

CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda_06_03_2019

Monday, June 03, 2019 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, June 03, 2019 at 07:00 PM

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

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

OPENING OF MEETING

Note the Presence of a Quorum

Approval of Minutes - May 20, 2019

Documents: [APC Minutes - May 20, 2019](#)

Review APC Rules & Procedures

CONSENT AGENDA ITEMS

1810-DDP-25

Staybridge Suites

Southwest Corner of U.S. 31 and 191st Street

Pryam, LLC by The Schneider Corporation requests Detailed Development Plan approval for a 69,113 square foot hotel on approximately 7.36 acres +/- in the Hittle at ThirtyOne PUD District.

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

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

ITEMS OF BUSINESS

1905-PUD-10

Westfield Center PUD

701 E. Main Street

WestCreek Partners LLC by SEA Group LLC requests a change in zoning of approximately 13.285 acres +/- from the LB: Local and Neighborhood Business District

to the Westfield Center PUD District.

(Planner Kevin Todd - KTodd@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Westfield Center PUD District Ordinance](#)

1904-PUD-06

Westfield High School PUD

18250 N. Union Street

Westfield Washington Schools requests a change in zoning of 88.73 acres +/- from the GB-PD District and EI District to the Westfield High School PUD District.

(Planner Kevin Todd - KTodd@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Westfield High School Campus PUD Ordinance](#) | [Exhibit 5: Westfield High School Campus PUD Ordinance_Redline Version](#)

PUBLIC HEARING ITEMS

1906-PUD-14 [PUBLIC HEARING]

Fox Hollow PUD (Monon Hills PUD)

1111 E. 156th Street

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

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

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

1906-SPP-10 & 1906-ODP-10 [PUBLIC HEARING]

Fox Hollow (Monon Hills)

1111 E. 156th Street

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

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

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

1906-PUD-13 [PUBLIC HEARING]

Springmill Trails PUD Amendment: Gristmill Crossing Commercial Area

Northwest Corner of SR 32 and Ditch Road

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

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Zoning District Map](#) | [Exhibit 4: Illustrative Layout](#) | [Exhibit 5: Commercial District Character Exhibit](#) | [Exhibit 6: Ordinance 19-16](#) | [Exhibit 7: Original Springmill Trails PUD Ordinance 11-19](#) | [Exhibit 8: Neighbor Meeting Summary](#) | [Petitioner's Presentation](#)

ITEMS CONTINUED TO A FUTURE MEETING

1904-PUD-08 [CONTINUED]

Urban Vines PUD

303 East 161st Street

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

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibit](#) | [Exhibit 5: Sound Mitigation Exhibit](#) | [Exhibit 6: Ordinance 19-10](#) | [Exhibit 7: Petitioner's Narrative](#) | [Exhibit 8: Recorded Acknowledgement of Variance April 2016](#) | [Exhibit 9: Recorded Acknowledgement of Variance December 2016](#) | [Exhibit 10: Neighbor Meeting Summary 3-26-19](#) | [Exhibit 11: Petitioner's Update](#) | [Exhibit 12: Neighbor Meeting Summary 5-6-19](#) | [Exhibit 13: Petitioner's Response to Issue List](#) | [Exhibit 14: Public Comment updated 5/31/19 @ 4:30pm](#)

1812-SPP-23 & 1812-ODP-23 [CONTINUED]

Westfield Center Subdivision

701 E. Main Street

Evergreen Investment Corp by Sea Group LLC requests Overall Development Plan and Primary Plat review of 6 commercial lots on approximately 13.285 acres +/- in the (pending) Westfield Center PUD District.

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

1904-PUD-05 [CONTINUED]

iBeach31 at Grand Park PUD

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

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

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

1905-ZOA-01 [CONTINUED]

Unified Development Ordinance Amendment

303 East 161st Street

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

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

REPORTS/COMMENTS

Advisory Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Economic and Community Development Department

ADJOURNMENT



Petition Number: 1906-PUD-14

Project Name: Fox Hollow Planned Unit Development

Subject Site Address: 1111 156th Street, Carmel IN 46032 (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Wyatt Johnson, 40th Parallel Surveying LLC

Request: Requests a change in zoning review of 8 acres +/- from AG-SF1: Agricultural / Single-Family Residential District to the Fox Hollow PUD District.

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

Current Land Use: Single-Family Residential

Approximate Acreage: 8 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Character Exhibit
5. Proposed Ordinance 19-17

Staff Reviewer: Jonathan Dorsey, Associate Planner

PETITION HISTORY

The petition was introduced at the May 13, 2019, City Council meeting. The Petitioner held a neighborhood meeting on May 30, 2019. The petition will receive a public hearing at the June 3, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The Property is located at 1111 156th Street (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agricultural / Single-Family Residential. Adjacent properties to the south is zoned SF2: Single-Family Low Density. Surrounding properties to the north, east, and west are all currently located within the Viking Meadows PUD district.

Project Description: The Petitioner is requesting a change of zoning to the Fox Hollow PUD District (Ordinance 19-17) that would allow for commercial development. The proposed PUD Ordinance establishes the SF2: Single-Family Low Density as the Underlying Zoning District.

Permitted Uses: The proposed PUD Ordinance defaults to the permitted and prohibited uses of the SF2: Single-Family Low Density.

General Regulations: The proposed PUD Ordinance defaults to the standards of the Underlying Zoning District, except as modified below:

	Proposed PUD	SF2 District
Minimum Lot Frontage	50'	50'
Minimum Lot Width	100'	100'
Minimum Lot Area	15,000 sq ft	15,000 sq ft
Minimum Setbacks		
Front Yard	30'	30'
Side Yard	12'	12'
Rear Yard	30'	30'
Maximum Building Height	Two and one-half stories	Two and one-half stories
Minimum Lot Frontage	50'	50'

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

Architectural Standards: The proposed PUD Ordinance would require that the front doors of Lots 1, 2, and 3, as identified on the Concept Plan (see **Exhibit 3**) shall face east. The front door the dwelling on Lot 4 shall not be permitted to face 156th Street. The PUD Ordinance also incorporates a Character Exhibit (see **Exhibit 4**) which provides examples of specific design elements that contribute to the intent and vision for the development of the Property.

Internal Pedestrian Network Standards: Shall not apply.

Landscaping Standards: The proposed PUD Ordinance would modify several of the landscaping requirements of Article 6.8, as highlighted below:

1. **Open Space and Amenity Standards:** Shall not apply
2. **External Street Frontage Landscaping:** Shall not apply, rather existing landscaping in the District shall be maintained.



COMPREHENSIVE PLAN

The 2007 Westfield-Washington Township Comprehensive Plan identifies the Property as being within the Existing Suburban Residential area. Detached dwellings, Attached dwellings, Institutional uses, Recreational uses, and similar uses are contemplated as appropriate uses within the Existing Suburban area. Along with development that ensures that infill development is compatible in mass, scale, density, materials, and architectural style to existing developments. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition will be held on the June 3, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the May 13, 2019, Council meeting.

DEPARTMENT COMMENTS

1. **Action: Hold a public hearing at the June 3, 2019, Plan Commission meeting.**
2. The Petitioner will make any necessary revisions to the proposal based on the Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Jonathan Dorsey at (463) 221-8375 or jdorsey@westfield.in.gov.

Property Location Map

Fox Hollow PUD

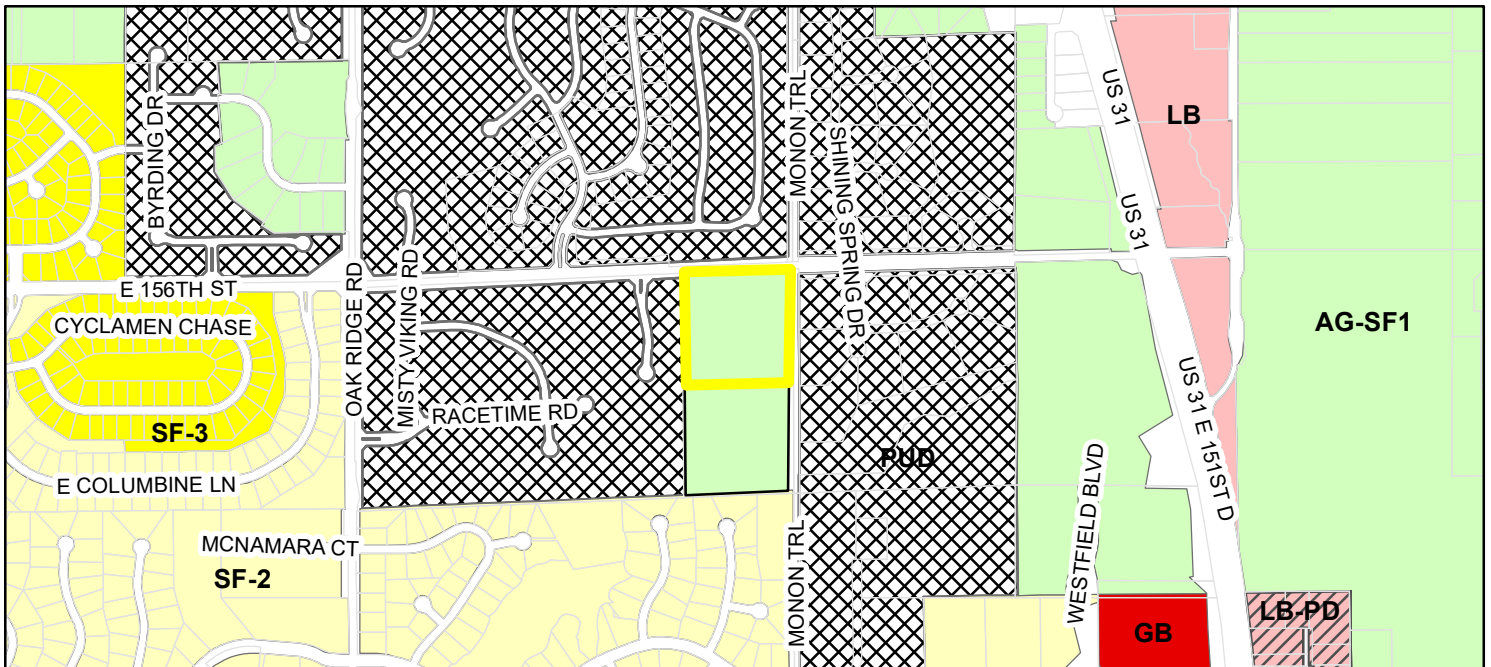
1906-PUD-14 1906-SPP-10 1906-ODP-10



Aerial Location Map



Zoning Map



	Parcel		LB (Local Business)
Zoning - All			LB-PD (Local Business - Planned Development)
Zoning			PUD (Planned Unit Development)
	AG-SF1 (Agriculture - Single Family - 1)		SF-2 (Single Family - 2)
	GB (General Business)		SF-3 (Single Family - 3)

EXHIBIT B
CONCEPT PLAN



EXHIBIT D
CHARACTER EXHIBITS



EXHIBIT D
CHARACTER EXHIBITS



Exhibit "A"

ORDINANCE NUMBER YY-##

FOX HOLLOW 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 "**FOX HOLLOW 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. YYMM-PUD-##**), 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. YYMM-PUD-##** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 20YY;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**FOX HOLLOW PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter ("*Chapter*") and Article ("*Article*") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

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

- 2.1 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.
- 2.2 District Map: This map as illustrated on what is attached hereto as Exhibit C which outlines two (2) individual areas of the District.
- 2.3 Area A: The part of the Real Estate depicted on the District Map as Area A.
- 2.4 Area B: The part of the Real Estate depicted on the District Map as Area B.

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

Section 4. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the SF1 District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

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

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in *Chapter 4* and

Chapter 13, shall be permitted unless otherwise prohibited below.

- 5.2 Maximum Dwellings: The total number of Dwellings permitted in Area A shall not exceed four (4) Single-Family Dwellings.

Section 6. General Regulations. The standards of *Chapter 4: Zoning Districts*, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

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

- 7.1 Article 6.3 Architectural Standards: Shall apply to Area A, except as modified below:

A. Character Exhibit. The Character Exhibit, attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed in Area A. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage a diversity in architecture of Dwellings in Area A.

- 7.2 The front door of a residential dwelling on Lot 1, 2 & 3, as identified on the Concept Plan, shall face East. The front door of a residential dwelling on Lot 4, as identified on the Concept Plan, shall have option to face North or West.

- 7.3 Garages on all Lots, as identified on the Concept Plan, shall be: (1) side-load, (2) rear-load, or (3) front-load (as long as the garage is setback a minimum of twenty (20) feet behind the primary front elevation). Garage door(s) on Lot 4 shall not be permitted to face 156th Street.

- 7.4 Vinyl and aluminum shall not be permitted exterior building materials, except for gutters, soffits, trim and other similar building components.

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

- 8.1 Article 8.6 Open Space and Amenity Standards: shall not apply

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

Section 9. Processes & Permits. The standards of *Chapter 10: Processes & Permits* shall apply to the development of the District, except as otherwise modified below.

- 9.1 Article 10.12 Subdivision: The subdividing of the REal Estate in accordance with the Concept Plan shall be a Minor Subdivision.

ALL OF WHICH IS ORDAINED/RESOLVED THIS DD DAY OF _____, 20YY.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTEST:

_____, Clerk Treasurer

I hereby certify that **ORDINANCE YY-##** was delivered to the Mayor of Westfield

on the _____ day of _____, 20YY, at _____ m.

_____, Clerk-Treasurer

I hereby APPROVE **ORDINANCE YY-##**

this _____ day of _____, 20YY.

I hereby VETO **ORDINANCE YY-##**

this _____ day of _____, 20YY.

_____, Mayor

_____, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	District Map
Exhibit D	Character Exhibits

EXHIBIT A
REAL ESTATE

PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER 1312.77 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 1945.13 FEET TO THE TRUE POINT OF THIS DESCRIPTION AT THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ON AND ALONG AFORESAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 614.97 FEET TO A POINT WHICH IS 33.00 FEET SOUTH 87 DEGREES 15 MINUTES 41 SECONDS WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 12 MINUTES 55 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER 1327.06 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ON AND ALONG AFORESAID SOUTH LINE 615.38 FEET TO THE PLACE OF BEGINNING.

EXCEPT: PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID QUARTER SECTION 131237 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ALONG SAID NORTH LINE 1945.13 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; SAID POINT BEING THE WEST LINE OF THE EAST HALF OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ALONG SAID NORTH LINE 9.06 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 06 SECONDS EAST 1323.80 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ALONG SAID NORTH LINE 5.83 FEET TO THE PLACE OF BEGINNING.

EXCEPTING: FOR THE CONSTRUCTION OF THE MONON TRAIL LOCATED IN THE TOWN OF WESTFIELD, HAMILTON COUNTY, INDIANA, PROJECT NO. STP-9929 (042), THE FOLLOWING DESCRIBED PROPERTY:

A PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST HAMILTON COUNTY, INDIANA, AND THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE LAND DESCRIBED IN INSTRUMENT NO. ²⁰0500031430, OFFICE OF THE RECORDER OF HAMILTON COUNTY, LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 05 MINUTES 08 SECONDS EAST (ASSUMED BEARING) 1,327.24 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER LINE OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES 43 MINUTES 33 SECONDS WEST 33.02 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH 0 DEGREES 05 MINUTES 08 SECONDS WEST 1,327.06 FEET PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 87 DEGREES 23 MINUTES 49 SECONDS EAST 33.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 43,796 SQUARE FEET, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 661 SQUARE FEET, MORE OR LESS FOR A NET ADDITIONAL TAKING OF 43,135 SQUARE FEET, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN (AREA A)



EXHIBIT C
DISTRICT MAP



EXHIBIT D
CHARACTER EXHIBITS



EXHIBIT D
CHARACTER EXHIBITS





Petition Number: 1906-SPP-10 & 1906-ODP-10

Project Name: Fox Hollow

Subject Site Address: 1111 156th Street, Carmel IN 46032 (the "Property")

Petitioner: Noah Herron (the "Petitioner")

Representative: Wyatt Johnson, 40th Parallel Surveying LLC

Request: Fox Hollow by Noah Herron requests and Overall Development Plan and Primary Plat review of 4 lots on 8 acres +/- in the proposed Fox Hollow PUD District.

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

Pending Zoning: Fox Hollow PUD District (19-17)

Current Land Use: Single-Family Residential

Approximate Acreage: 8 acres +/-

Exhibits:

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

Staff Reviewer: Jonathan Dorsey, Associate Planner

PROCEDURAL

Approval of an Overall Development Plan and Primary Plat must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT BACKGROUND

The subject 8-acre property is currently in the process of being rezoned to the Fox Hollow PUD District (Ordinance 19-17, *pending*). The subject Overall Development Plan and Primary Plat would plat the property into 4 residential lots.

The petition was reviewed by the Technical Advisory Committee at its May 21, 2019, meeting. This petition has been properly noticed for a public hearing at the Plan Commission's June 3, 2019, meeting.

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

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

- 1) Proposed name of subdivision.
- 2) Names and addresses of the owner, owners, land surveyor or land planner.
- 3) Title, scale, north arrow and date.

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

- 4) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
- 5) Easements (locations, widths and purposes). (Article 8.3)

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

- 6) Statement concerning the location and approximate size or capacity of utilities to be installed.
- 7) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
- 8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
- 9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
- 10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
- 11) Building setback lines. (Article 4.23 & Article 5.3(G))

Comment: Please see General Regulations.



12) Legend and notes.

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

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

14) Other features or conditions which would affect the subdivision favorable or adversely.

15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.

16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.

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

17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.

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

18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.

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

19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.

OVERALL DEVELOPMENT PLAN (Article 10.7 of the UDO)

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

- 20) Title, scale, north arrow and date.
- 21) Proposed name of the development.
- 22) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 23) Address and legal description of the property.
- 24) Boundary lines of the property including all dimensions.
- 25) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.

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

- 26) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 27) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 28) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 29) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

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

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

Comment: Please see District Standards for Building Setback Lines.

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

- 31) Location and dimensions of all existing structures and paved areas.
- 32) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 33) Location of all Floodplain areas within the boundaries of the property.

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

- 34) Names of legal ditches and streams on or adjacent to the site.

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

- 35) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

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

- 36) Identify buildings proposed for demolition.
- 37) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 38) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

DISTRICT STANDARDS

The plans comply with Article 4.5 (SF2 District) and the Fox Hollow PUD Ordinance, except for those items identified as outstanding below.

- 39) **Fox Hollow PUD District Standards:** The underlying zoning district is the SF2 District (Article 4.5)

- a) Permitted Uses (Section 5)
- b) General Regulations (Section 6)

Fox Hollow PUD

i) Minimum Lot Frontage	50'
ii) Minimum Lot Width	100'
iii) Minimum Lot Area	15,000 sq ft
iv) Minimum Setbacks	
Front Yard	30'
Side Yard	12'
Rear Yard	30'
v) Maximum Building Height	Two and one-half stories

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

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

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

Comment: Please see District Standards.

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

- 42) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:

- a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 43) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

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

- 44) Architectural Standards (Article 6.3)
- 45) Building Standards (Article 6.4)
- 46) Fence Standards (Article 6.5)
- 47) Height Standards (Article 6.6)
- 48) Landscaping Standards (Article 6.8):
 - a) Preservation and Replacement of Trees:
 - i) Developers shall take reasonable measures to design and locate proposed buildings and related infrastructure in a manner that minimizes the destruction of significant tree specimens.
 - b) Selection, Installation, and Maintenance of Plant Materials:
 - c) General Landscape Design Standards:

- i) Easements: Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements that would otherwise prohibit the required landscaping.
- d) Detention and Retention Areas:
 - i) Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1.
- e) Street Trees:
- f) Minimum Lot Landscaping Requirements:

Comment: To be reviewed at the time of each Lot's Detailed Development Plan review.
- g) External Street Frontage Landscaping:
- h) Buffer Yard Requirements:
- 2) Lighting Standards (Article 6.9)
 - a) The District's lighting shall comply with the Unified Development Ordinance (Article 6.9).
- 3) Lot Standards (Article 6.10)

Comment: Please see District Standards.
- 4) Setback Standards (Article 6.16)
- 5) Vision Clearance Standards (Article 6.19)
- 6) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

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



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

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

- 3) Monument and Marker Standards (Article 8.5)
- 4) Open Space and Amenity Standards (Article 8.6)

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

- 5) Pedestrian Network Standards (Article 8.7)
- 6) Storm Water Standards (Article 8.8)
- 7) Street and Right-of-Way Standards (Article 8.9)
- 8) Street Light Standards (Article 8.10)
 - a) Lighting between Intersections: Unless street lights have been provided at the lesser of either mid-Block or every fifteen (15) lots, a dusk-to-dawn light that operates on a photo cell shall be installed on each home site. This lighting shall be maintained by the Property Owner in perpetuity.
- 9) Street Sign Standards (Article 8.11)
- 10) Surety Standards (Article 8.12)
- 11) Utility Standards (Article 8.13)

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

DEPARTMENT COMMENTS

1. Action: Hold a public hearing at the June 3, 2019, Plan Commission meeting.



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

June 3, 2019

1906-SPP-10 1906-ODP-10

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

Fox Hollow PUD

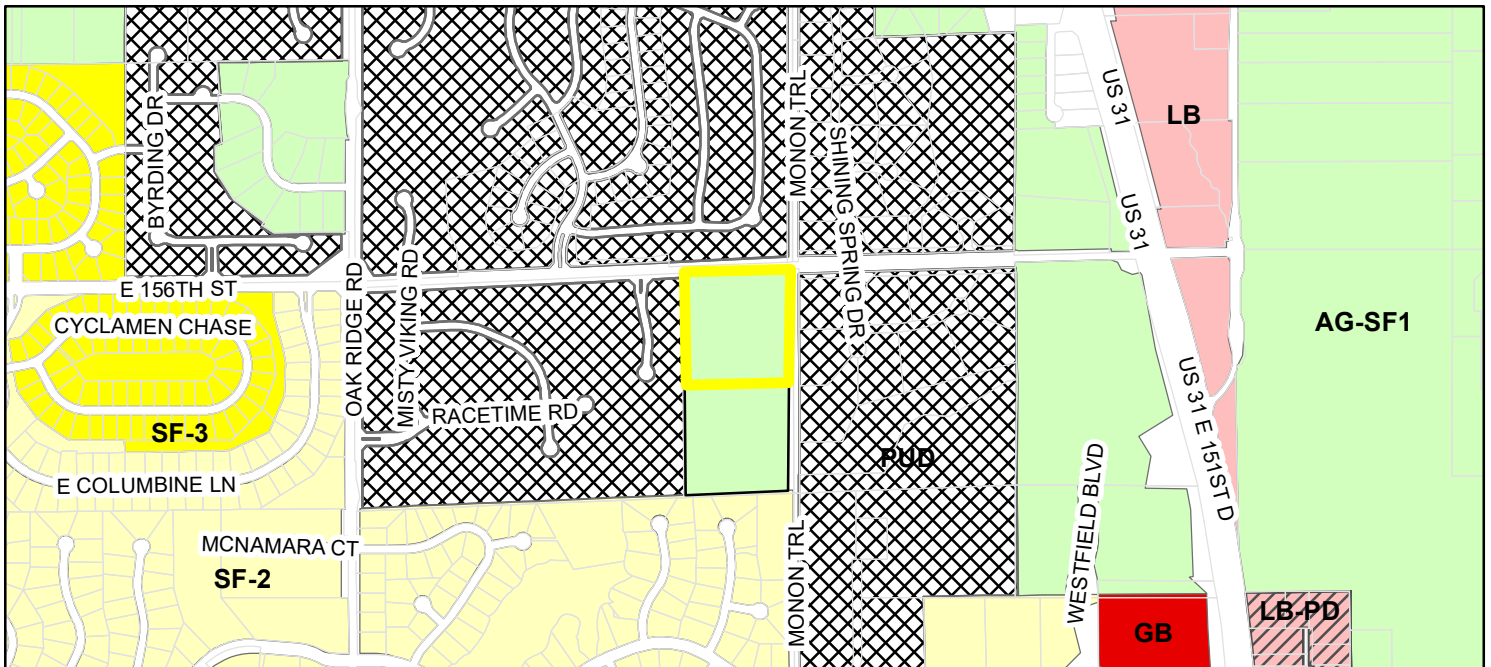
1906-PUD-14 1906-SPP-10 1906-ODP-10



Aerial Location Map



Zoning Map



	Parcel		LB (Local Business)
Zoning - All			LB-PD (Local Business - Planned Development)
Zoning			PUD (Planned Unit Development)
	AG-SF1 (Agriculture - Single Family - 1)		SF-2 (Single Family - 2)
	GB (General Business)		SF-3 (Single Family - 3)

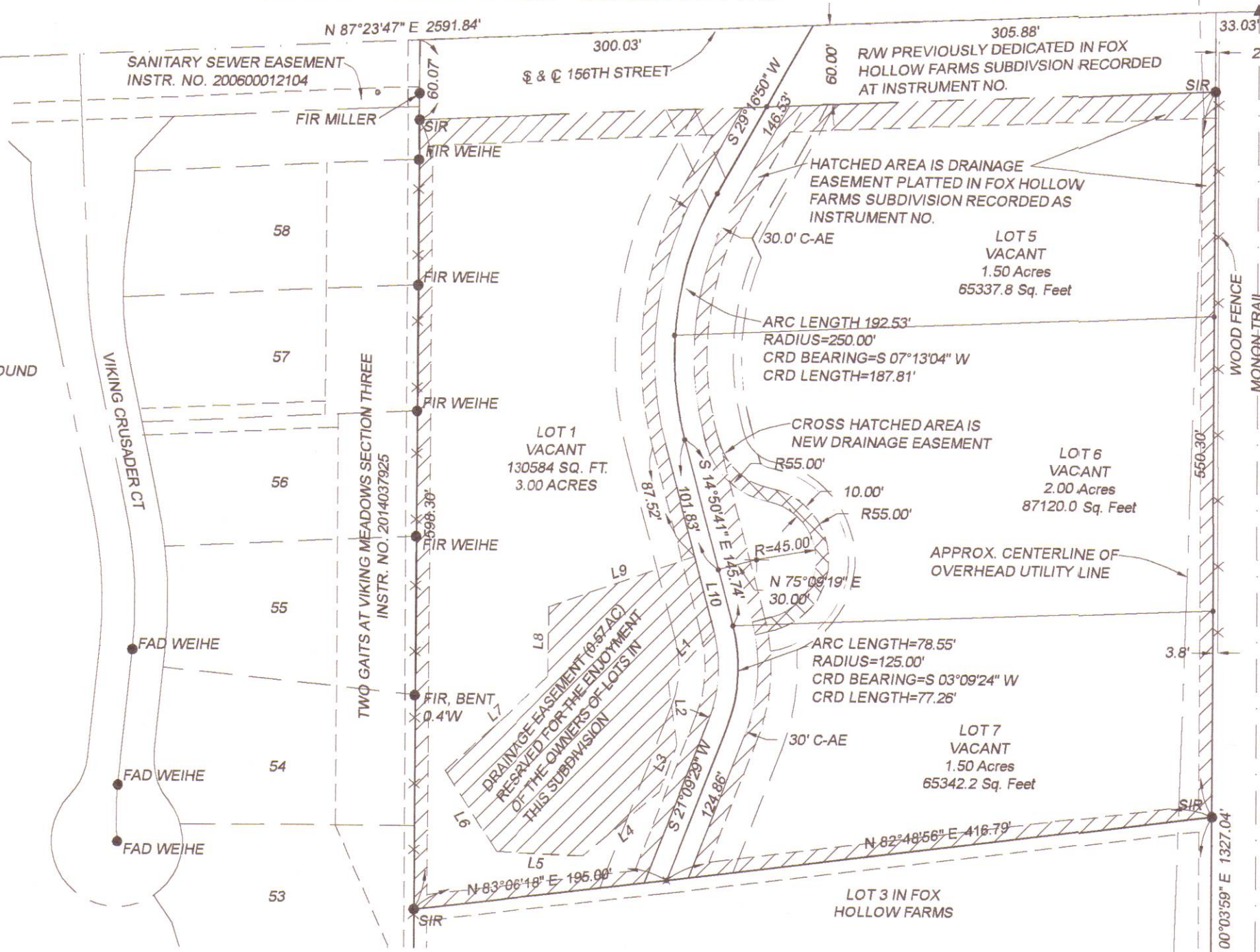
EXHIBIT B
CONCEPT PLAN



A REPLAT OF Fox Hollow Farm - SECONDARY PLAT

- LEGEND**
- SIR - DENOTES 5/8 INCH DIAMETER REBAR WITH ORANGE PLASTIC CAP STAMPED "FIRM 0047" SET.
 - FIR 5/8 - DENOTES 5/8 INCH DIAMETER REBAR FOUND
 - FIR MILLER - DENOTES CAPPED REBAR SET BY CRIPE FOUND
 - FIR WEIHE - DENOTES CAPPED REBAR SET BY WEIHE FOUND
 - FAD WEIHE - DENOTES REBAR WITH ALUMINUM CAP SET BY WEIHE FOUND
 - FIR MILLER - DENOTES CAPPED REBAR SET BY MILLER FOUND

LINE	BEARING	DISTANCE
L1	S 14°50'41" E	37.68'
L2	S 88°37'28" W	28.70'
L3	S 30°05'39" W	57.16'
L4	S 27°17'58" E	39.21'
L5	S 22°37'12" W	29.23'
L6	S 51°15'15" W	58.37'
L7	S 68°48'21" W	29.54'
L8	N 86°18'31" W	34.92'
L9	N 45°00'00" W	34.97'
L10	N 01°04'51" W	29.79'
L11	N 46°58'30" E	69.19'
L12	N 21°13'40" E	72.95'
L13	N 39°10'25" E	19.57'
L14	N 84°18'44" E	85.21'



NE CORNER, NW QUARTER, SECTION 13, T 18N, R 3E
NO MONUMENT FOUND, 4 WITNESS NAILS
FOUND, LOCATION ESTABLISHED AT
INTERSECTION OF OPPOSITE NAILS

40th

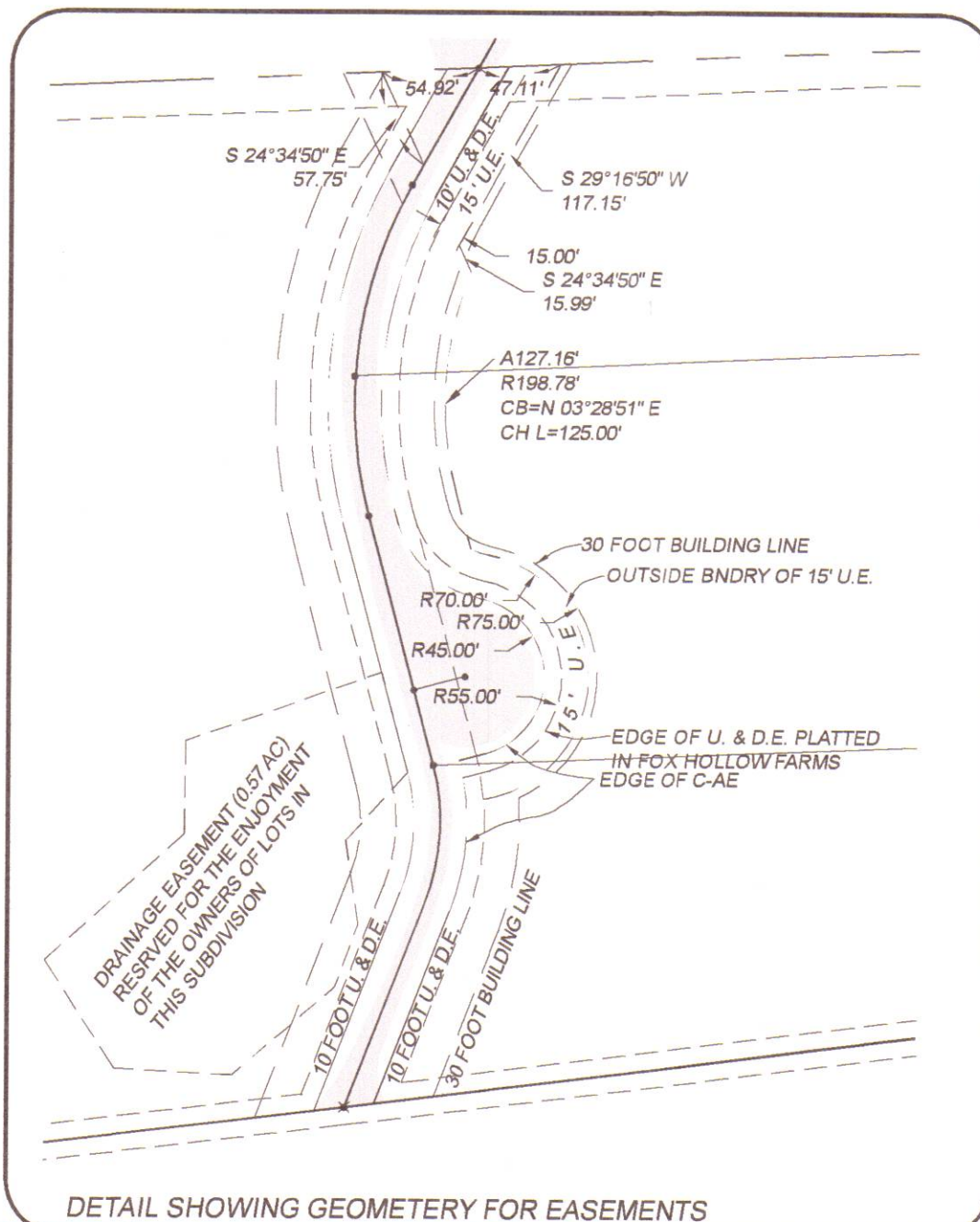
C:\name change\2006_14_40th-parallel_final.jpg

PARALLEL
SURVEYING LLC

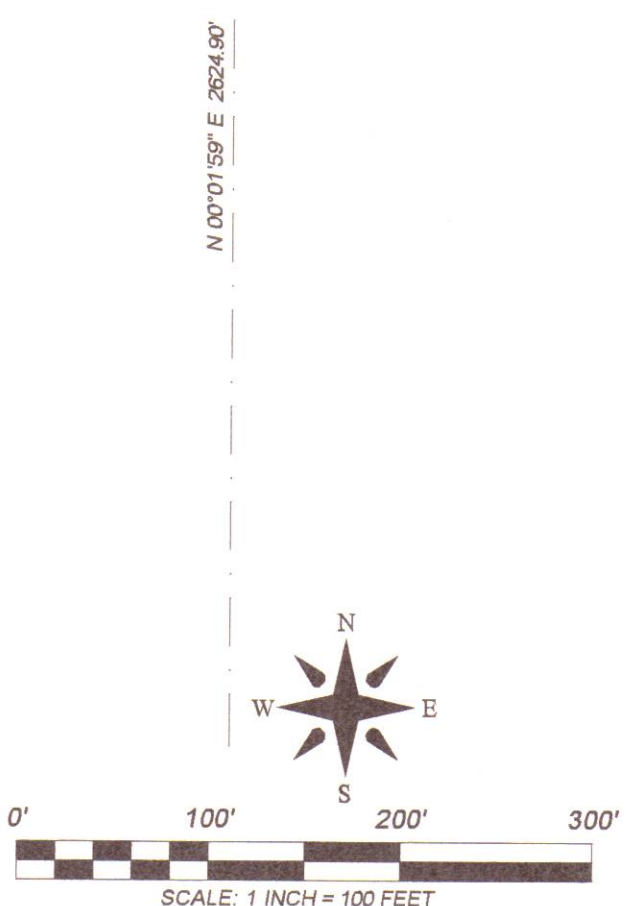
555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

DRAINAGE EASEMENTS PLATTED IN
FOX HOLLOW FARMS SUBDIVISION ARE
10 FEET WIDE EXCEPT ALONG 156TH
STREET WHERE IT IS 20 FEET WIDE.



DETAIL SHOWING GEOMETRY FOR EASEMENTS



SW CORNER, N HALF, NW QUARTER,
SECTION 13, T 18N, R 3E
MAGNETIC NAIL

SW CORNER, NW QUARTER,
SECTION 13, T 18N, R 3E
RAILROAD SPIKE

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

This instrument prepared by Wyatt Johnson, 555 Market Road, Tipton, Indiana.

Fox Hollow Farm Plat		SCALE: 1"= 100'	JOB NUMBER: 2019-8	DRAWN BY: WJ
1111 East 156th St., Westfield				
DATE 5/2/19				
LAST REVISED 5/2/19				
PAGE NUMBER				

Fox Hollow Farm a Resubdivision of Fox Hollow Farms- PRIMARY/SECONDARY PLAT

Deed of Dedication:

We the undersigned, Noah Herron and Emily Herron, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as Fox Hollow Farm, a resubdivision of Fox Hollow Farms as recorded in Instrument Number _____, an addition to the Town of Westfield, Washington Township, Hamilton County, Indiana.

All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the public and private street, there shall be erected or maintained no building or above ground structure.

