



CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda_06_03_2020

Wednesday, June 03, 2020 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Wednesday, June 03, 2020 at 07:00 PM

MEETING PLACE:

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

OPENING OF MEETING

Documents: [06/3/2020 - Viewable online at https://www.youtube.com/user/CityofWestfieldIN](https://www.youtube.com/user/CityofWestfieldIN)

Note the Presence of a Quorum

Approval of Minutes - May 18, 2020

Documents: [APC Minutes - May 18, 2020](#)

Review APC Rules & Procedures

CONSENT AGENDA

No Consent Agenda Items.

ITEMS OF BUSINESS

2005-PUD-04

Junction PUD Amendment IV

17655 Shamrock Blvd

Shamrock Land Acquisitions requests an amendment to the permitted uses and Building Height standards within District 3 of the Junction PUD.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Building Height Exhibit](#) | [Exhibit 4: Proposed Ord 20-13](#) | [Exhibit 5: Ord 14-22](#) | [Exhibit 6: Project Narrative](#) | [Exhibit 7: Neighbor Meeting Summary](#) | [Exhibit 8: GJTG Letter of Support](#) | [Exhibit 9a: Petitioner's Response to Issue List](#) | [Exhibit 9b: Petitioner's Follow-up Letter](#) | [Exhibit 10: Public Comments](#)

PUBLIC HEARING ITEMS

2006-PUD-05 [PUBLIC HEARING]

Urban Vines PUD Amendment I

303 E. 161st St.

Herron Holdings, LLC by Pleasant Cities, LLC requests an amendment to the Development Standards of the Urban Vines PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Proposed Ordinance 20-19](#) | [Exhibit 5: Presentation Material](#) | [Exhibit 6: Neighbor Meeting Summary](#) | [Exhibit 7: Public Comments](#) | [Ordinance 19-10 Urban Vines PUD](#) | [Acknowledgement of Variance 1604-VS-07](#)

2006-PUD-06 [PUBLIC HEARING]

Hoosier Hills PUD I

18326 & 18342 Spring Mill Road

Herron Holdings, LLC by Pleasant Cities, LLC requests a change of zoning for approximately 35 acres +/- in the AG-SF1: Agricultural / Single-Family Rural District to the Hoosier Hills 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 20-18](#) | [Exhibit 6: Presentation Material](#) | [Exhibit 7: Neighbor Meeting Summary](#) | [Exhibit 8: Public Comments](#)

ITEMS CONTINUED TO A FUTURE MEETING

2003-PUD-02 [CONTINUED]

Wheeler Landing PUD Amendment III (Portillo's)

Northwest corner of Wheeler Road and SR 32

Portillo's Hot Dogs by HD Consulting Services Group, Inc. requests an amendment to the State Highway 32 Overlay District and the Development Standards of the Wheeler Landing PUD District.

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

2005-ODP-08 & 2005-SPP-08 [CONTINUED]

Grand Central Subdivision

E 181st St & Sun Park Dr.

CH Group, LLC by Church, Church, Hittle & Antrim, LLP requests Primary Plat and Overall Development Plan review for five (5) lots on 24.47 acres +/- in the 181st Street PUD District.

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

2005-ODP-10 & 2005-SPP-10 [CONTINUED]

Hamilton Memorial Subdivision

4180 Westfield Road

Washington Park Cemetery Association by Marten Construction requests Overall Development Plan and Primary Plat review of 1 lot on 54.6 acres +/- in the AG-SF1: Agricultural Single-family Rural District.

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

2005-ODP-09 & 2005-SPP-09 [CONTINUED]

Monon Corner Subdivision

South of 206th Street and west of Horton Road

Arbor Homes by Stoeppelwerth & Associates Inc requests Primary Plat and Overall Development Plan review of 325 Lots on approximately 135.13 acres +/- in the Chatham Hills Planned Unit Development (PUD) District.

(Planner: Corey Harris - charris@westfield.in.gov)

REPORTS/COMMENTS

Advisory Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Community Development Department

ADJOURNMENT



Petition Number: 2006-PUD-05

Project Name: Urban Vines PUD Amendment I

Subject Site Address: 303 E 161st Street (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Pleasant Cities, LLC

Request: Requests an amendment to the Development Standards of the Urban Vines PUD District.

Current Zoning: Urban Vines PUD (Ord. 19-10)

Current Land Use: Agricultural

Approximate Acreage: 5 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Proposed Ordinance 20-19

Staff Reviewer: Jonathan Dorsey, Associate Planner

PETITION HISTORY

The petition was introduced at the May 11, 2020, City Council meeting. The Petitioner held a neighborhood meeting via online video conference on May 28, 2020. The petition will receive a public hearing at the June 3, 2020, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The Property is located at 303 E 161st Street(see **Exhibit 2**).

Property Description: The Property is currently the Urban Vines PUD District (Ordinance 19-10).

Concept Plan: The Concept Plan, Section 3 of the Urban Vines PUD shall be replaced and superseded with the Concept Plan of this proposed Ordinance (see **Exhibit 3**).

Development Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with the modifications to the Development Standards as briefly highlighted below:

Section 7.1 Permanent Outdoor Restrooms: Shall not apply.

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 will be held on the June 3, 2020, 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.

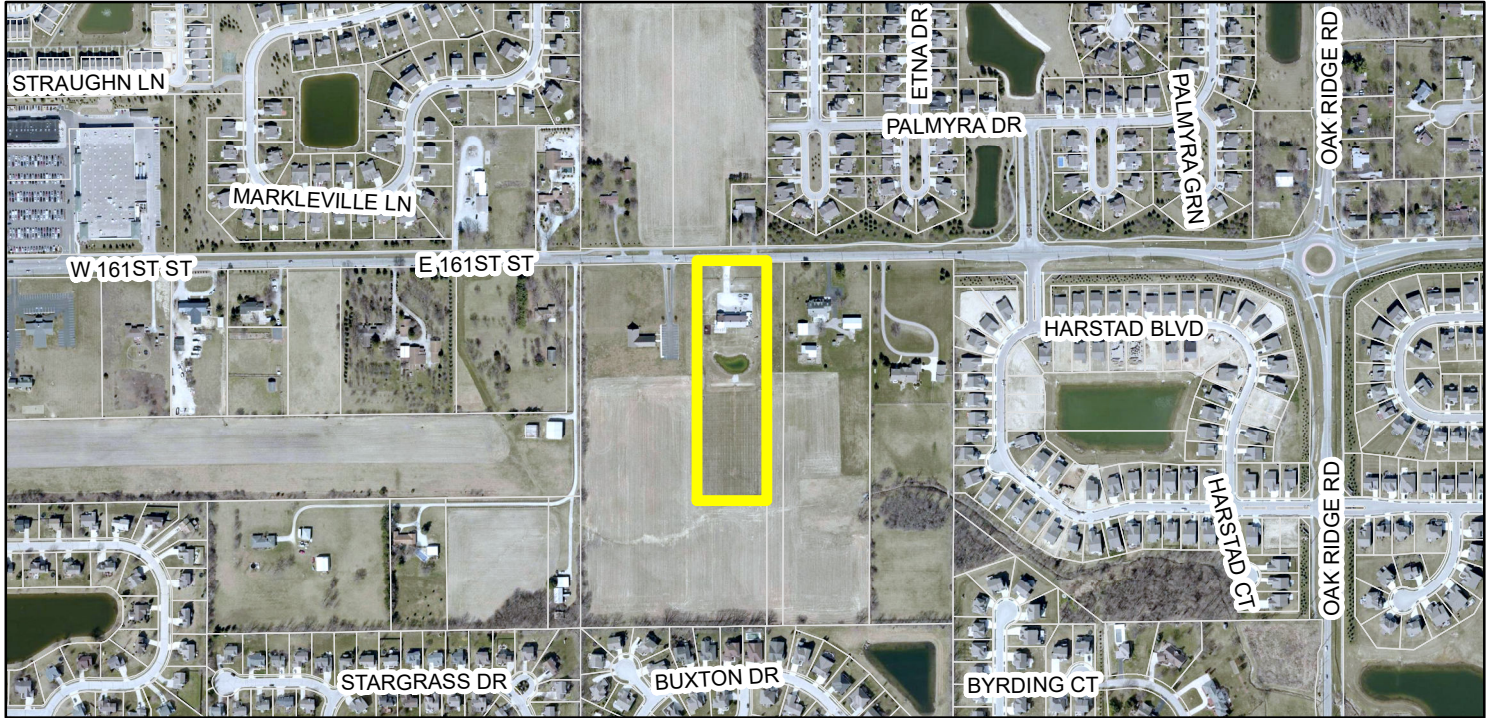
Council Introduction: The petition was introduced at the May 11, 2020, Council meeting.

DEPARTMENT COMMENTS

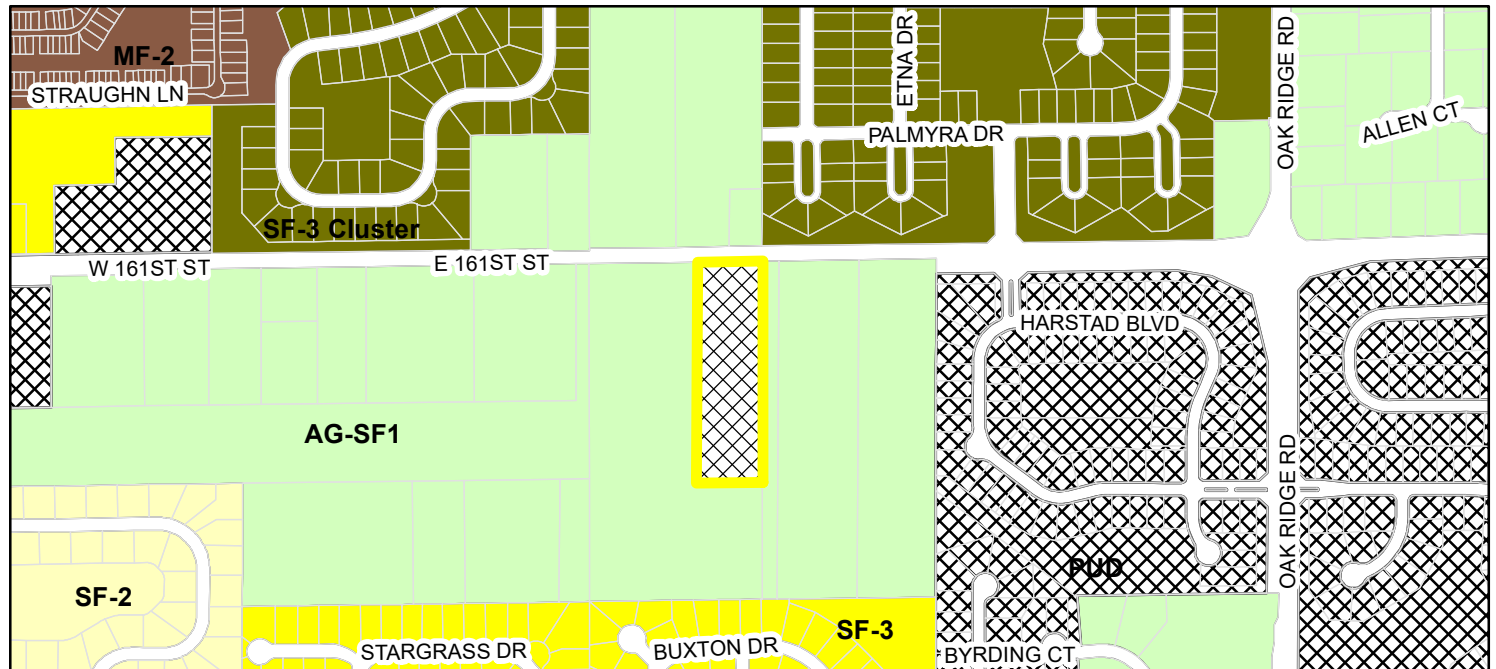
1. **Action: Hold a public hearing at the June 3, 2020, Plan Commission meeting.**
2. The Petitioner will make any necessary revisions to the proposal based on the Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission’s further consideration of 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.

Aerial Location Map

 Site



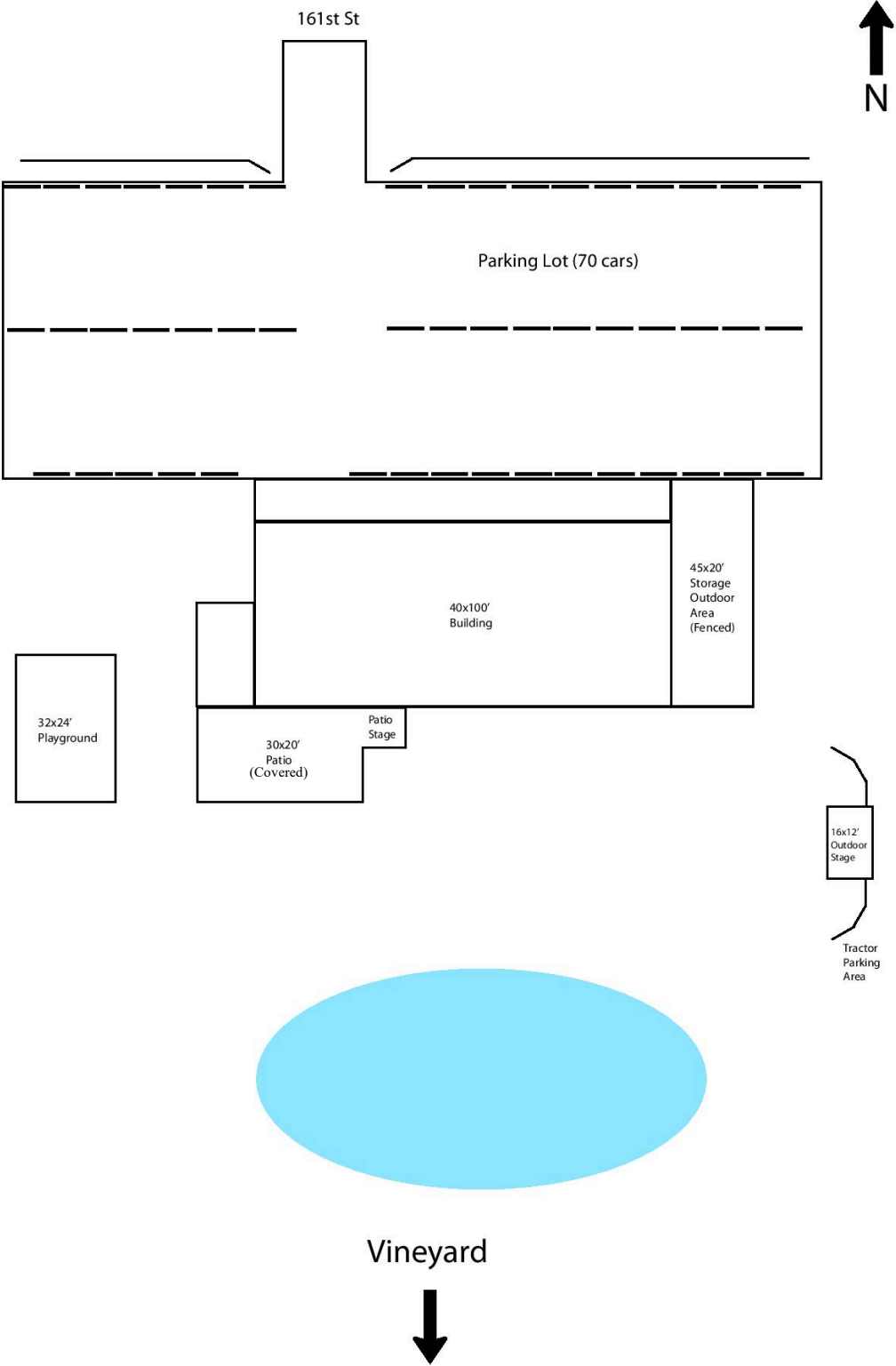
Zoning Map



- | | |
|---|--|
|  Parcel |  PUD (Planned Unit Development) |
| Zoning - All |  SF-2 (Single Family - 2) |
| Zoning |  SF-3 (Single Family - 3) |
|  AG-SF1 (Agriculture - Single Family - 1) |  SF-3 Cluster |
|  MF-2 (Multiple Family - 2) | |

EXHIBIT B

UPDATED CONCEPT PLAN



ORDINANCE NUMBER 20-19

Urban Vines 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 a Planned Unit Development District Ordinance (to be known as the “**URBAN VINES PUD DISTRICT AMENDMENT I**”) 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 19-10, the Urban Vines Planned Unit Development Ordinance on July 8, 2019 (the “Urban Vines PUD”);

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 2006-PUD-05**), requesting an amendment to the Unified Development Ordinance and the Urban Vines 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. 2006-PUD-05** 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 _____, 2020;

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 are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

- 1.1 All provisions and representations of the Unified Development Ordinance (the “UDO”) and Urban Vines PUD 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.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its Exhibits, (ii) the provisions of the Urban Vines PUD and its Exhibits, and (iii) the provisions of the UDO, as amended by the Urban Vines PUD District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the Urban Vines PUD, as amended.
- 1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO unless otherwise specified herein.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Concept Plan.** The Concept Plan, Section 3 of the Urban Vines PUD shall be replaced and superseded with the Concept Plan of this Ordinance, attached hereto as **Exhibit B.**

Section 3. **Development Standards.** The standards of Section 7 of the Urban Vines PUD shall apply to the development of the District, except as otherwise modified below.

- 3.1 Section 7.1 Permanent Outdoor Restrooms: Shall not apply.

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

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2020.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frie

Scott Frie

Scott Frie

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number of this document, unless required by law: Matt Pleasant, AICP

I hereby certify that **ORDINANCE 20-19** was delivered to the Mayor of Westfield

on the _____ day of _____, 2020, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 20-19**

this _____ day of _____, 2020.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 20-19**

this _____ day of _____, 2020.

J. Andrew Cook, Mayor

This document prepared by: Matt Pleasant, AICP
Pleasant Cities, LLC
5821 Julian Avenue, Indianapolis, Indiana 46219, (317) 500-4489

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Updated Concept Plan

EXHIBIT A

REAL ESTATE

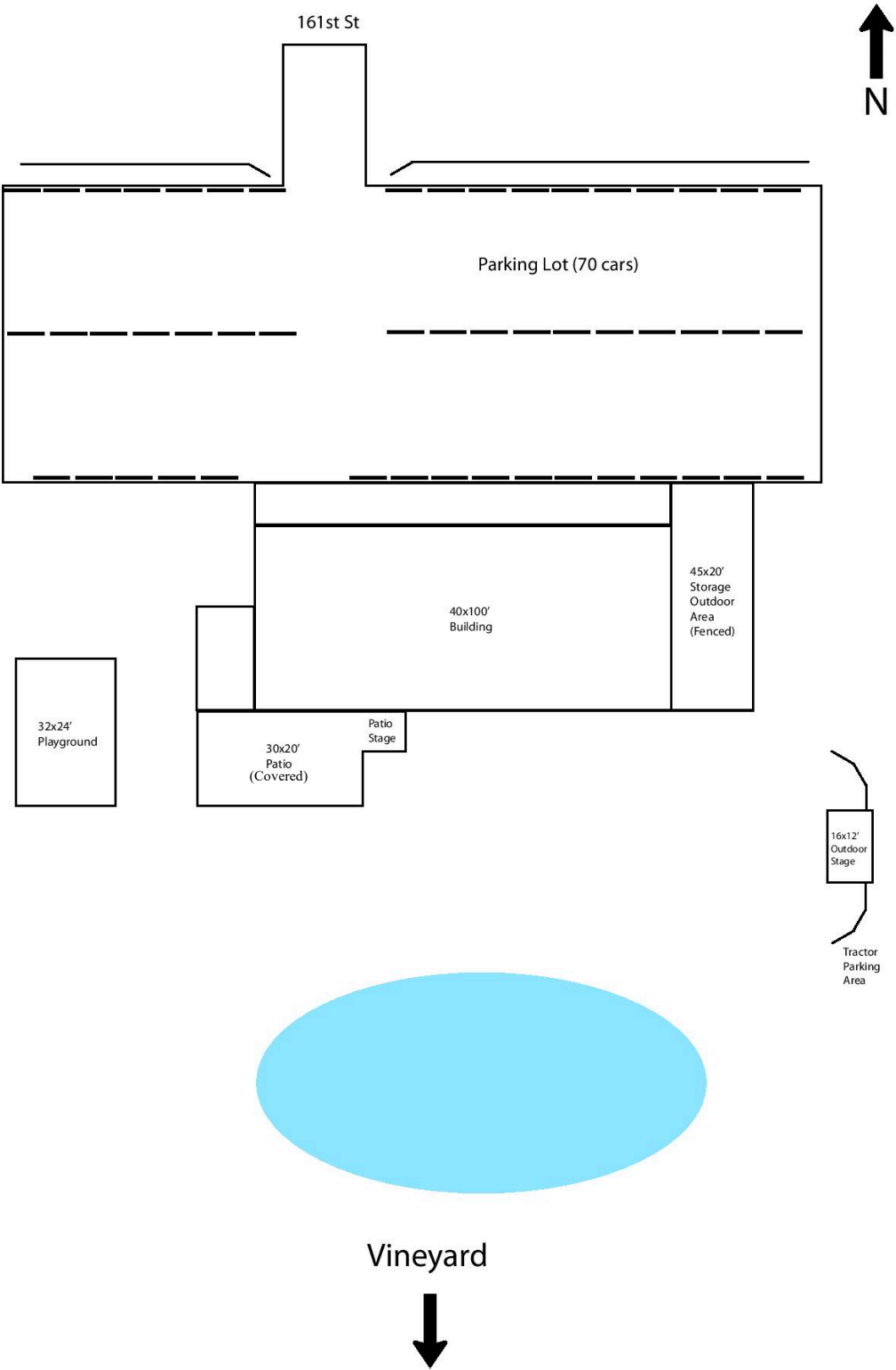
A part of the Southeast Quarter of Section Eleven (11), Township Eighteen (18) North, Range Three (3) East, located in Washington Township, Hamilton County, Indiana, being described as follows: Commencing at a PK Nail at the Northwest Corner of said Southeast Quarter of Section Eleven (11), Township 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

UPDATED CONCEPT PLAN





Petition Number: 2006-PUD-06

Project Name: Hoosier Hills PUD

Subject Site Address: Approximately 18326 Spring Mill Road (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Pleasant Cities, LLC

Request: Requests a change in zoning review of 35 acres +/- from the AG-SF1: Agricultural / Single-Family District to the Hoosier Hills PUD District.

Current Zoning: AG-SF1: Agricultural / Single Family Residential District

Current Land Use: Agricultural

Approximate Acreage: 35.0 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Character Exhibit
5. Proposed Ordinance 20-18

Staff Reviewer: Jonathan Dorsey, Associate Planner

PETITION HISTORY

The petition was introduced at the May 11, 2020, City Council meeting. The Petitioner held a neighborhood meeting via Online Video Conference Call on May 28, 2020. The petition will receive a public hearing at the June 3, 2020, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The Property is located at 18326 Spring Mill Road (see **Exhibit 2**).

Property Description: The Property is currently in the process of being rezoned to the Hoosier Hills PUD District (Ordinance 20-18, *pending*). The proposed PUD Ordinance establishes the AG-SF1: Agricultural / Single-Family Rural District as the Underlying Zoning District.

Permitted Uses: the proposed PUD Ordinance permits all permitted uses in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted except as otherwise modified below:

Temporary Use and Events: Agritourism uses 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.

Agritourism District #1: The permitted uses in the Agritourism District, Agricultural District, and Cabin/Barn Homes, as defined in Article 2 of the Proposed Ordinance, shall be permitted.

Agritourism District #2: The permitted uses in the Agritourism District, and Agricultural District, as defined in Article 2 of the Proposed Ordinance, shall be permitted.

General Regulations: The proposed PUD Ordinance defaults to the standards of the Underlying Zoning District, the Unified Development Ordinance (the “UDO”), and as modified below:

	Proposed PUD Single-Family Dwellings	AG-SF1: Agricultural / Single-Family Rural District
Front Yard:		One hundred (100) feet
Spring Mill Road Right-of-Way:	Fifty (50) feet	
Internal to District:	Zero (0) feet	
Side Yard:		Thirty (30) feet
Abutting District Perimeter:	Thirty (30) feet	
Internal to District:	Zero (0) feet	
Rear Yard:		Thirty (30) feet
Abutting District Perimeter:	Thirty (30) feet	
Internal to District:	Zero (0) feet	

Development Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with the modifications to the Development Standards as briefly highlighted below:

Architectural Standards:

- i. Agritourism District: Article 6.3(D) Architectural Standards Single-Family Districts (Nonresidential Uses) shall apply. Additionally, 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 **Exhibit 4**).

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

- i. Street Trees: Shall not apply.
- ii. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall not apply.
- iii. Foundations Plantings: Article 6.8(L) shall apply. Additional planters located at the base of a building or attached to the façade shall be counted to meet the requirements.
- iv. External Street Frontage Landscaping Requirements: Article 6.8(M) shall apply; however, the existing External Street Frontage Landscaping shall meet the required External Street Frontage Landscaping Requirement. No additional plantings shall be required.
- v. Required Buffer Yard: Article 6.8(N) Shall apply except as modified below:
 - a. Buffer Yard Requirements shall not apply internally throughout the District.
 - b. Buffer Yard Requirements shall not apply along the northern border of the District.
- vi. Parking and Loading Standards: Article 6.14 shall apply except as modified below:
 - a. Article 6.14(G)(7) Off-Street Parking; Surfacing and Curbs: Shall not apply.

Design Standards: As proposed, the PUD Ordinance defaults to the standards of the Underlying Zoning District with the modifications to the Design Standards as briefly highlighted below:

Article 8.7 Pedestrian Network Standards: Shall apply except as otherwise modified or enhanced below.

- i. Internal Pedestrian Network Standards: Article 8.7(C) shall not apply.

COMPREHENSIVE PLAN

The Property falls within the New Suburban land use area of the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”). Detached dwellings, Attached dwellings, Institutional uses, Recreational uses, and similar uses are contemplated as appropriate uses within the New 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 will be held on the June 3, 2020, 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.

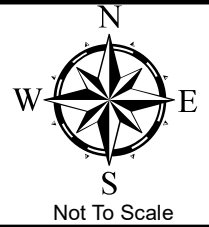
Council Introduction: The petition was introduced at the May 11, 2020, Council meeting.

DEPARTMENT COMMENTS

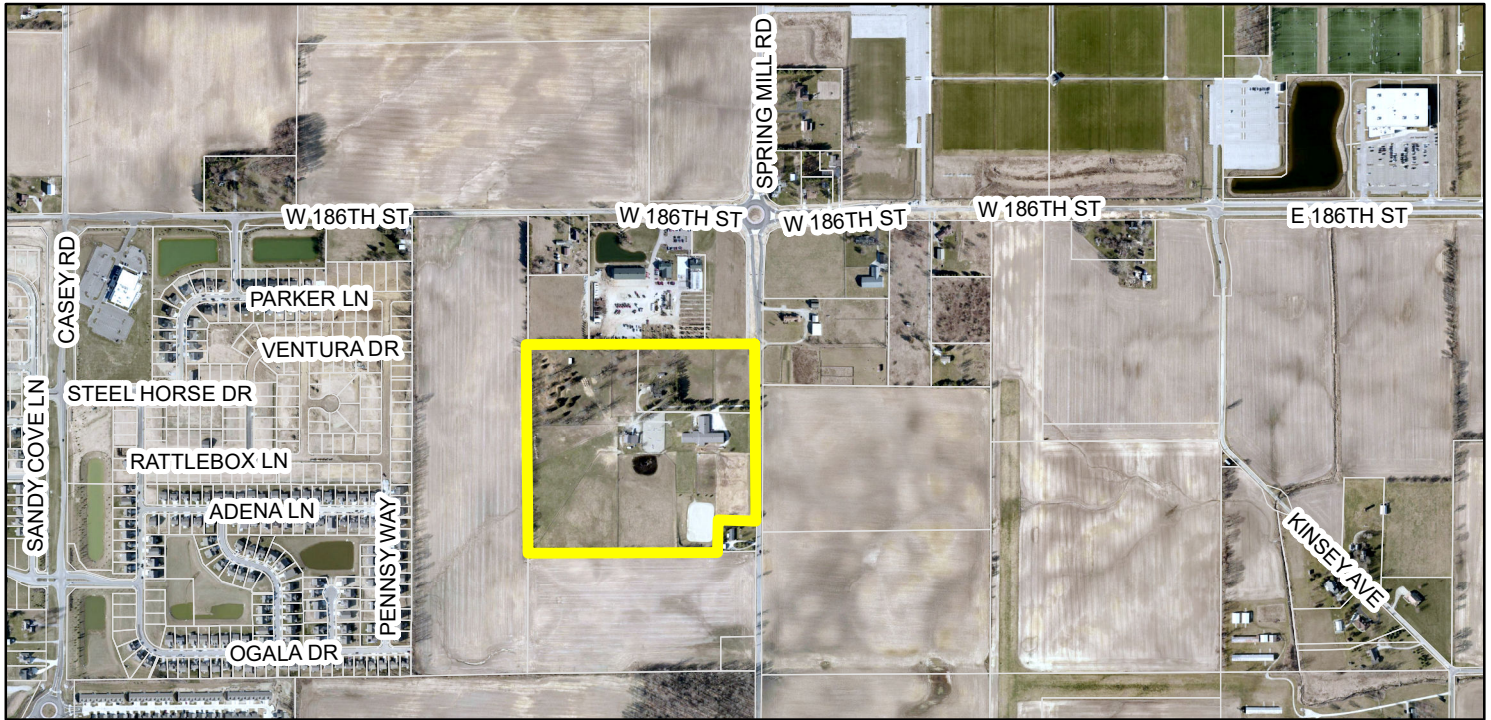
1. **Action: Hold a public hearing at the June 3, 2020, Plan Commission meeting.**
2. The Petitioner will make any necessary revisions to the proposal based on the Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of 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.



