



CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda 12_20_2021

Monday, December 20, 2021 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, December 20, 2021 at 07:00 PM

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

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

Public input can be submitted in 1 of 2 ways:

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

OPENING OF MEETING

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

Note the Presence of a Quorum

Approval of Minutes

December 6, 2021 APC Minutes

Documents: [APC Minutes - December 6, 2021](#)

Update to 2022 APC Meeting Schedule

Move June 20, 2022 APC Meeting to June 21, 2022 due to the Juneteenth Federal Holiday

Documents: [Proposed Updated 2022 APC Schedule of Meetings](#)

Review APC Rules & Procedures

CONSENT AGENDA

No Consent Agenda Items.

ITEMS OF BUSINESS

2108-PUD-22

Urban Apples PUD

18326 Spring Mill Road

Herron Holdings, LLC by Church Church Hittle + Antrim requests a change in zoning for 23.71 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Urban Apples PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 21-34 clean](#) | [Exhibit 4: Concept Plan](#) | [Exhibit 5: Architectural Elevation Exhibits](#) | [Exhibit 6: Accessory Building Illustrative Images](#) | [Exhibit 7: Streetscape Exhibits](#) | [Exhibit 8: Signage Exhibits](#) | [Exhibit 9: Redline \(10-4 - 12-20\)](#) | [Exhibit 10: Previous Redline \(8-2 - 10-4\)](#) | [Exhibit 11: Petitioners Response to Issue List](#) | [Exhibit 12: Concept Plan Comparison](#) | [Exhibit 13: Updated Narrative Statement](#) | [Exhibit 14: Neighbor Meeting Summary](#) | [Exhibit 15: Public Comments](#) | [Ord. 21-34 \(12/20 Redline\) Updated 12/20 @ 5:15pm](#)

2112-ODP-27 & 2112-SPP-26

Casey Corner

East of Ditch Road, West of Casey Road

Platinum Properties, LLC by Nelson & Frankenberger, LLC requests Overall Development Plan and Primary Plat review of 80 Lots on 11.00 acres +/- in the Spring Mill Trails PUD District.

(Planner: Rachel Riemenschneider - rriemenschneider@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Primary Plat and Overall Development Plan](#) | [Exhibit 4: Landscape Plan](#) | [Exhibit 5: Waiver Request Letter](#) | [Exhibit 6: Public Works Response to Variance Request](#)

PUBLIC HEARING ITEMS

2112-SPV-01 [PUBLIC HEARING]

Style-Rite Meadows Plat Vacation

Southeast corner of 203rd Street and Tomlinson Road

Chatham Hills, LLP requests to vacate Lots 5 through 27 inclusive and 29 through 31 inclusive of the Style-Rite Meadows Subdivision.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Petition to Vacate](#) | [Exhibit 4: Recorded Style-Rite Meadows Plat](#) | [Exhibit 5: Proposed Chatham Village Sec 1 Secondary Plat](#)

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09 [CONTINUED]

Northpoint II PUD

North side of SR 38 between Anthony Road and Hinkle Road

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

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

2101-ZOA-01 [CONTINUED]

Unified Development Ordinance Amendment

Westfield City Council requests approval of an ordinance to amend Article 10.9 of the Westfield-Washington Township Unified Development Ordinance.

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

2108-ODP-18 & 2108-SPP-18 [CONTINUED]

Highlands Latin School

3810 W 146th Street

Indy Latin Schools requests Overall Development Plan and Primary Plat review of 1 Lot and 1 Block on 30.88 acres +/- in AG-SF1: Agriculture/Single-family Rural District.

(Planner: Rachel Riemenschneider - rriemenschneder@westfield.in.gov)

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

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

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

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

2111-PUD-26 [CONTINUED]

Landing 161 PUD

West of & adjacent to US 31/North of & adjacent to E 161st Street

Lennar Homes of Indiana, Inc. by Nelson & Frankenberger, LLC requests a change of zoning for 49 acres +/- from the Indy Hebrew Congregation PUD and EI: Enclosed Industrial Zoning Districts to the Landing 161 PUD District.

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

2111-PUD-27 [CONTINUED]

TowneRun PUD

Northwest corner of Towne Rd & West 146th Street

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

(Planner: Rachel Riemenschneider - rriemenschneder@westfield.in.gov)

2111-PUD-28 [CONTINUED]

Courtyards at Spring Mill PUD District

East side of Spring Mill Road, north of SR 32, south of 186th Street

Platinum Properties Management Company, LLC by Nelson & Frankenberger, LLC requests a change in zoning on 67.8 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Courtyards at Spring Mill Planned Unit Development (PUD) District.

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

2112-ODP-26 [CONTINUED]

Southpark Industrial

16465 Southpark Drive

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

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

2112-PUD-29 [CONTINUED]

Springwater PUD

East of South Union Street and 1/4 mile +/- north of 161st Street

Old Town Design Group by Apollo Developers requests a change in zoning for 41 acres +/- from AG-SF1: Agriculture / Single-family Rural District and Lantern Park PUD

District to the Springwater PUD District.

(Planner: Rachel Riemenschneider - rriemenschneider@westfield.in.gov)

REPORTS/COMMENTS

Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

December 20, 2021
2108-PUD-22
Exhibit 1

Docket Number: 2108-PUD-22 (Ordinance No. 21-34)

Petitioner: Herron Holdings, LLC by Church Church Hittle + Antrim

Request: A change in zoning for 23.71 acres +/- from the AG-SF1: Agriculture / Single-family Rural District to the Urban Apples PUD District.

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

Current Land Use: Agriculture

Acreage: 23.71 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ord. 21-34 (clean)
4. Concept Plan
5. Architectural Elevation Exhibits
6. Accessory Building Illustrative Images
7. Streetscape Exhibits
8. Signage Exhibits
9. Redline (10/4 – 12/20)
10. Previous Redline (8/2 - 10/04)
11. Petitioner's Response to Issue List
12. Concept Plan Comparison
13. Updated Narrative Statement
14. Neighbor Meeting Summary
15. Public Comments

Staff Reviewer: Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the July 12, 2021, City Council meeting. The petition received a public hearing at the August 2, 2021, Advisory Plan Commission (the "Plan Commission") meeting.

The petitioner held a neighbor meeting on July 28, 2021. A summary this meeting was provided by the petitioner and is as **Exhibit 14.**

A recommendation was requested at the October 4, 2021, Plan Commission meeting; however, additional changes were requested at the meeting resulting the petition being continued for further revision.

PROJECT OVERVIEW

Location: This subject real estate is approximately 23.71 acres in size and is located at 18326 Spring Mill Road (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agriculture/Single-family Rural District, and has an approved Variance of Use permitting Wine Processing on the Property. Adjacent zoning districts include Somerset PUD to the west and south, with the remainder of adjacent properties zoned AG-SF1. Adjacent land uses include agriculture and undeveloped residential.

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to the Urban Apples PUD District to accommodate an Agritourism Development, as described in the Narrative Statement (see **Exhibit 13**).

ORDINANCE DETAILS

Repeal of Existing Variance: As proposed, the adoption of this PUD would repeal the existing variance for the Property (2008-VU-04), which allows the current wine production operation. If the existing variance is later held to be valid after the adoption of the proposed PUD, then PUD would then be rendered void.

Definitions: The proposed ordinance includes a few definitions that are not present in the UDO: Food Truck Area, Music Shelter, Picnic Shelter, and Seasonal Parking.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 4**) which divides the District into four (4) areas, and requires the site to be developed in substantial compliance with this plan. The PUD Ordinance acknowledges that additional Accessory Structures, not shown on the Concept Plan, may be constructed within the District. Those structures would comply with the standards of the proposed ordinance.

Underlying Zoning: As proposed, the PUD Ordinance assigns AG-SF1: Agriculture/Single-family Rural District as the Underlying Zoning District.

Permitted Uses: The proposed ordinance adds four (4) uses in addition to those permitted by the Underlying Zoning District. Three (3) of these uses are restricted to one (1) area of the PUD.

- Agritourism Use, as defined in the UDO, with the exception of animal interaction exhibits (i.e. petting zoo, pony rides) (for the entire site)
- Uses defined as Light Industrial in the UDO which are ancillary and/or accessory to Agritourism Use (in the Vine Area only)
- Uses defined as Low Intensity Retail which are related to the operation of a mail order business and greenhouse sales in accordance with Section 8.1(B) (in the Seeds Area only)
- Food Truck Area, as defined in the PUD (in the Cidery Area only)

General Regulations: The table below outlines the proposed lot standards as compared to the UDO's requirements for AG-SF1 lots (the proposed underlying zoning district).

	PUD	UDO (AG-SF1)
Min. Lot Area	Not altered	3 acres
Min. Lot Frontage	Not altered	250'
Min. Front Yard Setback	50' (from Spring Mill Road)	100' (Expressway/Arterial)
Min. Side & Rear Yard Setbacks	30' (all other District property lines), none internal to District	30'
Min. Lot Width	Not altered	100'
Max. Building Height	45' ¹	2 ½ stories 45' for buildings for Agricultural Uses with a min. roof pitch of 5:12 ²
Min. Living Area (Ground Floor)	Exempts	1,350 square feet (single-story) 800 square feet (all others)
Subdivisions	Permits Major Subdivision by exempting this standard	Major Subdivision not permitted
Development Plan Review	Not altered	Required except for Single-family Dwellings, Agricultural Uses, and associated Accessory Uses.

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

Architectural Standards: The proposed PUD Ordinance includes Architectural Standard, which would not otherwise apply in the AG-SF1 District. The standards include timelines for updating the existing buildings, building material and size requirement for a greenhouse, and a size limitation on outdoor display of plant materials. Additionally, Architectural Elevation Exhibits (see **Exhibit 5**) are included for the Vine and Cider Buildings. Those buildings, along with most Accessory Buildings, are required to be

¹ UDO Article 6.6(E) Height Standards; Exceptions: In all Zoning Districts, spires, church steeples, chimneys, cooling towers, stacks, tanks, water towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.

² Article 6.6(D) Height Standards; Buildings for Agricultural Uses: If a building used for Agricultural Uses has a minimum roof pitch of five vertical units to twelve horizontal units (5:12), then the maximum Building Height for such building may be increased in height not to exceed forty-five (45) feet.

substantial consistent with these exhibits. Additional Illustrative Images (see **Exhibit 6**) are included for the permitted Picnic Shelters, and Music Shelter; these structures would be required to be architecturally consistent with the associated images.

Landscaping Standards: The PUD Ordinance defaults to the Landscaping Standards for the UDO with a few exceptions further described below:

General Screening Standards: The proposed ordinance would exempt the existing nonconforming conditions in the Vine Area from the UDO's screening requirements for Mechanical Equipment and Service and Loading Areas.

Minimum Lot Landscaping: As proposed, the PUD ordinance would apply UDO Article 6.8(K) to the Vine, Cidery, and Seeds areas only. These areas would be classified as Business Uses for the purpose of this section, requiring ten (10) shade trees, ten (10) ornamental or evergreen trees, and twenty-five (25) shrubs per acre.

External Street Frontage Landscaping Requirements: As proposed, the PUD ordinance would exempt the standards of UDO Article 6.8(M), and instead require substantial compliance with the Streetscape Exhibits (see **Exhibit 7**) provided in the ordinance. These improvements would be required to be installed within one (1) year of PUD adoption, or prior to the issuance of the Certificate of Occupancy for the Vine Building, whichever occurs first.

Buffer Yard Requirements: The proposed ordinance exempts the property from the standards of UDO Article 6.8(N) and instead applies the Perimeter Tree Preservation, and Mound Requirements of the PUD Ordinance.

Parking Area Landscaping: The as proposed, PUD Ordinance would exempt the Seasonal Parking area from the standards of UDO Article 6.8(O).

Perimeter Tree Preservation: The proposed ordinance requires healthy trees within ten (10) feet of the perimeter of the District to be preserved, unless they are required to be removed for connectivity or drainage/utility purposes.

Orchard Preservation and Planting: The PUD Ordinance requires the planting and preservation of the areas labeled as "orchard" on the Concept Plan. All trees would be required to be planted by April 1, 2023.

Mound Requirement: As proposed, the PUD ordinance would require a five (5) foot mound containing five (5) shade trees, five (5) evergreen trees, and twenty (20) shrubs per 100' to be constructed to the east of the pond. This exceeds the "Buffer B" requirements in the UDO, which would apply to a Business Use locating adjacent to an SF4 District. This would be required to be installed prior to the issuance of the Certificate of Occupancy for the Music Shelter.

Sign Standards: The PUD Ordinance modifies some of the UDO's Sign Standards for the proposed development, as further described below:

Entrance Signs: The PUD Ordinance proposes replacing the Monument Sign Standards of the UDO (Article 6.17(H)(2)) with Entrance Sign standards included in the PUD. The proposed standards include permitting one (1) two-sided wooden directional sign (the "Service Entrance Sign") at the north entrance, and one (1) Main Entrance Sign following the UDO's standards for residential subdivision entrances (Article 6.17(G)(1)). Exhibits are provided for both Signs (see **Exhibit 8**), and the signs are required to substantially comply with the exhibits. Additionally, the proposed ordinance restricts the lighting of the permitted Monument Signs to gooseneck down lighting. The UDO does not contain the same restriction.

Wall Signs: The proposed ordinance permits a set amount of Sign Area Allocation per façade of the Vine, Cidery, and Seeds buildings; as outlined in the PUD. The UDO assigns Sign Area Allocation for Individual Nonresidential Uses based upon the length of building fronting on a public Right-of-Way, but allows the permitted Sign Allocation Area to be divided amongst all signage permitted for the site. As with Monument Signs, the proposed ordinance restricts the lighting of the permitted Wall Signs to gooseneck down lighting. The UDO does not contain the same restriction.

Parking and Loading Standards: The proposed ordinance defaults to the Parking and Loading Standards for the UDO with a few exceptions further described below:

Loading Berths: As proposed, the PUD Ordinance would exempt the Property from the minimum number of off-street Loading Berths required in the UDO. This would only be a change for some components of the proposed use (those that could be classified as Office or Industrial Manufacturing). The UDO does not require Loading Berths for Agritourism Uses.

Surfacing and Curbs: The proposed Ordinance would exempt the Seasonal Parking and internal access drive leading to the Music Shelter from the Surfacing and Curbs requirements of the UDO (Article 6.14(G)(11)).

Required Spaces: The PUD Ordinance proposes using the UDO's "Other Uses" parking requirement for all uses proposed on the site, which would allow the Director to determine the minimum number of spaces required based on data supplied by the applicant. This would not be a change for Agritourism Uses; but would be change Office and Industrial Uses which all have minimums outlined in the UDO. The proposed ordinance allows this determination to be made during the Detailed Development Plan process, or at any other time deemed necessary by the Director. The PUD acknowledges that number of parking spaces required, as determined by the Director, may differ from the number shown on the Concept Plan.

Processes and Permits: As proposed, the PUD Ordinance would require a sound test, to determine compliance with the Nuisance Standards, to be performed prior to the issuance of a Certificate of Occupancy (C of O) for the Music Shelter. The test would be performed by the Department with the assistance of a Professional Sound comply, chosen by the Department and paid for by the Property Owner and/or Applicant. Additionally, the proposed ordinance requires the C of O for the Music Shelter to be obtained within two (2) years of PUD adoption, or prior to the issuance of the C of O for the Cidery Building, whichever occurs first.

Duration: As proposed, the PUD Ordinance includes a provision stating that the zoning will revert back to AG-SF1 if Secondary Plat / Construction Plan approval has not been obtained by January 1, 2027.

Severability: The proposed Ordinance includes a provision stating that if any portion of the ordinance is determined to be illegal or unenforceable, then the remainder of the ordinance will remain valid and enforceable.

CHANGES SINCE THE OCTOBER 4TH MEETING

The Petitioner has made a few additional changes to the PUD since the October 4th, 2021, meeting. These changes can be seen in the Redline (10/4 – 12/20) (see **Exhibit 9**). Changes include:

- Removing the Goat Tower definition
- Modifying the Music Shelter definition to clarify that it will be an Accessory Building (as opposed to a Principal Building).
- Stating the definition that Seasonal Parking doesn't include overnight use of the parking area as a Campground, as defined in the UDO.
- Excluding animal interaction exhibits from the permitted Agritourism Use.
- Adding additional standards for the greenhouse permitted in the seeds area including a maximum size and the requirement that it be a permanent structure.
- Removing the reference to the Goat Tower in the Architectural Standards, and removing the corresponding Character Exhibit.
- Clarifying that the exemption from the General Screening Standards would apply only to the screening of Service and Loading Area, and not the screening of Mechanical Equipment.
- Removing the Cidery Area from the General Screening Standards Exemption.
- Removing all exemptions from the Foundation Planting Standards.
- Adding Streetscape Landscaping and Fencing exhibits, requiring substantial compliance with those exhibits, and setting a deadline for installation.
- Expanding the Orchard requirement to included the proposed Orchard Area in the southwest corner of the property, in addition to the area along Spring Mill Road, and requiring the trees to be planted by April 1, 2023.

- Requiring the mound to be installed prior to the Certificate of Occupancy being issued for the Music Shelter.
- Updating the Entrance Sign Standards to permit a directional sign at the north entrance and an entry sign, following the UDO's standards for residential subdivisions, at the south entrance. This replaces the previous standard which permitted two business style Monument Signs.
- Adding exhibits for the proposed Entrance Signage, and requiring substantial compliance with those exhibits.
- Adding a deadline for installation of the Entrance Signs.
- Adding a requirement for a sound test to be preformed prior to the issuance of a Certificate of Occupancy for the Music Shelter, and including a deadline for obtaining the C of O.
- Correcting the size of the Cidery Building on the Concept Plan to match what is shown in the Architectural Elevation.
- Reducing the Masonry on some areas of the vine Building to achieve a more consistent look

CHANGES SINCE THE PUBLIC HEARING (PRESENTED AT 10/04 MEETING)

The Petitioner has incorporated changes to the text and exhibits of the proposed ordinance since the August 2, 2021, Public Hearing. Many of these changes were requested by the Department during the review process. These changes can be seen in the Previous Redline (8/2 - 10/04) (see **Exhibit 10**), and are discussed in the Updated Narrative Statement (see **Exhibit 13**).

Changes to the ordinance include:

- Removing several definitions that were determined by the Department to be unnecessary.
- Decreasing the number of areas from seven (7) to four (4) by consolidating areas that will be used in a similar manner.
- Removing the Permitted Use Table, which used several of the removed definitions that included many broad use categories. This was replaced with a much narrower Permitted Uses section in the text of the ordinance.
- Setting the Maximum Building Height at forty-five (45) feet, instead of referencing the UDO's Height Standards for Agricultural Uses.
- Removing the Height Exemption for the Goat Tower, as it would already fall into that exemption.
- Moving the written Architectural Standards from the Exhibits and placing them in the text of the ordinance.
- Moving the substantial compliance requirements from the Definitions section of the ordinance to the Architectural Standards.
- Removing the reference to UDO Article 6.4(E), as it was determined to be unnecessary by the Department.

- Adding additional Landscaping Standards.
- Adding Sign Standards.
- Updating the Surfacing and Curbing standard so that only the Seasonal Parking area and internal access drive for the Music Shelter are exempt from the Udo requirements, as opposed to any parking areas more than 200' from Spring Mill Road.
- Updating the Required Parking Spaces standard to allow for additional parking to be required at any time deemed appropriate by the Director.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan (the "[Comprehensive Plan](#)") identifies this Property within the "New Suburban" land use classification. Artisan farms are listed as an appropriate land use within this land use classification. Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Primary Arterial 2: Spring Mill Road, and (ii) Alternative Transportation Plan: perimeter pathways along perimeter streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the August 2, 2021, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

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

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

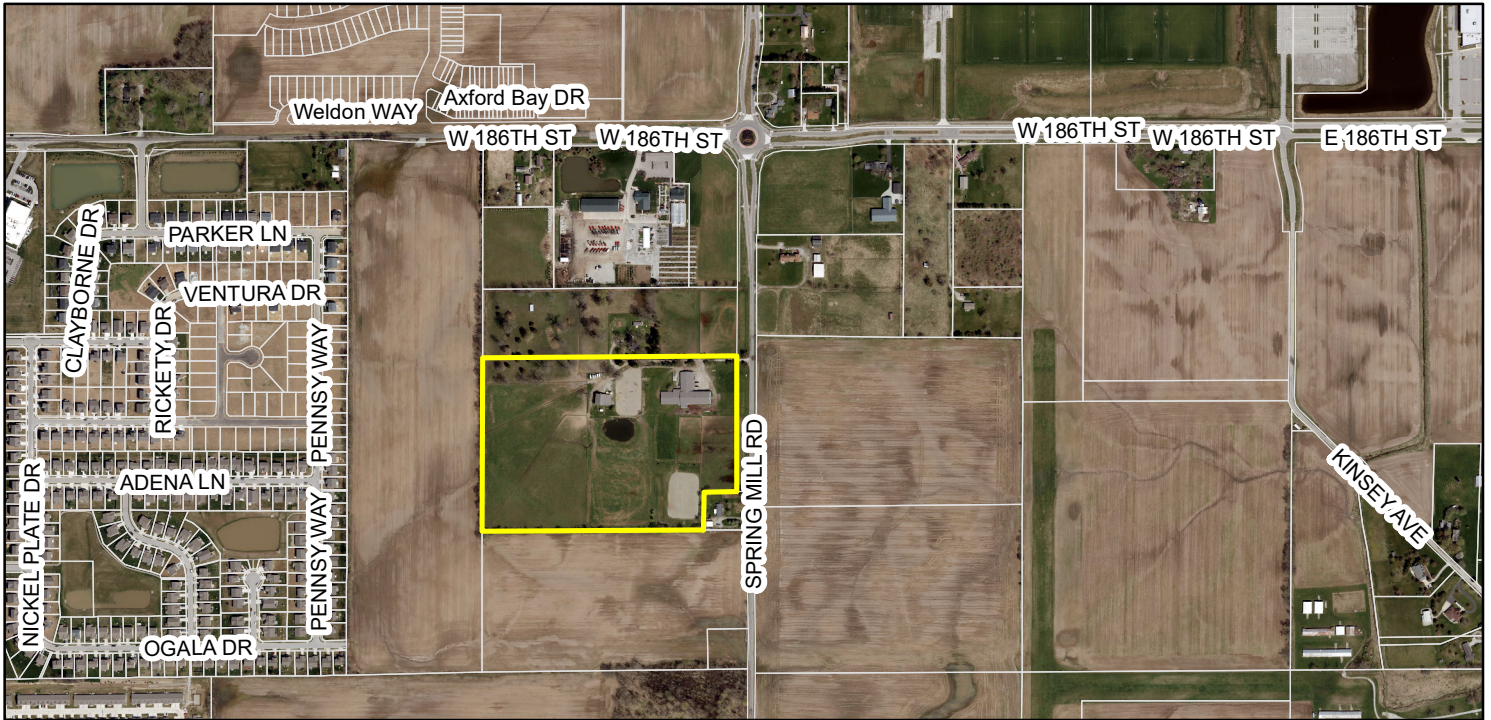
Council Introduction: The petition was introduced at the July 12, 2021, City Council meeting.

DEPARTMENT COMMENTS

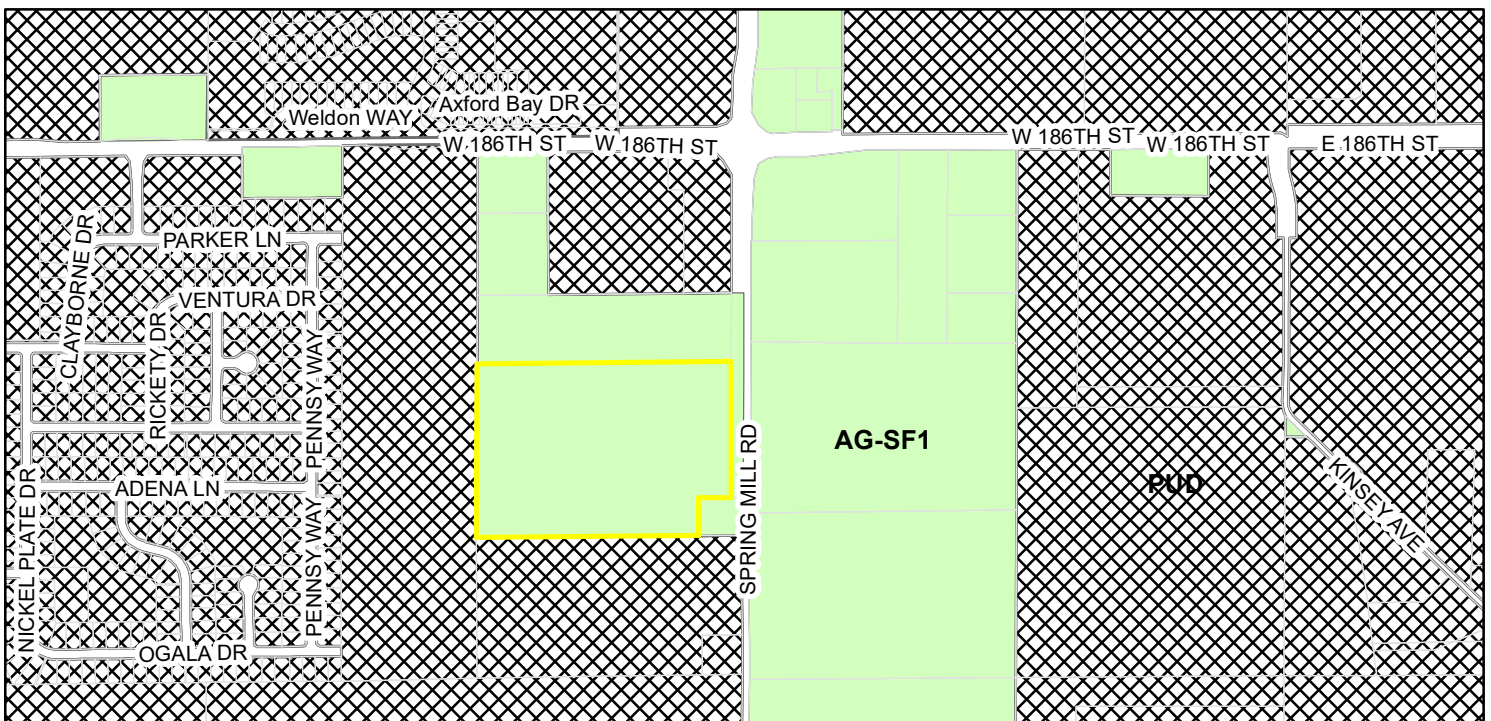
1. **Action:** Forward a recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at (317) 531-3751 or poward@westfield.in.gov.