Easement Certificate:

There may be strips of ground shown on this plat and marked D.E. and/or U.E. (Drainage and/or Utility Easement), reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. Within these easements, no permanent or other structures, planting or other material shall be erected, placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. But, owners of lots in this subdivision shall take their titles subject to the rights of the public utilities. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

Drainage and Utility Easements:

There are strips of ground of various feet in width as shown on the plat and marked D.E. and/or U.E. (Drainage and Utility Easement). Utility Easements are reserved for the use of public utilities for the installation of water and sewer mains, surface drainage, poles, ducts, lines, and wires, subject at all times to the proper authorities and the easement herein reserved. Drainage Easements are reserved for the use of the owners of the lots in this subdivision and the Hamilton County Surveyor if the drains within the easements are regulated drains. No building or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and/or the County Surveyor.

Cross-access Easement Certificate:

There are shown on this instrument areas that are designated as 'Cross-access Easement' or abbreviated as 'C-A.E.' Such easements are hereby established in favor of the owners of the Lots in this subdivision ('the grantees'), are provided for the private use of the owners, tenants, owner's agents, guests of owner or tenants, public officials, employees of governmental units and public or semi-public utilities as well as any individual, firm or corporation while performing legitimate service for the owners or tenants of any lot. The use of all such easements, as well as areas provided for vehicular parking access thereto, by public officials and employees is specifically authorized while performing duties related to law enforcement, fire protection, or maintenance of public safety. These easements, unless noted otherwise on the plat, and their use shall be subject to rules and regulations formulated by the owners. All Cross access Easements are private and are not accepted by any County Agency and are NOT hereby dedicated to the City or County. Each owner of each lot in this subdivision shall be responsible for the maintenance of the portion of the C-A.E upon that owner's lot, unless a maintenance agreement is entered into by all of the owners of all the lots affected by the C-A.E and duly recorded in the Office of the Hamilton County Recorder. Any and all persons are prohibited from parking vehicles within the easement and from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee(s) or the City may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.

The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2045, at which time said covenants, or restrictions, shall be automatically extended for successive periods of ten years unless changed by vote of the owners of a majority of the building sites covered by these covenants, or restrictions, in whole or in part.

Invalidation of any of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness our hands and seals this ____ day of _____, 2019.

Noah Herron Emily Herron
State of Indiana)
Hamilton County)

Before me the undersigned Notary Public, in and for the County and State, personally appeared Noah Herron and Emily Herron, and each separately and severally acknowledge the execution of the foregoing instrument as their voluntary act and deed, for the purposes therein expressed.

Witness my hand and notary seal this ____ day of _____, 2019.

_____, Notary Public

I reside in _____ County, Indiana

My Commission expires: _____ My Commission Number is: _____

Plan Commission Certificate:

Under authority provided by I.C. 36-7, enacted by the general assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the City Council of the City of Westfield, Hamilton County, Indiana, this plat was given approval by the Westfield-Washington Township Advisory Plan Commission, as follows: Approved by the Director of the Economic and Community Development Department of the City of Westfield, Hamilton County, Indiana, pursuant to the Westfield-Washington Township Unified Development Ordinance, on the ____ day of _____, 2019.

Westfield-Washington Township Plan Commission

By: _____
Matthew Skelton, Director
Economic and Community Development Department

Board of Public Works and Safety Certificate:

The following certificate shall also be used if the plat lies wholly or partly within the City's corporate limits:

This plat and the acceptance of any public rights-of-way dedicated herein was given approval by the Board of Public Works and Safety of the City of Westfield, Indiana, at a meeting held on the ____ day of _____, 2019.

Jeremy Lollar, Director of Public Works

LEGAL DESCRIPTION
Lot 1 and 2 in Fox Hollow Farms, an addition to the Town of Westfield, Washington Township, Hamilton County, Indiana.

Registered Land Surveyor's Certificate:

I Wyatt Johnson, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana:

The within plat represents a survey made under my supervision in accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code. The field work for this survey was performed on 2/19/19 and 3/01/19, that all the monuments shown thereon actually exist or a bond has been posted to cover the later installation of these monuments, and that all other requirements specified herein, done by me, have been met.

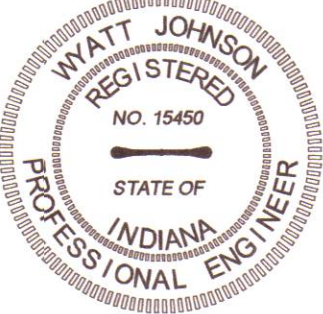
Wyatt Johnson
Registration No. S0302
Firm ID No. 0047



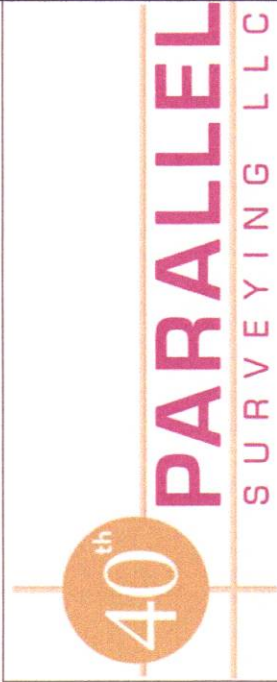
Engineer's Certificate:

I, Wyatt Johnson, hereby certify that I am a Registered Professional Engineer and Land Surveyor licensed in compliance with the laws of the State of Indiana, and that I have inspected during their construction and installation of all improvements and installations required for this subdivision, designated specifically as Fox Hollow Farm, a resubdivision of Fox Hollow Farms, and that such required improvements and installations have been made and installed in accordance with the specifications heretofore approved therefore.

Wyatt Johnson
Registration No. LS80040302 and PE60015450
Firm ID No. 0047



FLOOD HAZARD STATEMENT The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced flood insurance rate map. A portion of this parcel, as depicted on the drawing, is located in Zone A. The balance of the parcel is located in Zone X on the HUD Map 18057C0120G, City of Westfield, Hamilton County, effective date 11/19/2014. Zone A denotes areas in a Special Flood Hazard Area without Base Flood Elevation. Zone X denotes areas not located in a Special Flood Hazard Area.



555 MARKET ROAD
TIPTON, IN 46072
PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

Fox Hollow Farm a Resubdivision
of Fox Hollow Farms
Deed of Dedication
SCALE: 1"= 100'
JOB NUMBER: 2019-8
DRAWN BY: WJ

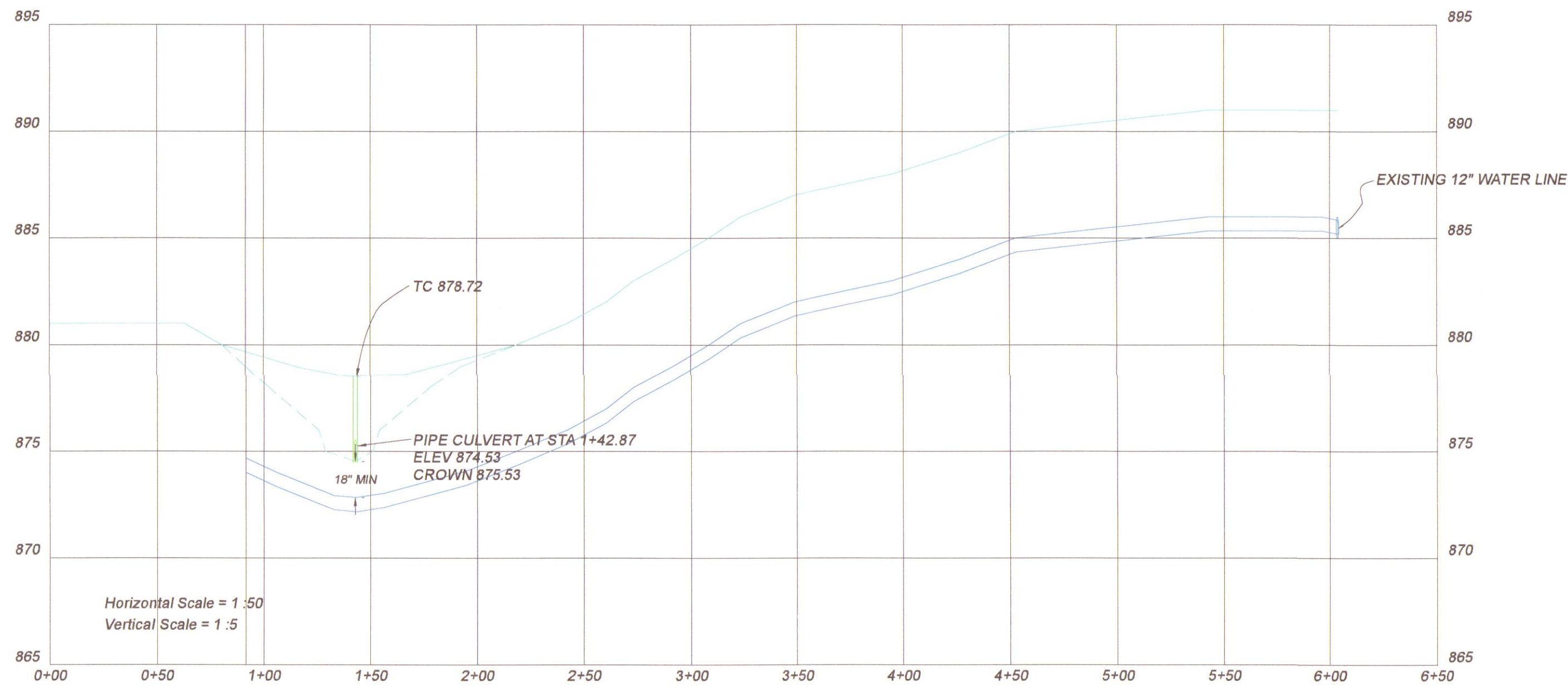
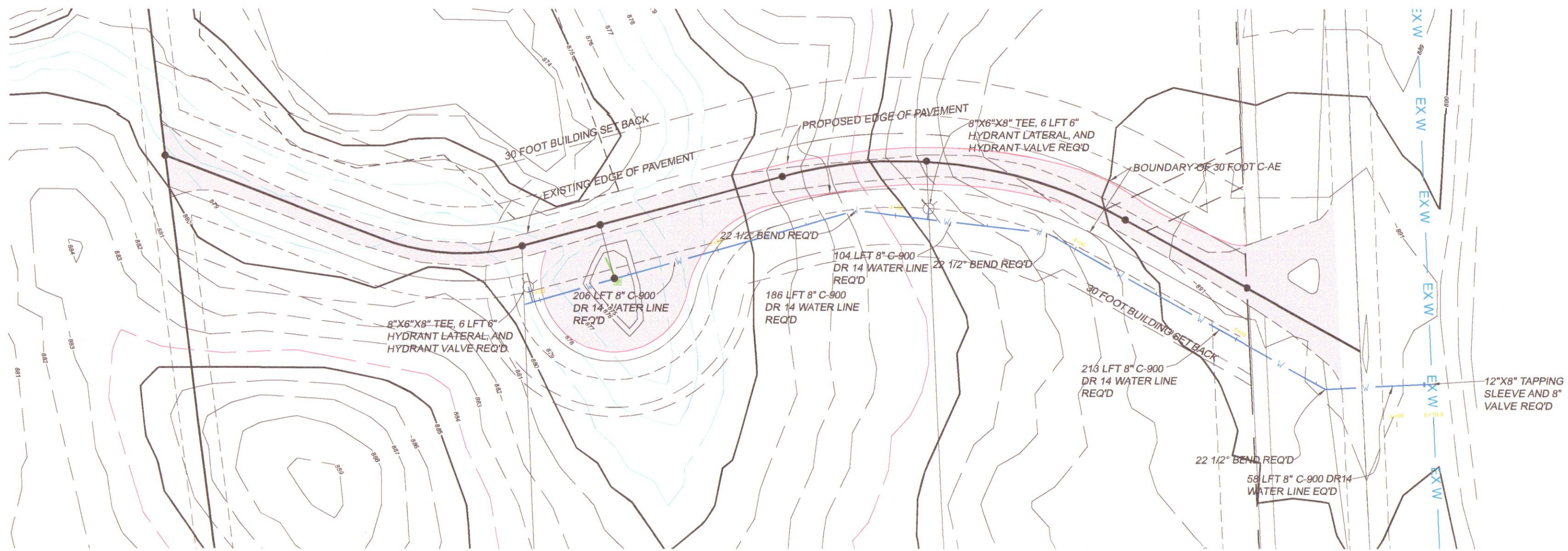
DATE 5/2/19
LAST REVISED
5/2/19
PAGE NUMBER
2 OF 2

The landowners are Noah and Emily Herron; 158 Pargon Ln; Westfield IN 46074.

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

This instrument prepared by Wyatt Johnson, 555 Market Road, Tipton, Indiana.

See survey recorded at Instrument Number _____.



WATT JOHNSON
REGISTERED
NO. 15450
STATE OF
INDIANA
PROFESSIONAL ENGINEER

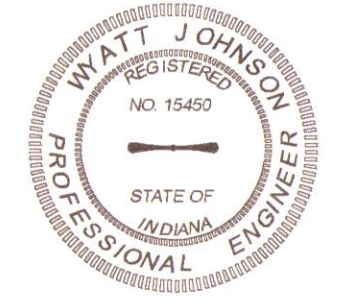
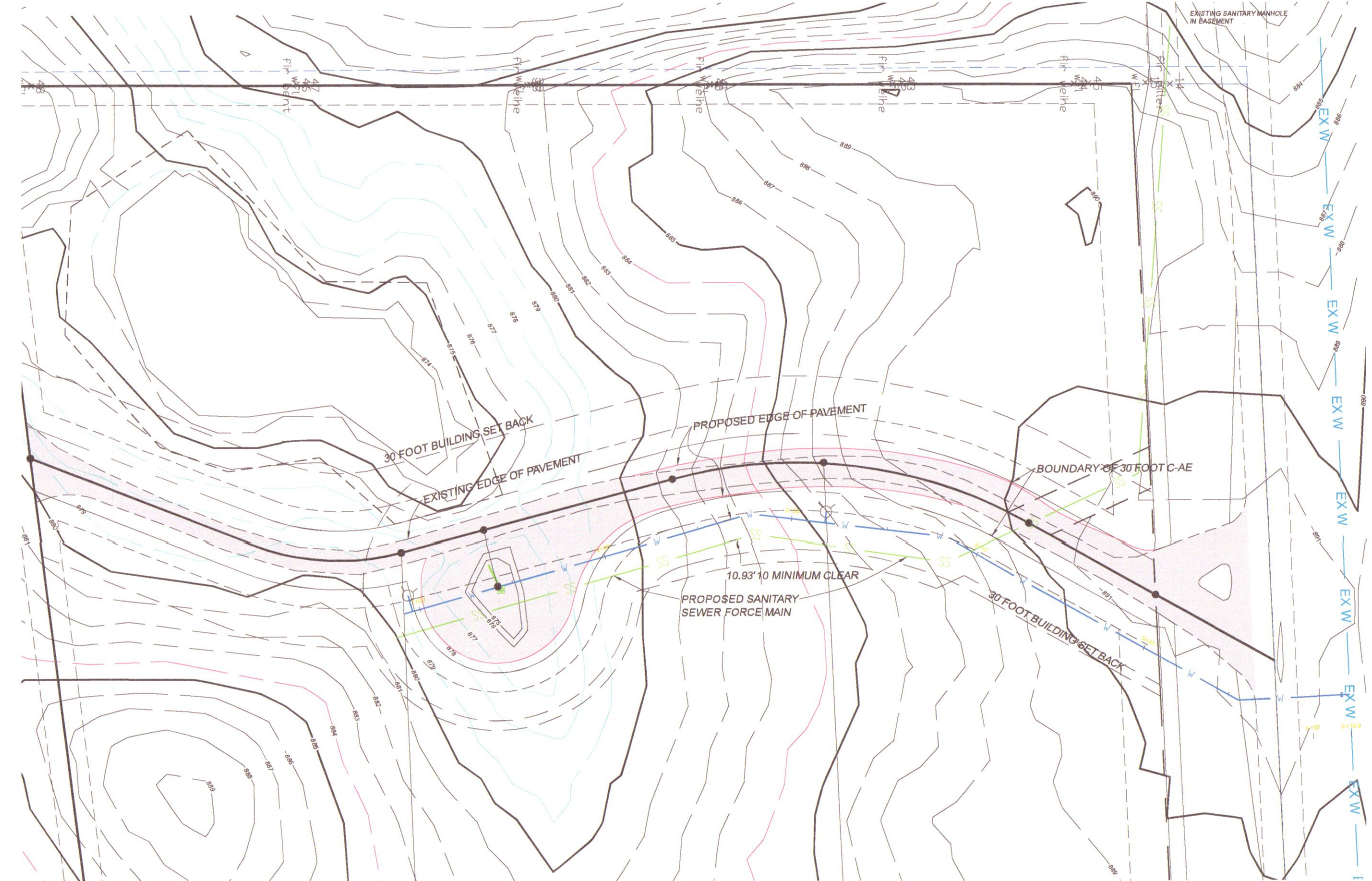
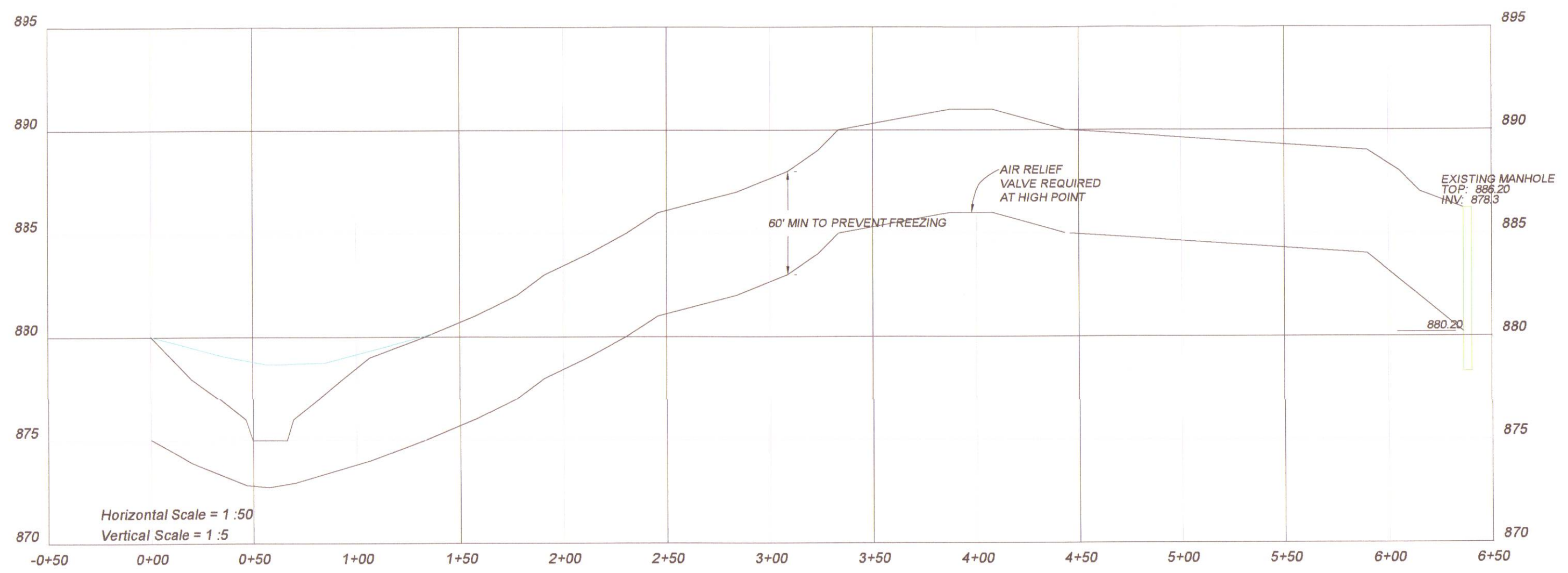
THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Watt Johnson
Watt Johnson

0 50 100 150

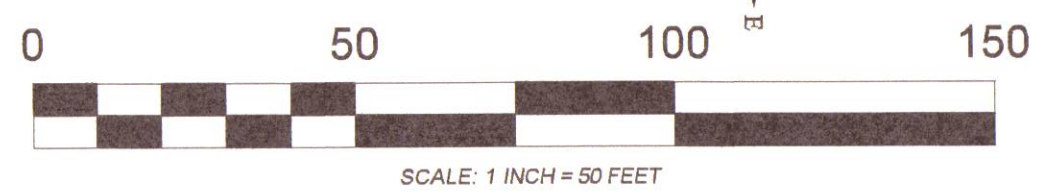
SCALE: 1"=50'

SCALE: 1"=50 FEET



THESE PLANS WERE PREPARED BY ME OR MY EMPLOYEES UNDER MY DIRECT SUPERVISION I AM AN INDIANA REGISTERED ENGINEER.

Wyatt Johnson
Wyatt Johnson



FOX HOLLOW

SANITARY FORCE MAIN PLAN AND PROFILE

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455
e-mail wyatt.40th@gmail.com

DATE: 5/02/19
LAST REVISED

PAGE NUMBER
C 103

SCALE: 1"=50' JOB NUMBER: 2019-008 DRAWN BY: VVJ



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

June 3, 2019
1904-PUD-08
Exhibit 1

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

Petitioner: Urban Vines, LLC

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

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

Current Land Use: Commercial / Agritourism

Acreage: 5 acres +/-

Exhibits:

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

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the March 11, 2019, City Council meeting. The petition received a public hearing at the May 8, 2019, Advisory Plan Commission (the "Plan Commission") meeting. The petitioner hosted a neighbor meeting on March 26, 2019, and a follow up meeting on May 6, 2019. Summaries of the meetings have been provided by the petitioner and are included as **Exhibit 10** and **Exhibit 12**, respectively.

PROJECT OVERVIEW

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

Property History: On April 12, 2016, the Board of Zoning Appeals (the “BZA”) approved a Special Exception to permit an Agritourism Use on the Property, along with Variances of Development Standard related to landscaping, parking, and architecture (see **Exhibit 7**). On December 13, 2016, the BZA approved a Variance of Development Standard related to signage (see **Exhibit 8**).

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to the Urban Vines PUD District to accommodate the existing business, as described in the Petitioner’s Narrative (see **Exhibit 5**).

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

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

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

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

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

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

- A separate Temporary Use and Event Permit would not be required for each event in a recurring series if temporary structures will not be used. Instead, an annual permit could be issued for the series.
- Outside equipment used at the events would be limited to equipment related to sound and to Mobile & Food Service Vending.
- The sound blankets depicted in the Sound Mitigation Exhibit (see **Exhibit 5**) shall be in place for every event held on the Outdoor Event Stage.
- A maximum 6 events per month would be permitted on the Outdoor Event Stage. Additional restriction on the days and times of the events are also included.
- The PUD Ordinance proposes alternative noise limitation to those included in the Nuisance Standards for the Municipal Code. This would include lowering the maximum decibels from 90 to 70 as measured from a point 6 feet outside of the property line, and eliminating the standard that noise not be clearly audible 40

feet outside of the property. This is the first instance of an alternative nuisance standard being proposed. The appropriateness of this change should be considered.

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

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

Accessory Use and Building Standards: The proposed ordinance permits the existing stage to be located 15 feet off of the east property line. The UDO would require it to meet the minimum setback for the underlying zoning district, which is 30 feet.

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

Landscaping Standards: As proposed, the PUD ordinance exempts the property from the standards of UDO Article 6.8, and instead requires that the existing landscaping, as depicted on the Concept Plan (see **Exhibit 3**), be maintained.

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

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

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

CHANGES SINCE THE PUBLIC HEARING

Several changes have been made to the Proposed Ordinance since the May 8, 2019, public hearing. First, the definitions for Special Event and Temporary Use and Event have been removed from the PUD. Instead, the UDO's definition of Temporary Use and Event will apply. Second, a definition was added for Outdoor Event Stage. Next, there were several changes made to the conditions of some of the uses, as outlined in the Permitted Use section of this report. Lastly, a more detailed Concept Plan has been incorporated into the Proposed Ordinance.

COMPREHENSIVE PLAN

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

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the May 8, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

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

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

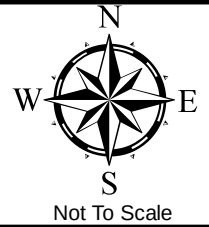
Council Introduction: The petition was introduced at the March 11, 2019, City Council meeting.

DEPARTMENT COMMENTS

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



Property Location Map
Urban Vines PUD
1904-PUD-08



Aerial Location Map



Zoning Map

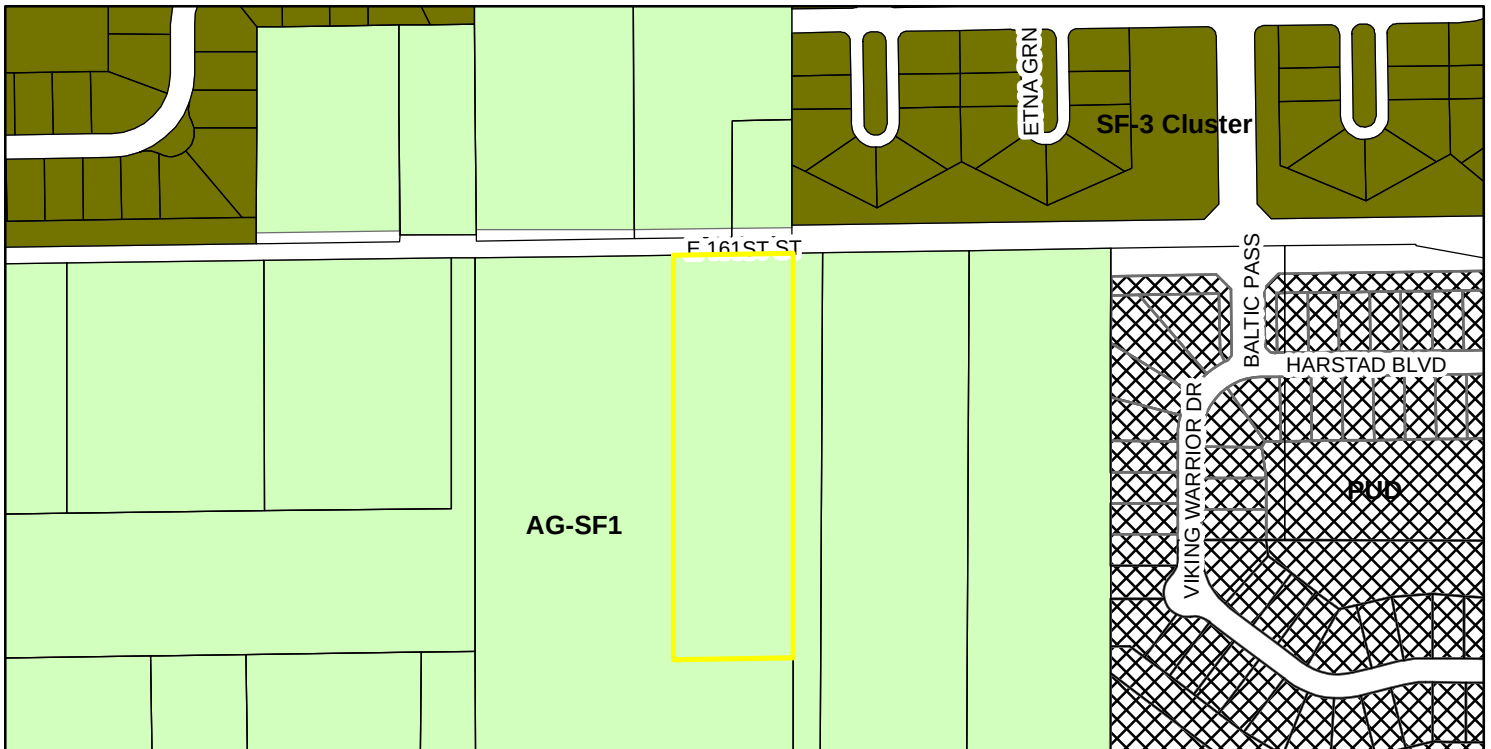


EXHIBIT B
CONCEPT PLAN

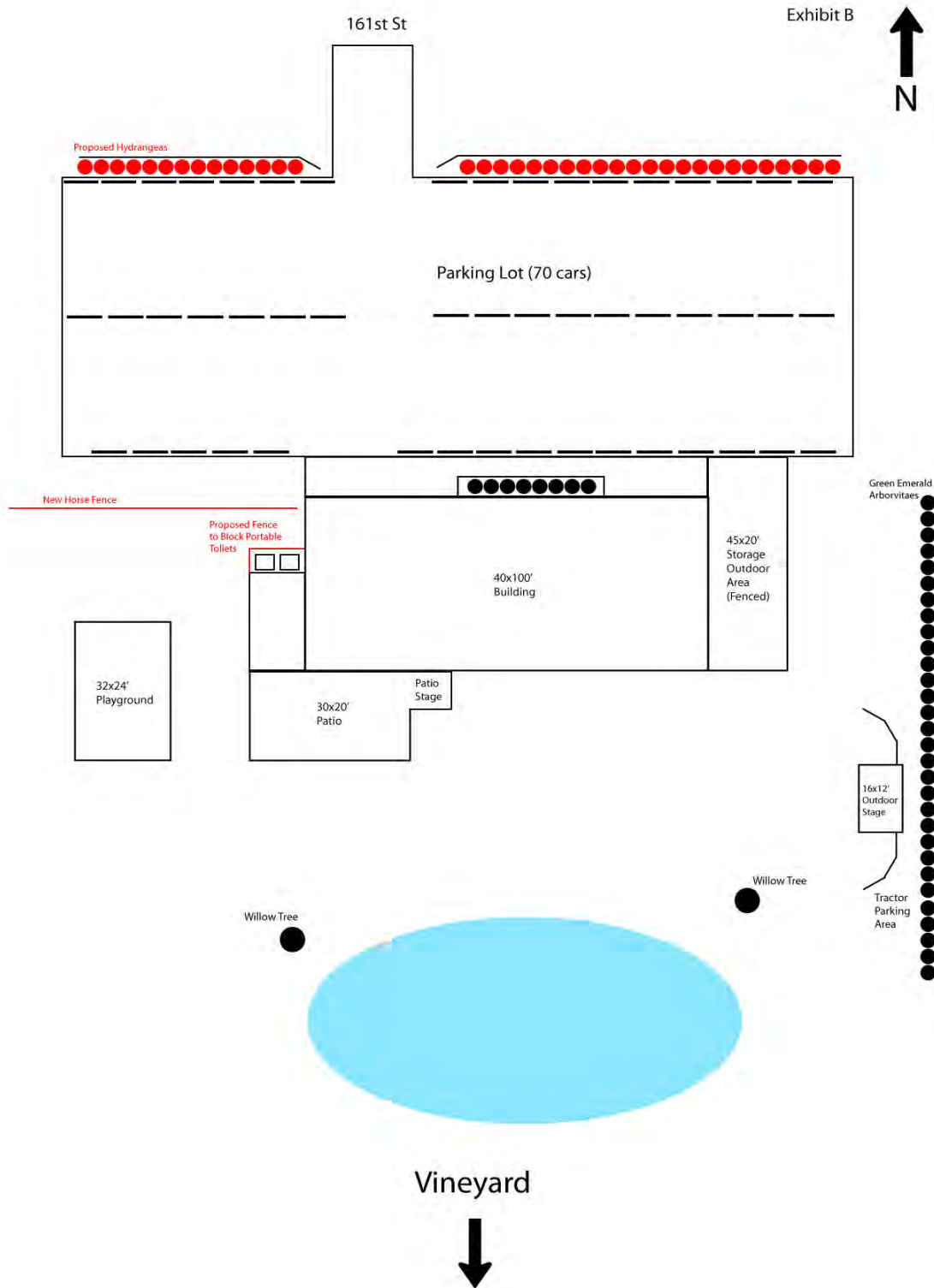


EXHIBIT C
CHARACTER EXHIBIT



EXHIBIT D
SOUND MITIGATION EXHIBIT







ORDINANCE NUMBER 19-10

Urban Vines PUD District

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

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1904-PUD-08**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1904-PUD-08** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2019;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as

the "**URBAN VINES PUD District**" (the "District").

- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter ("*Chapter*") and Article ("*Article*") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance, unless otherwise specified herein.
- 1.4 All provisions and representations of the Unified Development Ordinance and Code of Ordinances, of Westfield, Indiana Chapter 34(II)(2): Environment; Nuisances; Noise that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.
- 1.5 This Ordinance is adopted with the intent and purpose to repeal, supersede and/or void any and all variances and special exceptions previously granted to the Real Estate by the Board of Zoning Appeals ("Granted Variances"). Further, this Ordinance is adopted with the expressed request and consent of the Petitioner. Any Granted Variance held to be valid after the adoption date of this Ordinance shall render this Ordinance void.

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

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

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with *Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan*. The Real Estate shall be developed and maintained in substantial compliance with the Concept Plan.

Section 4. **Legally Established Pre-Existing Improvements.** The Real Estate has been developed as an Agritourism Use, as generally depicted on the Concept Plan and the Character Exhibit, attached hereto as **Exhibit C**, in compliance with the zoning ordinance in effect at the time that each improvement was made to the Real Estate (collectively, the "Existing Improvements"). All existing structures and conditions of the Real Estate, as shown in **Exhibit B**, 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 Agricultural Processing (e.g., grape processing) of on-site crops, 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, shall be in place for every event utilizing the Outdoor Event Stage.
- d. Events held on the Outdoor Events Stage shall be limited to a maximum of 6 concert days a month. Permitted Thursday, Friday and Saturdays unless a holiday falls on a weekday. Concerts will end by 9pm on Thursdays unless it falls on a holiday.
- e. The Nuisance provisions of the Code of Ordinance, of Westfield, Indiana shall be replaced with the following:
 - i. Outdoor music shall not be permitted after 10 pm
 - ii. The decibel level shall not exceed seventy (70) decibels when measured from a point six (6) feet outside the property line.

D. Brewing, Winery and Distilling Production Facility & Tastings

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

- a. A maximum of two (2) Mobile & Food Service Vendors shall be permitted at one time.
- b. Service shall be limited to patrons of the primary business.

F. Serving of food prepared on the Property

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

- 7.1 Article 6.1 Accessory Use and Building Standards: The Minimum Side Yard Setback for the existing stage shall be fifteen (15) feet, as depicted in the Existing Character Exhibit.
- 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 Existing Character Exhibit.
- 7.3 Article 6.8 Landscaping Standards: Shall not apply, rather, landscaping shall be maintained in substantial compliance with the Concept Plan attached hereto as **Exhibit B.**
- 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, each sixteen (16) square feet in size, 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 Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

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

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

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

Cindy Gossard, Clerk-Treasurer

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

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

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Pamela L. Howard, Senior Planner, City of Westfield, Economic and
Community Development Department
2728 East 171st Street, Westfield, Indiana 46074 | (317) 804-3170

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

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Character Exhibit

EXHIBIT A
REAL ESTATE

A part of the 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

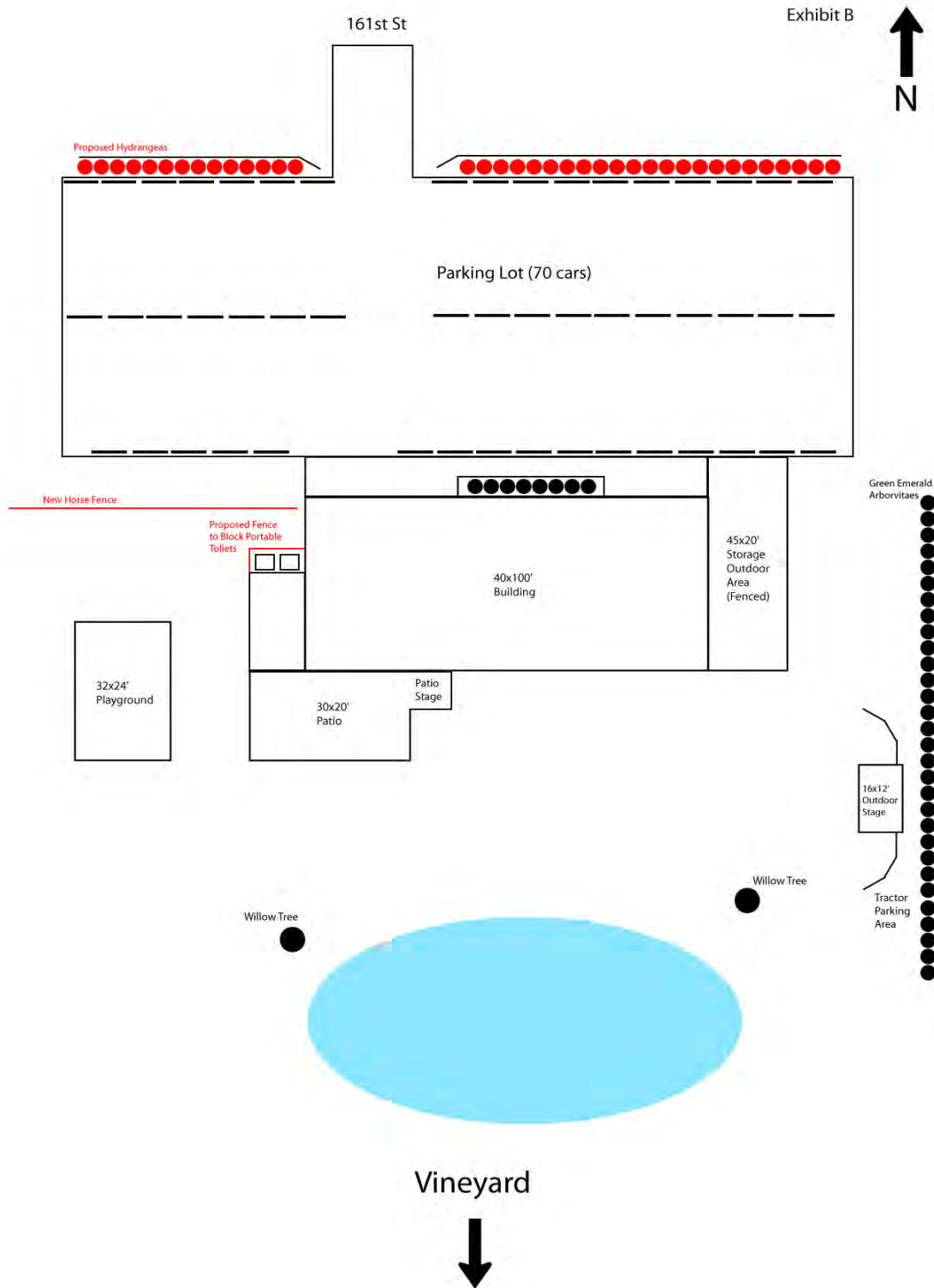


EXHIBIT C
CHARACTER EXHIBIT



EXHIBIT D
SOUND MITIGATION EXHIBIT







Narrative Statement

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

Noah Herron

A handwritten signature in blue ink, appearing to be 'Noah Herron', with a long horizontal flourish extending to the right.



