@ufseeds.com>
Sent: Wednesday, April 24, 2019 8:54 AM
Subject: Urban Vines Sound Update
Attachments: eNoise Control.pdf; Kingston Audio To Go.pdf; IMG-3330.JPG; IMG-3331.JPG; IMG-3329.JPG; IMG-3327.JPG; IMG-3328.JPG; IMG-3326.JPG; UV Outdoor Stage Sound.pdf

Hey Everyone,

Hope all is well. Wanted to update everyone on the progress we've made regarding sound at Urban Vines. We hired sound engineers, eNoise Control, to visit our site and make suggestion on how to mitigate sound from our outdoor concerts. They suggested building 8' fence around each side of the stage and covering them with sound absorption blankets. As well as covering the stage with them as well. These blankets lower the reflective sound energy by over 50%. We also decide to cover parts of the South and East of our metal building to help with sound reflection. This has been done and I have attached photos. We also planted a 125' of Emerald Arborvitae behind the stage that will grow to 12' tall and will eventually help with sound as well. I have attached a letter from eNoise Control explaining the sound blankets.

We have also hired 'Kingston Audio to Go' to bring in all speaker equipment and monitor all outdoor shows in 2019. He will be using short throw speakers which dissipate sound much faster therefore sound waves not traveling as far. With the new 8' fence with sound blankets we are confident that unwanted sound will no longer be a problem. I have attached a letter from Kingston Audio to Go explaining our contract and what we will be doing.

I will be having another neighbor meeting this coming Monday (4/29) at 6pm at Urban Vines. If you would like a tour of the new stage area to see the improvements or for me to answer any questions please stop by. If you can't make it and would like to still meet, please let me know a good time for you.

Please feel free to contact Rick Kingston and I with any questions, suggestions or concerns.

Noah Herron
Cell: 260-602-9400
noah@ufseeds.com

Rick Kingston
Cell: 317-979-0137
rkingston2019@gmail.com

--

Noah Herron
Urban Vines



Specializing in Acoustics, Noise & Vibration Control

129 Penn Street Ph: 317.774.1900
Westfield, IN 46074 Fax: 317.774.1911
info@eNoiseControl.com

April 17, 2019

To: Noah Herron
Urban Vines
Westfield, IN 46074

Thank you for your recent purchase of noise control material.

You have purchased our outdoor rated quilted sound blanket material, Model QFA-XT-2D. The product is rated for outdoor use. It resists UV rays, moisture, etc. The product is engineered for sound absorption {NRC 0.75} and sound blocking {STC 21}. You are concerned with "band/speaker" sound reflecting off your metal building siding. Installing this material against the metal siding will lower that reflective sound energy by over 50%.

Please call or email if I can assist further.

Regards –

A handwritten signature in black ink, appearing to read "Jeff Unger", with a stylized flourish at the end.

Jeff Unger
President & Sound Engineer

April 19, 2019

The following are updates to the stage area to improve sound for the patrons and reduce unwanted sound in the surrounding neighborhoods.

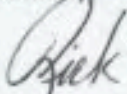
This summer season we plan to add eight foot sections of wooden fencing on both sides of the stage that will form a type of funnel, directing most of the sound toward the patrons. This will cut down the sound that spills out of the stage area, similar to walls we see built on the sides of interstate highways.

Also, we are sealing up open areas inside the stage area, including where the roof joists meet the back wall. This will cut down on the sound "spilling" out the rear of the stage.

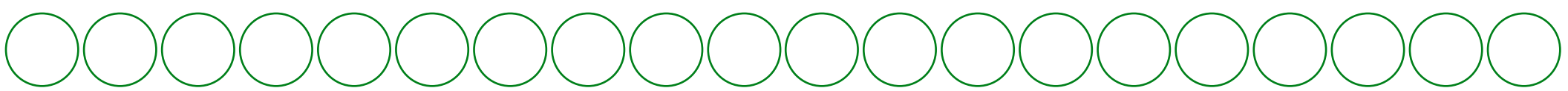
In addition, all bands have been contacted to make sure that the minimum amount of sound equipment needed will be used.

Lastly, a representative of Kingston's will be on site at every concert with a db meter to measure the sound pressure levels and work with the groups to insure that we continue to be within the guidelines set forth by the local ordinances.

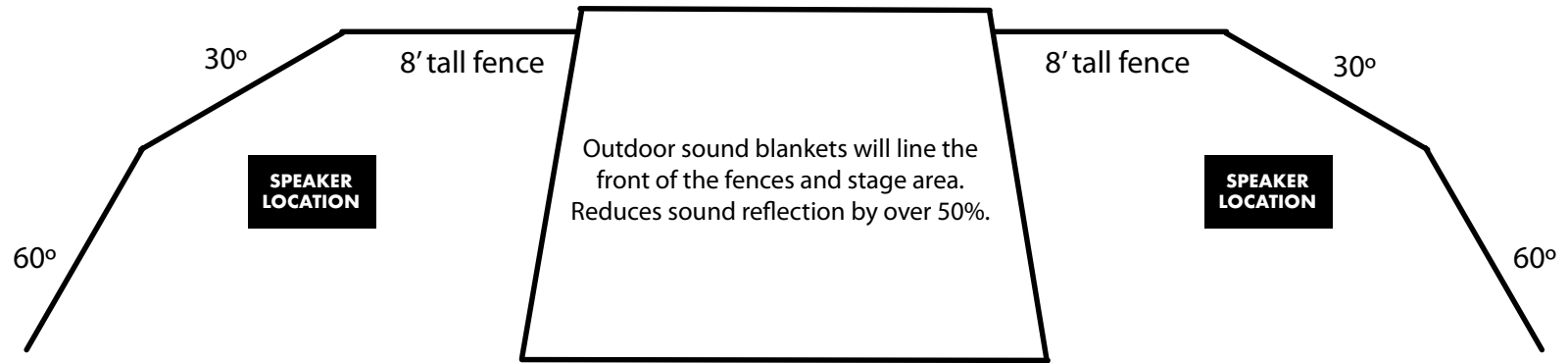
Sincerely,



Rick Kingston



Emerald Green Arborvitae Landscaping (120' Length)



All outdoor stage concerts will be overseen
by a 3rd party sounds technician.
Hired for the 2019 season: Kingston's Audio to Go
Speakers: Short throw speakers will be used.

Outdoor sound blankets will line parts
of the building that reflect sound
East and South. Reduces sound reflection
by over 50%.







Urban Vines PUD Neighborhood Meeting 5/6/19

We had a follow meeting to update neighbors with the progress that was made to help reduce sound level from concerts. We went over all the updates that would help reduce sound including new fence, sound blankets, hiring sound technician and reducing allowable decibels from 90 decibels to 70 decibels six feet from source.

All neighbors that attended were happy with the new updates.

Noah Herron
Urban Vines

ISSUES RAISED REGARDING THE URBAN VINES PUD PROPOSAL

The list below includes issues that were raised during the May 8, 2019, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Economic and Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. What can be done to minimize or eliminate sound traveling to nearby properties?
A. We have hired a sound engineer and sound technician to help reduce any sound traveling from our outdoor concerts. We have installed fencing against our outdoor event stage to help direct music toward our patrons and away from neighbors. We have covered the stage, fence and building with sound blankets that help reduce sound reflection by over 50%. We have installed 150' row of Arborvitae along our Eastern border to help reduce sound travel. Growing ivy up our wooden fence as well. We also hired a 3rd party sound technician to oversee every outdoor concert. We will use short throw speakers and keep speakers directed toward the audience.
2. What can be done to minimize or eliminate parking impacts in surrounding neighborhoods?
A. Last year we increased our parking lot size from 25 cars to 85 cars. We also have an agreement with our neighbors next door to use property for parking. We also own the property down the road at 120 E 161st St that we will use for overflow parking. We also will have a police officer hired when available to help with any traffic issues.
3. Can the number or frequency of "special events" or "temporary events" be limited?
A. Yes, this has been added to the PUD.
4. Can the "Special Event" definition be narrowed as to not permit rides or other large equipment?
A. Yes, this has been updated in the PUD.
5. How can we know that the proposed maximum decibels will be quiet enough?
A. Sound will always travel no matter what. By installing the fence to direct the sound, installing the sound blankets to help reduce sound reflection and landscaping updates we hope to reduce any sound traveling to our neighbors to an acceptable level. Everyone will have a different level of acceptable but we would never want any sound to be heard inside a neighbors home or anything louder than a lawn mower volume outside.
6. Why has the site developed differently than proposed in the variances?
A. Two main reasons for the front part of the property developing differently. The first is a retention pond was required by the city during development which pushed the building closer to the road in order for it to fit. The second is a larger parking lot. Both processes went through APC and were approved. I have proposed adding 34 new hydrangeas on the front of our property which when mature will help shield the view of the driveway.

7. As it stands today, are the building, restroom facilities, and parking area adequate for the number of patrons attending on a daily basis or for special events?

A. Yes, we have worked with state fire officials, local fire officials and the police department to make sure our facility is safe for the number of patrons we have. All safety procedures for fires, storms and other emergencies are in place. We will continue to monitor and work with safety officials to make sure our patrons are safe.

8. What additional improvements be made on site to increase the architectural appeal and reduce the visibility of mechanical, sound, and maintenance equipment?

A. Building was approved by City Council and APC already. All mechanicals are shielded and can not be seen from road or by patrons. We will install 34 hydrangeas in front of parking lot to help reduce visual of cars and gravel.

9. Is the language in the PUD related to sound equipment technically accurate so that different sound companies would be able to provide comparable equipment?

A. Yes, decibel level maximum and short throw speakers is adequate.

10. Can the PUD be written in a way that would allow use of more advanced sound equipment if and when it becomes available?

A. Yes, this has been added to the PUD.



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1906-PUD-13
Exhibit 1

Docket Number: 1906-PUD-13 (Ordinance No. 19-16)

Petitioner: William Tres, LLC,

Request: An amendment to the Springmill Trails PUD District to accommodate commercial development.

Current Zoning: Springmill Trails PUD District (Ord. 11-19)

Current Land Use: Undeveloped / Agricultural

Property History: 1101-PUD-02 (Springmill Trails PUD Ordinance 11-19)
1803-SPP-03 & 1803-ODP-03 (Primary Plat and Overall Development Plan, approved at 5/28/18 APC meeting)
1812-SFP-49 (Secondary Plat, recorded 5/31/19)
1903-DDP-02 (Detailed Development Plan for Hoosier Market, approved at the 5/8/19 APC meeting)

Exhibits:

1. Staff Report
2. Location Map
3. Zoning District Map
4. Illustrative Layout
5. Commercial District Character Exhibit
6. Gristmill Crossing Commercial District Amendment (Ordinance 19-16)—Redlined
7. Gristmill Crossing Commercial District Amendment (Ordinance 19-16)—Clean
8. Springmill Trails PUD (Ordinance 11-19)
9. Neighborhood Meeting Summary
10. Petitioner's Response to Issue List

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the May 13, 2019, City Council meeting. The petition received a public hearing at the June 3, 2019, Advisory Plan Commission (the "APC") meeting.

PROJECT OVERVIEW

Project Location: The Petitioner is requesting an amendment to a portion of the commercial areas of the Springmill Trails PUD District. The amendment will apply to approximately seventy-four (74) acres located at the northwest corner of SR 32 and Ditch Road (the "Real Estate") (see **Exhibit 2**).

Property History: The original Springmill Trails PUD District (Ord. 11-19) was adopted in 2011, and included approximately 900 acres (the “Original PUD Ordinance”). The Property was included on a Primary Plat and Overall Development Plan which was approved at the May 28, 2018, APC meeting; and a secondary plat that was reviewed at the November 20, 2018, TAC meeting and has not yet been recorded. A Detailed Development Plan for a Gasoline Service Station was approved for the lot on the northwest corner of SR 32 and Ditch Road at the May 8, 2019, APC meeting. Construction has not yet begun on the property.

Original PUD Ordinance: The Real Estate is located within the Mixed-Use and Commercial Districts of the Original PUD Ordinance. Permitted uses include a variety of retail, office, and industrial uses; as well as Multi-Family Residential.

AMENDMENT REQUEST

The Petitioner requests this amendment, to be known as the Gristmill Crossing: Commercial Area Amendment (the “Proposed Amendment”), to reestablish the boundaries of the Mixed-Use and Commercial Districts on the property, and to permit additional auto related uses within both districts.

Definitions: The Proposed Amendment includes a definition for “Car Condominium Facility,” a term that is not defined in the UDO. This definition includes limited events, but excludes lodging and sleeping quarters with the exception of a property manager.

Default Standards: The Proposed Amendment (see **Exhibit 5**) divides the Real Estate into two (2) subdistricts (Mixed-Use and Commercial), as depicted on the Zoning District Map (see **Exhibit 3**). The Underlying Zoning Districts remain unchanged from the Original PUD Ordinance (GB: General Business for the Mixed-Use District and EI: Enclosed Industrial for the Commercial District).

Illustrative Site Development: The Proposed Amendment includes an Illustrative Layout (see **Exhibit 4**), which shows a possible layout for the site. As proposed, the site would not be required to develop in compliance with that exhibit.

Permitted Uses: As proposed, the PUD Amendment would retain the permitted uses set forth in the Original PUD Ordinance for each subdistrict while also permitting additional auto related uses in each subdistrict. These uses include Auto Parts Sales, Tire and Auto Service Center, and Semi-Automatic Car Wash in the Mixed-Use District; and Semi-Automatic Car Wash and Car Condominium Facility in the Commercial District. The Car Condominium Facility would not be permitted to locate on Lot 2. The PUD Amendment also proposes considering Temporary Events and Special Events a permanent use for the Car Condominium Facility, and would exempt events held on that lot which do not utilize any temporary structures from the Department’s Temporary Use and Event (TUE) Permitting process. If a temporary structure is used, then a TUE permit would be required from the Department.

State Highway 32 Overlay District: The Proposed Amendment removes the access and monument sign provisions contained in *Article 5: State Highway 32 Overlay Zones* of the Original PUD

Ordinance, and instead defaults to the UDO standards. Additionally, the PUD Amendment proposes that the State Highway 32 Overlay District not apply to the proposed Commercial District.

Commercial District: As proposed, the PUD Amendment retains many of the standards of the Original PUD Ordinance, but also proposes some alternative standards. The standards of note are briefly highlighted below.

Setbacks: The proposed PUD Amendment would retain the perimeter setback requirements of the Original PUD Ordinance, but would reduce the internal side and rear setbacks to zero (0) feet from the twenty (20) feet required by the UDO. A ten (10) foot building separation requirement is also proposed in the PUD Amendment.

Architectural Standards: As proposed, neither the Architectural Standards of the Original PUD District nor of the UDO would apply to proposed Commercial District. Instead, the PUD Amendment contains standards related to building materials, gutters / downspouts, and utility meter screening that would apply to the district. The Proposed Amendment also incorporates a Character Exhibit (see **Exhibit 4**) that is “designed to capture the intended quality of structures to be constructed within the Commercial District”. The Proposed Amendment also includes additional architectural standards that would apply only to the Car Condominium Facility. This includes requiring Buildings A, B, & C as shown on the Illustrative Layout (see **Exhibit 4**), to comply with the 32 Overlay’s architectural standards with the exception of a modification to the offset requirement. This also includes an option for providing additional landscaping between Tournament Trail and Building C, in lieu of meeting the enhanced architectural requirements. Additionally, the proposed amendment restricts the architecture on Lot 2 to either (i) the architecture shown on page 2 of the Character Exhibit, or (ii) architecture that complies with the standards for the Mixed-Use District set forth in the amendment.

Mixed-Use District: As proposed, the PUD Amendment retains many of the standards of the Original PUD Ordinance, but also proposes some alternative standards. The standards of note are briefly highlighted below.

Setbacks: The proposed PUD Amendment would retain the perimeter setback requirements of the Original PUD Ordinance, but would reduce the internal side and rear setbacks to zero (0) feet from the twenty (20) feet required by the UDO.

Architectural Standards: As proposed, the PUD Amendment retains the architectural standards of the Original PUD Ordinance, with two exceptions. First, the architectural standard of the 32 Overlay would supersede any conflicting requirements in the Original PUD Ordinance. Second, the PUD Amendment proposes a decrease in the minimum depth of façade offsets (from 4 feet to 2 feet), and increased spacing for the offsets on buildings less than 10,000 square feet (from 40 feet to 50 feet). Lastly, the PUD Amendment would permit dumpster enclosures in the Established Front Yard of Tournament Trail, as has been done in several recent PUD Ordinances, and opaque gates would be permitted to face Tournament Trail if the enclosure is attached to the Principal Building.

Landscaping Standards: The proposed PUD Amendment retains many of the landscaping standards of the Original PUD Ordinance and UDO, with the following exceptions:

Foundation Planting: As proposed, the PUD Amendment would only require foundation plantings along building facades that are oriented towards SR 32, Ditch Road, or Tournament Trail.

External Street Frontage Landscaping: The Proposed Amendment would only require external street frontage landscaping along Ditch Road. The trail corridor planting requirements of the State Highway 32 Overlay District would still apply to SR 32.

Buffer Yard Requirements: As proposed, the PUD Amendment would only require a buffer yard along the north property line. The requirements for the buffer yard would be reduced to “Buffer A”, whereas the UDO would require “Buffer C” given the proposed and adjacent zoning districts. The difference are shown in the chart below:

	Proposed in PUD (Buffer A)	Required by UDO (Buffer C)
Width	30 feet	50 feet
Shade Trees	3	5
Evergreen Trees	3	5
Shrubs	10	20
Mound / Fence	None required	4’ tall undulating mound for at least 60% of the length of the shared Lot Line and a 6’-8’ tall opaque fence

Parking Area Landscaping: The PUD Amendment proposes to exempt the Car Condominium Facility from the Interior Parking Area Landscaping requirements of the UDO. Additionally, the PUD Amendment proposes two modifications to the Perimeter Parking Area Landscaping requirements. First, it would exempt perimeter parking landscaping where shared parking or vehicular cross access is provided on adjacent lots. Second, it would require additional screening along the north lot line for any lots used for auto sales or service.

Perimeter Drainage and Utility Easements: The Proposed Amendment would permit required plantings that are in conflict with required easements to be relocated elsewhere on the property, and would allow the Director to reduce the required number of planting if this creates planting congestion.

Sign Standards: As proposed, the PUD Amendment retains most of the sign standards of the Original PUD Ordinance and UDO, except that it would provide the option of having two (2) fifteen foot (15') tall center signs with 120 square feet of Sign Area, whereas the UDO would only permit one (1) twenty-five foot (25') tall center sign with 250 square feet of Sign Area.

CHANGES SINCE THE PUBLIC HEARING

The petitioner has made some changes to the proposal since the June 3, 2019, Public Hearing. First, the definition for Special Event was removed, and those examples which were listed under Special Event are now listed as a component of the Car Condominium Facility definition. Additionally, the Car Condominium Facility definition was modified to prohibit lodging or sleeping quarters with the exception of a property manager. Next, two changes were made to the Permitted Uses section of the ordinance. The first of the changes is to specifically exclude the Car Condominium Facility from Lot 2. The second change was to Temporary Uses and Events. Originally the PUD Amendment proposed not requiring a Temporary Use and Event permit from the Department for any events held in the district. This was modified to require the permit if a temporary structure is used for the event.

A number of changes were also made to the architectural and design standards of both districts. For the Commercial District, this includes (i) a requirement for screening of utilities, (ii) the option for Building C of the Car Condominium Facility to provide enhanced architecture instead of additional landscaping, and (iii) requiring that Lot 2 be developed with equal or greater quality than shown on the Auto Dealership rendering, or to meet the architectural requirements of the Mixed Use District. In the Mixed Use District, changes were made to the façade offset requirements which include reducing the minimum depth of offset, and increasing the required spacing for offsets on a building less than 10,000 square feet in size.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies the "Employment Corridor" land use as the appropriate land use for the Property; the Employment Corridor land use is described in detail in the Highway Corridors section. The Highway Corridors section proposes office and service uses, research and development, and retail and institutional uses that are subordinate to and supportive of the office and service uses.

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

PROCEDURAL

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the June 3, 2019, 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 May 13, 2019, City Council meeting.

DEPARTMENT COMMENTS

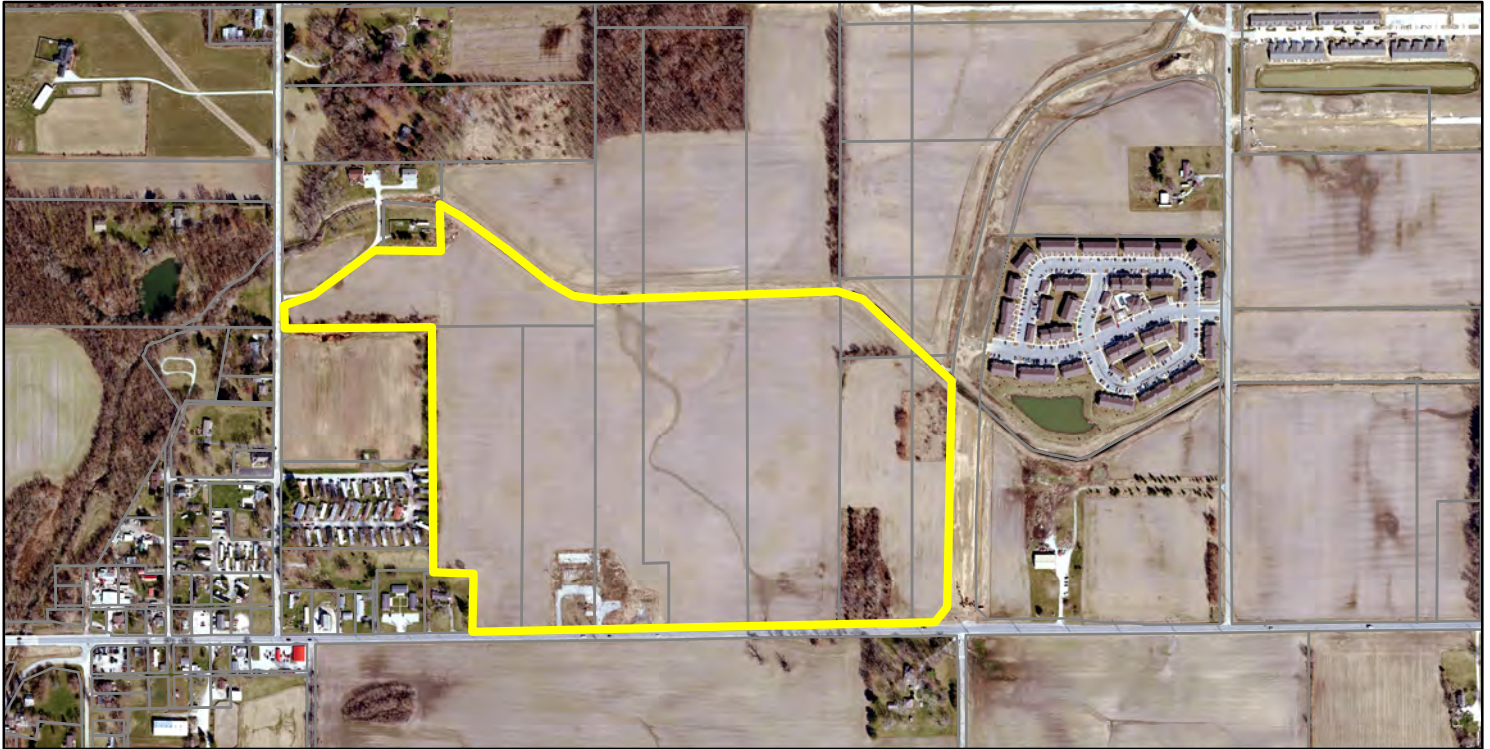
1. **Action: Forward a recommendation to the City Council.**
2. If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard at 317-531-3751 or poward@westfield.in.gov.



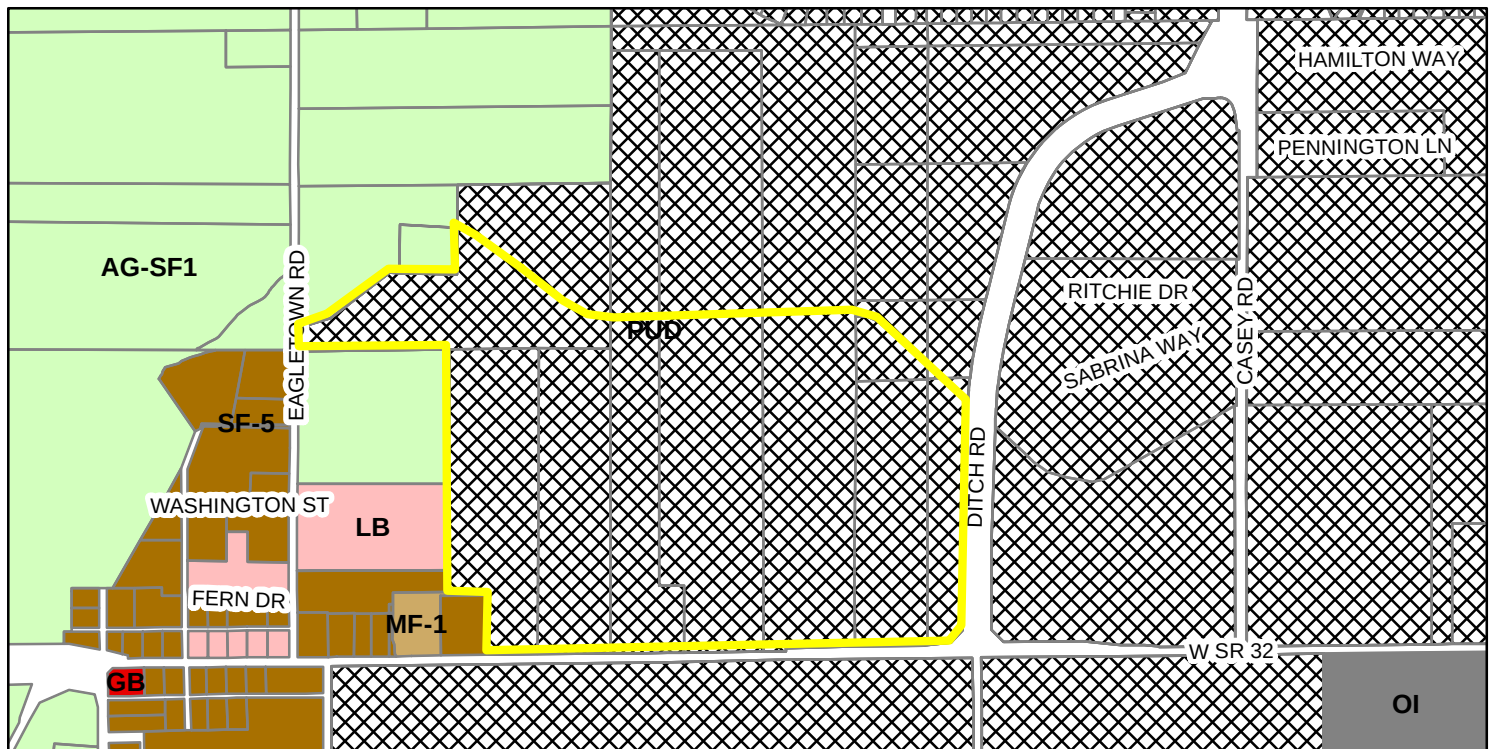
Property Location Map
Springmill Trails PUD Amendment:
Gristmill Crossing Commercial Area
1906-PUD-13



Aerial Location Map



Zoning Map



- | | | |
|--|----------------------------|--------------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | LB (Local Business) | OI (Open Industrial) |
| GB (General Business) | MF-1 (Multiple Family - 1) | PUD (Planned Unit Development) |
| | | SF-5 (Single Family - 5) |

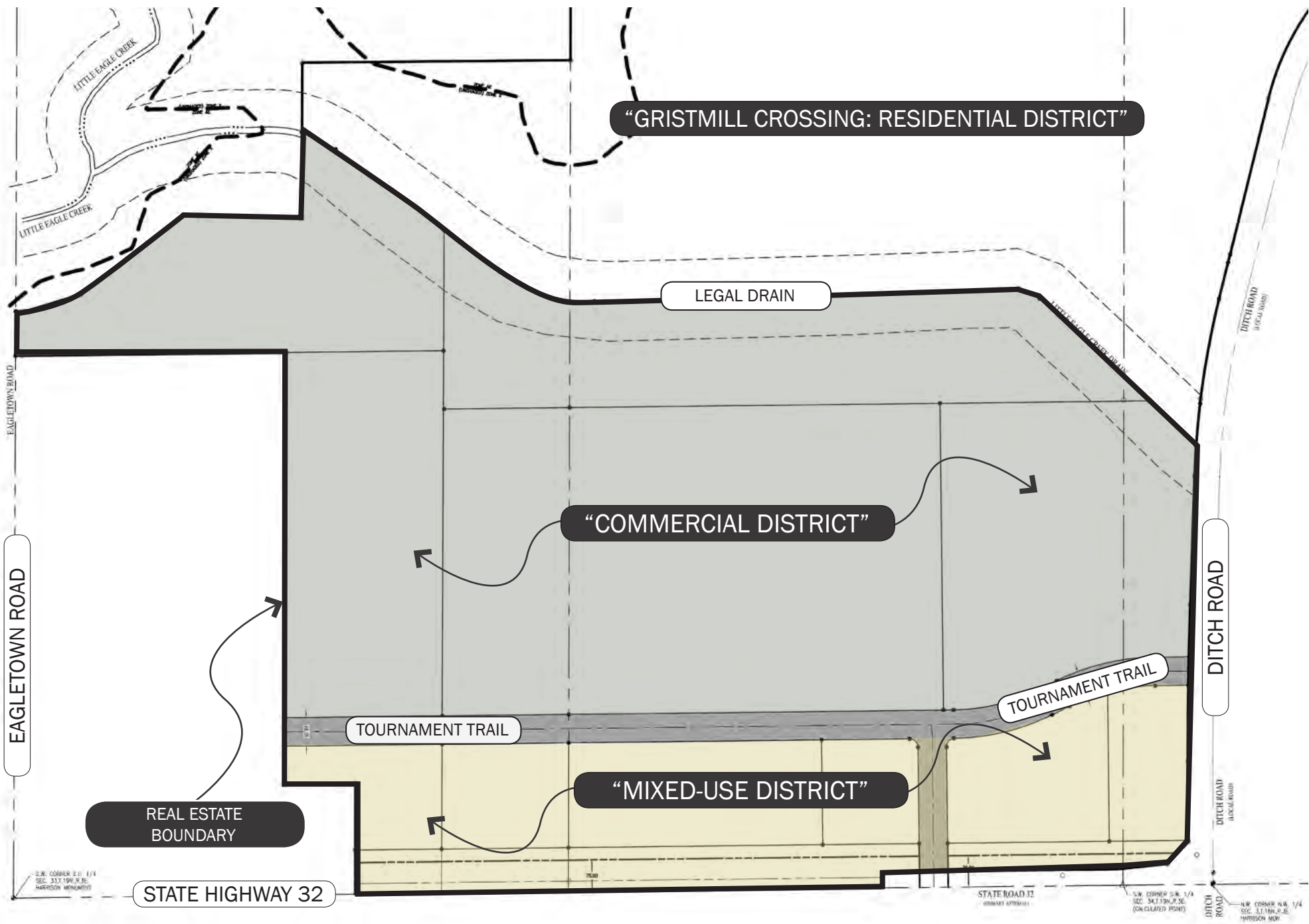


EXHIBIT B: ZONING DISTRICT MAP
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



EXHIBIT C: ILLUSTRATIVE LAYOUT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT

ORDINANCE NUMBER 19-16

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is an Ordinance (this "Ordinance") 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 Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted Ordinance No. 11-19 (the "Springmill Trails PUD Ordinance"), on September 12, 2011; and

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1906-PUD-13**), requesting an amendment to the Springmill Trails PUD Ordinance with regard to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1906-PUD-13** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (____-____) 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 _____, 2019;

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; and

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 This Ordinance shall amend the Springmill Trails PUD Ordinance, as applicable to the Real Estate. This Ordinance shall be known as the "**Gristmill Crossing: Commercial District Amendment**".
- 1.2 All other provisions of the Springmill Trails PUD Ordinance, as applicable to the Real Estate, shall remain in effect with the adoption of 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 or the Springmill Trails PUD Ordinance, as amended, 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 Unified Development Ordinance.

- 2.1 Car Condominium Facility: A Building or groups of Buildings consisting of fee simple ownership or Condominiums for permitted business and personal uses, as generally depicted on the Illustrative Layout and Character Exhibit, ~~and shall also include. The use of the Real Estate for activities and events that typically include community (e.g., educational tours, fundraising events, charitable events, corporate outings), entertainment (e.g., festivals, car shows), and other similar uses. Sleeping quarters or lodging accommodations within a condominium unit, with the exception of a property manager, shall not be permitted.~~

- ~~2.2 Special Events: The use of the Real Estate for activities and events that typically include community (e.g., educational tours, fundraising events, charitable events, corporate outings), entertainment (e.g., festivals, car shows), and other similar uses.~~

Section 3. Zoning District Map. The Zoning District Map of the Springmill Trails PUD Ordinance is hereby amended and replaced with the “Zoning District Map”, attached hereto as **Exhibit B**. The Real Estate is divided into two (2) subareas, as depicted on the Zoning District Map and labeled as Commercial District and Mixed-Use District (individually or collectively, “Subdistrict”). The Underlying Zoning District of each Subdistrict shall be as set forth in the Springmill Trails PUD Ordinance (the “Underlying Zoning District”). Development of each Subdistrict shall be regulated as set forth in the Springmill Trails PUD Ordinance, as amended, and this Ordinance. The Springmill Trails PUD Ordinance (Section 4.1(G)) permits the size and configuration of any business district to be increased or decreased by up to fifteen percent (15%). The Zoning District Map hereby establishes the permitted size and configuration of the Mixed-Use District and Commercial District, as applicable to the Real Estate.

Section 4. Illustrative Site Development. The Illustrative Site Development Plan of the Springmill Trails PUD Ordinance is hereby updated and replaced with the “Illustrative Layout”, attached hereto as **Exhibit C**. The Illustrative Layout provides one possible site layout for parking, internal drives and building locations of new improvements. The final layout and site plan shall be subject to the terms and conditions of this Ordinance and may vary from the Illustrative Layout.

Section 5. Permitted Uses. Permitted uses in the Subdistricts shall be as set forth in Article 7 of the Springmill Trails PUD Ordinance (“Table of Permitted Uses”), except as modified below.

- 5.1 Mixed-Use District: The following uses, as listed in the Table of Permitted Uses,

shall be permitted in the Mixed-Use District: Auto Parts Sales; Tire and Auto Service Center; Semi-Automatic Car Wash.

- 5.2 Commercial District: The following uses, as listed in the Table of Permitted Uses, shall be permitted in the Commercial District: Semi-Automatic Car Wash; Car Condominium Facility. However, a Car Condominium Facility shall not be permitted on Lot 2, as identified on the Illustrative Site Layout.
- 5.3 Temporary Use and Events: Article 6.18 Temporary Use and Events shall apply; including Special Events, shall be deemed and defined as a permanent and ongoing ancillary use to the existing operations of a A Car Condominium Facility and shall not require a temporary use and event permit unless such event utilizes a temporary structure, then such permit and any corresponding inspection(s) shall be required.

Section 6. **State Highway 32 Overlay District.** Applicability of Article 5.3 State Highway 32 Overlay District of the Unified Development Ordinance (the “32 Overlay”) shall be as set forth by Article 5 State Highway 32 Overlay Zones of the Springmill Trails PUD Ordinance, except as otherwise modified below.

- 6.1 Section 5.1(A) of the Springmill Trails PUD Ordinance regarding State Road 32 access shall not apply to the Real Estate; rather, access shall be determined in accordance with the 32 Overlay.
- 6.2 Section 5.1(B) of the Springmill Trails PUD Ordinance regarding monument sign location shall not apply to the Real Estate; rather, sign locations shall be permitted in accordance with the 32 Overlay and Unified Development Ordinance.
- 6.3 The 32 Overlay shall not apply to the Commercial District, except as otherwise specifically provided for herein.

Section 7. **Commercial District.** Article 3 Commercial District of the Springmill Trails PUD Ordinance shall apply to the development of the Commercial District, except as modified or clarified below.

- 7.1 Section 3.2(A)(3) Commercial District; Development Requirements; Special Requirements of the Springmill Trails PUD Ordinance shall not apply; rather, the Commercial District boundary shall be as set forth by the Zoning District Map.
- 7.2 Section 3.2(A)(4) Commercial District; Development Requirements; Special Requirements of the Springmill Trails PUD Ordinance regarding the 32 Overlay shall not apply to the Commercial District.
- 7.3 Minimum Building Setback Lines: Section 3.2(F) Minimum Setback Lines (applied to perimeter of the Commercial District) shall apply. In addition, the following shall apply:
- A. Minimum Side or Rear Yard Building Setback Line (internal to the Commercial District): No minimum.
- B. Minimum Building Separation: Ten (10) feet.
- 7.4 Section 3.3 Architectural Standards of the Springmill Trails PUD Ordinance shall not apply; rather, only the following shall apply to the Commercial District:

- A. Character Exhibit. The “Commercial District Character Exhibit”, attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed within the Commercial District. Although the Commercial District Character Exhibit does not represent the final design, it does hereby establish a benchmark for the quality and appearance of Buildings permitted, and it provides examples of architecture and design elements that comply with this Ordinance and contribute to the intent and vision for the Commercial District.
- B. Permitted Building Materials. Permitted Building Façade materials shall include: Masonry Materials, simulated cut stone, finished (textured and painted) concrete, finished (textured and painted) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), and, Fiber Cement Siding. Architectural Insulated Panels and pre-finished metal composite panels shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade. E.I.F.S. shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade and a minimum of eight (8) feet above grade.
- C. Prohibited Building Materials. Prohibited Building Façade materials shall include: wood, plywood, unfinished concrete, unfinished concrete panels, plastics, reflective glass, and vinyl siding.
- D. Building Material Variation: The exterior building material selection for all Building Facades shall be supplemented with: (i) the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.); or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).
- ~~E.~~ Gutters and Downspouts: Shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials.
- ~~E.F.~~ Utility Meter Screening: All roof or ground mounted mechanical equipment and wall-mounted utility meters shall be screened from view from adjoining Rights-of-way and are encouraged to be clustered. Screening materials shall be architecturally compatible with the Principal Building(s) and may be achieved by using landscape plantings, opaque wood, Masonry Materials, or a combination of the aforementioned.

7.5 Car Condominium Facility Frontage Architectural Standards: In addition to the standards of Section 7.4 of this Ordinance, the following standards shall also apply to a Car Condominium Facility:

- A. The Front and Side Building Facades of buildings labeled as Building A (“Bldg A”) and Building B (“Bldg B”) on the Illustrative Layout shall comply with Article 5.3(J) Architectural Design Requirements of the 32 Overlay, except as modified below:
 - i. Article 5.3(J)(2)(b) Building Elevations: Shall be modified to

require Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than fifty (50) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of two (2) feet and a minimum aggregate length of twenty (20) percent of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

- B. ~~The Front Yard located between Tournament Trail and the~~ The building labeled as Building C ("Bldg C") on the Illustrative Layout shall either: (i) comply with the standards of Section 7.5(A) of this Ordinance; or, (ii) the Front Yard located between Tournament Trail and the building shall include a landscaping area with a minimum of three (3) shade or evergreen trees, two (2) ornamental trees, and twenty-five (25) shrubs per one hundred (100) linear feet.

B-7.6 Lot 2 Specific Architectural Standards: At a minimum, Buildings on Lot 2, as identified on the Illustrative Site Layout, shall be developed with the same, or greater, quality and character of the building depicted in Character Exhibit D-2 and in accordance with Section 7.4 of this Ordinance. Alternatively, buildings may also be developed in accordance with Section 8.2 of this Ordinance.

Section 8. **Mixed-Use District.** Article 4 Business District of the Springmill Trails PUD Ordinance shall apply to the development of the Mixed-Use District, except as modified or clarified below.

- 8.1 Minimum Building Setback Lines: Section 4.3(F) Minimum Setback Lines (applied to perimeter of the Mixed-Use District) shall apply. In addition, the following shall apply:

- A. Minimum Side or Rear Yard Building Setback Line (internal to the Mixed-Use District): No minimum.

- 8.2 Section 4.4 Architectural and Design Requirements: Shall apply, except as modified below:

- A. Architectural Design Requirements: Article 5.3(K) Architectural Design Requirements of the 32 Overlay shall apply. If a provision of Article 5.3(K) is in conflict with Article 6.3 Architectural Standards of the UDO, then the 32 Overlay shall control.

- B. Article 5.3(J)(2)(b) Building Elevations: Shall be modified to require Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in

Gross Floor Area shall be designed with offsets at interval of not greater than fifty (50) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of two (2) feet and a minimum aggregate length of twenty (20) percent of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

- C. Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) and Article 6.1(H)(5) Screening of Receptacles and Loading Areas shall be modified to: (i) permit enclosures to be located within the Established Front Yard of Tournament Trail; and, (ii) if enclosures are attached to the Principal Building, then the opaque gates may be oriented towards Tournament Trail.

Section 9. Landscaping Standards. Article 8 Landscaping Standards of the Springmill Trails PUD Ordinance shall apply, except as modified or clarified below.

- A. Foundation Plantings (Article 6.8(L)): Building foundation plantings shall only be required along a Building Facade oriented towards State Highway 32, Ditch Road, or, Tournament Trail.
- B. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply to State Highway 32; rather, the Trail Corridor Requirements of the 32 Overlay shall apply along State Highway 32. External Street Frontage Landscaping shall only be required along Ditch Road as follows: A landscaping area with a minimum depth of ten (10) feet shall be required abutting Ditch Road. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. This requirement may be credited toward required Parking Area Landscaping requirements.
- C. Buffer Yard Requirements (Section 8.3 of the Springmill Trails PUD Ordinance): Shall not apply to the Real Estate; however, a minimum buffer yard consistent with “Buffer A” of Article 6.8(N)(4) of the UDO shall apply along the Real Estate’s north property line. The width and plantings of any common area or open space (e.g., “Block 2”, as labeled on the Illustrative Layout) shall be credited towards this buffer yard requirement.
- D. Parking Area Landscaping (Section 8.4 of the Springmill Trails PUD Ordinance and Article 6.8(O) of the UDO). Shall apply, except as otherwise modified below.
- i. Interior Parking Area Landscaping (Article 6.8(O)(1)(a)). Shall not apply to a Car Condominium Facility.
 - ii. Perimeter Parking Area Landscaping (Article 6.8(O)(2)). Shall apply, except as modified below.
 - a. If adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter

Parking Area Landscaping; rather, the combined Parking Area shall be designed as a single Parking Area and landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements.

- b. Parking Areas for “Auto sales, New or used, service” uses, as listed in the Table of Permitted Uses, shall be screened from single-family residential dwellings to the north of the Real Estate. Screening shall supplement the required Perimeter Parking Area Landscaping along the use’s north lot line and consist of a solid opaque fence, wall, vegetation, or combination of the aforementioned. This screen shall be credited towards any buffer yard requirement.

- E. Perimeter Drainage and Utility Easements. Landscaping within drainage and utility easements required the City’s Department of Public Works around the perimeter of Lots (the “Easements”) is restricted. As a result, if plantings required by this Ordinance are not permitted by the City within the Easements, then the required plantings shall be relocated and installed elsewhere on the Real Estate. If the relocation of plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a landscape plan may be approved with fewer plantings than otherwise required.

Section 10. **Sign Standards.** Article 9 Sign Standards of the Springmill Trails PUD Ordinance shall apply, except as modified below:

- 10.1 Section 9.4(A)(2)(a) Nonresidential Center Signs; Monument Signs; Mixed-Use District shall be modified to permit one of the following along the Real Estate’s State Highway 32 frontage:

- A. One (1) monument sign in accordance with Section 9.4(A)(2)(a) of the Springmill Trails PUD Ordinance, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred and fifty (250) square feet of Sign Area per face; or,
- B. Two (2) monument signs, which shall be no greater than fifteen (15) feet in height and have no more than one hundred and twenty (120) square feet of Sign Area per face.

- 10.2 Monument signs permitted for the Real Estate shall be permitted to include tenant information for tenants on the Real Estate, regardless of whether those tenants are within the Commercial District or Mixed-Use District.

**[Remainder of page intentionally left blank;
signature page follows.]**

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF JULY, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-16** was delivered to the Mayor of Westfield

on the _____ day of July, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-16**

this _____ day of July, 2019.

I hereby VETO **ORDINANCE 19-16**

this _____ day of July, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Jesse M. Pohlman, William Tres Development
3802 W 96th Street, Suite 210, Indianapolis, Indiana 46268

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: Jesse M. Pohlman

SCHEDULE OF EXHIBITS

- Exhibit A Real Estate (Legal Description)
- Exhibit B Zoning District Map
- Exhibit C Illustrative Layout
- Exhibit D-1 Commercial District Character Exhibit
- Exhibit D-2 Commercial District Character Exhibit

EXHIBIT A
REAL ESTATE

THE FOLLOWING DESCRIPTION WAS PREPARED BY KAREN SUTTON, P.S. - INDIANA #LS21200013 OF WEIHE ENGINEERS, INC. AS PART OF A SURVEY PERFORMED UNDER JOB NO. W150193, DATED OCTOBER 23, 2018.

PART OF THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE HARRISON MONUMENT AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE WEST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST (ASSUMED BEARING) A DISTANCE OF 1400.00 FEET TO A MAG NAIL AND THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 46 MINUTES 36 SECONDS EAST A DISTANCE OF 21.67 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 73 DEGREES 10 MINUTES 14 SECONDS EAST A DISTANCE OF 137.99 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 52 DEGREES 12 MINUTES 06 SECONDS EAST A DISTANCE OF 310.95 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 88 DEGREES 34 MINUTES 42 SECONDS EAST A DISTANCE OF 283.05 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST 203.75 FEET TO A POINT IN LITTLE EAGLE CREEK DRAIN, THE FOLLOWING 7 CALLS ALONG SAID CENTERLINE OF LITTLE EAGLE CREEK DRAIN, MORE OR LESS; 1) THENCE SOUTH 63 DEGREES 15 MINUTES 09 SECONDS EAST A DISTANCE OF 89.80 FEET; 2) THENCE SOUTH 53 DEGREES 23 MINUTES 32 SECONDS EAST A DISTANCE OF 489.16 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 360.00 FEET; 3) THENCE ALONG SAID CURVE A DISTANCE OF 240.90 FEET, HAVING A CHORD THAT BEARS SOUTH 72 DEGREES 33 MINUTES 43 SECONDS EAST 236.43 FEET; 4) THENCE NORTH 88 DEGREES 17 MINUTES 02 SECONDS EAST A DISTANCE OF 1011.64 FEET; 5) THENCE SOUTH 64 DEGREES 48 MINUTES 08 SECONDS EAST A DISTANCE OF 55.53 FEET; 6) THENCE SOUTH 47 DEGREES 06 MINUTES 06 SECONDS EAST A DISTANCE OF 358.81 FEET; 7) THENCE SOUTH 45 DEGREES 49 MINUTES 03 SECONDS EAST A DISTANCE OF 154.44 FEET TO A POINT ON THE WEST RIGHT OF WAY OF DITCH ROAD AND A CURVE TO THE LEFT HAVING A RADIUS OF 2,060.00 FEET, THE FOLLOWING 4 CALLS ALONG SAID WEST RIGHT OF WAY LINE OF DITCH ROAD; 1) THENCE ALONG SAID CURVE A DISTANCE OF 71.95 FEET, HAVING A CHORD THAT BEARS SOUTH 02 DEGREES 57 MINUTES 24 SECONDS WEST 71.95 FEET; 2) SOUTH 01 DEGREES 57 MINUTES 22 SECONDS WEST A DISTANCE OF 307.72 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,060.00 FEET; 3) THENCE ALONG SAID CURVE A DISTANCE OF 375.02 FEET, HAVING A CHORD THAT BEARS SOUTH 00 DEGREES 53 MINUTES 18 SECONDS WEST 375.00 FEET; 4) THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST A DISTANCE OF 190.53 FEET TO THE NORTH RIGHT OF WAY OF STATE ROAD 32 AS RECORDED IN INSTRUMENT NUMBER 2008032205; THENCE ALONG SAID NORTH RIGHT OF WAY SOUTH 43 DEGREES 40 MINUTES 10 SECONDS WEST A DISTANCE OF 72.17 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY SOUTH 83 DEGREES 36 MINUTES 05 SECONDS WEST A DISTANCE OF 117.25 FEET TO THE NORTH RIGHT OF WAY LINE TO THE CITY OF WESTFIELD AS RECORDED IN INSTRUMENT NUMBER 2017056244; THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89 DEGREES 22 MINUTES 48 SECONDS WEST A DISTANCE OF 373.68 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE

SOUTH 88 DEGREES 15 MINUTES 06 SECONDS WEST A DISTANCE OF 190.03 FEET; THENCE SOUTH 00 DEGREES 37 MINUTES 12 SECONDS EAST A DISTANCE OF 35.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89 DEGREES 20 MINUTES 01 SECONDS WEST ALONG SAID SOUTH SECTION LINE A DISTANCE OF 1257.80 FEET TO THE EAST LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 8618638; THENCE NORTH 00 DEGREES 09 MINUTES 02 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 264.00 FEET TO A 5/8" STEEL PIN AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 89 DEGREES 19 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID PROPERTY A DISTANCE OF 168.63 FEET TO A 5/8" STEEL PIN AND THE WEST LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 2013015842; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 1030.52 FEET TO THE SOUTH LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 2014050079; THENCE SOUTH 89 DEGREES 20 MINUTES 01 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 646.50 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, PASSING THROUGH A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" AT 629.77 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID WEST QUARTER SECTION LINE A DISTANCE OF 105.48 FEET TO THE POINT OF BEGINNING. CONTAINING 73.459 ACRES, MORE OR LESS (3,199,886 SQ. FT.).

EXHIBIT B
ZONING DISTRICT MAP

EXHIBIT C
ILLUSTRATIVE LAYOUT

EXHIBIT D-1
CHARACTER EXHIBIT

EXHIBIT D-2
CHARACTER EXHIBIT

ORDINANCE NUMBER 19-16

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

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WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1906-PUD-13**), requesting an amendment to the Springmill Trails PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1906-PUD-13** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (____ - ____) 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 _____, 2019;

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; and

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:

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- 2.1 **Car Condominium Facility:** A Building or groups of Buildings consisting of fee simple ownership or Condominiums for permitted business and personal uses, as generally depicted on the Illustrative Layout and Character Exhibit, and shall also include activities and events that typically include community (e.g., educational tours, fundraising events, charitable events, corporate outings), entertainment (e.g., festivals, car shows), and other similar uses. Sleeping quarters or lodging accommodations within a condominium unit, with the exception of a property manager, shall not be permitted.

Section 3. **Zoning District Map.** The Zoning District Map of the Springmill Trails PUD Ordinance is hereby amended and replaced with the “**Zoning District Map**”, attached hereto as **Exhibit B**. The Real Estate is divided into two (2) subareas, as depicted on the Zoning District Map and labeled as Commercial District and Mixed-Use District (individually or collectively, “**Subdistrict**”). The Underlying Zoning District of each Subdistrict shall be as set forth in the Springmill Trails PUD Ordinance (the “**Underlying Zoning District**”). Development of each Subdistrict shall be regulated as set forth in the Springmill Trails PUD Ordinance, as amended, and this Ordinance. The Springmill Trails PUD Ordinance (Section 4.1(G)) permits the size and configuration of any business district to be increased or decreased by up to fifteen percent (15%). The Zoning District Map hereby establishes the permitted size and configuration of the Mixed-Use District and Commercial District, as applicable to the Real Estate.

Section 4. **Illustrative Site Development.** The Illustrative Site Development Plan of the Springmill Trails PUD Ordinance is hereby updated and replaced with the “**Illustrative Layout**”, attached hereto as **Exhibit C**. The Illustrative Layout provides one possible site layout for parking, internal drives and building locations of new improvements. The final layout and site plan shall be subject to the terms and conditions of this Ordinance and may vary from the Illustrative Layout.

Section 5. **Permitted Uses.** Permitted uses in the Subdistricts shall be as set forth in Article 7 of the Springmill Trails PUD Ordinance (“**Table of Permitted Uses**”), except as modified below.

- 5.1 **Mixed-Use District:** The following uses, as listed in the Table of Permitted Uses, shall be permitted in the Mixed-Use District: Auto Parts Sales; Tire and Auto Service Center; Semi-Automatic Car Wash.
- 5.2 **Commercial District:** The following uses, as listed in the Table of Permitted Uses,

shall be permitted in the Commercial District: Semi-Automatic Car Wash; Car Condominium Facility. However, a Car Condominium Facility shall not be permitted on Lot 2, as identified on the Illustrative Site Layout.

- 5.3 Temporary Use and Events: Article 6.18 Temporary Use and Events shall apply. A Car Condominium Facility shall not require a temporary use and event permit unless such event utilizes a temporary structure, then such permit and any corresponding inspection(s) shall be required.

Section 6. **State Highway 32 Overlay District.** Applicability of Article 5.3 State Highway 32 Overlay District of the Unified Development Ordinance (the “32 Overlay”) shall be as set forth by Article 5 State Highway 32 Overlay Zones of the Springmill Trails PUD Ordinance, except as otherwise modified below.

- 6.1 Section 5.1(A) of the Springmill Trails PUD Ordinance regarding State Road 32 access shall not apply to the Real Estate; rather, access shall be determined in accordance with the 32 Overlay.
- 6.2 Section 5.1(B) of the Springmill Trails PUD Ordinance regarding monument sign location shall not apply to the Real Estate; rather, sign locations shall be permitted in accordance with the 32 Overlay and Unified Development Ordinance.
- 6.3 The 32 Overlay shall not apply to the Commercial District, except as otherwise specifically provided for herein.

Section 7. **Commercial District.** Article 3 Commercial District of the Springmill Trails PUD Ordinance shall apply to the development of the Commercial District, except as modified or clarified below.

- 7.1 Section 3.2(A)(3) Commercial District; Development Requirements; Special Requirements of the Springmill Trails PUD Ordinance shall not apply; rather, the Commercial District boundary shall be as set forth by the Zoning District Map.
- 7.2 Section 3.2(A)(4) Commercial District; Development Requirements; Special Requirements of the Springmill Trails PUD Ordinance regarding the 32 Overlay shall not apply to the Commercial District.
- 7.3 Minimum Building Setback Lines: Section 3.2(F) Minimum Setback Lines (applied to perimeter of the Commercial District) shall apply. In addition, the following shall apply:
- A. Minimum Side or Rear Yard Building Setback Line (internal to the Commercial District): No minimum.
- B. Minimum Building Separation: Ten (10) feet.
- 7.4 Section 3.3 Architectural Standards of the Springmill Trails PUD Ordinance shall not apply; rather, only the following shall apply to the Commercial District:
- A. Character Exhibit. The “Commercial District Character Exhibit”, attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed within the Commercial District. Although the Commercial District Character Exhibit does not represent the final design, it does hereby

establish a benchmark for the quality and appearance of Buildings permitted, and it provides examples of architecture and design elements that comply with this Ordinance and contribute to the intent and vision for the Commercial District.

- B. Permitted Building Materials. Permitted Building Façade materials shall include: Masonry Materials, simulated cut stone, finished (textured and painted) concrete, finished (textured and painted) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), and, Fiber Cement Siding. Architectural Insulated Panels and pre-finished metal composite panels shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade. E.I.F.S. shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade and a minimum of eight (8) feet above grade.
- C. Prohibited Building Materials. Prohibited Building Façade materials shall include: wood, plywood, unfinished concrete, unfinished concrete panels, plastics, reflective glass, and vinyl siding.
- D. Building Material Variation: The exterior building material selection for all Building Facades shall be supplemented with: (i) the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.); or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).
- E. Gutters and Downspouts: Shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials.
- F. Utility Meter Screening: All roof or ground mounted mechanical equipment and wall-mounted utility meters shall be screened from view from adjoining Rights-of-way and are encouraged to be clustered. Screening materials shall be architecturally compatible with the Principal Building(s) and may be achieved by using landscape plantings, opaque wood, Masonry Materials, or a combination of the aforementioned.

7.5 Car Condominium Facility Frontage Architectural Standards: In addition to the standards of Section 7.4 of this Ordinance, the following standards shall also apply to a Car Condominium Facility:

- A. The Front and Side Building Facades of buildings labeled as Building A (“Bldg A”) and Building B (“Bldg B”) on the Illustrative Layout shall comply with Article 5.3(J) Architectural Design Requirements of the 32 Overlay, except as modified below:
 - i. Article 5.3(J)(2)(b) Building Elevations: Shall be modified to require Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than fifty (50) feet.

Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of two (2) feet and a minimum aggregate length of twenty (20) percent of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

- B. The building labeled as Building C (“Bldg C”) on the Illustrative Layout shall either: (i) comply with the standards of Section 7.5(A) of this Ordinance; or, (ii) the Front Yard located between Tournament Trail and the building shall include a landscaping area with a minimum of three (3) shade or evergreen trees, two (2) ornamental trees, and twenty-five (25) shrubs per one hundred (100) linear feet.

- 7.6 Lot 2 Specific Architectural Standards: At a minimum, Buildings on Lot 2, as identified on the Illustrative Site Layout, shall be developed with the same, or greater, quality and character of the building depicted in Character Exhibit D-2 and in accordance with Section 7.4 of this Ordinance. Alternatively, buildings may also be developed in accordance with Section 8.2 of this Ordinance.

Section 8. **Mixed-Use District.** Article 4 Business District of the Springmill Trails PUD Ordinance shall apply to the development of the Mixed-Use District, except as modified or clarified below.

- 8.1 Minimum Building Setback Lines: Section 4.3(F) Minimum Setback Lines (applied to perimeter of the Mixed-Use District) shall apply. In addition, the following shall apply:

- A. Minimum Side or Rear Yard Building Setback Line (internal to the Mixed-Use District): No minimum.

- 8.2 Section 4.4 Architectural and Design Requirements: Shall apply, except as modified below:

- A. Architectural Design Requirements: Article 5.3(K) Architectural Design Requirements of the 32 Overlay shall apply. If a provision of Article 5.3(K) is in conflict with Article 6.3 Architectural Standards of the UDO, then the 32 Overlay shall control.

- B. Article 5.3(J)(2)(b) Building Elevations: Shall be modified to require Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than fifty (50) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of two (2) feet and a minimum aggregate length of twenty (20) percent of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns,

ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

- C. Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) and Article 6.1(H)(5) Screening of Receptacles and Loading Areas shall be modified to: (i) permit enclosures to be located within the Established Front Yard of Tournament Trail; and, (ii) if enclosures are attached to the Principal Building, then the opaque gates may be oriented towards Tournament Trail.

Section 9. Landscaping Standards. Article 8 Landscaping Standards of the Springmill Trails PUD Ordinance shall apply, except as modified or clarified below.

- A. Foundation Plantings (Article 6.8(L)): Building foundation plantings shall only be required along a Building Facade oriented towards State Highway 32, Ditch Road, or, Tournament Trail.
- B. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply to State Highway 32; rather, the Trail Corridor Requirements of the 32 Overlay shall apply along State Highway 32. External Street Frontage Landscaping shall only be required along Ditch Road as follows: A landscaping area with a minimum depth of ten (10) feet shall be required abutting Ditch Road. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. This requirement may be credited toward required Parking Area Landscaping requirements.
- C. Buffer Yard Requirements (Section 8.3 of the Springmill Trails PUD Ordinance): Shall not apply to the Real Estate; however, a minimum buffer yard consistent with “Buffer A” of Article 6.8(N)(4) of the UDO shall apply along the Real Estate’s north property line. The width and plantings of any common area or open space (e.g., “Block 2”, as labeled on the Illustrative Layout) shall be credited towards this buffer yard requirement.
- D. Parking Area Landscaping (Section 8.4 of the Springmill Trails PUD Ordinance and Article 6.8(O) of the UDO). Shall apply, except as otherwise modified below.
- i. Interior Parking Area Landscaping (Article 6.8(O)(1)(a)). Shall not apply to a Car Condominium Facility.
 - ii. Perimeter Parking Area Landscaping (Article 6.8(O)(2)). Shall apply, except as modified below.
 - a. If adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter Parking Area Landscaping; rather, the combined Parking Area shall be designed as a single Parking Area and landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements.
 - b. Parking Areas for “Auto sales, New or used, service” uses,

as listed in the Table of Permitted Uses, shall be screened from single-family residential dwellings to the north of the Real Estate. Screening shall supplement the required Perimeter Parking Area Landscaping along the use's north lot line and consist of a solid opaque fence, wall, vegetation, or combination of the aforementioned. This screen shall be credited towards any buffer yard requirement.

- E. Perimeter Drainage and Utility Easements. Landscaping within drainage and utility easements required the City's Department of Public Works around the perimeter of Lots (the "Easements") is restricted. As a result, if plantings required by this Ordinance are not permitted by the City within the Easements, then the required plantings shall be relocated and installed elsewhere on the Real Estate. If the relocation of plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a landscape plan may be approved with fewer plantings than otherwise required.

Section 10. **Sign Standards.** Article 9 Sign Standards of the Springmill Trails PUD Ordinance shall apply, except as modified below:

- 10.1 Section 9.4(A)(2)(a) Nonresidential Center Signs; Monument Signs; Mixed-Use District shall be modified to permit one of the following along the Real Estate's State Highway 32 frontage:
- A. One (1) monument sign in accordance with Section 9.4(A)(2)(a) of the Springmill Trails PUD Ordinance, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred and fifty (250) square feet of Sign Area per face; or,
 - B. Two (2) monument signs, which shall be no greater than fifteen (15) feet in height and have no more than one hundred and twenty (120) square feet of Sign Area per face.
- 10.2 Monument signs permitted for the Real Estate shall be permitted to include tenant information for tenants on the Real Estate, regardless of whether those tenants are within the Commercial District or Mixed-Use District.

**[Remainder of page intentionally left blank;
signature page follows.]**

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF JULY, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-16** was delivered to the Mayor of Westfield

on the _____ day of July, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-16**

this _____ day of July, 2019.

I hereby VETO **ORDINANCE 19-16**

this _____ day of July, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Jesse M. Pohlman, William Tres Development
3802 W 96th Street, Suite 210, Indianapolis, Indiana 46268

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: Jesse M. Pohlman

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Zoning District Map
Exhibit C	Illustrative Layout
Exhibit D-1	Commercial District Character Exhibit
Exhibit D-2	Commercial District Character Exhibit

EXHIBIT A
REAL ESTATE

THE FOLLOWING DESCRIPTION WAS PREPARED BY KAREN SUTTON, P.S. - INDIANA #LS21200013 OF WEIHE ENGINEERS, INC. AS PART OF A SURVEY PERFORMED UNDER JOB NO. W150193, DATED OCTOBER 23, 2018.

PART OF THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE HARRISON MONUMENT AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE WEST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST (ASSUMED BEARING) A DISTANCE OF 1400.00 FEET TO A MAG NAIL AND THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 46 MINUTES 36 SECONDS EAST A DISTANCE OF 21.67 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 73 DEGREES 10 MINUTES 14 SECONDS EAST A DISTANCE OF 137.99 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 52 DEGREES 12 MINUTES 06 SECONDS EAST A DISTANCE OF 310.95 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 88 DEGREES 34 MINUTES 42 SECONDS EAST A DISTANCE OF 283.05 FEET TO A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST 203.75 FEET TO A POINT IN LITTLE EAGLE CREEK DRAIN, THE FOLLOWING 7 CALLS ALONG SAID CENTERLINE OF LITTLE EAGLE CREEK DRAIN, MORE OR LESS; 1) THENCE SOUTH 63 DEGREES 15 MINUTES 09 SECONDS EAST A DISTANCE OF 89.80 FEET; 2) THENCE SOUTH 53 DEGREES 23 MINUTES 32 SECONDS EAST A DISTANCE OF 489.16 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 360.00 FEET; 3) THENCE ALONG SAID CURVE A DISTANCE OF 240.90 FEET, HAVING A CHORD THAT BEARS SOUTH 72 DEGREES 33 MINUTES 43 SECONDS EAST 236.43 FEET; 4) THENCE NORTH 88 DEGREES 17 MINUTES 02 SECONDS EAST A DISTANCE OF 1011.64 FEET; 5) THENCE SOUTH 64 DEGREES 48 MINUTES 08 SECONDS EAST A DISTANCE OF 55.53 FEET; 6) THENCE SOUTH 47 DEGREES 06 MINUTES 06 SECONDS EAST A DISTANCE OF 358.81 FEET; 7) THENCE SOUTH 45 DEGREES 49 MINUTES 03 SECONDS EAST A DISTANCE OF 154.44 FEET TO A POINT ON THE WEST RIGHT OF WAY OF DITCH ROAD AND A CURVE TO THE LEFT HAVING A RADIUS OF 2,060.00 FEET, THE FOLLOWING 4 CALLS ALONG SAID WEST RIGHT OF WAY LINE OF DITCH ROAD; 1) THENCE ALONG SAID CURVE A DISTANCE OF 71.95 FEET, HAVING A CHORD THAT BEARS SOUTH 02 DEGREES 57 MINUTES 24 SECONDS WEST 71.95 FEET; 2) SOUTH 01 DEGREES 57 MINUTES 22 SECONDS WEST A DISTANCE OF 307.72 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,060.00 FEET; 3) THENCE ALONG SAID CURVE A DISTANCE OF 375.02 FEET, HAVING A CHORD THAT BEARS SOUTH 00 DEGREES 53 MINUTES 18 SECONDS WEST 375.00 FEET; 4) THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST A DISTANCE OF 190.53 FEET TO THE NORTH RIGHT OF WAY OF STATE ROAD 32 AS RECORDED IN INSTRUMENT NUMBER 2008032205; THENCE ALONG SAID NORTH RIGHT OF WAY SOUTH 43 DEGREES 40 MINUTES 10 SECONDS WEST A DISTANCE OF 72.17 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY SOUTH 83 DEGREES 36 MINUTES 05 SECONDS WEST A DISTANCE OF 117.25 FEET TO THE NORTH RIGHT OF WAY LINE TO THE CITY OF WESTFIELD AS RECORDED IN INSTRUMENT NUMBER 2017056244; THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89 DEGREES 22 MINUTES 48 SECONDS WEST A DISTANCE OF 373.68 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE

SOUTH 88 DEGREES 15 MINUTES 06 SECONDS WEST A DISTANCE OF 190.03 FEET; THENCE SOUTH 00 DEGREES 37 MINUTES 12 SECONDS EAST A DISTANCE OF 35.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89 DEGREES 20 MINUTES 01 SECONDS WEST ALONG SAID SOUTH SECTION LINE A DISTANCE OF 1257.80 FEET TO THE EAST LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 8618638; THENCE NORTH 00 DEGREES 09 MINUTES 02 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 264.00 FEET TO A 5/8" STEEL PIN AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 89 DEGREES 19 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID PROPERTY A DISTANCE OF 168.63 FEET TO A 5/8" STEEL PIN AND THE WEST LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 2013015842; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 1030.52 FEET TO THE SOUTH LINE OF PROPERTY RECORDED IN INSTRUMENT NUMBER 2014050079; THENCE SOUTH 89 DEGREES 20 MINUTES 01 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 646.50 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, PASSING THROUGH A 5/8 INCH STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" AT 629.77 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID WEST QUARTER SECTION LINE A DISTANCE OF 105.48 FEET TO THE POINT OF BEGINNING. CONTAINING 73.459 ACRES, MORE OR LESS (3,199,886 SQ. FT.).

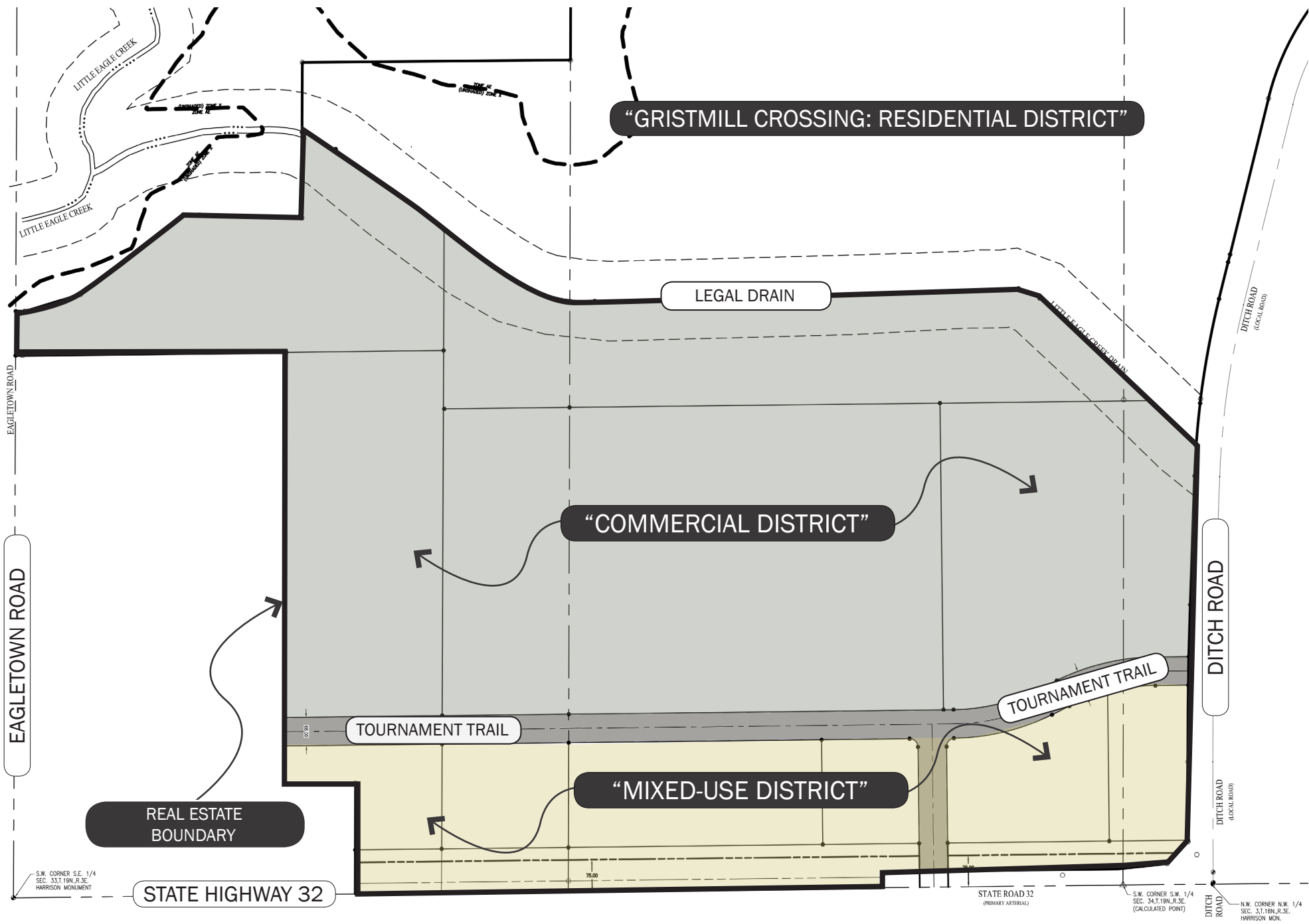


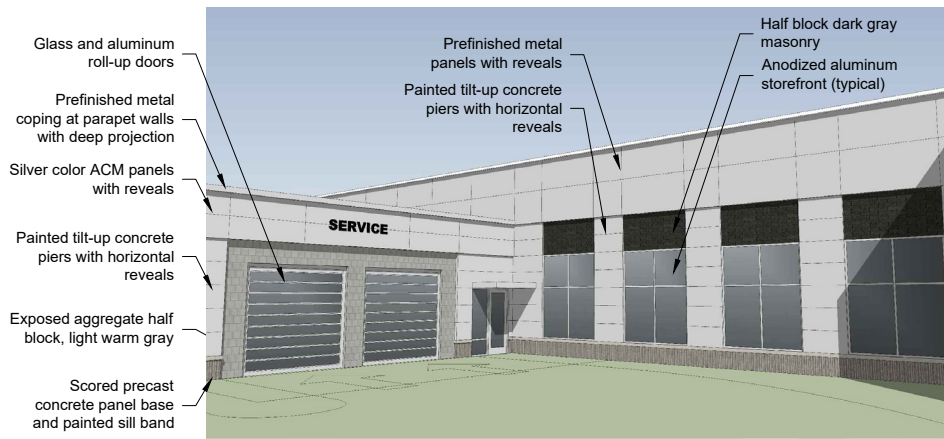
EXHIBIT B: ZONING DISTRICT MAP
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



EXHIBIT C: ILLUSTRATIVE LAYOUT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



EXHIBIT D-1: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



5
A2

Service Materials Detail

NOT TO SCALE



4
A2

Entry Materials Detail

NOT TO SCALE



3
A2

Proposed Main Frontage Perspective

NOT TO SCALE



2
A2

Proposed South Elevation

NOT TO SCALE

1
A2

Proposed East Elevation

NOT TO SCALE

EXHIBIT D-2: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT

12300
\$7
10000

2011046866 ORDINANCE \$124.00
09/22/2011 11:25:20A 57 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 11-19

AN ORDINANCE OF THE CITY OF WESTFIELD TO AMEND THE ZONING MAP

This PUD Ordinance (the "Springmill Trails PUD") amends the Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance"), enacted by the City of Westfield under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended with respect to the Real Estate (defined below).

WHEREAS, the City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance; and,

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1101-PUD-02), filed with the commission, requesting amendment to the Zoning map; and,

WHEREAS, this Springmill Trails PUD changes the zoning of and governs the Real Estate legally described in what is attached hereto and incorporated herein by reference as Exhibit A (the "Real Estate") to the applicable terms and conditions of this Springmill Trails PUD; and,

WHEREAS, the property now zoned by the Eagletown PUD not included in the Real Estate remains governed by the applicable terms and conditions of the Eagletown PUD, Ordinance 07-07; and,

WHEREAS, the Commission did take action on August 15, 2011 to forward the said Docket 1101-PUD-02 to the Westfield City Council with a favorable recommendation by a vote of 7 in favor and 1 opposed, in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505; and,

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council on August 16, 2011; and,

WHEREAS, the Westfield City Council is subject to the provisions of 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 WESTFIELD CITY COUNCIL THAT ORDINANCE ZONING MAP AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. Development of the Real Estate shall be governed by the provisions of the Zoning Ordinance unless specifically modified by the terms of this Springmill Trails

PUD Ordinance. When the standards of this Springmill Trails PUD Ordinance are found to be in conflict with other standards in the Zoning Ordinance, the Springmill Trails PUD Ordinance shall prevail. The uses and standards established in what is attached hereto and incorporated herein by reference as (i) Articles 1 thru 9 and (ii) Exhibits A thru E are applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit "A".

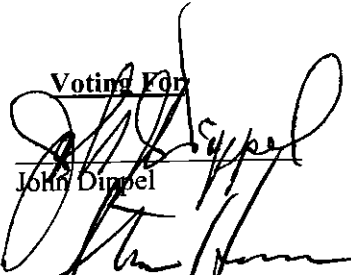
SECTION 2. This ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby inapplicable to the Real Estate. To the extent that this ordinance conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of the ordinance shall prevail.

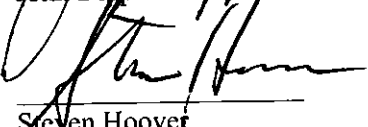
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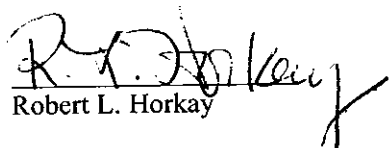
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS 12 DAY OF Sept, 2011.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

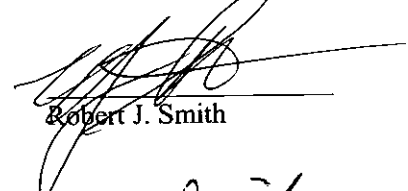
Voting For


John Dippel

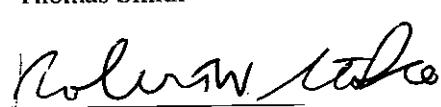

Steven Hoover


Robert L. Horkay


Kenneth Kingshill


Robert J. Smith


Thomas Smith


Robert W. Stokes

Voting Against

John Dippel

Steven Hoover

Robert L. Horkay

Kenneth Kingshill

Robert J. Smith

Thomas Smith

Robert W. Stokes

Abstain

John Dippel

Steven Hoover

Robert L. Horkay

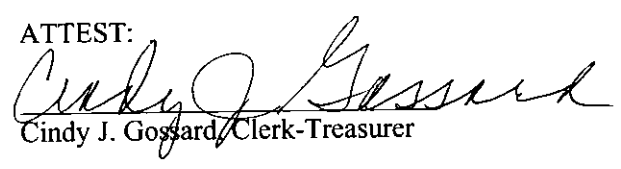
Kenneth Kingshill

Robert J. Smith

Thomas Smith

Robert W. Stokes

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: Jon C. Dobosiewicz

Prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson and Frankenberger, PC
3150 East 98th Street, Suite 170, Indianapolis, IN 46280, (317) 844-0106.

I hereby certify that ORDINANCE 11-19 was delivered to the Mayor of Westfield on the 13 day
of Sept, 2011, at 9:30 a m.

Cindy J. Gossard
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 11-19

This 13 day of Sept., 2011.

J. Andrew Cook
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 11-19

this ____ day of _____, 2011.

J. Andrew Cook, Mayor

"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law"

James C. Smith
Signed

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ARTICLE 1. DEFINITIONS.

1. "Alley" shall mean and refer to any private drive, with the exception of private streets, open for the purpose of affording a secondary means of vehicular access to abutting property which otherwise abuts upon a street and which is not intended for traffic other than public services and circulation to and from said property.
2. "Church" shall mean and refer to a building and property used for public worship. A Church may include a daycare and meeting space facilities open to the general public at the election of the owner.
3. "Commercial District" shall mean and refer to what is identified on the Zoning District Map as Commercial.
4. "Community Garden" shall mean and refer to a designated area within a subdivision common area set aside for use by residents for the growing of plants including fruits, vegetables and flowers. These areas may be segmented off for use by individual owners of lots within the subdivision.
5. "Concession / Mobility Rental Stand" shall mean and refer to a business use engaged in the sale of refreshments and rental of equipment such as bicycles to serve the needs of pedestrians visiting a sports complex or the Little Eagle Creek Trail.
6. "Construction Phasing Schedule" shall mean and refer to the Construction Phasing Schedule attached hereto and incorporated herein by reference as Exhibit D.
7. "Corner Break" shall mean and refer to the exterior corner along the elevation of a home. The exterior corners of a covered porch, the outermost corners of the residence, and a projection with a height of no less than six feet and projection of no less than 2 feet shall count as a corner break.
8. "Development Amenities" shall mean and refer to neighborhood features that provide comfort, convenience, pleasure, and increased quality of life within developments. Development amenities may include, but are not limited to clubhouses, gyms, swimming pools, tennis courts, basketball courts, ball-fields (soccer, football, etc.), walking/jogging/biking trails, picnic/barbecue group areas, playgrounds, volleyball courts, and racquetball courts.
9. "District" shall mean and refer to any of the five (5) Districts within the Springmill Trails PUD.
10. "Dwelling, Single Family Attached" shall mean and refer to two through seven unit attached dwellings including but not limited to Quadplex Dwellings, Triplex Dwellings, Duplex Dwellings, and Townhouse Dwellings.
11. "Dwelling, Single Family Detached" shall mean and refer to a dwelling unit which does not

share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.

12. "Elevation" shall mean and refer to the front, side or rear of a dwelling.
13. "Fishing Pond" shall mean and refer to a storm water management pond that is stocked with fish for the purpose of providing recreational fishing opportunities for the residents of a District(s).
14. "Franchise Architecture" shall mean and refer to building design that is trademarked or identified with a particular chain or corporation and is generic in nature.
15. "Illustrative Site Development Plan" shall mean and refer to the Illustrative Site Development Plan attached hereto and incorporated herein by reference as Exhibit C.
16. "Market Center District" shall mean and refer to what is identified on the Zoning District Map as the Market Center.
17. "Mixed Use District" shall mean and refer to what is identified on the Zoning District Map as Mixed Use.
18. "Natural Materials" Brick, wood, limestone, fiber cement siding, or natural stone.
19. "Overhang" The portion of the roof structure that extends beyond the exterior walls of a home offering it protection from the elements.
20. "Owner" shall mean and refer to any owner of any part of the Real Estate.
21. "Parcel" shall mean and refer to a land area with properly recorded legal description.
22. "Parcel Coverage" shall mean and refer to the total ground area, within any particular parcel, covered by the primary structures plus garages and carports and other accessory structures, which are greater than thirty-six inches above grade level, excluding fences and walls not attached in any way to the roof.
23. "Public gathering area" shall mean and refer to a space within a subdivision common area occupied by a structure and surrounding hardscape/landscape design including seating for a minimum of 10 persons.
24. "Real Estate" shall mean and refer to the real estate described in what is attached hereto and incorporated herein by references as Exhibit A.
25. "Residential District 1" shall mean and refer to what is identified on the Zoning District Map as the Residential District 1.
26. "Residential District 2" shall mean and refer to what is identified on the Zoning District Map

as the Residential District 2.

27. "Ridge line" The intersection of two horizontal roof planes, or the angle formed by them, which form the peak of a pitched area. A hip roof shall be the equivalent of only one ridge line.
28. "Zoning District Map" shall mean and refer to the Zoning District Map attached hereto and incorporated herein by reference as Exhibit B.
29. "Zoning Ordinance" shall mean and refer to the Comprehensive Zoning Ordinance of Westfield-Washington Township, 1977, as amended.

ARTICLE 2. SINGLE FAMILY RESIDENTIAL DISTRICTS. WC 16.04.030 of the Zoning Ordinance, entitled "Residential Districts", shall be applicable to the use and development of the Real Estate, subject to the following exceptions and additions:

Section 2.1. General Requirements.

- A. Building Height. All non-residential buildings are permitted to be a maximum of fifty (50) feet or four stories in height, whichever is greater.
- B. Keeping of Animals (excluding cats and dogs). Horses, ponies and llamas may be kept on Parcels subject to the following standards:
 - 1. Minimum parcel size of 3 acres,
 - 2. Maximum of one animal per acre, and
 - 3. Stables are permitted subject to a minimum of 50' setback from all property lines.
- C. Chain-link fencing with vinyl slats is prohibited.

Section 2.2. Residential District 1: The underlying zoning of Residential District 1 shall be the SF 4 District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the Residential District 1.

- A. Permitted Uses:
 - 1. Single Family Detached Dwellings
 - 2. Church
 - 3. Public parks
 - 4. Schools – Public or Private – without dormitory accommodations
 - 5. Fire Station
 - 6. Day Care Center
 - 7. Model dwellings and sales offices therein and temporary trailers from which lot and dwelling sales activities may be conducted with outside sales persons.
 - 8. Child care dwelling - in accordance with IC 36-7-4-1108

9. Residential facility for mentally ill - in accordance with IC 12-28-4-7
 10. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities.
- B. Minimum lot area: Seven thousand five hundred (7,500) square feet subject to the following additional standards:
1. No more than 400 lots shall be less than nine thousand (9,000) square feet.
 2. No more than 600 lots shall be less than eleven thousand (11,000) square feet.
- C. Minimum Lot Frontage on Road: Fifty (50) feet.
- D. Minimum Setback Lines:
1. Front yard – 20 feet
 2. Side yard – 6 feet
 3. Rear yard – 20 feet
- E. Minimum lot width at building line: Seventy (70) feet
- F. Maximum building height: Thirty-five (35) feet.
- G. Minimum total square footage, exclusive of porches, terraces, and garages:
1. Single story: One thousand four hundred (1,400) square feet
 2. Two story: One thousand eight hundred (1,800) square feet
 3. A maximum number of dwellings less than 1,600 square feet if single story and 2,000 square feet if two story shall be 400.
 4. The maximum number of dwellings less than 2,200 square feet shall be 600.
- H. Architectural Standards:
1. Elevations:

- a. The front elevation of a dwelling shall be the elevation containing the front door to the dwelling.
 - b. A minimum of fifty percent (50%) of the front elevation of each dwelling (excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof) shall have masonry as the exterior building material.
 - c. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material subject to any exception permitted in this Article.
2. A dwelling shall have a minimum of three (3) ridge lines.
3. A dwelling shall have a minimum of three (3) corner breaks on the (i) front elevation and (ii) each side elevation.
4. Windows:
 - a. A dwelling shall have a minimum of three (3) windows on the front elevation of the structure.
 - b. A dwelling shall have a minimum of two (2) windows on each side elevation. A door on the side elevation shall meet the requirement of one window.
 - c. A dwelling shall have a minimum of three (3) windows on the rear elevation.
 - d. A double window (a single window unit a minimum of four (4) feet in width with two windows side by side) shall count as two windows.
 - e. All windows shall have shutters and/or treatment. For windows in brick elevation, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick elevation, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
5. A stoop or porch is required at the front door on all dwellings. The minimum size shall be no less than four (4) feet in width and depth.

6. The minimum roof pitch of the main roof of the dwelling shall be 6/12. Elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
7. Roof overhangs shall be required and shall be a minimum of 8". Elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
8. Roof vents shall be located to the rear of the dwelling when possible. All vents shall be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.

I. Lot Landscaping Requirements: The following standards apply to all lots within Residential District 1 and contribute to the requirements of Section 8.2 of this Springmill Trails PUD:

1. A minimum of two (2) shade trees, and ten (10) shrubs shall be planted in each front yard.
2. Each dwelling shall have a minimum of one (1) tree and six (6) shrubs in each side yard.
3. Each dwelling shall have a minimum of one shade (1) tree in the rear yard.
4. Twenty-five percent of the shrubs required under this section may be substituted with perennial plants at the rate of 4 perennials per 1 shrub.

J. Additional Design Standards:

1. No rear yard shall abut Springmill Road, 186th Street or Eagle Parkway. Lots shall face these street(s) or be separated from the street(s) by project open space a minimum of 100'. See Article 8.3.F of this Springmill Trails PUD Ordinance for additional standards.
2. A minimum of seventy-two (72) of the dwellings constructed in Residential District 1 shall have a side load or courtyard garage.

Section 2.3. Residential District 2: The underlying zoning for Residential District 2 shall be the SF-5 District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the Residential District 2. The size and configuration of Residential District 2 may increase or decrease by up to 15%.

A. Permitted Uses:

1. Single Family Detached Dwellings
2. Single Family Attached Dwellings
3. Public parks
4. Assisted Living Facility
5. Concession / Mobility Rental Stand (only permitted west of Eagle Parkway)
6. Fire Station
7. Church
8. Daycare Center
9. Model dwellings and sales offices therein and temporary trailers from which lot and dwelling sales activities may be conducted with outside sales persons.
10. Child care dwelling - in accordance with IC 36-7-4-1108
11. Residential facility for mentally ill - in accordance with IC 12-28-4-7
12. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities.

B. Minimum lot area:

1. 40' alley load lots – 3,200 square feet
2. 50' alley load lots – 4,400 square feet
3. 60' alley load lots – 5,000 square feet
4. 60' front load lots – 5,400 square feet
5. Single Family Attached Dwellings – N/A

C. Minimum lot frontage on road:

1. 40' alley load lots – 40 feet

2. 50' alley load lots – 40 feet
3. 60' alley load lots – 40 feet
4. 60' front load lots – 40 feet
5. Single Family Attached Dwellings – N/A

D. Minimum setback lines:

1. Front yard –
 - a. 40' alley load lots – 10 feet
 - b. 50' alley load lots – 10 feet
 - c. 60' alley load lots – 10 feet
 - d. 60' front load lots – 20 feet
 - e. Single Family Attached Dwellings – 10 feet alley load and side load, 20 feet front load
2. Side yard:
 - a. 40' alley load lots – 6 feet
 - b. 50' alley load lots – 6 feet
 - c. 60' alley load lots – 6 feet
 - d. 60' front load lots – 6 feet
 - e. Single Family Attached Dwellings – minimum 25' between buildings
3. Rear yard:
 - a. 40' alley load lots – 20 feet
 - b. 50' alley load lots – 20 feet
 - c. 60' alley load lots – 20 feet
 - d. 60' front load lots – 15 feet

- e. Single Family Attached Dwellings – minimum 25' between buildings
4. Minimum lot width at building line:
- a. 40' alley load lots – 40 feet (50' on corner lots)
 - b. 50' alley load lots – 50 feet
 - c. 60' alley load lots – 60 feet
 - d. 60' front load lots – 60 feet
 - e. Single Family Attached Dwellings – N/A
5. Maximum building height:
- a. 40' alley load lots – 25 feet
 - b. 50' alley load lots – 25 feet
 - c. 60' alley load lots – 25 feet
 - d. 60' front load lots – 25 feet
 - e. Single Family Attached Dwellings – 35 feet
- E. Minimum total square footage, exclusive of porches, terraces, and garages:
- 1. Single story: One thousand, four hundred (1,400) square feet
 - 2. Single-family attached: One thousand, three hundred (1,300) square feet
- F. Architectural Standards:
- 1. Elevations:
 - a. The front elevation of a dwelling shall be the elevation containing the front door to the dwelling.
 - b. A minimum of fifty percent (50%) of the front elevation of each dwelling, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.

- c. The surface area of all remaining elevations shall have masonry, natural materials or vinyl siding (0.048 mil thickness or greater) as the exterior building material subject to any exception permitted in this Article.
- 2. Minimum number of Ridge Lines:
 - a. Single Family Detached dwelling = 3
 - b. Single Family Attached Building = 5
- 3. Minimum number of Corner Breaks:
 - a. Single Family Detached dwelling = 3 on the front elevation
 - b. Single Family Attached Building = 4
- 4. Windows:
 - a. A dwelling shall have a minimum of three (3) windows on the front elevation.
 - b. A dwelling (building in the case of a Single Family Attached Dwelling) shall have a minimum of two (2) windows on each side elevation. A door on the side elevation shall meet the requirement of one (1) window.
 - c. A dwelling shall have a minimum of three (3) windows on the rear elevation.
 - d. A double window (a single window unit a minimum of four (4) feet in width with two windows side by side) shall count as two windows.
 - e. All windows shall have shutters and/or treatment. For windows in brick elevation, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick elevation, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
- 5. A stoop or porch is required at the front door on all dwellings. The minimum size shall be no less than four (4) feet in width and depth.

6. The minimum roof pitch of the main roof of the dwelling shall be 6/12. Elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
7. Roof overhangs shall be required and shall be a minimum of 8". Elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
8. Roof vents shall be located to the rear of the dwelling when possible. All vents shall be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
9. Garage doors shall incorporate at least one of the following design elements.
 - a. Windows.
 - b. Single-load (individual) garage doors for each parking bay.

G. Lot Landscaping Requirements: The following standards apply to all lots within Residential District 2 and contribute to the requirements of Section 8.2 of this Springmill Trails PUD:

1. A minimum of one (1) shade tree, and six (6) shrubs shall be planted in each front yard of a Single Family Detached Dwelling.
2. Each Single Family Detached Dwelling shall have a minimum of four (4) shrubs in each side yard.
3. Each Single Family Detached Dwelling shall have a minimum of one shade (1) tree in the rear yard.
4. A minimum of four (4) shade trees and ten (10) shrubs shall be planted for each dwelling unit of a Single Family Attached Dwelling Building. Evergreen trees may be substituted for shrubs at a rate of one evergreen for every 4 shrubs. Plantings may be placed throughout the Single Family Attached development area.
5. Twenty-five percent of the shrubs required under this section may be substituted with perennial plants at the rate of 4 perennials per 1 shrub.

H. Additional Standards:

1. The use of vinyl siding as an elevation exterior building material shall be prohibited within 300' of Eagle Parkway and/or 186th Street.

2. A maximum of fifteen (15) lots is permitted adjacent to one another without a break comprised of a common area, a change in dwelling/lot type (front load, alley load, detached dwelling, attached dwelling, etc) or street right-of-way.
3. No rear yard shall abut Eagle Parkway or 186th Street. Lots shall face Eagle Parkway and/or 186th Street or be separated from the street by project open space a minimum of 100' in depth. See Article 8.3.F of this Springmill Trails PUD Ordinance for additional standards.
4. No one dwelling type (front load detached, alley load detached, attached dwelling, etc) may exceed sixty (60) percent of the total number of dwellings in the District.
5. A minimum of three dwelling types shall be constructed within the District.
6. Included by reference, as Exhibit F, are photographs of homes that are characteristic of those that may be constructed within Residential District 2.
7. A maximum of 1250 single family detached and attached dwellings shall be permitted within Residential District 2.

Section 2.4. Development Amenities:

- A. The following Development Amenities will be distributed throughout Residential District 1 and 2 as generally illustrated on Exhibit E – Amenity Plan:
 1. Clubhouse
 2. A minimum of 5 small parks (minimum of 10,000 square feet in area)
 3. A minimum of 4 swimming pools and swimming pool areas
 4. A minimum of 5 playgrounds
 5. Integrated trail system connecting all districts
- B. Additionally, at least four of the following amenities shall also be provided within each residential district:
 1. Fitness center
 2. Basketball court

3. Tennis Court
 4. Volleyball court
 5. Putting green
 6. Community garden
 7. Public gathering area
 8. Fishing Pond
- C. Amenities required under this section will be provided within each District no later than the completion of forty (40) percent of the dwellings within each area designated under an approved Primary Plat.
- D. The Developer shall construct the Little Eagle Creek Trail (the "Trail") through the Real Estate in substantial compliance with the Trail route shown in the Amenity Plan, Exhibit "E", or a route otherwise agreed to by the City of Westfield. The Trail shall be constructed in compliance with the City of Westfield's standards in place at the time of construction. The real property, at a width of no less than 60 feet, on which the Trail is located, shall be dedicated to the City of Westfield at the time of development plan or secondary plat approval for the relevant section of the Development and prior to the issuance of any building permits or improvement location permits on the relevant section of the Development, or at a time otherwise agreed to by the City of Westfield.

Section 2.5. Additional Standards:

- A. Maximum Density:
1. Residential District 1 – Up to 2.8 dwellings per acre
 2. Residential District 2 – Up to 6 dwellings per acre
- B. Maximum number of single family attached and detached dwellings – 1950
- C. Open Space: The minimum percent of open space shall be 21% of the development area of each district.
- D. Development provisions for a specific area within Residential District 1 (Existing Hamilton County Tax Parcel #08-05-27-00-00-016.000, approximately 37 acres):
1. The parcel shall be entitled to a density of 2.8 units per acre (approximately 104 lots).
 2. The parcel shall not be required to provide open space in excess of 21 percent.
 3. The parcel shall be entitled to a minimum lot size of 7,500.

- E. Single family detached dwelling variety requirements: See the following exhibit.

Single Family Detached Dwelling Variety Requirements

	3	3
	2	2
	1	1
Subject dwelling		1
	1	1
	2	2
	3	3

- | | |
|--------------|--|
| <div>1</div> | Dwelling cannot be of the same elevation of the same plan as the Subject dwelling and must be a different color package. |
| <div>2</div> | Dwelling may be of the same plan and elevation as the Subject dwelling, but must be a different color package. |
| <div>3</div> | Dwelling may be identical to the subject dwelling. |

ARTICLE 3. COMMERCIAL DISTRICT. The purpose of this district is to allow commercial development. The underlying zoning of the Commercial District shall be the EI District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the Commercial District. WC 16.04.060 of the Zoning Ordinance, entitled "Industrial Districts", shall be applicable to the use and development of the Real Estate, subject to the following exceptions and additions. WC 16.04.065 of the Zoning Ordinance, entitled "State Highway 32 Overlay Zone", shall also be applicable to the use and development of the Real Estate, subject to the provisions of Article 5 of this ordinance.

Section 3.1. General Requirements. The following general requirements apply to the Commercial District.

- A. Parking may be permitted in all required Building Setback Areas.
- B. A suitable planting buffer shall be provided on any business yard that abuts a residential area in accordance with the Landscaping Standards of this Ordinance.
- C. Outdoor storage or display of vehicles and materials is permitted only in a permanent outside storage or sales display area identified on a Development Plan for the purpose.
- D. Pedestrian connections shall be provided between buildings and parking areas via pavement striping and sidewalks.
- E. Sidewalk connections of five (5) feet in width shall be made between buildings and sidewalks/paths within the right-of-way.
- F. Chain-link fencing with vinyl slats is prohibited.

Section 3.2. Development Requirements.

- A. Special Requirements.
 - 1. Architectural Standards (see Section 3.3)
 - 2. Outside storage is permitted subject to the provision of a solid opaque screen (fence/wall or vegetation) surrounding the outdoor storage area.
 - 3. The Commercial District shall be no closer than 350 feet to the right-of-way of State Highway 32.
 - 4. The Commercial District shall be subject to the State Highway 32 Overlay Zone as applicable and as noted in Article 5 of this Springmill Trails PUD.

5. Multi-family development shall meet all the requirements of Article 4.5 of this Springmill Trails PUD Ordinance.
- B. Permitted Uses. See Article 7 (Table of Permitted Uses) for list of permitted uses.
- C. Minimum Tract Requirement. A minimum of ten (10) acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.
- D. Minimum Lot Area. None
- E. Minimum Tract Frontage on Road. Direct or indirect access to a public right-of-way is required.
- F. Minimum Setback Lines (applied to perimeter of the Commercial District).
1. Front Yard: Twenty (20) feet
 2. Side Yard: Twenty (20) feet
 3. Rear Yard: Twenty (20) feet
- G. Maximum Building Height. Not to exceed sixty (60) feet.
- H. Loading and Parking. See Article 6.

Section 3.3. Architectural Standards.

- A. General Requirements.
1. All heating, ventilating, communication, and other similar equipment located on the roof of any building shall be screened from view on all sides in a manner that is homogenous with the balance of the structure.
 2. Street light fixtures shall be pedestrian-scale fixtures. Wall sconces shall be decorative and compatible with surrounding architecture.
 3. Buildings shall include decorative pole lighting, similar landscape palette, and use of a similar building materials palette. Franchise Architecture shall be modified to conform to the above noted design.
- B. Building Materials. Buildings are subject to the building materials provisions of WC 16.04.165 of the Zoning Ordinance, entitled "Development Plan Review".

ARTICLE 4. BUSINESS DISTRICTS. WC 16.04.050 of the Zoning Ordinance, entitled "Business Districts", shall be applicable to the use and development of the Real Estate, subject to the following exceptions and additions. WC 16.04.065 of the Zoning Ordinance, entitled "State Highway 32 Overlay Zone", shall also be applicable to the use and development of the Real Estate, subject to the provisions of Article 5 of this ordinance.

Section 4.1. General Requirements. The following general requirements apply to all business districts within the Springmill Trails PUD.

- A. Groups of business uses requiring parking space may join in establishing group parking area with not less than 80% of the sum of the separate Requirements for each participating use.
- B. Parking may be permitted in all required Building Setback Areas.
- C. There shall be no storage or display of merchandise outside of a building except in a permanent outside sales display area established for the purpose. Permanent outside sales display shall be permitted only in the Market Center District and shall require screening.
- D. Outside merchandise associated with sidewalk-type sales events of less than one (1) week in duration and with a frequency of no more than once every six (6) calendar months is permitted. Farmers markets and sidewalk cafes are exempt from time restrictions.
- E. Pedestrian connections of five (5) feet in width shall be provided between buildings and parking areas via striping and sidewalks.
- F. Sidewalk connections shall be made between buildings and sidewalks/paths within the right-of-way.
- G. The size and configuration of any business district may be increased or decreased by 15%, so long as there is no increase in permitted densities.
- H. Chain-link fencing with vinyl slats is prohibited.

Section 4.2. Market Center District: The underlying zoning of the Market Center District shall be the GB District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the district.

- A. Special Requirements.
 - 1. Architectural Standards (see Section 4.4)

2. The size of the Market Center District may not be decreased by more than 5%.

B. Permitted Uses.

1. See Article 7 (Table of Permitted Uses) for list of permitted businesses.
2. Any uses similar to general business not listed in Article 7 shall be permitted subject to approval by the Director.

C. Minimum Development Plan Requirement. A minimum of 30 acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.

D. Minimum Lot Area. None

E. Minimum Tract Frontage on Road. Six-hundred and sixty (660) feet.

F. Minimum Building Setback Lines (applied to perimeter of the Market Center District):

1. Front Yard:
 - a. Subject to State Highway 32 Overlay along SR 32,
 - b. Forty (40) feet along Eagle Parkway (Ditch Road extension)
 - c. Twenty (20) feet for all other streets
2. Side Yard: Twenty (20) feet
3. Rear Yard: Twenty (20) feet

G. Maximum Building Height. Sixty (60) feet

H. Minimum Building Gross Floor Area. Three-thousand (3,000) square feet per building

I. Loading and Parking. See Article 6.

J. Signs. See Article 9.

K. Landscaping. See Article 8.

Section 4.3. Mixed Use District. The underlying zoning of the Mixed Use District shall be the GB District in the Zoning Ordinance. Said underlying zoning classification, as modified

below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the district.

A. Special Requirements.

1. Architectural Standards (see Section 4.4)
2. No outside storage is permitted.
3. See Section 4.5 for additional standards for Multi-family uses.
4. The gross floor area of individual (i) Department Stores over 10,000 sq.ft., (ii) Furniture Stores, (iii) Hardware Stores, (iv) Major Appliance Store, and Sporting Goods Stores within the Mixed Use District east of Eagle Parkway or within 300' of Residential District 2 (west of Eagle Parkway) shall be limited to a maximum of 25,000 square feet.

B. Permitted Uses.

1. See Article 7 (Table of Permitted Uses) for list of permitted businesses.
2. Any uses similar to general business not listed in Article 7 shall be permitted subject to approval by the Director.
3. Common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities.
4. Home Occupations in Multi-family dwellings.