Aerial Location Map

 Site



Zoning Map



Zoning

-  AG-SF1 (Agriculture - Single Family - 1)
-  PUD (Planned Unit Development)

ORDINANCE NUMBER XX-XX

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

“Urban Apples PUD”

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. XXXX-PUD-XX), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described as Lot 2 of Spring Mill Market, a subdivision of the City of Westfield, Hamilton County, Indiana, recorded as Instrument No. 2021028993 in the Office of the Recorder of Hamilton County, Indiana (the “**Real Estate**”);

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

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2021;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “Urban Apples Planned Unit Development 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 UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this 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 request and consent of the Real Estate owner. 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 UDO.

- 2.1 “**Food Truck Area**” shall mean an area within the Cidery Area permitting up to two (2) food truck vendors at any given time. Food truck vendors shall only be permitted to vend to patrons of the uses within the Real Estate.
- 2.2 “**Music Shelter**” shall mean an Accessory Building (i) consisting of a covered platform with a floor area of five hundred (500) square feet or less and floor height of three (3) feet or less, (ii) consisting of wood and/or masonry exterior building materials; and (iii) oriented to the northeast in the location within the Lawn Area identified on the Concept Plan.
- 2.3 “**Picnic Shelter**” shall mean a permanent, covered outdoor seating area, consisting of wood and/or masonry exterior building materials.
- 2.4 “**Seasonal Parking**” shall mean parking areas (i) used seasonally; (ii) consisting of compacted gravel drive aisles and grassed parking spaces; (iii) which are constructed in a manner that is substantially consistent with the configuration shown on the

Concept Plan. Seasonal Parking shall not include overnight use of parking areas as a Campground use, as defined in the UDO.

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

3.1 The District is hereby divided into four (4) areas, as depicted on the Concept Plan and labeled as “**Vine**,” “**Seeds**,” “**Cidery**” and “**Lawn**” (individually or collectively, the “**Area**” or “**Areas**”).

3.2 Development of each Area shall be regulated as set forth in this Ordinance.

3.3 The Real Estate shall be developed in substantial compliance with the Concept Plan. Accessory Buildings not shown on the Concept Plan shall be constructed in compliance with the terms of this Ordinance.

Section 4. Underlying Zoning District. The Underlying Zoning District of the Areas shall be the AG-SF1: Agriculture / Single-Family Rural District (the “**Underlying Zoning District**”).

Section 5. Permitted Uses. The following uses (“**Permitted Uses**”) shall be permitted in the District in addition to those permitted in the Underlying Zoning District:

- A. Agritourism Use (or Agritainment Use), except for animal interaction exhibits (i.e., petting zoo, pony rides), as contemplated in the City’s definition of Agritourism Use (or Agritainment Use). The addition of animal interaction exhibits (i.e., petting zoo, pony rides) and similar livestock elements within the District shall require the approval of an amendment to this Ordinance as part of a subsequent zoning request.
- B. Uses defined as Light Industrial in the UDO which are ancillary and/or accessory to Agritourism Use (or Agritainment Use) – only be permitted in the Vine Area.
- C. Uses defined as Low Intensity Retail which are related to the operation of a mail order business and greenhouse sales in accordance with Section 8.1(B) – only permitted in the Seeds Area.
- D. Food Truck Area – only be permitted in the Cidery Area.

Section 6. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the Real Estate, except as otherwise modified in this paragraph.

6.1 Minimum Building Setback Line: Article 4.2(E) shall not apply. Instead the following minimum setback standards shall apply: (i) fifty (50) feet from the Spring Mill Road right-of-way; (ii) thirty (30) feet from all other District property lines.

6.2 Maximum Building Height: 45 feet.

6.3 Minimum Living Area (Ground Floor): Article 4.2(H) shall not apply.

6.4 Subdivisions: Article 4.2(I) shall not apply.

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

7.1 Architectural Standards:

A. Vine Area.

- i. The Principal Building within the Vine Area (the “**Vine Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit B.
- ii. The improvements and enhancements shown in Exhibit B shall be completed within one (1) year of the adoption of this Ordinance.
- iii. Any additions or modifications to the Vine Building and any Accessory Buildings shall be architecturally consistent with the Vine Building.

B. Seeds Area.

- i. The Principal Building within the Seeds Area (the “**Seeds Building**”) shall be architecturally consistent with the Vine Building, unless otherwise specified in this Section.
- ii. A minimum thirty-six (36) inch masonry wainscot shall be required on all building elevations of the Seeds Building.
- iii. Any greenhouse structure(s) or greenhouse building additions to the Seeds Building shall be (i) a permanent structure; (ii) permitted to have glass, metal and/or polycarbonate or acrylic greenhouse panel exterior building materials; and (iii) shall not exceed 3,000 square feet.
- iv. Outdoor display of plant materials available for sale to the public shall be permitted in the Seeds Area (not to exceed 2,000 square feet in area).
- v. Any additions or modifications to the Seeds Building and any Accessory Buildings shall comply with the architectural standards included in this Section.

C. Cidery Area.

- i. The Principal Building within the Cidery Area (the “**Cidery Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit C.
- ii. The improvements and enhancements shown in Exhibit C shall be completed within two (2) years of the adoption of this Ordinance.
- iii. Any additions or modifications to the Cidery Building and any Accessory Buildings shall be architecturally consistent with the Cidery Building.

D. All Areas.

- i. Any Picnic Shelter(s) shall be architecturally consistent with Exhibit D of this Ordinance.
- ii. A Music Shelter shall be architecturally consistent with Exhibit E of this Ordinance.
- iii. Unless otherwise provided in Section 8.1(C), any other Accessory Buildings shall be architecturally consistent with the Vine Building.

7.2 Landscaping Standards.

- A. General Screening Standards. Article 6.8(H)(2) shall not apply to nonconforming conditions present in the Vine Area at the time of the adoption of this Ordinance.
- B. Minimum Lot Landscaping Requirements. Article 6.8(K) of the UDO shall only apply to the Vine Area, Cidery Area and Seeds Area. The Uses in these Areas shall be treated as “Business Uses” as specified in Article 6.8(K).
- C. External Street Frontage Landscaping Requirements. Article 6.8(M) shall not apply to the District. Instead, External Street Frontage Landscaping and decorative fencing with masonry elements shall be installed in substantial compliance with the landscaping plan attached hereto as Exhibit F (“**Streetscape Landscaping**”) and the decorative fence elements included in Exhibit G (“**Streetscape Fencing**”). The Streetscape Landscaping and Streetscape Fencing shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.
- D. Buffer Yard Requirements. Article 6.8(N) shall not apply to the District. Instead, the Perimeter Tree Preservation and Mound Requirement standards of this Ordinance shall apply.
- E. Parking Area Landscaping. Article 6.8(O) shall apply to all Parking Areas except the Seasonal Parking identified on the Concept Plan.
- F. Perimeter Tree Preservation: Existing trees within ten (10) feet of the perimeter of the District, that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in this area shall not be removed except if (i) needed to provide connectivity to the uses adjacent to the District, (ii) required by the City; or (iii) needed for drainage/utility installations.
- G. Orchard Preservation and Planting: If not already planted at the time this Ordinance is adopted, apple trees shall be installed on the Real Estate in the locations and in substantial compliance with the areas labeled as “Orchard” on the Concept Plan. These trees shall be preserved and maintained as part of the horticultural operation on the Real Estate. All Orchard trees shall be planted by April 1, 2023.

H. Mound Requirement: A landscaping mound of at least five (5) feet in height shall be constructed along the east side of the pond in substantial compliance with the mound shown on the Concept Plan. The mound shall be landscaped with five (5) shade trees, five (5) evergreen trees and twenty (20) shrubs per one hundred (100) lineal feet of mounding. The mound and associated landscaping shall be installed prior to the issuance of a Certificate of Occupancy for the Music Shelter.

7.3 Sign Standards. The sign standards set forth in this Section 8.4 shall apply to the District. To the extent that the provisions of Article 6.17 of the UDO are in conflict with the standards set forth in this Section 8.4, the standards of this Section shall control.

A. Entrance Signs. Section 6.17(H)(2) of the UDO shall not apply to the District. Instead, the following standards for signs at each entrance (“**Entrance Signs**”) shall apply:

- i. Entrance Signs shall not be internally illuminated. Any Entrance Sign illumination shall consist of gooseneck down lighting.
- ii. One two-sided wood directional sign shall be permitted at the northern entrance to the Real Estate along Spring Mill Road (the “**Service Entrance Sign**”). Maximum sign height shall be six (6) feet. Maximum sign area per side shall be ten (10) square feet. The Service Entrance Sign shall be substantially consistent with the character and quality of the signs depicted in Exhibit H, attached hereto.
- iii. Signage at the main entrance (the southernmost entrance) to the Real Estate (the “**Main Entrance Signage**”) along Spring Mill Road shall be in accordance with the sign standards set forth in Section 6.17(G)(1)(a) or (b). The Main Entrance Signage shall be substantially consistent with the character and quality of the signs depicted in Exhibit I, attached hereto.
- iv. Entrance Signs shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.

B. Wall Signs.

- i. A maximum of one (1) Wall Sign shall be permitted on each elevation of the Vine Building and the Cidery Building.
- ii. Wall Signs on the Vine Building shall be a maximum of: (a) 75 square feet on the east and west elevations; (b) 30 square feet on the north and south elevations.
- iii. Wall Signs on the Cidery Building shall be a maximum of: (a) 75 square feet on the north and south elevations; (b) 30 square feet on the east and west elevations.
- iv. One Wall Sign shall be permitted on the east elevation of the Seeds Building, a maximum of 75 square feet.
- v. Wall Signs shall not be internally illuminated. Any Wall Sign illumination shall consist of gooseneck down lighting.

7.4 Parking and Loading Standards.

- A. Loading Berths. Article 6.14(C) shall not apply to the District.
- B. Surfacing and Curbs. Article 6.14(G)(7) shall apply to all Parking Areas except the Seasonal Parking and the internal access drive extending to the Music Shelter, as shown on the Concept Plan.
- C. Required Spaces. Article 6.14(G)(11) is hereby modified to provide that Parking Space requirements for all uses in the District shall 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 a Detailed Development Plan or at such other time as deemed appropriate by the Director. The number of Parking Spaces constructed within the District may vary from the numbers indicated on the Concept Plan, based on the determination of the Director.

Section 8. Processes and Permits. The standards of Article 10 Processes and Permits shall apply to the development of the Real Estate, except as otherwise modified below.

- 8.1 Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy for the Music Shelter, a sound test will be performed by the Department with the assistance of a Professional Audio Company, to confirm compliance with Section 34-51: Environment; Nuisances; Noise; Prohibitions, of the Code of Ordinances, of Westfield, Indiana. The Company will be chosen by the Department and all costs will be paid by the Property Owner and/or Applicant for the associated Improvement Location Permit Application. The Certificate of Occupancy for the Music Shelter shall be obtained within two (2) years of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Cidery Building, whichever occurs first.

Section 9. Duration. Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2027 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF1 District.

Section 10. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2021.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE XX-XX** was delivered to the Mayor of Westfield on the _____ day of _____, 2021, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

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

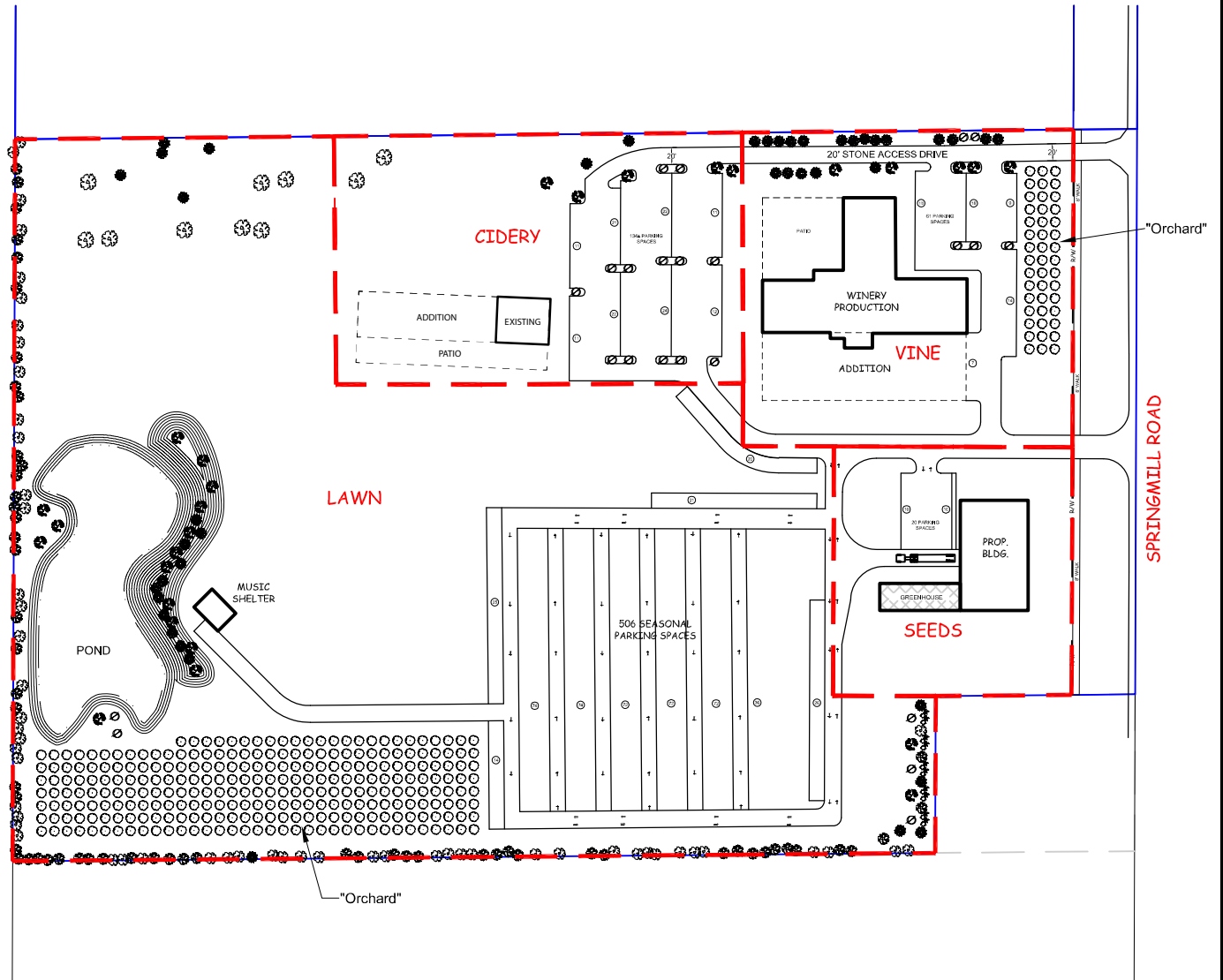
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

EXHIBIT A

The “Concept Plan” appears on the following page of this Ordinance.



CONCEPT SITE PLAN



CSG PROJECT NUMBER
UFL.001

SHEET **1** OF **1**

DATE: 11/30/21
DWN. BY: BSC
CHKD. BY: BSC
SCALE: 1" = 200'

CIVIL SITE GROUP, INC.

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

Civil Site
GROUP, INC.

EXHIBIT B

Vine Building

The “Vine Building” details appear on the following three (3) pages of this Ordinance.



BUILDING FACADE RENOVATION
URBAN FARMER

WESTFIELD,

INDIANA

peterSON ARCHITECTURE

298 south 10th street
suite 500
noblesville in 46060
p 317.770.9714
f 317.770.9718
peterSONarchitecture.com



○ **EXTERIOR ELEVATION - SOUTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - NORTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - WEST**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - EAST**
SCALE: 1/8" = 1'-0"

petersonARCHITECTURE
298 South 10th Street Suite 500
Noblesville, IN 46060
p 317.770.9714
f 317.770.9718
petersonarchitecture.com

BUILDING RENOVATION
URBAN FARMER
8526 SPRING HILL ROAD
WESTFIELD, INDIANA

EXTERIOR IMPROVEMENTS

10/08/2021

REVISIONS

- △ REVISION
- △ DATE
- △ REVISION
- △ DATE
- △ REVISION
- △ DATE
- △ REVISION
- △ DATE

PLOT DATE: 2021-08-15

DRAWN BY: TANKER

CHECKED BY: -

PROJECT NUMBER: 21-0718

EXTERIOR ELEVATIONS

A401

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Vine Building Architectural Elements

Exterior building elements of the Vine Building, as illustrated in the preceding building elevations, include: white wood or metal trim, eaves and gutters; green gooseneck light fixtures; and the following:

Masonry/Stone



Red Metal Barn Siding



Decorative Green Shingles

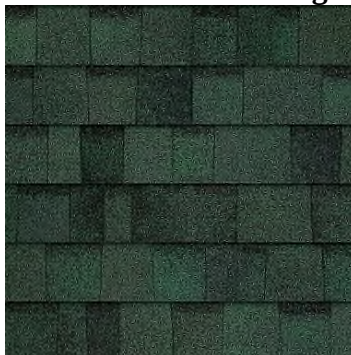


EXHIBIT C

Cidery Building

The “Cidery Building” details appear on the following three (3) pages of this Ordinance.



BUILDING FACADE RENOVATION

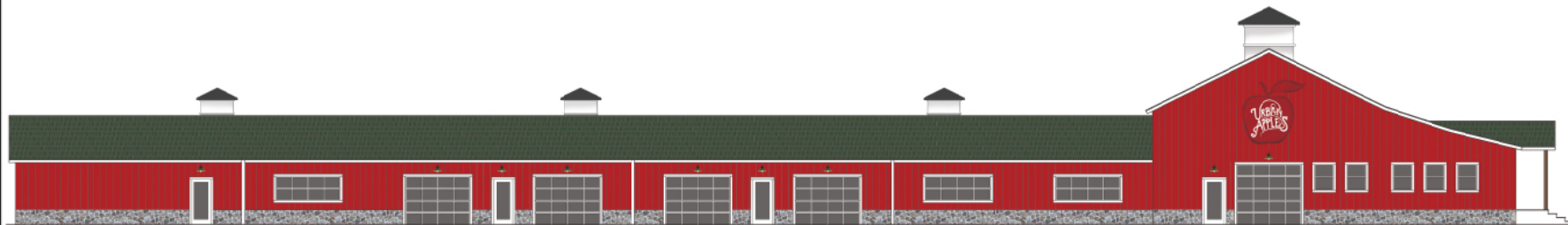
URBAN FARMER

WESTFIELD,

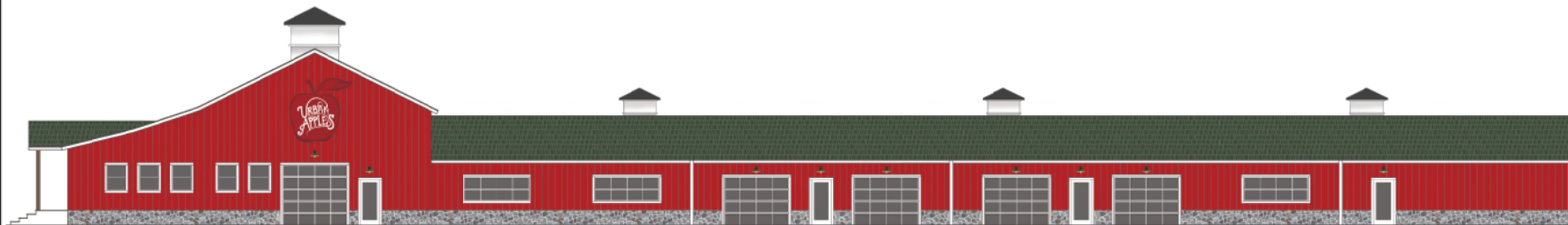
INDIANA

peterson ARCHITECTURE

298 south 10th street
suite 500
nashville tn 37203
p 615.259.9714
f 615.259.9718
petersonarchitecture.com



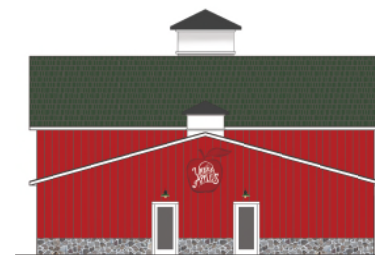
○ **EXTERIOR ELEVATION - SOUTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - NORTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - EAST**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - WEST**
SCALE: 1/8" = 1'-0"

Peterson Architecture
288 S 10th Street, Suite 500
Indianapolis, IN 46204
p 317.770.9714
f 317.770.9718
studio@petersonarchitecture.com

BUILDING RENOVATION + ADDITION
URBAN FARMER 2

1836 SPRING HILL ROAD
WESTFIELD, INDIANA

EXTERIOR IMPROVEMENTS

08/25/2021

REVISION:
DATE
DATE
DATE
DATE
DATE
DATE

PLOT DATE: 2021-08-25
DRAWN BY: TARKER
CHECKED BY: -
PROJECT NUMBER: 21-0118

EXTERIOR ELEVATIONS

A401

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Cidery Building Architectural Elements

Exterior building elements of the Cidery Building, as illustrated in the preceding building elevations, include: white wood or metal trim, eaves and gutters; green gooseneck light fixtures; and the following:

Masonry/Stone



Red Wood Barn Siding



Decorative Green Shingles



EXHIBIT D

“Picnic Shelter” Illustrative Images



EXHIBIT E

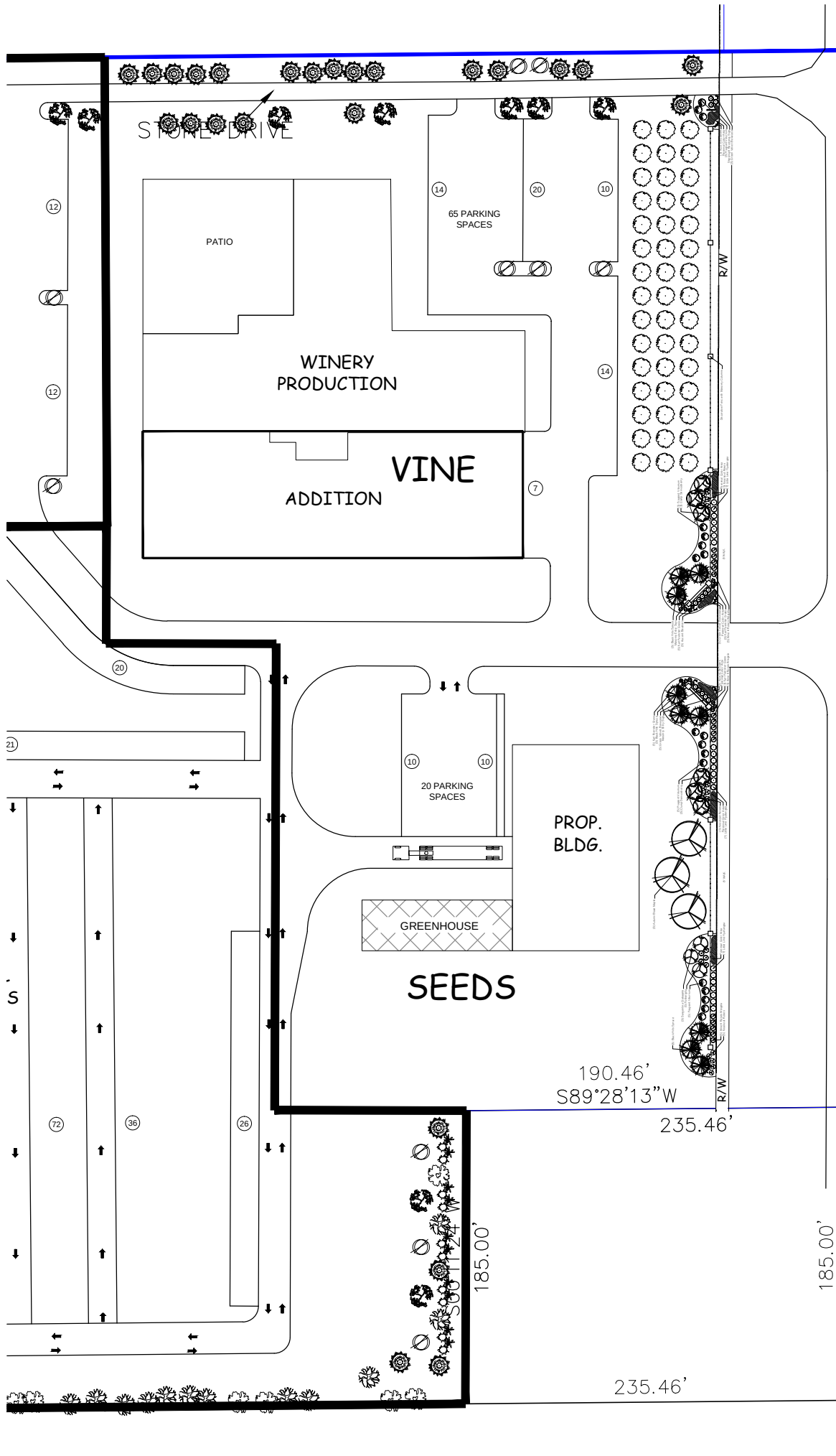
“Music Shelter” Illustrative Images



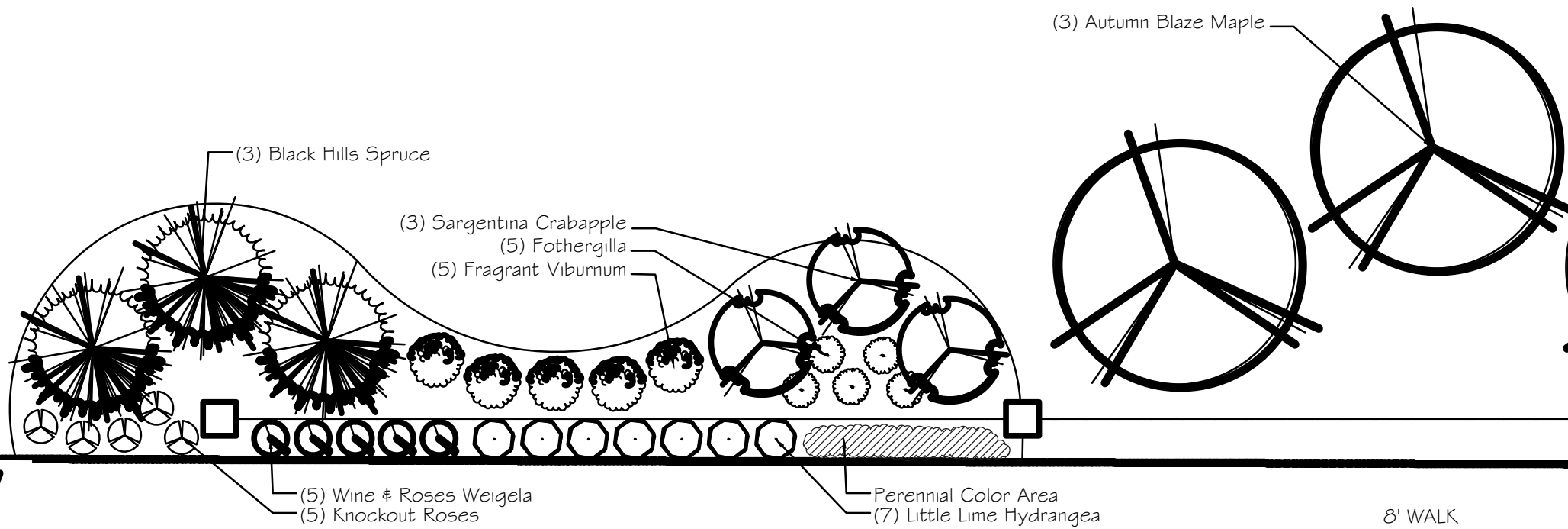
EXHIBIT F

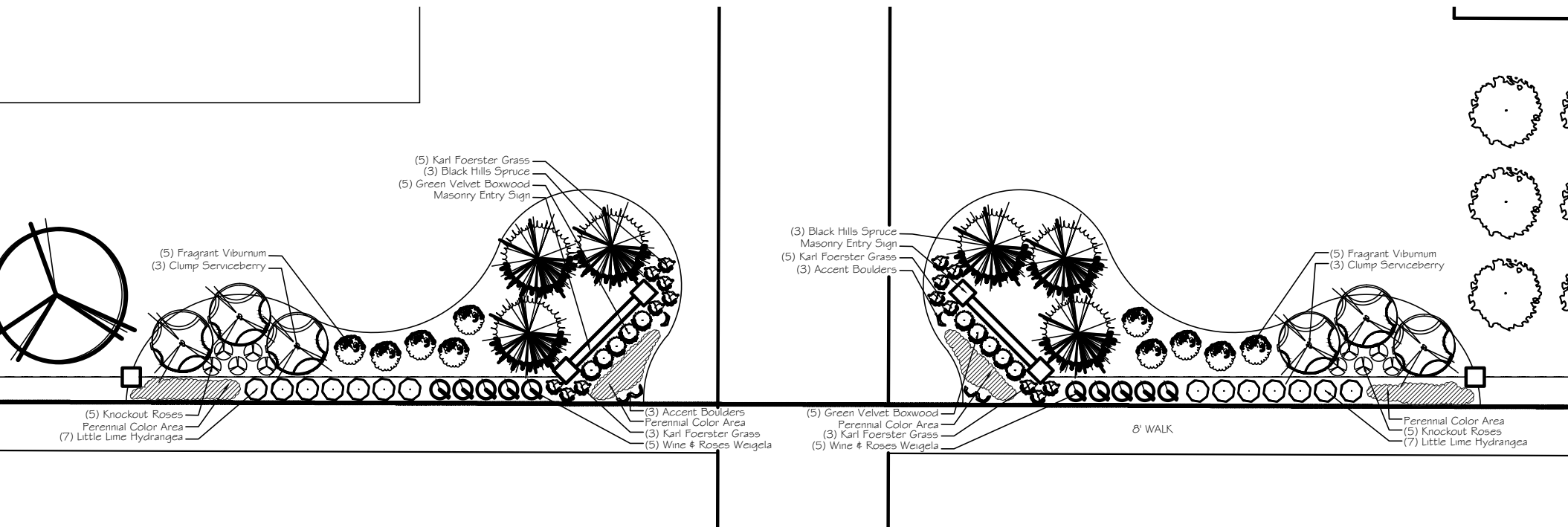
The “Streetscape Landscaping” appears on the following four (4) pages of this Ordinance.

SPRINGMILL ROAD



N





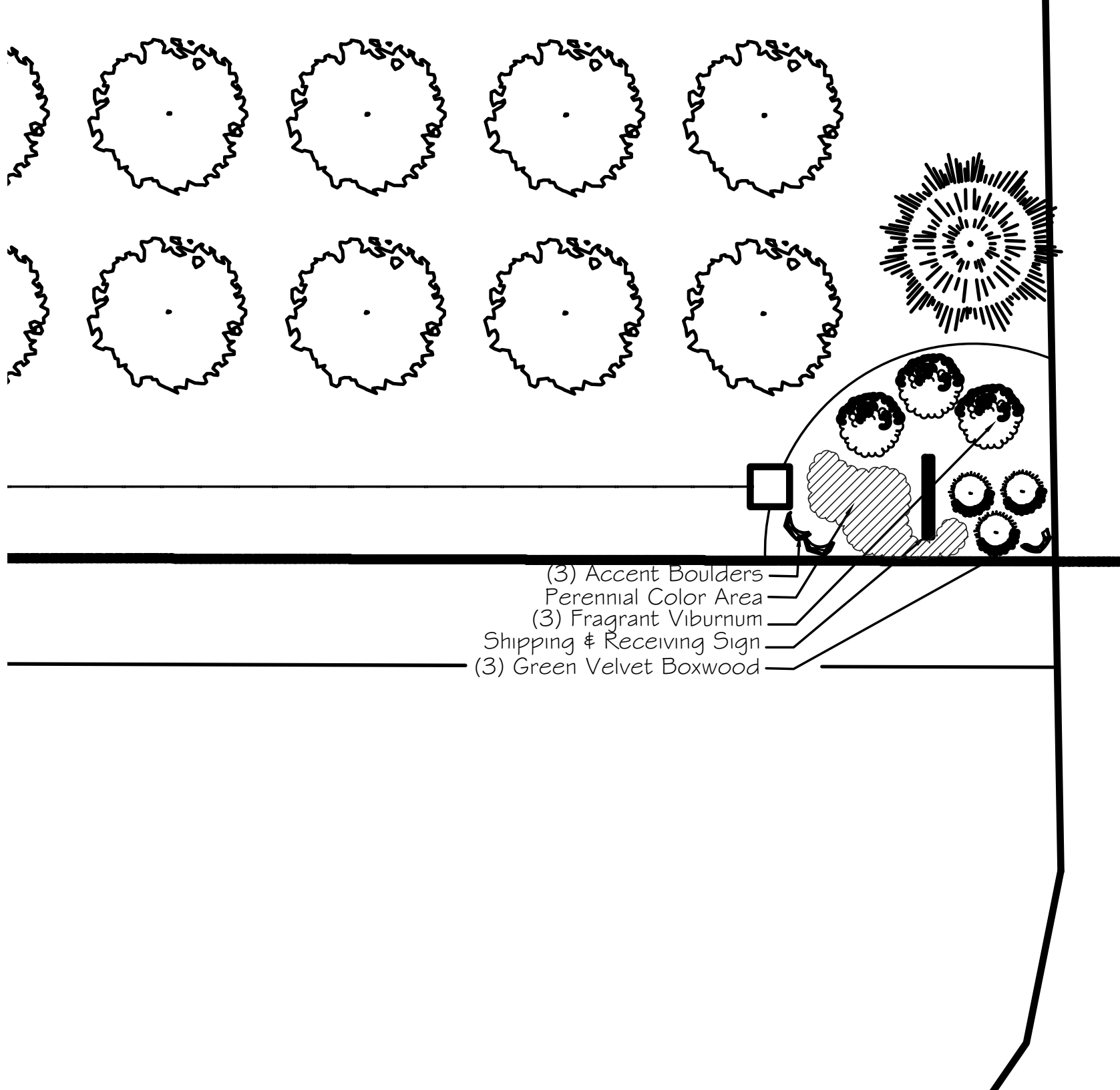


EXHIBIT G

“Streetscape Fencing” sections shall be substantially consistent with the following image:



Masonry columns shall be provided as depicted on the Streetscape Landscaping plan. Masonry elements shall be substantially consistent with the example included below:

Masonry/Stone



EXHIBIT H

The “Service Entrance Sign” shall be consistent with character and quality of the following illustrative images:



EXHIBIT I

The “Main Entrance Signage” shall be consistent with character and quality of the following illustrative images:



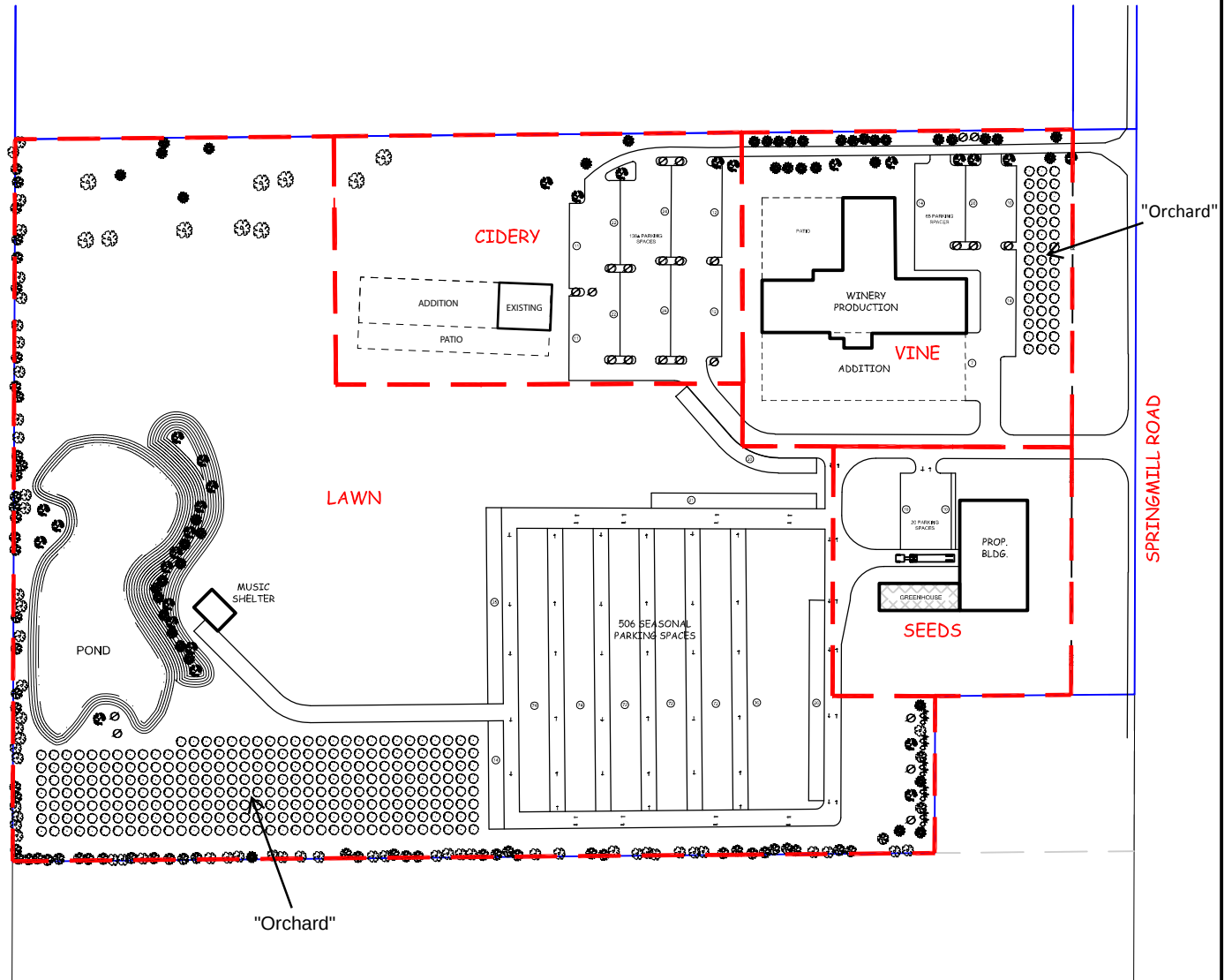
Masonry elements of the Main Entrance Signage shall be substantially consistent with the example included below:

Masonry/Stone





CONCEPT SITE PLAN



CSG PROJECT NUMBER
UFL.001

DATE: 09/20/21
DWN. BY: BSC
CHKD. BY: BSC
SCALE: 1" = 200'

SHEET 1 OF 1

CIVIL SITE GROUP, INC.

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

Civil Site
GROUP, INC.

EXHIBIT B

Vine Building

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BUILDING FACADE RENOVATION
URBAN FARMER

WESTFIELD,

INDIANA

peterSON ARCHITECTURE

298 south 10th street
suite 500
noblesville in 46060
p 317.770.9714
f 317.770.9718
peterSONarchitecture.com



○ **EXTERIOR ELEVATION - SOUTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - NORTH**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - WEST**
SCALE: 1/8" = 1'-0"



○ **EXTERIOR ELEVATION - EAST**
SCALE: 1/8" = 1'-0"

petersonARCHITECTURE
298 South 10th Street Suite 500
Noblesville, IN 46060
p 317.770.9714
f 317.770.9718
petersonarchitecture.com

BUILDING RENOVATION
URBAN FARMER
8526 SPRING HILL ROAD
WESTFIELD, INDIANA

EXTERIOR IMPROVEMENTS

10/08/2021

REVISIONS

- △ REVISION
- △ DATE
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- △ REVISION
- △ DATE
- △ REVISION
- △ DATE

PLOT DATE: 2021-08-15
DRAWN BY: TANKER
CHECKED BY: -
PROJECT NUMBER: 21-0718

EXTERIOR ELEVATIONS

A401

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Vine Building Architectural Elements

Exterior building elements of the Vine Building, as illustrated in the preceding building elevations, include: white wood or metal trim, eaves and gutters; green gooseneck light fixtures; and the following:

Masonry/Stone



Red Metal Barn Siding



Decorative Green Shingles

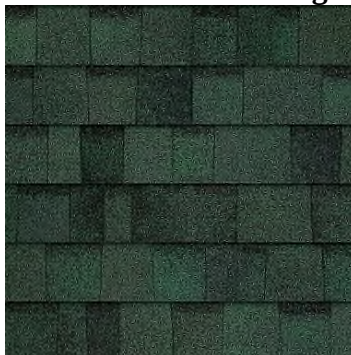


EXHIBIT C

Cidery Building

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BUILDING FACADE RENOVATION

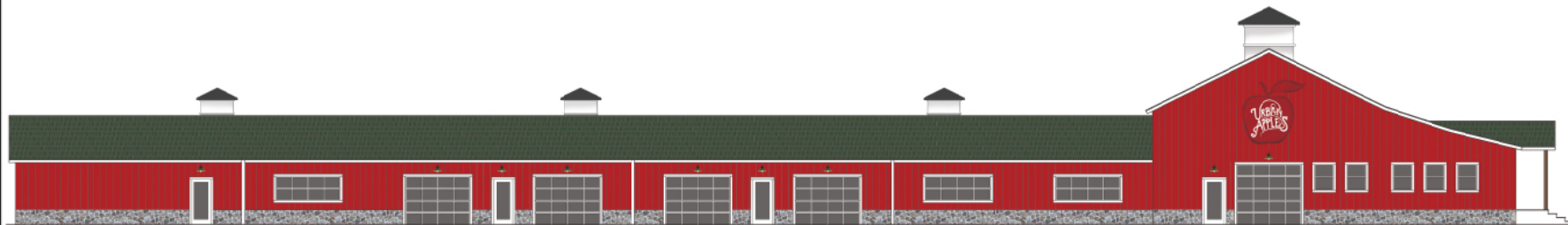
URBAN FARMER

WESTFIELD,

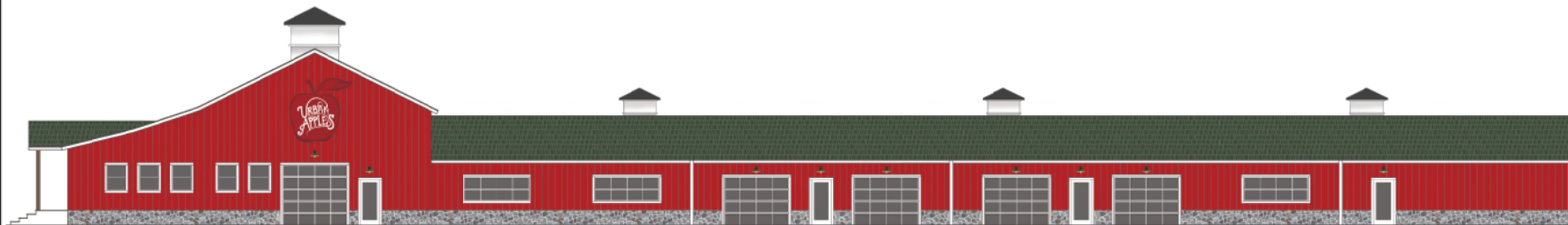
INDIANA

peterson ARCHITECTURE

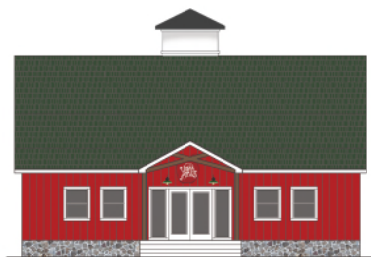
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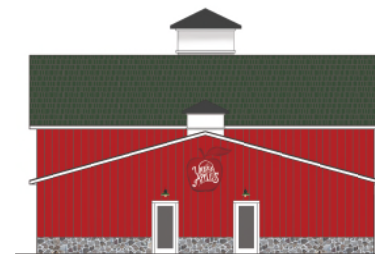
○ **EXTERIOR ELEVATION - SOUTH**
SCALE: 1/8" = 1'-0"



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○ **EXTERIOR ELEVATION - EAST**
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SCALE: 1/8" = 1'-0"

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BUILDING RENOVATION + ADDITION
URBAN FARMER 2

1836 SPRING HILL ROAD
WESTFIELD, INDIANA

EXTERIOR IMPROVEMENTS

08/25/2021

REVISION:	REVISION:
DATE	DATE
DATE	DATE
DATE	DATE
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PLOT DATE: 2021-08-25
DRAWN BY: TARKER
CHECKED BY: -
PROJECT NUMBER: 21-0718

EXTERIOR ELEVATIONS

A401

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Cidery Building Architectural Elements

Exterior building elements of the Cidery Building, as illustrated in the preceding building elevations, include: white wood or metal trim, eaves and gutters; green gooseneck light fixtures; and the following:

Masonry/Stone



Red Wood Barn Siding



Decorative Green Shingles



EXHIBIT D

“Picnic Shelter” Illustrative Images



EXHIBIT E

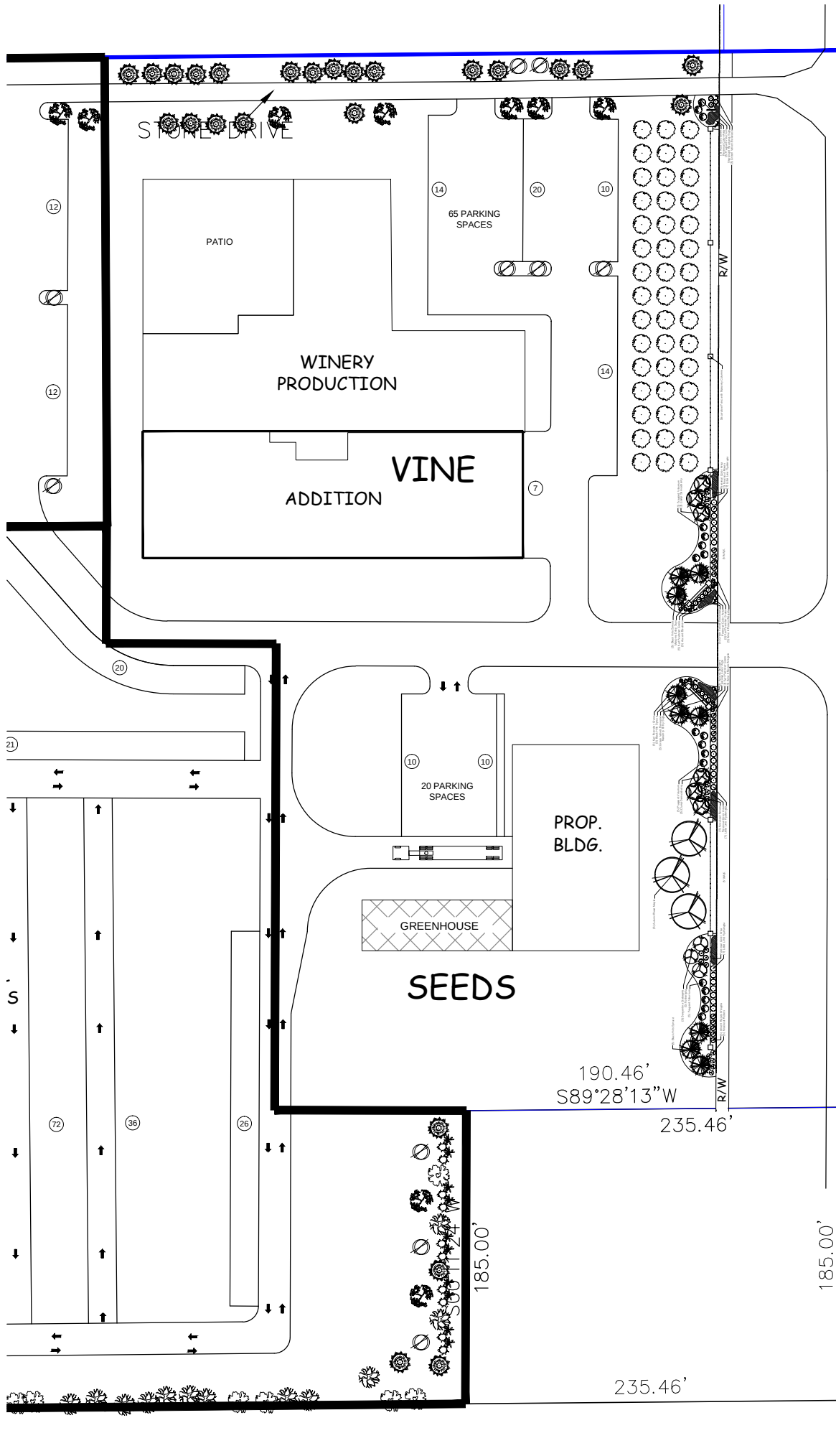
“Music Shelter” Illustrative Images



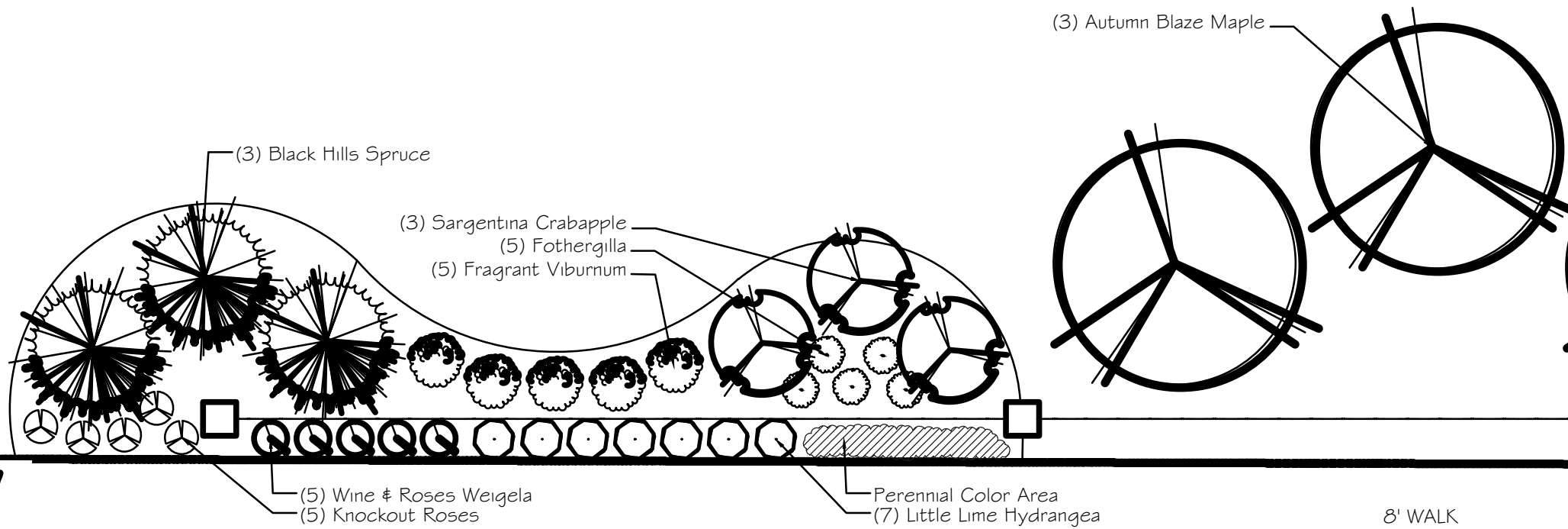
EXHIBIT F

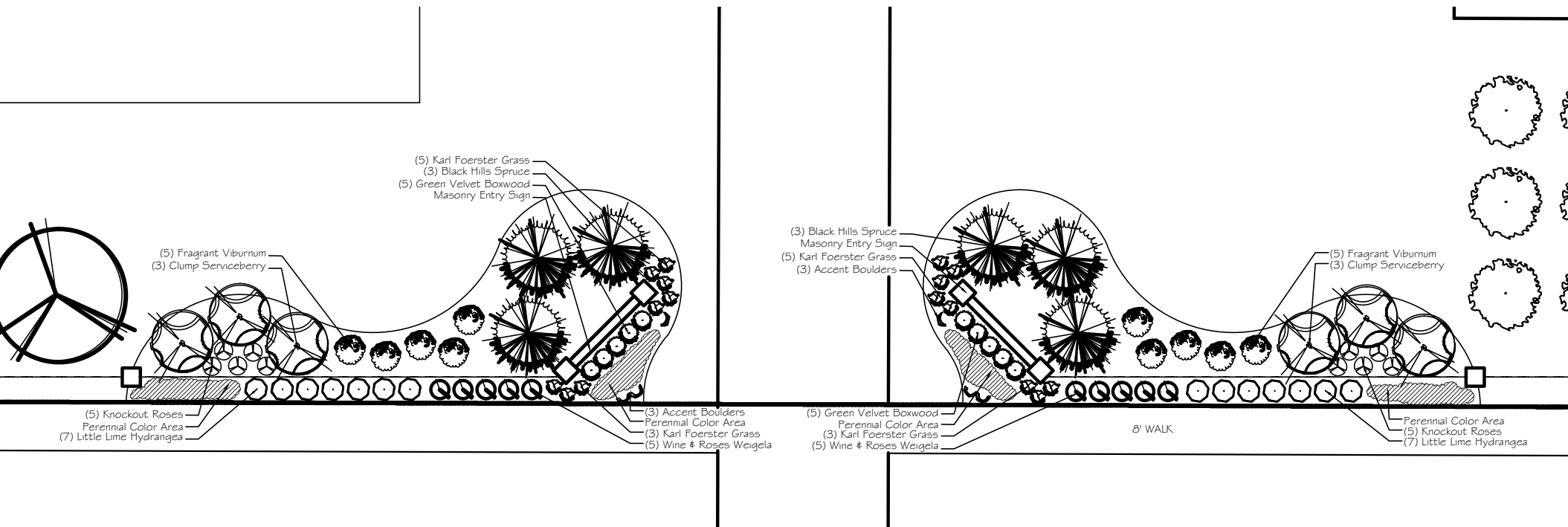
The “Streetscape Landscaping” appears on the following four (4) pages of this Ordinance.