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

ACKNOWLEDGEMENT OF VARIANCE

Document Cross Reference Number: 2013052337

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

Mayor
Andy Cook

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

Clerk Treasurer
Cindy J. Gossard

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

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

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

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

COPY

**Economic and
Community
Development**

(317) 804-3170

2728 East 171st Street
Westfield, IN 46074

westfield.in.gov

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

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

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

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

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

WESTFIELD ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
"DIRECTOR"



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

Administration

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

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

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

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

Mteck LLC

Mteck, LLC

By: Steve Schneider

Title: President

5/31/2016

Date

STATE OF Indiana

)

) SS:

COUNTY OF Hamilton

)

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

(SEAL)

Jacqueline G. Morgan

Signature of Notary Public



Jacqueline G. Morgan

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: 9/4/21

PREPARED BY:

[Signature]

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

(name) [Signature]

nistration

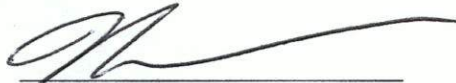
3040 office
4-3190 fax

71st Street
, IN 46074

Id.in.gov

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

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



Noah Herron

5-10-16

Date

STATE OF INDIANA)

COUNTY OF HAMILTON)

SS:

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

(SEAL)

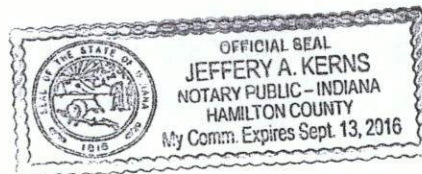


Signature of Notary Public

JEFFERY ALLEN KERNS
Printed name of Notary Public

My County of Residence: HAMILTON

My Commission Expires: September 13, 2016



Administration

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

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

EXHIBIT A
THE PROPERTY

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

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

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

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

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

29-09-11-000-013.103-015

Administration

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

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

EXHIBIT B
PETITIONER'S NARRATIVE

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

The requested Variances of Development Standard include:

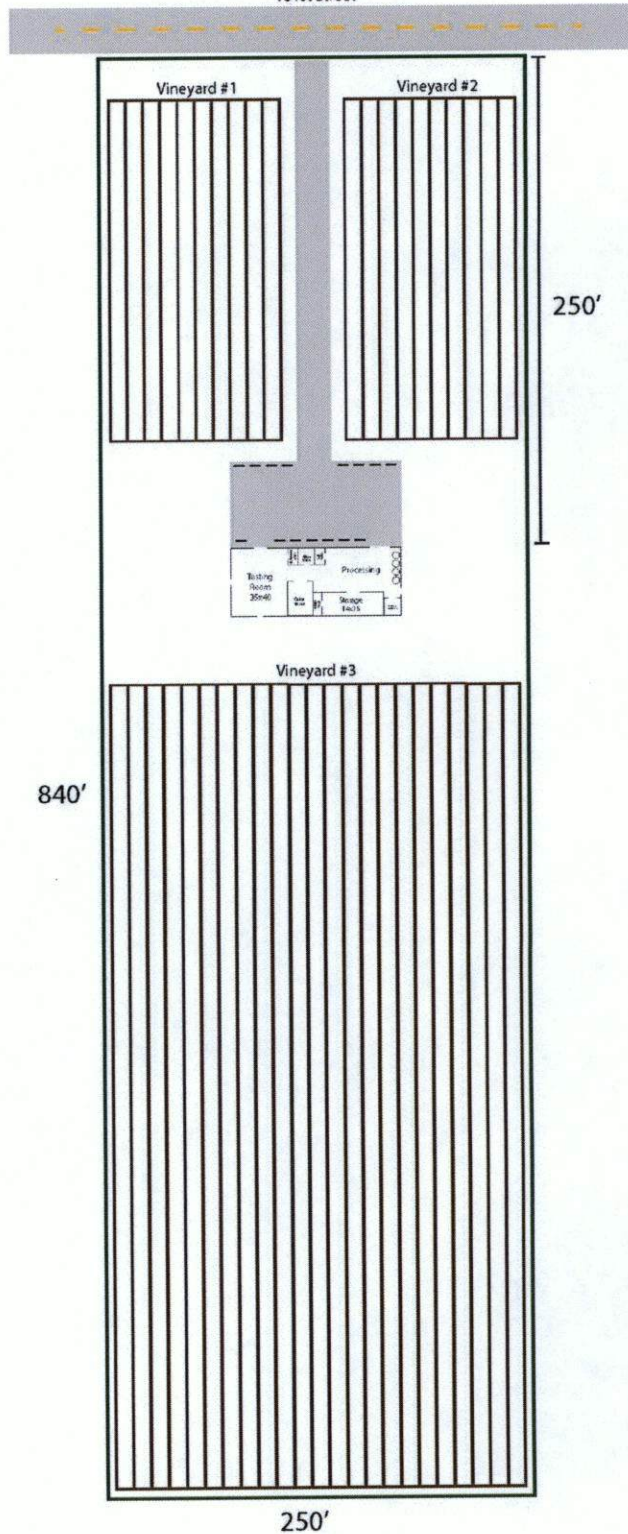
1. **Landscaping Standards (Article 6.8).**
Petitioner requests that the following landscaping standards not apply to the property: Minimum Lot Landscaping Requirements (Article 6.8(K)); External Street Frontage Landscaping Requirements (Article 6.8(M)); Buffer Yard Requirements (Article 6.8(N)); Interior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

Administration

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

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

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

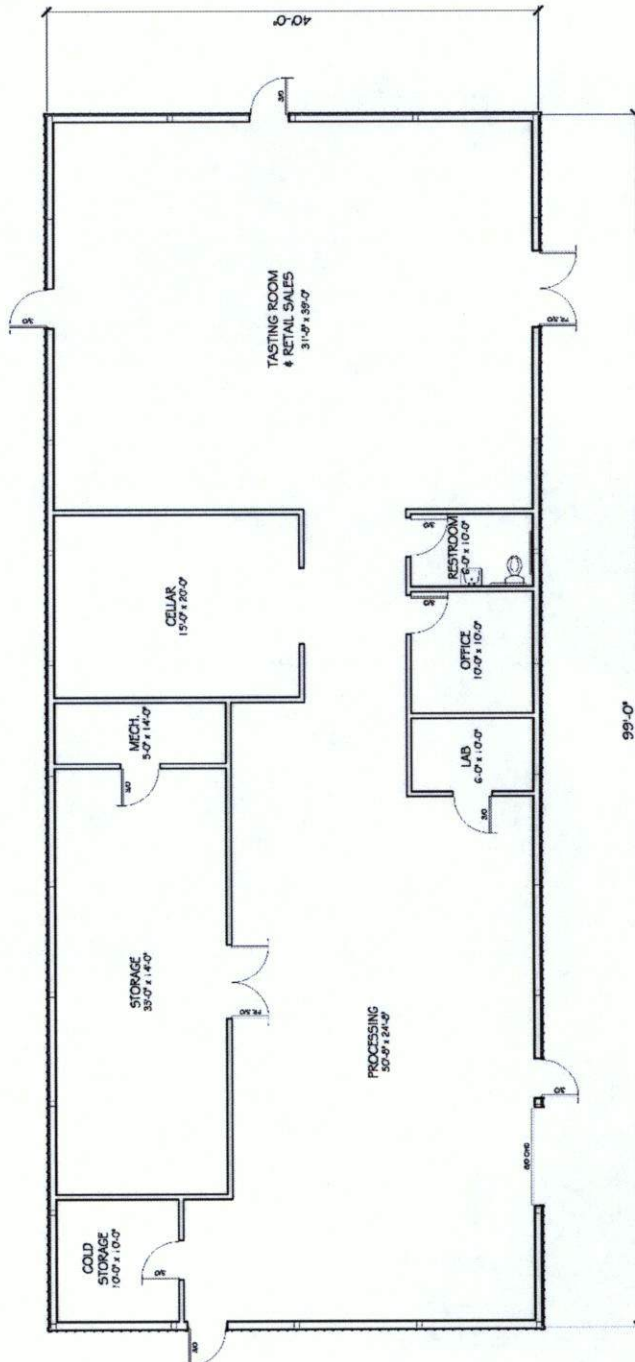


Administration

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

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

EXHIBIT C-2
SITE PLAN EXHIBIT: FLOORPLAN

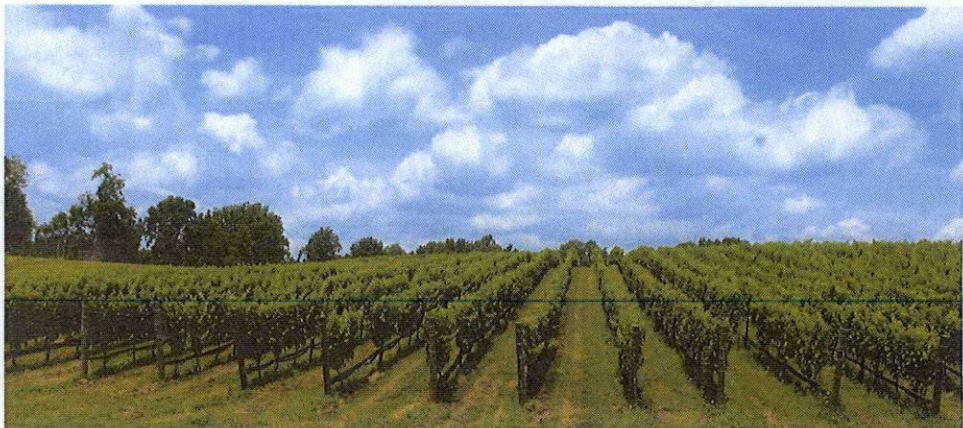
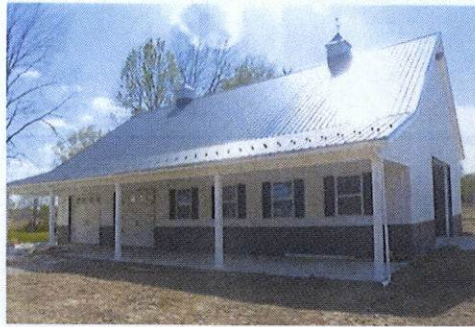


Administration

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

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

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBIT



Administration

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

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



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


ACKNOWLEDGEMENT OF VARIANCE

Document Cross Reference Number: 2013052337

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

Mayor
Andy Cook

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

Clerk Treasurer
Cindy J. Gossard

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

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

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

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

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

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

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

**Economic and
Community
Development**

(317) 804-3170

2728 East 171st Street
Westfield, IN 46074

westfield.in.gov

WESTFIELD ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
"DIRECTOR"



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

Administration

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

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

"PROPERTY OWNER"

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

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



Herron Holdings, LLC

By: NOAH HERRON

Title: OWNER

4-26-17
Date

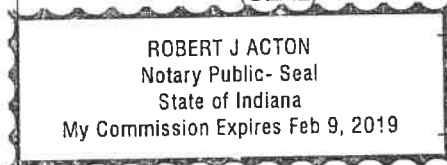
STATE OF INDIANA)

) SS:

COUNTY OF HAMILTON)

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

(SEAL)





Signature of Notary Public

Robert Acton

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: FEB 9, 2019

Administration

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

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

"PETITIONER"

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

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



Noah Herron

4-26-17

Date

STATE OF INDIANA

)

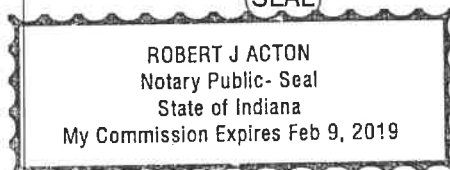
) SS:

COUNTY OF HAMILTON

)

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

(SEAL)





Signature of Notary Public

Robert Acton

Printed name of Notary Public

My County of Residence: Hamilton

My Commission Expires: Feb 9 2019

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

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

Administration

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EXHIBIT A
THE PROPERTY

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

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

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

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

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

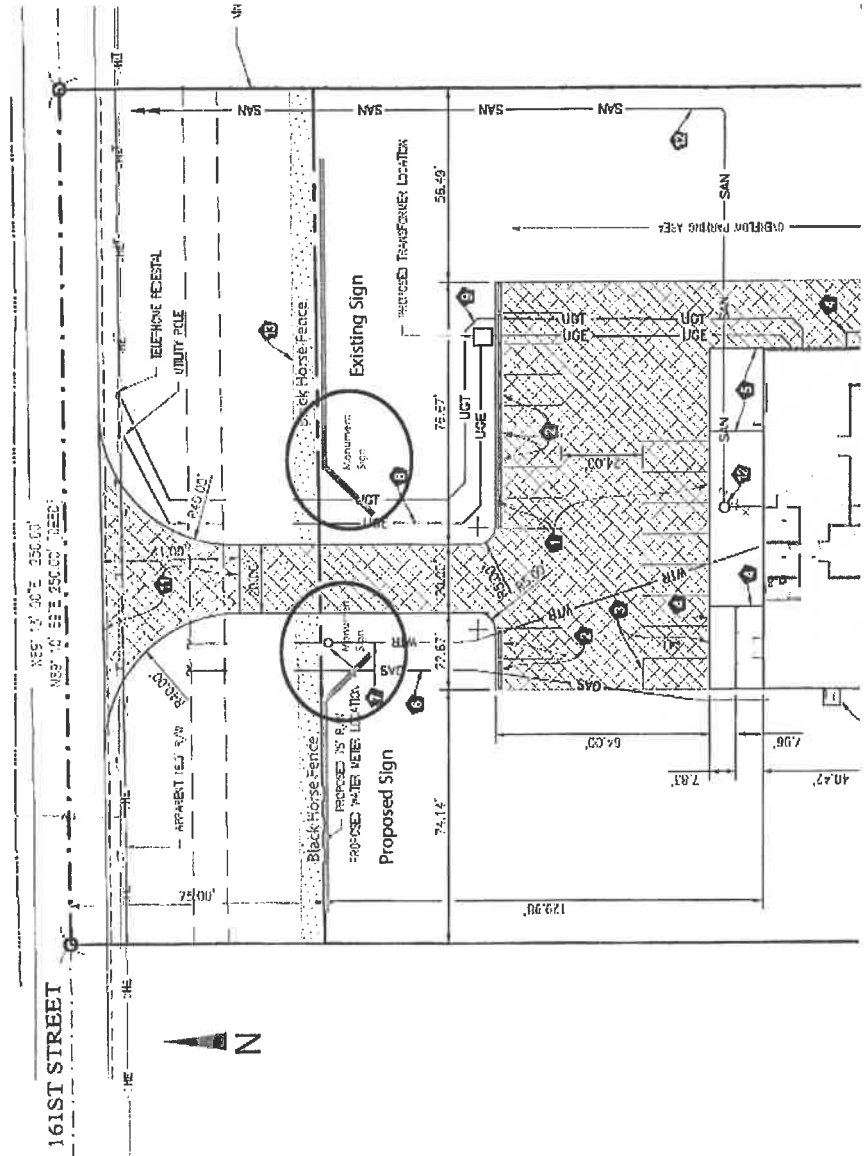
29-09-11-000-013.103-015

Administration

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EXHIBIT B **SITE PLAN**



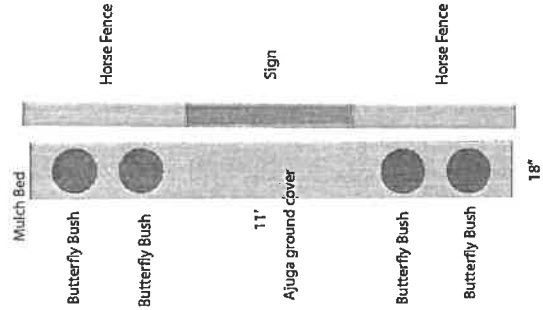
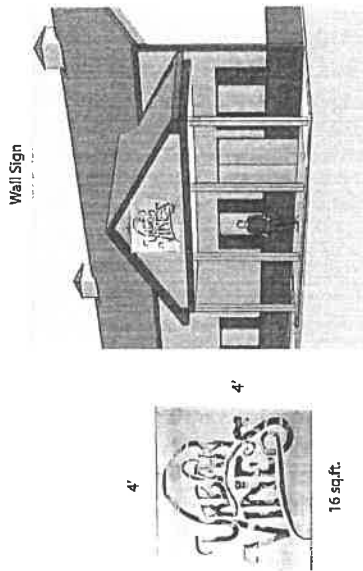
Administration

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EXHIBIT C SIGN ELEVATIONS

Landscaping Plan



Administration

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Urban Vines PUD Neighborhood Meeting 3/26/19

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

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

Noah Herron
Urban Vines

Pamela Howard

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

Hey Everyone,

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

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

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

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

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

Rick Kingston
Cell: 317-979-0137
rnkingston2019@gmail.com

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Noah Herron
Urban Vines



Specializing in Acoustics, Noise & Vibration Control

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

April 17, 2019

To: Noah Herron
Urban Vines
Westfield, IN 46074

Thank you for your recent purchase of noise control material.

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

Please call or email if I can assist further.

Regards –

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

Jeff Unger
President & Sound Engineer

April 19, 2019

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

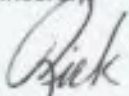
This summer season we plan to add eight foot sections of wooden fencing on both sides of the stage that will form a type of funnel, directing most of the sound toward the patrons. This will cut down the sound that spills out of the stage area, similar to walls we see built on the sides of interstate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

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

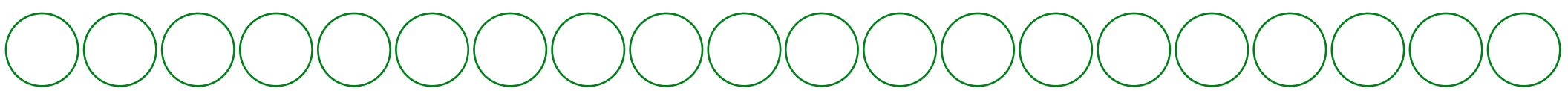
In addition, all bands have been contacted to make sure that the minimum amount of sound equipment needed will be used.

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

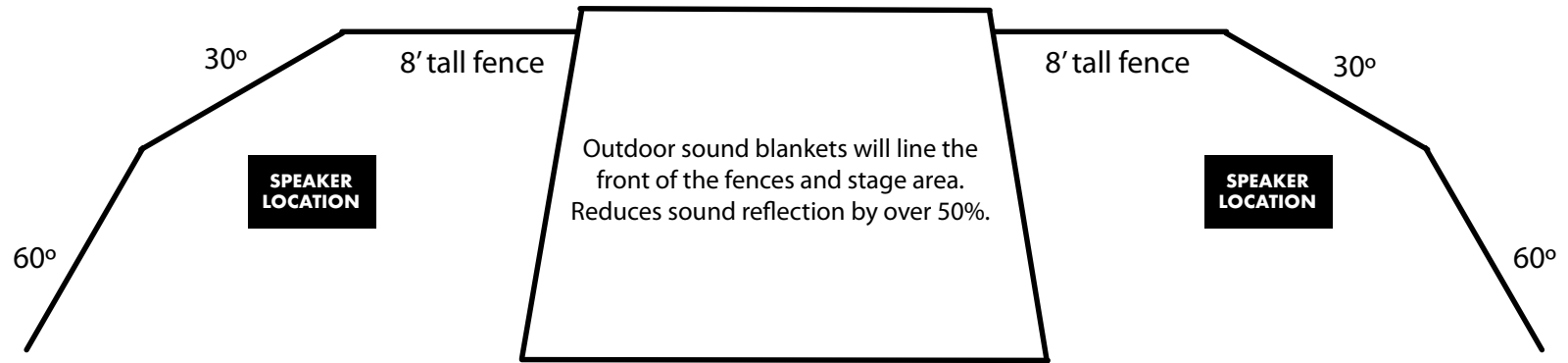
Sincerely,



Rick Kingston



Emerald Green Arborvitae Landscaping (120' Length)



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

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







Urban Vines PUD Neighborhood Meeting 5/6/19

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

All neighbors that attended were happy with the new updates.

Noah Herron
Urban Vines

ISSUES RAISED REGARDING THE URBAN VINES PUD PROPOSAL

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

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

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

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

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

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

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

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

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

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



Petition Number: 1810-DDP-25

Subject Site Address: Southwest Corner of US Highway 31 & 191st Street

Petitioner: Pryam, LLC by The Schneider Corporation

Request: Detailed Development Plan review for a 69,113 square foot hotel and related infrastructure on 7.36 acres +/- in the Hittle at ThirtyOne Planned Unit Development (PUD) District

Current Zoning: Hittle at ThirtyOne PUD (Ord. 17-45)

Current Land Use: Vacant

Approximate Acreage: 7.36 acres +/-

Exhibits:

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

Property History:

1712-PUD-26 PUD District (Ord. 17-45)
1712-ODP-13 Overall Development Plan
1712-SPP-13 Primary Plat

Staff Reviewer: Daine Crabtree, Associate Planner

PROCEDURAL

Approval of a Detailed Development Plan must be granted if the submitted plan demonstrates compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT DESCRIPTION

The project is for the development of a hotel and related infrastructure on 7.36 acres +/- in The Hittle at ThirtyOne PUD (Ord. 17-45).

The petition was reviewed by the Technical Advisory Committee at its September 18, 2018, meeting and will be available for Consent Agenda approval at the June 3, 2019, Advisory Plan Commission (APC) meeting.



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

The plans comply.

- 1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.
- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.



- 17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

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

The plans comply.

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

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

DISTRICT STANDARDS

The plans comply with Article 4.16 (GB District) and the Hittle at ThirtyOne PUD.

22) Permitted Land Uses

23) Minimum Lot Area: No minimum

24) Minimum Lot Frontage: No minimum, however all Lots shall have vehicular access to an External Street

25) Minimum Building Setback Lines:

- a) District Perimeter: Fifteen (15) feet



- b) District Perimeter Abutting an External Street: Thirty (30) feet
- c) All Other: No Minimum

26) Maximum Building Height: No maximum

27) Minimum Building Height:

- a) Area I (Hotels): Four (4) stories or sixty (60) feet, whichever is less
- b) Area II: (Outlots): One (1) story

28) Minimum Building Size:

- a) Area I (Hotels): 40,000 square feet
- b) Area II (Outlots): 3,000 square feet, shall include outdoor seating area

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply.

29) Accessory Use and Building Standards (Article 6.1)

- a) Screening of Receptacles and Loading Areas (Article 6.1(H))
- b) Screening of Receptacles and Loading Areas (Article 9.1 of PUD)

30) Architectural Standards (Article 6.3(F))

31) Architectural Standards (PUD, Section 6.3)

32) Building Standards (Article 6.4)

33) Fence Standards (Article 6.5, PUD Section 9.3)

34) Height Standards (Article 6.6)

35) Landscaping Standards (Article 6.8, as modified by Section 9.4 of Ord. 17-45):

- a) General Screening Standards (Article 6.8(H))
- b) Minimum Lot Landscaping Requirements (Article 6.8(K))

Type	Shown	Required	Remaining
Shade	57	55	0
Ornamental/Evergreen	55	55	0
Shrub	307	138	0

- c) Foundation Plantings (Article 6.8(L))

d) External Street Frontage Landscaping

Type	Shown	Required	Remaining
Shade/Evergreen	26	19	0
Ornamental	13	13	0
Shrub	173	159	0

e) Buffer Yard Requirements

Comment: Not Applicable per Section 9.4 of PUD.

f) Interior Parking Area Landscaping

g) Perimeter Parking Area Landscaping (Section 9.4(B) of PUD)

Comment: Parking lot does not include vehicular cross-access or shared parking, so Perimeter Parking Area Landscaping is required.

h) Perimeter Parking Area Landscaping (UDO)

Type	Shown	Required	Remaining
Tree	41	12	0
Shrub	122	119	0

36) Lighting Standards (Article 6.9, as amended by Section 9.8 of Ord. 17-03)

- All Light Fixtures shall be Fully Shielded and direct light downward toward the earth's surface. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.
- Light pole height shall not exceed twenty-five (25) feet. All Light Fixtures in Parking Areas shall be designed and located to confine emitted light to the Parking Area.
- Light meter readings shall not exceed one (1.0) foot candle at all Lot Lines.
- Ord. 17-03 requires the following additional restriction: Lighting shall be dimmed to Sixty-Five percent (65%) after 11pm. Illuminated building signage is excluded. Lighting used for landscaping or to highlight a building feature or art shall be permitted to be upward facing toward the element/building it is highlighting.



- 37) Lot Standards (Article 6.10)
- 38) Outside Storage and Display (Article 6.12)
- 39) Outdoor Café and Eating Areas (Article 6.13)
- 40) Parking and Loading Standards (Article 6.14)
- 41) Setback Standards (Article 6.16)
- 42) Sign Standards (Article 6.17)
- 43) Vision Clearance Standards (Article 6.19)
- 44) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply.

- 45) Block Standards (Article 8.1)
- 46) Easement Standards (Article 8.3)
- 47) Monument and Marker Standards (Article 8.5)
- 48) Open Space and Amenity Standards (Article 8.6)
- 49) Pedestrian Network Standards (Article 8.7 & PUD Section 11.2)
- 50) Storm Water Standards (Article 8.8)
- 51) Street and Right-of-Way Standards (Article 8.9)
- 52) Street Light Standards (Article 8.10)
- 53) Street Sign Standards (Article 8.11)
- 54) Surety Standards (Article 8.12)
- 55) Utility Standards (Article 8.13)

HITTLE AT THIRTYONE PUD (ORD. 17-45)

The plans comply.

- 56) Concept Plan
- 57) Illustrative Layout

Comment: The proposal varies from the Illustrative Layout in the PUD, but the ordinance states that the final layout may vary. The proposal also varies from the approved Overall Development Plan, but as presented, the plans constitute a 'minor amendment' because



it does not (i) increase the buildable area or number of lots as compared to the ODP; (ii) increase the impervious surface area or intensity of the use as compared to the ODP; (iii) reduce the width or number of plantings in a perimeter yard; or (iv) change the standard or alignment of Streets or circulations, nor does it include additional driveways, Rights-of-way or access points.

58) Enhanced Entry (PUD, Section 11.1(A))

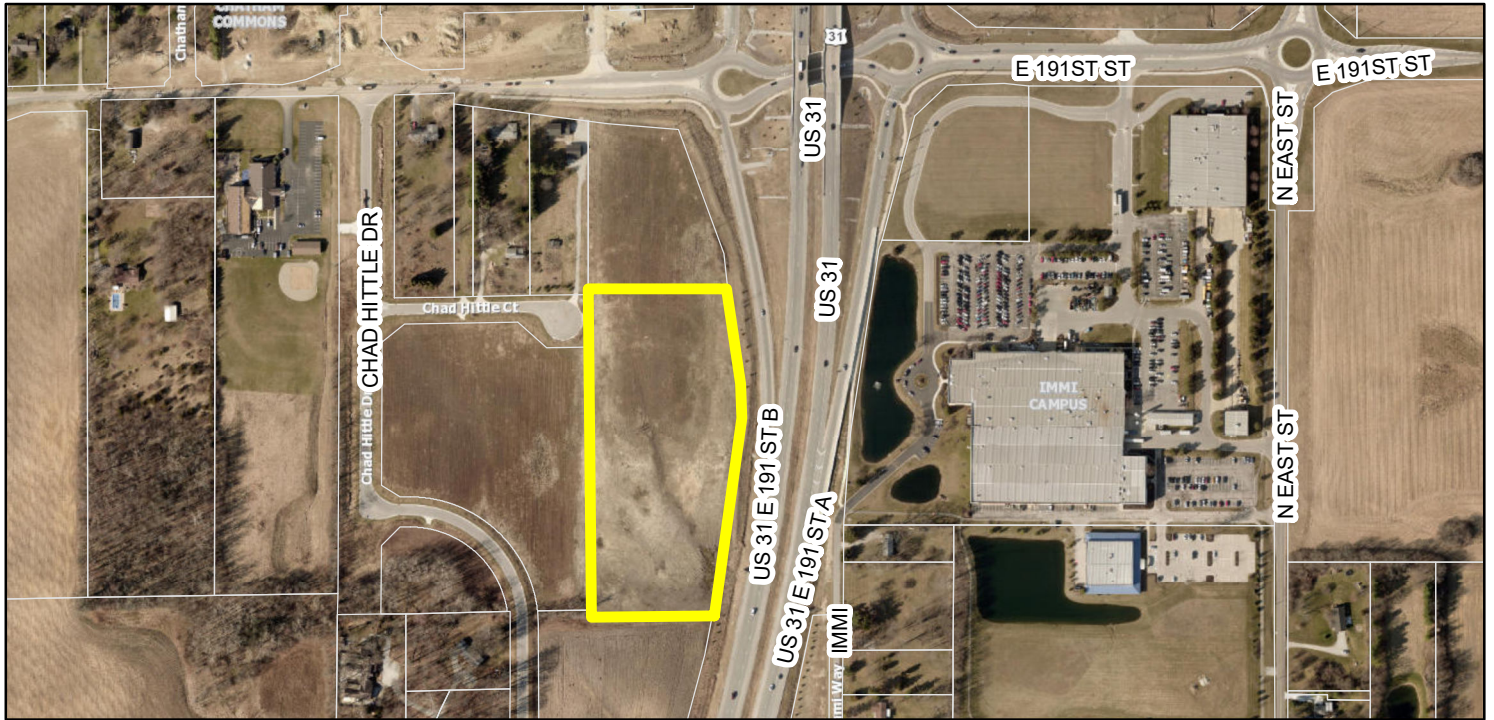
59) Public Art Node (PUD, Section 11.1(B))

DEPARTMENT COMMENTS

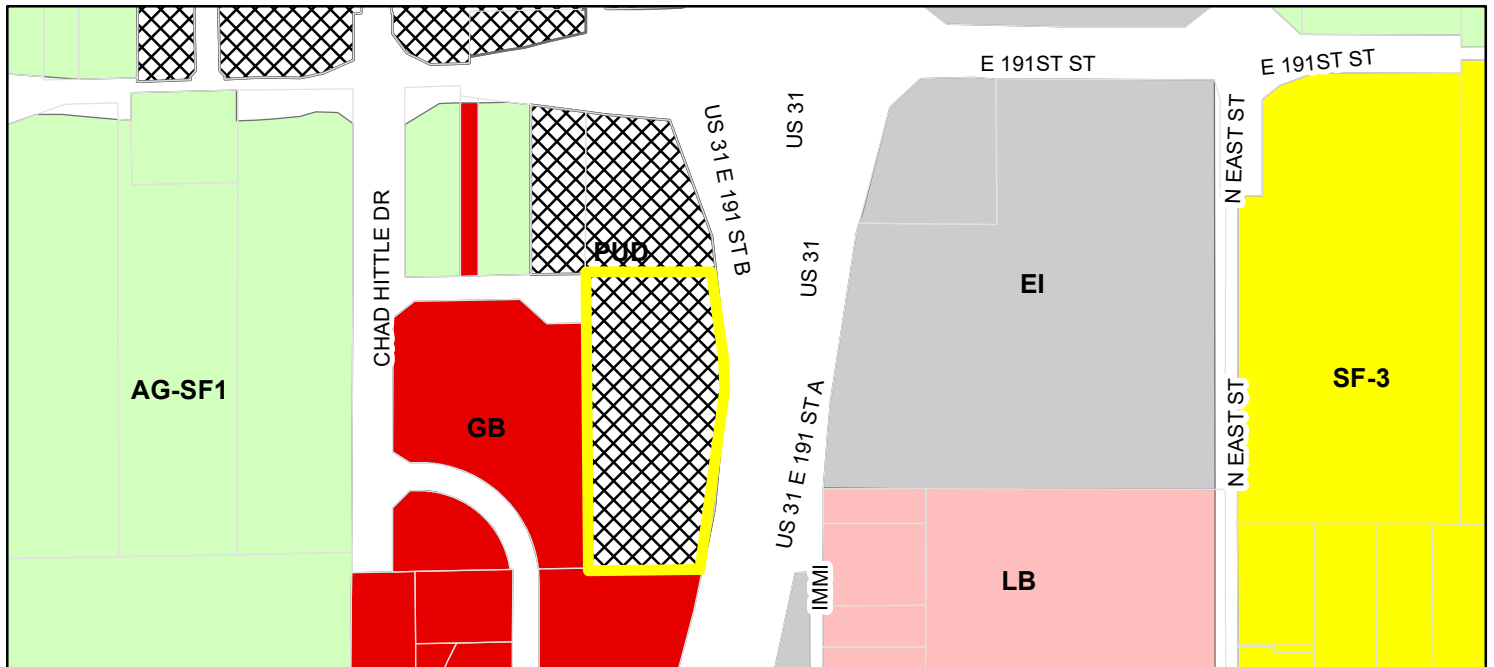
- 1) The plans as presented comply with the applicable zoning ordinances.
- 2) **Action:** Approve Detailed Development Plan 1810-DDP-25 with the following conditions:
 - That the Secondary Plat (1810-SFP-43) associated with this development plan be signed and recorded at the Hamilton County recorder's office prior to the issuance of an Improvement Location Permit.
 - That all necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to any work beginning on the Property.
- 3) If any Plan Commission member has questions prior to the meeting, then please contact Daine Crabtree at 317-416-2586 or dcrabtree@westfield.in.gov.

Aerial Location Map

 Site

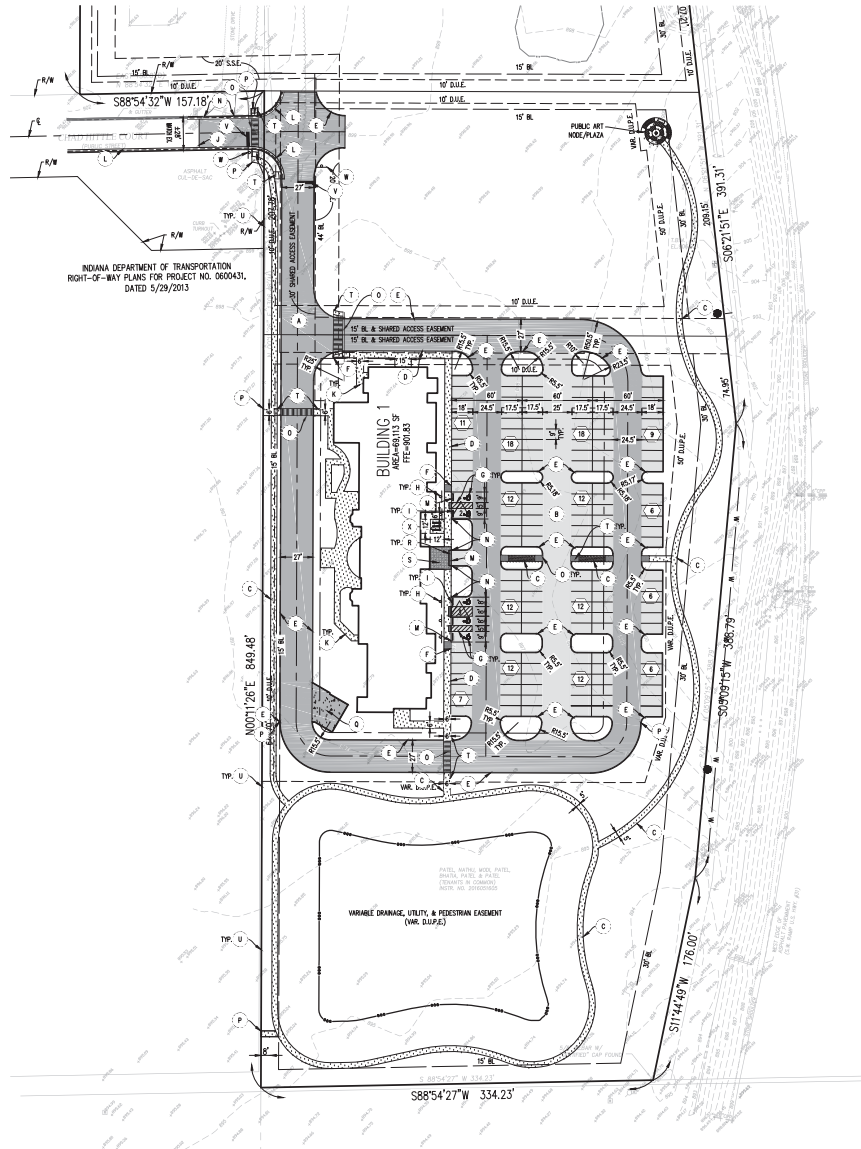


Zoning Map

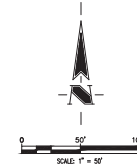


-  Parcel
- Zoning - All**
- Zoning**
-  AG-SF1 (Agriculture - Single Family - 1)
 -  GB (General Business)
 -  LB (Local Business)
 -  PUD (Planned Unit Development)
 -  SF-3 (Single Family - 3)
 -  EI (Enclosed Industrial)





NOTE:
PRE-CONSTRUCTION STORMWATER
POLLUTION PREVENTION PLAN MUST
BE COMPLETED PRIOR TO SITE
CONSTRUCTION.