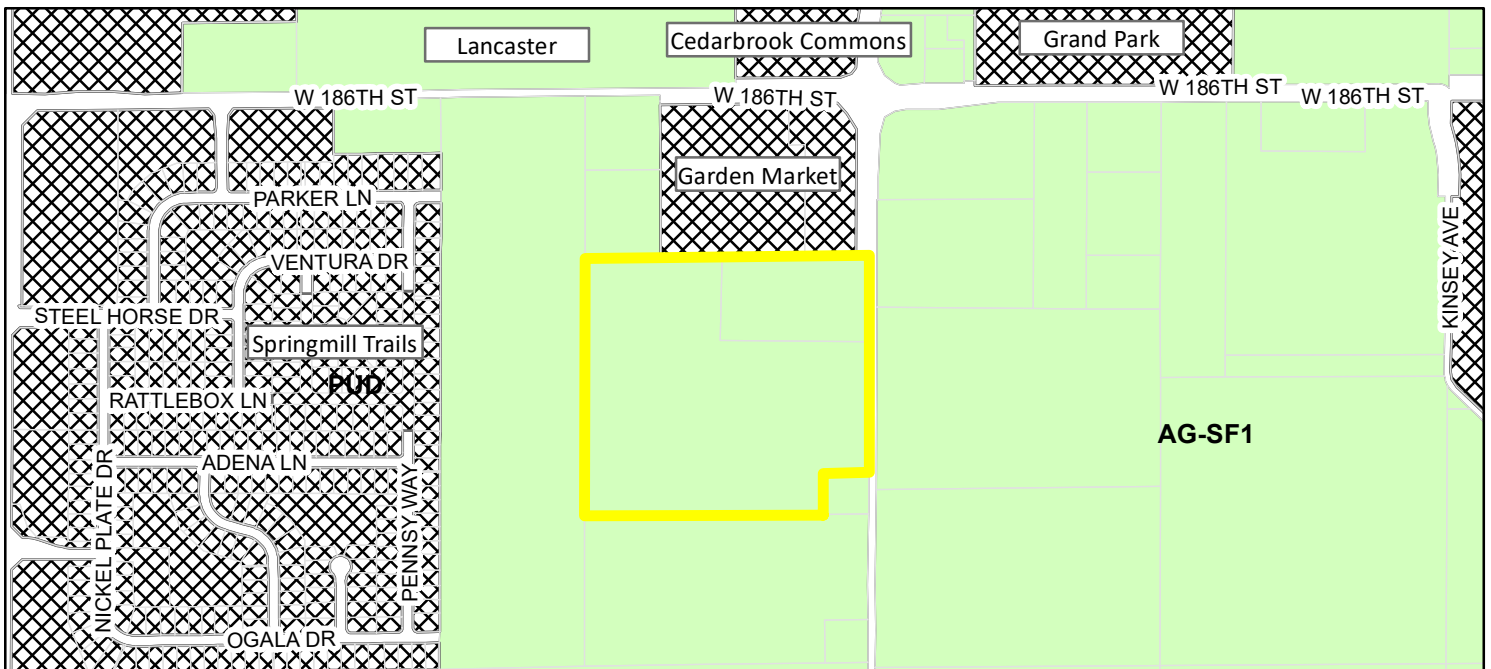
Property Location Map
Hoosier Hills PUD
Ord. 20-18
2006-PUD-06



Aerial Location Map



Zoning Map



- Parcel **Zoning**
- Zoning - All**
- AG-SF1 (Agriculture - Single Family - 1)
 - PUD (Planned Unit Development)

EXHIBIT B
ZONING DISTRICT MAP

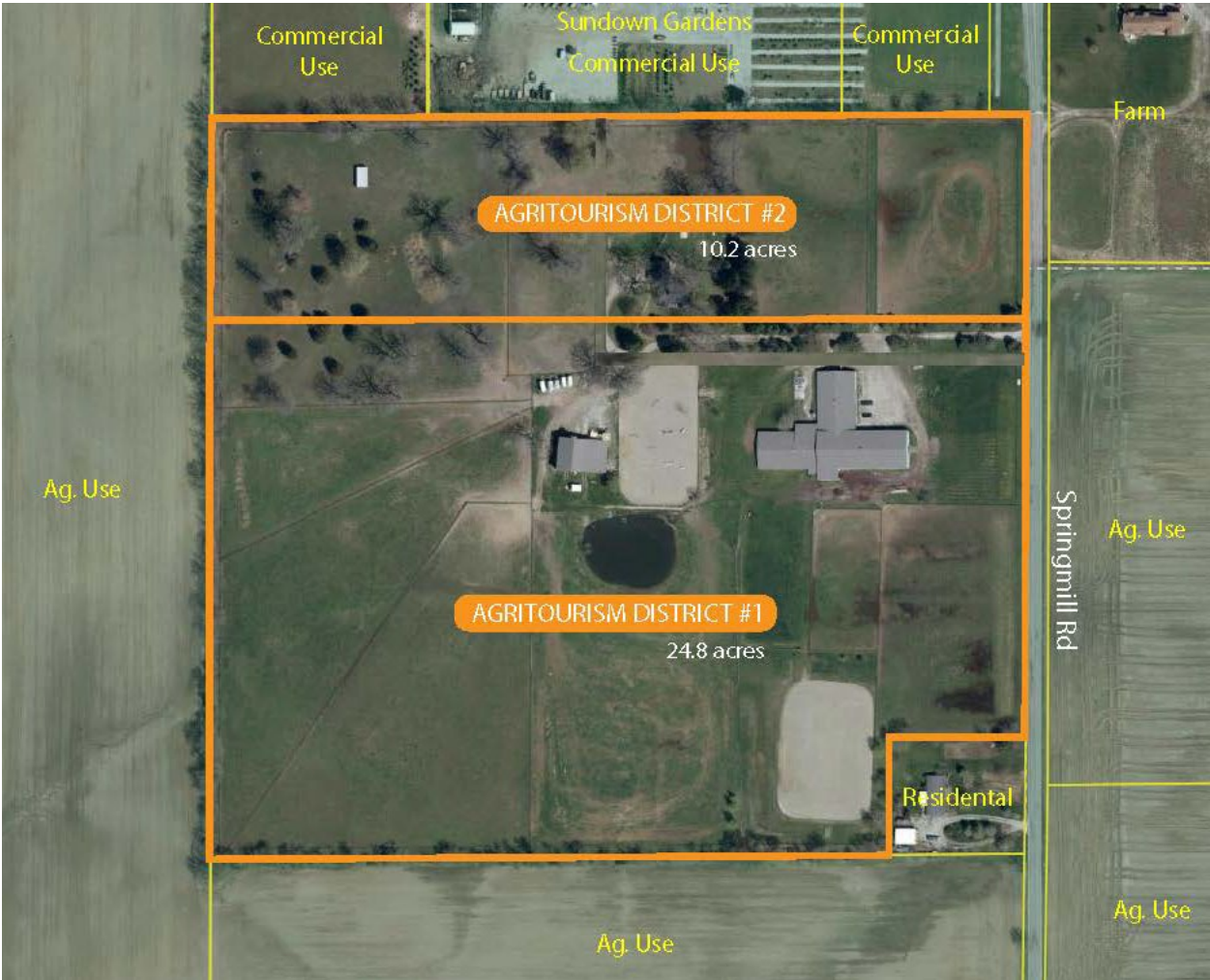
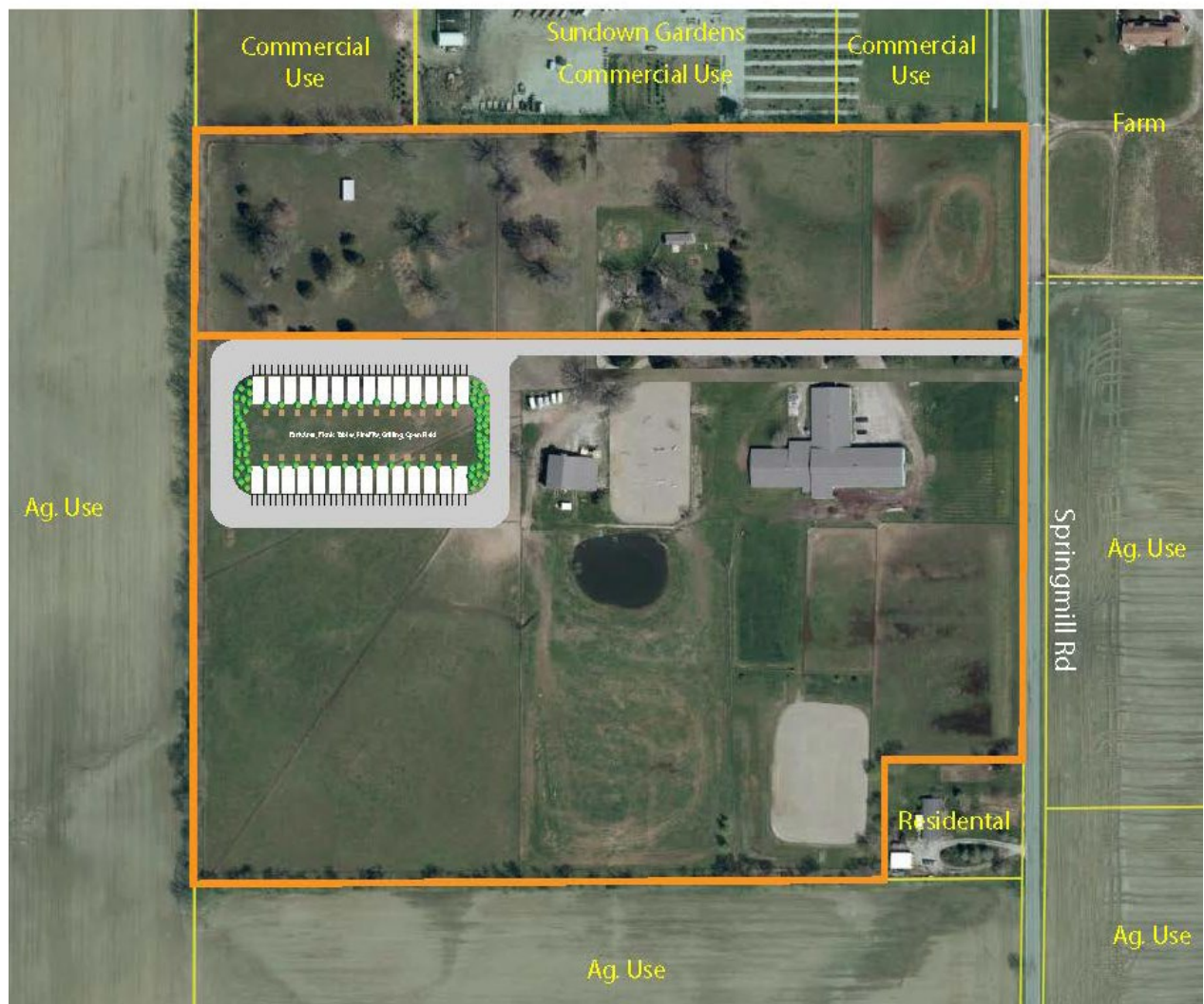


EXHIBIT C
ILLUSTRATIVE SITE LAYOUT



(Note: A larger exhibit is on file with the City of Westfield Community Development Department, 2006-PUD-06)

EXHIBIT D
EXISTING BUILDINGS



EXHIBIT E
CHARACTER EXHIBITS

Barn/Cabin Homes Examples



ORDINANCE NUMBER 20-18

HOOSIER 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 “**HOOSIER 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. 2006-PUD-06**), 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. 2006-PUD-06** 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 _____, 2020;

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 (the “UDO”) 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 "**HOOSIER 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 Agricultural Use: The use of land for farming, including plowing, tilling, cropping, installation of best management practices, seeding, cultivating, or harvesting for the production of food; the grazing or raising of Livestock; horticulture; orchards; tree farms; vineyards; and related buildings (e.g., greenhouses, barns, Stables, sheds, feeding bins).
- 2.2 Agritourism: 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: farm stand, pumpkin patches, tree sales, garden center, apple or strawberry picking, seasonal or holiday activities (i.e. corn mazes, hay or wagon rides, straw piles, haunted houses), community activities (i.e. kiddie rides, festivals, weddings, live music, fundraising events, charitable events, corporate outings), creamery, vineyards, breweries, distilleries, 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.
- 2.3 Cabin/Barn Home: A building with a Minimum Living Area (Ground Floor) of 400 square feet where lodging is provided and offered for compensation and which is open to transient guests to one (1) or more, but not exceeding thirty (30) persons per dwelling. A maximum of thirty-five (35) Cabin/Barn Homes shall apply to the District.

Section 3. **Zoning District Map.** The Zoning District Map of Hoosier Hills PUD Ordinance, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article

10.9(F)(2) Planned Unit District Ordinance Requirements; Concept Plan. The Real Estate is divided into two (2) subareas, as depicted on the Zoning District Map labeled as Agritourism District #1 and #2 (individually or collectively, “Subdistrict”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth in “Zoning District Map”, **Exhibit B**, shall apply.

Section 4. **Illustrative Layout.** The Illustrative Layout of the Hoosier Hills PUD Ordinance is 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. **Character Exhibit.** The “Character Exhibit” attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed in the District. It is not intended to limit the architecture shown in the Character Exhibit, but to encourage diversity of architecture within the District.

Section 6. **Underlying Zoning District:** The Underlying Zoning District of this District shall be AG-SF1: Agriculture / Single Family Rural District.

Section 7. **Permitted Uses.** All permitted uses in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted except as otherwise modified below:

7.1 **Temporary Use and Events:** Agritourism uses 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.

7.2 **Agritourism District #1:** The permitted uses in the Agritourism District, Agricultural District, and Cabin/Barn Homes, as defined in Article 2 of this Ordinance, shall be permitted.

7.3 **Agritourism District #2:** The permitted uses in the Agritourism District, and Agricultural District, as defined in Article 2 of this Ordinance, shall be permitted.

7 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:

7.1 **Minimum Building Setback Lines:**

A. Front Yard

i. Spring Mill Road Right-of-Way: 50 feet

ii. Internal to District: 0 feet

- B. Side Yard
 - i. Internal to District: 0 feet
 - ii. Abutting District Perimeter: 30 feet
- C. Rear Yard
 - i. Internal to District: 0 feet
 - ii. Abutting District Perimeter: 30 feet

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

8.1 Article 6.3 Architectural Standards: Shall apply except as modified below:

- A. Agritourism District. Article 6.3(D) Architectural Standards Single-family Districts (Nonresidential Uses) shall apply. Additionally, 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 **Exhibit D** and the Cabin/Barn Homes Examples of **Exhibit E**.

8.2 Article 6.8 Landscaping Standards: Shall apply except as modified below:

- A. Street Trees (Article 6.8(J)). Shall not apply.
- B. Minimum Lot Landscaping Requirements (Article 6.8(K)). Shall not apply to the Agritourism and Agricultural Districts.
- C. Foundations Plantings (Article 6.8(L)). Shall apply. Additional planters located at the base of a building or attached to the façade shall be counted to meet the requirement.
- D. External Street Frontage Landscaping Requirements (Article 6.8(M)). Shall apply; however, the existing External Street Frontage Landscaping shall meet the required External Street Frontage Landscaping Requirement. No additional plantings shall be required.
- E. Buffer Yard Requirements (Article 6.8(N)). Shall apply except as modified below:
 - i. Buffer Yard Requirements shall not apply internally throughout the District.
 - ii. Buffer Yard Requirements shall not apply along the northern border of the District.

F. Parking Area Landscaping (Article 6.8(0)). Shall apply except as modified below:

i. Interior Parking Area Islands (Article 6.8(O)(b)). Shall not apply.

8.3 Article 6.14 Parking and Loading Standards. Shall apply except as modified below:

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

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.

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

10.1 Article 8.7 Pedestrian Network Standards. Shall apply except as modified below:

A. Article 8.7(C) Internal Pedestrian Network Standards. Shall not apply

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

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2020.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frie

Scott Frie

Scott Frie

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number of this document, unless required by law: Matt Pleasant, AICP

I hereby certify that **ORDINANCE 20-18** was delivered to the Mayor of Westfield

on the _____ day of _____, 2020, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 20-18**

this _____ day of _____, 2020.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 20-18**

this _____ day of _____, 2020.

J. Andrew Cook, Mayor

This document prepared by: Matt Pleasant, AICP
Pleasant Cities, LLC
5821 Julian Avenue, Indianapolis, Indiana 46219, (317) 500-4489

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Zoning District Map
Exhibit C	Illustrative Site Layout
Exhibit D	Existing Buildings
Exhibit E	Character Exhibits

EXHIBIT A
REAL ESTATE

BEGIN AT A POINT OF 46 RODS SOUTH OF THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER, THENCE NORTH 72 RODS, THENCE EAST TO THE PLACE OF BEGINNING, IN HAMILTON COUNTY, INDIANA.

EXCEPT: A PART OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:

BEGIN 1762.0 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST; RUN THENCE SOUTH ON AND ALONG THE EAST LINE OF SAID QUARTER, 185.0 FEET TO A POINT; THENCE WEST ALONG A FENCE LINE ON NEIMAN'S SOUTH LINE, 235.46 FEET TO AN IRON STAKE; THENCE NORTH PARALLEL WITH SAID EAST LINE, 185.0 FEET TO AN IRON STAKE, SAID STAKE BEING 235.46 FEET WEST OF PLACE OF BEGINNING; THENCE EAST 235.46 FEET TO THE PLACE OF BEGINNING.

EXHIBIT B
ZONING DISTRICT MAP

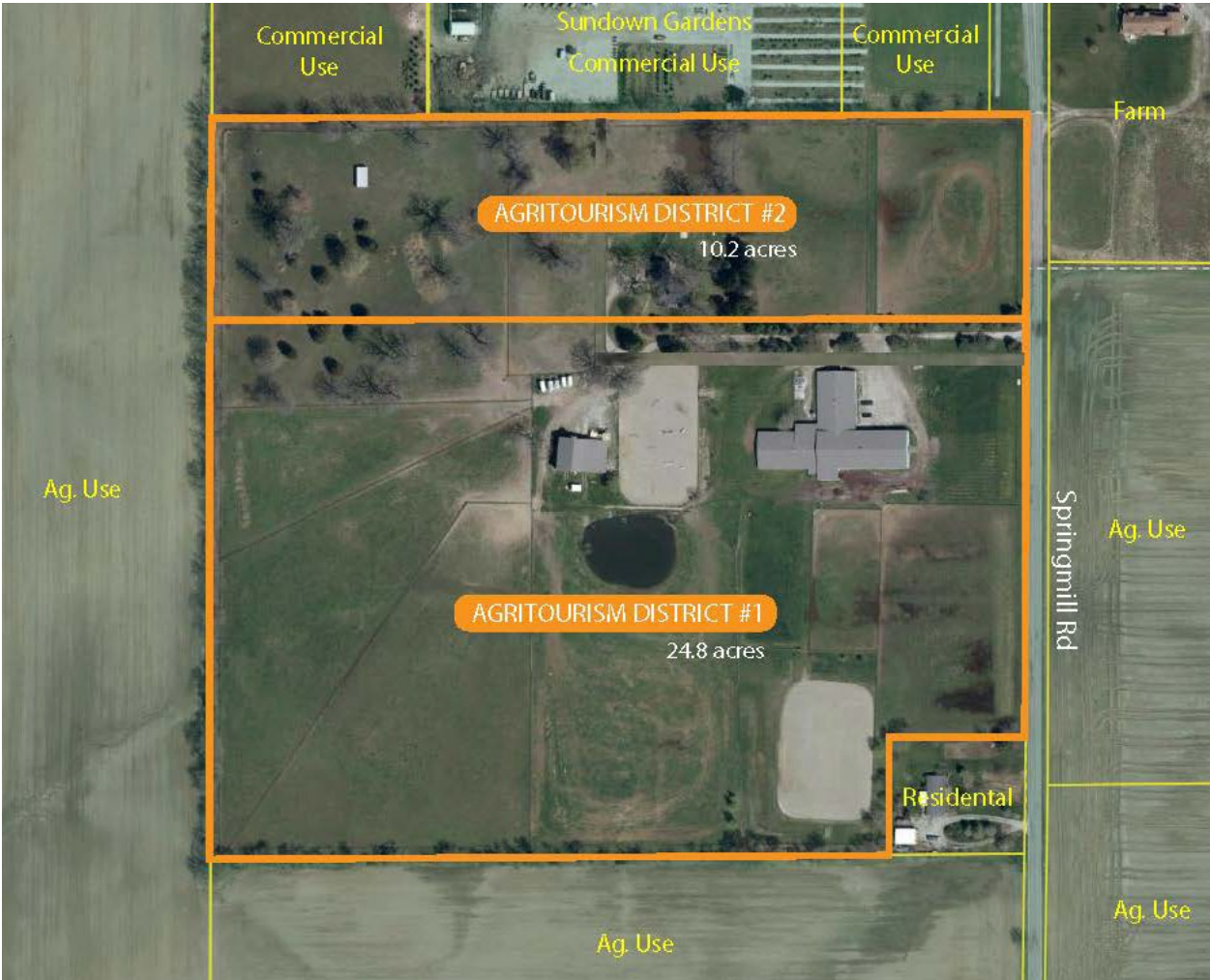
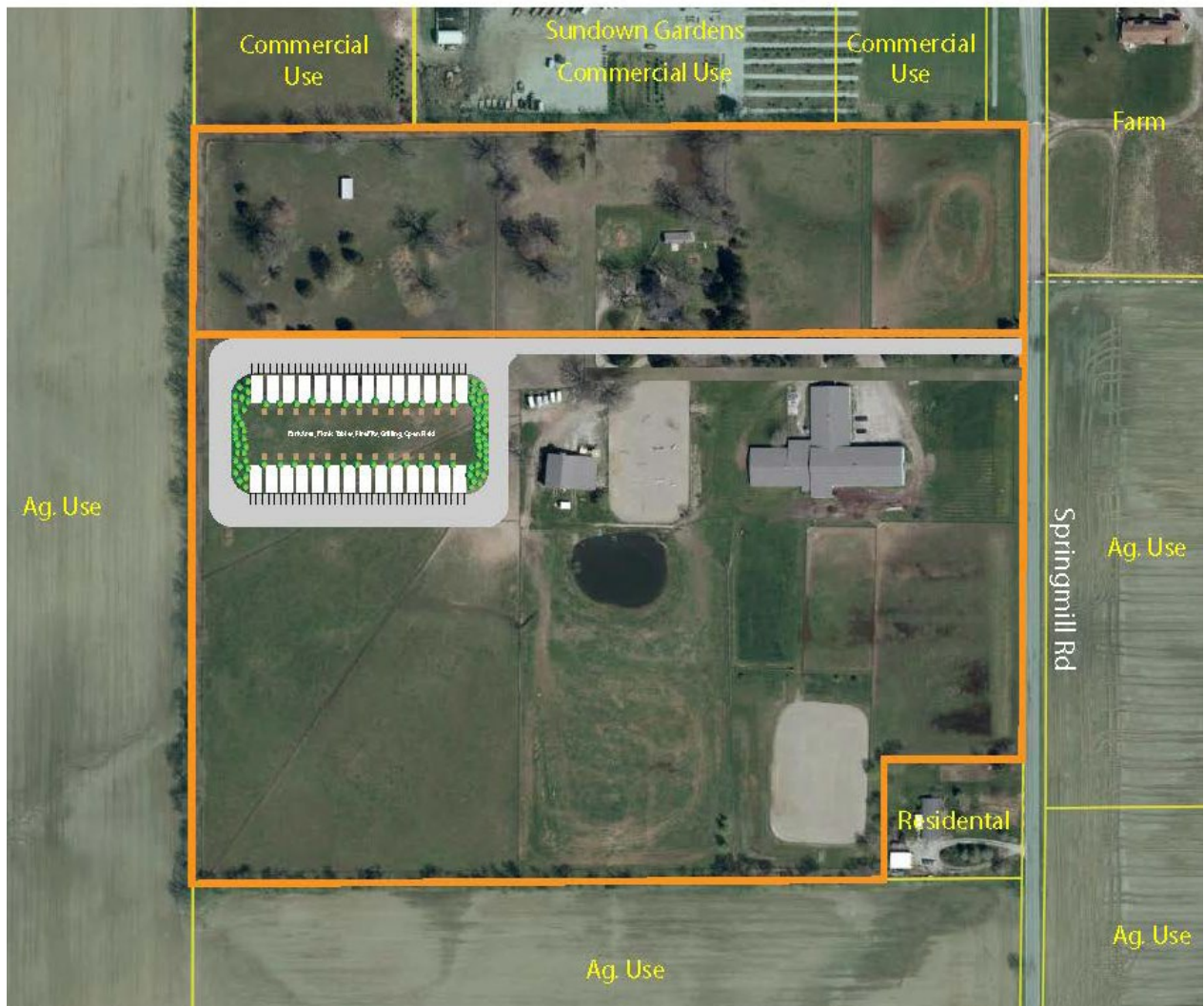


EXHIBIT C
ILLUSTRATIVE SITE LAYOUT



(Note: A larger exhibit is on file with the City of Westfield Community Development Department, 2006-PUD-06)

EXHIBIT D
EXISTING BUILDINGS



EXHIBIT E
CHARACTER EXHIBITS

Barn/Cabin Homes Examples





Minutes of the May 18, 2020 APC Meeting
Presented for approval: June 3, 2020

**Westfield-Washington Advisory Plan Commission (APC) held a meeting on
Wednesday, May 18, 2020 scheduled for 7:00 p.m. online via Skype.**

ROLL CALL: Noted presence of a quorum.

Members Present: Kristen Burkman, Randy Graham, Robert Horkay, Mike Johns, Ginny Kelleher, Andre Maue, Victor McCarty, Dave Schmitz, and Cindy Spoljaric.

Members Absent: All Present

City Staff Present: Kevin Todd, Director; Pam Howard, Senior Planner; Daine Crabtree, Associate Planner; Jonathan Dorsey, Associate Planner; Corey Harris, Associate Planner; and Brian Zaiger, City Attorney with Krieg DeVault.

APPROVAL OF MINUTES

Motion: Kelleher motioned to approve the May 6, 2020 meeting minutes as written.
McCarty seconded. Motion passed. Vote 9-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed the modified public meeting rules and procedures.

CONSENT AGENDA

No Consent Agenda Items

ITEMS OF BUSINESS

**2004-ODP-05 &
2004-SPP-05**

Poplar Street Townhomes

Southwest corner of west Jersey Street and Poplar Street.

Roger Foster by Civil & Environmental Consultants, Inc requests a Primary Plat and Overall Development Plan review of 24 lots on 1.25 acres +/- within the Poplar Street Townhomes Planned Unit Development (PUD) District.
(Planner: Jonathan Dorsey ▪ jdorsey@westfield.in.gov)

Dorsey overviewed this request for a Primary Plat and Overall Development Plan. He said one comment had been received by Staff.

No APC comments.

Motion: Maue motioned to approve 2004-ODP-05 & 2004-SPP-05 with the following conditions:

1. All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.
2. Contingent upon the approval of Ordinance 20-17: City of Westfield to Vacate Public Ways by the Westfield City Council prior to the issuance of an Improvement Location Permit.

Kelleher seconded. Motion passed. Vote 9-0.

**2004-ODP-06 &
2004-SPP-06**

Chatham Villages Phase 1

West of US 31, East of Tomlinson Rd, North of 196th St, South of 203rd St.

Chatham Hills LLP by Cripe requests a Primary Plat and Overall Development

Agendas for all City meetings are updated and available at our website.

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

Plan review of 207 Lots on approximately 146.675 acres +/- in the Chatham Hills Planned Unit Development (PUD) District.
(Planner: Corey Harris ▪ charris@westfield.in.gov)

Harris overviewed this request for a Primary Plat and Overall Development Plan.

Phil Sundling and Brad Henke with Henke Development were present on the call.

Spoljaric asked about having 203rd Street access be stubbed and not open until it is necessary.

Phil Sundling responded that he had spoke with the City Engineer, Westfield Public Works, Westfield Fire Department are all in favor of stubbing the 203rd Street access.

John Nail, Westfield City Engineer, confirmed that PW has confirmed with FD that we are ok

McCarty stated that he agreed with Spoljaric on keeping the area as safe as possible.

Motion: Horkay motioned to approve 2004-ODP-06 & 2004-SPP-06 with the following condition:

1. All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.

Kelleher seconded. Motion passed. Vote 9-0.

**2005-ODP-07 &
2005-SPP-07**

Austrian Pine Subdivision

SE Corner of SR 32 and Austrian Pine Way

Westfield Properties, LLC by Weihe Engineers, LLC requests Primary Plat and Overall Development Plan review for two (2) lots on 12.5 acres +/- in the Austrian Pine PUD District.

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

Crabtree overviewed this request for a Primary Plat and Overall Development Plan review. He said that the Department had received no public comments.

Brad Schoeff, with Weihe Engineers, representing this petition was present on the call, but had no comments.

No APC comments.

Motion: Spoljaric to approve 2005-ODP-07 & 2005-SPP-07 with the following condition:

1. All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.

Schmitz seconded. Motion passed. Vote 9-0.

PUBLIC HEARING ITEMS

No Public Hearing Items

ITEMS CONTINUED TO A FUTURE MEETING

2003-PUD-02

Wheeler Landing PUD Amendment III (Portillo's)

Northwest corner of Wheeler Road and SR 32

Portillo's Hot Dogs by HD Consulting Services Group, Inc. requests an amendment to the State Highway 32 Overlay District and the Development Standards of the Wheeler Landing PUD District.

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

**2005-ODP-08 &
2005-SPP-08**

Grand Central Subdivision

E 181st St & Sun Park Dr

CH Group, LLC by Church, Church, Hittle & Antrim, LLP requests Primary Plat and Overall Development Plan review for five (5) lots on 24.47 acres +/- in the 181st Street PUD District

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

**2005-ODP-09 &
2005-SPP-09**

Monon Corner Subdivision

South of 206th Street and west of Horton Road

Arbor Homes by Stoeppelwerth & Associates Inc requests Primary Plat and Overall Development Plan review of 325 Lots on approximately 135.13 acres +/- in the Chatham Hills Planned Unit Development (PUD) District.

(Planner: Corey Harris ▪ charris@westfield.in.gov)

**2005-ODP-10 &
2005-SPP-10**

Hamilton Memorial Subdivision

4180 Westfield Road

Washington Park Cemetery Association by Marten Construction requests Overall Development Plan and Primary Plat review of 1 lot on 54.6 acres +/- in the AG-SF1: Agricultural Single-family Rural District.

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

2005-PUD-04

Junction PUD Amendment IV

17655 Shamrock Blvd.

Shamrock Land Acquisitions requests an amendment to the permitted uses and Building Height standards within District 3 of the Junction PUD.

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

REPORTS/COMMENTS

- Plan Commission Members
- City Council Liaison
- Board of Zoning Appeals Liaison
- Community Development Department

ADJOURNMENT

Motion: Adjourn Meeting

Motion: Graham; Second: Horkay. Motion passed. Vote: 9-0.