SPRINGMILL ROAD



N





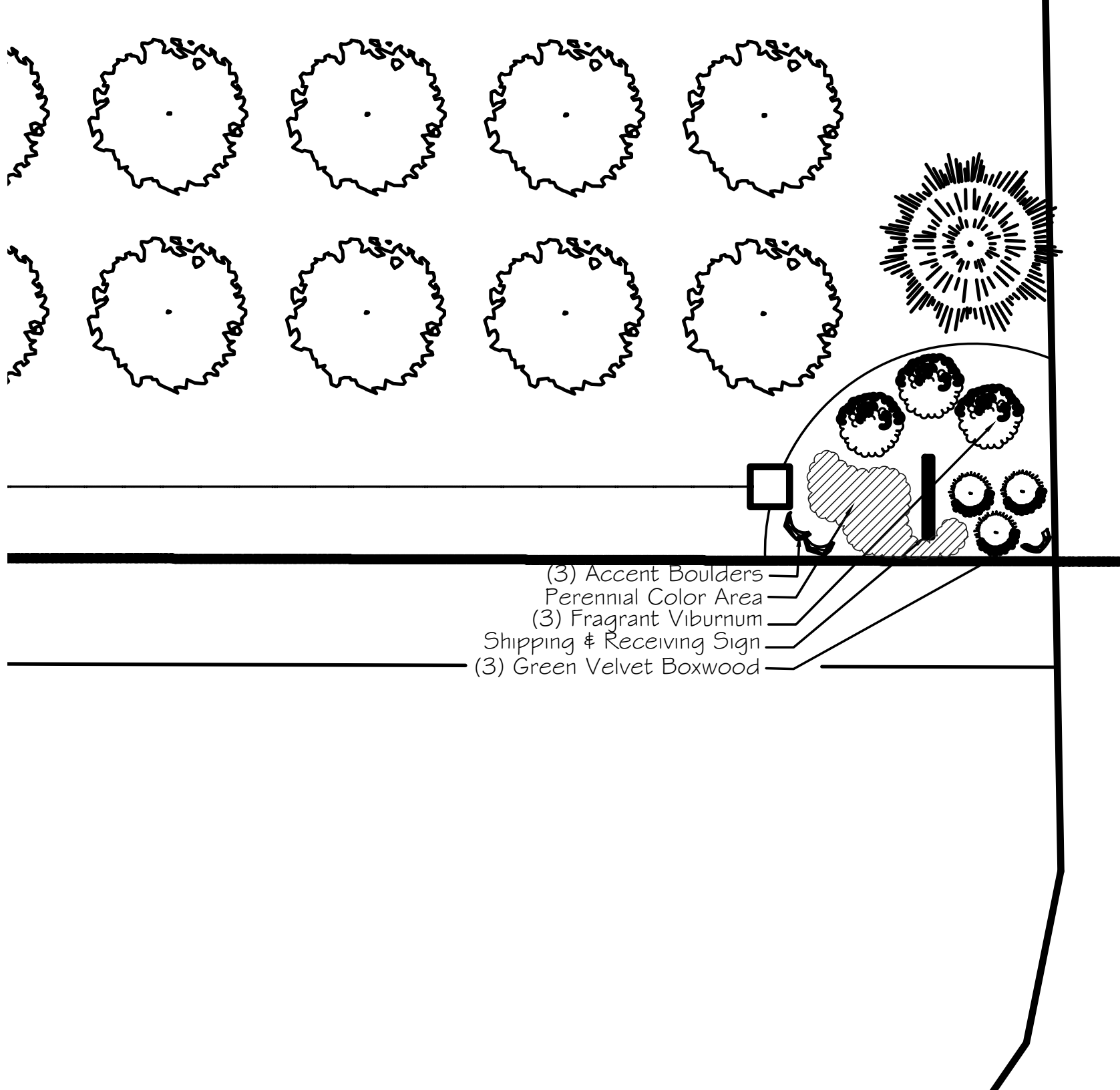


EXHIBIT G

“Streetscape Fencing” sections shall be substantially consistent with the following image:



Masonry columns shall be provided as depicted on the Streetscape Landscaping plan. Masonry elements shall be substantially consistent with the example included below:

Masonry/Stone



EXHIBIT H

The “Service Entrance Sign” shall be consistent with character and quality of the following illustrative images:



EXHIBIT I

The “Main Entrance Signage” shall be consistent with character and quality of the following illustrative images:



Masonry elements of the Main Entrance Signage shall be substantially consistent with the example included below:

Masonry/Stone



ORDINANCE NUMBER XX-XX

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

“Urban Apples PUD”

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. XXXX-PUD-XX), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described as Lot 2 of Spring Mill Market, a subdivision of the City of Westfield, Hamilton County, Indiana, recorded as Instrument No. 2021028993 in the Office of the Recorder of Hamilton County, Indiana (the “**Real Estate**”);

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

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2021;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “Urban Apples Planned Unit Development 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 UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this 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 request and consent of the Real Estate owner. 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 UDO.

- 2.1 “**Food Truck Area**” shall mean an area within the Cidery Area permitting up to two (2) food truck vendors at any given time. Food truck vendors shall only be permitted to vend to patrons of the uses within the Real Estate.
- ~~2.2 “**Goat Tower**” shall mean a spire-shaped structure with two (2) or more levels, built in a manner that provides shelter and climbing opportunities for goats, consisting of wood and/or masonry exterior building materials.~~
- 2.32 “**Music Shelter**” shall mean an Accessory Building (i) consisting of a covered platform with a floor area of five hundred (500) square feet or less and floor height of three (3) feet or less, (ii) consisting of wood and/or masonry exterior building materials; and (iii) oriented to the northeast in the location within the Lawn Area identified on the Concept Plan.
- 2.43 “**Picnic Shelter**” shall mean a permanent, covered outdoor seating area, consisting of wood and/or masonry exterior building materials.

- 2.54 “**Seasonal Parking**” shall mean parking areas (i) used seasonally; (ii) consisting of compacted gravel drive aisles and grassed parking spaces; (iii) which are constructed in a manner that is substantially consistent with the configuration shown on the Concept Plan. Seasonal Parking shall not include overnight use of parking areas as a Campground use, as defined in the UDO.

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

- 3.1 The District is hereby divided into four (4) areas, as depicted on the Concept Plan and labeled as “**Vine**,” “**Seeds**,” “**Cidery**” and “**Lawn**” (individually or collectively, the “**Area**” or “**Areas**”).
- 3.2 Development of each Area shall be regulated as set forth in this Ordinance.
- 3.3 The Real Estate shall be developed in substantial compliance with the Concept Plan. Accessory Buildings not shown on the Concept Plan shall be constructed in compliance with the terms of this Ordinance.

Section 4. Underlying Zoning District. The Underlying Zoning District of the Areas shall be the AG-SF1: Agriculture / Single-Family Rural District (the “**Underlying Zoning District**”).

Section 5. Permitted Uses. The following uses (“**Permitted Uses**”) shall be permitted in the District in addition to those permitted in the Underlying Zoning District:

- A. Agritourism Use (or Agritainment Use), except for animal interaction exhibits (i.e., petting zoo, pony rides), as contemplated in the City’s definition of Agritourism Use (or Agritainment Use). The addition of animal interaction exhibits (i.e., petting zoo, pony rides) and similar livestock elements within the District shall require the approval of an amendment to this Ordinance as part of a subsequent zoning request.
- B. Uses defined as Light Industrial in the UDO which are ancillary and/or accessory to Agritourism Use (or Agritainment Use) – only be permitted in the Vine Area.
- C. Uses defined as Low Intensity Retail which are related to the operation of a mail order business and greenhouse sales in accordance with Section 8.1(B) – only permitted in the Seeds Area.
- D. Food Truck Area – only be permitted in the Cidery Area.

Section 6. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the Real Estate, except as otherwise modified in this paragraph.

- 6.1 Minimum Building Setback Line: Article 4.2(E) shall not apply. Instead the following minimum setback standards shall apply: (i) fifty (50) feet from the Spring Mill Road right-of-way; (ii) thirty (30) feet from all other District property lines.
- 6.2 Maximum Building Height: 45 feet.
- 6.3 Minimum Living Area (Ground Floor): Article 4.2(H) shall not apply.
- 6.4 Subdivisions: Article 4.2(I) shall not apply.

Section 87. Development Standards. The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified below.

87.1 Architectural Standards:

A. Vine Area.

- i. The Principal Building within the Vine Area (the “**Vine Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit B.
- ii. The improvements and enhancements shown in Exhibit B shall be completed within one (1) year of the adoption of this Ordinance.
- iii. Any additions or modifications to the Vine Building and any Accessory Buildings shall be architecturally consistent with the Vine Building.

B. Seeds Area.

- i. The Principal Building within the Seeds Area (the “**Seeds Building**”) shall be architecturally consistent with the Vine Building, unless otherwise specified in this Section.
- ii. A minimum thirty-six (36) inch masonry wainscot shall be required on all building elevations of the Seeds Building.
- iii. Any greenhouse structure(s) or greenhouse building additions to the Seeds Building shall be (i) a permanent structure; (ii) permitted to have glass, metal and/or ~~poly-plastic-polycarbonate or acrylic greenhouse panel~~ exterior building materials; and (iii) shall not exceed 3,000 square feet.
- iv. Outdoor display of plant materials available for sale to the public shall be permitted in the Seeds Area (not to exceed 2,000 square feet in area).
- v. Any additions or modifications to the Seeds Building and any Accessory Buildings shall comply with the architectural standards included in this Section.

C. Cidery Area.

- i. The Principal Building within the Cidery Area (the “**Cidery Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit C.
- ii. The improvements and enhancements shown in Exhibit C shall be completed within two (2) years of the adoption of this Ordinance.

- iii. Any additions or modifications to the Cidery Building and any Accessory Buildings shall be architecturally consistent with the Cidery Building.

D. All Areas.

- i. Any Picnic Shelter(s) shall be architecturally consistent with Exhibit D of this Ordinance.
- ii. A Music Shelter shall be architecturally consistent with Exhibit E of this Ordinance.
- ~~iii. A Goat Tower shall be architecturally consistent with Exhibit F of this Ordinance.~~
- ~~iv.~~ iii. Unless otherwise provided in Section 8.1(C), any other Accessory Buildings shall be architecturally consistent with the Vine Building.

7.2 Landscaping Standards.

- A. General Screening Standards. Article 6.8(H)(~~2~~) shall not apply to nonconforming conditions present in the Vine ~~Area and Cidery Areas~~ at the time of the adoption of this Ordinance.
- B. Minimum Lot Landscaping Requirements. Article 6.8(K) of the UDO shall only apply to the Vine Area, Cidery Area and Seeds Area. The Uses in these Areas shall be treated as “Business Uses” as specified in Article 6.8(K).

~~C. Foundation Plantings.~~

- ~~i. Nonconforming Conditions. To the extent that nonconforming conditions in the Vine Area and the Cidery Area at the time of the adoption of this Ordinance prevent compliance with Article 6.8(L) of the UDO, as determined by the Director, Foundation Plantings shall not be required.~~
- ~~ii.i. Vine Building. Installation of plant materials along the south building façade shall take place at the time the “Addition” (identified on the Concept Plan) is completed or five (5) years from the issuance of the Certificate of Occupancy for the Vine Building. Installation of plant materials along the building façades abutting the “Patio” (identified on the Concept Plan) shall not be required.~~
- ~~iii. Cidery Building. Installation of plant materials along the west building façade shall take place at the time the “Addition” (identified on the Concept Plan) is completed or five (5) years from the issuance of the Certificate of Occupancy for the Cidery Building. Installation of plant materials along the building façade abutting the “Patio” (identified on the Concept Plan) shall not be required.~~

- ~~D.C.~~ External Street Frontage Landscaping Requirements. Article 6.8(M) shall not apply to the ~~Vine Area District~~. Instead, ~~the Orchard Preservation standards of this Ordinance shall apply~~ External Street Frontage Landscaping and decorative fencing with masonry elements shall be installed in substantial compliance with the landscaping plan attached hereto as Exhibit F (“Streetscape Landscaping”) and the decorative fence elements included in Exhibit G (“Streetscape Fencing”). The

Streetscape Landscaping and Streetscape Fencing shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.

E.D. Buffer Yard Requirements. Article 6.8(N) shall not apply to the District. Instead, the Perimeter Tree Preservation and Mound Requirement standards of this Ordinance shall apply.

F.E. Parking Area Landscaping. Article 6.8(O) shall apply to all Parking Areas except the Seasonal Parking identified on the Concept Plan.

G.F. Perimeter Tree Preservation: Existing trees within ten (10) feet of the perimeter of the District, that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in this area shall not be removed except if (i) needed to provide connectivity to the uses adjacent to the District, (ii) required by the City; or (iii) needed for drainage/utility installations.

H.G. Orchard Preservation and Planting: If not already planted at the time this Ordinance is adopted, apple trees shall be installed on the Real Estate in the locations and in substantial compliance with the areas labeled as “Orchard” on the Concept Plan. The three (3) rows of apple trees planted between the Vines Building and Spring Mill Road These trees shall be preserved and maintained as part of the horticultural operation on the Real Estate. All Orchard trees shall be planted by April 1, 2023.

I.H. Mound Requirement: A landscaping mound of at least five (5) feet in height shall be constructed along the east side of the pond in substantial compliance with the mound shown on the Concept Plan. The mound shall be landscaped with five (5) shade trees, five (5) evergreen trees and twenty (20) shrubs per one hundred (100) lineal feet of mounding. The mound and associated landscaping shall be installed prior to the issuance of a Certificate of Occupancy for the Music Shelter.

87.43 Sign Standards. The sign standards set forth in this Section 8.4 shall apply to the District. To the extent that the provisions of Article 6.17 of the UDO are in conflict with the standards set forth in this Section 8.4, the standards of this Section shall control.

A. Monument Entrance Signs.

B.—

C.A. A maximum of two (2) Monument Signs, constructed in accordance with Section 6.17(H)(2) of the UDO shall be permitted along the east boundary of not apply to the District. Instead, the following standards for signs at each entrance (“Entrance Signs”) shall apply:

- i. ~~Monument-Entrance~~ Signs shall not be internally illuminated. Any ~~Monument-Entrance~~ Sign illumination shall consist of gooseneck down lighting.
- ii. One two-sided wood directional sign shall be permitted at the northern entrance to the Real Estate along Spring Mill Road (the “Service Entrance Sign”). Maximim sign height shall be six (6) feet. Maximum sign area per side shall be ten (10) square feet. The Service Entrance Sign shall be substantially consistent with the character and quality of the signs depicted in Exhibit H, attached hereto.
- iii. Signage at the main entrance (the southernmost entrance) to the Real Estate (the “Main Entrance Signage”) along Spring Mill Road shall be in accordance with the sign standards set forth in Section 6.17(G)(1)(a) or (b). The Main Entrance Signage shall be substantially consistent with the character and quality of the signs depicted in Exhibit I, attached hereto.
- iv. Entrance Signs shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.

B. Wall Signs.

- i. A maximum of one (1) Wall Sign shall be permitted on each elevation of the Vine Building and the Cidery Building.
- ii. Wall Signs on the Vine Building shall be a maximum of: (a) 75 square feet on the east and west elevations; (b) 30 square feet on the north and south elevations.
- iii. Wall Signs on the Cidery Building shall be a maximum of: (a) 75 square feet on the north and south elevations; (b) 30 square feet on the east and west elevations.
- iv. One Wall Sign shall be permitted on the east elevation of the Seeds Building, a maximum of 75 square feet.
- v. Wall Signs shall not be internally illuminated. Any Wall Sign illumination shall consist of gooseneck down lighting.

~~87.54~~ Parking and Loading Standards.

- A. Loading Berths. Article 6.14(C) shall not apply to the District.
- B. Surfacing and Curbs. Article 6.14(G)(7) shall apply to all Parking Areas except the Seasonal Parking and the internal access drive extending to the Music Shelter, as shown on the Concept Plan.
- C. Required Spaces. Article 6.14(G)(11) is hereby modified to provide that Parking Space requirements for all uses in the District shall 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 a Detailed Development Plan or at such other time as deemed appropriate by the Director. The number of Parking

Spaces constructed within the District may vary from the numbers indicated on the Concept Plan, based on the determination of the Director.

Section 8. Processes and Permits. The standards of Article 10 Processes and Permits shall apply to the development of the Real Estate, except as otherwise modified below.

8.1 Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy for the Music Shelter, a sound test will be performed by the Department with the assistance of a Professional Audio Company, to confirm compliance with Section 34-51: Environment; Nuisances; Noise; Prohibitions, of the Code of Ordinances, of Westfield, Indiana. The Company will be chosen by the Department and all costs will be paid by the Property Owner and/or Applicant for the associated Improvement Location Permit Application. The Certificate of Occupancy for the Music Shelter shall be obtained within two (2) years of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Cidery Building, whichever occurs first.

Section 9. Duration. Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2027 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF1 District.

Section 10. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2021.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE XX-XX** was delivered to the Mayor of Westfield on the _____ day of _____, 2021, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

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

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

ORDINANCE NUMBER XX-XX

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

“Urban Apples PUD”

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. XXXX-PUD-XX), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described as Lot 2 of Spring Mill Market, a subdivision of the City of Westfield, Hamilton County, Indiana, recorded as Instrument No. 2021028993 in the Office of the Recorder of Hamilton County, Indiana (the “**Real Estate**”);

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

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2021;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “Urban Apples Planned Unit Development 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 UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this 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 request and consent of the Real Estate owner. 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 UDO.

- ~~2.1 — “**Agritourism Use (or Agritainment Use)**” shall mean an agriculturally-based operation or activity that brings visitors to the Real Estate, 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), family-oriented activities (i.e., bounce houses, yard games), vineyards, breweries (beer production, processing, distribution), wineries (wine production, processing, distribution) cideries (cider production, processing, distribution), distilleries (production, processing and distribution of spirits), educational experiences or tours, limited retail sales of products not produced on-site (i.e., country store, gift shop, activity ticket sales), related beverage or food sales (i.e., tasting facilities, lunch counters, refreshment or specialty food stands), and related ancillary uses and buildings.~~
- ~~2.2 — “**Barn House**” shall mean a shelter used to house goats, chickens and/or other farm animals that is thematically consistent (in color, materials and architectural form) with the Vine Building (defined in Exhibit C).~~

- 2.31 **“Food Truck Area”** shall mean an area within the Cidery Area ~~(location identified by a black star on the Concept Plan)~~ designated to host ~~permitting~~ up to two (2) food truck vendors at any given time. Food truck vendors shall only be permitted to vend to patrons of the uses within the Real Estate.
- ~~2.4 “Cidery Operation” shall mean the uses permitted in the “Cidery” Area on the Real Estate, including Agritourism Use (or Agritainment Use), Food Truck Area, Patio Seating Area, Pavilion, Restroom Shelter, Seasonal Parking, Specialty Restaurant, Takeout and Deli Style Restaurant, and accessory buildings and uses customarily incidental to any of the permitted uses, including, but not limited to, Temporary Use and Events, weddings or other social events and receptions, and as further described in Exhibit E.~~
- 2.52 **“Goat Tower”** shall mean a ~~structure built in a manner consistent with the character and quality of that shown in Exhibit F~~ spire-shaped structure with two (2) or more levels, built in a manner that provides shelter and climbing opportunities for goats, consisting of wood and/or masonry exterior building materials.
- ~~2.6 “Greenhouse” shall mean a structure used primarily for growing, selling and storing plants and related plant and garden materials available for retail purchase, consistent with the character and quality shown in Exhibit G.~~
- ~~2.7 “Lawn Uses” shall mean the uses permitted in the “Lawn” Area on the Real Estate, including playgrounds, yard games, Restroom Shelter, Music Shelter, putting green, Farm Stand, Goat Tower, Barn House and Picnic Area.~~
- 2.83 **“Music Shelter”** shall mean (i) a covered platform used for music performances and other similar activities, and as further described in Exhibit H with a floor area of five hundred (500) square feet or less and floor height of three (3) feet or less, (ii) consisting of wood and/or masonry exterior building materials; and (iii) oriented to the northeast in the location within the Lawn Area identified on the Concept Plan.
- ~~2.9 “Orchard Uses” shall mean the uses permitted in the “Orchard” Area on the Real Estate, including Agricultural Use, Picnic Area, Smoke House and golf cart parking area.~~
- ~~2.10 “Patio Seating Area” shall mean an outdoor seating area primarily used for food and beverage service.~~
- ~~2.11 “Pavilion” shall mean a covered seating area, primarily used for food and beverage service, which may be enclosed seasonally, consistent in character and quality with the images shown in Exhibit I.~~
- ~~2.12 “Picnic Area” shall mean an outdoor area used primarily for picnic tables, Picnic Shelters and lawn chairs.~~

- 2.134 **“Picnic Shelter”** shall mean a permanent, covered outdoor seating area in substantial compliance with the quality and character of the images shown in Exhibit J, consisting of wood and/or masonry exterior building materials.
- 2.14 ~~“Restroom Shelter” shall mean a structure primarily used for restroom facilities, connected to public water and sanitary sewer services, and thematically consistent (in color, materials and architectural form) with the Vine Building (defined in Exhibit C).~~
- 2.155 **“Seasonal Parking”** shall mean parking areas (i) used seasonally; (ii) consisting of compacted gravel drive aisles and grassed parking spaces; (iii) which are constructed in a manner that is substantially consistent with that shown in Exhibit K the configuration shown on the Concept Plan.
- 2.16 ~~“Seeds Operation” shall mean the uses permitted in the “Seeds” Area on the Real Estate, including Farm Stand, General Services Office, Greenhouse(s), Low Intensity Retail, Outdoor Storage (only Greenhouse materials available for sale to public, not to exceed 2,000 square feet in area), warehousing and distribution associated with seed sales business and related activities, and as further described in Exhibit D.~~
- 2.17 ~~“Smoke House” shall mean a structure used primarily to smoke meats, no more than 100 square feet in size.~~
- 2.18 ~~“Storage Barn” shall mean a barn-like storage building, no more than 2,000 square feet in size, used primarily to store equipment, tools and other items of personal property used on the Real Estate, thematically consistent (in color, materials and architectural form) with the Vine Building (defined in Exhibit C). Multiple Storage Barns shall be permitted throughout the Real Estate.~~
- 2.19 ~~“Vine Operation” shall mean the uses permitted in the “Vine” Area on the Real Estate, including Agritourism Use (or Agritainment Use), Farm Stand, Patio Seating Area, Seasonal Parking, Specialty Restaurant, Takeout and Deli Style Restaurant, uses defined as Light Industrial in the UDO which are ancillary and/or accessory to a winery use including but not limited to production of wine products, brewery, cidery, distiller of liquor and spirits; bottling/canning/storing/distribution of alcoholic and nonalcoholic beverages and accessory structures and uses customarily incidental to any of the permitted uses, including, but not limited to, indoor and outdoor storage vessels associated with bottling/canning/storing/distribution of alcoholic and nonalcoholic beverages, Temporary Use and Events, weddings or other social events and receptions, and as further described in Exhibit C.~~

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

3.1 The District is hereby divided into ~~seven-four~~ (74) areas, as depicted on the Concept Plan and labeled as “Vine,” “Seeds,” “Cidery,” ~~“Meadow,” “Orchard,” “Shade”~~ and “Lawn” (individually or collectively, the “Area” or “Areas”).