GENERAL NOTES

1. ALL GRADES AT BOUNDARY SHALL MEET EXISTING GRADES.
2. IT SHALL BE THE SUBCONTRACTOR'S RESPONSIBILITY TO CONTACT THE OWNERS OF THE VARIOUS UTILITIES FOR PRELIMINARY LOCATION OF EACH UTILITY BEFORE WORK IS STARTED. THE SUBCONTRACTOR SHALL NOTIFY IN WRITING THE OWNER AND THE ENGINEER OF ANY CHANGES, DISCREPANCIES, OR ERRORS FOUND ON THESE PLANS OR IN THE FIELD BEFORE WORK IS STARTED OR RESUMED.
3. STANDARD SPECIFICATIONS FOR THE CITY OF WESTFIELD, INDIANA SHALL APPLY FOR ALL STORM SEWERS AND STREETS.
4. ANY PART OF THE SANITARY OR STORM SEWER TRENCHES RUNNING UNDER PAVED AREAS TO BE BACKFILLED WITH GRANULAR MATERIAL.
5. THE SIZE AND LOCATION OF EXISTING UTILITIES SHOWN ARE PER INFORMATION PROVIDED BY THE RESPECTIVE UTILITY COMPANIES. ALL UTILITY COMPANIES SHOULD BE NOTIFIED PRIOR TO ANY EXCAVATION FOR FIELD LOCATION OF SERVICES.
6. SERVICE WALLS SHALL BE NON-REINFORCED CONCRETE 4" THICK AND 5' IN WIDTH.
7. EXPANSION JOINTS ARE TO BE PLACED AT ALL WALK INTERSECTIONS AND BETWEEN WALLS AND PLATFORMS. SIDEWALK JOINTS ARE TO BE EQUALLY SPACED BETWEEN EXPANSION JOINTS. CONTRACTOR JOINTS AND PERPENDICULAR SIDEWALKS AT 5' INTERVALS OR LESS WITH A CONTRACTION JOINT EVERY 20' OR LESS.
8. TEMPORARY TRAFFIC CONTROL DURING CONSTRUCTION TO CONFORM TO APPLICABLE LOCAL AND STATE STANDARDS.
9. ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN COMPLIANCE WITH APPLICABLE OSHA STANDARDS FOR WORKER SAFETY.
10. REMOVE AND REPAVE ALL AREAS WHERE ANY TIES CROSS PROPOSED BUILDING PAD. ALL FIELD TIES INTERCEPTED TO BE PERPETRATED INTO STORM SEWER SYSTEM OR LAKE. THE SUBCONTRACTOR SHALL NOTIFY IN WRITING THE OWNER AND THE ENGINEER IN ANY CIRCUMSTANCES WHERE THIS CANNOT BE ACCOMPLISHED.
11. ALL FILL AREAS SHALL BE COMPACTED TO AT LEAST 90 PERCENT OF THE STANDARD DRY DENSITY (ASTM D-1557). ALL UNDER FILL UNDER THE FOOTING SHALL BE COMPACTED TO AT LEAST 90 PERCENT OF THE MAXIMUM DRY DENSITY (ASTM D-1557).
12. UNDERDRAINS MUST BE INSTALLED PRIOR TO FOOTING APPROVAL.
13. ALL SOILS ARE PUBLIC AND SHALL MEET TOWN OF WESTFIELD SPECIFICATIONS.
14. STANDARD SPECIFICATIONS FOR THE TOWN OF WESTFIELD, INDIANA SHALL APPLY FOR ALL OF THE CITY'S ENERGY GROUP SANITARY SEWERS AND WATER.
15. ALL SSB PIPE TO BE 12" DOWEL-BELL, SMOOTH SLOPE PERFORATED PIPE.
16. ALL EXISTING AND NEW POWER POLES TO BE MOVED OUTSIDE OF THE RIGHT-OF-WAY.
17. UTILITY CROSSINGS UNDER EXISTING PAVEMENT (BORE/JACK & BORE), AVOID OPEN CUTS.

SITE DATA TABLE

SITE ZONING:	PD
PROJECT AREA:	25.54 ACRES
BUILDING AREA:	60,113 SF
BUILDING HEIGHT:	50'-4"
SITE IMPERVIOUS AREA:	22.50 ACRES

PARKING DATA:	
TOTAL PROVIDED SPACES PROVIDED:	
STANDARD PARKING:	153 SPACES
HANDICAP ACCESSIBLE SPACES:	5 SPACES
TOTAL PROVIDED SPACES:	158 SPACES
TOTAL PROVIDED SPACES REQUIRED:	
1 PER HOTEL ROOM (84 ROOMS):	84 SPACES
1 PER 2 DAY SHIFT EMPLOYEES (10 EMPLOYEES) 5 SPACES	
TOTAL REQUIRED SPACES:	89 SPACES
PLANT BED DATA:	
PARKING AREA:	69,218 SF
ISLAND PLANT BED AREA:	8,923 SF
ISLAND PLANT BED/PARKING AREA:	12.80%

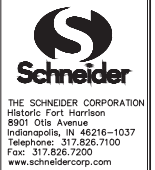
KEY NOTES

- (A) Heavy Duty Asphalt Pavement
- (B) Light Duty Asphalt Pavement
- (C) Concrete Sidewalk, 5' TYP.
- (D) Integral Concrete Curb and Walk
- (E) 6" Concrete Curb
- (F) Parallel Curb Ramp
- (G) ADA Parking Spaces
- (H) ADA Parking Sign
- (I) Precast Concrete Wheel Stop
- (J) Match Existing Pavement
- (K) Concrete Area: Refer To Arch. Plans
- (L) INDOT Combined Curb & Gutter, to Match Existing
- (M) Flush Concrete Sidewalk
- (N) Concrete Curb Tapered End
- (O) 24" Crosswalk, Solid White, Piano Keys Thermoplastic Plastic
- (P) Coordinate with adjacent development for Final Location & Grading.
- (Q) Dumpster: Refer to Arch. Plans
- (R) Detectable Warning Surface
- (S) Scored Concrete, Refer to Arch. Plans
- (T) Perpendicular Curb Ramp
- (U) Coordinate with Adjacent Development for final grading.
- (V) 2' Wide Car Stop Bar
- (W) 4 Way Stop Sign
- (X) Bike Rack - 6 Spaces

PRELIMINARY
PENDING AGENCY
APPROVAL
NOT FOR
CONSTRUCTION

DATE:
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Landscape Architecture

LITTLE AT THIRTYONE - PHASE 1
INFRASTRUCTURE + STAYBRIDGE SUITES
WESTFIELD, INDIANA
PRYAM, LLC
5065 SAIL BAY COURT ELLETTSBURG, INDIANA 46614

DATE: 03/14/2019 PROJECT NO.: 10820.002
DRAWN BY: AKM CHECKED BY: RHH

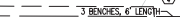
SHEET TITLE: SITE PLAN

DRAWING FILES:
10820\001\10820.dwg
10820\001\10820.dwg
10820\001\10820.dwg

SHEET NO.: C102



MATCHLINE: SEE SHEET L102

 Springer

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HOLEY MOLEY SAYS
"DON'T
DIG
BLIND"



'IT'S THE LAW
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CALL TOLL FREE
PER INDIANA STATE LAW IS-89-192
IT IS AGAINST THE LAW TO EXCAVATE
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING
DAYS BEFORE COMMENCING WORK.

1



ASSUMED NORTH

SCALE: 1" = 30'

1. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

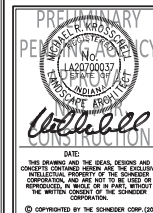
- [illegible]

ASSUMED NORTH
SCALE: 1"=30'

REVISIONS:

2018.10.03	MRI -	- ADDED 2 ORNAMENTAL TREES TO BUILDING FACADE PER TAC COMMENT
2018.10.03	MRI -	- ADDED 39 SHIRUBS TO PARKING PERIMETER PER TAC COMMENT
2018.10.03	MRI -	- ADDED 30 ADDITIONAL SPARKLES TO STREET FRONTAGE PER TAC COMMENT
2018.10.03	MRI -	- THIS COMMANED WITH 25 PARKING PERMETER SHRUBS, METTS REQUIRED 84 SHRUBS
2018.10.03	MRI -	- ADDED 6 ORNAMENTAL TREES TO SITE PER TAC COMMENT
2018.10.03	MRI -	- THIS COMMANED WITH 2 FACADE TREES, METTS REQUIRED 11.

REVISED BY: JAYCE
2018.10.03



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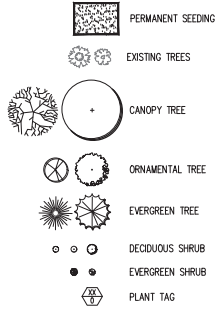
WHITTLE AT THIRTYONE - PHASE 1
INFRASTRUCTURE + STAYBRIDGE SUITES

PRYAM, LLC
51055 SAIL BAY COURT ELKHART INDIANA 46514

DATE: 08/31/18	PROJECT NO.: 10830.001
DRAWN BY: MRK	CHECKED BY: MRK
SHEET TITLE: LANDSCAPE PLAN	
DRAWING FILES: C:\p00000000\p00000000\p00000000.dwg WID: C:\p00000000\p00000000\p00000000.dwg WID: C:\p00000000\p00000000\p00000000.dwg WID: C:\p00000000\p00000000\p00000000.dwg	
SHEET NO.:	

L101

LEGEND



PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	COND.	REMARKS
AR	<i>Acer rubrum</i> 'October Glory'	October Glory Red Maple	24	2.0"	B & B	
CT	<i>Quercus prinus</i> 'Imperial'	Imperial Honeylocust	19	2.0"	B & B	
GR	<i>Quercus rubra</i>	Red Oak	14	2.0"	B & B	

UNDERSTORY TREES

SS	<i>Amelanchier canadensis</i>	Shadblow Serviceberry	25	6"	B & B	Multi-Stem
OC	<i>Crataegus crus-galli</i> 'Inermis'	Thornless Cockspur Hawthorn	9	1.5"	B & B	
MP	<i>Malus PrairieFire</i>	PrairieFire Crabapple	10	1.5"	B & B	

EVERGREEN TREES

PA	<i>Picea abies</i>	Norway Spruce	11	6"	B & B	
----	--------------------	---------------	----	----	-------	--

DECIDUOUS SHRUBS

CA	<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster	75	18"	#3 Cont.	
HO	<i>Hydrangea quercifolia</i>	Oakedleaf Hydrangea	85	24"	B & B	
SP	<i>Spirea x bumalda</i> 'Anthony Waterer'	Anthony Waterer Spirea	76	18"	#3 Cont.	
VO	<i>Viburnum dentatum</i>	Arrowwood Viburnum	27	24"	#3 Cont.	

EVERGREEN SHRUBS

BM	<i>Buxus microphylla japonica</i> 'Winter Gem'	Winter Gem Boxwood	12	15"	B & B	
TM	<i>Taxus x media</i> 'Densiformis'	Dense Yew	32	24"	B & B	

PERENNIALS

CV	<i>Coreopsis verticillata</i> 'Moonbeam'	Moonbeam Coreopsis	114	Quart	Cont.	
SV	<i>Salvia sylvestris</i> 'May Night'	May Night Salvia	84	Quart	Cont.	



ASSUMED NORTH
SCALE: 1" = 20'

PLANTING NOTES

- IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL PREVAIL.
- ALL SHRUB PLANTING AREAS TO BE COVERED WITH A 3" LAYER OF SHREDED HARDWOOD BARK MULCH. ALL GROUND COVER AND PERENNIAL BEDS SHALL BE COVERED WITH 2" SHREDED HARDWOOD BARK MULCH. MULCH SHALL BE APPROVED BY LANDSCAPE ARCHITECT AND SHALL BE UNIFORM IN TEXTURE, COLOR AND SHALL BE OBTAINED FROM SMALL OR LUMBERING OPERATION. NO UTILITY MULCH OR PROCESSED TREE REMAINS WILL BE ALLOWED.
- AN APPROVED PRE-EMERGENT HERBICIDE SHALL BE APPLIED IN ALL PLANTING BEDS AT A RATE SPECIFIED BY MANUFACTURER FOR EACH PLANT VARIETY.
- FINAL PLACEMENT OF PLANT MATERIALS, ETC., SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE PLANTING OPERATIONS ARE TO PROCEED. ALL TREE LOCATIONS SHALL BE MARKED WITH A WOOD STAKE INDICATING VARIETY AND SIZE OF TREE. ALL GROUND COVER FOR PERENNIALS SHALL BE MARKED WITH HIGHLY VISIBLE PAINT LINES WITH OCCASIONAL WOOD STAKES FOR REFERENCE. ALL STAKES SHALL BE REMOVED FOLLOWING PLANTING OPERATIONS. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ADJUST PLANT LOCATIONS ON THE SITE.
- NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED. IF PLANTS ARE NOT AVAILABLE, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO THE END OF THE WORKING DAY. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT ID. AT NURSERY OR CONTRACTOR'S OPERATIONS PRIOR TO MOVING TO THE JOB SITE. PLANTS MAY BE INSPECTED, APPROVED OR REJECTED ON THE JOB SITE BY LANDSCAPE ARCHITECT.
- ALL PLANTS SHALL MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, 2004 EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERMEN.
- PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT INTERFERE WITH CONSTRUCTION OPERATIONS AND AS DIRECTED BY LANDSCAPE ARCHITECT.
- ALL LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE ARCHITECT. AT THE END OF THIS PERIOD, PLANT MATERIAL REMAINING DEAD OR UNSATISFACTORY BY LANDSCAPE ARCHITECT SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE CONTRACTOR.
- LANDING SHALL BE SEEDING OR SOODED FOLLOWING SCARPING, FINAL GRADING, FERTILIZING, AND RAINING. LAWNS SHALL BE FERTILIZED WITH 12-12-12 ANALYSIS FERTILIZER AT A RATE OF 15 LBS./1000 S.F. AND LAW APPLIED AS DIRECTED BY SOILS TEST DONE BY CONTRACTOR PRIOR TO SEEDING. LAWNS TO BE SEEDING WITH MECHANICAL SPREADER AT A RATE OF 5 LBS./1000 S.F. APPLY SEED 1/2 ONE DIRECTION AND 1/2 PERPENDICULAR TO THE FIRST. LIGHTLY RAKE, ROLL WITH 200 LBS. ROLLER, AND APPLY HYDROMULCH (NO STRAW MULCH) AFTER SEEDING.
- THE LANDSCAPE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND FEES THAT MAY BE REQUIRED FOR HIS/HER PORTION OF WORK.
- PEAT MOSS TO BE USED ON PROJECT SHALL BE DOMESTIC OR IMPORTED MATERIAL, CHOCOLATE BROWN IN COLOR AND COMPOSED OF PARTIALLY DECOMPOSED VEGETABLE MATERIAL. PEAT MOSS TO BE MILDLY ACIDIC IN CHARACTER AND SHALL BE APPROVED BY LANDSCAPE ARCHITECT.
- LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT IN WRITING PRIOR TO END DATE OF ANY PLANTS HE/ SHE FEELS MAY NOT SURVIVE IN LOCATIONS NOTED ON PLANS.
- WHERE NOTED ALL DISTURBED LAWN AREAS SHALL BE SEEDING OR SOODED AS NOTED. PERMANENT SEEDING LAWNS AND SOODED LAWNS SHALL BE SEED MIX AS APPROVED BY LANDSCAPE ARCHITECT. SEED MIX SHALL CONSIST OF 34 POUNDS WYOMING OR BARNUM KENTUCKY BLUEGRASS, 20 POUNDS OF KENTUCKY BLUEGRASS, 10 POUNDS PENNLAINE FESCUE, AND 28 POUNDS CERTIFIED FINE BLADED PERMANENT PREGRASS.
- ALL LAWNS SHALL BE GUARANTEED TO HAVE FULL UNIFORM STAND OF ACCEPTABLE GRASS AT THE END OF ONE YEAR GUARANTEE PERIOD WITH NO BARE SPOTS COMPENSING MORE THAN 2% OF ANY LAWN AREA. ANY AREA SO NOTED TO BE SEEDING OR SOODED UNTIL AN ACCEPTABLE STAND OF GRASS IS ESTABLISHED.
- ALL LANDSCAPE PLANTINGS TO BE MAINTAINED BY CONTRACTOR FOR 60 DAYS FOLLOWING FINAL INSPECTION BY LANDSCAPE ARCHITECT. ALL SEEDING LAWNS SHALL BE MAINTAINED FOR 60 DAYS AND SOODED LAWNS FOR 30 DAYS FOLLOWING FINAL INSPECTION BY LANDSCAPE ARCHITECT AFTER WRITTEN REQUEST FROM THE LANDSCAPE CONTRACTOR. MAINTENANCE TO INCLUDE WATERING, WEEDING, CULTIVATING, MOWING, AND ALL OTHER NECESSARY OPERATIONS REQUIRED FOR PROPER ESTABLISHMENT OF LAWNS AND PLANTING.
- CONTRACTOR TO SUBMIT UNIT PRICES FOR EVERY TYPE OF WORK AS REQUIRED BY LANDSCAPE ARCHITECT.
- ALL TOPSOIL FOR LAWN AND PLANTING AREAS WILL BE PLACED BY OTHERS PRIOR TO THE START OF LANDSCAPE WORK. TOPSOIL PLACEMENT IS NOT PART OF THIS CONTRACT.
- BACK FILL FOR TREE PLANTING SHALL BE 75% APPROVED TOPSOIL AND 25% APPROVED PEAT MOSS. TOP LAYER OF BACK FILL SHALL BE 100% EXISTING TOPSOIL. A 5-10-5 ANALYSIS SLOW RELEASE FERTILIZER SHALL BE INCORPORATED INTO BACK FILL AT APPROVED RATES.
- FOR ALL PERENNIAL BEDS, SPREAD 2" OF ORGANIC MATTER OVER THE PLANTING BED AND WORK INTO THE TOP 4" OF PLANTING MIX OR TOPSOIL.

HOLEY MOLEY SAYS "DON'T DIG BLIND"

"IT'S THE LAW"

CALL TOLL FREE 1-800-382-5544

FOR MINNESOTA STATE LAW 15-89-100, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

CAUTION: EXISTING UTILITIES MAY BE LOCATED AT ANY DEPTH. EXCAVATION OF ANY DEPTH WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK IS ILLEGAL.

PRELIMINARY PERMIT TO EXCAVATE

NO. 10820-001

LANDSCAPE ARCHITECT

Schneider

DATE: 08/31/18

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HITTLE AT THIRTYONE - PHASE 1

INFRASTRUCTURE + STAYBRIDGE SUITES

WESTFIELD, INDIANA

PRYAM, LLC

5065 SAGE BAY COURT ELLETTSBURG, INDIANA 46641

DATE: 08/31/18 PROJECT NO: 10820-001

DRAWN BY: MRK CHECKED BY: MRK

SHEET TITLE: LANDSCAPE PLAN

DRAWING FILES:
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L:\10820\001\LAND\L101-L108.dwg

SHEET NO: L102



BUILDING MATERIALS	
EIFS	379 SQ. FT. 3%
STONE	1,201 SQ. FT. 10%
BRICK	10,628 SQ. FT. 87%
TOTAL	12,201 SQ. FT. 100%

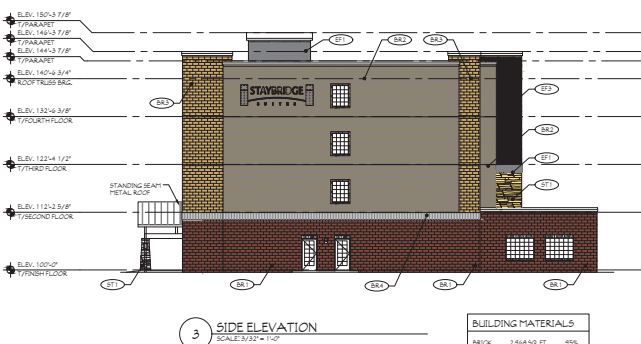
*TOTALS DONT INCLUDE GLAZING



BUILDING MATERIALS	
EIFS	1,418 SQ. FT. 10%
STONE	2,121 SQ. FT. 14%
BRICK	6,465 SQ. FT. 74%
TOTAL	10,004 SQ. FT. 100%

*TOTALS DONT INCLUDE GLAZING

- NOTES:**
1. COLOR OF FASCIA, AND SOFFIT TO MATCH EIFS COLOR EF-1.
 2. ALUMINUM DOWNSPOUTS TO MATCH COLOR OF GUTTERS.
 3. ALL CONDENSATION LINES FROM PTAC UNITS SHALL DAYLIGHT INTO CLOSEST LANDSCAPE AREA.
 4. TRIM AROUND ALL WINDOWS TO BE COLOR EF-1.
 5. MINIMUM EIFS THICKNESS TO BE 2". SEE EIFS BAND DETAILS FOR THICKNESS OF THESE ELEMENTS.



BUILDING MATERIALS	
BRICK	2,768 SQ. FT. 40%
EIFS	133 SQ. FT. 4%
STONE	34 SQ. FT. 1%
TOTAL	3,135 SQ. FT. 100%

*TOTALS DONT INCLUDE GLAZING

EXTERIOR FINISH KEY	
EF-1	EIFS / COLOR EF-1 (TYP)
EF-2	EIFS / COLOR EF-2 (TYP)
EF-3	EIFS / COLOR EF-3 (TYP)
BR-1	BRICK
BR-2	BRICK
BR-3	BRICK BOLDER COURSE
ST-1	SPALLATED DRY STACK STONE (TYP)

NOTE:
REFER TO HSA-LHSDSIGNCONNECT.COM FOR LISTING OF EXTERIOR COLOR SCHEMES.



BUILDING MATERIALS	
EIFS	109 SQ. FT. 3%
STONE	88 SQ. FT. 3%
BRICK	2,453 SQ. FT. 64%
TOTAL	3,149 SQ. FT. 100%

*TOTALS DONT INCLUDE GLAZING



GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND IRC.
2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO ANY EXCAVATION.
7. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
8. ALL WASTE SHALL BE REMOVED FROM THE SITE DAILY.
9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE.
10. ALL MATERIALS SHALL BE PROTECTED FROM THE ELEMENTS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SURROUNDING PROPERTIES.
12. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL CONSTRUCTION.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
14. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATION WITH THE ARCHITECT.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL WORK WITHIN THE SPECIFIED TIME FRAME.
16. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL CONSTRUCTION.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
18. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATION WITH THE ARCHITECT.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL WORK WITHIN THE SPECIFIED TIME FRAME.
20. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL CONSTRUCTION.

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MAST ARCHITECTURAL
 1111 N. LAMAR AVE.
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Westfield–Washington Township Advisory Plan Commission Minutes of the May 20, 2019 APC Meeting

Presented for approval: June 3, 2019

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Wednesday, May 20, 2019 scheduled for 7:00 p.m. at the Westfield City Hall.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Randy Graham, Steve Hoover, Robert Horkay, Ginny Kelleher, Andre Maue, Dave Schmitz, Robert Smith, Scott Willis, and Chris Woodard.

Members Absent: All present.

City Staff Present: Matt Skelton, Director; Pam Howard, Senior Planner; Daine Crabtree, Associate Planner; Caleb Ernest, Associate Planner; and Brian Zaiger with Krieg DeVault.

APPROVAL OF MINUTES:

Motion: Approve May 8, 2019 meeting minutes as written.

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

REVIEW OF RULES AND PROCEDURES

Howard reviewed the meeting rules and procedures.

OPENING OF MEETING

CONSENT AGENDA ITEMS

No Consent Agenda Items.

ITEMS OF BUSINESS

1905-PUD-09

Chatham Hills PUD Amendment VI

East and adjacent to Horton Road, south and adjacent to 199th Street

Henke Development Group, LLC by Nelson & Frankenberger, LLC requests a change in zoning of 153.2 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Chatham Hills PUD District.

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

Ernest overviewed this request for a change in zoning.

Jon Dobosiewicz, with Nelson & Frankenberger, spoke on behalf of the petitioner. He addressed that Henke Development reached out to the two residents who voiced concerns at a prior APC meeting and worked with them to satisfactorily address their concerns. He said that at this time there is no plan for a roundabout at 199th Street and in the future if one is planned the City would work with the developer on design and acquisition of any needed right of way.

Smith stated concerns about the number of vehicles and amount traffic. He said that he would like specific language about preserving woods. He asked if a traffic study was conducted; he said he sees no reference to a traffic study or analysis in the staff report.

Kelleher asked Skelton if there was a plan for a traffic study.

Skelton responded that the project had gone through the Technical Advisory Committee for reviews as well as being reviewed by the city engineer and Public Works. He said none of those reviewing this project share the aforementioned concerns.

Dobosiewicz stated that the petitioner was not asked to do a traffic study.

Woodard said he feels that when the project is done there will be more trees than there are today.

Henke stated that he values trees and works to design his development to maximize and retain trees.

Motion: Forward 1905-PUD-09 to the City Council with a positive recommendation.

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

1905-PUD-11

Austrian Pine PUD

Southeast Corner of State Road 32 and Austrian Pine Way

Westfield Properties, LLC by Nelson & Frankenberger, LLC requests a change in zoning of approximately 12.53 acres +/- from the EI: Enclosed Industrial District to the Austrian Pine PUD District.

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

Crabtree overviewed this request for a change in zoning for the Austrian Pine PUD. He stated the only change made since the public hearing was the addition of a time frame for the development of the required pocket park.

No comments from the petitioner or the Commission.

Motion: Forward 1905-PUD-11 to the City Council with a positive recommendation.

Motion: Maue; Second: Willis. Motion passed. Vote: 9-0

PUBLIC HEARING ITEMS

1905-PUD-10

[PUBLIC HEARING]

Westfield Center PUD

701 E. Main Street

WestCreek Partners LLC by SEA Group LLC requests a change in zoning of approximately 13.285 acres +/- from the LB: Local and Neighborhood Business District to the Westfield Center PUD District.

(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)

1812-ODP-23

1812-SPP-23

[PUBLIC HEARING]

Westfield Center Subdivision

701 E. Main Street

Evergreen Investment Corp by Sea Group LLC requests Overall Development Plan and Primary Plat review of 6 commercial lots on approximately 13.285 acres +/- in the (pending) Westfield Center PUD District.

(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)

Howard overviewed the details of this request for a change in zoning. She said it would involve the zoning, platting, and rebranding of this center. Modifications would include setbacks, landscaping and transportation standards.

Brian Rismiller with the Sea Group LLC representing the petitioner introduced himself and said he would answer any questions after the Public Hearing.

Joint Public Hearing for 1905-PUD-10 & 1812-ODP-23 /1812-SPP-23 opened at 7:19 p.m.

Nancy Abbott, 2752 Lucas Drive, on behalf of the Willow Creek HOA; asked if there have been any traffic studies conducted. She stated that there have been several accidents in recent years.

Levi Carter, 626 Hillcrest Drive; stated he is not sure what the proposal is. He asked what the lots will be used for and added that he shares the concerns about traffic.

Joint Public Hearing for 1905-PUD-10 & 1812-ODP-23 /1812-SPP-23 closed at 7:21 p.m.

Rismiller responded that a traffic study was not requested. He said there is no new development proposed for this site. He said this requested action is just a formality of defining the existing lots and buildings.

Graham asked for clarification on if any new development is proposed or if this is just for transfer of property

Skelton responded that this action is just for transfer as commercial platting was not required at the time this center was developed. He said zoning is necessary because they cannot subdivide to create conforming lots. He stated that the state controls SR 32 and therefore Westfield would not require a traffic study. He said he will check with INDOT to get their feedback.

Kelleher asked about some of the existing parcel lines

Rismiller responded that as some of the parcels are annexed and some are not, and that the County will not combine an annexed parcel with an unannexed one.

Schmitz asked if the reason the trail corridor requirement waiver was engineering difficulties? Could the state consider putting one on the north side of the street

Skelton replied that yes, engineering difficulties exist and he will check with INDOT.

1904-PUD-06
[PUBLIC HEARING]

Westfield High School PUD
18250 N. Union Street

Westfield Washington Schools requests a change in zoning of 88.73 acres +/- from the GB-PD District and EI District to the Westfield High School PUD District.

(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)

Howard overviewed this request for a change of zoning to a PUD and explained this move will allow for signage standards and appropriate zoning.

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

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

Public Hearing for 1904-PUD-06 opened at 7:32 p.m.

No public comments.

Public Hearing for 1904-PUD-06 closed at 7:33 p.m.

No Commission comments.

ITEMS CONTINUED TO A FUTURE MEETING

1904-PUD-05

iBeach31 at Grand Park PUD

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

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

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

1904-PUD-08

Urban Vines PUD

303 East 161st Street

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

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

1905-ZOA-01

Unified Development Ordinance Amendment

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

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

REPORTS/COMMENTS

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

ADJOURNMENT

Motion: Adjourn Meeting.

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

Meeting adjourned at 7:37 p.m.

Randell Graham, President

Andre Maue, Vice President

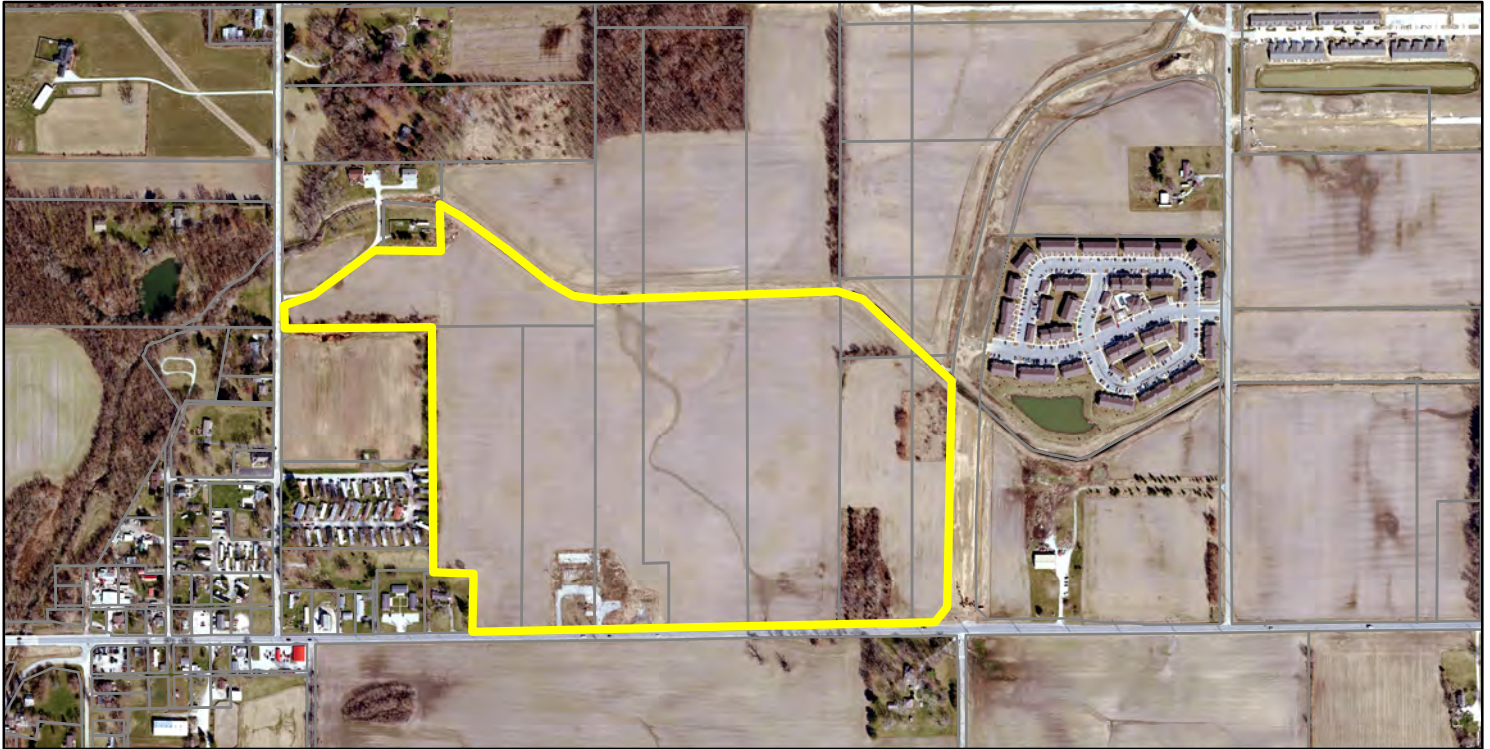
Matthew S. Skelton, Esq., Secretary



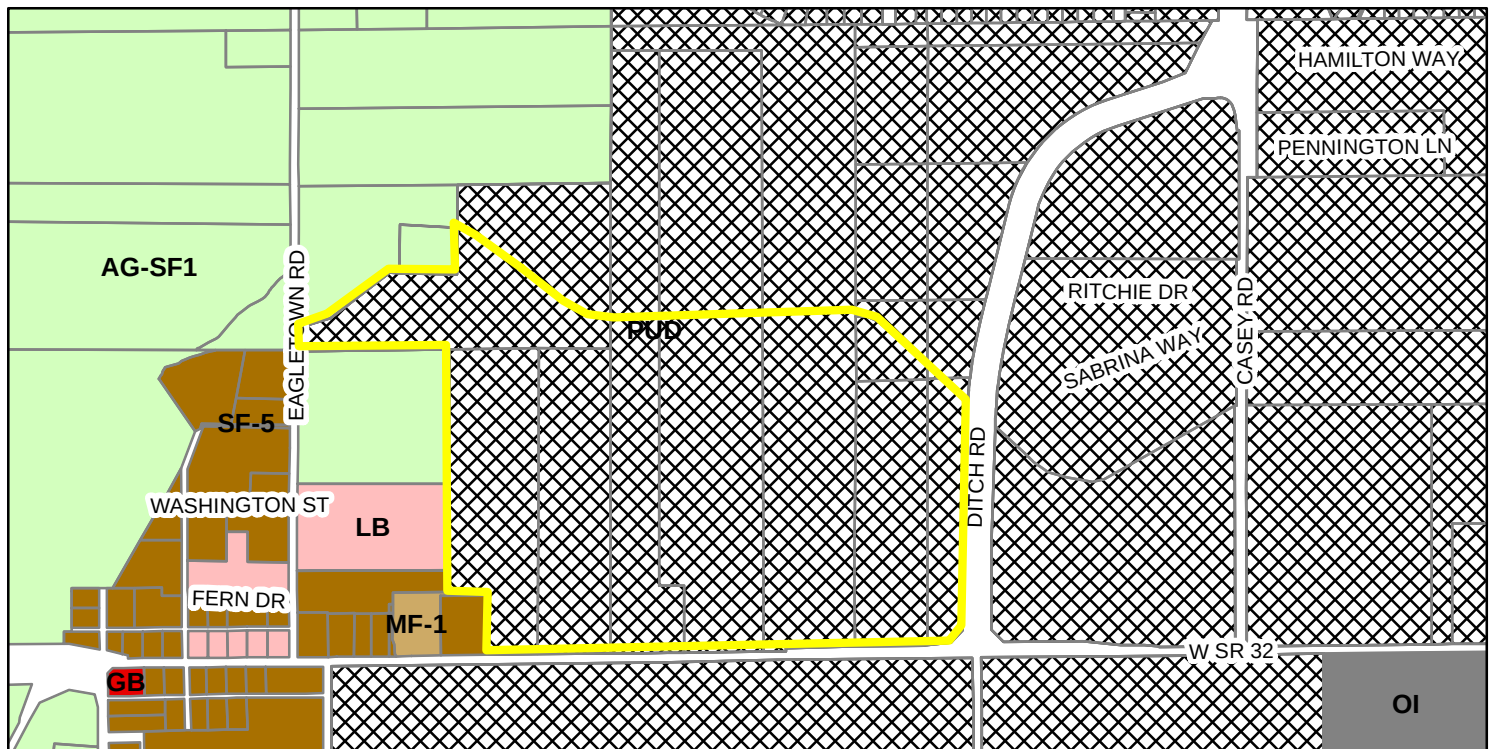
Property Location Map
Springmill Trails PUD Amendment:
Gristmill Crossing Commercial Area
1906-PUD-13