Meeting adjourned at 7:20 p.m.

Randell Graham, President

Ginny Kelleher, Vice President

Kevin M. Todd, Secretary



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

June 3, 2020
2005-PUD-04
Exhibit 1

Docket Number: 2005-PUD-04 (Ordinance No. 20-13)

Petitioner: Shamrock Land Acquisitions (the "Petitioner")

Request: An amendment to the permitted uses and Building Height standards within District 3 of the Junction PUD.

Current Zoning: Junction PUD District

Current Land Use: Vacant

Acreage: 2.81 acres +/-

Zoning History: 1406-PUD-09 Junction PUD District Ordinance 14-22 (07/14/14)
1507-SPP-06 Primary Plat (07/20/15)
1512-SFP-37 Secondary Plat (08/05/16)

Exhibits:

1. Staff Report
2. Location Map
3. Building Height Example
4. Proposed Ord. 20-13 (Junction PUD Amendment IV)
5. [Ord. 14-22 \(Junction PUD\)](#)
6. Project Narrative
7. Neighbor Meeting Summary
8. Grand Junction Task Group Letter of Support
9. Petitioner's Response to Issue List
10. Public Comments

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the April 13, 2020, City Council meeting. The petition received a public hearing at the May 6, 2020, Advisory Plan Commission (the "Plan Commission") meeting. The petitioner held a virtual neighbor meeting on April 28, 2020, a summary of that meeting has been included as **Exhibit 7**. The Grand Junction Task Group has reviewed this petition and provided a letter of support, which is attached as **Exhibit 8**.

PROJECT OVERVIEW

Location: This subject property (the “Property”) is located at 17655 Shamrock Blvd (see **Exhibit 2**).

Property History: The original Junction PUD Ordinance was adopted by the Council in July 2014. Since that time, three (3) amendments have been approved specific to the Riverview Hospital site. If the proposed PUD amendment is approved, a subsequent Detailed Development Plan amendment would need to be approved.

REQUESTED MODIFICATIONS

Permitted Uses: The proposed Amendment would add Multi-family Dwellings as a permitted use. The currently approved PUD permits Assisted Living Facilities and Independent Senior Living Facilities, both of which could be in the form of apartments.

General Regulations: The PUD Amendment proposes increasing the Maximum Building Height for District 3 from three (3) stories to four (4) stories. Additionally, the proposed Amendment adds a Minimum Building Height of eighteen (18) feet, District 3 does not currently have a Minimum Building Height.

RESPONSE TO PUBLIC HEARING ISSUES

Following the Public Hearing, the Department provided the Petitioner an Issue List summarizing the concerns raised at the Public Hearing. The Petitioner has provided as response to that list, which is attached as **Exhibit 9**.

Additionally, the Department contacted the Police Department, Public Works Department, and School Administration. All three departments were concerned about traffic from both a quantity and safety perspective. While it is realized that traffic issues already exist on Shamrock Boulevard, concerns regarding additional traffic from a mixed used project exist. It is important to note that the nonresidential portion of this project can be built without a PUD amendment. Similarly, multi-family can be built currently if it is restricted to seniors. The Public Works Department provided trip generation data from the ITE Manual, which is used to calculate impact fees. We have used this information to calculate the total number of trips generated per weekday by the project for both dwelling types. The unit counts used were provided by the petitioner as part of their response to the issue list.

- Senior Adult Housing Attached: 3.7 trips per unit x 130 units = 481 daily trips
- Multi-Family Mid-Rise: 5.44 trips per unit x 100 units = 544 daily trips

The department has also researched the number of existing and approved apartment units within the city. The City currently has 2,428 existing apartment units. There are an additional 1,241 currently approved by Development Plan and/or building permit. In addition to these known numbers, there are several PUD districts which permit multi-family and/or more specifically

apartments, but do not have a maximum number of units. These would be regulated by the permitted density, as would existing areas zoned MF-1 or MF-2.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as the “Gateway Sub-District” within the “Downtown” land use classification. The Downtown area was further studied in 2008 after the formation of the Grand Junction Task Group (the “GJTG”). The study resulted in an amendment to the Comprehensive Plan known as the Grand Junction Master Plan and Addendum, adopted in 2009. Subsequently, amendments to the Comprehensive Plan were adopted in 2013, for the [Grand Junction Implementation Plan](#) (the “Implementation Plan”), and in 2015 and 2016 with the adoption of chapters of the [Grand Junction Sub-District Addendum](#) (collectively, the “Grand Junction Plan”).

The Grand Junction Plan recommends that buildings on the east side of US 31 be pedestrian friendly and located closer to the street. This area of the sub-district is expected to integrate with the branding and themes of Downtown Westfield. Appropriate uses include hotels, office, multi-family residential, and parking structures. Ancillary uses including retail, restaurant, cultural, entertainment, or recreational uses are considered appropriate if included in a mixed-use building. Design requirements include a maximum building height of forty (40) feet against residential properties, footprints of greater than 10,000 square feet, massing along the road and away from existing single-family residences.

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 6, 2020, 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:

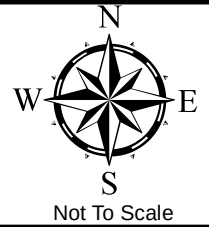
1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

Council Introduction: The petition was introduced at the April 13, 2020, City Council meeting.

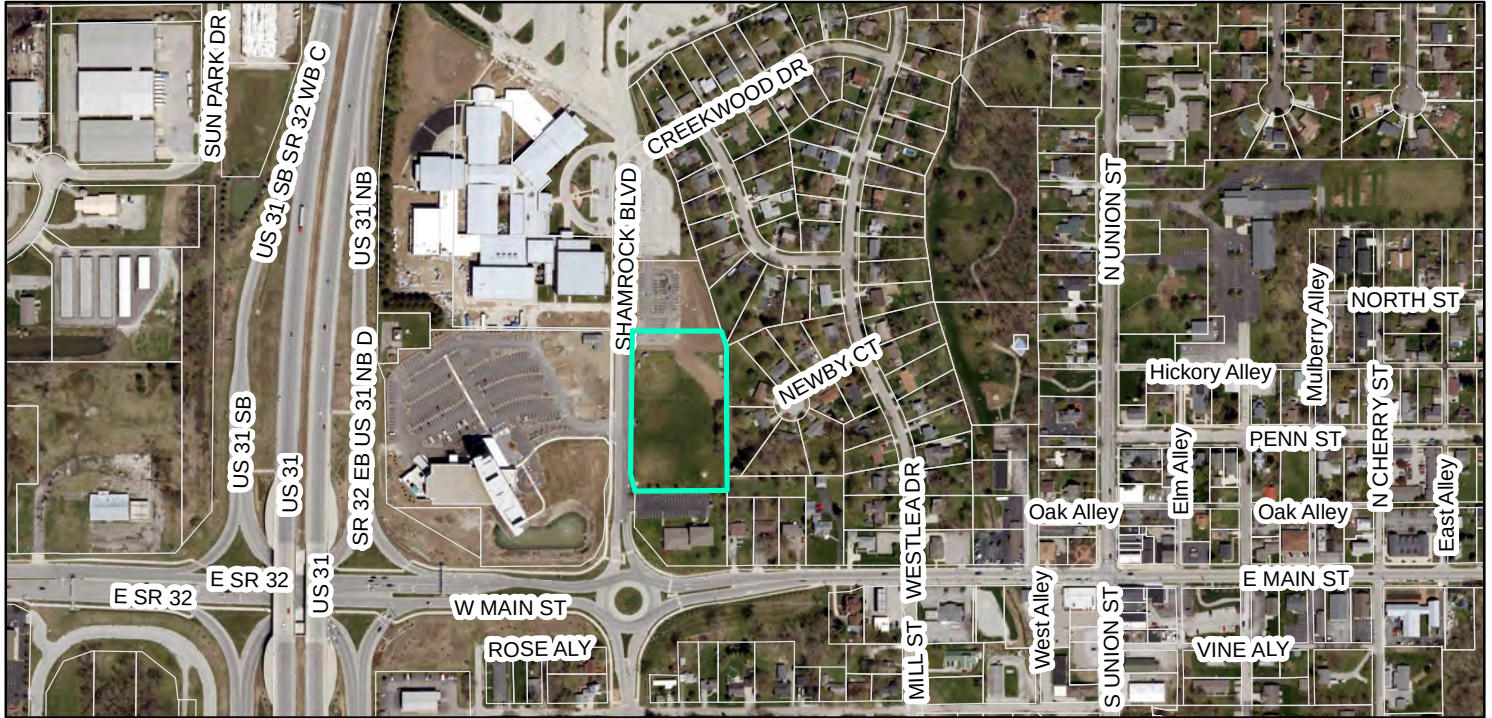
DEPARTMENT COMMENTS

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 (317) 531-3751 or phoward@westfield.in.gov.

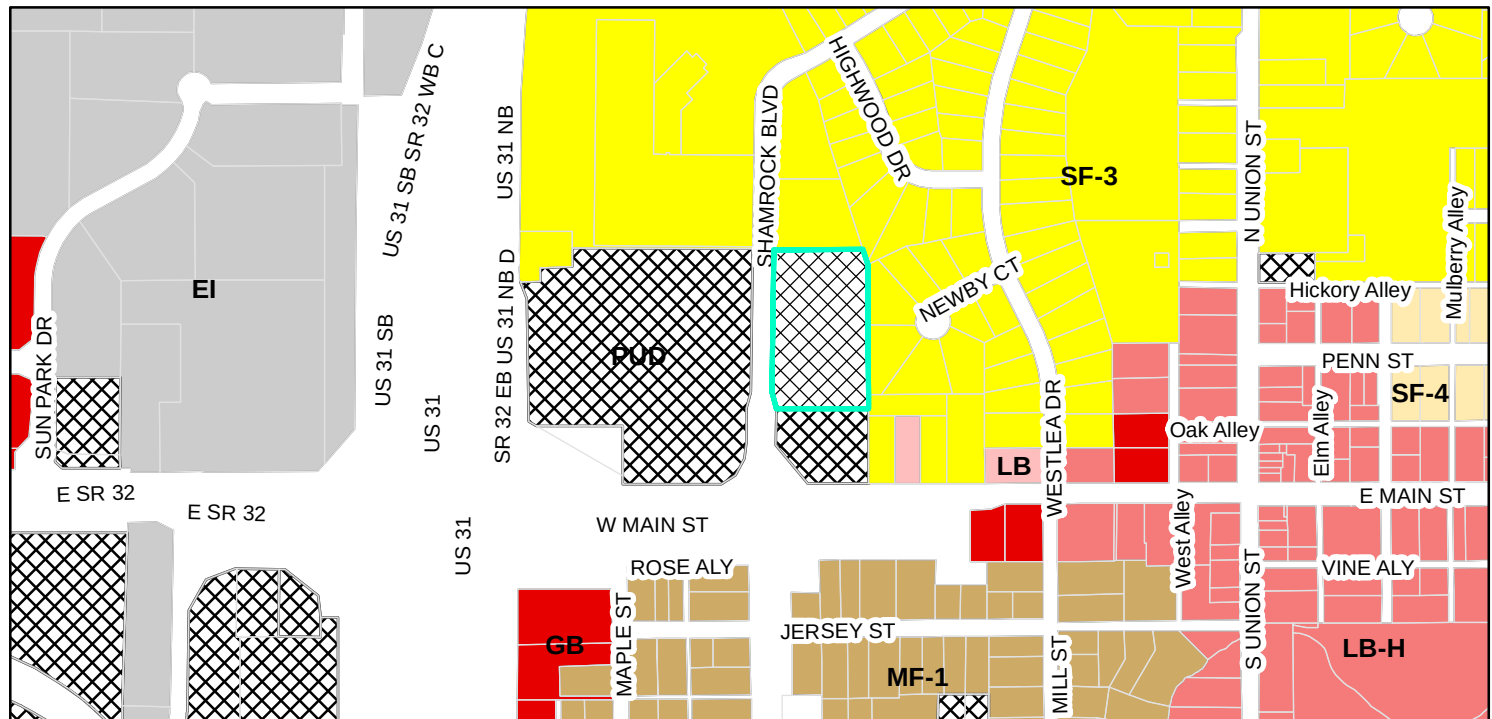
Property Location Map Junction PUD Amendment IV 2005-PUD-04



Aerial Location Map



Zoning Map



Zoning

	EI (Enclosed Industrial)		LB (Local Business)		PUD (Planned Unit Development)
	GB (General Business)		LB-H (Local Business - Historical)		SF-3 (Single Family - 3)
	MF-1 (Multiple Family - 1)		SF-4 (Single Family - 4)		



ORDINANCE 20-13

Junction PUD Amendment IV

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

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

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

WHEREAS, the Common Council (the “Council”) enacted Ordinance No. 14-22, The Junction Planned Unit Development District on July 14, 2014; and amended by (i) Ordinance 15-41, enacted by the Council on December 14, 2015; (ii) Ordinance 18-12, enacted by the Council on April 23, 2018; and (iii) Ordinance 19-03, enacted by the council on February 11, 2019 (collectively, the “Junction PUD Ordinance”);

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Petition No. 2005-PUD-04), filed with the Commission requesting an amendment to the Unified Development Ordinance and the Junction 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. 2005-PUD-04 to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a _____ **recommendation (vote)** in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2020; 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 Zoning 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 (i) the provisions of this Ordinance and its exhibits, and (ii) the Junction PUD, as amended, and (iii) 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 or the Junction PUD.

- 1.2 Chapter (“Chapter”) and Article (“Article”) cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.3 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. **Permitted Uses:** The following additional use shall be permitted:

- 2.1 Dwelling, Multi-family

Section 3. **General Regulations:** The standards of Article 4: Zoning Districts of the UDO, as amended by the Junction PUD, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

- 3.1 **Building Height:** Section 4.1(B)(iii) of the Junction PUD shall be replaced with the following:
 - A. District 3 Building Height: Minimum height:18 feet. Maximum height is four (4) stories and will be substantially compliant with this PUD and Exhibit B.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS ____ DAY OF _____, 2020.

WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

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

Prepared by: Pam Howard, Senior Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 804-3170

I hereby certify **ORDINANCE 20-13** was delivered to the Mayor of Westfield on the _____ day of _____, 2020.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 20-13
this _____ day of _____, 2020.

I hereby VETO ORDINANCE 20-13
this _____ day of _____, 2020.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
LAND DESCRIPTION

Lot 2B in Gateway Northeast Quadrant - a Secondary Plat, Hamilton County, Indiana, as per plat thereof recorded August 5, 2016 in Plat Cabinet 5, Slide 529, as Instrument Number 2016038710.

EXHIBIT B
BUILDING HEIGHT EXHIBIT

[See following page]



ORDINANCE 14-22

The Junction PUD

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO
TITLE 16 – LAND USE CONTROLS**

This is a Planned Unit Development District Ordinance to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning 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 Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1406-PUD-09), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Docket 1406-PUD-09 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable 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 July 8, 2014; 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 Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate") and shall hereafter be referred to as the "**The Junction PUD**".
- 1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.
- 1.3 The underlying zoning district shall be the **GB – General Business District** (the "Underlying Zoning District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

COPY

- 1.4 Section ("WC §") cross-references of this Ordinance shall hereafter refer to the Section as specified and referenced in the Zoning Ordinance.

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

- 2.1 Site Concept Design Plan: The plan attached hereto and incorporated herein by reference as Exhibit B. Exhibit B is a general plan for the development of the Real Estate.
- 2.2 Illustrative Character Exhibit: A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as Exhibit C.
- 2.3 Pedestrian & Vehicular Accessibility Plan:
- A. Pedestrian Accessibility Plan: A general representation of the intended pedestrian connectivity with surrounding developments and enhanced pedestrian connectivity internal to the Real Estate herein referenced as Exhibit E.
- B. Vehicular Accessibility Plan: A general representation of the intended vehicular connectivity with surrounding developments and enhanced vehicular connectivity internal to the Real Estate herein referenced as Exhibit F.
- 2.4 Assisted Living Facility: A commercial facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four (4) or more dwelling units and/or rooming units, provide a combination of housing, support services, personalized assistance, and healthcare, and respond to the individual needs of persons requiring assistance with the activities of daily living but may or may not require 24 hour skilled medical care.
- 2.5 Independent Senior Living Facility: A senior living community commonly providing apartments but some also offer cottages, condominiums, and single-family homes. Residents are seniors who do not require assistance with daily activities or 24/7 skilled nursing but may benefit from convenient services, senior-friendly surroundings, and increased social opportunities that independent senior living communities offer.
- 2.6 Multi-story Parking Garage: This is a building designed for car parking and where there are a number of floors or levels on which parking takes place.

Section 3. Permitted Uses.

- 3.1 Assisted Living Facilities and Independent Senior Living Facilities.
- 3.2 Multi-story Parking Garage
- 3.3 All uses permitted in the Underlying Zoning District shall be permitted, except the following:

Auto Parts Sales	Auto Rental	Auto Sales, New or Used
Bus Stations	Carwash	Casket and Casket Supplies
Cemetery Monument Sales	Charitable Donation Pickup	Drive-In Food & Beverage
Electrical Supply Store	Embalming School	Exterminators
Farm Implement Store	Feed Store	Frozen Food Store/Locker
Gasoline Service Station	Laundromats	Liquor Stores
Locksmith Shop	Millinery	Mortuaries

Motorcycle Sales & Service	Nursery – Plants, Retail	Roller & Ice Skating Rink
Self-Service Car Wash	Semi-Automatic Car Wash	Tire & Auto Service Center
Tobacco Shops	Trailer Rental	Tool/Equipment Rental
Travel Trailer Sales/Rental	Typewriter Sales/Rental	Upholsters

Section 4. Development Standards.

- 4.1 General Regulations The regulations of *WC § 16.04.050 Business Districts* applicable to the Underlying Zoning District shall apply except as modified herein:

A. Minimum Setback Lines

Front Yard: No minimum
Side Yard abutting road or street: No minimum
Side Yard internal to development: No minimum
Side Yard abutting residential: 15 Feet
Rear Yard: No minimum

- B. Building Height The PUD will have three districts for building height standards. District 1 shall be defined as the parcels adjacent to US 31. District 2 shall be defined as the balance of Parcel 1 from District 1 to Shamrock Boulevard. District 3 shall be defined as all of Parcel 2 which is the tract of land to the east of Shamrock boulevard to the residential neighborhood.

- (i) District 1 Building Height: Minimum of three (3) stories. No maximum.
- (ii) District 2 Building Height: Minimum of two (2) stories. No maximum.
- (iii) District 3 Building Height: No Minimum. Maximum height is three (3) stories.
- (iv) Architectural Height Standard: Buildings with five (5) or more stories are encouraged to step back the façade by a minimum of ten (10) feet every four (4) stories.

- C. Pedestrian & Bicycle Accessibility The following shall be required in order to encourage pedestrian connectivity with surrounding developments and enhance pedestrian connectivity internal to the Real Estate. Exhibit E

- (i) All walkways internal to the Real Estate that cross vehicular ways (e.g., drive lanes, parking lots) shall be delineated and distinguished from driving surfaces through the use of durable, low maintenance surface materials such as integrated concrete pavers, scored or textured concrete, asphalt, painted asphalt or brick.
- (ii) Sidewalks, no less than six (6) feet wide, shall be provided along the full length of a building façade featuring a customer entrance, and along any façade abutting a public parking area.
- (iii) A bicycle parking area that will accommodate a minimum of ten (10) bicycles shall be provided at each primary structure within the Junction PUD District.

- D. Trash Enclosures Trash containers shall: (i) be screened on all sides with a solid walled or fenced enclosure not less than six (6) feet in height above grade and equipped with wood covered gates; (ii) not be located between the front line of the primary building and the front lot line.

- 4.2 Off-Street Loading and Parking Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.04.120*), with the exception that *WC § 16.04.120(2)(e) Size*, shall be modified to 9 feet x 18 feet.
- 4.3 Landscaping and Screening Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.06*) except as noted below; the Real Estate's minimum buffer yards are as illustrated in **Exhibit D** and additionally amended below.
- A. Buffer yard to any existing Single Family and all other zoning classifications to the south shall be none.
 - B. Buffer yard to any existing Single Family to the east shall be 15 feet.
 - C. All other buffer yard required minimums shall be 10 feet.
 - D. Perimeter parking lot landscaping may occupy the same space as required buffer yard areas and perimeter parking lot planting requirements shall supersede buffer yard planting requirements in those areas.
 - E. The buffer yard requirements in Zoning Ordinances for undulating mounds shall not apply.
 - F. If a masonry wall is constructed in the eastern buffer yard, then one (1) shrub every three (3) feet shall be installed on the eastern side of the wall. A minimum of two (2) shrub varieties shall be used.
- 4.4 Sign Standards Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.08*).
- 4.5 Lighting Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.07.010*). The following additional restrictions shall apply:
- A. Uniformity All lighting fixtures and poles shall be consistent in style, color, size, height and design and shall be compatible with the architecture of the Real Estate's buildings.
 - B. Decorative Fixtures Decorative light fixtures shall be provided along the Real Estate's entrance drives, public rights-of-way, building and pedestrian walkways as part of the site's overall architectural design.
 - C. Full Cut-Off Fixtures With the exception of low intensity architectural lighting and internally illuminated signage, all exterior wall mounted lights and pole-mounted lights shall utilize full cut-off fixtures that direct light downward.

Section 5. **Architectural and Design Standards** The regulations of *WC § 16.04.165 Development Plan Review* applicable to the Underlying Zoning District shall apply except for those sections modified and/or enhanced by this Ordinance.

- 5.1 Special Requirements Buildings shall comply with *WC § 16.04.065(8) Architectural Design Requirements* of the State Highway 32 Overlay Zone (the "Overlay Zone"). Standards in the Overlay Zone that apply to the "State Highway 32 right-of-way line" shall be applied to the **The Junction**, with the following exceptions:

- A. *WC § 16.04.065(8)(h)(iii) Building Materials* shall allow textured or decorative tilt wall construction as a masonry material for buildings not adjacent to SR 32.
- B. Multi-story Parking Garage Standards
- (i) Multi-story Parking Garages shall be architecturally consistent with the primary structure to which they are associated, including roof lines, building elevation design, articulation, modulation and building materials.
 - (ii) Security grilles shall be architecturally consistent with and integrated with the overall design of the building. Chain link fencing is not permitted for parking structure fencing.
 - (iii) If a Multi-story Parking Garage is not associated with a specific primary structure, then the Multi-story Parking Garage shall be architecturally compatible with adjacent buildings.
 - (iv) If any part of the Multi-story Parking Garage building abuts Main Street (State Road 32) the Multi-story Parking Garage shall be designed for permitted business uses on the first floor.
- 5.2 Site Concept Design Plan Site shall be developed in substantial compliance with Exhibit B.
- 5.3 Character and Quality Representative character and quality of buildings are illustrated in Exhibit C.
- 5.4 US 31 Overlay Requirements The regulations of *WC § 16.04.070 US 31 Overlay*. Shall not apply.
- 5.5 Usable Outdoor Public and/or Semi-public Spaces These areas including but not limited to plazas, courtyards, gardens, and public squares, shall be encouraged for all primary structures within the Junction PUD District.
- 5.6 Public Art At least one (1) piece of public art is encouraged within the Junction PUD District. If public art is to be installed, then it shall be visually accessible to the public and visible from either U.S. Highway 31 or State Road 32.

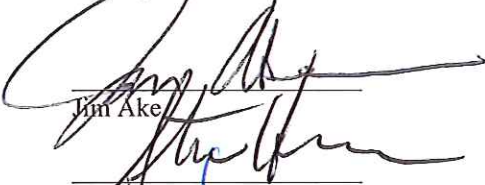
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS 14 DAY OF
July, 2014.

WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain


Jim Ake

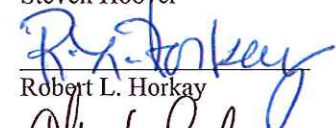
Jim Ake

Jim Ake


Steven Hoover

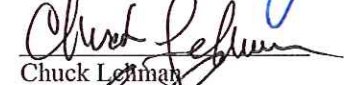
Steven Hoover

Steven Hoover


Robert L. Horkay

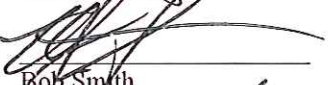
Robert L. Horkay

Robert L. Horkay


Chuck Lehman

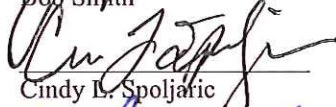
Chuck Lehman

Chuck Lehman


Bob Smith

Bob Smith

Bob Smith


Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric


Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

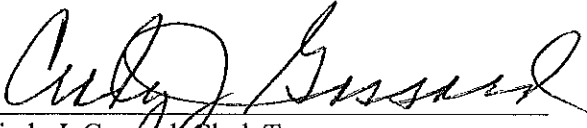
ATTEST:


Cindy J. Gossard, Clerk-Treasurer

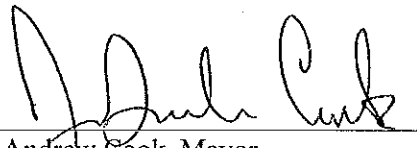
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Randy Zentz.

This Instrument prepared by: Randy Zentz
Westfield Community Investors, LLC.
111 Monument Circle, Suite 900
Indianapolis, IN 46204

I hereby certify **ORDINANCE 14-22** was delivered to the Mayor of Westfield on the 15 day of July, 2014.


Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 14-22
this 15 day of July, 2014.


J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-22
this ____ day of _____, 2014.

J. Andrew Cook, Mayor

ATTEST:

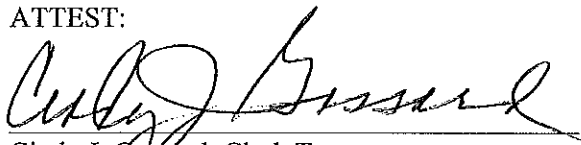

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
LAND DESCRIPTION

DESCRIPTION OF REAL ESTATE: TRACT No. 1*

PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 89 DEGREES 26 MINUTES 12 SECONDS EAST (ASSUMED BEARING) 856.74 FEET TO THE WEST LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 200400013188; THENCE ON SAID WEST LINE THE FOLLOWING 3 COURSES: 1) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 36.10 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" TO THE POINT OF BEGINNING OF THIS DESCRIPTION; 2) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 166.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; 3) THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 245.24 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF STATE ROAD No. 31; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 60 DEGREES 12 MINUTES 13 SECONDS WEST 26.57 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 01 DEGREES 17 MINUTES 53 SECONDS WEST 348.84 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID RIGHT OF WAY LINE NORTH 20 DEGREES 11 MINUTES 31 SECONDS WEST 50.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 87 DEGREES 00 MINUTES 13 SECONDS EAST 55.72 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 49 MINUTES 59 SECONDS WEST 38.62 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 88 DEGREES 18 MINUTES 37 SECONDS EAST 91.54 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 03 MINUTES 54 SECONDS EAST 53.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS EAST 526.08 FEET TO A MAG NAIL; THENCE SOUTH 00 DEGREES 17 MINUTES 53 SECONDS WEST 455.93 FEET TO A MAG NAIL; THENCE NORTH 89 DEGREES 58 MINUTES 28 SECONDS WEST 25.80 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 00 DEGREES 33 MINUTES 48 SECONDS EAST 99.00 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 06 DEGREES 04 MINUTES 09 SECONDS WEST 43.29 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 26 DEGREES 56 MINUTES 55 SECONDS WEST 54.12 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 58 DEGREES 28 MINUTES 22 SECONDS WEST 46.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 373.99 FEET TO THE POINT OF BEGINNING, CONTAINING 8.63 ACRES MORE OR LESS.

EXHIBIT A
LAND DESCRIPTION CONTINUED

DESCRIPTION OF REAL ESTATE: TRACT No. 2

PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 89 DEGREES 26 MINUTES 12 SECONDS EAST (ASSUMED BEARING) 1275.74 FEET; THENCE NORTH 00 DEGREES 17 MINUTES 53 SECONDS WEST 249.63 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 00 DEGREES 17 MINUTES 53 SECONDS EAST 455.58 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS EAST 256.37 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST TO THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 200400019188; THENCE ON THE SAID EAST LINE THE FOLLOWING FIVE COURSES:

1) SOUTH 18 DEGREES 01 MINUTES 29 SECONDS EAST 45.45 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING";

2) THENCE SOUTH 00 DEGREES 39 MINUTES 17 SECONDS EAST 370.40 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING";

3) THENCE SOUTH 00 DEGREES 37 MINUTES 48 SECONDS EAST 59.86 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING";

4) THENCE SOUTH 89 DEGREES 26 MINUTES 34 SECONDS WEST 0.32 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING";

5) THENCE SOUTH 00 DEGREES 37 MINUTES 48 SECONDS EAST 193.64 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 172.21 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 39 DEGREES 54 MINUTES 32 SECONDS WEST 143.53 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 33 MINUTES 07 SECONDS EAST 102.76 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 89 DEGREES 26 MINUTES 08 SECONDS WEST 16.20 FEET TO THE POINT OF BEGINNING, CONTAINING 4.02 ACRES MORE OR LESS.