3.2 Development of each Area shall be regulated as set forth in this Ordinance.

3.3 ~~The boundaries of the Areas shall be in substantial compliance with the Concept Plan. The final layouts and site plans within the Areas shall be subject to the terms of this Ordinance and may vary from the depictions shown in the Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan. Accessory Buildings not shown on the Concept Plan shall be constructed in compliance with the terms of this Ordinance.~~

Section 4. Underlying Zoning District. The Underlying Zoning District of the Areas shall be the AG-SF1: Agriculture / Single-Family Rural District (the “**Underlying Zoning District**”).

Section 5. Permitted Uses. The ~~following~~ uses ~~identified in Exhibit B, attached hereto and incorporated herein~~ (“**Permitted Uses**”), shall be permitted in the ~~Areas~~District in addition to those permitted in the Underlying Zoning District:

A. Agritourism Use (or Agritainment Use).

B. Uses defined as Light Industrial in the UDO which are ancillary and/or accessory to Agritourism Use (or Agritainment Use) – only be permitted in the Vine Area.

C. Uses defined as Low Intensity Retail which are related to the operation of a mail order business and greenhouse sales in accordance with Section 8.1(B) – only permitted in the Seeds Area.

D. Food Truck Area – only be permitted in the Cidery Area.

Section 6. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the Real Estate, except as otherwise modified in this paragraph.

6.1 Minimum Building Setback Line: Article 4.2(E) shall not apply. Instead the following minimum setback standards shall apply: (i) fifty (50) feet from the Spring Mill Road right-of-way; (ii) thirty (30) feet from all other District property lines.

6.2 Maximum Building Height: ~~Article 4.2(G) shall not apply. Instead the building maximum height standards in Article 6.6(D) shall apply to all buildings in the District, except the Goat Tower. The building height standards of Article 6.6(E) shall apply to the Goat Tower.~~45 feet.

6.3 Minimum Living Area (Ground Floor): Article 4.2(H) shall not apply.

6.4 Subdivisions: Article 4.2(I) shall not apply.

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

8.1 Architectural Standards: ~~Article 6.3 Architectural Standards of the UDO shall not apply to the Areas. Instead, building materials and architectural style shall be in substantial compliance with the materials set forth in the exhibits identified in this Section (collectively, the “Area Exhibits”). Unless otherwise stated herein, the Area Exhibits are intended to conceptually illustrate the character and quality of the improvements to be constructed within the Areas. The actual buildings may vary in size and configuration from those depicted in the Area Exhibits.~~

A. Vine Area. ~~The building materials and architectural style of improvements in the Vine Area shall be in substantial compliance with Exhibit C, attached hereto and incorporated herein.~~

- ~~i. The Principal Building within the Vine Area (the “**Vine Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit B.~~
- ~~ii. The improvements and enhancements shown in Exhibit B shall be completed within one (1) year of the adoption of this Ordinance.~~
- ~~iii. Any additions or modifications to the Vine Building and any Accessory Buildings shall be architecturally consistent with the Vine Building.~~

B. Seeds Area. ~~The building materials and architectural style of improvements in the Seeds Area shall be in substantial compliance with Exhibit D, attached hereto and incorporated herein.~~

- ~~i. The Principal Building within the Seeds Area (the “**Seeds Building**”) shall be architecturally consistent with the Vine Building, unless otherwise specified in this Section.~~
- ~~ii. A minimum thirty-six (36) inch masonry wainscot shall be required on all building elevations of the Seeds Building.~~
- ~~iii. Any greenhouse structure(s) or greenhouse building additions to the Seeds Building shall be permitted to have glass, metal and/or poly-plastic exterior building materials.~~
- ~~iv. Outdoor display of plant materials available for sale to the public shall be permitted in the Seeds Area (not to exceed 2,000 square feet in area).~~
- ~~v. Any additions or modifications to the Seeds Building and any Accessory Buildings shall comply with the architectural standards included in this Section.~~

C. Cidery Area. ~~The building materials and architectural style of improvements in the Cidery Area shall be in substantial compliance with Exhibit E, attached hereto and incorporated herein.~~

- ~~i. The Principal Building within the Cidery Area (the “**Cidery Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit C.~~

- ii. The improvements and enhancements shown in Exhibit C shall be completed within two (2) years of the adoption of this Ordinance.
- iii. Any additions or modifications to the Cidery Building and any Accessory Buildings shall be architecturally consistent with the Cidery Building.

D. All Areas.

- i. Any Picnic Shelter(s) shall be architecturally consistent with Exhibit D of this Ordinance.
- ii. A Music Shelter shall be architecturally consistent with Exhibit E of this Ordinance.
- iii. A Goat Tower shall be architecturally consistent with Exhibit F of this Ordinance.
- iv. Unless otherwise provided in Section 8.1(C), any other Accessory Buildings shall be architecturally consistent with the Vine Building.

~~B.—~~

~~8.2 Building Standards. Article 6.4(E), Agriculture-Related Uses, shall apply to the Buildings in the District.~~

8.38.2 Landscaping Standards.

A. General Screening Standards. Article 6.8(H) shall not apply to nonconforming conditions present in the Vine and Cidery Areas at the time of the adoption of this Ordinance.

B. Minimum Lot Landscaping Requirements. Article 6.8(K) of the UDO shall only apply to the Vine Area, Cidery Area and Seeds Area. The Uses in these Areas shall be treated as “Business Uses” as specified in Article 6.8(K).

C. Foundation Plantings.

- i. Nonconforming Conditions. To the extent that nonconforming conditions in the Vine Area and the Cidery Area at the time of the adoption of this Ordinance prevent compliance with Article 6.8(L) of the UDO, as determined by the Director, Foundation Plantings shall not be required.
- ii. Vine Building. Installation of plant materials along the south building façade shall take place at the time the “Addition” (identified on the Concept Plan) is completed or five (5) years from the issuance of the Certificate of Occupancy for the Vine Building. Installation of plant materials along the building façades abutting the “Patio” (identified on the Concept Plan) shall not be required.
- iii. Cidery Building. Installation of plant materials along the west building façade shall take place at the time the “Addition” (identified on the Concept Plan) is completed or five (5) years from the issuance of the Certificate of Occupancy for the Cidery Building. Installation of plant materials along the building façade abutting the “Patio” (identified on the Concept Plan) shall not be required.

D. External Street Frontage Landscaping Requirements. Article 6.8(M) shall not apply to the Vine Area. Instead, the Orchard Preservation standards of this Ordinance shall apply.

E. Buffer Yard Requirements. Article 6.8(N) shall not apply to the District. Instead, the Perimeter Tree Preservation and Mound Requirement standards of this Ordinance shall apply.

A.F. Parking Area Landscaping. Article 6.8(O) shall ~~only apply within 200' of the Spring Mill Road right-of-way line (the "Spring Mill Frontage")~~ apply to all Parking Areas except the Seasonal Parking identified on the Concept Plan.

B.G. Perimeter Tree Preservation: Existing trees within ten (10) feet of the perimeter of the District, that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in this area shall not be removed except if (i) needed to provide connectivity to the uses adjacent to the District, (ii) required by the City; or (iii) needed for drainage/utility installations.

H. Orchard Preservation: The three (3) rows of apple trees planted between the Vines Building ~~(defined in Exhibit C)~~ and Spring Mill Road shall be preserved and maintained as part of the horticultural operation on the Real Estate.

C.I. Mound Requirement: A landscaping mound of at least five (5) feet in height shall be constructed along the east side of the pond in substantial compliance with the mound shown on the Concept Plan. The mound shall be landscaped with five (5) shade trees, five (5) evergreen trees and twenty (20) shrubs per one hundred (100) lineal feet of mounding.

8.4 Sign Standards. The sign standards set forth in this Section 8.4 shall apply to the District. To the extent that the provisions of Article 6.17 of the UDO are in conflict with the standards set forth in this Section 8.4, the standards of this Section shall control.

A. Monument Signs.

- i. A maximum of two (2) Monument Signs, constructed in accordance with Section 6.17(H)(2) of the UDO shall be permitted along the east boundary of the District.
- ii. Monument Signs shall not be internally illuminated. Any Monument Sign illumination shall consist of gooseneck down lighting.

B. Wall Signs.

- i. A maximum of one (1) Wall Sign shall be permitted on each elevation of the Vine Building and the Cidery Building.
- ii. Wall Signs on the Vine Building shall be a maximum of: (a) 75 square feet on the east and west elevations; (b) 30 square feet on the north and south elevations.
- iii. Wall Signs on the Cidery Building shall be a maximum of: (a) 75 square feet on the north and south elevations; (b) 30 square feet on the east and west elevations.
- iv. One Wall Sign shall be permitted on the east elevation of the Seeds Building, a maximum of 75 square feet.
- v. Wall Signs shall not be internally illuminated. Any Wall Sign illumination shall consist of gooseneck down lighting.

8.5 Parking and Loading Standards.

- A. Loading Berths. Article 6.14(C) shall not apply to the District.
- B. Surfacing and Curbs. Article 6.14(G)(7) shall ~~only apply within the Spring Mill Frontage. Seasonal Parking shall be permitted outside of the Spring Mill Frontage, within the Vine, Seeds, Cidery and Meadow Areas~~ apply to all Parking Areas except the Seasonal Parking and the internal access drive extending to the Music Shelter, as shown on the Concept Plan.
- C. Required Spaces. Article 6.14(G)(11) is hereby modified to provide that Parking Space requirements for all uses in the District shall 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 a Detailed Development Plan or at such other time as deemed appropriate by the Director. The number of Parking Spaces constructed within the District may vary from the numbers indicated on the Concept Plan, based on the determination of the Director.

Section 9. Duration. Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2027 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF1 District.

Section 10. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2021.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE XX-XX** was delivered to the Mayor of Westfield on the _____ day of _____, 2021, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

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

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

ISSUES RAISED REGARDING THE URBAN APPLES PUD PROPOSAL

The list below includes issues that were raised during the August 2, 2021, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. How will conflicts between the proposed use and the surrounding residences (both current and future) be managed? This include lighting, noise, animal odors, ect.

The Urban Apples site has been designed to avoid potential issues with lighting, noise and animal odors. In addition to complying with the normal standards associated with these items, the same standards applicable to every other use in the City of Westfield, Urban Apples has strategically located buildings, mounding and landscaping improvements that will further reduce any potential for conflicts.

2. What processes will be in place to ensure the on-site animals are adequately cared for?

Urban Apples has no desire to create conditions that are unsafe or unhealthy for animals or people. From our investigations, we understand most of the time the animals grow accustomed to visitor activity and noises over time. We will make sure our fences are secure and designed in a manner that the animals cannot hurt themselves. We will also provide safe shelter away from activity where the animals can retreat if they wish. Unlike private farm operations, Urban Apples will be under significant public observation. There is little chance that undesirable conditions could persist long without significant social media attention.

Urban Apples will have 24-hour security surveillance to monitor animals and to ensure no visitors disturb the area after hours. We will personally monitor and care for the animals after hours as needed, when needed. Veterinary visits will be on an as-needed basis to make sure our animals are healthy and receive appropriate care in case of injury or illness.

3. Can any of the definitions be removed to eliminate overlap with the UDO?

Urban Apples has worked extensively with staff to eliminate and simplify the definitions in the PUD Ordinance. This is reflected in the revised PUD Ordinance submitted for the APC's consideration on October 4, 2021.

4. Which of the UDO Uses (Specialty Restaurant, Takeout and Deli Style Restaurant, Low Intensity Retail, Temporary Uses and Events) included within some of the definitions be eliminated or further restricted to those related to the Agritourism Use?

Urban Apples has worked extensively with staff to eliminate and simplify the permitted uses in the PUD Ordinance. This is reflected in the revised PUD Ordinance submitted for the APC's consideration on October 4, 2021.

5. How can the architectural requirements be firmed up to ensure enforceable standards are in place?

Urban Apples has engaged an architect to supplement architectural requirements of the PUD Ordinance by incorporating to-scale architectural building elevations into the Ordinance. The PUD Ordinance requires that the building architecture be completed in substantial compliance with the architectural elevations, including the incorporation of significant masonry elements. This is reflected in the revised PUD Ordinance submitted for the APC's consideration on October 4, 2021.

6. How can the proposed architecture be enhanced to ensure the proposed development is comparable to other new buildings approved in the area?

Urban Apples has engaged Peterson Architects to generate to-scale architectural building elevations that accurately reflect the significance of the improvements to be made on the Urban Apples site. The buildings will be constructed in substantial compliance with the architectural elevations, including the incorporation of significant masonry elements. The buildings and site improvements included in the Urban Apples proposal amount to over \$10 Million in investment.

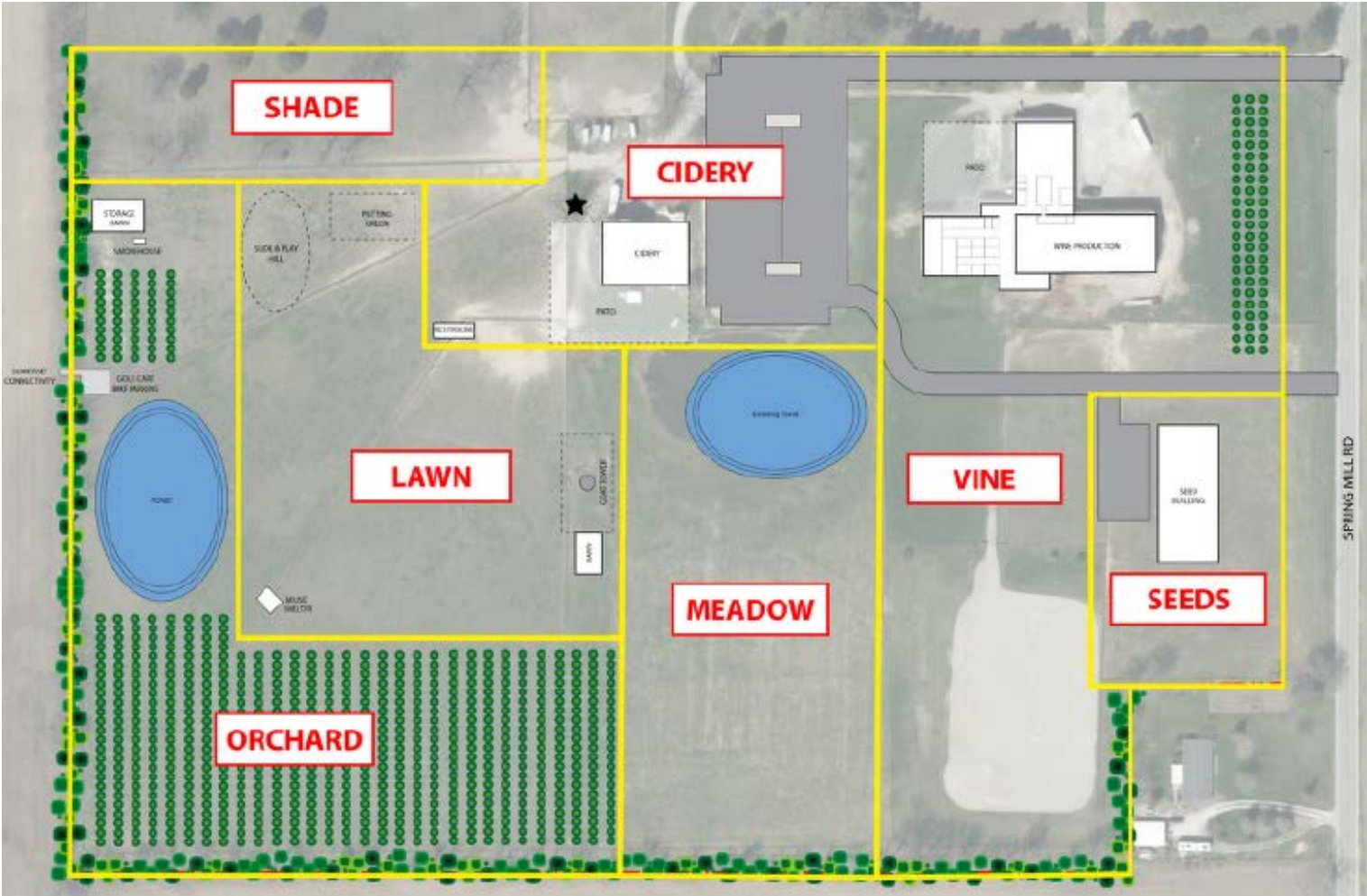
7. Would one of the Business Districts be more appropriate for the Underlying Zoning District?

Urban Apples has worked extensively with staff to address this item. In working with staff, it was determined that the underlying AG-SF1 designation is best suited to accommodate the agritourism use proposed.

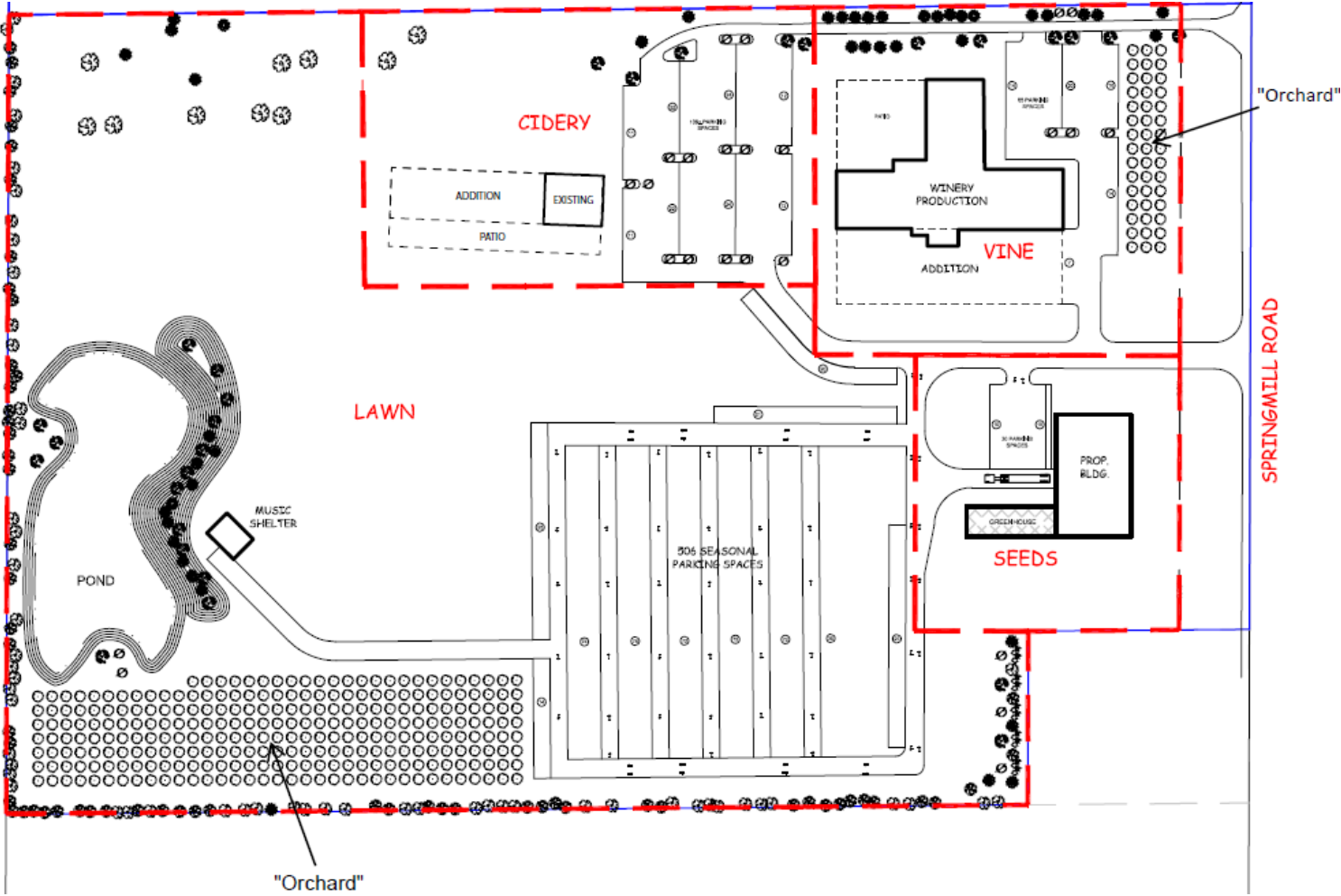
8. How can it be ensured that adequate parking will be provided for the proposed use, and that this site will not have the parking issues present at Urban Vines?

Urban Apples has worked extensively with its site engineer to demonstrate the extent to which parking can be accommodated on the Urban Apples site. The PUD Ordinance requires that the site improvements be completed in substantial compliance with the Concept Plan. Although Urban Apples hopeful that not all of the parking shown on the Concept Plan will be needed, it has shown how and where it can be accommodated if/when it is needed. Provisions have been made in the PUD Ordinance that authorize the Director to determine the adequacy of parking facilities. The addition or expansion of such facilities require development plan review and approval.

Old (8/2)



New (11/1)



URBAN APPLES - NARRATIVE STATEMENT

Herron Holdings, LLC is excited to present “Urban Apples,” a new agritourism destination situated on 23.71 acres along the west side of Spring Mill Road, just south of 186th Street. The Urban Apples team has thoughtfully prepared the Urban Apples PUD proposal to create a wonderful visitor experience, whether people come from nearby or from out of town.

Updates Since the October 4, 2021 APC Meeting

The Urban Apples Team has made significant modifications to the Urban Apples PUD proposal since the October 4, 2021 APC meeting to address comments and suggestions received from plan commission members. Those changes are highlighted below:

1. Architectural Enhancements (Vine Building): The architectural elevations for the Vine Building have been significantly enhanced in response to the APC discussion on October 4th: (i) the masonry elements of the building have been modified to create a more continuous wainscot architectural feature; (ii) the large overhead door on the east elevation of the building has been converted to an architecturally-enhanced glass door to allow a view point into the wine production area; (iii) large sliding barn-doors have been added to the front elevation of the building to provide additional architectural appeal; (iv) faux stable doors have been incorporated under the exterior windows of the building to provide additional architectural interest; and (v) the larger exterior windows have been changed to include additional glass panes.
2. Animal Interaction Exhibits. Animal interaction uses and related development standards and references have been removed from the Urban Apples PUD.
3. Seasonal Parking. Language has been incorporated into the PUD Ordinance to clarify that overnight camping is not permitted in the District.
4. Greenhouse Standards. Additional standards have been incorporated for the Seeds Area to limit the size of a greenhouse structure to no more than 3,000 square feet and to clarify that such a structure must be a solid, permanent greenhouse structure.
5. Foundation Plantings. The PUD language providing foundation planting exceptions for planned additions and existing nonconforming conditions has been removed. The normal UDO foundation planting requirements will apply to the District.
6. Spring Mill Road Streetscape Enhancements. Language has been incorporated into the PUD Ordinance identifying specific streetscape enhancements to be installed along Spring Mill Road: (i) a landscaping plan has been incorporated identifying the locations and types of landscaping to be installed; (ii) the landscaping plan identifies the location of decorative fencing to be installed; (iii) additional standards have been

- incorporated identifying the style and masonry elements for the decorative fencing; and (iv) a deadline for installation of the streetscape enhancements has been added (must be completed prior to issuance of a Certificate of Occupancy on the property).
7. Orchard Plantings. Language has been incorporated to require the orchard plantings to be installed in accordance with the representations on the concept plan and a timeline for installation has been added.
 8. Signage. The signage standards of the PUD Ordinance have been modified in accordance with the suggestions received from the APC at its October 4, 2021 meeting. A smaller service entrance sign is to be located at the north entrance of the site. Entry feature signage (in accordance with the typical entry feature standards of the UDO) is to be installed at the main entrance of the site (location identified on streetscape landscaping plan). Standards and exhibits have been incorporated for these signs. The entry feature signage is required to be installed by the same deadline as the streetscape enhancements (identified in paragraph 6, above).
 9. Music Shelter. Language has been incorporated into the PUD Ordinance to require sound testing of the shelter by City staff prior to issuance of a Certificate of Occupancy (at the expense of Urban Apples) to confirm compliance with all City sound requirements. Without a Certificate of Occupancy, the Music Shelter cannot be used/occupied.

The Urban Apples Team is excited to begin work on the site and would appreciate your favorable consideration of this revised proposal.

WRITTEN PUBLIC COMMENTS

Docket Number: 2108-PUD-22

Petitioner: Herron Holdings, LLC by Church Church Hittle + Antrim

Request: A change in zoning for 23.71 acres +/- from the AG-SF1: Agriculture / Single-family Rural District to the Urban Apples PUD District.

Enclosed Attachments:

November 1, 2021, APC Recommendation

- | | |
|-----------------------|------------|
| 1. Banas, Mary | 08/02/2021 |
| 2. Nass, Linda | 08/02/2021 |
| 3. Silverthorne Homes | 09/30/2021 |
| 4. Schrock, Jessica | 10/26/2021 |

Pamela Howard

From: Mary Banas <mary.banas6@gmail.com>
Sent: Monday, August 2, 2021 9:04 PM
To: planners
Subject: Re: Urban Apples

**Warning: This external email is from
mary.banas6@gmail.com.**

As the still current owner of the Banas property I am unaware of any conversation with Matt and Arbor Homes. Mary Banas

On Mon, Aug 2, 2021 at 8:27 PM Mary Banas <mary.banas6@gmail.com> wrote:

Adjacent land is to the back of the proposed Urban Apples. My current resident is 11538 Hemingway Dr, Reston, VA 20194.

On Mon, Aug 2, 2021 at 8:12 PM Mary Banas <mary.banas6@gmail.com> wrote:

Please discuss what plans are being provided by Urban Apples to lessen noise, night lights and animal odors that could impact local residential neighborhoods .

Thank you.

Mary Banas. Adjacent land owner

Pamela Howard

From: Linda Naas <lnaas@logickey.com>
Sent: Monday, August 2, 2021 9:04 PM
To: planners
Subject: URBAN APPLES PUD

**Warning: This external email is from
lnaas@logickey.com.**

Any use of animals requires special consideration for the care & housing necessary. Will there be 24/7 oversight available? Is there any experience with animal husbandry?