C. Minimum Development Plan Requirement. A minimum of ten (10) acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.

D. Minimum Lot Area. None

E. Minimum Tract Frontage on Road. Direct or indirect access to a public street right-of-way is required.

F. Minimum Setback Lines (applied to perimeter of the Mixed Use District).

1. Front Yard:
 - a. Subject to State Highway 32 Overlay Zone along SR 32.

- b. Forty (40) feet along Eagle Parkway (Ditch Road extension).
 - c. Twenty (20) feet for all other streets
- 2. Side Yard: Twenty (20) feet
- 3. Rear Yard: Twenty (20) feet
- G. Maximum Building Height. Sixty (60) feet
- H. Minimum Building Gross Floor Area. Three-thousand (3,000) square feet per building
- I. Loading and Parking. See Article 6.
- J. Signs: See Article 9.
- K. Landscaping: See Article 8.

Section 4.4. Architectural and Design Requirements.

- A. Where applicable the State Highway 32 Overlay standards shall apply.
- B. All heating, ventilating, communication, and other similar equipment located on the roof of any facility shall be screened from view on all sides in a manner that is homogenous with the balance of the structure.
- C. All building and site design shall include decorative pole lighting, similar landscape palette, and use of a similar building materials palette. Franchise Architecture shall be modified to conform to the above noted design.
- D. Entrance Roads from State Highway 32 and Eagle Parkway shall be designed with common signage, lighting, and landscaping.
- E. Monument Signage materials shall match the general character and identity of the primary structures. Iconic elements may be used as entry treatments at Eagle Parkway and State Highway 32.
- F. Structured Parking is permitted, as long as the exterior materials are similar to the primary buildings in the district.
- G. Sidewalks along the front of multi-tenant buildings occupied primarily by retail, restaurant and entertainment uses shall be a minimum of twelve (12) feet wide and have a minimum clear width for walking of six (6) feet, unobstructed by any permanent or temporary streetscape elements, signs, displays or outdoor eating

areas. Sidewalks may be used for outdoor eating or retail sales, subject to approval by the Developer.

- H. Buildings Materials are subject to the provisions of WC 16.04.165 of the Zoning Ordinance, entitled "Development Plan Review".
- I. Traffic calming methods will be introduced to encourage low-speed traffic and safe pedestrian crossings. Building facades shall be articulated with canopies and covered entrances to encourage a more pedestrian friendly environment.

Section 4.5. Standards for Multi-Family Uses in the Mixed Use District: The underlying standards for Multi-Family uses shall be the MF-2 District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of Multi-Family uses in the Mixed use District.

- A. Maximum Dwelling Density - fourteen (14) dwelling units per acre (based on multi-family development and green space area)
- B. Maximum Number of Dwelling Units Per Structure – thirty-six (36) units
- C. Maximum Number of Dwelling Units – nine hundred (900) units on the Real Estate.
- D. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) - six hundred fifty (650) square feet
- E. A minimum setback of 10' shall be required from internal driveways/parking areas.
- F. Maximum building height: Fifty (50) feet
- G. Proximity Slope: – The proximity slope shall not apply to the development of the Real Estate.
- H. Minimum Distance Between Structures: twenty (20) feet
- I. Parking Lot Screening: In addition to the requirements in Article 6, the following provisions shall apply:
 - 1. Parking lots and spaces viewable from a public street or adjacent to single or multi-family development shall be screened by either a three-foot tall opaque wall or fence or by a solid hedge row, in addition to landscaping required in this Springmill Trails PUD.
 - 2. Parking lot screening shall be installed when parking spaces are located within ten (10) feet of dwellings.

J. Building Materials:

1. Masonry shall be the exterior building material on thirty percent (30%) of the elevation of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
2. Masonry or natural materials shall be the exterior building material on the remaining exterior elevation of the building, excluding openings, such as doors and windows, roofs, and any elevation area within a dormer projecting from a roof.

K. Transportation Accessibility: Transportation Accessibility shall be per the requirements of the Zoning Ordinance for the MF2 District..

L. Development Plans: Multi-Family development shall meet the following requirements, in addition to the other requirements set forth in this Springmill Trails PUD.

1. In the event that more than one building is proposed, they shall be designed to be located so that no more than two buildings are in a straight, unbroken line.
2. Straight/unbroken, front elevations shall be limited to 100 feet in length.

M. Each type of amenity shall count as one amenity, regardless of the quantity of the amenity that is provided (i.e., if two basketball courts are provided, they count as only one amenity).

Number of Units in Development	Minimum Number of Amenities Provided
1-150	2
151-300	4
301-450	5
451+	6

N. Required amenities may include, but are not limited to, clubhouses, gymnasiums, swimming pools, tennis courts, basketball courts, ball-fields (soccer, baseball, etc.), walking/jogging/biking trails, volleyball courts, and racquetball courts.

1. A minimum of 20 percent green space shall be provided.
2. Picnic/barbecue area: A picnic/barbecue area shall include at least one (1) barbecue grill and one (1) picnic table, per fifty (50) dwelling units.

3. Large Playground: A large playground shall be a minimum of 5,000 square feet in area per 250 units. The square feet requirement shall include safe fall zones. Play equipment shall include a variety of elements within a designated area mulched with ADA and CPSC approved safety surfacing. A Large Playground shall include the following:
 - a. Six (6) swings
 - b. Three (3) detached/freestanding play elements
 - c. Three (3) sliding elements
 - d. Six (6) climbing elements
 - e. One (1) overhead element
 - f. Panels featuring play elements
 - g. Decks, bridges, tunnels as required to attach various play elements to each other.
 - h. All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.
4. Small Playground: A small playground shall be a minimum of 2,000 square feet in area per 150 dwelling units. The square footage requirement shall include safe fall zones. Play equipment shall include a variety of elements with a designated area, mulched with ADA and CPSC approved safety surfacing. A small playground shall include the following:
 - a. Three (3) detached/freestanding play elements
 - b. Three (3) sliding elements
 - c. Three (3) climbing elements
 - d. One (1) overhead element
 - e. Panels featuring play elements
 - f. Decks, bridges, tunnels as required to attach various play elements to each other.

- g. All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

ARTICLE 5. STATE HIGHWAY 32 OVERLAY ZONES.

Section 5.1 WC 16.04.065 of the Zoning Ordinance, entitled "State Highway 32 Overlay Zone", shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

- A. The Concept Plan contemplates access to the Real Estate from State Road 32 as illustrated. Access to the Real Estate from State Highway 32 shall be limited to the following locations subject to approval as required by the State Highway 32 Overlay Zone requirements:
 - 1. Eagle Parkway (New Public Street aligned with Ditch Road)
 - 2. One full access drive cut west of Eagle parkway.
 - 3. New Casey Road (approximately midway between Eagle Parkway and Springmill Road.
 - 4. One full access drive cut between Eagle Parkway and new Casey Road.
 - 5. Two full access drive cuts between new Casey Road and Springmill Road.
- B. Monument signs shall be permitted between the setback line established by the primary structure nearest State Highway 32 and the State Road 32 right-of-way provided that a monument sign shall not be placed within 20' of the trail corridor closest to State Highway 32.
- C. The minimum building shall be 3000 square feet.

ARTICLE 6. OFF-STREET LOADING AND PARKING WC 16.04.120 of the Zoning Ordinance, entitled "Off-street Loading and Parking", shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 6.1. Loading Berths. Other business uses shall provide one (1) loading berth for businesses with five thousand (5,000) square feet to ten thousand (10,000) square feet. Two (2) loading berths shall be provided for businesses with ten thousand one (10,001) square feet to one hundred thousand (100,000) square feet. For business uses over one hundred thousand (100,000) square feet, one (1) additional berth for each additional fifty thousand (50,000) square feet.

Section 6.2. Off-street Parking. In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces, there shall be provided such off-street parking space in accordance with regulations set forth hereinafter:

- A. Collective Provisions for Non-Residential Uses. Off-street parking facilities for separate uses may be provided collectively. A reduction down to not less than 80% of the total number of spaces required for all uses is permitted.
- B. Curbs. All parking lots including access drives and parking spaces shall require concrete curbing. This requirement is not applicable to single-family detached and single-family attached dwellings.
- C. Required Spaces. Parking spaces accessory to designated uses shall be provided to meet the following minimum requirements:
 - 1. Single-family attached dwellings: One (1) additional parking space shall be provided for every four (4) dwellings.
 - 2. Churches: One (1) parking space for each four seats.
 - 3. Establishments handling the sale and consumption of food and refreshment on the premises: One (1) parking space for each three (3) seats of serving area plus one parking space for each employee on primary shift.
 - 4. General Offices: One (1) parking space per each two hundred fifty (250) square feet of assignable office area.
 - 5. Retail Uses: One (1) parking space per each three hundred (300) square feet of floor space.
 - 6. Other uses such as, but not limited to, assembly and manufacturing not listed shall be per the required number indicated in the Zoning

Ordinance.

7. Parking space requirements for other uses will be determined by the Director based upon data supplied by the applicant in response to traffic and parking data requested to be furnished with the application for an improvement location permit.

6.3 Bicycle Parking. In connection with any building which requires off-street vehicular parking spaces, the following bicycle parking regulations shall apply:

- A. Location. Bicycle parking must be provided within two hundred (200) feet from the main entrance to the building served.
- B. Required Number. Bicycle parking shall be provided to meet the following minimum requirements:
 1. Residential Uses.
 - a. Bicycle parking shall not be required for Single family detached dwellings.
 - b. Facilities designed to accommodate one (1) bicycle parking space per three (3) dwelling units shall be provided for attached dwellings.
 - c. Facilities designed to accommodate one (1) bicycle parking space per three (3) dwelling units shall be provided for multi-family dwellings.
 2. Non-Residential Uses: Facilities designed to accommodate five (5) bicycle parking spaces per one hundred (100) required vehicular parking spaces shall be provided for all non-residential uses.
 3. The required bicycle parking facilities noted in this section shall be designed to accommodate a minimum of four (4) bicycles.

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

PUD Districts	Market Center District	Mixed Use District	Commercial District
Residential Uses			
Multifamily	x	x	
Condominiums	x	x	
Nursing Homes, Retirement Centers, Board & Care Centers	x	x	
Assisted living facilities	x	x	
Business Uses			
Accountants, Architects, Engineers, Consultants	x	x	
Amphitheaters	x	x	
Antiques	x	x	x
Hotels, Motels, Bed and Breakfasts	x	x	x
Art Schools		x	x
Artisan School		x	x
Assembly Hall		x	x
Artisan, pottery, craft production shop	x	x	x
Auditoriums		x	x
Auto Parts Sales	x		x
Auto Rental	x		x
Auto Repair Garages	x		x
Auto Rustproofing	x		x
Auto Storage	x		x
Auto sales, New or used, service	x		x
Bakeries	x	x	x
Banks, S&Ls and Financial Institutions with or without drive-through	x	x	x
Barber, beauty shops, spas, tanning salons, fitness centers	x	x	x
Barber and Beauty Schools		x	x
Bicycle and electric scooter sales, service and repair	x	x	x
Billiard Parlor		x	x
Blueprinting, photocopying Job Printing	x	x	x
Book stores	x	x	x
Bowing Alley	x		
Business and Clerical Schools		x	x
Bus Stations	x		
Bus Stops	x	x	x

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

		Market Center District	Mixed Use District	Commercial District
PUD Districts				
Camera stores	x	x	x	
Caskets and Casket Supplies	x			
Charitable donation Pick-Up Station	x			
Charitable Institution		x	x	
China and Glassware Shops	x	x	x	
Churches, Chapels, and Places of Worship		x	x	
Civic centers		x	x	
Civic Clubs		x	x	
Coin shops	x	x	x	
Commercial Parking Lots and Structures	x	x	x	
Commissary, Food Catering Services	x	x	x	
Consumer Service Office	x	x	x	
Crating and Packaging Service	x	x	x	
Credit Union Offices	x	x	x	
Custard, Ice Cream, Dessert, Candy Shops	x	x	x	
Dancing Schools		x	x	
Delicatessen	x	x	x	
Dentists	x	x	x	
Department Stores-Under 10,000 sq.,ft	x	x	x	
Department stores over 10,000 sq.ft	x	x	x	
Discount Stores-Under 10,000 sq.,ft	x	x	x	
Discount stores over 10,000 sq.ft	x			
Distributors--Inside Storage	x			x
Drive Through Food and Beverage	x	x	x	
Drive-In food and Beverage	x	x	x	
Drug Stores	x	x	x	
Dry cleaning and Laundry Pick up with and without Drive-Through	x	x	x	
Educational Institutions Public and Private		x	x	
Electrical or non-polluting vehicle service, rental & sales	x	x	x	
Electrical Supply Store	x	x	x	
Electronics, computer, cable, TV, Internet & related sales & service	x	x	x	
Embalming School		x	x	
Employment Agencies	x	x	x	
Exhibition Halls		x	x	
Fabric Shops	x	x	x	
Floor Coverings	x		x	
Florists	x	x	x	

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

PUD Districts	Market Center District	Mixed Use District	Commercial District
Frozen Food Stores and Lockers	x		x
Fruit Stands, Permanent		x	x
Fruit Stands, Temporary(Farmers Mkt)		x	x
Furniture Stores	x	x	x
Furrier Shops	x	x	x
Galleries	x	x	x
Garden and Lawn Materials and Supply Stores	x		x
Gasoline stations	x	x	x
Gift Shops	x	x	x
Government Offices-Universities		x	x
Greenhouses, Retail	x		x
Grocery Stores	x	x	x
Health, Fitness, and Exercise Center	x	x	x
Hardware Stores	x	x	x
Hobby Shops	x	x	x
Home Remodeling Company	x	x	x
Home Remodeling Supplies and Materials	x		
Hospitals(Minor), Medical and Dental Clinics and Labs	x	x	x
Insurance Companies	x	x	x
Interior Decorating	x	x	x
Jewelry Stores	x	x	x
Language Schools		x	x
Laundromats and Self-Service Dry Cleaning	x		
Lawyers		x	x
Libraries		x	x
Liquor stores	x	x	x
Loan Offices	x	x	x
Locksmith Shops	x	x	x
Luggage Stores	x	x	x
Mail Order Stores	x	x	x
Major Appliance Store	x	x	x
Millinery		x	x
Miniature golf, batting range, rock climbing & other small recreation	x		x
Mortuaries	x		
Motorcycle sales, rental and service (indoor display)	x		x
Museums		x	x
Music, Records, Instruments	x	x	x

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

PUD Districts	Market Center District	Mixed Use District	Commercial District
Music Schools		x	x
Newspaper Distribution Station	x	x	x
Newspaper Publishing		x	x
Nursery-Plants, Retail	x		x
Optometrists	x	x	x
Paint and Wallpaper Stores	x	x	x
Pet Grooming	x	x	x
Pet Shops	x	x	x
Philanthropic Institutions		x	x
Photography School	x	x	x
Photography Studio	x	x	x
Photography Supplies	x	x	x
Physicians and other Health Care Personnell	x	x	x
Picture Framing	x	x	x
Plumbing Showrooms and Shop	x		x
Police Stations	x	x	x
Post Offices		x	x
Printing and Photocopying, small Jobs	x	x	x
Professional and & Technical Schools		x	x
Real Estate Offices	x	x	x
Recycling Collection Centers, Drop Off (small)	x		
Restaurants and dining facilities having > 50% gross sales from food	x	x	x
Restaurants and dining facilities having < 50% gross sales from food	x	x	x
Restaurants with Live Entertainment	x	x	x
Roller and Ice Skating Rinks		x	x
Root beer, coffee, non-alcoholic beverage store with or without drive thru	x	x	x
Semi-Automatic Car Wash	x		
Sewing Machine Sales and Service	x		
Shoe Repair	x	x	x
Shoe Stores	x	x	x
Sporting Goods	x	x	x
Stationery Stores	x	x	x
Tailor or Seamstress		x	x
Tennis Facilities	x	x	x
Testing Laboratories		x	x
Theaters-Indoor	x	x	x
Tire and Auto Service Center	x		x

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

	Market Center District	Mixed Use District	Commercial District
PUD Districts			
Tobacco Shops	x	x	x
Tool and light Equipment Rental	x	x	x
Toy Stores	x	x	x
Travel Bureaus	x	x	x
Upholsters	x		x
Veterinarians-Small Animals, No Outdoor Runs	x		
Wearing Apparel and Accessory Shops	x	x	x
Wholesalers-Inside Storage	x		x
Christmas Tree Sales	x	x	x
Convents, Manasteries, Theological Schools		x	x
Fraternities, Lodges		x	x
Day Care Centers		x	x
Heliports		x	x
Hospitals	x	x	x
Office Buildings-General Purpose	x	x	x
Private Clubs and Lodges		x	x
Racquetball and Handball Clubs, Fitness Centers, and Sqas	x	x	x
Rehabilitation Centers		x	x
Scientific and other Research Laboratories and Facilities		x	x
Schools and Kindergartens		x	x
Tennis and Swim Clubs		x	x
Utilities-Regulated except transmission substations and power generation	x	x	x
Utilities-Unregulated except facilities that create air or noise pollution	x	x	x
Video, DVD Stores	x		
Wireless Communicaton Devises, Sales and Service	x	x	x
Wireless Communications Towers or Transmission Facilities	x		x
Commercial Uses			
Farm Implement Sales & Service			x
Feed Stores			x
Pet Obedience Schools			x
Storage and Transfer (Household Goods)			x
Taxidermist			x

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

PUD Districts			
	Market Center District	Mixed Use District	Commercial District
Veterinarians - Small Animals, Including Outdoor Runs			x
Warehouses - Inside Storage			x
Kennels - Without Outdoor Runs			x
Kennels - Including Outdoor Runs			SE

SE = Special Exception

ARTICLE 8. LANDSCAPING STANDARDS

WC 16.06.010 thru WC 16.06.080 Landscaping Standards of the Zoning Ordinance as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the real estate.

Section 8.1. Low Impact Design (LID) Considerations. Perennial ornamental grasses with a mature height of no more than six (6) feet, may be substituted for shrubs where necessary to address LID applications. The minimum container size for planting shall be five gallons.

Section 8.2. On-Site and Street Frontage Landscaping Requirements. The minimum numbers of shade trees, evergreen trees, ornamental trees, and shrubs required to be planted are set forth in the table below.

Minimum On-Site Requirements

Land Use Type / District	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Single-Family Residential District 1	6 per dwelling unit	4 per dwelling unit	24 per dwelling unit
Single-Family Residential District 2 (detached dwellings)	6 per dwelling unit	4 per dwelling unit	16 per dwelling unit
Single-Family Attached Residential	6 per dwelling unit	4 per dwelling unit	12 per dwelling unit
Multi-Family Residential Development	1 per dwelling unit	1 per dwelling unit	4 per dwelling unit
Institutional Uses	2 per acre	3 per acre	10 per acre
Retail Uses	10 per acre	10 per acre	25 per acre
Office Uses and Commercial Uses	5 per acre	5 per acre	25 per acre

- A. Required trees and plantings within residential land uses must be planted somewhere within each individual residential district. All plantings in residential developments may be credited toward overall on-site landscaping requirements set forth in Table 14.5.1.

- B. Required trees and plantings within non-residential land uses must be planted within the subject District. All trees and plantings are credited to overall development requirements.

Section 8.3. Buffer Yard Requirements. Buffer yard shall not be required internal to any District, and shall be required only in areas adjacent to (i) streets on the perimeter of a District including but not limited to 186th Street, (ii) Eagle Parkway and Springmill Road/Six Points Road and (iii) within individual institutional uses. All buffer yards shall be a minimum of twenty (20) feet in width.

- A. Institutional uses include, without limitation, schools, churches, day care facilities and fire stations.
- B. Within buffer yards, at least one (1) evergreen tree per thirty (30) linear feet and three (3) evergreen shrubs per thirty (30) linear feet shall be planted. Shade Trees may be substituted for evergreen trees at a one-to-one (1:1) basis (shade:evergreen) along road frontages. In order to create a more effective buffer, evergreen trees may be substituted in lieu of evergreen shrubbery on a one-to-three (1:3) basis (tree:shrub). Along Eagle Parkway, Springmill Road/Six Points Road and 186th Street Evergreen Trees shall be used to meet the shrub requirements of this sub-section. This will result in a tree planted every 15' on center along Eagle Parkway, Springmill Road/Six Points Road, and 186th Street buffer yards.
- C. Buffer yard requirements, Road Frontage Standards, and State Road 32 Landscaping are not intended to be cumulative. Where overlapping the more restrictive planting standard shall apply. This subsection shall not apply to Eagle Parkway and Springmill Road/Six Points Road where buffer yards are adjacent to the right-of-way.
- D. Buffer yards shall not be required between the Mixed Use, Commercial and Market Center Districts.
- E. Buffer yards shall not be required where the front of lots or dwelling(s) face a perimeter street or Eagle Parkway.
- F. In any case where the front of lots or dwellings do not face Eagle Parkway, 186th or Springmill Road a minimum of one of the following standards shall be met:
 - 1. Evergreens trees shall be planted in a double staggered row (each row planted 15' on center), or
 - 2. Front elevation architectural requirements shall apply to the elevation of the home that faces one of the three streets.

Section 8.4. Parking Area Landscaping.

- A. Parking Lot Islands:

1. Interior landscaped areas 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. Trees and shrubs required to be planted in parking lot landscape islands shall be counted toward meeting total on-site landscaping requirements.
- B. Perimeter Parking Lot Landscaping Perimeter parking lot landscaping requirements, buffer yard requirements, and road frontage standards are not intended to be cumulative. Buffer yard planting standard which shall supersede the perimeter parking area requirements which shall supersede the road frontage standards where overlapping.

Section 8.5. Plant Materials and Substitutions.

- A. A minimum of three (3) different species of shrubs shall be required per development site. Burning Bushes shall be limited to a maximum of fifty (50) percent of the total required shrub plantings.
- C. One (1) evergreen tree shall equal three (3) evergreen shrubs.

ARTICLE 9. SIGN STANDARDS

WC 16.08.010 thru WC 16.08.130 Sign Standards of the Zoning Ordinance as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the real estate.

Section 9.1 Additional Exempt Signs:

- A. Signs offering residential property in excess of ten (10) acres for sale, lease, or rent, provided that such signs shall not exceed twenty (20) square feet per face, are placed wholly on the subject property and are limited to a maximum of one (1) sign per street frontage.
- B. Signs attached to light poles identifying parking areas as long as they do not exceed three (3) square feet in surface area;
- C. Signs of less than 4 square feet in area identifying a resident's affiliation with a local sports team.

Section 9.2. Individual Nonresidential Signs. Outlots of nonresidential centers are not considered individual nonresidential uses.

- A. Wall Sign Area Allocation. For all permitted individual nonresidential uses, total wall sign area allocation permitted shall be one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way;
 - 1. The total permitted wall sign area allocation may be divided between wall, awning, and projecting signs; and
 - 2. A maximum of three (3) wall signs shall be permitted.
- B. Monument signs may have a maximum sign display area of sixty (60) square feet per sign face.

Section 9.3. Office Buildings. The buildings containing primarily office uses will be regulated by the following sign standards:

- A. Entrance and Interior Circulation signs shall be permitted.
- B. Wall signs shall be permitted per the standards for center in-line tenant signage with a maximum of 2 wall signs per tenant.
- C. A uniform and complimentary sign plan will be required for all ground signs on site, including entrance and tenant signage. A sign plan must address colors and materials and be approved by the Director prior to the issuance of individual permanent sign permits for tenants and entrances.

Section 9.4. Nonresidential Center Signs.

A. Monument Sign(s):

1. The Market Center District shall be permitted the following monument signs:
 - a. Four (4), monument signs, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred fifty (250) square feet of sign area per face; along the north side of the State Highway 32 frontage spaced no less than six hundred (600) feet apart.
 - b. One (1), monument sign, which shall be no greater than fifteen (15) feet in height and have no more than one hundred and twenty (120) square feet of sign area per face along its Eagle Parkway Frontage.
2. The Mixed Use District shall be permitted the following monument signs:
 - a. One (1), monument sign, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred and fifty (250) square feet of sign area per face; along the State Highway 32 frontage.
 - b. One (1), monument sign, which shall be no greater than fifteen (15) feet in height and have no more than one hundred and twenty (120) square feet of sign area per face along its Eagle Parkway Frontage.
 - c. All signage for multi-family development within the Mixed use District shall be regulated per the terms of the Zoning Ordinance and not subject to Article 9.5.A.2 of this article.
3. Nonresidential center monument signs shall have a minimum base height of two (2) feet and a minimum cap height of six (6) inches. Total aggregate sign cap and base height shall not exceed six (6) feet.

B. Interior Circulation Sign(s): Interior circulation signage with no copy restriction shall be permitted. This type of signage shall be limited to a maximum of six (6) feet in height, and a sign area of six (6) square feet per sign face.

C. Outlot Signage: Outlots of nonresidential centers shall be permitted two (2) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way.

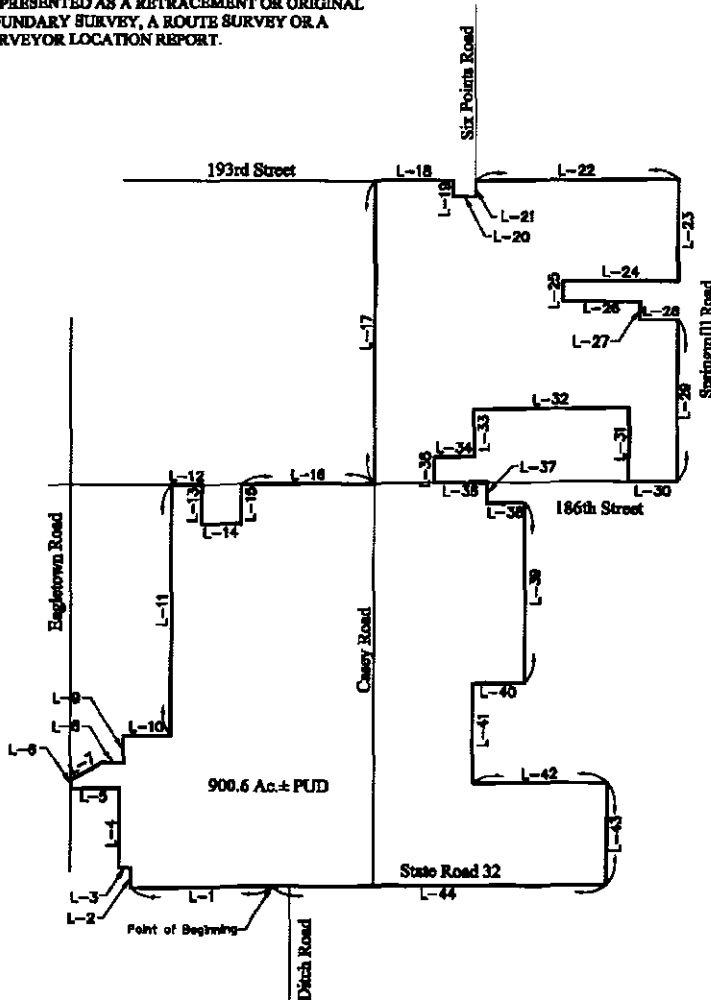
Exhibit A

Legal Description

A part of Sections 27, 33 and 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana, being described as follows:

Beginning at the Southeast corner of Section 33, Township 19 North, Range 3 East; thence South 89 degrees 23 minutes 24 seconds West, 1848.13 feet; thence North 0 degrees 25 minutes 34 seconds West, 265.25 feet; thence South 89 degrees 51 minutes 50 seconds West, 151.39 feet; thence North 0 degrees 02 minutes 12 seconds West, 1032.28 feet; thence South 89 degrees 29 minutes 04 seconds West, 644.87 feet to the centerline of Eagletown Road; thence along said centerline North 0 degrees 05 minutes 29 seconds East, 118.93 feet; thence north 60 degrees 42 minutes 53 seconds East, 472.59 feet; thence South 88 degrees 00 minutes 00 seconds East, 283.05 feet; thence North 0 degrees 00 minutes 00 seconds East, 362.82 feet; thence North 89 degrees 31 minutes 51 seconds East, 624.07 feet; thence North 0 degrees 02 minutes 16 seconds East, 3295.85 feet to the North line of said Section 33 and the centerline of 186th Street; thence along said North line and centerline North 89 degrees 22 minutes 24 seconds East, 397.11 feet; thence South 0 degrees 51 minutes 51 seconds West, 523.56 feet; thence North 89 degrees 30 minutes 14 seconds East, 518.44 feet; thence North 0 degrees 03 minutes 18 seconds East, 524.60 feet to the North line of said Section 33 and the centerline of 186th Street; thence East along the North lines of Sections 33 and 34 and said centerline North 89 degrees 25 minutes 17 seconds East, 1747.15 feet to the centerline of Casey Road; thence along the centerline of Casey Road North 0 degrees 05 minutes 47 seconds East, 3978.31 feet to centerline of West 193rd Street; thence along said centerline North 89 degrees 46 minutes 14 seconds East, 1036.92 feet; thence South 0 degrees 51 minutes 46 seconds West, 206.83 feet; thence South 89 degrees 33 minutes 26 seconds East, 292.45 feet; thence North 0 degrees 08 minutes 30 seconds West, 210.22 to the intersection of West 193rd Street and Six Points Road; thence East along the centerline of 193rd Street North 89 degrees 28 minutes 39 seconds East, 2653.67 feet to the East line of Section 27 and the intersection of 193rd Street and Spring Mill Road; thence along said East line and Spring Mill Road South 0 degrees 12 minutes 01 seconds West, 1323.27 feet to the intersection of Spring Mill Road and 191st Street; thence South 89 degrees 28 minutes 13 seconds West, 1500.85 feet; thence South 0 degrees 00 minutes 00 seconds West, 255.38 feet; thence North 90 degrees 00 minutes 00 seconds East, 999.40 feet; thence South 0 degrees 56 minutes 40 seconds West, 263.91 feet; thence North 90 degrees 00 minutes 00 seconds East, 503.87 feet to the East line of Section 27 and the centerline of Spring Mill Road; thence along said East line and centerline South 0 degrees 12 minutes 01 seconds West, 2112.36 feet to the Southeast corner of said Section 27; thence along the South line of Section 27 and the centerline of 186th Street South 89 degrees 26 minutes 12 seconds West, 634.57 feet; thence North 0 degrees 08 minutes 03 seconds East, 974.94 feet; thence South 89 degrees 14 minutes 41 seconds West, 2017.69 feet; thence South 0 degrees 13 minutes 01 seconds West, 628.64 feet; thence South 89 degrees 26 minutes 12 seconds West, 525.85 feet; thence South 0 degrees 16 minutes 07 seconds West, 339.56 feet to the South line of said Section 27 and the centerline of 186th Street; thence along said South line and centerline North 89 degrees 26 minutes 12 seconds East 695.78 feet; thence South 0 degrees 04 minutes 20 seconds West, 280.96 feet; thence North 88 degrees 33 minutes 51 seconds East, 499.22 feet; thence South 0 degrees 04 minutes 17 seconds West, 2365.24 feet; thence South 89 degrees 14 minutes 29 seconds West, 679.80 feet; thence South 0 degrees 06 minutes 04 seconds East, 1314.33 feet; thence North 89 degrees 42 minutes 00 seconds East, 1760.39 feet; thence South 0 degrees 10 minutes 02 seconds West, 1333.86 feet to the centerline of SR 32 and the South line of Section 34; thence along said South line South 89 degrees 31 minutes 38 seconds West, 4393.14 feet to the point of beginning. Containing 900.6 acres more or less.

NOTE:
THIS DRAWING IS NOT INTENDED TO BE
REPRESENTED AS A RETRACEMENT OR ORIGINAL
BOUNDARY SURVEY, A ROUTE SURVEY OR A
SURVEYOR LOCATION REPORT.



Scale: 1"=2000'
GRAPHIC SCALE



(IN FEET)
1 inch = 2000 ft.

LINE TABLE

LINE	BEARING	LENGTH
L-1	S89°23'24"W	1848.13
L-2	N00°23'34"W	263.23
L-3	S89°31'30"W	151.39
L-4	N00°02'12"W	1032.28
L-5	S89°29'04"W	644.87
L-6	N00°03'29"E	118.93
L-7	N60°42'33"E	472.39
L-8	S88°00'00"E	283.05
L-9	N00°00'00"E	362.82
L-10	N89°31'51"E	624.07
L-11	N00°02'16"E	3293.83
L-12	N89°22'24"E	397.11
L-13	S00°31'31"W	523.56
L-14	N89°39'14"E	318.44
L-15	N00°03'18"E	524.60
L-16	N89°25'17"E	1747.15
L-17	N00°03'47"E	3978.31
L-18	N89°46'14"E	1036.92
L-19	S00°31'46"W	206.83
L-20	S89°33'26"E	292.43
L-21	N00°08'30"W	210.22
L-22	N89°28'39"E	2633.67
L-23	S00°12'01"W	1323.27
L-24	S89°28'13"W	1500.85
L-25	S00°00'00"W	333.38
L-26	N00°00'00"E	999.40
L-27	S00°36'40"W	263.91
L-28	N90°00'00"E	503.87
L-29	S00°12'01"W	2112.36
L-30	S89°26'12"W	634.57
L-31	N00°08'03"E	974.94
L-32	S89°14'41"W	2017.69
L-33	S00°13'01"W	628.64
L-34	S89°26'12"W	525.85
L-35	S00°16'07"W	339.36
L-36	N89°26'12"E	695.78
L-37	S00°04'20"W	280.96
L-38	N88°13'51"E	499.22
L-39	S00°04'17"W	2365.24
L-40	S89°14'29"W	679.80
L-41	S00°06'04"E	1314.33
L-42	N89°42'00"E	1760.39
L-43	S00°10'02"W	1333.86
L-44	S89°31'38"W	4393.14



Prepared December 2, 2010 for Wilfong Land Companies.

**HAHN SURVEYING
GROUP, INC.**
SURVEYORS & ENGINEERS
2850 E. 96th Street • Indianapolis, IN 46240
Phone: 846-0840 / Fax: 846-4298
Established in 1973

Sheet 1 of 2
Job #101202

Exhibit B

Zoning District Map

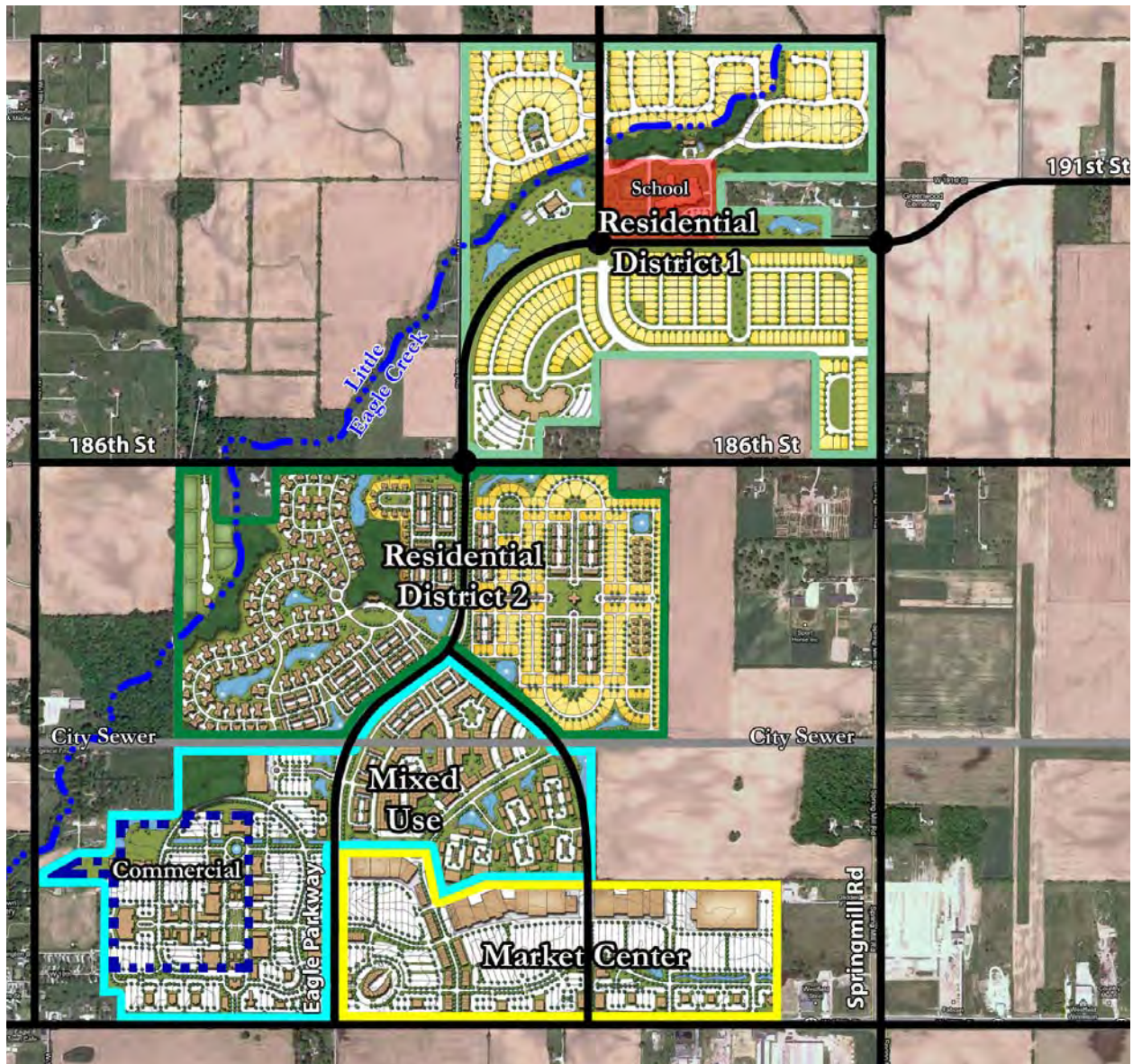


Exhibit C

Illustrative Site Development Plan

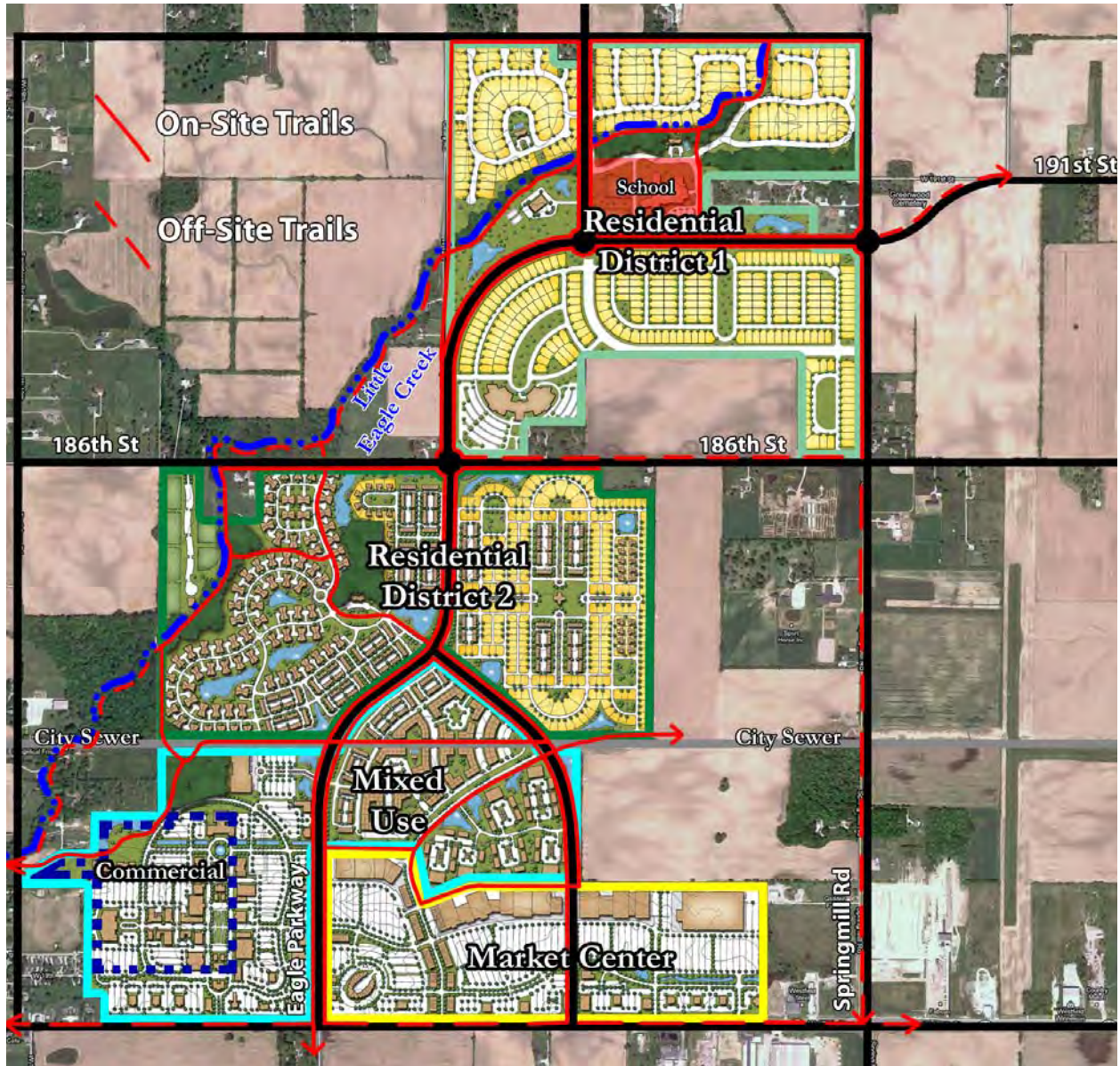


Exhibit D

Construction Phasing Schedule

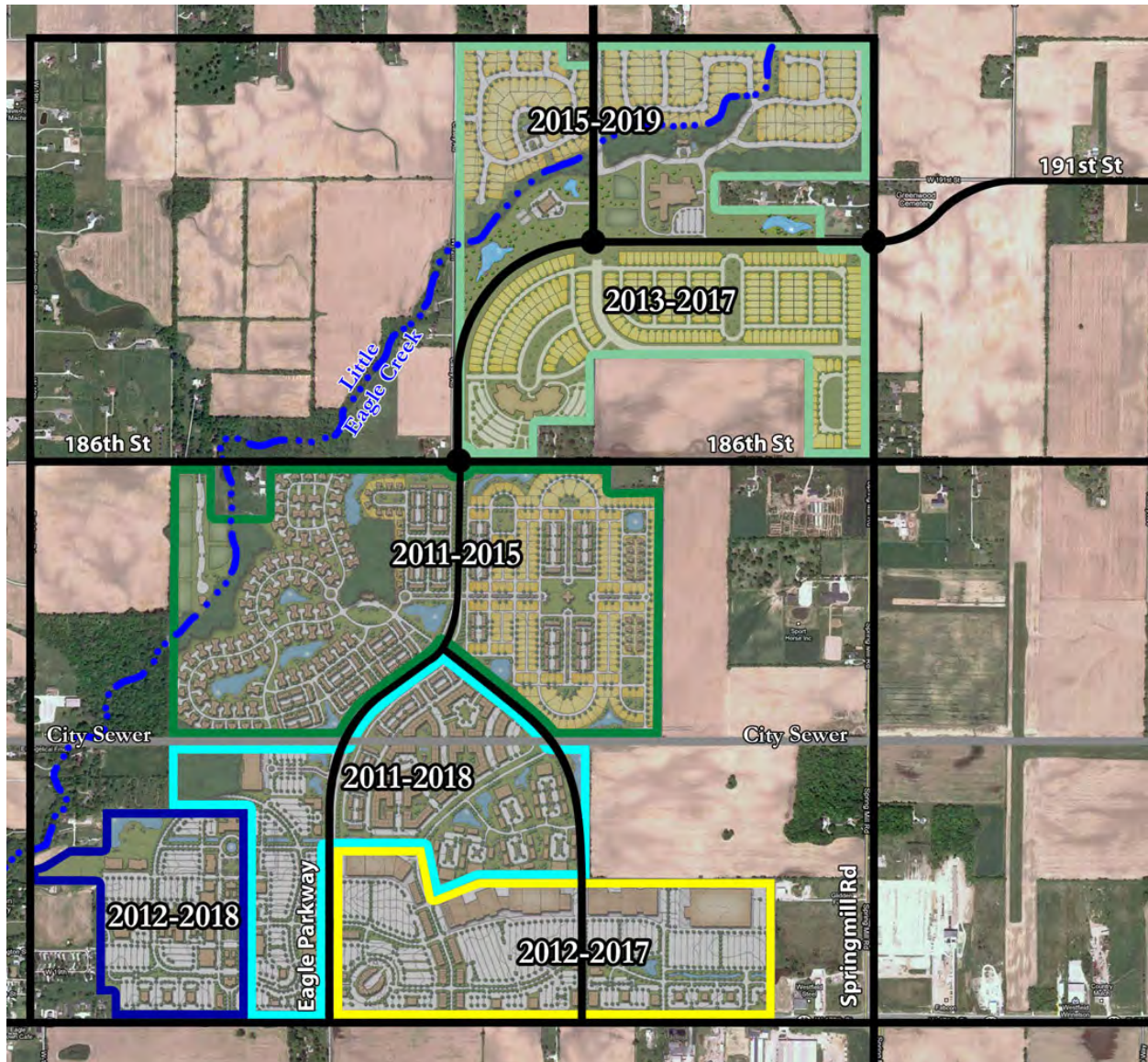


Exhibit E
Amenity Plan

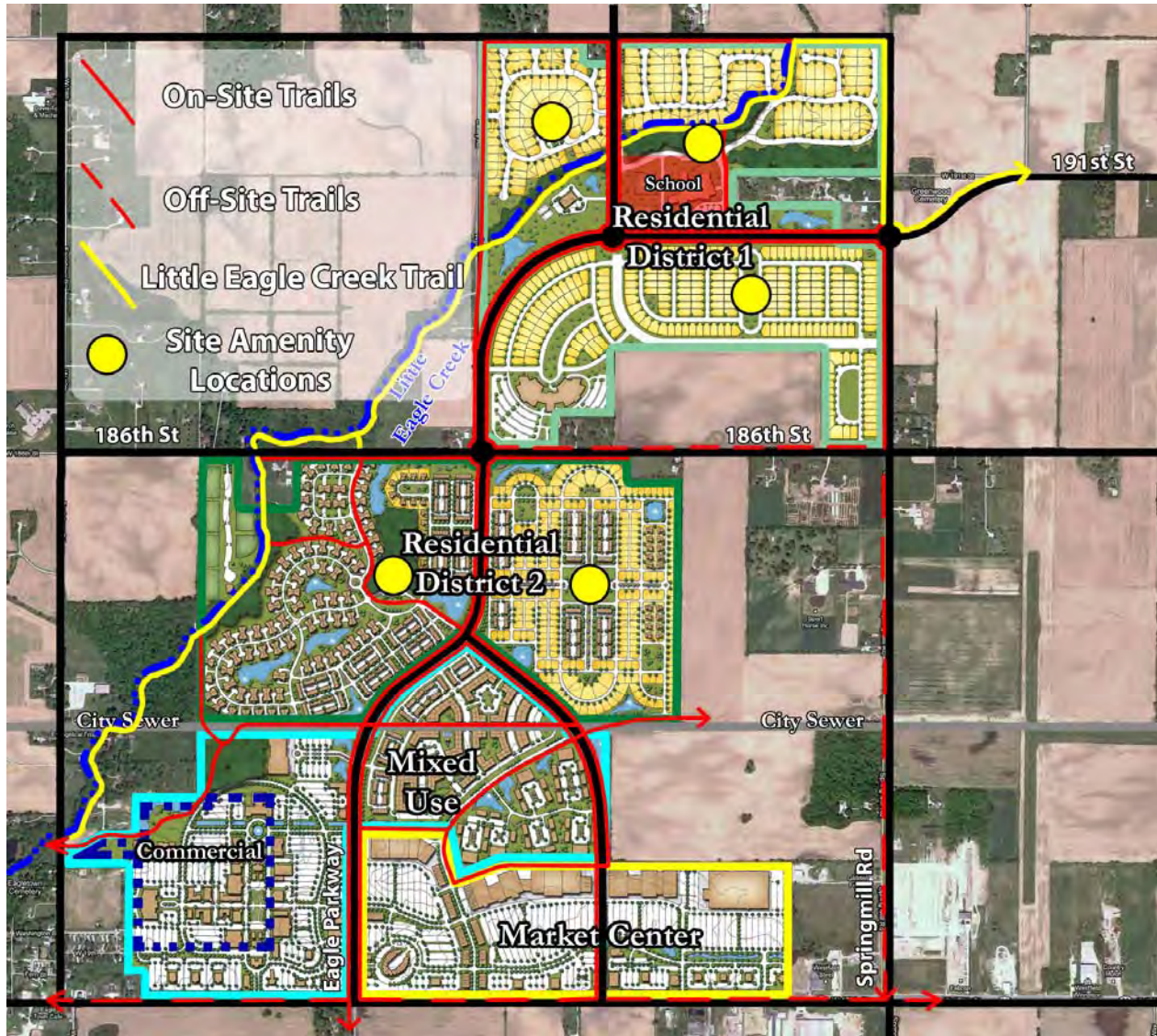


Exhibit F

Residential Photo Examples















Memorandum

Date: May 23, 2019
To: Pamela Howard, Senior Planner
Economic and Community Development Department
From: Jesse M. Pohlman

Re: Gristmill Crossing: Commercial District Amendment (1906-PUD-13)
Summary of Neighbors' Open House

In accordance with Article 10.9(C)(1)(f) Planned Unit Development Districts; PUD District Ordinance; Application Procedures; Neighbor Meeting, William Tres Development, LLC hosted an open house for adjoining property owners on Tuesday, May 22, 2019, at Northview Church (1191 W 186th Street, Westfield, Indiana). Below please find a brief written report of the open house.

Open house began at 6:30 p.m. and concluded around 7:20 p.m.

Petitioner representatives included Travis May and Jesse Pohlman.

Attendees included six (6) adjacent property owners, two (2) Council member (J. Edwards, C. Spoljaric), and a representative from the City's Economic and Community Development Department (P. Howard).

After introductions and an overview of the proposed amendment, discussion included the following:

- Overall Discussion: Overall Planned Unit Development District's history; overview of the Gristmill Crossing commercial subdivision as platted, including potential commercial uses for other lots and blocks, as well as the subdivision name; anticipated development timeline for this summer and coordination of earthwork and infrastructure with the residential subdivision to the north; location of master detention and sanitary sewer; and, road access. Tangentially, discussion included updates on the Springmill Trails residential amenity center and the current status of trying to value engineer the project to meet the HOA's budget, and that the timing to construct the amenity center would likely be this summer concurrently with the residential subdivision (with the pool planned to be open in spring 2020).
- Car Condominium: Representatives explained characteristics and market niche for the facility, and that while the PUD Ordinance currently permits the land use, the design and development pattern warrant amending the development and design standards. Questions included how many units, how units are owned and whether they included bedrooms. Representatives responded that between 100 and 120 units are anticipated, that units do not include bedrooms nor would permit typical commercial activities, and that units would be owned and regulated similarly to a residential condominium (including a property owners' association and corresponding covenants). Further discussion included security measures, on-site property manager, and target market. Detailed photographs of a comparable facility were shared.
- Automobile Sales: Representatives explained the primary purpose of the amendment is to apply the Commercial District of the PUD District to Lot 2 in order to allow automobile sales (which is otherwise permitted on the other lots north of Tournament Trail). Discussion about the planned dealership included that the property was under contract; the nature of the investment; sales market and vehicle types; and, consolidation of the planned dealer.

ISSUES RAISED REGARDING THE GRISTMILL CROSSING COMMERCIAL PROPOSAL

The list below includes issues that were raised during the June 3, 2019, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Economic and Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. How will this development impact congestion on surrounding roads and intersections?

The Springmill Trails PUD was originally adopted as the Eagletown PUD in 2007, and then amended and restated as the Springmill Trails PUD in 2011 (the “PUD”). The impact of traffic from this subdivision, as well as the existing and planned traffic being generated by the residential neighborhoods to the north on Casey Road, have been anticipated since the original PUD was adopted in 2007. Roadway improvements that have already been made in the area, as well as planned improvements, are all in anticipation of the land uses set forth by the PUD and envisioned by the Comprehensive Plan. The proposed amendment will not negatively impact the traffic that has otherwise been anticipated from the mixed-use Springmill Trails development.

The City’s Comprehensive Plan (see [Exhibit 1](#)) designates this real estate as “Regional Commercial”. The comprehensive plan provides that “[t]he character of these areas will include large, suburban-style buildings, usually in commercial centers that depend upon high traffic volumes.” Additionally, the Comprehensive Plan provides for the development policy of permitting regional commercial on “arterial streets that are designed to carry large traffic volumes, or on frontage roads accessible from arterials.” This subdivision is located along an arterial (Ditch Road) and a State highway (SR 32), and will have access from a frontage road (Tournament Trail).

The Thoroughfare Plan (see [Exhibit 2](#)) designates Ditch Road/Casey Road as a Secondary Arterial. Secondary Arterials are contemplated to include a right-of-way width of 120 feet consisting of a four-lane road with eight-foot wide multi-purpose paths. The appropriate rights-of-way for both Ditch Road and State Highway 32 have been dedicated to accommodate these improvements, which includes the realignment and extension of Ditch Road that has already occurred.

The construction plans approved by the City limits access onto Ditch Road (arterial), and the plans include roadway improvements for the construction of Tournament Trail. Tournament Trail will provide for the frontage road accessible from an arterial, as contemplated by the Comprehensive Plan and required by the City’s Unified Development Ordinance.

The approved construction plans also include roadway improvements along State Highway 32. INDOT and the City are coordinating on the improvement of the intersection of State Highway 32 and Ditch Road, which includes the installation of a traffic signal which is anticipated by this Fall (2019).

2. What can be done to maintain the residential character of the area with the addition of automotive related uses?

The City's Comprehensive Plan designates this real estate as "Regional Commercial", and provides that "[t]he character of these areas will include large, suburban-style buildings, usually in commercial centers that depend upon high traffic volumes."

The PUD and Zoning District Map (see [Exhibit 3](#)) establish the transitioning of land uses from the State Highway 32 corridor north to 193rd Street. As depicted in the Zoning District Map, the real estate south of the extended sewer line (e.g., south of Water's Edge and Spring Orchard) has been zoned and planned for a broad mix of land uses that range from multi-family to commercial to light industrial. North of the extended sewer line was primarily designated as residential.

As a result, this real estate, including much of the State Highway 32 corridor, has already been designated by the City for non-residential uses.

3. How can it be ensured that the car condos will not be used for lodging or as a residence?

A provision has been added to the amendment ordinance prohibiting sleeping quarters or lodging accommodations, with the exception of a property manager.

4. What limitations can be placed on the activities/services that can be performed on the vehicles at the car condominium facility?

The car condominiums offer a unique opportunity for the quiet enjoyment of like-minded individuals to socialize and to offer a secure facility for the storage, restoration and detailing of collector and hobby vehicles. The activities will be very similar to those routinely found and otherwise permitted in the private garages of residential neighborhoods throughout the community. Similar to a residential condominium or traditional homeowners' association, the units will be governed by a declaration of covenants that will be enforced by the owners to ensure the intended character and value of their units are preserved and maintained.

5. What can be done to ensure that the car condominium facility cannot be expanded onto Lot 2?

The amendment ordinance has been revised to prohibit the use on Lot 2.

6. If a Temporary Use and Event Permit is not required, how will the events be regulated to ensure any necessary safety precautions are in place?

The amendment ordinance has been revised to require a permit for events that may utilize a temporary structure (e.g., tent) and to affirm that the standards of the UDO applicable to temporary uses and events (Article 6.18) still apply to the real estate. The temporary use standards are enforceable by the City whether a permit was required or not. Due to the unique social nature and inherent temporary activities of the car condominium, requiring a temporary use and event permit would create an unnecessary administrative burden on both the condominium owners and the City.

EXHIBIT 1
COMPREHENSIVE PLAN: FUTURE LAND USE MAP

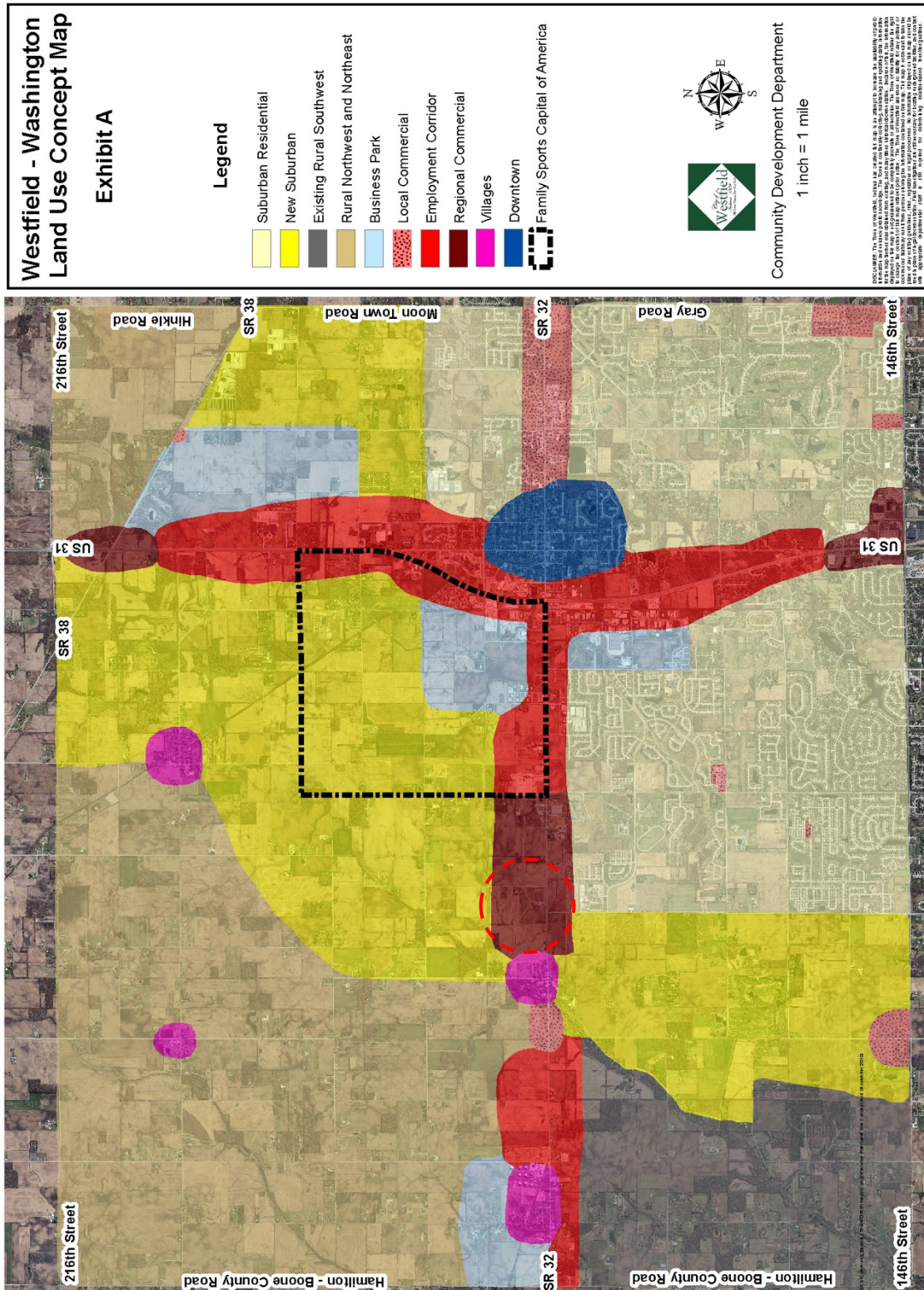


EXHIBIT 2 THOROUGHFARE PLAN

EXHIBIT 1



Thoroughfare Plan

Collector System Map
Supersedes Figure 4.7
from 2011 Summer Amendment

- Local
- Proposed Local
- Collector
- Proposed Collector
- Primary Arterial 1
- Primary Arterial 2
- Proposed Primary Arterial 2
- Secondary Arterial
- Proposed Secondary
- Proposed Full Access Intersections
- Interchanges
- Under/Over Passes
- Safety Improvements
- Context Sensitive Areas
- Realignment Areas

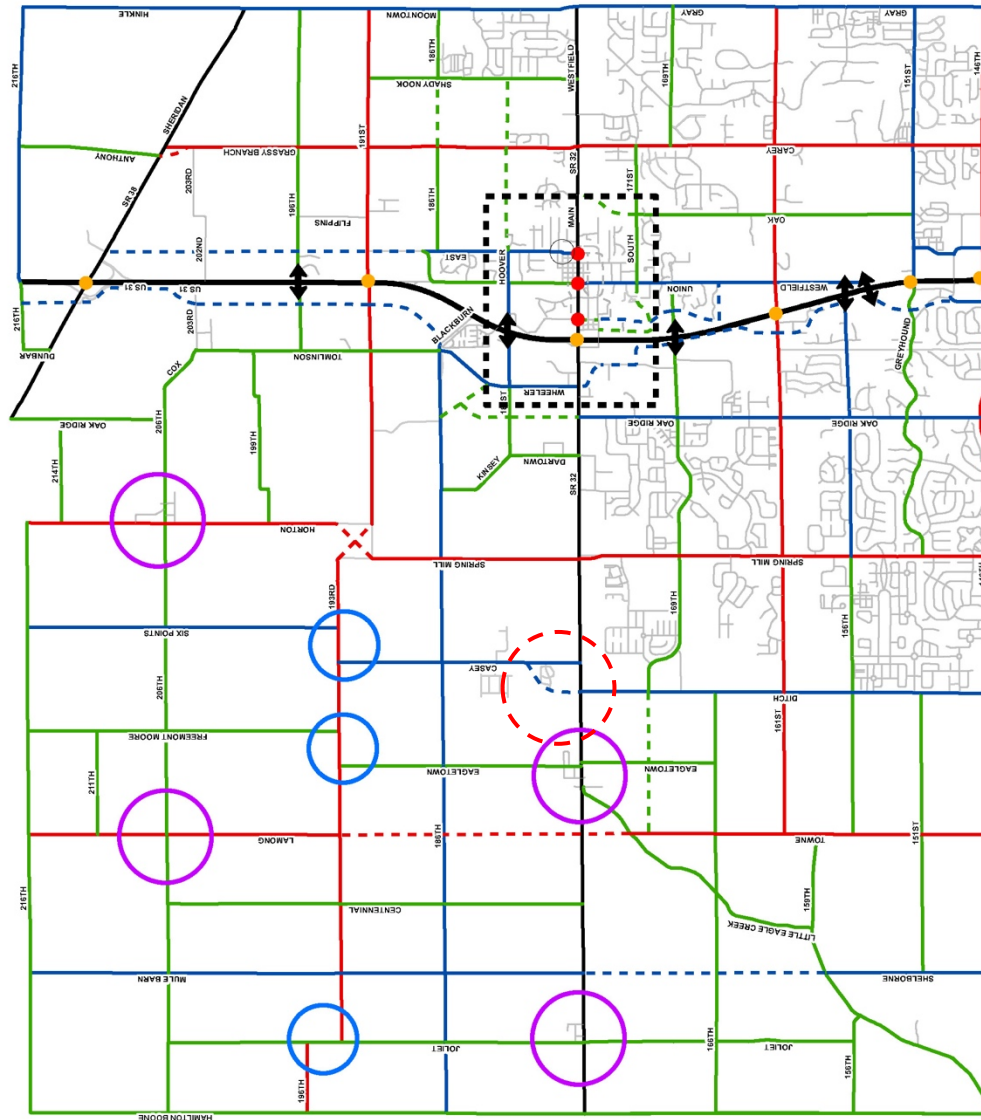
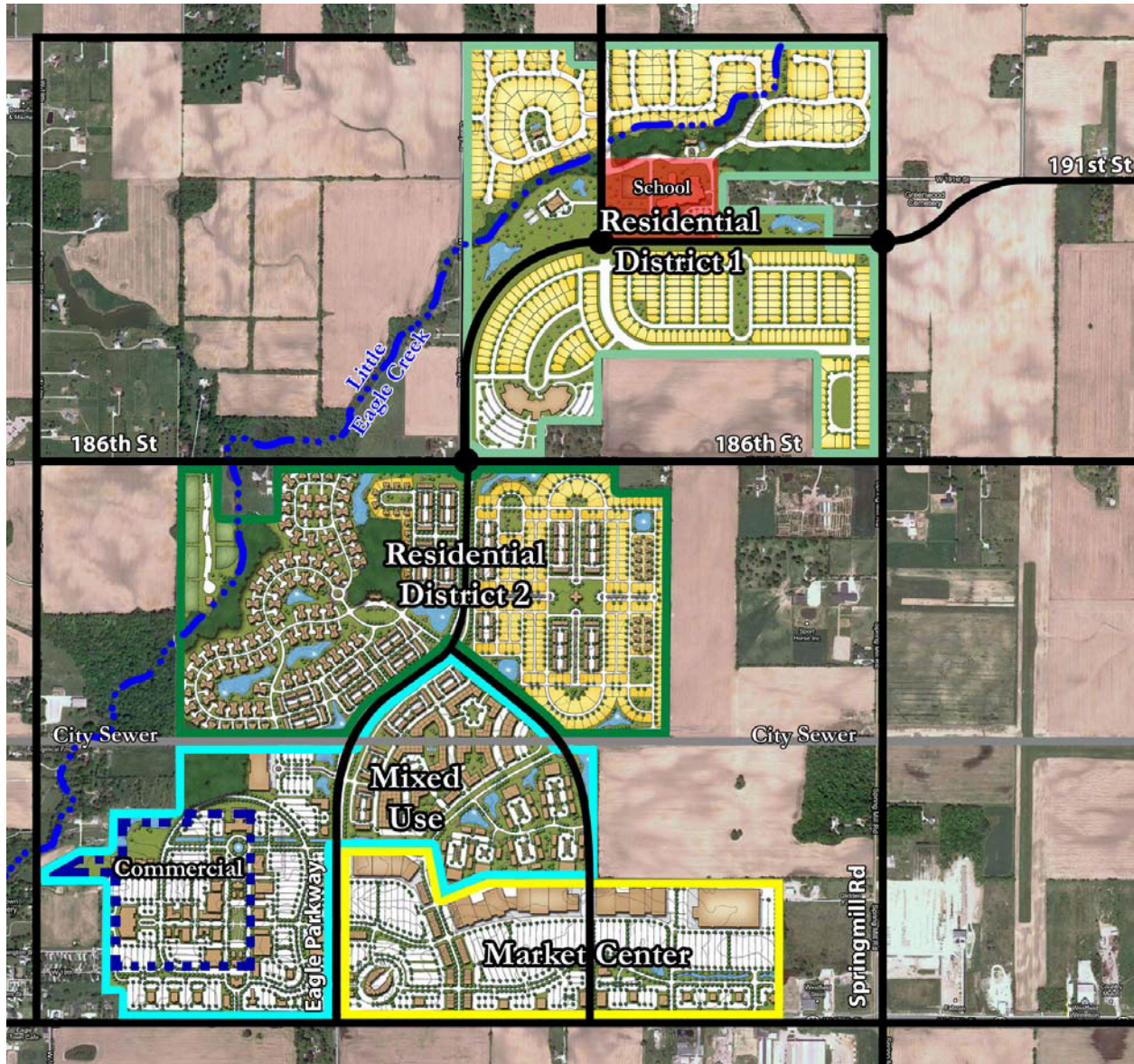


EXHIBIT 3
ZONING DISTRICT MAP (EXHIBIT B OF ORD. 11-19)





Petition Number: 1907-ODP-12 & 1907-SPP-12
Project Name: Aberdeen at Chatham Hills
Subject Site Address: Southeast corner of 199th Street and Horton Road
Petitioner: Henke Development Group, LLC
Representative: Nelson & Frankenberger, LLC
Request: Overall Development Plan & Primary Plat review of 276 Single-Family detached lots on 153 acres +/- in the Chatham Hills Planned Unit Development (PUD) District.
Current Zoning: Chatham Hills PUD
Current Land Use: Residential
Approximate Acreage: 153 +/-
Property History: Chatham Hills PUD Amendment, Ordinance 19-11
Exhibits:

1. Staff Report
2. Location Map
3. Overall Development Plan & Primary Plat
4. Landscape Plan

Staff Reviewer: Caleb Ernest, Associate Planner

BACKGROUND

The Property is currently zoned Chatham Hills PUD District (Ordinance 19-11).

The comments contained herein are in review of the filed Overall Development Plan and Primary Plat scheduled for the June 18, 2019, Technical Advisory Committee meeting.

PROJECT OVERVIEW

The Property encompasses approximately 153 acres +/- and is located at the southeast corner of 199th Street and Horton Road (see **Exhibit 2**). Adjacent properties to the west are zoned the AG-SF1: Agriculture / Single-family Rural District and the Osborne Trails PUD District. Adjacent properties to the north and east are zoned the AG-SF1 District. Adjacent properties to the south are zoned the AG-SF1 District and the Osborne Trails PUD District.



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

The plans comply except for those items with comments identified as outstanding below:

- 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)

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- 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 4.23 & Article 5.3(G))

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- 12) Legend and notes.



- 13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.

Comment: The Petitioner is coordinating with WPWD and HCSO to address outstanding issues.

- 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.

Comment: The Petitioner is coordinating with HCSO to address outstanding issues.

- 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.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

OVERALL DEVELOPMENT PLAN (Article 10.7 of the UDO)

The plans comply except for those items with comments identified as outstanding below:

- 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.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- 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.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- 30) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- 31) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- 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.
- 36) 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.
- 37) Identify buildings proposed for demolition.
- 38) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 39) 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).

DISTRICT STANDARDS

The plans comply with Article 4.7 (SF4 District) and the Chatham Hills PUD Ordinance, except for those items identified as outstanding below.

- 40) **Chatham Hills PUD District Standards:** The underlying zoning district is the SF4 District (Article 4.7)

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- a) Permitted Uses within District I (Section 7)
 - i) Single-Family Residential
 - ii) Golf Course and Club Uses
- b) Bulk and Density Standards (Section 9)
- c) District Subarea 1-A



- i) Minimum Lot Width – 120’
 - ii) Minimum Lot Frontage – 30’
 - iii) Minimum Lot Area – 15,000 SF
 - iv) Minimum Setbacks
 - (1) Front—25’
 - (2) Side—8’
 - (3) Rear—30’
 - v) Maximum Number of Dwelling Units in Subarea – 1,500
- d) District Subarea 1-B
- i) Minimum Lot Width – 120’
 - ii) Minimum Lot Frontage – 30’
 - iii) Minimum Lot Area – 15,000 SF
 - iv) Minimum Setbacks
 - (1) Front—25’
 - (2) Side—8’
 - (3) Rear—30’
 - v) Maximum Number of Dwelling Units in Subarea – 1,500
- e) District Subarea 1- C
- i) Minimum Lot Width – 110’
 - ii) Minimum Lot Frontage – 30’



- iii) Minimum Lot Area – 12,500 SF
- iv) Minimum Setbacks
 - (1) Front—25’
 - (2) Side—8’
 - (3) Rear—30’
- v) Maximum Number of Dwelling Units in Subarea – 1,500
- f) District Subarea 1-D
 - i) Minimum Lot Width – 105’
 - ii) Minimum Lot Frontage – 30’
 - iii) Minimum Lot Area – 12,500 SF
 - iv) Minimum Setbacks
 - (1) Front—25’
 - (2) Side—8’
 - (3) Rear—30’
 - v) Maximum Number of Dwelling Units in Subarea – 1,500
- g) District Subarea 1-E
 - i) Minimum Lot Width – 90’
 - ii) Minimum Lot Frontage – 30’
 - iii) Minimum Lot Area – 10,000 SF
 - iv) Minimum Setbacks



- (1) Front—25'
- (2) Side—8'
- (3) Rear—25'
- v) Maximum Number of Dwelling Units in Subarea – 1,500
- h) District Subarea 1-F
 - i) Minimum Lot Width – 80'
 - ii) Minimum Lot Frontage – 25'
 - iii) Minimum Lot Area – 10,000 SF
 - iv) Minimum Setbacks
 - (1) Front—25'
 - (2) Side—8'
 - (3) Rear—25'
 - v) Maximum Number of Dwelling Units in Subarea – 975
- i) District Subarea 1-G (as amended by Ord. 19-11)
 - i) Minimum Lot Width – 70'
 - ii) Minimum Lot Frontage – 20'
 - iii) Minimum Lot Area – 7,750 SF
 - iv) Minimum Setbacks
 - (1) Front—20'
 - (2) Side—3'



- (3) Rear—10'
- v) Maximum Number of Dwelling Units in Subarea – 890
- j) District Subarea 1-H
 - i) Minimum Lot Width – 65'
 - ii) Minimum Lot Frontage – 20'
 - iii) Minimum Lot Area – 7,750 SF
 - iv) Minimum Setbacks
 - (1) Front—20'
 - (2) Side—5'
 - (3) Rear—10'
 - v) Maximum Number of Dwelling Units in Subarea – 600
- k) District Subarea 1-I
 - i) Minimum Lot Width – 60'
 - ii) Minimum Lot Frontage – 20'
 - iii) Minimum Lot Area – 7,500 SF
 - iv) Minimum Setbacks
 - (1) Front—20'
 - (2) Side—5'
 - (3) Rear—10'
 - v) Maximum Number of Dwelling Units in Subarea – 600



- l) Maximum Density (number of dwellings) in District I – 1,500

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:

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

Comment: Please see District Standards.

- 42) Compliance with all applicable provisions of any Overlay District in which the real estate is located.

- 43) 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.

- 44) 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.

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply, as applicable to a Primary Plat and Overall Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

- 45) Architectural Standards (Article 6.3)

- 46) Building Standards (Article 6.4)



47) Fence Standards (Article 6.5)

48) Height Standards (Article 6.6)

49) Landscaping Standards (Article 6.8 and Section 11 Ord. 13-24):

a) Preservation and Replacement of Trees (Section 11.1 Ord. 13-24):

- i) Preservation of Trees: The Developer shall only be required to provide a tree inventory for those trees of which tree preservation credits are being requested by the Developer; provided, however, that tree stands shall be generally outlined on any Development Plan.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- ii) Developers shall take reasonable measures to design and locate proposed buildings and related infrastructure in a manner that minimizes the destruction of significant tree specimens.

b) Selection, Installation, and Maintenance of Plant Materials (Section 11.2 Ord. 13-24):

c) General Landscape Design Standards:

- i) Minimum Distance from Sidewalk and Curb: Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- ii) Easements: Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements that would otherwise prohibit the required landscaping.

d) Detention and Retention Areas:

- i) Natural Appearance:

(1) Detention and Retention Areas shall be landscaped in a manner that replicates the natural form of ponds and shall include shade trees, ornamental trees, evergreens,

shrubs, hedges, and/or other plantings (see also Minimum Lot Landscaping Requirements and Article 8.6 Open Space and Amenity Standards).

- (2) Wetlands/aquatic vegetation planted around the wet perimeter of such areas should be utilized to further this design objective; however, if such plantings are utilized for water quality control, then landscape plans shall be prepared and stamped by a licensed landscape architect.
- (3) Detention and Retention Areas shall be designed to be natural in appearance, with meandering edges.
- ii) Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1.
- e) Street Trees:
 - i) Spacing: Street Trees shall be required an average of every fifty (50) feet; however, the Street Trees may be spaced at a maximum spacing of sixty (60) feet but at a minimum spacing of twenty-five (25) feet. In addition to the placement standards of this Article, Street Trees shall also be planted a minimum of ten (10) feet away from Driveways, Alleys, fire hydrants, mailboxes and other similar improvements.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- f) Minimum Lot Landscaping Requirements

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- g) External Street Frontage Landscaping

- i) Road Frontage Standards (Section 11.3 Ord. 13-24): The road frontage landscaping requirements of the Zoning Ordinance (Article 6.8 (M)) shall apply; however, it shall not apply along Golf Course areas adjoining or located along Internal or External Streets.
- ii) External Street Frontage Landscaping Requirements (Article 6.8(M)): Residential Uses: A landscaping area with a minimum depth of thirty (30) feet shall be required abutting an External Street along any residential development. The landscaping area shall include a minimum of four (4) evergreen trees, three (3) shade trees, three (3)

ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. In addition, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage. Meandering mounds are encouraged.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

h) Buffer Yard Requirements (Section 11.4 Ord. 13-24)

- i) Buffer yards shall not be required along Golf Course areas adjoining or located along Internal or External Streets.
- ii) Buffer yards shall not be required between District Areas and shall not be required adjacent to Development Amenities, except as otherwise required herein.
- iii) A minimum twenty (20) foot wide buffer yard shall be required between residential properties of the District and any adjacent property zoned the Agricultural/Single Family (AG-SF1) District. The buffer yard shall be landscaped in accordance with the Zoning Ordinance.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

50) Lighting Standards (Article 6.9)

- a) The District's lighting shall comply with the Unified Development Ordinance (Article 6.9) with the following exceptions: (Section 14 Ord. 13-24).
 - i) Architectural lighting may be directed upward on Golf Course Use buildings for the softening of walls and entryways and shall be directed in a manner as to direct light away from residential adjacent property and public rights-of-way and shall otherwise comply with the lighting standards of the Zoning Ordinance.
 - ii) Architectural lighting may be located below and directed upward or onto the surface(s) of the Red Barn or Lindley House and shall not be required to be shielded but shall be permitted for the softening of the buildings and to highlight architectural details and shall otherwise comply with the lighting standards of the Zoning Ordinance.
 - iii) Dusk to Dawn Lights for Single-family Residential Uses: A light shall be installed on each home lot at a location, height, type, style and manufacturer approved by the Owners' Association Architectural Review Committee. The light may be either pole mounted in the front yard or attached as a carriage light to the residence. The



light shall be equipped with a photo electrical cell or similar device to ensure automatic illumination from dusk to dawn and shall be maintained in proper working order by the owner of each lot. Illumination intensity for fixtures without shielding shall be limited to one hundred sixty (160) watts for incandescent bulbs or an equivalent illumination for other types of bulbs.

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- iv) Decorative street lights may differ from the City's standards if approved by the Department of Public Works. Decorative street lights shall be consistent with the development theme and shall be installed at the expense of the Developer and maintained by the Owners' Association.

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- v) Real or faux gas lights may be used without shielding.
- vi) Lighting (e.g., pole lighting) of the Golf Course for playing a round of golf at night shall be prohibited (does not include lighting for pathways, security or practice areas).

51) Lot Standards (Article 6.10)

Comment: Please see District Standards.

52) Setback Standards (Article 6.16)

Comment: Please see District Standards.

53) Vision Clearance Standards (Article 6.19)

- a) No Sign, fence, wall, landscaping, Public Utility Installation or other Improvement which obstructs sight lines between three (3) and nine (9) feet above a Street shall be permitted on a Corner Lot, unless otherwise approved in writing by the Public Works Department, within the triangular area formed by the Right-of-way line and a line connecting points:
 - i) Forty (40) feet from intersections of Collectors, Private or Local Street.
 - ii) Seventy-five (75) feet from intersections of Expressways or Arterials.

b) Yard Standards (Article 6.21)



DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply except for those items identified as outstanding below, that need addressed prior to approval:

- 1) Block Standards (Article 8.1)
- 2) Easement Standards (Article 8.3)

Comment: The Petitioner is coordinating with WPWD and utility companies to address outstanding issues.

- 3) Monument and Marker Standards (Article 8.5)

Comment: Will be reviewed on Secondary Plat.

- 4) Open Space and Amenity Standards (Article 8.6 and Section 12 Ord. 13-24)
 - a) Natural Areas (Section 12.1 Ord. 13-24): The preservation of the natural landscape, terrain, topography and natural features of the Real Estate shall be preserved when possible and shall be a priority when constructing all residential, infrastructure, amenities and other aspects of the development.
 - b) Minimum Open Space (Section 12.2 Ord. 13-24): The District shall provide a minimum of twenty percent (20%) of the Real Estate to be set aside for Open Space, which shall replace and superseded any open space or green belt space requirement of the Zoning Ordinance. All Open Space in the District shall be owned by the Master Developer, unless otherwise approved and transferred by the Master Developer to an Owners' Association.
- 5) Infrastructure Standards (Section 20 of PUD Ordinance)
 - a) The District's infrastructure shall comply with the Zoning Ordinance and the City's Construction Standards, unless otherwise approved by the 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.

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- 6) Pedestrian Network Standards (Article 8.7)

- a) Pedestrian and bicycle access shall be provided throughout the District to permit and encourage pedestrian movement within the District and surrounding developments to: (i) provide an alternative for people to get where they are going without using their vehicles; (ii) provide a means for people to safely and practically get to local destinations; and (iii) provide for fitness and general recreational opportunities. (Section 15.1 Ord. 13-24).

Comment: Items identified as outstanding, staff will confirm compliance prior to this item being docketed for final APC consideration.

- b) The District's pedestrian and bicycle network shall comply with the Zoning Ordinance and the City's construction standards, unless otherwise approved by the Department of Public Works. To the maximum extent practicable, land uses, amenities, parks, trails and other open spaces should be organized to create integrated systems of open space that connect both internal to the District and to development surrounding the District. (Section 15.2 Ord. 13-24).

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- c) Golf carts shall be permitted on streets, Trails and amenities within the District. The operation of golf carts on public rights-of-way shall be subject to the City's Code of Ordinances (see Chapter 58-1), as amended, and any requirements of the Department of Public Works and Department of Parks and Recreation. (Section 15.3 Ord. 13-24).

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- 7) Storm Water Standards (Article 8.8)
- 8) Street and Right-of-Way Standards (Article 8.9)
- 9) Street Light Standards (Article 8.10)

Comment: The Petitioner is coordinating with WPWD and utility companies to address outstanding issues.

- a) General: The Developer shall install, or cause to be installed, street lights at all intersections, development entrances, and along internal Streets as required by the provisions of this Article. The Plan Commission may direct street lights at other locations if in its discretion it determines is necessary to provide vehicular or pedestrian safety.



- b) Street Lights at Intersections: The Developer shall propose a lighting design that provides the minimum amount of light necessary for vehicular and pedestrian safety at all intersections within the development, consistent with the City's Construction Standards (see *Article 7.3 Principles and Standards of Design*) and the public utility providing such lighting. The Public Works Department may reduce the number of intersections required to have street lighting. Under no circumstances shall the major intersections (involving Collectors or Arterials) within the development be waived.

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

- c) Lighting between Intersections: Unless street lights have been provided at the lesser of either mid-Block or every fifteen (15) lots, a dusk-to-dawn light that operates on a photo cell shall be installed on each home site. This lighting shall be maintained by the Property Owner in perpetuity.

Comment: The Petitioner is coordinating with WPWD to address outstanding issues.

10) Street Sign Standards (Article 8.11)

Comment: The Petitioner is coordinating with WPWD and utility companies to address outstanding issues.

11) Surety Standards (Article 8.12)

Comment: The Petitioner is coordinating with WPWD and utility companies to address outstanding issues.

12) Utility Standards (Article 8.13)

Comment: The Petitioner is coordinating with WPWD and utility companies to address outstanding issues.

DEPARTMENT COMMENTS

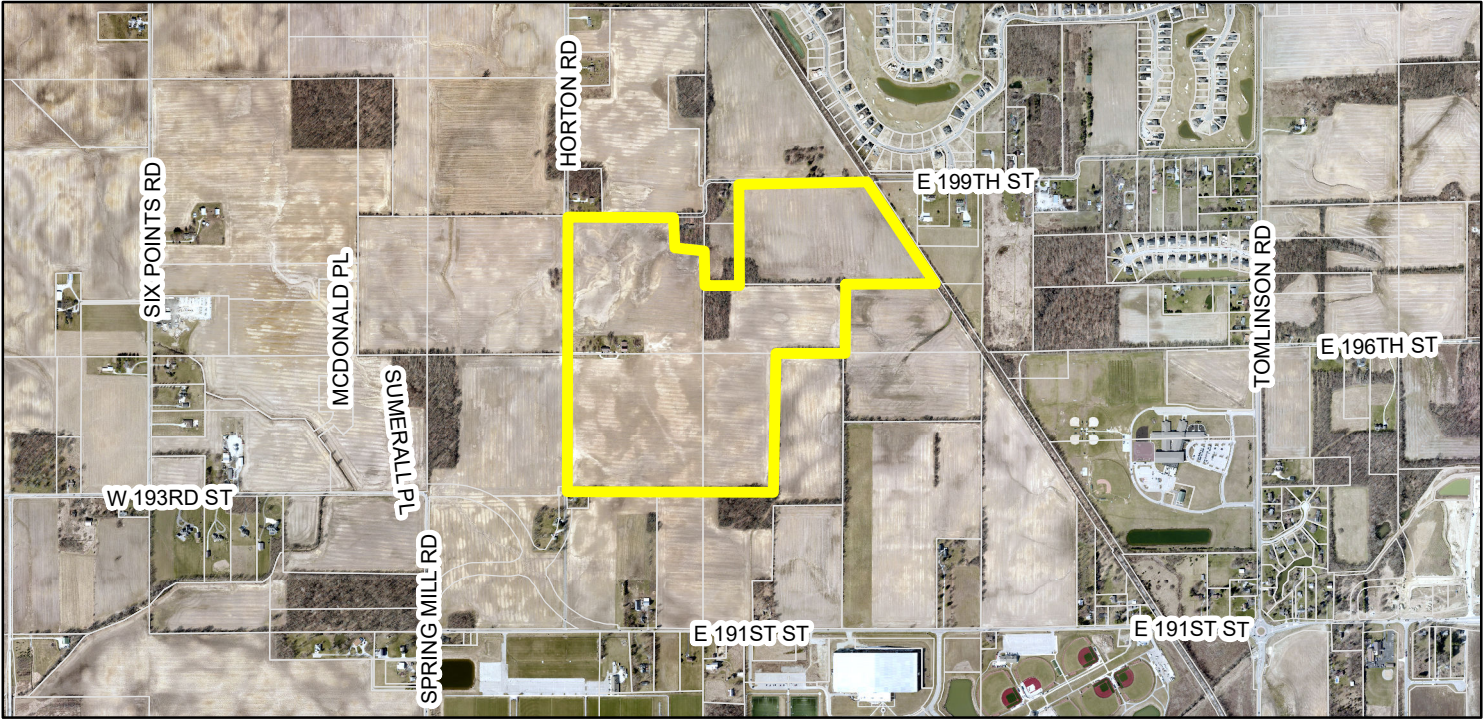
- 1) Action: Hold a public hearing at the July 1, 2019, Plan Commission meeting.
- 2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The Economic and Community Development Department will confirm compliance prior to this item being placed on the next Plan Commission agenda.
- 3) If any Plan Commission member has questions prior to the public hearings, then please contact Caleb Ernest at 317-519-8630 or cernest@westfield.in.gov.



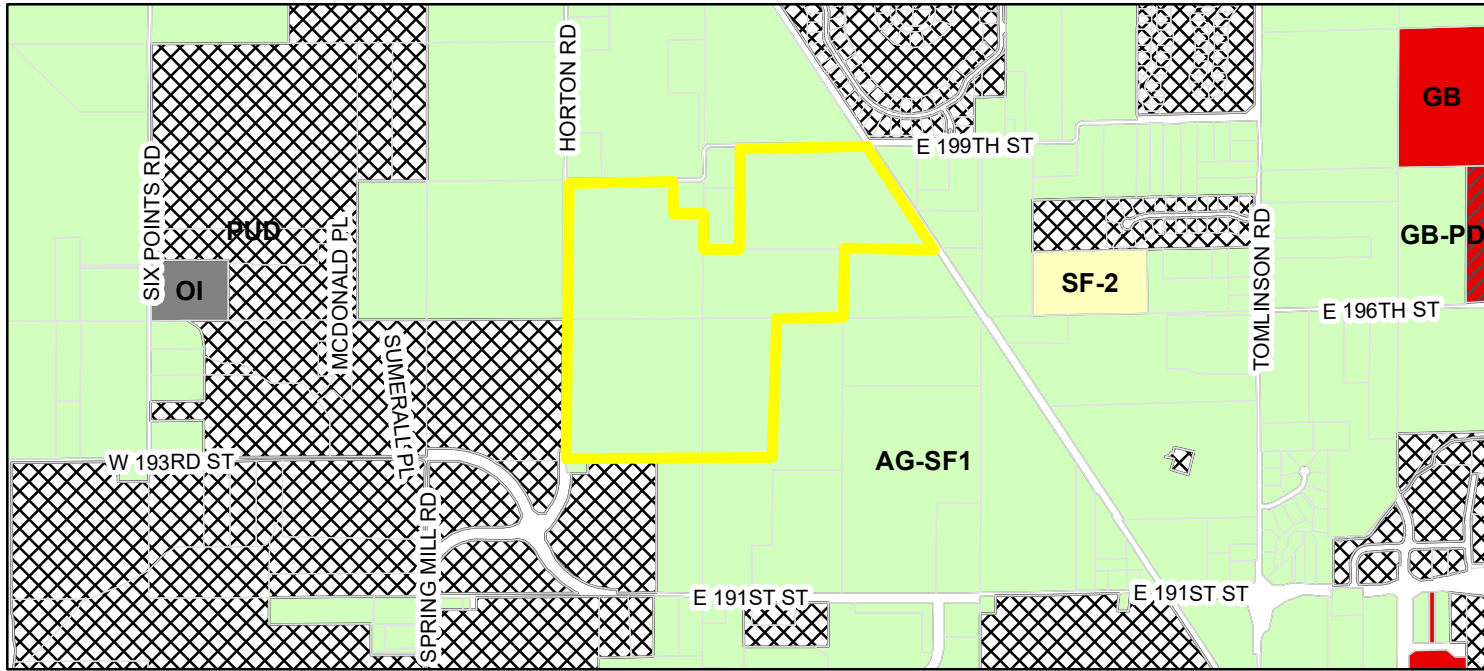
Property Location Map
Aberdeen at Chatham Hills
Overall Development Plan & Primary Plat
1907-ODP-12 & 1907-SPP-12



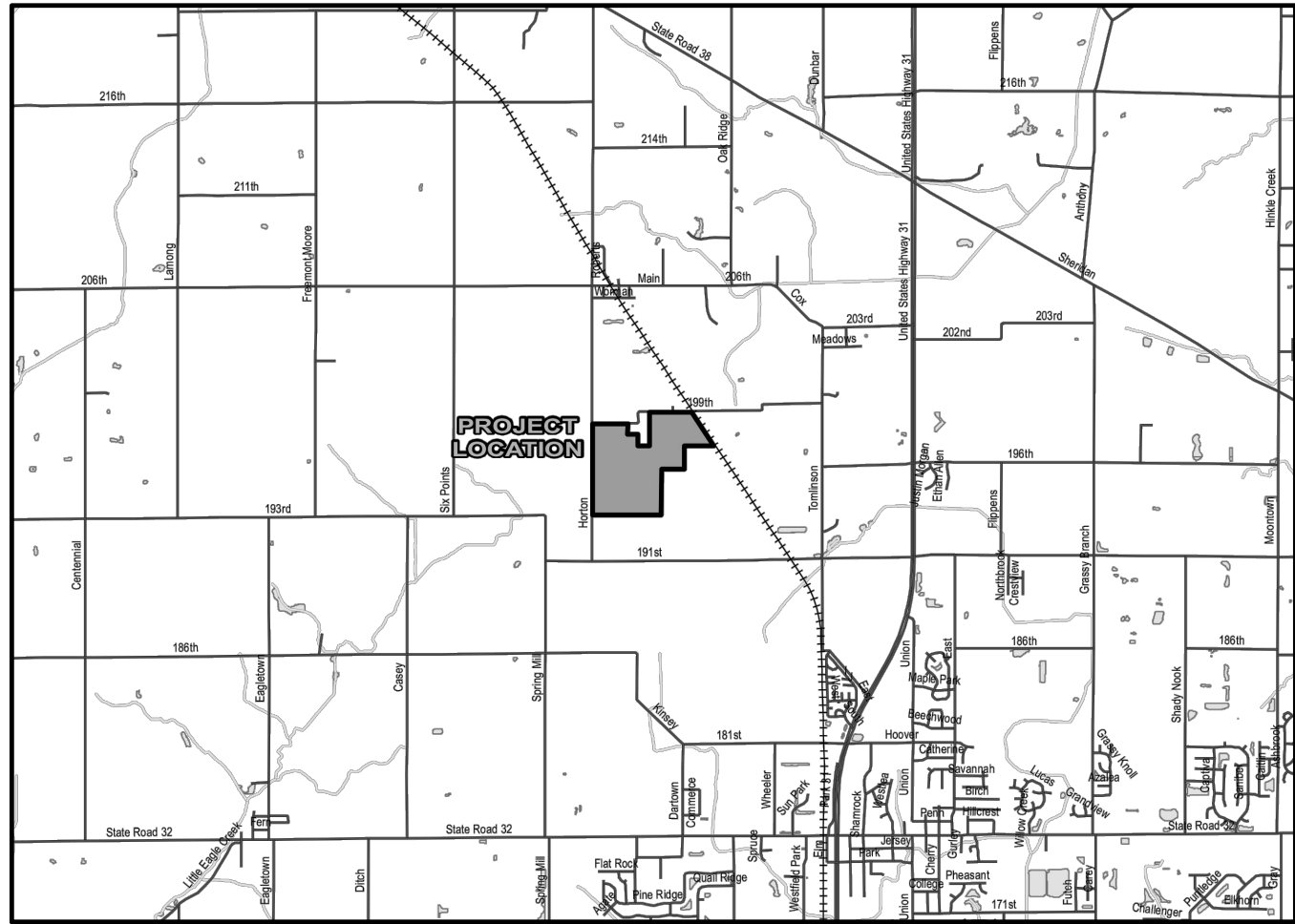
Aerial Location Map



Zoning Map



- Parcel
- Zoning - All**
- Zoning**
- AG-SF1 (Agriculture - Single Family - 1)
 - GB (General Business)
 - GB-PD (General Business - Planned Development)
 - OI (Open Industrial)
 - PUD (Planned Unit Development)
 - SF-2 (Single Family - 2)



LOCATION MAP
SCALE 1"= 1/2 MILE

ABERDEEN AT CHATHAM HILLS PRIMARY PLAT PLAN

Henke Development Group, LLC

CONTACT: STEVE HENKE

1100 Chatham Hills Blvd.

WESTFIELD, IN 46074

(317) 836-8019

LEGAL DESCRIPTION

A part of the Northeast and Northwest Quarters of Section 26, and a part of the Southeast and Southwest Quarters of Section 23, all in Township 19 North, Range 3 East, Hamilton County, Indiana being that 153.208 acre parcel surveyed by Paul E. Klodzen, PS #20400015 and shown on a survey certified January 19, 2019 as Cripe Job number 170504-33000 more particularly described as follows:

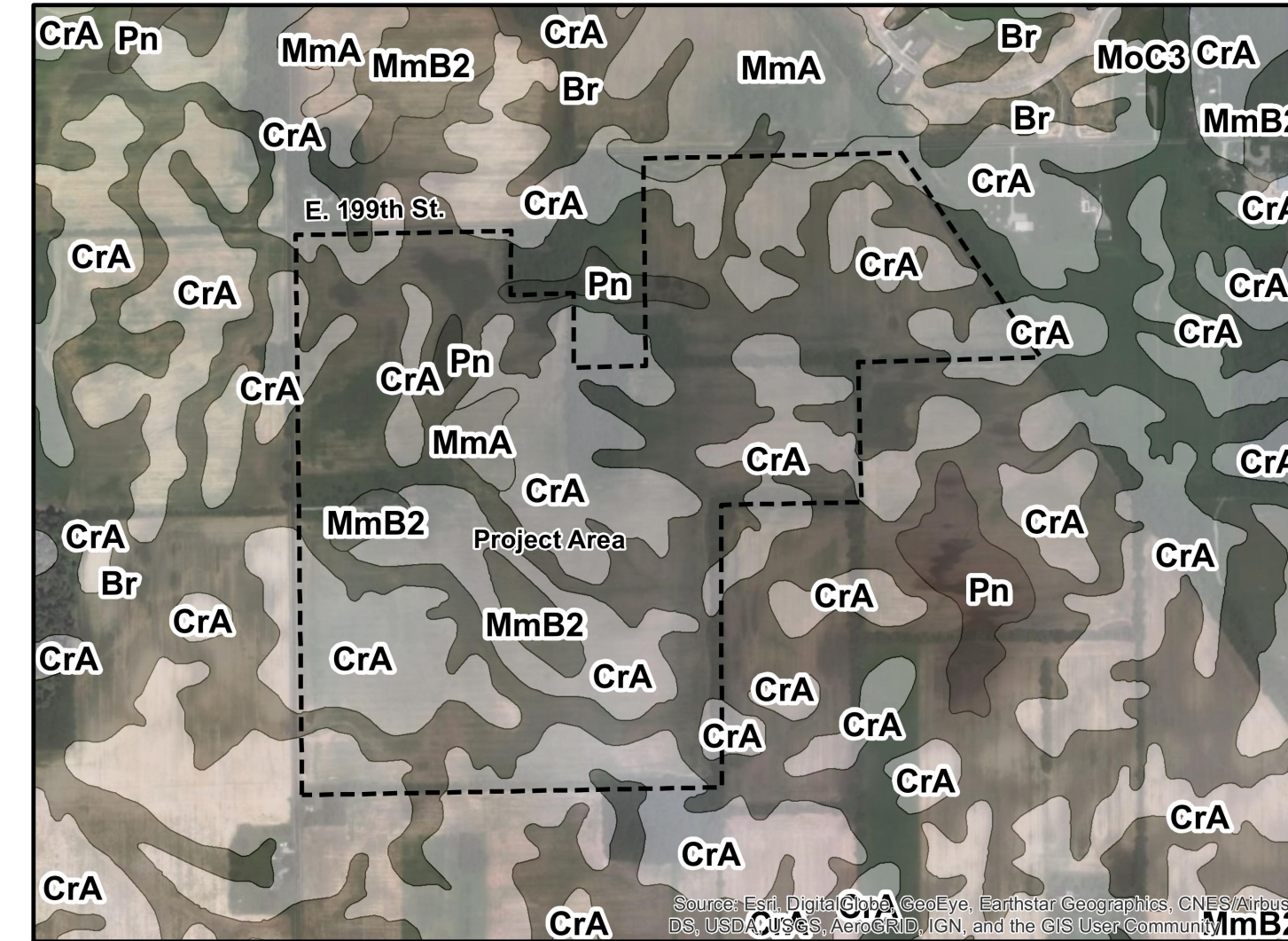
Commencing at the Southeast corner of the Northeast Quarter of said Section 26; thence North 00 degrees 14 minutes 39 seconds East (basis of bearings is Indiana State Plane Grid Bearing, East Zone) along the East line of said Northeast Quarter 1988.70 feet to the Southeast corner of the North Half of the Northeast Quarter of the Northeast Quarter of said Section 26; thence South 89 degrees 47 minutes 55 seconds West along the South line of said North Half 1323.05 feet to the Southwest corner thereof; thence North 00 degrees 14 minutes 49 seconds East along the West line of said North Half 662.10 feet to the Northwest corner thereof and the POINT OF BEGINNING; thence South 89 degrees 45 minutes 50 seconds West along the North line of the Northeast Quarter of said Section 26 a distance of 661.51 feet to the Northeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 26; thence South 00 degrees 14 minutes 54 seconds West along the East line of said West Half 1323.41 feet to the Southeast corner thereof; thence South 89 degrees 49 minutes 59 seconds West along the South line of said West Half 661.54 feet to the Southwest corner thereof; thence South 89 degrees 45 minutes 06 seconds West along the South line of the Northeast Quarter of the Northwest Quarter of said Section 26 a distance of 1324.06 feet to the Southwest corner thereof; thence North 00 degrees 12 minutes 52 seconds East along the West line of said Quarter-Quarter 1321.94 feet to the Northwest corner thereof; thence North 00 degrees 06 minutes 09 seconds East along the West line of the Southeast Quarter of the Southwest Quarter of said Section 23 a distance of 1321.61 feet to the Northwest corner thereof; thence North 89 degrees 43 minutes 36 seconds East along the North line of said Quarter-Quarter 1037.15 feet to the northwest corner of Instrument Number 2015004954, recorded in the Office of the Recorder of Hamilton County, Indiana (the following two courses are along the West and South boundaries of said Instrument); (1) thence South 01 degrees 19 minutes 55 seconds West 316.44 feet; (2) thence North 88 degrees 56 minutes 56 seconds East 295.71 feet to the East line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 00 degrees 10 minutes 00 seconds West along said East line 348.46 feet to the Southwest corner of the North Half of the Southwest Quarter of the Southwest Quarter of said Section 23; thence North 89 degrees 39 minutes 19 seconds East along the South line of the North Half of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 334.99 feet to the Southeast corner of Instrument Number 2016046931, recorded in said Recorder's Office; thence North 00 degrees 10 minutes 00 seconds East along the East boundary of said Instrument and parallel with the West line of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 991.95 feet to the Northeast corner of said Instrument and the North line of 10 acres off the South side of the Northwest Quarter of the Southeast Quarter of said Section 23; thence North 89 degrees 32 minutes 47 seconds East along said north line 1193.20 feet to the Northwest corner of Instrument Number 2015055336, recorded in said Recorder's Office; thence South 33 degrees 30 minutes 39 seconds East along the West boundary of said Instrument 1187.67 feet to the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 23; thence South 89 degrees 39 minutes 19 seconds West along said North line 866.04 feet to the Northwest corner of said South Half; thence South 00 degrees 01 minutes 56 seconds East along the West line of said South Half 663.26 feet to the Point of Beginning, containing 153.208 acres, more or less.