EXHIBIT B
SITE CONCEPT DESIGN PLAN

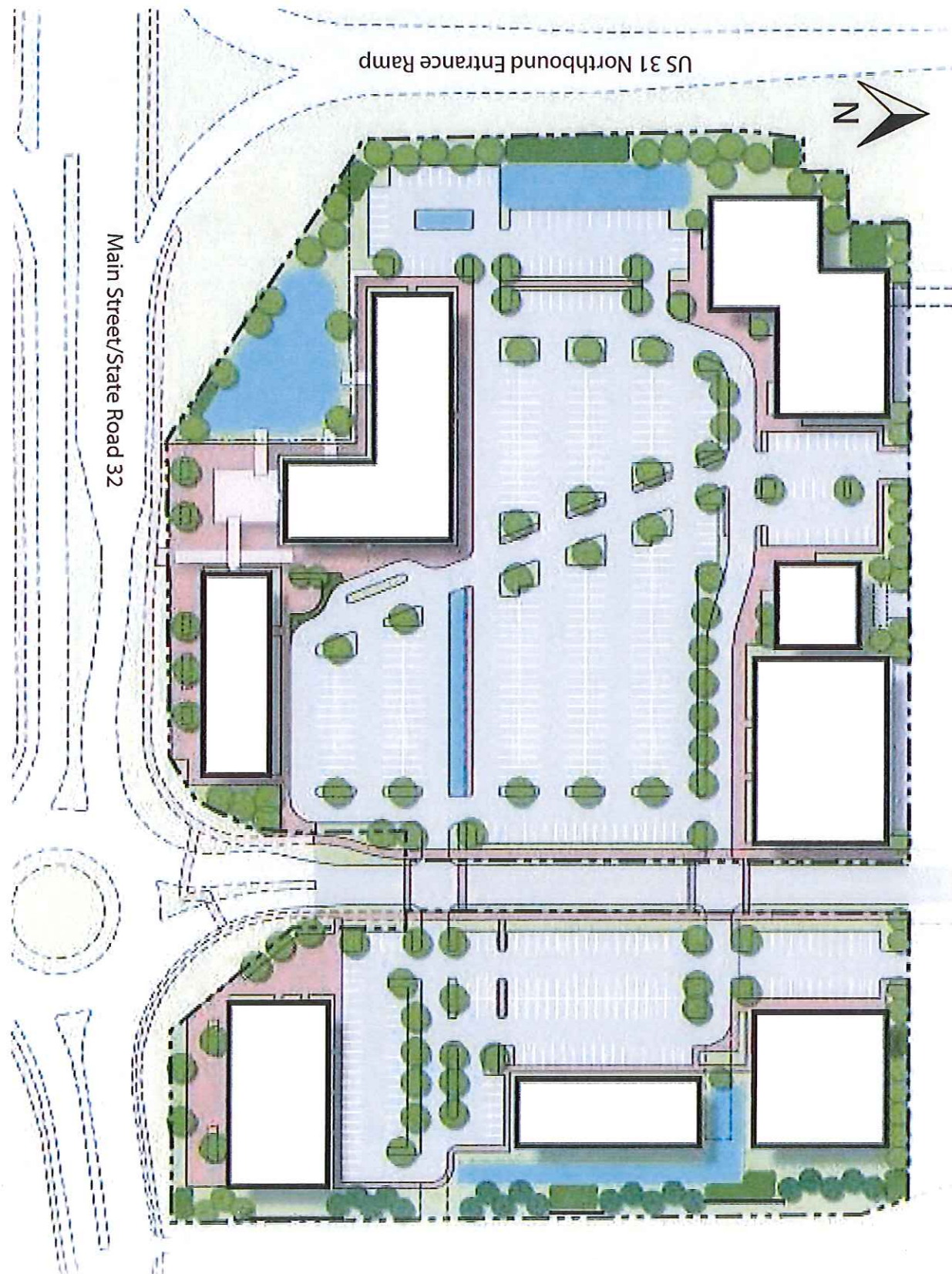


EXHIBIT C
ILLUSTRATIVE CHARACTER EXHIBITS



Representative Character - Aerial Future Raised Intersection Perspective



Representative Character - Streetview Future Roundabout Perspective

EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS – OVERVIEW

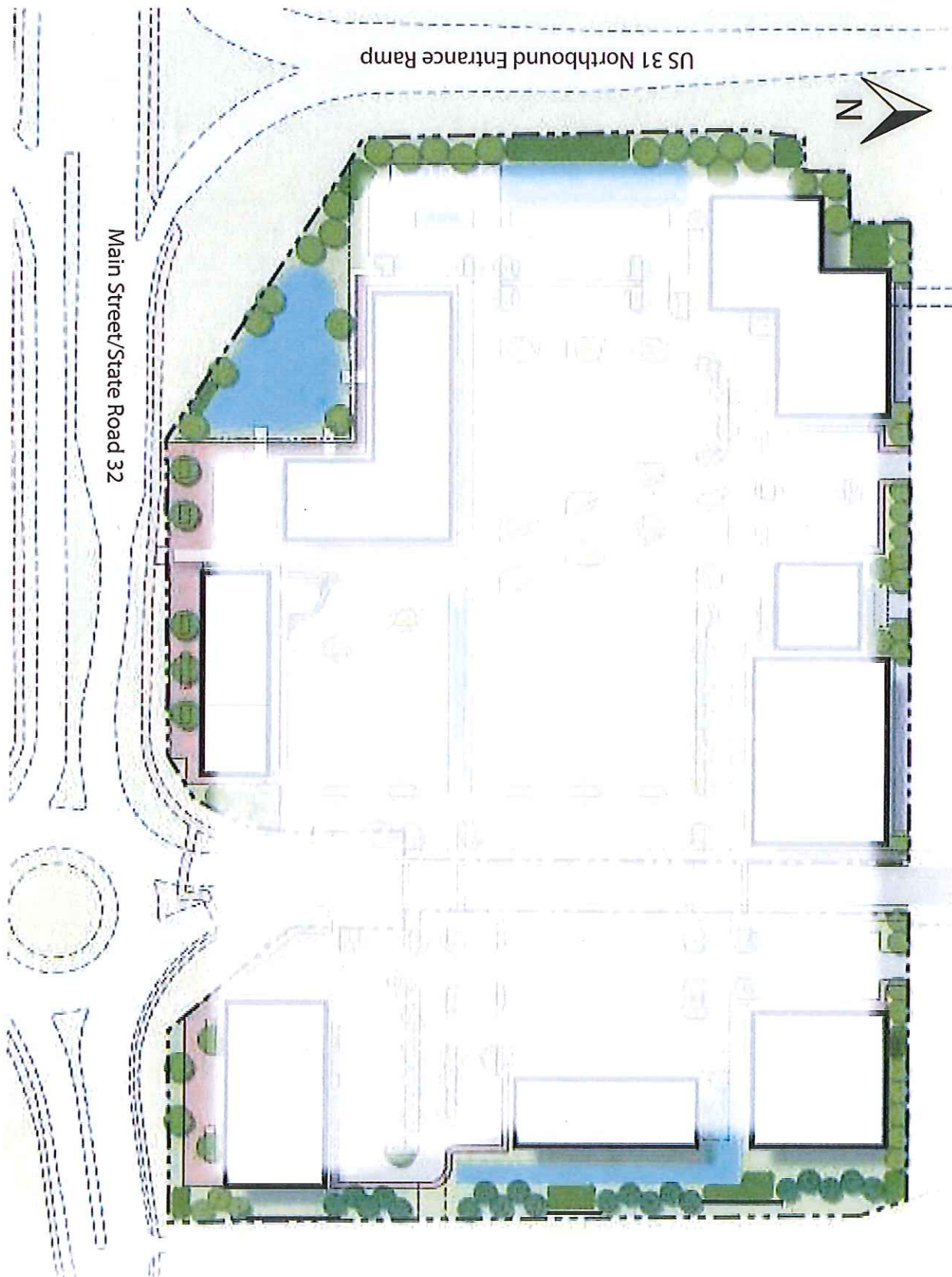
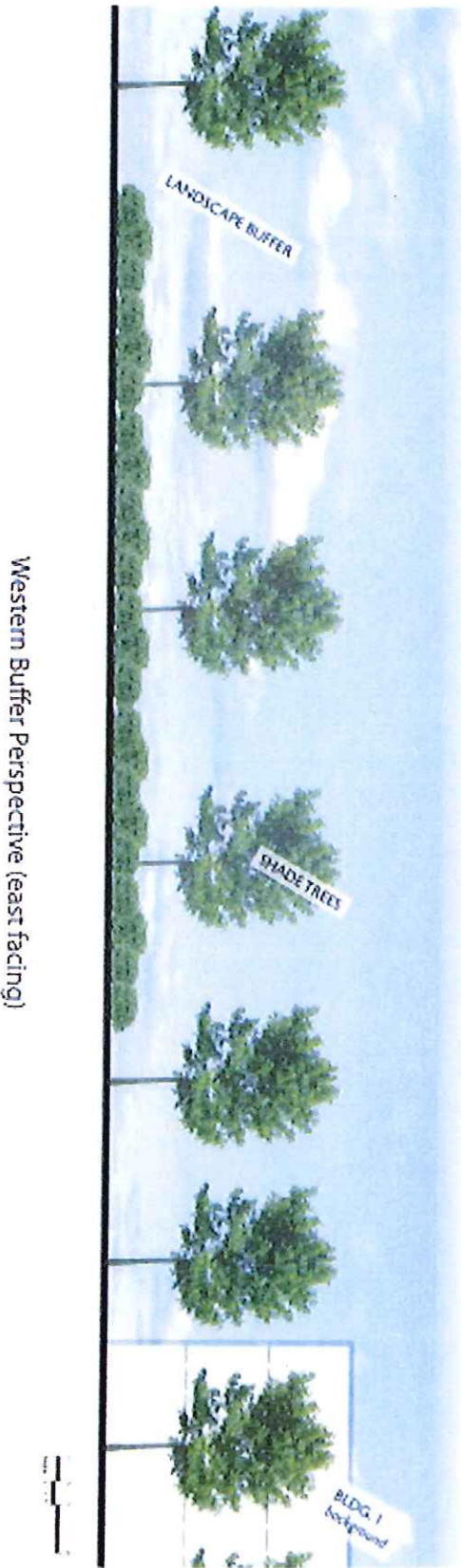
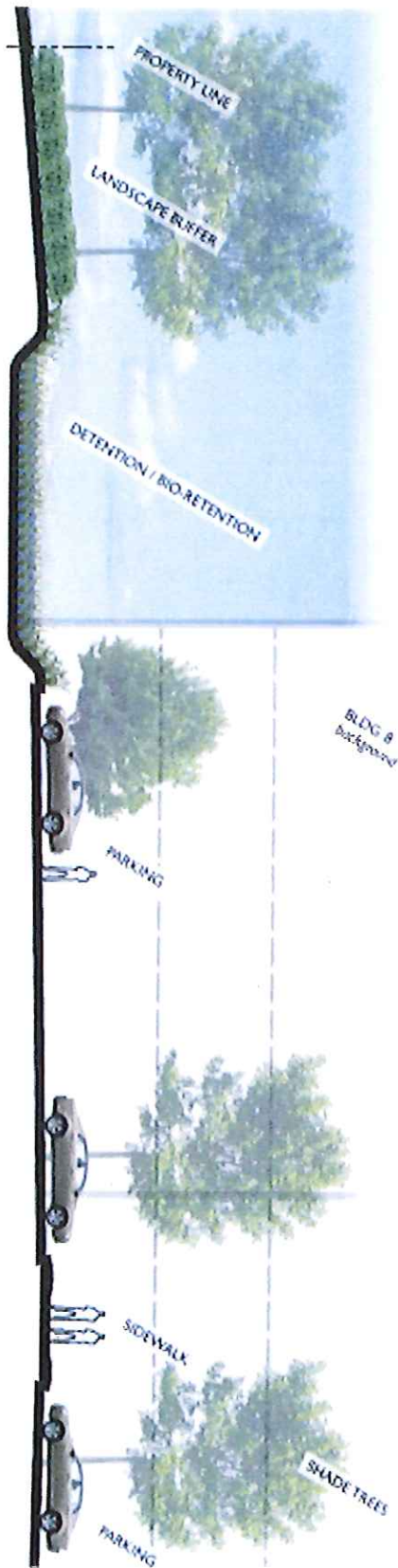


EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS - WEST BUFFER



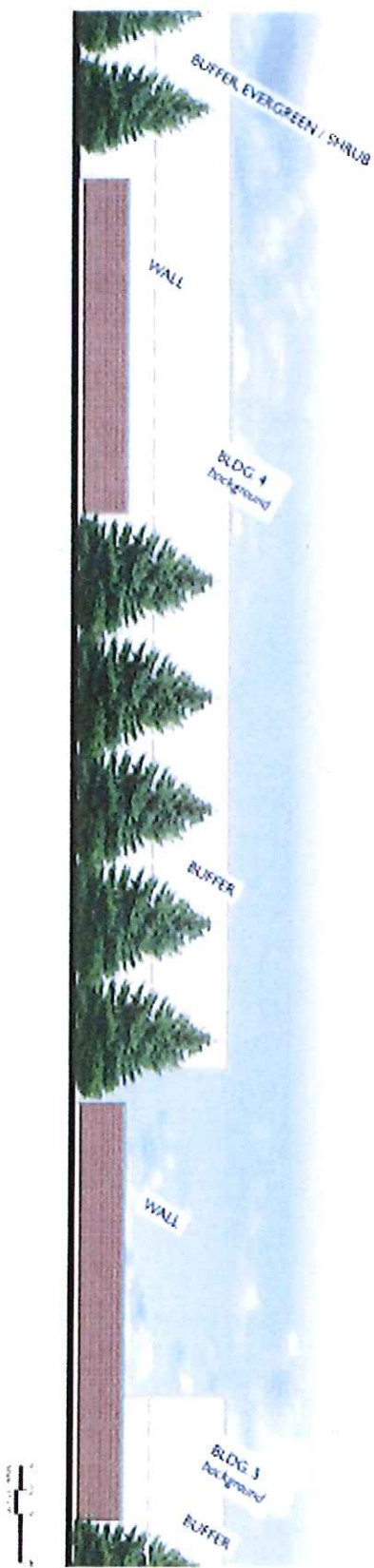
Western Buffer Perspective (east facing)



Western Buffer Cross Section (north facing)

EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS - EAST BUFFER

Eastern Buffer Perspective (west facing from residential)



Eastern Buffer Cross Section (north facing)

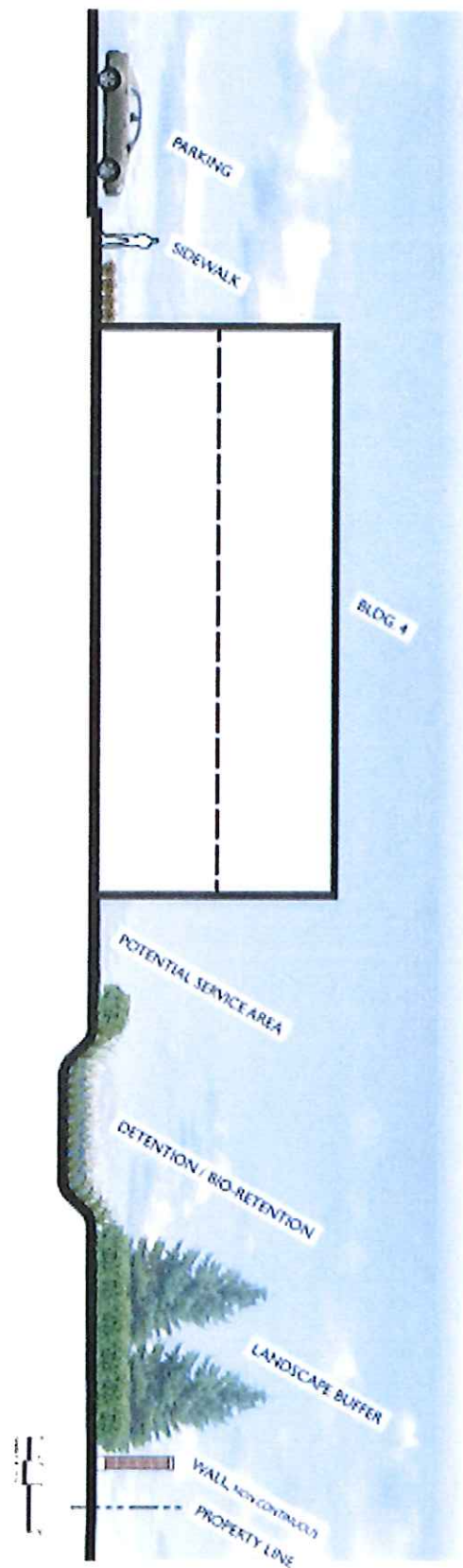


EXHIBIT E
PEDESTRIAN ACCESSIBILITY EXHIBIT

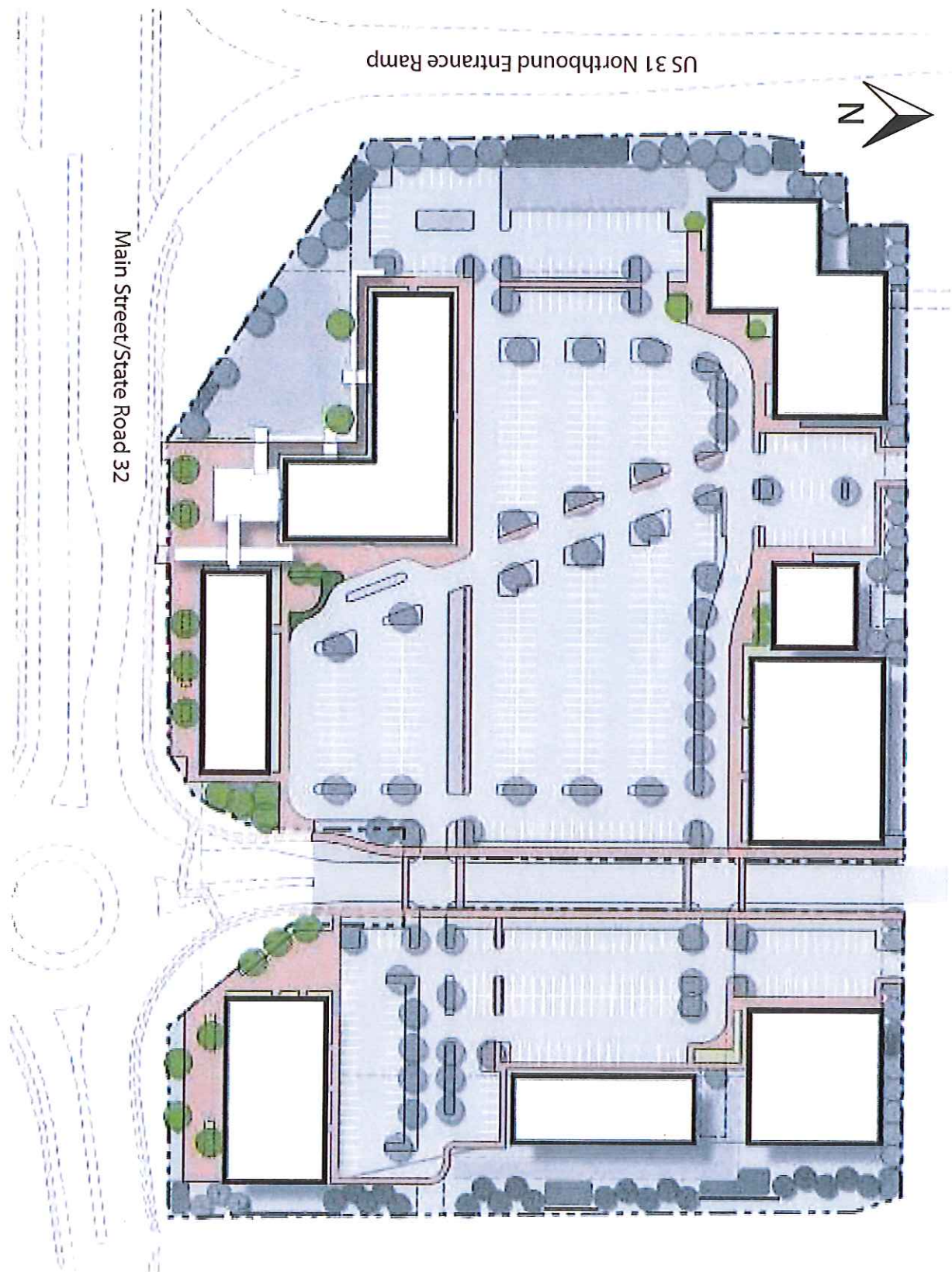
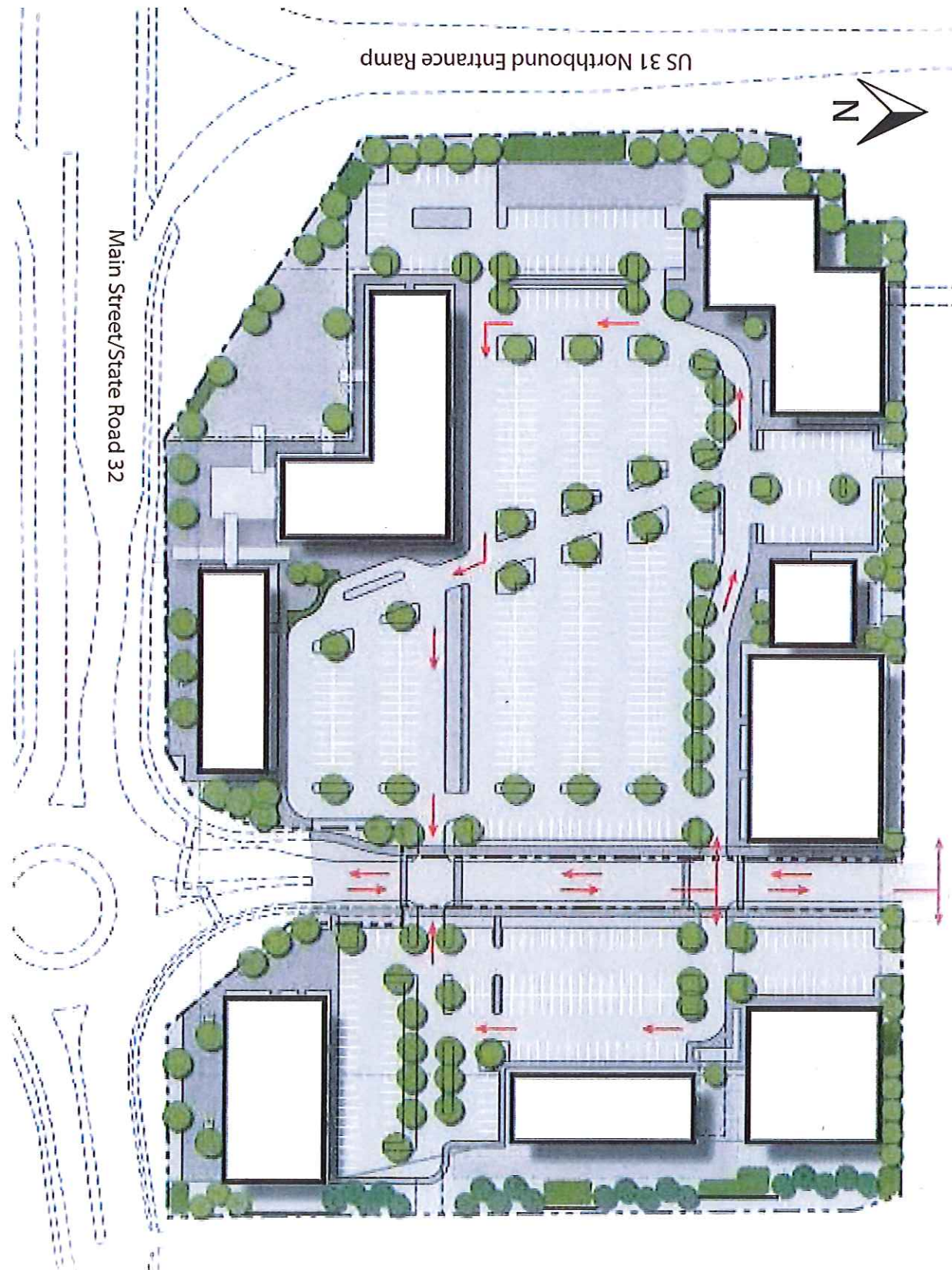


EXHIBIT F
VEHICULAR ACCESSIBILITY EXHIBIT



Shamrock Senior and Workforce Apartments (Junction PUD)

EdgeRock Development, LLC is the developer of a to be proposed four story mixed-use development adjacent to the Riverview Health Westfield Hospital. This proposed project will feature up to 30,000 square feet of first floor retail space beneath three full floors of senior and workforce apartments. The project serves to provide retail and dining options to both visitors and employees of the hospital, as well as to students, parents, and faculty of Westfield Intermediate and Westfield Middle Schools. The apartments above will aim to service seniors and large families at market rates, while offering the amenity of walkability to the schools, hospital, and downtown Westfield.

Ordinance 20-13 Junction Amendment IV Neighborhood Meeting

April 29, 2020

Virtual Zoom Meeting

Attendance: Birch Dalton Owner and Petitioner Edgerock Development
Jim Ake Representative
Parker Reiff Representative
Ben Carnes IT Edgerock Development
Mike Johns City Councilor
Cindy Spoljaric City Councilor
Approximately 4 members of the public

----- Meeting opened at 6:31 PM

Birch Dalton gives a detailed introduction and overview of the amendment stressing the only two changes to the original Zoning Ordinance 14-22. The first change is adding a fourth story on the building. This makes the project feasible. The second change is adding the description “multifamily” to the PUD. This allows for residential rentals or condominiums clarifying language and conforming with Westfield’s Unified Development Plan.

Dalton presented the concept image. He explained parking arrangements, roadway improvements, type of living spaces provided, and uses contemplated within the commercial first floor area. A project timeline was given starting this fall.

Dalton opened it up for public questions.

1. How many living units are anticipated?

Answer: 90 to 100 it depends on the mix of 1, 2, or 3 bedroom units we determine are necessary.

2. Will they be rental units or Condos?

Answer: Most likely they will be affordable apartments for workforce people and seniors. There is about a 20% chance they might be condos. The condo market is static and we do not intend to compete with the project approved to the south of us.

3. Does the heliport at Riverview Hospital affect your project?

Answer: No it does not.

4. In looking for commercial tenants, can you attract a grocery store which would serve our downtown?

Answer: I hadn’t thought about that one. I did look at an Ohio grocery concern. I’ll think about it. There are limits to the types of businesses I can recruit. I have a non-compete clause with Riverview Hospital.

Hearing no more questions, Birch concluded the meeting.

----- Meeting closed at 7:02PM

Pamela Howard

From: Teresa Skelton <teresa.otis.skelton@gmail.com>
Sent: Tuesday, May 5, 2020 10:16 AM
To: Kevin M. Todd, AICP; Pamela Howard
Cc: Teresa Skelton; Jim Ake personal
Subject: GJTG Edgerock Development Ordinance 20-13 text amendment

Warning: This external email is from teresa.otis.skelton@gmail.com. Do not click on unexpected or untrusted links and attachments.

The Grand Junction Task Group (GJTG) met via email, in respect to social distancing, April 28 2020. There were 12 members that attended.

Edgerock Development distributed materials showing site as well as renderings. The group unanimously supported this text amendment of ordinance 20-13.

We (the group)ask that this amendment be considered in a favorable vote.

Thank you for your support.

Teresa Otis Skelton, DWA, GJTG
317 508 3392

Sent from my iPhone

ISSUES RAISED REGARDING THE UNION SQUARE AT GRAND JUNCTION PUD PROPOSAL

The list below includes issues that were raised during the May 6, 2020, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. How will the height of the proposed buildings impact the adjacent residential area?

Answer: The height will be approximately 13 feet per story; should not see much difference in a 40 foot high building verses a 53 foot building.

2. How will the change from senior only apartments to traditional multi-family impact the traffic generated by the project?

Answer: The traffic will be reduced. Age 55 and older couples have 2 cars and more trips. They require smaller living units so the complex will grow in the number of units which will contribute to more traffic.

3. How can traffic flow be improved on Shamrock Blvd during peak hours?

Answer: Traffic flow is bad now and should be a priority with or without this project. With our project and our partners Riverview Hospital, The School Corporation, Dr. Miller, and the City, we can work to reconstruct Shamrock and turn it into a 5 lane roadway sooner. Remember too, that traffic flow will be improved by the completion of the Popular St. extension which will be completed this summer. Apartment residents have varied schedules and tend to leave their homes at different times reducing the impact of traffic emanating from our project at peak times. Per the current development agreement (exhibit 3) the City of Westfield required an extension for Penn Street for an exit to the east taking traffic away from Shamrock Blvd.. Our site is pedestrian friendly. It allows our residents to walk to their jobs whether working at the hospital or schools. Shopping and services will be localized as well. The impact as a result of our project will be miniscule. A joint solution of a five lane Blvd. will have a monumental impact in eliminating the log jam that currently exists.

4. How does the height of the building fit into the recommendations of the Comprehensive Plan for the area, specifically being adjacent to a single-family area and institutional uses?

Answer: When our project was approved in 2014, we followed the development plan at the time. The majority of our property now falls into what in 2016 was named: Main Street Corridor. We respect that changes take place overtime and we are following the guidance given for this corridor today as well. The 2016 district plan states: "New building shall be a minimum of two stories, with three plus stories encouraged. First floor building facades should be designed for a pedestrian - scale and contribute to the public realm which it abuts. Land uses are encouraged to be a mix of uses typically associated with central business and entertainment

districts. Residential uses should generally be restricted from the first floor within this sub area”.

5. How is the proposed use compatible with adjacent uses?

Answer: It is perfect. Our project is close to the hospital for seniors. It is close to the hospital for Riverview employees. It is close to the schools for new teachers, school staff and volunteer workers who would be available to both enterprises. It provides housing for interns and corporate executives. It becomes a campus where all can live, work, walk, shop and play.

6. How does the proposed use further the vision of the area as presented in the Comprehensive Plan?

Answer: The west side of Shamrock Blvd. is described as an employment corridor and falls into the Gateway Sub - District. The School Corporation is the single largest employer in Westfield. We are a good fit. One of the goals of the Gateway District is to encourage economic development. One of the strategies is to encourage policies to attract as many households to locate within walking distance of downtown. By providing housing just east of Shamrock Blvd. in the Main Street Corridor we are following the comprehensive plan vision. Another strategy is to facilitate development and redevelopment in our sub area. Our project does this. Another goal is to create new intermodal links through sites to improve accessibility and connectivity within neighborhoods. Our project will connect people to hospital, schools, shops, neighborhood, Asa Bales Park, trails, and most importantly to downtown Westfield.

In Summary:

The Land Use Plan 2007 Chap. 2 Reads: “Westfield desires to be a diverse rather than homogeneous community, providing a range of housing, recreational, and economic opportunities for its residents. No single socio-economic segment or housing price point should dominate the community nor be neglected”.

“Encourage compatible and high quality “life span” housing, including a balanced mix of homes for renters and first-time home buyers, housing for first-time owners ready to move up, executive housing, and senior housing. Regardless of type of housing or its target market, all housing should be of high quality design with lasting value. A balanced range of compatible single family detached and attached housing in a variety of price ranges is envisioned. Encourage a mix of housing types and prices that meets the needs of a full range of population in Westfield -Washington Township”.

The Junction PUD Amendment fills a gap in current housing choices for hard working Westfielders. Our Junction Amendment is asking to add one story to our building. This is consistent with the Comprehensive Plan for the Main Street Corridor in Westfield.