How is animal use consistent with a lawn for music and extended hours of operation?

Example: I can't see Urban Vines with animals.

FairOaks in northern Indiana consider operations in close location with live animals.

Any use of fireworks at any time would negatively affect animals on the property.

Would visitors be allowed to bring dogs for example on property?

The evening hours should be restricted due to music, etc. on animals and neighbors.

Seems like several uses that are not cohesive.

How do trucks and farm equipment navigate the area and where are they stored?

Will there be water and sewer on property? Appropriate rest room facilities?

Sanitation concerns mixing people and animals - what are the plans and what guidelines will be followed?

Sincerely,

Linda Naas
1122 E 161st St



Date: September 30, 2021

To: Westfield Advisory Plan Commission
c/o Community Development Department
130 Penn Street
Westfield, IN 46074

From: Christian Rector
Silverthorne Homes
9225 Harrison Park Ct
Indianapolis, IN 46216

Advisory Plan Commission Members:

Please accept this letter as an indication of Silverthorne Homes' support for the Urban Apples PUD proposal. As you may recall, Silverthorne is developing the real estate to the west and south of the Urban Apples site. Our Somerset neighborhood will abut Urban Apples along those two property lines. Site work will begin in Spring 2022.

Silverthorne has reviewed the details of the Urban Apples PUD proposal and understands the planned elements and improvements for the site, including but not limited to, the building architecture, site layout, the location and configuration of the music shelter, and other planned activities on the site.

The Urban Apples team has been proactive in keeping us informed about its plans and its progress with the project. Silverthorne is excited to begin work on the Somerset neighborhood. We believe Urban Apples will serve as a great amenity for Somerset and the community and its future residents. We look forward to seeing our new neighbor's plans become a reality.

Thank you for your consideration.

Respectfully,

Christian Rector
Silverthorne Homes
Vice President of Land Acquisition.

Pamela Howard

From: Jessica Schrock <jessdschrock@gmail.com>
Sent: Tuesday, October 26, 2021 4:49 PM
To: planners
Subject: Urban vines proposal

**WARNING: This external email is from
jessdschrock@gmail.com.**

Hello,

I am writing to you in reference to the proposed development of Urban Vines on Spring Mill Rd. I live in the closest neighborhood to the property and am concerned about the possibility of live music on the weekends. The sound travels horribly in this area. Before the horse farm was sold, the workers would listen to a radio and we could hear it at our house. Our property backs up to Northview Church, so we are the furthest away.

I say all of this to give an example of the sound and how it is going to impact the two already approved neighborhoods that will be directly south and west of Urban Vines. I know a majority of them will not want to listen to music on a consistent basis. I can't imagine how much louder it might possibly be with live music that uses an amp and microphones. If the entertainment is supposed to be for those who are at Urban Vines then the music and sound of it should be maintained at stay at Urban Vines and not travel and be heard in the areas around it. The smart thing to propose back to Urban Vines would be all live music be contained in a building with four legitimate walls with sound proofing to contain the sound. An added form of sound barrier in the form of evergreen trees that line the property line.

The owner of Urban Vines continues to show a true lack of respect to Westfield. He's proven he can't adhere to the rules and regulations that have been put forth in the past. The only thing he has considered is what benefits him and his business. I would strongly recommend he be held to the high standard Westfield has, especially with the amount of traffic that is around that area due to homes and grand park.

Thank you for your time and consideration in this matter. I hope it's taken seriously. We purchased our home in this area due to the location and quiet out of city feel. This addition would remove every aspect of that from our lives.

Jessica Schrock
Sent from my iPhone



Westfield–Washington Township

Advisory Plan Commission

Minutes of the Monday, December 6, 2021 Meeting

Presented for approval: December 20, 2021

The Westfield-Washington Township Advisory Plan Commission met at 7:00 p.m. on Monday, December 6, 2021 at Westfield City Hall.

Active Links for this Meeting:

[December 6, 2021 BZA Agenda & Exhibits](#)

[December 6, 2021 YouTube Video](#)

Minutes are also available to be acquired or viewed at the City of Westfield Community Development Department.

OPENING OF MEETING

YouTube Time: 0:04

ROLL CALL: Noted presence of a quorum.

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

Commissioners Present Virtually: None

Commissioners Absent: None

City Staff Present in Person: Kevin Todd, Director; Pam Howard, Senior Planner; Caleb Ernest, Senior Planner; and Rachel Riemenschneider, Associate Planner.

City Staff Present Virtually: None.

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

APPROVAL OF MINUTES

- November 15, 2021 APC Minutes.

Motion: McCarty motioned to approve the November 15, 2021 APC minutes as presented. Maue seconded. Motion passed. Vote 9-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed the meeting rules and procedures.

CHANGES TO AGENDA

YouTube Time: 3:46

**2112-ODP-25 &
2112-SPP-25
WITHDRAWN**

Courtyards of Westfield Plat Amendment

Southwest corner of Towne Road and West 151st Street

Epcon Communities, LLC by Church Church Hittle + Antrim requests amendments to the Overall Development Plan and Primary Plat for the Courtyards of Westfield.

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

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

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

2111-PUD-27
DISCUSSION ONLY
NO
RECOMMENDATION
REQUESTED

TowneRun PUD

Northwest corner of Towne Rd & West 146th Street

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

(Planner: Rachel Riemenschneider - rriemenschnneider@westfield.in.gov)

CONSENT AGENDA ITEMS

No Consent Agenda Items

MISCELLANEOUS BUSINESS

Request to suspend

APC Rule of Procedure

YouTube Time: 4:27

CTC02, LLC by Total Engineering Solutions Co. requests suspension of Article VIII(1)(b) of the Westfield / Washington Planning Commission Rules of Procedure as it relates to the required Yard Signs.

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

Staff Presentation

Motion: Kelleher motioned to approve the Request to suspend APC Rule of Procedure. Spoljaric seconded. Motion passed. Vote 9-0.

ITEMS OF BUSINESS

2111-PUD-27

YouTube Time: 6:48

TowneRun PUD

Northwest corner of Towne Rd & West 146th Street

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

(Planner: Rachel Riemenschneider - rriemenschnneider@westfield.in.gov)

Staff Presentation/Petitioner Presentation/Commission Comments/Petitioner Responses.

No recommendation requested at this time.

PUBLIC HEARING ITEMS

2112-ODP-25 &

2112-SPP-25

[WITHDRAWN]

YouTube Time: 57:23

Courtyards of Westfield Plat Amendment

Southwest corner of Towne Road and West 151st Street

Epcon Communities, LLC by Church Church Hittle + Antrim requests amendments to the Overall Development Plan and Primary Plat for the Courtyards of Westfield.

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

2112-ODP-26

[PUBLIC HEARING]

YouTube Time: 57:33

Southpark Industrial

16465 Southpark Drive

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

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

Staff Presentation/Petitioner Presentation

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

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

Public Hearing for 2112-ODP-26 opened at 8:02 p.m.

- Two Public Comments.

Public Hearing for 2112-ODP-26 closed at 8:09 p.m.

Commission Comments/Petitioner Responses

**2112-ODP-27 &
2112-SPP-26**
[PUBLIC HEARING]
YouTube Time: 1:19:40

Casey Corner
East of Ditch Road, West of Casey Road
Platinum Properties, LLC by Nelson & Frankenberger, LLC requests Overall Development Plan and Primary Plat review of 80 Lots on 11.00 acres +/- in the Spring Mill Trails PUD District.
(Planner: Rachel Riemenschneider - rriemenschnneider@westfield.in.gov)

Staff Presentation/Petitioner Presentation

Public Hearing for 2112-ODP-27 & 2112-SPP-26 opened at 8:27 p.m.

- No Public Comments.

Public Hearing for 2112-ODP-27 & 2112-SPP-26 closed at 8:29 p.m.

Commission Comments/Petitioner Responses

2112-PUD-29
[PUBLIC HEARING]
YouTube Time: 1:43:38

Springwater PUD
East of South Union Street and 1/4 mile +/- north of 161st Street
Old Town Design Group by Apollo Developers requests a change in zoning for 41 acres +/- from AG-SF1: Agriculture / Single-family Rural District and Lantern Park PUD District to the Springwater PUD District.
(Planner: Rachel Riemenschneider - rriemenschnneider@westfield.in.gov)

Staff Presentation/Petitioner Presentation

Public Hearing for 2112-PUD-29 opened at 9:02 p.m.

- Four Public Comments in addition to three received before the meeting.

Public Hearing for 2112-PUD-29 closed at 9:14 p.m.

Petitioner Responses/ Commission Comments

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09
[CONTINUED]

Northpoint II PUD
North side of SR 38 between Anthony Road and Hinkle Road
Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Northpoint II PUD District.
(Planner: Pam Howard - poward@westfield.in.gov)

2101-ZOA-01
[CONTINUED]

Unified Development Ordinance Amendment
Westfield City Council requests approval of an ordinance to amend Article 10.9 of the Westfield-Washington Township Unified Development Ordinance.
(Planner: Kevin Todd - ktodd@westfield.in.gov)

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

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

**2108-ODP-18 &
2108-SPP-18
[CONTINUED]**

Highlands Latin School

3810 W 146th Street

Indy Latin Schools requests Overall Development Plan and Primary Plat review of 1 Lot and 1 Block on 30.88 acres +/- in AG-SF1: Agriculture/Single-family Rural District.

(Planner: Rachel Riemenschneider - rriemenschneider@westfield.in.gov)

**2108-PUD-21
[CONTINUED]**

Grand Millennium Center PUD Amendment I

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

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

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

**2108-PUD-22
[CONTINUED]**

Urban Apples PUD

18326 Spring Mill Road

Herron Holdings, LLC by Church Church Hittle + Antrim requests a change in zoning for 23.71 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Urban Apples PUD District.

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

**2111-PUD-26
[CONTINUED]**

Landing 161 PUD

West of & adjacent to US 31/North of & adjacent to E 161st Street

Lennar Homes of Indiana, Inc. by Nelson & Frankenberger, LLC requests a change of zoning for 49 acres +/- from the Indy Hebrew Congregation PUD and EI: Enclosed Industrial Zoning Districts to the Landing 161 PUD District.

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

**2111-PUD-28
[CONTINUED]**

Courtyards at Spring Mill PUD District

East side of Spring Mill Road, north of SR 32, south of 186th Street

Platinum Properties Management Company, LLC by Nelson & Frankenberger, LLC requests a change in zoning on 67.8 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Courtyards at Spring Mill Planned Unit Development (PUD) District.

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

**2112-SPV-01
[CONTINUED]**

Style-Rite Meadows Plat Vacation

Southeast corner of 203rd Street and Tomlinson Road

Chatham Hills, LLP requests to vacate Lots 5 through 27 inclusive and 29 through 31 inclusive of the Style-Rite Meadows Subdivision.

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

REPORTS/COMMENTS

YouTube Time: 2:39:12

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

ADJOURNMENT

Kelleher motioned to adjourn the meeting. Spoljaric seconded.

Motion passed. Vote 9-0.

The meeting adjourned at 9:44 p.m.

Robert Horkay, President

Ginny Kelleher, Vice President

Kevin M. Todd, Secretary



Petition Number: 2112-ODP-27 & 2112-SPP-26

Project Name: Casey Corner

Subject Site Address: East of Ditch Road, West of Casey Road. (the “Property”)

Petitioner: Platinum Properties Management Company, LLC

Representative: Nelson & Frankenberger, LLC

Request: Overall Development Plan & Primary Plat review of 80 Lots on 10.99 acres +/- in the Springmill Trails Planned Unit Development (PUD) District.

Current Zoning: Springmill Trails PUD ([Ord. 11-19](#))

Current Land Use: Residential/Agriculture

Approximate Acreage: 10.99 acres +/-

Property History: Springmill Trails PUD ([Ord. 11-19](#), 09/12/2011)
Springmill Trail Mixed-Use District Amendment ([Ord. 21-35](#), 09/13/2021)

Exhibits:

1. Staff Report
2. Location Map
3. Primary Plat and Overall Development Plan
4. Landscape Plan
5. Cul de Sac & Amenities Waiver Request Letter
6. Public Works Response to Cul de Sac Waiver

Staff Reviewer: Rachel Riemenschneider, Associate Planner

BACKGROUND

The Property is currently zoned the Springmill Trails PUD District.

Ordinance 11-19 Springmill Trails PUD (1101-PUD-02), was approved at the September 12, 2011, City Council meeting. It was amended with Ordinance 21-35 Springmill Trail Mixed-Use District Amendment, which was approved at the September 13, 2021, City Council meeting.

The comments contained herein are in review of the filed Overall Development Plan and Primary Plat scheduled for the November 23, 2021, Technical Advisory Committee meeting.



REVIEW COMMENTS

- 1) Please provide copies or copy this Department on any correspondence you receive from Technical Advisory Committee members and your correspondence to them.
- 2) Additional comments may be forthcoming following review by the Technical Advisory Committee and after the revised secondary plat has been submitted and reviewed.
- 3) The comments contained herein identify those items that are determined by this Department to be outstanding that need addressed prior to approval of the Primary Plat and Overall Development Plan. **Please note some of the standards noted herein are reviewed by the Public Works Department.** The Public Works Department may identify outstanding items accordingly that need addressed prior to approval.
- 4) Abbreviations:
 - a) WPWD: Westfield Public Works Department
 - b) HCSO: Hamilton County Surveyor's Office

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

The plans comply.

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



- 9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
- 10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
- 11) Building setback lines. (Article 4.14)
- 12) Legend and notes.
- 13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
- 14) Other features or conditions which would affect the subdivision favorable or adversely.
- 15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
- 16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
- 17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
- 18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.
- 19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.
- 20) Misc.

OVERALL DEVELOPMENT PLAN (Article 10.7 of the UDO)

The plans comply.

- 21) Title, scale, north arrow and date.



- 22) Proposed name of the development.
- 23) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 24) Address and legal description of the property.
- 25) Boundary lines of the property including all dimensions.
- 26) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 27) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 28) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers. All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 29) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 30) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 31) Location and dimensions of all existing structures and paved areas.
- 32) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 33) Location of all Floodplain areas within the boundaries of the property.
- 34) Names of legal ditches and streams on or adjacent to the site.
- 35) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.
- 36) Identify buildings proposed for demolition.

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

DISTRICT STANDARDS

The plans comply with Article 4.9 of the UDO (SFA: Single-family Attached District), and Springmill Trail Mixed-Use Amendment PUD District (Ord. 21-35).

39) Permitted Uses: The permitted uses shall be limited to Townhome Dwellings (Ord. 21-35).

a) Maximum Dwellings:	The total number of Dwellings permitted in the District shall not exceed eighty (80). (Ord. 21-35)
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40) Minimum Lot Area:	No minimum
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41) Minimum Lot Frontage:	No minimum
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42) Maximum Density:	80 Dwelling Units (Ord. 21-35)
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43) Maximum Dwelling Units per Building:	6 units (Ord. 21-35)
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44) Maximum Project Size:	See Real Estate (Ord. 21-35)
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45) Minimum Building Setback Lines from Perimeter of Real Estate:

a) Setback from Ditch Road and Casey Road	10 feet (Ord. 21-35)
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b) Setback from south perimeter	20 feet (Ord. 21-35)
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46) Minimum Internal Building Setback Lines:

a) Setback from Internal Street:	20 feet (Ord. 21-35)
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b) Side & Rear Yard:	Not applicable (Ord. 21-35)
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c) Minimum Distance Between Structures:	20 feet (Ord. 21-35)
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47) Maximum Lot Coverage:	Not applicable (Ord. 21-35)
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- 48) Maximum Lot Width: Not applicable (Ord. 21-35)
- 49) Maximum Building Height: 3 stories (Ord. 21-35)
- 50) Minimum Living Area Per Dwelling Unit: 1,250 square feet (Ord. 21-35)
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DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply.

- 51) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 52) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 53) 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.
- 54) 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.
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DEVELOPMENT STANDARDS (Chapter 6 of UDO, Springmill Trail Mixed-Use Amendment PUD District (Ord. 21-35))

The plans comply.

55) Accessory Use and Building Standards (Article 6.1)

56) Architectural Standards (Ord. 21-35)

- a) Character Exhibit: The Character Exhibit for Dwellings, attached hereto as Exhibit C. is hereby incorporated to capture the intended architecture of townhouses to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.
- b) Building Materials: Permitted exterior building materials are as follows:
 - i) Masonry Material (brick or cultured stone), vinyl siding (horizontal, shake and board and batten with a minimum gauge of .046), composite trim, composite veneer panels, vinyl shutters, aluminum fascia, aluminum soffits, aluminum downspouts/gutters.
 - ii) All building facades (the entire base of the townhome building exclusive of doors) shall include Masonry Material at a minimum height of twenty-four (24) inches or the bottom of the lowest first floor window, whichever is greater.
- c) Minimum Overhang: The primary/main roof overhang or eaves shall be a minimum of eleven inches (11") on all facades of each Building, as measured prior to the installation of any Masonry Materials.
- d) Dwelling Design: The following standards shall apply to all Dwellings:
 - i) Perimeter Lots Fronting Ditch Road: Townhomes as shown on the Concept Plan as "Rear-Load Townhome", shall require the front door to face Ditch Road and the garage shall face an internal street.
 - ii) Garages: All Dwellings shall have a two (2) car garage.
 - iii) Roof Pitch:
 - 1. The minimum primary/main and secondary roof pitches of all townhome buildings shall be no less than 6:12.
 - 2. Shed roof dormer accents shall be no less than 3:12.

- iv) Front Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Front Building Façade (façade including the entry door) unless specifically noted otherwise:
 - 1. Shall consist of Masonry Material and two (2) of the following materials: composite trim, composite veneer panels, horizontal siding, shake siding or board and batten siding.
 - 2. Shutters or a six-inch (6") nominal trim board on all operable windows (windows which open) shall apply unless wrapped in masonry.
 - 3. A minimum of one (1) offset at least one-foot (1') deep by a minimum height equivalent to one-story (exclusive of relief for doors, windows and other openings). Said relief could be either on the first floor or second floor.
 - 4. A minimum of four (4) windows.
 - 5. Front door entranceways shall include a porch not less than three feet (3') deep by three and one-half feet (3.5') wide (prior to installation of any Masonry Material).
 - 6. The roof design shall include at least one (1) of the following features: dormer, jerkinhead roof, shed roof accent, cornice returns, gable, or two (2) or more roof planes.
 - 7. Gable ends shall include a minimum of one of the following architectural treatments: brackets, trim detail, change in material pattern, sub-rake board not less than four-inch (4") nominal width or composite veneer panels.
- v) Side Building Façade Requirements: At a minimum, the side elevation for each end unit on each Townhome building shall utilize the following architectural elements (exclusive of common firewalls separating units contained in same building structure):
 - 1. A minimum of five (5) windows shall be required on Front Load Townhomes.
 - 2. A minimum of three (3) windows shall be required on Rear Load Townhomes.
 - 3. All windows shall have a minimum four-inch (4") nominal width trim.
 - 4. Architectural treatment (trim detail, a change in material pattern, etc.) shall be utilized on gable ends.
- vi) Rear Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Rear Façade (façade opposite the façade including the entry door):

1. A minimum of five (5) windows and a patio door shall be required on Front Load Townhomes.
2. A minimum of two (2) windows shall be required on Rear Load Townhomes.
3. All windows shall have a minimum four-inch (4") nominal width trim.

57) Building Standards (Article 6.4)

- a) Multi-family Residential Uses: More than one (1) Principal Building used for residential purposes, and its Accessory Buildings, shall be permitted on a Lot in a Multi-family District.

58) Fence Standards (Article 6.5)

59) Height Standards (Ord. 21-35)

60) Landscaping Standards (Article 6.8)

- a) Selection: The minimum sizes set forth below shall apply to required plantings at installation, unless otherwise specified herein.
 - i) Shade Trees: A minimum of eight (8) feet in height and two (2) inches in Caliper. Shall be of a variety that will attain an average mature spread greater than twenty (20) feet.
 - ii) Evergreen Trees: A minimum of six (6) feet in height.
 - iii) Ornamental Trees: A minimum of two (2) inches in Caliper.
 - iv) Shrubs: A minimum of eighteen (18) inches in height.
 - v) Credit for Larger Trees: A proportional decrease in the required number of trees is allowed if larger Caliper trees than required herein are planted (e.g., trees with Caliper measures of four (4) inches may replace two (2) required two (2) inch Caliper trees).
- b) Placement: Installed plantings shall comply with the following:
 - i) Minimum Distance from Sidewalk and Curb: Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.
- c) General Design Standards: Landscaping shall be as generally depicted on Exhibit B. If a provision of Article 6.8 Landscaping Standards is in conflict with Exhibit B, then this Ordinance shall control. Relocation of plant materials shall be permitted as part of the Development Plan approval. (Ord. 21-35)

- d) Street Trees: Article 6.8(J) Street Trees shall only apply to internal streets, however, a minimum spacing requirement of twenty feet (20') shall apply and Street Trees may be placed on the lot. (Ord. 21-35)
- e) Street Trees: Street Trees shall be required in accordance with the following, and the placement standards set forth herein:
 - i) Spacing: Street Trees shall be required an average of every fifty (50) feet; however, the Street Trees may be spaced at a maximum spacing of sixty (60) feet ... Where impracticable, the Director may approve an increase in the maximum spacing. In addition to the placement standards of this Article, Street Trees shall also be planted a minimum of ten (10) feet away from Driveways, Alleys, fire hydrants, mailboxes and other similar improvements.
 - f) Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply; except as modified below as generally illustrated on Exhibit D. (Ord. 21-35)
 - i) At a minimum, the yard between the entry door of a dwelling and the street shall be sodded and the remainder of the Lot shall be seeded.
 - ii) A minimum of: one (1) Shade Tree and four (4) Shrubs shall be required per Townhome Dwelling. Where the Street Tree is placed in the Front Yard of a Front-Load Townhome dwelling the street tree shall (i) meet the one (1) Shade Tree requirement of this section and (ii) shall be placed a minimum of four (4) feet from the sidewalk.
 - iii) Each Townhome on a Corner Lot shall have a minimum of one (1) Shade Tree required between the side of the dwelling and the street.
 - g) External Street Frontages: Article 6.8(M)(1) External Street Frontage Landscaping Requirements – Residential Uses shall apply except as modified below: (Ord. 21-35)
 - i) Article 6.8(M)(1) shall not apply to the Ditch Road frontage as Rear-Load Townhomes faces this Perimeter Street.
 - ii) Article 6.8(M)(1) shall apply to the Casey Road frontage except as modified below:
 - 1. No mounds shall be required along External Street Frontages.
 - 2. Four (4) evergreen trees, three (3) shade trees, three (3) ornamental trees, and twenty-five (25) shrubs per 100 LF of frontage along the Casey Road frontage.
 - 3. Required shrubs may be substituted with an evergreen tree or shade tree at a rate of five (5) shrubs: one (1) tree.
 - h) Common Areas / Detention/Retention Areas: (Ord. 21-35)

- i) A Fountain shall be installed and seasonally maintained within the Detention Pond.
- ii) Twelve (12) additional shade trees at a 2" caliper shall be provided around the Detention Pond.
- i) Buffer Yards: Article 6.8(N) Buffer Yard Requirements shall not apply as none is required under the UDO. (Ord. 21-35)

61) Lighting Standards (Article 6.9)

62) Lot Standards (Article 6.10)

63) Outside Storage and Display (Article 6.12)

64) Outdoor Café and Eating Areas (Article 6.13)

65) Parking and Loading Standards (Article 6.14)

a) Required Spaces: Off-street Parking Spaces shall be provided as follows:

- i) Multi-family Dwellings: Two (2) spaces per Dwelling Unit.

66) Setback Standards (Article 6.16)

67) Sign Standards (Article 6.17)

- a) Monument Signs: Subdivisions and developments for Single-family and Multi-family Dwellings shall be permitted one (1) of the following to be located at the entrance(s) of the development:
 - i) One (1) Monument Sign per development entrance not to exceed nine (9) feet in height and thirty-two (32) square feet of Sign Area per Sign face; or,
 - ii) Two (2) separate Sign display areas per entrance, provided that the Sign Area is directly incorporated into an entrance landscape feature, wall, or other decorative feature. In no instance shall the Sign Area exceed fifteen (15) feet in height or fifty (50) square feet per Sign.

68) Vision Clearance Standards (Article 6.19)

69) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO and Ord. 21-07)

The plans comply.