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



SITE MAP
NOT TO SCALE



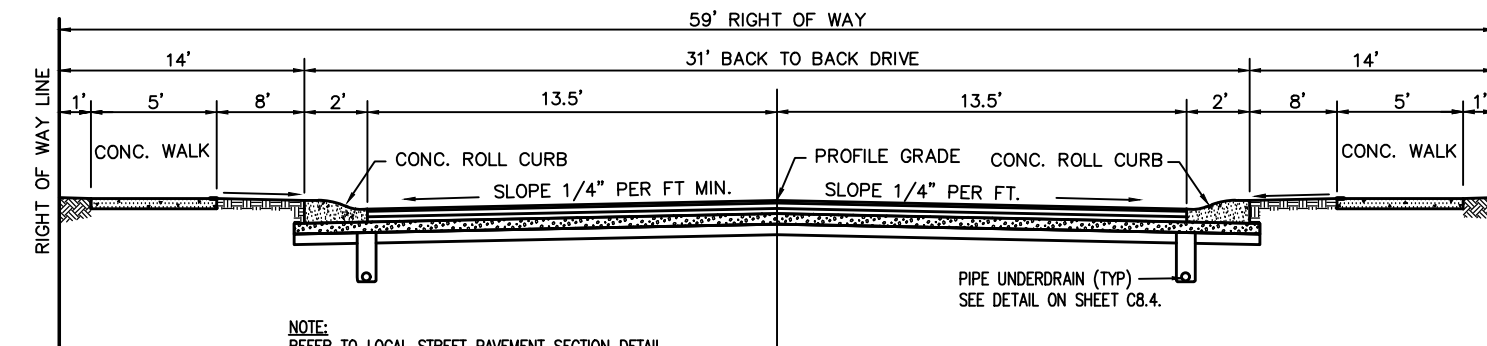
SOILS MAP
NOT TO SCALE

SOILS LEGEND

Br Conover loam, 0 to 1 percent slopes
CrA Darroch silt loam
Wh Whitaker loam

SHEET LIST TABLE

Sheet Title	Sheet Description
C1.0	COVER
C1.1	OVERALL SITE PLAN
C1.2-C1.13	PRIMARY PLAT PLAN



TYPICAL STREET CROSS SECTION
NOT TO SCALE

DEVELOPMENT STANDARDS
ABERDEEN AT CHATHAM HILLS
ZONING: CHATHAM HILLS PUD (JANUARY 13, 2014) & PUD AMENDMENT V1
LOTS: 276
DISTRICT 1-G

MIN. LOT AREA	7,750 SF
MIN. LOT WIDTH	70'
MIN. FRONT SETBACK	20'
MIN. LOT FRONTAGE	20'
MIN. SIDE SETBACK	5' *
MIN. REAR SETBACK	10'
MIN. BUILDING SEPARATION	10'
MAX. BUILDING HEIGHT	35'

* The Minimum Side Yard Setback shall be three (3) feet for lots occupied by a dwelling with a side-load garage. The minimum Building Separation shall remain ten (10) feet.

UTILITY CONTACT INFORMATION:

DUKE ENERGY (ELECTRIC)
BILL OLDSHAM
100 SOUTH MILL CREEK ROAD
NOBLESVILLE, INDIANA 46062
P: 317-776-5331
WILLIAM.OLDSHAM@DUKE-ENERGY.COM

CITIZENS WASTEWATER OF WESTFIELD, LLC (SEWER)
BRANDON CARTER
2150 DR. MARTIN LUTHER KING JR. ST.
INDIANAPOLIS, INDIANA 46202
P: (317) 263-6456
BCARTER@CITIZENSENERGYGROUP.COM

COMCAST CABLE (CABLE)
EARL SMALL JR.
533 EAST 65TH STREET
INDIANAPOLIS, INDIANA 46220
P: (317) 275-6493
C: (317) 491-2432
EARL.SMALL@CABLE.COMCAST.COM

CITIZENS GAS OF WESTFIELD (GAS)
RICHARD MILLER
2150 DR. MARTIN LUTHER KING JR. ST.
INDIANAPOLIS, INDIANA 46202
P: (317) 927-4684
MILLER@CITIZENSENERGYGROUP.COM

CITIZENS WESTFIELD (WATER)
BRANDON CARTER
2150 DR. MARTIN LUTHER KING JR. ST.
INDIANAPOLIS, INDIANA 46202
P: (317) 263-6456
BCARTER@CITIZENSENERGYGROUP.COM

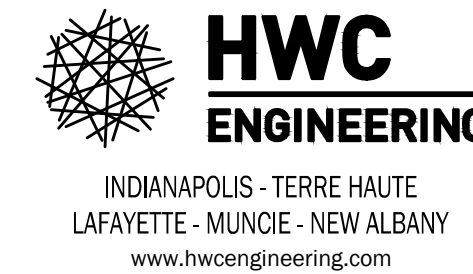
FRONTIER COMMUNICATION (TELECOM)
STEVE COSTLOW
20905 HAGUE ROAD
NOBLESVILLE, INDIANA 46060
P: (317) 987-9010
STEVE.COSTLOW@FTR.COM

PREPARED BY:

HWC ENGINEERING
135 N. PENNSYLVANIA ST., SUITE 2800
INDIANAPOLIS, IN 46204
P: 317-347-3663

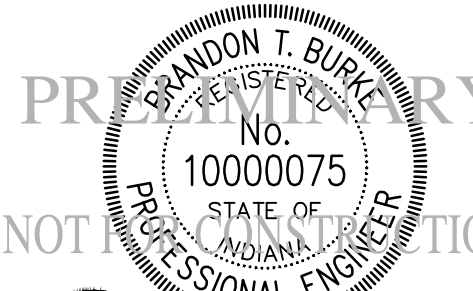
REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

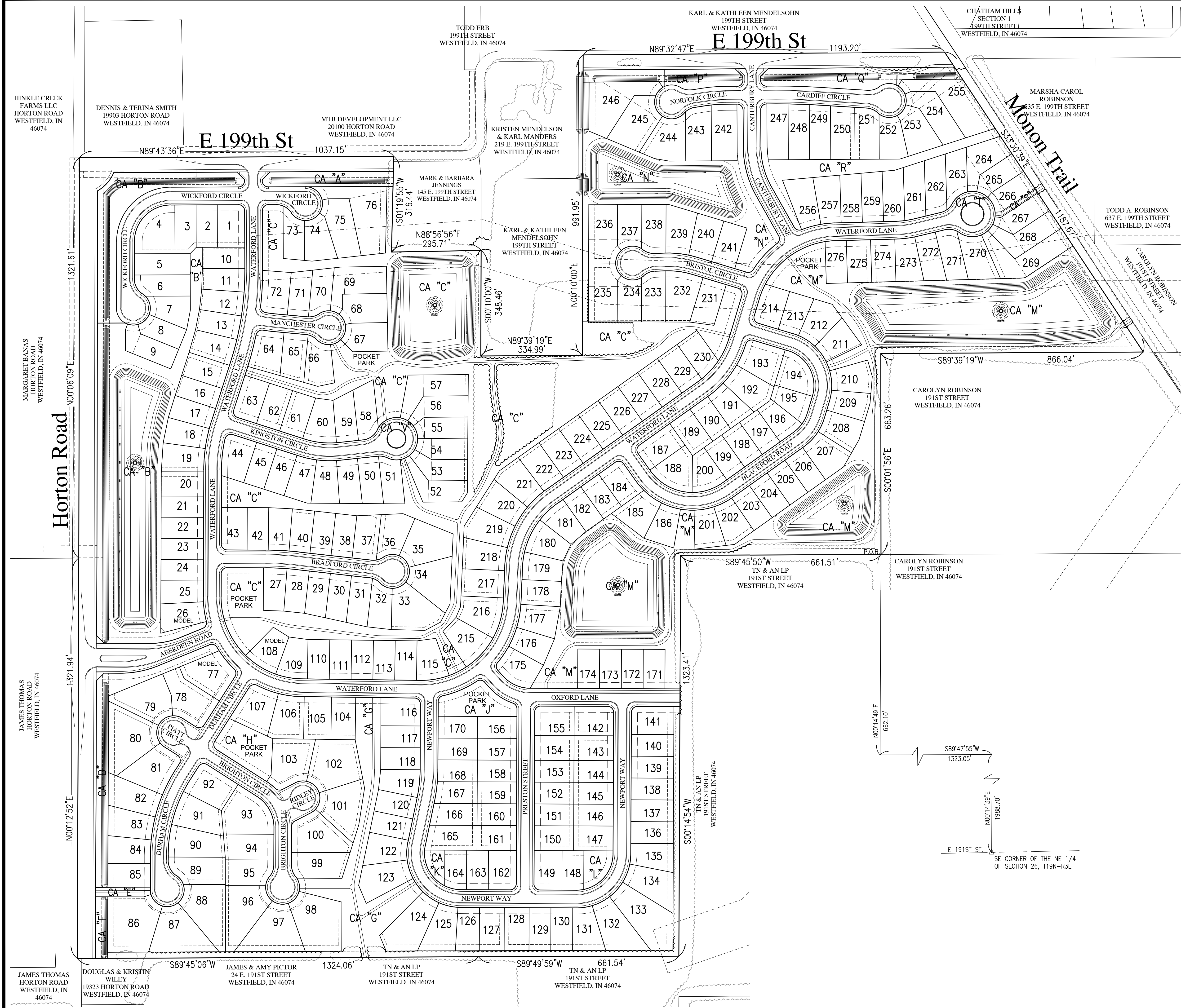
COVER



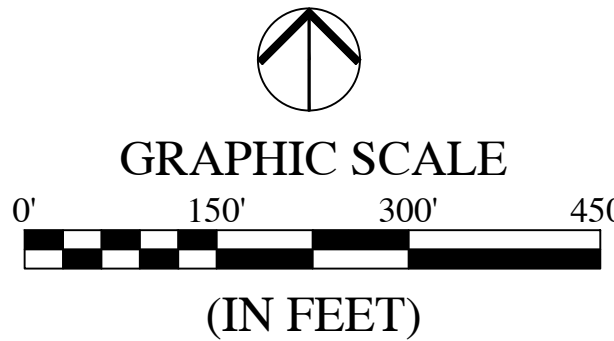
DRAWN BY DC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

C1.0
COVER

Plot Date: May 30, 2019 Plot Time: 12:27pm File Name: W:\Pulte Homes\2019-117-A Pulte- Westfield Chatham Hills\Design\CAD\PP - Primary Plot Plan Sheet Set\19117-A-PP - Overall Site Plan.dwg, Layout: C1.1 By: bburke



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CALL BEFORE YOU DIG.
Call 811 or 800-382-5544 Before you Dig!



LEGEND:

EXISTING	PROPOSED

ABBREVIATIONS:

C.A.	- COMMON AREA
25	- LOT NUMBER

LEGAL DESCRIPTION

A part of the Northeast and Northwest Quarters of Section 26, and a part of the Southeast and Southwest Quarters of Section 23, all in Township 19 North, Range 3 East, Hamilton County, Indiana being that 153.208 acre parcel surveyed by Paul E. Kladzen, PS #20400015 and shown on a survey certified January 19, 2019 as Cripe Job number 170504-33000 more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter of said Section 26; thence North 00 degrees 14 minutes 39 seconds East (basis of bearings is Indiana State Plane Grid Bearing, East Zone) along the East line of said Northeast Quarter 1988.70 feet to the Southeast corner of the North Half of the Northeast Quarter of the Northeast Quarter of said Section 26; thence South 89 degrees 47 minutes 55 seconds West along the South line of said North Half 1323.05 feet to the Southwest corner thereof; thence North 00 degrees 14 minutes 49 seconds East along the West line of said North Half 662.10 feet to the Northwest corner thereof and the POINT OF BEGINNING; thence South 89 degrees 45 minutes 50 seconds West along the North line of the Northeast Quarter of said Section 26 a distance of 661.51 feet to the Northeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 26; thence South 00 degrees 14 minutes 54 seconds West along the East line of said West Half 1323.41 feet to the Southeast corner thereof; thence South 89 degrees 49 minutes 59 seconds West along the South line of said West Half 661.54 feet to the Southwest corner thereof; thence South 89 degrees 45 minutes 06 seconds West along the South line of the Northeast Quarter of the Northwest Quarter of said Section 26 a distance of 1324.06 feet to the Southwest corner thereof; thence North 00 degrees 12 minutes 52 seconds East along the West line of said Quarter-Quarter 1321.94 feet to the Northwest corner thereof; thence North 00 degrees 06 minutes 09 seconds East along the West line of the Southeast Quarter of the Southwest Quarter of said Section 23 a distance of 1321.61 feet to the Northwest corner thereof; thence North 89 degrees 43 minutes 36 seconds East along the North line of said Quarter-Quarter 1037.15 feet to the northwest corner of Instrument Number 2015004954, recorded in the Office of the Recorder of Hamilton County, Indiana (the following two courses are along the West and South boundaries of said Instrument); (1) thence South 01 degrees 19 minutes 55 seconds West 316.44 feet; (2) thence North 88 degrees 56 minutes 56 seconds East 295.71 feet to the East line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 00 degrees 10 minutes 00 seconds West along said East line 348.46 feet to the Southwest corner of the North Half of the Southwest Quarter of the Southeast Quarter of said Section 23; thence North 89 degrees 39 minutes 19 seconds East along the South line of the North Half of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 334.99 feet to the Southwest corner of Instrument Number 2016046931, recorded in said Recorder's Office; thence North 00 degrees 10 minutes 00 seconds East along the East boundary of said Instrument and parallel with the West line of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 991.95 feet to the Northeast corner of said Instrument and the North line of 10 acres off the South side of the Northwest Quarter of the Southeast Quarter of said Section 23; thence North 89 degrees 32 minutes 47 seconds East along said north line 1193.20 feet to the Northwest corner of Instrument Number 2015055336, recorded in said Recorder's Office; thence South 33 degrees 30 minutes 39 seconds East along the West boundary of said Instrument 1187.67 feet to the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 23; thence South 89 degrees 39 minutes 19 seconds West along said North line 866.04 feet to the Northwest corner of said South Half; thence South 00 degrees 01 minutes 56 seconds East along the West line of said South Half 663.26 feet to the Point of Beginning, containing 153.208 acres, more or less.

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

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

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.

REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

OVERALL SITE PLAN



DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

JOB NUMBER
2019-117-A

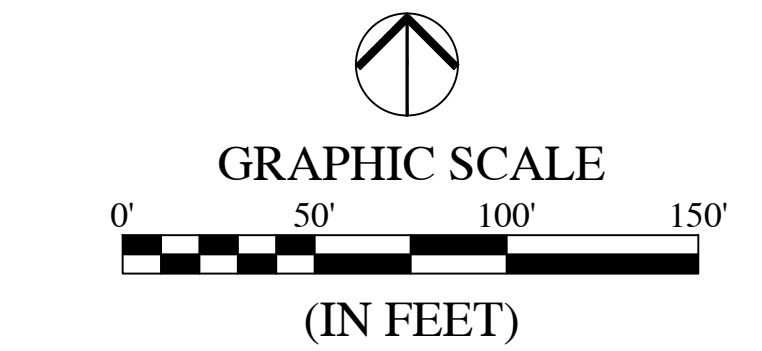
C1.1

OVERALL SITE PLAN

HINKLE CREEK
FARMS LLC
HORTON ROAD
WESTFIELD, IN 46074

DENNIS & TERINA SMITH
19903 HORTON ROAD
WESTFIELD, IN 46074

MTB DEVELOPMENT LLC
20100 HORTON ROAD
WESTFIELD, IN 46074

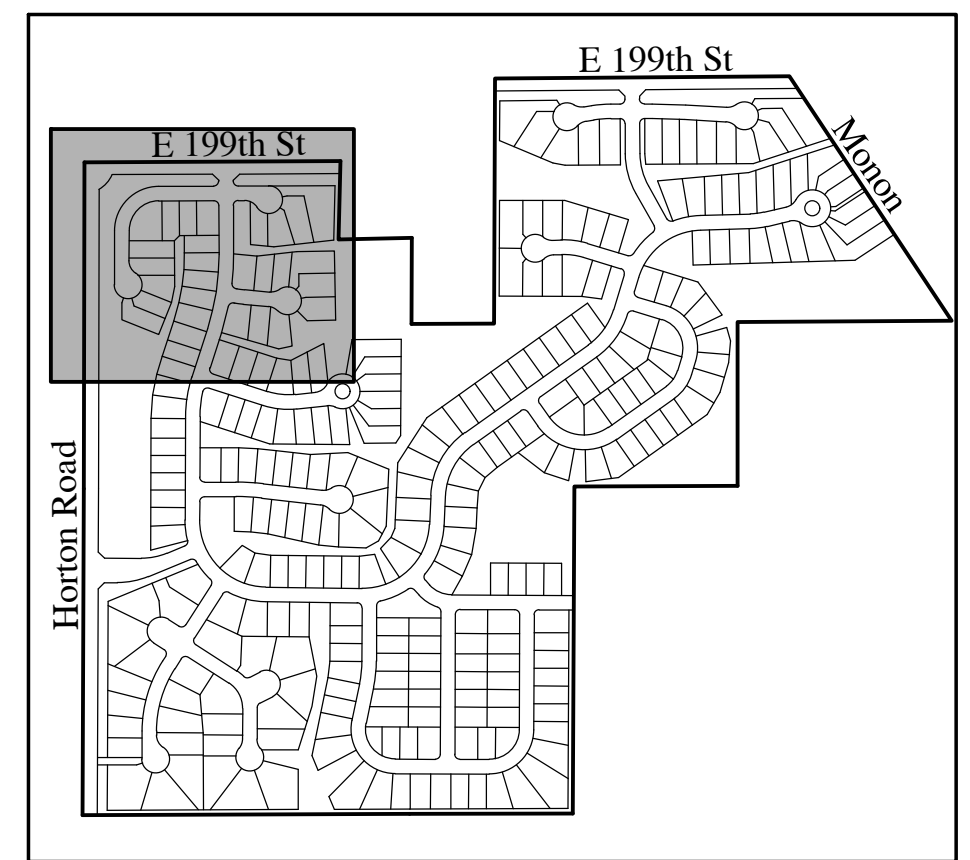


LEGEND:

EXISTING	PROPOSED
--- EASEMENT LINE	--- RIGHT-OF-WAY LINE
--- SETBACK LINE	--- EASEMENT LINE
--- CENTERLINE	--- 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
--- FIRE HYDRANT	--- FIRE HYDRANT
--- FLOW ARROW	--- FLOW ARROW
--- STREET LIGHT	--- STREET LIGHT
--- 6' X 6' VEHICLE BARRIER POST	--- 6' X 6' VEHICLE BARRIER POST

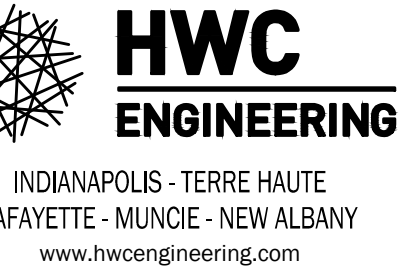
ABBREVIATIONS:

BC	BACK OF CURB
CL	CENTERLINE
FL	FLOW LINE
NP	NORMAL POOL (ELEVATION)
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
CA	COMMON AREA
D.E.	DRAINAGE EASEMENT
S.S.D.&U.E.	SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
D.&U.E.	DRAINAGE AND UTILITY EASEMENT
P.S.E.	PERMANENT STORMWATER EASEMENT
ESMT.	EASEMENT
25	LOT NUMBER
B.S.L.	BUILDING SETBACK LINE
S.F.	SQUARE FEET
R/W	PUBLIC RIGHT-OF-WAY



REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

PRIMARY PLAT PLAN

PREPARED BY
BRANDON T. BURY
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

C1.2

PRIMARY PLAT PLAN

© 2019

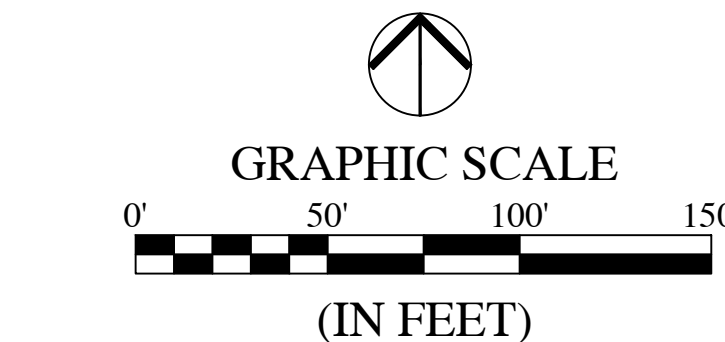
JAMES THOMAS
HORTON ROAD
WESTFIELD, IN 46074



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

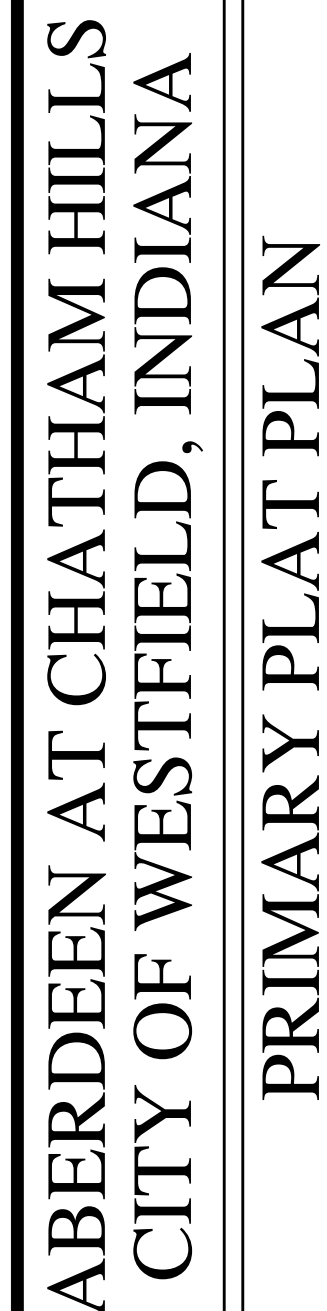
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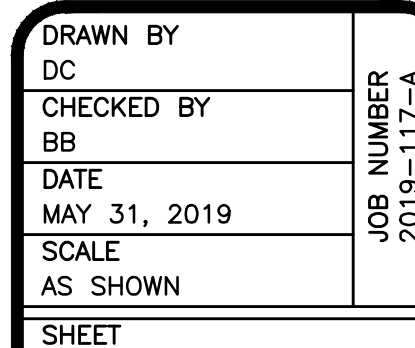


EXISTING	PROPOSED

BC – BACK OF CURB
CL – CENTERLINE
FL – FLOW LINE
NP – NORMAL POOL (ELEVATION)
PVC – POLYVINYL CHLORIDE PIPE
– REINFORCED CONCRETE PIPE
CA – COMMON AREA
D.E. – DRAINAGE EASEMENT
S.S.D.&U.E. – SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
D.&U.E. – DRAINAGE AND UTILITY EASEMENT
P.S.E. – PERMANENT STORMWATER EASEMENT
ESMT. – EASEMENT
25 – LOT NUMBER
B.S.L. – BUILDING SETBACK LINE
S.F. – SQUARE FEET
R/W – PUBLIC RIGHT-OF-WAY

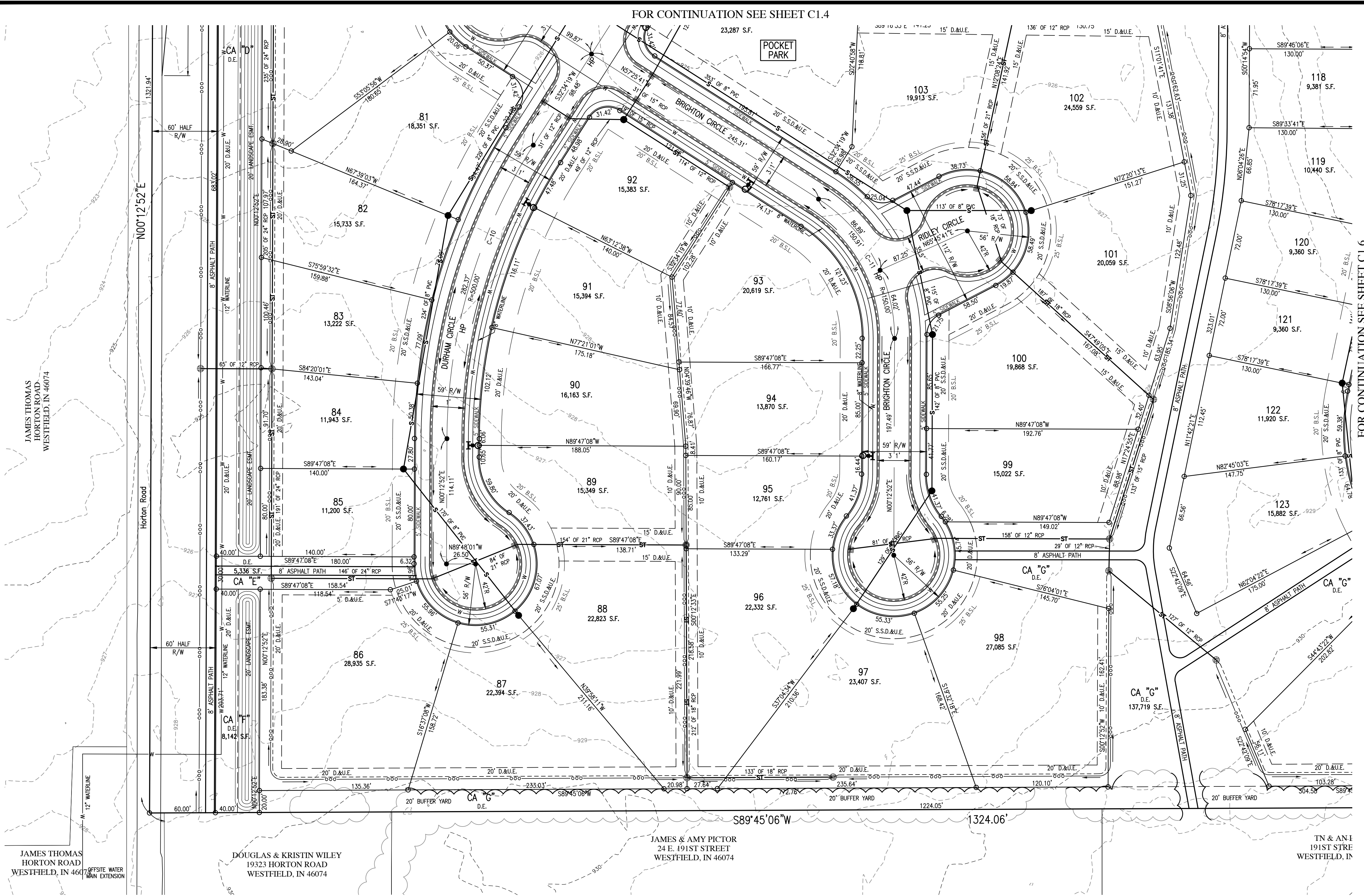
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PRIMARY PLAT PLAN



C1.4

PRIMARY PLAT PLAN



KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.
Call 811 or 800-382-5544 Before you Dig!

GRAPHIC SCALE
0' 50' 100' 150'
(IN FEET)

LEGEND:

EXISTING

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

PROPOSED

ABBREVIATIONS:

BC
CL
FL
NP
PVC
RCP
CA
D.E.
S.S.D.&U.E.
D.&U.E.
P.S.E.
ESMT.
25
B.S.L.
S.F.
R/W

BACK OF CURB
CENTERLINE
FLOW LINE
NORMAL POOL (ELEVATION)
POLYVINYL CHLORIDE PIPE
REINFORCED CONCRETE PIPE
COMMON AREA
DRAINAGE EASEMENT
SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
DRAINAGE AND UTILITY EASEMENT
PERMANENT STORMWATER EASEMENT
EASEMENT
LOT NUMBER
BUILDING SETBACK LINE
SQUARE FEET
PUBLIC RIGHT-OF-WAY

Curve Table					
Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-1	234.56'	150.00'	211.38'	S44°59'51"W	89°35'44"
C-2	315.28'	1000.00'	313.98'	N08°49'39"E	18°03'52"
C-3	32.94'	500.00'	32.93'	S82°50'22"E	3°46'27"
C-4	154.11'	500.00'	153.50'	S09°01'47"W	17°39'36"
C-5	125.64'	300.00'	124.72'	S84°08'18"E	23°59'44"
C-6	108.07'	1000.00'	108.02'	N86°42'16"W	6°11'31"
C-7	468.50'	300.00'	422.32'	S44°32'18"E	89°28'33"
C-8	117.73'	300.00'	116.98'	N78°59'01"E	22°29'05"
C-9	117.73'	300.00'	116.98'	N78°59'01"E	22°29'05"
C-10	282.37'	500.00'	278.63'	S16°23'36"W	32°21'27"

Curve Table					
Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-11	150.91'	150.00'	144.62'	N28°36'24"W	57°38'33"
C-12	461.56'	300.00'	417.36'	N46°38'54"E	88°09'03"
C-13	99.98'	500.00'	99.82'	N05°58'38"E	11°27'27"
C-14	265.61'	150.00'	232.25'	S39°01'22"E	101°27'27"
C-15	235.62'	150.00'	212.13'	S45°14'54"E	90°00'00"
C-16	125.17'	150.00'	121.57'	N65°50'44"E	47°48'44"
C-17	272.23'	300.00'	262.98'	S28°34'07"W	51°59'29"
C-18	314.16'	200.00'	282.84'	S80°26'08"E	90°00'00"
C-19	98.95'	150.00'	97.16'	N35°39'59"E	37°47'45"
C-20	235.62'	150.00'	212.13'	N28°13'53"W	90°00'00"

Curve Table					
Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-21	197.90'	300.00'	194.33'	N35°39'59"E	37°47'45"
C-22	375.02'	300.00'	351.08'	S52°34'50"W	71°37'26"
C-23	98.66'	300.00'	98.21'	N82°39'10"W	18°50'33"
C-24	61.76'	300.00'	61.65'	N82°29'40"E	11°47'44"
C-25	152.11'	300.00'	150.49'	S14°51'39"E	29°03'03"
C-26	73.66'	500.00'	73.59'	S85°26'40"W	8°26'25"
C-27	133.92'	2000.00'	133.89'	N88°25'02"W	3°50'11"

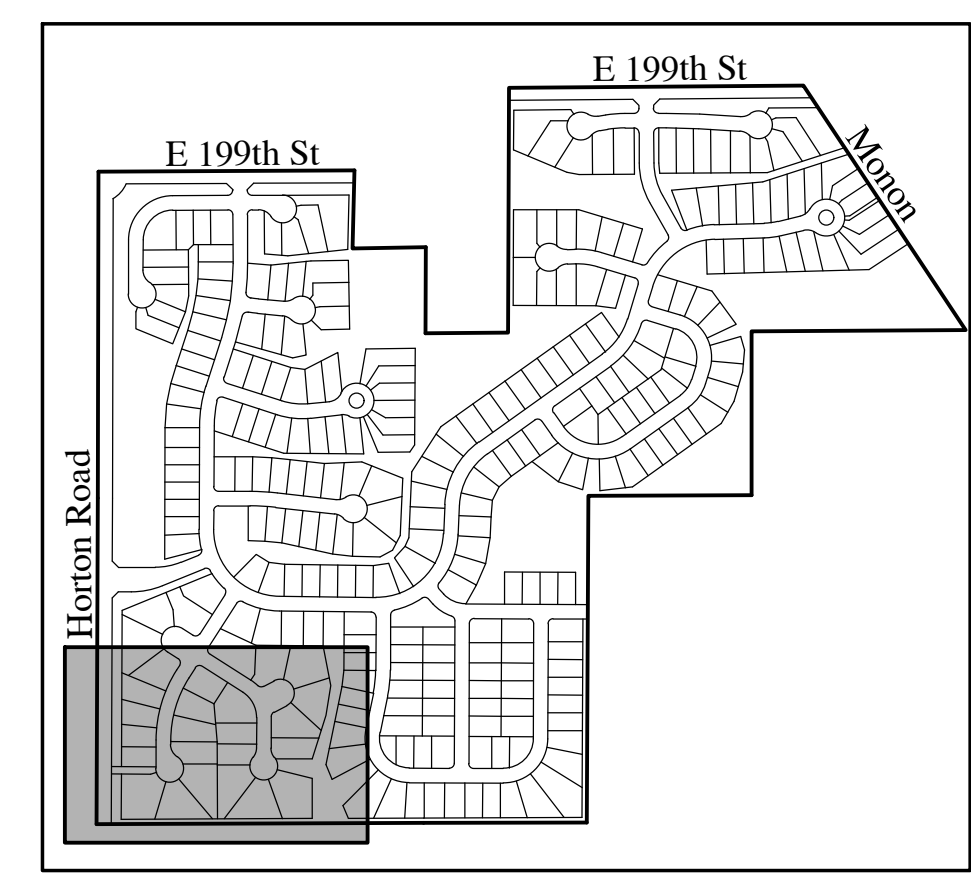
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REVISIONS		
DATE	DESCRIPTION	BY

HWC
ENGINEERING

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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

PRIMARY PLAT PLAN

BRANDON T. BURY
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC

CHECKED BY
BB

DATE
MAY 31, 2019

SCALE
AS SHOWN

SHEET

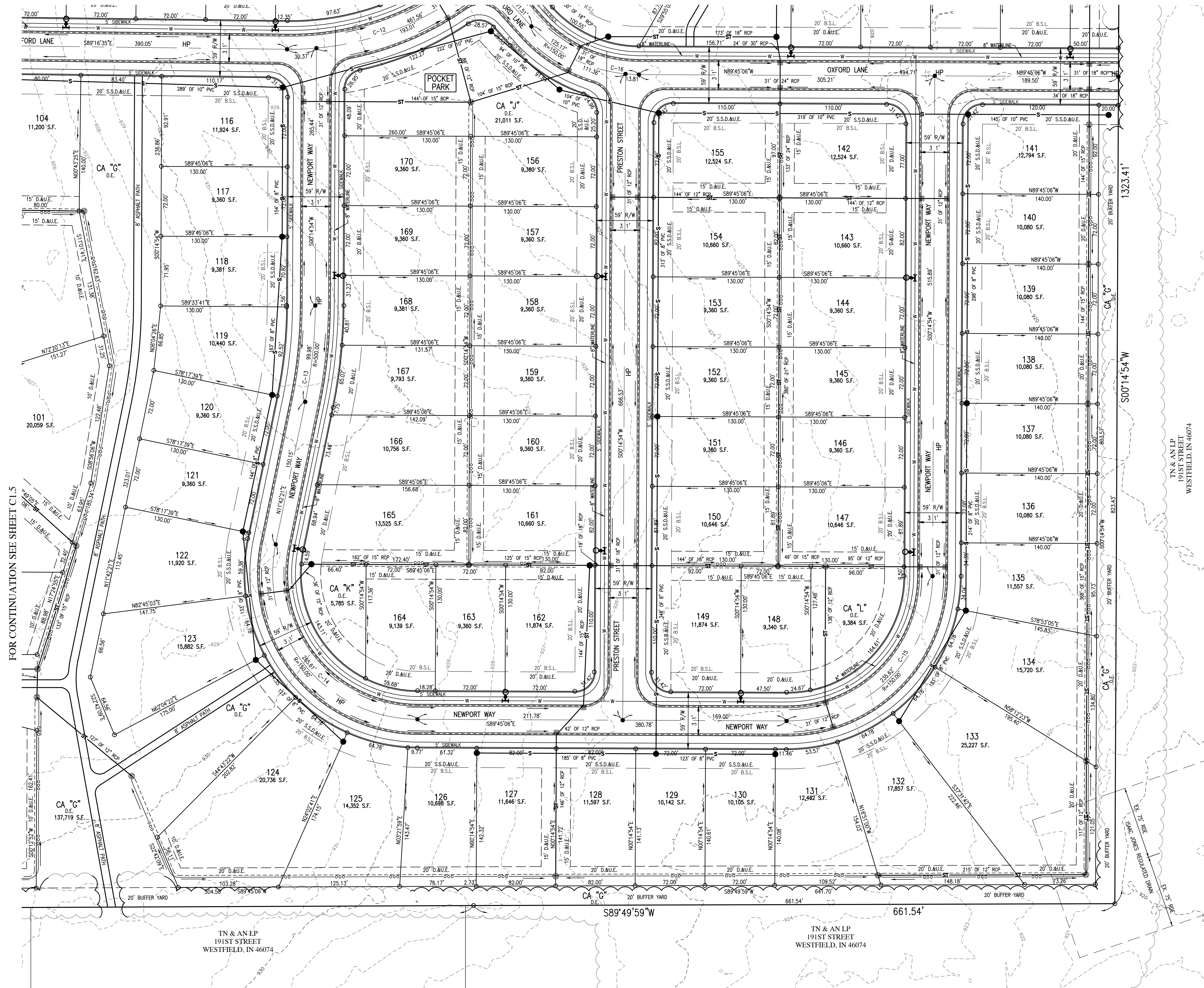
C1.5

PRIMARY PLAT PLAN

JOB NUMBER
2019-117-A

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FOR CONTINUATION SEE SHEET C1.7



KNOW WHAT'S BELOW.
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GRAPHIC SCALE
0' 50' 100' 150'
(IN FEET)

LEGEND:

EXISTING

PROPOSED

RIGHT-OF-WAY LINE

EASEMENT LINE

SETBACK LINE

CENTERLINE

SWALE / FLOWLINE

SUBSURFACE DRAIN

SANITARY SEWER

STORM SEWER

STORM CULVERT

WATER MAIN

CONTOUR, MAJOR

CONTOUR, MINOR

FENCE

TREE LINE

SANITARY MANHOLE

STORM MANHOLE

STORM INLET

STORM END SECTION

FIRE HYDRANT

FLOW ARROW

STREET LIGHT

6" X 6" VEHICLE BARRIER POST

ABBREVIATIONS:

BC

CL

FL

NP

PVC

RCP

C.A.

D.E.

S.S.D.&U.E.

D.&U.E.

P.S.E.

ESMT.

25

B.S.L.

S.F.

R/W

BACK OF CURB

CENTERLINE

FLOW LINE

NORMAL POOL (ELEVATION)

POLYVINYL CHLORIDE PIPE

REINFORCED CONCRETE PIPE

COMMON AREA

DRAINAGE EASEMENT

SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT

DRAINAGE AND UTILITY EASEMENT

PERMANENT STORMWATER EASEMENT

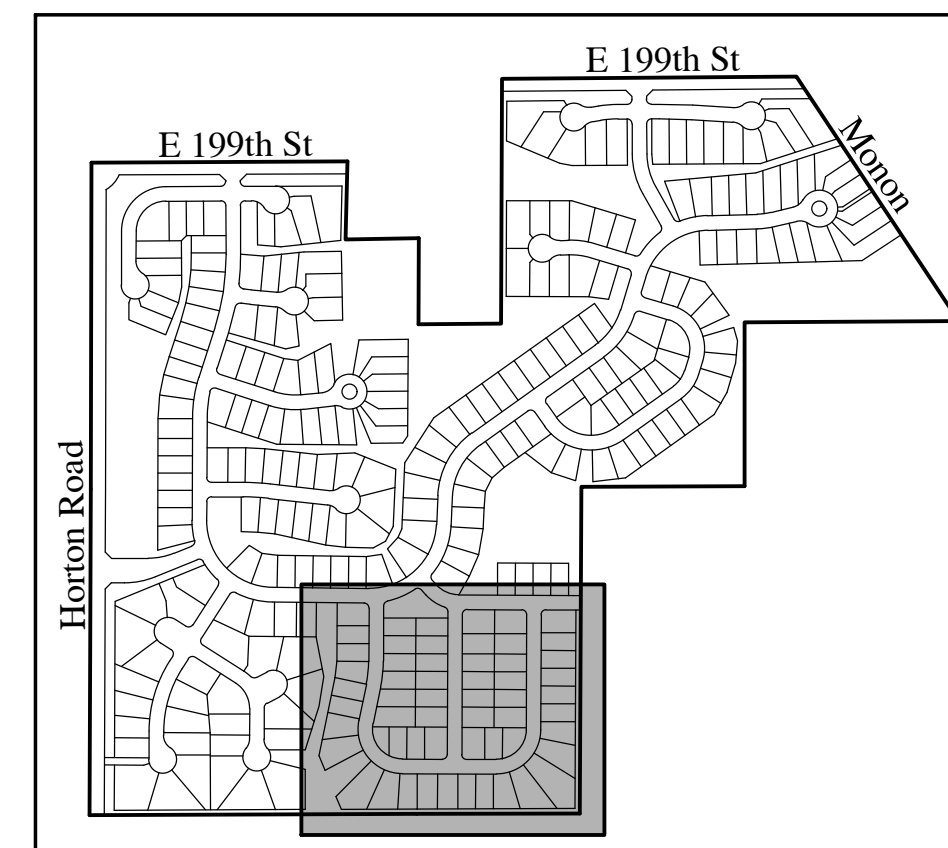
EASEMENT

LOT NUMBER

BUILDING SETBACK LINE

SQUARE FEET

PUBLIC RIGHT-OF-WAY



- FOR CENTERLINE CURVE DATA TABLES, SEE SHEET C1.5.
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REVISIONS		
DATE	DESCRIPTION	BY

HWC
ENGINEERING

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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

PRIMARY PLAT PLAN

PREPARED BY
BRANDON T. BURY
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

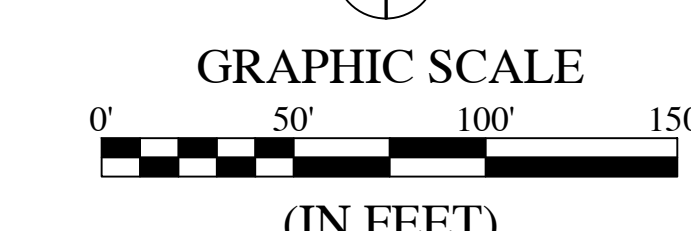
JOB NUMBER
2019-117-A

C1.6

PRIMARY PLAT PLAN

FOR CONTINUATION SEE SHEET C1.4

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

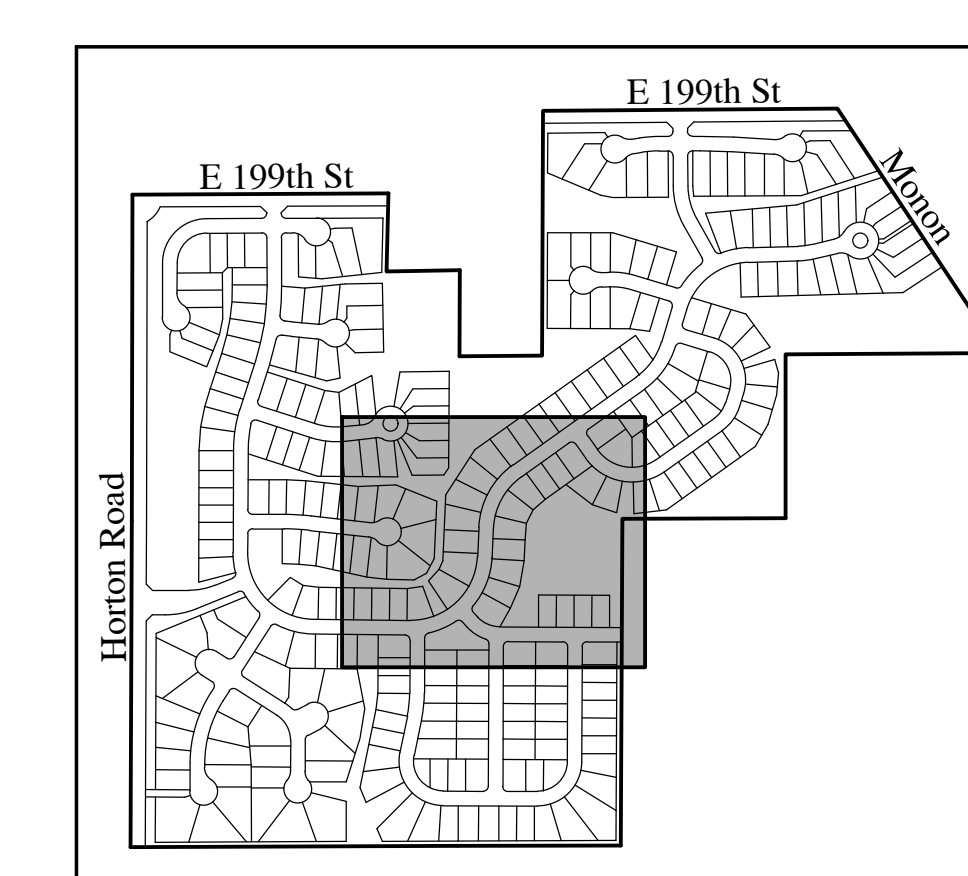
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www.hwcengineering.com

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
PRIMARY PLAT PLAN



KEYMAP
NOT TO SCALE

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Brandon T. Brubaker

C1.7
PRIMARY PLAT PLAN

FOR CONTINUATION SEE SHEET C1.3

FOR CONTINUATION SEE SHEET C1.7

EXISTING		PROPOSED	
	RIGHT-OF-WAY LINE		
	EASEMENT LINE		
	SETBACK LINE		
	CENTERLINE		
	SWALE / FLOWLINE		
	SUBSURFACE DRAIN		
	SANITARY SEWER		
	STORM SEWER		
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	STREET LIGHT		
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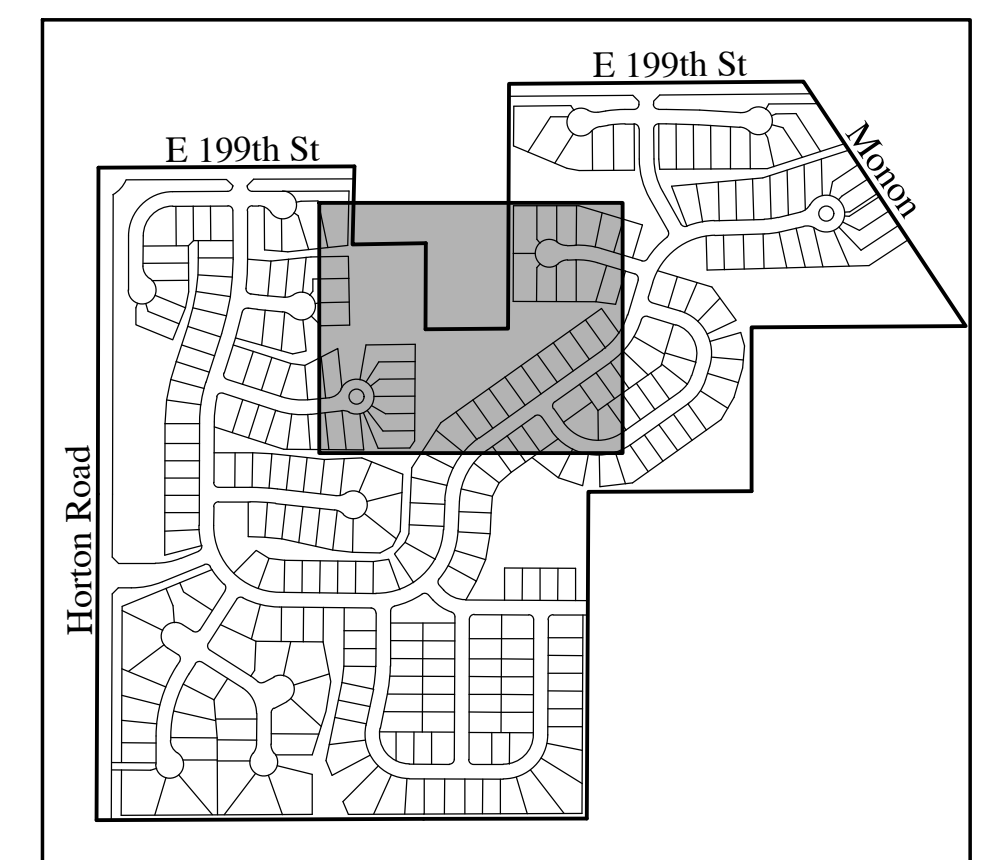
Brandon T. Brink

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CHECKED BY B	
DATE MAY 31, 2019	
SCALE	
AS SHOWN	
SHEET	

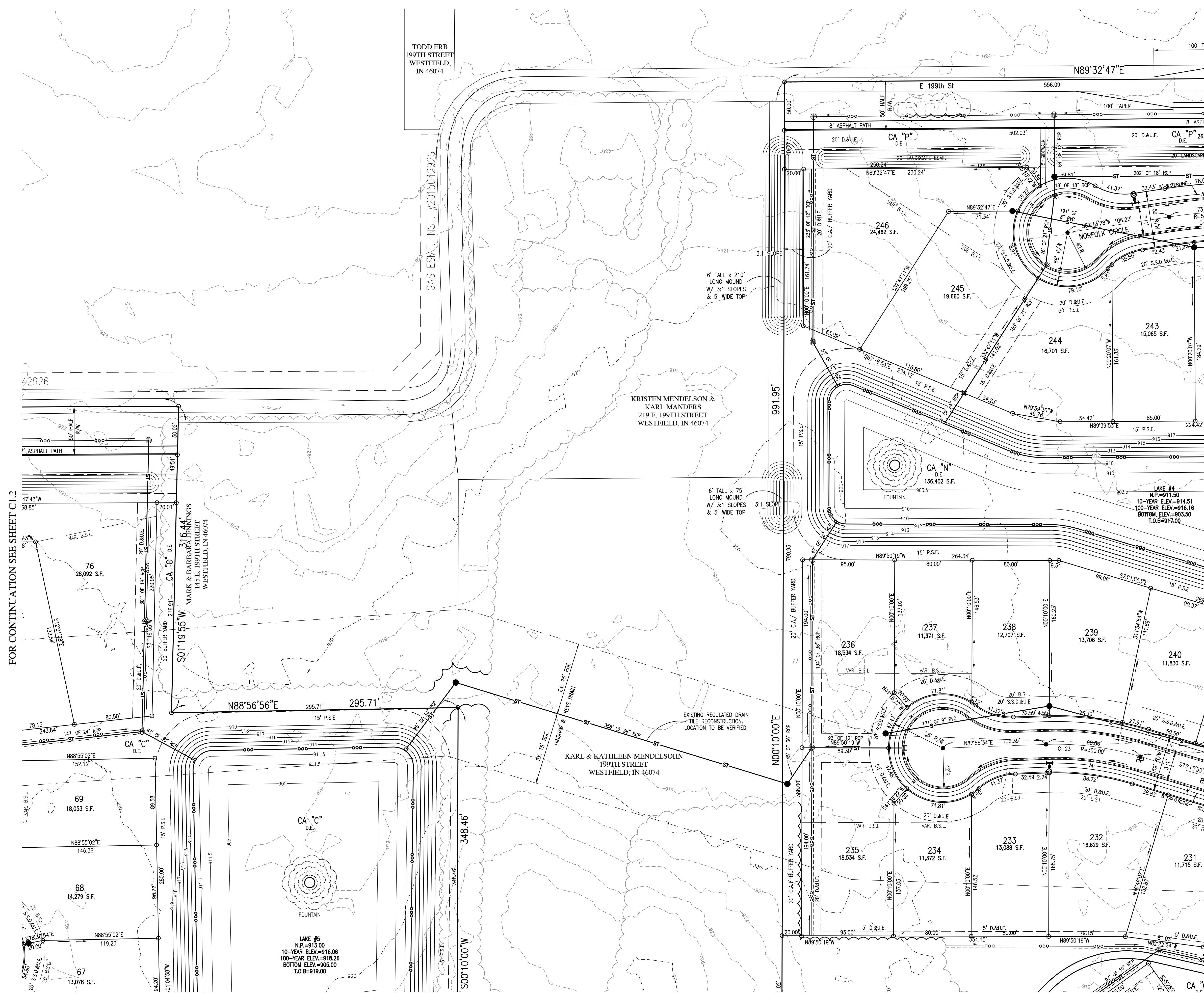
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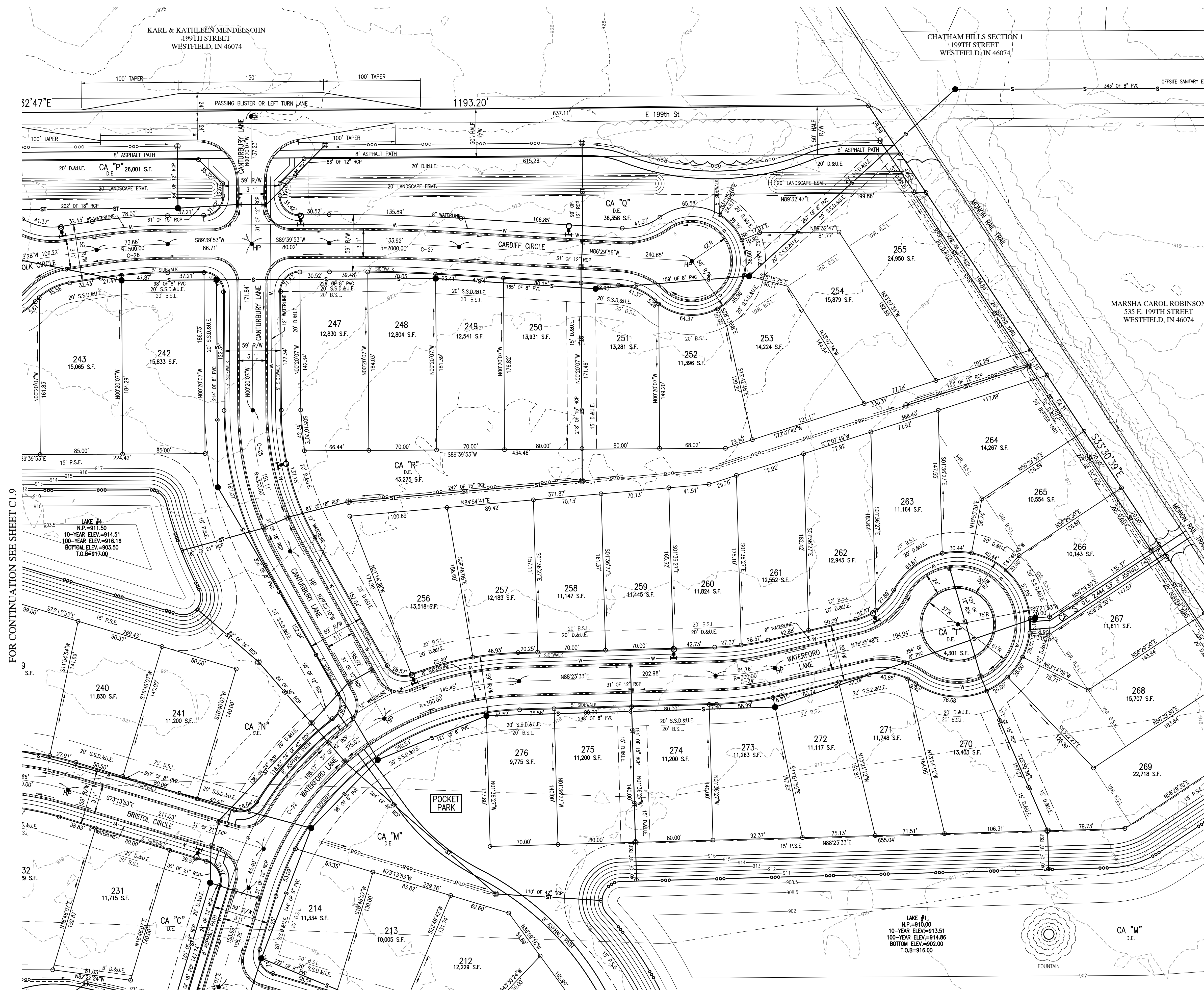
IMARY PLAT PLAN

2019



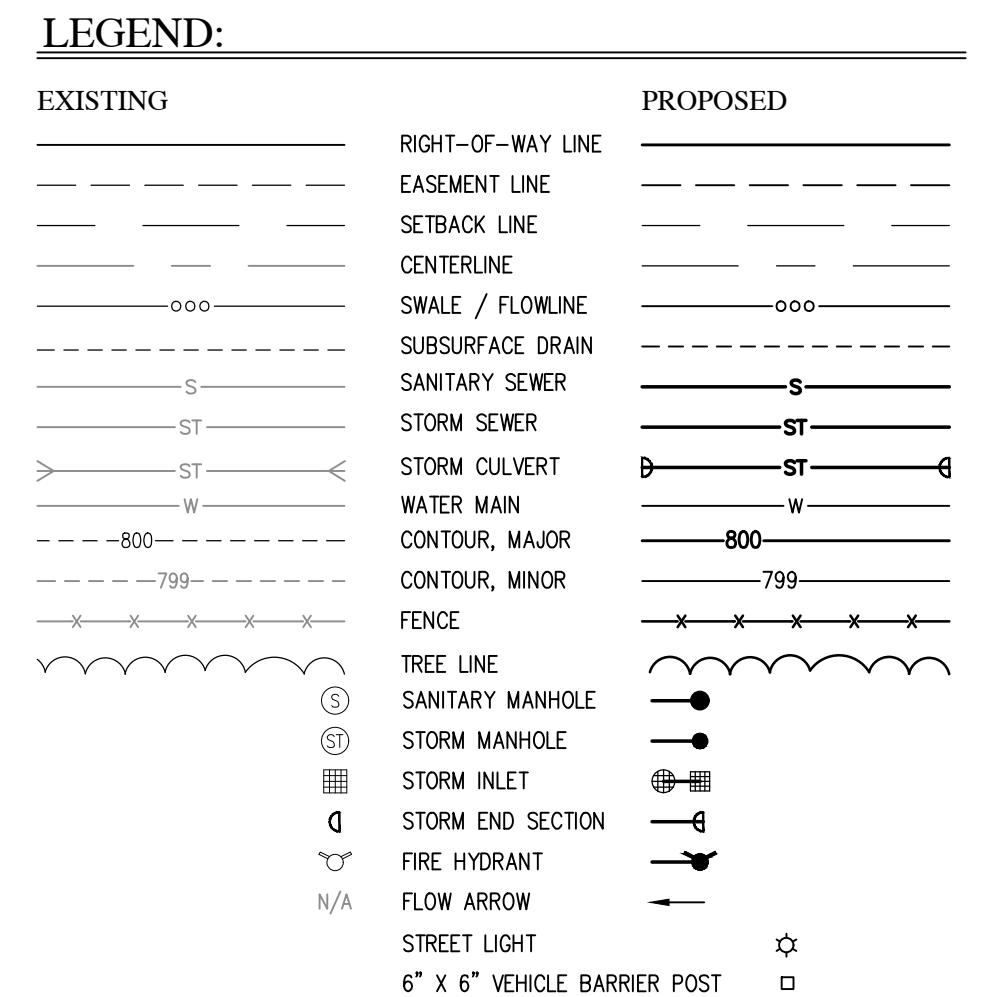
KEYMAP
NOT TO SCALE





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FOR CONTINUATION SEE SHEET C1.11



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S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

[illegible]

FNIMIANI FLAI FLAIN

BRANDON T. BURKE
REGISTERED
No.
10000075
STATE OF
PROFESSIONAL ENGINEER

Brandon T. Brink

DRAWN BY C	JOB NUMBER 2019-117-A
CHECKED BY B	
DATE MAY 31, 2019	
SCALE	
AS SHOWN	
SHEET	

C1.12

IMARY PLAT PLAN

2019

FOR CONTINUATION SEE SHEET C1.7

FOR CENTERLINE CURVE DATA
TABLES, SEE SHEET C1.5.

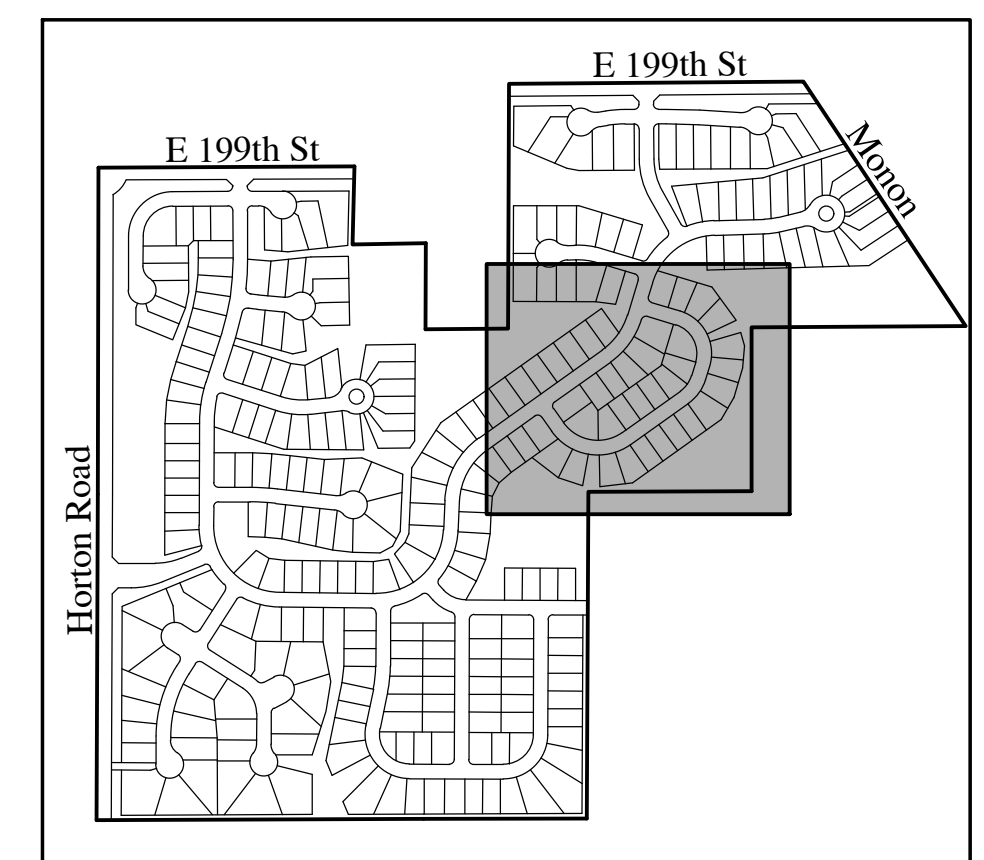
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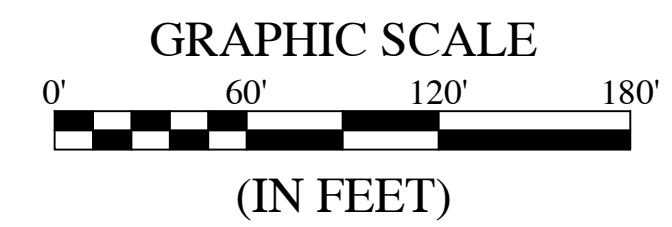
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KEYMAP
NOT TO SCALE



LEGEND:	
EXISTING	PROPOSED
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	SETBACK LINE
	CENTERLINE
	SWALE / FLOWLINE
	SUBSURFACE DRAIN
	SANITARY SEWER
	STORM SEWER
	STORM CULVERT
	WATER MAIN
	CONTOUR, MAJOR
	CONTOUR, MINOR
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	STORM MANHOLE
	STORM INLET
	STORM END SECTION
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[illegible]

PRIMARY PLAT PLAN

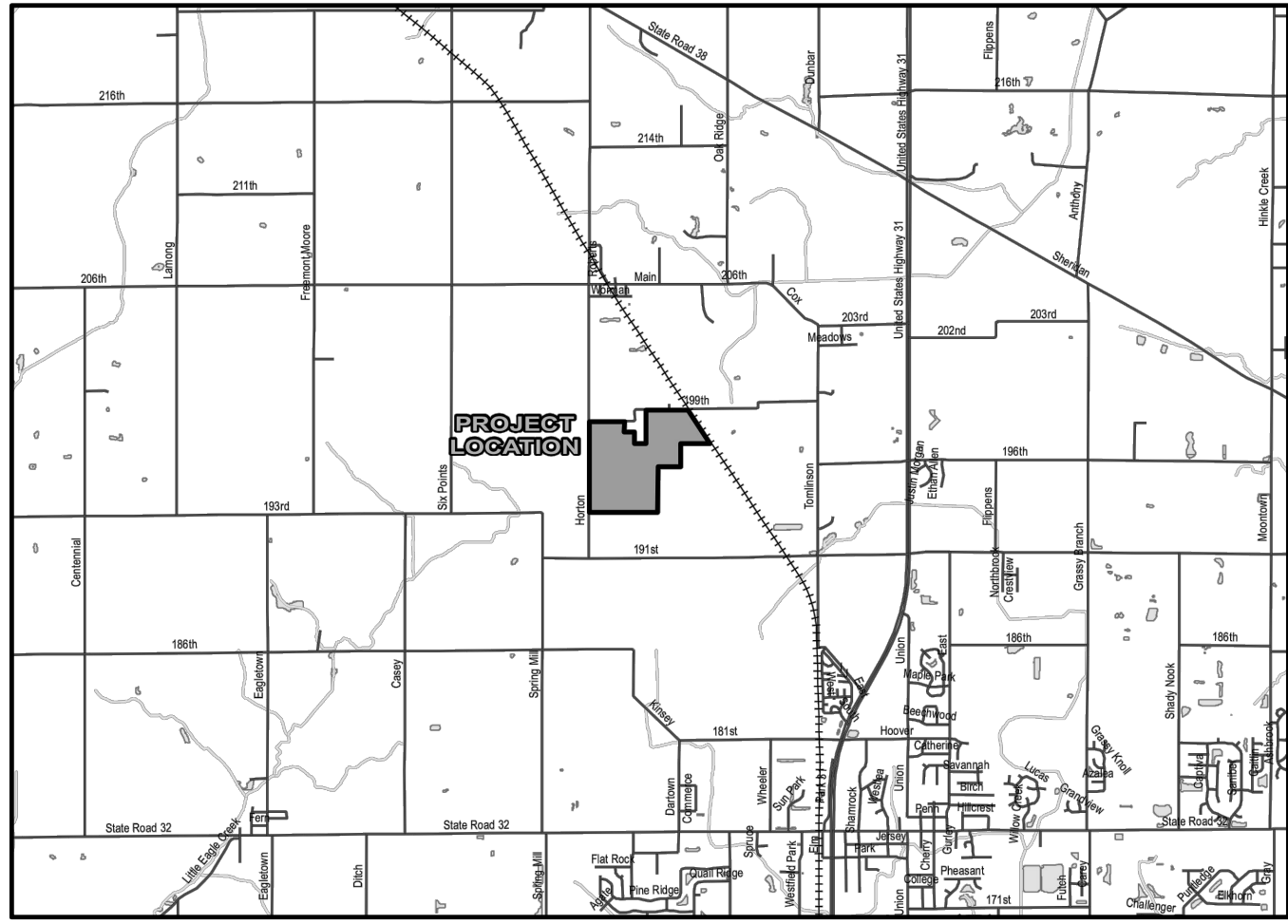
Brandon T. Buhl

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CHECKED BY BB	
DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

C1.13

PRIMARY PLAT PLAN

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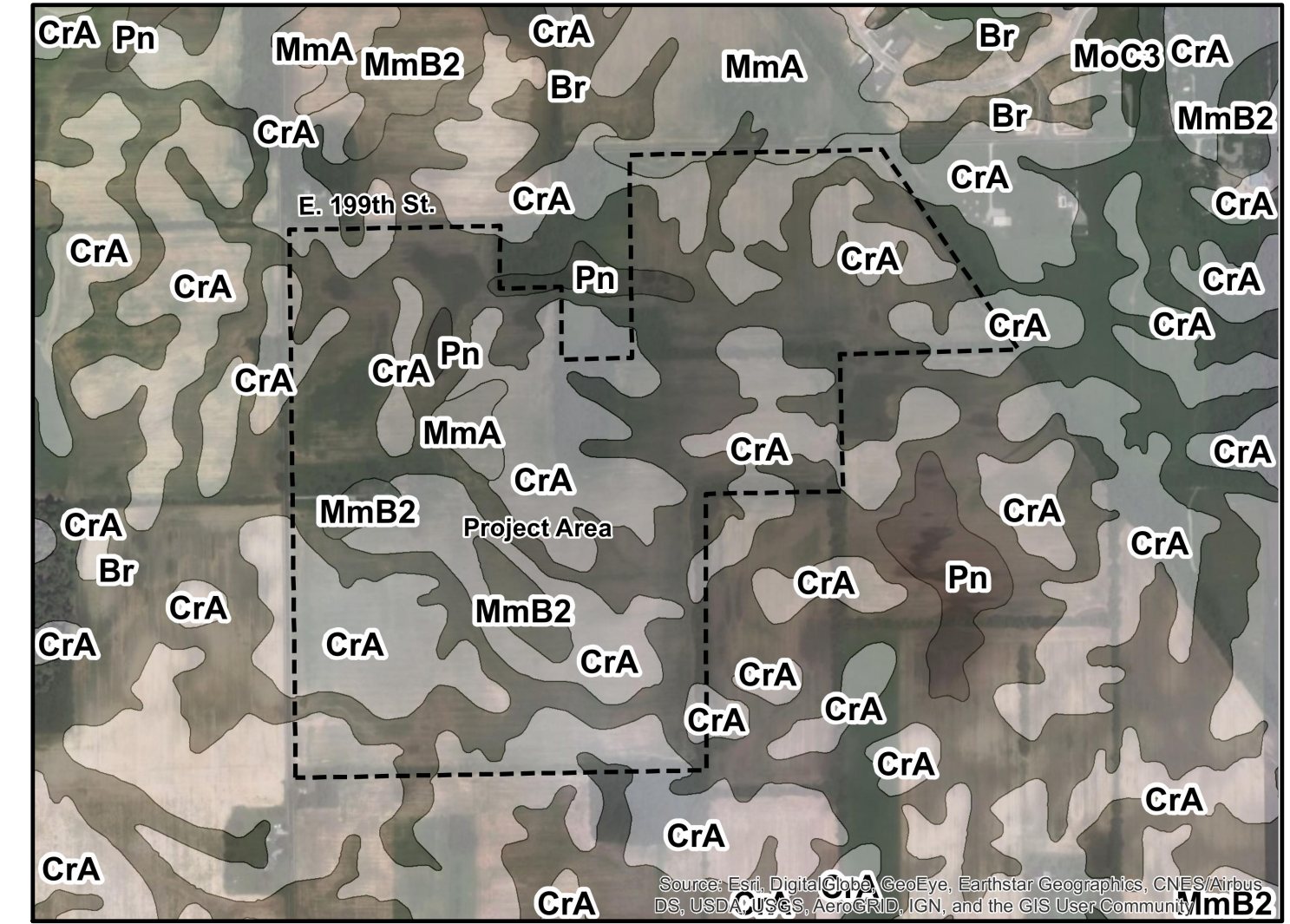


LOCATION MAP
SCALE 1"= 1/2 MILE

ABERDEEN AT CHATHAM HILLS DEVELOPMENT PLAN

Henke Development Group, LLC

CONTACT: STEVE HENKE
1100 Chatham Hills Blvd.
WESTFIELD, IN 46074
(317) 836-8019

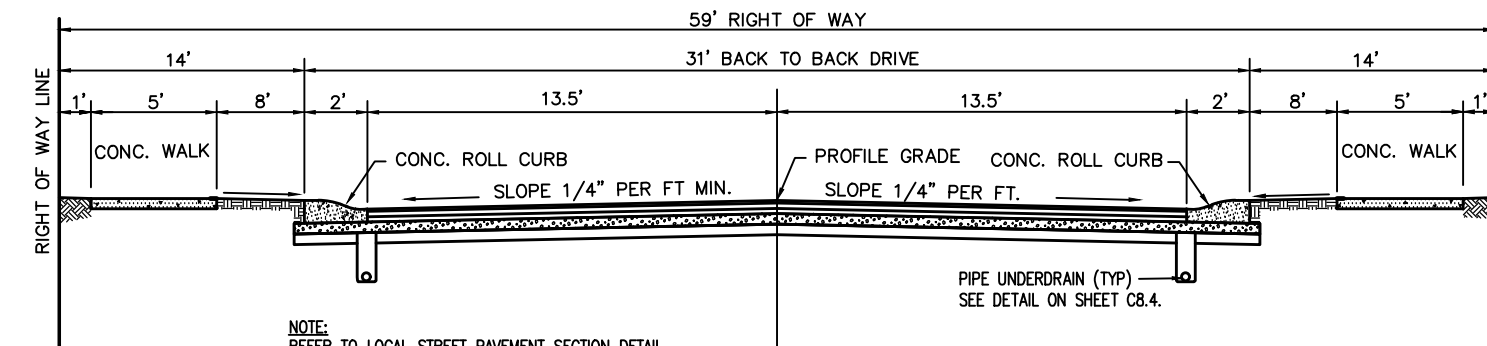


SOILS MAP
NOT TO SCALE

SOILS LEGEND
Br Conover loam, 0 to 1 percent slopes
CrA Darroch silt loam
Wh Whitaker loam

SHEET LIST TABLE

Sheet Title	Sheet Description
C1.0	COVER
C1.1	OVERALL SITE PLAN
C1.2-C1.13	DEVELOPMENT PLAN
C2.0	OVERALL OPEN SPACE PLAN
C3.0-C3.2	EXISTING CONDITIONS & DEMOLITION PLAN
L1.0-L1.2	LANDSCAPE PLAN
L1.3-L1.4	LANDSCAPE DETAILS



TYPICAL STREET CROSS SECTION
NOT TO SCALE

DEVELOPMENT STANDARDS
ABERDEEN AT CHATHAM HILLS
ZONING: CHATHAM HILLS PUD (JANUARY 13, 2014) & PUD AMENDMENT V1
LOTS: 276
DISTRICT 1-G

MIN. LOT AREA	7,750 SF
MIN. LOT WIDTH	70'
MIN. FRONT SETBACK	20'
MIN. LOT FRONTAGE	20'
MIN. SIDE SETBACK	5' *
MIN. REAR SETBACK	10'
MIN. BUILDING SEPARATION	10'
MAX. BUILDING HEIGHT	35'

* The Minimum Side Yard Setback shall be three (3) feet for lots occupied by a dwelling with a side-load garage. The minimum Building Separation shall remain ten (10) feet.

UTILITY CONTACT INFORMATION:

DUKE ENERGY (ELECTRIC) BILL OLDSHAM 100 SOUTH MILL CREEK ROAD NOBLESVILLE, INDIANA 46062 P: 317-776-5331 WILLIAM.OLDSHAM@DUKE-ENERGY.COM	CITIZENS WASTEWATER OF WESTFIELD, LLC (SEWER) BRANDON CARTER 2150 DR. MARTIN LUTHER KING JR. ST. INDIANAPOLIS, INDIANA 46202 P: (317) 263-6456 BCARTER@CITIZENSENERGYGROUP.COM	COMCAST CABLE (CABLE) EARL SMALL JR. 533 EAST 65TH STREET INDIANAPOLIS, INDIANA 46220 P: (317) 275-6493 C: (317) 491-2432 EARL.SMALL@CABLE.COMCAST.COM
CITIZENS GAS OF WESTFIELD (GAS) RICHARD MILLER 2150 DR. MARTIN LUTHER KING JR. ST. INDIANAPOLIS, INDIANA 46202 P: (317) 927-4684 MILLER@CITIZENSENERGYGROUP.COM	CITIZENS WESTFIELD (WATER) BRANDON CARTER 2150 DR. MARTIN LUTHER KING JR. ST. INDIANAPOLIS, INDIANA 46202 P: (317) 263-6456 BCARTER@CITIZENSENERGYGROUP.COM	FRONTIER COMMUNICATION (TELECOM) STEVE COSTLOW 20905 HAGUE ROAD NOBLESVILLE, INDIANA 46060 P: (317) 987-9010 STEVE.COSTLOW@FTR.COM

PREPARED BY:
HWC ENGINEERING
135 N. PENNSYLVANIA ST., SUITE 2800
INDIANAPOLIS, IN 46204
P: 317-347-3663

SITE MAP
NOT TO SCALE

LEGAL DESCRIPTION
A part of the Northeast and Northwest Quarters of Section 26, and a part of the Southeast and Southwest Quarters of Section 23, all in Township 19 North, Range 3 East, Hamilton County, Indiana being that 153.208 acre parcel surveyed by Paul E. Klodzen, PS #20400015 and shown on a survey certified January 19, 2019 as Cripe Job number 170504-33000 more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter of said Section 26; thence North 00 degrees 14 minutes 39 seconds East (basis of bearings is Indiana State Plane Grid Bearing, East Zone) along the East line of said Northeast Quarter 1988.70 feet to the Southeast corner of the North Half of the Northeast Quarter of the Northeast Quarter of said Section 26; thence South 89 degrees 47 minutes 55 seconds West along the South line of said North Half 1323.05 feet to the Southwest corner thereof; thence North 00 degrees 14 minutes 49 seconds East along the West line of said North Half 662.10 feet to the Northwest corner thereof and the POINT OF BEGINNING; thence South 89 degrees 45 minutes 50 seconds West along the North line of the Northeast Quarter of said Section 26 a distance of 661.51 feet to the Northeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 26; thence South 00 degrees 14 minutes 54 seconds West along the East line of said West Half 1323.41 feet to the Southeast corner thereof; thence South 89 degrees 49 minutes 59 seconds West along the South line of said West Half 661.54 feet to the Southwest corner thereof; thence South 89 degrees 45 minutes 06 seconds West along the South line of the Northeast Quarter of the Northwest Quarter of said Section 26 a distance of 1324.06 feet to the Southwest corner thereof; thence North 00 degrees 12 minutes 52 seconds East along the West line of said Quarter-Quarter 1321.94 feet to the Northwest corner thereof; thence North 00 degrees 06 minutes 09 seconds East along the West line of the Southeast Quarter of the Southwest Quarter of said Section 23 a distance of 1321.61 feet to the Northwest corner thereof; thence North 89 degrees 43 minutes 36 seconds East along the North line of said Quarter-Quarter 1037.15 feet to the northwest corner of Instrument Number 2015004954, recorded in the Office of the Recorder of Hamilton County, Indiana (the following two courses are along the West and South boundaries of said Instrument); (1) thence South 01 degrees 19 minutes 55 seconds West 316.44 feet; (2) thence North 88 degrees 56 minutes 56 seconds East 295.71 feet to the East line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 00 degrees 10 minutes 00 seconds West along said East line 348.46 feet to the Southwest corner of the North Half of the Southwest Quarter of the Southwest Quarter of said Section 23; thence North 89 degrees 39 minutes 19 seconds East along the South line of the North Half of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 334.99 feet to the Southeast corner of Instrument Number 2016046931, recorded in said Recorder's Office; thence North 00 degrees 10 minutes 00 seconds East along the East boundary of said Instrument and parallel with the West line of the Southwest Quarter of the Southeast Quarter of said Section 23 a distance of 991.95 feet to the Northeast corner of said Instrument and the North line of 10 acres off the South side of the Northwest Quarter of the Southeast Quarter of said Section 23; thence North 89 degrees 32 minutes 47 seconds East along said north line 1193.20 feet to the Northwest corner of Instrument Number 2015055336, recorded in said Recorder's Office; thence South 33 degrees 30 minutes 39 seconds East along the West boundary of said Instrument 1187.67 feet to the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 23; thence South 89 degrees 39 minutes 19 seconds West along said North line 866.04 feet to the Northwest corner of said South Half; thence South 00 degrees 01 minutes 56 seconds East along the West line of said South Half 663.26 feet to the Point of Beginning, containing 153.208 acres, more or less.



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

REVISIONS

DATE	DESCRIPTION	BY

HWC ENGINEERING
INDIANAPOLIS - TERRE HAUTE
LAFAYETTE - MUNCIE - NEW ALBANY
www.hwceengineering.com

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

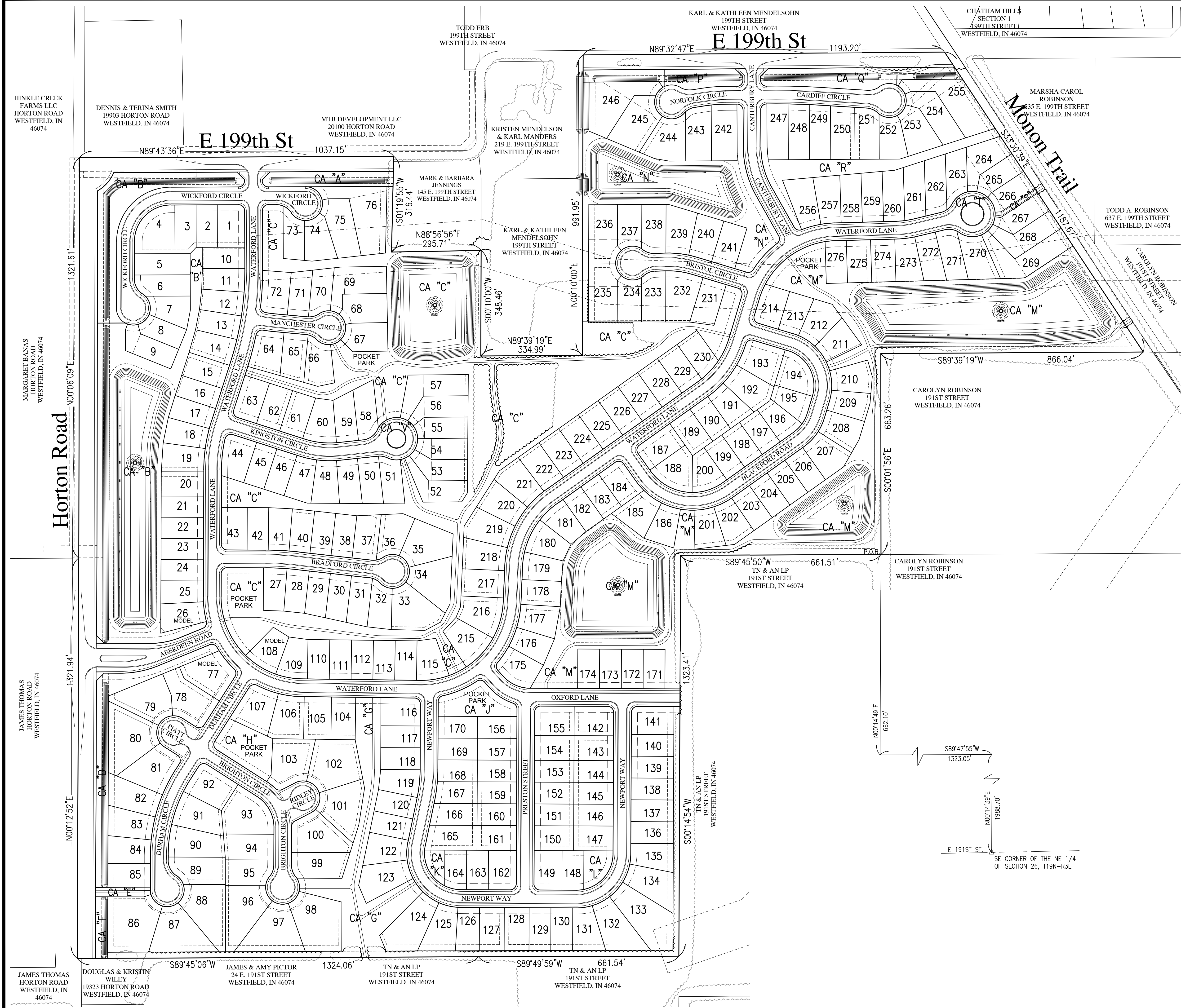
COVER

BRANDON T. BURLINGAME
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA
NOTARY PUBLIC

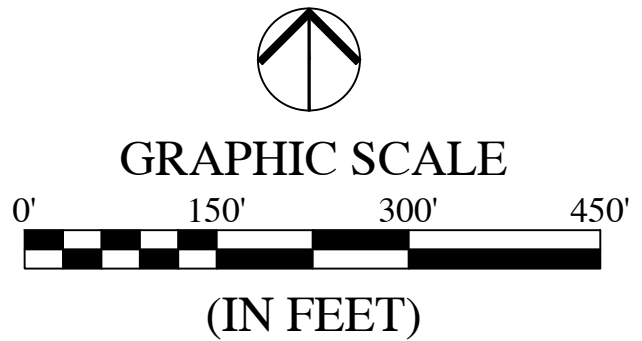
DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

C1.0
COVER

Plot Date: May 30, 2019 Plot Time: 11:51am File Name: W:\Pulte Homes\2019-117-A-Pulte--Westfield Chatham Hills\Design\CAD\PP--Development Plan Sheet Set\19117-A-DP--Overall Site Plan.dwg, Layout: C1.1 By: burke



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



LEGEND:

EXISTING	PROPOSED

ABBREVIATIONS:

C.A.	- COMMON AREA
25	- LOT NUMBER

LEGAL DESCRIPTION

A part of the Northeast and Northwest Quarters of Section 26, and a part of the Southeast and Southwest Quarters of Section 23, all in Township 19 North, Range 3 East, Hamilton County, Indiana being that 153.208 acre parcel surveyed by Paul E. Kladzen, PS #20400015 and shown on a survey certified January 19, 2019 as Cripe Job number 170504-33000 more particularly described as follows:

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

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

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.

REVISIONS		
DATE	DESCRIPTION	BY

HWC
ENGINEERING

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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

OVERALL SITE PLAN

PREPARED BY
NOT A PROFESSIONAL ENGINEER

BRANDON T. BURL
REGISTERED
No. 10000075
STATE OF INDIANA
PROFESSIONAL ENGINEER

DRAWN BY
DC

CHECKED BY
BB

DATE
MAY 31, 2019

SCALE
AS SHOWN

SHEET

JOB NUMBER
2019-117-A

C1.1
OVERALL SITE PLAN

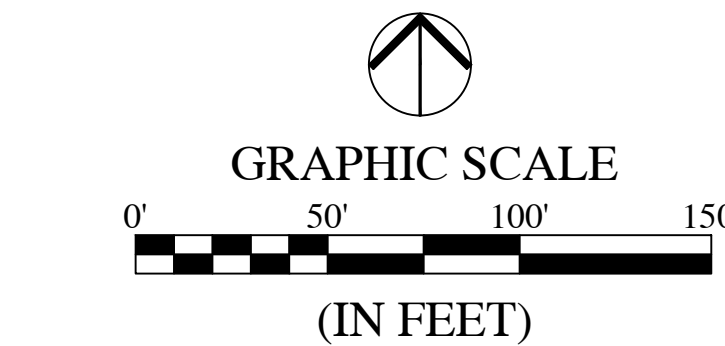
JAMES THOMAS
HORTON ROAD
WESTFIELD, IN 46074



STREET TREES SHALL NOT BE WITHIN
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ABBREVIATIONS:

BC	— BACK OF CURB
CL	— CENTERLINE
FL	— FLOW LINE
NP	— NORMAL POOL (ELEVATION)
PVC	— POLYVINYL CHLORIDE PIPE
RCP	— REINFORCED CONCRETE PIPE
—	— COMMON AREA
D.E.	— DRAINAGE EASEMENT
S.S.D.&U.E.	— SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
D.&U.E.	— DRAINAGE AND UTILITY EASEMENT
P.S.E.	— PERMANENT STORMWATER EASEMENT
ESMT.	— EASEMENT
25	— LOT NUMBER
B.S.L.	— BUILDING SETBACK LINE
S.F.	— SQUARE FEET
R/W	— PUBLIC RIGHT-OF-WAY

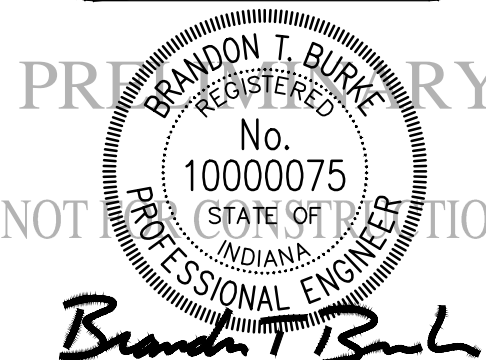


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**ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
DEVELOPMENT PLAN**

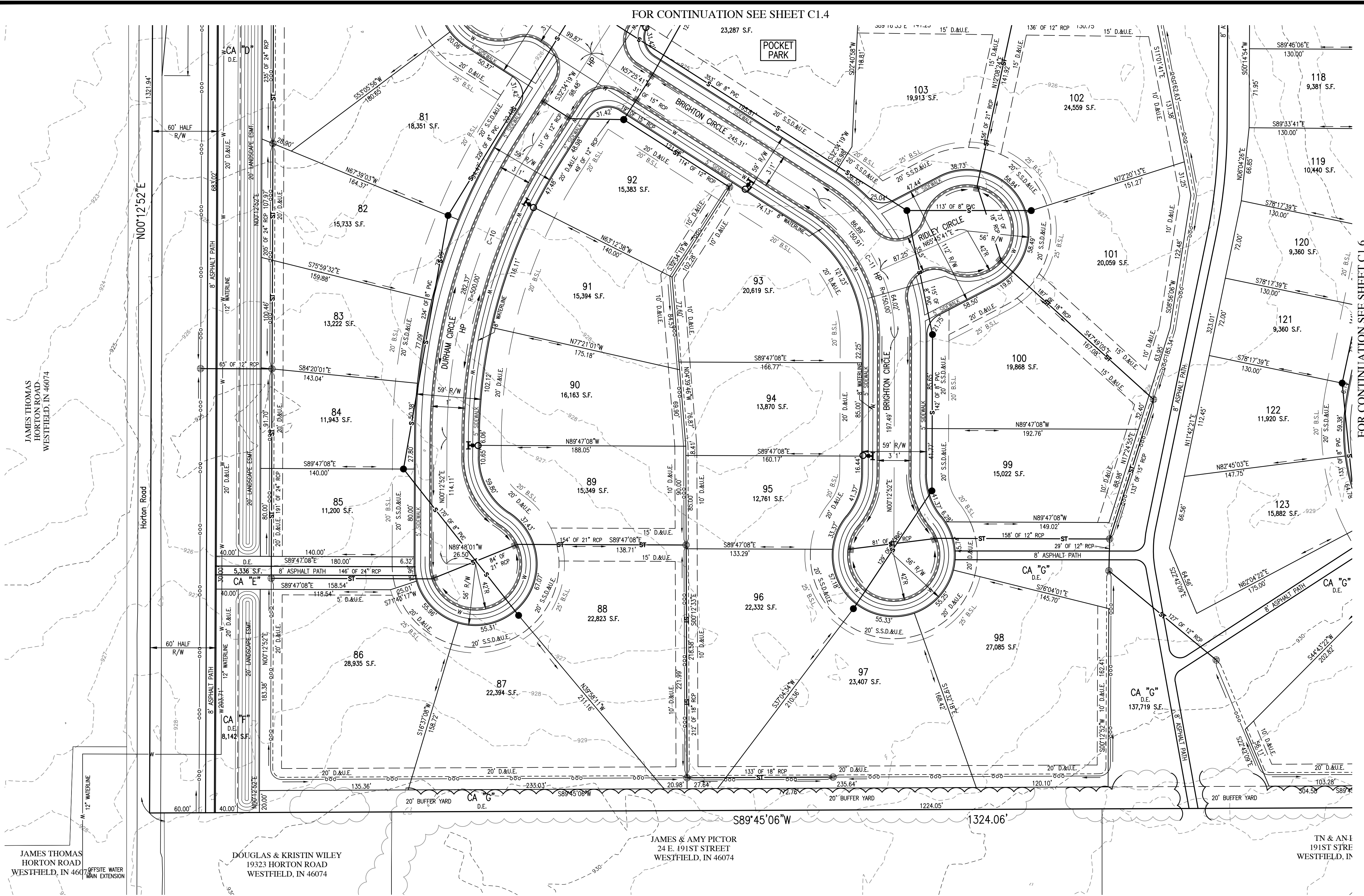
DEVELOPMENT PLAN



DRAWN BY DC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

C1.4

DEVELOPMENT PLAN



KNOW WHAT'S BELOW.
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GRAPHIC SCALE
0' 50' 100' 150'
(IN FEET)

LEGEND:

EXISTING

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

PROPOSED

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S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

Curve Table

Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-1	234.56'	150.00'	211.38'	S44°59'51"W	89°35'44"
C-2	315.28'	1000.00'	313.98'	N08°49'39"E	18°03'52"
C-3	32.94'	500.00'	32.93'	S82°50'22"E	3°46'27"
C-4	154.11'	500.00'	153.50'	S09°01'47"W	17°39'36"
C-5	125.64'	300.00'	124.72'	S84°08'18"E	23°59'44"
C-6	108.07'	1000.00'	108.02'	N86°42'16"W	6°11'31"
C-7	468.50'	300.00'	422.32'	S44°32'18"E	89°28'33"
C-8	117.73'	300.00'	116.98'	N78°59'01"E	22°29'05"
C-9	117.73'	300.00'	116.98'	N78°59'01"E	22°29'05"
C-10	282.37'	500.00'	278.63'	S16°23'36"W	32°21'27"

Curve Table

Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-11	150.91'	150.00'	144.62'	N28°36'24"W	57°38'33"
C-12	461.56'	300.00'	417.36'	N46°38'54"E	88°09'03"
C-13	99.98'	500.00'	99.82'	N05°58'38"E	11°27'27"
C-14	265.61'	150.00'	232.25'	S39°01'22"E	101°27'27"
C-15	235.62'	150.00'	212.13'	N45°14'54"E	90°00'00"
C-16	125.17'	150.00'	121.57'	S65°50'44"E	47°48'44"
C-17	272.23'	300.00'	262.98'	S28°34'07"W	51°59'29"
C-18	314.16'	200.00'	282.84'	S80°26'08"E	90°00'00"
C-19	98.95'	150.00'	97.16'	N35°39'59"E	37°47'45"
C-20	235.62'	150.00'	212.13'	N28°13'53"W	90°00'00"

Curve Table

Curve #	Length	Radius	Chord Length	Chord Bearing	Delta
C-21	197.90'	300.00'	194.33'	N35°39'59"E	37°47'45"
C-22	375.02'	300.00'	351.08'	S52°34'50"W	71°37'26"
C-23	98.66'	300.00'	98.21'	N82°39'10"W	18°50'33"
C-24	61.76'	300.00'	61.65'	N82°29'40"E	11°47'44"
C-25	152.11'	300.00'	150.49'	S14°51'39"E	29°03'03"
C-26	73.66'	500.00'	73.59'	S85°26'40"W	8°26'25"
C-27	133.92'	2000.00'	133.89'	N88°25'02"W	3°50'11"

- 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.
- 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.

KEYMAP
NOT TO SCALE

REVISIONS

DATE	DESCRIPTION	BY

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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
DEVELOPMENT PLAN

BRANDON T. BURY
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC

CHECKED BY
BB

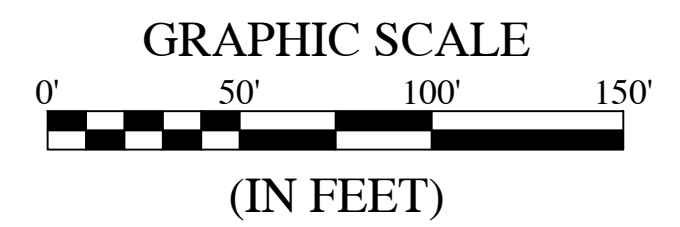
DATE
MAY 31, 2019

SCALE
AS SHOWN

SHEET

C1.5
DEVELOPMENT PLAN

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[illegible]

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		
		SANITARY MANHOLE		
		STORM MANHOLE		
		STORM INLET		
		STORM END SECTION		
		FIRE HYDRANT		
		FLOW ARROW		
		STREET LIGHT		
		6" X 6" VEHICLE BARRIER POST		

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D.E.	- DRAINAGE EASEMENT
S.S.D.&U.E.	- SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
D.&U.E.	- DRAINAGE AND UTILITY EASEMENT
P.S.E.	- PERMANENT STORMWATER EASEMENT
ESMT.	- EASEMENT
25	- LOT NUMBER
B.S.L.	- BUILDING SETBACK LINE
S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

FOR CENTERLINE CURVE DATA
TABLES, SEE SHEET C1.5.

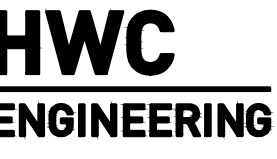
ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.

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[illegible]

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

DEVELOPMENT PLAN

BRANDON T. BURKE
REGISTERED
No.
10000075
STATE OF
PROFESSIONAL ENGINEER

Brandon T. Brink

DRAWN BY JC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE	
AS SHOWN	
SHEET	

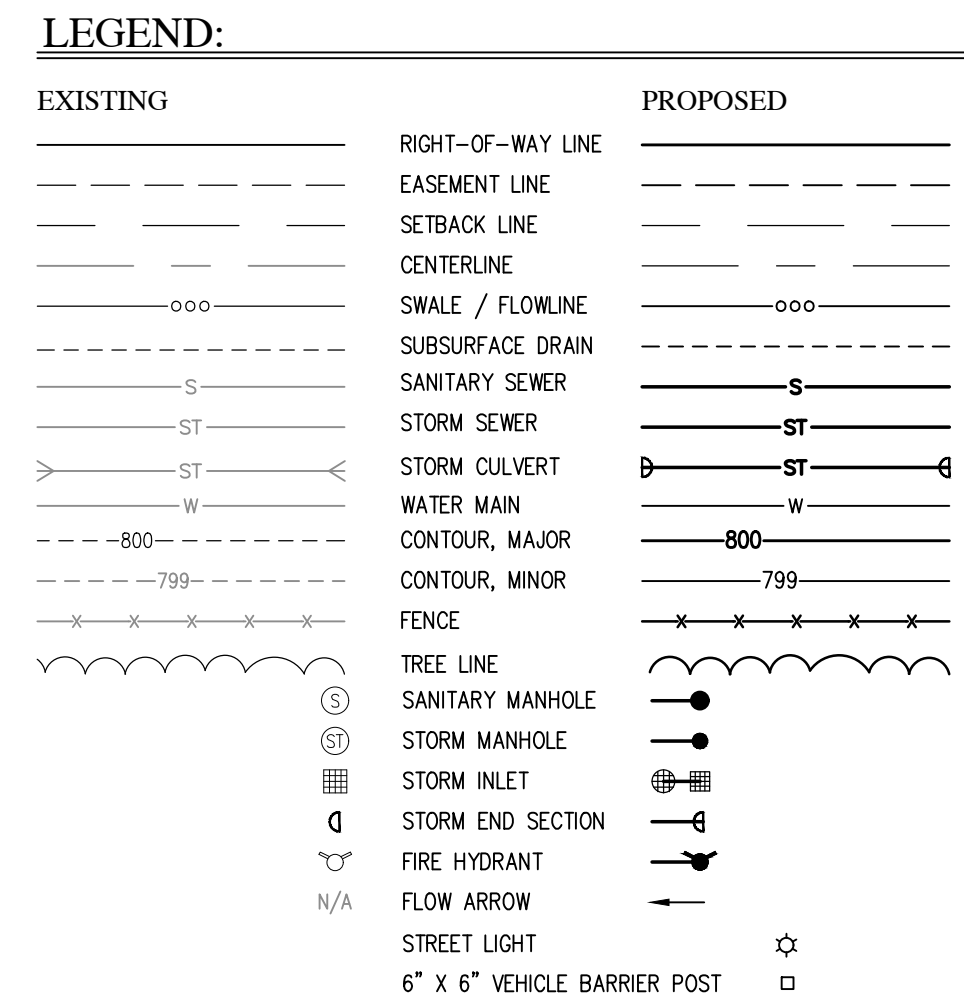
C1.6

DEVELOPMENT PLAN

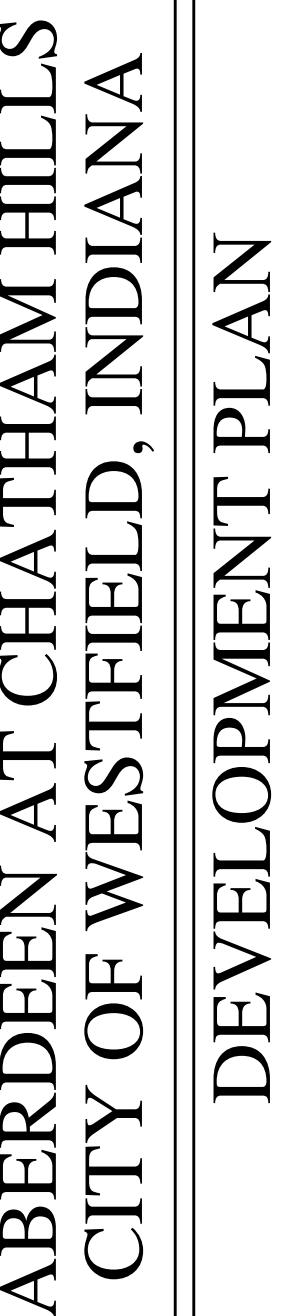
FOR CONTINUATION SEE SHEET C1.4



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.