Aerial Location Map



Zoning Map

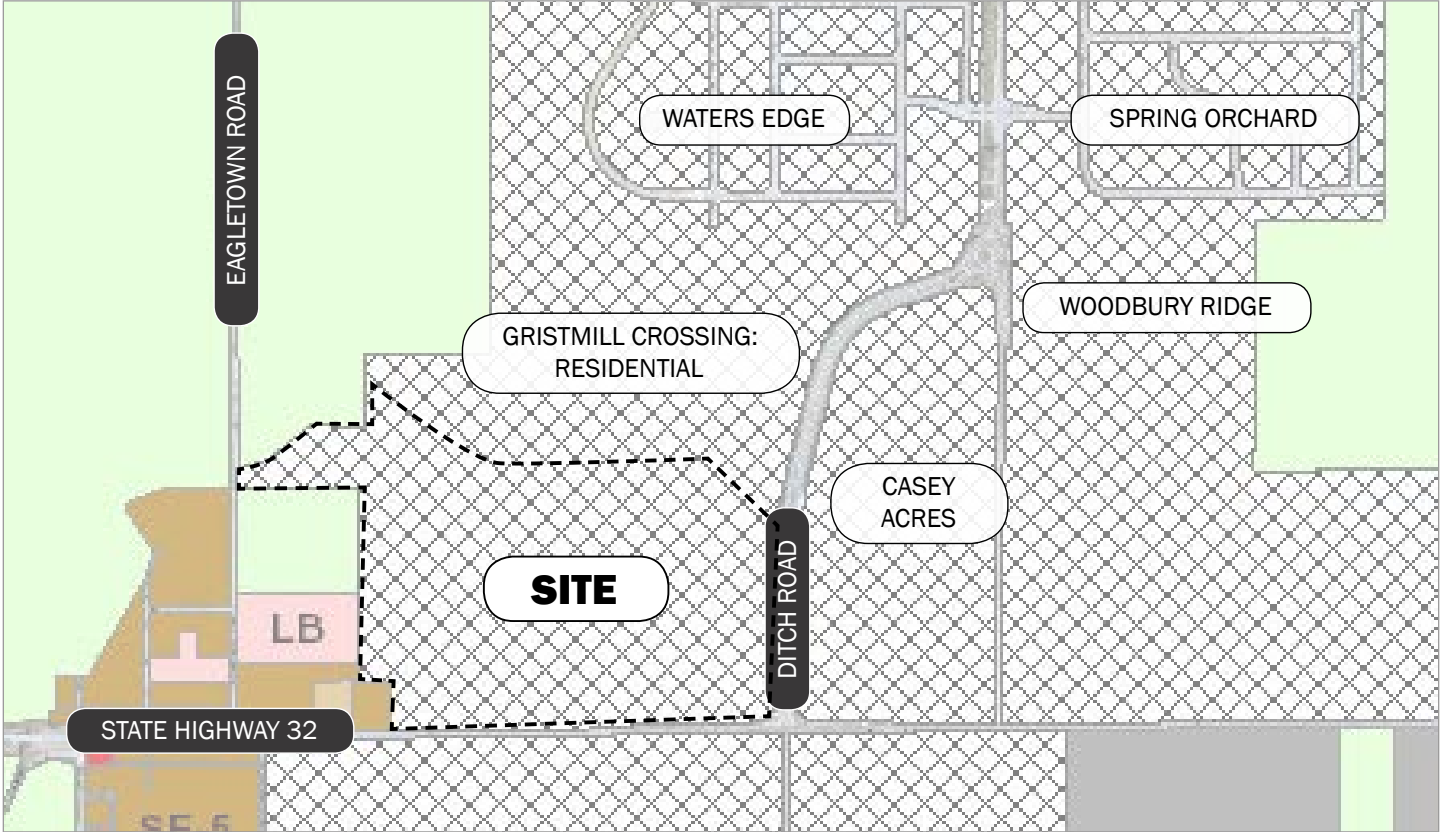


- | | | |
|--|----------------------------|--------------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | LB (Local Business) | OI (Open Industrial) |
| GB (General Business) | MF-1 (Multiple Family - 1) | PUD (Planned Unit Development) |
| | | SF-5 (Single Family - 5) |

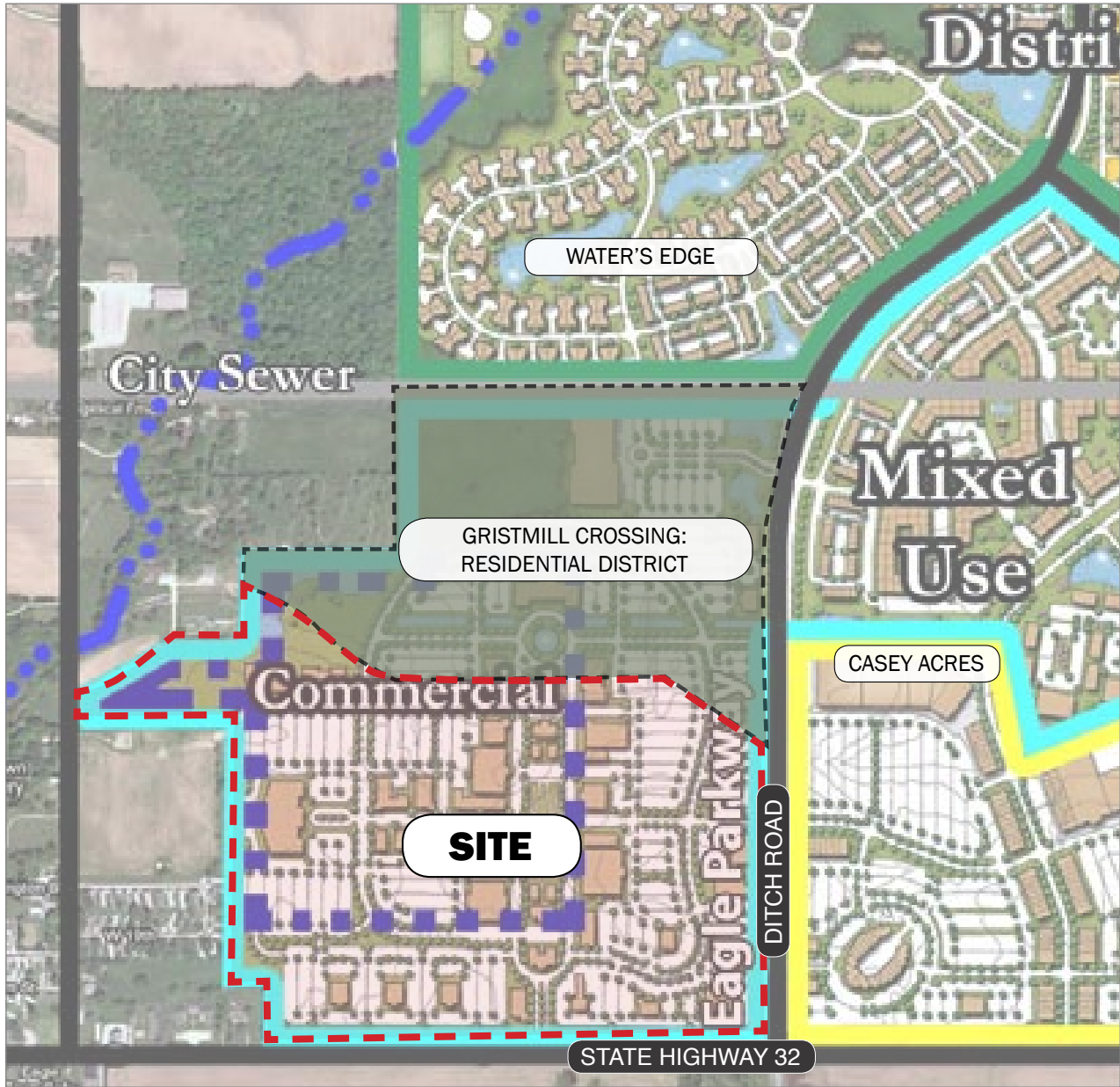
LOCATION MAP



ZONING MAP



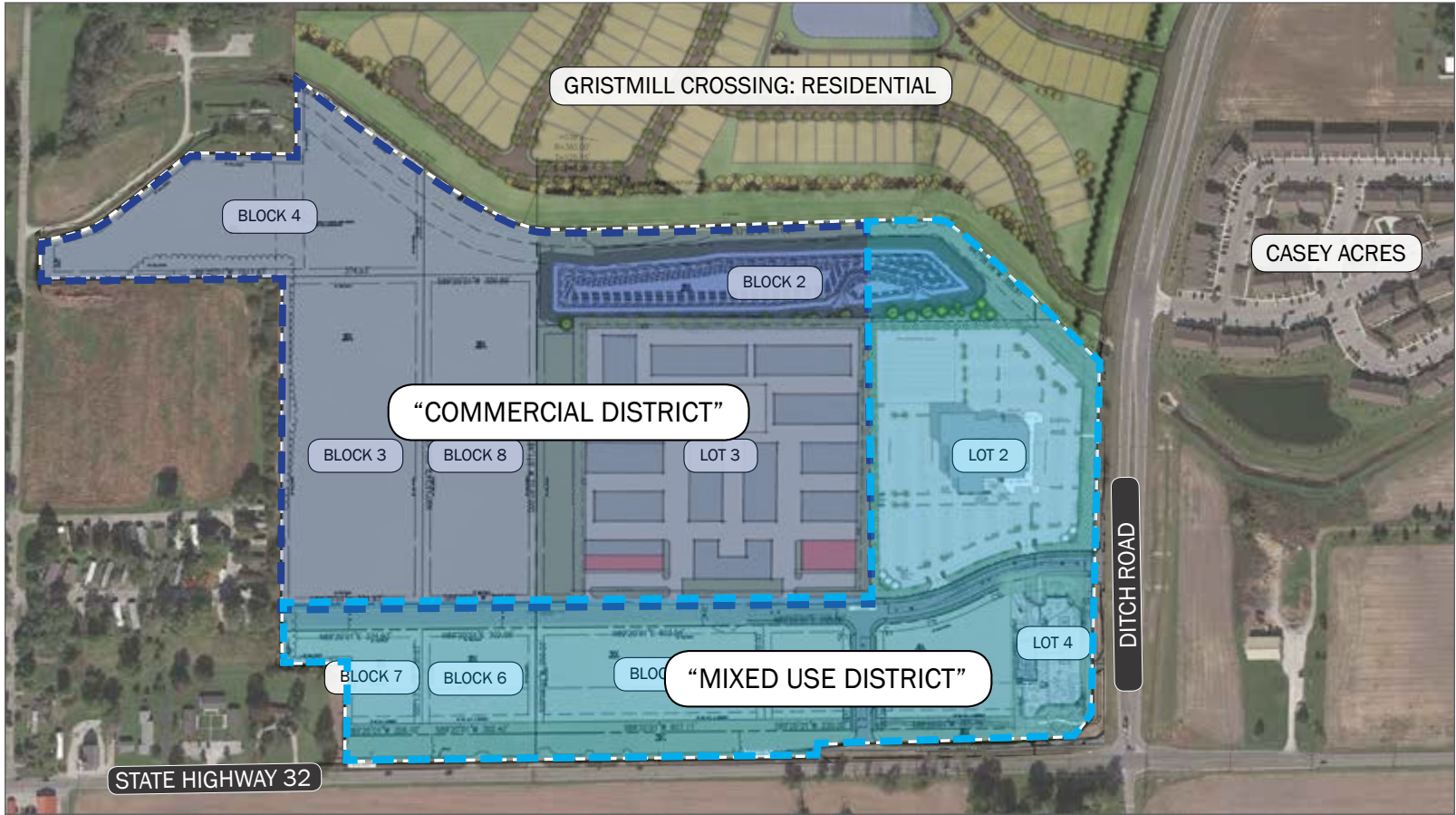
SPRINGMILL TRAILS
EXISTING PUD DISTRICT ZONING



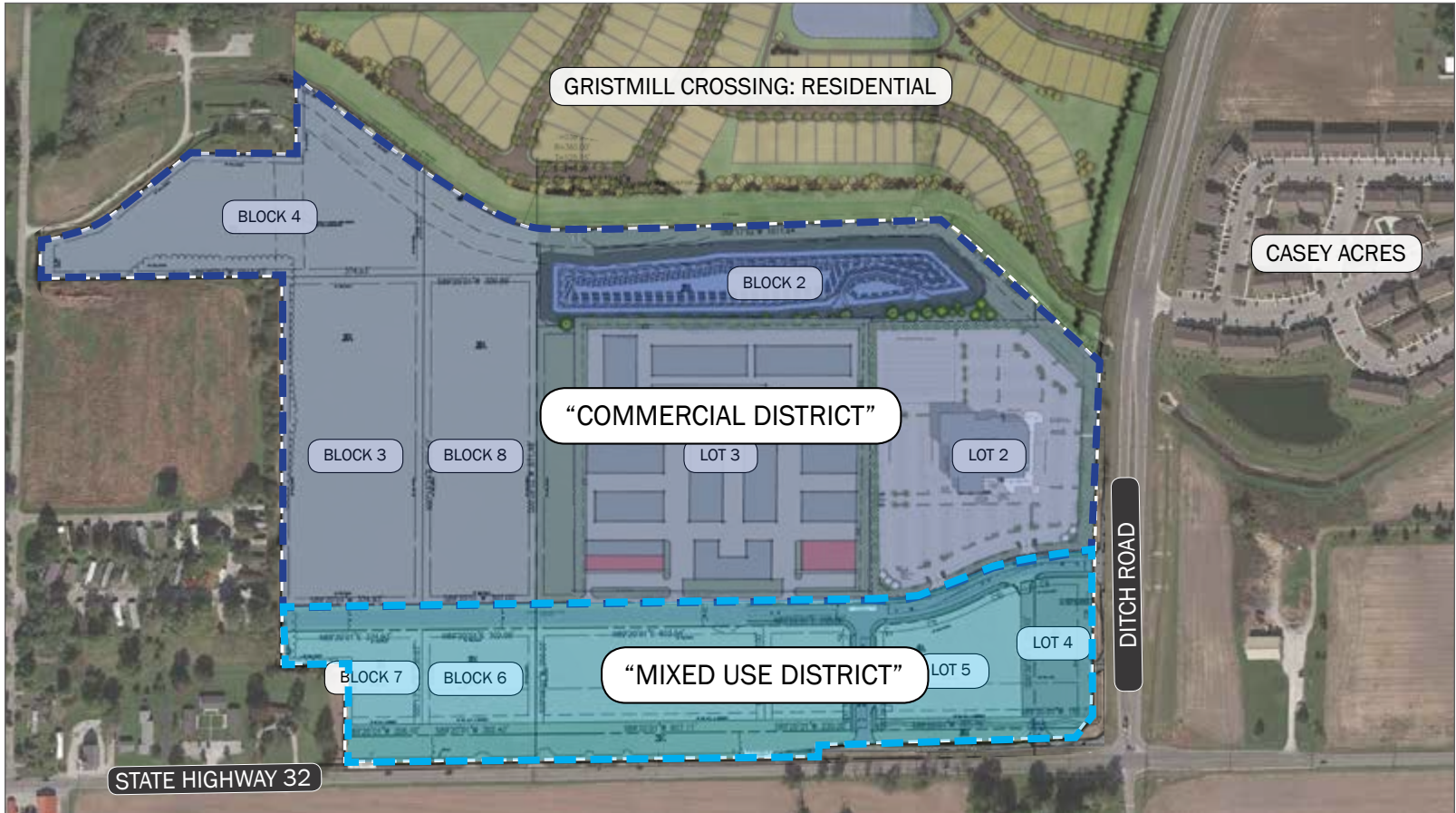
SPRINGMILL TRAILS PUD DISTRICT
EXHIBIT B: ZONING DISTRICT MAP

The proposed amendment changes the designation of Lot 2 from the "Mixed Use District" to the "Commercial District" (as defined by the Springmill Trails PUD District Ordinance).

EXISTING DISTRICT MAP



PROPOSED DISTRICT MAP

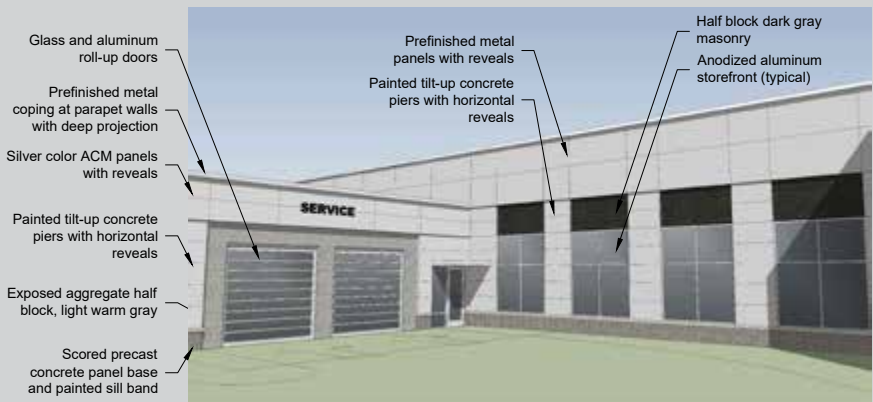




CHARACTER EXHIBITS: COMMERCIAL DISTRICT



3 Proposed Main Frontage Perspective
A2 NOT TO SCALE



5 Service Materials Detail
A2 NOT TO SCALE



4 Entry Materials Detail
A2 NOT TO SCALE

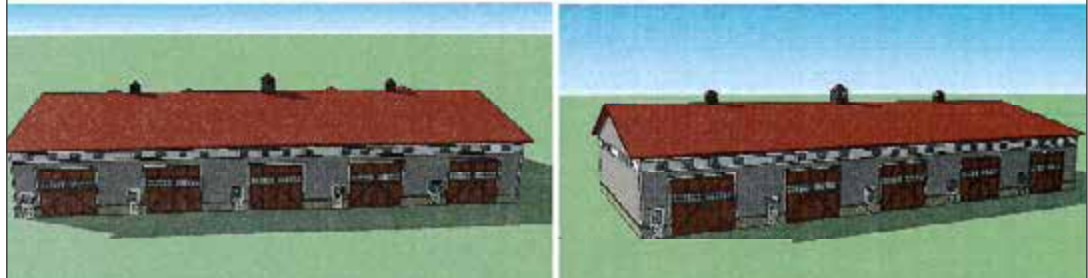


2 Proposed South Elevation
A2 NOT TO SCALE

1 Proposed East Elevation
A2 NOT TO SCALE

(LOT 2) AUTOMOBILE DEALERSHIP

(LOT 3) CAR CONDOMINIUMS















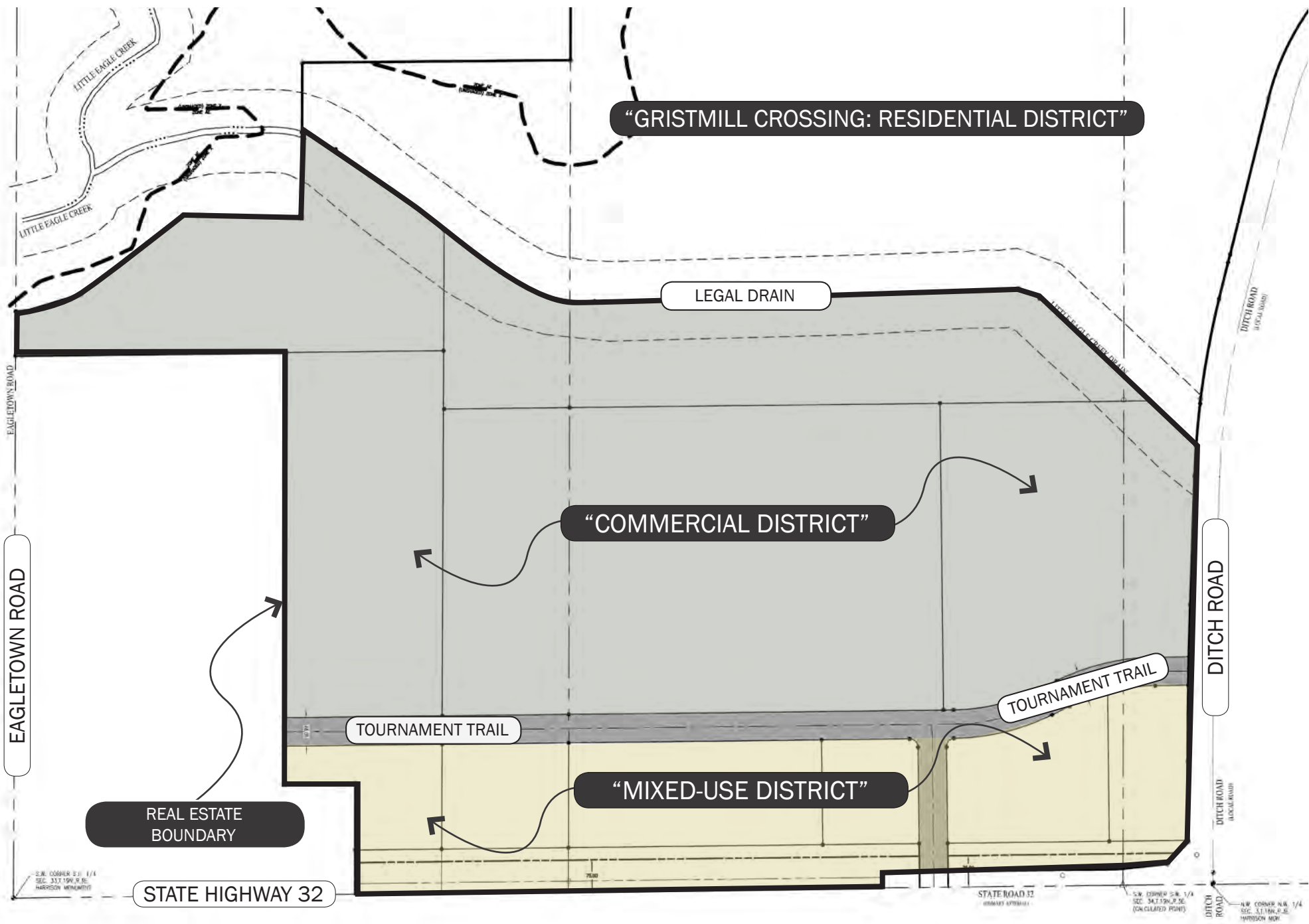


EXHIBIT B: ZONING DISTRICT MAP
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



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

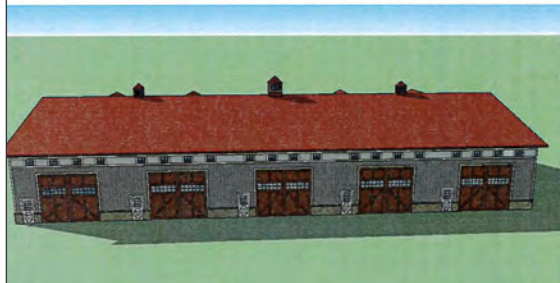
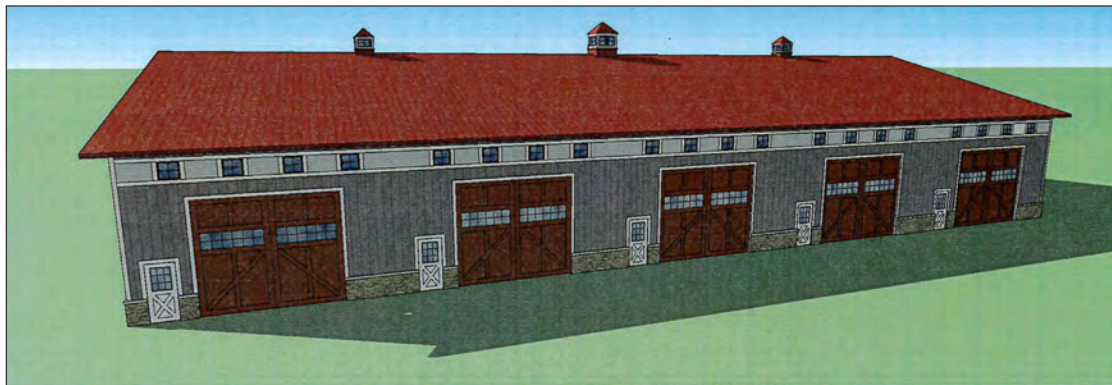
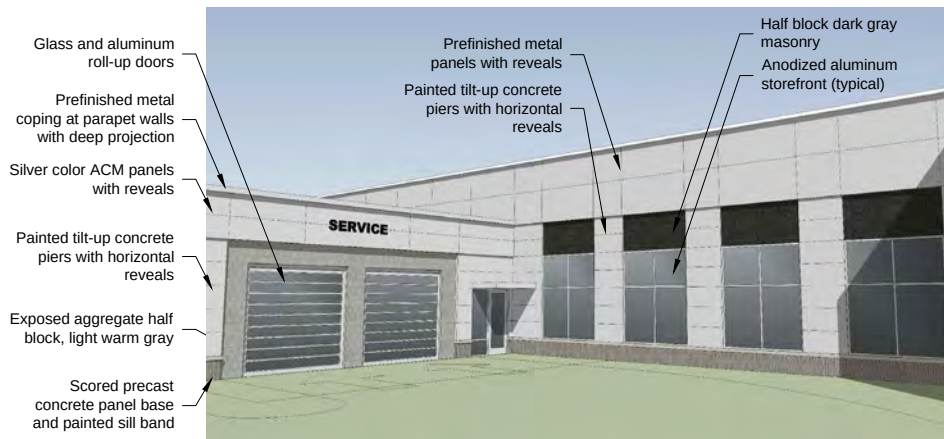


EXHIBIT D-1: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



5
A2

Service Materials Detail

NOT TO SCALE



4
A2

Entry Materials Detail

NOT TO SCALE



3
A2

Proposed Main Frontage Perspective

NOT TO SCALE



2
A2

Proposed South Elevation

NOT TO SCALE

1
A2

Proposed East Elevation

NOT TO SCALE

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

ORDINANCE NUMBER 19-##

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

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

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

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

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

WHEREAS, the Commission forwarded **Petition No. 1906-PUD-##** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (____-____) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2019;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance shall amend the Springmill Trails PUD Ordinance, as applicable to the Real Estate. This Ordinance shall be known as the "**Gristmill Crossing: Commercial District Amendment**".
- 1.2 All other provisions of the Springmill Trails PUD Ordinance, as applicable to the Real Estate, shall remain in effect with the adoption of this Ordinance.
- 1.3 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified

Development Ordinance.

- 1.4 All provisions and representations of the Unified Development Ordinance or the Springmill Trails PUD Ordinance, as amended, that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

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

- 2.1 **Car Condominium Facility:** A Building or groups of Buildings consisting of fee simple ownership or Condominiums for permitted business and personal uses, as generally depicted on the Illustrative Layout and Character Exhibit.
- 2.2 **Special Events:** The use of the Real Estate for activities and events that typically include community (e.g., educational tours, fundraising events, charitable events, corporate outings), entertainment (e.g., festivals, car shows), and other similar uses.

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

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

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

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

- 5.3 Temporary Use and Events: Temporary Use and Events, including Special Events, shall be deemed and defined as a permanent and ongoing ancillary use to the existing operations of a Car Condominium Facility and shall not require a temporary use and event permit.

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

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

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

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

Commercial District.

- B. Permitted Building Materials. Permitted Building Façade materials shall include: Masonry Materials, simulated cut stone, finished (textured and painted) concrete, finished (textured and painted) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), and, Fiber Cement Siding. Architectural Insulated Panels and pre-finished metal composite panels shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade. E.I.F.S. shall be permitted only if used for a maximum of fifty (50) percent of the Building Façade and a minimum of eight (8) feet above grade.
- C. Prohibited Building Materials. Prohibited Building Façade materials shall include: wood, plywood, unfinished concrete, unfinished concrete panels, plastics, reflective glass, and vinyl siding.
- D. Building Material Variation: The exterior building material selection for all Building Facades shall be supplemented with: (i) the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.); or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).
- E. Gutters and Downspouts: Shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials.

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

- A. The Front and Side Building Facades of buildings labeled as Building A (“Bldg A”) and Building B (“Bldg B”) on the Illustrative Layout shall comply with Article 5.3(J) Architectural Design Requirements of the 32 Overlay, except as modified below:
 - i. Article 5.3(J)(2)(b) Building Elevations: Shall be modified to require Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than fifty (50) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of two (2) feet and a minimum aggregate length of twenty (20) percent of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.
- B. The Front Yard located between Tournament Trail and the building labeled

as Building C (“Bldg C”) on the Illustrative Layout shall include a landscaping area with a minimum of three (3) shade or evergreen trees, two (2) ornamental trees, and twenty-five (25) shrubs per one hundred (100) linear feet.

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

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

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

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

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

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

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

A. **Foundation Plantings (Article 6.8(L)):** Building foundation plantings shall only be required along a Building Facade oriented towards State Highway 32, Ditch Road, or, Tournament Trail.

B. **External Street Frontage Landscaping Requirements (Article 6.8(M)):** Shall not apply to State Highway 32; rather, the Trail Corridor Requirements of the 32 Overlay shall apply along State Highway 32. External Street Frontage Landscaping shall only be required along Ditch Road as follows: A landscaping area with a minimum depth of ten (10) feet shall be required abutting Ditch Road. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. This requirement may be credited toward required Parking Area Landscaping requirements.

C. **Buffer Yard Requirements (Section 8.3 of the Springmill Trails PUD Ordinance):** Shall not apply to the Real Estate; however, a minimum buffer yard consistent with “Buffer A” of Article 6.8(N)(4) of the UDO shall apply along the Real Estate’s north property line. The width and plantings of any

common area or open space (e.g., “Block 2”, as labeled on the Illustrative Layout) shall be credited towards this buffer yard requirement.

- D. Parking Area Landscaping (Section 8.4 of the Springmill Trails PUD Ordinance and Article 6.8(O) of the UDO). Shall apply, except as otherwise modified below.
- i. Interior Parking Area Landscaping (Article 6.8(O)(1)(a)). Shall not apply to a Car Condominium Facility.
 - ii. Perimeter Parking Area Landscaping (Article 6.8(O)(2)). Shall apply, except as modified below.
 - a. If adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter Parking Area Landscaping; rather, the combined Parking Area shall be designed as a single Parking Area and landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements.
 - b. Parking Areas for “Auto sales, New or used, service” uses, as listed in the Table of Permitted Uses, shall be screened from single-family residential dwellings to the north of the Real Estate. Screening shall supplement the required Perimeter Parking Area Landscaping along the use’s north lot line and consist of a solid opaque fence, wall, vegetation, or combination of the aforementioned. This screen shall be credited towards any buffer yard requirement.
- E. Perimeter Drainage and Utility Easements. Landscaping within drainage and utility easements required the City’s Department of Public Works around the perimeter of Lots (the “Easements”) is restricted. As a result, if plantings required by this Ordinance are not permitted by the City within the Easements, then the required plantings shall be relocated and installed elsewhere on the Real Estate. If the relocation of plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a landscape plan may be approved with fewer plantings than otherwise required.

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

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

height and have no more than one hundred and twenty (120) square feet of Sign Area per face.

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

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

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

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

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

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

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-##**

this _____ day of July, 2019.

I hereby VETO **ORDINANCE 19-##**

this _____ day of July, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

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

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

SCHEDULE OF EXHIBITS

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

EXHIBIT A
REAL ESTATE

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

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

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

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

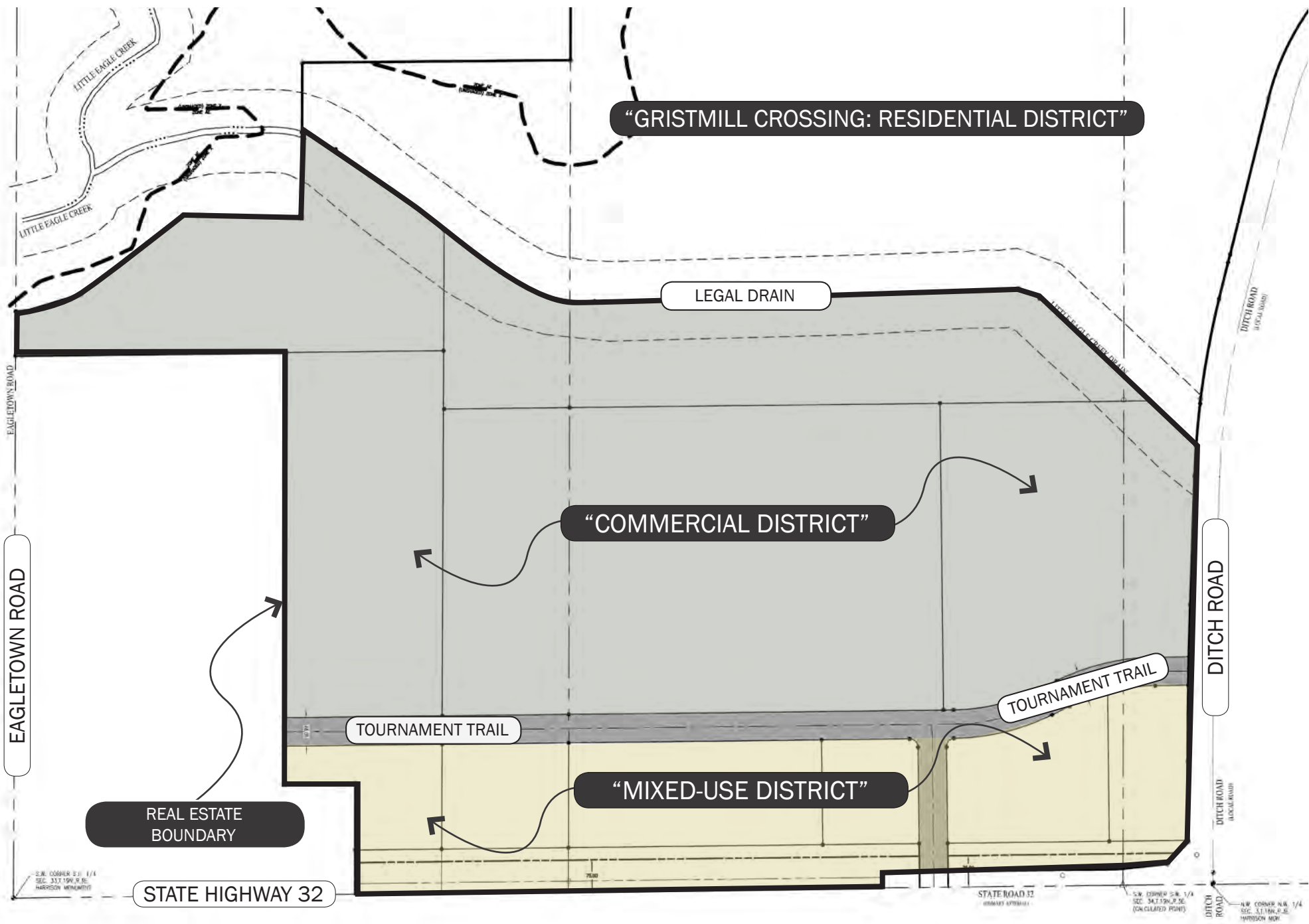


EXHIBIT B: ZONING DISTRICT MAP
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



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

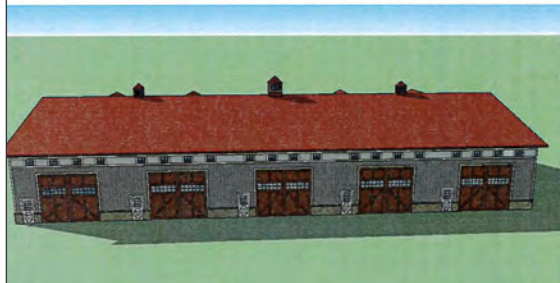
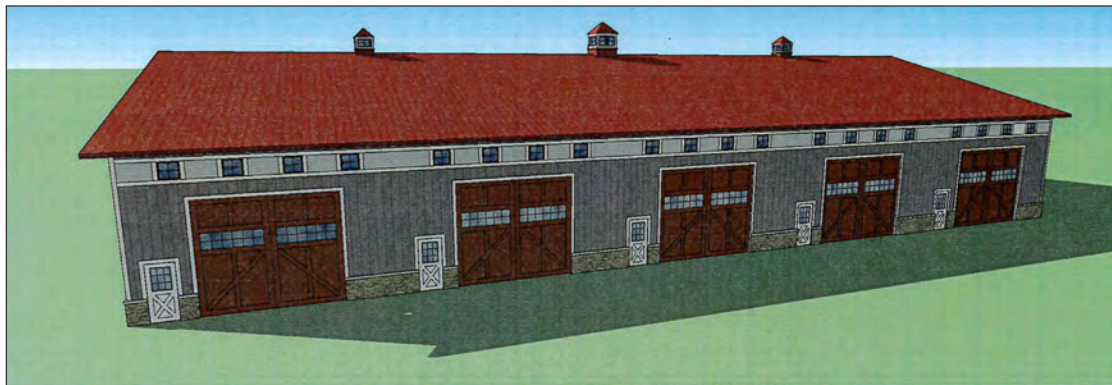
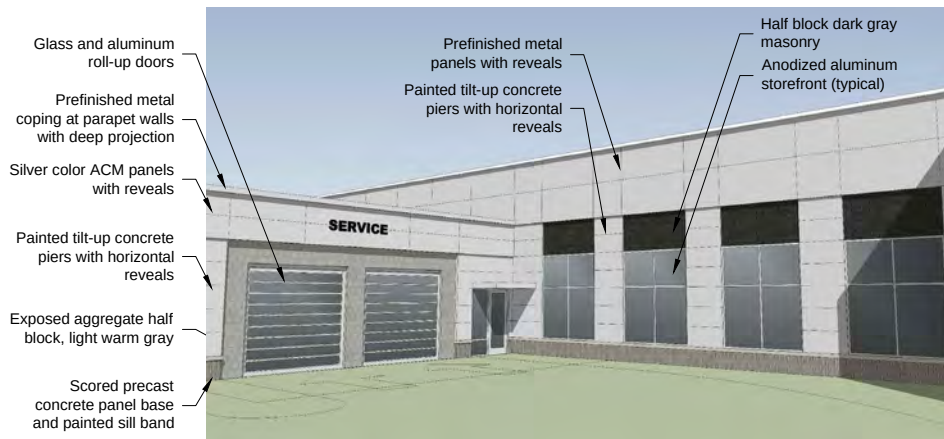


EXHIBIT D-1: COMMERCIAL DISTRICT CHARACTER EXHIBIT
GRISTMILL CROSSING: COMMERCIAL DISTRICT AMENDMENT
 SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT



5
A2

Service Materials Detail

NOT TO SCALE



4
A2

Entry Materials Detail

NOT TO SCALE



3
A2

Proposed Main Frontage Perspective

NOT TO SCALE



2
A2

Proposed South Elevation

NOT TO SCALE

1
A2

Proposed East Elevation

NOT TO SCALE

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

12300
\$7
10000

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

ORDINANCE 11-19

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

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE ZONING MAP AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

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

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

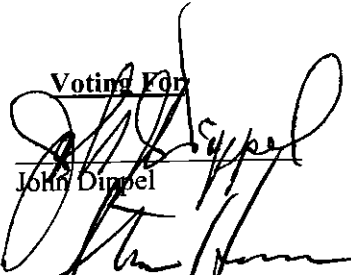
SECTION 2. This ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby inapplicable to the Real Estate.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

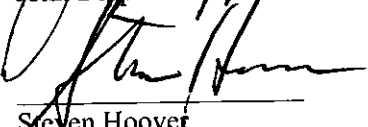
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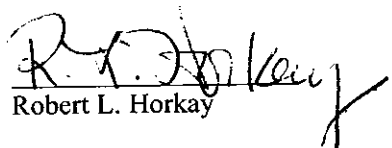
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS 12 DAY OF Sept, 2011.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

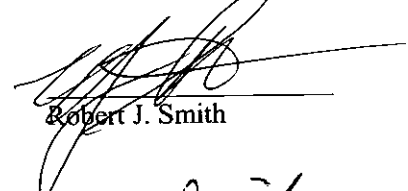
Voting For


John Dippel

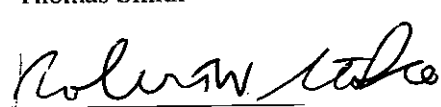

Steven Hoover


Robert L. Horkay


Kenneth Kingshill


Robert J. Smith


Thomas Smith


Robert W. Stokes

Voting Against

John Dippel

Steven Hoover

Robert L. Horkay

Kenneth Kingshill

Robert J. Smith

Thomas Smith

Robert W. Stokes

Abstain

John Dippel

Steven Hoover

Robert L. Horkay

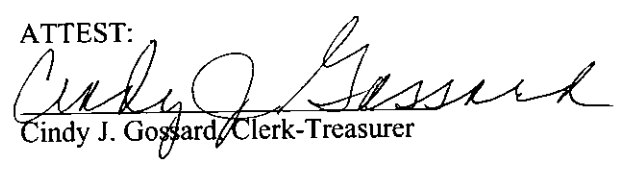
Kenneth Kingshill

Robert J. Smith

Thomas Smith

Robert W. Stokes

ATTEST:


Cindy J. Gossard, Clerk-Treasurer

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

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

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

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

I hereby APPROVE ORDINANCE 11-19

This 13 day of Sept., 2011.