70) Block Standards (Article 8.1)

71) Easement Standards (Article 8.3)

72) Monument and Marker Standards (Article 8.5)

73) Open Space and Amenity Standards (Article 8.6)

a) Open Space and Amenity Standards: Shall apply except as otherwise modified or enhanced below. (Ord. 21-35)

i) Minimum Open Space: Open Space (green space area on lots and common areas) shall be a minimum of thirty (30) percent and as generally shown on the Concept Plan.

b) Qualifying Site Features:

i) Detention and Retention Areas may only qualify as Open Space if they comply with Article 6.8 Landscaping Standards and if such areas are located and designed for the Use and benefit of the public as an amenity to the development.

c) Multi-family Districts: Multi-family Districts shall be provided with development amenities in accordance with this section.

i) Minimum Number of Amenities: The number of amenities required shall be proportional to the size of the development as follows:

ii) Qualifying Amenities: Each type of amenity shall count as one (1) amenity, regardless of the quantity of the amenity that is provided (e.g., if two (2) basketball courts are provided, then collectively the courts shall count only as one (1) amenity). Qualifying amenities may include, but is 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. Picnic/barbecue areas and playgrounds are permitted as amenities in accordance with the following standards, or as otherwise approved by the Plan Commission or Director:

1. One (1) picnic/barbecue area (that shall include at least one (1) barbecue grill and one (1) picnic table) per 50 Dwelling Units; and

2. One (1) large playground at least 5,000 square feet in area per 150 Dwelling Units. The square feet required is of the total play area, including safe fall zones. Play

equipment should include a variety of elements within a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:

- (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.
3. One (1) small playground at least 2,000 square feet in area per 50 Dwelling Units. The square feet required is of the total play area, including safe zones. Play equipment should include a variety of elements with a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:
- (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.
4. All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

- 75) Storm Water Standards (Article 8.8)
 - 76) Street and Right-of-Way Standards (Article 8.9)
 - 77) Street Light Standards (Article 8.10)
 - 78) Street Sign Standards (Article 8.11)
 - 79) Surety Standards (Article 8.12)
 - 80) Utility Standards (Article 8.13)
-

DEPARTMENT COMMENTS

- 1) Action:** The Department recommends approval of the requested subdivision control waivers (UDO Article 8.9(G)(3): Streets and Right-of-Way Standards, Improvement Standards) with the following findings (Article 7.3(C)):
 - a. The proposed development represents an innovative use of site design, site access design, site circulation design, building orientation, building materials, and landscaping which will enhance the use or value of area properties.
 - b. The proposed development will not be injurious to the public health, safety, morals or general welfare of the community.
 - c. The strict application of the Ordinance standards will result in a development of the real estate which is undesirable when compared with the proposed development.
 - d. The proposed development is consistent with and compatible with other development located in the area.
 - e. The proposed development is consistent with the intent and purpose of the Comprehensive Plan.
- 2) Action:** The Department recommends approval of the requested subdivision control waivers (UDO Article 8.6(H): Open Space and Amenity Standards, Multifamily Districts) with the following findings (Article 7.3(C)):
 - a. The proposed development represents an innovative use of site design, site access design, site circulation design, building orientation, building materials, and landscaping which will enhance the use or value of area properties.
 - b. The proposed development will not be injurious to the public health, safety, morals or general welfare of the community.

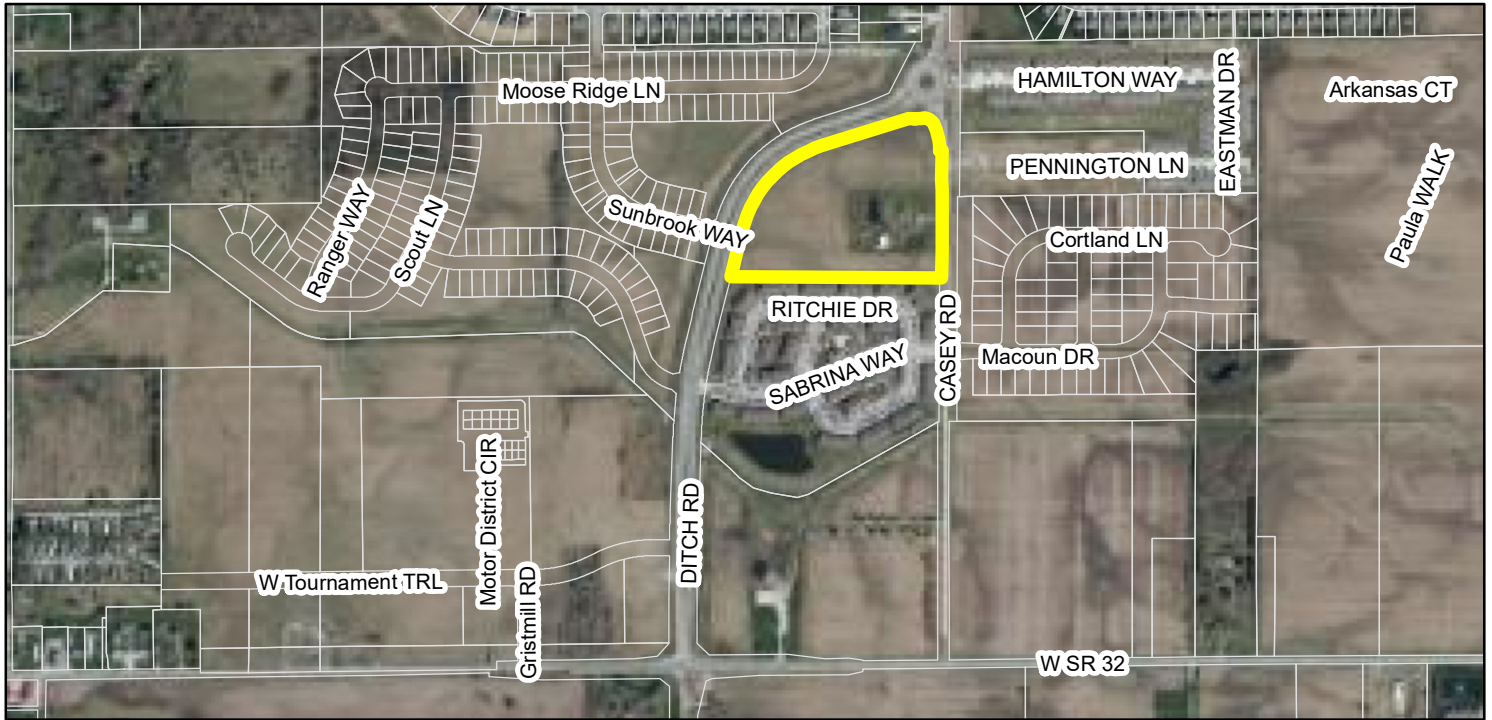
- c. The strict application of the Ordinance standards will result in a development of the real estate which is undesirable when compared with the proposed development.
 - d. The proposed development is consistent with and compatible with other development located in the area.
 - e. The proposed development is consistent with the intent and purpose of the Comprehensive Plan.
- 3) **Action:** 2112-ODP-27 & 2112-SPP-26 comply with the Springmill Trail Mixed-Use Amendment PUD District (Ord. 21-35) and the UDO except as otherwise noted herein with regard to the petitioner's requested waiver. If the Plan Commission has approved the requested waiver, then the Department recommends approving the petition with the following condition:
- a) All necessary approvals be obtained from the Westfield Public Works Department and Hamilton County Surveyor's Office prior to the issuance of an improvement location permit.
- 4) If the waiver request is not approved, then the plans do not comply with the applicable zoning ordinances. If this occurs, then the Department recommends continuing the petition to the next Plan Commission meeting to allow the petitioner an opportunity to revise their plans to bring them into compliance.
- 5) If any Plan Commission member has questions, please contact Rachel Riemenschneider at 463-231-6649 or rriemenschnneider@westfield.in.gov.



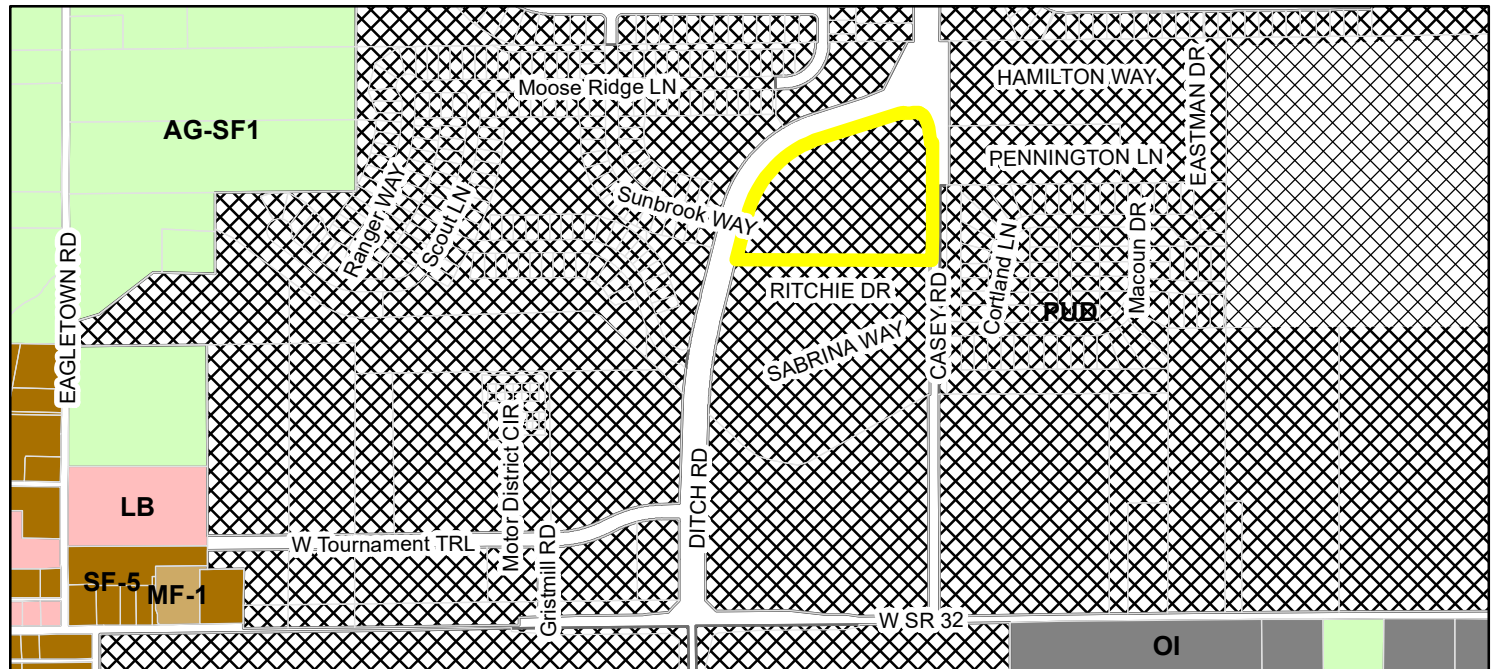
Property Location Map
Casey Corner
2112-ODP-27 & 2112-SPP-26



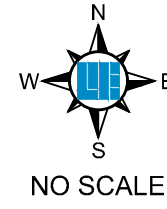
Aerial Location Map



Zoning Map



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



PRIORITIES		
WESTFIELD DEPT. OF PUBLIC WORKS ATTENTION: JEREMY LOLLAR 2706 EAST 171ST STREET WESTFIELD, IN 46074 317-804-3100	WESTFIELD FIRE DEPARTMENT ATTENTION: MARCUS REED 17535 DARTMOUTH ROAD WESTFIELD, IN 46074 317-896-2704	DUKE ENERGY [ELECTRIC] ATTENTION: TRENT GODESEY 16475 SOUTH PARK DRIVE WESTFIELD, IN 46074 317-896-6711
MARATHON PIPELINE COMPANY, LLC ATTENTION: AUSTIN GUYER 10222 EAST COUNTY ROAD 300 NORTH INDIANAPOLIS, IN 46234 317-291-9460	HAMILTON COUNTY SURVEYOR'S OFFICE ATTENTION: KENTON WARD 1 HAMILTON COUNTY SQUARE, STE. 189 NOBLESVILLE, IN 46060 317-776-9626	MTRON ATTENTION: CHRIS BLUTO 3701 COMMUNICATIONS WAY EVANSVILLE, IN 47715 317-465-1046

1

TELEPHONE: (317) 846-6611

	Common Area A:
	Total Common Area:
OPEN SPACE CALCULATIONS:	
Overall Site =	10.99
Total Open Space Provided =	6.21
Total Percentage Provided =	57.1

SHEET INDEX	
SHEET NO.	DESCRIPTION
P001	COVER SHEET
P100	INFRASTRUCTURE EXHIBIT
P101-102	OVERALL DEVELOPMENT PLAN
P103-104	PRIMARY PLAN
L100	LANDSCAPE PLAN

COLLEGE AVE.

TELEPHONE: (317) 846-6611
CONTACT PERSON: RICK M. ELLIS
EMAIL: ellisr@weihe.net

DEGREES 15 MINUTES 45 SECONDS EAST
CURVATURE OF A CURVE TO THE RIGHT 11

FROM THE POINT OF BEGINNING, THENCE S66°17'00" E 0.0000 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.993 ACRES, MORE OR LESS.

--	--	--

--	--

--	--

INDIANAPOLIS, IN 46220
317-252-4007

10505 N. COLLEGE AVE.
INDIANAPOLIS, INDIANA 46280
TELEPHONE: (317) 846-6611
CONTACT PERSON: RICK M. ELLIS
EMAIL: ellisr@weihe.net

--	--

CASEY CORNER

17908 CASEY ROAD, WESTFIELD, INDIANA 46074

COVER SHEET

Part of the Southwest Quarter of Section 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana

WEIHER
ENGINEERS

Land Surveying | Civil Engineering
Landscape Architecture

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CASEY CORNER

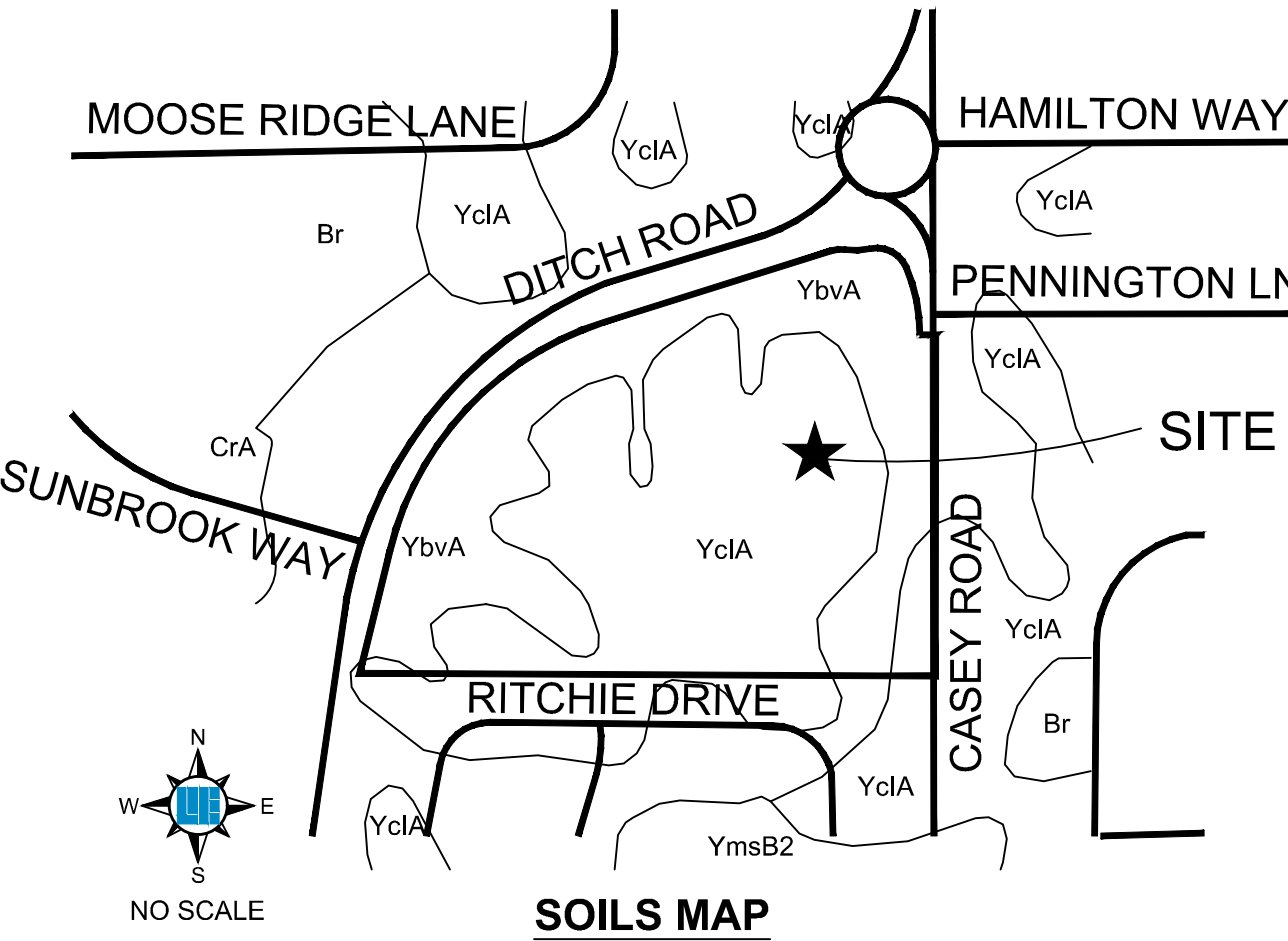
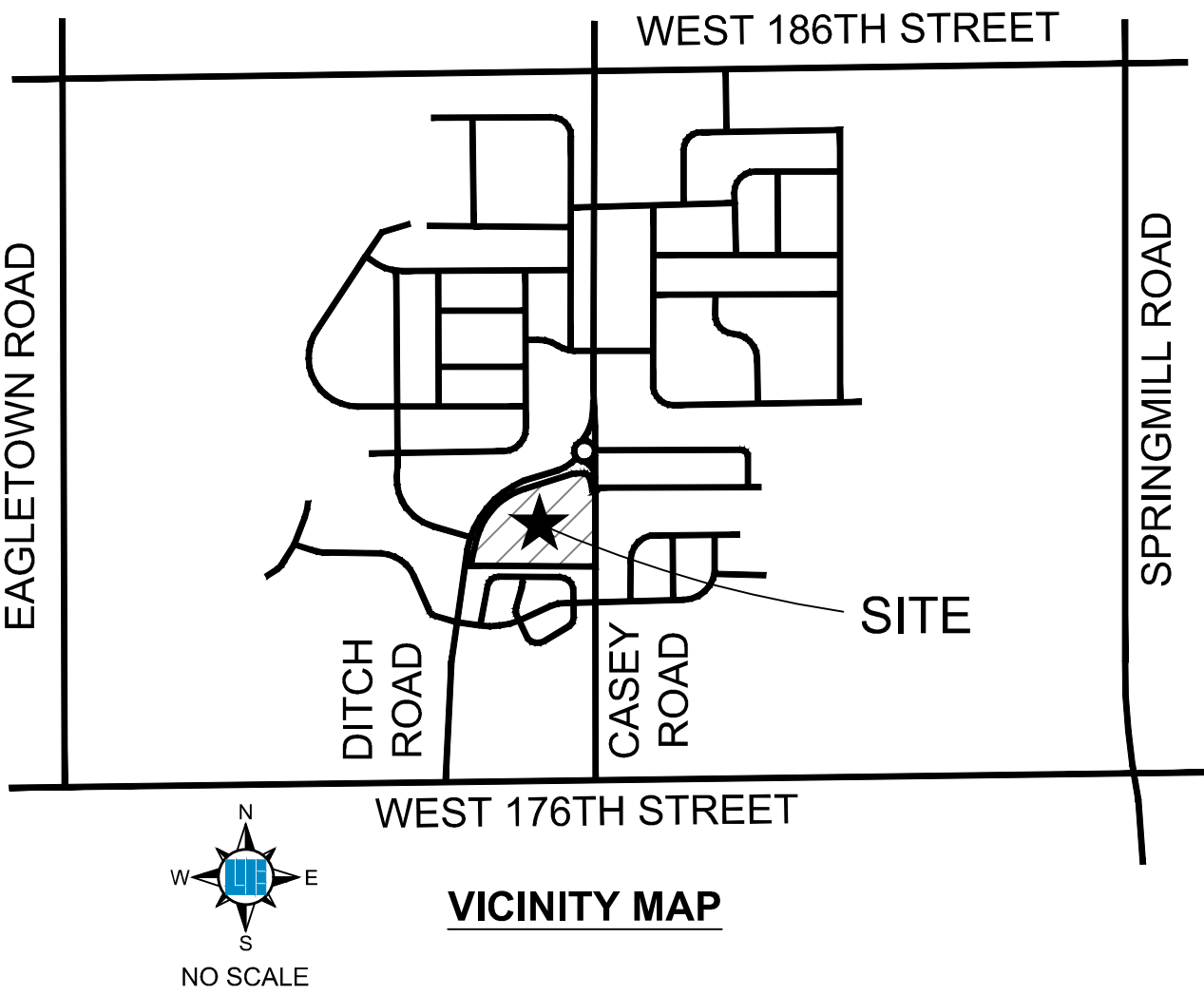
17908 CASEY ROAD,

SHEET NO.
P001
PROJECT NO.
W210333

Part of the Southwest Quarter of Section 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana

CASEY CORNER INFRASTRUCTURE EXHIBIT

WASHINGTON TOWNSHIP
WESTFIELD, INDIANA



SOIL SERIES	DESCRIPTION
YclA	Crosby silt loam, fine-loamy subsoil-Urban land complex, 0 to 2 percent slopes
YbvA	Brookston silty clay loam-Urban land complex, 0 to 2 percent slopes

NOTE: ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST (SEE LANDSCAPE PLAN FOR LIST). STREET TREES SHALL NOT BE WITHIN FOUR (4) FEET OF ANY PAVEMENT. THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.

PLANS PREPARED FOR
PLATINUM PROPERTIES MANAGEMENT CO., LLC.
9757 WESTPOINT DRIVE, SUITE 600
INDIANAPOLIS, INDIANA 46256
TELEPHONE: (317) 863-2057
CONTACT PERSON: TIMOTHY J. WALTER, P.E.
EMAIL: twalter@platinum-properties.com

PLANS PREPARED BY
WEIHE ENGINEERS
10505 N. COLLEGE AVE.
INDIANAPOLIS, INDIANA 46280
TELEPHONE: (317) 846-6611
CONTACT PERSON: RICK M. ELLIS
EMAIL: ellisr@weihe.net



10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317 | 846 - 6611
800 | 452 - 6408
317 | 843 - 0546 fax

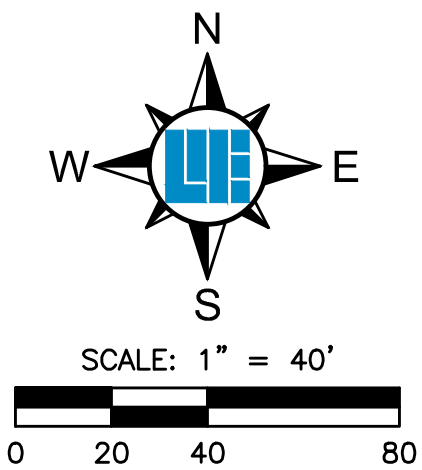
WEIHE
ENGINEERS
Land Surveying | Civil Engineering
Landscape Architecture
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DATE	BY	PROJECT NO.
10-30-2021	JRV	W210333
11-25-2021	JRV	DWG NAME:
12-02-2021	JRV	DESIGNER:
12-02-2021	JRV	DRAWN BY:
	JRV	CHECKED BY:
	RMS	DATE:
		10/20/2021

CASEY CORNER
17908 CASEY ROAD, WESTFIELD, INDIANA 46074
INFRASTRUCTURE EXHIBIT

SHEET NO.
P100
PROJECT NO.
W210333

SITE PLAN



LEGEND

- RIGHT-OF-WAY LINE
- STORM SEWER LINE
- SANITARY SEWER LINE
- WATER MAIN
- MANHOLE
- STORM BEEHIVE INLET
- STORM CURB INLET
- CONCRETE END SECTION



SEE SHEET P101

GENERAL NOTES

1. BASED UPON A SCALED INTERPRETATION OF THE FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 18057C0128G AND 18057C0120G FOR WESTFIELD, INDIANA, DATED NOVEMBER 19, 2014 THE DESCRIBED REAL ESTATE LIES WITHIN THE UNSHADED ZONE "AE", WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
2. ALL STREETS, CURBS, WALKS, SANITARY SEWERS, STORM SEWERS, DRAINAGE IMPROVEMENTS, AND WATERMANS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF WESTFIELD'S DEPARTMENT OF PUBLIC WORKS CURRENT UTILITY AND INFRASTRUCTURE CONSTRUCTION STANDARDS AND SPECIFICATIONS AND CITIZENS WATER & WASTEWATER OF WESTFIELD STANDARDS.
3. ALL STREET RIGHT OF WAY INTERSECTIONS TO BE ROUNDED OFF WITH A 20' RADIUS UNLESS OTHERWISE NOTED.
4. ALL STREET CURB INTERSECTIONS TO BE ROUNDED WITH A RADIUS OF 30' UNLESS OTHERWISE NOTED.
5. DRIVEWAYS LOCATED ON CORNER LOTS SHALL BE LOCATED ON THE SIDE OF THE LOT FURTHEST AWAY FROM THE INTERSECTION AND IN NO CASE SHALL BE LOCATED WITHIN 30' OF THE RIGHT OF WAY INTERSECTION OF TWO STREETS.
6. NO FENCE, WALL, HEDGE, TREE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINES AND ELEVATIONS BETWEEN 3' AND 9' ABOVE THE STREET SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET RIGHT OF WAY LINES AND A LINE CONNECTING POINTS 40' FROM THE INTERSECTION OF SAID STREETS.
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11. LOCATIONS OF UTILITIES SHOWN WITHIN THESE PLANS ARE BASED UPON INFORMATION OBTAINED FROM UTILITY COMPANIES OR THEIR REPRESENTATIVES AND FIELD EVIDENCE OF IMPROVEMENTS VISIBLE ON THE GROUND SURFACE. EXACT LOCATIONS OF UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED. THE CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND REQUEST FIELD LOCATIONS OF SUCH WITHIN THE WORK AREA PRIOR TO COMMENCING EXCAVATION ACTIVITIES. THE CONTRACTOR SHALL REPORT ANY VARIATIONS FROM THE LOCATIONS SHOWN THAT MAY PRESENT A CONFLICT WITH EXECUTION OF THE WORK TO THE ENGINEER IN ADVANCE OF CONSTRUCTION.
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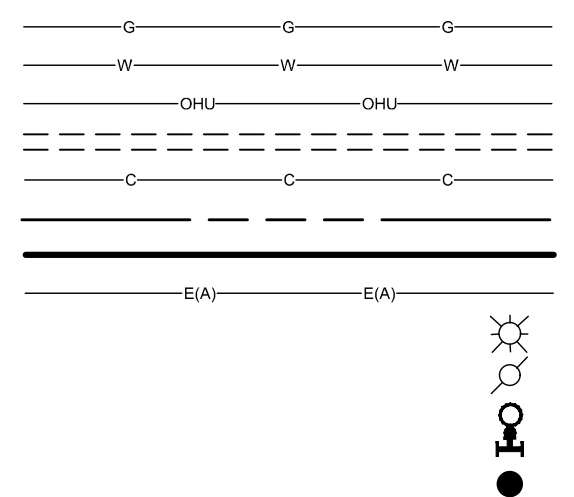
17. IN ADDITION TO PROPOSED STREET LIGHTING EACH HOME SHALL BE REQUIRED TO INSTALL A DUSK TO DAWN LIGHT.
 18. THE DEVELOPMENT IS PROPOSED TO BE SERVED BY PUBLIC SANITARY SEWERS, WATER MAINS, STORM SEWERS, GAS, ELECTRIC, TELEPHONE AND CABLE TV. THE APPLICABLE UTILITIES HAVE, OR WILL HAVE, SUFFICIENT CAPACITY TO PROVIDE SAID UTILITIES AT A LEVEL OF SERVICE TO MEET THE NEEDS OF THE DEVELOPMENT. SEE LIST OF OPERATING AUTHORITIES ON SHEET P100.
 19. ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST (SEE LANDSCAPE PLAN FOR LIST). STREET TREES SHALL NOT BE WITHIN FOUR (4) FEET OF ANY PAVEMENT, THERE SHALL BE NO TREES WITHIN TEN (10) FEET OF ANY STORM SEWER INCLUDING SSD.
 20. SQUARE FOOTAGE FOR INDIVIDUAL BUILDING UNITS IS NOT AVAILABLE AT THIS TIME, BUT THE ARCHITECT HAS INDICATED THAT ALL UNITS WILL HAVE AT LEAST 1700 SQUARE FEET OF LIVABLE AREA.
- PROJECT BM**
LEE12 AZ1
A DEPARTMENT OF NATURAL RESOURCES BRASS TABLET, STAMPED "LEE 12 AZ1", SET IN THE TOP OF A CONCRETE POST.
ELEV. 915.74 (NAVD 88)
- SITE TBM**
CUT "X" ON NORTH HEX NUT OF FIRE HYDRANT ON NORTHWEST SIDE OF DITCH ROAD ACROSS THE STREET FROM SITE.
ELEV. 911.93 (NAVD 88)