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D.E.	- DRAINAGE EASEMENT
S.S.D.&U.E.	- SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
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S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

[illegible]

DEVELOPMENT PLAN

BRANDON T. BURKE
REGISTERED
No.
10000075
STATE OF VERMONT

Professional Engineer
Brandon T. Rank

DRAWN BY OC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE	
AS SHOWN	
SHEET	

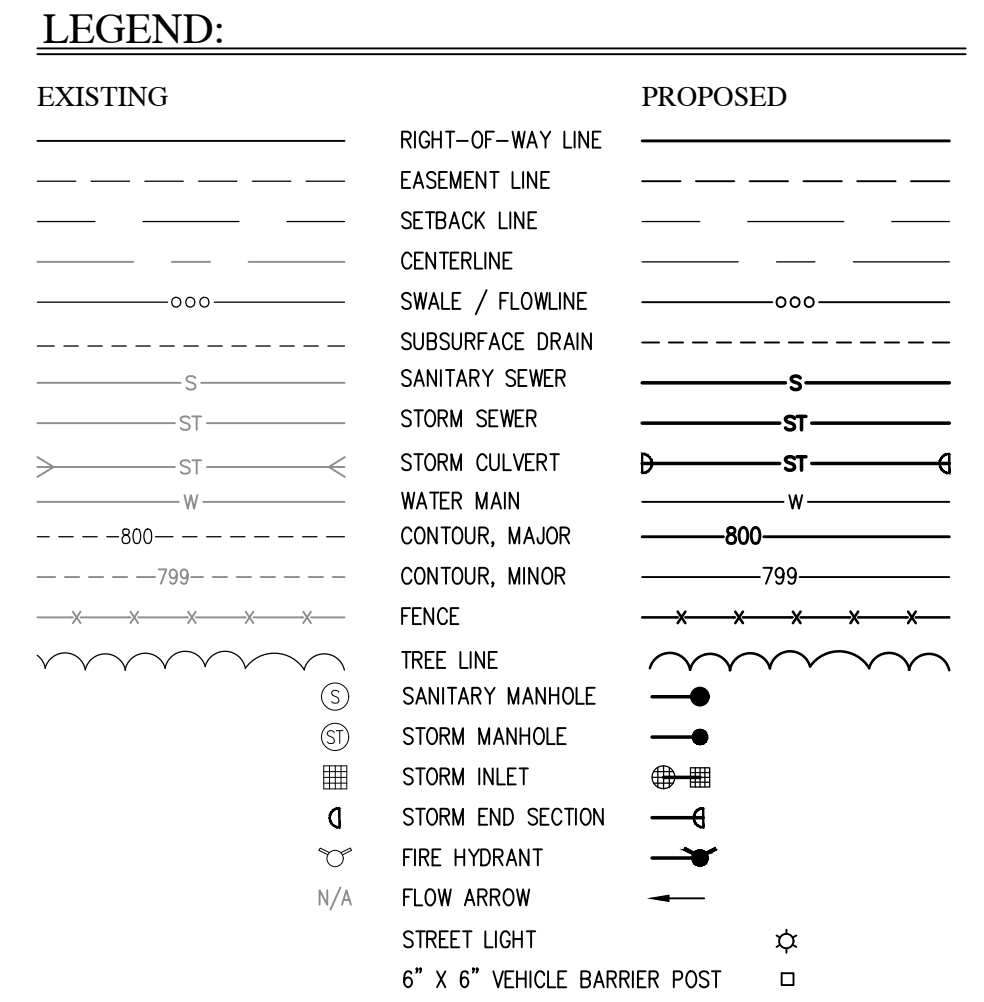
C1.7

DEVELOPMENT PLAN

FOR CONTINUATION SEE SHEET C1.3

FOR CONTINUATION SEE SHEET C1.7

FOR CONTINUATION SEE SHEET C112



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DEVELOPMENT PLAN

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DRAWN BY C	JOB NUMBER 2019-117-A
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DATE MAY 31, 2019	
SCALE	
AS SHOWN	
SHEET	

DEVELOPMENT PLAN

FOR CONTINUATION SEE SHEET C1.10

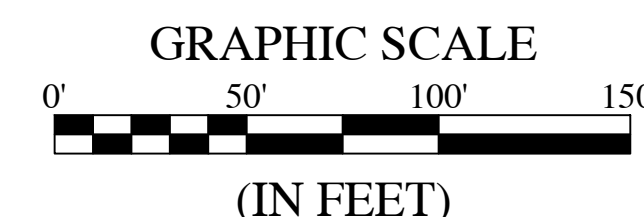


FOR CENTERLINE CURVE DATA
TABLES, SEE SHEET C1.5.

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EXISTING

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

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EASEMENT – EASEMENT
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[illegible]

**ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
DEVELOPMENT PLAN**

DEVELOPMENT PLAN

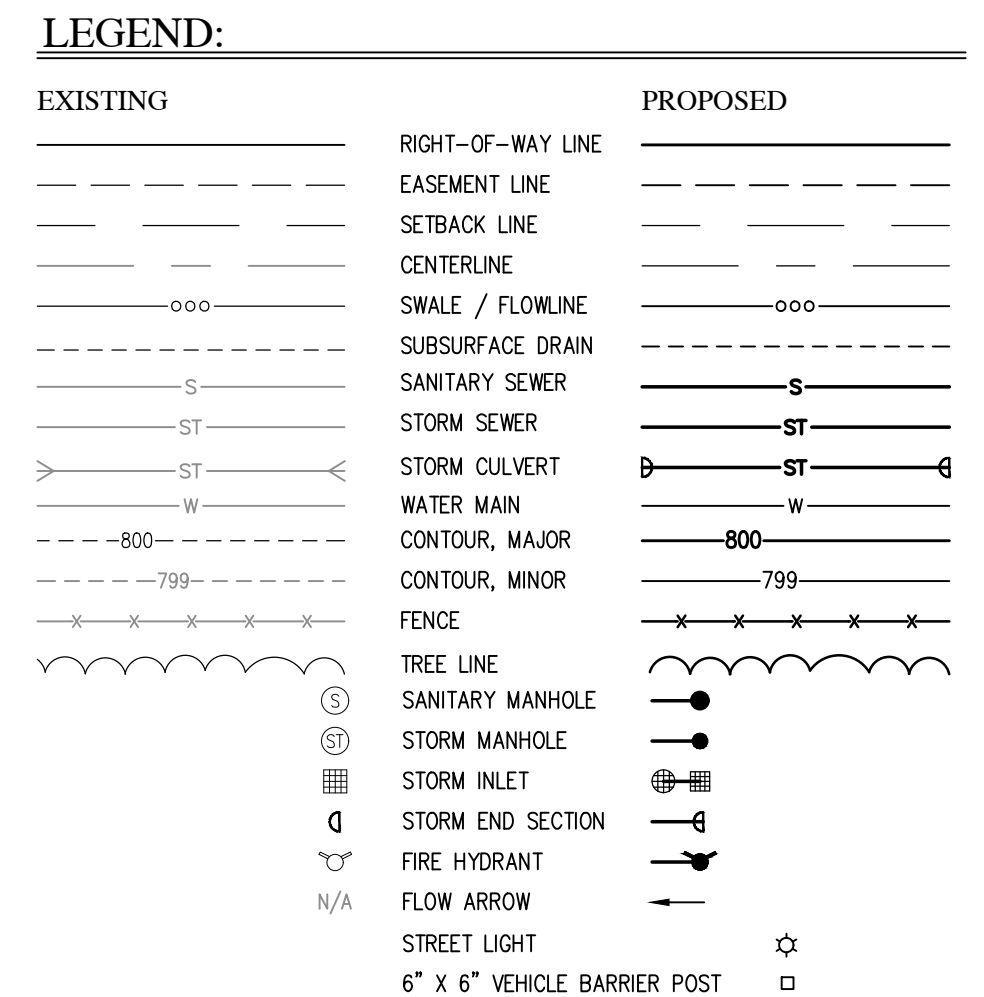


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SHEET	

C1.11

DEVELOPMENT PLAN

FOR CONTINUATION SEE SHEET C1.11



BC	- BACK OF CURB
CL	- CENTERLINE
FL	- FLOW LINE
NP	- NORMAL POOL (ELEVATION)
PVC	- POLYVINYL CHLORIDE PIPE
RCP	- REINFORCED CONCRETE PIPE
CA	- COMMON AREA
D.E.	- DRAINAGE EASEMENT
S.S.D.&U.E.	- SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
D.&U.E.	- DRAINAGE AND UTILITY EASEMENT
P.S.E.	- PERMANENT STORMWATER EASEMENT
E.	- EASEMENT
25	- LOT NUMBER
B.S.L.	- BUILDING SETBACK LINE
S.F.	- SQUARE FEET
R/W	- PUBLIC RIGHT-OF-WAY

[illegible]

DEVELOPMENT PLAN

Brandon T. Rank

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C1.12

DEVELOPMENT PLAN

© 2019

FOR CONTINUATION SEE SHEET C1.?

FOR CONTINUATION SEE SHEET C1.11

FOR CONTINUATION SEE SHEET C1.7

FOR CENTERLINE CURVE DATA
TABLES, SEE SHEET C1.5.

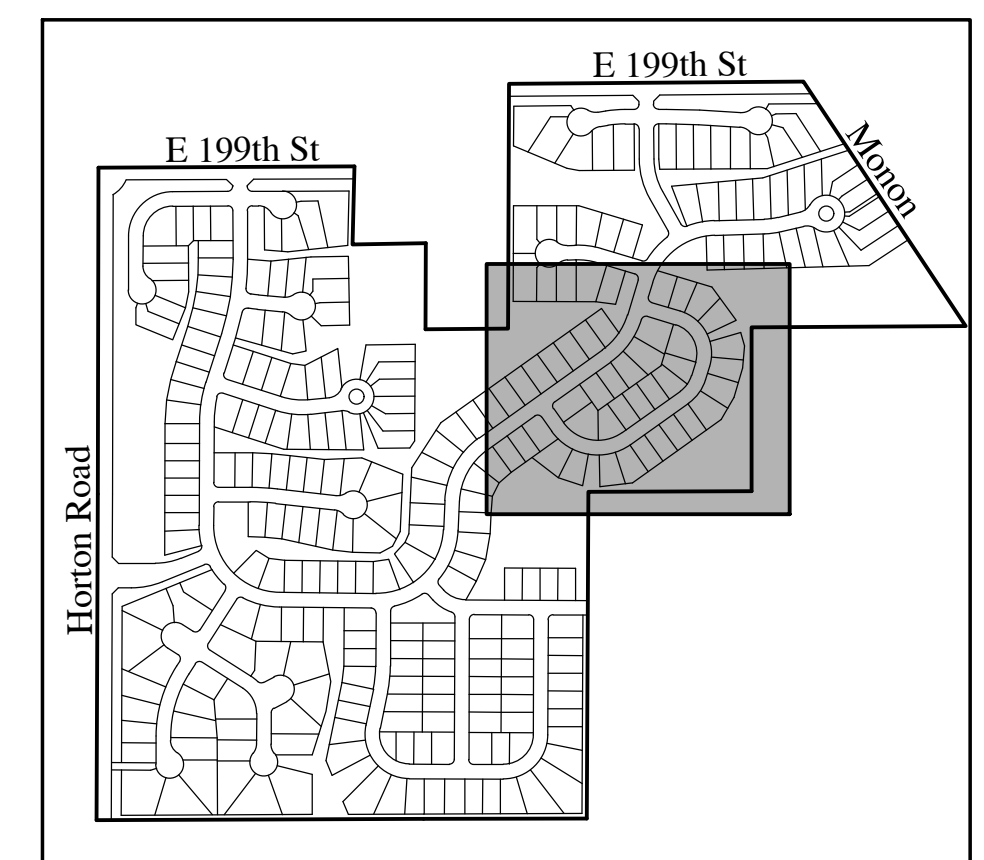
ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.

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

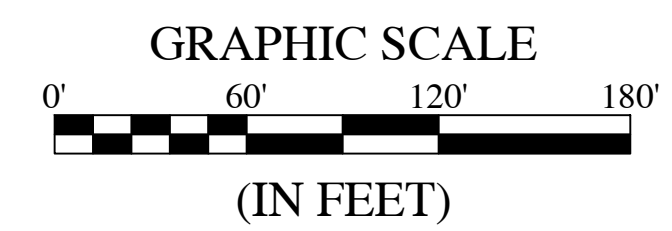
THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.

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KEYMAP
NOT TO SCALE



EXISTING		PROPOSED	
	RIGHT-OF-WAY LINE		EASEMENT LINE
	SETBACK LINE		CENTERLINE
	SWALE / FLOWLINE		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
	FIRE HYDRANT		FIRE HYDRANT
	FLOW ARROW		FLOW ARROW
	STREET LIGHT		STREET LIGHT
	6" x 6" VEHICLE BARRIER POST		6" x 6" VEHICLE BARRIER POST

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CL	— CENTERLINE
FL	— FLOW LINE
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PVC	— POLYVINYL CHLORIDE PIPE
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D.&U.E.	— DRAINAGE AND UTILITY EASEMENT
P.S.E.	— PERMANENT STORMWATER EASEMENT
ESMT.	— EASEMENT
25	— LOT NUMBER
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[illegible]

DEVELOPMENT PLAN

Brandon T. Brink

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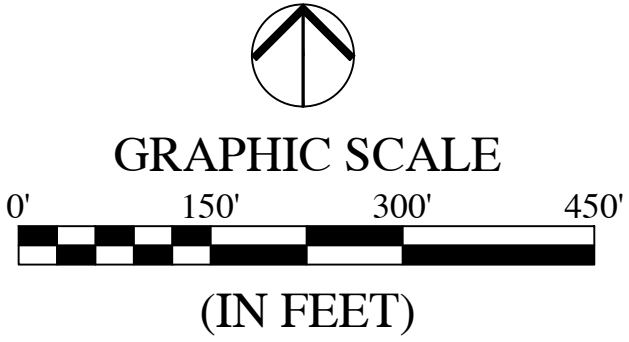
C1.13

DEVELOPMENT PLAN

Horton Road

E 199th St

E 199th St



LEGEND:

EXISTING	PROPOSED
—	—
---	---
---	---
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RIGHT-OF-WAY LINE
EASEMENT LINE
SETBACK LINE
TREE LINE

ABBREVIATIONS:

C.A.	- COMMON AREA
25	- LOT NUMBER

COMMON AREA SUMMARY (OPEN SPACE)	
CA "A"	= 20,871 SF
CA "B"	= 294,166 SF
CA "C"	= 539,663 SF
CA "D"	= 41,991 SF
CA "E"	= 5,336 SF
CA "F"	= 8,142 SF
CA "G"	= 137,719 SF
CA "H"	= 23,287 SF
CA "J"	= 21,011 SF
CA "K"	= 5,785 SF
CA "L"	= 9,384 SF
CA "M"	= 563,603 SF
CA "N"	= 136,402 SF
CA "P"	= 26,001 SF
CA "Q"	= 36,358 SF
CA "R"	= 43,275 SF
CA "S"	= 2,444 SF
CA "T"	= 4,301 SF
CA "V"	= 2,827 SF
TOTAL COMMON AREA = 1,922,566 SF	
TOTAL COMMON AREA = 44.136 ACRES	

OPEN SPACE REQUIRED = 20.0%
OPEN SPACE PROVIDED
OPEN SPACE AREA = 44.136 AC. = 28.81%
TOTAL ACREAGE = 153.208 AC.

STREET TREES SHALL NOT BE WITHIN
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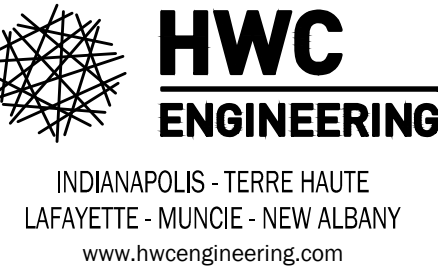
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CONTRACTOR FROM THIS REQUIREMENT.

REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
OVERALL OPEN SPACE PLAN



DRAWN BY DC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

C2.0

OVERALL OPEN SPACE
PLAN

DEMOLITION GENERAL NOTES:

1. THE CONTRACTOR SHALL DEMOLISH AND REMOVE FROM THE SITE ALL MATERIALS INDICATED ON THE PLAN. GENERALLY, DEMOLITION AREAS AND FACILITIES ARE INDICATED WITH BOLD LINES AND/OR SHADED AREAS. DISPOSAL OF SITE MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL GUIDELINES.
2. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FEATURES WHICH LIE ALONG THE PERIMETER OF THE SITE. THESE FEATURES INCLUDE, BUT ARE NOT LIMITED TO: BUILDINGS, PAVEMENTS, FENCES, VEGETATION, UTILITIES, PROPERTY MARKERS, ETC. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE WHICH OCCURS DURING OR AS A RESULT OF CONSTRUCTION ACTIVITY. REPLACEMENT OF DAMAGED PROPERTY SHALL BE EQUAL TO EXISTING CONDITIONS.
3. FOLLOWING REMOVAL OF INDICATED NATURAL FEATURES AND SITE IMPROVEMENTS, AND FOLLOWING THE COMPLETION OF EARTHWORK AS INDICATED ON THE GRADING PLAN, CONTRACTOR SHALL SUPPLY AND INSTALL TOPSOIL FILL TO THE FINISH GRADES INDICATED ON THE GRADING PLAN. TOPSOIL FILL SHALL BE FREE OF ROCK, RUBBISH, OR OTHER

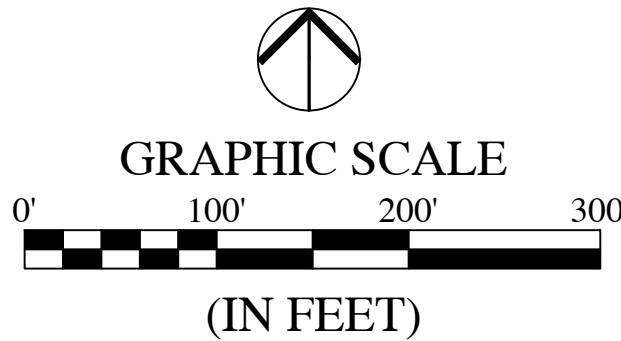
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4. ALL TREES, BRUSH, STUMPS AND GRUBBING DEBRIS SCHEDULED FOR DEMOLITION ARE TO BE REMOVED FROM THE SITE.
5. CURRENT FIELD CONDITIONS MAY VARY SOMEWHAT FROM THOSE INDICATED ON THIS PLAN. THE INFORMATION SHOULD NOT BE CONSIDERED AS EXACT OR COMPLETE.
- A) THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITY LINE LOCATIONS PRIOR TO CONSTRUCTION. CONTACT THE INDIANA UNDERGROUND UTILITY PROTECTION SERVICE AT 1-800-382-5540.

- B) THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE UTILITY COMPANIES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OR RESUMPTION OF WORK WHICH COULD DISRUPT THE RESPECTIVE UTILITY SERVICE.
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7. DAMAGE TO THE EXISTING RIGHT-OF-WAY SHALL BE RESTORED/ REPAIRED TO THE SATISFACTION OF THE CITY AT THE COMPLETION OF THE PROJECT. THE CONTRACTOR IS ENCOURAGED TO INSPECT THE RIGHT-OF-WAY WITH THE CITY PRIOR TO THE START OF CONSTRUCTION TO DOCUMENT THE EXISTING CONDITIONS OF THE RIGHT-OF-WAY.



KNOW WHAT'S BELOW.
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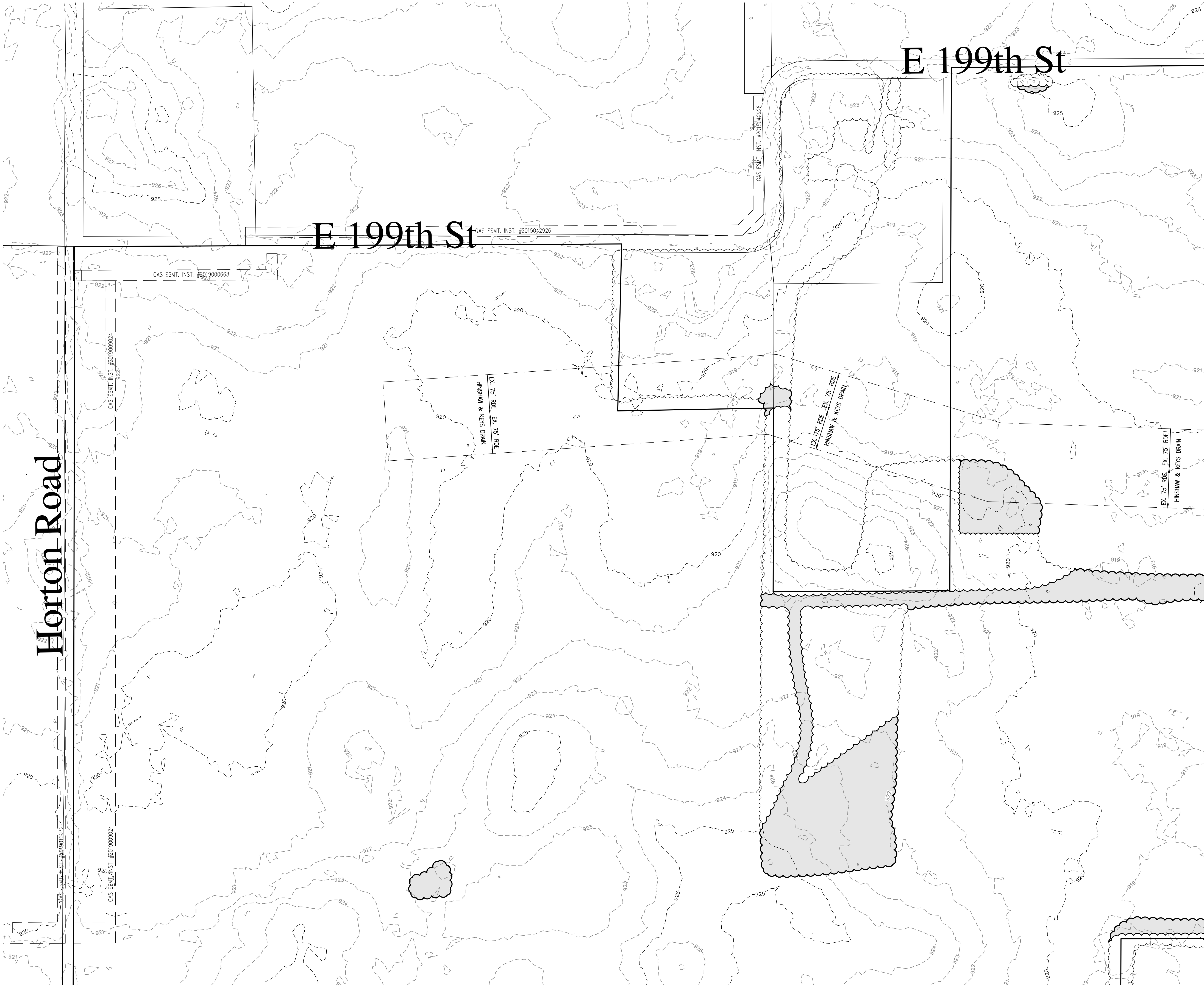
LEGEND:

- EXISTING
- RIGHT-OF-WAY LINE
 - CENTERLINE
 - SWALE / FLOWLINE
 - S SANITARY SEWER
 - ST STORM SEWER
 - ST STORM CULVERT
 - W WATER MAIN
 - -800- CONTOUR, MAJOR
 - -799- CONTOUR, MINOR
 - * * * FENCE
 - TREE LINE
 - SANITARY MANHOLE
 - STORM MANHOLE
 - STORM INLET
 - STORM END SECTION
 - FIRE HYDRANT

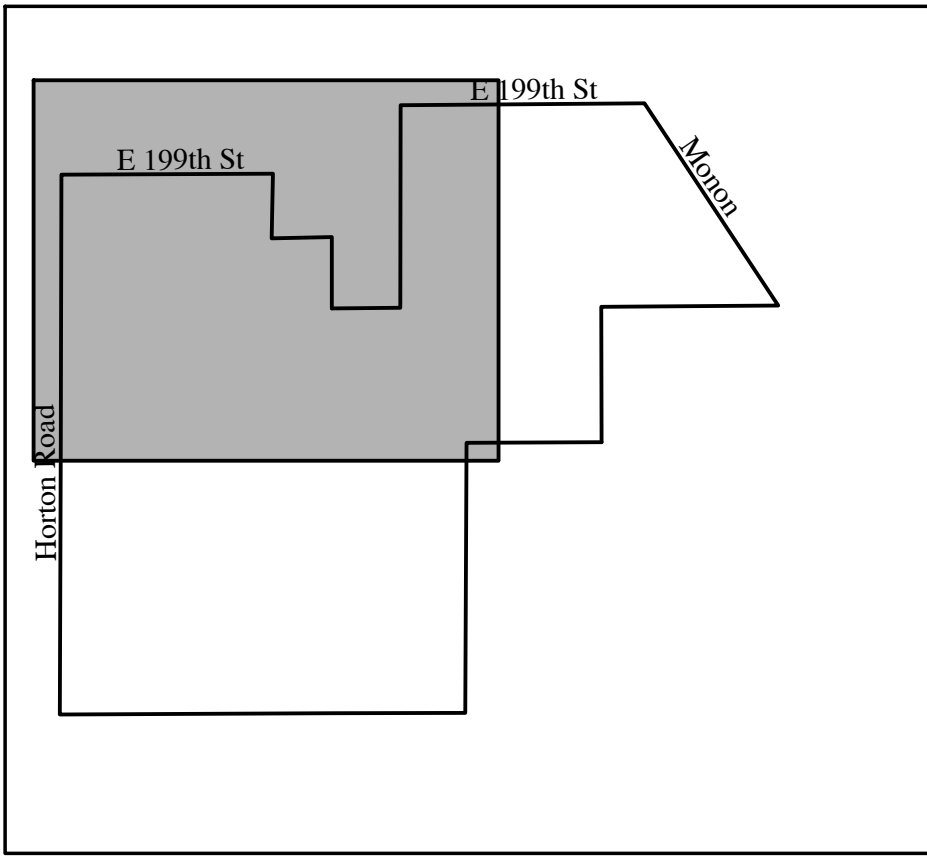
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FOR CONTINUATION SEE SHEET C3.1



KEYMAP
NOT TO SCALE

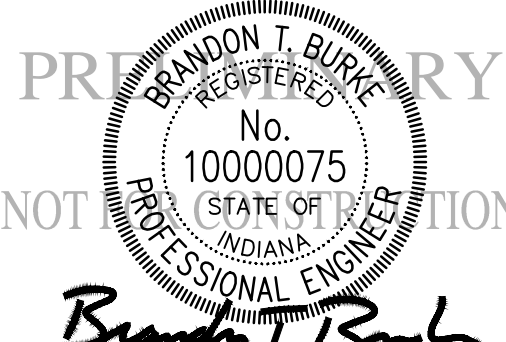
REVISIONS

DATE	DESCRIPTION	BY



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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
EXISTING CONDITIONS
& DEMOLITION PLAN



DRAWN BY DC	JOB NUMBER 2019-117-A
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C3.0

EXISTING CONDITIONS
& DEMOLITION PLAN

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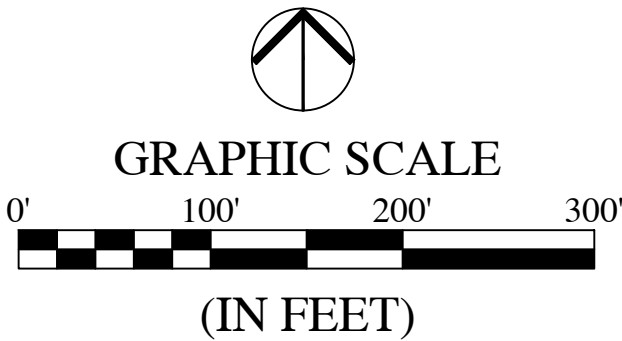
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LEGEND:

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 - SWALE / FLOWLINE
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 - STORM SEWER
 - STORM CULVERT
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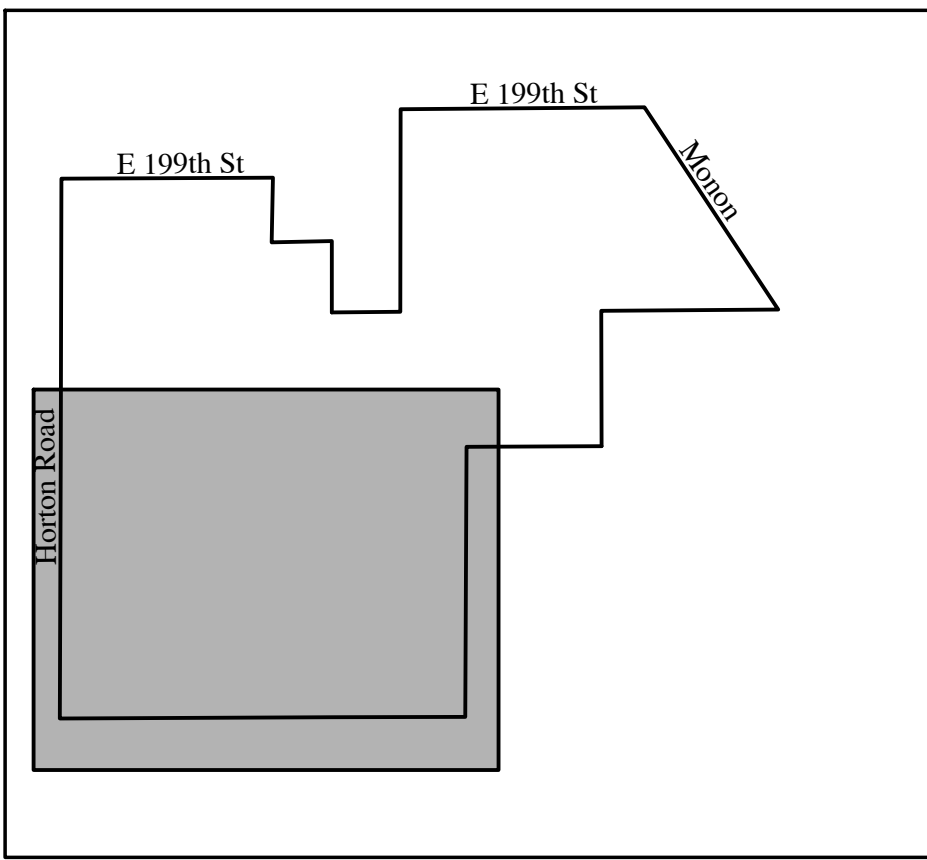
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FOR CONTINUATION SEE SHEET C3.0

FOR CONTINUATION SEE SHEET C3.2

Horton Road



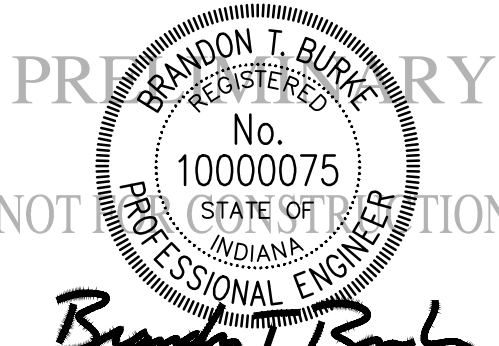
KEYMAP
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REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
EXISTING CONDITIONS
& DEMOLITION PLAN



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C3.1

EXISTING CONDITIONS
& DEMOLITION PLAN

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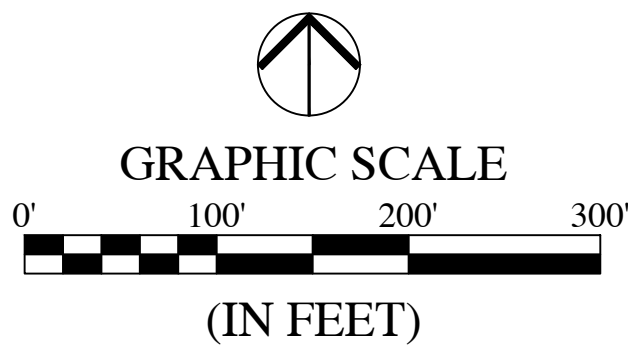
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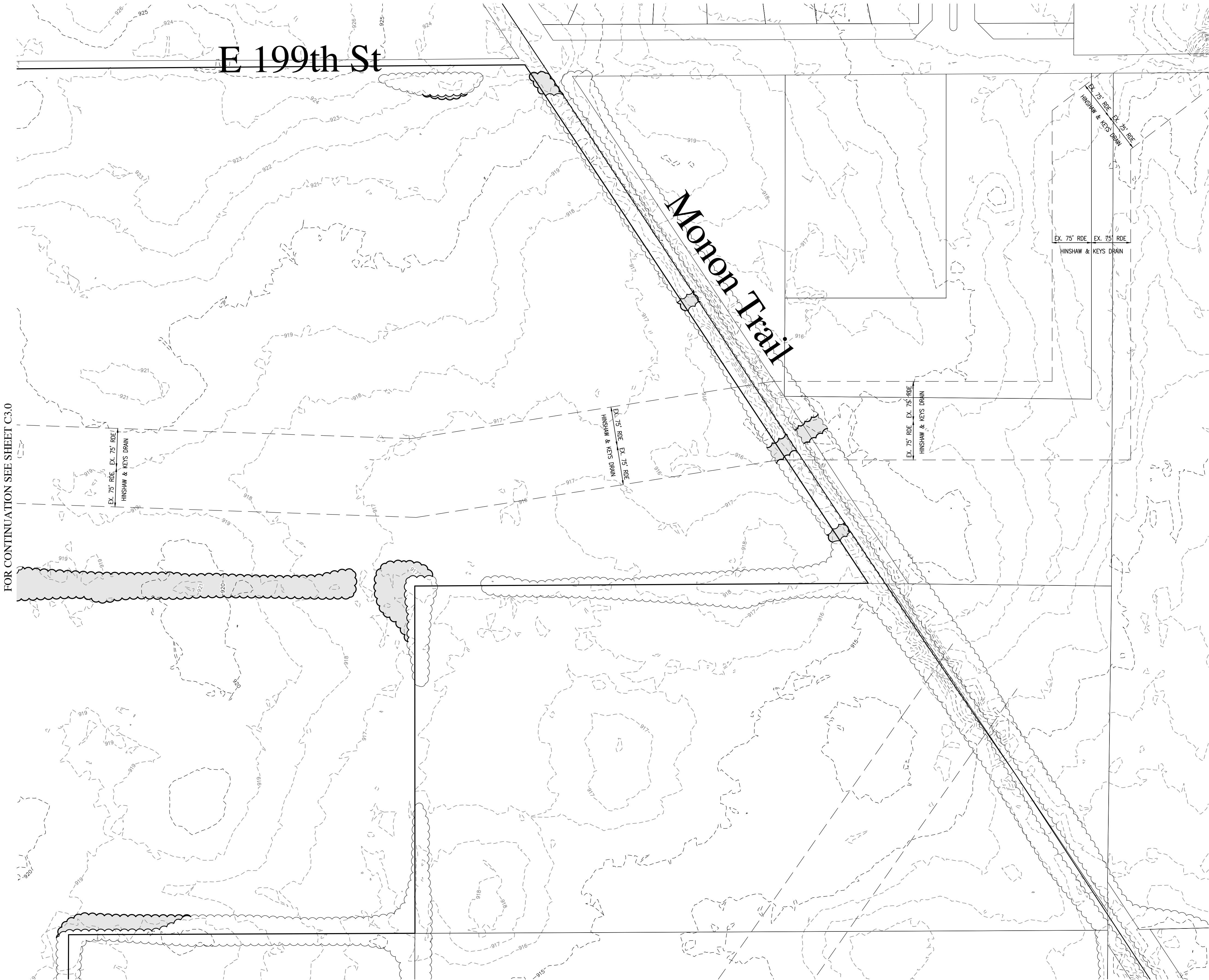


LEGEND:

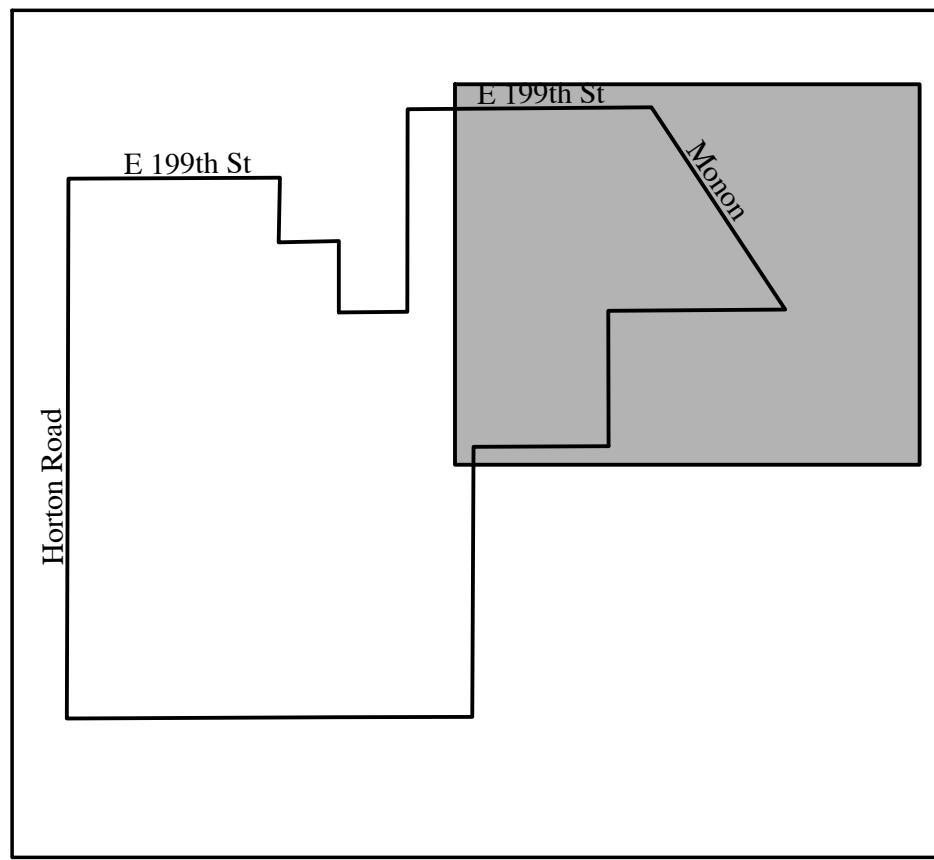
- | EXISTING | |
|----------|-------------------|
| — | RIGHT-OF-WAY LINE |
| — | CENTERLINE |
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FOR CONTINUATION SEE SHEET C3.0



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NOT TO SCALE

REVISIONS

DATE	DESCRIPTION	BY



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

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
EXISTING CONDITIONS
& DEMOLITION PLAN



Brandon T. Burch

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SHEET	

C3.2

EXISTING CONDITIONS
& DEMOLITION PLAN

OVERALL ON-SITE STANDARDS LANDSCAPING REQUIREMENT:

	REQUIREMENT PER DWELLING UNIT	REQUIREMENT FOR TOTAL (276) UNITS	TOTAL PROVIDED
SHADE TREES	4	1,104	1,116
ORNAMENTAL OR EVERGREEN TREES	2	552	555
SHRUBS	4	1,104	1,105

NOTE: ROAD FRONTAGE AND COMMON AREA PLANTINGS COUNT TOWARD TOTAL ON-SITE NUMBERS. PLANTINGS IN THE BUFFER AREA DO NOT COUNT TOWARD THE TOTAL.

EXTERNAL STREET FRONTAGE LANDSCAPING REQUIREMENT:

PRIMARY ARTERIALS, SECONDARY ARTERIALS, OR COLLECTOR STREETS – DOES NOT INCLUDE INTERNAL STREETS

1 SHADE TREE PER 30 LINEAL FEET

TOTAL LINEAR FEET OF STREET FRONTAGE: 3,305 LF

TOTAL SHADE TREES REQUIRED: 110

TOTAL SHADE TREES PROVIDED: 105*

*SUBJECT TO UTILITY, DRAINAGE AND SIGHT TRIANGLE RESTRICTIONS.

BUFFER YARD REQUIREMENT (WILEY/MENDELSON PROPERTY):

1 EVERGREEN TREE AND 5 EVERGREEN SHRUBS PER 30 LINEAL FEET

1 EVERGREEN SHRUB MAY BE SUBSTITUTED FOR 3 SHRUBS, FOR UP TO 60% OF THE TOTAL REQUIRED SHRUB COUNT

TOTAL LINEAR FOOTAGE: 974 LF

TOTAL PLANTINGS REQUIRED: 33 EVERGREEN TREES
163 EVERGREEN SHRUBS

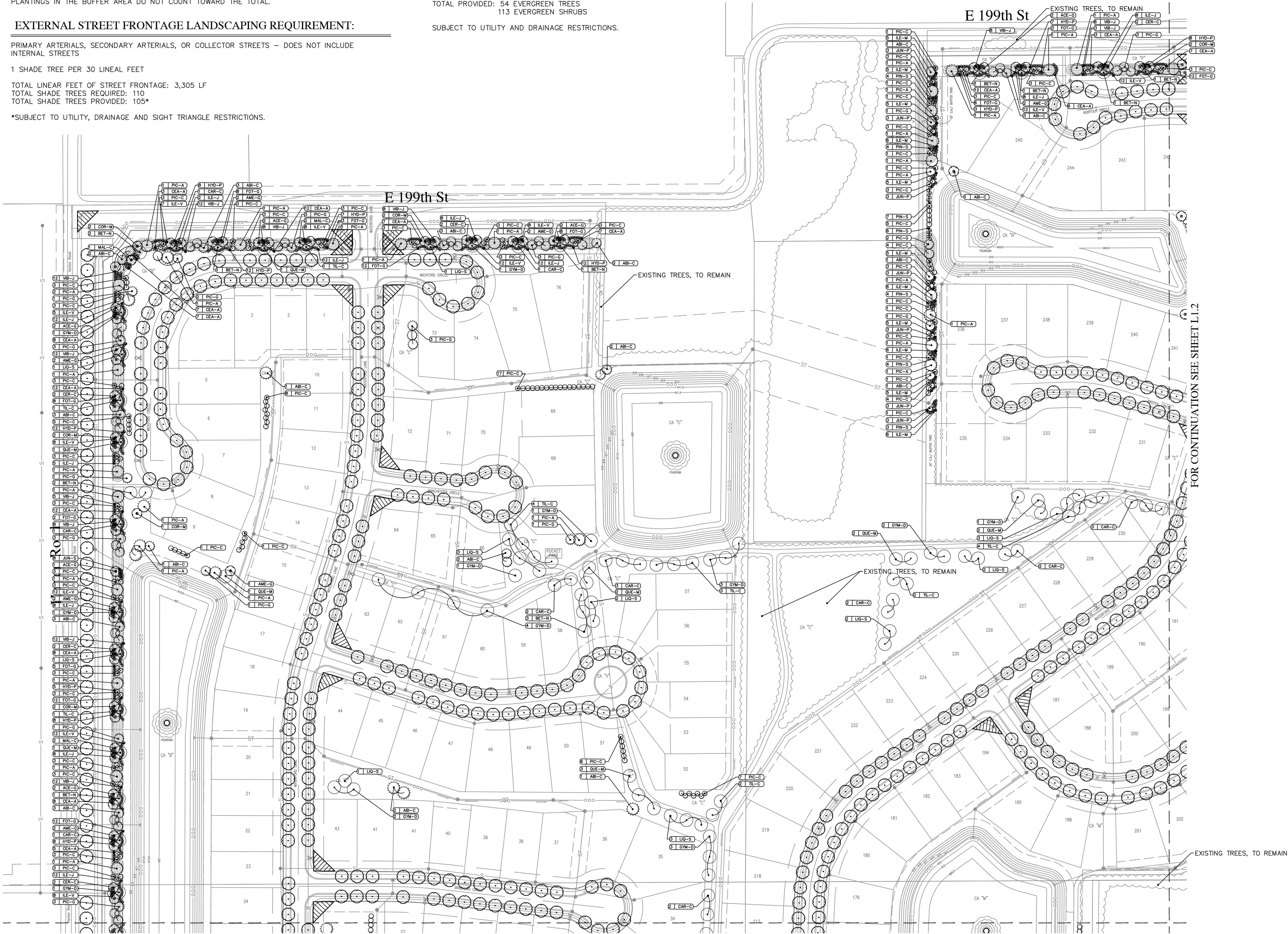
TOTAL PROVIDED: 54 EVERGREEN TREES
113 EVERGREEN SHRUBS

SUBJECT TO UTILITY AND DRAINAGE RESTRICTIONS.

LANDSCAPE NOTES:

- LANDSCAPING AS SHOWN SUBJECT TO UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS AND EASEMENTS.
- SEE MASTER PLANTING SCHEDULE ON SHEET L1.3 FOR PLANT KEY AND QUANTITIES.
- STREET TREES SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE PLANS, DO NOT INSTALL THE SAME SPECIES NEXT TO EACH OTHER, TO BE SPACED APPROXIMATELY 30' O.C., USE A RANDOM MIX OF THE FOLLOWING TREES, AS SPECIFIED IN THE MASTER PLANTING SCHEDULE AS STREET TREE:

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



FOR CONTINUATION SEE SHEET L1.1

FOR CONTINUATION SEE SHEET L1.2

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.

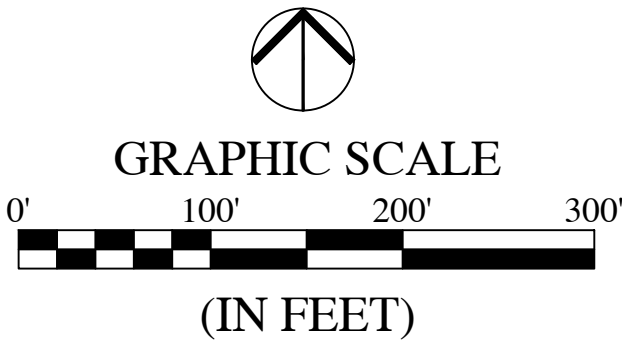
THE DESIGN AND CONSTRUCTION SHALL COMPLY WITH ALL ADA REQUIREMENTS.

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SEE SHEET L1.3 FOR LANDSCAPE GENERAL NOTES & MASTER PLANTING SCHEDULE.

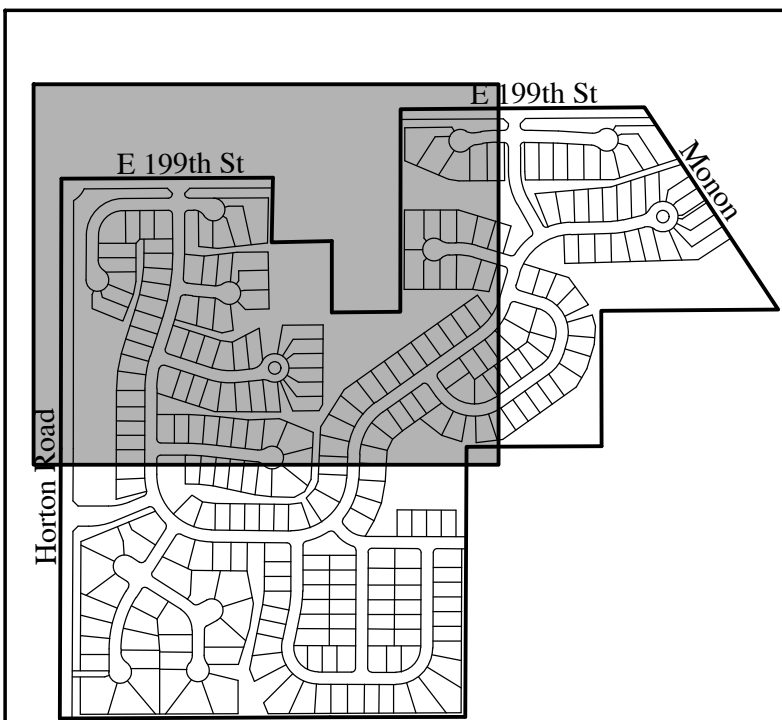


KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.
Call 811 or 800-382-5544 Before you Dig!



LEGEND:

- QUANTITY KEY
- SHADE TREE – 8' TALL, 2" CALIPER
- EVERGREEN TREE – 6' TALL
- ORNAMENTAL TREE – 2" CALIPER
- SHRUB – 18" TALL (MIN)
- STREET TREE (30' O.C. AVERAGE)
- SPADE EDGE
- INTERSECTION SIGHT TRIANGLE



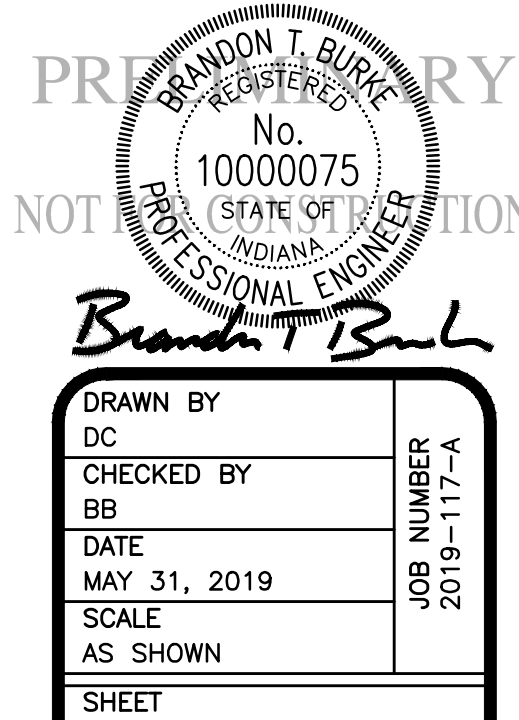
KEYMAP
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REVISIONS

DATE	DESCRIPTION	BY



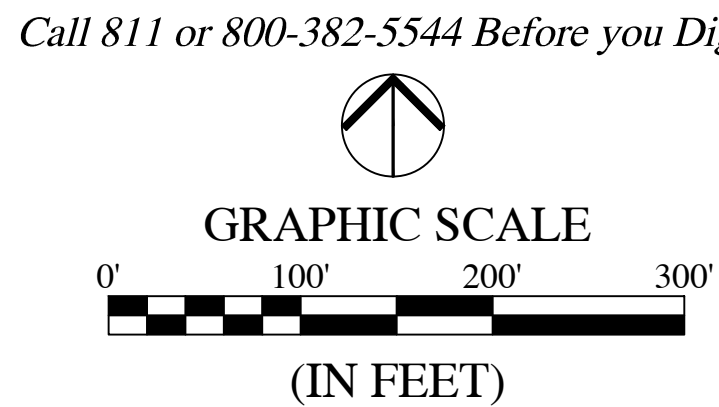
ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE PLAN



DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

L1.0

LANDSCAPE PLAN



- LEGEND:
- QUANTITY KEY
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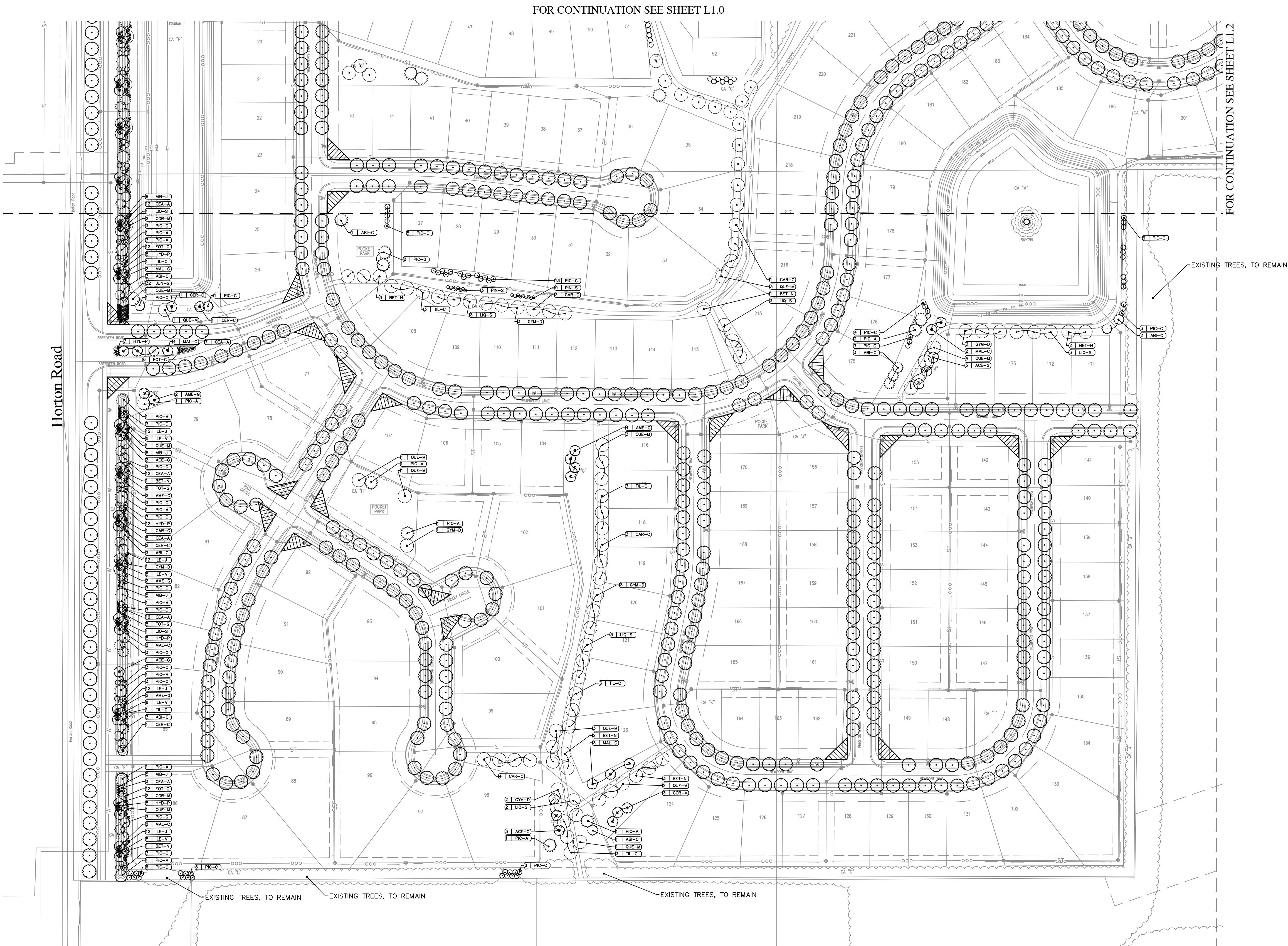
ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE PLAN

PREPARED BY
BRANDON T. BURG
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

JOB NUMBER
2019-117-A

L1.1
LANDSCAPE PLAN



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

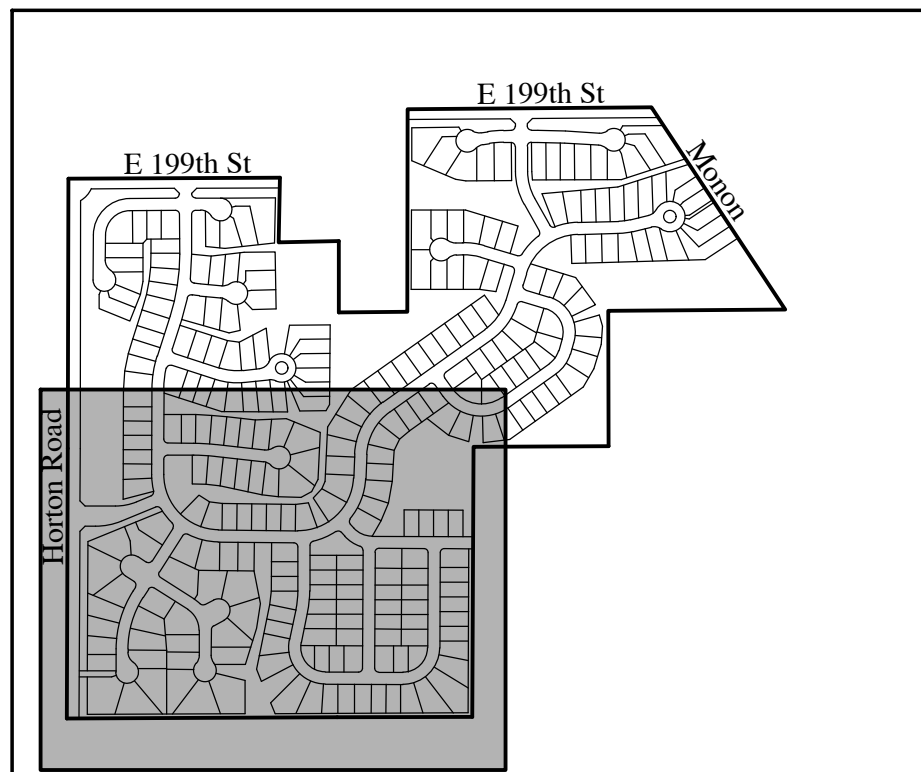
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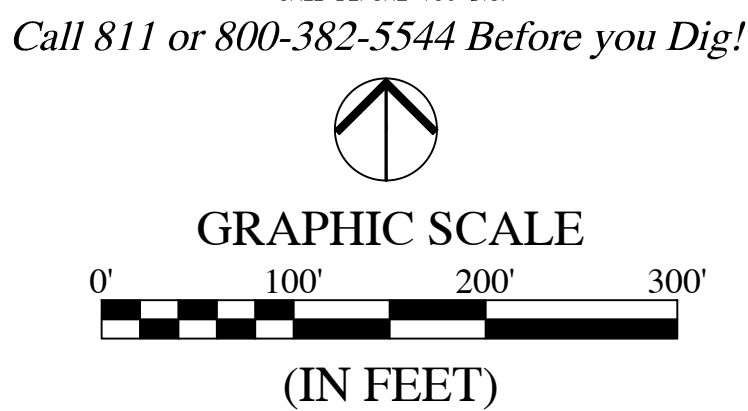
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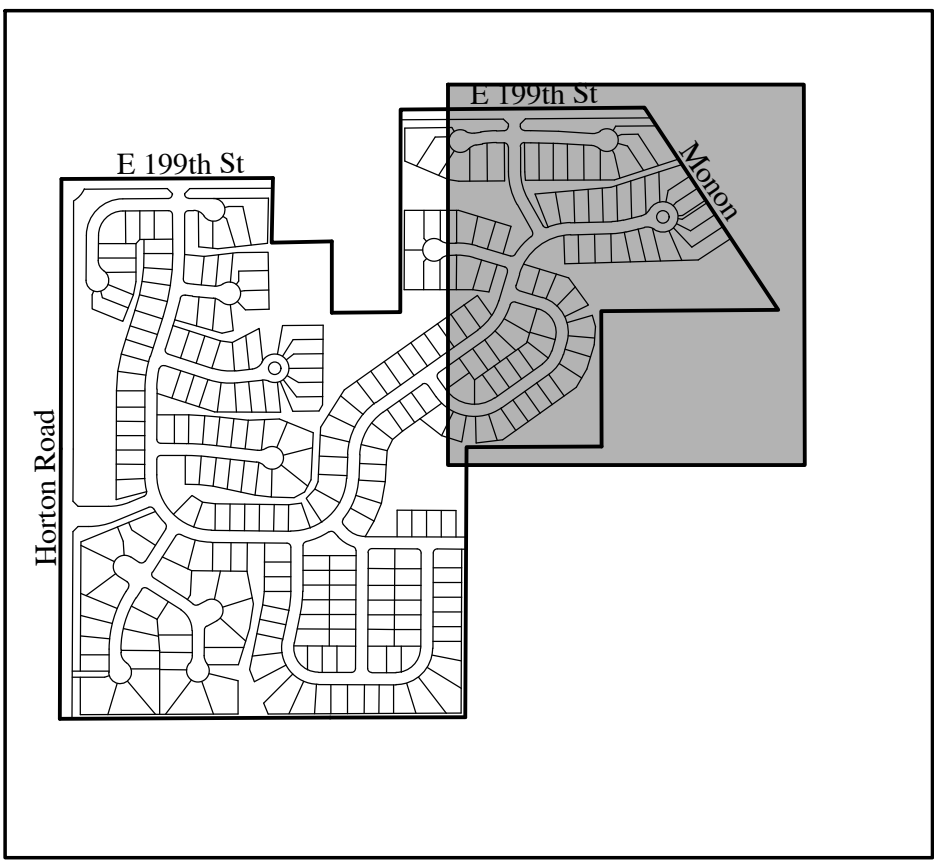
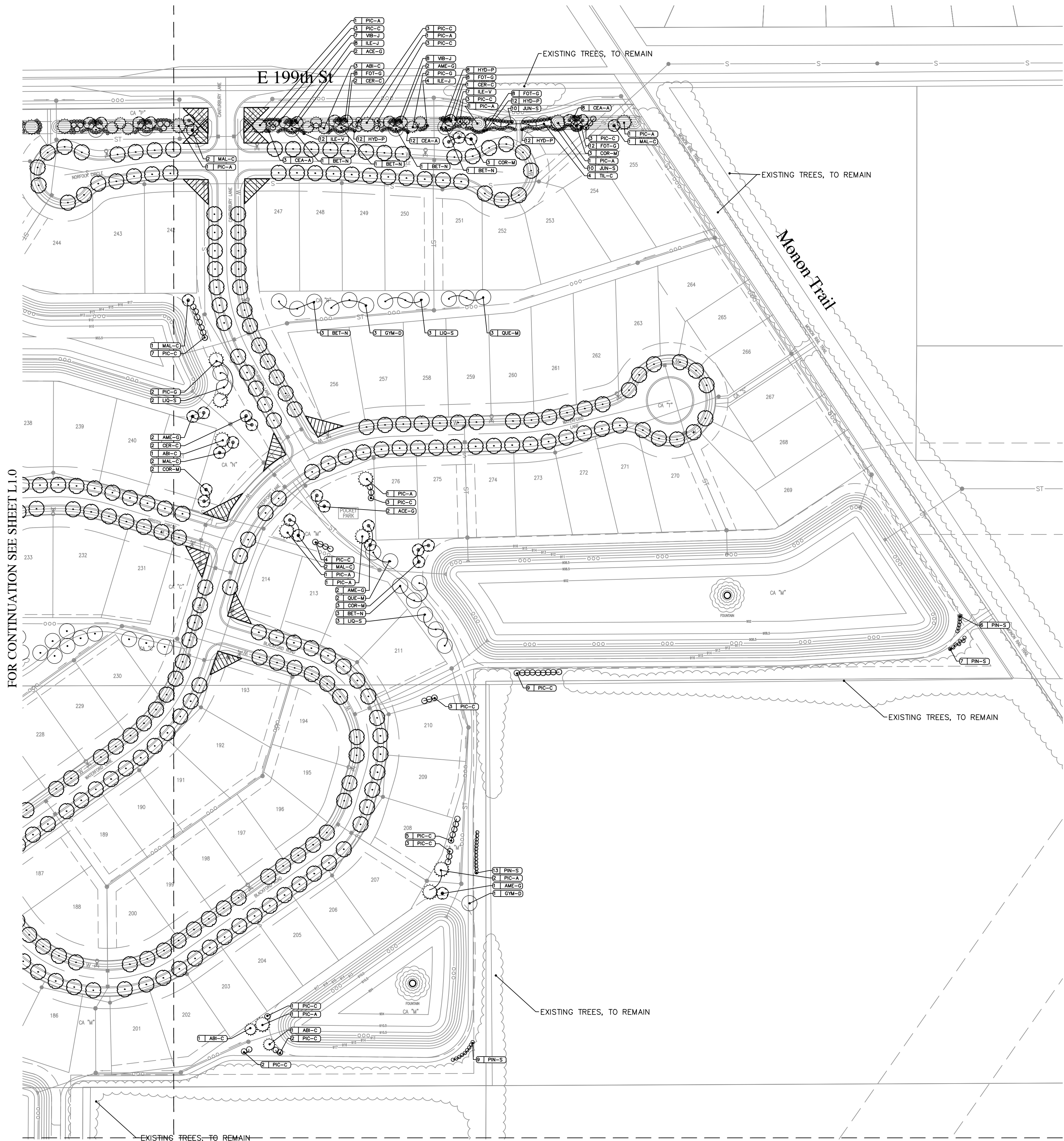
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SEE SHEET L1.3 FOR LANDSCAPE GENERAL NOTES & MASTER PLANTING SCHEDULE.





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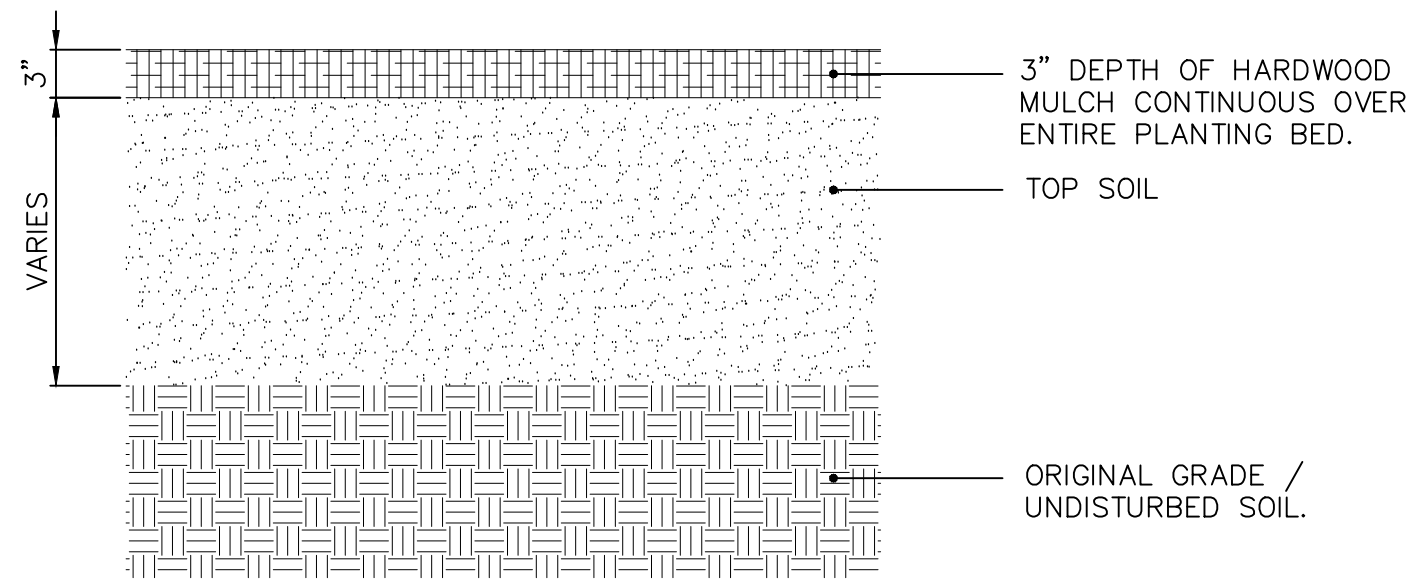
ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE PLAN

PREPARED BY
NOT FOR CONSTRUCTION

BRANDON T. BURG
REGISTERED
No. 10000075
STATE OF INDIANA
PROFESSIONAL ENGINEER

DRAWN BY DC	JOB NUMBER 2019-117-A
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DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

L1.2
LANDSCAPE PLAN



TOP SOIL REQUIREMENTS
NOT TO SCALE

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.

MASTER PLANTING SCHEDULE:

KEY	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	HGT	ROOT	SPACING	REMARKS
SHADE TREES								
ACE-F*	193	ACER FREEMANII	FREEMAN MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
ACE-P*	170	ACER PSEUDOPLATANUS	SYCAMORE MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
BET-N	37	BETULA NIGRA 'CULLY'	RIVER BIRCH	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
CAR-C	30	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
GYM-D	38	GYMNOCADUS DIOICUS	KENTUCKY COFFEETREE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
LIQ-S	43	LIQUIDAMBAR STYRACIFLUA 'ROTUNDALOBA'	FRUITLESS SWEETGUM	2.5"	8'	B&B	SEE PLAN	CENTRAL LEADER
LIR-T*	170	LIRIODENDRON TULIPIFERA	TULIPTREE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
TIL-C	36	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2.5"	8'	B&B	SEE PLAN	CENTAL LEADER
TIL-T*	170	TILIA TOMENTOSA 'STERLING SILVER'	STERLING SILVER LINDEN	2.5"	8'	B&B	SEE PLAN	CENTRAL LEADER
ULM-A*	170	ULMUS 'MORTON'	ACCOLADE ELM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
QUE-M	40	QUERCUS MUEHLENBERGII	CHINKAPIN OAK	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
ORNAMENTAL TREES								
ACE-G	24	ACER GINNALA	AMUR MAPLE	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
AME-G	30	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
CER-C	20	CERCIS CANADENSIS	REDBUD	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
COR-M	29	CORNUS MAS	CORNELIAN CHERRY	2"	6'	B&B	SEE PLAN	CENTRAL LEADER
MAL-C	28	MALUS 'CARDINAL'	CARDINAL CRABAPPLE	2"	12'	B&B	SEE PLAN	CENTRAL LEADER
EVERGREEN TREES								
ABI-C	57	ABIES CONCOLOR	WHITE FIR	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIC-A	60	PICEA ABIES	NORWAY SPRUCE	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIC-C	293	PICEA ABIES 'CUPRESSINA'	COLUMNAR NORWAY SPRUCE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING
PIC-G	49	PICEA GLAUCA	WHITE SPRUCE	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
DECIDUOUS SHRUBS								
CEA-A	201	CEANOTHUS AMERICANUS	NEW JERSEY TEA	-	18"	#3 CONT	36" O.C.	FULL IN POT
FOT-G	170	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	-	18"	#3 CONT	36" O.C.	FULL IN POT
HYD-P	177	HYDRANGEA PANICULATA 'LITTLE LIME'	LITTLE LIME HYDRANGEA	-	24"	#5 CONT	30" O.C.	FULL IN POT
ILE-V	154	ILEX VERTICILLATA 'RED SPRITE'	RED SPRITE WINTERBERRY	-	18"	#3 CONT	30" O.C.	FULL IN POT
ILE-J	155	ILEX VERTICILLATA 'JIM DANDY'	JIM DANDY WINTERBERRY	-	24"	#3 CONT	48" O.C.	FULL IN POT - MALE, BRED TO POLLINATE MOST WINTERBERRIES
VIB-J	147	VIBURNUM X JUDDII	JUDD VIBURNUM	-	24"	#5 CONT	5' O.C.	FULL IN POT
EVERGREEN SHRUBS								
ILE-M	59	ILEX X MESERVEAE 'BLUE MAID'	BLUE MAID HOLLY	-	30"	B&B	8' O.C.	FULL IN POT
JUN-P	21	JUNIPERUS PROCUMBENS 'GREENMOUND'	GREENMOUND JUNIPER	-	12"	#3 CONT	6' O.C.	FULL IN POT
JUN-S	60	JUNIPERUS SQUAMATA 'BLUE STAR'	BLUE STAR JUNIPER	-	30"	B&B	48" O.C.	FULL IN POT
PIN-S	79	PINUS STROBUS 'FASTIGIATA'	COLUMNAR EASTERN WHITE PINE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING

* INDICATES STREET TREE SPECIES

REVISIONS

DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE NOTES &
SCHEDULES

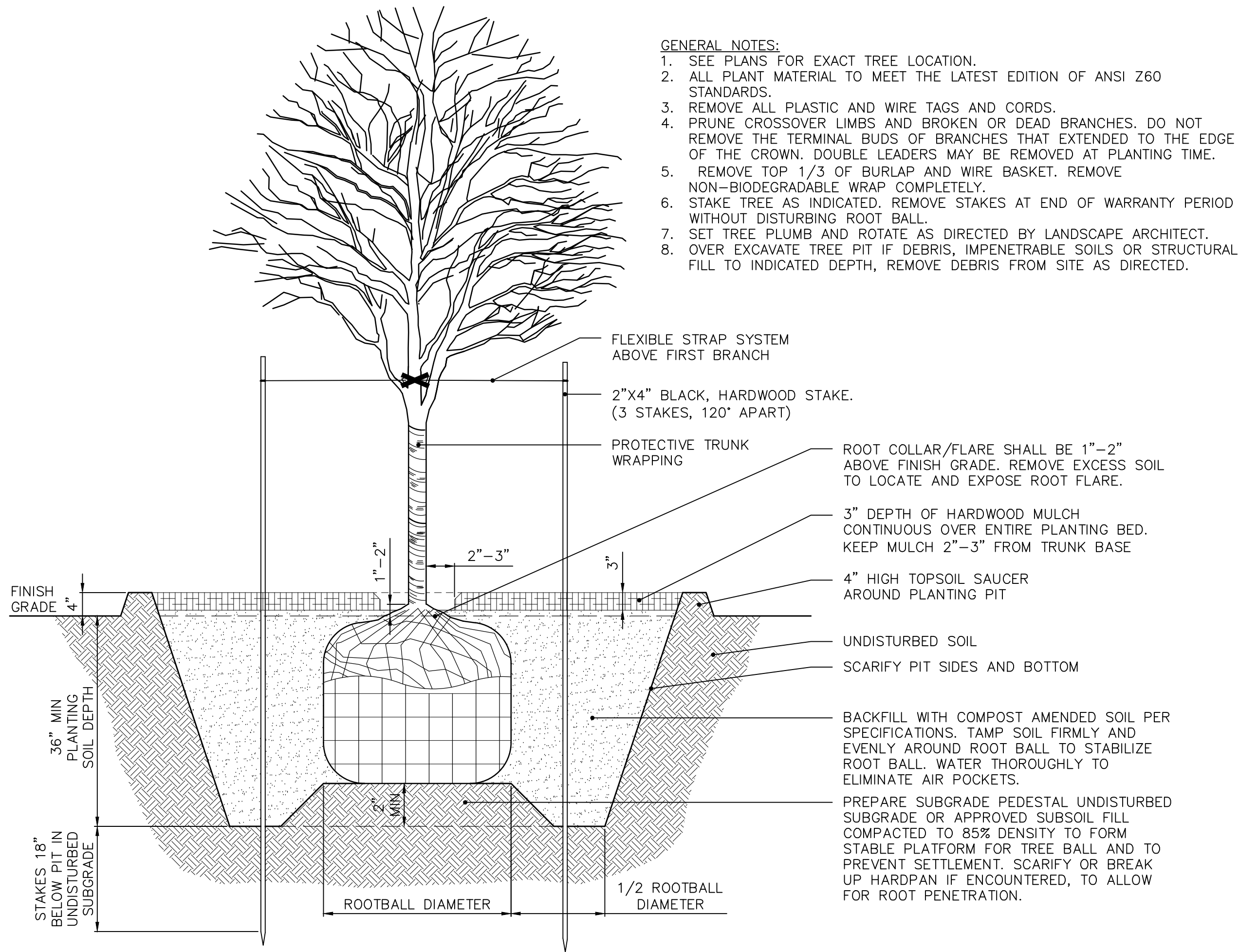


Brandon T. Burch

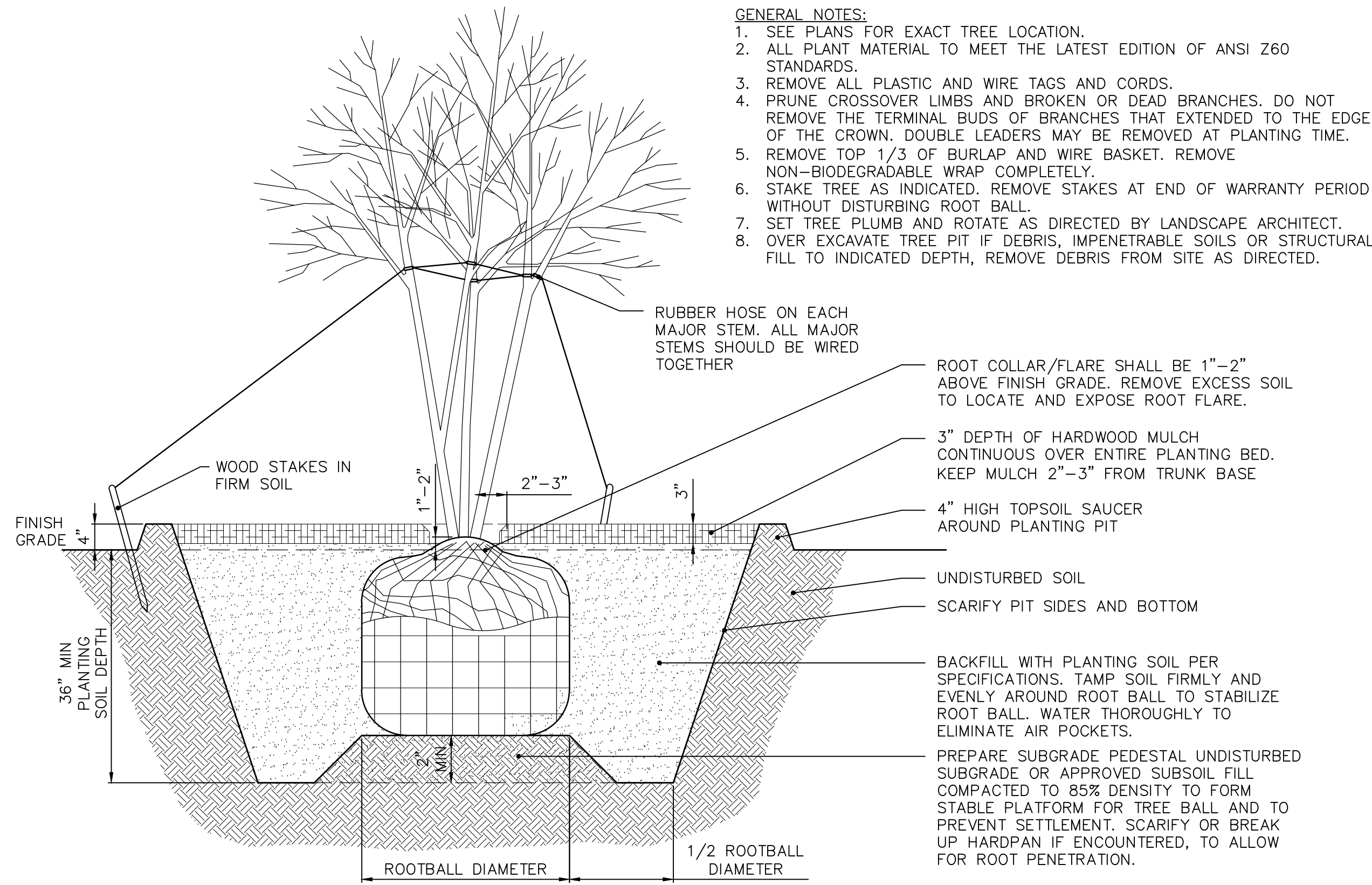
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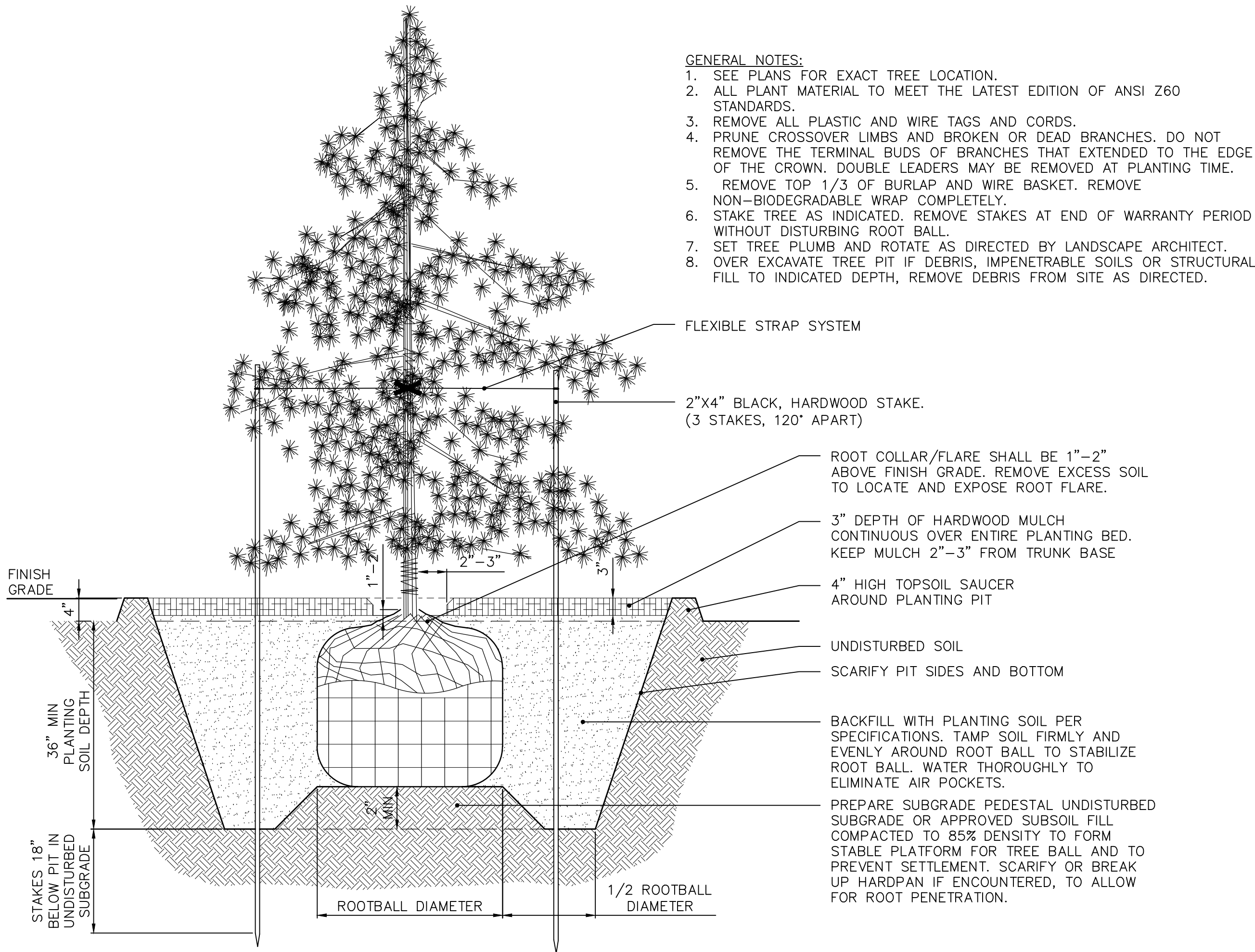
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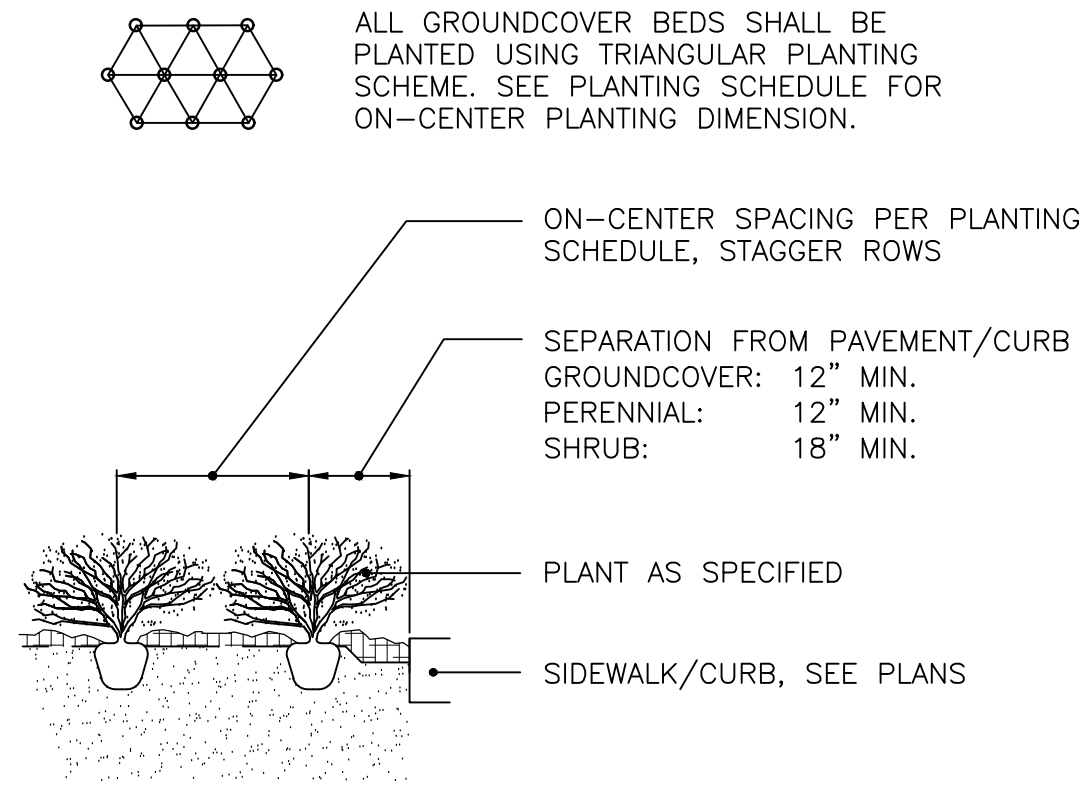
1 SINGLE STEM TREE PLANTING
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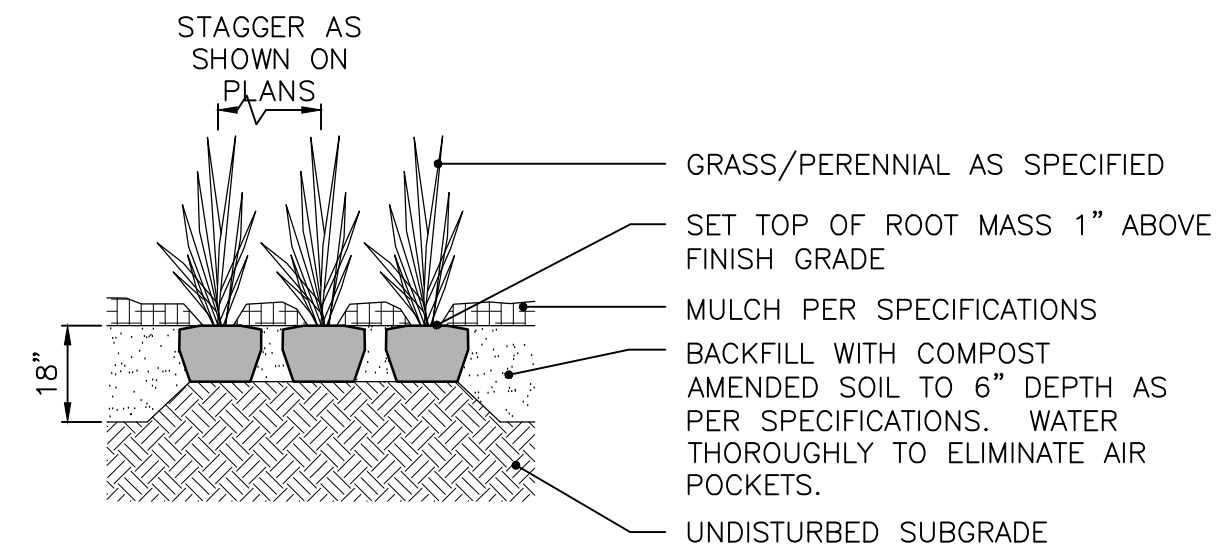
3 MULTI-STEM TREE PLANTING
NOT TO SCALE



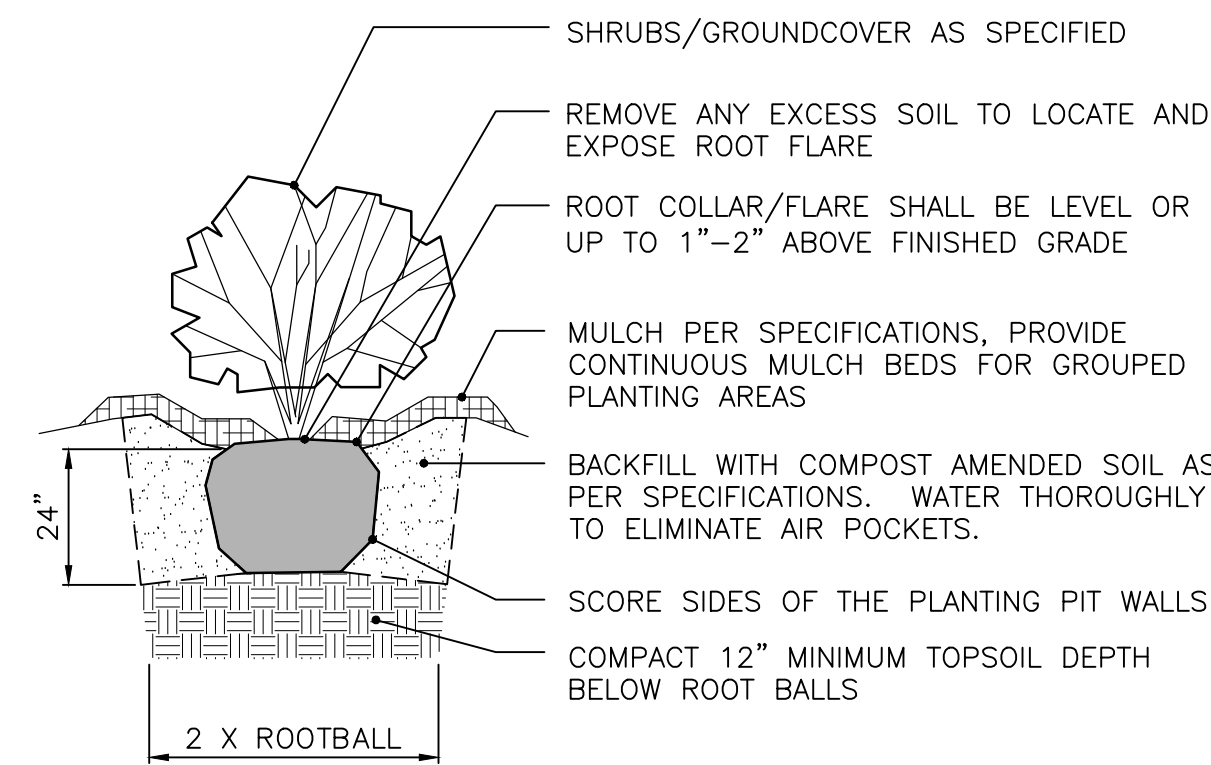
2 EVERGREEN TREE PLANTING
NOT TO SCALE



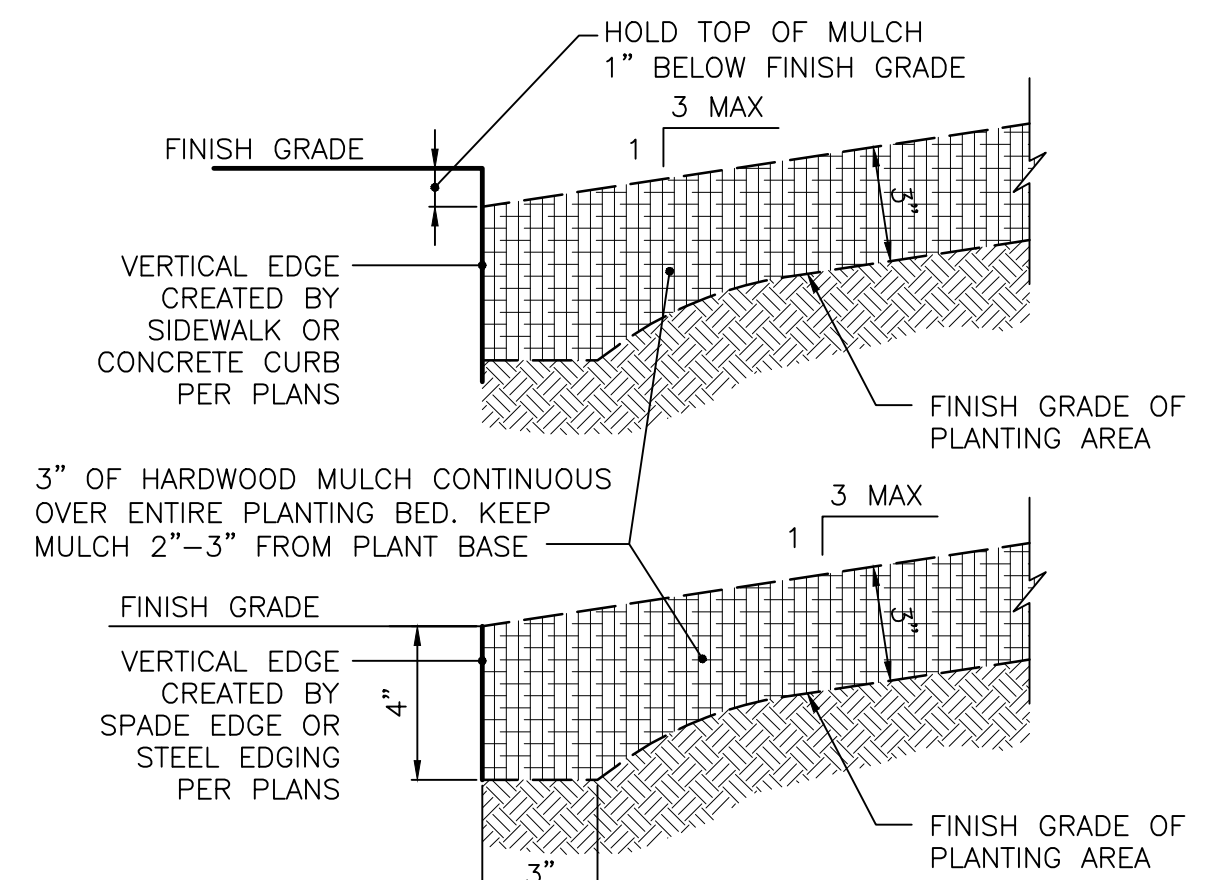
4 PLANT SPACING
NOT TO SCALE



6 PERENNIALS AND GRASSES
NOT TO SCALE



5 SHRUBS AND GROUND COVER
NOT TO SCALE



7 PLANTING BED PERIMETER
NOT TO SCALE

NOTE:
EDGING SHALL BE INSTALLED AT ALL
JUNCTIONS OF PLANTING/ MULCH
AREAS FOR CONTAINMENT OF MULCH.

REVISIONS

DATE	DESCRIPTION	BY

HWC
ENGINEERING
INDIANAPOLIS - TERRE HAUTE
LAFAYETTE - MUNCIE - NEW ALBANY
www.hwengineering.com

ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

LANDSCAPE DETAILS

PREPARED BY
NOT FOR CONSTRUCTION

BRANDON T. BURL
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

L1.4

LANDSCAPE DETAILS

OVERALL ON-SITE STANDARDS LANDSCAPING REQUIREMENT:

	REQUIREMENT PER DWELLING UNIT	REQUIREMENT FOR TOTAL (276) UNITS	TOTAL PROVIDED
SHADE TREES	4	1,104	1,116
ORNAMENTAL OR EVERGREEN TREES	2	552	555
SHRUBS	4	1,104	1,105

NOTE: ROAD FRONTAGE AND COMMON AREA PLANTINGS COUNT TOWARD TOTAL ON-SITE NUMBERS. PLANTINGS IN THE BUFFER AREA DO NOT COUNT TOWARD THE TOTAL.

EXTERNAL STREET FRONTAGE LANDSCAPING REQUIREMENT:

PRIMARY ARTERIALS, SECONDARY ARTERIALS, OR COLLECTOR STREETS – DOES NOT INCLUDE INTERNAL STREETS

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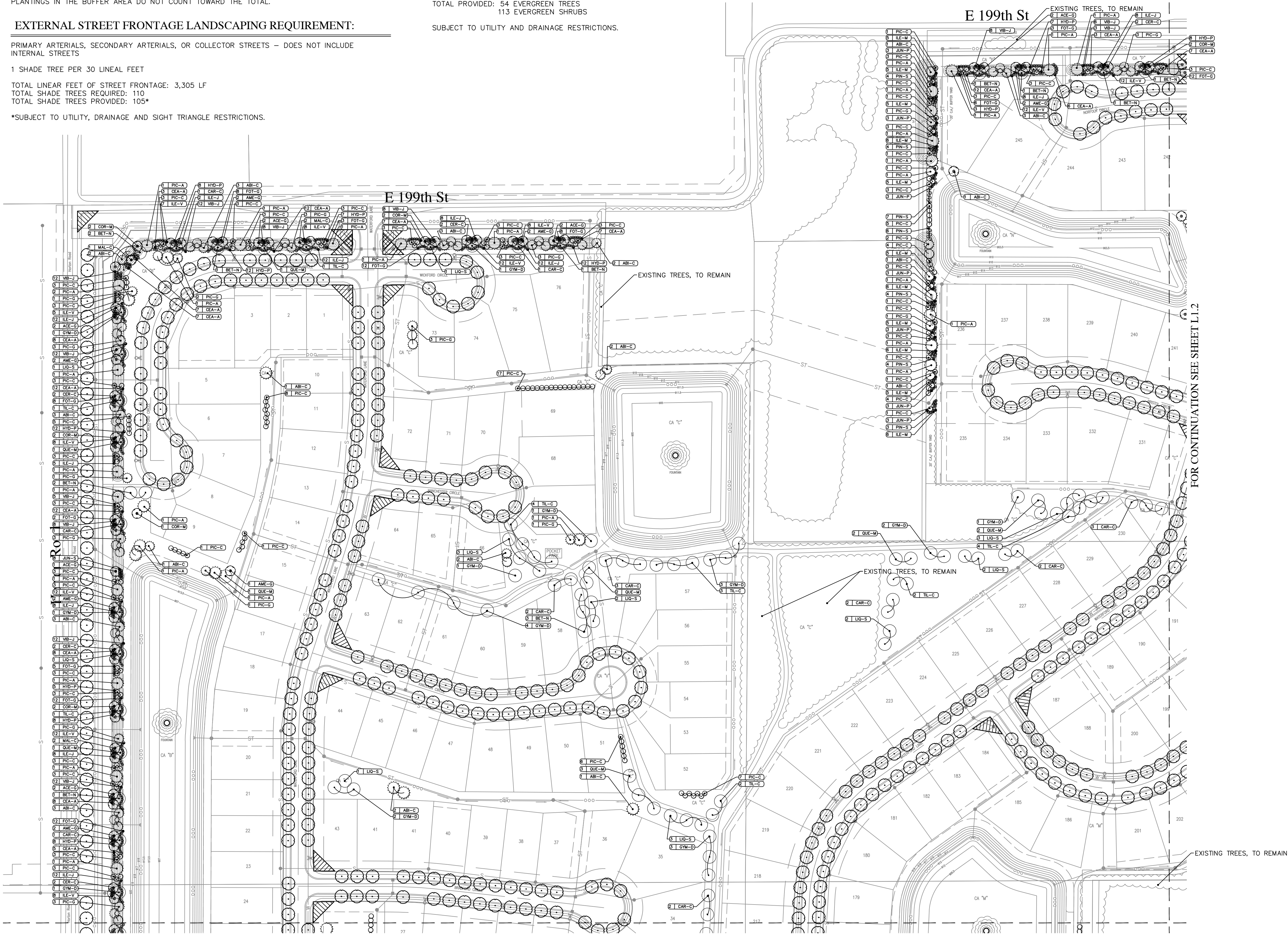
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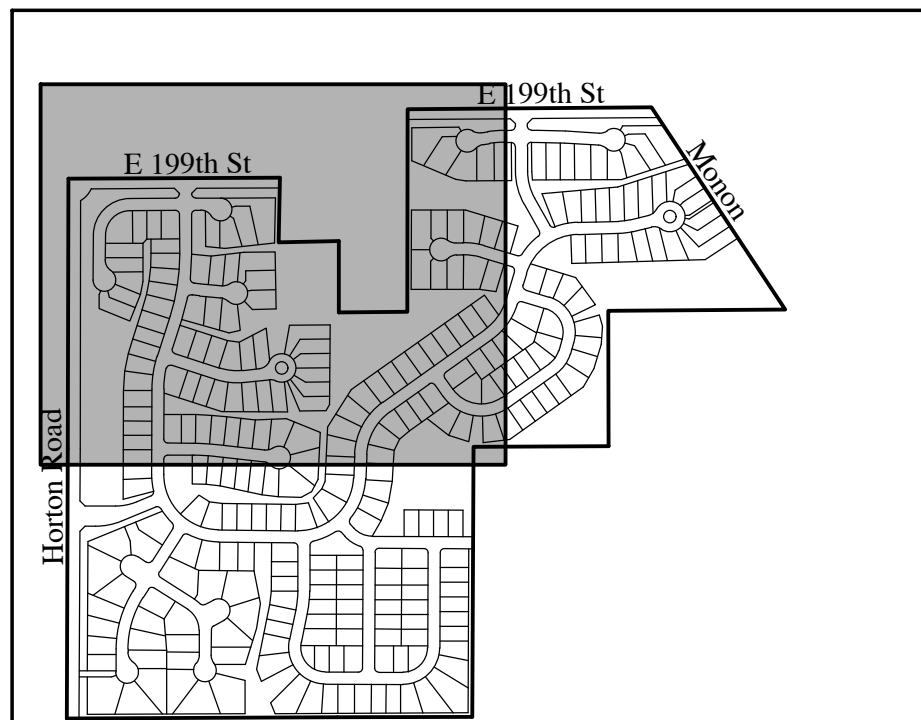
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ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE PLAN



KEYMAP
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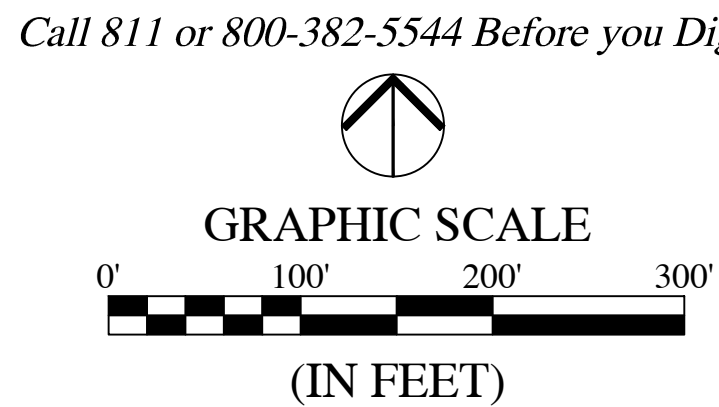
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SEE SHEET L1.3 FOR LANDSCAPE GENERAL NOTES & MASTER PLANTING SCHEDULE.