J. Andrew Cook
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 11-19

this ____ day of _____, 2011.

J. Andrew Cook, Mayor

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

James C. Smith
Signed

SPRINGMILL TRAILS PUD TABLE OF CONTENTS

- Article 1. Definitions
- Article 2. Residential Districts
- Article 3. Commercial District
- Article 4. Business Districts
- Article 5. State Highway 32 Overlay Zone
- Article 6. Off-street Loading and Parking
- Article 7. Table of Permitted Uses
- Article 8. Landscaping Standards
- Article 9. Sign Standards

SPRINGMILL TRAILS PUD TABLE OF EXHIBITS

Exhibit A	Legal Description and Boundary Information
Exhibit B	Zoning District Map
Exhibit C	Illustrative Site Development Plan
Exhibit D	Construction Phasing Schedule
Exhibit E	Amenity Plan
Exhibit F	Residential Photo Examples

ARTICLE 1. DEFINITIONS.

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

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

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

as the Residential District 2.

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

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

Section 2.1. General Requirements.

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

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

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

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

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

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

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

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

J. Additional Design Standards:

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

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

A. Permitted Uses:

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

B. Minimum lot area:

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

C. Minimum lot frontage on road:

1. 40' alley load lots – 40 feet

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

D. Minimum setback lines:

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

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

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

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

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

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

H. Additional Standards:

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

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

Section 2.4. Development Amenities:

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

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

Section 2.5. Additional Standards:

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

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

Single Family Detached Dwelling Variety Requirements

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

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

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

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

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

Section 3.2. Development Requirements.

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

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

Section 3.3. Architectural Standards.

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

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

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

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

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

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

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

B. Permitted Uses.

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

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

D. Minimum Lot Area. None

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

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

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

G. Maximum Building Height. Sixty (60) feet

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

I. Loading and Parking. See Article 6.

J. Signs. See Article 9.

K. Landscaping. See Article 8.

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

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

A. Special Requirements.

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

B. Permitted Uses.

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

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

D. Minimum Lot Area. None

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

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

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

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

Section 4.4. Architectural and Design Requirements.

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

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

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

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

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

J. Building Materials:

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

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

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

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

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

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

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

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

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

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

ARTICLE 5. STATE HIGHWAY 32 OVERLAY ZONES.

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

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

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

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

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

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

Ordinance.

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

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

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

ARTICLE 7. SPRINGMILL TRAILS PUD - TABLE OF PERMITTED USES

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

SE = Special Exception

ARTICLE 8. LANDSCAPING STANDARDS

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

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

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

Minimum On-Site Requirements

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

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

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

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

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

Section 8.4. Parking Area Landscaping.

- A. Parking Lot Islands:

1. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.
 2. Trees and shrubs required to be planted in parking lot landscape islands shall be counted toward meeting total on-site landscaping requirements.
- B. Perimeter Parking Lot Landscaping Perimeter parking lot landscaping requirements, buffer yard requirements, and road frontage standards are not intended to be cumulative. Buffer yard planting standard which shall supersede the perimeter parking area requirements which shall supersede the road frontage standards where overlapping.

Section 8.5. Plant Materials and Substitutions.

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

ARTICLE 9. SIGN STANDARDS

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

Section 9.1 Additional Exempt Signs:

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

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

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

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

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

Section 9.4. Nonresidential Center Signs.

A. Monument Sign(s):

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

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

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

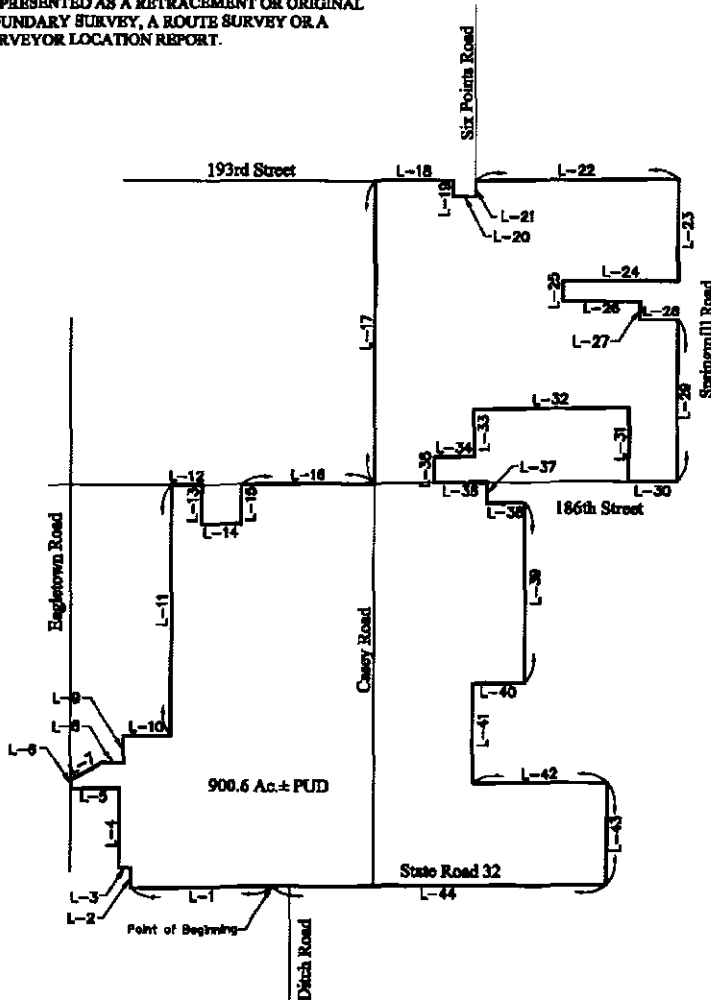
Exhibit A

Legal Description

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

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

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



Scale: 1"=2000'
GRAPHIC SCALE



(IN FEET)
1 inch = 2000 ft.

LINE TABLE

LINE	BEARING	LENGTH
L-1	S89°23'24"W	1848.13
L-2	N00°23'34"W	263.23
L-3	S89°31'30"W	151.39
L-4	N00°02'12"W	1032.28
L-5	S89°29'04"W	644.87
L-6	N00°03'29"E	118.93
L-7	N60°42'33"E	472.39
L-8	S88°00'00"E	283.05
L-9	N00°00'00"E	362.82
L-10	N89°31'51"E	624.07
L-11	N00°02'16"E	3293.83
L-12	N89°22'24"E	397.11
L-13	S00°31'31"W	523.56
L-14	N89°39'14"E	518.44
L-15	N00°03'18"E	524.60
L-16	N89°25'17"E	1747.15
L-17	N00°03'47"E	3978.31
L-18	N89°46'14"E	1036.92
L-19	S00°31'46"W	206.83
L-20	S89°33'26"E	292.43
L-21	N00°08'30"W	210.22
L-22	N89°28'39"E	2633.67
L-23	S00°12'01"W	1323.27
L-24	S89°28'13"W	1500.85
L-25	S00°00'00"W	233.38
L-26	N00°00'00"E	999.40
L-27	S00°36'40"W	263.91
L-28	N90°00'00"E	503.87
L-29	S00°12'01"W	2112.36
L-30	S89°26'12"W	634.57
L-31	N00°08'03"E	974.94
L-32	S89°14'41"W	2017.69
L-33	S00°13'01"W	628.64
L-34	S89°26'12"W	525.85
L-35	S00°16'07"W	339.36
L-36	N89°26'12"E	695.78
L-37	S00°04'20"W	280.96
L-38	N88°13'51"E	499.22
L-39	S00°04'17"W	2365.24
L-40	S89°14'29"W	679.80
L-41	S00°06'04"E	1314.33
L-42	N89°42'00"E	1760.39
L-43	S00°10'02"W	1333.86
L-44	S89°31'38"W	4393.14



Prepared December 2, 2010 for Wilfong Land Companies.

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

Sheet 1 of 2
Job #101202

Exhibit B

Zoning District Map

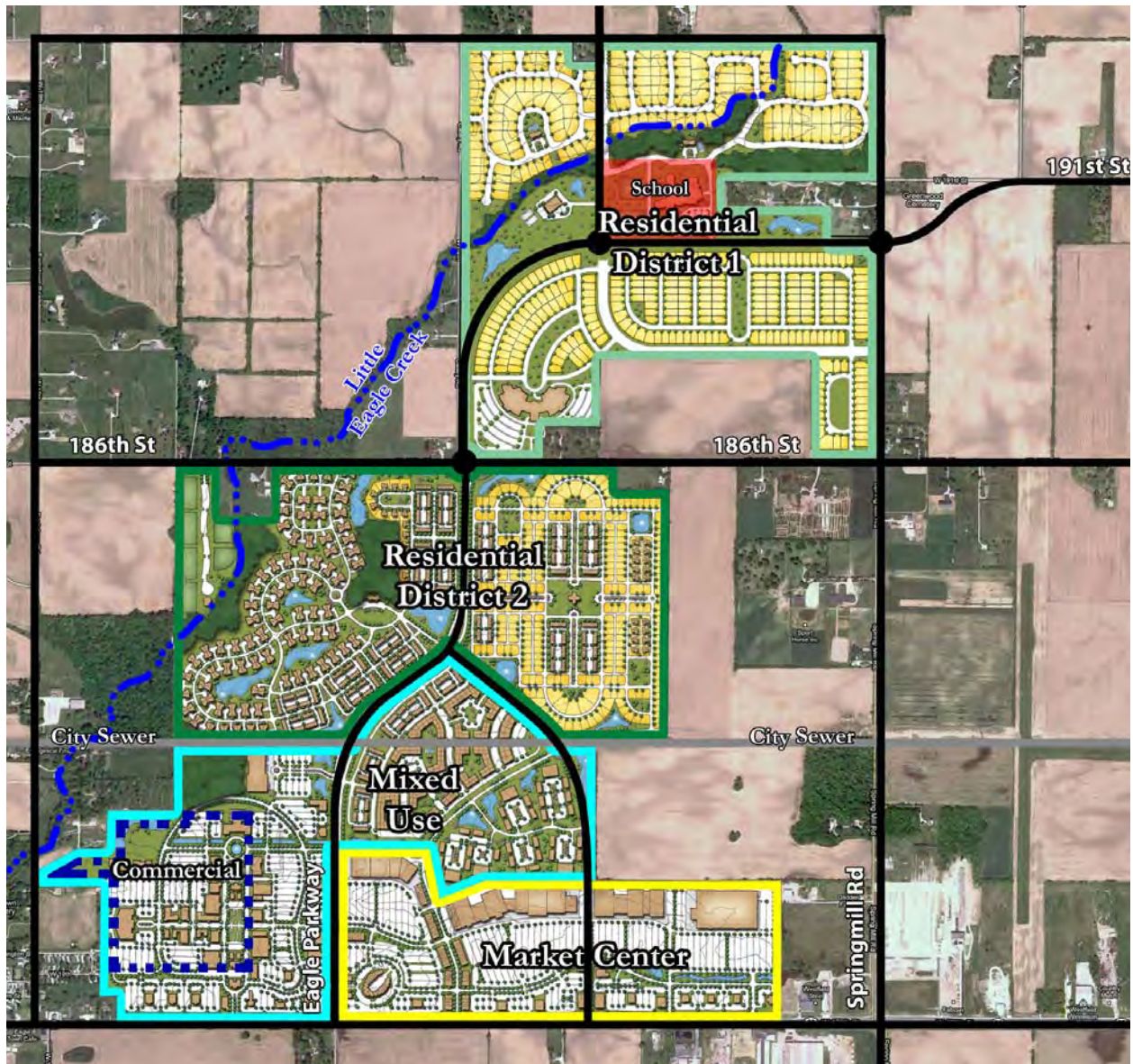


Exhibit C

Illustrative Site Development Plan

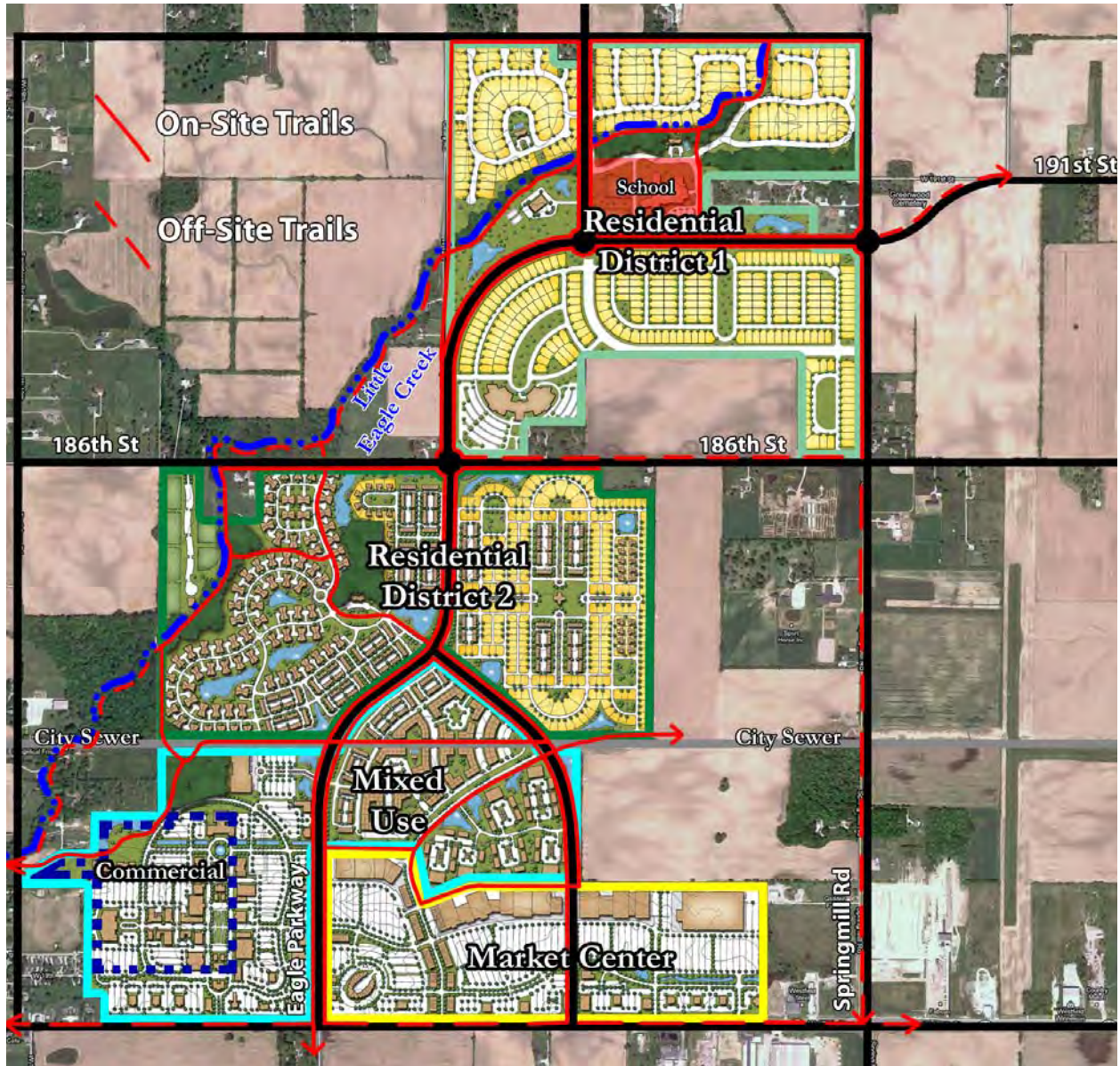


Exhibit D

Construction Phasing Schedule

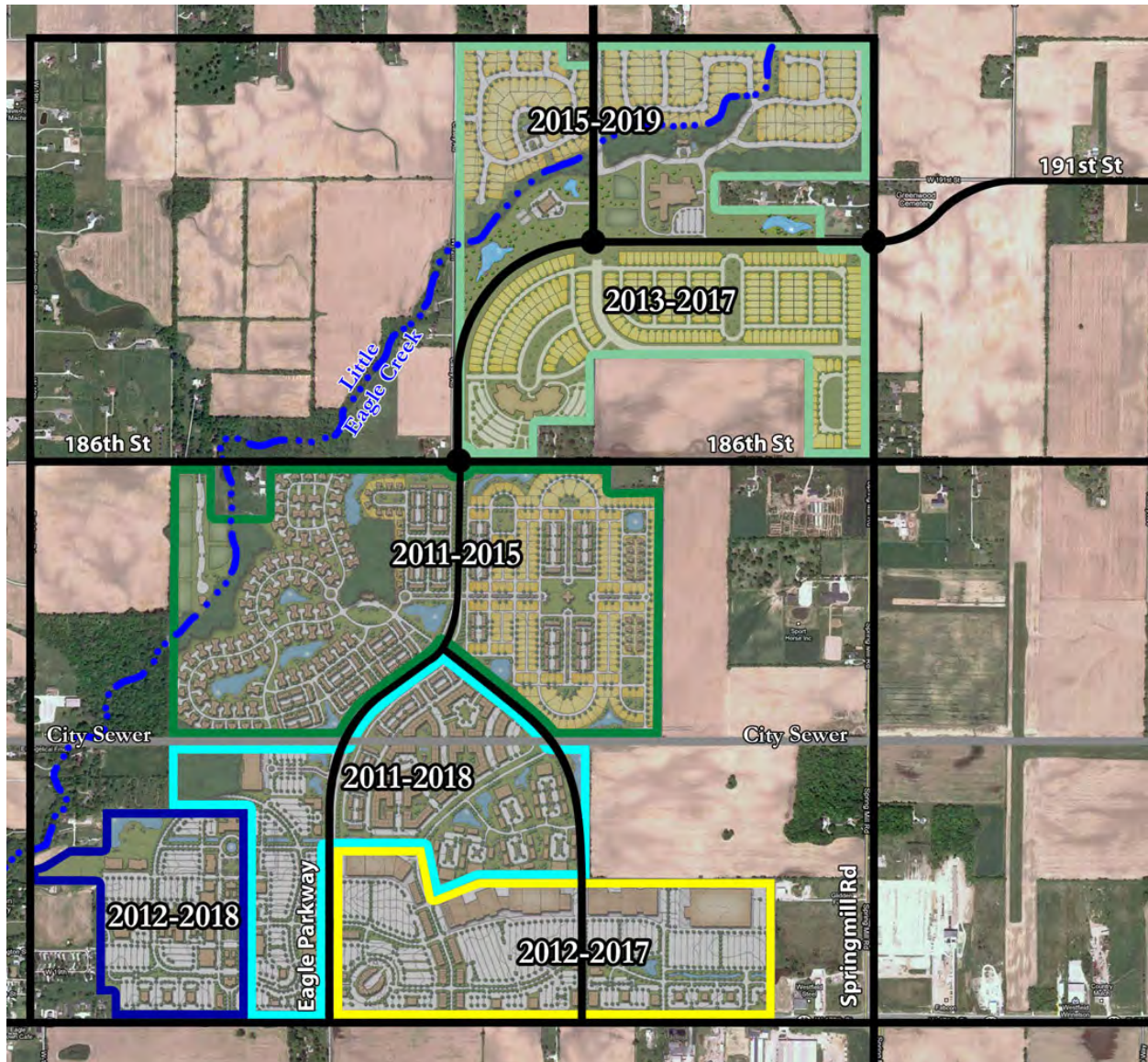


Exhibit E
Amenity Plan

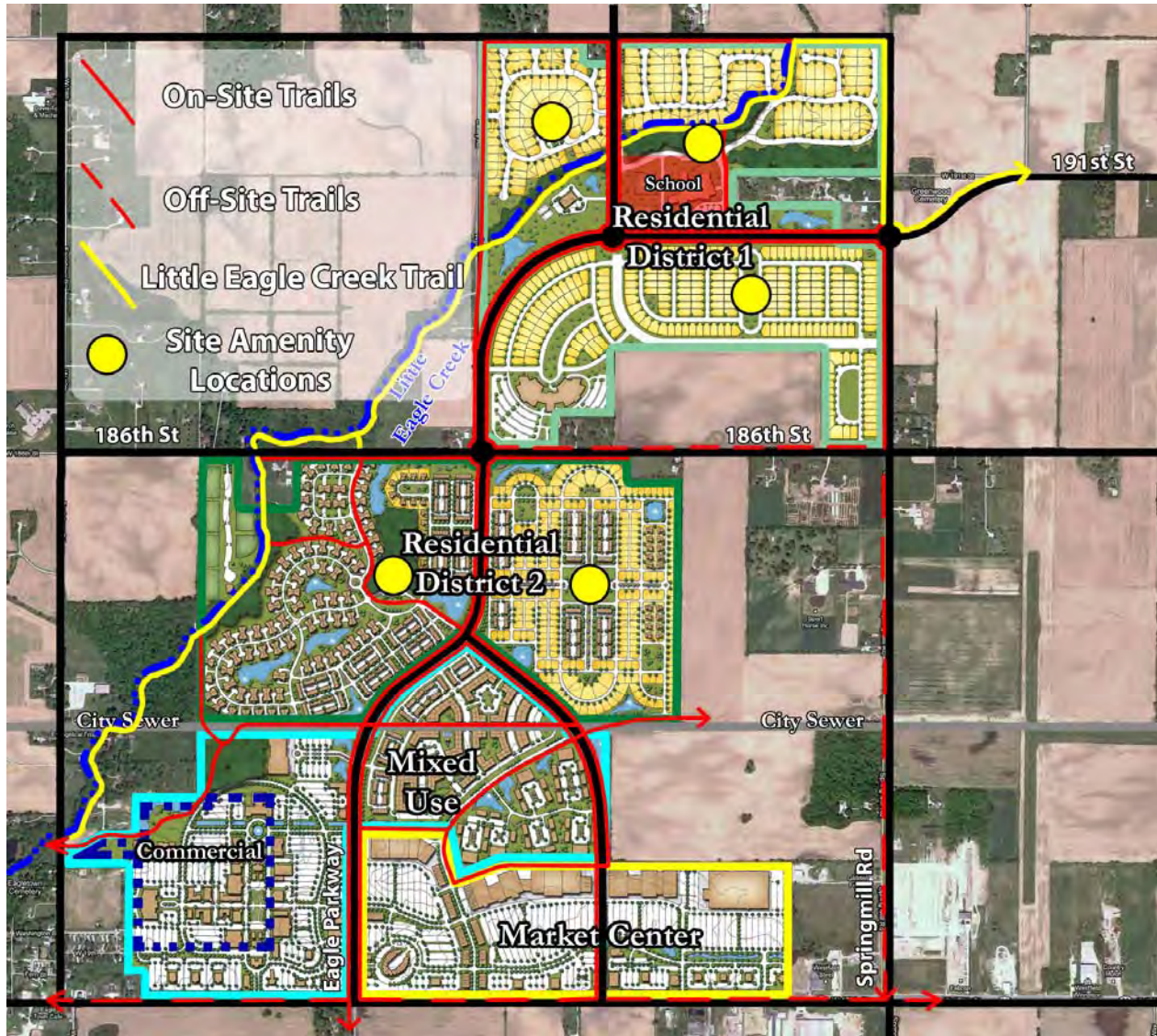


Exhibit F

Residential Photo Examples















Memorandum

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

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

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

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

Petitioner representatives included Travis May and Jesse Pohlman.

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

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

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



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

June 3, 2019
1906-PUD-13
Exhibit 1

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

Petitioner: William Tres, LLC,

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

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

Current Land Use: Undeveloped / Agricultural

Property History: 1101-PUD-02 (Springmill Trails PUD Ordinance 11-19)
1803-SPP-03 & 1803-ODP-03 (Primary Plat and Overall Development Plan, approved at 5/28/18 APC meeting)
1812-SFP-49 (Secondary Plat, not yet recorded)
1903-DDP-02 (Detailed Development Plan for Hoosier Market, approved at the 5/8/19 APC meeting)

Exhibits:

1. Staff Report
2. Location Map
3. Zoning District Map
4. Illustrative Layout
5. Commercial District Character Exhibit
6. Gristmill Crossing Commercial District Amendment (Ordinance 19-16)
7. Springmill Trails PUD (Ordinance 11-19)
8. Neighborhood Meeting Summary

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

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

PROJECT OVERVIEW

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

Property History: The original Springmill Trails PUD District (Ord. 11-19) was adopted in 2011, and included approximately 900 acres (the “Original PUD Ordinance”). The Property was included on a Primary Plat and Overall Development Plan which was approved at the May 28, 2018, APC meeting; and a secondary plat that was reviewed at the November 20, 2018, TAC

meeting and has not yet been recorded. A Detailed Development Plan for a Gasoline Service Station was approved for the lot on the northwest corner of SR 32 and Ditch Road at the May 8, 2019, APC meeting. Construction has not yet begun on the property.

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

AMENDMENT REQUEST

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

Definitions: The Proposed Amendment defines two terms that are not defined in the UDO: Car Condominium Facility and Special Events.

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

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

Permitted Uses: As proposed, the PUD Amendment would retain the permitted uses set forth in the Original PUD Ordinance for each subdistrict while also permitting additional auto related uses in each subdistrict. These uses include Auto Parts Sales, Tire and Auto Service Center, and Semi-Automatic Car Wash in the Mixed-Use District; and Semi-Automatic Car Wash and Car Condominium Facility in the Commercial District. The PUD Amendment also proposes considering Temporary Events and Special Events a permanent use for the Car Condominium Facility, and would exempt events held on that lot from the Department’s Temporary Use and Event Permitting process.

State Highway 32 Overlay District: The Proposed Amendment removes the access and monument sign provisions contained in *Article 5: State Highway 32 Overlay Zones* of the Original PUD Ordinance, and instead defaults to the UDO standards. Additionally, the PUD Amendment proposed that the State Highway 32 Overlay District not apply to the proposed Commercial District.

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

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

Architectural Standards: As proposed, neither the Architectural Standards of the Original PUD District nor of the UDO would apply to proposed Commercial District. Instead, the PUD Amendment contains standards related to building materials and gutters / downspouts that would apply to the district. The Proposed Amendment also incorporates a Character Exhibit (see **Exhibit 4**) that is “designed to capture the intended quality of structures to be constructed within the Commercial District”. The Proposed Amendment also includes additional architectural standards that would apply only to the Car Condominium Facility. This includes requiring Buildings A & B, as shown on the Illustrative Layout (see **Exhibit 4**), to comply with the 32 Overlay’s architectural standards with the exception of a modification to the offset requirement; and requiring additional landscaping between Tournament Trail and Building C.

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

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

Architectural Standards: As proposed, the PUD Amendment retains the architectural standards of the Original PUD Ordinance, with two exceptions. First, the architectural standard of the 32 Overlay would supersede any conflicting requirements in the Original PUD Ordinance. Second, dumpster enclosures would be permitted in the Established Front Yard of Tournament Trail, as has been done in several recent PUD Ordinances, and opaque gates would be permitted to face Tournament Trail if the enclosure is attached to the Principal Building.

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN

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

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

PROCEDURAL

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the June 3, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the May 13, 2019, City Council meeting.

DEPARTMENT COMMENTS

1. **Action: Hold a public hearing at the June 3, 2019, Plan Commission meeting.**
2. The petitioner will make any necessary revisions to the proposal based on Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission’s further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

June 3, 2019
1905-PUD-10
Exhibit 1

Docket Number: 1905-PUD-10 (Ordinance No. 19-15)

Petitioner: WestCreek Partners LLC (the "Petitioner")

Request: A change in zoning of approximately 13.285 acres +/- from the LB: Local and Neighborhood Business District to the Westfield Center PUD District.

Current Zoning: LB: Local and Neighborhood Business District

Current Land Use: Commercial Center

Acreage: 13.285 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Proposed Ord. 19-15 (Westfield Center PUD)

Staff Reviewer: Kevin M. Todd, AICP

PETITION HISTORY

This petition was introduced at the April 4, 2019, City Council meeting. The petition received a public hearing at the May 20, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The subject properties (collectively, the "Property") encompass approximately 13.285 acres +/- and includes real estate located generally at 701 E. Main Street, commonly known today as Creekside Center (see **Exhibit 2**). The Property is currently zoned a combination of the LB: Local and Neighborhood Business District.

Property History: The existing commercial center was built in three phases between 2001 and 2005 (APC Docket Numbers: 0105-DP-11; 0303-DP-05; and 0505-DP-24).

Project Description: The Petitioner desires to subdivide the property in a conventional manner that would result in existing buildings being located on individual lots. The development and construction of the center occurred prior to the City requiring non-residential platting, and as a result, a few of today's lot and development standards would not allow the property to be platted in a manner that would result in individual buildings on individual lots. This proposed PUD Ordinance would address those issues so that the property can be properly subdivided. No further building/development is contemplated by this project.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 3**), which includes all existing buildings on the Property. No further building/development is contemplated by this project. The Property would be required to remain in substantial compliance with that exhibit.

Permitted Uses: As proposed, the PUD Ordinance would default to the underlying LB: Local and Neighborhood Business District uses. Special Exceptions would not be permitted.

General Standards: The underlying LB standards would apply, except that there would not be a Minimum Front Yard Setback requirement along the internal Private Street.

State Highway 32 Overlay: The State Highway 32 Overlay Standards would apply to this site, except that the Access Road requirement (Article 5.3(F)(3)) and the Trail Corridor requirement (Article 5.3(K)) would not be applicable. After review with the Westfield Public Works Department, it has been determined that neither of these improvements are feasible on this Property.

Development Standards: As proposed, the PUD Ordinance would default to the UDO's development standards, except the following modification:

Landscaping Standards: The Perimeter Parking Area Landscaping requirements (Article 6.8(O)(2)) would not apply to adjoining parking lots that share a Lot Line.

Design Standards: As proposed, the PUD Ordinance would default to the UDO's design standards, except the following modification:

Private Streets: Because the existing internal drive/private street was built under a different set of construction standards and likely was not considered a private street when it was constructed, this proposal would give the Public Works Director the ability to waive or modify the current design specifications, if necessary.

Cool Creek Trail Corridor: This proposal requires the land needed for the Cool Creek Trail to be provided along the creek. This requirement will be satisfied through the platting process.

Midland Trace Trail Connection: During the previous development plan processes, a pedestrian connection to the Midland Trace Trail was discussed, agreed-to, and ultimately required as a condition of approval for 0303-DP-05. Since the Midland Trace Trail was not yet built adjacent to this Property at that time, the construction of this connection pathway was allowed to be delayed. There is now something to connect to, as the Trail now exists adjacent to this Property. This proposed standard would codify in this PUD Ordinance, the Plan Commission's previous requirement for the pedestrian connection. The proposed standard would allow a material other than asphalt or concrete, as long as the pathway met ADA standards.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Employment Corridor". Office and service uses are identified as appropriate land uses within a highway/employment corridor. Retail and institutional land uses are subordinate to and supportive of office and service uses are identified in the Comprehensive Plan as appropriate land uses within a highway/employment corridor. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the May 20, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the April 4, 2019, City Council meeting.

DEPARTMENT COMMENTS

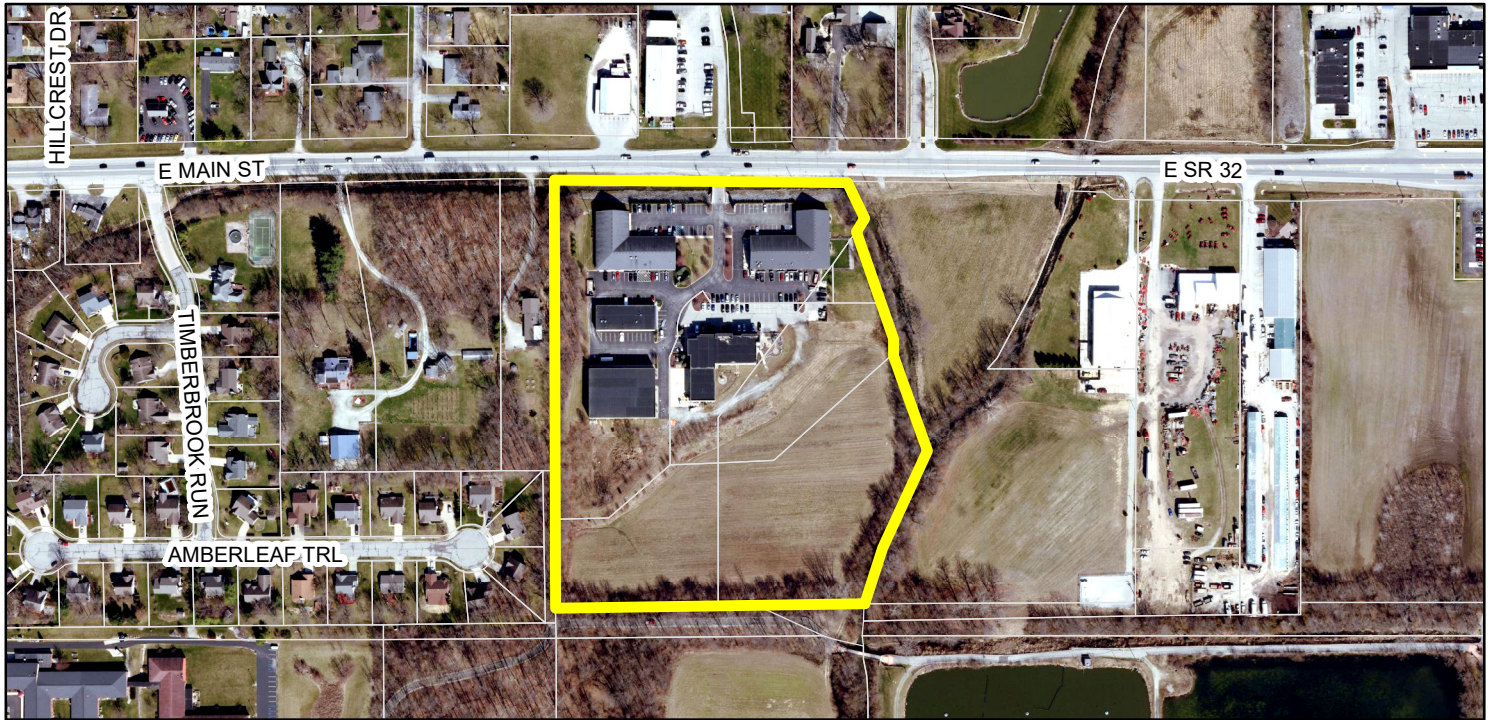
1. **Action:** Forward a recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at (317) 379-6467 or ktodd@westfield.in.gov.