Attachment 1: Page 19 Comprehensive Plan District Map

Attachment 2: Page 20 Comprehensive Plan describing Main Street Corridor

Attachment 3: Showing area designated for the extension of Penn Street

Attachment 4: Comparison of cars generated by Non Age Restricted and Senior Living

Attachment 5: Shamrock Blvd reconstruction diagram shows a possible joint solution to traffic in reference to question 3.

Attachment 6: Wall Street Journal recent article on the decline in Senior Living demand.

Submitted by,

Birch Dalton, Edgerock Development



Figure 2.2: Junction Sub-District Sub-Areas



places for visitors and residents to connect, shop, eat, live, work and be entertained, as contemplated in the 2009 Grand Junction Addendum of the Westfield-Washington Township Comprehensive Plan. The Junction Sub-District is intended to serve as a focal point for the community, and is where a complete range of goods, services, and entertainment are located.

The regulating of land uses and various design and aesthetic features of development will influence growth and investment in downtown that will increase the quality of life for residents, visitors, and businesses.

SUB-AREA VISION

Within the Junction Sub-District, there are inherently different sub-areas that currently do and will continue to vary from each other both in form and function. This section outlines the basic vision for each sub-area, whereas the specific development and design criteria are further outlined throughout this chapter. [Figure 2.2: Junction Sub-District Sub-Areas](#) depicts the sub-areas within the Junction Sub-District.

Subject to available land and market conditions, it is recognized that the Main Street Corridor may overlap to the south into the Park Street Corridor and/or the Grassy Branch Quadrant.

A. Park Street Corridor (red sub-area): The Park Street Corridor extends from the Gateway Sub-District at Poplar Street east to the Grand Junction Plaza Block. The south edge of the corridor includes the Midland Trace Trail. As a result, this corridor provides a unique opportunity to connect and enhance visitor and resident experiences.

Due to its separation from Main Street (SR32), this corridor is anticipated to have less vehicular traffic than Jersey Street to the north, which lends itself to a more pedestrian-oriented design and streetscape that embraces the Midland Trace Trail and related land uses.

The overarching vision for this sub-area is a village character that includes the adaptive reuse of existing structures (see [Figure 2.3: Existing Adaptively Reused Buildings](#)) while encouraging new construction on individual lots that is contextually appropriate.

Figure 2.3: Existing Adaptively Reused Buildings
Figure 2.3.A (Source: Department Photo)



Figure 2.3.B (Source: www.railepictureanmarket.com)



Figure 2.3.C (Source: Department Photo)



Appropriate land uses primarily include restaurants, specialty shops, and uses that otherwise complement the Midland Trace Trail. Sites should be designed to provide opportunities for outdoor experiences that connect with the public realm of the Park Street streetscape and/or that embrace and are aesthetically sensitive to the Midland Trace Trail.

2

The village character includes smaller lots, minimal building setbacks, one or two story eclectic buildings, and front porches and entryways that are oriented towards the street. The north edge of the corridor near Jersey Street and the Main Street Corridor may provide for shared parking opportunities for uses within this sub-area.

B. Main Street Corridor (yellow sub-area):

With the exception of the Grand Junction Plaza Block sub-area, the Main Street Corridor generally includes a block north and a block south of State Highway 32 extending from Poplar Street to east of East Street.

Main Street serves as the backbone through Grand Junction and should focus on form over function. New buildings should be located along a build-to-line on the adjacent right-of-way line to frame the public space. New buildings shall be a minimum of two usable stories, with three plus stories encouraged. First floor building facades should be designed for a pedestrian-scale and contribute to the public realm to which it abuts.

Land uses are encouraged to be a mix of uses typically associated with central business and entertainment districts. Residential uses should generally be restricted from the first floor within this sub-area.

Figure 2.4: Existing Main Street Buildings

Figure 2.4.A (Source: Department Photo)

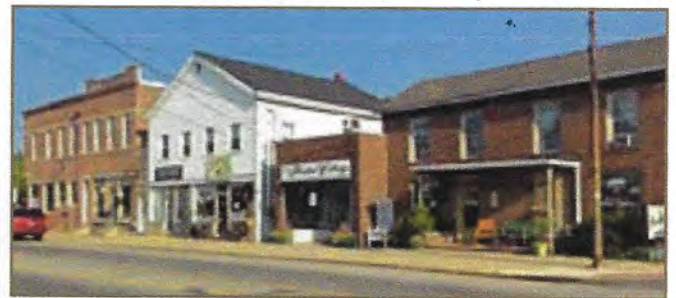
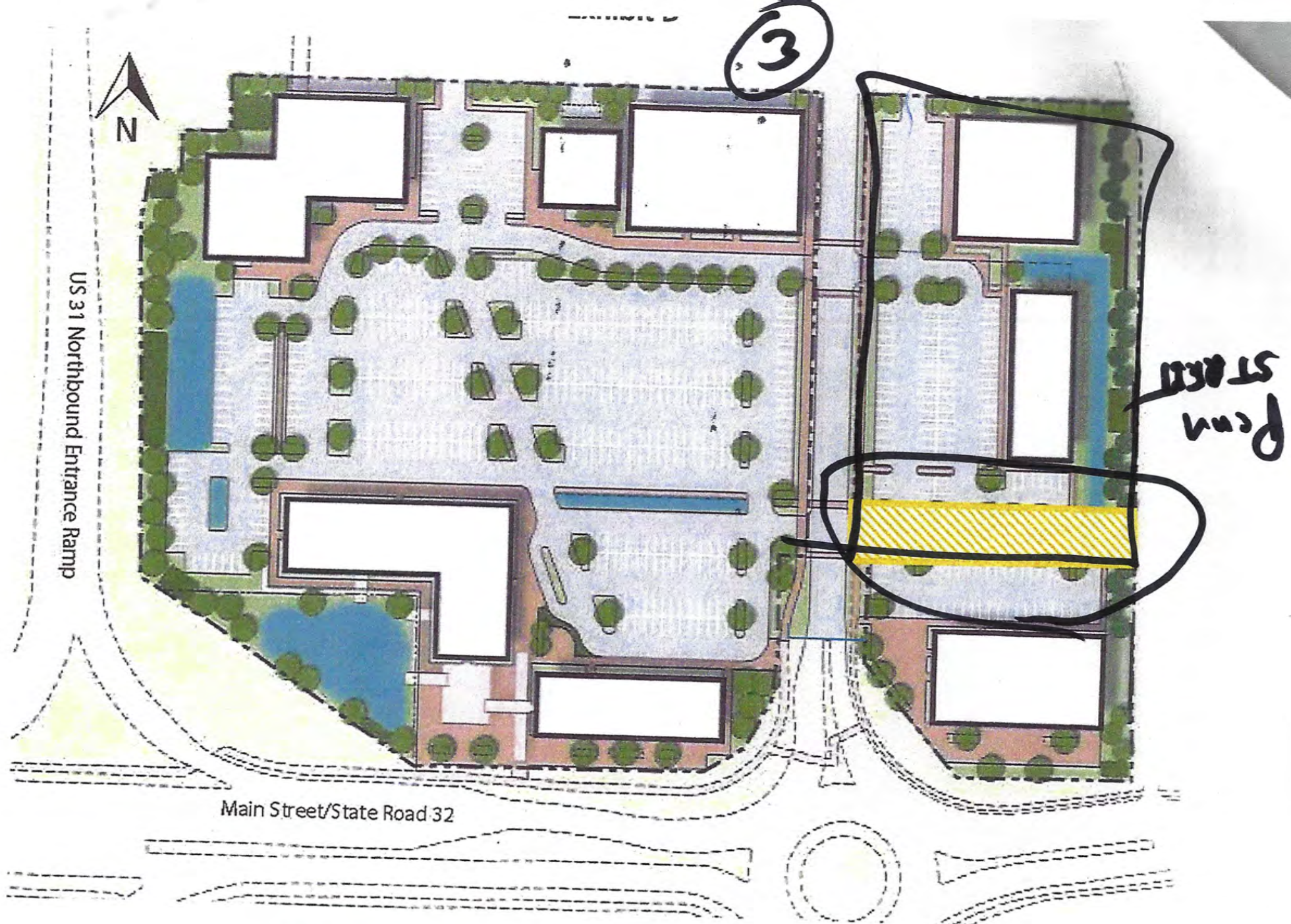


Figure 2.4.B (Source: Department Photo)





Penn Street Improvement Area

4

Non Age Restricted

Unit Type	Sqft	Rent Multiplier	Monthly Rent	Quantity	Per Unit Estimated Occupancy	Total	SF for Building	Estimated Cars Per Unit	Total Cars
Studio	600.00	\$1.53	\$918.00	16	1	16	9600	1	16
1 Bed - 1 Bath	750.00	\$1.37	\$1,027.50	26	2	52	19500	2	52
2 Bed - 1 Bath	950.00	\$1.30	\$1,235.00	20	2	40	19000	2	40
2 Bed - 2 Bath	1,050.00	\$1.21	\$1,270.50	24	2	48	25200	2	48
3 Bed- 2 Bath	1,300.00	\$1.16	\$1,508.00	14	4	56	18200	2	28
				100		212	91500		184

Senior Living

Unit Type	Sqft	Rent Multiplier	Monthly Rent	Quantity	Estimated Occupancy	Total			
Studio	600.00	\$1.53	\$918.00	20	1	20	12000	1	20
1 Bed - 1 Bath	750.00	\$1.37	\$1,027.50	50	1.5	75	37500	2	100
2 Bed - 1 Bath	950.00	\$1.30	\$1,235.00	30	2	60	28500	2	60
2 Bed - 2 Bath	1,050.00	\$1.21	\$1,270.50	30	2	60	31500	2	60
				130		215	109500		240

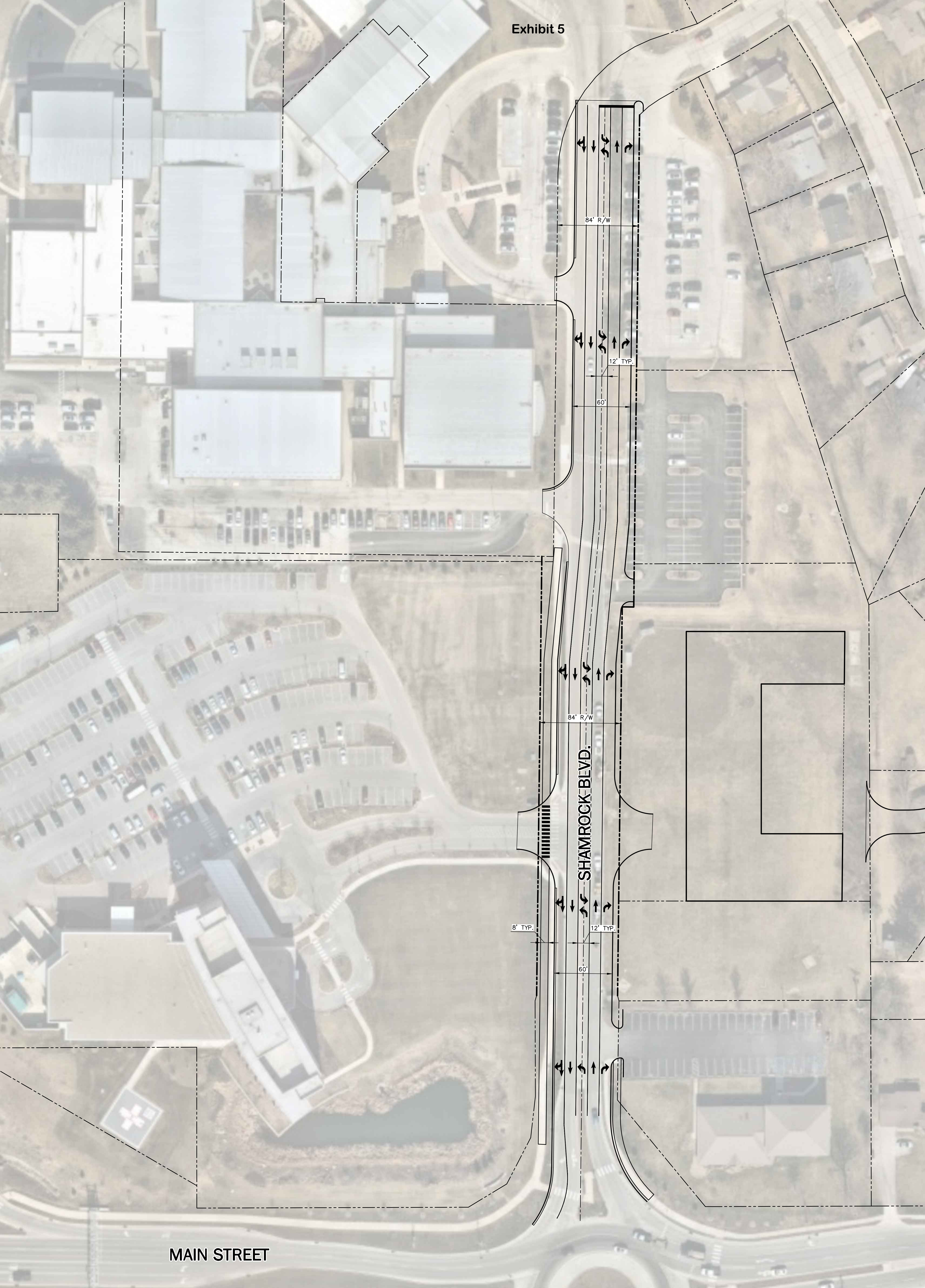


Exhibit 6

THE PROPERTY REPORT



The industry was suffering a supply glut before the pandemic hit. A resident at a facility in the City of Hialeah, Fla., in mid April.

Senior-Housing Vacancies Rise As Coronavirus Rattles Sector

By PETER GRANT

The aging-at-home movement, well under way when the Covid-19 pandemic hit, will likely be stoked by the staggering number of related deaths at U.S. nursing homes and other senior communities as well as the surge in telemedicine use.

The deadly virus outbreaks at senior communities throughout the country is expected to be front of mind for seniors and their families when deciding whether to move out of their homes. While senior-housing industry executives say there is solid evidence seniors have been better off in their care, they acknowledge they have suffered a major image problem.

"One of the greatest risks today is what I call headline risk," said Beth Mace, chief economist at the National Investment Center for Seniors Housing & Care, a nonprofit that tracks the market.

At the same time, the soaring use of telemedicine during the Covid-19 crisis gives seniors a new justification for holding off a move to a senior community. In the same way many office workers have during the pandemic become used to Zoom meetings for the first

time, thousands of patients have started using telemedicine for doctors' appointments and other health services.

That familiarity might persuade some seniors who might have opted for senior housing in the past to age at home instead. "There's been some talk about whether telemedicine may be a threat to senior housing," said Daniel Bernstein, a Capital One analyst on an earnings call last week with Omega Healthcare Investors Inc. The landlord has investments in more than 950 health-care facilities with close to 100,000 beds.

The double whammy is hitting an industry that was suffering a supply glut before the pandemic. Developers in recent years cranked up building new senior-housing communities in anticipation of the aging of baby boomers. But they jumped the gun a bit partly because they underestimated how much advances in technology had enabled seniors to extend their ability to keep living at home.

The pandemic's early damage to the industry was clear last week when the three largest senior-housing companies—Ventas Inc., Welltower Inc. and Healthpeak Properties Inc.—

reported first-quarter earnings. Occupancies and revenues have fallen, while the cost of labor and protective equipment has soared. Many facilities are on lockdown, preventing them from conducting tours for would-be residents.

For example, Welltower reported a nearly 3% decline in occupancy in April to under 83% and cut its dividend by 30%, according to Lukas Hartwich, an analyst with Green Street Advisors.

Shares of companies that focus on senior housing have fallen about 50% since Feb. 21, compared with 27% for the broader real-estate investment trust sector, Mr. Hartwich said.

Meanwhile, use of telemedicine has been surging during the pandemic because numerous regulatory and insurance restrictions have been lifted to make it easier for patients to connect with doctors remotely.

Demand has surged for services provided by companies including American Well Corp., Teladoc Health Inc. and MDLIVE Inc.

For example, doctor visits through American Well, also known as Amwell, increased 1,000% during a six-week pe-

riod, according to Ido Schoenberg, chief executive.

Telemedicine has grown in sophistication in recent years. What started as a tool that allowed videoconferencing now enables doctors to test blood and urine, look into ears and even do ultrasounds from afar, often with assistance from home nurses or technicians.

Executives at nursing homes and senior-housing communities said they have increased their use of telemedicine to provide enhanced care to residents. Many operators are becoming health-care "concierges," with staff trained in the use of the more-sophisticated telehealth equipment, said Ms. Mace.

Senior-housing landlords are hoping that occupancy will rise as the country recovers from the pandemic and pent-up demand for senior housing is unleashed.

Seniors who don't need high levels of medical attention and daily help with dressing, eating and bathing may have second thoughts because they have learned that some medical needs can be met at home through telemedicine.

—Sarah Krouse
contributed to this article.

Simon Property's Plans to Open Malls Face Opposition

By ESTHER FUNG

Simon Property Group is trying to open many malls as soon as it can, but local politicians are stalling its efforts.

In the past two weeks, the Indianapolis company had to backpedal on plans for reopening some of its properties in Indiana and New York, after local officials—especially in areas harder hit by the coronavirus—said it was too soon to allow people into malls.

In Indiana, Simon Property postponed the reopening dates of four malls from the first weekend of May to May 16. The governor loosened stay-at-home regulations on May 1 but Marion County and Monroe County, which have higher population densities, extended their stay-at-home orders until May 15.

In New York, local lawmakers said they were surprised last week when they learned Simon Property plans to open its seven malls and outlets in the state on May 16, including tourist magnet Woodbury Common Premium Outlets and the Shops at Nanuet, the day after the state's executive order to stay at home ends. Simon Property later said it made a mistake including properties in New York and it will comply with the state and local directives.

"At first I thought it was a rumor, and I was shocked to hear and see on their website, information that they will open on the 16th," said David Carlucci, a Democratic New York state senator. "I think that it's really inappropriate to be advertising that right now." Mr. Carlucci later added that he appreciated the company's correction on the matter.

"This is really the epicenter of where we had the highest infection rate of Covid-19; we still have deaths every day in Rockland County and throughout New York state," he said.

New York state officials said the pace of reopening depends on a formula based on hospitalization rates. While construction and manufacturing may restart first, restaurants and hair salons may only reopen in June at the earliest.

Simon Property, the largest

mall owner in the U.S. with more than 200 properties in the country, introduced a number of social-distancing protocols, placed hand sanitizers and offered face masks to shoppers requesting them. Its reopening list, which could change depending on state and local guidelines, has malls in Massachusetts, Connecticut, Hawaii, Minnesota, Wisconsin and Illinois that will open after May 16.

In the first quarter, the company reported a 20% decline in net income attributable to shareholders, from a year earlier. During the earnings call, Simon Property's chief executive, David Simon, said 77 of its U.S. properties reopened with safety guidelines as of May 11, and retailers are benefiting from pent-up demand.

"The municipalities and the governments ultimately are going to appreciate what we've done year after year, de-

The company placed hand sanitizers and offered face masks to shoppers.

livering sales and property tax payments," said Mr. Simon.

Malls in South Carolina, Georgia, Oklahoma and Texas were among the first to reopen. In Florida, shopping centers in Miami-Dade county and south Florida remained closed, while their peers in other parts of the state have reopened because they had lower rates of infection.

Illinois is lifting restrictions at a slower pace than these states, with a five-phase reopening plan. Regarding malls, Illinois Gov. J.B. Pritzker, said on Thursday that reopening indoor venues with hundreds of people walking together will be extraordinarily difficult under the epidemiological recommendations. "That's something that will have to happen over the course of months and not in the immediate next phase," said Mr. Pritzker.

WRITTEN PUBLIC COMMENTS

Docket Number: 2005-PUD-04
Petitioner: Shamrock Land Acquisitions
Request: Petitioner requests an amendment to the permitted uses and Building Height standards within District 3 of the Junction PUD.

Enclosed Attachments:

June 3, 2020 Recommendation

- | | |
|------------------|------------|
| 1. Naas, Linda | 05/06/2020 |
| 2. Shuck, Robert | 05/06/2020 |
| 3. Hunt, Amanda | 05/08/2020 |

May 6, 2020, APC
Linda Naas, comments on:

**2005-PUD-04 [PUBLIC HEARING]
Junction PUD Amendment IV
17655 Shamrock Blvd**

NO to a 4th story for District 3 that shares boundary lines with smaller single family homes. The current 3 story allowance should even be discouraged based on neighboring one-story residential and the 2-story dental building on SR32. This amendment was presented at the neighborhood meeting as not feasible without the 4th story – this means the vote should be NO.

NO to any additional multi-family residential (90-100 per Mr. Dalton) which brings too much additional traffic to the area of the hospital and schools and SR32/Poplar RAB that already has emergency vehicles and buses and would require crossing north bound lanes of Shamrock Blvd to exit to the south. Any traffic accompanying this PUD and especially District 3 should not be encouraged to travel north between the school buildings during school times. (See Exhibit F of Ord 14-22) (See aerial map attached)

- Offering right-in/right-outs would only exacerbate traffic issues.
- There is multi-family already at SR32 and Union, south and east at Union Street Flats, south at the Poplar Street Townhomes, and a little further south in the Grand Millenium PUD under the development of Edgerock = hundreds of MF units already approved.
- These locations are clearly within travel distance for workforce as is the existing neighborhood.
- The area is not conducive to amenities that would be required for multi-family residential living.
- With the current Covid-19 changes in how we live, multi-family and senior living and business may not go together in the same building.

This area should have less intense GB uses and include those in Section 3 of Ord 14-22 including Assisted Living and Independent Senior Living based on this being a hospital and school zone. Safety should be of concern.

Has the developer let the APC and Council know about the business limits and non-compete with the hospital? That information could be vital to this proposal. Clearly the developer willingly agreed to that knowing it could limit future development.

I do not agree with the GJTG endorsement that lacked any reasoning for their decision.

ORDINANCE 14-22

The Junction PUD

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO
TITLE 16 – LAND USE CONTROLS**

This is a Planned Unit Development District Ordinance to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning 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 Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1406-PUD-09), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Docket 1406-PUD-09 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable 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 July 8, 2014; 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 Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate") and shall hereafter be referred to as the "**The Junction PUD**".
- 1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.
- 1.3 The underlying zoning district shall be the **GB – General Business District** (the "Underlying Zoning District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

COPY

- 1.4 Section ("WC §") cross-references of this Ordinance shall hereafter refer to the Section as specified and referenced in the Zoning Ordinance.

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

- 2.1 Site Concept Design Plan: The plan attached hereto and incorporated herein by reference as Exhibit B. Exhibit B is a general plan for the development of the Real Estate.
- 2.2 Illustrative Character Exhibit: A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as Exhibit C.
- 2.3 Pedestrian & Vehicular Accessibility Plan:
- A. Pedestrian Accessibility Plan: A general representation of the intended pedestrian connectivity with surrounding developments and enhanced pedestrian connectivity internal to the Real Estate herein referenced as Exhibit E.
- B. Vehicular Accessibility Plan: A general representation of the intended vehicular connectivity with surrounding developments and enhanced vehicular connectivity internal to the Real Estate herein referenced as Exhibit F.
- 2.4 Assisted Living Facility: A commercial facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four (4) or more dwelling units and/or rooming units, provide a combination of housing, support services, personalized assistance, and healthcare, and respond to the individual needs of persons requiring assistance with the activities of daily living but may or may not require 24 hour skilled medical care.
- 2.5 Independent Senior Living Facility: A senior living community commonly providing apartments but some also offer cottages, condominiums, and single-family homes. Residents are seniors who do not require assistance with daily activities or 24/7 skilled nursing but may benefit from convenient services, senior-friendly surroundings, and increased social opportunities that independent senior living communities offer.
- 2.6 Multi-story Parking Garage: This is a building designed for car parking and where there are a number of floors or levels on which parking takes place.

Section 3. Permitted Uses.

- 3.1 Assisted Living Facilities and Independent Senior Living Facilities.
- 3.2 Multi-story Parking Garage
- 3.3 All uses permitted in the Underlying Zoning District shall be permitted, except the following:

Auto Parts Sales	Auto Rental	Auto Sales, New or Used
Bus Stations	Carwash	Casket and Casket Supplies
Cemetery Monument Sales	Charitable Donation Pickup	Drive-In Food & Beverage
Electrical Supply Store	Embalming School	Exterminators
Farm Implement Store	Feed Store	Frozen Food Store/Locker
Gasoline Service Station	Laundromats	Liquor Stores
Locksmith Shop	Millinery	Mortuaries

Motorcycle Sales & Service	Nursery – Plants, Retail	Roller & Ice Skating Rink
Self-Service Car Wash	Semi-Automatic Car Wash	Tire & Auto Service Center
Tobacco Shops	Trailer Rental	Tool/Equipment Rental
Travel Trailer Sales/Rental	Typewriter Sales/Rental	Upholsters

Section 4. Development Standards.

- 4.1 General Regulations The regulations of *WC § 16.04.050 Business Districts* applicable to the Underlying Zoning District shall apply except as modified herein:

A. Minimum Setback Lines

Front Yard: No minimum
Side Yard abutting road or street: No minimum
Side Yard internal to development: No minimum
Side Yard abutting residential: 15 Feet
Rear Yard: No minimum

- B. Building Height The PUD will have three districts for building height standards. District 1 shall be defined as the parcels adjacent to US 31. District 2 shall be defined as the balance of Parcel 1 from District 1 to Shamrock Boulevard. District 3 shall be defined as all of Parcel 2 which is the tract of land to the east of Shamrock boulevard to the residential neighborhood.

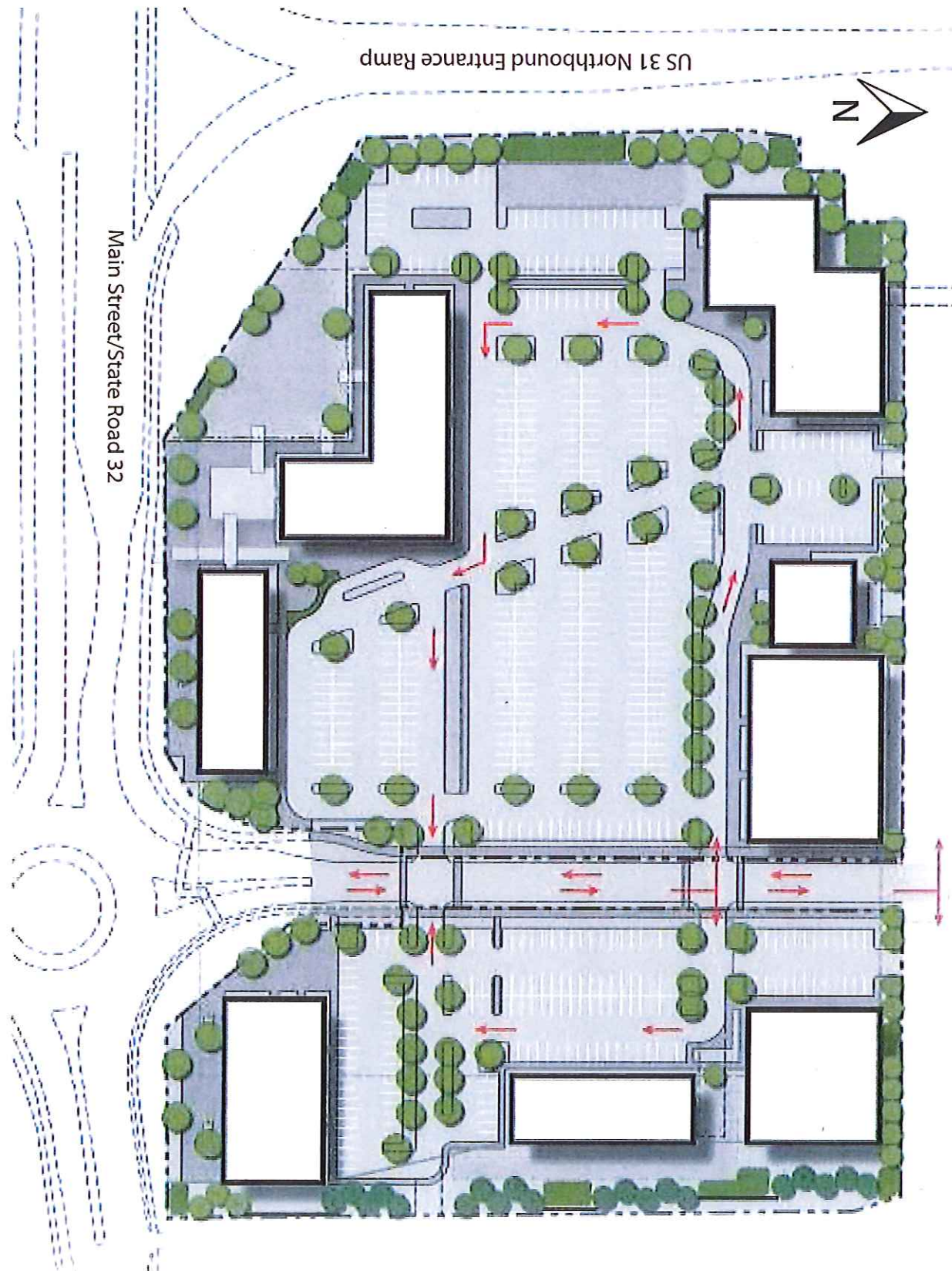
- (i) District 1 Building Height: Minimum of three (3) stories. No maximum.
- (ii) District 2 Building Height: Minimum of two (2) stories. No maximum.
- (iii) District 3 Building Height: No Minimum. Maximum height is three (3) stories.
- (iv) Architectural Height Standard: Buildings with five (5) or more stories are encouraged to step back the façade by a minimum of ten (10) feet every four (4) stories.

- C. Pedestrian & Bicycle Accessibility The following shall be required in order to encourage pedestrian connectivity with surrounding developments and enhance pedestrian connectivity internal to the Real Estate. Exhibit E

- (i) All walkways internal to the Real Estate that cross vehicular ways (e.g., drive lanes, parking lots) shall be delineated and distinguished from driving surfaces through the use of durable, low maintenance surface materials such as integrated concrete pavers, scored or textured concrete, asphalt, painted asphalt or brick.
- (ii) Sidewalks, no less than six (6) feet wide, shall be provided along the full length of a building façade featuring a customer entrance, and along any façade abutting a public parking area.
- (iii) A bicycle parking area that will accommodate a minimum of ten (10) bicycles shall be provided at each primary structure within the Junction PUD District.