PREPARED BY
BRANDON T. BURL
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

DRAWN BY
DC
CHECKED BY
BB
DATE
MAY 31, 2019
SCALE
AS SHOWN
SHEET

L1.0
LANDSCAPE PLAN



- LEGEND:
- QUANTITY KEY
 - SHADE TREE - 8' TALL, 2" CALIPER
 - EVERGREEN TREE - 6' TALL
 - ORNAMENTAL TREE - 2" CALIPER
 - SHRUB - 18" TALL (MIN)
 - STREET TREE (30' O.C. AVERAGE)
 - SPADE EDGE
 - INTERSECTION SIGHT TRIANGLE

REVISIONS		
DATE	DESCRIPTION	BY



ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA
LANDSCAPE PLAN

PREPARED BY
BRANDON T. BURL
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

NOT FOR CONSTRUCTION

DRAWN BY
DC

CHECKED BY
BB

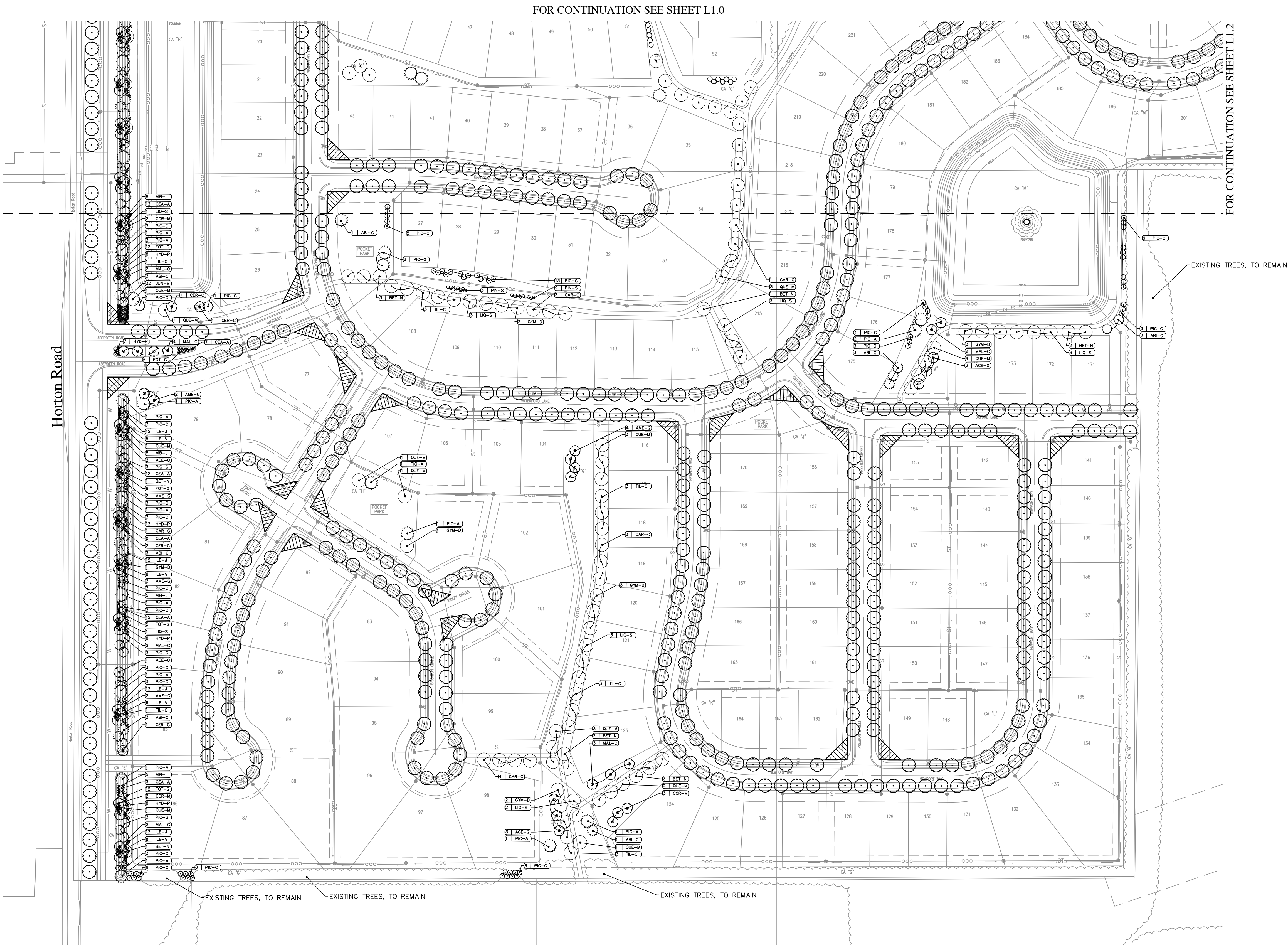
DATE
MAY 31, 2019

SCALE
AS SHOWN

SHEET

JOB NUMBER
2019-117-A

L1.1
LANDSCAPE PLAN



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

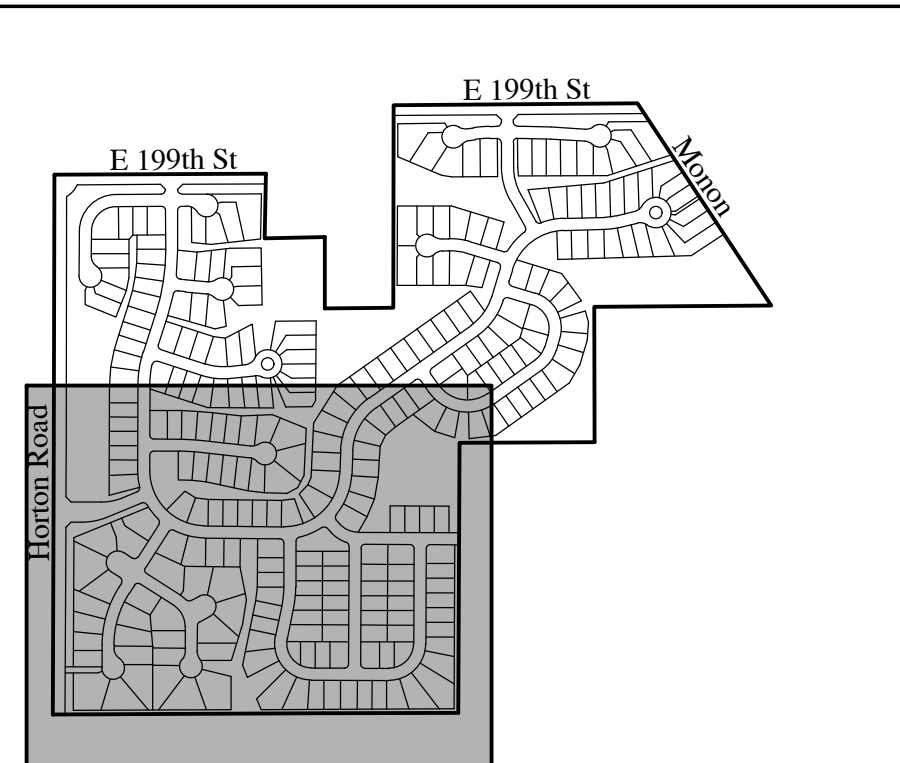
STREET TREES SHALL NOT BE WITHIN FOUR (4) FEET OF ANY PAVEMENT.

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

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.

SEE SHEET L1.3 FOR LANDSCAPE GENERAL NOTES & MASTER PLANTING SCHEDULE.



KEYMAP
NOT TO SCALE



KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.
Call 811 or 800-382-5544 Before you Dig!



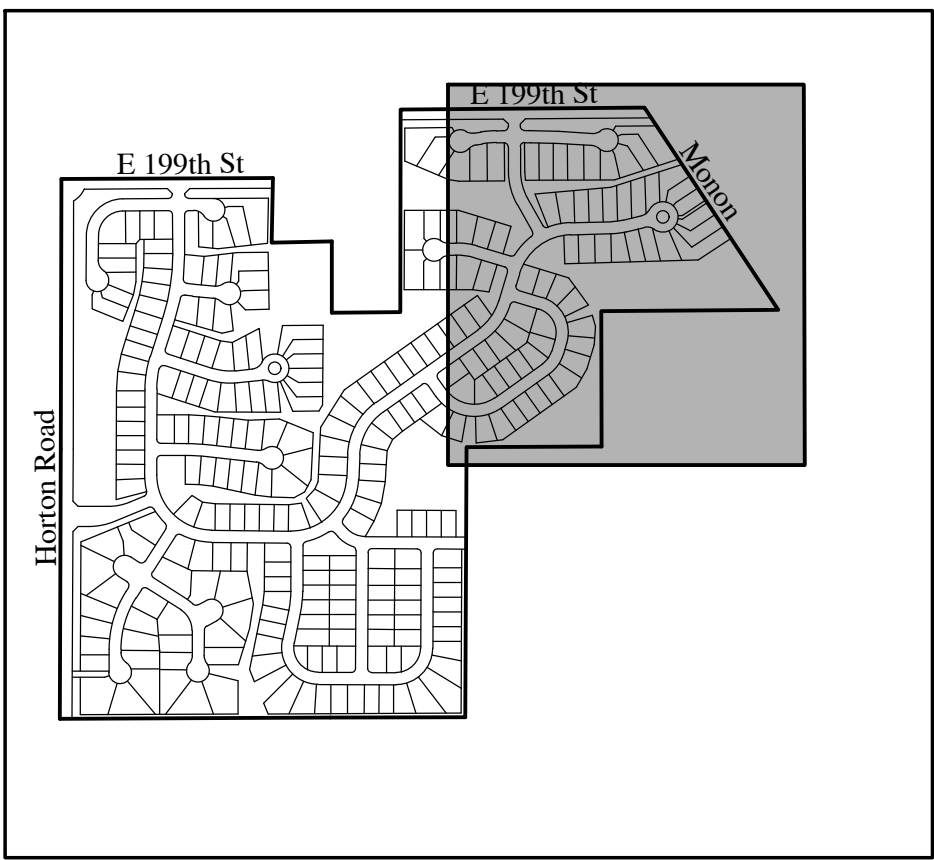
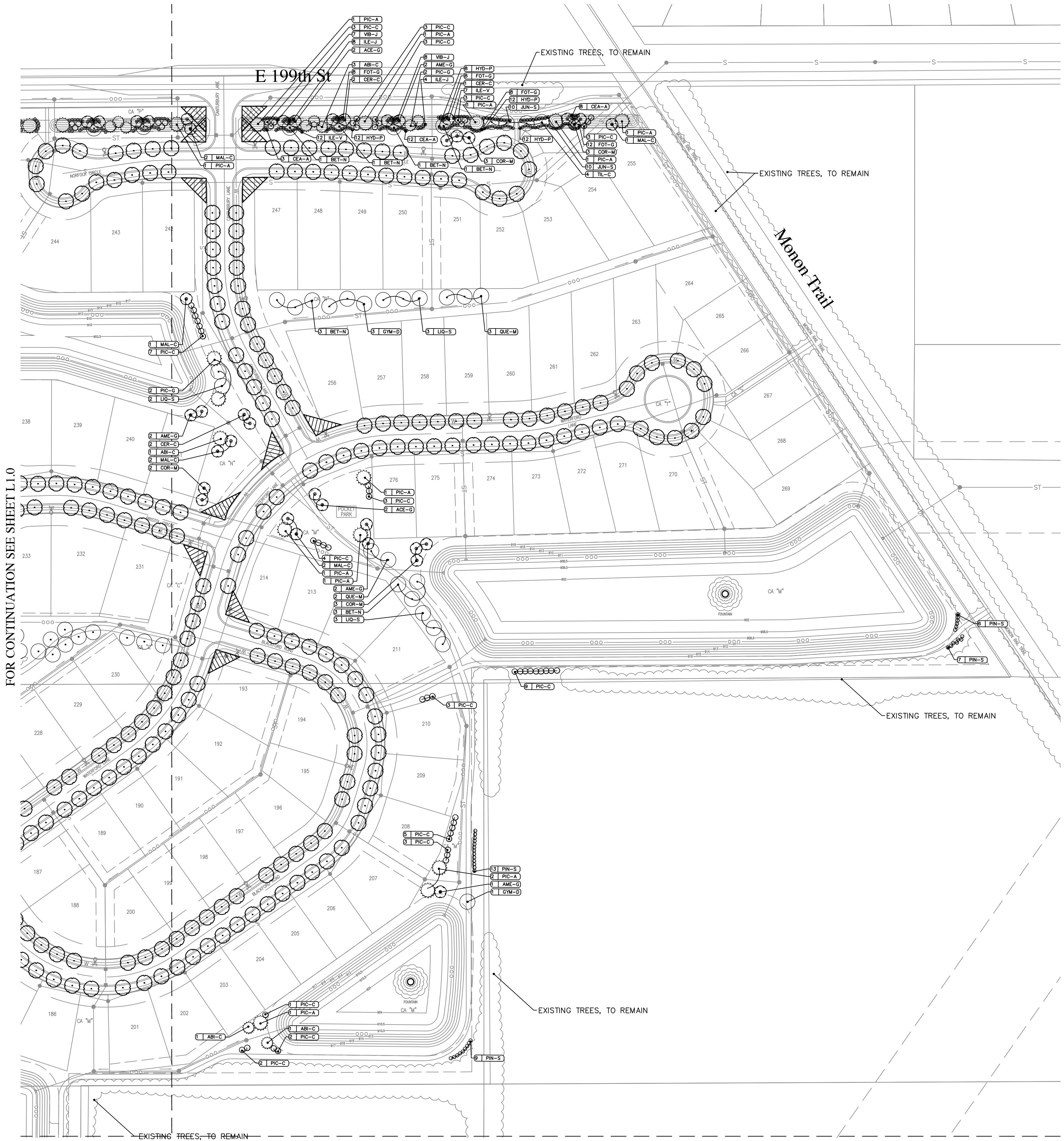
GRAPHIC SCALE

0' 100' 200' 300'

(IN FEET)

LEGEND:

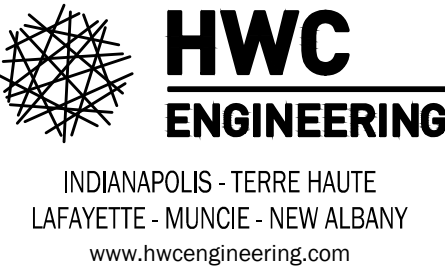
- QUANTITY KEY
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- SHRUB - 18" TALL (MIN)
- STREET TREE (30' O.C. AVERAGE)
- SPADE EDGE
- INTERSECTION SIGHT TRIANGLE



KEYMAP
NOT TO SCALE

REVISIONS

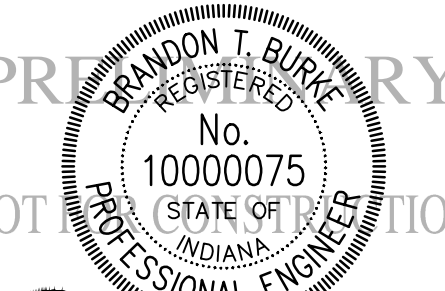
DATE	DESCRIPTION	BY



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LANDSCAPE PLAN

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NOT FOR CONSTRUCTION



Brandon T. Burch

DRAWN BY DC	JOB NUMBER 2019-117-A
CHECKED BY BB	
DATE MAY 31, 2019	
SCALE AS SHOWN	
SHEET	

L1.2

LANDSCAPE PLAN

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

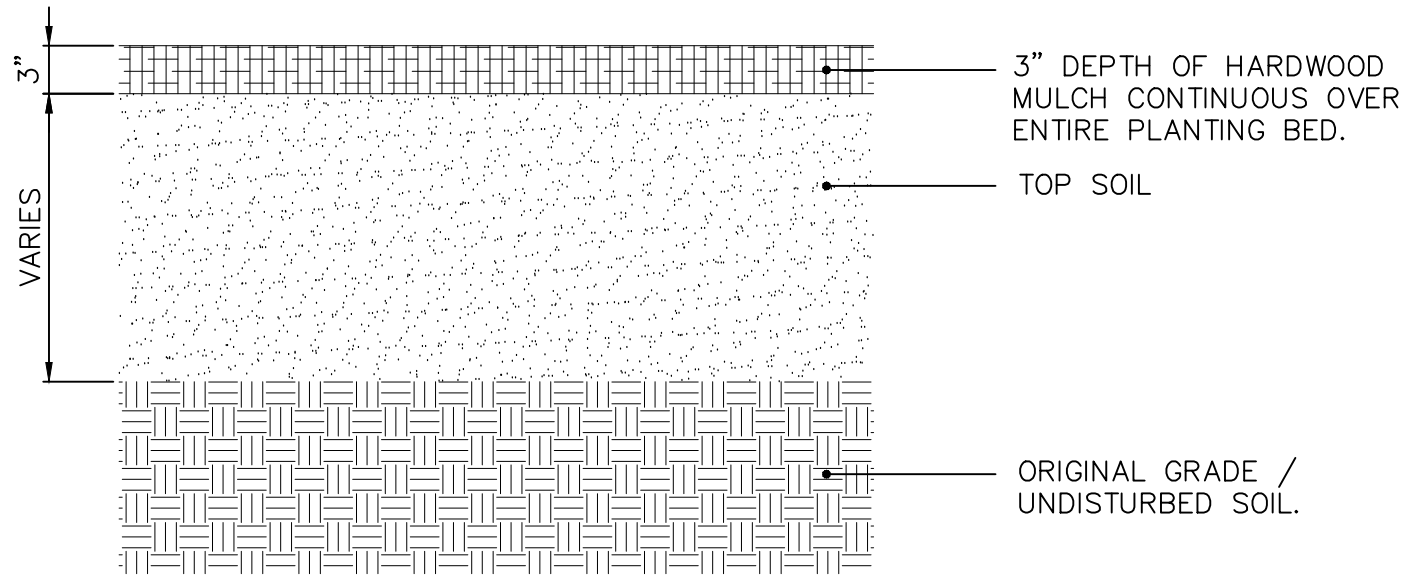
STREET TREES SHALL NOT BE WITHIN FOUR (4) FEET OF ANY PAVEMENT.

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

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SEE SHEET L1.3 FOR LANDSCAPE GENERAL NOTES & MASTER PLANTING SCHEDULE.



TOP SOIL REQUIREMENTS
NOT TO SCALE

LANDSCAPE GENERAL NOTES:

1. 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.

2. NOTIFY THE LANDSCAPE ARCHITECT IF SITE CONDITIONS ARE UNSUITABLE OR OTHER UNFORESEEN CONDITIONS ARE FOUND.

3. 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.

4. ALL PLANT MATERIAL SHALL BE IN CONFORMANCE WITH THE "AMERICAN STANDARD FOR NURSERY STOCK" ANSI Z60.1 LATEST EDITION.

5. ALL LANDSCAPING SHALL BE INSTALLED PER LOCAL ZONING REQUIREMENTS.

6. 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.

7. NO SUBSTITUTIONS FOR THE SPECIFIED LANDSCAPE MATERIAL ARE ALLOWED UNLESS ACCEPTED IN WRITING BY THE LANDSCAPE ARCHITECT OR CIVIL ENGINEER PRIOR TO PLANTING OPERATIONS.

8. CONTRACTOR TO THOROUGHLY WATER ALL PLANT MATERIAL WITHIN SIX (6) HOURS OF INSTALLATION.

9. THE SITE IS TO BE LEFT IN A CLEAN AND NEAT CONDITION AT ALL TIMES.

10. 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.

11. SEED WITH TURF GRASS/LAWN ALL DISTURBED AREAS NOT SCHEDULED FOR OTHER IMPROVEMENTS.
12. ALL PLANTING BEDS WITH ADJOINING LAWN AREAS SHALL BE EDGED WITH A SPADE.

13. ALL PLANTS SHALL BE PUT INTO THE GROUND AFTER ALL ROUGH GRADING HAS BEEN FINISHED AND APPROVED.

14. 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.

15. NO PLANT SHALL BE PUT INTO THE GROUND BEFORE ROUGH GRADING HAS BEEN FINISHED AND APPROVED.

16. 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.

17. 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.

18. WITH CONTAINER GROWN STOCK, THE CONTAINER SHALL BE REMOVED AND THE ROOT BALL SHALL BE CUT THROUGH THE SURFACE IN TWO VERTICAL LOCATIONS.

19. 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.

20. CONTRACTOR SHALL REPAIR ANY DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO THE OWNER.

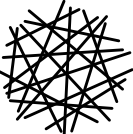
21. ALL EXISTING LANDSCAPING SHALL BE MAINTAINED DURING CONSTRUCTION. ANY MATERIAL DEEMED DEAD OR UNSATISFACTORY BY CIVIL ENGINEER WILL BE REPLACED EQUIVALENT IN SIZE AND SHAPE AT NO COST TO THE OWNER.

MASTER PLANTING SCHEDULE:

KEY	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	HGT	ROOT	SPACING	REMARKS
SHADE TREES								
ACE-F*	193	ACER FREEMANII	FREEMAN MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
ACE-P*	170	ACER PSEUDOPLATANUS	SYCAMORE MAPLE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
BET-N	37	BETULA NIGRA 'CULLY'	RIVER BIRCH	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
CAR-C	30	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
GYM-D	38	GYMNOCLADUS DIOICUS	KENTUCKY COFFEETREE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
LIQ-S	43	LIQUIDAMBAR STYRACIFLUA 'ROTUNDALOBA'	FRUITLESS SWEETGUM	2.5"	8'	B&B	SEE PLAN	CENTRAL LEADER
LIR-T*	170	LIRIODENDRON TULIPIFERA	TULIPTREE	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
TIL-C	36	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2.5"	8'	B&B	SEE PLAN	CENTAL LEADER
TIL-T*	170	TILIA TOMENTOSA 'STERLING SILVER'	STERLING SILVER LINDEN	2.5"	8'	B&B	SEE PLAN	CENTRAL LEADER
ULM-A*	170	ULMUS 'MORTON'	ACCOLADE ELM	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
QUE-M	40	QUERCUS MUEHLENBERGII	CHINKAPIN OAK	2.5"	12'	B&B	SEE PLAN	CENTRAL LEADER
ORNAMENTAL TREES								
ACE-G	24	ACER GINNALA	AMUR MAPLE	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
AME-G	30	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
CER-C	20	CERCIS CANADENSIS	REDBUD	2"	8'	B&B	SEE PLAN	CENTRAL LEADER
COR-M	29	CORNUS MAS	CORNELIAN CHERRY	2"	6'	B&B	SEE PLAN	CENTRAL LEADER
MAL-C	28	MALUS 'CARDINAL'	CARDINAL CRABAPPLE	2"	12'	B&B	SEE PLAN	CENTRAL LEADER
EVERGREEN TREES								
ABI-C	57	ABIES CONCOLOR	WHITE FIR	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIC-A	60	PICEA ABIES	NORWAY SPRUCE	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
PIC-C	293	PICEA ABIES 'CUPRESSINA'	COLUMNAR NORWAY SPRUCE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING
PIC-G	49	PICEA GLAUCA	WHITE SPRUCE	-	7'	B&B	SEE PLAN	FULL, DENSE BRANCHING, WIDTH NOT LESS THAN 60% OF HEIGHT
DECIDUOUS SHRUBS								
CEA-A	201	CEANOTHUS AMERICANUS	NEW JERSEY TEA	-	18"	#3 CONT	36" O.C.	FULL IN POT
FOT-G	170	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	-	18"	#3 CONT	36" O.C.	FULL IN POT
HYD-P	177	HYDRANGEA PANICULATA 'LITTLE LIME'	LITTLE LIME HYDRANGEA	-	24"	#5 CONT	30" O.C.	FULL IN POT
ILE-V	154	ILEX VERTICILLATA 'RED SPRITE'	RED SPRITE WINTERBERRY	-	18"	#3 CONT	30" O.C.	FULL IN POT
ILE-J	155	ILEX VERTICILLATA 'JIM DANDY'	JIM DANDY WINTERBERRY	-	24"	#3 CONT	48" O.C.	FULL IN POT - MALE, BRED TO POLLINATE MOST WINTERBERRIES
VIB-J	147	VIBURNUM X JUDDII	JUDD VIBURNUM	-	24"	#5 CONT	5' O.C.	FULL IN POT
EVERGREEN SHRUBS								
ILE-M	59	ILEX X MESERVEAE 'BLUE MAID'	BLUE MAID HOLLY	-	30"	B&B	8' O.C.	FULL IN POT
JUN-P	21	JUNIPERUS PROCUMBENS 'GREENMOUND'	GREENMOUND JUNIPER	-	12"	#3 CONT	6' O.C.	FULL IN POT
JUN-S	60	JUNIPERUS SQUAMATA 'BLUE STAR'	BLUE STAR JUNIPER	-	30"	B&B	48" O.C.	FULL IN POT
PIN-S	79	PINUS STROBUS 'FASTIGIATA'	COLUMNAR EASTERN WHITE PINE	-	6'	B&B	SEE PLAN	FULL, DENSE BRANCHING

* INDICATES STREET TREE SPECIES

REVISIONS		
DATE	DESCRIPTION	BY



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ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

LANDSCAPE NOTES &
SCHEDULES

PREPARED BY
NOT FOR CONSTRUCTION





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DATE
MAY 31, 2019

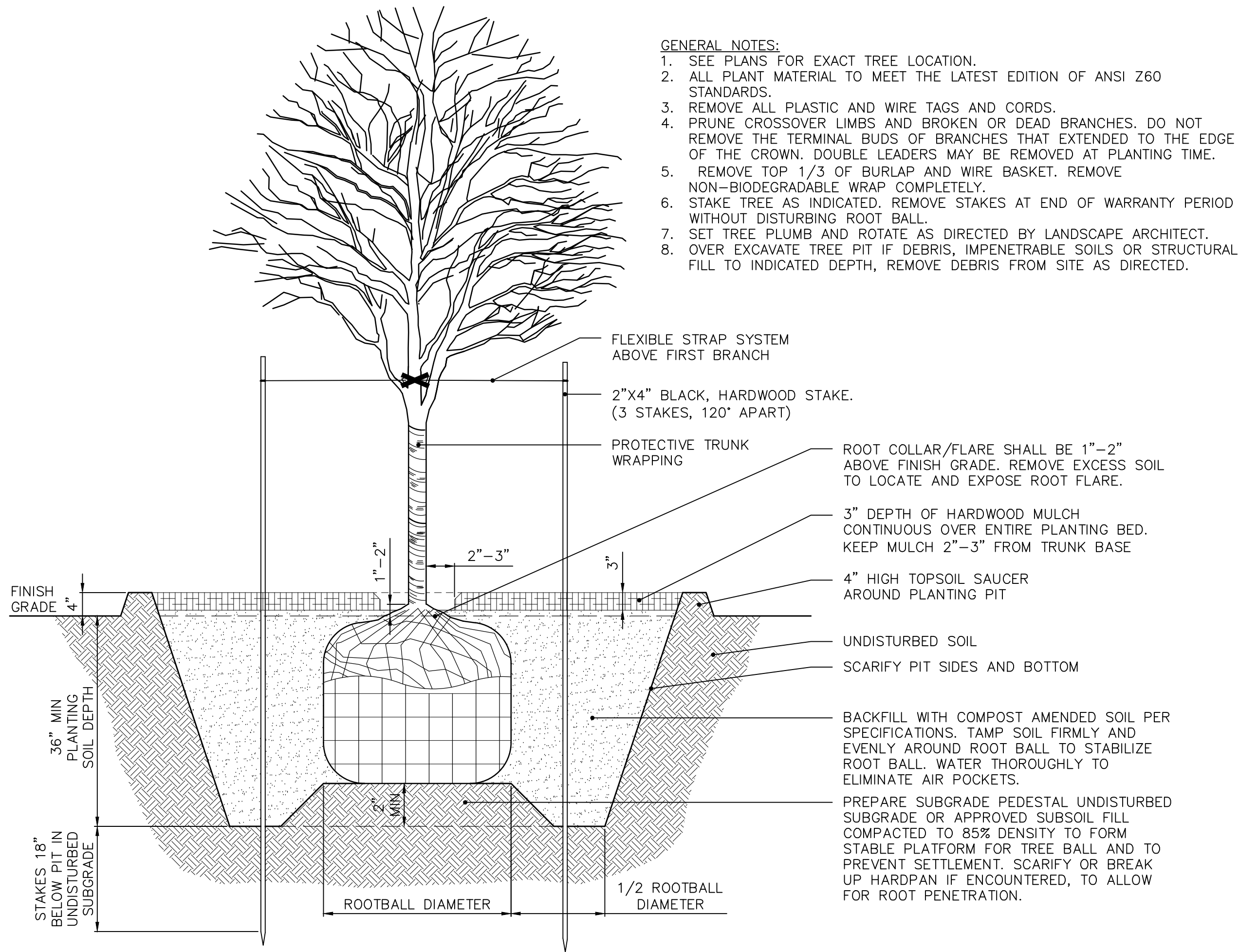
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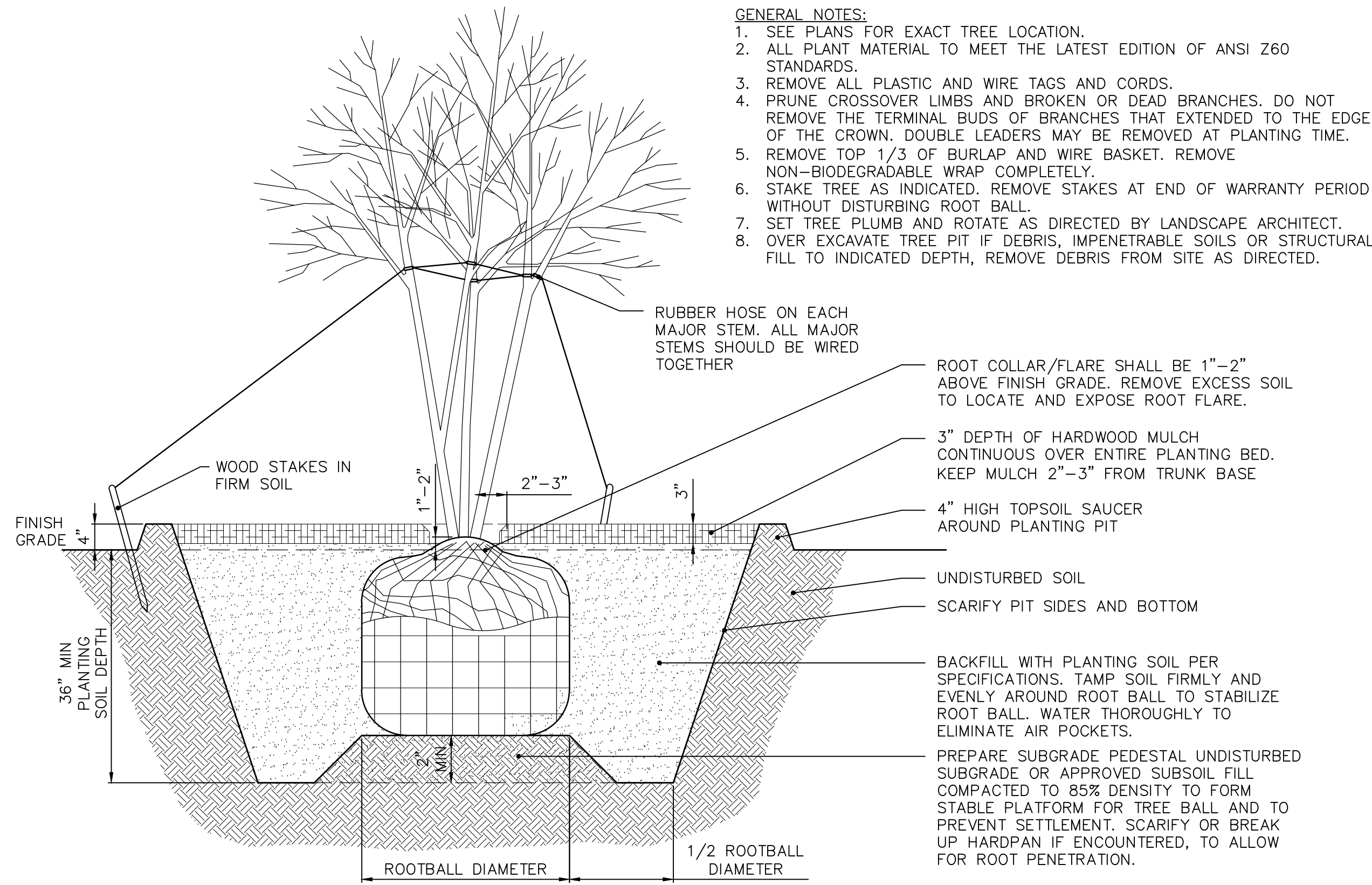
JOB NUMBER
2019-117-A

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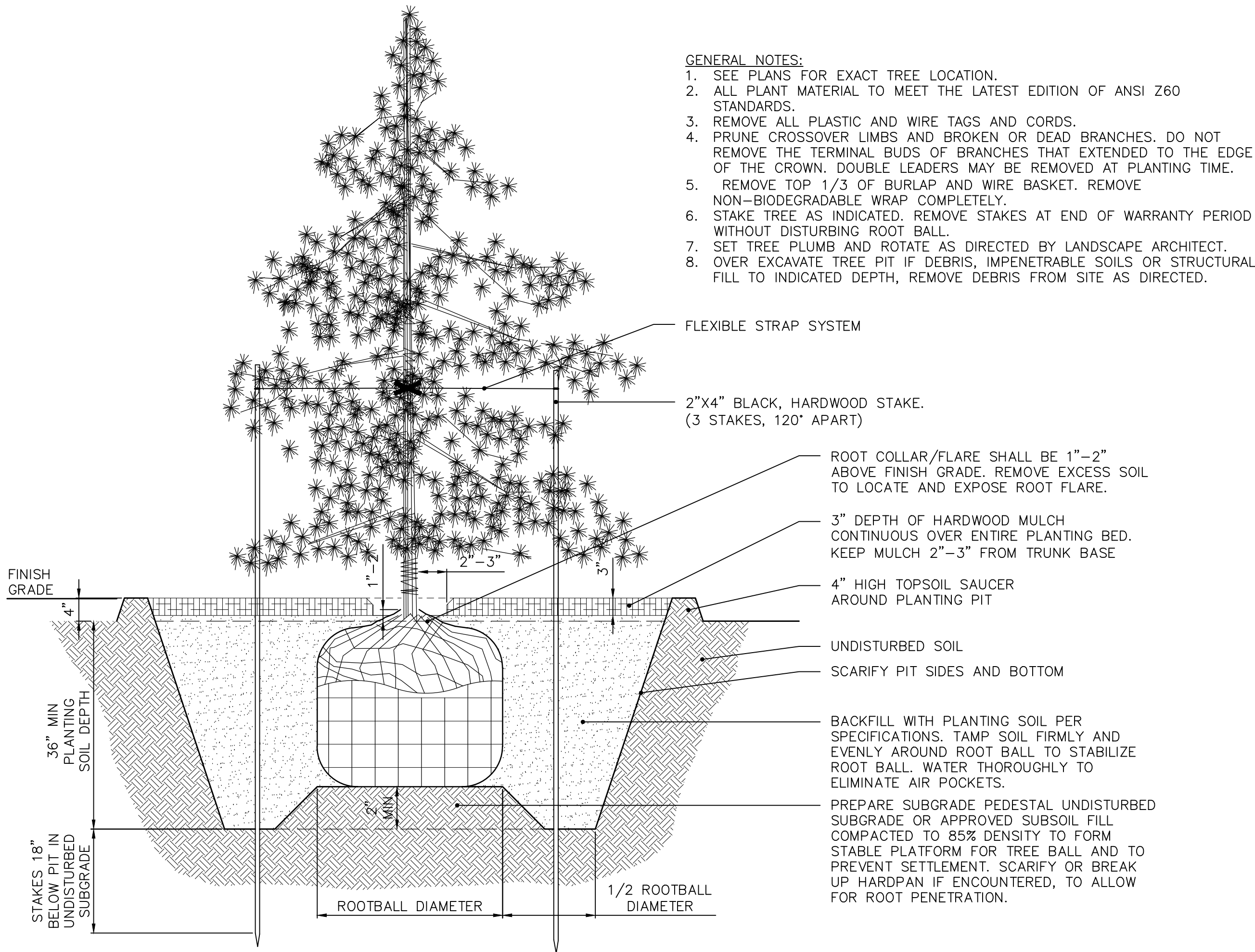
LANDSCAPE NOTES &
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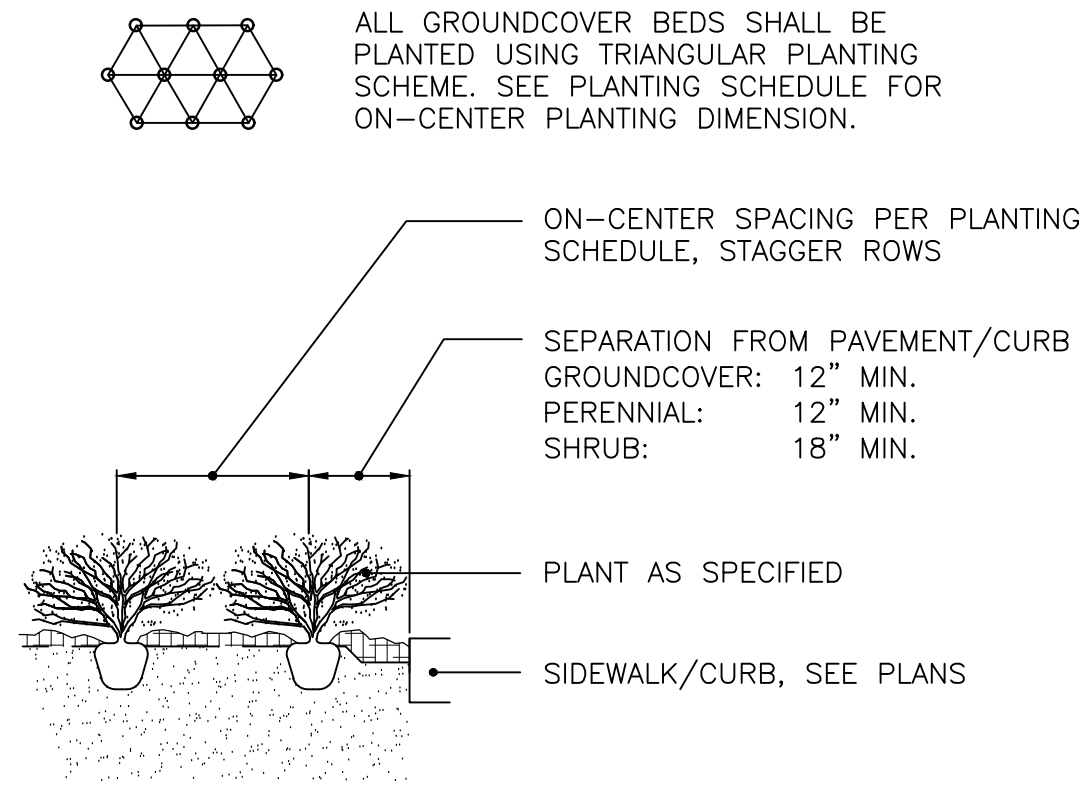
1 SINGLE STEM TREE PLANTING
NOT TO SCALE



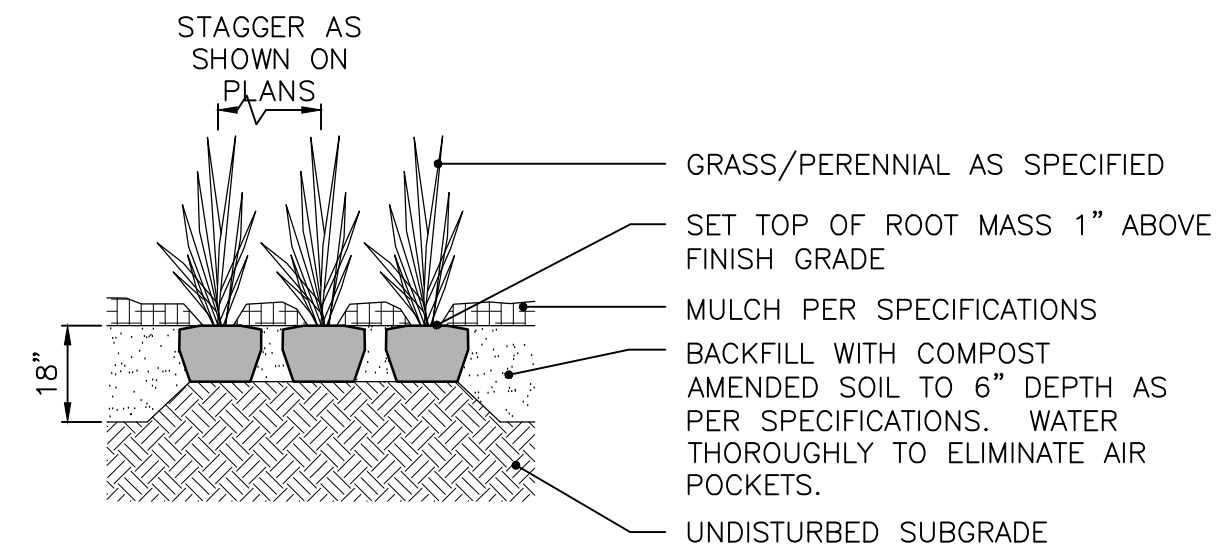
3 MULTI-STEM TREE PLANTING
NOT TO SCALE



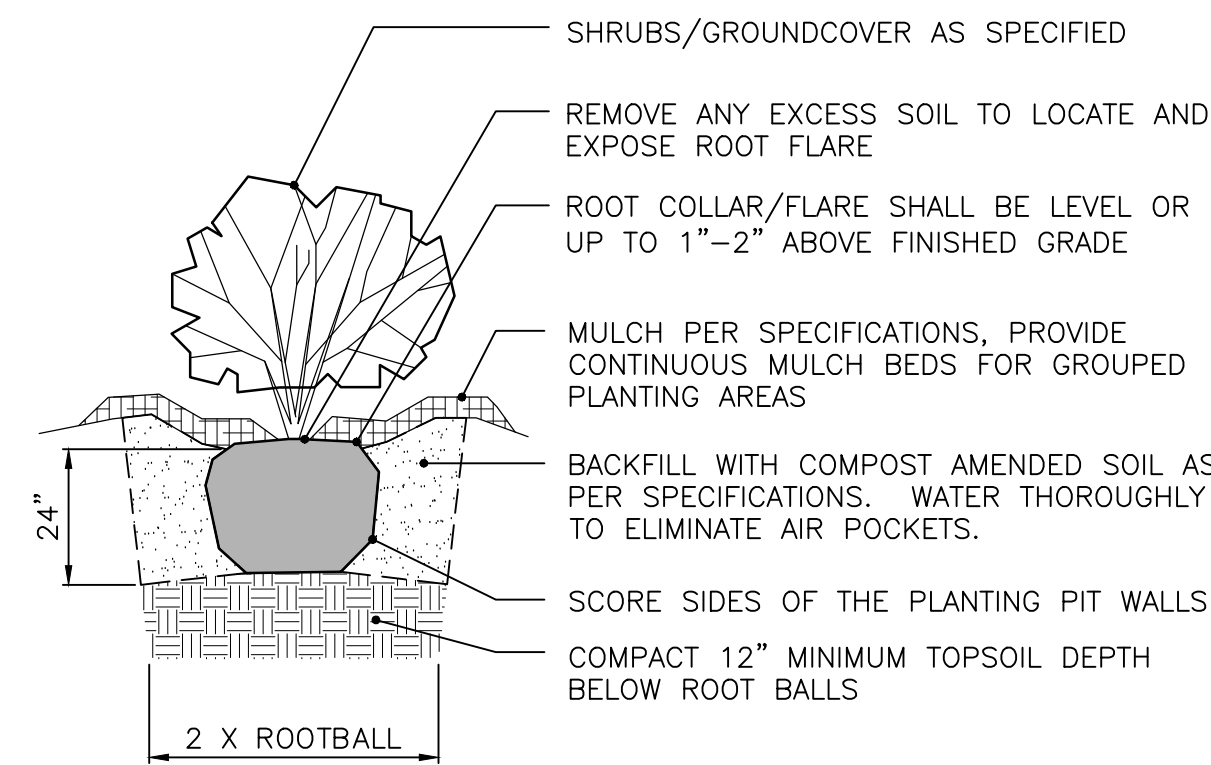
2 EVERGREEN TREE PLANTING
NOT TO SCALE



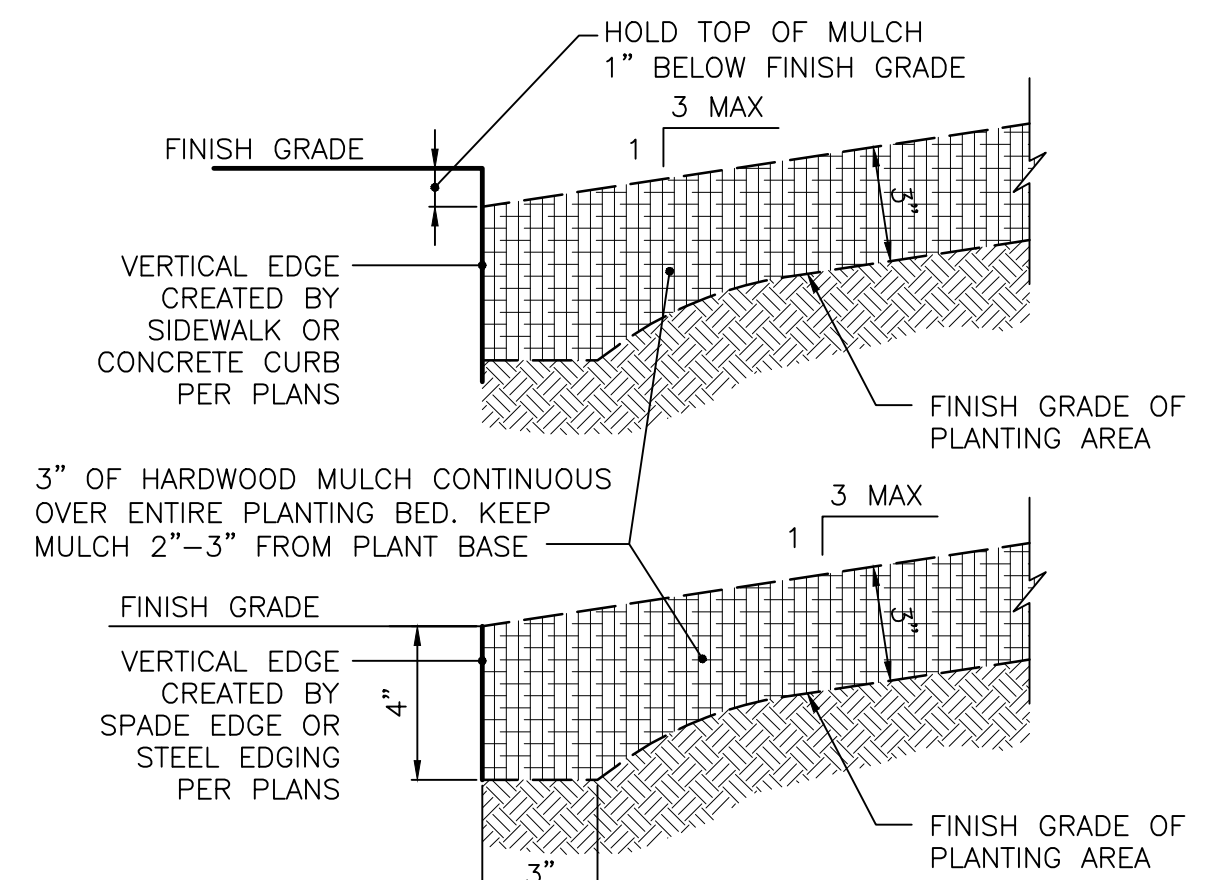
4 PLANT SPACING
NOT TO SCALE



6 PERENNIALS AND GRASSES
NOT TO SCALE



5 SHRUBS AND GROUNDCOVER
NOT TO SCALE



7 PLANTING BED PERIMETER
NOT TO SCALE

NOTE:
EDGING SHALL BE INSTALLED AT ALL
JUNCTIONS OF PLANTING/ MULCH
AREAS FOR CONTAINMENT OF MULCH.

REVISIONS

DATE	DESCRIPTION	BY

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INDIANAPOLIS - TERRE HAUTE
LAFAYETTE - MUNCIE - NEW ALBANY
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ABERDEEN AT CHATHAM HILLS
CITY OF WESTFIELD, INDIANA

LANDSCAPE DETAILS

PREPARED BY
NOT FOR CONSTRUCTION

BRANDON T. BURL
REGISTERED PROFESSIONAL ENGINEER
No. 10000075
STATE OF INDIANA

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DATE
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L1.4

LANDSCAPE DETAILS



Petition Number: 1906-PUD-14

Project Name: Monon Hills Planned Unit Development

Subject Site Address: 1111 156th Street, Carmel IN 46032 (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Wyatt Johnson, 40th Parallel Surveying LLC

Request: Requests a change in zoning review of 8 acres +/- from AG-SF1: Agricultural / Single-Family Residential District to the Fox Hollow PUD District.

Current Zoning: AG-SF1: Agricultural / Single-Family Residential

Current Land Use: Single-Family Residential

Approximate Acreage: 8 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Character Exhibit
5. Proposed Ordinance 19-17
6. Redline
7. Neighbor Meeting Notes

Staff Reviewer: Jonathan Dorsey, Associate Planner

PETITION HISTORY

Formerly known as the Fox Hollow Planned Unit Development. The petition was introduced at the May 13, 2019, City Council meeting. The Petitioner held a neighborhood meeting on May 30, 2019 and a public hearing at the June 3, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The Property is located at 1111 156th Street (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agricultural / Single-Family Residential. Adjacent properties to the south is zoned SF2: Single-Family Low Density. Surrounding properties to the north, east, and west are all currently located within the Viking Meadows PUD district.

Project Description: The Petitioner is requesting a change of zoning to the Fox Hollow PUD District (Ordinance 19-17) that would allow for commercial development. The proposed PUD Ordinance establishes the SF2: Single-Family Low Density as the Underlying Zoning District.

Permitted Uses: The proposed PUD Ordinance defaults to the permitted and prohibited uses of the SF2: Single-Family Low Density.

General Regulations: The proposed PUD Ordinance defaults to the standards of the Underlying Zoning District, except as modified below:

	Proposed PUD	SF2 District
Minimum Lot Frontage	50'	50'
Minimum Lot Width	100'	100'
Minimum Lot Area	15,000 sq ft	15,000 sq ft
Minimum Setbacks		
Front Yard	30'	30'
Side Yard	12'	12'
Rear Yard	30'	30'
Maximum Building Height	Two and one-half stories	Two and one-half stories
Minimum Lot Frontage	50'	50'

Development Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with proposed modifications, which are briefly highlighted below:

Architectural Standards: The proposed PUD Ordinance would require that the front doors of Lots 1, 2, and 3, as identified on the Concept Plan (see **Exhibit 3**) shall face east. The front door the dwelling on Lot 4 shall not be permitted to face 156th Street. The PUD Ordinance also incorporates a Character Exhibit (see **Exhibit 4**) which provides examples of specific design elements that contribute to the intent and vision for the development of the Property.

Internal Pedestrian Network Standards: Shall not apply.

Landscaping Standards: The proposed PUD Ordinance would modify several of the landscaping requirements of Article 6.8, as highlighted below:

1. **Open Space and Amenity Standards:** Shall not apply
2. **External Street Frontage Landscaping:** Shall not apply, rather existing landscaping in the District shall be maintained.

COMPREHENSIVE PLAN

The 2007 Westfield-Washington Township Comprehensive Plan identifies the Property as being within the Existing Suburban Residential area. Detached dwellings, Attached dwellings, Institutional uses, Recreational uses, and similar uses are contemplated as appropriate uses within the Existing Suburban area. Along with development that ensures that infill development is compatible in mass, scale, density, materials, and architectural style to existing developments. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

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 was held on the June 3, 2019, 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 May 13, 2019, Council meeting.

DEPARTMENT COMMENTS

1. Action: Because the plans comply with all applicable ordinances, after the public hearing, unless the Plan Commission has any concerns regarding the proposal, Staff recommends sending a recommendation to City Council for 1906-PUD-14 (Ord. 19-17).

3. If any Plan Commission member has questions prior to the public hearing, then please contact Jonathan Dorsey at (463) 221-8375 or jdorsey@westfield.in.gov.

Property Location Map

Monon Hills PUD

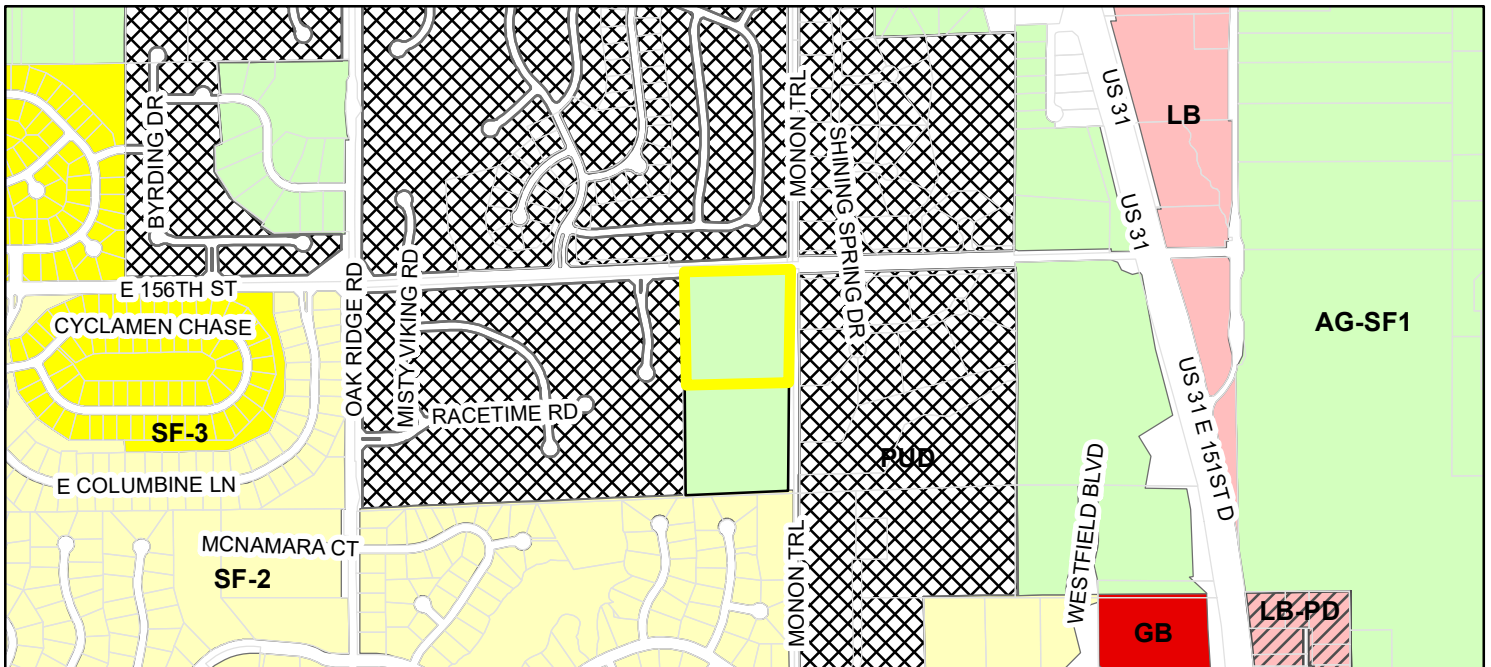
1906-PUD-14 1906-SPP-10 1906-ODP-10



Aerial Location Map



Zoning Map



	Parcel		LB (Local Business)
Zoning - All			LB-PD (Local Business - Planned Development)
Zoning			PUD (Planned Unit Development)
	AG-SF1 (Agriculture - Single Family - 1)		SF-2 (Single Family - 2)
	GB (General Business)		SF-3 (Single Family - 3)

EXHIBIT B
CONCEPT PLAN



EXHIBIT D
CHARACTER EXHIBITS



EXHIBIT D
CHARACTER EXHIBITS



ORDINANCE NUMBER <u>19-17</u>

MONON HILLS PUD District

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

This is a Planned Unit Development District Ordinance (to be known as the “**MONON HILLS PUD DISTRICT**”) 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. 1906-PUD-14**), requesting an amendment to the Unified Development Ordinance and to 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. 1906-PUD-14** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 20YY;

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; and

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 "**MONON HILLS 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 Unified Development Ordinance.

- 2.1 Underlying Zoning District: The Zoning District of the Unified Development Ordinance 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*. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the SF2 District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

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

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in *Chapter 4* and *Chapter 13*.
- 5.2 Maximum Dwellings: The total number of Dwellings permitted shall not exceed four (4) Single-Family 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.

Section 7. **Development Standards.** The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

7.1 Article 6.3 Architectural Standards: Shall apply to, except as modified below:

A. Character Exhibit. The Character Exhibit, attached hereto as **Exhibit C**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage a diversity in architecture of Dwellings.

B. Front Door: The front door of a residential dwelling on Lot 1, 2 & 3, as identified on the Concept Plan, shall face West. The front door of a residential dwelling on Lot 4, as identified on the Concept Plan, shall have option to face North or East. Façade with the front door to be considered Primary Front Elevation for the purpose of this Ordinance.

C. Garages: Garages on all Lots, as identified on the Concept Plan, shall be setback a minimum of twenty (20) feet behind the Primary Front Elevation. Garage door(s) on Lots 1 and 4 shall not be permitted to face 156th Street.

D. Permitted Materials: Vinyl and aluminum shall not be permitted exterior building materials, except for gutters, soffits, trim and other similar building components.

7.2 Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply, rather the existing landscaping in the District shall be maintained.

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

8.1 Article 8.6 Open Space and Amenity Standards: shall not apply

8.2 Article 8.7(C) Internal Pedestrian Network Standards: 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), unless otherwise approved by the 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.

Processes & Permits. The standards of *Chapter 10: Processes & Permits* shall apply to the development of the District.

ALL OF WHICH IS ORDAINED/RESOLVED THIS DD DAY OF _____, 20YY.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTEST:

_____, Clerk Treasurer

I hereby certify that **ORDINANCE 19-17** was delivered to the Mayor of Westfield

on the _____ day of _____, 20YY, at _____ m.

_____, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-17**

this _____ day of _____, 20YY.

I hereby VETO **ORDINANCE 19-17**

this _____ day of _____, 20YY.

_____, Mayor

_____, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibits

EXHIBIT A
REAL ESTATE

PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER 1312.77 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 1945.13 FEET TO THE TRUE POINT OF THIS DESCRIPTION AT THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ON AND ALONG AFORESAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 614.97 FEET TO A POINT WHICH IS 33.00 FEET SOUTH 87 DEGREES 15 MINUTES 41 SECONDS WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 12 MINUTES 55 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER 1327.06 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ON AND ALONG AFORESAID SOUTH LINE 615.38 FEET TO THE PLACE OF BEGINNING.

EXCEPT: PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID QUARTER SECTION 131237 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ALONG SAID NORTH LINE 1945.13 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; SAID POINT BEING THE WEST LINE OF THE EAST HALF OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ALONG SAID NORTH LINE 9.06 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 06 SECONDS EAST 1323.80 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ALONG SAID NORTH LINE 5.83 FEET TO THE PLACE OF BEGINNING.

EXCEPTING: FOR THE CONSTRUCTION OF THE MONON TRAIL LOCATED IN THE TOWN OF WESTFIELD, HAMILTON COUNTY, INDIANA, PROJECT NO. STP-9929 (042), THE FOLLOWING DESCRIBED PROPERTY:

A PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST HAMILTON COUNTY, INDIANA, AND THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE LAND DESCRIBED IN INSTRUMENT NO. 200500031430, OFFICE OF THE RECORDER OF HAMILTON COUNTY, LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 05 MINUTES 08 SECONDS EAST (ASSUMED BEARING) 1,327.24 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER LINE OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES 43 MINUTES 33 SECONDS WEST 33.02 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH 0 DEGREES 05 MINUTES 08 SECONDS WEST 1,327.06 FEET PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 87 DEGREES 23 MINUTES 49 SECONDS EAST 33.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 43,796 SQUARE FEET, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 661 SQUARE FEET, MORE OR LESS FOR A NET ADDITIONAL TAKING OF 43,135 SQUARE FEET, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN



EXHIBIT C
CHARACTER EXHIBITS



EXHIBIT C
CHARACTER EXHIBITS



Exhibit "A"

ORDINANCE NUMBER ~~YY ##19-17~~

MONON HILLS PUD District

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

This is a Planned Unit Development District Ordinance (to be known as the "**MONON HILLS PUD DISTRICT**") 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. ~~YVMM-PUD-##1906-PUD-14~~**), requesting an amendment to the Unified Development Ordinance and to 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. ~~YVMM-PUD-##1906-PUD-14~~** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 20~~YY~~;

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; and

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 "MONON HILLS 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 Unified Development Ordinance.

- 2.1 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

~~2.2 District Map: This map as illustrated on what is attached hereto as Exhibit C which outlines two (2) individual areas of the District.~~

~~2.3 Area A: The part of the Real Estate depicted on the District Map as Area A.~~

~~2.4 Area B: The part of the Real Estate depicted on the District Map as Area B.~~

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*. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the SF2 District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

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

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in *Chapter 4* and

Chapter 13, shall be permitted unless otherwise prohibited below.

- 5.2 Maximum Dwellings: The total number of Dwellings permitted ~~in Area A~~ shall not exceed four (4) Single-Family 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.

Section 7. Development Standards. The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

- 7.1 Article 6.3 Architectural Standards: Shall apply to ~~Area A~~, except as modified below:

A. Character Exhibit. The Character Exhibit, attached hereto as **Exhibit DC**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed ~~in Area A~~. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage a diversity in architecture of Dwellings ~~in Area A~~.

~~7.2~~ B. Front Door: The front door of a residential dwelling on Lot 1, 2 & 3, as identified on the Concept Plan, shall face ~~East~~West. The front door of a residential dwelling on Lot 4, as identified on the Concept Plan, shall have option to face North or ~~West~~East. Facade with the front door to be considered Primary Front Elevation for the purpose of this Ordinance.

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~~7.3~~ C. Garages: Garages on all Lots, as identified on the Concept Plan, shall be: ~~(1) side load, (2) rear load, or (3) front load (as long as the garage is setback a minimum of twenty (20) feet behind the Pprimary Ffront Elevation).~~ Garage door(s) on Lots 1 and 4 shall not be permitted to face 156th Street.

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~~7.4~~ D. Permitted Materials: Vinyl and aluminum shall not be permitted exterior building materials, except for gutters, soffits, trim and other similar building components.

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~~7.5~~7.2 Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply, rather the existing landscaping in the District shall be maintained.

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

- 8.1 Article 8.6 Open Space and Amenity Standards: shall not apply

- 8.2 Article 8.7(C) Internal Pedestrian Network Standards: 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), 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.

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Section 9. Processes & Permits. The standards of Chapter 10: Processes & Permits shall apply to the development of the District, ~~except as otherwise modified below.~~

9.1 ~~Article 10.12 Subdivision:~~ The subdividing of the Real Estate in accordance with the Concept Plan shall be a Minor Subdivision.

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ALL OF WHICH IS ORDAINED/RESOLVED THIS DD DAY OF _____, 20YY.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTEST:

_____, Clerk Treasurer

I hereby certify that **ORDINANCE ~~YY ##19-17~~** was delivered to the Mayor of Westfield

on the _____ day of _____, 20YY, at _____ m.

_____, Clerk-Treasurer

I hereby APPROVE **ORDINANCE ~~YY-##19-17~~**
this _____ day of _____, 20YY.

_____, Mayor

I hereby VETO **ORDINANCE ~~YY-##19-17~~**
this _____ day of _____, 20YY.

_____, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

~~Exhibit C District Map~~

Exhibit ~~C~~^D Character Exhibits

EXHIBIT A
REAL ESTATE

PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER 1312.77 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 1945.13 FEET TO THE TRUE POINT OF THIS DESCRIPTION AT THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ON AND ALONG AFORESAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 614.97 FEET TO A POINT WHICH IS 33.00 FEET SOUTH 87 DEGREES 15 MINUTES 41 SECONDS WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 12 MINUTES 55 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER 1327.06 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ON AND ALONG AFORESAID SOUTH LINE 615.38 FEET TO THE PLACE OF BEGINNING.

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BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 05 MINUTES 08 SECONDS EAST (ASSUMED BEARING) 1,327.24 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER LINE OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES 43 MINUTES 33 SECONDS WEST 33.02 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH 0 DEGREES MINUTES 08 SECONDS WEST 1,327.06 FEET PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 87 DEGREES 23 MINUTES 49 SECONDS EAST 33.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 43,796 SQUARE FEET, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 661 SQUARE FEET, MORE OR LESS FOR A NET ADDITIONAL TAKING OF 43,135 SQUARE FEET, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN (AREA A)



EXHIBIT C
DISTRICT MAP



EXHIBIT CB
CHARACTER EXHIBITS



EXHIBIT CB
CHARACTER EXHIBITS



Fox Hollow Neighborhood Meeting

Q. What will happen to the pond & trees?

A. The pond will stay and capacity will be increased for drainage. We want to keep as many trees as possible. There are a few dead trees but other than that we intend to keep as many trees as possible.

Q. Where will the houses be on the property?

A. We showed the neighbors the lot layouts and potential buffers. Layed out where house would be located on lot #2. Then best guess on the other 3 lots.

Q. What will happen to the horses?

A. The owners of the Southern property have horses and will have to down size the horse pasteur. I can't speak for them but I believe they intend to keep the horses.

Q. What will happen to the current fence and what type of fence can be used on the property.

A. The current wooden horse fence along the road will need to be torn down. We will build a new horse fence just South of the new sidewalk. The other East and West borders will be determined by the land owners. Fencing type will be determined by HOA, likely to be wrought iron fencing or horse fence.

Q. Will homes connect to the Monon?

A. Each property can request access through the state.

Q. Can sports courts be constructed and what about night lighting?

A. Construction of courts would be permitted as long as the proper permits are approved by the city. Lighting types and times would also fall under UDO. Would consider restricting certain lighting under HOA.

Q. Timeframe for building these homes?

A. My wife and I intend to start building this summer on lot #2. I believe we have some interest in another lot to begin this year as well. I would hope to have all lots built or beginning by 2021.

Meeting ends 7:00pm.

Noah Herron



Petition Number: 1906-SPP-10 & 1906-ODP-10

Project Name: Monon Hills

Subject Site Address: 1111 156th Street, Carmel IN 46032 (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Wyatt Johnson, 40th Parallel Surveying LLC

Request: Fox Hollow by Noah Herron requests and Overall Development Plan and Primary Plat review of 4 lots on 8 acres +/- in the proposed Fox Hollow PUD District.

Current Zoning: AG-SF1: Agricultural / Single-Family Residential District

Pending Zoning: Fox Hollow PUD District (19-17)

Current Land Use: Single-Family Residential

Approximate Acreage: 8 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Primary Plat
5. Overall Development Plan

Staff Reviewer: Jonathan Dorsey, Associate Planner

PROCEDURAL

Approval of an Overall Development Plan and Primary Plat must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT BACKGROUND

Formerly known as the Fox Hollow. The subject 8-acre property is currently in the process of being rezoned to the Fox Hollow PUD District (Ordinance 19-17, *pending*). The subject Overall Development Plan and Primary Plat would plat the property into 4 residential lots.

The petition was reviewed by the Technical Advisory Committee at its May 21, 2019, meeting. This petition held a public hearing at the Plan Commission's June 3, 2019, meeting.

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

The plans comply with the items below:

- 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 4.23 & Article 5.3(G))
- 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.

OVERALL DEVELOPMENT PLAN (Article 10.7 of the UDO)

The plans comply with items below:

- 20) Title, scale, north arrow and date.
- 21) Proposed name of the development.
- 22) 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.
- 23) Address and legal description of the property.
- 24) Boundary lines of the property including all dimensions.
- 25) 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.
- 26) 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.

- 27) 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.
- 28) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 29) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 30) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 31) Location and dimensions of all existing structures and paved areas.
- 32) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 33) Location of all Floodplain areas within the boundaries of the property.
- 34) Names of legal ditches and streams on or adjacent to the site.
- 35) 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.
- 36) Identify buildings proposed for demolition.
- 37) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 38) 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).

DISTRICT STANDARDS

The plans comply with Article 4.5 (SF2 District) and the Fox Hollow PUD Ordinance.

- 39) **Fox Hollow PUD District Standards:** The underlying zoning district is the SF2 District (Article 4.5)

- a) Permitted Uses (Section 5)
- b) General Regulations (Section 6)

Fox Hollow PUD

i) Minimum Lot Frontage	50'
ii) Minimum Lot Width	100'
iii) Minimum Lot Area	15,000 sq ft
iv) Minimum Setbacks	
Front Yard	30'
Side Yard	12'
Rear Yard	30'
v) Maximum Building Height	Two and one-half stories

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:

- 40) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 41) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 42) 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.
- 43) 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.

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

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

- 44) Architectural Standards (Article 6.3)
- 45) Building Standards (Article 6.4)
- 46) Fence Standards (Article 6.5)
- 47) Height Standards (Article 6.6)
- 48) Landscaping Standards (Article 6.8):
 - a) Preservation and Replacement of Trees:
 - i) Developers shall take reasonable measures to design and locate proposed buildings and related infrastructure in a manner that minimizes the destruction of significant tree specimens.
 - b) Selection, Installation, and Maintenance of Plant Materials:
 - c) General Landscape Design Standards:
 - i) Easements: Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements that would otherwise prohibit the required landscaping.

d) Detention and Retention Areas:

- i) Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1.

e) Street Trees:

f) Minimum Lot Landscaping Requirements:

g) External Street Frontage Landscaping:

h) Buffer Yard Requirements:

2) Lighting Standards (Article 6.9)

- a) The District's lighting shall comply with the Unified Development Ordinance (Article 6.9).

3) Lot Standards (Article 6.10)

4) Setback Standards (Article 6.16)

5) Vision Clearance Standards (Article 6.19)

6) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply with items below:

1) Block Standards (Article 8.1)

2) Easement Standards (Article 8.3)

3) Monument and Marker Standards (Article 8.5)

4) Open Space and Amenity Standards (Article 8.6)

5) Pedestrian Network Standards (Article 8.7)



- 6) Storm Water Standards (Article 8.8)
 - 7) Street and Right-of-Way Standards (Article 8.9)
 - 8) Street Light Standards (Article 8.10)
 - a) Lighting between Intersections: Unless street lights have been provided at the lesser of either mid-Block or every fifteen (15) lots, a dusk-to-dawn light that operates on a photo cell shall be installed on each home site. This lighting shall be maintained by the Property Owner in perpetuity.
 - 9) Street Sign Standards (Article 8.11)
 - 10) Surety Standards (Article 8.12)
 - 11) Utility Standards (Article 8.13)
-

DEPARTMENT COMMENTS

Action: Because the plans comply with all applicable ordinances, unless the Plan Commission has any concerns regarding the proposal, Staff recommends approving 1906-SPP-10 and 1906-ODP-10 with the following conditions:

1. That 1906-PUD-14 (Ord. 19-17) is approved by City Council.
2. 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.

If any Plan Commission member has questions prior to the public hearing, then please contact Jonathan Dorsey at (463) 221-8375 or jdorsey@westfield.in.gov.

Property Location Map

Monon Hills PUD

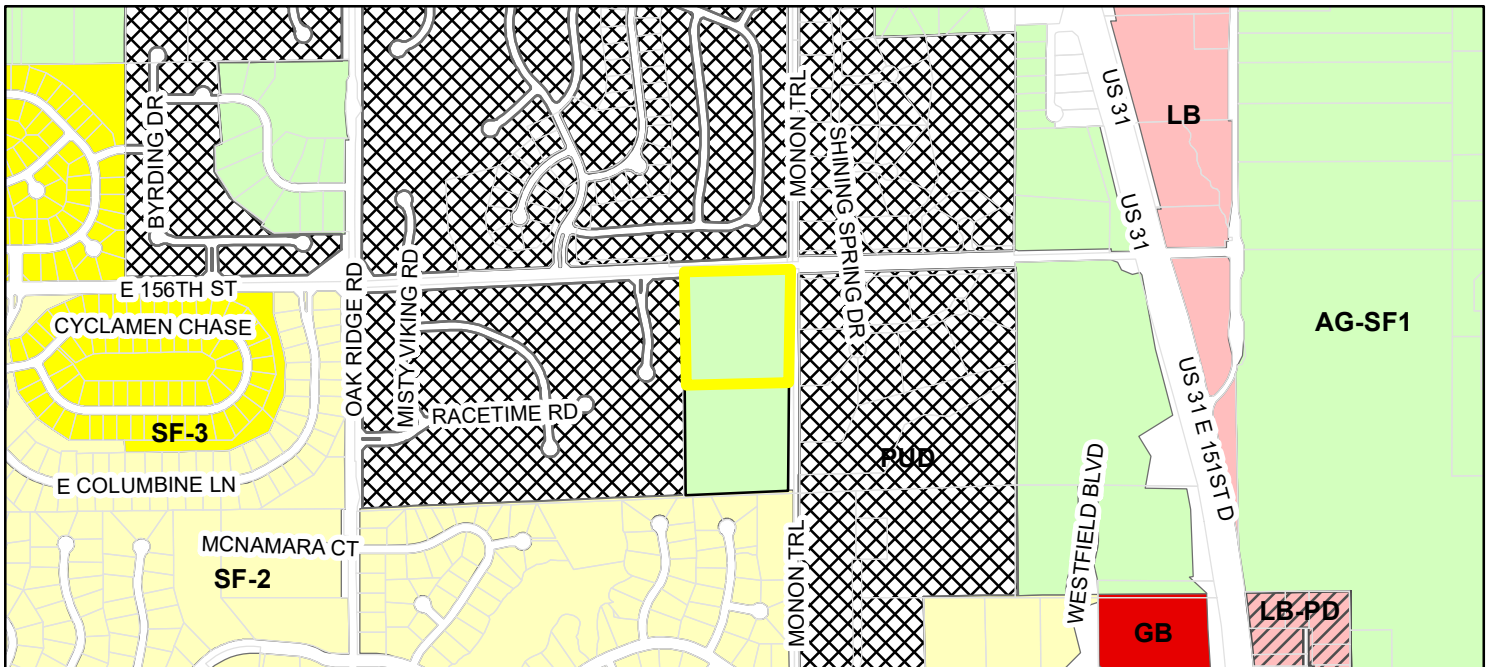
1906-PUD-14 1906-SPP-10 1906-ODP-10



Aerial Location Map



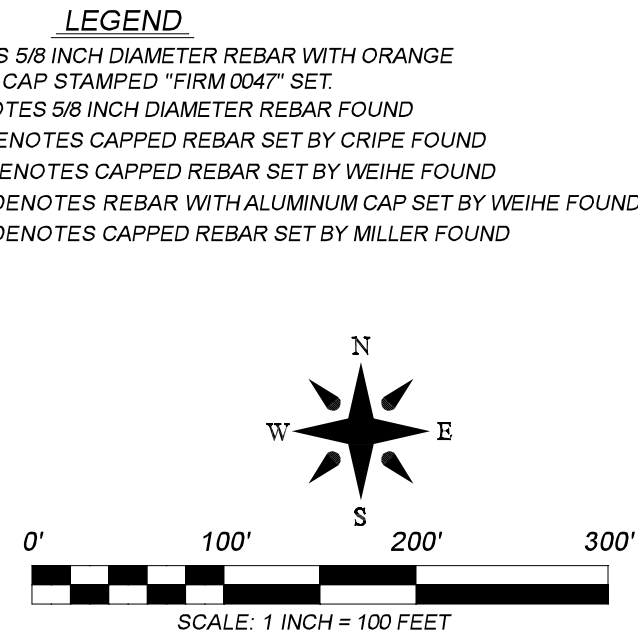
Zoning Map



	Parcel		LB (Local Business)
Zoning - All			LB-PD (Local Business - Planned Development)
Zoning			PUD (Planned Unit Development)
	AG-SF1 (Agriculture - Single Family - 1)		SF-2 (Single Family - 2)
	GB (General Business)		SF-3 (Single Family - 3)

EXHIBIT B
CONCEPT PLAN





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. Wyatt Johnson

This instrument prepared by Wyatt Johnson, 555 Market Road, Tipton, Indiana.
See survey recorded at Instrument Number 2019014127

		555 MARKET ROAD TIPTON, IN 46072 PHONE 765-675-6455 e-mail wyatt.40th@gmail.com	
Monon Hills		1111 East 156th St., Carmel	
SCALE: 1"= 100'	JOB NUMBER: 2019-8	DRAWN BY: WJ	
DATE 5/2/19			
LAST REVISED May 31, 2019			
PAGE NUMBER 1 OF 2			

Monon Hills a Resubdivision of Fox Hollow Farms- PRIMARY PLAT

Deed of Dedication:

We the undersigned, Noah Herron and Emily Herron, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as Monon Hills, a resubdivision of Fox Hollow Farms as recorded in Instrument Number 2019015615 an addition to the Town of Westfield, Washington Township, Hamilton County, Indiana.

All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the public and private street, there shall be erected or maintained no building or above ground structure.

Easement Certificate:

There may be strips of ground shown on this plat and marked D.E. and/or U.E. (Drainage and/or Utility Easement), reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. Within these easements, no permanent or other structures, planting or other material shall be erected, placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. But, owners of lots in this subdivision shall take their titles subject to the rights of the public utilities. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

Drainage and Utility Easements:

There are strips of ground of various feet in width as shown on the plat and marked D.E. and/or U.E. (Drainage and Utility Easement). Utility Easements are reserved for the use of public utilities for the installation of water and sewer mains, surface drainage, poles, ducts, lines, and wires, subject at all times to the proper authorities and the easement herein reserved. Drainage Easements are reserved for the use of the owners of the lots in this subdivision and the Hamilton County Surveyor if the drains within the easements are regulated drains. No building or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and/or the County Surveyor.

Cross-access Easement Certificate:

There are shown on this instrument areas that are designated as 'Cross-access Easement' or abbreviated as 'C-A.E.' Such easements are hereby established in favor of the owners of the Lots in this subdivision ('the grantees'), are provided for the private use of the owners, tenants, owner's agents, guests of owner or tenants, public officials, employees of governmental units and public or semi-public utilities as well as any individual, firm or corporation while performing legitimate service for the owners or tenants of any lot. The use of all such easements, as well as areas provided for vehicular parking access thereto, by public officials and employees is specifically authorized while performing duties related to law enforcement, fire protection, or maintenance of public safety. These easements, unless noted otherwise on the plat, and their use shall be subject to rules and regulations formulated by the owners. All Cross access Easements are private and are not accepted by any County Agency and are NOT hereby dedicated to the City or County. Each owner of each lot in this subdivision shall be responsible for the maintenance of the portion of the C-A.E upon that owner's lot, unless a maintenance agreement is entered into by all of the owners of all the lots affected by the C-A.E and duly recorded in the Office of the Hamilton County Recorder. Any and all persons are prohibited from parking vehicles within the easement and from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee(s) or the City may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.

The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2045, at which time said covenants, or restrictions, shall be automatically extended for successive periods of ten years unless changed by vote of the owners of a majority of the building sites covered by these covenants, or restrictions, in whole or in part.

Invalidation of any of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness our hands and seals this ____ day of _____, 2019.

Noah Herron
State of Indiana)
Hamilton County)
Emily Herron

Before me the undersigned Notary Public, in and for the County and State, personally appeared Noah Herron and Emily Herron, and each separately and severally acknowledge the execution of the foregoing instrument as their voluntary act and deed, for the purposes therein expressed.

Witness my hand and notary seal this ____ day of _____, 2019.

_____, Notary Public

I reside in _____ County, Indiana

My Commission expires:_____. My Commission Number is:

Plan Commission Certificate:

Under authority provided by I.C. 36-7, enacted by the general assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the City Council of the City of Westfield, Hamilton County, Indiana, this plat was given approval by the Westfield-Washington Township Advisory Plan Commission, as follows: Approved by the Director of the Economic and Community Development Department of the City of Westfield, Hamilton County, Indiana, pursuant to the Westfield-Washington Township Unified Development Ordinance, on the ____ day of _____, 2019.

Westfield-Washington Township Plan Commission

By: _____
Matthew Skellon, Director
Economic and Community Development Department

Board of Public Works and Safety Certificate:

The following certificate shall also be used if the plat lies wholly or partly within the City's corporate limits:

This plat and the acceptance of any public rights-of-way dedicated herein was given approval by the Board of Public Works and Safety of the City of Westfield, Indiana, at a meeting held on the ____ day of _____, 2019.

Jeremy Lollar, Director of Public Works

LEGAL DESCRIPTION
Lot 1 and 2 in Fox Hollow Farms, an addition to the Town of Westfield, Washington Township, Hamilton County, Indiana.

Registered Land Surveyor's Certificate:

I Wyatt Johnson, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana:

The within plat represents a survey made under my supervision in accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code. The field work for this survey was performed on 2/19/19 and 3/01/19, that all the monuments shown thereon actually exist or a bond has been posted to cover the later installation of these monuments, and that all other requirements specified herein, done by me, have been met.

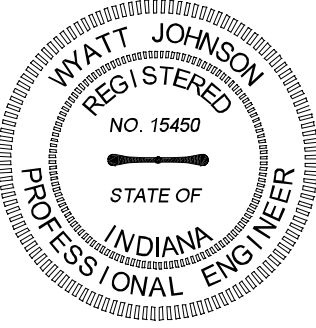
Wyatt Johnson
Registration No. S0302
Firm ID No. 0047



Engineer's Certificate:

I, Wyatt Johnson, hereby certify that I am a Registered Professional Engineer and Land Surveyor licensed in compliance with the laws of the State of Indiana, and that I have inspected during their construction and installation of all improvements and installations required for this subdivision, designated specifically as Monon Hills, a resubdivision of Fox Hollow Farms, and that such required improvements and installations have been made and installed in accordance with the specifications heretofore approved therefore.

Wyatt Johnson
Registration No. LS80040302 and PE60015450
Firm ID No. 0047



FLOOD HAZARD STATEMENT The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced flood insurance rate map. A portion of this parcel, as depicted on the drawing, is located in Zone A. The balance of the parcel is located in Zone X on the HUD Map 16057C0120G, City of Westfield, Hamilton County, effective date 11/19/2014. Zone A denotes areas in a Special Flood Hazard Area without Base Flood Elevation. Zone X denotes areas not located in a Special Flood Hazard Area.

40th

PARALLEL SURVEYING LLC

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

Monon Hills a Resubdivision
of Fox Hollow Farms

Deed of Dedication

SCALE: 1"= 100'

JOB NUMBER: 2019-8

DRAWN BY: WJ

DATE 5/2/19

LAST REVISED 5/31/19

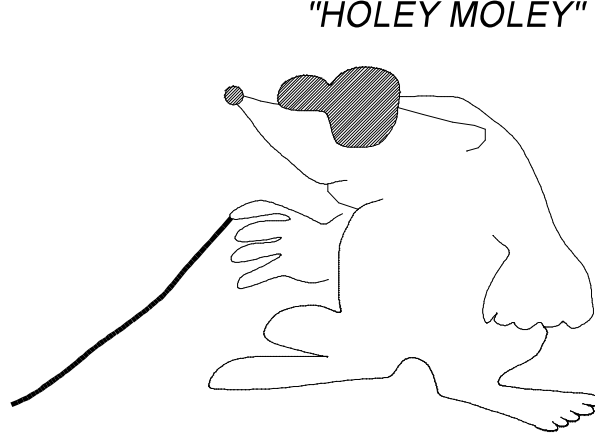
PAGE NUMBER 2 OF 2

All contractors shall review City of Westfield Standards and Specifications Prior to Bidding on this project. Additional specifications not included in this set of plans may be required.

see: <http://www.westfield.in.gov/egov/apps/document/center.egov?view=item:id=50>

The presence of a City of Westfield review and acceptance stamp on plans does not relieve the Contractor or Developer from compliance with the City of "Westfield Construction Standards, latest edition". This review only designates that the general conformance with design and specifications have been met. Field changes may become necessary in order to comply with the detailed City of Westfield Specifications.

Utility Information

Utility	Location	Contact Number
APPROVAL PENDING. NOT FOR CONSTRUCTION DON'T DIG BLIND  1-800-382-5544 OR 811 CALL TOLL FREE 1-800-428-5290 FOR CALLS OUTSIDE OF INDIANA		

MONON HILLS
DEVELOPMENT PLANS

INDOT 2018 SPECIFICATIONS TO BE USED ON THIS PROJECT. EVERY POSSIBLE DETAIL AND/OR SITUATION CANNOT BE COVERED IN SPECIFICATIONS. SHOULD ANY QUESTION ARISE AS TO WHAT SPECIFICATION OR STANDARD SHOULD BE USED, THE STANDARD OF CARE AND METHODS GENERALLY USED IN THE INDUSTRY IN CENTRAL INDIANA WILL PREVAIL.

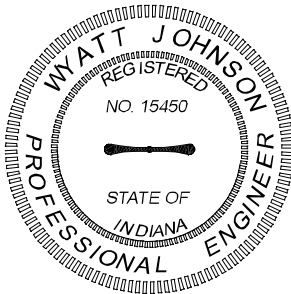
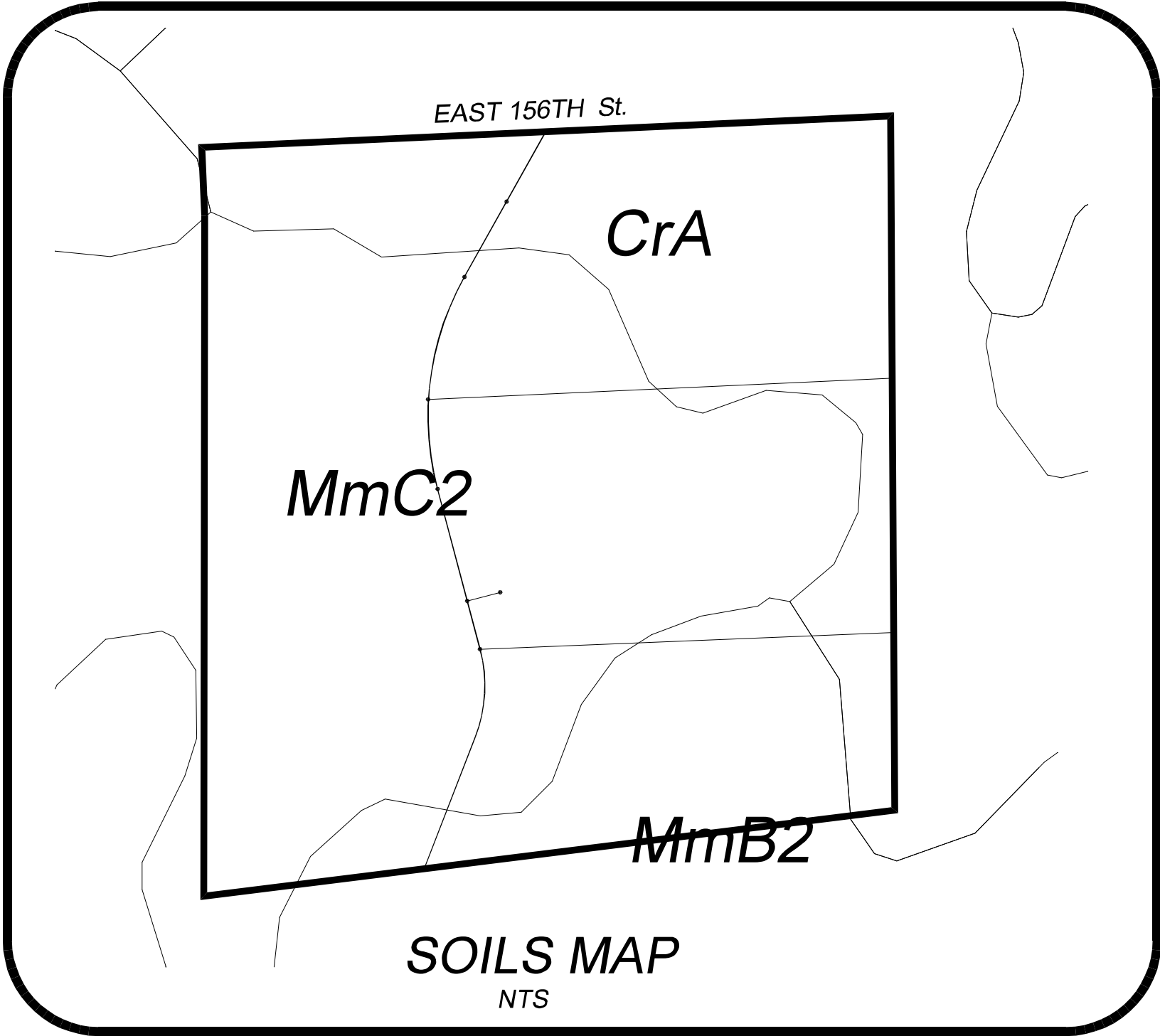
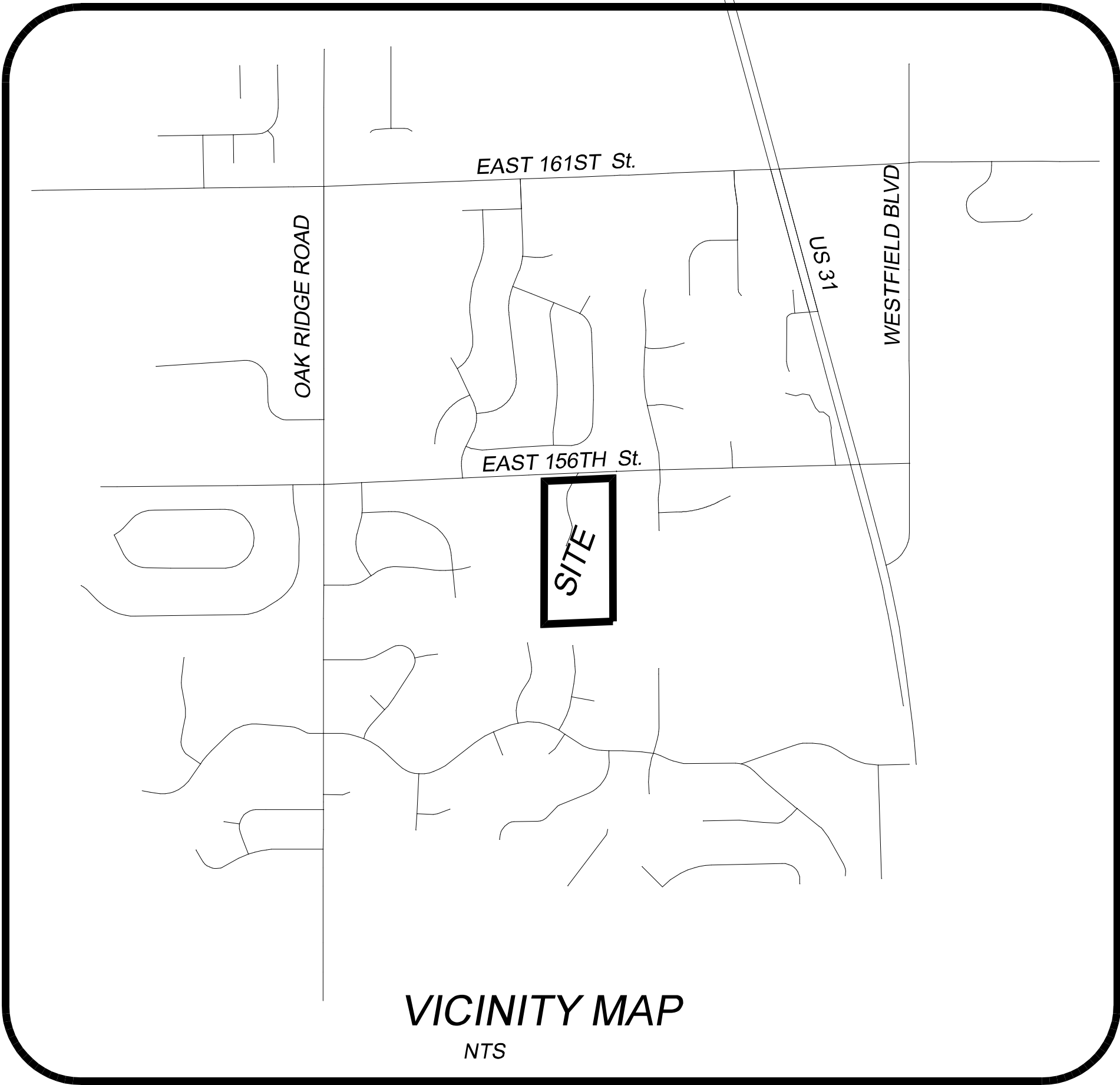
Sheet Index	
Title	Sheet #
Plan	1
Grading and Drainage	C101
Water Plan and Profile	C102
Sanitary Plan and Profile	C103
Erosion Plan	E1
Erosion Plan	E2

NATIVE SOILS ON SITE MAY BE USED AS STRUCTURAL FILL PROVIDED THAT MOISTURE AND COMPACTION SPECIFICATIONS ARE MET. PAVEMENT AREAS SHALL BE COMPACTED TO 93 PERCENT OF THE MATERIAL'S MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557. IF PROOF ROLLING SHOWS ANY SOFT SPOTS IN THE PAVEMENT AREAS, THEY SHALL BE DRIED AND RECOMPACTED OR THE CONTRACTOR SHALL HAVE THE RIGHT AT HIS EXPENSE TO HIRE A GEOTECHNICAL CONTRACTOR TO TEST THE SOIL AND DETERMINE WHETHER THE COMPACTION MEETS THE REQUIREMENT.

OWNER: Noah Herron
158 Pargon Ln
Westfield IN 46074
317-600-2807
email: noah@ufseeds.com

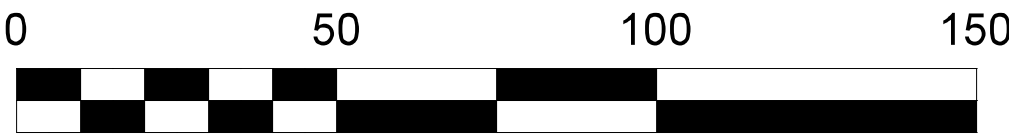
ENGINEER: 40th Parallel Surveying, LLC.
555 Market Road
Tipton, IN 46072
(765)-675-6455
email: wyatt.40th@gmail.com

THIS PLAN SET CONSISTS OF 4 SHEETS
COUNTING THIS TITLE PAGE.



THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Wyatt Johnson
Wyatt Johnson



SCALE: 1 INCH = 50 FEET

SOILS LEGEND					
SYMBOL	SERIES	DESCRIPTION	CAPACITY TO TRANSMIT WATER	HYDROLOGIC SOILS GROUP	HYDRIC
MmC2	MIAMI SILT LOAM 6-12% SLOPES, ERODED	NOT PRIME FARMLAND; TILL PLAINS MODERATELY WELL DRAINED	0.01 TO 0.20"/H	C	NO
MMB2	MIAMI SILT LOAM 2-6% SLOPES,	PRIME FARMLAND; TILL PLAINS MODERATELY WELL DRAINED	0.01 TO 0.20"/H	C	NO
CrA	CROSBY SILT LOAM, FINE-LOAMY SUBSOIL 0-2% SLOPES	PRIME FARMLAND IF DRAINED; GROUND MORAINES, RECESSIONAL MORAINES, WATER-LAIN MORAINES, SOMEWHAT POORLY DRAINED	0.01 TO 0.20"/H	C/D	YES

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

MONON HILLS

GRADING AND DRAINAGE PLAN

SCALE: 1"=50' JOB NUMBER: 2019-008

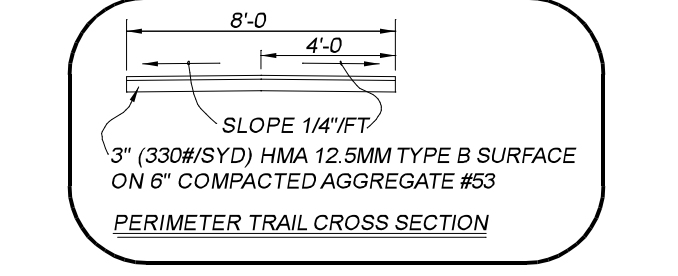
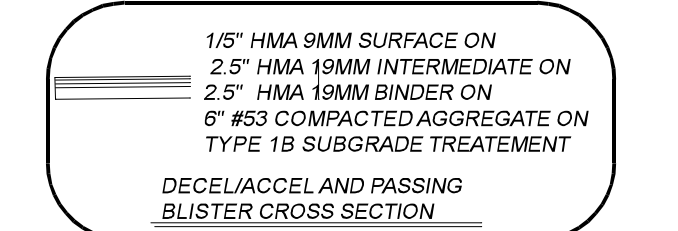
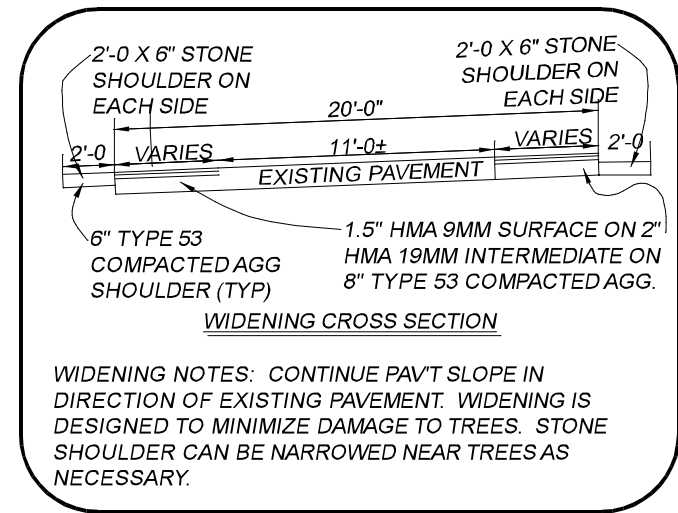
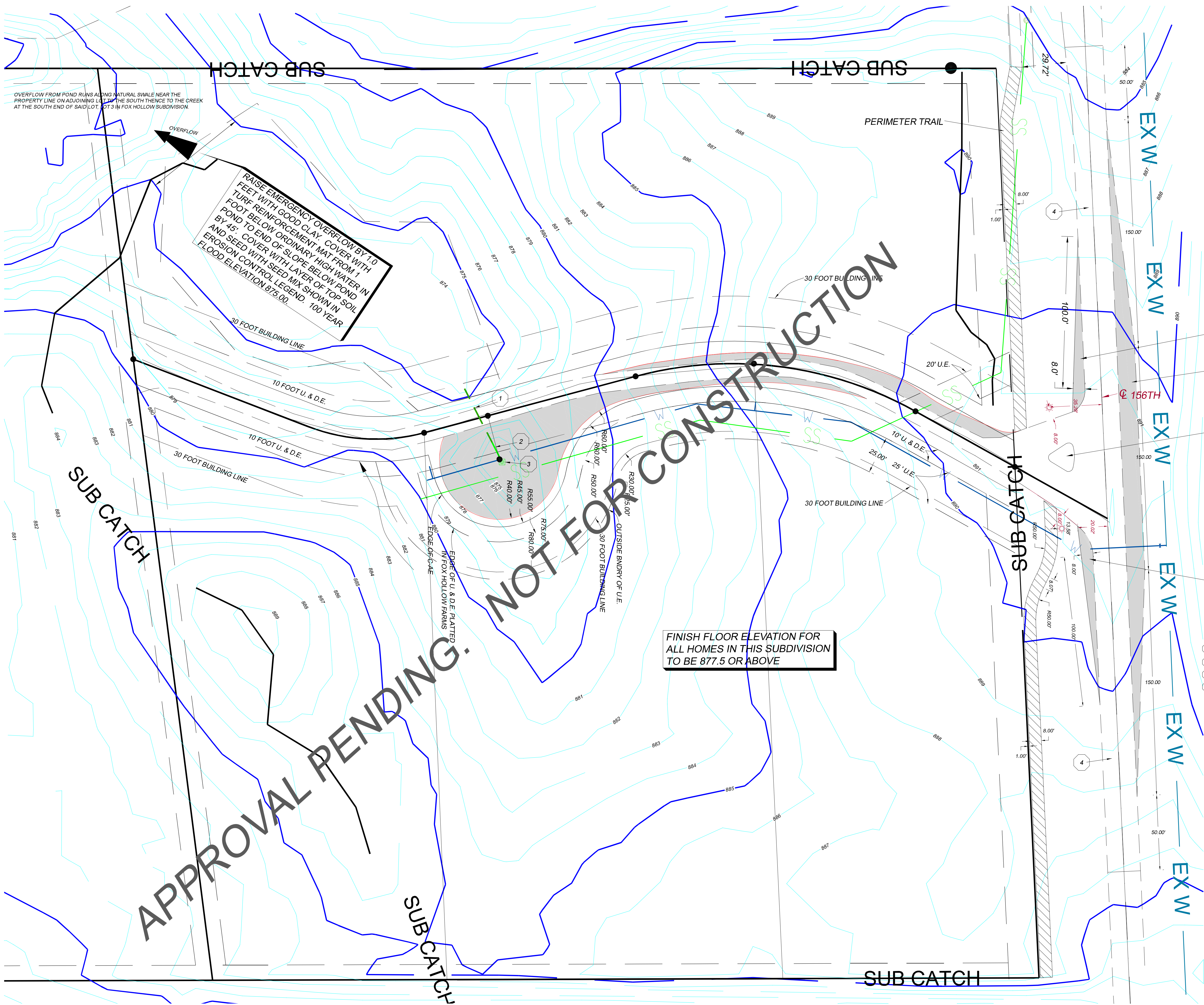
DRAWN BY: WJ

DATE: 5/02/19

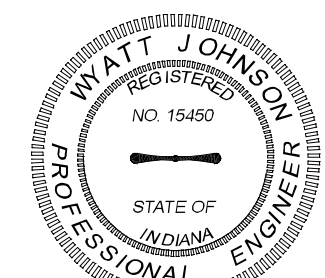
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5/31/19

PAGE NUMBER
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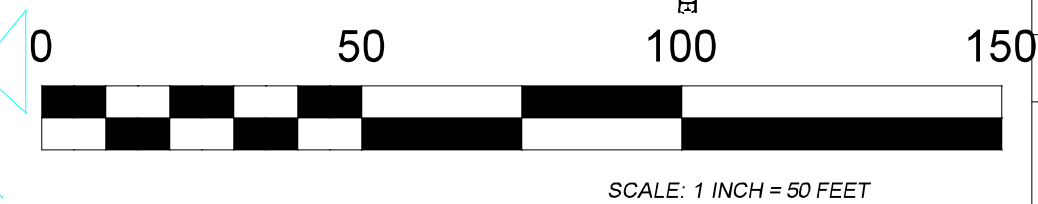
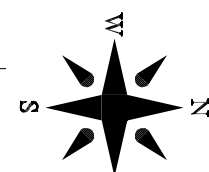


- 1 EXISTING 40' LFT OF 12\"/>



THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Wyatt Johnson



555 MARKET ROAD
TIPTON, IN 46072

Monon Hills
GRADING AND DRAINAGE PLAN

DATE: 5/02/19
LAST REVISED
5/31/19
PAGE NUMBER
C 101

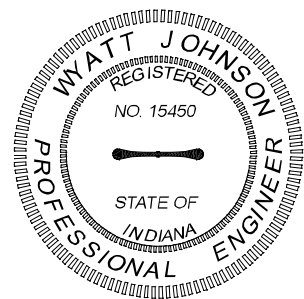
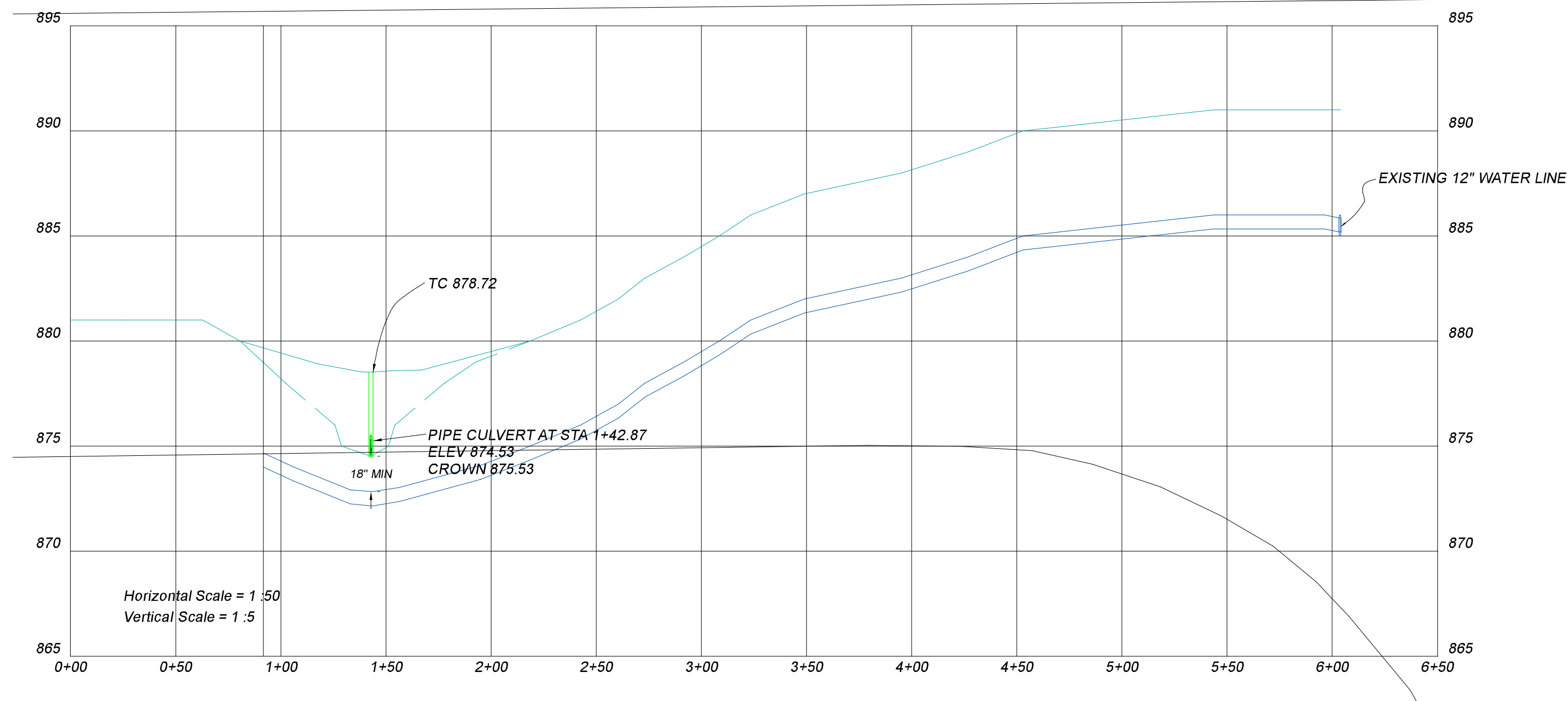
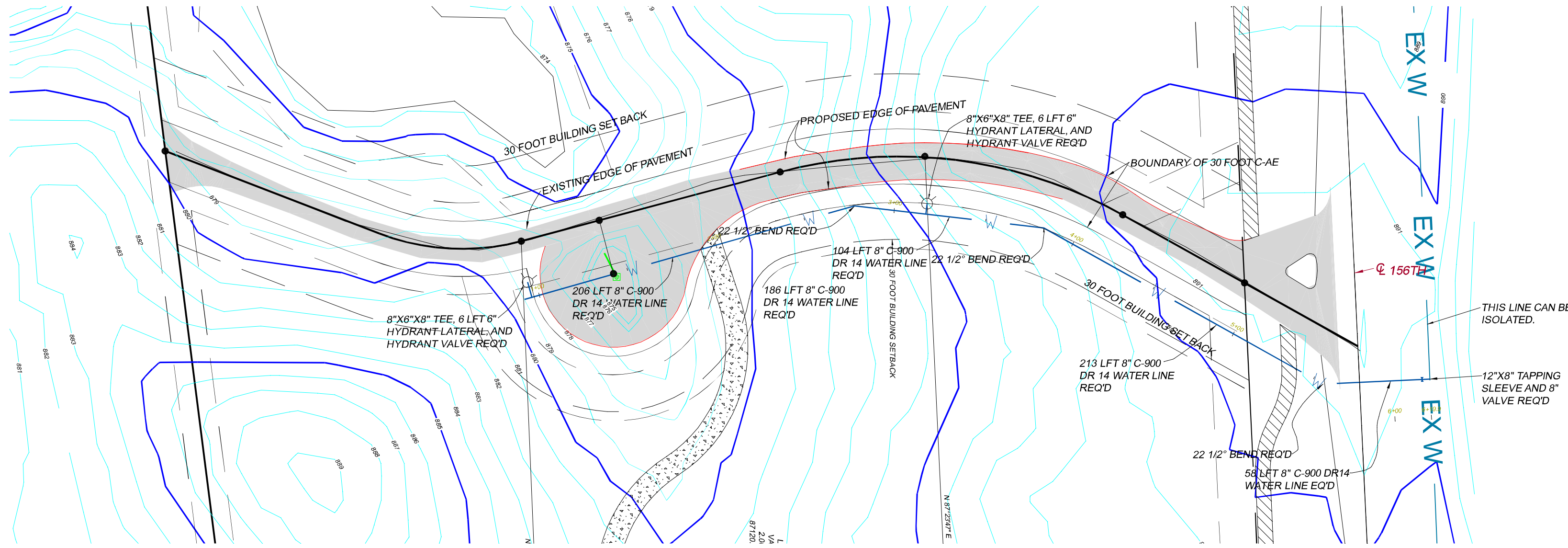
PHONE: 765-675-6455
e-mail: wyatt.40th@gmail.com

DRAWN BY: WJ

JOB NUMBER: 2019-008

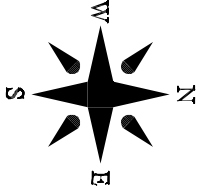
SCALE: 1\"/>

APPROVAL PENDING. NOT FOR CONSTRUCTION



THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Wyatt Johnson



SCALE: 1"=50 FEET

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

Monon Hills

WATER PLAN AND PROFILE

SCALE: 1"=50' JOB NUMBER: 2019-008

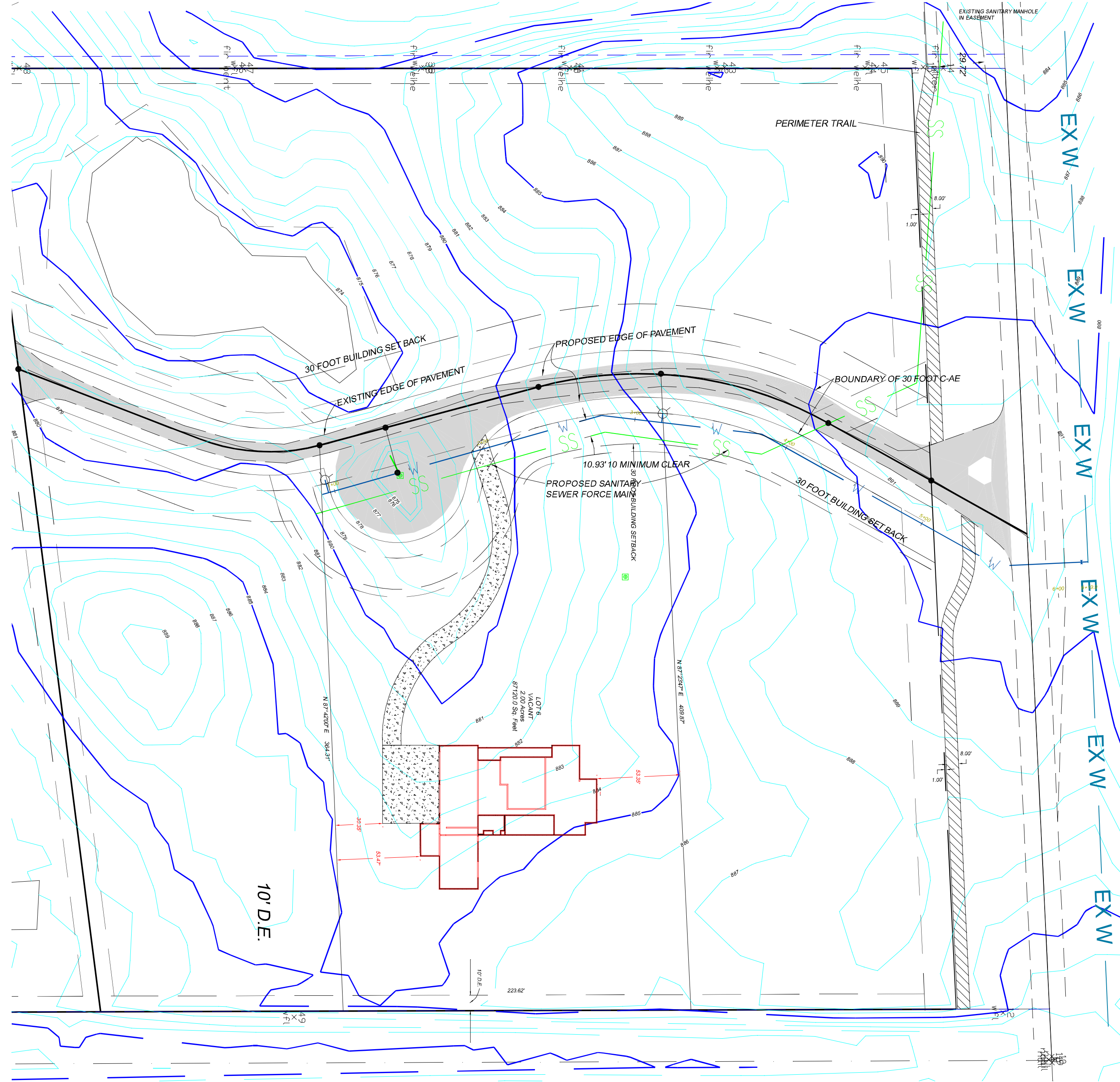
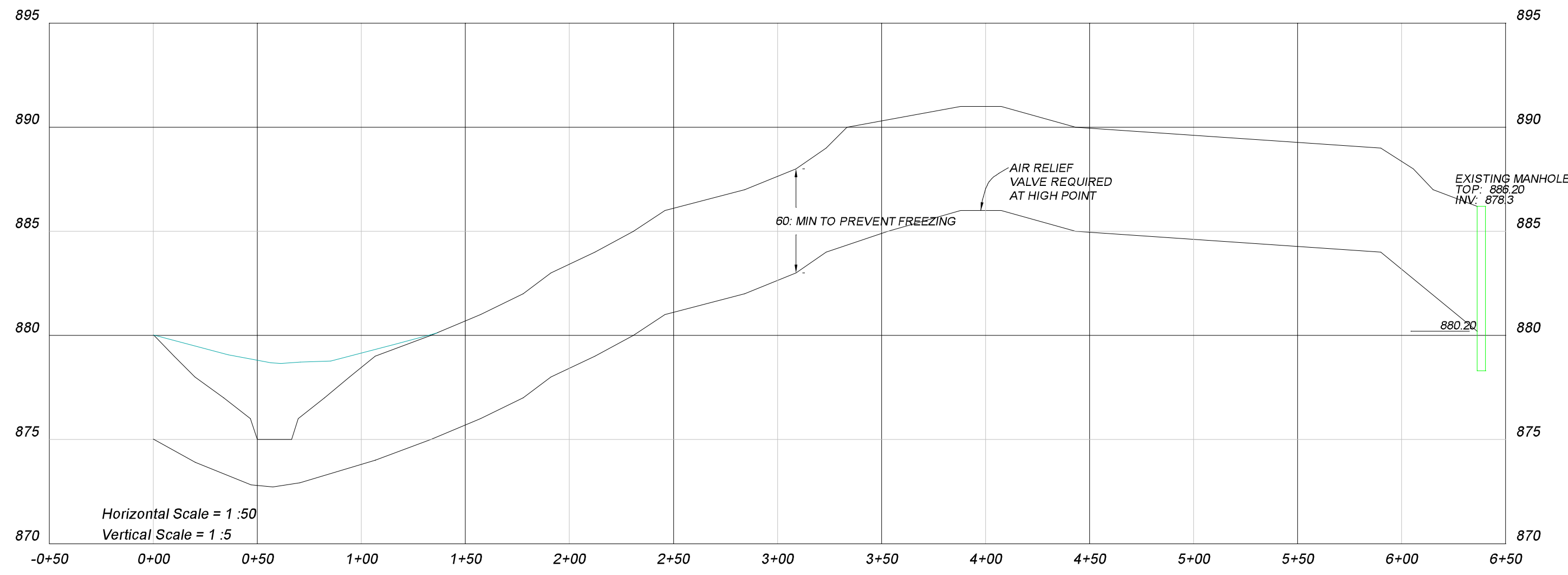
DRAWN BY: WJ

DATE: 5/2/19

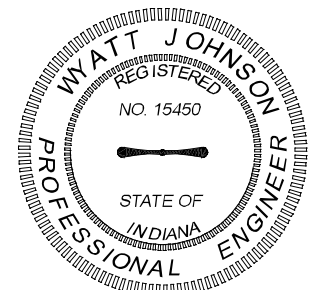
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5/31/19

PAGE NUMBER
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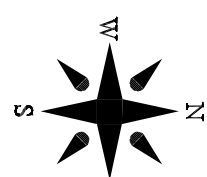


APPROVAL PENDING. NOT FOR CONSTRUCTION



THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Wyatt Johnson
Wyatt Johnson



SCALE: 1"=50 FEET

Monon Hills

SANITARY FORCE MAIN PLAN AND PROFILE

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

DATE: 5/02/19
LAST REVISED
5/31/19

PAGE NUMBER
C 103



Petition Number: 1907-PUD-18

Project Name: Union Row Planned Unit Development

Subject Site Address: 606 & 608 S Union Street (the "Property")

Petitioner: Patch Development LLC (the "Petitioner")

Representative: Jesse Pohlman, OnPointe Land Matters

Request: Patch Development, LLC by Onpointe Land Matters, LLC requests a change of zoning of approximately 2.5 acres +/- in the AG-SF1-I: Agricultural / Single-Family Westfield District to the Union Row PUD District.

Current Zoning: AG-SF1-I: Agricultural / Single-Family Westfield District

Current Land Use: Single-Family Residential / Vacant

Approximate Acreage: 8 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Character Exhibit
5. Proposed Ordinance 19-23
6. Presentation material
7. Public Comments

Staff Reviewer: Jonathan Dorsey, Associate Planner

PETITION HISTORY

The petition was introduced at the June 10, 2019, City Council meeting. The Petitioner held a neighborhood meeting on June 18, 2019. The petition will receive a public hearing at the July 1, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The Property is located at 606 S Union Street and 608 S Union Street (see **Exhibit 2**). The Property is currently zoned AG-SF1-I: Agricultural / Single-Family Westfield District. Adjacent properties to the south and east are zoned SF4: Single-Family High Density. Properties to the north are zoned AG-SF1-I: Agricultural / Single-Family Westfield District and properties to the west are zoned MF1: Multifamily Low Density.

Project Description: The Petitioner is requesting a change of zoning to the Union Row PUD District (Ordinance 19-23) that would allow for commercial development. The proposed PUD Ordinance establishes the SF3: Single-Family Medium Density as the Underlying Zoning District.

Permitted Uses: The proposed PUD Ordinance defaults to the permitted and prohibited uses of the SF3: Single-Family Medium Density.

General Regulations: The proposed PUD Ordinance defaults to the standards of the Underlying Zoning District, except as modified below:

	Proposed PUD	SF3 District
Minimum Lot Frontage	45'	50'
Minimum Lot Width	45'	80'
Minimum Lot Area	12,000 sq ft	12,000 sq ft
Minimum Setbacks		
Front Yard	20'	20'
Side Yard	5'	10'
Rear Yard	30'	30'
Maximum Building Height	Two Stories	Two Stories

Development Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with proposed modifications, which are briefly highlighted below:

Accessory Use and Building Standards: Shall apply; except as modified below.

1. **Article 6.1 (D) Building Locations:** Shall apply; however, an Accessory Building (e.g. detached garage) shall be a minimum of one (1) foot from a Side Lot Lines and shall be located outside of all easements.

Architectural Standards: Shall apply; except as modified below.

1. **Article 6.3 (C)(3) Building Material:** Shall apply. In addition, vinyl and aluminum siding shall not be a permitted exterior building material, except for gutters, soffits, soffit trim and other similar building components.
2. **Garages:** Garages shall be located to the rear of the Principal Building of the Single-family Dwelling. Examples of compliance with this standard include: (i) detached garage located in the Established Rear Yard, as depicted on the Concept Plan; (ii) rear-loaded garage; and, (iii) a side-load garage with the garage doors located on the east half of the Single-family Dwelling's side Building Façade.

Landscaping Standards: Shall apply, except as modified below.

1. Article 6.8 (L) Foundation Plantings: Shall not apply; rather, the Minimum Lot Landscaping Requirements shall apply.
2. Article 6.8 (M)(1) External Street Frontage Landscaping Requirement: Shall not apply.
3. Article 6.8 (N) Buffer Yard Requirements: Shall not apply.

Design Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with proposed modifications, which are briefly highlighted below:

1. Article 8.6 Open Space and Amenity Standards: Shall not apply.
2. Article 8.7 Pedestrian Network Standards: Sidewalks currently exist along South Union Street. As a result, no additional pedestrian facilities shall be required.
3. Article 8.9 Street and Right-of-Way Standards: The District shall comply with the requirements of the Thoroughfare Plan unless otherwise agreed to by the Department of Public Works. Each Lot shall be accessed from South Union Street.

Processes & Permits: As proposed, the PUD Ordinance defaults to the standards of the Unified Development Ordinance Chapter 10 with proposed modifications, which are briefly highlighted below:

1. Article 10.12 Subdivision: The subdividing of the Real Estate in accordance with the Concept Plan shall be a Minor Subdivision.

COMPREHENSIVE PLAN

The 2007 Westfield-Washington Township Comprehensive Plan identifies the Property as being within the Downtown area. A healthy mix of commercial, offices, retail, residential, and more are contemplated as appropriate uses within the Downtown area. Along with development that ensures a unique image for downtown Westfield, development that will complement the visual and aesthetic value of the entire town, and promote the downtown as a growth area and a destination. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

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 will be held on the July 1, 2019, 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 10, 2019, Council meeting.

DEPARTMENT COMMENTS

1. **Action: Hold a public hearing at the July 1, 2019, 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 Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Jonathan Dorsey at (463) 221-8375 or jdorsey@westfield.in.gov.

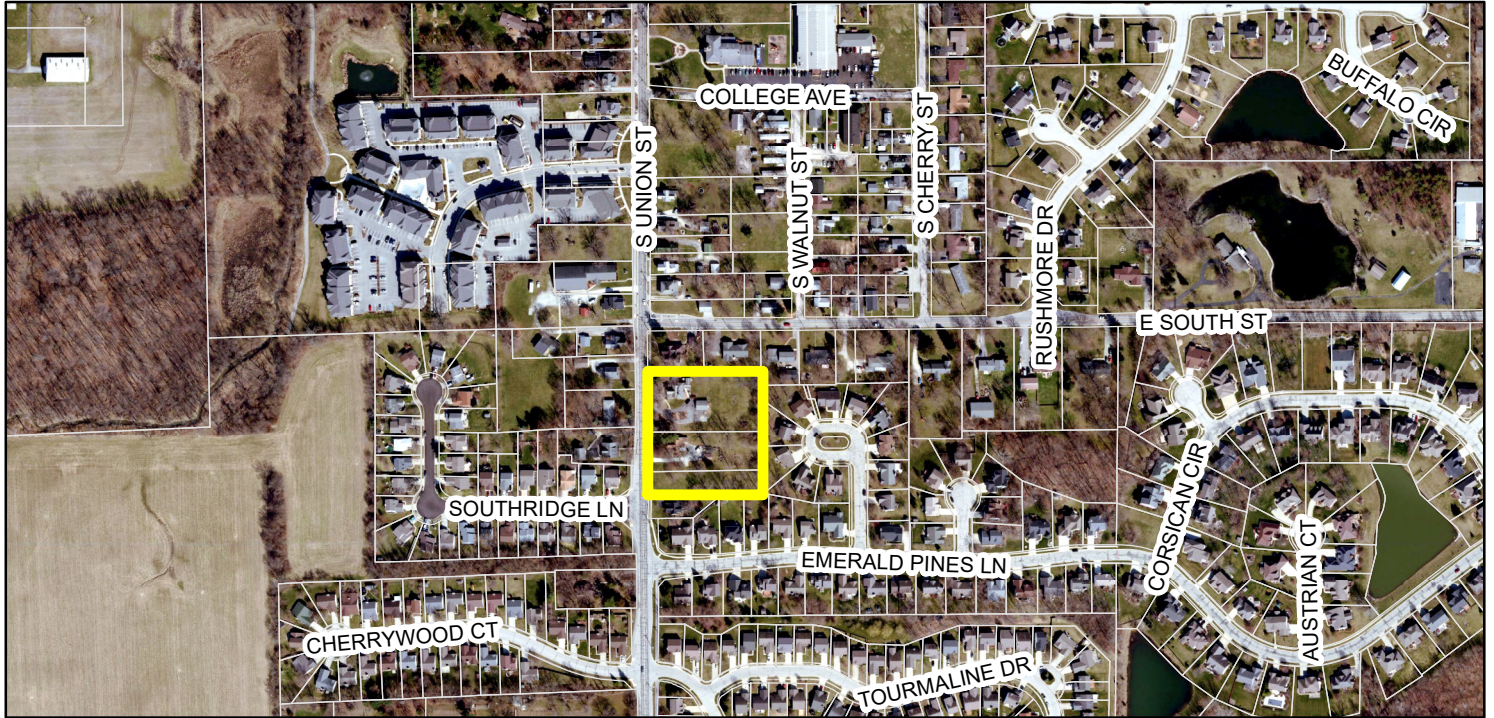
Property Location Map

Union Row PUD

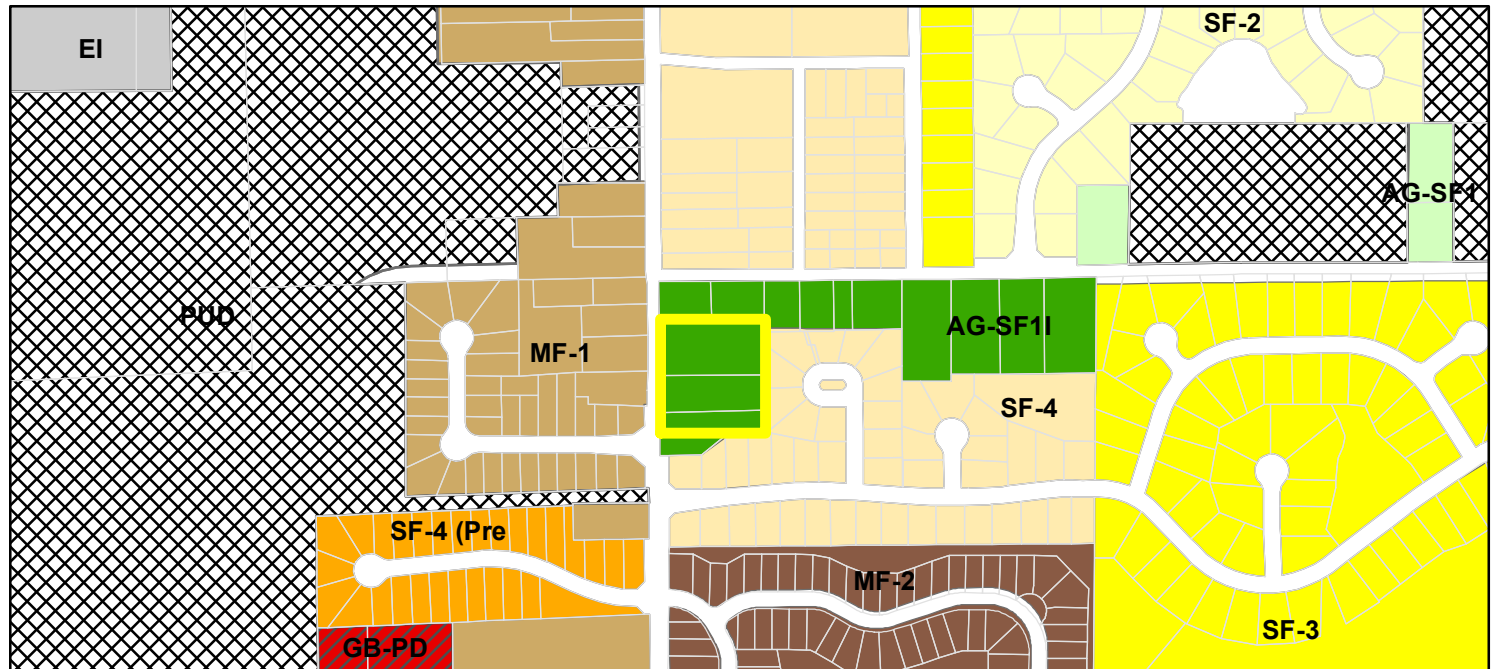
1907-PUD-18, 1907-SFP-34



Aerial Location Map



Zoning Map



 Parcel	 MF-1 (Multiple Family - 1)
Zoning - All	 MF-2 (Multiple Family - 2)
Zoning	 PUD (Planned Unit Development)
 AG-SF1 (Agriculture - Single Family - 1)	 SF-2 (Single Family - 2)
 AG-SF1I (Agriculture - Single Family - 1 In-town)	 SF-3 (Single Family - 3)
 EI (Enclosed Industrial)	 SF-4 (Single Family - 4)
 GB-PD (General Business - Planned Development)	 SF-4 Pre-1994 (Single Family - 4 Pre-1994)



EXHIBIT B: CONCEPT PLAN
UNION ROW
PLANNED UNIT DEVELOPMENT DISTRICT



EXHIBIT C-1: CHARACTER EXHIBIT
UNION ROW
 PLANNED UNIT DEVELOPMENT DISTRICT



EXHIBIT C-2: CHARACTER EXHIBIT
UNION ROW
 PLANNED UNIT DEVELOPMENT DISTRICT

ORDINANCE NUMBER 19-[REDACTED]

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

This is a Planned Unit Development District Ordinance (to be known as the **UNION ROW PUD DISTRICT**) 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. 1907-PUD-[REDACTED]**), requesting an amendment to the Unified Development Ordinance and to 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. 1907-PUD-[REDACTED]** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (_____) 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 _____ 2019;

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; and

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 "**Union Row 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 Unified Development Ordinance.

- 2.1 **Dwelling, Accessory:** A Dwelling Unit that is attached to or located on the same Lot as a Single-family Dwelling, has an independent means of access and is owned by the owner of the Principal Building. Accessory Dwellings include Dwelling Units integrated within or attached to a Single-family Dwelling, or located in an Accessory Building (e.g., detached garage) on the same Lot as the Single-family Dwelling. Alternative terms commonly used for an Accessory Dwelling may also include: mother-in-law suite; in-law apartment; secondary suite; garden suite; garage apartment; and, granny flat.

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. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be the SF3: Single-Family Medium Density District (the “Underlying Zoning District”).

Section 5. **Permitted Uses.**

- 5.1 **Permitted Uses:** The following uses shall be permitted within the District:
- A. All uses permitted in the Underlying Zoning District.
 - B. Accessory Dwelling.
- 5.2 **Prohibited Uses:** The following use(s) shall be explicitly prohibited within the District:
- A. Special Exception Uses.

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 Real Estate, except as otherwise modified below.

- 6.1 **Minimum Lot Frontage:** 45 feet
- 6.2 **Minimum Lot Width:** 45 feet
- 6.3 **Minimum Building Setback Lines:**
- A. **Side Yard:** 5 feet

Section 7. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified below.

7.1 Article 6.1 Accessory Use and Building Standards: Shall apply; except as modified below.

A. Article 6.1(D) Building Location: Shall apply; however, an Accessory Building (e.g., detached garage) shall be a minimum of one (1) foot from a Side Lot Lines and shall be located outside of all easements.

7.2 Article 6.3 Architectural Standards: Shall apply; except as otherwise modified below.

A. Character Exhibit: The “Character Exhibit”, attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed on the Real Estate. Although the Character Exhibit does not necessarily represent the final design, it does hereby establish a benchmark for the variation, quality and appearance of Buildings permitted to be constructed and that contribute to the District’s intent and vision. 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. Article 6.3(C)(3) Building Materials: Shall apply. In addition, vinyl and aluminum siding shall not be a permitted exterior building material, except for gutters, soffits, soffit trim and other similar building components.

C. Garages: Garages shall be located to the rear of the Principal Building of the Single-family Dwelling. Examples of compliance with this standard include: (i) detached garage located in the Established Rear Yard, as depicted on the Concept Plan; (ii) rear-load garage; and, (iii) a side-load garage with the garage doors located on the east half of the Single-family Dwelling’s side Building Façade.

7.3 Article 6.8 Landscaping Standards: Shall apply, except as modified below.

A. Foundation Plantings (Article 6.8(L)): Shall not apply; rather, the Minimum Lot Landscaping Requirements shall apply.

B. External Street Frontage Landscaping Requirements (Article 6.8(M)(1)): Shall not apply.

C. Buffer Yard Requirements (Article 6.8(N)): Shall not apply.

Section 8. **Infrastructure Standards.** The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7 Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works.

Section 9. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the Real Estate, except as otherwise modified below.

- 9.1 Article 8.6 Open Space and Amenity Standards: Shall not apply.
- 9.2 Article 8.7 Pedestrian Network Standards: Sidewalks currently exist along South Union Street. As a result, no additional pedestrian facilities shall be required.
- 9.3 Article 8.9 Street and Right-of-Way Standards: The District shall comply with the requirements of the Thoroughfare Plan unless otherwise agreed to by the Department of Public Works. Each Lot shall be accessed from South Union Street.

Section 10. **Processes & Permits.** The standards of Chapter 10 Processes & Permits shall apply, except as otherwise modified below.

- 10.1 Article 10.12 Subdivision: The subdividing of the Real Estate in accordance with the Concept Plan shall be a Minor Subdivision.

**[Remainder of page intentionally left blank;
signature page follows.]**

ALL OF WHICH IS ORDAINED/RESOLVED THIS _____ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-**
this _____ day of _____, 2019.

I hereby VETO **ORDINANCE 19-**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Jesse M. Pohlman, Onpointe Land Matters, LLC
Patrick Chittenden, Patch Development, LLC
400 Alpha Drive, Westfield, Indiana 46074

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: Jesse M. Pohlman

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Character Exhibit

EXHIBIT A
REAL ESTATE

A PART OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS AND PREPARED BY TERRY D. WRIGHT, PS #970013 OF HAMILTON DESIGNS FOR PROJECT # 2019-115 ON MAY 23, 2019:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ALONG THE WEST LINE THEREOF SOUTH 00 DEGREES 16 MINUTES 42 SECONDS EAST 132.00 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED IN INSTRUMENT NO. 2002-096508 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID TRACT AND THE SOUTH LINE OF THE TRACT DESCRIBED IN INSTRUMENT NO. 2016-054452 IN SAID RECORDER'S OFFICE NORTH 89 DEGREES 21 MINUTES 55 SECONDS EAST 330.00 FEET TO THE WEST LINE OF THE TRACT DESCRIBED IN INSTRUMENT NO. 2004-013334 IN SAID RECORDER'S OFFICE; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 16 MINUTES 42 SECONDS WEST 28.12 FEET TO THE NORTH LINE OF EMERALD PLACE SECTION 1, INSTRUMENT NO. 9504245 IN SAID RECORDER'S OFFICE; THENCE ALONG SAID PERIMETER SOUTH 89 DEGREES 23 MINUTES 06 SECONDS WEST 0.27 FEET TO THE NORTHWEST CORNER OF LOT 34 IN SAID EMERALD PLACE; THENCE ALONG THE WEST LINE OF SAID PLAT SOUTH 00 DEGREES 16 MINUTES 42 SECONDS EAST 301.99 FEET; THENCE CONTINUING ALONG SAID PERIMETER AND THE EXTENSION OF THE NORTH LINE OF THE TRACT DESCRIBED IN INSTRUMENT NO. 2018-009059 SOUTH 89 DEGREES 23 MINUTES 06 SECONDS WEST 329.73 FEET MEASURED TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 16 MINUTES 42 SECONDS WEST 330.00 FEET TO THE POINT OF BEGINNING; CONTAINING 2.50 ACRES, MORE OR LESS.



EXHIBIT B: CONCEPT PLAN
UNION ROW
PLANNED UNIT DEVELOPMENT DISTRICT



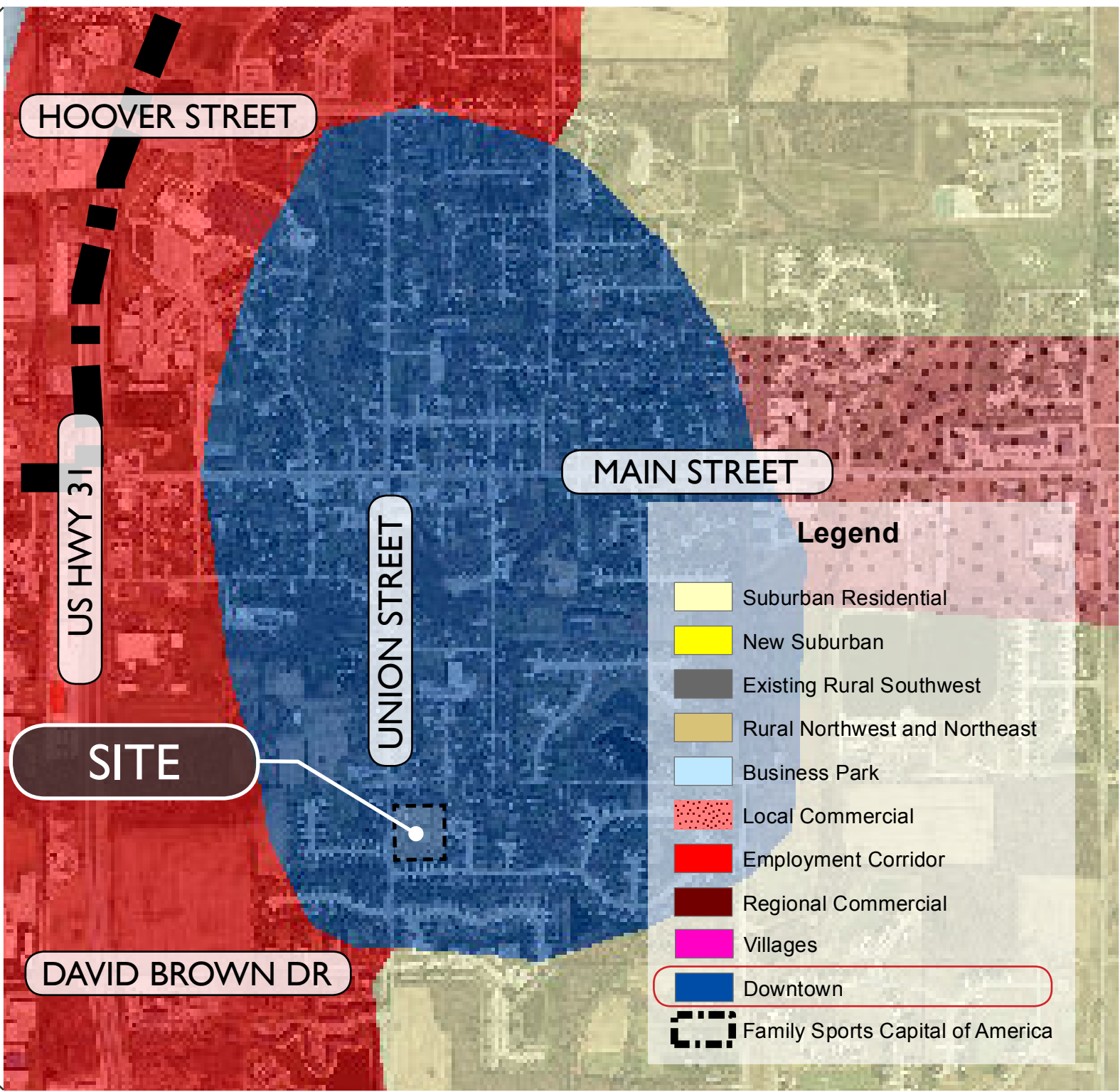
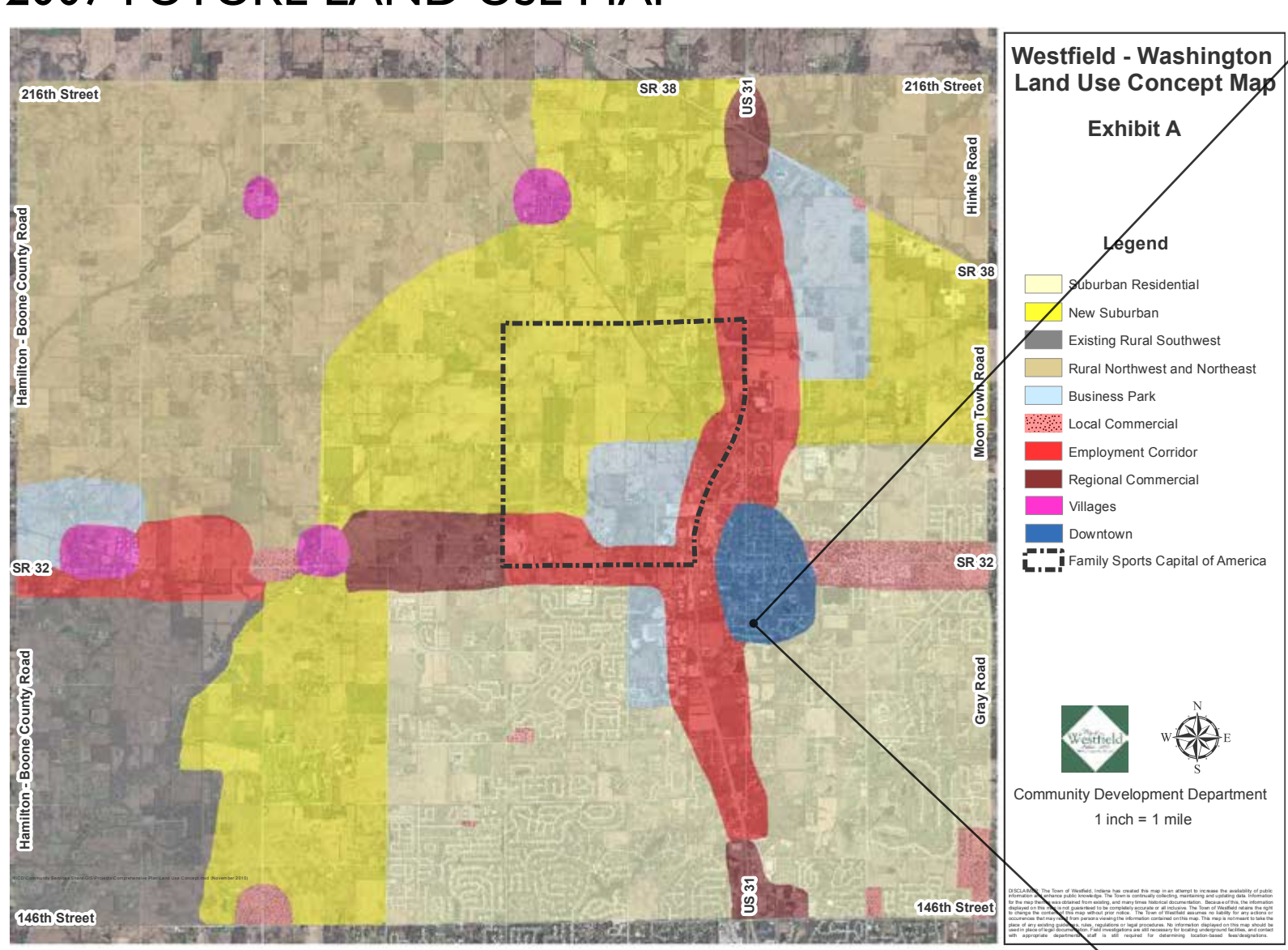
EXHIBIT C-1: CHARACTER EXHIBIT
UNION ROW
 PLANNED UNIT DEVELOPMENT DISTRICT



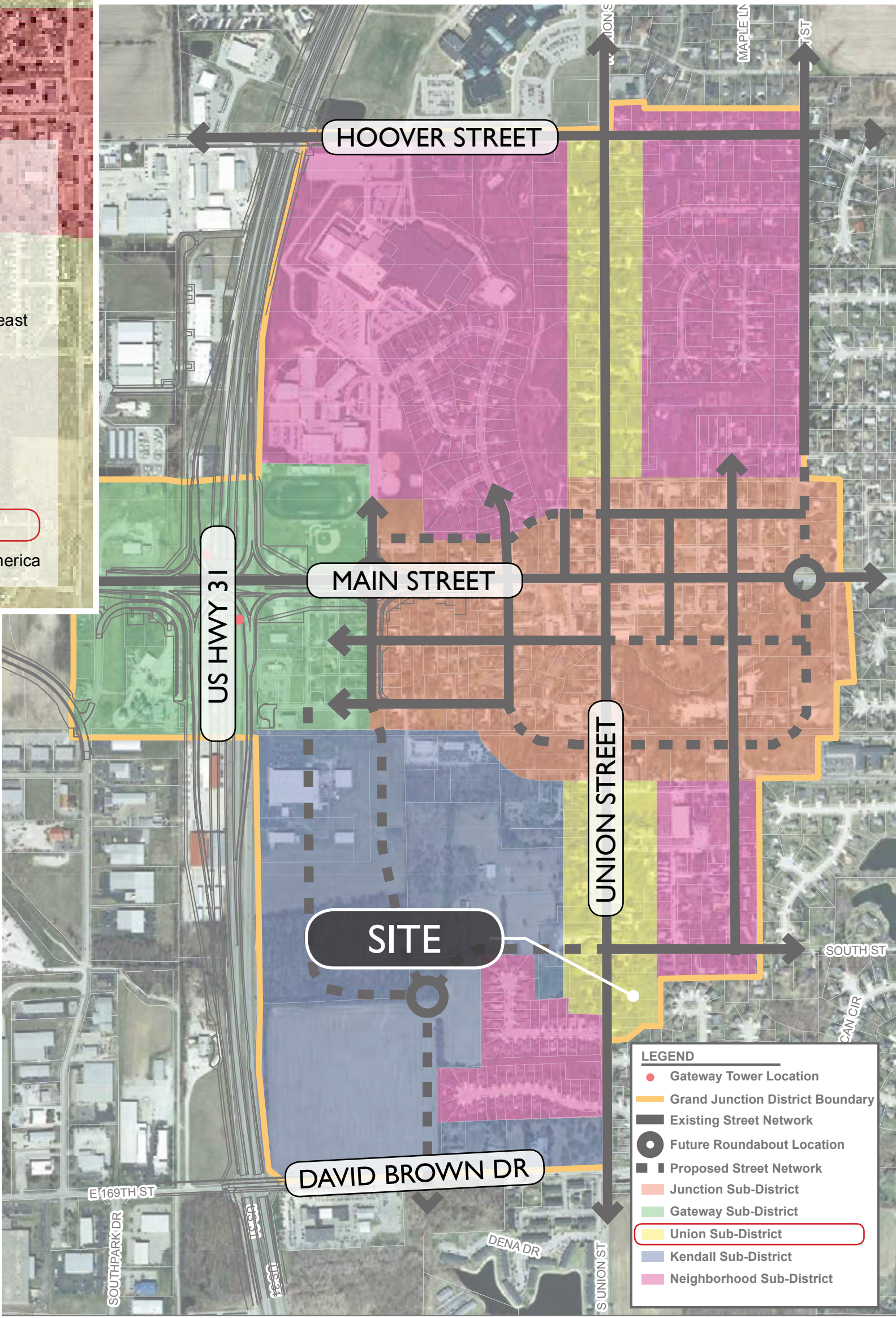
EXHIBIT C-2: CHARACTER EXHIBIT
UNION ROW
 PLANNED UNIT DEVELOPMENT DISTRICT



2007 FUTURE LAND USE MAP



COMPREHENSIVE PLAN

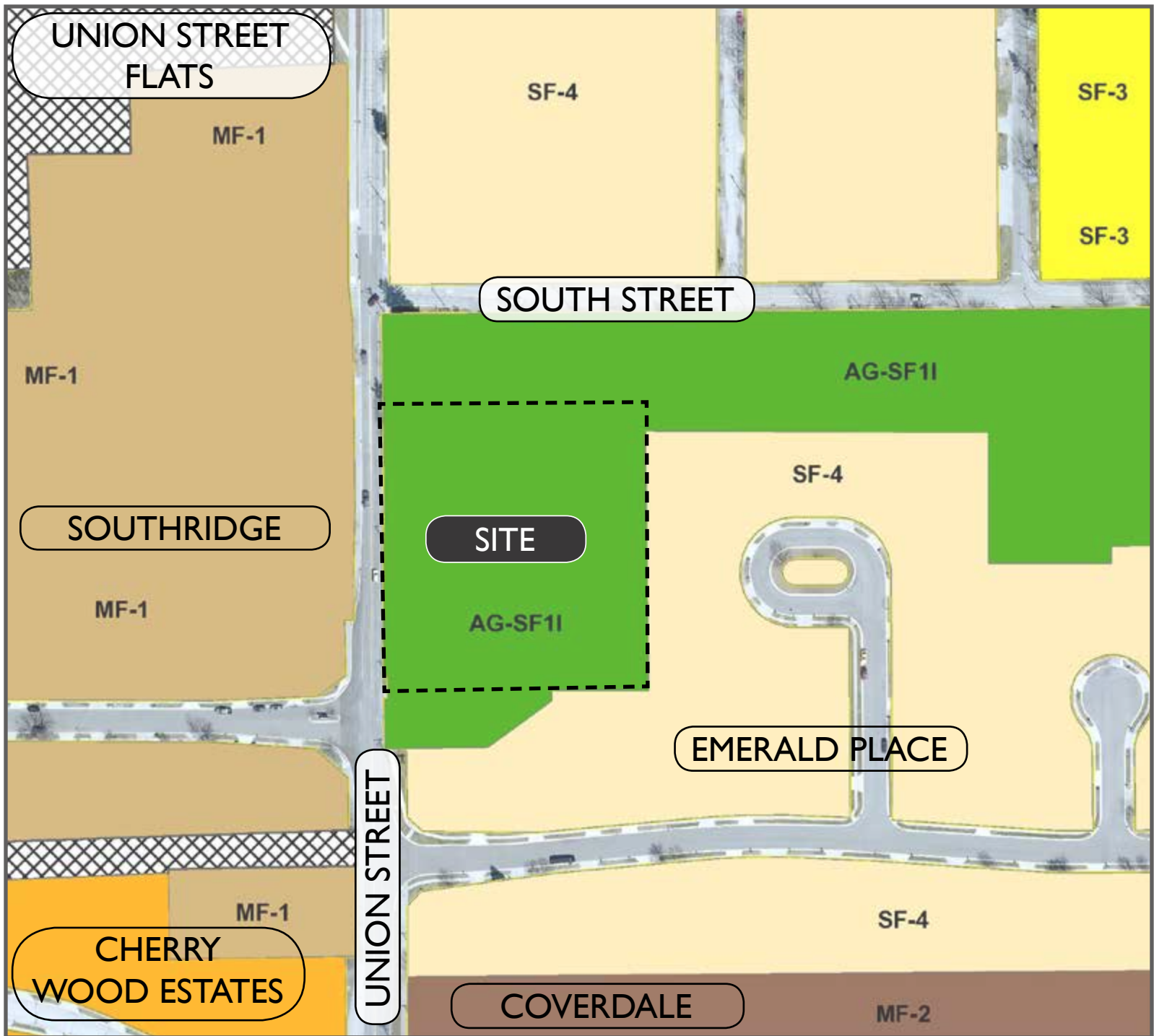


2013 GRAND JUNCTION IMPLEMENTATION PLAN

LOCATION MAP



ZONING MAP



LOCATION MAP



CONCEPT PLAN





WRITTEN PUBLIC COMMENTS

Docket Number: 1907-PUD-18
Petitioner: Patch Development LLC
Request: Petitioner requests a change of zoning of approximately 2.5 acres +/- in the AG-SF1-l: Agricultural / Single-Family Westfield District to the Union Row PUD District.

Enclosed Attachments:

July 01, 2019 Public Hearing

- | | | |
|--------------------|--------------------------------|--------------|
| 1. Skelton, Teresa | Downtown Westfield Association | (06/06/2019) |
|--------------------|--------------------------------|--------------|

From: Teresa Skelton <teresa.otis.skelton@gmail.com>
Sent: Thursday, June 6, 2019 01:56 PM
To: Economic Development
Cc: Jesse M. Pohlman; watsonval@yahoo.com; Teresa Skelton
Subject: Union Row and 547 East Street

Follow Up Flag: Flag for follow up
Flag Status: Flagged

The Grand Junction Task Group met Tuesday June 4, 2019 at the Downtown Westfield Association Office. There were approximately 25 members present.

Jesse Pohlman and Pat Chittenden were present to answer questions on the proposed Union Row. This is a PUD infill subdivision consisting of 7 homes if granted. After a brief presentation followed by some questions the GJTG was in full support of this petition as it fits with the Comprehensive Plan and is compatible with the vision of our Downtown.

The second presentation we heard was from Valarie Watson on the property at 547 East Street. The group had questions on parking, hours and adjacent property owners opinions. Ms. Watson is seeking a Variance of Use to operate a scrapbook retreat. She was encouraged to have those conversations with neighbors as soon as possible. With that being said the GJTG was in full support of this project.

Please let me know if you require additional information or have questions.

Thank you!

Teresa Skelton
Downtown Westfield Association, GJTG
317 508 3392

Sent from my iPhone

Memorandum

Date: June 19, 2019

To: Jonathan Dorsey, Associate Planner
Economic and Community Development Department

From: Jesse M. Pohlman

**Re: Union Row Planned Unit Development (1907-PUD-18)
Summary of Open House for Neighbors**

In accordance with Article 10.9(C)(1)(f) Planned Unit Development Districts; PUD District Ordinance; Application Procedures; Neighbor Meeting, Patch Development, LLC hosted an open house for adjoining property owners on Tuesday, June 18, 2019, in the Community Room at Union Street Flats (176 Union Flats Boulevard, Westfield, Indiana).

Below please find a brief written report of the open house.

Open house began at 6:30 p.m. and concluded around 7:15 p.m.

Petitioner representatives included Pat Chittenden (Patch Development, LLC), Jesse Pohlman (Onpointe Land Matters, LLC), Ben Davis (BBG Construction), and Curt Whitesell (WKRP Indy Real Estate).

Attendees included three (3) adjacent property owners from Emerald Place, two (2) adjacent property owners along South Street, two (2) Council members (C. Lehman, C. Spoljaric), and a representative from the City's Economic and Community Development Department (J. Dorsey).

After introductions and an overview of the proposed subdivision, discussion included the following topics:

General: Anticipated construction timeline (Fall 2019); Emerald Place's current issues with Airbnb's; target market and draw for downtown lifestyle; anticipated home price points (\$400,000 - \$600,000); Fire Department's use of homes to be demolished for training.

Site Considerations: Drainage and existing issue at southeast corner of property (noted proposed dry detention basin); survey stake markers and existing fence along east property line; large rear yards; right-of-way to be dedicated to the City and no immediately planned Union Street improvements (noted City will require developer to resurface Union Street frontage of subdivision); front yard setbacks and relationship to other homes along Union Street.

Design of Homes: Anticipated home square footages (2,300 to 2,400 SF); lot widths and home setbacks (noted the width of homes are consistent with typical suburban homes but without front loading garages); overall quality and character of proposed home architecture, traditional downtown architecture, and building materials (noted roofs will be shingled and only potential metal roof would be accents roofs, and no vinyl permitted); driveway material (concrete); market demand for master bedrooms to be located on the first floor; accessory dwellings and support for the concept.



Petition Number: 1907-REZ-01

Project Name: Bridlewood Subdivision (the “Property”)

Subject Site Address: Southwest corner of 151st Street and Carey Road

Petitioner: City of Westfield (the “City”)

Representative: City of Westfield (the “City”)

Request: A change of zoning of 73.7 acres +/- from the SB-PD: Special Business / Planned Development District to the SF4: Single-family High Density District.

Current Zoning: SB-PD: Special Business / Planned Development District

Current Land Use: Residential

Approximate Acreage: 73.7 acres +/-

Property History: Primary Plat Approval (November 1987)
Section 1 Plat (March 1988)
Section 2 Plat (December 1988)
Section 3 Plat (August 1990)
Section 4 Plat (October 1992)

Exhibits: 1. Staff Report
2. Location Map
3. Proposed Ordinance 19-24
4. HOA Request Letter

Staff Reviewer: Caleb Ernest, Associate Planner

PETITION HISTORY

This petition was introduced at the June 10, 2019, City Council meeting. The petition will receive a public hearing at the July 1, 2019, Advisory Plan Commission (the “Plan Commission”) meeting.

Property is currently zoned Chatham Hills PUD District (Ordinance 19-11).

The comments contained herein are in review of the filed Overall Development Plan and Primary Plat scheduled for the June 18, 2019, Technical Advisory Committee meeting.

PROJECT OVERVIEW

The Property encompasses approximately 73.7 acres +/- and is located at the southwest corner of 151st Street and Carey Road (see **Exhibit 2**). Adjacent properties to the west and south are zoned



the SB-PD: Special Business / Planned Development District. To the north is 151st Street and to the east is Carey Road.

Background:

The Bridlewood Subdivision received Primary Plat approval on November 23, 1987. At that time, it was determined that Single-Family Residential was permitted in the SB-PD District, though the rationale for making this determination is unclear. In order to formally memorialize the rationale behind permitting Single-Family Residential, the Bridlewood Home Owners Association (HOA) has requested the City initiate a rezoning of the subdivision (see **Exhibit 4**). The City has initiated this zoning change to eliminate the pre-existing non-conforming uses and conditions of the Property and bring the Residential Lots into compliance with the City's Unified Development Ordinance (UDO).

Zoning District:

The below table shows the zoning standards for the current Zoning District (SB-PD) and the proposed Zoning District (SF4):

Bridlewood Subdivision		
	SB-PD	SF4
	Current Zoning District	Proposed Zoning District
Min. Tract Requirements	GP-PD: 10 acres	9,000 square feet
	LB-PD: 5 acres	
Min. Lot Frontage	x	40 feet
Min. Road Frontage	GP-PD: 660 feet	x
	LB-PD: 330 feet	x
Min. Setback Lines:		
Front Yard	GB-PD: 60 feet	25 feet
	LB-PD: 30 feet	
Side Yard	15 feet	8 feet
Rear Yard	20 feet	25 feet
Min. Lot Width	No minimum	50 feet
Max. Building Height	x	25 feet
Min. Living Area:		
Single story	x	1,000 square feet
Two story	x	750 square feet
Tri-level	x	750 square feet
Story and one-half	x	750 square feet



Min. Number of Structures	No minimum	x
Min. Building Size	No minimum	x
Development Plan Review	Required	Required for Major Subdivisions

SF4: Single-Family High Density District was determined as the proposed Zoning District. The City recognizes that all Lots in the Property have varying pre-existing non-conforming conditions and changing the zoning to any one Zoning District may not accommodate every Lot. Therefore, the City determined the proposed Zoning District accommodates the majority of the pre-existing non-conforming uses and conditions.

COMPREHENSIVE PLAN

The Property falls within the Suburban Residential land use area of the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”). Detached dwellings, attached dwellings, institutional uses and recreational uses are contemplated as appropriate uses within the Suburban Residential area. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

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 July 1, 2019, 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 10, 2019, Council meeting.



DEPARTMENT COMMENTS

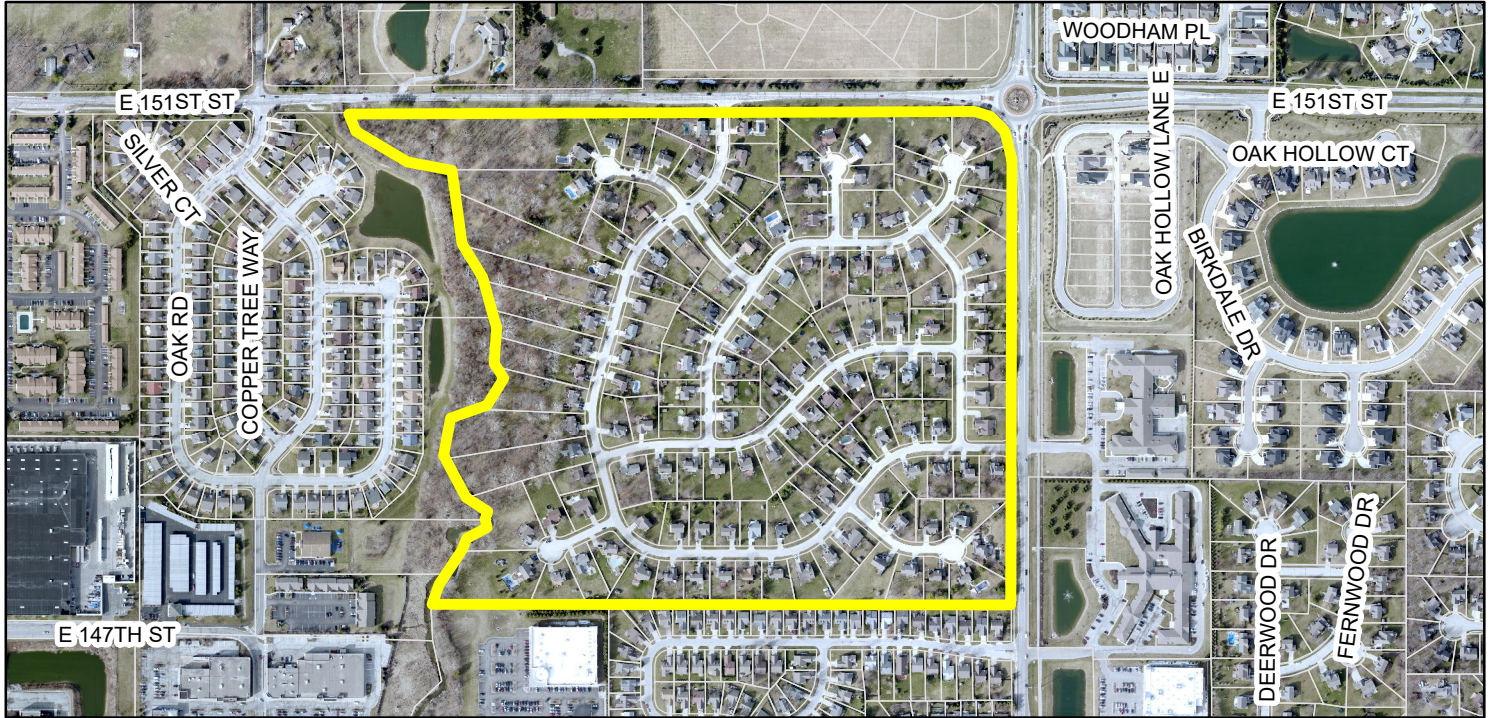
- 1) Action: Hold a public hearing at the July 1, 2019, Plan Commission meeting.**
- 2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The Economic and Community Development Department will confirm compliance prior to this item being placed on the next Plan Commission agenda.
- 3) If any Plan Commission member has questions prior to the public hearings, then please contact Caleb Ernest at 317-519-8630 or cernest@westfield.in.gov.



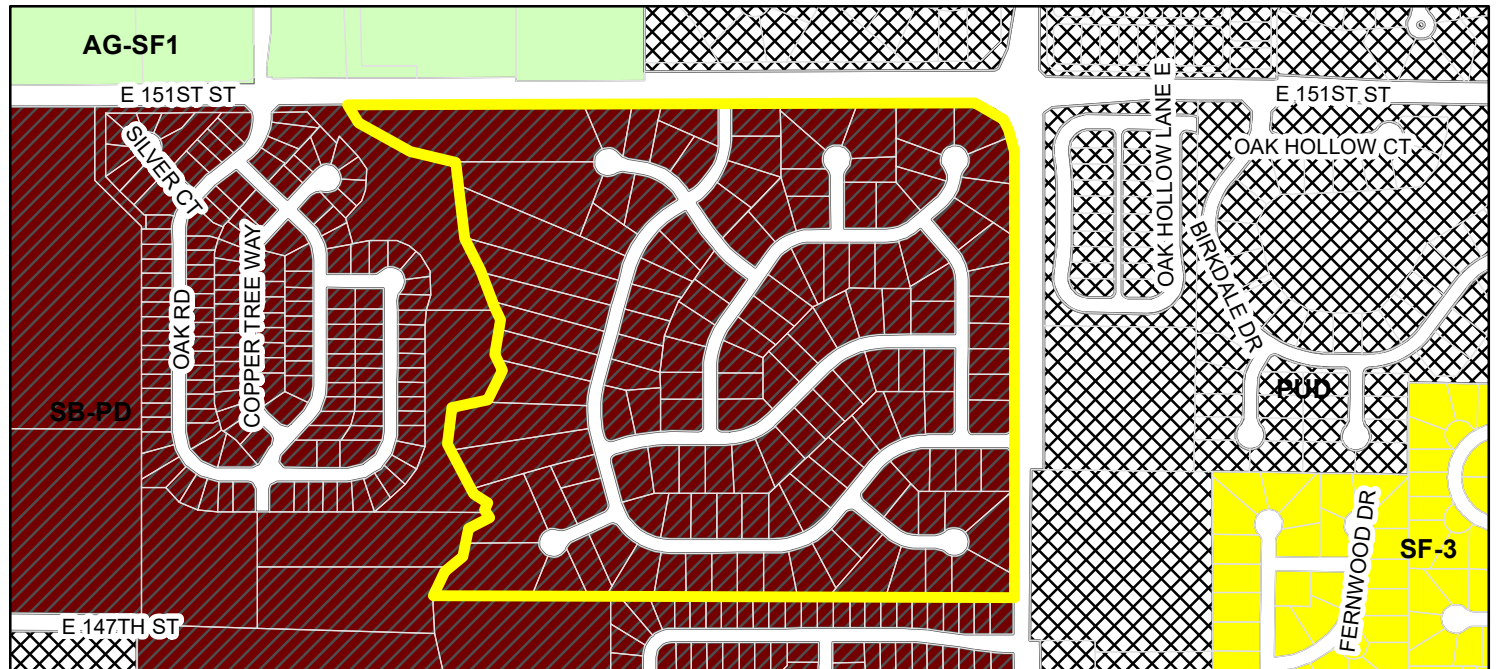
Property Location Map
Bridlewood Subdivision
Rezone
1906-REZ-01



Aerial Location Map



Zoning Map



- | | |
|--|--|
| Parcel | PUD (Planned Unit Development) |
| Zoning - All | SB-PD (Special Business - Planned Development) |
| Zoning | SF-3 (Single Family - 3) |
| AG-SF1 (Agriculture - Single Family - 1) | |

ORDINANCE NUMBER 19-24

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

This is an Ordinance 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 Township Advisory Plan Commission (the "Commission") held a public hearing on _____, 2019, for a petition (**Petition No. 1907-REZ-01**) requesting to rezone certain lands within the City of Westfield;

WHEREAS, on _____, 2019, the Commission forwarded **Petition No. 1907-REZ-01** 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;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2019;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-608 concerning any action on this request; and

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

Section 1. Applicability of Ordinance.

- 1.1 The Zoning Map accompanying and made a part of the Westfield-Washington Unified Development Ordinance is amended to reclassify real estate (the "Real Estate") described in what is attached hereto and incorporated herein by reference as **Exhibit A**, from SB-PD: Special Business / Planned Development District to SF-4: Single-Family High Density District.
- 1.2 Development of the Real Estate shall be governed by the provisions of the Unified Development Ordinance.

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-24** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-24**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-24**
this _____ day of _____, 2019.

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: Caleb Ernest

Prepared by: Caleb Ernest, Associate Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 519-8630

EXHIBIT A
(REAL ESTATE)



To whom it may concern,

I am writing as the President of the Bridlewood neighborhood Homeowners Association. Recently we became aware that Bridlewood is zoned as SB-PD (Special Business – Planned Development). It is our understanding that it is typically the housing developer's responsibility to rezone our neighborhood upon completion of construction. Since completion occurred in 1992, we have been left in this zone that is no longer used.

The Board of Directors has tasked me with petitioning the city on Bridlewood's behalf. We kindly request that the City Council step in and assist with having Bridlewood rezoned to a single family classification. We understand that there are many options for this and believe the best course of action is for the city planners and council to select an appropriate residential district.

Thank you for any and all consideration.

Sincerely,
Jon Dosmann
Bridlewood Board of Directors President
T: 574-360-1145 E: JCDosmann@gmail.com



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1907-PUD-16
Exhibit 1

Docket Number:	1907-PUD-16 (Ordinance No. 19-20 “the PUD Amendment”)
Petitioner:	Indiana Recovery Facilities, LLC (“the Petitioner”)
Request:	An amendment to the Grand Park Fieldhouse PUD to modify existing Development Standards for a Nitrogen Tank on the Front Façade of the Grand Park Fieldhouse.
Current Zoning:	Grand Park Fieldhouse PUD (Ord. 15-04) (the “Existing Zoning”)
Current Land Use:	Commercial
Acreage:	8.07 acres +/- (the “Real Estate”)
Exhibits:	1. Staff Report 2. Location Map 3. Proposed Ordinance 19-20 4. Concept Plan 5. Character Exhibits
Staff Reviewer:	Daine Crabtree, Associate Planner

PETITION HISTORY

This petition was introduced at the June 10, 2019, City Council meeting. The petition received a public hearing at the June 17, 2019, Advisory Plan Commission (the “APC”) meeting.

PROJECT OVERVIEW

The petitioner is requesting an amendment to the Grand Park Fieldhouse PUD, which is located on 186th Street west of Grand Park Boulevard and south of Grand Park (see [Exhibit 2](#)) to permit a Nitrogen Tank on the Front Building Façade of the Grand Park Fieldhouse.

ZONING REQUEST

The Petitioner is requesting an amendment to the Grand Park Fieldhouse PUD to permit a Nitrogen Tank on the Front Building Façade of the Grand Park Fieldhouse. The proposed PUD Amendment defines Nitrogen Tank as ground-mounted mechanical equipment.

The UDO requires that all ground-mounted mechanical equipment be screened from all ground-level viewpoints. The Petitioner is requesting that the Nitrogen Tank be permitted to be visible from adjoining Lots or Rights-of-Way.

Additionally, the Grand Park Fieldhouse PUD contains a Building Elevations Exhibit, for which elevations must be in substantial compliance. The Petitioner is requesting that the addition of a Nitrogen Tank and its enclosure on the Front Building Façade be deemed, “in substantial compliance” with these elevations.

Details regarding the Nitrogen Tank’s enclosure including building materials, fencing, and landscaping are made a part of the proposed PUD Amendment as Exhibit C.

ISSUES RAISED AT THE PUBLIC HEARING

There were no public comments. Issues raised at the public hearing by Plan Commission members focused on the appearance of the Nitrogen Tank enclosure. Specifically, chain link fencing was mentioned as being less than desirable and that more masonry should be added to assist in screening the Nitrogen Tank.

CHANGES SINCE THE PUBLIC HEARING

Since the public hearing, the petitioner has revised the Character Exhibits to remove chain link fencing from the sides of the enclosure to only Masonry. Gaps still remain in the Masonry for ventilation purposes (See **Exhibit 5**)

PROCEDURAL

Public Hearing: Planned Unit Development (PUD) Districts are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the June 17, 2019, 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.
-



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1907-PUD-16
Exhibit 1

DEPARTMENT COMMENTS

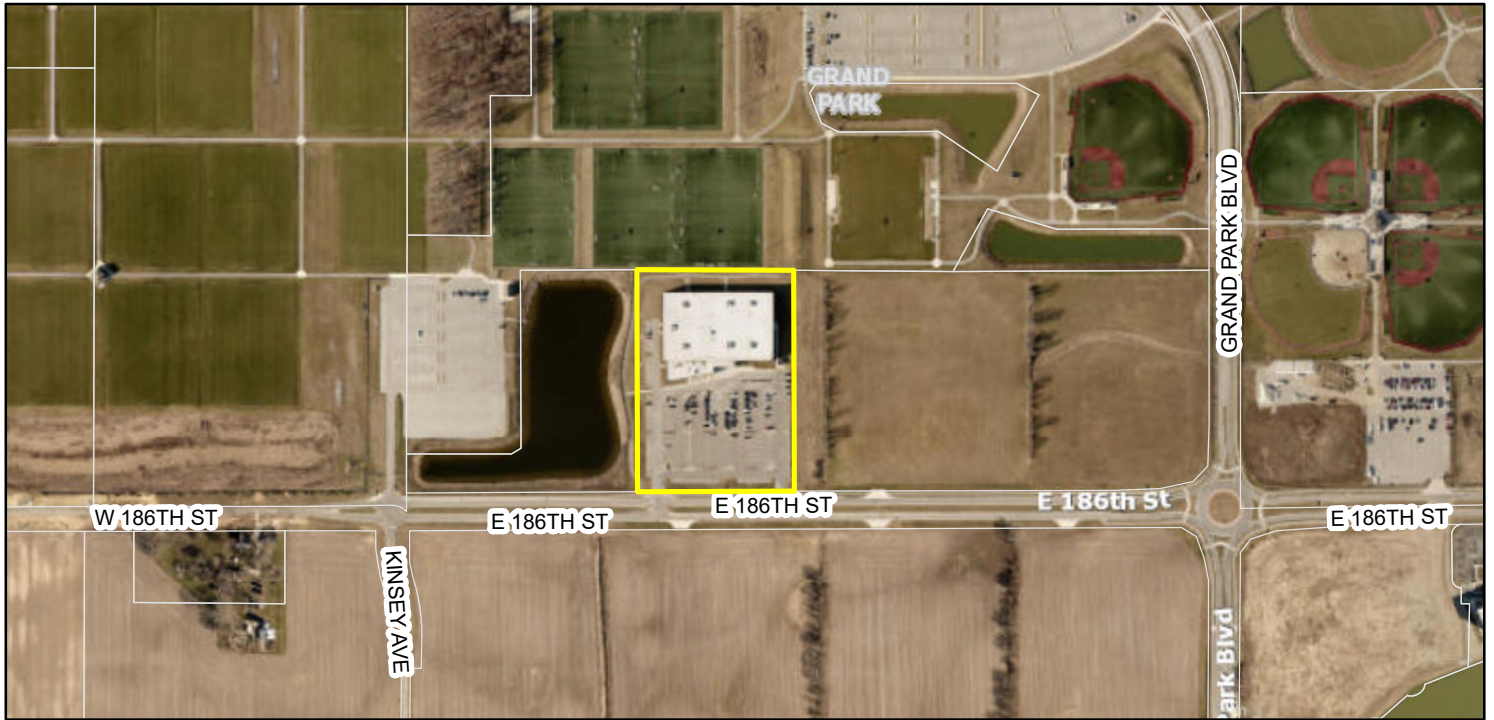
1. **Action:** Forward a recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Daine Crabtree at 317.416.2586 or dcrabtree@westfield.in.gov.

Grand Park Fieldhouse PUD

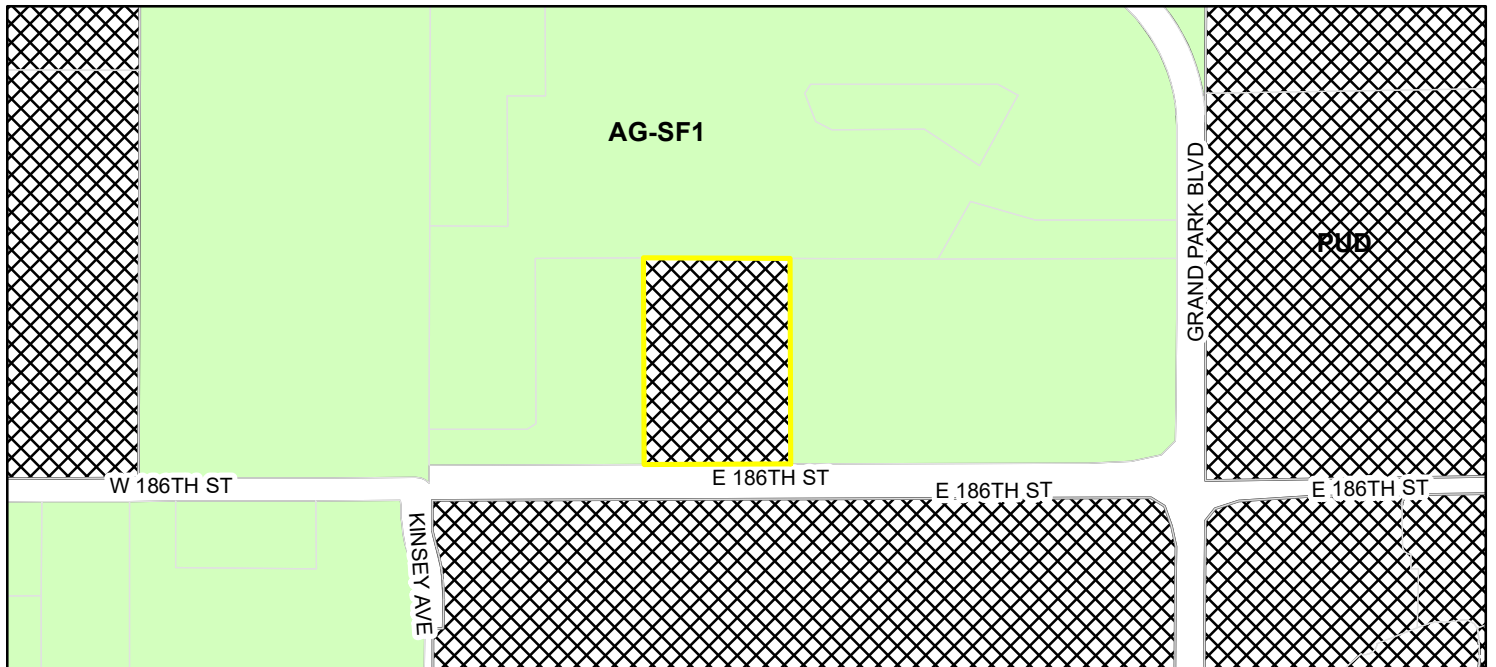
Not To Scale

Aerial Location Map

 Site



Zoning Map



 Parcel

Zoning

 AG-SF1 (Agriculture - Single Family - 1)

 PUD (Planned Unit Development)



ORDINANCE NUMBER 19-20

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE GRAND PARK FIELDHOUSE STREET PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is a Planned Unit Development District Ordinance Amendment (the "Amendment") 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 Common Council enacted Ordinance 15-04, the Grand Park Fieldhouse Planned Unit Development Ordinance (the "Grand Park Fieldhouse PUD") on May 11, 2015 recorded as Instrument No. 2015024058 in the Office of the Recorder of Hamilton County, Indiana amended by (i) Ordinance 16-41, enacted by the Council on December 12, 2016;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1907-PUD-16**), requesting an amendment to the Grand Park Fieldhouse PUD with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1907-PUD-16** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 2019;

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; and

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 Development of the Real Estate shall be governed by the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance (UDO), 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.
- 1.2 All other provisions of the Grand Park Fieldhouse PUD Ordinance shall remain in effect with the adoption of 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 Unified Development Ordinance. The following words and terms, not defined elsewhere in the Ordinance or its exhibits, shall have the following meaning:

- **Nitrogen Tank:** A tank that holds liquid nitrogen.

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. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Character Exhibits. Character Exhibits, attached hereto as **Exhibit C**, are hereby incorporated to capture the intended quality of the improvements made on the Real Estate. Site improvements shall be constructed substantially similar to those in the Character Exhibit.

Section 5. Development Standards. The standards of Section 3 Development Standards of the Grand Park Fieldhouse and Chapter 6 Development Standards of the UDO shall apply to the development of the District, except as otherwise modified below:

- 5.1 The installation of a Nitrogen Tank in substantial compliance with both Exhibit B and Exhibit C shall not be deemed Outdoor Storage or an Accessory Building/Structure, but rather shall be deemed mechanical equipment.
- 5.2 **Mechanical Screening:** A ground-mounted Nitrogen Tank that is substantially compliant with both Exhibit B and Exhibit C and used in conjunction with a Health, Fitness, and Exercise Center, shall be visually integrated into the overall design of

the Building.

- An enclosure, made of Masonry Material exclusive of access points to the enclosure, shall be installed around the Nitrogen Tank, as depicted in Exhibit C, to assist in screening the Nitrogen Tank.
- Screening materials, in substantial compliance with examples shown as part of Exhibit C, shall be placed where possible on access points of the enclosure. Colors, words, and logos may vary from those examples shown in Exhibit C.
- Landscaping around the perimeter of the enclosure shall be required except where ingress/egress points exist and where landscaping would hinder Nitrogen Tank maintenance.

- 5.3 The installation of a Nitrogen Tank along the Building Façade closest to 186th Street shall be deemed in substantial compliance with the building elevations depicted in Exhibit C of the Grand Park Fieldhouse PUD.

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**ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2019.
WESTFIELD CITY COUNCIL**

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-20** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-20**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-20**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

This document prepared by:

Daine Crabtree, Associate Planner, City of Westfield, 2728 E. 171st Street, Westfield, IN 46074

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: Daine Crabtree

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibits

EXHIBIT A
REAL ESTATE

A part of Lot 3, Grand Park Subdivision – Secondary Plat as recorded per Instrument Number 2014-57320, in the Office of the Recorder of Hamilton County, Indiana, described as follows: Beginning at the southeast corner of Common Area “E” of said Grand Park Subdivision: thence North 00 degrees 12 minutes 07 seconds West 705.96 feet along the east line of said Common Area “E” to the northeast corner thereof; thence South 89 degrees 43 minutes 01 seconds East 499.62 feet; thence South 00 degrees 12 minutes 07 seconds East 701.73 feet to a point 60.00 feet, by perpendicular measurement, from the south line of the Southeast Quarter of Section 26, Township 19 North, Range 3 East, said point being on the northerly right-of-way of East 186th Street; thence South 89 degrees 47 minutes 53 seconds West 499.60 feet along said northerly right-of-way to the point of beginning and containing 8.073 acres, more or less.

EXHIBIT B
CONCEPT PLAN



EXHIBIT C
CHARACTER EXHIBITS

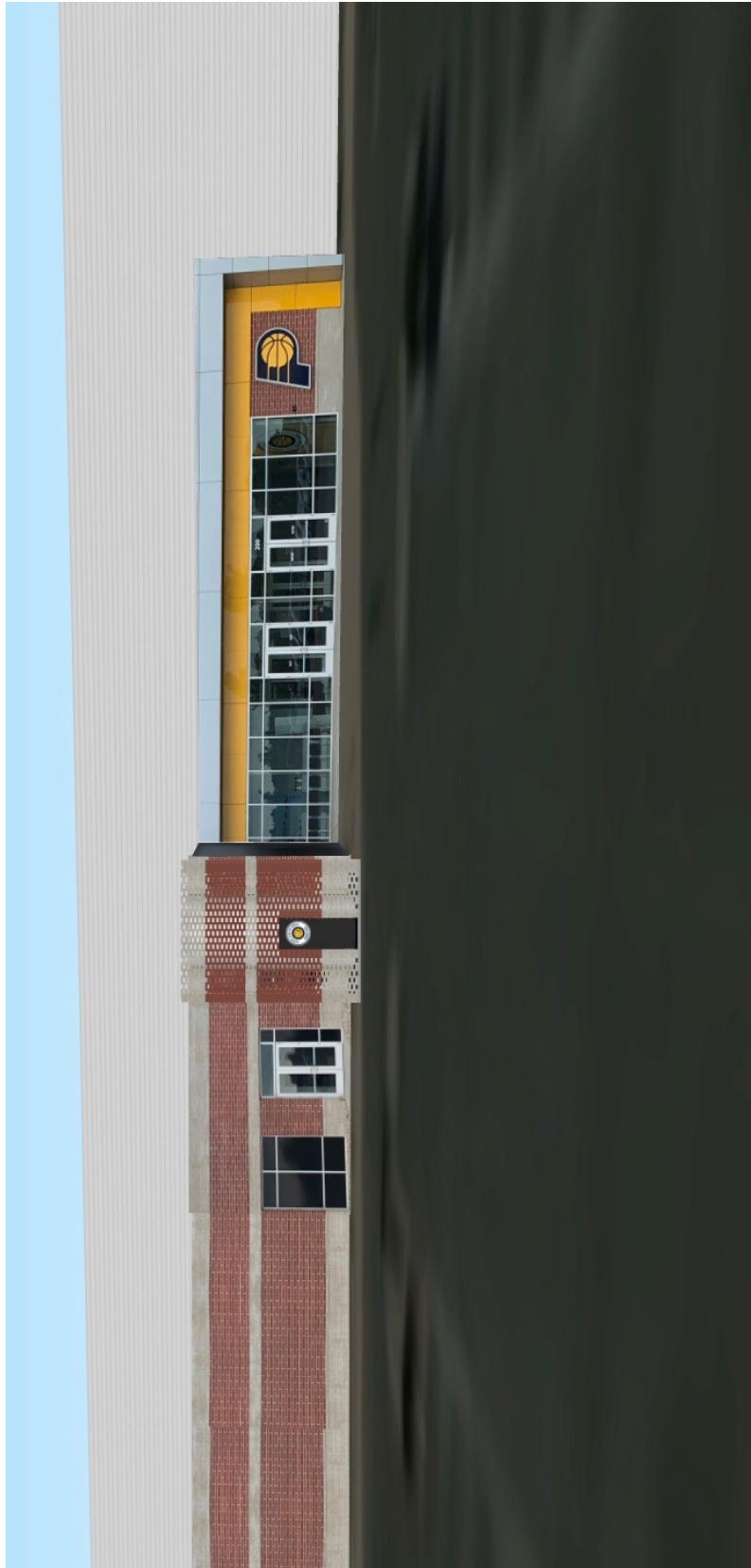


EXHIBIT C
CHARACTER EXHIBITS



EXHIBIT C
CHARACTER EXHIBITS

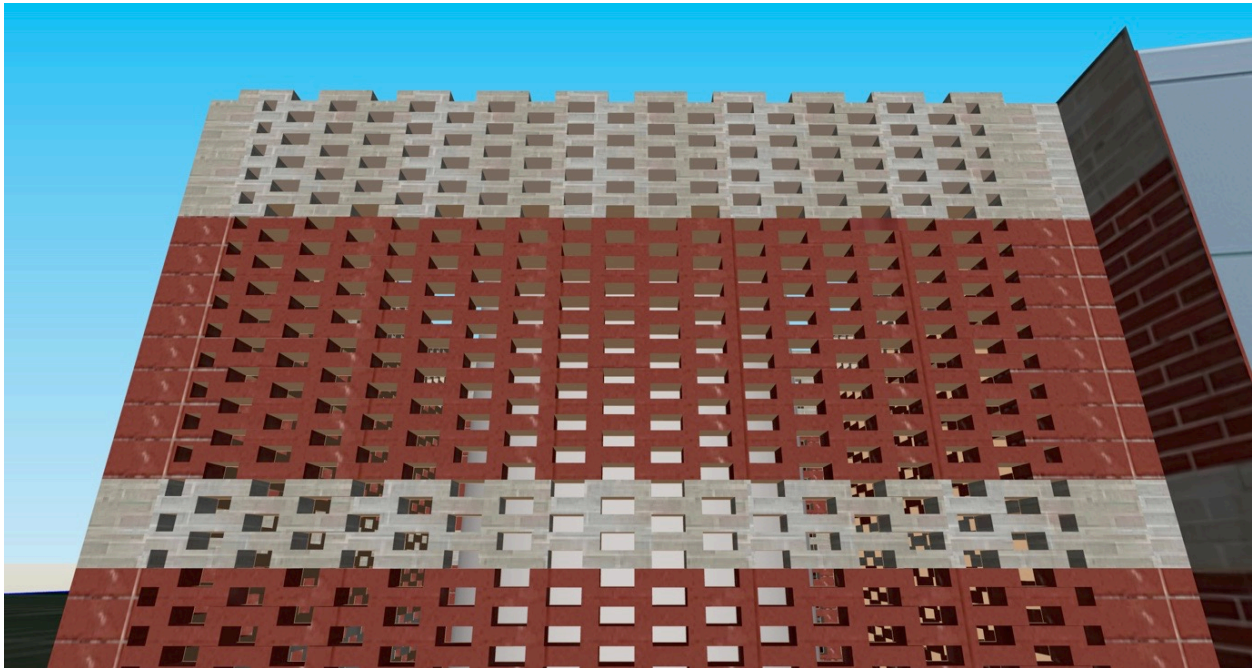


EXHIBIT C
CHARACTER EXHIBITS

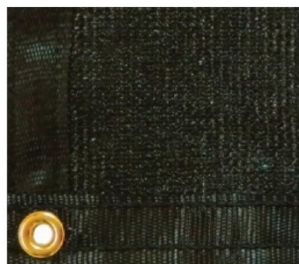




EXHIBIT C
CHARACTER EXHIBITS

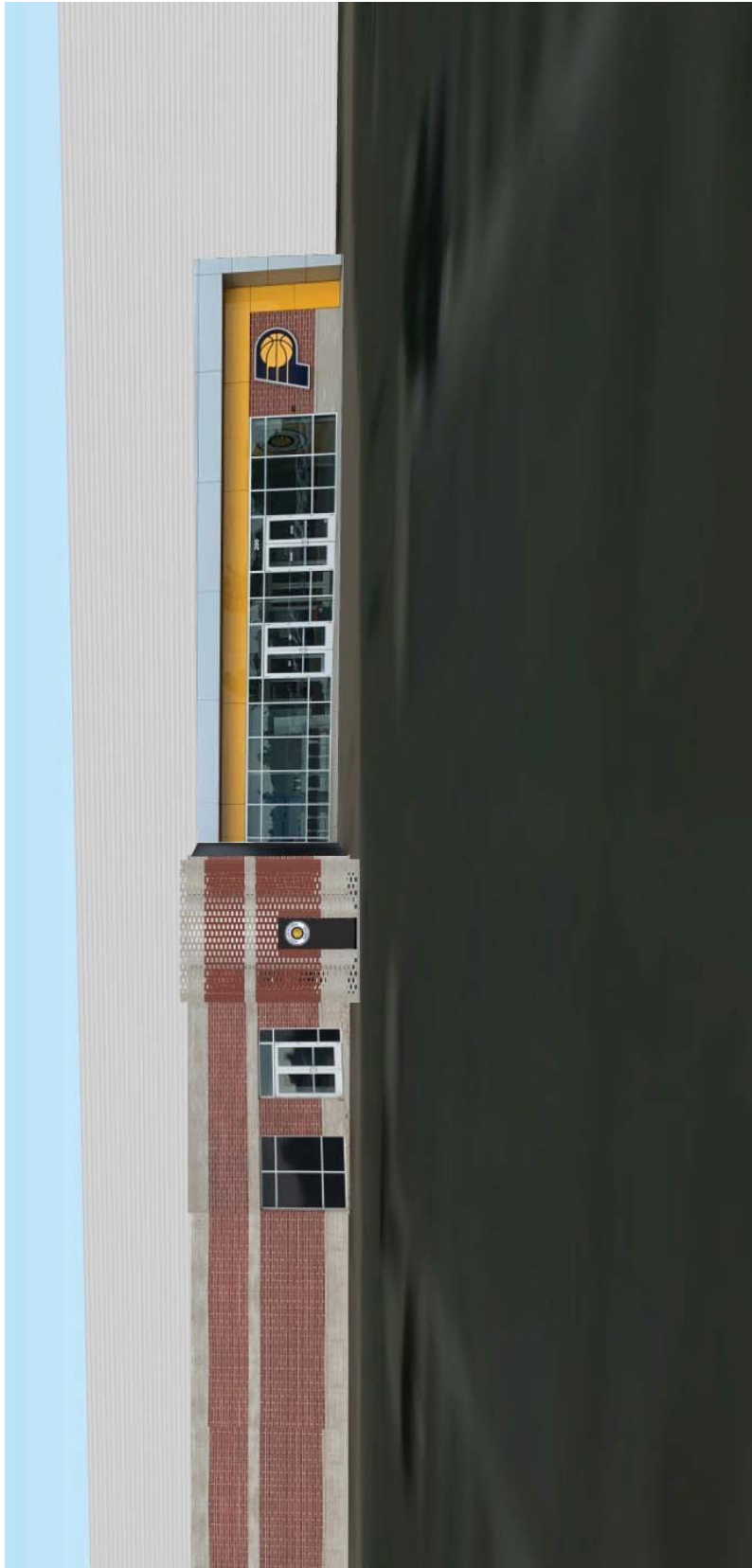


EXHIBIT C
CHARACTER EXHIBITS



EXHIBIT C
CHARACTER EXHIBITS

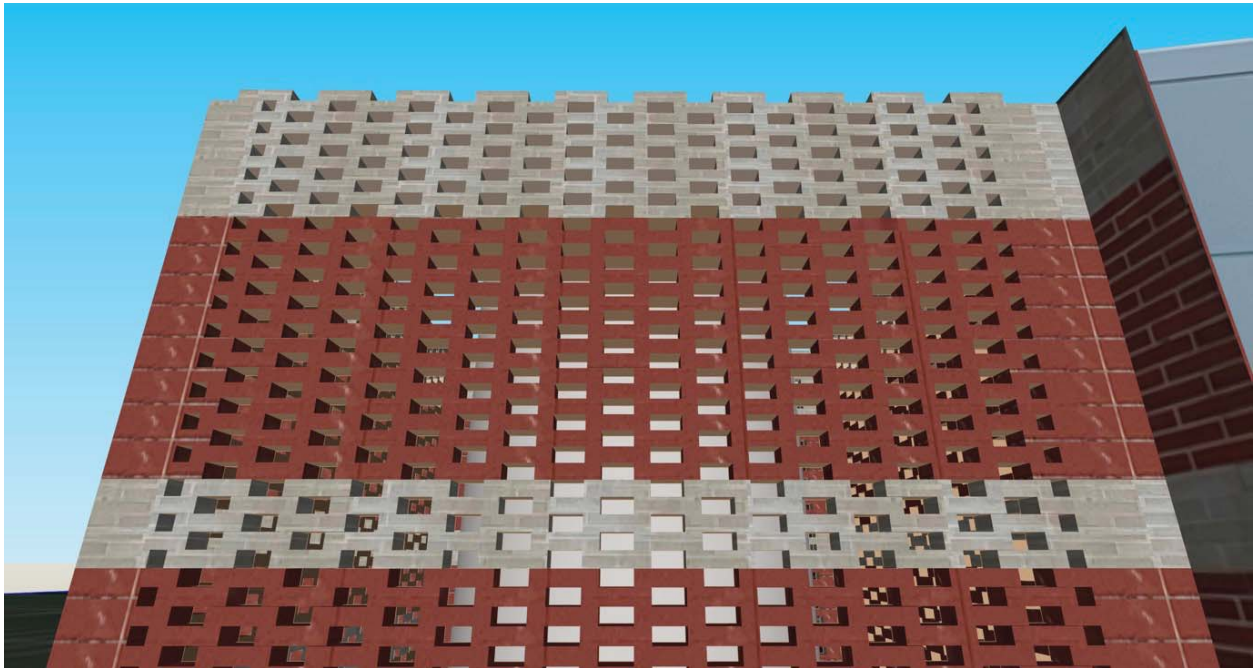
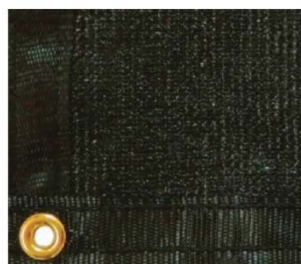


EXHIBIT C
CHARACTER EXHIBITS





WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1907-PUD-15
Exhibit 1

Docket Number:	1907-PUD-15 (Ordinance No. 19-19 “the PUD Amendment”)
Petitioner:	Options Charter School, Inc. by Coots Henke & Wheeler, P.C. (“the Petitioner”)
Request:	An amendment to the Oak Manor North Planned Unit Development (PUD) District to permit an Educational Institution Without Dormitory Accommodations on approximately 3.0 acres +/- in the Oak Manor North PUD District
Current Zoning:	Oak Manor North (Ord. 05-04) (the “Existing PUD”)
Current Land Use:	Vacant
Acreage:	3.0 acres +/- (the “Real Estate”)
Exhibits:	1. Staff Report 2. Location Map 3. Proposed Ordinance 19-19
Staff Reviewer:	Daine Crabtree, Associate Planner

PETITION HISTORY

This petition was introduced at the June 10, 2019, City Council meeting. The petitioner held a neighborhood meeting on June 25th, 2019, at the Westfield-Washington Public Library. There were no attendees from the general public. The petition will receive a public hearing at the July 1, 2019, Advisory Plan Commission (the “APC”) meeting.

PROJECT OVERVIEW

The petitioner is requesting an amendment to the Oak Manor North PUD (Ord. 05-04), specific to a parcel approximately 3.0 acres +/- in size (see [Exhibit 2](#)) to permit an Educational Institution Without Dormitory Accommodations on the Real Estate.

Properties to the north are zoned AG-SF1 (the Flanner Buchanan Cemetery and Memorial Park) while properties to the east and south are also zoned the Oak Manor North PUD. The Grassy Branch Marketplace PUD exists to the west.



ZONING REQUEST

History

The Existing PUD Ordinance was approved at the February 14, 2005, Westfield-Washington Town Council meeting. This PUD Ordinance was written so that certain standards (including development, landscaping, and signage) that were in effect at the time of the PUD was filed and/or approved are applicable today.

The Existing PUD's underlying zoning district is the "GB-PD District of the Zoning Ordinance in force at the time of the filing of this Oak Manor North PUD". The Oak Manor North PUD was filed on December 8, 2004. Therefore, the applicable underlying zoning for the Existing PUD is the Westfield-Washington Township Zoning Ordinance that was adopted in November of 2003 (the "Existing Underlying Zoning District").

The Petitioner is requesting an amendment to the Oak Manor North PUD to permit an Educational Institution Without Dormitory Accommodations on the Real Estate whilst also repealing the existing zoning in its entirety and defaulting to the UDO.

As the Real Estate is located in an Economic Development Overlay as established by the UDO, the PUD Amendment contains language permitting the Educational Institution Without Dormitory Accommodations use only subject to an executed developer agreement with the City involving a payment in-lieu of taxes.

Under the UDO's GB: General Business standards, twenty (20) feet is the Rear Yard setback standard while the Side Yard setback standard is also twenty (20) feet, but only if not abutting a Residential District. The Front Yard setback standard is sixty (60) feet, but this may be modified to the average setback of established buildings within the same Block and within three-hundred (300) feet in either direction of the proposed building. The Petitioner is proposing to modify/clarify that all Building Setback Lines for the Real Estate are twenty (20) feet.

Lastly, the Petitioner is proposing that an Individual Monument Sign with manual or electronic copy may be placed on the Real Estate only if in conjunction with an Educational Institution Without Dormitory Accommodations use. This standard is permitted under the Existing PUD and is requested to be permitted in the PUD Amendment as the UDO no longer permits manual changeable copy.

COMPREHENSIVE PLAN

The Real Estate is located in the 'Local Commercial' corridor of the Comprehensive Plan. The Local Commercial section of the Comprehensive Plan states that appropriate Land Uses include but are not limited to banks, beauty salons, drug stores, convenience stores, automobile service stations, video stores, dry cleaners, restaurants and supermarkets. Local businesses are intended

to provide goods and services used by nearby residents on a day-to-day basis as opposed to attracting customers or clients from a large geographic area.

Local examples include Westfield Commons, Westfield Marketplace, Grassy Branch Marketplace, Cary Shoppes, Springmill Commons and Bridgewater Marketplace.

Local commercial development is characterized by architecture having a residential or suburban feel, attractive signs, extensive landscaping, and ample off-street parking. Most local business is located in commercial centers, typically having at least one anchor business and several smaller businesses, some of which are Outlots.

PROCEDURAL

Public Hearing: Planned Unit Development (PUD) Districts are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition will be held at the July 1, 2019, 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 1, 2019, 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 Commission's further consideration of this petition.
3. 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.

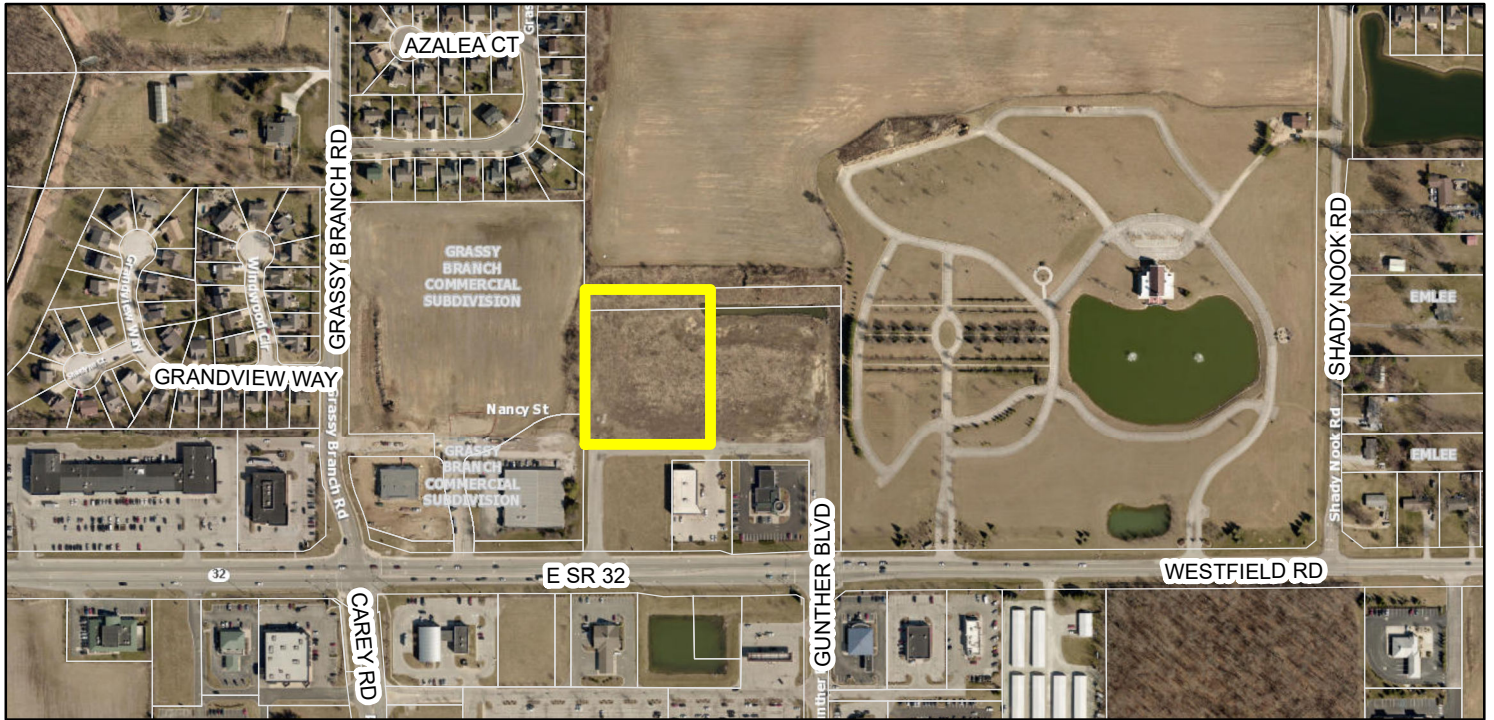
1907-PUD-15

Oak Manor North PUD Amendment II

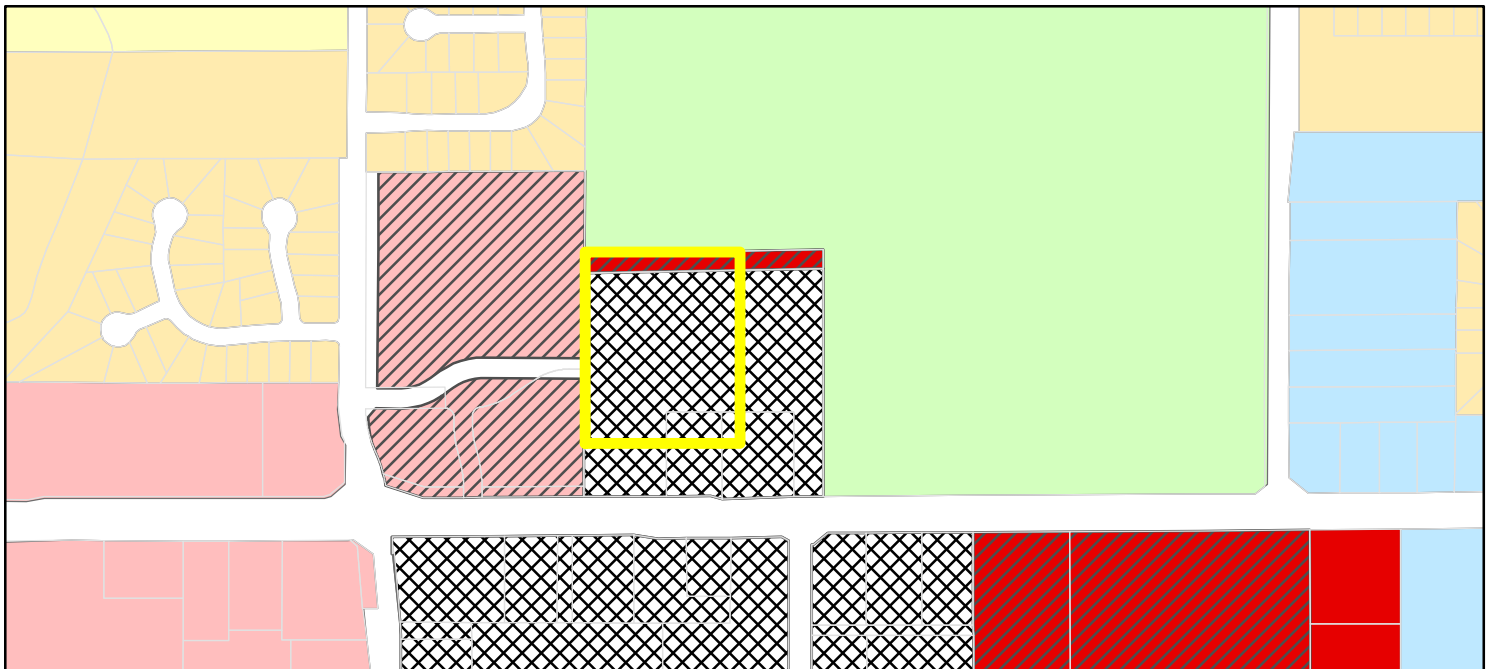
Not To Scale

Aerial Location Map

 Site



Zoning Map



 Parcel	 GO (General Office)
Zoning - All	 LB (Local Business)
Zoning	 LB-PD (Local Business - Planned Development)
 AG-SF1 (Agriculture - Single Family - 1)	 PUD (Planned Unit Development)
 GB (General Business)	 SF-2 (Single Family - 2)
 GB-PD (General Business - Planned Development)	 SF-4 (Single Family - 4)



ORDINANCE NUMBER 19-19

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE OAK MANOR NORTH PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCE 05-04 AND THE UNIFIED DEVELOPMENT ORDINANCE

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

WHEREAS, the Westfield-Washington Township Plan Commission ("Commission") considered a petition (**Petition No. 1907-PUD-15**) filed with the Commission requesting an amendment to Ordinance 05-04, the Oak Manor North PUD, enacted by the Town Council on February 14, 2005, recorded as Instrument No. 200500013557 in the Office of the Recorder of Hamilton County, Indiana (the "Original PUD Ordinance"), amended by (i) Ordinance 19-04, enacted by the Council on March 11, 2019 (Oak Manor Amendment II); specific to the real estate more particularly described in **Exhibit A** attached hereto and made a part hereof (the "Real Estate"); and

WHEREAS, the Commission forward **Petition No. 1907-PUD-15** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (____ in favor _____ against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505; and

WHEREAS, the Secretary of Commission certified the action of the Commission to the Common Council on _____, 2019; 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; and

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 the Oak Manor North PUD are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance shall amend the Original PUD Ordinance, in its entirety, as applicable to the Real Estate.
- 1.2 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 “**Oak Manor North III PUD District**” (the “District”).
- 1.3 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 Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.4 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 unless otherwise stated.
- 1.5 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 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 Unified Development Ordinance.