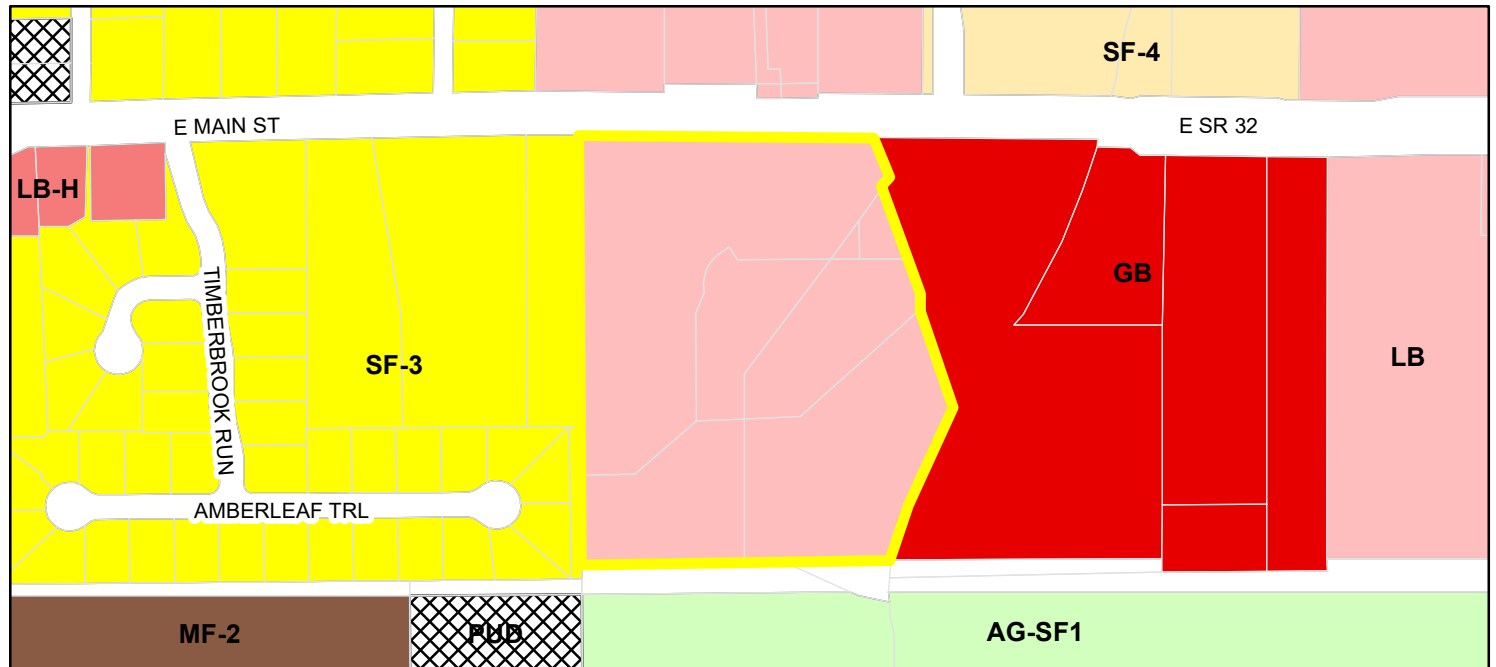
Property Location Map
Westfield Center PUD
Planned Unit Development
1905-PUD-10



Aerial Location Map



Zoning Map



Parcel	LB-H (Local Business - Historical)
Zoning - All	MF-2 (Multiple Family - 2)
Zoning	PUD (Planned Unit Development)
AG-SF1 (Agriculture - Single Family - 1)	SF-3 (Single Family - 3)
GB (General Business)	SF-4 (Single Family - 4)
LB (Local Business)	

Primary Plat
Westfield Center

SEA Group
Land Surveyors • Civil Design
Construction Layout
494 Grady Drive Carmel, Indiana 46032
Phone: 317.844.3333 Fax: 317.844.3383
www.seagroupinc.com info@seagroupinc.com

701-789 EAST MAIN STREET
WESTFIELD, INDIANA 46074

PROJECT LOCATED IN:
SECTION 6 - TOWNSHIP 18 NORTH - RANGE 4 EAST
WASHINGTON TOWNSHIP, HAMILTON COUNTY

PRIMARY PLAT

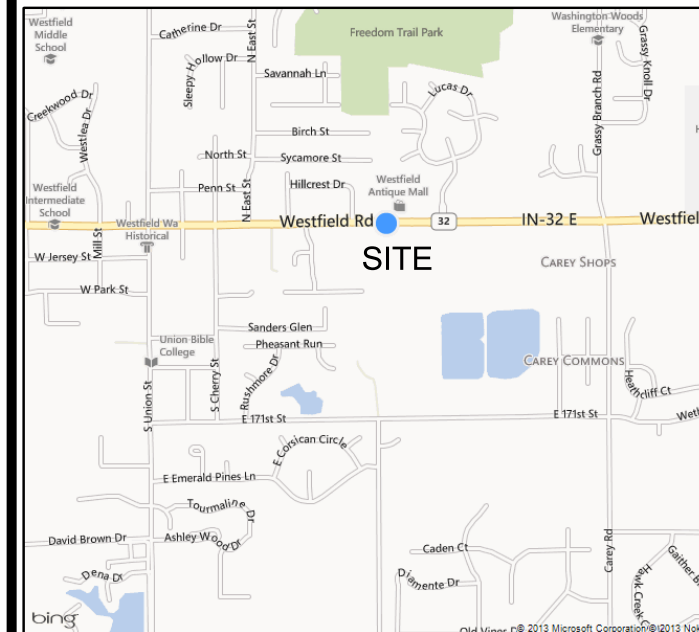
PREPARED FOR:
WESTCREEK PARTNERS, LLC
34 W RAMPART STREET
SHELBYVILLE, IN 46176

REV. #	DATE	REV. DESC.
1	5/30/19	per Plan Commission comments

DRAWING LEGEND

SEA GROUP MONUMENT SET	EXISTING METAL-TYPE FENCE
RIGHT OF WAY MARKER	EXISTING WOOD-TYPE FENCE
SURVEY MARKER FOUND	WTR - UNDERGROUND WATER LINES
SECTION CORNER (AS NOTED)	STM - UNDERGROUND STORM SEWER
BEE-HIVE INLET	SAN - UNDERGROUND SANITARY SEWER
CURB INLET	OVHD - OVERHEAD UTILITY
URBANE INLET	SECTION LINE (AS NOTED)
STORM SEWER MANHOLE	CENTERLINE (AS NOTED)
MANHOLE	EASEMENT (AS NOTED)
SANITARY SEWER MANHOLE	REAL ESTATE LINES (AS NOTED)
CLEAN OUT	SUBJECT REAL ESTATE SURVEY LINE (AS NOTED)
HANDICAPPED PARKING SPOT	EXISTING CONC. CURB (AS NOTED)
	TIE - TIP OF BANK
	EXISTING ROWLINE
	GAS VALVE
	GAS METER
	SIGN
	AIR CONDITIONER
	UTILITY POLE
	ELECTRIC METER
	ELECTRIC UTILITY
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	MAIL BOX

VICINITY MAP - NOT TO SCALE



ORDINANCE NUMBER 19-15

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 “**Westfield Center 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 "Plan Commission") considered a petition (**Petition No. 1905-PUD-10**), 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. 1905-PUD-10** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2019;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance (the “UDO”) and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Westfield Center 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.

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

Section 4. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the LB: Local and Neighborhood Business District (the “Underlying Zoning District”).

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

- 5.1 All uses permitted in the Underlying Zoning District shall be permitted unless otherwise prohibited below.
- 5.2 Prohibited Uses: All uses listed as Special Exceptions in the Underlying Zoning District shall not be permitted.

Section 6. **General Regulations.** The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

6.1 Minimum Front Yard Building Setback Lines (along a Private Street). None.

Section 7. **Overlay Districts.** The standards of Chapter 5 Overlay Districts, as applicable, shall apply to the development of the District, except as otherwise modified below.

7.1 Article 5.3(F)(3) Access Road. Shall not apply to the Real Estate.

7.2 Article 5.3(K) Trail Corridor. Shall not apply to the Real Estate.

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

8.1 Article 6.8(O)(2) Perimeter Parking Area Landscaping. Shall apply, except when a Parking Area on the Real Estate shares a common Lot Line with an adjacent Parking Area on the Real Estate, then Perimeter Parking Area Landscaping shall not be required.

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

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

10.1 Article 8.9(E)(1) Private Street Construction Standards. Shall apply, unless otherwise modified or waived by the Westfield Public Works Director.

- 10.2 Cool Creek Trail Corridor. A linear green space for the Cool Creek Trail shall be provided along Cool Creek, pursuant to the Westfield Thoroughfare Plan. This linear green space shall be a minimum of thirty (30) feet in width, unless otherwise determined by the Westfield Public Works Director to be less.
- 10.3 Midland Trace Trail Connection. A pedestrian pathway shall be installed connecting the development's existing pedestrian facilities to the Midland Trace Trail. This pathway shall be at least five (5) feet in width. This pathway shall not be required to be constructed with concrete or asphalt, but shall meet all ADA requirements.

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

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-15** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-15**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-15**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

EXHIBIT A
REAL ESTATE

[insert legal description]

EXHIBIT B
CONCEPT PLAN

Primary Plat
Westfield Center

SEA Group
Land Surveyors • Civil Design
Construction Layout
494 Grady Drive Carmel, Indiana 46032
Phone: 317.844.3333 Fax: 317.844.3383
www.seagroupinc.com info@seagroupinc.com

701-789 EAST MAIN STREET
WESTFIELD, INDIANA 46074

PROJECT LOCATED IN:

SECTION 6 - TOWNSHIP 18 NORTH - RANGE 4 EAST

WASHINGTON TOWNSHIP, HAMILTON COUNTY

PRIMARY PLAT

PREPARED FOR:

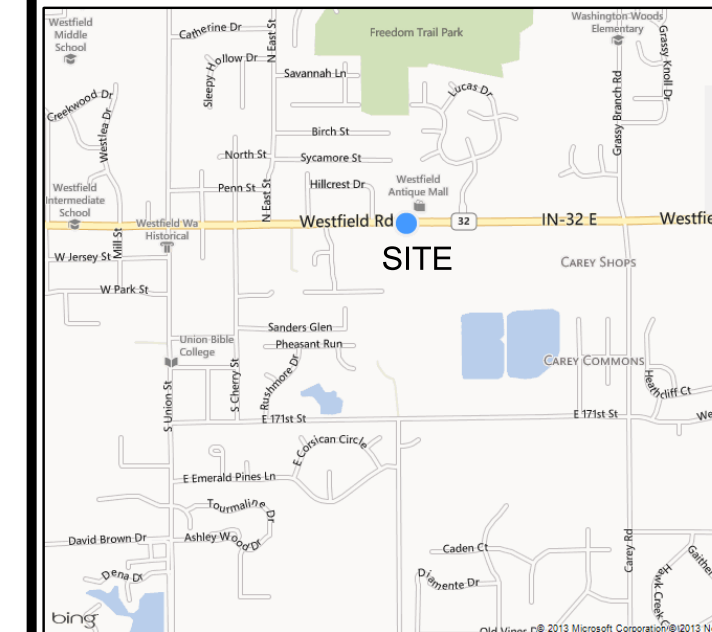
WESTCREEK PARTNERS, LLC
34 W RAMPART STREET
SHELBYVILLE, IN 46176

REV. #	DATE	REV. DESC.
1	5/30/19	per Plan Commission comments

DRAWING LEGEND

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RIGHT OF WAY MARKER	EXISTING WOOD-TYPE FENCE
SURVEY MARKER FOUND	WTR - UNDERGROUND WATER LINES
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BEE-HIVE INLET	SAN - UNDERGROUND SANITARY SEWER
CURB INLET	OVHD - OVERHEAD UTILITY
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CURB INLET	CENTERLINE (AS NOTED)
STORM SEWER MANHOLE	EASEMENT (AS NOTED)
MANHOLE	REAL ESTATE LINES (AS NOTED)
SANITARY SEWER MANHOLE	SUBJECT REAL ESTATE SURVEY LINE (AS NOTED)
CLEAN OUT	EXISTING CONC. CURB (AS NOTED)
HANDICAPPED PARKING SPOT	TIE - TIP OF BANK
	EXISTING ROWLINE
	GAS VALVE
	GAS METER
	SIGN
	AIR CONDITIONER
	UTILITY POLE
	ELECTRIC METER
	ELECTRIC UTILITY
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	MAIL BOX

VICINITY MAP - NOT TO SCALE





WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

June 3, 2019
1904-PUD-06
Exhibit 1

Docket Number: 1904-PUD-06 (Ordinance No. 19-14)

Petitioner: Westfield-Washington Schools (the "Petitioner")

Request: A change in zoning of 88.73 acres +/- from the GB-PD District and EI District to the Westfield High School PUD District.

Current Zoning: GB-PD: General Business/Planned Development District, and EI: Enclosed Industrial District

Current Land Use: Educational Institution (Westfield High School)

Acreage: 88.73 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Proposed Ord. 19-14 (Westfield High School PUD)
5. Proposed Ord. 19-14 (Redline Version)

Staff Reviewer: Kevin M. Todd, AICP

PETITION HISTORY

This petition was introduced at the May 13, 2019, City Council meeting. The petition received a public hearing at the May 20, 2019, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: The subject properties (collectively, the "Property") encompass approximately 88.73 acres +/- and includes real estate located at the northwest corner of Union Street and Hoover Street (see **Exhibit 2**). The Property is currently zoned a combination of the GB-PD General Business/Planned Development District, and the EI: Enclosed Industrial District.

Project Description: The proposed PUD Ordinance would address any existing non-conformities that have occurred on the Property as changes to the zoning ordinance have been made over time. The PUD Ordinance would also establish a new, more contemporary baseline of standards for future improvements on the school campus.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 3**), which includes all expansion projects to-date. The Property would be required to remain in substantial compliance with that exhibit.

Legally Established Pre-Existing Improvements: As proposed, the PUD Ordinance legally establishes all previously constructed improvements on the property. Any new improvements will be subject to the provisions of the PUD Ordinance, as amended.

Permitted Uses: The proposed PUD Ordinance would only allow Educational Institutions and ancillary uses as permitted on the Property. All other underlying GB uses and all Special Exception uses would be prohibited.

Development Standards: As proposed, the PUD Ordinance would default to the UDO's development standards, except the following modifications:

Architectural Standards: New buildings/additions would be required to be substantially similar in quality and character with the Existing Character Exhibit of the PUD Ordinance, which depicts the existing architectural character of the high school campus.

Sign Standards: As proposed, the signage standards of the UDO would apply. In addition, all signs on the Property would need to be consistent with those in the Signage Exhibit of the PUD Ordinance, which depicts the existing signage on the campus plus a couple of proposed new signs. Additionally, any informational or directional signage, as depicted in the Informational/Directional Signage Character Exhibit of the PUD Ordinance, would be exempt from the signage requirements. Lastly, any permanent or seasonal athletic recognition signage, as depicted in the Athletic Recognition Signage Character Exhibit of the PUD Ordinance, would be required to be at least 100 feet from the perimeter of the Property, but would otherwise be exempt from the signage requirements.

MODIFICATIONS SINCE THE PUBLIC HEARING

Since the public hearing, modifications were made to the PUD Ordinance to add clarification to the signage requirements of the PUD Ordinance. All existing signs were photographed and would be permitted. Also, informational, directional, and athletic recognition signage would be exempt from the signage requirements. The athletic recognition signage is intended to only be seen from within the campus, and would be required to not be located within 100 feet of the campus' perimeter. All other new signage would be regulated by the current UDO requirements for signage. A redline copy of the PUD Ordinance can be found under **Exhibit 5** of this report.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Employment Corridor". Institutional land uses are subordinate to and supportive of office and service uses are identified in the Comprehensive Plan as appropriate land uses within a highway/employment corridor. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the May 20, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the May 13, 2019, City Council meeting.

DEPARTMENT COMMENTS

1. **Action:** Forward a favorable recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at (317) 379-6467 or ktodd@westfield.in.gov.



Property Location Map Westfield High School PUD 1904-PUD-06



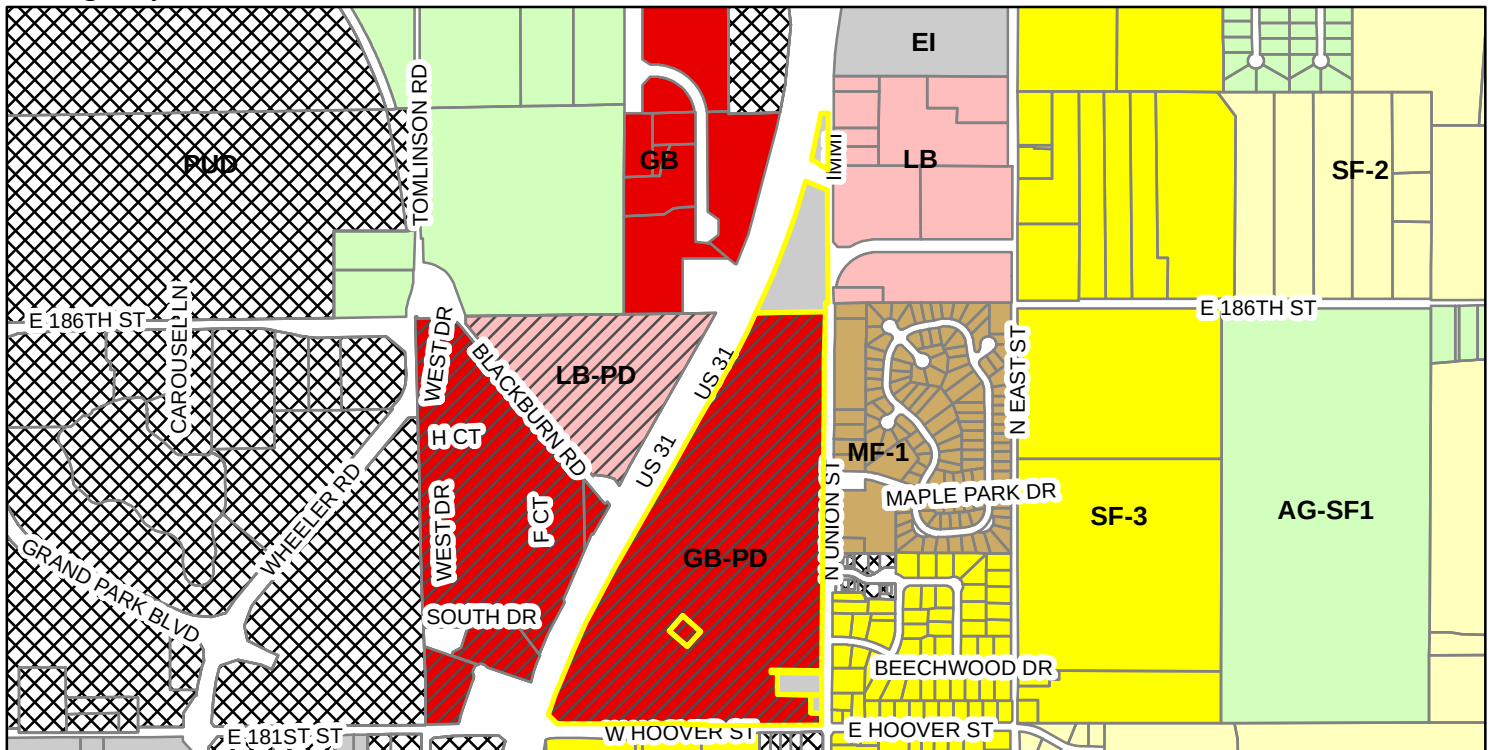
Not To Scale

Aerial Location Map

Site

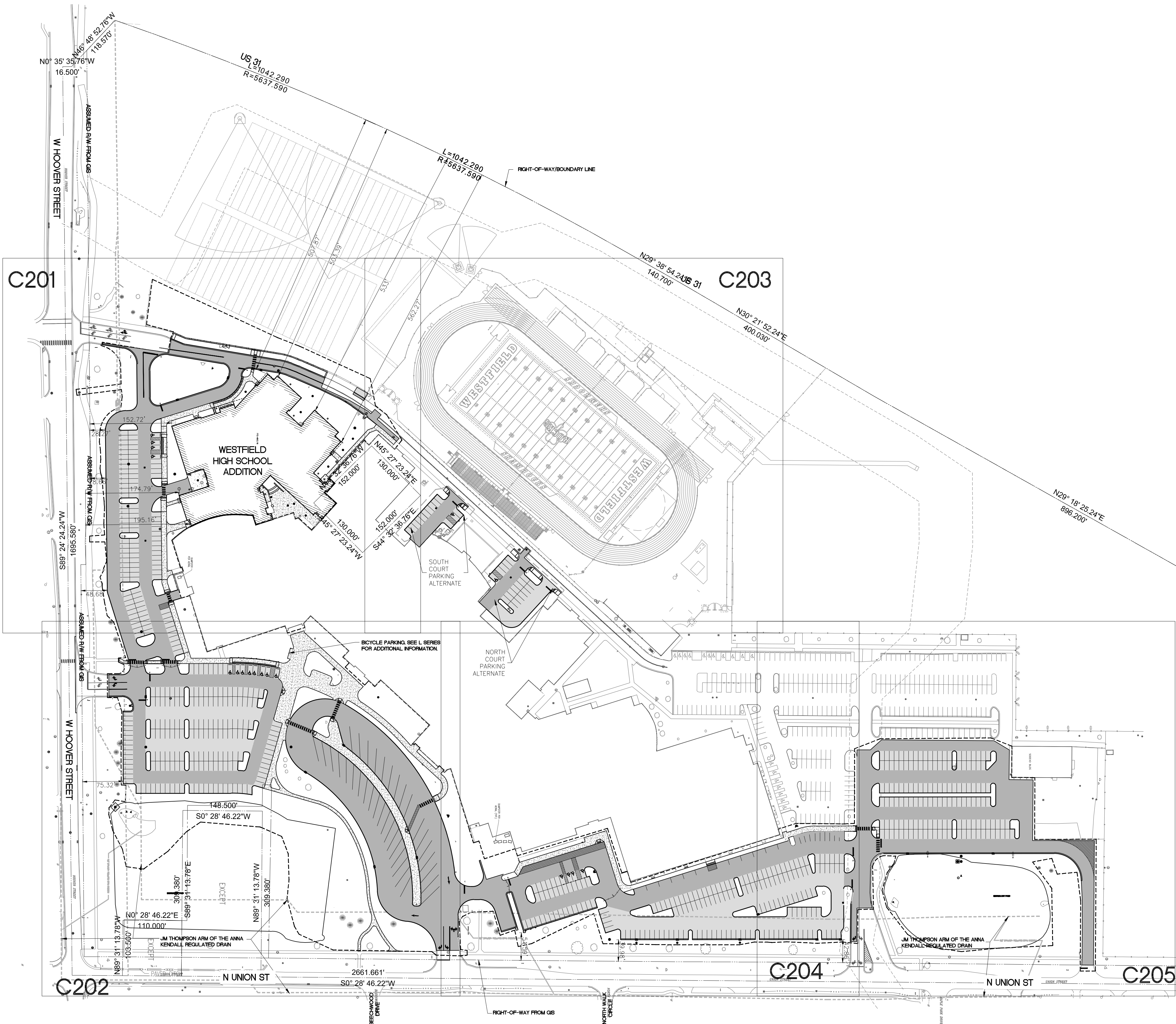


Zoning Map



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

C:\2004\040338\2021\040338\Eng\CD\201_Site Plan.dwg, September 13, 2018 11:46 AM, JENNIFER LASCH, © Paul J. Cripe, Inc.



CITY OF WESTFIELD NOTES:
ALL CONTRACTORS SHALL REVIEW CITY OF WESTFIELD STANDARDS AND SPECIFICATIONS PRIOR TO BIDDING ON THIS PROJECT. ADDITIONAL SPECIFICATIONS, NOT INCLUDED IN THIS SET OF PLANS, MAY BE REQUIRED:
[HTTP://WWW.WESTFIELD.IN.GOV/EGOV/APPS/DOCUMENT/CENTER.EGOV?VIEW=ITEM&ID=50](http://WWW.WESTFIELD.IN.GOV/EGOV/APPS/DOCUMENT/CENTER.EGOV?VIEW=ITEM&ID=50)

THE PRESENCE OF A CITY OF WESTFIELD REVIEW AND ACCEPTANCE STAMP ON PLANS DOES NOT RELIEVE THE CONTRACTOR OR DEVELOPER FROM COMPLIANCE OF THE 'CITY OF WESTFIELD CONSTRUCTION STANDARDS, LATEST EDITION'. THIS REVIEW ONLY DESIGNATES THAT THE GENERAL CONFORMANCE WITH DESIGN AND SPECIFICATIONS HAVE BEEN MET. FIELD CHANGES MAY BECOME NECESSARY IN ORDER TO COMPLY WITH THE DETAILED CITY OF WESTFIELD SPECIFICATIONS.

DEVELOPMENT PLAN LEGEND

PROPERTY LINE

EASEMENT LINE

RIGHT-OF-WAY

FENCE

CONSTRUCTION LIMITS

ALTERNATE CONSTRUCTION LIMITS

MATCH LINE

BUILDING LIMITS

ALTERNATIVES

NORTH COURT PARKING ALTERNATE

PROVIDE DEMO AS NOTED IN EXISTING CONDITIONS AND DEMOLITION PLAN, C100 SERIES.

PROVIDE NEW CURB, STANDARD DUTY ASPHALT AND HEAVY DUTY ASPHALT PAVING AS NOTED IN VEHICULAR DEVELOPMENT PLANS, C200 SERIES. REVISE UTILITIES AS NOTED.

SOUTH COURT PARKING ALTERNATE

PROVIDE DEMO AS NOTED IN EXISTING CONDITIONS AND DEMOLITION PLAN, C100 SERIES.

PROVIDE NEW CURB, STANDARD DUTY ASPHALT AND HEAVY DUTY ASPHALT PAVING AS NOTED IN VEHICULAR DEVELOPMENT PLANS, C200 SERIES. REVISE UTILITIES AS NOTED.

LOCATION AND SECTION MAP

18250 UNION STREET, WESTFIELD, IN

ZONING MAP

18250 UNION STREET, WESTFIELD, IN

ALTERNATIVE TRANSPORTATION PLAN

18250 UNION STREET, WESTFIELD, IN

3939 PRIORITY WAY SOUTH DRIVE, SUITE 200
INDIANAPOLIS, INDIANA 46240
(317) 844-6777
www.cripe.biz

ARCHITECTURE • INTERIORS
SURVEY • 3D LASER SCANNING
ENERGY • FACILITIES
LANDSCAPE ARCHITECTURE
REAL ESTATE SERVICES

OVERALL DEVELOPMENT PLAN
WESTFIELD HIGH SCHOOL
ADDITIONS AND RENOVATIONS
WESTFIELD WASHINGTON SCHOOL CORP.
18250 UNION ST, WESTFIELD, IN 46074

DATE: 06-07-18
COVERING: OVERALL VEHICULAR DEVELOPMENT PLAN DESIGN

INDIANA 811
Know what's below. Call before you dig.

811-800-382-5544
CALL 811 FOR INFO

Drawn By: JDA
Checked By: EDB
Quality Assurance: JML

Scale: 1" = 100'

Sheet: C200
Date: 08-27-18
Client Project Number: 17075

ORDINANCE NUMBER 19-14

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 “**Westfield High School Campus 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 "Plan Commission") considered a petition (**Petition No. 1904-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. 1904-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 _____, 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 (the “UDO”) and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Westfield High School Campus 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.

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 Concept Plan illustrates the general character of the uses and activities within the District. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Legally Established Pre-Existing Improvements. The Real Estate has been developed as an educational/institutional campus, as generally depicted on the Concept Plan and the Existing Character Exhibit, attached hereto as **Exhibit C** (the “Existing Character Exhibit”), in compliance with the zoning ordinance in effect at the time that each improvement was made to the Real Estate (collectively, the “Existing Improvements”). All existing structures and conditions of the Real Estate are hereby legally-established. Improvements after the effective date of this Ordinance shall be subject to the terms of this Ordinance, as amended.

Section 5. Underlying Zoning District. The Underlying Zoning District of this District shall be the GB: General Business District (the “Underlying Zoning District”).

Section 6. **Overlay Districts.** The U.S. Highway 31 Overlay District (Article 5.2) shall not apply to the Real Estate.

Section 7. **Permitted Uses.** The permitted uses shall be as set forth below.

7.1 Educational Institution and ancillary uses

7.2 **Prohibited Uses:**

- A. All other uses listed as Permitted in the Underlying Zoning District shall not be permitted.
- B. All uses listed as Special Exceptions in the Underlying Zoning District shall not be permitted.

Section 8. **General Regulations.** The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District.

Section 9. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

9.1 **Article 6.3 Architectural Standards:** Shall apply, except as modified below:

- A. **Character Exhibit.** New building(s) or building additions shall be substantially similar in quality and character with the Existing Character Exhibit, **Exhibit C.** If a provision of Article 6.3 Architectural Standards is in conflict with the Existing Character Exhibit, then the Existing Character Exhibit shall control.

9.2 **Article 6.17 Sign Standards:** Shall apply to the Real Estate. In addition, the following signage shall also be permitted on the Real Estate:

- A. Signage depicted in **Exhibit D** (the “Existing Signage Exhibit”) shall be permitted.
- B. Signs that are substantially similar to the size and location of the informational and directional signage depicted in **Exhibit E** (“Informational/Directional Signage Character Exhibit”) shall be exempt from the sign standards.
- C. Signs that are substantially similar to the size and location of the permanent and seasonal athletic recognition signage depicted in **Exhibit F** (“Athletic Recognition Signage Character Exhibit”) shall: 1) not be located within 100 feet of the perimeter of the Real Estate, and 2) be exempt from all other sign standards.

Section 10. **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.

Section 11. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the District.

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

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-14** was delivered to the Mayor of Westfield

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

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-14**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-14**

this _____ day of _____, 2019.

J. Andrew Cook, Mayor

Prepared by:

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Existing Character Exhibit
Exhibit D	Existing Signage Exhibit
Exhibit E	Informational/Directional Signage Character Exhibit
Exhibit F	Athletic Recognition Signage Character Exhibit

EXHIBIT A

REAL ESTATE

EXHIBIT B

CONCEPT PLAN

EXHIBIT C
EXISTING CHARACTER EXHIBIT

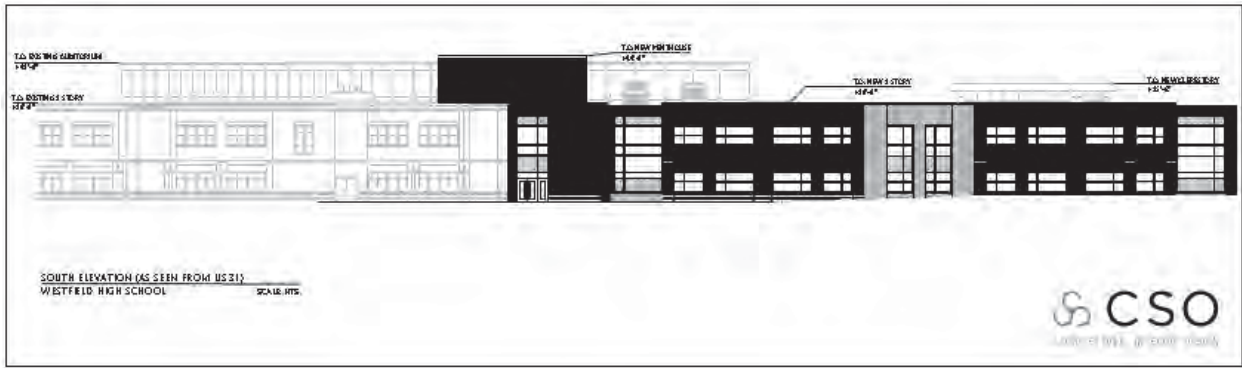


EXHIBIT D

EXISTING SIGNAGE EXHIBIT

Wall Signage



Monument Signage



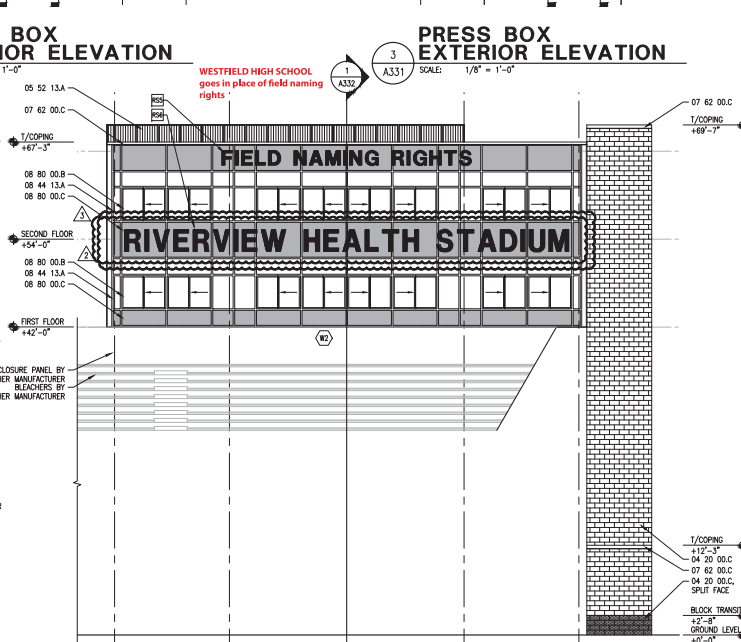
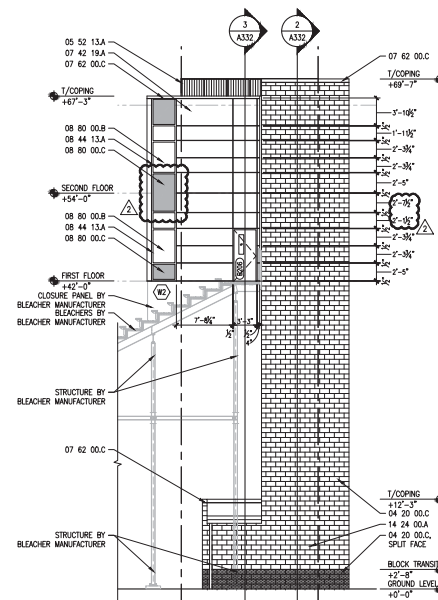
Athletic Field Signage & Scoreboards







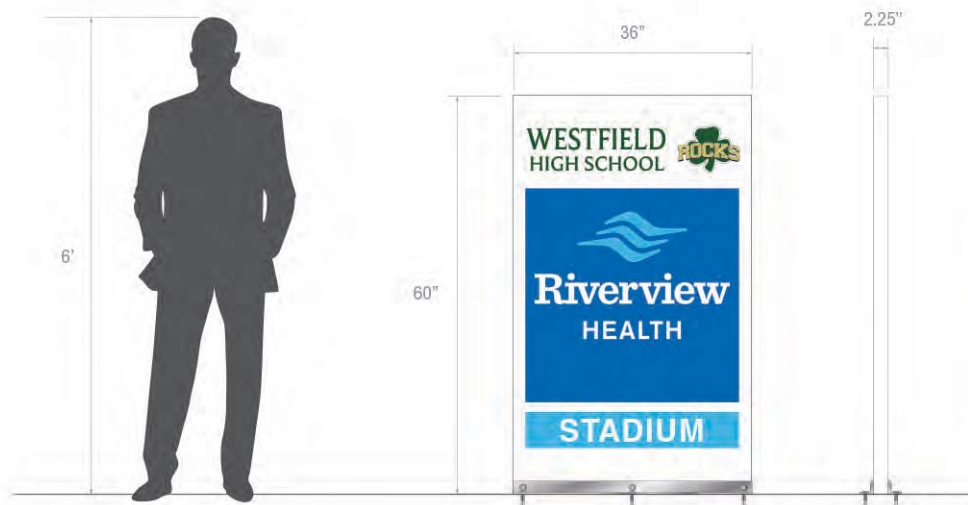




PRESS BOX
EXTERIOR ELEVATION

11. *Journal of the American Medical Association*, 2000; 284: 1039-1044.