- D. Trash Enclosures Trash containers shall: (i) be screened on all sides with a solid walled or fenced enclosure not less than six (6) feet in height above grade and equipped with wood covered gates; (ii) not be located between the front line of the primary building and the front lot line.

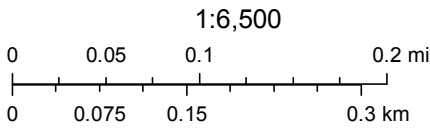
EXHIBIT F
VEHICULAR ACCESSIBILITY EXHIBIT



Traffic/Neighborhood The Junction PUD



May 6, 2020



Pamela Howard

From: grammiejrshuck@comcast.net
Sent: Wednesday, May 6, 2020 4:07 PM
To: planners
Cc: Robert Shuck
Subject: APC meeting 5/6/2020

Warning: This external email is from grammiejrshuck@comcast.net. Do not click on unexpected or untrusted links and attachments.

To the APC
Comments on 2005-PUD-04 (Public Hearing)
Junction PUD Amendment IV
17655 Shamrock Blvd.

1st of all any public building above 4 stories should not be built within the boundaries of Westfield Proper. There are single story homes in Newby Court to the East of this property. Putting a 4 story building that would be in cohesive to the landscape of Westfield Proper just wouldn't look good.

2nd Building a building with business and residential for seniors? Why, next to a school, hospital?

3rd The RAB at Main and Poplar/Shamrock Blvd. is an unbelievable nightmare for traffic. It is jammed up in the morning and evening. (especially during school session days) The hospital really has not gotten too many big emergencies yet. I can't imagine if they do.

4th Everyone wants people to walk downtown. Well, I can tell you first hand getting across Main Street is NOT SAFE or easily possible. When/if Main Street gets widened it will be a nightmare. The traffic going through the RAB goes speeding through and a 4 lane freeway is just going to make it worse.

It just does not seem sensible to build at that location. Westfield has so many different things all over crammed into the downtown area that it looks like someone spit out their lunch.

Why would anyone want to rent (especially seniors) an apartment in that location? Look at North Union and Hoover. That development seems to be slow. Maybe because of the school campus???

Please look at this closer. Have you thought about what Westfield looks like now and will look like in the future?

You can reach me at 317-370-5286 anytime.

Oh I have lived on West Main Street for 69 years and have seen everything. I am not against progress, I am for good progress that enhances our community for all of its citizens and guests.

Pamela Howard

From: Amanda Hunt <ahunt198950@gmail.com>
Sent: Wednesday, May 6, 2020 8:04 PM
To: planners
Subject: Re: Amanda Hunt 3175659835

Warning: This external email is from ahunt198950@gmail.com. Do not click on unexpected or untrusted links and attachments.

When is the start date of the breaking ground for the New buildings??

On Wed, May 6, 2020, 7:35 PM Amanda Hunt <ahunt198950@gmail.com> wrote:

My questions for the 2005-PUD-04 is What are the plans for the parking for the new building and intermediate school? Since looking at the map, it shows that the buildings will be taking some part of the intermediate parking lot. When the parking lots were completed, just recently there still was not enough room for all the teachers, janitors, admins for the schools because the High School parking is taken away. Now with the over flow of one school taking parking, the intermediate and middle are fighting for spots and even parking in the Newby Heights Neighborhood. Are there any plans in the future to relocate Newby Heights?

During school hours, traffic is horrible, even tho we changed the school hours. Now, with wanting to add this building with the expanding 32, hospital traffic, and Newby Heights adults going to work, there is way to get out on 32 and Westlea.

Thank you

5/28/20

To: Pam Howard for distribution to all APC Members

From: EdgeRock Development, LLC
555 E Main Street
Westfield IN 46074

Dear APC Members:

I am writing you today regarding the Junction PUD Amendment IV. This project has already been approved for two structures including a three floor building which will have a bigger footprint. We can build that three floor building along with a second building as it stands now. Our amendment simply is asking to add a fourth floor and reduce our original footprint. Instead of two buildings we would only be building one. It is important to recognize that by eliminating one building and adding one floor we will be generating less traffic if you approve our amendment. You will also have more green space. We feel the four story option is the best option going forward and makes the most sense.

When we also think about traffic generation in a three verse four floor building, the impact is inconsequential. In regards to age restricted verses non-age restricted residents, the number of trips are slightly higher with seniors because they have more vehicles, on average, which would increase the traffic count.

Traffic is only a problem which occurs 2 times a day. As to retail traffic, adding congestion at these times will be minimal. Most stores won't open until after 9 AM or later when the school traffic is gone. In the afternoon at school dismissal times retail is slow also. Thus retail traffic will have a negligible effect on total traffic at spike times for the schools. Our project also will have an ingress lane siphoning traffic off into our lot before reaching the school bottle neck. Our parking can also serve as a safe drop off and pick up point for students further reducing congestion. Our sidewalk systems will improve connectivity and safety for student pedestrian traffic walking to and from school. It is important to point out that the schools recognize that the bottle neck exists and they are going to stagger class hours to relieve congestion by spreading arrival times in the mornings and departure times in the afternoon to resolve their issue. The City of Westfield is also considering a pavement striping solution to aid traffic flow.

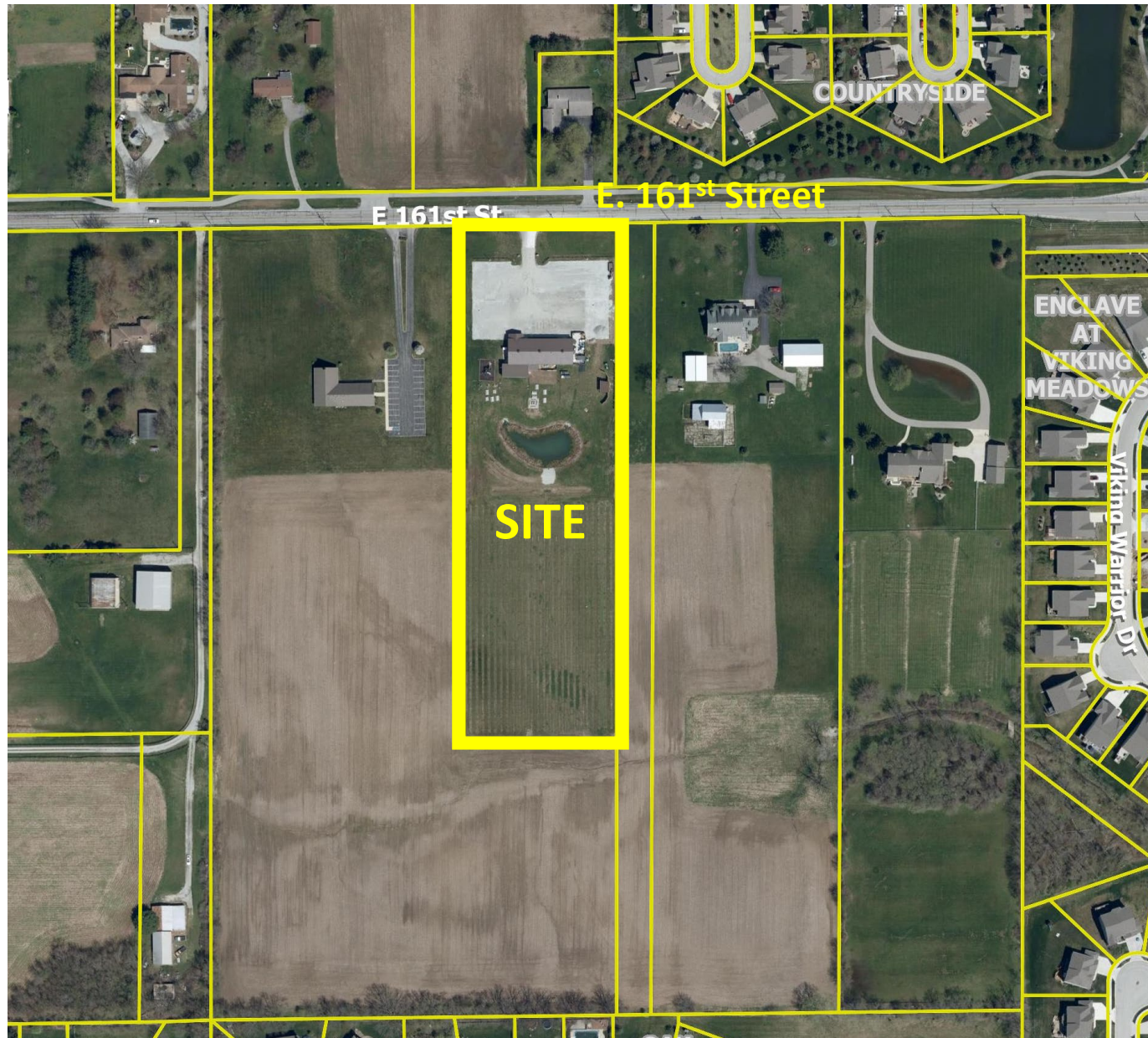
We appreciate your consideration,

R. Birch Dalton
EdgeRock Development LLC

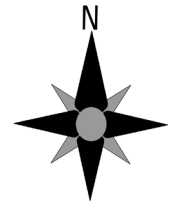
Urban Vines PUD Amendment I



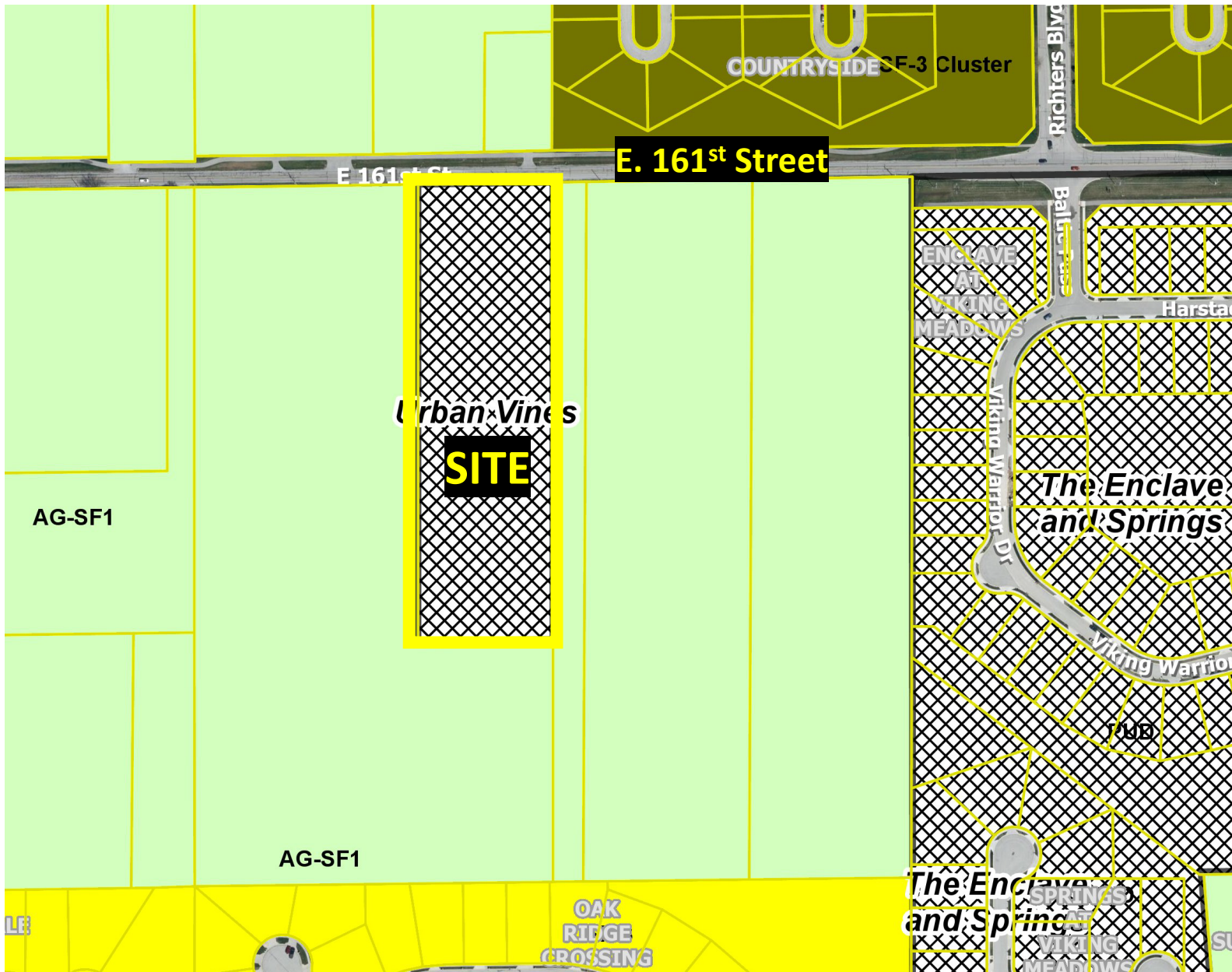
URBAN FARMER
LOVE THE EARTH



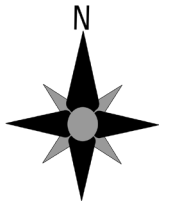
Urban Vines PUD Amendment I
Aerial Map

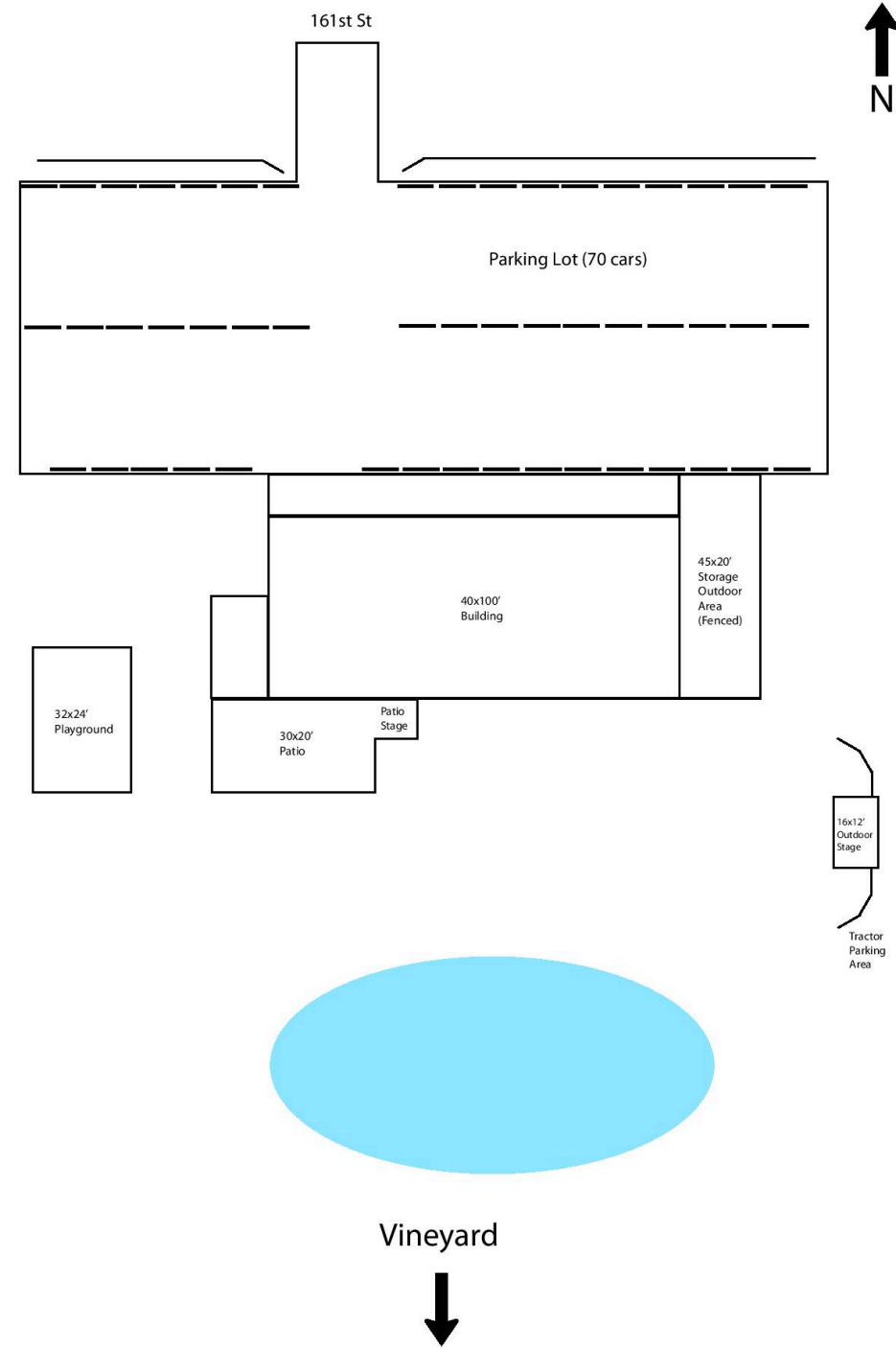
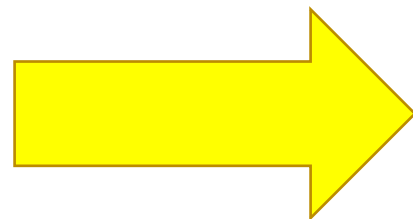
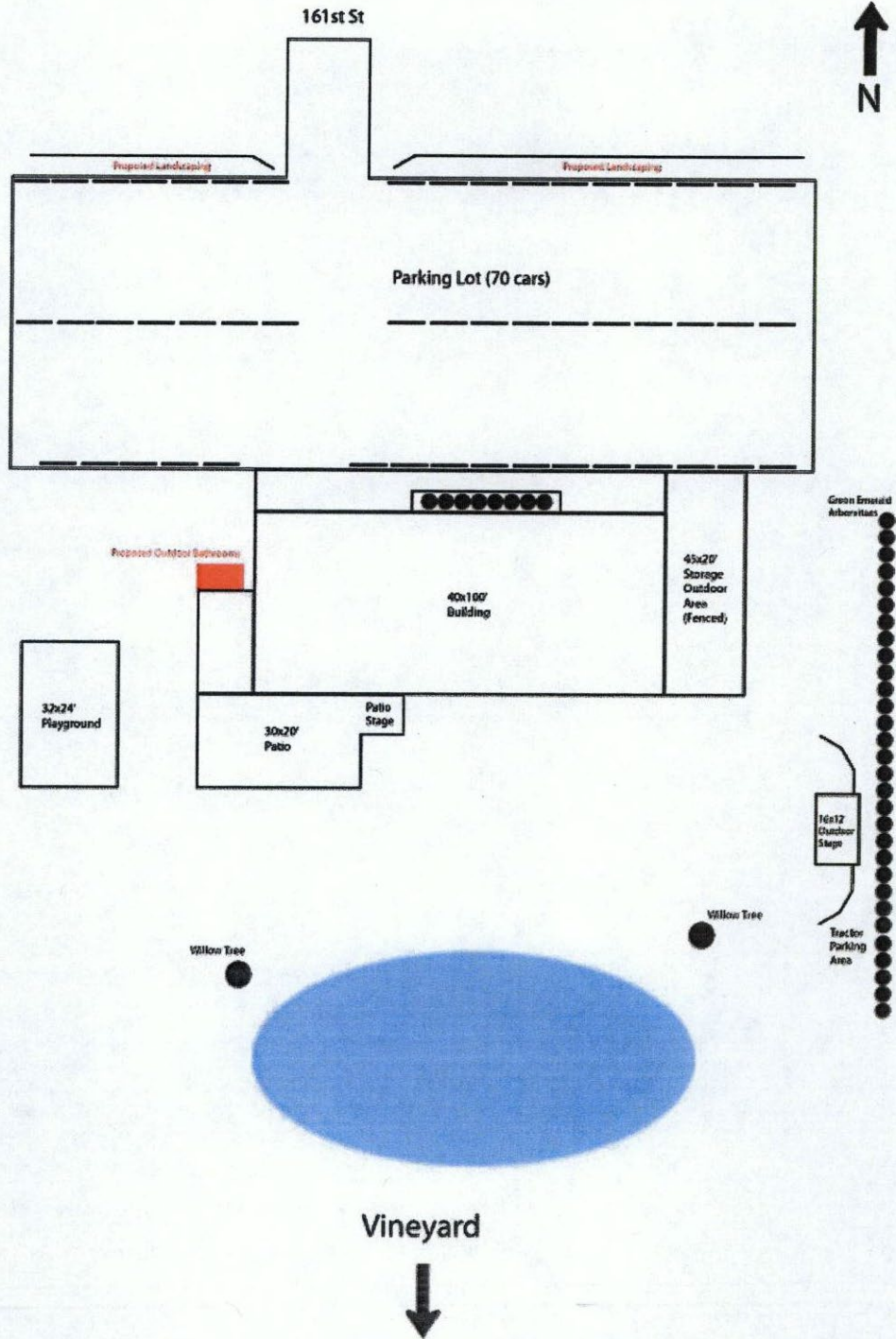


URBAN FARMER
LOVE THE EARTH



Urban Vines PUD Amendment I
Zoning Map





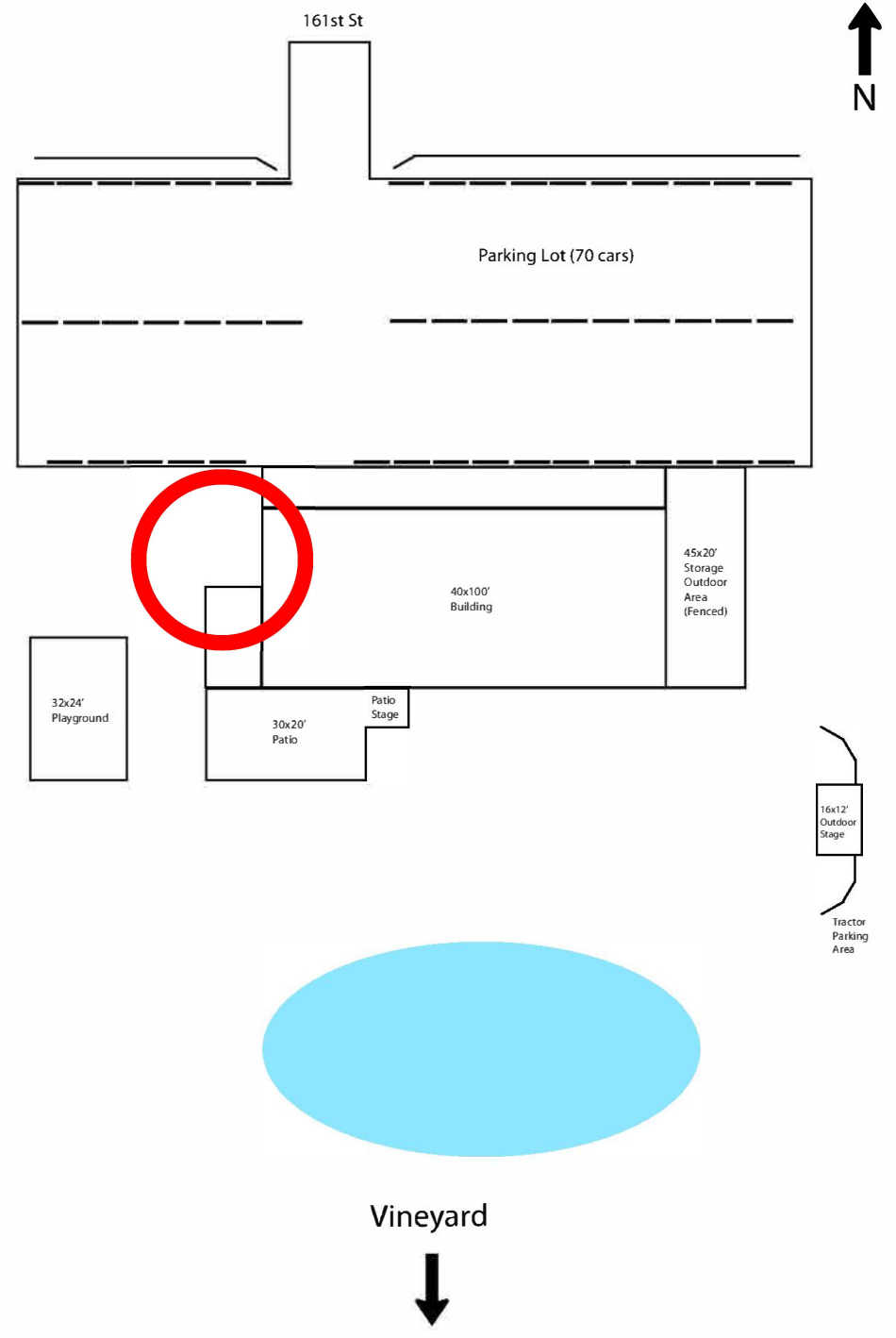
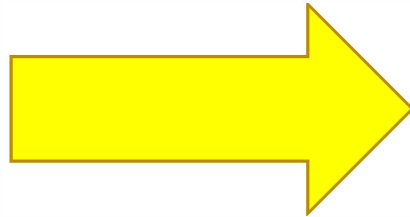
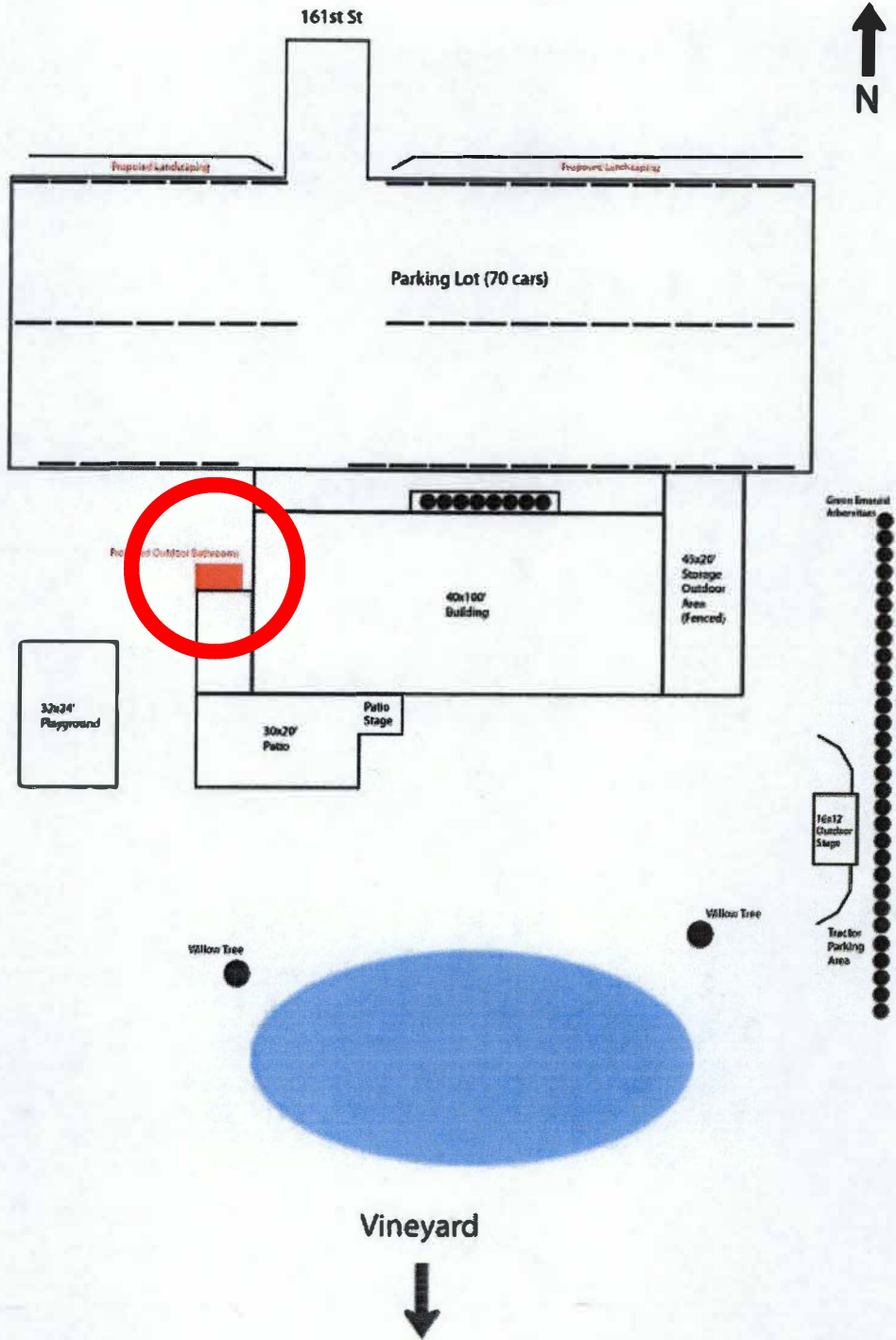
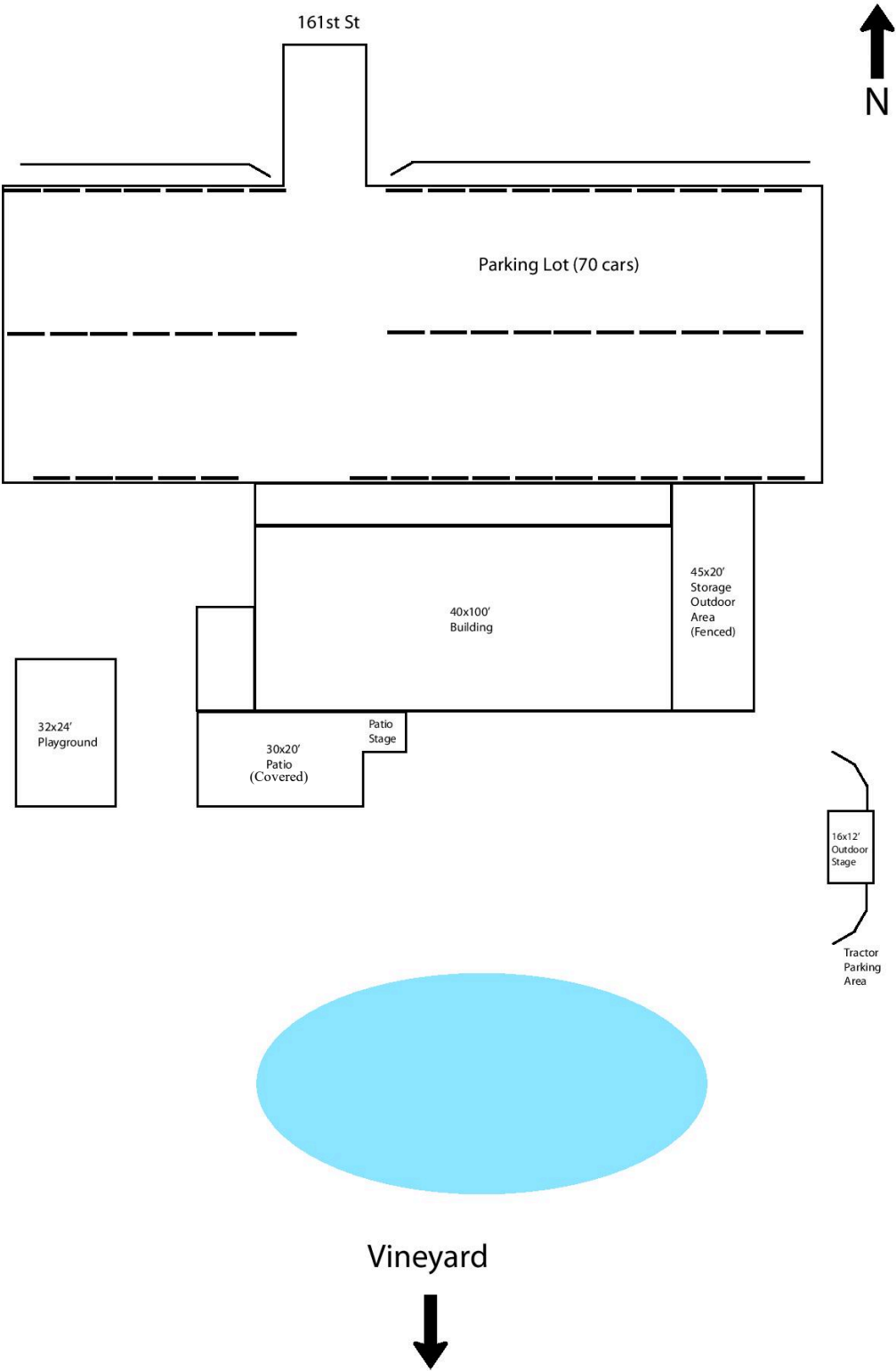


EXHIBIT B

UPDATED CONCEPT PLAN





Neighborhood Meeting Summary

Project: Urban Vines PUD Amendment I

Date Held: May 26, 2020 6:30pm via Zoom meeting

Petitioner: Herron Holdings, LLC

Representative: Pleasant Cities, LLC

City Present:

- Cindy Spoljaric, City Council
- Jake Gilbert, City Council
- Jonathon Dorsey, City Staff

General Public

Bill and Peggy Nicolai

Linda Naas

Ginny Kelleher

Ed and Mary Banas

Start at 6:34pm. Matt Pleasant of Pleasant Cities, LLC gave an introduction for both Urban Vines PUD Amendment I and Hoosier Hills PUD.