Section 3. Underlying Zoning District. The Underlying Zoning District (the “Underlying Zoning District”) shall be GB: General Business.

Section 4. Permitted Uses. The permitted land uses shall be as set forth below.

- 4.1 All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate except otherwise set forth below. In addition, the following use shall be permitted:
 - Educational Institution Without Dormitory Accommodations, only if the conditions of Section 6.2 of this Ordinance are met.
- 4.2 Prohibited Uses: The following uses shall be explicitly prohibited:
 - Heliport
 - Special Exception Uses

Section 5. **General Regulations.** The standards of Chapter 4 Zoning Districts as applicable to the Underlying Zoning District shall apply to the development of the Real Estate, except as otherwise modified below.

5.1 Minimum Building Setback Lines:

- Front Yard: 20 feet
- Side Yard: 20 feet
- Rear Yard: 20 feet

Section 6. **Overlay Districts.**

6.1 State Highway 32 Overlay District. The regulations of Article 5.3 Overlay Districts; State Highway 32 Overlay District (the “SR 32 Overlay”) shall apply to the development of the Real Estate.

6.2 Economic Development District Overlay. The standards of Article 5.4 Economic Development District Overlay shall apply to the Real Estate; however, one (1) tax-exempt Educational Institution Without Dormitory Accommodations use shall be permitted on the Real Estate subject to an executed developer agreement with the City involving a payment in-lieu of taxes.

Section 7. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the Real Estate except as otherwise modified below.

7.1 Chapter 6.17 Sign Standards: Shall apply, except as otherwise modified below:

- An Individual Monument Sign with manual or electronic changeable copy may be placed on the Real Estate only if in conjunction with an Educational Institution Without Dormitory Accommodations use.
- Manual changeable copy signage shall be maintained in a presentable condition at all times, including replacement of defective or missing parts and/or letters, cleaning, and other acts required for maintenance of said signage.

Section 9. **Infrastructure Standards.** The Real Estate’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards unless otherwise approved by the Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of development on the Real Estate.

ALL OF WHICH IS ORDAINED/RESOLVED THIS _____ DAY OF _____, 2019.
WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 19-19 was delivered to the Mayor of Westfield on the _____ day of _____, 2019 at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 19-19
this _____ day of _____, 2019.

I hereby VETO ORDINANCE 19-19
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: E. Davis Coots, Coots, Henke & Wheeler, P.C., 255 E. Carmel Drive, Carmel, IN 46032.

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: E. Davis Coots, Coots, Henke & Wheeler, P.C., 255 E. Carmel Drive, Carmel, IN 46032.

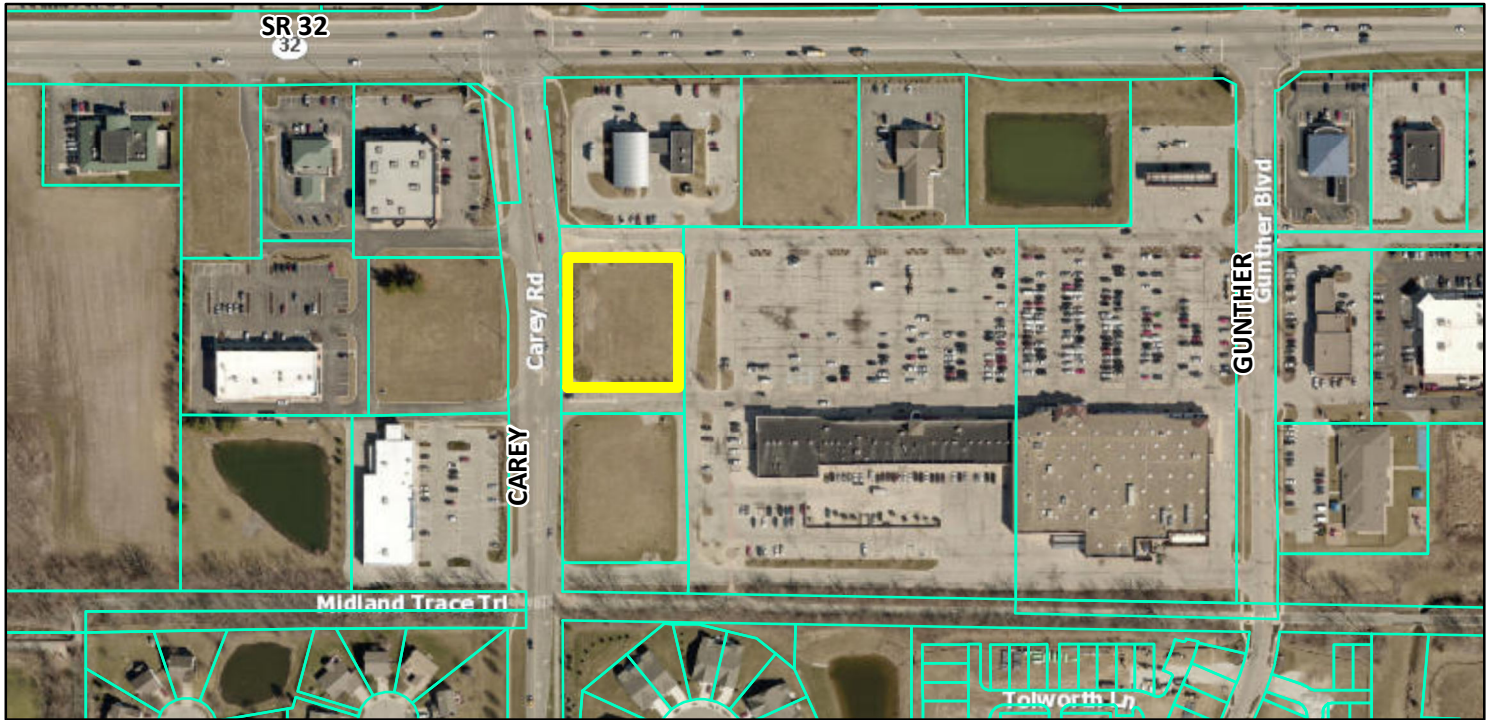
SCHEDULE OF EXHIBITS

Exhibit A **Real Estate (Legal Description)**

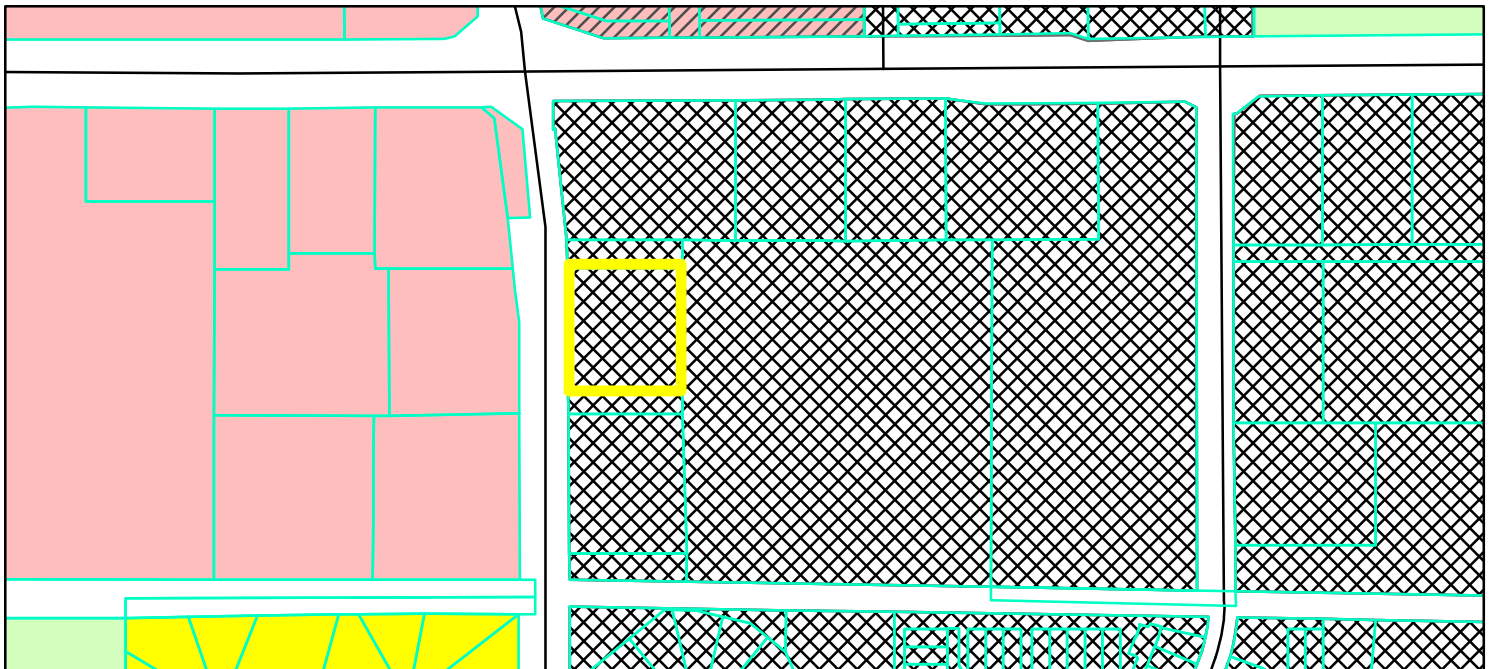
EXHIBIT A

Aerial Location Map

 Site



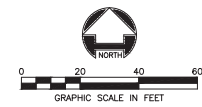
Zoning Map

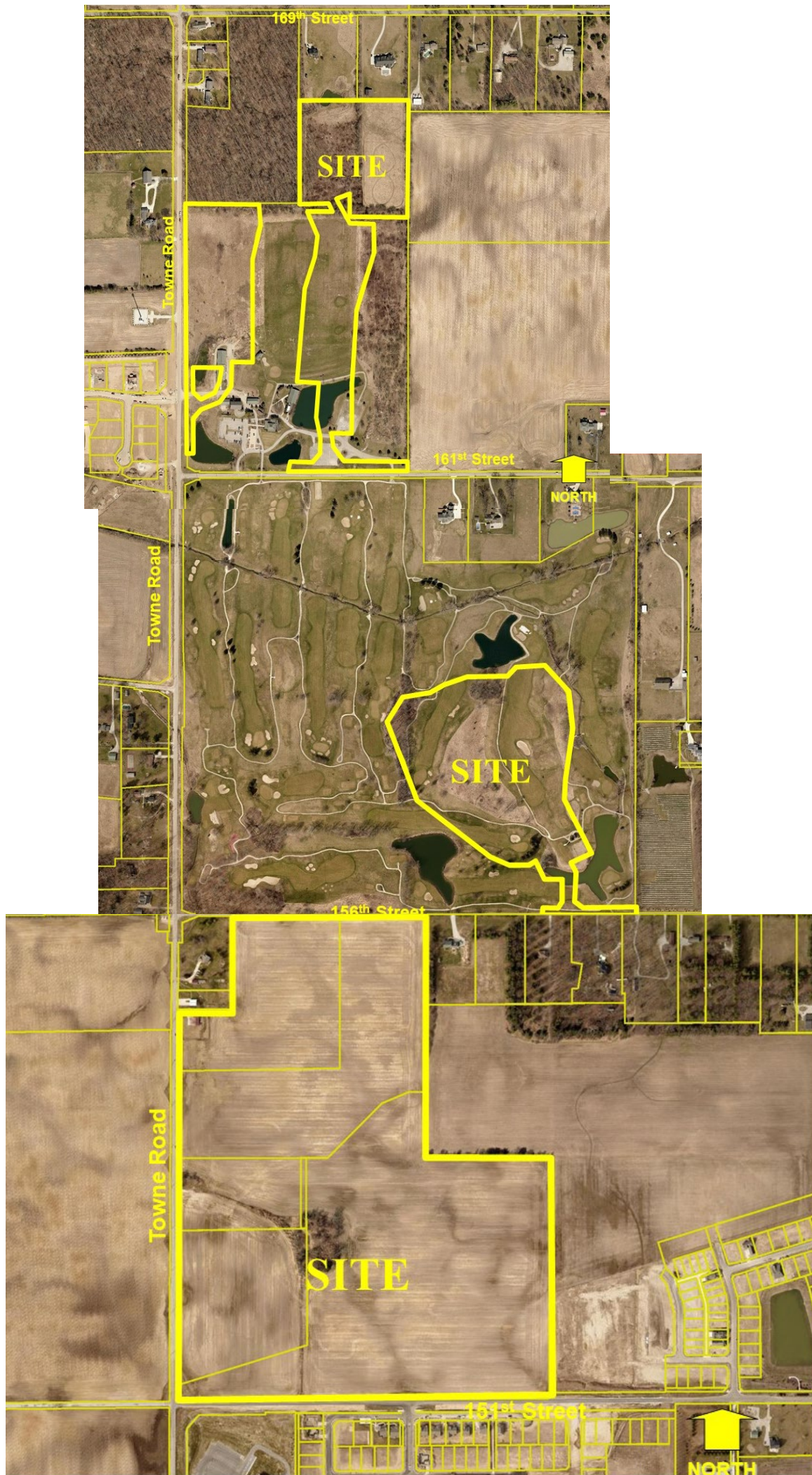


 Parcel
 GIS.DBO.PW_Streets
Zoning - All
 LB (Local Business)
 LB-PD (Local Business - Planned Development)
 PUD (Planned Unit Development)
 SF-3 (Single Family - 3)
 AG-SF1 (Agriculture - Single Family - 1)

0 0.02 0.04 0.08 0.12 0.16 Miles







**Westchester Commitments Modification
Site Location Map**

ORDINANCE NUMBER 19-__

WESTCHESTER PUD DISTRICT AMENDMENT I

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 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 Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted Ordinance 17-46, Westchester Planned Unit Development Ordinance on January 8, 2018 (the "Westchester Planned Unit Development");

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 19__-PUD-__**), requesting an amendment to the Unified Development Ordinance and the Westchester Planned Unit Development with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 19__-PUD-__** to the Common Council with a _____ recommendation _____ 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 _____, 2019; 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 is hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 All provisions and representations of the Unified Development Ordinance and Westchester Planned Unit Development 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. **Development Standards.** The Development Standards, Section 7.1 Area A and Area B: Article 6.3 Architectural Standards of the Westchester Planned Unit Development shall apply to the development of the District except as modified below:

- 2.1 No single builder shall build homes on more than fifty percent (50%) of the lots in any one section of Westchester (Area A, the portion of Area B south of 161st Street, and the portion of Area B north of 161st Street). Additionally, there shall be a minimum of three (3) builders of homes within the Westchester PUD. Builder homes shall be randomly interspersed throughout the sections of Westchester as noted above in this Section 2.1.
- 2.2 All homes shall incorporate a minimum of one (1) of the following elements:
 - A. The predominant exterior building material on the front elevation of the home shall be carried around at varying percentages on the remaining sides of the home. This percentage will be determined by the individual builder; or
 - B. Masonry (brick, stone, or synthetic stone) as an exterior material on all sides of the home at a height of at least eighteen (18) inches.

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

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy 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: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 19-__** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-__**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-__**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

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

Westchester - PUD District Ordinance Amendment I 4 062619.docx

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description and Location Map)

EXHIBIT A
REAL ESTATE

(Legal Description)

Parcel I

Part of the Northwest Quarter of Section 16, Township 18 North, Range 3 East, in Washington Township, Hamilton County, being more particularly described as follows;

Beginning at the Southwest corner of said Northwest Quarter; thence North 00 degrees 14 minutes 27 seconds East along the West line thereof 2,122.82 feet; thence North 89 degrees 43 minutes 41 seconds East 315.00 feet; thence North 00 degrees 14 minutes 27 seconds East 515.00 feet to a point on the north line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along said north line 1,044.79 feet to the Northeast corner of the Northwest Quarter of said Quarter Section; thence South 00 degrees 17 minutes 57 seconds West 1,316.87 feet to the Northwest corner of the Southeast Quarter of said Quarter Section; thence North 89 degrees 38 minutes 28 seconds East 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Quarter Section; thence South 00 degrees 19 minutes 43 Seconds West 1m315.85 feet to the Southeast corner of the West Half of the Southeast Quarter of said Quarter Section; thence South 89 degrees 33 minutes 16 seconds West along the south line of said Quarter Section 2,035.71 feet to the place of beginning, containing 98.985 acres, more or less.

Parcel II

A part of the Southwest Quarter of Section 9, Township 18 North, Range 03 East, in Washington Township, Hamilton County, being more particularly described as follows;

Beginning at the Southeast corner of the Southwest Quarter of said Section 9; thence South 89 degrees 43 minutes 42 seconds West a distance of 553.61 feet along the South line of said Quarter; thence North 00 degrees 16 minutes 18 seconds West a distance of 50.00 feet; thence North 89 degrees 43 minutes 42 seconds East a distance of 120.93 feet; thence North 40 degrees 00 minutes 31 seconds East a distance of 45.88 feet; thence North 01 degree 55 minutes 06 seconds East a distance of 149.07 feet to a point on a curve concave southwesterly, the radius point of said curve being North 88 degrees 04 minutes 54 seconds West a distance of 120.50 feet from said point; thence northwesterly along said curve an arc distance of 98.28 feet to the point of tangency of said curve, said point being North 45 degrees 11 minutes 10 seconds East a distance of 120.50 feet from the radius point of said curve; thence South 20 degrees 45 minutes 45 seconds West a distance of 121.43 feet; thence North 69 degrees 14 minutes 15 seconds West a distance of 60.00 feet; thence North 67 degrees 07 minutes 41 seconds West a distance of 60.04 feet; thence North 69 degrees 14 minutes 15 seconds West a distance of 275.49 feet; thence North 51 degrees 59 minutes 33 seconds West a distance of 556.19 feet; thence North 19 degrees 57 minutes 20 seconds West a distance of 371.90 feet; thence North 01 degree 13 minutes 40 seconds West a distance of 154.88 feet; thence North 44 degrees 13 minutes 54 seconds East a distance of 128.33 feet; thence North 62 degrees 17 minutes 16 seconds East a distance of 318.33 feet; thence North 89 degrees 59 minutes 31 seconds East a distance of 247.14 feet; thence North 56 degrees 25 minutes 35 seconds East a distance of 120.67 feet; thence North 89 degrees 59 minutes 31 seconds East a distance of 129.56 feet; thence South 63 degrees 39 minutes 38 seconds East a distance of 128.97 feet; thence South 13 degrees 36 minutes 37 seconds East a distance of 327.01 feet; thence South 06 degrees 50 minutes 29 seconds West a distance of 433.23 feet; thence South 06 degrees 02 minutes 15 seconds West a distance of 161.40 feet; thence South 20 degrees 45 minutes 45 seconds West a distance of 130.00 feet; thence South 69 degrees 14 minutes 15 seconds East a distance of 35.33 feet to a point on a curve concave southwesterly, the radius point of said curve being South 88 degrees 05 minutes 46 seconds West a distance of 179.50 feet from said point; thence southeasterly along said curve an arc distance of 210.95 feet to the point of tangency of said curve, said point being North 20 degrees 45

minutes 45 seconds East a distance of 179.50 feet from the radius point of said curve; thence South 01 degree 54 minutes 14 seconds East a distance of 158.44 feet; thence South 40 degrees 14 minutes 38 seconds East a distance of 45.67 feet; thence North 89 degrees 43 minutes 42 seconds East a distance of 304.14 feet to the East line of said Quarter; thence South 00 degrees 15 minutes 08 seconds West, along the East line of said Quarter, a distance of 50.00 feet to the place of beginning, containing 22.910 acres, more or less.

Parcel III

A part of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Section 9; thence North 89 degrees 49 minutes 39 seconds East along the South line of said Northwest Quarter 125.22 feet to the POINT OF BEGINNING of this description; thence North 00 degrees 09 minutes 48 seconds West 19.75 feet; thence South 89 degrees 50 minutes 12 seconds West 25.00 feet; thence North 65 degrees 31 minutes 11 seconds West 54.67 feet; thence North 00 degrees 11 minutes 40 seconds East 87.01 feet; thence South 55 degrees 28 minutes 30 seconds East 95.86 feet; thence North 89 degrees 49 minutes 39 seconds East 662.41 feet; thence North 44 degrees 49 minutes 39 seconds East 70.71 feet; thence North 00 degrees 10 minutes 21 seconds West 60.82 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 89 degrees 49 minutes 39 seconds West 170.50 feet from said point; thence northerly along said curve 48.91 feet to the point of tangency of said curve, said point being North 73 degrees 23 minutes 28 seconds East 170.50 feet from the radius point of said curve; thence North 16 degrees 36 minutes 32 seconds West 38.45 feet to the point of curvature of a curve concave easterly, the radius point of said curve being North 73 degrees 23 minutes 28 seconds East 229.50 feet from said point; thence northerly along said curve 85.48 feet to the point of tangency of said curve, said point being North 85 degrees 16 minutes 10 seconds West 229.50 feet from the radius point of said curve; thence North 04 degrees 43 minutes 50 seconds East 168.47 feet; thence North 85 degrees 16 minutes 10 seconds West 130.00 feet; thence North 04 degrees 43 minutes 50 seconds East 516.05 feet; thence North 18 degrees 26 minutes 24 seconds East 213.28 feet; thence North 05 degrees 35 minutes 45 seconds East 115.45 feet; thence North 23 degrees 16 minutes 01 seconds West 156.94 feet; thence South 89 degrees 50 minutes 00 seconds East 146.44 feet; thence North 27 degrees 14 minutes 36 seconds West 33.74 feet; thence North 89 degrees 50 minutes 00 seconds West 183.42 feet; thence North 00 degrees 27 minutes 15 seconds East 7.54 feet; thence continuing North 00 degrees 27 minutes 15 seconds East 584.49 feet; thence North 89 degrees 50 minutes 59 seconds East 654.57 feet to a point on the East line of the West Half of the aforesaid Northwest Quarter, said point being South 00 degrees 10 minutes 00 seconds West 500.00 feet from the northeast corner of the West Half of said Northwest Quarter; thence South 00 degrees 10 minutes 00 seconds West along said East line 684.66 feet; thence North 89 degrees 50 minutes 00 seconds West 335.00 feet; thence North 00 degrees 10 minutes 00 seconds East 130.00 feet; thence North 89 degrees 50 minutes 00 seconds West 15.44 feet to the point of curvature of a curve concave southerly, the radius point of said curve being South 00 degrees 10 minutes 00 seconds West 120.50 feet from said point; thence westerly along said curve 50.66 feet to a point on said curve, said point being North 23 degrees 55 minutes 15 seconds West 120.50 feet from the radius point of said curve, said point also being the point of curvature of a curve concave easterly, the radius point of said curve being South 23 degrees 55 minutes 15 seconds East 20.00 feet from said point; thence southerly along said curve 32.58 feet to the point of tangency of said curve, said point being South 62 degrees 45 minutes 24 seconds West 20.00 feet from the radius point of said curve; thence South 27 degrees 14 minutes 36 seconds East 61.75 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 62 degrees 45 minutes 24 seconds West 329.50 feet from said point; thence southerly along said curve 56.85 feet to a point on said curve, said point being North 72 degrees 38 minutes 33 seconds East 329.50 feet from the radius point of said curve; thence South 89 degrees 50 minutes 00 seconds East 145.29 feet; thence South 00 degrees 10 minutes 00 seconds West 173.12 feet; thence South 18 degrees 26 minutes 24 seconds West 246.34 feet; thence South 09 degrees 30 minutes 41 seconds West 130.88 feet; thence South 04 degrees 43 minutes 50 seconds West 392.00 feet; thence South 00 degrees 10 minutes 00

seconds West 134.20 feet; thence South 03 degrees 24 minutes 11 seconds East 134.21 feet; thence South 89 degrees 49 minutes 39 seconds West 130.00 feet; thence South 16 degrees 36 minutes 32 seconds East 66.52 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 73 degrees 23 minutes 28 seconds West 100.00 feet from said point; thence southerly along said curve 28.69 feet to the point of tangency of said curve, said point being North 89 degrees 49 minutes 39 seconds East 100.00 feet from the radius point of said curve; thence South 00 degrees 10 minutes 21 seconds East 21.90 feet; thence South 45 degrees 10 minutes 21 seconds East 70.71 feet; thence North 89 degrees 49 minutes 39 seconds East 391.24 feet to a point on the East line of the West Half of the aforesaid Northwest Quarter; thence South 00 degrees 10 minutes 00 seconds West along said East line 75.00 feet to a point on the South line of said Northwest Quarter, said point being South 89 degrees 49 minutes 39 seconds West 1,359.12 feet from the southeast corner of said Northwest Quarter; thence South 89 degrees 49 minutes 39 seconds West along said South line 1,233.90 feet to the place of beginning, containing 20.719 acres, more or less.

Parcel IV

A part of the Northwest Quarter of Section 9, Township 18 North, Range 03 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 9; thence South 00 degrees 12 minutes 15 seconds West, along the West line of the said Northwest Quarter, a distance of 1,082.68 feet; thence North 89 degrees 59 minutes 45 seconds East a distance of 40.00 feet to a point on the East line of a tract of land as described in Instrument Number 2017-015858 in the Office of the Recorder of Hamilton County, Indiana and the POINT OF BEGINNING of this description; thence continuing North 89 degrees 59 minutes 45 seconds East, along the South line of an approximate 14 acre tract of land described in Instrument Number 9609647425 in the Office of the Recorder of Hamilton County, Indiana, a distance of 432.93 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 109.76 feet; thence South 16 degrees 49 minutes 32 seconds West a distance of 64.70 feet; thence South 09 degrees 20 minutes 25 seconds West a distance of 135.72 feet; thence South 03 degrees 47 minutes 33 seconds West a distance of 134.26 feet; thence South 02 degrees 15 minutes 51 seconds East a distance of 92.09 feet; thence South 02 degrees 22 minutes 59 seconds East a distance of 124.13 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 11.39 feet; thence South 43 degrees 44 minutes 26 seconds West a distance of 157.30 feet; thence North 89 degrees 47 minutes 45 seconds West a distance of 250.68 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 93.71 feet; thence North 89 degrees 47 minutes 45 seconds West a distance of 35.00 feet to a point on the East line of a tract of land as described in Instrument Number 2017-015828 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 12 minutes 15 seconds East a distance of 873.32 feet along said East line to the place of beginning, containing 7.121 acres, more or less.

EXHIBIT A
REAL ESTATE

(Location Map)



AMENDED COMMITMENTS
CONCERNING USE AND DEVELOPMENT OF REAL ESTATE

Document Cross Reference Instrument No. 2018005151

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

WHEREAS, The Common Council of the City of Westfield, Hamilton County, Indiana (the “Council”) enacted Ordinance 17-46, Westchester Planned Unit Development Ordinance on January 8, 2018 (the “Westchester Planned Unit Development”);

WHEREAS, the Developer submitted to the Council Written Commitments, which became effective upon the Council’s adoption of the Westchester Planned Unit Development, and which are recorded with the Office of the Recorder of Hamilton County, Indiana under Instrument No. 2018005151 (the “Original Commitments”); and

WHEREAS, the Developer seeks to amend the Original Commitments as they pertain to exterior building materials under Section 1.6 of the Original Commitments;

NOW THEREFORE, the Original Commitments to the Council regarding the use and development of the Real Estate are amended as follows (the “Amended Commitments”):

Section 1. Commitment Amendments.

1. Section 1, paragraph 5 and Section 1, paragraph 6 of the Original Commitments are vacated and no longer applicable to the Real Estate.

Section 2. Definitions.

1. Developer. Platinum Properties Management Company, LLC, and its successors and assigns.
2. Department. The Community Development Department of the City of Westfield.

3. Owners. The current owners of the Real Estate which owners include, Wind Wood Residential, LLC, Pulte Homes of Indiana, LLC, BCE Associates IV, LLC, and M/I Homes of Indiana, LP.
4. Real Estate. The property described in what is attached hereto and incorporated herein as **Exhibit A** (the "Real Estate").

Section 3. Modification of Commitments. These Amended Commitments shall continue in effect until modified or terminated. These Amended Commitments shall only be modified or terminated in accordance with the Section 10.6 of the UDO.

Section 4. Effective Date. These Amended Commitments shall be effective upon the Council's approval.

Section 5. Recording. These Amended Commitments shall be recorded with the Office of the Recorder of Hamilton County, Indiana by the Developer within thirty (30) days of the Council's approval. Within fifteen (15) days after the recording of these Amended Commitments, the Developer shall provide to the Department a recorded copy of these Amended Commitments.

Section 6. Enforcement. These Amended Commitments may be enforced by the Department and/or the Council.

Section 7. Binding on Successors. These Amended Commitments are binding upon (i) each owner of the Real Estate and (ii) upon each owner's successors, assigns and grantees with respect to the portion of the Real Estate owned by such successor, assign and grantee and during such successor's, assign's and grantee's ownership, unless modified or terminated pursuant to the requirements herein. Notwithstanding the provisions of this Section 7, these Amended Commitments shall terminate as to any part or parts of the Real Estate for which the zoning district or classification is later changed after the Effective Date.

IN WITNESS WHEREOF, The Owners have caused these Amended Commitments to be executed as of the dates identified below.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

Wood Wind Residential, LLC

By: _____

Name: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS.:
COUNTY OF _____)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name), as _____ (title) of Wood Wind Residential, LLC, who acknowledged the execution and the foregoing Amended Commitments Concerning Use and Development of Real Estate this _____ day of _____, 2019 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2019.

My Commission Expires:

Notary Public

Residing in _____

County of _____

Printed Name

Pulte Homes of Indiana, LLC

By: _____

Name: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS.:
COUNTY OF _____)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name), as _____ (title) of Pulte Homes of Indiana, LLC, who acknowledged the execution and the foregoing Amended Commitments Concerning Use and Development of Real Estate this ____ day of _____, 2019 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2019.

My Commission Expires:

Notary Public

Residing in _____

Printed Name _____

County of _____

BCE Associates IV, LLC

By: _____

Name: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS.:
COUNTY OF _____)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name), as _____ (title) of BCE Associates IV, LLC, who acknowledged the execution and the foregoing Amended Commitments Concerning Use and Development of Real Estate this _____ day of _____, 2019 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2019.

My Commission Expires:

Notary Public

Residing in _____

County of _____

Printed Name

M/I Homes of Indiana, LP

By: _____

Name: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS.:
COUNTY OF)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name), as _____ (title) of M/I Homes of Indiana, LP, who acknowledged the execution and the foregoing Amended Commitments Concerning Use and Development of Real Estate this _____ day of _____, 2019 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2019.

My Commission Expires:

Notary Public

Residing in _____
County of _____

Printed Name

This instrument prepared by James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger, LLC, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

Return to: James E. Shinaver, Nelson & Frankenberger, LLC, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

I affirm under the penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. James E. Shinaver.

EXHIBIT A
REAL ESTATE

(Legal Description)

Parcel I

Part of the Northwest Quarter of Section 16, Township 18 North, Range 3 East, in Washington Township, Hamilton County, being more particularly described as follows;

Beginning at the Southwest corner of said Northwest Quarter; thence North 00 degrees 14 minutes 27 seconds East along the West line thereof 2,122.82 feet; thence North 89 degrees 43 minutes 41 seconds East 315.00 feet; thence North 00 degrees 14 minutes 27 seconds East 515.00 feet to a point on the north line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along said north line 1,044.79 feet to the Northeast corner of the Northwest Quarter of said Quarter Section; thence South 00 degrees 17 minutes 57 seconds West 1,316.87 feet to the Northwest corner of the Southeast Quarter of said Quarter Section; thence North 89 degrees 38 minutes 28 seconds East 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Quarter Section; thence South 00 degrees 19 minutes 43 Seconds West 1,315.85 feet to the Southeast corner of the West Half of the Southeast Quarter of said Quarter Section; thence South 89 degrees 33 minutes 16 seconds West along the south line of said Quarter Section 2,035.71 feet to the place of beginning, containing 98.985 acres, more or less.

Parcel II

A part of the Southwest Quarter of Section 9, Township 18 North, Range 03 East, in Washington Township, Hamilton County, being more particularly described as follows;

Beginning at the Southeast corner of the Southwest Quarter of said Section 9; thence South 89 degrees 43 minutes 42 seconds West a distance of 553.61 feet along the South line of said Quarter; thence North 00 degrees 16 minutes 18 seconds West a distance of 50.00 feet; thence North 89 degrees 43 minutes 42 seconds East a distance of 120.93 feet; thence North 40 degrees 00 minutes 31 seconds East a distance of 45.88 feet; thence North 01 degree 55 minutes 06 seconds East a distance of 149.07 feet to a point on a curve concave southwesterly, the radius point of said curve being North 88 degrees 04 minutes 54 seconds West a distance of 120.50 feet from said point; thence northwesterly along said curve an arc distance of 98.28 feet to the point of tangency of said curve, said point being North 45 degrees 11 minutes 10 seconds East a distance of 120.50 feet from the radius point of said curve; thence South 20 degrees 45 minutes 45 seconds West a distance of 121.43 feet; thence North 69 degrees 14 minutes 15 seconds West a distance of 60.00 feet; thence North 67 degrees 07 minutes 41 seconds West a distance of 60.04 feet; thence North 69 degrees 14 minutes 15 seconds West a distance of 275.49 feet; thence North 51 degrees 59 minutes 33 seconds West a distance of 556.19 feet; thence North 19 degrees 57 minutes 20 seconds West a distance of 371.90 feet; thence North 01 degree 13 minutes 40 seconds West a distance of 154.88 feet; thence North 44 degrees 13 minutes 54 seconds East a distance of 128.33 feet; thence North 62 degrees 17 minutes 16 seconds East a distance of 318.33 feet; thence North 89 degrees 59 minutes 31 seconds East a distance of 247.14 feet; thence North 56 degrees 25 minutes 35 seconds East a distance of 120.67 feet; thence North 89 degrees 59 minutes 31 seconds East a distance of 129.56 feet; thence South 63 degrees 39 minutes 38 seconds East a distance of 128.97 feet; thence South 13 degrees 36 minutes 37 seconds East a distance of 327.01 feet; thence South 06 degrees 50 minutes 29 seconds West a distance of 433.23 feet; thence South 06 degrees 02 minutes 15 seconds West a distance of 161.40 feet; thence South 20 degrees 45 minutes 45 seconds West a distance of 130.00 feet; thence South 69 degrees 14 minutes 15 seconds East a distance of 35.33 feet to a point on a curve concave southwesterly, the radius point of said curve being South 88 degrees 05 minutes 46 seconds West a distance of 179.50 feet from said point; thence southeasterly along said curve an arc distance of 210.95 feet to the point of tangency of said curve,

said point being North 20 degrees 45 minutes 45 seconds East a distance of 179.50 feet from the radius point of said curve; thence South 01 degree 54 minutes 14 seconds East a distance of 158.44 feet; thence South 40 degrees 14 minutes 38 seconds East a distance of 45.67 feet; thence North 89 degrees 43 minutes 42 seconds East a distance of 304.14 feet to the East line of said Quarter; thence South 00 degrees 15 minutes 08 seconds West, along the East line of said Quarter, a distance of 50.00 feet to the place of beginning, containing 22.910 acres, more or less.

Parcel III

A part of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Section 9; thence North 89 degrees 49 minutes 39 seconds East along the South line of said Northwest Quarter 125.22 feet to the POINT OF BEGINNING of this description; thence North 00 degrees 09 minutes 48 seconds West 19.75 feet; thence South 89 degrees 50 minutes 12 seconds West 25.00 feet; thence North 65 degrees 31 minutes 11 seconds West 54.67 feet; thence North 00 degrees 11 minutes 40 seconds East 87.01 feet; thence South 55 degrees 28 minutes 30 seconds East 95.86 feet; thence North 89 degrees 49 minutes 39 seconds East 662.41 feet; thence North 44 degrees 49 minutes 39 seconds East 70.71 feet; thence North 00 degrees 10 minutes 21 seconds West 60.82 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 89 degrees 49 minutes 39 seconds West 170.50 feet from said point; thence northerly along said curve 48.91 feet to the point of tangency of said curve, said point being North 73 degrees 23 minutes 28 seconds East 170.50 feet from the radius point of said curve; thence North 16 degrees 36 minutes 32 seconds West 38.45 feet to the point of curvature of a curve concave easterly, the radius point of said curve being North 73 degrees 23 minutes 28 seconds East 229.50 feet from said point; thence northerly along said curve 85.48 feet to the point of tangency of said curve, said point being North 85 degrees 16 minutes 10 seconds West 229.50 feet from the radius point of said curve; thence North 04 degrees 43 minutes 50 seconds East 168.47 feet; thence North 85 degrees 16 minutes 10 seconds West 130.00 feet; thence North 04 degrees 43 minutes 50 seconds East 516.05 feet; thence North 18 degrees 26 minutes 24 seconds East 213.28 feet; thence North 05 degrees 35 minutes 45 seconds East 115.45 feet; thence North 23 degrees 16 minutes 01 seconds West 156.94 feet; thence South 89 degrees 50 minutes 00 seconds East 146.44 feet; thence North 27 degrees 14 minutes 36 seconds West 33.74 feet; thence North 89 degrees 50 minutes 00 seconds West 183.42 feet; thence North 00 degrees 27 minutes 15 seconds East 7.54 feet; thence continuing North 00 degrees 27 minutes 15 seconds East 584.49 feet; thence North 89 degrees 50 minutes 59 seconds East 654.57 feet to a point on the East line of the West Half of the aforesaid Northwest Quarter, said point being South 00 degrees 10 minutes 00 seconds West 500.00 feet from the northeast corner of the West Half of said Northwest Quarter; thence South 00 degrees 10 minutes 00 seconds West along said East line 684.66 feet; thence North 89 degrees 50 minutes 00 seconds West 335.00 feet; thence North 00 degrees 10 minutes 00 seconds East 130.00 feet; thence North 89 degrees 50 minutes 00 seconds West 15.44 feet to the point of curvature of a curve concave southerly, the radius point of said curve being South 00 degrees 10 minutes 00 seconds West 120.50 feet from said point; thence westerly along said curve 50.66 feet to a point on said curve, said point being North 23 degrees 55 minutes 15 seconds West 120.50 feet from the radius point of said curve, said point also being the point of curvature of a curve concave easterly, the radius point of said curve being South 23 degrees 55 minutes 15 seconds East 20.00 feet from said point; thence southerly along said curve 32.58 feet to the point of tangency of said curve, said point being South 62 degrees 45 minutes 24 seconds West 20.00 feet from the radius point of said curve; thence South 27 degrees 14 minutes 36 seconds East 61.75 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 62 degrees 45 minutes 24 seconds West 329.50 feet from said point; thence southerly along said curve 56.85 feet to a point on said curve, said point being North 72 degrees 38 minutes 33 seconds East 329.50 feet from the radius point of said curve; thence South 89 degrees 50 minutes 00 seconds East 145.29 feet; thence South 00 degrees 10 minutes 00 seconds West 173.12 feet; thence South 18 degrees 26 minutes 24 seconds

West 246.34 feet; thence South 09 degrees 30 minutes 41 seconds West 130.88 feet; thence South 04 degrees 43 minutes 50 seconds West 392.00 feet; thence South 00 degrees 10 minutes 00 seconds West 134.20 feet; thence South 03 degrees 24 minutes 11 seconds East 134.21 feet; thence South 89 degrees 49 minutes 39 seconds West 130.00 feet; thence South 16 degrees 36 minutes 32 seconds East 66.52 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 73 degrees 23 minutes 28 seconds West 100.00 feet from said point; thence southerly along said curve 28.69 feet to the point of tangency of said curve, said point being North 89 degrees 49 minutes 39 seconds East 100.00 feet from the radius point of said curve; thence South 00 degrees 10 minutes 21 seconds East 21.90 feet; thence South 45 degrees 10 minutes 21 seconds East 70.71 feet; thence North 89 degrees 49 minutes 39 seconds East 391.24 feet to a point on the East line of the West Half of the aforesaid Northwest Quarter; thence South 00 degrees 10 minutes 00 seconds West along said East line 75.00 feet to a point on the South line of said Northwest Quarter, said point being South 89 degrees 49 minutes 39 seconds West 1,359.12 feet from the southeast corner of said Northwest Quarter; thence South 89 degrees 49 minutes 39 seconds West along said South line 1,233.90 feet to the place of beginning, containing 20.719 acres, more or less.

Parcel IV

A part of the Northwest Quarter of Section 9, Township 18 North, Range 03 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 9; thence South 00 degrees 12 minutes 15 seconds West, along the West line of the said Northwest Quarter, a distance of 1,082.68 feet; thence North 89 degrees 59 minutes 45 seconds East a distance of 40.00 feet to a point on the East line of a tract of land as described in Instrument Number 2017-015858 in the Office of the Recorder of Hamilton County, Indiana and the POINT OF BEGINNING of this description; thence continuing North 89 degrees 59 minutes 45 seconds East, along the South line of an approximate 14 acre tract of land described in Instrument Number 9609647425 in the Office of the Recorder of Hamilton County, Indiana, a distance of 432.93 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 109.76 feet; thence South 16 degrees 49 minutes 32 seconds West a distance of 64.70 feet; thence South 09 degrees 20 minutes 25 seconds West a distance of 135.72 feet; thence South 03 degrees 47 minutes 33 seconds West a distance of 134.26 feet; thence South 02 degrees 15 minutes 51 seconds East a distance of 92.09 feet; thence South 02 degrees 22 minutes 59 seconds East a distance of 124.13 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 11.39 feet; thence South 43 degrees 44 minutes 26 seconds West a distance of 157.30 feet; thence North 89 degrees 47 minutes 45 seconds West a distance of 250.68 feet; thence South 00 degrees 12 minutes 15 seconds West a distance of 93.71 feet; thence North 89 degrees 47 minutes 45 seconds West a distance of 35.00 feet to a point on the East line of a tract of land as described in Instrument Number 2017-015828 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 12 minutes 15 seconds East a distance of 873.32 feet along said East line to the place of beginning, containing 7.121 acres, more or less.

EXHIBIT A
REAL ESTATE

(Location Map)





ORDINANCE NUMBER 17-46

WESTCHESTER PUD

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

This is a Planned Unit Development District Ordinance (to be known as the "**Westchester PUD District**") 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. 1712-PUD-24**), 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. 1712-PUD-24** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a negative recommendation (6-3) 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 January 3, 2018;

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; and

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 "**Westchester 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

COPY

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 Unified Development Ordinance.

- 2.1 **District Map:** The map as illustrated on what is attached hereto as **Exhibit B** which outlines the three (3) individual Areas of the District.
- 2.2 **Dominant Exterior Material.** The Exterior Material that occupies the most surface area (compared to other Exterior Materials) of a Front Building 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 Building 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 **Existing Home.** A Single-family Dwelling that has been issued an improvement location permit at the time an application for an improvement location permit is filed for a Subject Home.
- 2.5 **Underlying Zoning District:** The Zoning District of the Unified Development Ordinance 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 C**, 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.
- 3.2 The District is hereby divided into three (3) areas as illustrated on the District Map

and labeled as Areas A through C (individually or collectively, "Area").

- A. Development of each Area shall be regulated as set forth in this Ordinance.
- B. The area and configuration of Area B, as illustrated on the District Map, may be enlarged or reduced by up to six (6) acres (approximately 10%) to accommodate final engineering as illustrated on a Primary Plat; provided, however, that the maximum number of Dwellings specified in Section 5 below shall remain unaffected.

3.3 The following standards shall be required as part of the Overall Development Plan and Primary Plat for Area A.

- A. Perimeter Lots along Towne Road: All Dwellings on lots adjacent to the subject External Street (within 100' of the right of way of Towne Road) shall be designed so the Front Building Façade is oriented toward the External Street ("Towne Road Lots").
- B. Perimeter Lots along 151st Street and 156th Street: A minimum of sixteen (16) Dwellings, approximately eighty percent (80%) of all Dwellings within Area A, on lots adjacent to the subject External Streets (within 100' of the right of way of 151st Street or 156th Street) shall be designed so the Front Building Façade is oriented toward the External Street ("151st/156th Street Lots").

Section 4. **Underlying Zoning District(s).** The Underlying Zoning Districts shall be as set forth below as illustrated on the attached District Map.

- 4.1 Area A: SF4: Single Family High Density District.
- 4.2 Area B: SF4: Single Family High Density District.
- 4.3 Area C: AGSF1: Agriculture / Single-Family Rural District.

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

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted.
- 5.2 Prohibited Uses of the Underlying Zoning District shall be prohibited.
- 5.3 Area A. The total number of Dwellings permitted in Area A shall not exceed one hundred and seventy (170) Single-family Dwellings
- 5.4 Area B. The total number of Dwellings permitted in Area B shall not exceed one

hundred and seventy (170) Single-family Dwellings.

5.5 Area C.

- A. Development Amenities, Golf Course, and a Park shall be permitted.
- B. Agriculture-Related Uses permitted in the Underlying Zoning District shall be permitted.
- C. All Permitted Uses and Special Exceptions, not included in Section 5.5(A) and Section 5.5(B) above, which are permitted in the Underlying Zoning District shall be prohibited.

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.

6.1 Area A and Area B. The standards for Area A and Area B shall be as follows:

- A. Standards Table (see below);

Standard	AREA A	AREA B
Minimum Lot Area	9,000 SF	7,200 SF
Minimum Lot Frontage	40'	35'
Minimum Building Setback Lines		
Front Yard	20'	20'
Side Yard (minimum separation between dwellings)	0' (10')	0' (10')
Rear Yard	25'	20'
Minimum Lot Width	70'	60'
Maximum Building Height	2 ½ stories	2 ½ stories
Minimum Living Area (Total)		
One Story Dwellings	1,800 SF	1,600 SF
Two Story Dwelling	2,200 SF	2,000 SF
Story and one-half Dwellings	2,000 SF	2,000 SF

- B. All Dwellings within Area B shall include either (i) Living Area above first story of the Dwelling or (ii) a Basement.
- C. The minimum Front Yard Building Setback shall be randomly set and vary by six (6) feet in two (2) foot increments (20', 22', 24', and 26' setbacks) along all street segments. The random Front Yard Building Setback as required by this Section 6.1(C) shall be illustrated on the Primary and Secondary Plat.

6.2 Area C. A Major Subdivision shall be permitted in Area C to allow for a

Subdivision Primary and Secondary Plat, dedication of right-of-way and easements, drainage infrastructure, etc. but shall not permit additional residential lots for the purpose of constructing Dwellings.

Section 7. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District.

7.1 **Area A and Area B: Article 6.3 Architectural Standards:** Shall apply to all dwellings, except as modified below:

- A. **Character Exhibit:** The Character Exhibits, attached hereto as **Exhibit E and Exhibit F**, are hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in Area A and Area B respectively. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for the quality and appearance of Dwellings to be constructed in the Areas and to encourage a diversity in architecture of Dwellings. The Director shall determine whether a Dwelling is consistent with the Character Exhibit and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.
- B. **Building Materials:** In addition to the standards of Article 6.(C)(3) (Building Materials), vinyl and aluminum siding shall be prohibited.
- C. **Exterior Trim Materials:** Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, 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.
- D. **Windows:**
 - i. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the 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 façade, the treatment shall be of a natural material and be applied to the sill, header and jams as described in Section 7.1(C) above.
 - ii. All homes shall have a minimum of one (1) window on all four (4) sides of the home, except the garage side of a ranch style home may have no windows provided the other three (3) elevations have a minimum of nine (9) windows total. For the purposes of this

calculation, a double window shall be counted as two (2) windows.

- E. Minimum Overhangs: All homes shall have a minimum of 8" roof overhangs.
- F. Roof Pitches: The minimum roof pitch for the main roof of a home shall be 6/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.
- G. Shingles: All homes shall have dimensional or architectural grade shingles.
- H. 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 fifty percent (50%) of the linear footage of the front elevation of the home. For the purpose of the standard, a third car garage 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 third 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 Dominant Exterior Material or a color to accent the Dominant 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.
- I. Side Building Facades with Gable: 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 Façade shall incorporate a minimum of one (1) of the following elements on the side Building Façade. The following elements shall be used and shall be consistent with elements included on the front Building Façade:
 - i. A masonry material a minimum of thirty-six (36) inches tall;
 - ii. A change in the exterior color separated by trim;
 - iii. A change in the Exterior Material pattern separated by trim;
 - iv. A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.)
 - v. A minimum of ten (10) square foot gable window;
 - vi. A gable peak with a change in Exterior Material; or
 - vii. A projecting chimney running the full height of the side Building Façade constructed with Masonry Material.

J. Area A – Additional Architectural Standards:

- i. All Dwellings constructed on Towne Road Lots shall incorporate a side loading or courtyard loading garage.
- ii. A minimum of eleven (11), approximately sixty percent (60%), of the Dwellings constructed on a 151st / 156th Street Lots shall (i) incorporate a side loading or courtyard loading garage or (ii) the External Street Frontage Landscape Requirements of Article 6.8(M) shall apply.
- iii. Masonry Materials a minimum of thirty-six (36) inches in height shall be required on all Façades of all Dwellings on Lots within one-hundred (100) feet of Towne Road and 151st / 156th Street.
- iv. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - a) Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different exterior materials.
 - b) Architecturally enhanced / decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
 - c) 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.
 - d) All one-story dwellings shall have a minimum of two (2) windows on the Front Façade and all two-story dwellings shall have a minimum of six (6)
- v. Side Building Façade Requirements: Each Dwelling shall contain the following architectural elements on each Side Building Façade.
 - a) A one-story Dwelling shall have a minimum of two (2) windows.
 - b) A two-story Dwelling shall have a minimum of three (3) windows.
- vi. Side Building Façade Requirements (Corner Lots): Side Building Facades that face Internal Streets shall contain the following architectural elements on the Side Building Façade.
 - a) A one-story Dwelling shall have a minimum of two (2)

windows.

b) A two-story Dwelling shall have a minimum of three (3) windows.

c) Masonry Materials a minimum of thirty-six (36) inches in height the entire length of the Side Building Façade.

K. Area B – Additional Architectural Standards:

i. All Dwellings (where the Lot abuts a Common Area or Area C), regardless of their location shall be constructed in compliance with the Rear/Side Building Façade Enhancements required per Article 6.3(C) (1)(b) of the UDO applicable to Facades oriented towards a Collector Street.

ii. Masonry Materials a minimum of thirty-six (36) inches in height shall be required on all Façades of Dwellings on Lots within one-hundred (100) feet of Towne Road.

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

A. Area A: In addition to Article 6.8 Landscaping Standards the Buffer Yards shall be as generally illustrated on Exhibit I (Buffer Yard – Character Exhibits).

B. Area B: In addition to Article 6.8(A) thru Article 6.8(G), Area B shall be subject to only the Detention and Retention Area, Street Trees, Minimum Lot Landscaping Requirements and External Street Frontage Landscaping Requirements of Article 6.8. In addition Article 6.8(N) Buffer Yard Requirements shall apply to the north perimeter of the Real Estate as generally illustrated on Exhibit I (Buffer Yard – Character Exhibits).

C. Area C: In addition to Article 6.8(A) thru Article 6.8(G), Area C shall be subject to only the Detention and Retention Area, Foundation Plantings and Parking Area Landscaping Requirements of Article 6.8.

D. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified and enhanced below;

i. All Lots shall be landscaped with a minimum of two (2) shade trees, one (1) ornamental of evergreen tree, and ten (10) shrubs.

ii. At a minimum, the Lot's Established Front Yard shall be sodded and the remainder of the Lot shall be seeded.

7.3 Article 6.17 Signage Standards: Shall apply, except as modified or enhanced

below.

- A. Residential Monument Signs: In addition to compliance with Article 6.17(G)(1) Monument Signs all Subdivision Entry signage shall be of a design as generally illustrated on **Exhibit H** (Subdivision Entry Signage – Character Exhibit).

Section 8. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Department of Public Works.

- 8.1 Street Centerline Radius: The minimum street centerline radius shall be fifty (50) feet.

Section 9. **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the District, except as modified below:

- 9.1 The Article 8.6 Open Space and Amenity Standards: Shall apply except as otherwise modified below.
 - A. Area A – Minimum Open Space: Area A shall include a minimum of thirty percent (30%) Open Space.
 - B. Area B and Area C – Minimum Open Space: Area B and Area C shall be exempt from the minimum open space requirements of Article 8.6(B)(1). Area C includes the existing Golf Course as depicted on the Concept Plan and shall provide the required open space for Area B and Area C.
 - C. Common Areas: Common Areas shall not be subject to the Minimum Lot Frontage provisions of the underlying Zoning District; however, Article 8.6(C) shall apply.
 - D. District Amenities. The existing Golf Course as depicted on the Concept Plan and associated facilities within Area C shall provide the minimum amenity package for Area A and Area B. Additional amenities may be added to the District. In the event Area C is no longer used as a Golf Course, only a use(s) permitted under Section 5.5 above shall be permitted in Area C.
 - E. Area A – Large Playground. One large playground, a Character Exhibit of which is illustrated on **Exhibit G**, at least 5,000 square feet in area shall be provided in Area A as generally illustrated on the Concept Plan. The square feet required is of the total play area, including safe fall zones. Play equipment should include a variety of elements within a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:

- i. Six (6) swings,
- ii. Three (3) detached/freestanding play elements,
- iii. Three (3) sliding elements,
- iv. Six (6) climbing elements,
- v. One (1) overhead element,
- vi. Panels featuring play elements, and
- vii. Decks, bridges, tunnels as required to attach various play elements to each other.

- 9.2 The Article 8.7 (D) Perimeter / External Pedestrian Network Standards: Shall be provided in substantial compliance with the locations as illustrated on Exhibit D (Pedestrian Circulation Plan). The final locations are subject to existing easements and final engineering. If paths are prevented from being installed as shown, then alternative path locations may be approved by the Director that still provide comparable access and connectivity.

Section 10. **Section 10.9 Planned Unit Development Districts.** The standards of Chapter 10.9: Planned Unit Development District shall apply to the development of the District except as enhanced or modified below:

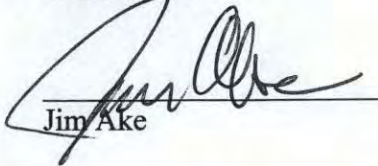
- A. Area A. Amenities within Area A shall be conveyed to a not-for-profit as required under Section 10.9(F)(4)(c)(ii).
- B. Area C. District Amenities as described in Section 9.1(D) above shall be owned by an owner as required under Section 10.9(F)(4)(c)(iii) and subject to restrictive covenants describing and guaranteeing the amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD District or the community or a combination of the two.

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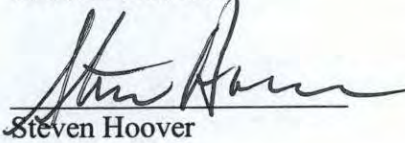
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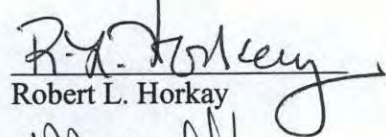
WESTFIELD CITY COUNCIL

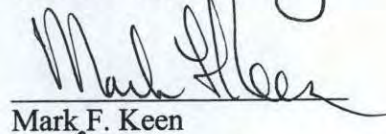
Voting For

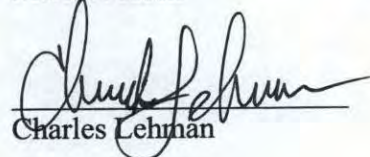

Jim Ake

James J. Edwards


Steven Hoover


Robert L. Horkay

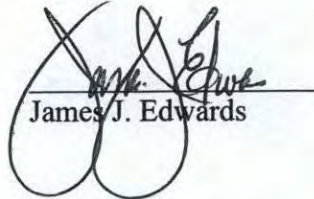

Mark F. Keen


Charles Lehman

Cindy L. Spoljaric

Voting Against

Jim Ake

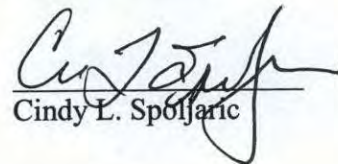

James J. Edwards

Steven Hoover

Robert L. Horkay

Mark F. Keen

Charles Lehman


Cindy L. Spoljaric

Abstain

Jim Ake

James J. Edwards

Steven Hoover

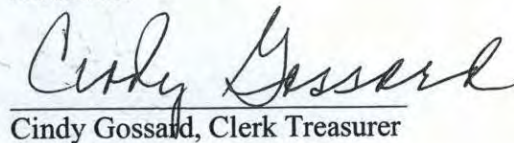
Robert L. Horkay

Mark F. Keen

Charles Lehman

Cindy L. Spoljaric

ATTEST:


Cindy 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: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE** ¹⁷⁻⁴⁶~~18~~ was delivered to the Mayor of Westfield

on the 9th day of Jan, 2018, at 10:30A m.

Cindy Gossard
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE** ¹⁷⁻⁴⁶~~18~~

this 10th day of Jan., 2018.

J. Andrew Cook
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE** ¹⁷⁻⁴⁶~~18~~

this _____ day of _____, 2018.

J. Andrew Cook, Mayor

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

Westchester - PUD District Ordinance 8 010318

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	District Map
Exhibit C	Concept Plan
Exhibit D	Pedestrian Circulation Plan
Exhibit E	Area A – Single Family Dwelling Character Exhibit
Exhibit F	Area B – Single Family Dwelling Character Exhibit
Exhibit G	Area A – Amenity Area Character Exhibit
Exhibit H	Subdivision Entry Signage - Character Exhibit
Exhibit I	Buffer Yard – Character Exhibits

EXHIBIT A
REAL ESTATE

(Page 1 of 2 – Legal Description)

Parcel 1:

A part of the West Half of Section 9, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning Southwest corner of the Northwest Quarter of said Section 9; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 1,554; thence North 89 degrees 58 minutes 59 seconds East 697 feet; thence North 00 degrees 41 minutes 38 seconds East 588 feet; thence South 89 degrees 53 minutes 53 seconds East 657 feet; thence South 00 degrees 07 minutes 47 seconds West 2,135 feet to a point on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 47 minutes 37 seconds East along said South line 97 feet; thence South 00 degrees 16 minutes 03 seconds East 493 feet; thence North 89 degrees 48 minutes 16 seconds East 685 feet; thence North 60 degrees 59 minutes 58 seconds East 361 feet; thence North 00 degrees 00 minutes 00 seconds East 319 feet to a point on the aforesaid north line; thence North 89 degrees 47 minutes 37 seconds East 257 feet to the Northeast corner of the Southwest Quarter of said Section 9; thence South 00 degrees 19 minutes 14 seconds West along the east line thereof 2,624 feet to the Southeast corner of the Southwest Quarter; thence South 89 degrees 44 minutes 11 seconds West along the south line thereof 2,713 feet to the Southwest corner of the Southwest Quarter; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 2,627 feet to the place of beginning, containing 210 acres, more or less.

Parcel 2:

A part of the Northwest Quarter of Section 16, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Quarter Section; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 2,137 feet; thence North 90 degrees 00 minutes 00 seconds East 317 feet; thence North 00 degrees 02 minutes 36 seconds East 519 feet to a point on the north line of said Quarter Section; thence North 89 degrees 44 minutes 11 seconds East along said north line 1,040 feet; thence South 00 degrees 27 minutes 13 seconds West 1,324 feet; thence North 89 degrees 33 minutes 23 seconds East 680 feet; thence South 00 degrees 14 minutes 39 seconds West 1,329 feet to a point on the south line of said Quarter Section; thence South 89 degrees 36 minutes 47 seconds West along said south line 2,027 feet to the place of beginning, containing 99, more or less.

EXHIBIT A
REAL ESTATE

(Page 2 of 2 - Location Map)



EXHIBIT B
DISTRICT MAP



EXHIBIT C

CONCEPT PLAN



Note: Digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 1712-PUD-17.

EXHIBIT C

CONCEPT PLAN



Note: Digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 1712-PUD-17.

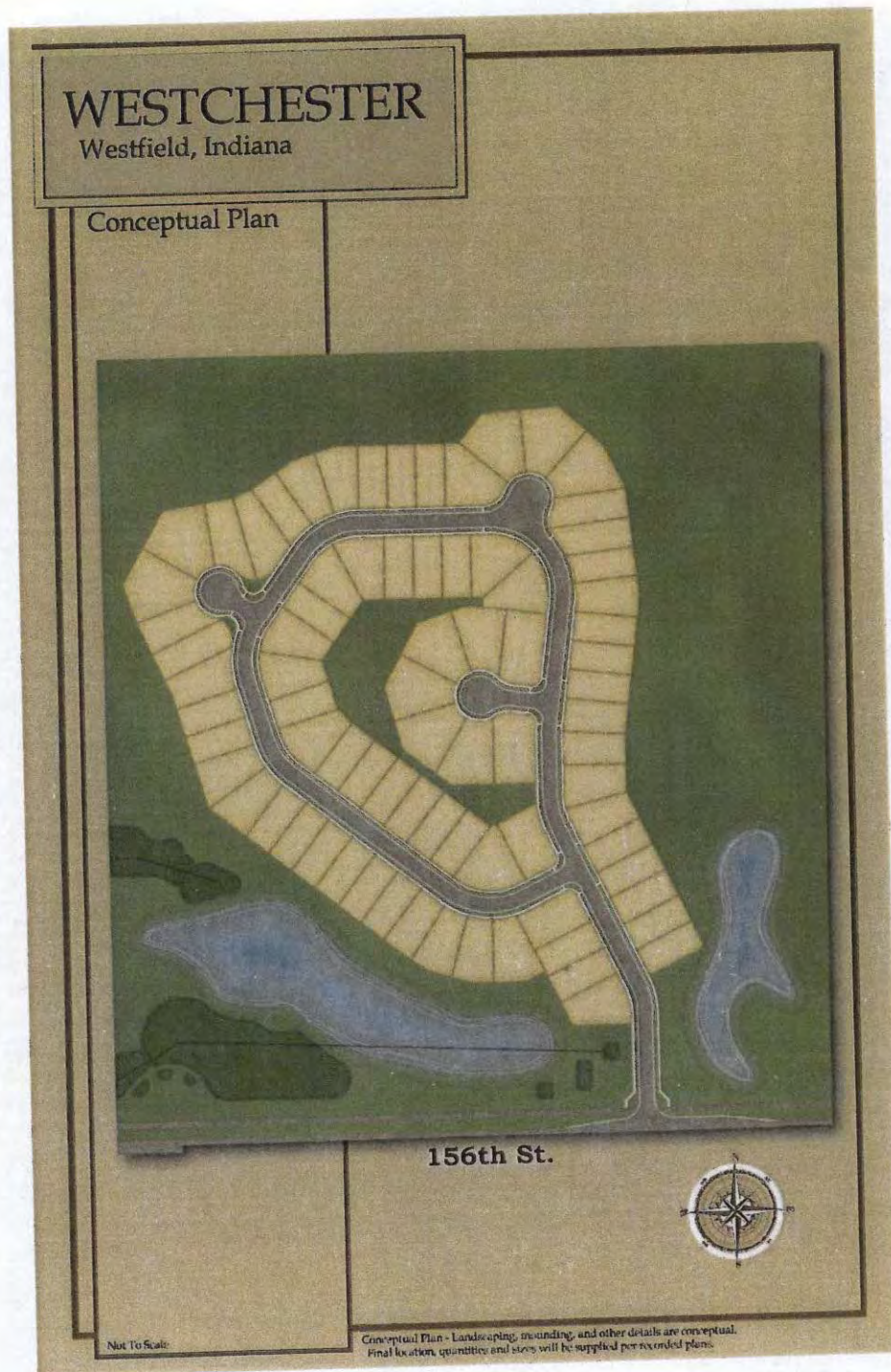
EXHIBIT C
CONCEPT PLAN



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 1712-PUD-17.

EXHIBIT C

CONCEPT PLAN



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 1712-PUD-17.

EXHIBIT D
PEDESTRIAN CIRCULATION PLAN



Note: A digital copy of the Pedestrian Circulation Plan is on file with the Department of Economic and Community Development under Docket Number 1712-PUD-17.

EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT E

AREA A - SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT F

AREA B – SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT F

AREA B – SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT F

AREA B – SINGLE FAMILY DWELLING CHARACTER EXHIBIT



EXHIBIT F

AREA B – SINGLE FAMILY DWELLING CHARACTER EXHIBIT



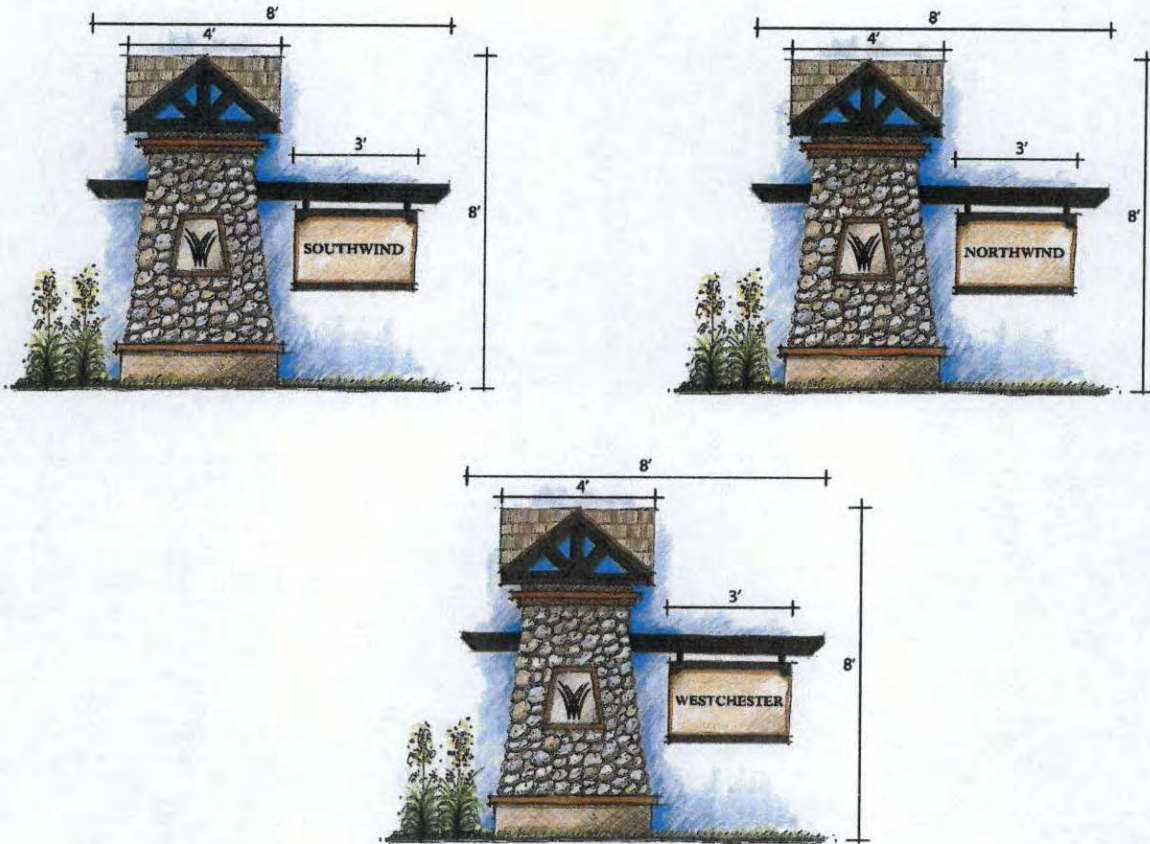
EXHIBIT G

AREA A – AMENITY AREA CHARACTER EXHIBIT

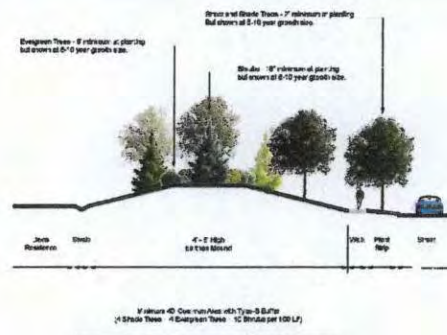


EXHIBIT H

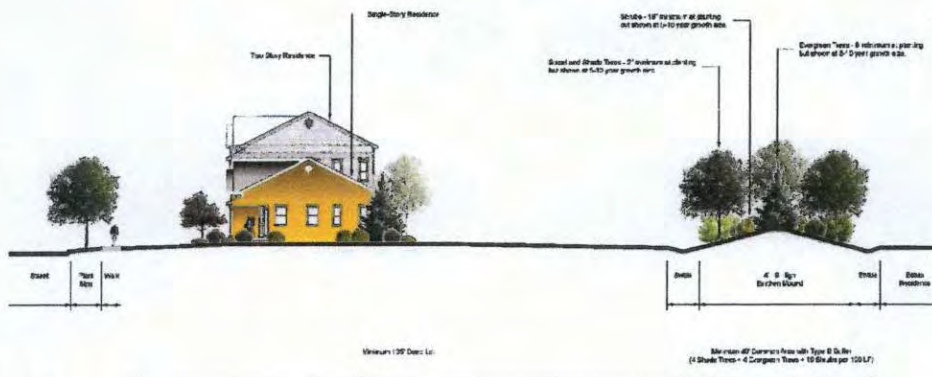
SUBDIVISION ENTRY SIGNAGE – CHARACTER EXHIBIT



BUFFER YARD – CHARACTER EXHIBITS



Proposed Buffer Adjacent to Davis Parcel



Proposed Buffer Adjacent to Essex Parcel

COMMITMENTS CONCERNING USE AND DEVELOPMENT OF REAL ESTATE

Document Cross Reference Instrument Nos. 2017-15830 and 2006-75110.
2006 - 75111
2006 - 75112

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

WHEREAS, the Developer filed a petition under Docket Number 1712-PUD-24 with the Plan Commission and City Council to rezone Parcel 1 and Parcel 2 as the same are more particularly described in **Exhibit A-1 and A-2** which is attached hereto and incorporated herein by reference (collectively the "Real Estate") from AG-SF1: Agriculture / Single Family Rural District to the Westchester Planned Unit Development Ordinance (the "Westchester PUD");

WHEREAS, the Developer is requesting the Council to consider approval of the Westchester PUD subject to the following commitments ("Commitments");

NOW THEREFORE, the Developer makes the following Commitments to the Council regarding the use and development of the Real Estate:

Section 1. Commitments. The Real Estate is subject to the following Commitments:

1. **Use of Pool and Pool House Facilities at the Bent Creek Community.** The Developer, prior to the recording of a secondary plat for the first subdivision section of the Westchester PUD community, shall be required to enter into an agreement with Pulte Homes of Indiana, LLC, as the developer of the Bent Creek subdivision identified by Docket Numbers 1506-SSP-15 and 1506-ODP-16, permitting all residents of the Westchester PUD community to utilize the Bent Creek subdivision's pool and pool house facilities with all the same rights, privileges and obligations as the residents of the Bent Creek subdivision.
2. **Option to Purchase Area C to the City of Westfield.** The City and Washington Township, in their sole and exclusive discretion and at their sole election, within twelve (12) months after the recording of these Commitments, shall be permitted to enter into an option agreement with the Developer to purchase from the owner of Area C that portion of property located in Area C that consists of the Wood Wind golf course (the "Option to Purchase"). In the event the owner of Area C notifies the City, the Trustee of Washington Township and the Department in writing, via certified mail, return receipt requested, that it will cease operation of the Wood Wind golf course in Area C, the City or Washington Township may elect to exercise the Option to Purchase within thirty (30) days after receiving said notice. If the City or the Washington Township elects, in their sole and exclusive discretion, to exercise the Option to Purchase and thereafter purchases Area C, the purchase price to be paid to the owner of Area C shall be the sum of Two-Million Five Hundred Thousand Dollars (\$2,500,000.00) on or before December 31, 2020 and if the City or

Washington Township purchases Area C after December 31, 2020, the purchase price to be paid to the Owner of Area C shall be the sum of Two-Million Five Hundred Thousand Dollars (\$2,500,000.00), plus an additional corresponding amount after December 31, 2020 to the date of closing in an amount that is equal to a calculated percentage increase as published in the Consumer Price Index ("CPI").

3. New Home Builder Requirement. For any new home builder, other than Pulte Homes of Indiana, LLC, Drees Premier Homes, Inc., or Wedgewood Building Company all of whom are eligible to build homes in all sections of the Westchester PUD community, to be permitted to build homes on the Real Estate, said new home builder shall be required to first obtain, in writing, approval of all proposed home plans and elevations by a vote of a majority of the members of the New Builder Architectural Review Board.
4. Additional Treatment of Northern Buffer. Prior to the Developer filing an application for Overall Development Plan approval for the Westchester PUD community, the Developer shall enter into an agreement with the owners of the five (5) parcels identified by the Hamilton County, Indiana Auditor's Office as Parcel Identification Numbers 08-09-16-00-00-001.001 and 08-09-16-00-00-001.000 (collectively the "Davis Parcels"); 08-09-16-00-00-002.005 (the "Essex Parcel"); 08-09-09-00-00-003.111 (the "Severson Parcel"); 08-09-09-00-00-003.101 (the "Watkins Parcel"); and, 08-09-08-00-00-013.000 (the "Armstrong Parcel"), all of which are collectively referred to as the "Neighboring Property Owners", pertaining to additional landscape buffer treatment between the Real Estate and the Neighboring Property Owners as identified on Exhibit I - Buffer Yard Character Exhibits of the Westchester PUD. The Developer and Neighboring Property Owners shall reasonably agree as to the additional landscape plantings and buffer treatment described above. D
5. No single builder shall build homes on more than fifty percent (50%) of the lots in any one section of Westchester (Area A, the portion of Area B south of 161st Street, and the portion of Area B north of 161st Street). Additionally, there shall be a minimum of three (3) builders of homes within the Westchester PUD. Builder homes shall be randomly interspersed throughout the sections as noted.
6. The predominant exterior building material on the front elevation of the home shall be carried around at varying percentages on the remaining sides of the home. This percentage will be determined by the individual builder.

Section 2. Definitions.

1. Developer. Platinum Properties Management Company, LLC, and its successors and assigns.
2. Department. The Economic and Community Development Department of the City of Westfield.

3. Area C. The portion of property shown on the Westchester PUD District Map and identified as “Area C” on the District Map.
4. Washington Township. Washington Township, Hamilton County, Indiana.
5. Trustee of Washington Township. The Trustee of Washington Township, Hamilton County, Indiana.
6. New Builder Architectural Review Board. An architectural review board consisting of a three (3) members to be comprised of: (i) the Developer; (ii) a resident of Washington Township, as appointed by the Trustee of Washington Township, and (iii) a member of the Plan Commission, as appointed by the Westfield City Council.

Section 3. Modification of Commitments. These Commitments shall continue in effect until modified or terminated. These Commitments shall only be modified or terminated by the Council in accordance with the Section 10.6 (F) of the UDO.

Section 4. Effective Date. These Commitments shall be effective upon the Council’s approval of the Westchester PUD.

Section 5. Recording. These Commitments shall be recorded with the Office of the Recorder of Hamilton County, Indiana by the Developer within thirty (30) days of the Council’s approval of the Westchester PUD. Within fifteen (15) days after the recording of these Commitments, the Developer shall provide to the Department a recorded copy of these Commitments.

Section 6. Enforcement. These Commitments may be enforced by the Department and/or the Council.

Section 7. Binding on Successors. These Commitments are binding upon (i) each owner of the Real Estate and (ii) upon each owner’s successors, assigns and grantees with respect to the portion of the Real Estate owned by such successor, assign and grantee and during such successor’s, assign’s and grantee’s ownership, unless modified or terminated by the Council pursuant to the requirements herein. Notwithstanding the provisions of this Section 7, these Commitments shall terminate as to any part or parts of the Real Estate for which the zoning district or classification is later changed after the Effective Date.

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IN WITNESS WHEREOF, Platinum Properties Management Company, LLC and Wood Wind Golf Club, LLC have caused these Commitments to be executed as of the dates identified below.

"Developer"

Platinum Properties Management Company, LLC

By: Paul F. Rioux Jr.

Name: PAUL F. RIOUX JR.

Title: Member

Date: Feb 6, 2018

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

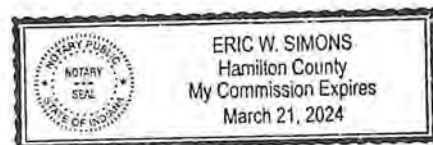
Before me, a Notary Public in and for said County and State, personally appeared PAUL F. RIOUX, JR. (name), as MEMBER (title) of Platinum Properties Management Company, LLC, who acknowledged the execution and the foregoing Commitments Concerning Use and Development of Real Estate this 6TH day of FEBRUARY, 2018 for and on behalf of said entity.

My Commission Expires:

Eric W. Simons
Notary Public

Residing in _____
County of _____

Printed Name



Wood Wind Golf Club, LLC

By: Matthew A. Cohart

Name: Matthew A. Cohart

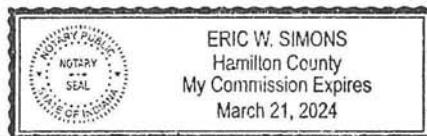
Title: Managing Partner

Date: 2/6/18

STATE OF INDIANA)
) SS.:
COUNTY OF HAMILTON)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared MATTHEW A. COHART (name), as MANAGING PARTNER (title) of Wood Wind Golf Club, LLC, who acknowledged the execution and the foregoing Commitments Concerning Use and Development of Real Estate this 6TH day of FEBRUARY, 2018 for and on behalf of said entity

WITNESS my hand and Notarial Seal this 6TH day of FEBRUARY, 2018.



Eric W. Simons

This instrument prepared by James E. Shinaver, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

Return to: James E. Shinaver, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

I affirm under the penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. James E. Shinaver.

Exhibit A-1

(LEGAL DESCRIPTION)

Parcel 1:

A part of the West Half of Section 9, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning Southwest corner of the Northwest Quarter of said Section 9; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 1,554; thence North 89 degrees 58 minutes 59 seconds East 697 feet; thence North 00 degrees 41 minutes 38 seconds East 588 feet; thence South 89 degrees 53 minutes 53 seconds East 657 feet; thence South 00 degrees 07 minutes 47 seconds West 2,135 feet to a point on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 47 minutes 37 seconds East along said South line 97 feet; thence South 00 degrees 16 minutes 03 seconds East 493 feet; thence North 89 degrees 48 minutes 16 seconds East 685 feet; thence North 60 degrees 59 minutes 58 seconds East 361 feet; thence North 00 degrees 00 minutes 00 seconds East 319 feet to a point on the aforesaid north line; thence North 89 degrees 47 minutes 37 seconds East 257 feet to the Northeast corner of the Southwest Quarter of said Section 9; thence South 00 degrees 19 minutes 14 seconds West along the east line thereof 2,624 feet to the Southeast corner of the Southwest Quarter; thence South 89 degrees 44 minutes 11 seconds West along the south line thereof 2,713 feet to the Southwest corner of the Southwest Quarter; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 2,627 feet to the place of beginning, containing 210 acres, more or less.

Exhibit A-1

(LEGAL DESCRIPTION)

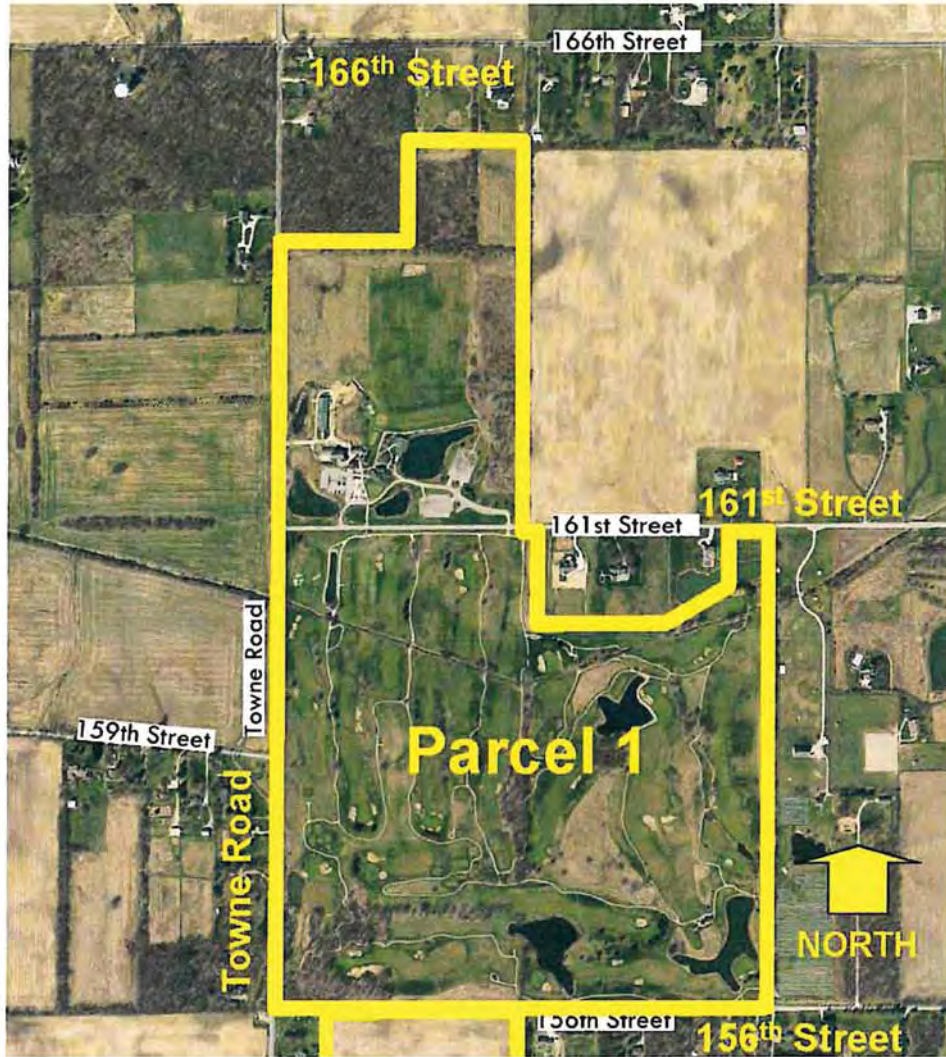


Exhibit A-2

(LEGAL DESCRIPTION)

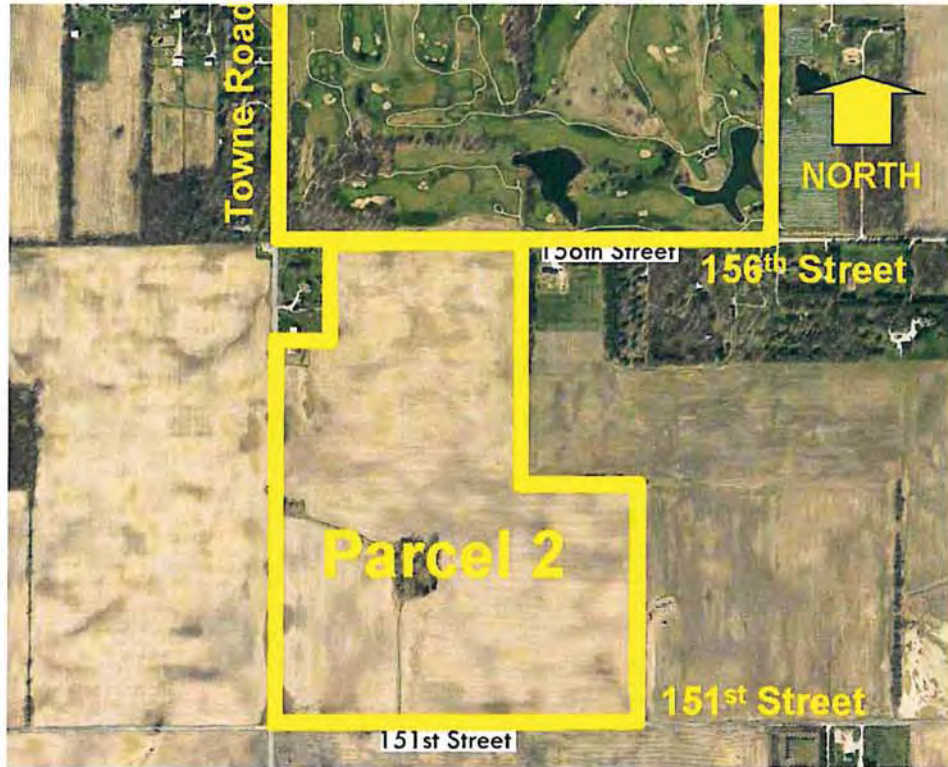
Parcel 2:

A part of the Northwest Quarter of Section 16, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Quarter Section; thence North 00 degrees 12 minutes 04 seconds East along the west line thereof 2,137 feet; thence North 90 degrees 00 minutes 00 seconds East 317 feet; thence North 00 degrees 02 minutes 36 seconds East 519 feet to a point on the north line of said Quarter Section; thence North 89 degrees 44 minutes 11 seconds East along said north line 1,040 feet; thence South 00 degrees 27 minutes 13 seconds West 1,324 feet; thence North 89 degrees 33 minutes 23 seconds East 680 feet; thence South 00 degrees 14 minutes 39 seconds West 1,329 feet to a point on the south line of said Quarter Section; thence South 89 degrees 36 minutes 47 seconds West along said south line 2,027 feet to the place of beginning, containing 99, more or less.

Exhibit A-2

(LEGAL DESCRIPTION)



Westchester PUD Amendment I and Commitment Modification Project Description

Platinum Properties Management Company, LLC (“Platinum”) is the Applicant and is requesting a PUD Text Amendment and Commitment Modification approval (collectively, the “Request”) for the residential portions of the Westchester subdivision as depicted on the enclosed aerial location map (collectively, the “Real Estate”).

The current zoning of the Real Estate is the Westchester Planned Unit Development District, Ordinance Number 17-46 (“Westchester PUD”) which was adopted by the Westfield City Council on January 8, 2018 and the Real Estate is also subject to certain zoning commitments made to the Westfield City Council as part of the Westchester PUD approval, which zoning commitments were recorded with the Hamilton County, Indiana Recorder’s Office on February 7, 2018 as Instrument Number 2018-005151 (“Westchester Zoning Commitments”). The Real Estate is presently used for agricultural purposes and also contains the Wood Wind golf course.

Platinum is requesting to modify the Westchester Zoning Commitments to delete certain provisions from the Zoning Commitments and to also amend the text of the Westchester PUD to add new provisions to address those provisions which were deleted from the Westchester Zoning Commitments. Regarding the request to modify the Westchester Zoning Commitments, the following provisions in the Westchester Zoning Commitments would be deleted:

- a. Section 1, paragraph 5 of the Westchester Zoning Commitments No single builder shall build homes on more than fifty percent (50%) of the lots in any one section of Westchester (Area A, the portion of Area B south of 161st Street, and the portion of Area B north of 161st Street). Additionally, there shall be a minimum of three (3) builders of homes within the Westchester PUD. Builder homes shall be randomly interspersed throughout the sections as noted.
- b. Section 1, paragraph 6 of the Westchester Zoning Commitments: The predominant exterior building material on the front elevation of the home shall be carried around at varying percentages on the remaining sides of the home. This percentage will be determined by the individual builder.

Regarding the request for a text amendment to the Westchester PUD, although the provisions above from the Westchester Zoning Commitments would be deleted, new provisions would be added to the Westchester PUD to address builder composition and home architecture design so such provisions could be monitored and enforced by the Planning Staff. To this end, Platinum is proposing the following text amendment language to the Westchester PUD:

Section 2. Development Standards. The Development Standards, Section 7.1 Area A and Area B: Article 6.3 Architectural Standards of the Westchester Planned Unit Development shall apply to the development of the District except as modified below:

- 2.1 No single builder shall build homes on more than fifty percent (50%) of the lots in any one section of Westchester (Area A, the portion of Area B south of 161st Street, and the portion of Area B north of 161st Street). Additionally, there shall be a

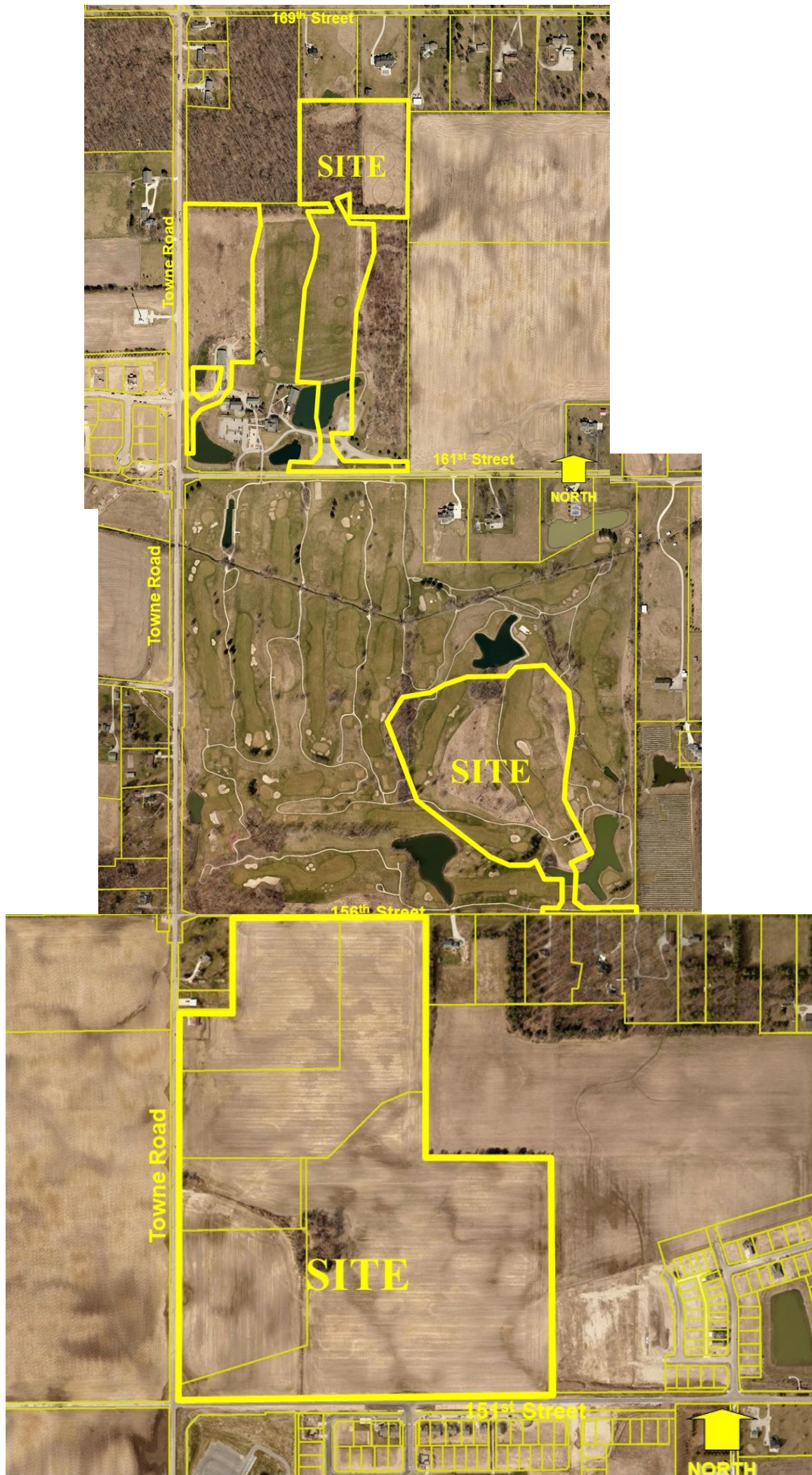
minimum of three (3) builders of homes within the Westchester PUD. Builder homes shall be randomly interspersed throughout the sections of Westchester as noted above in this Section 2.1.

2.2 All homes shall incorporate a minimum of one (1) of the following elements:

- A. The predominant exterior building material on the front elevation of the home shall be carried around at varying percentages on the remaining sides of the home. This percentage will be determined by the individual builder, or
- B. Masonry (brick, stone, or synthetic stone) as an exterior material on all sides of the home at a height of at least eighteen (18) inches.

While previously considered the following option has been removed from consideration as one of the above elements: “A “corner break” consisting of a sun room, screen porch, covered patio, or other similar feature, shall be included on the rear elevation of the home.”

The purpose and rationale related to the above described text amendment modification is to: (i) clearly set forth the required builder composition in the text of the Westchester PUD unchanged from the Westchester Zoning Commitments; and , (ii) address the unforeseen and unintended consequences of Section 1, paragraph 6 of the Westchester Zoning Commitments where building materials such as shake or board and baton may be the predominant front exterior building material, but carrying over such building materials to the rear home elevation would not be architecturally sound or appropriate. As a result, Platinum is proposing alternate architectural standards in its text amendment request to the Westchester PUD to provide home builders with better design options for the rear elevation of homes that are more aesthetically appropriate and suitable.



**Westchester Commitments Modification
Site Location Map**

June 20, 2019 Westchester PUD Amendment I - Neighborhood Meeting Summary

Project: Proposed Westchester PUD Amendment I and Commitment Modification

Ordinance Number: 19-22

Docket Number: 1907-PUD-19

Date: June 20, 2019 at 6:30pm

Location: Westfield City Services, 2728 E. 171st Street, Westfield, Indiana.

Attendees: Jon Dobosiewicz, Jim Shinaver, and Matt Pleasant – Nelson & Frankenberger
Chuck Lehman, Jim Ake – City Council
Dr. Ginny Kelleher – Westfield Advisory Plan Commission
Pam Howard – Staff
See **Exhibit A: Sign In Sheet**

Meeting began at 6:35pm. Jon Dobosiewicz provided an overview summary of the proposal.

Neighbor Comments and Questions:

1. July 1st is the date of the Plan Commission? That will be a problem for many people.

Response: The Plan Commission approves scheduled meeting dates. We have noticed for the meeting and will attend the July 1st Plan Commission meeting.

2. Why is the building material issue a problem now? Why was this not an issue when the original PUD was in process?

Response: The home products were not known at the time of the rezone. The problem has now been identified based on the home products.

3. Will this be multi-family or empty-nesters?

Response: No multi-family is permitted. The original PUD approved a variety of single-family detaches homes. No new home product types are being proposed.

4. Just to be clear, if the primary material is masonry then the material would be alright if it was on all four sides?

Response: Correct, masonry would be required on all sides.

5. Eighteen inches of masonry wall is not very much?

Response: We will look at the minimum masonry height and let our client know a request has been made to increase the minimum height.

6. What are the heights of the masonry on the exhibits?

Response: Approximately 24". We will clarify and present at the Plan Commission meeting.

7. Will the masonry be a veneer?

Response: No. These will be individual bricks.

8. Just to be clear, the corner break provision has been removed?

Response: Correct.

9. Would the covered porch be prohibited then?

Response: No. A covered porch or room addition is still an option for the owner. If included, it just wouldn't meet this requirement.

10. Can we suggest a height of the masonry wall? 24" – 36".

Response: Yes. We will take that under consideration.

11. I would like to make a request that the dominant material be on the front be included on the sides and in addition to masonry on all four sides of the home.

Response: We will relay that suggestion.

12. Who are the builders in the development?

Response: Wedgewood, Pulte, Drees, and M/I

13. Is it possible to have two identical homes right next to each other?

Response: No. That is not permitted.

14. Is there a price-point change based on this request?

Response: No but we can provide estimated sales prices at the Plan Commission.

The meeting ended at 7:15p

Neighborhood Meeting Sign In-Sheet

Proposed Westchester Planned Unit Development (PUD) Amendment I and Commitment Modification

Platinum Properties Management Company, LLC

Ordinance Number: 19-22

Docket Number: 1907-PUD-19

Thursday, June 20, 2019 at 6:30 p.m., Westfield City Services, 2728 E. 171st Street, Westfield, IN

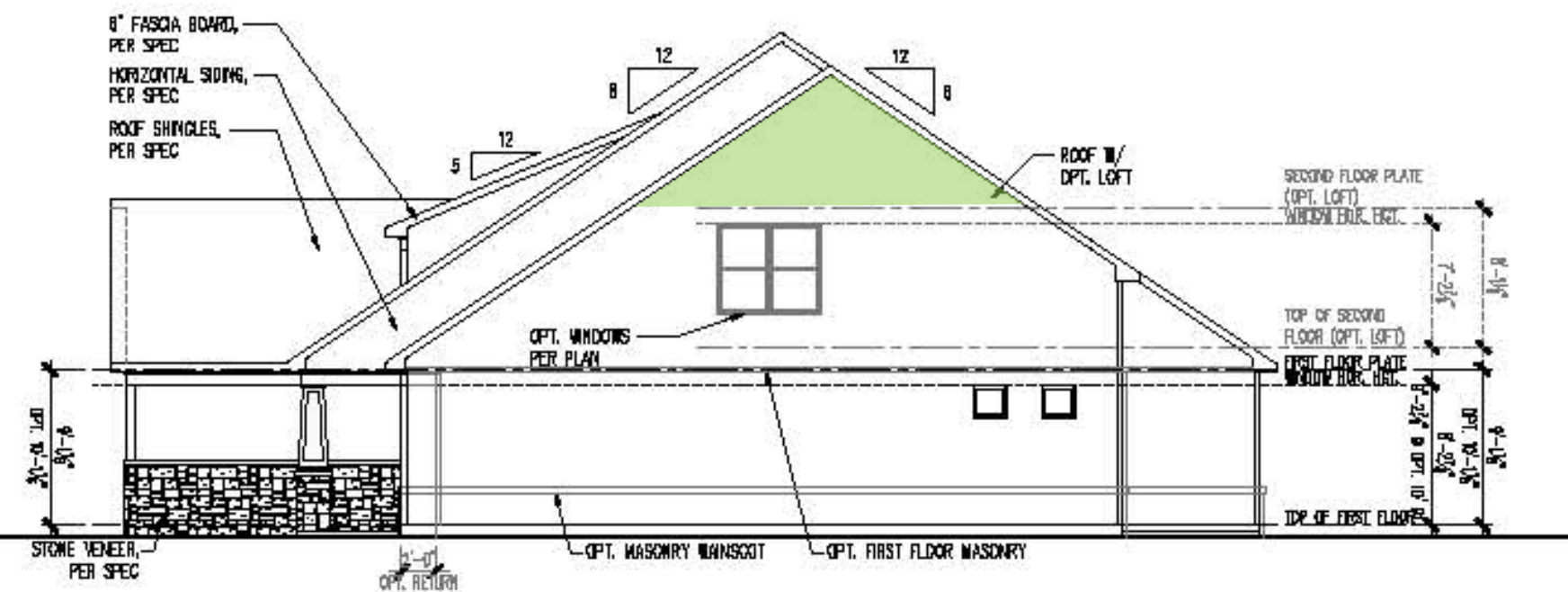
<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. Josh Davis	15515 Towne Rd.		
2. Dee Davis	15515 Towne Rd		
3. John J Davis	15515 Towne Rd		
4. Jan Davis	15505 Towne Rd (Barn)		
5. Michael Kayler	2101 W. 161 st St		
6. Cory Essex	1953 W. 156 th St.		
7. Dick Lewis	15630 Towne Rd		
8. Cynthia Stafford	15736 Towne Rd.		
9. Chuck Lehman			
10. Sarah Watkins	2191 W. 166 th St.		
11. Scott Frei	2045 W. 166 th St		
12. Tim Ake	543 Potomac Ct.		
13. Kristen Burkman	1924 W 161 st St		
14. Suzie DuBois	1719 W. 161 st St.		
15.			
16.			
17.			
18.			
19.			