Project Number:
14014



Sign Info
 Qty: 1
 5' x 3'
 2" x 2" X .125" Internal Aluminum Frame
 .125" Aluminum Faces
 Painted: Westfield Green
 Digitally Printed Vinyl Logos
 Mounting Hardware: TBD



Version: **12**

Approval: Signature

Printed

Date

Date: **07.12.2018**

By approving this artwork, customer is also approving all spelling and grammar, therefore relinquishing CSI from any fault for typo's not corrected by customer before production.

DISCLAIMER: Representations of artwork displayed on proof may not be precise as shown due to variations in monitor output. In some cases, colors rendered in actual print may vary slightly.

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File Path: WHS/Designs/Riverview Stadium/36x60_Riverview_Stadium_wl12.ai

EXHIBIT E

INFORMATIONAL/DIRECTIONAL SIGNAGE CHARACTER EXHIBIT

Building Entrance Identification Signage



Campus Directional & Informational Signage



Traffic/Parking/Circulation Signage



EXHIBIT F

ATHLETIC RECOGNITION SIGNAGE CHARACTER EXHIBIT



ORDINANCE NUMBER 19-14

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WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2019;

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

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~~A. Signs that are substantially similar to the size and location of the~~ Signage depicted in **Exhibit D** (the "~~Existing Signage Character~~ Exhibit") shall be permitted.

~~A. Signs that are substantially similar to the size and location of the informational and directional signage depicted in Exhibit E ("Informational/Directional Signage Character Exhibit") shall be exempt from the sign standards.~~

~~B. Temporary Signs, as approved by the Director.~~

~~C. Signs that are substantially similar to the size and location of the permanent and seasonal athletic recognition signage depicted in Exhibit F ("Athletic Recognition Signage Character Exhibit") shall: 1) not be located within 100 feet of the perimeter of the Real Estate, and 2) be exempt from all other sign~~

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standards.

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

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-14** was delivered to the Mayor of Westfield
on the _____ day of _____, 2019, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-14**
this _____ day of _____, 2019.

I hereby VETO **ORDINANCE 19-14**
this _____ day of _____, 2019.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

Prepared by:

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Existing Character Exhibit

Exhibit D Existing Signage ~~Character~~ Exhibit

Exhibit E Informational/Directional Signage Character Exhibit

Exhibit F Athletic Recognition Signage Character Exhibit

EXHIBIT A

REAL ESTATE

EXHIBIT B

CONCEPT PLAN

EXHIBIT C
EXISTING CHARACTER EXHIBIT

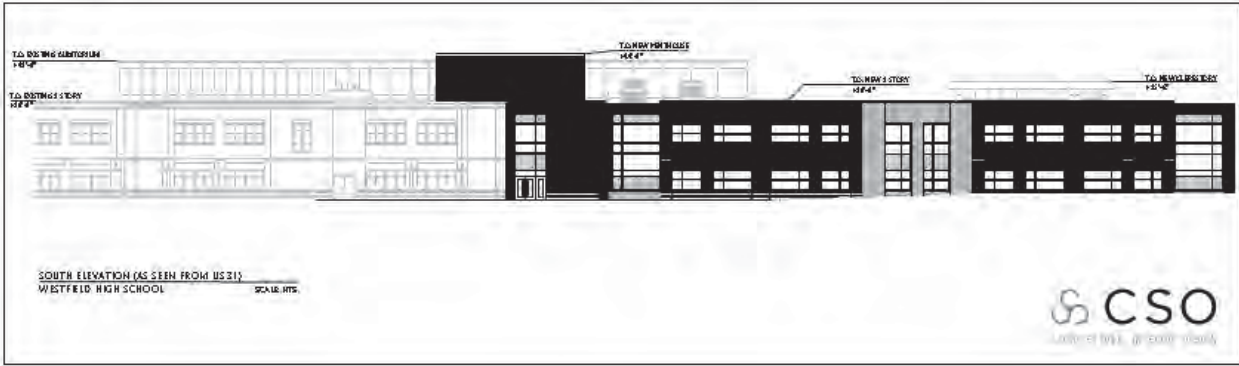


EXHIBIT D

EXISTING SIGNAGE EXHIBIT

Wall Signage



Monument Signage



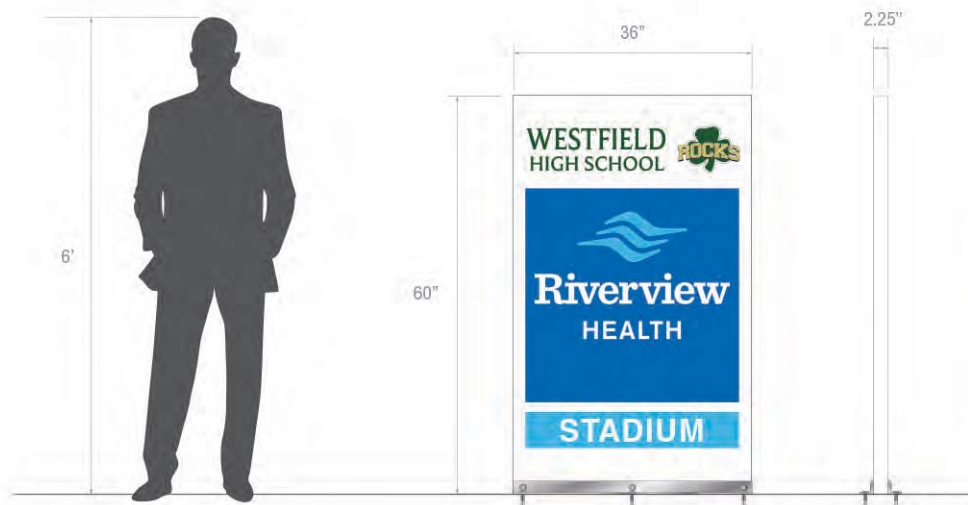
Athletic Field Signage & Scoreboards











Sign Info
 Qty: 1
 5' x 3'
 2" x 2" X .125" Internal Aluminum Frame
 .125" Aluminum Faces
 Painted: Westfield Green
 Digitally Printed Vinyl Logos
 Mounting Hardware: TBD



Version: **12**

Approval: Signature

Printed

Date

Date: **07.12.2018**

By approving this artwork, customer is also approving all spelling and grammar, therefore relinquishing CSI from any fault for typo's not corrected by customer before production.

DISCLAIMER: Representations of artwork displayed on proof may not be precise as shown due to variations in monitor output. In some cases, colors rendered in actual print may vary slightly.

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File Path: WHS/Designs/Riverview Stadium/36x60_Riverview_Stadium_wl12.ai

EXHIBIT E

INFORMATIONAL/DIRECTIONAL SIGNAGE CHARACTER EXHIBIT

Building Entrance Identification Signage



Campus Directional & Informational Signage



Traffic/Parking/Circulation Signage



EXHIBIT F

ATHLETIC RECOGNITION SIGNAGE CHARACTER EXHIBIT



WRITTEN PUBLIC COMMENTS

Docket Number: 1904-PUD-08
Petitioner: Urban Vines, LLC
Request: Petitioner requests a change in zoning of 5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Urban Vines PUD District to accommodate an existing Agritourism Use.

Enclosed Attachments:

May 8, 2019, Public Hearing

1. Koenig, Jerry	03/28/19
2. Fuller, Bill	03/28/19
3. Mayer, Matt	05/08/19
4. Nass, Linda (on behalf of 161 st Street Neighbors)	05/17/19
5. Wagner, Dan	05/29/19
6. Gonzalez, Mauricio	05/31/19
7. Hayner, Mike	05/31/19
8. Micinski, Lonnie	05/31/19
9. Campbell, Janelle	05/31/19
10. Blazic, Trey	05/31/19
11. Krause, Kenneth	05/31/19
12. Tomlinson, Ken	05/31/19

Pamela Howard

From: Jerry Koenig <jkoenig@ivytech.edu>
Sent: Thursday, March 28, 2019 12:46 PM
To: Matthew S. Skelton, Esq., AICP; Kevin M. Todd, AICP; Pamela Howard; Daine Crabtree; jdorsey@westfield.in.gov;; Caleb Ernest; Amanda Rubadue
Subject: Urban Vines Zoning to Allow Concert Music

All,

First of all, thank you all for reading my email, I am not sure if I am writing to the appropriate group of people to voice my opinion but if not I would appreciate it if you could pass this on to the appropriate department/person.

I am writing in regard to the Urban Vines place of business. It is my understanding that they are doing something to try and get their location zoned in a manner that will allow them to have concert music at their place of business. Just so you know, I live in Mulberry Farms, just South of the landing strip so there is quite a bit of open land between my home and the Urban Vines place of business, although I can't quite see their building from the back of my house, I'm pretty close. I have no real objections about this place of business, I do find it kind of hard to believe they only have one restroom to accommodate all the cars I see there sometimes. Last year they had music, not sure how many times but I can tell you some of the music was much louder than others. If I walk outside in my back yard and I barely hear some music from down the way but not real loud I have no problem with that. But a couple times last year I was sitting in my family room, no doors open and all windows in the house shut, and I couldn't even listen to my TV easily because the music was incredibly loud. When the music is so loud I hear it inside my house where I live I feel that is just TOO LOUD. I do not want to be one of those residents that just complains about everything but I thought I should at least voice my opinion on this subject, I do not feel it is unreasonable at all to feel you should not have to listen to any music while inside your home. And I'm sure it was even much louder right behind their place of business. Now I'm sure that some people think it's good for the community and they don't mind hearing the music outside but that still doesn't make it right to allow music in an area that has many residential homes nearby. I can't even imagine what their neighbors must think right next door.

I think if they could somehow have the music somewhat outside but in a controlled environment where the music sound doesn't carry possibly they could still accomplish what they want. It would probably take some additional renovation/construction of a building of some type but I think they run a little on a shoestring budget as it is so I don't see them putting big dollars into engineering this the right way. But I think you are going to have a whole lot of people angry if the music gets to the same decibels I heard last year.

Thanks again for reading my email.

Jerry Koenig
15853 River Birch Rd.
Westfield, IN 46074
pistoljerry@gmail.com

Pamela Howard

From: Fuller, Bill J <Bill.Fuller@allegion.com>
Sent: Thursday, March 28, 2019 5:30 PM
To: Pamela Howard
Subject: Urban Vines proposal

I am looking for the correct avenue to register my opposition to the proposed zoning changes for the Urban Vines location and business. I'd heard there was some kind of meeting on April 1st and I am out of town and cannot attend. I live in Richter's Corner of the Countryside division and I feel the current activities Of Urban Vines are already too intrusive on our neighborhood and our privacy to even consider expanding. Personally I have to sit and listen to their "Entertainment " close to weekly in summers from the comfort inside my own home, let alone working in the yard or sitting outside, and others live even closer to the business than I do. We can hear the music while sitting inside. Then we can talk about the neighborhood being used as the Urban Vines overflow parking lot. Not sure why we as residents of Countryside have to have our streets covered close to once a week in summers, both sides of the street, with their overflow parking. To be followed by their guests wandering back to their cars at all hours of the evening, some of them loud and presumably various levels of intoxication, sometimes leaving their trash in our yards and streets. To expand on anything this business does is a bad proposal, what they are allowed to get away with now should be stopped. In my opinion this is not a good precedent to set for the town of Westfield and an image the council would desire to present and uphold. Thank you for listening and please let me know what other steps I can take to register my opposition to this proposed zoning change that would allow them to increase and become a larger entertainment venue. I did not know who I should really contact. In truth it was a bad idea to open this facility in this location in the first place, in the midst of what could be a very nice residential area for many families. They should not be allowed to intrude even further and ruin the lives of so many in my humble opinion.

Thanks,

Bill Fuller
Mgr. System Administration Team

Allegion Information Technology
11819 North Pennsylvania St
Carmel, IN 46032

Office: 317-810-3141
Mobile: 317-557-0404
Email: Bill.Fuller@allegion.com
allegion.com

"Developer, Learner, Achiever, Individualization, Empathy"



Pamela Howard

From: Matt Mayer <matt.mayer@stratospherica.net>
Sent: Wednesday, May 8, 2019 1:52 PM
To: APC
Subject: Urban Vines PUD Requested Amendments

Hi All,

I live in the Oak Ridge Crossing neighborhood just south of the Urban Vines location. Having been impacted by noise issues from concerts at Urban Vines through last year and hearing complaints of other nearby neighbors with respect to traffic and parking, I would like to propose a few changes to the PUD ordinance which I will outline below.

I've been reading through the PUD documents and the updates proposed by Urban Vines to mitigate sound issues many of us have experienced, however I have some concerns remaining. This is a business located squarely in the middle of a residential area. As such it is important to make sure that it does not impact the local residents right to quiet enjoyment of the property they have purchased in the area. At the same time, I would like to see Urban Vines succeed and thrive in our community. I believe a few changes to the PUD ordinance will make a fair compromise to achieve these ends.

My concerns are primarily noise and traffic/parking. In that regard, my specific concerns are under Section 6 of the ordinance which does not place any specific limits on the frequency or duration of "Special Events" and "Temporary Use Events". I would suggest these be amended to allow no more than 1 week day night per month and no more than 4 weekend nights per month of combined "Special Events" and "Temporary Use Events" and to limit outdoor concert/PA system use to end by 9PM for week night events and 10PM for week end events. I also believe a limit on the maximum size/number of attendees for events at the location should also be put in place to avoid potential traffic and parking issues, but I do not have a specific recommendation on the limit. I believe this is a fair compromise to allow Urban Vines to build their business while limiting their impact on a largely residential area that surrounds them.

I urge you to not approve the proposed ordinance without limiting these events which have a detrimental impact on nearby residents quiet enjoyment of their property.

Thank You,
Matt Mayer

Pamela Howard

From: Linda Naas <lnaas@logickey.com>
Sent: Thursday, May 16, 2019 7:20 PM
To: APC; Pamela Howard
Subject: 161st Street Neighbors Comments on Urban Vines Proposed 1904-PUD-08
Attachments: Urban Vines PUD Comments 051619.docx

Thank you again for the opportunity to speak at the May 8, 2019, public hearing. We have prepared our comments in writing, expanded more than the 3 minutes allowed, and after getting more input from a meeting with Pam Howard, Planner, on May 15, 2019. We ask that you please consider the following in your upcoming decision. We see this Proposed PUD has been continued from the May 20, 2019, APC meeting.

Respectfully submitted,

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

To: APC & Pam Howard
From: 161st Street Neighbors
Contact: Linda Naas
Date: May 16, 2019

1904-PUD-08 (Ordinance No. 19-10)
Urban Vines LLC

First to be considered is that the existing uses and construction on this property are non-compliant with the 3 BZA approvals from 2016 and the 1606-DDP-21 approved by the APC in June 2016. What was presented to the public is not what has been built and the surrounding residential areas are being negatively impacted. With a large undeveloped parcel directly across 161st Street, we also want to stop the possibility of this type of use creeping further into this community. The development seems to have abandoned its AG-SF1 underlying zoning and the proposed PUD seems to cement a business or commercial use that should not be allowed in this area. Regardless of the success of the business, this is not the area for it. The picture of a winery with vines along 161st Street blending with the surrounding residentially developed properties is gone. Even the DDP included that picture. This proposed PUD is for the life of the property or could bring more amendments to estrange it even further from the neighborhood environment.

- The Special Exception Use approved was for an Agritourism Use “vineyard and winery” to include wine processing (i.e. grape crushing, fermenting, aging, storage) and related sales (i.e. retail, tasting facilities); there was no mention of outdoor music.
- The Development Standard variances approved removing Landscaping Standards based on covering the open areas with 2000 grape vines including along 161st Street.
- Removing Screening of Receptacles and Loading Areas, rather provide with landscaping.
- Removing Off-street Parking Surfacing and Curbs to allow a gravel driveway & parking to accommodate vines which do not exist.
- Removing Architectural Standards to allow agricultural theming with buildings per exhibits.
- BZA Approval subject to approval of a Detailed Development Plan.
- Removing Monument Signs 6.17(H)(2) to allow a second monument sign.
- The Reviewer of the DDP was Rachel Johnson, AICP, PLA, ASLA Loci Creative, LLC, not a City staff employee. There were errors on the Staff Report in light of the Variances. Site restrictions should not have so greatly changed the original concept of vineyard surrounding building with a parking lot but location of building and parking should have changed. Parking could have been in back of building allowing vines in front. Other options certainly could have been considered.
- The original concept was not to put a building/parking lot front and center in view of street.
- Utilities, rights-of-way and water retention are not excuses for design change as every property owner knows these should be in the original design and consideration of use of property.

This property has been developed and used in ways not compliant with the variances granted or underlying zoning. There appear to be no waivers by the Plan Commission and subsequently a lack of enforcement by the City over the last 3 years.

- Neighbors are not allowed to enjoy their own properties as outdoor music and activities negatively impact that enjoyment.
- The property, although having a building, has made port-o-lets a part of the landscape visible from 161st Street.
- The existing property with lack of landscaping is unattractive from the road and the proposed exhibits of Sound Mitigation are wholly unattractive. There is nothing hidden by trees as there are none. Neighbors should not have to buffer their own yards at their own expense.
- Parking should not extend beyond the property boundaries and that would dictate use. No Street parking or parking on neighboring properties should be allowed.
- Original variances hinted at music perceived as to be indoor as allowed by tasting room and parking facilities approved. Outdoor music was not approved and should not be allowed if extending beyond the property lines.

We oppose these parts of the PUD proposed:

Section 1.5 Do not relieve owner of variance requirements.

Section 2.1 Only allow those under approved Agritourism Use in UDO 12.1 definitions.

Agritourism Use (or Agritainment Use): *An agriculturally-based operation or activity that brings visitors to an operational farm, and that may include, but is not limited to, uses and activities such as: pumpkin patches, Christmas tree sales, animal interaction exhibits (i.e. petting zoo, pony rides), apple or strawberry picking, seasonal or holiday activities (i.e. corn mazes, hay or wagon rides, straw piles, haunted houses), family-oriented activities (i.e. bounce houses, pedal cars, kiddie rides), creamery, vineyards, breweries, educational experiences or tours, limited retail sales of products not produced on-site (i.e. country store, activity ticket sales), related beverage or food sales (i.e. tasting facilities, lunch counters, dairy bar, refreshment or specialty food stands), and related ancillary uses and buildings.*

No other special events.

Section 2.2 Temporary Uses and Events should not be made permanent and should require permits.

They should follow UDO Chapters 6.18 and 10.13.

Section 3. Parking should be decreased in front and vine plantings added.

Section 4: Legally Established Pre-Existing Improvements

This removes any chance of enforcing prior approvals/restrictions of BZA or DDP and makes this undesirable in this location not meeting the AG-SF1 underlying zoning.

Permitted Uses proposed Section 6.1. **We do not approve C, D, F, G.**

Section 6.1. PUD is requesting 7 Uses in additional to AG-SF1 uses:

- Allowed as "Special Exception" – must be approved
- "grape processing" was approved by BZA 4/12/16 as defined by winery – "an establishment for making wine"
- ~~Special Events~~ – Special Events is not listed in our UDO; too broad, must be defined, should be permitted by UDO Chapter 10.13 under Temporary Use and Events and follow UDO Chapter 6.18.
- ~~Temporary Use and Events~~ – Require Temporary Use and Events per UDO Chapters 6.18 and 10.13; City should stay aware of the Temporary Uses & Events through this process; history

tells us on this property that owner is prone to add to use of the property with no awareness or permission from City and lack of respect to neighboring residential properties.

- E. ~~Brewing, Winery and Distilling Product Facility & Tastings~~– These are included in UDO Agritourism Use (or Agritainment Use) – see letter A above.
- F. ~~Mobile & Food Service Vendors~~– These should be under Temporary Use and Events and approved by City not 24/7/365., UDO Chapters 6.18 and 10.13.
- G. ~~Serving of food prepared on the Property~~ – Indoors or Outdoors, permanent or temporary use? If Temporary Outdoors, use UDO Chapters 6.18 and 10.13.

Any and all Special or Temporary Uses should require a permit to keep track of activity.

All of 6.2 Conditions of Use – we oppose the outside noise, stage and music and makes this N/A.

Section 7.1 existing stage

Section 7.2 Consider applying UDO 6.3 standards to new buildings.

Section 7.3 Existing landscaping is not sufficient, consider vines along 161st Street, variance not now allowed due to non-compliance

Section 7.4 If vines are not in front of building, then reapply Article 6.14

It is disappointing that in a 3-page Staff Report accompanying this proposed PUD the APC, Council and public are not made aware of the non-compliance issues of this property to-date or the many exceptions being proposed for this AG-SF1 property by being proposed in a PUD. It requires considerable research and study on the part of all. It is also disappointing the owner didn't seriously apply the variances as approved and the City didn't enforce those during the development process in the last 3 years. The vines, of course, were only planted in the last year and only on the back of the property not visible from 161st Street making the site appear as a business not a vineyard in an agricultural, single family residential area of our community.

Resource Info:

Current UDO has no USE: Brewing, Winery and Distilling Production Facility & Tastings

BZA 4/12/16 approved “vineyard and winery” as Special Exception. Dictionary definitions:

Vineyard defined as “a plantation of grapevines, especially one for producing grapes for winemaking

Winery defined as “an establishment for making wine”

These were not further defined by petitioner.

This was the only Special Exception approved for an AG-SF1 area.

All falls in “Agritourism Use (or Agritainment Use) UDO Chapter 12.1 Definitions.

BZA <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4911>

1604-SE-01 [PUBLIC HEARING]

303 East 161st Street

Noah Herron (Urban Farmer LLC)

The petitioner is requesting approval of a Special Exception to allow an Agritourism Use (vineyard and winery) within the AG-SF1: Agriculture / Single-

Family Rural District (Chapter 13).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Petitioner's Narrative](#) | [Exhibit 4: Site Plan Exhibit](#) | [Exhibit 5: Illustrative Character Exhibit](#) | [Meeting Packet](#)

BZA <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4911>

1604-VS-07 [PUBLIC HEARING]

303 East 161st Street

Noah Herron (Urban Farmer LLC)

The petitioner is requesting Variances of Development Standard for the requested Agritourism Use related to Landscaping Standards (Article 6.8), Screening of Receptacle and Loading Areas (Article 6.1), Off-street Parking Surfacing and Curbs (Article 6.14) and Architectural Standards (Article 6.3) in the AG-SF1: Agriculture / Single-Family Rural District.

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Petitioner's Narrative](#) | [Exhibit 4: Site Plan Exhibit](#) | [Exhibit 5: Illustrative Character Exhibit](#)

APC <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4979>

1606-DDP-21 [PUBLIC HEARING]

Urban Vines

303 East 161st Street

Noah Herron of Urban Vines, LLC requests approval of a Detailed Development Plan for a vineyard and winery on 5 acres +/- in the AG-SF1: Agriculture/Single Family Rural District.

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

APC <https://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=4988>

1606-DDP-21

Urban Vines

303 East 161st Street

Noah Herron of Urban Vines, LLC requests approval of a Detailed Development Plan for a vineyard and winery on 5 acres +/- in the AG-SF1: Agriculture/Single Family Rural District.

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Elevations](#) | [Exhibit 5: Landscaping Plan](#) | [Exhibit 6: Acknowledgement of Variance](#) | [Exhibit 7: Elevation Comparison](#)

From: [Wagner, Dan](#)
To: [Ken Tomlinson](#); [Cindy Olson](#); [Lapaglia, Ward](#); [Matthew Mayer](#); [panicolai@aol.com](#); [APC](#); [Robert Horkay](#)
Subject: RE: Urban Vines
Date: Wednesday, May 29, 2019 5:54:15 AM
Attachments: [Urban VinesPUD Issue List \(1\) \(1\).docx](#)
[Urban VinesPUD Issue List_dw comments.docx](#)

To whom it may concern,

Please see my comments in blue to the Urban Vines proposal.

Dan Wagner
Project Engineer, Advanced Aircraft Programs, Cabin Systems
Gulfstream Aerospace Corporation
(912) 251-2893 Office
(912) 675-6604 Mobile

From: Ken Tomlinson [mailto:kjtomlin4@gmail.com]
Sent: Tuesday, May 28, 2019 9:41 PM
To: Cindy Olson <imcindyolson@gmail.com>; Lapaglia, Ward <ward.lapaglia@ppg.com>; Matthew Mayer <matt.mayer@crossroadslogic.com>; panicolai@aol.com; Wagner, Dan <Dan.Wagner@gulfstream.com>
Subject: Re: Urban Vines

All,

I sat down with Noah Herron this evening and we had a good conversation. At this point my concerns have been addressed. If I feel that the terms of the exemption are being violated I will reach out to Noah directly and then to the police if there is no action. I am no longer going to object to his request.

I also had a good conversation with Dan and the concerns he has for his family. His concerns have not been addressed and has seen some similar type situations turn out poorly previously. I suggested writing the Westfield Advisory Planning Commission. They reviewed the written submissions at the previous meeting and took the comments under consideration before making a recommendation to the council. The APC can be reached by email at: apc@westfield.in.gov. The APC meets the 1st and 3rd Monday of each month. They have not released the agenda for next week as far as I can tell. However, I fully expect for the Urban Vines PUD request to be on next Monday's agenda. I know that Noah is expecting it to be there. I will look at the documents once they are posted to make sure they match what Noah shared with me (the docs I sent earlier today). If they differ then my opinion could swing.

Robert Horaky is our current Westfield councilman. He is also the only councilman that sits on the APC. I emailed him previously on this topic and he was responsive. His email address is rhorkay@westfield.in.gov.

I will share any new information that I find.

Regards,

Ken

On Tue, May 28, 2019 at 11:47 AM Ken Tomlinson <kjtomlin4@gmail.com> wrote:

All,

Please find attached two documents from Noah Herron. After the APC hearing, he worked with the city to address as many of the concerns as possible. Attached PUD concerns and answers sheet as a result of his efforts. I have requested that he and I have a conversation regarding the steps to be taken if I feel the terms of the zoning exemption are not being followed. Given the effort that he has put into mitigating the noise concerns, specifically reducing the decibels down to 70, then I will no longer object to the exception provided he and I reach an agreement.

I am trying to meet with Noah as early as this evening, so please let me know if there is anything you would like for me to mention.

Thanks,

Ken Tomlinson

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ISSUES RAISED REGARDING THE URBAN VINES PUD PROPOSAL

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

1. What can be done to minimize or eliminate sound traveling to nearby properties?
 - A. We have hired a sound engineer and sound technician to help reduce any sound traveling from our outdoor concerts. We have installed fencing against our outdoor event stage to help direct music toward our patrons and away from neighbors. We have covered the stage, fence and building with sound blankets that help reduce sound reflection by over 50%. We have installed 150' row of Arborvitaes along our Eastern border to help reduce sound travel. Growing ivy up our wooden fence as well. We also hired a 3rd party sound technician to oversee every outdoor concert. We will use short throw speakers and keep speakers directed toward the audience.
 - 1.a What are the qualifications of the 3rd party sound technician?
 - 1.b Where is the contract between UV and this sound technician to ensure that this sound technician will be required at every outdoor concert ?
 - 1.c What does the claim of "reducing sound reflection by over 50%" mean? Where is the data to substantiate the claim?
 - NOTE: I am a project engineer over development of new sound systems for aircraft so have experience on this topic.
2. What can be done to minimize or eliminate parking impacts in surrounding neighborhoods?
 - A. Last year we increased are parking lot size from 25 cars to 85 cars. We also have an agreement with our neighbors next door to use property for parking. We also own the property down the road at 120 E 161st St that we will use for overflow parking. We also will have a police officer hired when available to help with any traffic issues.
 - 2.a Where is the agreement? Is this a signed document or a handshake?
 - 2.b Hiring a police officer when available? What about when not available?
3. Can the number or frequency of "special events" or "temporary events" be limited?
 - A. Yes, this has been added to the PUD.
4. Can the "Special Event" definition be narrowed as to not permit rides or other large equipment?
 - A. Yes, this has been updated in the PUD.
5. How can we know that the proposed maximum decibels will be quiet enough?
 - A. Sound will always travel no matter what. By installing the fence to direct the sound, installing the sound blankets to help reduce sound reflection and landscaping updates we hope to reduce any sound traveling to our neighbors to an acceptable level. Everyone will have a different level of acceptable but we would never want any sound to be heard inside a neighbors home or anything louder than a lawn mower volume outside.

5.a "Sound will always travel no matter what" Really? How so?

5.b "Hope to reduce any sound traveling to our neighbors to an acceptable level" . Hoping ? What if an unacceptable level? Then what? I have a disabled child who puts her fingers in her ears and runs around shrieking when there is loud music playing. I built my home in ORC because it is located in a quiet neighborhood and I will take this person to Court if even one of his events causes my daughter this type of distress.

5.c "Everyone will have a different level of acceptable but we would never want any sound to be heard inside a neighbors home or anything louder than a lawn mower volume outside"

Never wanting has no substance. In my opinion, this person is not qualified to speak on the topic of sound management

6. Why has the site developed differently than proposed in the variances?

A. Two main reasons for the front part of the property developing differently. The first is a retention pond was required by the city during development which pushed the building closer to the road in order for it to fit. The second is a larger parking lot. Both processes went through APC and were approved. I have proposed adding 34 new hydrangeas on the front of our property which when mature will help shield the view of the driveway.

6.a Where is the documentation showing APC approval and the proposal to add the plants?

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

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

7.a Where is the documentation backing up these claims?

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

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

8.a When will the plants be installed?

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

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

9.a Question was not answered

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

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

Pamela Howard

From: Mauricio Gonzalez <gonzalez-construction@hotmail.com>
Sent: Friday, May 31, 2019 12:15 PM
To: APC
Subject: Urban vines

Mauricio Gonzalez

Begin forwarded message:

From: Urban Farmer <noah@ufseeds.com>
Date: May 30, 2019 at 7:16:04 AM EDT
To: Mauricio Gonzalez <gonzalez-construction@hotmail.com>
Subject: email to apc

Mauricio, Please send the below email to: apc@westfield.in.gov

Mauricio Gonzalez
133 W 161st St
Westfield, IN 46074

Hello,

We are one of the closest neighbors to Urban Vines Winery. Over the past 2 years they have been great neighbors. We have no issues with the proposed PUD. Urban Vines is a great asset to the community.

Thanks,
Mauricio Gonzalez

Pamela Howard

From: Mike Hayner <mhayner1@gmail.com>
Sent: Friday, May 31, 2019 1:18 PM
To: APC
Subject: Urban vibes!

Hello, I'm a close neighbor to Urban Vines and we absolutely love having them here! They have a wonderful product and have been very supportive of the community. We live along 161st in Countryside and can barely hear any sound from the concerts. Please don't let a few individuals spoil it for the rest of us.

Mike Hayner

Sent from my iPhone

Pamela Howard

From: Lonnie <lmicinski@aol.com>
Sent: Friday, May 31, 2019 3:13 PM
To: APC
Subject: Urban Vines

Just a quick note in support of Noah Herron and Urban Vines. Out side of the fact that my family and I love going there there are many other great reasons to speak up in support of Urban Vines, I have noticed:

Many positive articles in the news both print and digital that bring a positive view and recognition towards Westfield, this exposure is not just local but state and regional.

Noah holds many fund raisers for local charities, need to raise some money? ask Urban Vines they will never turn you down. They hold events and make donations Urban Vines do their best to buy products locally —local source- it is noted on the menus It is THE MOST family friendly establishment in Westfield. So many families love going there!

Noah is involved owner, he is there everyday if an issue comes up he will work to address it. Thank You,
Lonnie Micinski

Sent from my iPhone

Pamela Howard

From: Janelle Campbell <jccampbell@cfbindiana.com>
Sent: Friday, May 31, 2019 3:20 PM
To: APC
Subject: Urban Vines PUD

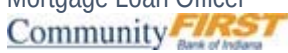
Greetings,

I am sure you each get plenty of emails from people complaining about something in our community. I hope this email is a refreshing change of pace.

I am writing you in support of Urban Vines and the change to the PUD that is up for vote on Monday, June 3rd. I am a resident of Oak Ridge Crossing which backs up to Urban Vines property and I know there are residents concerned about the noise levels when Urban Vines hosts live bands at their establishment. My husband and I sit on our front porch nightly when the weather cooperates (and sometimes in storms) and we on occasion hear the music coming from Urban Vines. By no stretch of the imagination has the music EVER been so loud that it causes a disturbance to our peaceful evenings on the porch. Quite the opposite, honestly. We find that we have to "work" to hear the music and always comment how we enjoy hearing the music in the distance. In fact, it is not uncommon to find several neighbors out by their fire pits or on their driveways during these concerts actually listening from a distance. We live on the north side of our neighborhood so all things considered, we are one of the neighbors that are "close" to Urban Vines. If I were to compare the noise level of the music we hear from Urban Vines it is quite a bit lower than the fireworks that go off throughout the summer and often until 1 or 2 AM or the music that plays late into the night from parties in connecting neighborhoods. In fact, I would say the squeaky trampoline behind us is far more annoying and disturbing than the music we occasionally can hear in the distance from Urban Vines. I am not concerned at all about the sound level that comes from Urban Vines and I am in support of Noah's future plans for his property and establishment. I feel like Urban Vines is a quaint little local establishment that offers a fantastic place for families to hang out or for groups of friends to connect. It is one of the unique places in Westfield that make us different and a city that people want to come visit.

Thank you for all you do for our community and the thoughtfulness you put into your decisions in an effort to keep Westfield a wonderful place to raise a family. We absolutely love this city and the quaint amenities it offers, one of them being Urban Vines.

Best,

Janelle Campbell
Mortgage Loan Officer

707 East SR 32
P.O. Box 1017
Westfield, IN 46074
Direct: 317.399.7496
Fax: 317.804.2184
Member FDIC
NMLS #1391558

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Pamela Howard

From: Trey Blazic <treyblazic1@gmail.com>
Sent: Friday, May 31, 2019 3:24 PM
To: APC
Subject: 1904-PUD-08 Urban Vines PUD

City of Westfield Advisory Plan Commission,

I assume this is the proper avenue to address proposed changes in zoning. My family and I frequent Urban Vines since its opening as we lived in Maple Knoll (recently moved to Oak Manor). I took the time to read through all of the available documentation including the immediate neighboring resident's concerns.

In my opinion the owner, Noah is engaged and addressing the concerns of the people in our community. It appears he is looking toward the future as a long term business in Westfield. I do not see this as someone coming in and intentionally causing issues. This is evident in the steps that have already been taken regarding noise control, defining restrictions on frequency of events, number of third party vendors present, parking issues, landscaping, etc. (laid out in the updated PUD).

I see businesses like this as positive assets for our community and hope to see Urban Vines and many more continue to grow and thrive. On that note, growth and change is never easy. From my perspective, the owner(s) at Urban Vines is engaged in open dialogue and continues to take actions to be a positive asset and respectful of the neighboring residents and the City of Westfield.

Sincerely,
Trey Blazic

Pamela Howard

From: Kenneth Krause <kkraus1@gmail.com>
Sent: Friday, May 31, 2019 3:52 PM
To: APC
Subject: Letter regarding Urban Vines
Attachments: UrbanVinessupport1.docx

Please review my attached letter regarding Urban Vines winery.

Kenneth Krause D.M.D.



May 31, 19

**Westfield APC
apc@westfield.in.gov**

Westfield APC,

We are sending this letter in support of Urban Vines winery. This establishment is a significant asset to our community. The winery has experienced rapid growth and is regularly busy which shows the entertainment and food/beverage need it is fulfilling in Westfield.

We regularly converse with others in the community who enjoy this business and visit it frequently. We appreciate that this business is a family friendly establishment. We look forward to supporting this business for years to come.

Sincerely,

Kenneth Krause D.M.D.

Kathryn Krause D.M.D.

**Krause Dental L.L.C.
3247 East State Road 32
Westfield, IN 46074
(317) 399-9329**

Pamela Howard

From: Ken Tomlinson <kwt_2304@yahoo.com>
Sent: Friday, May 31, 2019 4:07 PM
To: APC
Cc: Urban Farmer
Subject: Monday, June 3rd APC Meeting: 1904-PUD-08 (Urban Vines PUD)

Westfield Advisory Plan Commission members,

My name is Ken Tomlinson and I made public comments at the Wednesday, May 8th APC meeting. I voiced my concerns on item 1904-PUD-08 (Urban Vines PUD) regarding noise, ambiguity in the listed terms and the different perspectives that can be gleaned from the drawings.

As suggested by the APC, Noah reached out to me and we furthered our conversation. At this point he has tried to address my concerns and I am no longer objecting to the exemption being sought. We have reached an agreement that is satisfactory to me.

I see that this item is back on the agenda for Monday, June 3rd. Please take my updated comments under consideration and let me know if you have any questions. My contact info is attached.

Regards,

Ken W. Tomlinson
15841 Gateshead Dr
Westfield, IN 46074
kwt_2304@yahoo.com