Urban Vines

Question: Will you be expanding the agriculture at urban vines?

- Currently no but we would love to expand the vineyards and orchards.

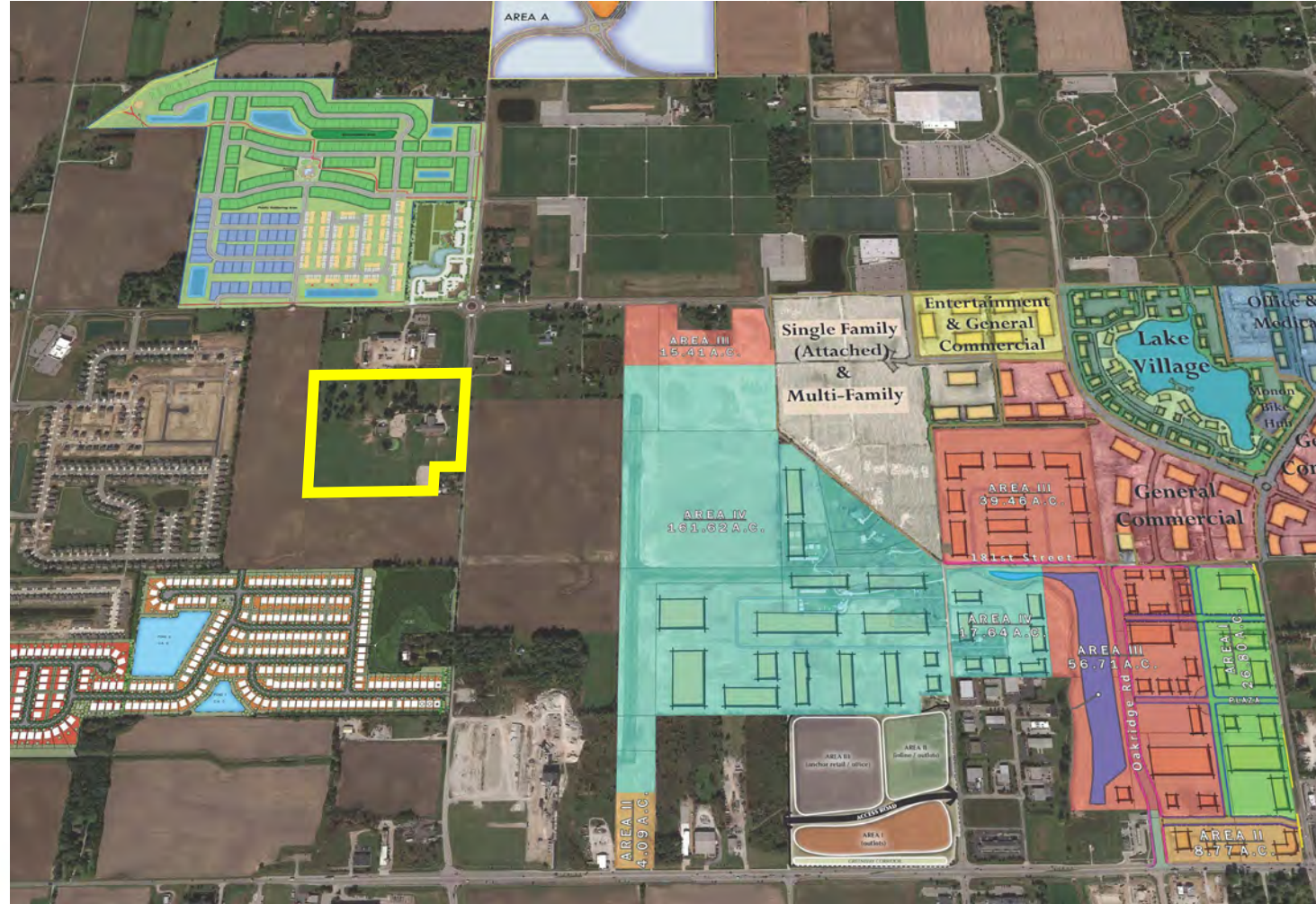
Comment: Would love for you to expand.

- Thank you.

End at 7:15pm



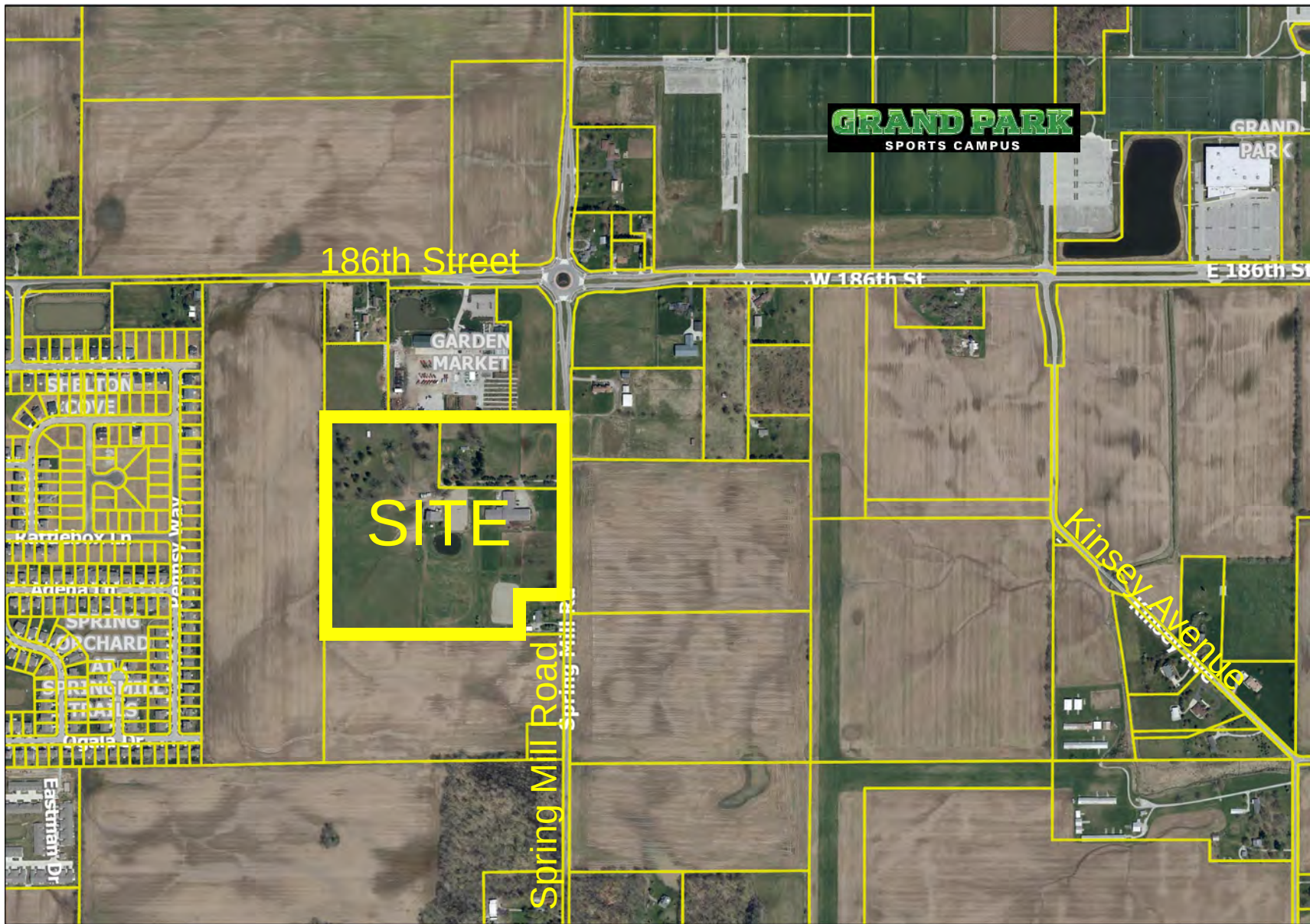
Hoosier Hills PUD



URBAN FARMER

LOVE THE EARTH

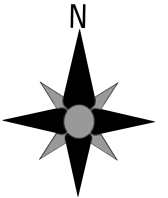


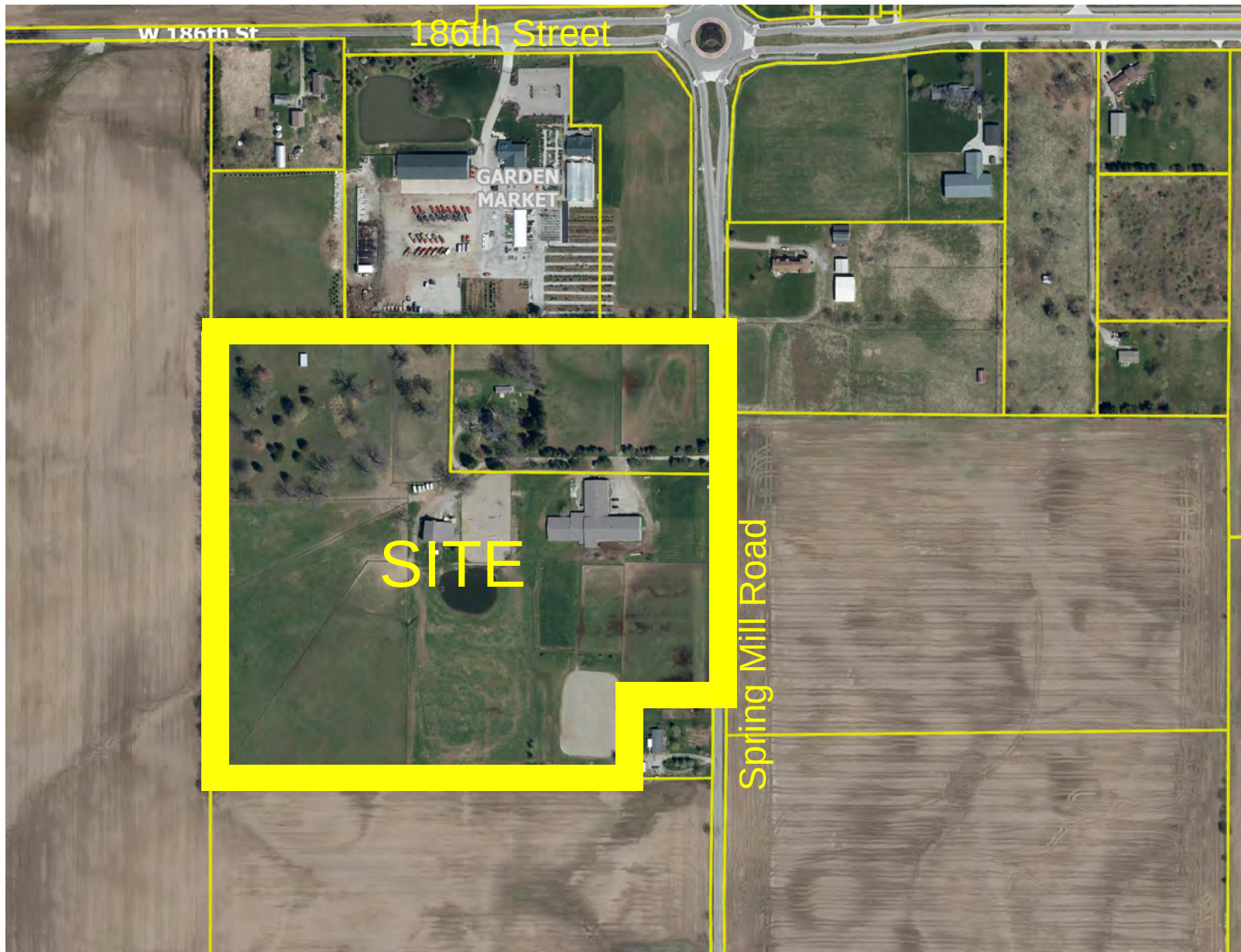


URBAN FARMER
LOVE THE EARTH



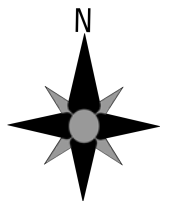
Hoosier Hills PUD
Aerial Map

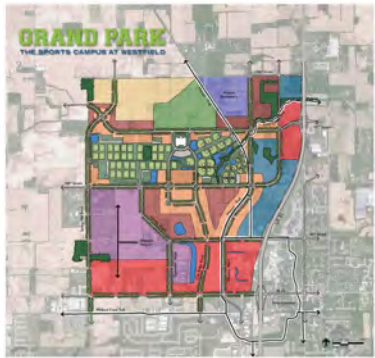




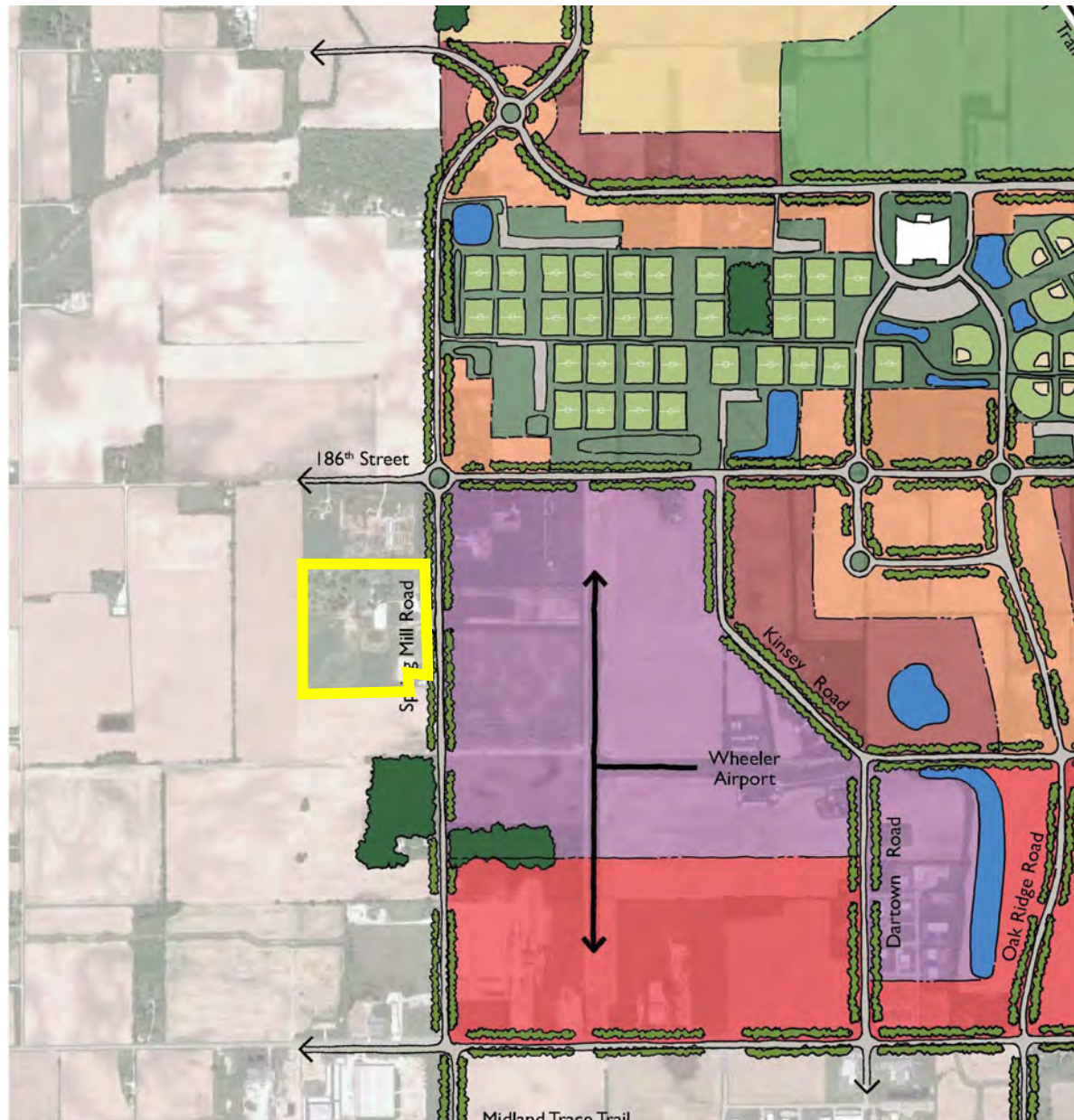
Hoosier Hills PUD
Aerial Map

URBAN FARMER
LOVE THE EARTH





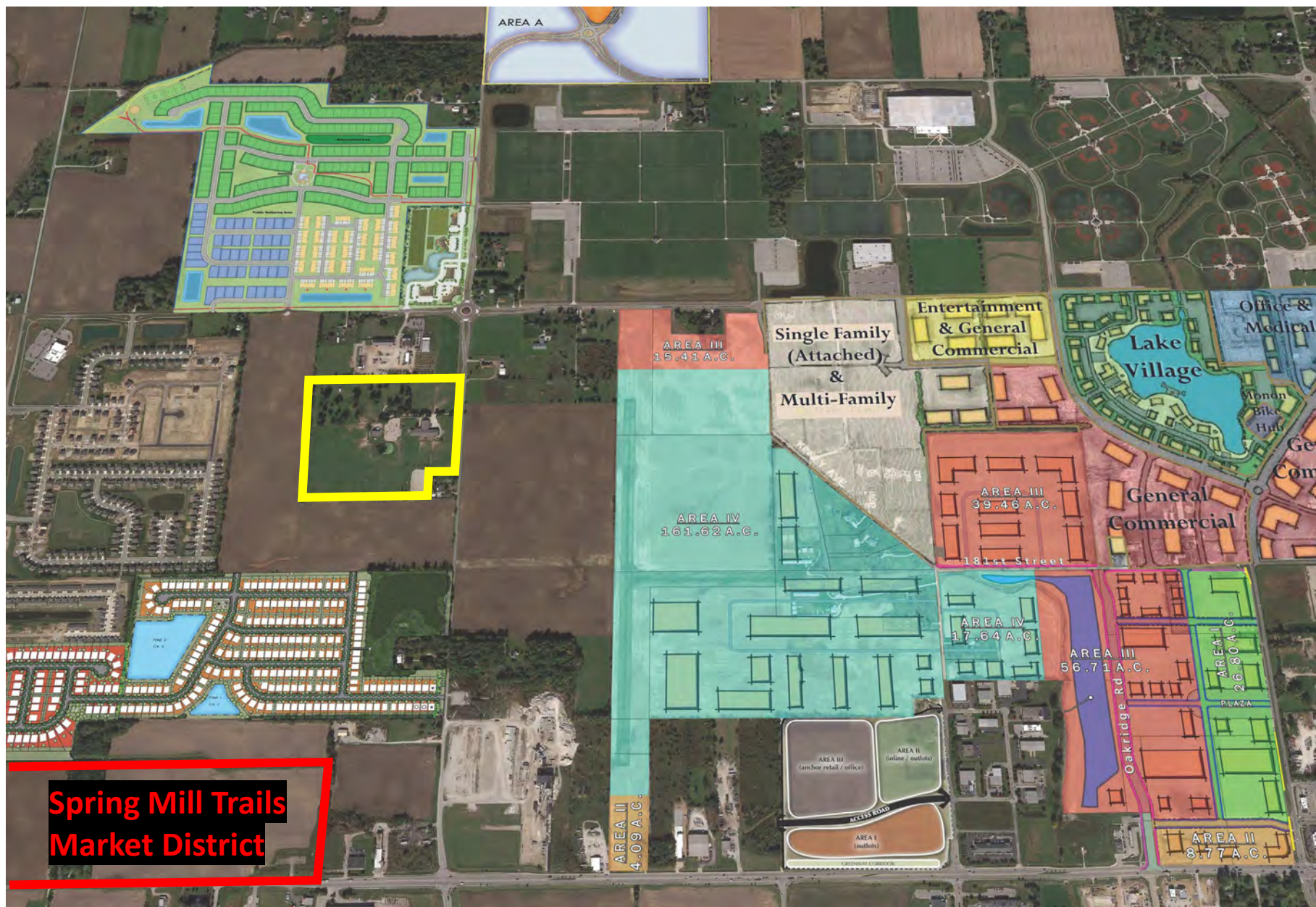
- Land Use Plan
- Regional Retail & Hospitality
 - Sports & Recreation Mixed-Use
 - Sports Village Mixed-Use 1
 - Sports Village Mixed-Use 2
 - Sports Corporate Campus
 - Life Science Mixed-Use
 - School
 - Sports Residential



Land Use Plan

- Regional Retail & Hospitality
- Sports & Recreation Mixed-Use
- Sports Village Mixed-Use 1
- Sports Village Mixed-Use 2
- Sports Corporate Campus
- Life Science Mixed-Use
- School
- Sports Residential

Hoosier Hills PUD
Zoning Map



Hoosier Hills PUD
Context Map



EXHIBIT B: ZONING DISTRICT MAP HOOSIER HILLS PUD



EXISTING BUILDINGS





POSSIBLE LODGING LAYOUT HOOSIER HILLS PUD



CHARACTER EXHIBITS

Barn/Cabin Homes Examples





Neighborhood Meeting Summary

Project: Hoosier Hills PUD

Date Held: May 26, 2020 6:30pm via Zoom meeting

Petitioner: Herron Holdings, LLC

Representative: Pleasant Cities, LLC

City Present:

- Cindy Spoljaric, City Council
- Jake Gilbert, City Council
- Jonathon Dorsey, City Staff

General Public

Bill and Peggy Nicolai

Linda Naas

Ginny Kelleher

Ed and Mary Banas

Start at 6:34pm. Matt Pleasant of Pleasant Cities, LLC gave an introduction for both Urban Vines PUD Amendment I and Hoosier Hills PUD.

Hoosier Hills Questions

Comment: Exciting and happy to see options other than expensive hotels.

- Thank you.

Question: We saw that there were going to be storage facilities. Are those still proposed?

- After listening to feedback from the City Council, we felt that it was necessary to remove that use from the PUD. Storage Facilities will not be permitted.

Question: What will the northern part be if no storage facilities?

- Sundown Gardens is interested in expanding their operations into the development. But if not, Herron Holdings intends to use the area as an orchard.

Question: How many cabins?

- The PUD allows a maximum 35 cabins.

Question: Will the cabins have Kitchenettes and bathrooms?

- Yes. We imagine a living arrangement and fully functioning stay.

Question: Would a whole team be able to stay?

- Possibly but the cost to go bigger is much higher and with COVID, we just aren't sure but wanted to leave it open to the possibility. Fully intending to have the small ones for sure.

Question: Can you explain the Urban Farmer operations?

- Urban Farmer wants to grow their own seeds and intend to hire people to assist in growing seeds to sell and ship to other people. Currently, we purchase seeds and connect to other people that want to grow their own crops.

Question: Will there be greenhouses?

- Yes, we would like to build a greenhouse or two.

Question: What is the proposed timeframe?

- Renovations will be immediate. Urban Farmer first and Urban Vines Wine processing would be after.

Question: Any waste materials associated with the winery?

- Skins are made into fertilizer and most is composted. Cardboard is recycled.

Question: Anticipated traffic?

- Anticipated to have 4 employees, a few shipping trucks and possibly one semi daily.

End at 7:15pm

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 **Favorable** recommendation (6-2) 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 July 2, 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").

COPY

- 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 ("Outdoor Stage Events") shall be subject to the following conditions:
 - i. No more than 4 Outdoor Stage Events shall be permitted per month.
 - ii. Outdoor Stage Events shall only be permitted on Thursday, Friday and Saturdays unless a holiday falls on a weekday.
 - iii. Outdoor Stage Events will end by 9pm on Thursdays unless it falls on a holiday.
 - iv. Mobile & Food Service Vendors shall be permitted during Outdoor Stage Events, subject to the following conditions:
 - 1. Only 2 Mobile & Food Service Vendors shall be permitted at one time.
 - 2. Service shall be limited to patrons of the primary business.
 - e. *Section 34-51: Environment; Nuisances; Noise; Prohibitions*, 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. 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.

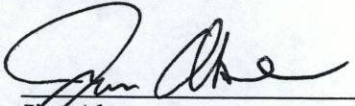
ALL OF WHICH IS ORDAINED/RESOLVED THIS 8 DAY OF July, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

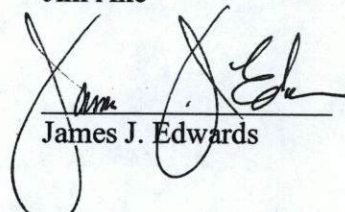
Abstain


Jim Ake

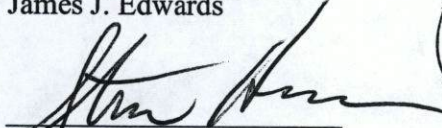
Jim Ake

Jim Ake

James J. Edwards

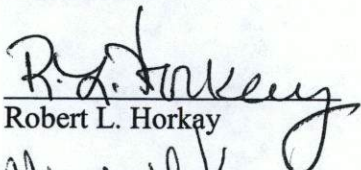

James J. Edwards

James J. Edwards


Steven Hoover

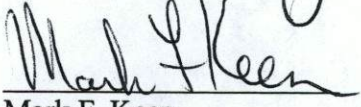
Steven Hoover

Steven Hoover


Robert L. Horkay

Robert L. Horkay

Robert L. Horkay


Mark F. Keen

Mark F. Keen

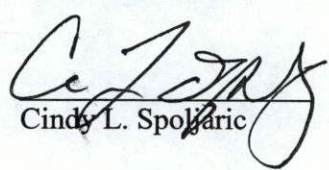
Mark F. Keen

Charles Lehman


Charles Lehman

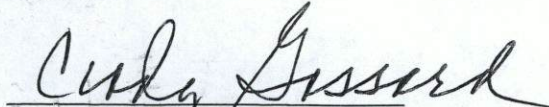
Charles Lehman

Cindy L. Spoljaric


Cindy L. Spoljaric

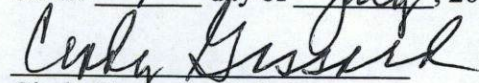
Cindy L. Spoljaric

ATTEST:


Cindy Gossard, Clerk Treasurer

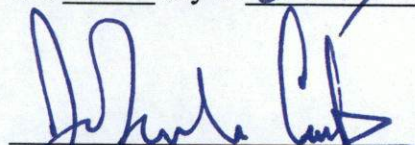
I hereby certify that **ORDINANCE 19-10** was delivered to the Mayor of Westfield

on the 9th day of July, 2019, at 10:00A m.


Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-10**

this 10 day of July, 2019.


J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-10**

this _____ day of _____, 2019.