Appropriate Shake Locations

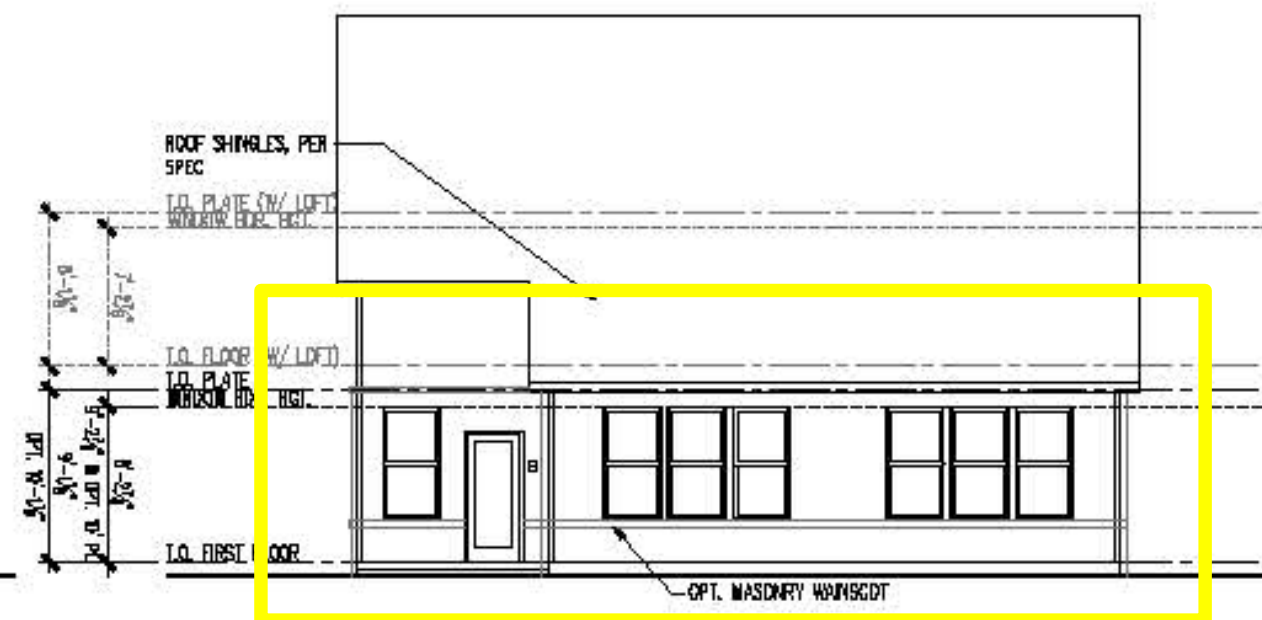


FRONT ELEVATION

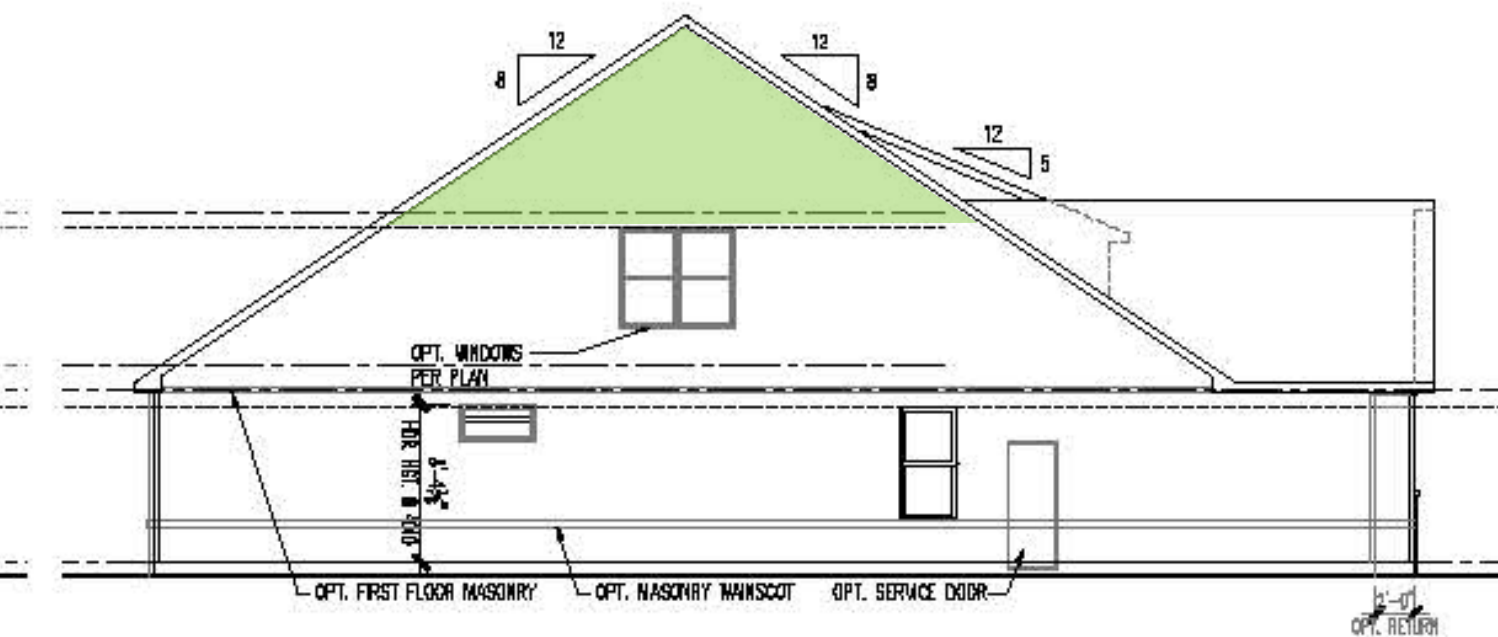
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

Masonry Wainscot Example





Westfield–Washington Township Advisory Plan Commission Minutes of the June 17, 2019 APC Meeting

Presented for approval: July 1, 2019

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, June 17, 2019 scheduled for 7:00 p.m. at the Westfield City Hall.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Randy Graham, Steve Hoover, Ginny Kelleher, Andre Maue, Dave Schmitz, and Robert Smith.

Members Absent: Robert Horkay, Scott Willis, and Chris Woodard.

City Staff Present: Kevin Todd, Senior Planner; Daine Crabtree, Associate Planner; and Chris Engel with Krieg DeVault.

APPROVAL OF MINUTES:

Motion: Approve June 3, 2019 meeting minutes as written.

Motion: Smith; Second: Maue. Motion passed. Vote: 6-0.

REVIEW OF RULES AND PROCEDURES

Todd reviewed the meeting rules and procedures.

OPENING OF MEETING

CONSENT AGENDA ITEMS

1906-DDP-09

Goddard School

Southwest of the Intersection of State Road 32 and Austrian Pine Way

Lynn Newkirk by Weihe Engineers requests Detailed Development Plan review for a 11,100 square foot daycare/preschool on approximately 1.53 acres +/- in the Maple Knoll PUD District.

(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)

Motion: Approve Consent Agenda (1906-DDP-09) with the following conditions:

1. That the Secondary Plat (1906-SFP-33) associated with this development plan be signed and recorded at the Hamilton County Recorder's Office prior to the issuance of an Improvement Location Permit.
2. 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.

Motion: Kelleher; Second: Smith. Motion passed. Vote: 6-0.

ITEMS OF BUSINESS

1904-PUD-06

Westfield High School PUD (Council Modifications)

18250 N. Union Street

Westfield Washington Schools requests a change in zoning of 88.73 acres +/- from the GB-PD District and EI District to the Westfield High School PUD District.

(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)

Todd overviewed this modified request to the PUD to allow for images on the football stadium's electronic wall sign to change every 15 seconds.

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Economic and Community Development Department E-mail: community@westfield.in.gov

No Commission comments.

Motion: Approve 1904-PUD-06.

Motion: Smith; Second: Schmitz. Motion passed. Vote: 6-0.

1812-ODP-23
1812-SPP-23

Westfield Center
701 E. Main Street

Evergreen Investment Corp by Sea Group LLC requests Overall Development Plan and Primary Plat approval of 6 commercial lots on approximately 13.285 acres +/- in the Westfield Center PUD District.

(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)

Todd overview this request for an Overall Development Plan and Primary Plat approval. He added that the City Council is interested in the timing of the pathway connection to the Midland Trace Trails. He said the plan is to install the pathway/connection by fall of 2019.

No Commission comments.

Motion: Approve 1812-ODP-23 & 1812-SPP-23 with the condition that all necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the approval of a Secondary Plat.

Motion: Maue; Second: Kelleher. Motion passed. Vote: 6-0.

PUBLIC HEARING ITEMS

1907-PUD-16
[PUBLIC HEARING]

Grand Park Fieldhouse PUD Amendment III (Ord. 19-20)
200 E. 186th Street

Indiana Recovery Facilities, LLC requests an amendment to the Grand Park Fieldhouse PUD District to modify the development standards for an external storage tank on approximately 8.07 acres +/- in the Grand Park Fieldhouse PUD District.

(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)

Crabtree overviewed this request to install a nitrogen tank on the front of the Pacers Athletic Center and its proposed screening.

Petitioner Konnie Komarovsky summarized the proposed plans for screening the tank using a combination of masonry, chain-link fencing, and fabric that would display the Pacers Athletic Center logo.

Public Hearing for 1907-PUD-16 opened at 7:12 p.m.

No public comments.

Public Hearing for 1907-PUD-16 closed at 7:13 p.m.

Hoover voiced concern with the chain-link fence and fabric components of the proposed screening. He said this proposed screening doesn't meet the intent of the ordinance.

Petitioner and business associate Billy Bunkowfst, Director of Operations of the Pacers Athletic Center, responded that the chain-link would provide for the required 50% ventilation and the fabric wrap would be customizable.

Kelleher asked who would be in control of the logo and if the chain-link fence would be the color black.

Komarovsky said the landlord, Pacers Athletic Center, would have final approval of the logos. He also confirmed that the color of the fence would be black.

Hoover requested a sample of the screening fabric.

Komarovsky said the screening would be similar to that around the baseball fields in Grand Park.

Graham asked, in regard to the required 50% ventilation, why couldn't the entrance side be constructed with all brick.

Komarovsky responded that they could add brick to the east side of the wall, but still would need to maintain the necessary ventilation ratio, for safety purposes.

Maue asked if louvres could be used for ventilation.

Komarovsky replied that there is flexibility in the design of the screening.

Graham said that he felt there are ways to screen using more purposeful and aesthetically pleasing design other than chain-link fencing with fabric. He said he had concerns about the noise level associated with filling the nitrogen tank and wants this to be a consideration.

Kelleher suggested carrying limestone base around the sides and incorporating louvers.

Hoover restated that something other than chain link is preferred.

Smith said there is quite a bit of work still needed on this proposal.

ITEMS CONTINUED TO A FUTURE MEETING

1906-PUD-14

Fox Hollow PUD

1111 E. 156th Street

Noah Herron by 40th Parallel Surveying LLC requests a change in zoning of 8 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Fox Hollow PUD District.

(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)

1906-SPP-10

Fox Hollow (Monon Hills)

1906-ODP-10

1111 E. 156th Street

Noah Herron by 40th Parallel Surveying LLC requests Primary Plat and Overall Development Plan review of 4 Single-Family Lots on approximately 8 acres +/- in the (pending) Fox Hollow PUD District.

(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)

1906-PUD-13

Springmill Trails PUD Amendment: Gristmill Crossing Commercial Area

Northwest Corner of SR 32 and Ditch Road

William Tres Development requests an amendment to approximately 73.5 acres +/- of the Springmill Trails PUD to accommodate commercial development.

(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

1904-PUD-08

Urban Vines PUD

303 East 161st Street

Urban Vines, LLC requests a change in zoning of 5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Urban Vines PUD District to accommodate an existing Agritourism Use.

(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Economic and Community Development Department E-mail: community@westfield.in.gov

1904-PUD-05**iBeach31 at Grand Park PUD**

North side of 186th Street, west of Grand Park Boulevard

iBeach31 requests a change in zoning of 3 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the iBeach31 at Grand Park PUD District to accommodate a Commercial Recreational Facility.

(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

1905-ZOA-01**Unified Development Ordinance Amendment**

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

(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

REPORTS/COMMENTS

- Plan Commission Members
- City Council Liaison
- Board of Zoning Appeals Liaison
- Economic and Community Development Department

ADJOURNMENT

Motion: Adjourn Meeting.

Motion: Kelleher; Second: Hoover. Motion passed. Vote: 6-0.

Meeting adjourned at 7:29 p.m.

Randell Graham, President

Andre Maue, Vice President

Matthew S. Skelton, Esq., Secretary



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 1, 2019
1907-PUD-19
Exhibit 1

Docket Number: 1907-PUD-19 (Ordinance No. 19-22)

Petitioner: Platinum Properties Management Company, LLC by Nelson & Frankenberger

Request: An amendment to the Architectural Standards of the Westchester PUD District, as well as modifications to the associated zoning commitments.

Current Zoning: Westchester PUD District (Ord. 17-46)

Current Land Use: Residential under development

Property History: 1712-PUD-24 (Westchester PUD Ordinance 17-46)
1804-SPP-05 & 1804-ODP-05 (Primary Plat and Overall Development Plan for Northwind, approved at 4/16/18 APC meeting)
1804-SPP-06 & 1804-ODP-06 (Primary Plat and Overall Development Plan for Westchester, approved at 4/16/18 APC meeting)
1807-SFP-30 (Secondary Plat for Westchester Section 1, not yet recorded)
1807-SFP-31 (Secondary Plat for Northwind Section 1, not yet recorded)
1812-SPP-21 & 1812-ODP-21 (Primary Plat and Overall Development Plan for Southwind, approved at 12/17/18 APC meeting)

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ordinance 19-22
4. Proposed Modified Commitments
5. Westchester PUD Ordinance 17-46
6. Existing Commitments
7. Petitioner's Narrative
8. Neighborhood Meeting Summary

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the June 10, 2019, City Council meeting. The petition will receive a public hearing at the July 1, 2019, Advisory Plan Commission (the "APC") meeting.

PROJECT OVERVIEW

Project Location: The Petitioner is requesting an amendment to the Architectural Standards of the Westchester PUD District, as well as modifications to the associated zoning commitments. The amendment will apply to the 149.8 acres +/- that are planned as residential, located on the east side of Towne Road between 151st Street and 169th Street (the "Real Estate") (see **Exhibit 2**).

Property History: The original Westchester PUD District (Ord. 17-46, see **Exhibit 5**) was adopted on January, 8 2018, and included a set of Voluntary Commitments (the “Existing Commitments”, see **Exhibit 6**). The PUD encompassed approximately 309 acres, and included the existing Wood Wind Golf Course and three areas for residential development. Primary Plats have been approved for all three residential areas. A Secondary Plat has also been recorded for one of the section, with other going through the review process currently.

AMENDMENT REQUEST

The Petitioner requests this amendment to the Architectural Standards of the Westchester PUD District, as well as modifications to the associated zoning commitments. The amendment will remove two (2) standards from the Existing Commitments (see **Exhibit 6**) and insert them into the PUD via a PUD Amendment (see **Exhibit 3**). As described in the Petitioner’s Narrative (see **Exhibit 7**), one of the standards is being moved verbatim and the other is proposed to be modified. Both standards are further described below.

Builder Mix: Section 1, paragraph 5 of the Existing Commitments prohibits a single builder from building more than 50% of the lots in each of the 3 residential areas. This standard is not proposed to change, but will be moved into the Architectural Standards of the PUD as Section 2.1 of the Proposed Amendment.

Predominant Material: Section 1, paragraph 6 of the Existing Commitments requires that the predominant building material on the front façade be carried around to all facades in varying percentages. The builders have proposed some elevations where shake siding or board and batten siding is the predominant material used on the front façade. In these cases, the builder is having difficulty finding a place on the rear façade where that material would be aesthetically pleasing. Instead, they are proposing the option of providing an 18” masonry wainscot around all side of the home. The option to provide the predominant material on all sides would still be included. This new standard would be incorporated into the Architectural Standards of the PUD as Section 2.2 of the Proposed Amendment.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as New Suburban. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

New Suburban: The Southwest New Suburban area includes a diverse mix of uses: a town park, a golf course, open farmland, residential development, and a central core of large-lot residential and rural properties, equestrian uses and artisan farms. It is adjacent to the Village of Eagletown, and two highways: SR32 and 146th Street. There also are institutional uses, including a school and a school transportation center.

While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should be context-sensitive.

As development moves south from SR32, north from 146th Street, and west from Ditch Road, the density should decrease and open space should increase. Within the Southwest New Suburban area, there is land that is not suitable for dense development because of steep slopes or other natural features. These lands should be developed according to rural standards.

The key for this area will be land use transitions and buffers that accommodate suburban development in such a way that negative land use impacts on existing and stable rural uses are mitigated so as not to negatively affect the quality of life of long term rural residents.¹

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Collector Roads: 151st Street and 156th Street and (ii) Primary Arterials: 161st Street and Towne Road; and, (iii) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

PROCEDURAL

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the July 1, 2019, 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 10, 2019, City Council meeting.

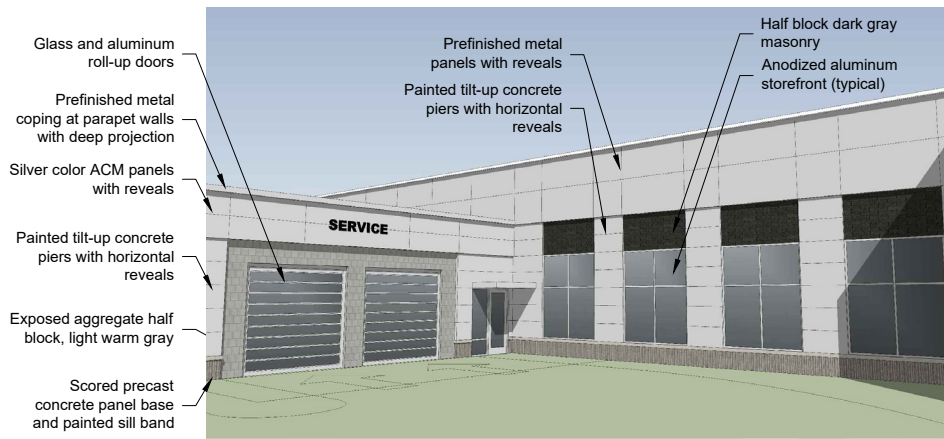
DEPARTMENT COMMENTS

1. **Action: Hold a public hearing at the July 1, 2019, Plan Commission meeting.**
2. The petitioner will make any necessary revisions to the proposal based on Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.

¹ Comprehensive Plan, page 39.



EXHIBIT D-1: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



5
A2

Service Materials Detail

NOT TO SCALE



4
A2

Entry Materials Detail

NOT TO SCALE



3
A2

Proposed Main Frontage Perspective

NOT TO SCALE



2
A2

Proposed South Elevation

NOT TO SCALE

1
A2

Proposed East Elevation

NOT TO SCALE

EXHIBIT D-2: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



Petition Number: 1904-DDP-05
Project Name: Firestone/Bridgestone
Subject Property: 17577 Carey Road (the "Property")
Petitioner: Westfield BF BTS Retail, LLC c/o Zaremba Group
Request: Petitioner requests Detailed Development Plan review for a new 6,116 SF tire sales and repair business on 1.02 acres +/- in the Oak Manor Planned Unit Development (PUD) District
Current Zoning: Oak Manor PUD (Ord. 03-37)
Current Land Use: Undeveloped
Approximate Acreage: 1.02 acres +/-
Staff Reviewer: Daine Crabtree, Associate Planner

PROCEDURAL

Approval of a Detailed Development Plan must be granted if the submitted plan demonstrates compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT DESCRIPTION

The project is for a new 6,116 SF tire sales and repair business.

The applicable zoning district is the Oak Manor Planned Unit Development (PUD) district. The property has an underlying zoning classification of "GB-PD District of the Zoning Ordinance in force at the time of the filing of this Oak Manor PUD". The Oak Manor PUD was filed in June of 2002. Therefore, the applicable underlying zoning for the Existing PUD is the Westfield-Washington Township Zoning Ordinance that was adopted in December of 2000 (the "Existing Underlying Zoning District")

The petition was reviewed by the Technical Advisory Committee at its March 19, 2019, meeting and will be available for Consent Agenda approval at the July 1, 2019, Advisory Plan Commission (APC) meeting.



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 in compliance 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.

OAK MANOR PUD (ORD. 03-07 – Article III: Commercial Area)

The plans comply.

- 22) Uses (Section 3.2)
- 23) Development and Architectural Standards (Section 3.3)
- a) Maximum Building Height: 60 feet
 - b) Building Setback Requirements
 - i) Side Yard: No minimum
 - ii) Rear Yard: 20 feet
 - iii) External Streets: 30 feet from Carey Road Right of Way

- c) Parking Standards: 1 space for every 300 gross square feet.
- d) Outdoor Dining
- e) Outdoor Storage and Sales
- f) Drive Thru Facilities
- g) Architectural Standards
 - i) Design
 - ii) Materials and Colors
 - A. Predominant exterior building material shall be high quality, including but not limited to: glass, brick, Quik-Brik, EIFS, limestone, other native stone and tinted/textured concrete masonry units.
 - B. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels, except decorative accent metal panels are permissible.
 - C. Façade colors shall be low reflectance, subtle, neutral, or earth tone colors
 - D. Building trim, awnings, canopies, and accent areas may feature brighter colors, including primary colors.
 - iii) Screening
 - iv) Façade Changes: Facades that are greater than two hundred (200) feet in length, measured horizontally, shall incorporate either awnings, wall plane projects or recesses of no less than twelve (12) inches in depth.
 - v) Repeating Patterns: Facades must include a repeating pattern that includes no less than two (2) of the following elements: color change, texture change, material change, change in plane of no less than twelve (12) inches such as an offset, cornice, awning, canopy, column, reveal, or projecting rib
 - vi) Entryways
 - vii) Anchor User Loading Dock/Other Loading Docks
 - viii) Walkways, Sidewalk Plaza & Screen Wall

Comment: Oak Manor was developed with internal pathways from where the Midland Trail exists today north to State Road 32. As such, there are no plans for sidewalks immediately adjacent to Carey Road. Public Works is aware of this and is agrees that no additional sidewalks/pathway along Carey Road is necessary at this time.

- 24) Landscaping (Section 3.4): Exhibit 23, 'Area C Landscape Plan' of the PUD is the controlling Landscape Plan for the Property.
- 25) Signage (Section 3.5)
- 26) Outdoor Lighting (Section 3.6)
- 27) Trash Removal & Deliveries/Accessory Structures (Section 3.7)
- 28) Trail System (Section 3.8)



Underlying Zoning District Standards (GB-PD in force at the time of filing of the Oak Manor North PUD)

The plans comply.

29) GB-PD in force at the time of filing of the Oak Manor North PUD

- | | |
|---|-------------------------------|
| 1. <u>Minimum Lot Area:</u> | No Minimum |
| 2. <u>Minimum Lot Frontage:</u> | No Minimum |
| 3. <u>Minimum Building Setback Lines:</u> | See District standards herein |
| 4. <u>Minimum Lot Width:</u> | No Minimum |
| 5. <u>Maximum Building Height:</u> | See District standards herein |
| 6. <u>Minimum Building Size:</u> | None |

STATE HIGHWAY 32 OVERLAY DISTRICT (Article 5.3 of UDO)

The plans comply.

30) Permitted Uses

31) Accessory Buildings

32) Building Height Requirements

33) Architectural Design Requirements

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply.

34) Landscaping Standards (Article 6.8): **Superseded by Section 3.4 of PUD**

35) Lighting Standards (Article 6.9): **Superseded by Section 3.6 of PUD**

36) Lot Standards (Article 6.10)

37) Outside Storage and Display (Article 6.12): **Superseded by Section 3.3(E) of PUD**

38) Parking and Loading Standards (Article 6.14): **Superseded by Section 3.3(C) of PUD**

39) Setback Standards (Article 6.16): **Superseded by Section 3.3(B) of PUD**

40) Vision Clearance Standards (Article 6.19)

41) Yard Standards (Article 6.21)



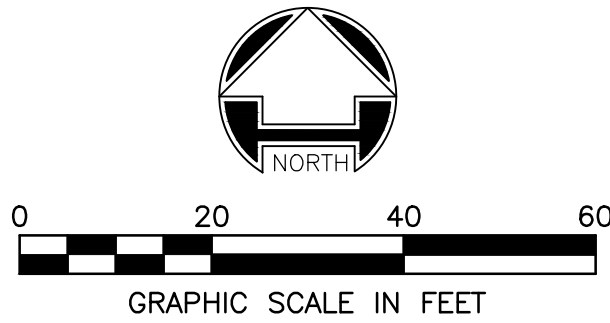
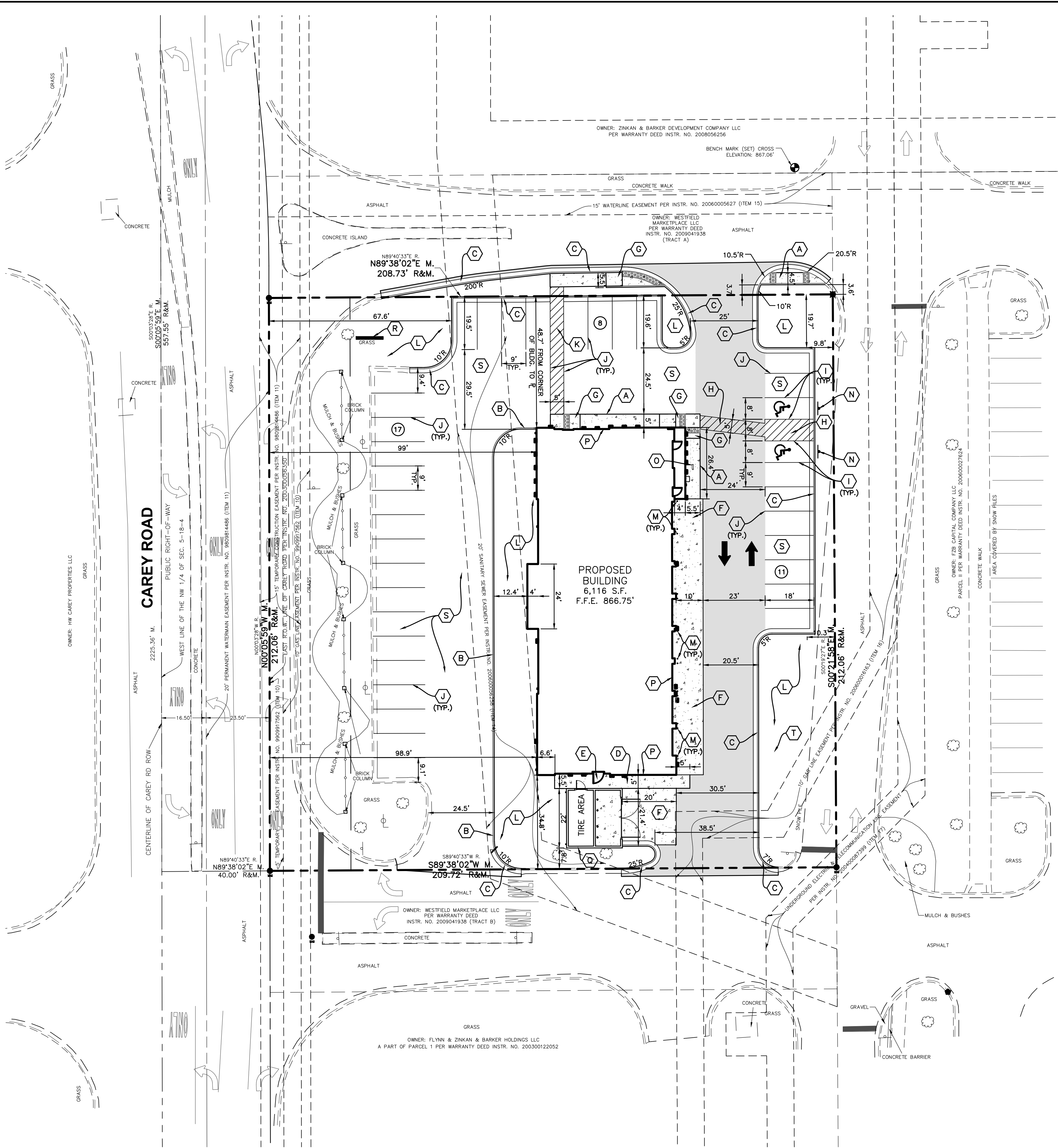
DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply.

- 42) Block Standards (Article 8.1)
- 43) Easement Standards (Article 8.3)
- 44) Monument and Marker Standards (Article 8.5)
- 45) Pedestrian Network Standards (Article 8.7)
- 46) Storm Water Standards (Article 8.8)
- 47) Street and Right-of-Way Standards (Article 8.9)
- 48) Street Light Standards (Article 8.10)
- 49) Street Sign Standards (Article 8.11)
- 50) Surety Standards (Article 8.12)
- 51) Utility Standards (Article 8.13)

DEPARTMENT COMMENTS

- 1) **The plans as presented comply with the applicable zoning ordinances.**
- 2) **Action: Approve Detailed Development Plan 1904-DDP-05 with the following condition:**
 - **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, then please contact Daine Crabtree at 317-416-2586 or dcrabtree@westfield.in.gov.**



LEGEND	
SYMBOL	DESCRIPTION
A	INTEGRAL WALK & CURB
B	6" STRAIGHT CURB
C	COMBINED CURB & GUTTER (TYPE II)
D	CONCRETE WALK
E	CONCRETE STOOP (5'x5' UNLESS OTHERWISE)
F	CONCRETE PAVEMENT
G	ADA RAMP
H	4" PAINTED BLUE PAVEMENT STRIPE AT 45° ANGLE, 2' O.C.
I	4" PAINTED BLUE PAVEMENT STRIPE
J	4" PAINTED WHITE PAVEMENT STRIPE
K	4" PAINTED WHITE PAVEMENT STRIPE AT 45° ANGLE, 2' O.C.
L	LANDSCAPED AREA
M	GUARD POST
N	ADA PARKING SIGN
O	BICYCLE RACK
P	EXPANSION JOINT AT BUILDING
Q	TRASH/TIRE ENCLOSURE (SEE ARCH. PLANS)
R	FIRESTONE MONUMENT SIGN (SEE ARCH. PLANS)
S	REGULAR DUTY ASPHALT PAVEMENT
T	7'x7' CONCRETE TRANSFORMER PAD
U	ADA PAVEMENT SYMBOL
V	SIGN
W	CURB TRANSITION
X	NUMBER OF PARKING SPACES
Y	PROPOSED CONCRETE
Z	PROPOSED HEAVY DUTY ASPHALT PAVEMENT

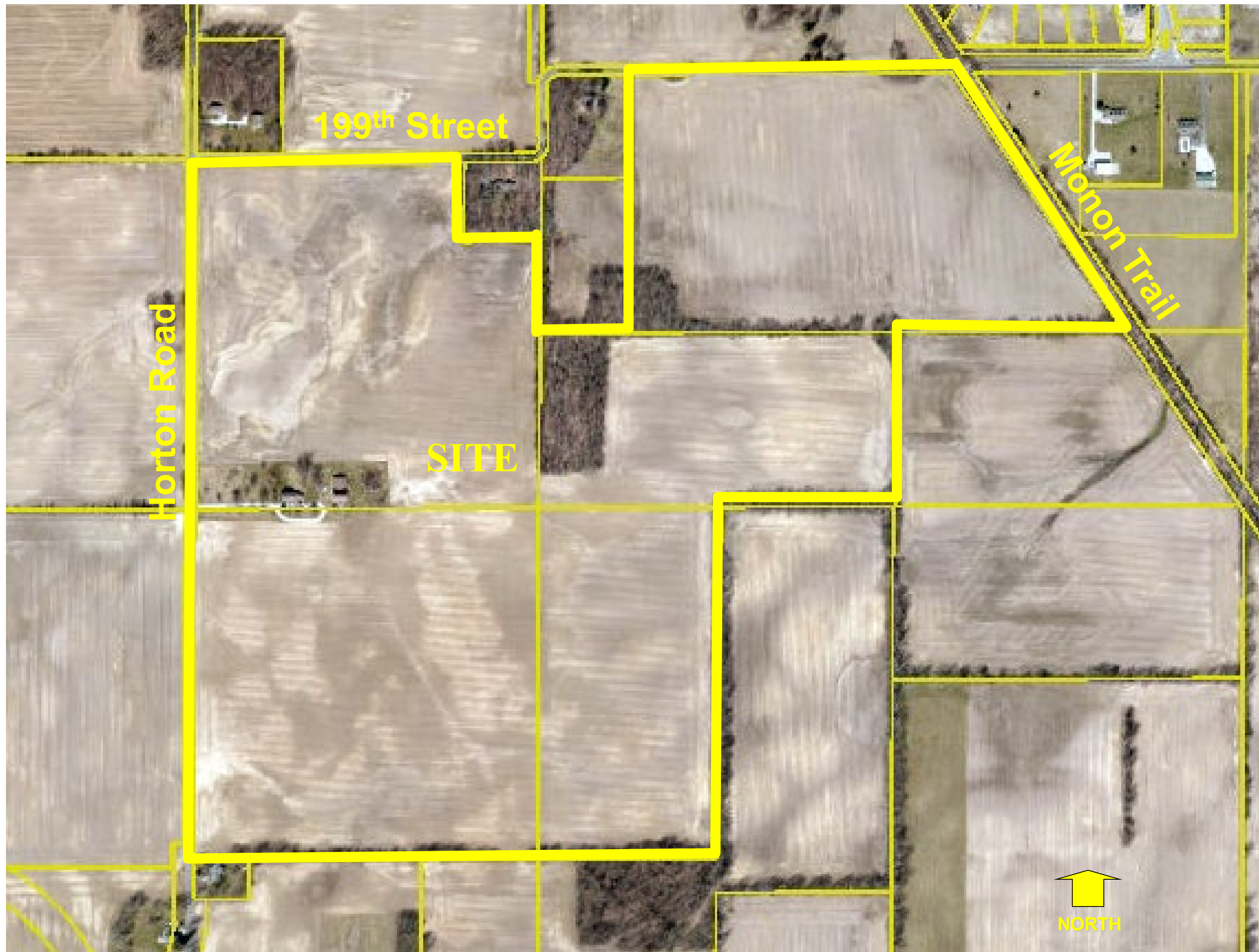
ZONING CLASSIFICATION:		GOVERNING AUTHORITY:	
OAK MANOR PUD		CITY OF WESTFIELD	
MINIMUM LOT AREA:	N/A	MINIMUM LOT WIDTH:	N/A
MINIMUM LOT DEPTH:	N/A	MINIMUM LOT DEPTH:	N/A
MINIMUM LOT FRONTAGE:	50'	MINIMUM BUILDING HEIGHT:	N/A
MAXIMUM BUILDING HEIGHT:	60'	MAXIMUM FLOOR AREA RATIO:	N/A
MAXIMUM LOT COVERAGE:	N/A	BUILDING SETBACKS:	
		FRONT:	N/A
		SIDE:	N/A
		REAR:	20'
EXTERNAL STREETS:	30' FROM CAREY ROAD R.O.W.	PARKING REQUIREMENTS:	MINIMUM OF 1 PARKING SPACE FOR EVERY 300' GROSS SQUARE FEET 1 BICYCLE SPACE PER 30 PARKING SPACES

PARKING DATA	
PER ZONING ORDINANCE	
PARKING SPACES REQUIRED	
1 SPACE FOR EACH EMPLOYEE	10
2 SPACES FOR EACH SERVICE STALL	16
1 BICYCLE SPACE PER 30 PARKING SPACES	1
PARKING SPACES PROVIDED	34
STANDARD PARKING SPACES	34
ADA PARKING SPACES	2
TOTAL PARKING SPACES =	36

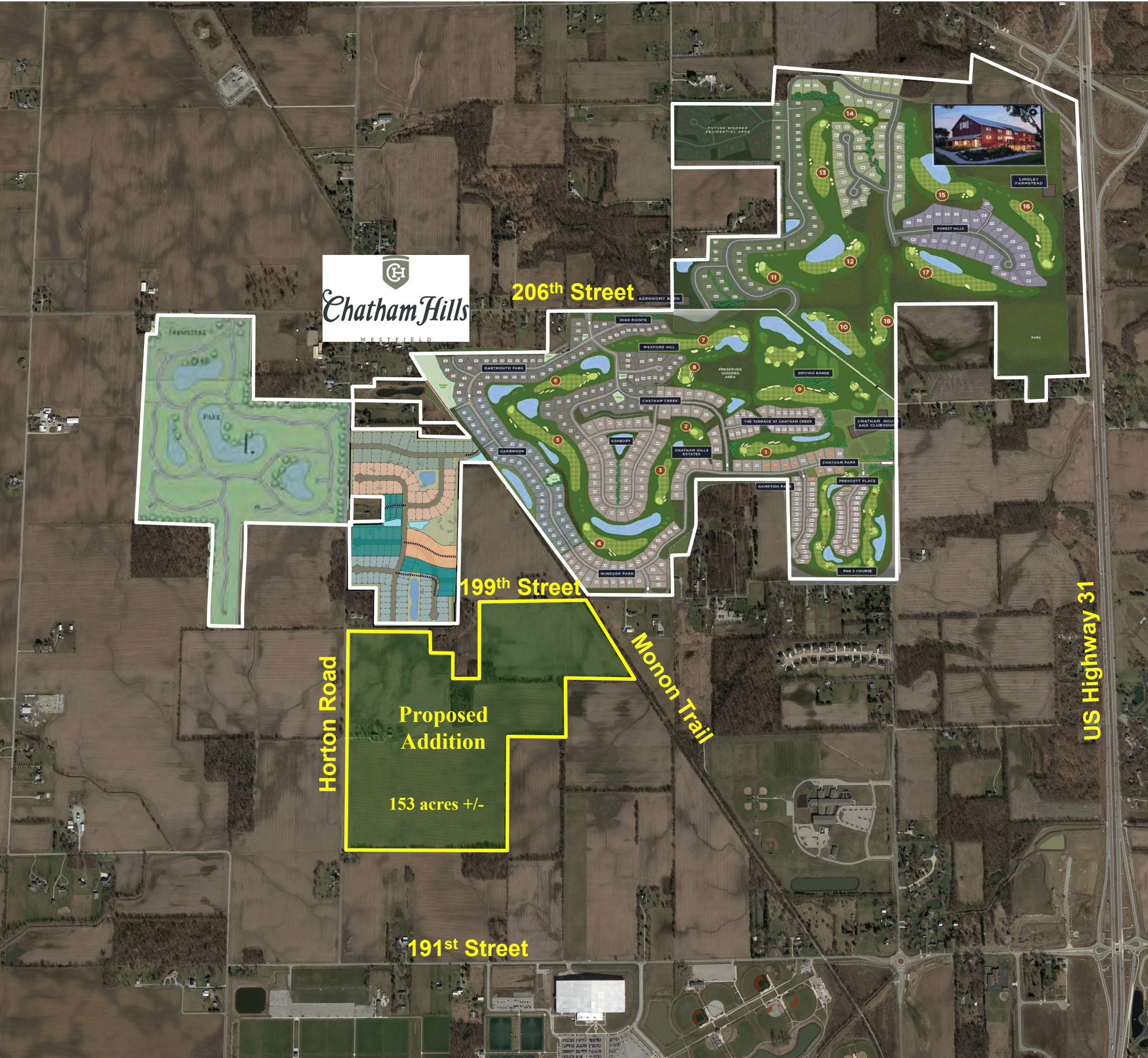
SITE DATA	
ACREAGE	1.02 AC.
BUILDING GROSS FLOOR AREA	6,116 S.F.

- SITE NOTES**
- ALL DIMENSIONS IN CURBED AREAS SHALL BE TO BACK OF CURB.
--ALL DIMENSIONS IN AREAS WITHOUT CURB SHALL BE TO EDGE OF PAVEMENT.
--ALL DIMENSIONS AT INTEGRAL CURB & WALK SHALL BE TO FACE OF CURB.
--ALL DIMENSIONS FROM BUILDING SHALL BE FROM FACE OF BUILDING.
 - ALL RADII IN PAVED AREAS & ON CURBS SHALL BE 3' UNLESS NOTED OTHERWISE.
 - THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD BEFORE STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FIELD DIMENSIONS. IF ANY DISCREPANCIES ARE FOUND IN THESE PLANS FROM ACTUAL FIELD CONDITION, THE CONTRACTOR SHALL CONTACT A/E IMMEDIATELY.
 - PROVIDE SMOOTH TRANSITION FROM NEW AREAS TO EXISTING FEATURES AS NECESSARY.
 - ALL AREAS WHERE THE EXISTING PAVEMENT OR PAVEMENTS ARE DAMAGED DURING CONSTRUCTION FROM TRAFFIC BY THE GENERAL CONTRACTOR, SUBCONTRACTORS, OR SUPPLIERS SHALL BE RESURFACED OR RECONSTRUCTED AT LEAST TO THEIR ORIGINAL CONDITION AFTER CONSTRUCTION WORK IS COMPLETED.
 - ALL RADII INDICATED SHALL BE FORMED AS CIRCULAR ARCS.
 - ALL DIMENSIONS ARE PARALLEL AND PERPENDICULAR TO BASE LINES, PROPERTY LINES OR BUILDING LINES UNLESS OTHERWISE NOTED.
 - ADA RAMP AND SIGNAGE SHALL BE IN ACCORDANCE WITH FEDERAL, STATE, COUNTY, CITY AND LOCAL CODE WHICHEVER HAS JURISDICTION. SEE SITE PLAN FOR LOCATION AND SITE DETAILS FOR SPECIFICATIONS.
 - ALL STRIPES ARE TO BE 4" PAINTED, WHITE, UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE AT HIS EXPENSE ALL AUTOMOBILE AND PEDESTRIAN TRAFFIC CONTROL DEVICES REQUIRED BY FEDERAL, STATE, COUNTY, CITY OR LOCAL AGENCY. THE AMOUNT, LOCATION AND SIZE SHALL BE PER DIRECTION OF AGENCY.
 - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REMOVE ALL MUD, DIRT, GRAVEL, AND ANY OTHER MATERIALS TRACKED ONTO ANY PUBLIC OR PRIVATE STREETS OR SIDEWALKS. THE CONTRACTOR MUST CLEAN THESE DAILY IF NECESSARY. THE CONTRACTOR MUST USE WATER OR OTHER METHODS TO KEEP AIRBORNE DUST TO A REQUIRED MINIMUM.

FIRESTONE	PROJECT No: 79569		REVISION	DATE	No.
	DATE 06/27/19				
17877 CAREY ROAD WESTFIELD, INDIANA	DES. DR.		SHEET NO.	C200	SHEET
	317.299.7500 FAX: 317.291.5805				

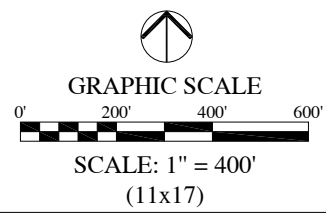
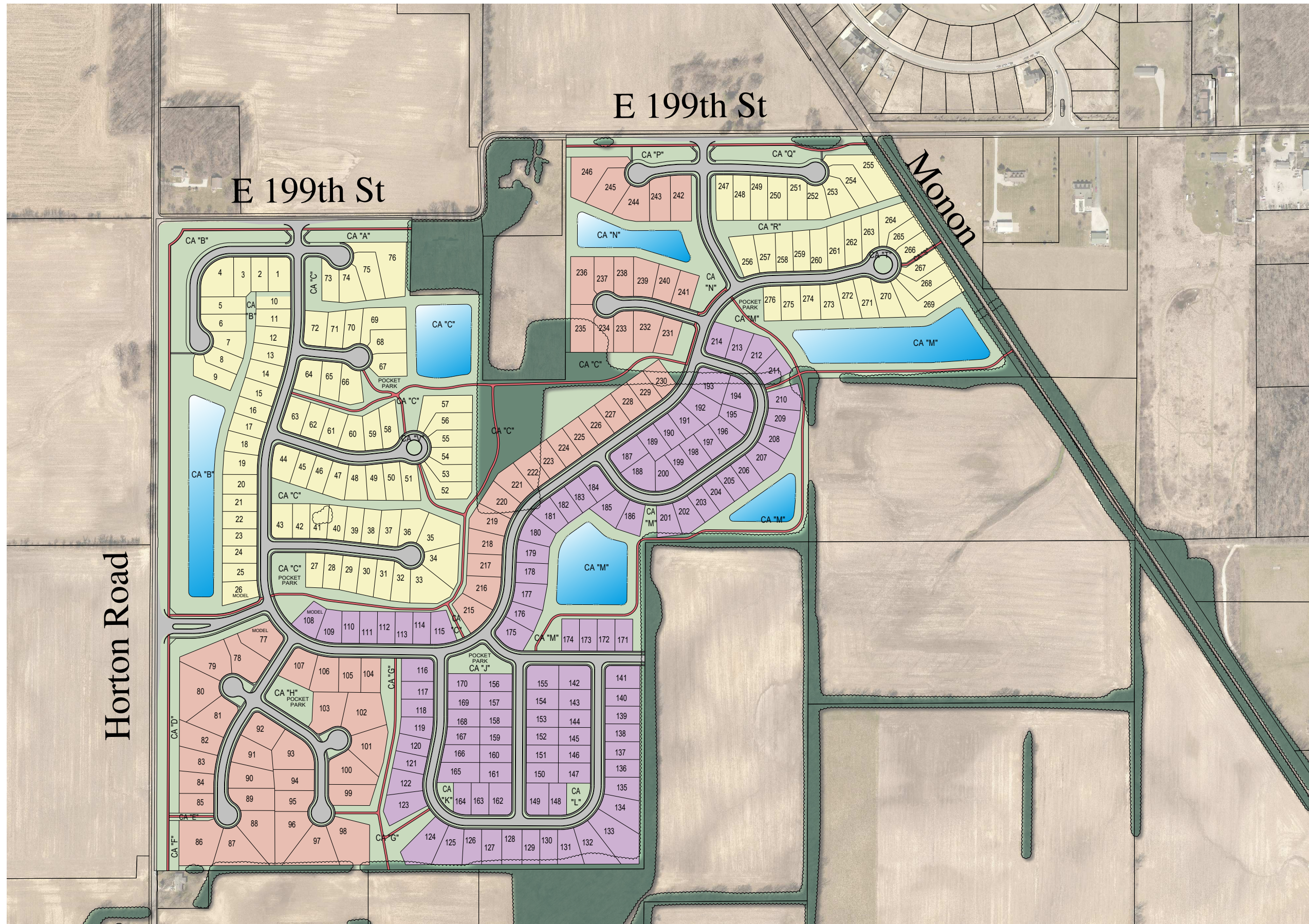


Chatham Amendment VI
Site Location Map



Chatham Amendment VI
Concept Plan

Plot Date: Jun 17, 2019 Plot Time: 2:50pm File Name: W:\Westfield Chatham Hills\Design\Renderings\19117-A Chatham - MC\Color Exhibit.dwg, Layout: Overall Plan (No summary) By: dcheaterfield



CHATHAM HILLS
WESTFIELD, INDIANA
JUNE 17, 2019

WRITTEN PUBLIC COMMENTS

Docket Number: 1904-PUD-08
Petitioner: Urban Vines, LLC
Request: Petitioner requests a change in zoning of 5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Urban Vines PUD District to accommodate an existing Agritourism Use.

Enclosed Attachments:

July 1, 2019, APC Recommendation

1. Koenig, Jerry	03/28/19
2. Fuller, Bill	03/28/19
3. Mayer, Matt	05/08/19
4. Nass, Linda (on behalf of 161 st Street Neighbors)	05/17/19
5. Wagner, Dan	05/29/19
6. Gonzalez, Mauricio	05/31/19
7. Hayner, Mike	05/31/19
8. Micinski, Lonnie	05/31/19
9. Campbell, Janelle	05/31/19
10. Blazic, Trey	05/31/19
11. Krause, Kenneth	05/31/19
12. Tomlinson, Ken	05/31/19
13. Hayes, Brandon	06/01/19
14. Feest, William	06/03/19
15. Drake, Liz	06/06/19
16. Waggoner, Andrew	06/13/19
17. Stroman, Kyle	06/28/19
18. Stroman, Kyle	06/29/19
19. Naas, Linda	07/01/19

Pamela Howard

From: Jerry Koenig <jkoenig@ivytech.edu>
Sent: Thursday, March 28, 2019 12:46 PM
To: Matthew S. Skelton, Esq., AICP; Kevin M. Todd, AICP; Pamela Howard; Daine Crabtree; jdorsey@westfield.in.gov;; Caleb Ernest; Amanda Rubadue
Subject: Urban Vines Zoning to Allow Concert Music

All,

First of all, thank you all for reading my email, I am not sure if I am writing to the appropriate group of people to voice my opinion but if not I would appreciate it if you could pass this on to the appropriate department/person.

I am writing in regard to the Urban Vines place of business. It is my understanding that they are doing something to try and get their location zoned in a manner that will allow them to have concert music at their place of business. Just so you know, I live in Mulberry Farms, just South of the landing strip so there is quite a bit of open land between my home and the Urban Vines place of business, although I can't quite see their building from the back of my house, I'm pretty close. I have no real objections about this place of business, I do find it kind of hard to believe they only have one restroom to accommodate all the cars I see there sometimes. Last year they had music, not sure how many times but I can tell you some of the music was much louder than others. If I walk outside in my back yard and I barely hear some music from down the way but not real loud I have no problem with that. But a couple times last year I was sitting in my family room, no doors open and all windows in the house shut, and I couldn't even listen to my TV easily because the music was incredibly loud. When the music is so loud I hear it inside my house where I live I feel that is just TOO LOUD. I do not want to be one of those residents that just complains about everything but I thought I should at least voice my opinion on this subject, I do not feel it is unreasonable at all to feel you should not have to listen to any music while inside your home. And I'm sure it was even much louder right behind their place of business. Now I'm sure that some people think it's good for the community and they don't mind hearing the music outside but that still doesn't make it right to allow music in an area that has many residential homes nearby. I can't even imagine what their neighbors must think right next door.

I think if they could somehow have the music somewhat outside but in a controlled environment where the music sound doesn't carry possibly they could still accomplish what they want. It would probably take some additional renovation/construction of a building of some type but I think they run a little on a shoestring budget as it is so I don't see them putting big dollars into engineering this the right way. But I think you are going to have a whole lot of people angry if the music gets to the same decibels I heard last year.

Thanks again for reading my email.

Jerry Koenig
15853 River Birch Rd.
Westfield, IN 46074
pistoljerry@gmail.com

Pamela Howard

From: Fuller, Bill J <Bill.Fuller@allegion.com>
Sent: Thursday, March 28, 2019 5:30 PM
To: Pamela Howard
Subject: Urban Vines proposal

I am looking for the correct avenue to register my opposition to the proposed zoning changes for the Urban Vines location and business. I'd heard there was some kind of meeting on April 1st and I am out of town and cannot attend. I live in Richter's Corner of the Countryside division and I feel the current activities Of Urban Vines are already too intrusive on our neighborhood and our privacy to even consider expanding. Personally I have to sit and listen to their "Entertainment " close to weekly in summers from the comfort inside my own home, let alone working in the yard or sitting outside, and others live even closer to the business than I do. We can hear the music while sitting inside. Then we can talk about the neighborhood being used as the Urban Vines overflow parking lot. Not sure why we as residents of Countryside have to have our streets covered close to once a week in summers, both sides of the street, with their overflow parking. To be followed by their guests wandering back to their cars at all hours of the evening, some of them loud and presumably various levels of intoxication, sometimes leaving their trash in our yards and streets. To expand on anything this business does is a bad proposal, what they are allowed to get away with now should be stopped. In my opinion this is not a good precedent to set for the town of Westfield and an image the council would desire to present and uphold. Thank you for listening and please let me know what other steps I can take to register my opposition to this proposed zoning change that would allow them to increase and become a larger entertainment venue. I did not know who I should really contact. In truth it was a bad idea to open this facility in this location in the first place, in the midst of what could be a very nice residential area for many families. They should not be allowed to intrude even further and ruin the lives of so many in my humble opinion.

Thanks,

Bill Fuller
Mgr. System Administration Team

Allegion Information Technology
11819 North Pennsylvania St
Carmel, IN 46032

Office: 317-810-3141
Mobile: 317-557-0404
Email: Bill.Fuller@allegion.com
allegion.com

"Developer, Learner, Achiever, Individualization, Empathy"



Pamela Howard

From: Matt Mayer <matt.mayer@stratospherica.net>
Sent: Wednesday, May 8, 2019 1:52 PM
To: APC
Subject: Urban Vines PUD Requested Amendments

Hi All,

I live in the Oak Ridge Crossing neighborhood just south of the Urban Vines location. Having been impacted by noise issues from concerts at Urban Vines through last year and hearing complaints of other nearby neighbors with respect to traffic and parking, I would like to propose a few changes to the PUD ordinance which I will outline below.

I've been reading through the PUD documents and the updates proposed by Urban Vines to mitigate sound issues many of us have experienced, however I have some concerns remaining. This is a business located squarely in the middle of a residential area. As such it is important to make sure that it does not impact the local residents right to quiet enjoyment of the property they have purchased in the area. At the same time, I would like to see Urban Vines succeed and thrive in our community. I believe a few changes to the PUD ordinance will make a fair compromise to achieve these ends.

My concerns are primarily noise and traffic/parking. In that regard, my specific concerns are under Section 6 of the ordinance which does not place any specific limits on the frequency or duration of "Special Events" and "Temporary Use Events". I would suggest these be amended to allow no more than 1 week day night per month and no more than 4 weekend nights per month of combined "Special Events" and "Temporary Use Events" and to limit outdoor concert/PA system use to end by 9PM for week night events and 10PM for week end events. I also believe a limit on the maximum size/number of attendees for events at the location should also be put in place to avoid potential traffic and parking issues, but I do not have a specific recommendation on the limit. I believe this is a fair compromise to allow Urban Vines to build their business while limiting their impact on a largely residential area that surrounds them.

I urge you to not approve the proposed ordinance without limiting these events which have a detrimental impact on nearby residents quiet enjoyment of their property.

Thank You,
Matt Mayer

Pamela Howard

From: Linda Naas <lnaas@logickey.com>
Sent: Thursday, May 16, 2019 7:20 PM
To: APC; Pamela Howard
Subject: 161st Street Neighbors Comments on Urban Vines Proposed 1904-PUD-08
Attachments: Urban Vines PUD Comments 051619.docx

Thank you again for the opportunity to speak at the May 8, 2019, public hearing. We have prepared our comments in writing, expanded more than the 3 minutes allowed, and after getting more input from a meeting with Pam Howard, Planner, on May 15, 2019. We ask that you please consider the following in your upcoming decision. We see this Proposed PUD has been continued from the May 20, 2019, APC meeting.

Respectfully submitted,

Linda Naas, On behalf of the 161st Street Neighbors
317-867-0584

To: APC & Pam Howard
From: 161st Street Neighbors
Contact: Linda Naas
Date: May 16, 2019

1904-PUD-08 (Ordinance No. 19-10)
Urban Vines LLC

First to be considered is that the existing uses and construction on this property are non-compliant with the 3 BZA approvals from 2016 and the 1606-DDP-21 approved by the APC in June 2016. What was presented to the public is not what has been built and the surrounding residential areas are being negatively impacted. With a large undeveloped parcel directly across 161st Street, we also want to stop the possibility of this type of use creeping further into this community. The development seems to have abandoned its AG-SF1 underlying zoning and the proposed PUD seems to cement a business or commercial use that should not be allowed in this area. Regardless of the success of the business, this is not the area for it. The picture of a winery with vines along 161st Street blending with the surrounding residentially developed properties is gone. Even the DDP included that picture. This proposed PUD is for the life of the property or could bring more amendments to estrange it even further from the neighborhood environment.

- The Special Exception Use approved was for an Agritourism Use “vineyard and winery” to include wine processing (i.e. grape crushing, fermenting, aging, storage) and related sales (i.e. retail, tasting facilities); there was no mention of outdoor music.
- The Development Standard variances approved removing Landscaping Standards based on covering the open areas with 2000 grape vines including along 161st Street.
- Removing Screening of Receptacles and Loading Areas, rather provide with landscaping.
- Removing Off-street Parking Surfacing and Curbs to allow a gravel driveway & parking to accommodate vines which do not exist.
- Removing Architectural Standards to allow agricultural theming with buildings per exhibits.
- BZA Approval subject to approval of a Detailed Development Plan.
- Removing Monument Signs 6.17(H)(2) to allow a second monument sign.
- The Reviewer of the DDP was Rachel Johnson, AICP, PLA, ASLA Loci Creative, LLC, not a City staff employee. There were errors on the Staff Report in light of the Variances. Site restrictions should not have so greatly changed the original concept of vineyard surrounding building with a parking lot but location of building and parking should have changed. Parking could have been in back of building allowing vines in front. Other options certainly could have been considered.
- The original concept was not to put a building/parking lot front and center in view of street.
- Utilities, rights-of-way and water retention are not excuses for design change as every property owner knows these should be in the original design and consideration of use of property.

This property has been developed and used in ways not compliant with the variances granted or underlying zoning. There appear to be no waivers by the Plan Commission and subsequently a lack of enforcement by the City over the last 3 years.

- Neighbors are not allowed to enjoy their own properties as outdoor music and activities negatively impact that enjoyment.
- The property, although having a building, has made port-o-lets a part of the landscape visible from 161st Street.
- The existing property with lack of landscaping is unattractive from the road and the proposed exhibits of Sound Mitigation are wholly unattractive. There is nothing hidden by trees as there are none. Neighbors should not have to buffer their own yards at their own expense.
- Parking should not extend beyond the property boundaries and that would dictate use. No Street parking or parking on neighboring properties should be allowed.
- Original variances hinted at music perceived as to be indoor as allowed by tasting room and parking facilities approved. Outdoor music was not approved and should not be allowed if extending beyond the property lines.

We oppose these parts of the PUD proposed:

Section 1.5 Do not relieve owner of variance requirements.

Section 2.1 Only allow those under approved Agritourism Use in UDO 12.1 definitions.

Agritourism Use (or Agritainment Use): *An agriculturally-based operation or activity that brings visitors to an operational farm, and that may include, but is not limited to, uses and activities such as: pumpkin patches, Christmas tree sales, animal interaction exhibits (i.e. petting zoo, pony rides), apple or strawberry picking, seasonal or holiday activities (i.e. corn mazes, hay or wagon rides, straw piles, haunted houses), family-oriented activities (i.e. bounce houses, pedal cars, kiddie rides), creamery, vineyards, breweries, educational experiences or tours, limited retail sales of products not produced on-site (i.e. country store, activity ticket sales), related beverage or food sales (i.e. tasting facilities, lunch counters, dairy bar, refreshment or specialty food stands), and related ancillary uses and buildings.*

No other special events.

Section 2.2 Temporary Uses and Events should not be made permanent and should require permits.

They should follow UDO Chapters 6.18 and 10.13.

Section 3. Parking should be decreased in front and vine plantings added.

Section 4: Legally Established Pre-Existing Improvements

This removes any chance of enforcing prior approvals/restrictions of BZA or DDP and makes this undesirable in this location not meeting the AG-SF1 underlying zoning.

Permitted Uses proposed Section 6.1. **We do not approve C, D, F, G.**

Section 6.1. PUD is requesting 7 Uses in additional to AG-SF1 uses:

- Allowed as "Special Exception" – must be approved
- "grape processing" was approved by BZA 4/12/16 as defined by winery – "an establishment for making wine"
- ~~Special Events~~ – Special Events is not listed in our UDO; too broad, must be defined, should be permitted by UDO Chapter 10.13 under Temporary Use and Events and follow UDO Chapter 6.18.
- ~~Temporary Use and Events~~ – Require Temporary Use and Events per UDO Chapters 6.18 and 10.13; City should stay aware of the Temporary Uses & Events through this process; history

tells us on this property that owner is prone to add to use of the property with no awareness or permission from City and lack of respect to neighboring residential properties.

- E. ~~Brewing, Winery and Distilling Product Facility & Tastings~~– These are included in UDO Agritourism Use (or Agritainment Use) – see letter A above.
- F. ~~Mobile & Food Service Vendors~~– These should be under Temporary Use and Events and approved by City not 24/7/365., UDO Chapters 6.18 and 10.13.
- G. ~~Serving of food prepared on the Property~~ – Indoors or Outdoors, permanent or temporary use? If Temporary Outdoors, use UDO Chapters 6.18 and 10.13.

Any and all Special or Temporary Uses should require a permit to keep track of activity.

All of 6.2 Conditions of Use – we oppose the outside noise, stage and music and makes this N/A.

Section 7.1 existing stage

Section 7.2 Consider applying UDO 6.3 standards to new buildings.

Section 7.3 Existing landscaping is not sufficient, consider vines along 161st Street, variance not now allowed due to non-compliance

Section 7.4 If vines are not in front of building, then reapply Article 6.14

It is disappointing that in a 3-page Staff Report accompanying this proposed PUD the APC, Council and public are not made aware of the non-compliance issues of this property to-date or the many exceptions being proposed for this AG-SF1 property by being proposed in a PUD. It requires considerable research and study on the part of all. It is also disappointing the owner didn't seriously apply the variances as approved and the City didn't enforce those during the development process in the last 3 years. The vines, of course, were only planted in the last year and only on the back of the property not visible from 161st Street making the site appear as a business not a vineyard in an agricultural, single family residential area of our community.

Resource Info:

Current UDO has no USE: Brewing, Winery and Distilling Production Facility & Tastings

BZA 4/12/16 approved “vineyard and winery” as Special Exception. Dictionary definitions:

Vineyard defined as “a plantation of grapevines, especially one for producing grapes for winemaking

Winery defined as “an establishment for making wine”

These were not further defined by petitioner.

This was the only Special Exception approved for an AG-SF1 area.

All falls in “Agritourism Use (or Agritainment Use) UDO Chapter 12.1 Definitions.

BZA <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4911>

1604-SE-01 [PUBLIC HEARING]

303 East 161st Street

Noah Herron (Urban Farmer LLC)

The petitioner is requesting approval of a Special Exception to allow an Agritourism Use (vineyard and winery) within the AG-SF1: Agriculture / Single-

Family Rural District (Chapter 13).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Petitioner's Narrative](#) | [Exhibit 4: Site Plan Exhibit](#) | [Exhibit 5: Illustrative Character Exhibit](#) | [Meeting Packet](#)

BZA <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4911>

1604-VS-07 [PUBLIC HEARING]

303 East 161st Street

Noah Herron (Urban Farmer LLC)

The petitioner is requesting Variances of Development Standard for the requested Agritourism Use related to Landscaping Standards (Article 6.8), Screening of Receptacle and Loading Areas (Article 6.1), Off-street Parking Surfacing and Curbs (Article 6.14) and Architectural Standards (Article 6.3) in the AG-SF1: Agriculture / Single-Family Rural District.

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Petitioner's Narrative](#) | [Exhibit 4: Site Plan Exhibit](#) | [Exhibit 5: Illustrative Character Exhibit](#)

APC <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4979>

1606-DDP-21 [PUBLIC HEARING]

Urban Vines

303 East 161st Street

Noah Herron of Urban Vines, LLC requests approval of a Detailed Development Plan for a vineyard and winery on 5 acres +/- in the AG-SF1: Agriculture/Single Family Rural District.

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

APC <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4988>

1606-DDP-21

Urban Vines

303 East 161st Street

Noah Herron of Urban Vines, LLC requests approval of a Detailed Development Plan for a vineyard and winery on 5 acres +/- in the AG-SF1: Agriculture/Single Family Rural District.

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Elevations](#) | [Exhibit 5: Landscaping Plan](#) | [Exhibit 6: Acknowledgement of Variance](#) | [Exhibit 7: Elevation Comparison](#)

From: [Wagner, Dan](#)
To: [Ken Tomlinson](#); [Cindy Olson](#); [Lapaglia, Ward](#); [Matthew Mayer](#); [panicolai@aol.com](#); [APC](#); [Robert Horkay](#)
Subject: RE: Urban Vines
Date: Wednesday, May 29, 2019 5:54:15 AM
Attachments: [Urban VinesPUD Issue List \(1\) \(1\).docx](#)
[Urban VinesPUD Issue List_dw comments.docx](#)

To whom it may concern,

Please see my comments in blue to the Urban Vines proposal.

Dan Wagner
Project Engineer, Advanced Aircraft Programs, Cabin Systems
Gulfstream Aerospace Corporation
(912) 251-2893 Office
(912) 675-6604 Mobile

From: Ken Tomlinson [mailto:kjtomlin4@gmail.com]
Sent: Tuesday, May 28, 2019 9:41 PM
To: Cindy Olson <imcindyolson@gmail.com>; Lapaglia, Ward <ward.lapaglia@ppg.com>; Matthew Mayer <matt.mayer@crossroadslogic.com>; panicolai@aol.com; Wagner, Dan <Dan.Wagner@gulfstream.com>
Subject: Re: Urban Vines

All,

I sat down with Noah Herron this evening and we had a good conversation. At this point my concerns have been addressed. If I feel that the terms of the exemption are being violated I will reach out to Noah directly and then to the police if there is no action. I am no longer going to object to his request.

I also had a good conversation with Dan and the concerns he has for his family. His concerns have not been addressed and has seen some similar type situations turn out poorly previously. I suggested writing the Westfield Advisory Planning Commission. They reviewed the written submissions at the previous meeting and took the comments under consideration before making a recommendation to the council. The APC can be reached by email at: apc@westfield.in.gov. The APC meets the 1st and 3rd Monday of each month. They have not released the agenda for next week as far as I can tell. However, I fully expect for the Urban Vines PUD request to be on next Monday's agenda. I know that Noah is expecting it to be there. I will look at the documents once they are posted to make sure they match what Noah shared with me (the docs I sent earlier today). If they differ then my opinion could swing.

Robert Horaky is our current Westfield councilman. He is also the only councilman that sits on the APC. I emailed him previously on this topic and he was responsive. His email address is rhorkay@westfield.in.gov.

I will share any new information that I find.

Regards,

Ken

On Tue, May 28, 2019 at 11:47 AM Ken Tomlinson <kjtomlin4@gmail.com> wrote:

All,

Please find attached two documents from Noah Herron. After the APC hearing, he worked with the city to address as many of the concerns as possible. Attached PUD concerns and answers sheet as a result of his efforts. I have requested that he and I have a conversation regarding the steps to be taken if I feel the terms of the zoning exemption are not being followed. Given the effort that he has put into mitigating the noise concerns, specifically reducing the decibels down to 70, then I will no longer object to the exception provided he and I reach an agreement.

I am trying to meet with Noah as early as this evening, so please let me know if there is anything you would like for me to mention.

Thanks,

Ken Tomlinson

This e-mail message, including all attachments, is for the sole use of the intended recipient(s) and may contain Personal Information under General Dynamics policy CP 07-105 and/or legally privileged and confidential information. Any Personal Information can be accessed only by authorized personnel of General Dynamics and its approved service providers and may be used only as permitted by General Dynamics and its policies. Contractual restrictions apply to third parties. If you are not an intended recipient, you are hereby notified that you have either received this message in error or through interception, and that any review, use, distribution, copying or disclosure of this message or its attachments is strictly prohibited and is subject to criminal and civil penalties. All personal messages express solely the sender's views and not those of Gulfstream Aerospace Corporation. If you received this message in error, please contact the sender by reply e-mail and destroy all copies of the original message.

ISSUES RAISED REGARDING THE URBAN VINES PUD PROPOSAL

The list below includes issues that were raised during the May 8, 2019, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Economic and Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. What can be done to minimize or eliminate sound traveling to nearby properties?
 - A. We have hired a sound engineer and sound technician to help reduce any sound traveling from our outdoor concerts. We have installed fencing against our outdoor event stage to help direct music toward our patrons and away from neighbors. We have covered the stage, fence and building with sound blankets that help reduce sound reflection by over 50%. We have installed 150' row of Arborvitaes along our Eastern border to help reduce sound travel. Growing ivy up our wooden fence as well. We also hired a 3rd party sound technician to oversee every outdoor concert. We will use short throw speakers and keep speakers directed toward the audience.
 - 1.a What are the qualifications of the 3rd party sound technician?
 - 1.b Where is the contract between UV and this sound technician to ensure that this sound technician will be required at every outdoor concert ?
 - 1.c What does the claim of "reducing sound reflection by over 50%" mean? Where is the data to substantiate the claim?
 - NOTE: I am a project engineer over development of new sound systems for aircraft so have experience on this topic.
2. What can be done to minimize or eliminate parking impacts in surrounding neighborhoods?
 - A. Last year we increased are parking lot size from 25 cars to 85 cars. We also have an agreement with our neighbors next door to use property for parking. We also own the property down the road at 120 E 161st St that we will use for overflow parking. We also will have a police officer hired when available to help with any traffic issues.
 - 2.a Where is the agreement? Is this a signed document or a handshake?
 - 2.b Hiring a police officer when available? What about when not available?
3. Can the number or frequency of "special events" or "temporary events" be limited?
 - A. Yes, this has been added to the PUD.
4. Can the "Special Event" definition be narrowed as to not permit rides or other large equipment?
 - A. Yes, this has been updated in the PUD.
5. How can we know that the proposed maximum decibels will be quiet enough?
 - A. Sound will always travel no matter what. By installing the fence to direct the sound, installing the sound blankets to help reduce sound reflection and landscaping updates we hope to reduce any sound traveling to our neighbors to an acceptable level. Everyone will have a different level of acceptable but we would never want any sound to be heard inside a neighbors home or anything louder than a lawn mower volume outside.

5.a "Sound will always travel no matter what" Really? How so?

5.b "Hope to reduce any sound traveling to our neighbors to an acceptable level" . Hoping ? What if an unacceptable level? Then what? I have a disabled child who puts her fingers in her ears and runs around shrieking when there is loud music playing. I built my home in ORC because it is located in a quiet neighborhood and I will take this person to Court if even one of his events causes my daughter this type of distress.

5.c "Everyone will have a different level of acceptable but we would never want any sound to be heard inside a neighbors home or anything louder than a lawn mower volume outside"

Never wanting has no substance. In my opinion, this person is not qualified to speak on the topic of sound management

6. Why has the site developed differently than proposed in the variances?

A. Two main reasons for the front part of the property developing differently. The first is a retention pond was required by the city during development which pushed the building closer to the road in order for it to fit. The second is a larger parking lot. Both processes went through APC and were approved. I have proposed adding 34 new hydrangeas on the front of our property which when mature will help shield the view of the driveway.

6.a Where is the documentation showing APC approval and the proposal to add the plants?

7. As it stands today, are the building, restroom facilities, and parking area adequate for the number of patrons attending on a daily basis or for special events?

A. Yes, we have worked with state fire officials, local fire officials and the police department to make sure our facility is safe for the number of patrons we have. All safety procedures for fires, storms and other emergencies are in place. We will continue to monitor and work with safety officials to make sure our patrons are safe.

7.a Where is the documentation backing up these claims?

8. What additional improvements be made on site to increase the architectural appeal and reduce the visibility of mechanical, sound, and maintenance equipment?

A. Building was approved by City Council and APC already. All mechanicals are shielded and can not be seen from road or by patrons. We will install 34 hydrangeas in front of parking lot to help reduce visual of cars and gravel.

8.a When will the plants be installed?

9. Is the language in the PUD related to sound equipment technically accurate so that different sound companies would be able to provide comparable equipment?

A. Yes, decibel level maximum and short throw speakers is adequate.

9.a Question was not answered

10. Can the PUD be written in a way that would allow use of more advanced sound equipment if and when it becomes available?

A. Yes, this has been added to the PUD.

Pamela Howard

From: Mauricio Gonzalez <gonzalez-construction@hotmail.com>
Sent: Friday, May 31, 2019 12:15 PM
To: APC
Subject: Urban vines

Mauricio Gonzalez

Begin forwarded message:

From: Urban Farmer <noah@ufseeds.com>
Date: May 30, 2019 at 7:16:04 AM EDT
To: Mauricio Gonzalez <gonzalez-construction@hotmail.com>
Subject: email to apc

Mauricio, Please send the below email to: apc@westfield.in.gov

Mauricio Gonzalez
133 W 161st St
Westfield, IN 46074

Hello,

We are one of the closest neighbors to Urban Vines Winery. Over the past 2 years they have been great neighbors. We have no issues with the proposed PUD. Urban Vines is a great asset to the community.

Thanks,
Mauricio Gonzalez

Pamela Howard

From: Mike Hayner <mhayner1@gmail.com>
Sent: Friday, May 31, 2019 1:18 PM
To: APC
Subject: Urban vibes!

Hello, I'm a close neighbor to Urban Vines and we absolutely love having them here! They have a wonderful product and have been very supportive of the community. We live along 161st in Countryside and can barely hear any sound from the concerts. Please don't let a few individuals spoil it for the rest of us.

Mike Hayner

Sent from my iPhone

Pamela Howard

From: Lonnie <lmicinski@aol.com>
Sent: Friday, May 31, 2019 3:13 PM
To: APC
Subject: Urban Vines

Just a quick note in support of Noah Herron and Urban Vines. Out side of the fact that my family and I love going there there are many other great reasons to speak up in support of Urban Vines, I have noticed:

Many positive articles in the news both print and digital that bring a positive view and recognition towards Westfield, this exposure is not just local but state and regional.

Noah holds many fund raisers for local charities, need to raise some money? ask Urban Vines they will never turn you down. They hold events and make donations Urban Vines do their best to buy products locally —local source- it is noted on the menus It is THE MOST family friendly establishment in Westfield. So many families love going there!

Noah is involved owner, he is there everyday if an issue comes up he will work to address it. Thank You,
Lonnie Micinski

Sent from my iPhone

Pamela Howard

From: Janelle Campbell <jccampbell@cfbindiana.com>
Sent: Friday, May 31, 2019 3:20 PM
To: APC
Subject: Urban Vines PUD

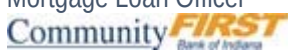
Greetings,

I am sure you each get plenty of emails from people complaining about something in our community. I hope this email is a refreshing change of pace.

I am writing you in support of Urban Vines and the change to the PUD that is up for vote on Monday, June 3rd. I am a resident of Oak Ridge Crossing which backs up to Urban Vines property and I know there are residents concerned about the noise levels when Urban Vines hosts live bands at their establishment. My husband and I sit on our front porch nightly when the weather cooperates (and sometimes in storms) and we on occasion hear the music coming from Urban Vines. By no stretch of the imagination has the music EVER been so loud that it causes a disturbance to our peaceful evenings on the porch. Quite the opposite, honestly. We find that we have to "work" to hear the music and always comment how we enjoy hearing the music in the distance. In fact, it is not uncommon to find several neighbors out by their fire pits or on their driveways during these concerts actually listening from a distance. We live on the north side of our neighborhood so all things considered, we are one of the neighbors that are "close" to Urban Vines. If I were to compare the noise level of the music we hear from Urban Vines it is quite a bit lower than the fireworks that go off throughout the summer and often until 1 or 2 AM or the music that plays late into the night from parties in connecting neighborhoods. In fact, I would say the squeaky trampoline behind us is far more annoying and disturbing than the music we occasionally can hear in the distance from Urban Vines. I am not concerned at all about the sound level that comes from Urban Vines and I am in support of Noah's future plans for his property and establishment. I feel like Urban Vines is a quaint little local establishment that offers a fantastic place for families to hang out or for groups of friends to connect. It is one of the unique places in Westfield that make us different and a city that people want to come visit.

Thank you for all you do for our community and the thoughtfulness you put into your decisions in an effort to keep Westfield a wonderful place to raise a family. We absolutely love this city and the quaint amenities it offers, one of them being Urban Vines.

Best,

Janelle Campbell
Mortgage Loan Officer

707 East SR 32
P.O. Box 1017
Westfield, IN 46074
Direct: 317.399.7496
Fax: 317.804.2184
Member FDIC
NMLS #1391558

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Pamela Howard

From: Trey Blazic <treyblazic1@gmail.com>
Sent: Friday, May 31, 2019 3:24 PM
To: APC
Subject: 1904-PUD-08 Urban Vines PUD

City of Westfield Advisory Plan Commission,

I assume this is the proper avenue to address proposed changes in zoning. My family and I frequent Urban Vines since its opening as we lived in Maple Knoll (recently moved to Oak Manor). I took the time to read through all of the available documentation including the immediate neighboring resident's concerns.

In my opinion the owner, Noah is engaged and addressing the concerns of the people in our community. It appears he is looking toward the future as a long term business in Westfield. I do not see this as someone coming in and intentionally causing issues. This is evident in the steps that have already been taken regarding noise control, defining restrictions on frequency of events, number of third party vendors present, parking issues, landscaping, etc. (laid out in the updated PUD).

I see businesses like this as positive assets for our community and hope to see Urban Vines and many more continue to grow and thrive. On that note, growth and change is never easy. From my perspective, the owner(s) at Urban Vines is engaged in open dialogue and continues to take actions to be a positive asset and respectful of the neighboring residents and the City of Westfield.

Sincerely,
Trey Blazic

Pamela Howard

From: Kenneth Krause <kkraus1@gmail.com>
Sent: Friday, May 31, 2019 3:52 PM
To: APC
Subject: Letter regarding Urban Vines
Attachments: UrbanVinessupport1.docx

Please review my attached letter regarding Urban Vines winery.

Kenneth Krause D.M.D.



May 31, 19

**Westfield APC
apc@westfield.in.gov**

Westfield APC,

We are sending this letter in support of Urban Vines winery. This establishment is a significant asset to our community. The winery has experienced rapid growth and is regularly busy which shows the entertainment and food/beverage need it is fulfilling in Westfield.

We regularly converse with others in the community who enjoy this business and visit it frequently. We appreciate that this business is a family friendly establishment. We look forward to supporting this business for years to come.

Sincerely,

Kenneth Krause D.M.D.

Kathryn Krause D.M.D.

**Krause Dental L.L.C.
3247 East State Road 32
Westfield, IN 46074
(317) 399-9329**

Pamela Howard

From: Ken Tomlinson <kwt_2304@yahoo.com>
Sent: Friday, May 31, 2019 4:07 PM
To: APC
Cc: Urban Farmer
Subject: Monday, June 3rd APC Meeting: 1904-PUD-08 (Urban Vines PUD)

Westfield Advisory Plan Commission members,

My name is Ken Tomlinson and I made public comments at the Wednesday, May 8th APC meeting. I voiced my concerns on item 1904-PUD-08 (Urban Vines PUD) regarding noise, ambiguity in the listed terms and the different perspectives that can be gleaned from the drawings.

As suggested by the APC, Noah reached out to me and we furthered our conversation. At this point he has tried to address my concerns and I am no longer objecting to the exemption being sought. We have reached an agreement that is satisfactory to me.

I see that this item is back on the agenda for Monday, June 3rd. Please take my updated comments under consideration and let me know if you have any questions. My contact info is attached.

Regards,

Ken W. Tomlinson
15841 Gateshead Dr
Westfield, IN 46074
kwt_2304@yahoo.com

Pamela Howard

From: Brandon Hayes <brjhayes@gmail.com>
Sent: Saturday, June 1, 2019 10:20 AM
To: APC
Subject: Westfield resident of 161st Street

Hello APC Members,

Thank you for your time and reading this. I want to commend Noah Herron and Urban Vines for making all the changes to the PUD after his first APC hearing. I'm a local resident whom lives near and have seen it grow with Westfield over the past 2 years. I have heard the few neighbors complain about noise but the large majority of my neighbors enjoy being near Urban Vines. A particular individual has taken a position of speaking for all of us on 161st Street collectively. I would like to emphasize that she does not speak for my family nor the vast majority of my fellow residents.

I have read through the PUD and its updates and think they have done a great job in trying to satisfy everyone. I speak for many neighbors in full support of the Urban Vines PUD.

Thanks,
Dr. Brandon Hayes

Pamela Howard

From: William Feest <wfeest@gmail.com>
Sent: Monday, June 3, 2019 1:43 PM
To: APC
Subject: Letter of Support - Urban Vine's PUD

Council members - I wanted to write to you a letter of support to the proposed zoning changes in Urban Vine's PUD. I have been a patron at Urban Vines and live in a neighboring community. The owner of the winery has regularly gone out of his way to ensure that his business is not disrupting the people around the property and looks for ways to make it an asset to living nearby. I have also solicited feedback from the neighborhood meetings that were conducted, where my neighbors appreciated the owner's request for candid feedback and seeming to want to do what is best for the community. Not only do I believe the proposed changes in the PUD are reasonable, I also think it is important that Westfield make reasonable accommodations to support small business growth for the future.

Thanks for your time,
William Feest

Pamela Howard

From: Liz Drake - Director of Alumnae Engagement <LDrake@kappaalphatheta.org>
Sent: Thursday, June 6, 2019 12:03 PM
To: APC
Subject: In support of Urban Vines and summer concerts

Hello,

We are neighbors whose property backs up to the fields just east of Urban Vines – we live in the Enclave of Viking Meadows (161st and Oak Ridge Road). We understand they have followed the PUD guidelines for reducing excessive noise and decibels from live concerts addressing those concerns. We have lived within earshot of the concerts for the past 2 ½ years and have never been bothered by the distant sounds of music from the venue. We would also share that about 95% of our neighbors feel the same way and we are about as close as you can get to the winery. We look forward to the summer concert series and are disappointed in the delay of allowing UV to continue with this offering to our community.

The winery has been a great partner locally and offers kid-friendly entertainment as well. We see and hear so many Westfield (and other) residents/families visiting the winery every day and that should be enough to prove their worth in this community. Please get this wrapped up and resolved so that we can enjoy our summer walks to concerts at the winery again!

Thank you for your time,

Liz and Bill Drake

Liz Sinnock Drake

Director of Alumnae Engagement

tel: 317.876.8593 *ext:* 124 *fax:* 317.876.1925

KAPPA ALPHA THETA

8740 Founders Rd, Indianapolis IN 46268

kappaalphatheta.org | [twitter](#) | [facebook](#) | [instagram](#)

Pamela Howard

From: Andrew Waggoner <AWaggoner@ferguson-construction.com>
Sent: Thursday, June 13, 2019 10:29 AM
To: APC
Subject: Urban Vines PUD

Good Morning Westfield APC,

I just wanted to send a quick email to say how much my wife and I (along with many of our neighbors in Maple Knoll) enjoy going to Urban Vines, and the different events they have there. We are hopeful the Urban Vines PUD will be approved and any issues with neighbors could be worked through. I just wanted to let the APC know that many people in Maple Knoll support this, but I'm sure nobody has really reached out to let you know.

Thanks,

Andrew Waggoner
Business Development Specialist

Ferguson Construction Company - Indiana
Dedicated to Excellence since 1920

7157 W 200 N
Greenfield, IN 46140
Tel: 317-477-3615 EXT 611
Fax: 317-477-3630
Cell: 317-432-1331
AWaggoner@ferguson-construction.com
www.ferguson-construction.com

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Pamela Howard

From: Kyle Stroman <stroman960@yahoo.com>
Sent: Friday, June 28, 2019 11:05 AM
To: Pamela Howard
Subject: Urban Vines PUD

Having read the addition to a change in the nuisance standard in the Exhibit 1 Document, I have a great opposition to this new language. Noah had previously stated to his neighbors, in a face to face discussion, that this zoning change would have zero impact on noise. That is now clearly a blatant lie with the addition to this language. I will plan to be at the meeting July 18th, but would appreciate any other information prior.

Thank you,

Kyle Stroman
317-797-2625

- The PUD Ordinance proposes alternative noise limitation to those included in the Nuisance Standards for the Municipal Code. This would include lowering the maximum decibels from 90 to 70 as measured from a point 6 feet outside the property line, and eliminating the standard that noise not be clearly audible 100 feet outside of the property. This is the first instance of an alternative nuisance standard being proposed. The appropriateness of this change should be considered.

Mobile & Food Service Vending: The Proposed Ordinance limits the number of Mo

Opposition to Proposed Alternative Noise Limitation
Urban Vines PUD
June 28, 2019

My name is Kyle Stroman and I am a Westfield resident. I attended the initial “neighbors” meeting at Urban Vines in March 2019. There were very few complaints or concerns towards Urban Vines by those in attendance with the exception of an overwhelming concern for the current noise and any potential increase in noise. Noah continually expressed that this zoning change had nothing to do with noise, and that the zoning change was being pursued ONLY so that they could use food trucks and tents on the property without the need to continually apply for permits each time. It was explained as a simple change that was intended to streamline the process for events that required food trucks and tents.

I expressed that food trucks and tents could potentially lead to louder volumes by patrons and that louder music volume would be required in order to be heard over the patrons and the general noise of the venue. In hearing this as well as the concerns of his other neighbors, Noah agreed that it was unacceptable for “clearly audible” music to be reaching as far as it currently was (even inside of homes). He agreed that my idea of pursuing professional assistance from a sound engineer would be a good avenue to ensure that the music did not keep children awake at night and that it was not, as the nuisance standards state, “clearly audible 40 feet or more outside of said private property line.” It was again echoed by both Noah and the city employee on site that although he was willing to work with us on the noise, that the zoning change DID NOT include any language on noise.

It would be unethical for someone to host a meeting and give false, misleading information about the ordinance. I have no opposition to the Urban Vines PUD with the exception of “eliminating the standard that noise not be clearly audible 40 feet outside of the property.” Becoming exempt from this clause would be irresponsible on a property that was intended to be “Suburban Residential” and is completely surrounded by residential properties. Making efforts to resolve the noise makes sense and is appreciated. Noah and I have communicated cordially and professionally on getting the best outcome from his outdoor sound stage, but officially excusing him from the responsibility of the noise would be unacceptable by any commission or counsel. Becoming exempt from the nuisance standards is not necessary and not rational considering all parties in the area that the sound affects.

The July 1st Staff Report states that changes have been made since the public hearing including “changes to the conditions of some of the uses, as outlined in the Permitted Use section of this report”. This change also includes removing the mandate of a sound technician and short throw speakers. If changes are made to the document, it seems pertinent that the public be allowed to be heard, and that the commission strongly consider the impacts of the changes. Regardless of decibel, Urban Vines should be held responsible for noise that is “clearly audible 40 feet or more outside of said private property line” just like all other residents of the area.

July 1st Staff Report:

- The PUD Ordinance proposes alternative noise limitation to those included in the Nuisance Standards for the Municipal Code. This would include lowering the maximum decibels from 90 to 70 as measured from a point 6 feet outside of the property line, and eliminating the standard that noise not be clearly audible 40 feet outside of the property. This is the first instance of an alternative nuisance standard being proposed. The appropriateness of this change should be considered.

The Staff Report also highlights that the “Comprehensive Plan” identifies the property as “Suburban Residential” and that statutory considerations require regard towards responsible growth and development. There is no responsible reason to allow Urban Vines to be exempt from the clause “clearly audible 40 feet or more outside of said private property line” while all other residents and private property are held to that clause.

I hope that you take action against this location-specific change to the Nuisance Standards.

Thank you,

Kyle Stroman
15822 Longship Ct.
Westfield, IN 46074

Kevin M. Todd, AICP

From: Linda Naas <lnaas@logickey.com>
Sent: Monday, July 1, 2019 3:45 PM
To: APC
Subject: Fw: Urban vines - 1904-PUD-08

Please refer to the email below. In this meeting Pam Howard refers to, she told me that the BZA approvals were not enforced and other permits were not acquired, quoting "we enforce based on complaints." We do think the City has responsibility for enforcing BZA, APC and Council decisions with or without complaints from the public who is hard pressed to get details on permits, variances and the interworkings of the Community Development Department. We believe the public should be able to rely on the standards for permitting and variances and the enforcement of thereof. We think the public comments at the May 8, 2019, APC Meeting about their concerns of this property use and how it negatively impacts them and in emails and contacts should suffice as complaints and something should have been done in the many weeks between the public hearing and tonight's APC meeting when **1904-PUD-08 Urban Vines PUD** is considered for a vote.

It seems the Community Development Department was aware of several non-compliance issues and chose not to act. We still do not believe the PUD is in line with the underlying zoning or character of the neighborhood in which it has chosen to establish and develop in non-compliance.

We appreciate Pam Howard meeting with me on behalf of the 161st Street Neighbors and thank her for her time.

Linda Naas
161st Street Neighbors
317-867-0584

----- Forwarded by Linda Naas/LogicKeyMail on 07/01/2019 03:29 PM -----

From: Pamela Howard
To: "'lnaas@logickey.com'"
Date: 05/31/2019 04:14 PM
Subject: Urban vines

Linda,

At our meeting a couple weeks ago, there were two questions I was unable to answer. I apologize for the delayed response, but have since found out the following.

1. There was not an impact fee credit agreement for Urban Vines. The fees are paid when the building permit is issued.
2. Children are permitted in wineries, per Indiana Code IC 7.1-5-7-11, so the purpose of the portable toilets is not to provide restroom facilities for children.

Please feel free to contact me if you have any additional questions about this petition.

Pamela Howard | Senior Planner
Economic and Community Development | 2728 East 171st Street |
Westfield, IN 46074
phoward@westfield.in.gov | 317-531-3751
[Need to send me a file over 25MB?](#)

WRITTEN PUBLIC COMMENTS

Docket Number: 1907-PUD-19

Petitioner: Platinum Properties Management Company, LLC by Nelson & Frankenberger

Request: Petitioner requests an amendment to the Architectural Standards of the Westchester PUD District, as well as modifications to the associated zoning commitments.

Enclosed Attachments:

July 1, 2019, APC Public Hearing

1. Stafford, Cynthia & Steve	06/30/19
2. Levins, Richard & Sandy	06/30/19
3. Pielemeier, Tracy	07/01/19
4. Armstrong, Thomas M.	07/01/19
5. Burkman, Kristen	07/01/19
6. Armstrong, Lisabeth	07/01/19
7. Sochar, David R. & Cynthia R.	07/01/19
8. Severson, Leah	07/01/19
9. DuBois, Suzy	07/01/19

Kevin M. Todd, AICP

From: Cynthia Stafford <staffo92@att.net>
Sent: Sunday, June 30, 2019 3:16 PM
To: APC
Subject: Westchester PUD

Dear APC members:

Please carefully consider the proposed changes to this project & the long term impact they will make on the Towne Road area as well as Westfield as a whole.

This proposal is very much a bait & switch tactic by the developer. Many things do not make sense unless it's just that- get something approved then change it for seemingly "reasonable" causes.

Why not include a builder in Westchester development who agrees to abide by the provisions already passed instead of one who wants to modify the agreement so it will fit that builder's desires?

We want our city officials (you) to demand the best not compromise in order to please developers!

We urge you to stand firm & not approve the requested changes to the Westchester PUD provisions.

Cynthia & Steve. Stafford
15736 Towne Road
Westfield

Sent from my iPhone

6/30/19

Advisory Plan Commission

Westfield IN 46074

Westchester PUD

Below is what I sent in February of 2017 and I thought we had resolved these issues. Now they are back asking for ways to cheapen what they had agreed to. An 18" ledge is ridiculous. Depending on the lot this can hardly be seen. A minimum of to the bottom of a normal window 36 to 48". Four-sided architecture is what they agreed to and what they need to provide.

My wife and I, Sandy have lived at 15630 Towne Rd. since 1980. Since that time we have seen many changes. Some are good, others not.

We continue to see building plans like Westchester which are built on tiny lots, cookie cutter style homes, and very little if any buffering to protect us from these new developments. The homes are small and cheaply built. We need more housing options with more amenities. We would like to see homes in the \$500,000-750,000 range not \$350,000-\$500,000. Who is going to build that price of a home on 10,000 sq. ft.? Westfield already has enough cookie cutter homes being built.

What will be the effect on the local schools and roads? I can hardly get out of my drive at the busy times now.

This development as now planned does not meet the needs of Westfield and certainly not of us neighbors or the comprehensive plan.

What about the Golf course? Appears that only open space is mentioned?

We support our rural life lifestyle and landscape and want to maintain it.

Sincerely

Richard & Sandy Levins

Kevin M. Todd, AICP

From: Tracy P <netherfield101@gmail.com>
Sent: Monday, July 1, 2019 12:10 PM
To: APC; Andy Cook; Council Members
Subject: Westchester PUD request to downgrade

So Platinum Properties hasn't even completed one home yet, and they want/need to downgrade the architectural details they agreed to for their PUD approval.

They held their required neighborhood meeting, but couldn't bring themselves to include even one thing suggested by the neighbors, even being unwilling to reschedule to a non-holiday week for their public hearing.

Just another in a long, long line of developers disrespecting our city, and particularly the west side. Bridgewater, Brookside, Oak Manor, Chatham Hills, none of these developers chafed at providing 360 degree architecture.

Platinum knew what the details were going in, but now it's just too much?? We were all leary of them. They even got significant drops in our requested styling, with front-load garages and butts to the road. But now they need to downgrade the details as well, which will downgrade the prices, which will downgrade SIGNIFICANTLY the tax revenue coming into our school system for the foreseeable future. The townhomes in Countryside have brick wrap halfway up, all the way around. These guys want to do 18"?? Seriously?

And lowering the caliber of homes surrounding a golfcourse, where they already tore out the driving range, is just another leg knocked out from under what could be an important city amenity.

Who will want to build an \$800K custom home, on a golf course where there are MUCH lower priced homes that don't even have detail on all four sides. Front-load garages, butts of houses facing the main road, and now minimal architecture. It sounds wonderful!

And they can hang a sign out that tells other developers that PUD's are just suggestions--you can always go back and change the details, when the public is on holiday.

I really hope you will ALL send a strong NO vote to City Council. A PUD needs to mean something, otherwise it's just bait-and-switch.

See you tonight.

Tracy Pielemeier

Kevin M. Todd, AICP

From: lisabeth armstrong <lisabetharmstrong84@gmail.com>
Sent: Monday, July 1, 2019 1:23 PM
To: APC
Subject: Fwd: Letter

----- Forwarded message -----

From: **Thomas Armstrong** <tmarmstr22@gmail.com>
Date: Mon, Jul 1, 2019 at 12:49 PM
Subject: Letter
To: lisabeth armstrong <lisabetharmstrong84@gmail.com>

To Whom it may concern:

I am writing this letter to express my opposition to the modification of the existing architectural requirements of the Westchester development that is on the agenda July 1st for a public hearing. I think Westfield should uphold the agreement previously made which requires 4 sided architecture. A modification of the previous requirement would result in a home that is unattractive aesthetically. Its would also reduce property values and in turn reduce property tax revenue for the city. The previous requirements should remain in place, they were made for sound reasons and developers should not be allowed to reduce these architectural standards only because the developers want to make their properties more marketable and in turn more profitable tor them.

Sincerely

Thomas M Armstrong

Kevin M. Todd, AICP

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Monday, July 1, 2019 1:24 PM
To: APC
Cc: Council Members; Andy Cook; Danielle Tolan; Bruce Van Natta RR; dub164@aol.com
Subject: Westchester

Dear Lady and Gentlemen of the APC,

I'm writing in regard to the Westchester Public Hearing this evening.

The petitioner on the surface wants clarification on 4 sided architecture and wants to "clarify" it by adding an option of an 18" brick ledge on any style home as a building option.

Unfortunately, the second option of an 18" brick ledge around the home is a total degradation of the entire PUD. It eliminates the commitment of 4 sided architecture. The lowest standard becomes the only standard. PUDs live on. Viking Meadows is a recent example.

The wording of the original commitment gives lots of flexibility to the builder to make the home look like 4-sided architecture. If they need further clarification, that's a fair request. I'm sure this would be easy to achieve and I'm happy to help with this if needed.

However, look at the pictures they've submitted. That is not what the commitment of 4-sided architecture in this PUD is.

Please also note, their example pictures do not show an 18" wrap. It's more like 30" or 36". Why aren't they showing what they intend to do?

You can currently find home designs on Pulte's website for under \$300,000 that would easily meet the 18" wrap standard. When this project was approved, my recollection, as well as others recollections, was the developer said the average home price would be \$500,000.

Just this one additional line allowing an 18" wrap could swing the average price down by \$200,000 creating a significant impact to the school referendum and the city's projected AV for this project.

Unfortunately, this feels premeditated to agree to high standards and get the vote only to later request much lower standards.

If this PUD is changed to the requested language, it would set a terrible precedent in the city. Other developers will be lining up to lower standards. Our Council, APC, Planning Staff and citizens put so much effort and work into these PUDs. Please don't start a pattern of degradation of PUDs when no homes are even built.

I'm disappointed that this was scheduled on a holiday week. I won't be able to speak tonight because I'm out of town. This is true of other neighbors as well. However, I'm very interested in seeing this resolved properly for the neighborhood and city and will be following this closely.

Finally, if the petitioners can no longer make this work with the original commitments, perhaps the City or Township should buy this PUD and truly secure this green space and amenity for the community. This plan was approved to save

the golf course because it was reported it would be shut down and people put good faith in everyone upholding their commitments. Already that has faltered.

In summary, 18" wrap request needs to be denied and additional clarification to the 4 sided architecture needs to be included in PUD.

Thank you for your time and consideration. Have a happy and safe 4th of July.

Thanks,
Kristen Burkman

Sent from my iPhone

Sent from my iPhone

Sent from my iPhone

Kevin M. Todd, AICP

From: lisabeth armstrong <lisabetharmstrong84@gmail.com>
Sent: Monday, July 1, 2019 2:59 PM
To: APC; Council Members
Subject: Westchester amendment

Dear council members,

I am writing to you a letter of opposition to the proposed amendment to the architectural agreement. Unfortunately and not surprisingly this is a familiar Pulte tactic. I say this from experience, please bear with me. You see, in 2016(or 15) Caito and Carriger, of Towne Rd. Development Co., approached my husband and I about “changing the language regarding architectural standards” as it was in the covenants for Bent Creek. It was in regards to there being masonry on all four sides. At the time we had no idea that they were working with Pulte on the sale of that property. They worded it in such a way that by doing so it would allow for more flexibility, being able to use a farmhouse design such as ours (we live in an 1870 Victorian farmhouse), with planks instead of masonry. We thought what they were asking would add another design option to their portfolio.

This manipulative request turned out to be the deal-breaker for Pulte. It was less than two weeks later that we heard through the grapevine about the sale of Bent Creek to Pulte. A real hush deal it was and look what we ended up with! One-sided Pulte Pop-ups! Something my husband and I have to live with, regretting that decision every time we walk along our property and see the backs and sides of all of those huge houses that are nothing but siding and windows with brick foundation you can’t even see it’s so insignificant. The only architectural design involved is on the front. With this amendment they will do the same thing to the Westchester homes.

In the same way, Pulte wants to diminish the standards by which we voted to be upheld, four-sided architectural plain and simple. Quality homes at the price point expected. Homes that will boost the city’s property tax revenue and help our schools. Please see that they get it right this time, don’t lower standards and expectations that the people of Westfield deserve.

Honestly I don’t know why or how a developer like Pulte can pull so many strings around here and get away with it over and over again. Nor can I help but Wonder why you allowed a public hearing to be scheduled during the 4th of July Holiday week 🙄

Sincerely,
Lisabeth Armstrong
16414 Towne Rd.

Kevin M. Todd, AICP

From: David R Sochar <davesochar@gmail.com>
Sent: Monday, July 1, 2019 4:38 PM
To: Council Members; APC; Scott Frei
Subject: Tonight

I will be brief: Once again, citizens have to take time out to restate - for the 100th time? - our feelings concerning yet another developer trying to shirk the agreement they made some time ago.

I'll ask again, why do we have to be the ones that fight this fight? Do we not have elected representatives with the duty, the obligation, to vote for our welfare, not jeopardize it?

I am angry. You should be angry also. You are disrespected and considered nothing but an easy bump in the road. "Get an approval, and then go back and amend it later". I don't have time or spirit to fight these clowns anymore. "Clowns" - unkind? Think about it. The same old act, the same old shtick.

You must remember, these guys - developers - have nothing but short term profit at stake. The City gets another neighborhood that may or may not pay its way or be a burden. They really don't care. I do mean that. They really don't care and their behavior shows it.

Yes, I am angry. And tired of this game they play.

David R Sochar
Cynthia R Sochar
davesochar@gmail.com

Kevin M. Todd, AICP

From: Leah Severson <leah.severson@gmail.com>
Sent: Monday, July 1, 2019 4:41 PM
To: APC
Subject: Westchester

Hello,

I understand that the builder/developer is attempting to change the PUD for the Westchester Development.

I cannot understand, considering the amount of time and effort it took from everyone involved to come to the agreed upon arrangement,
why we would at this point be considering re-writing it or amending it.

If this is allowed to happen, I can only imagine that every developer could just put forth the best possible scenario for a given development, get it approved, then water it down after the fact.

This is unacceptable. I hope you will agree.

Sincerely,
Leah Severson

Kevin M. Todd, AICP

From: Suzy@TMT Inc. <dub164@aol.com>
Sent: Monday, July 1, 2019 6:04 PM
To: APC
Cc: Council Members; Andy Cook; bvannatta@indy.rr.com; rkburkman@gmail.com
Subject: Westchester

To all,

I feel like it's ground hog day once again with this development as they present their requests during a holiday week. No surprise, look back at the records and you will find a common pattern presented from this group's timing. I suggested a change in scheduling which was denied, but will not be present as I too will be celebrating the holiday week as well as many other concerned constituents in the area.

This also seems to be a repetitive pattern to provide pictures of housing as part of the approval process with little to no intent to actually build what was presented. The time and effort that was put into the language and processes to ensure 360 degree architecture and elevated quality levels needs to be enforced. Research was presented in the past that there was a strong demand for higher priced homes that would provide higher AV for our schools and public infrastructure. This is the only public golf course with interesting and beautiful terrain surrounded by estates. We would be foolish to allow any reduction whatsoever in the highest architecture standards for this area and the highest AV possible.

Many are working on language that will assist with this issue and ensure the original spirit and intent of this PUD are not negated by a reduction in the standards with language that would allow a repeat of Viking Meadows in so many respects. Let's learn from our mistakes. Hold these folks to the commitments and the intent of what was approved. I, like many in the area will be watching closely to see how this progresses.

Thank you for your consideration,

Suzy DuBois
T.M.T., Inc.
317-506-0319