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

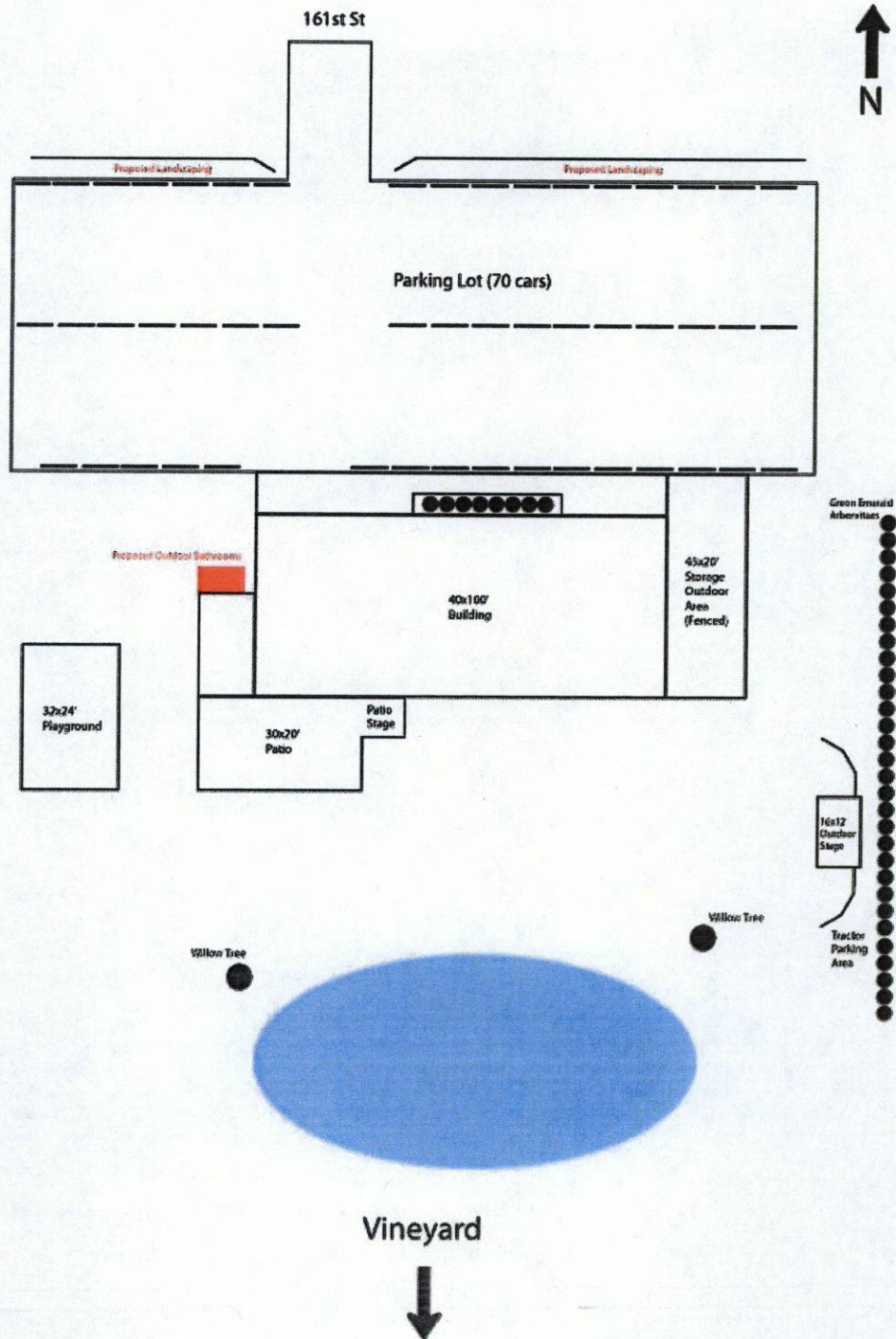
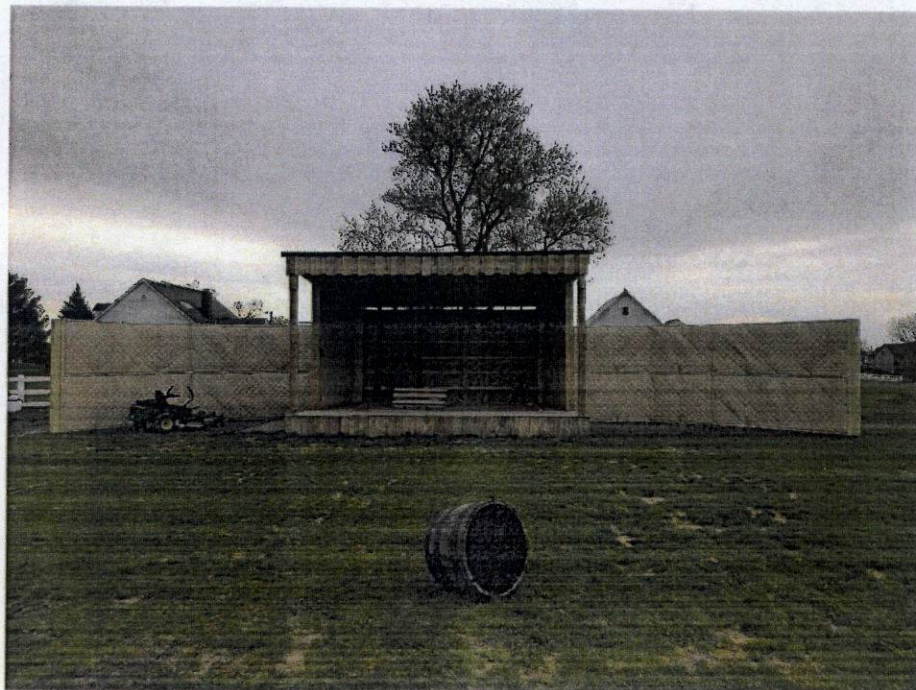
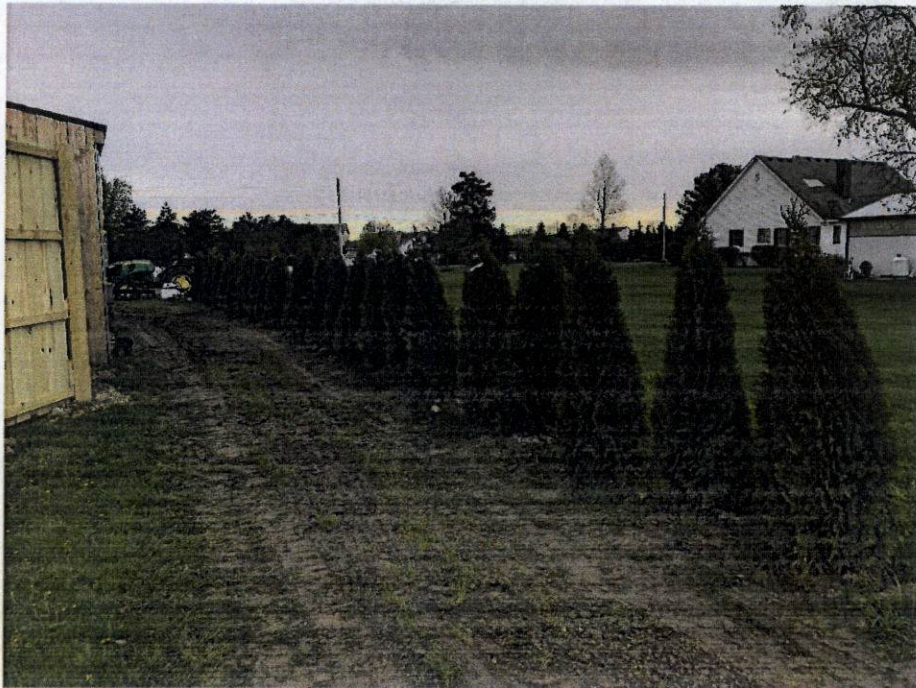
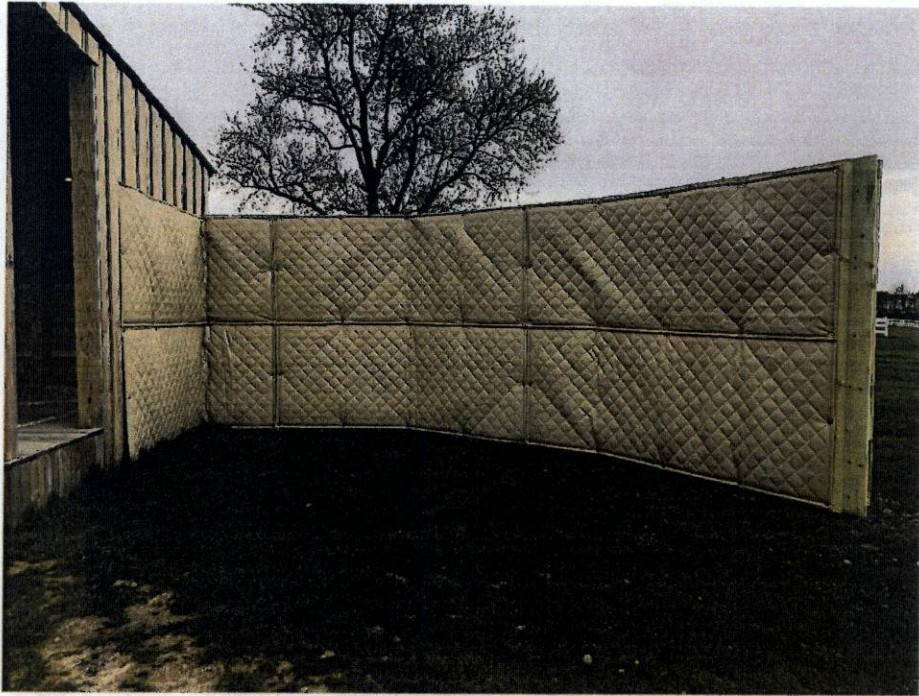


EXHIBIT C
CHARACTER EXHIBIT



EXHIBIT D
SOUND MITIGATION EXHIBIT





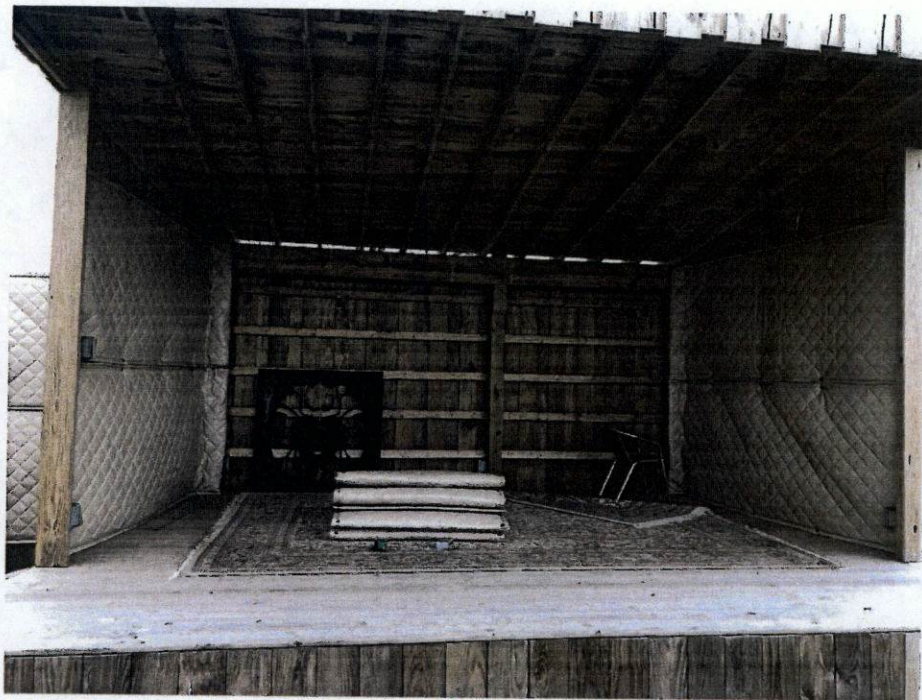


EXHIBIT E
PERMANENT OUTDOOR RESTROOM

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

URBAN WINERY
BATHROOM
303 EAST 161ST STREET
CARMEL, INDIANA

DATE: 1/14/19
BY: [Signature]
SHEET: 1/1

A2

SCHEMATICS

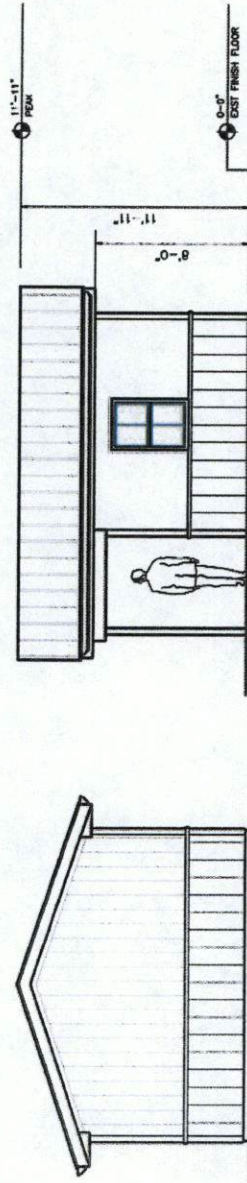
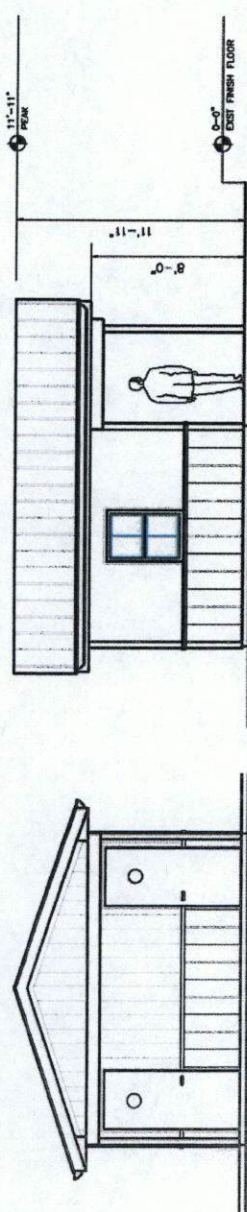
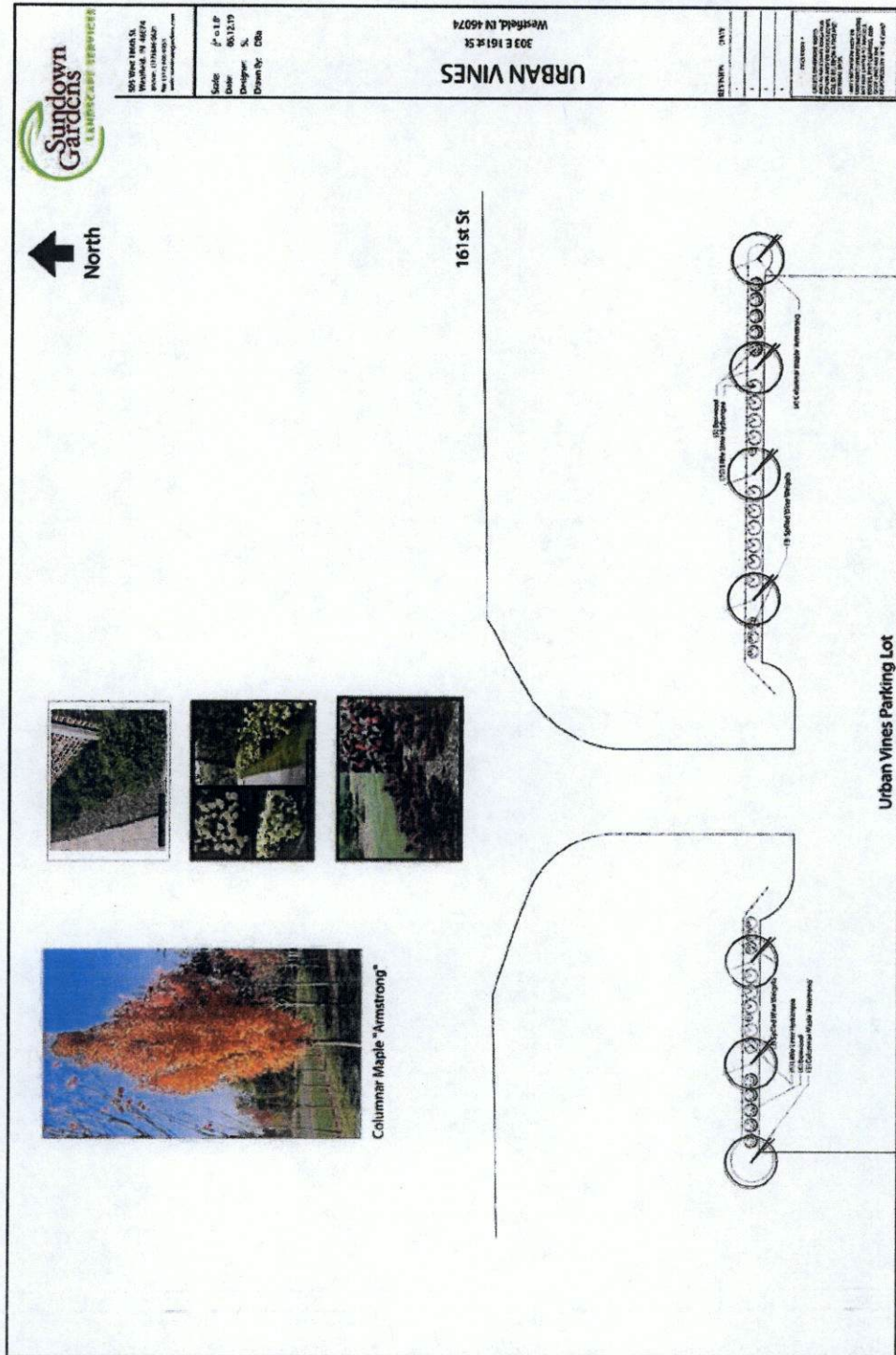


EXHIBIT F **PROPOSED ADDITIONAL LANDSCAPING PLAN**





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

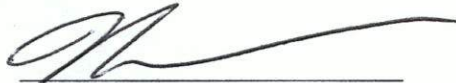
3040 office
4-3190 fax

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)

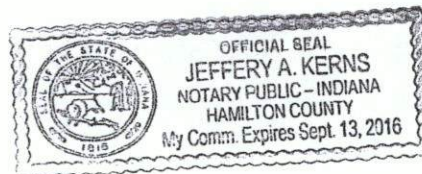


Signature of Notary Public

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:

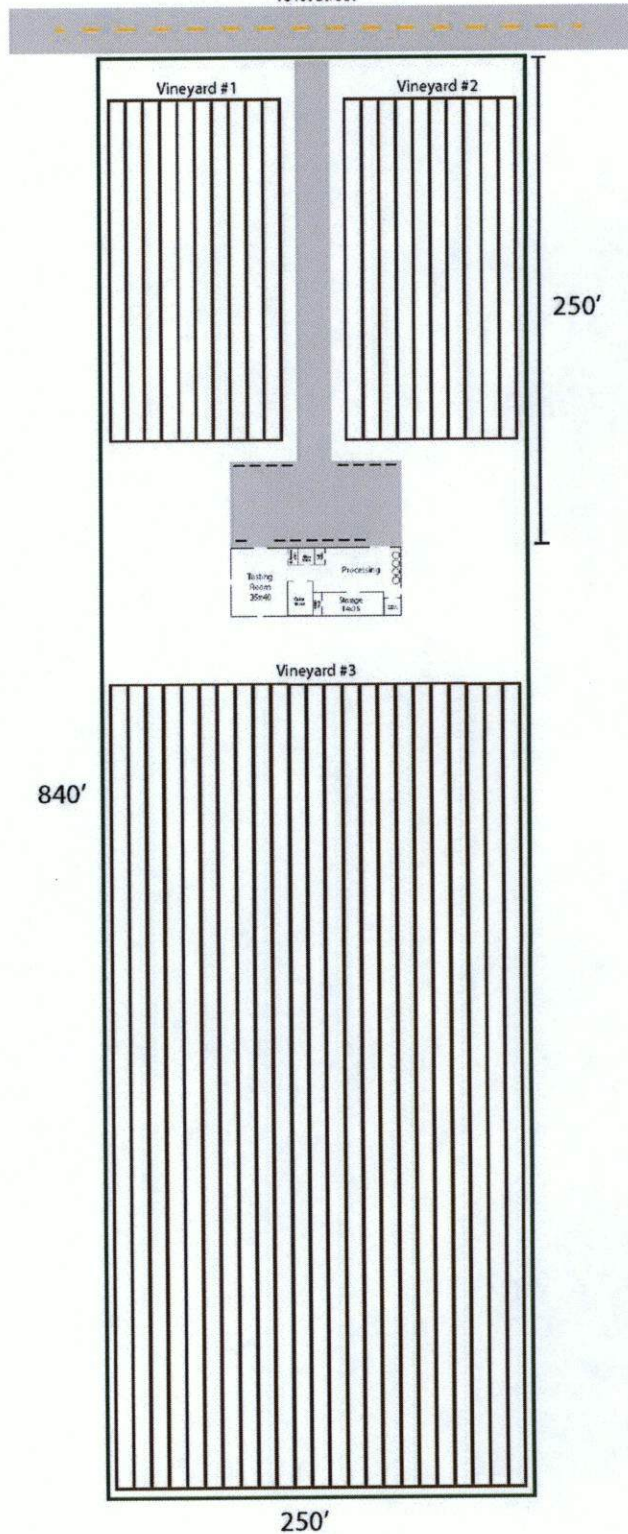
1. **Landscaping Standards (Article 6.8).**
Petitioner requests that the following landscaping standards not apply to the property: Minimum Lot Landscaping Requirements (Article 6.8(K)); External Street Frontage Landscaping Requirements (Article 6.8(M)); Buffer Yard Requirements (Article 6.8(N)); Interior 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

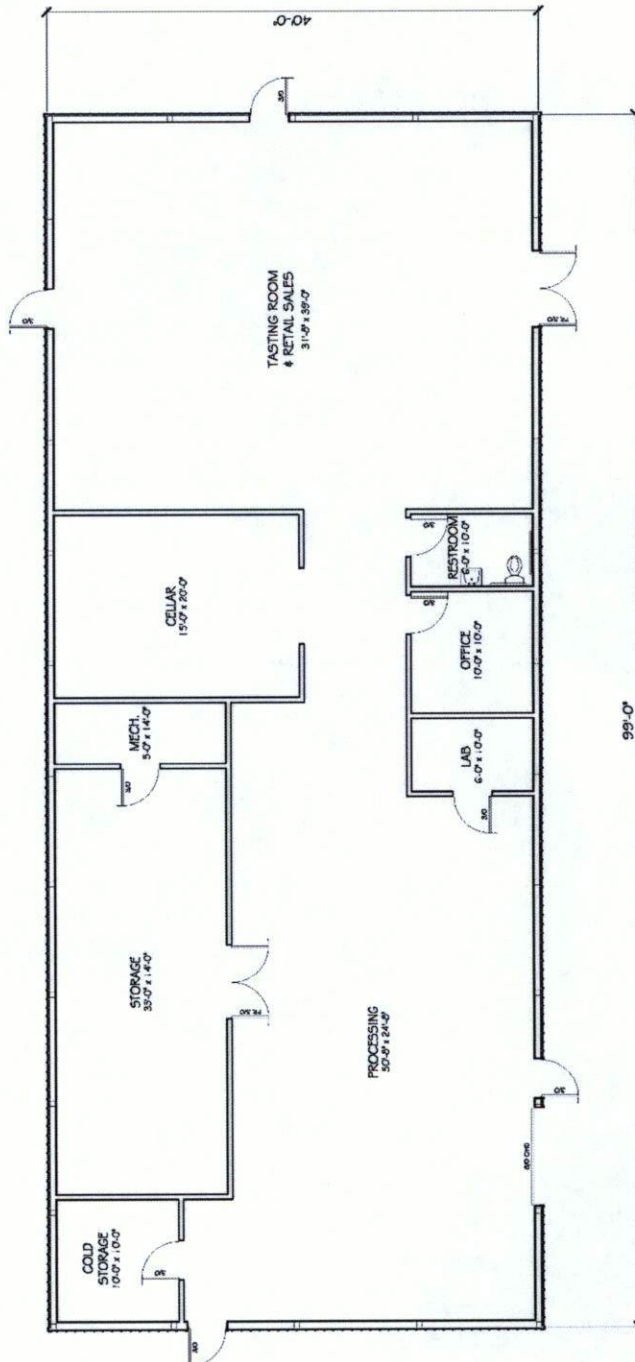


Administration

(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

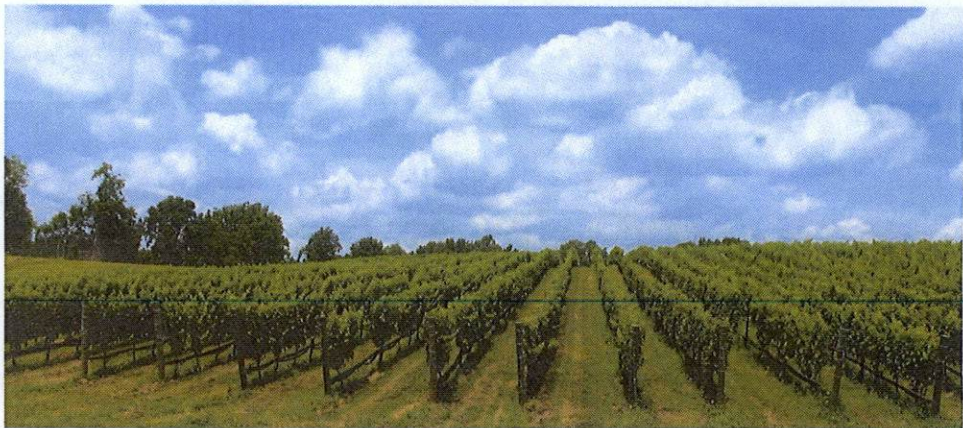
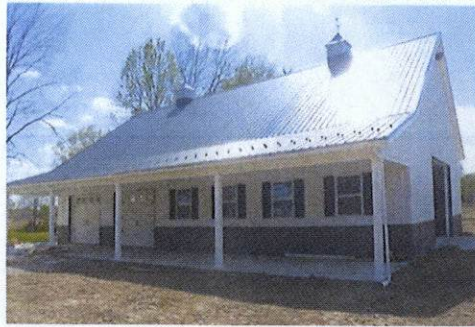


Administration

(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

WRITTEN PUBLIC COMMENTS

Docket Number: 2006-PUD-05
Petitioner: Noah Herron
Request: Petitioner requests an amendment to the Development Standards of the Urban Vines Planned Unit Development (PUD) (Ord. 19-10).

Enclosed Attachments:

June 3, 2020 Public Hearing

1. Naas, Linda

(6/3/2020)

Jonathan Dorsey

From: Linda Naas <lnaas@logickey.com>
Sent: Wednesday, June 3, 2020 04:03 PM
To: Jonathan Dorsey; APC
Subject: Public Hearing - Urban Vines 2006-PUD-05

Warning: This external email is from lnaas@logickey.com. Do not click on unexpected or untrusted links and attachments.

2006-PUD-05 [PUBLIC HEARING]

Urban Vines PUD Amendment I

303 E. 161st St.

Herron Holdings, LLC by Pleasant Cities, LLC requests an amendment to the Development Standards of the Urban Vines PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Proposed Ordinance 20-19](#) | [Exhibit 5: Presentation Material](#) | [Exhibit 6: Neighbor Meeting Summary](#) | [Ordinance 19-10 Urban Vines PUD](#) | [Acknowledgement of Variance 1604-VS-07](#)

Less than a year ago, Herron Holdings, LLC, requested approval of PUD 19-10 to rectify the fact that the development of Urban Vines with BZA variances was not in compliance in a number of ways. Contrary to the concerns of many residents the PUD was approved. In these past nearly 10 months, the PUD has not advanced per its requirements for landscaping, restrooms, etc. and the developer now appears to basically abandon the development as described in the PUD and leave an unapproved use in a residential area which does not comply with agritourism. The PUD amendment is presented without detailed verbiage but a "concept plan" to replace the "concept plan" of Ord 19-10. There are many changes which are not delineated and should be. Never should a "concept plan" define an amendment.

We ask that the APC not approve this amendment and enforce zoning laws based on the existing PUD in Ord 19-10. A presentation made on Herron Holdings behalf was unspecific in time lines for changes in the development. This is too uncertain.

In 2019 we were told by Pam Howard, Planner, that enforcement depended on neighbors complaining that variances weren't followed.. We do not agree but believe it is the responsibility of the City to enforce zoning laws and suggest that the APC or community development department implement a process for enforcement. We are also concerned that any approvals for Herron Holdings, LLC. may befall the same or similar issues of non-compliance.

It does not benefit the City for developers to ask for rezones based on misleading and inaccurate information. A zoning plan only works if everyone keeps to it as neighboring properties are affected.

Sincerely,

Linda Naas
317-867-0584
On Behalf of the 161st Street Neighbors

WRITTEN PUBLIC COMMENTS

Docket Number: 2006-PUD-06
Petitioner: Noah Herron
Request: Petitioner requests a change of zoning for approximately 35.0 acres +/- in the AG-SF1: Agricultural / Single-Family Rural District to the Hoosier Hills Planned Unit Development (PUD) District.

Enclosed Attachments:

June 3, 2020 Public Hearing

1. Naas, Linda

(6/3/2020)

Jonathan Dorsey

From: Linda Naas <lnaas@logickey.com>
Sent: Wednesday, June 3, 2020 04:20 PM
To: Jonathan Dorsey; APC
Subject: 2006-PUD-06 Public Hearing Hoosier Hills PUD I

Warning: This external email is from lnaas@logickey.com. Do not click on unexpected or untrusted links and attachments.

Considering this has been presented as a development which the owner plans to use to incorporate his other business from 161st Street, namely Urban Farmer and Urban Vines, and that the timeframe is uncertain, we ask that this be voted no approval. If approved, definite time frames should be required and enforced.

Does the current explanation of use require a rezone at this time?

- This is a definition and use not in our UDO.
- It is concerning that it is called a barn home and has no length of stay restriction. Lodging House would allow for a worker building but not transient guests.
- As presented are under age guests allowed to tour wineries where there is wine tasting? This is not a restaurant, is it?

Cabin/Barn Home: A building with a Minimum Living Area (Ground Floor) of 400 square feet where lodging is provided and offered for compensation and which is open to transient guests to one (1) or more, but not exceeding thirty (30) persons per dwelling. A maximum of thirty-five (35) Cabin/Barn Homes shall apply to the District.

It seems as though the developer is uncertain of uses. This makes us think there hasn't been a market study and that this could morph into something undesirable that would negatively affect surrounding properties. There should be a plan and goal rather than a throw it all at the wall & see what sticks while the City jumps through hoops and residents are not certain of the development.

Is a rezone necessary at all without the Cabin/Barn Home? We think not. We suggest keeping the current zoning and proceed with acceptable uses.

Not putting in water, sewer and electricity is concerning for any new PUD. We suggest voting no also for this reason.

Proper roadways for a public use should be required.

Proper restrooms for a public use should also be required.

These are a "no recommendation" from us.

7.1 Temporary Use and Events: Agritourism uses 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.

7.2 Agritourism District #1: The permitted uses in the Agritourism District, Agricultural District, and **Cabin/Barn Homes**, as defined in Article 2 of this Ordinance, shall be permitted.

The wavering of this developer in other projects and lack of compliance causes great concern with this project.

There are more concerns but we feel that are enough to ask you to consider a negative recommendation as presented.

Sincerely

Linda Naas

317-867-0584

On Behalf of 161st Street Neighbors