LEGAL DESCRIPTION

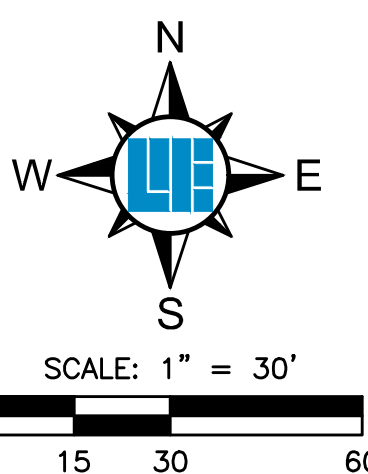
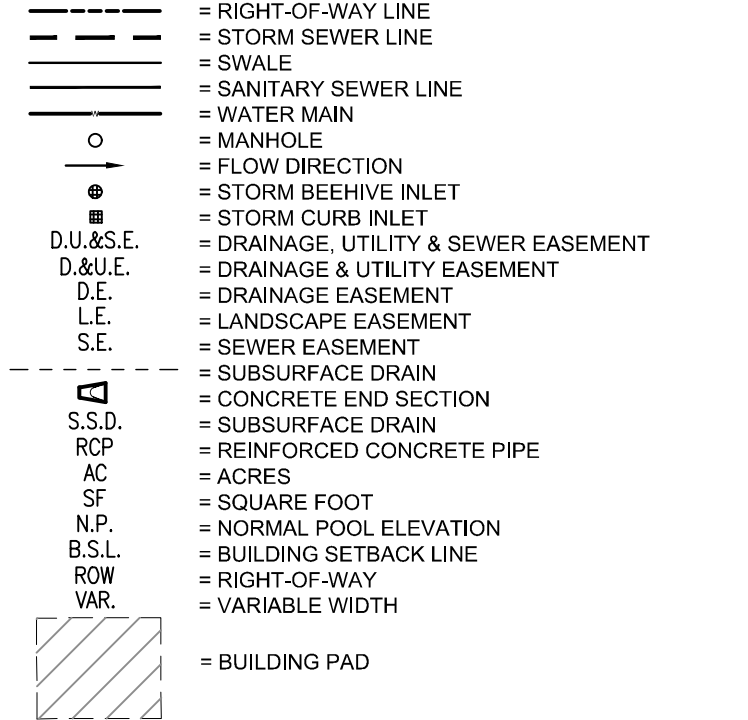
PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUART OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 05 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS PER PLAT OF CASEY ACRES APARTMENTS RECORDED AS INSTRUMENT #2013031598), ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION, 462.83 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 05 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, 538.79 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 57 SECONDS WEST, ALONG THE NORTH LINE OF SAID CASEY ACRES, 908.75 FEET TO THE EAST LINE OF PROPOSED EAGLE PARKWAY; THE REMAINING COURSES ARE ALONG THE EAST LINE OF PROPOSED EAGLE PARKWAY) THENCE NORTH 13 DEGREES 50 MINUTES 17 SECONDS EAST 199.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 76 DEGREES 09 MINUTES 43 SECONDS EAST 505.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND ARC DISTANCE OF 517.13 FEET TO A POINT WHICH BEARS NORTH 17 DEGREES 29 MINUTES 23 SECONDS WEST 505.00 FEET; THENCE NORTH 72 DEGREES 30 MINUTES 37 SECONDS EAST 375.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 17 DEGREES 29 MINUTES 23 SECONDS EAST 50.00 FEET; THENCE EASTERLY ALONG SAID CURVE AN ARC DISTANCE 22.45 FEET TO A POINT WHICH BEARS NORTH 08 DEGREES 14 MINUTES 16 SECONDS EAST 50.00 FEET FROM SAID RADIUS POINT AND BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 08 DEGREES 14 MINUTES 16 SECONDS EAST 112.00 FEET; THENCE EASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 40.26 FEET TO A POINT WHICH BEARS SOUTH 12 DEGREES 21 MINUTES 38 SECONDS EAST 112.00 FEET FROM SAID RADIUS POINT AND BEING THE POINT OF CURVATURE OF A CURE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 12 DEGREES 21 MINUTES 38 SECONDS EAST 50.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 69.48 FEET TO A POINT WHICH BEARS NORTH 67 DEGREES 15 MINUTES 45 SECONDS EAST 50.00 FEET FROM SAID RADIUS POINT AND BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 67 DEGREES 15 MINUTES 45 SECONDS WEST 275.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 109.41 FEET TO A POINT WHICH BEARS SOUTH 89 DEGREES 56 MINUTES 33 SECONDS EAST 275.00 FEET FROM SAID RADIUS POINT; THENCE SOUTH 89 DEGREES 56 MINUTES 33 SECONDS EAST 25.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.983 ACRES, MORE OR LESS.

LEGEND: EX. CONDITIONS



LEGEND: PROPOSED CONDITIONS



10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317 | 846 - 6611
800 | 452 - 6408
317 | 843 - 0546 fax

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Landscape Architecture
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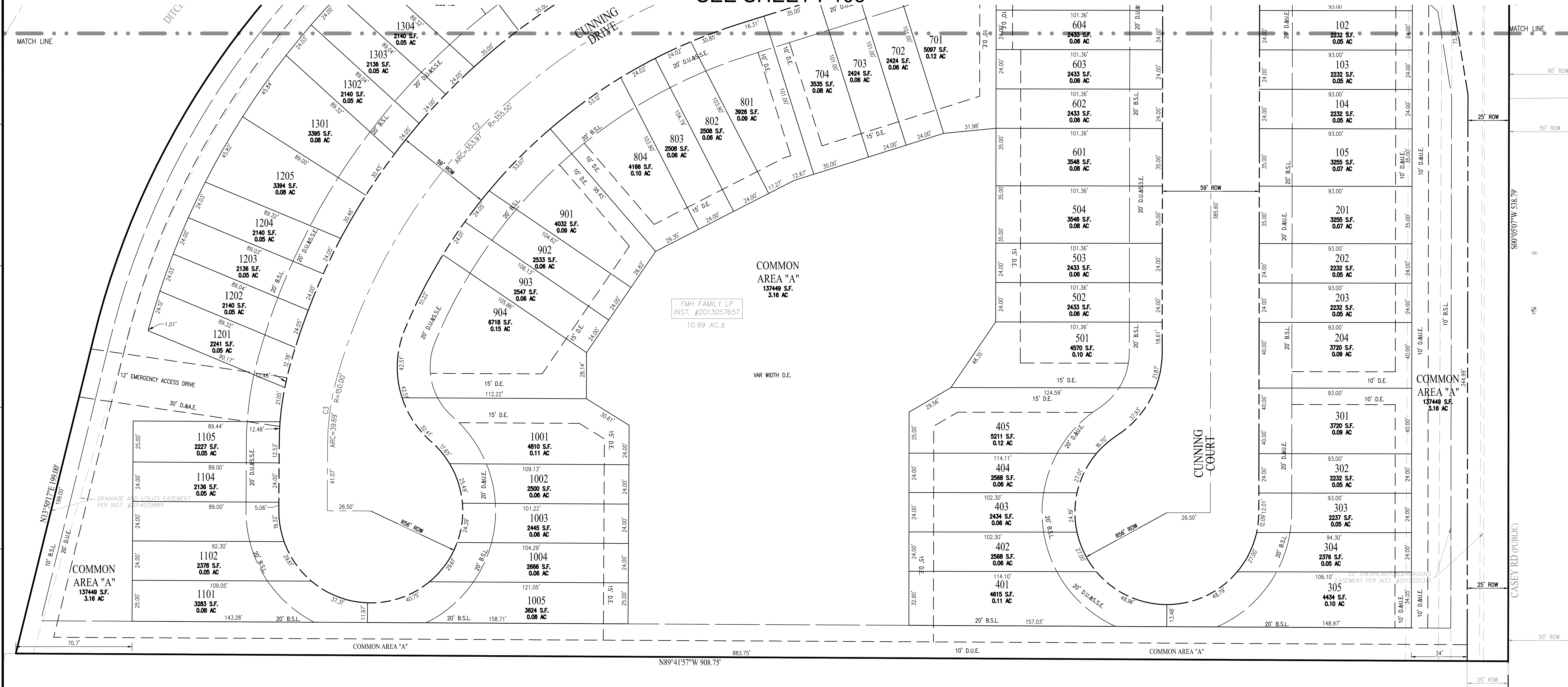
REVISIONS AND ISSUES	DATE	BY	PROJECT NO.
REVISED LAYOUT TO EXPAND R/W FROM ST TO SF	10-30-2021	JRV	W210333
MISC REVISIONS PER CLIENT	11-05-2021	JRV	DWG NAME:
REVISED PER TAC COMMENTS	12-02-2021	JRV	DESIGNED BY: P101
			DRAWN BY: JRV
			CHECKED BY: RMS
			DATE: 10/20/2021

CASEY CORNER
17908 CASEY ROAD, WESTFIELD, INDIANA 46074
OVERALL DEVELOPMENT PLAN
SHEET NO.
P102
PROJECT NO.
W210333



LOCATION: D:\Civil 3D Projects\2021\W210333\Engineering\preliminary\plat\P103.dwg
LAYOUT: P103
DATE/TIME: December 02, 2021 - 12:03pm
PLOTTED BY: vimal

SEE SHEET P103



GENERAL NOTES

1. BASED UPON A SCALED INTERPRETATION OF THE FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 18057C0128G AND 18057C0129G FOR WESTFIELD, INDIANA, DATED NOVEMBER 19, 2014 THE DESCRIBED REAL ESTATE LIES WITHIN THE UNSHADED ZONE "AE", WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
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PROJECT BM

LEE12 AZI
A DEPARTMENT OF NATURAL RESOURCES BRASS TABLET, STAMPED "LEE 12 AZI", SET IN THE TOP OF A CONCRETE POST
ELEV. 915.74 (NAVD 88)

SITE BLM

CUT 'X' ON NORTH HEX NUT OF FIRE HYDRANT ON NORTHWEST SIDE OF DITCH ROAD ACROSS THE STREET FROM SITE.
ELEV. 911.93 (NAVD 88)

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING
C1	92.23'	300.00'	17°36'51"	S81°19'03"W
C2	353.97'	355.50'	57°02'57"	S43°59'09"W
C3	39.69'	150.00'	15°09'37"	S07°52'52"W

LEGAL DESCRIPTION

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

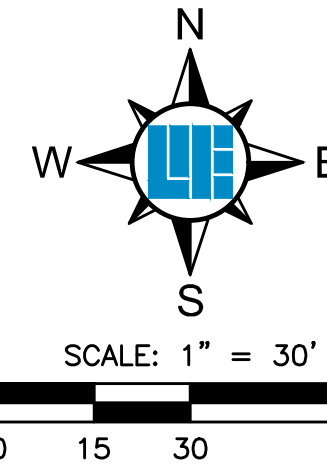
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LEGEND: EX. CONDITIONS

--- RIGHT OF WAY LINE
--- BOUNDARY LINE

LEGEND: PROPOSED CONDITIONS

--- = RIGHT-OF-WAY LINE
--- = STORM SEWER LINE
--- = SWALE
--- = SANITARY SEWER LINE
D.U.&S.E. = DRAINAGE, UTILITY & SEWER EASEMENT
D.U.E. = DRAINAGE & UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
L.E. = LANDSCAPE EASEMENT
S.E. = SEWER EASEMENT
AC. = ACRES
SQ. = SQUARE FOOT
B.S.L. = BUILDING SETBACK LINE
ROW = RIGHT-OF-WAY
VAR. = VARIABLE WIDTH



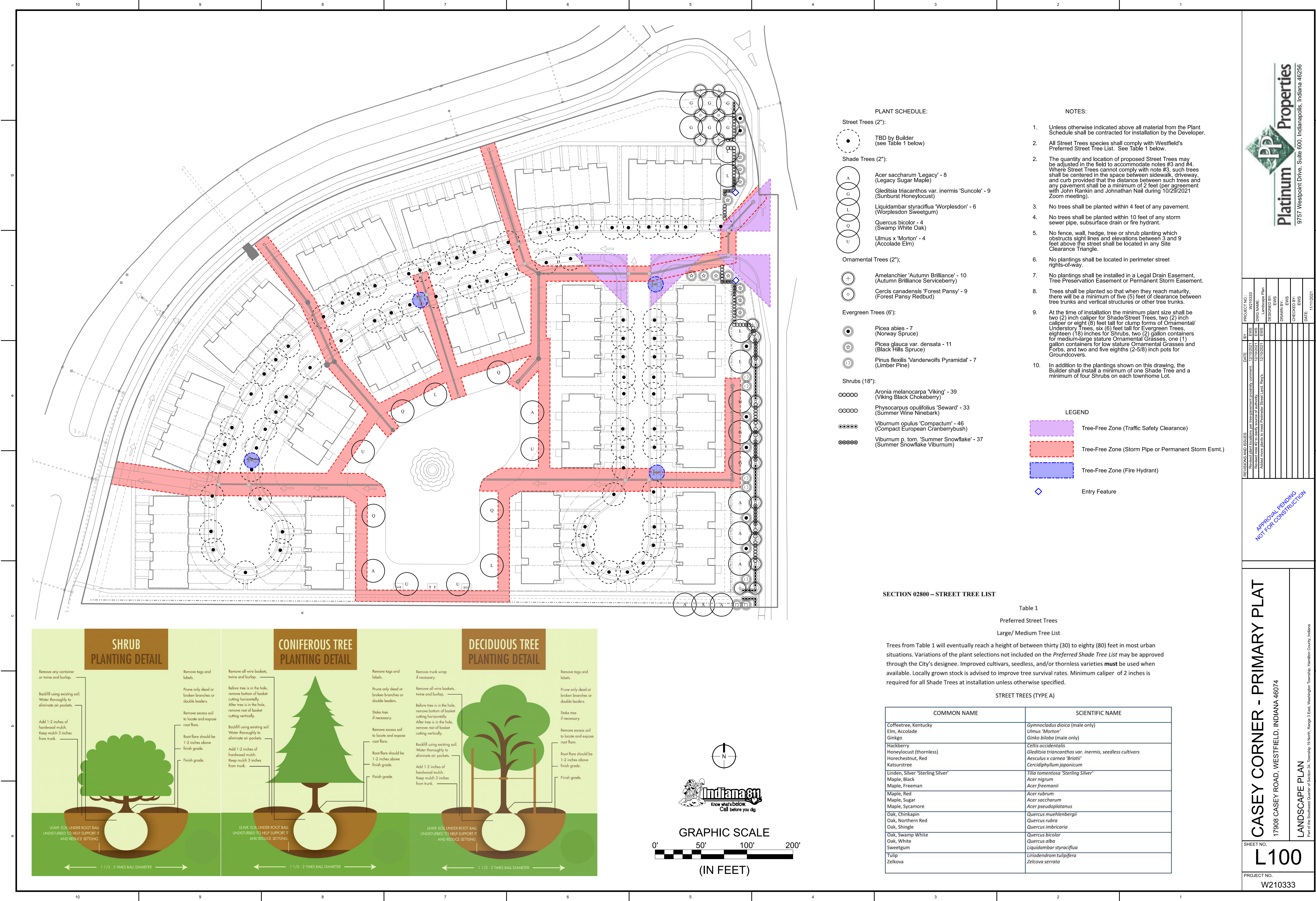
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Indianapolis, Indiana 46280
weihe.net
317 | 846 - 6611
800 | 452 - 6408
317 | 843 - 0546 fax

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ENGINEERS
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Landscape Architecture
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REVISIONS AND ISSUES	DATE	BY	PROJECT NO.
REVISED LAYOUT TO EXPAND ROW FROM ST TO SF	10-30-2021	JRV	W210333
MISSING REVISIONS PER CLIENT	11-05-2021	JRV	DWG NAME:
REVISED PER TAC COMMENTS	12-02-2021	JRV	DESIGNED BY: JRV
			DRAWN BY: JRV
			CHECKED BY: JRV
			RMS
			DATE: 10/20/2021

CASEY CORNER
17908 CASEY ROAD, WESTFIELD, INDIANA 46074
PRIMARY PLAT
Part of the Southwest Quarter of Section 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana

SHEET NO.
P104
PROJECT NO.
W210333



REVISIONS AND ISSUES	DATE	BY	PROJECT NO.
Revised plant locations per tree preservation proximity comment.	12/10/2021	EVS	W210333
Revised note #2 to clarify source of authority.	12/10/2021	EVS	DWG NAME: Landscape Plan
Added note #3a to meet Landscape Street Unit, Rev's	12/10/2021	EVS	DESIGNER: EVS
			DRAWN BY: EVS
			CHECKED BY: EVS
			DATE: 11/11/2021

APPROVAL PENDING
NOT FOR CONSTRUCTION



Attorneys at Law

550 Congressional Blvd., Suite 210, Carmel, Indiana 46032 317-844-0106



JAMES E. SHINAVER
LAWRENCE J. KEMPER *
JOHN B. FLATT *
FREDRIC LAWRENCE
VALERIE L. MATHEIS **
JANE B. MERRILL – Of Counsel

JON C. DOBOSIEWICZ
Land Use Professional

*Also licensed in Kentucky
**Also licensed in Illinois

Via e-mail

December 13, 2021

City of Westfield
Attn: Rachel Riemenschneider

Re: Casey Corner – Primary Plat Waiver Requests

Dear Rachel:

The applicant for Casey Corner has requested two (2) waivers, as follows:

1. UDO – Article 8.9.G.3.1
To allow the maximum cul-de-sac length to exceed 600’.
2. UDO – Article 8.6.H
To allow site features on the attached exhibit entitled “Amenity Plan” to meet the Multi-family District amenity requirements for Casey Corner. A description and discussion of the applicability of Article 8.6.H was provided and occurred at the Plan Commission meeting on December 6th.

Thank you for your assistance in this matter and should you have any questions please do not hesitate to contact me.

Very truly yours,

NELSON & FRANKENBERGER, LLC

Jon Dobosiewicz

Jon C. Dobosiewicz
Land Use Professional

Enclosure



December 15, 2021

Subject: Casey Corner Cul-de-sac Variance

To: APC Members

I have reviewed the Overall Development Plan for the Casey Corner project and determined that the requested variance to the standard limiting cul-de-sacs to less than 600 feet in length is acceptable. As such, I approve this variance to allow a cul-de-sac length greater than 600 feet.

Sincerely,

A handwritten signature in black ink that reads "Johnathon Nail".

Johnathon Nail
City Engineer
City of Westfield

Mayor
Andy Cook

City Council
Joe Edwards
Scott Willis
Jake Gilbert
Scott Frei
Mike Johns
Cindy L. Spoljaric
Troy Patton

Clerk Treasurer
Cindy J. Gossard

Public Works Department

(317) 804-3100 office
(317) 804-3190 fax

2706 East 171st Street
Westfield, IN 46074
westfield.in.gov



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

December 20, 2021

2112-SPV-01

Exhibit 1

Docket Number: 2112-DDP-01

Project Name: Style-Rite Meadows Plat Vacation

Subject Site Address: Southeast corner of 203rd Street and Tomlinson Road

Petitioner: Chatham Hills, LLP

Request: Chatham Hills, LLP requests to vacate Lots 5 through 27 inclusive and 29 through 31 inclusive of the Style-Rite Meadows Subdivision.

Current Zoning: Chatham Hills PUD (Ord. 13-24, as amended by Ord. 19-51)

Current Land Use: Undeveloped

Approximate Acreage: 19.72 +/-

Property History:

- Style-Rite Meadows Subdivision (recorded 5/4/78)
- [Chatham Hills PUD, Ordinance 13-24](#)
- [Chatham Hills PUD Amendment VII, Ordinance 19-51](#)
- Chatham Villages Phase 1, Primary Plat & Overall Development Plan (2004-SPP-06 & 2004-ODP-06) ([5/18/20](#))
- Chatham Villages, Section 1 (2007-SFP-32 (PENDING))
- Chatham Villages, Phase 1, Primary Plat & Overall Development Plan Amendment (2011-SPP-17 & 2011-ODP-17) ([11/16/20](#))

Exhibits:

1. Staff Report
2. Location Map
3. Petition to Vacate
4. Recorded Style-Rite Meadows Plat
5. Proposed Chatham Village Section 1 Secondary Plat

Staff Reviewer: Pam Howard, Senior Planner

PROJECT OVERVIEW

Location: The subject Property is 19.72 acres +/- in size and is located at the southeast corner of 203rd Street and Tomlinson Road (see **Exhibit 2**). The Property is currently zoned the Chatham Hills PUD District.

Property History: The Style-Rite Meadows Plat was approved at the November 28, 1977 Plan Commission meeting, and was recorded on May 4, 1978. The Property was zoned the Chatham Hills PUD with a 2019 PUD Amendment. The Property was included on a Primary Plat and Overall Development Plan that were approved at the May 18, 2020, APC meeting. The Primary

Plat and Overall Development Plan were amended on November 20, 2020, to add additional land to the south. A Secondary Plat is currently in process, but cannot be recorded until the current plat and right-of-way are vacated.

PROCEDURAL

The process for vacating approved plats is outlined in the Unified Development Ordinance and Indiana Code.

UDO Article 10.12(I) Processes and Permits; Subdivision; Vacation of Plats: The procedure to vacate a recorded Secondary Plat shall be as set forth by Indiana Code (see I.C. 36-7-4-711). The vacation of a Secondary Plat shall not be used to vacate platted Rights-of-way, which shall be vacated as set forth in Indiana Code (see I.C. 36-7-3-12), nor shall it be used to vacate platted easements, which shall be vacated as set forth in Indiana Code (see I.C. 36-7-3-16).

Indiana Code includes 2 options for vacating a plat:

1. [IC 36-7-3-10](#) allows for vacation without a public hearing so long as all owners who own land in the plat sign off on the vacation; or
2. [IC 36-7-4-711](#) provides an alternate procedure for cases where not all owners are willing or able to sign off on the proposed vacation. This is the process referenced in the UDO, and a public hearing is required.

REVIEW

Review criteria for vacating a plat are outlined in IC 36-7-4-711(f). The criteria are listed below, along with findings for each criterion.

IC 36-7-4-711(f): After hearing the petition, the plan commission or plat committee shall approve or disapprove the request. The commission or committee may approve the vacation of all or part of a plat only upon a determination that:

- (1) conditions in the platted area have changed so as to defeat the original purpose of the plat;

Finding: The area proposed to be vacated has been purchased by Chatham Hills, LLP, and included on an approved Primary Plat and Overall Development Plan for a residential development to be known as Chatham Villages. The remainder of this block of land will also develop as Chatham Villages, resulting in more cohesive development overall.

- (2) it is in the public interest to vacate all or part of the plat; and

Finding: If developed under the approved Style-Rite Meadows plat, the development would not connect to the surrounding Chatham Village development resulting in a less cohesive development and lower overall walkability in the area of the community.

- (3) the value of that part of the land in the plat not owned by the petitioner will not be diminished by the vacation.

Finding: It is unlikely that the value of other land in the Style-Rite Meadows plat will be diminished because the proposed use of the property is still residential and will be

developed in accordance with the Unified Development Ordinance and the approved Chatham Hills PUD.

DEPARTMENT COMMENTS

1. **Public Hearing:** Hold a public hearing for 2112-SPV-01.
2. **Action:** If the Plan Commission is satisfied with the proposed vacation, then approve the Vacation Petition 2112-SPV-01.
3. If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard (317) 531-3751 or phoward@westfield.in.gov.

THIS DOCUMENT WAS
PREPARED BY AND AFTER
RECORDING SHOULD BE
RETURNED TO:

Taft Law
One Indiana Square, Suite 3500
Indianapolis, IN 46204
Attn: Beth Copeland

This space reserved for Recorder's use only.

PETITION TO VACATE

To: The Advisory Plan Commission of the City of Westfield, Indiana:

I, the undersigned, am one of the owners of property located in the City of Westfield, Hamilton County, Indiana described and platted as Style-Rite Meadows ("Exhibit A"), which includes drainage and utility easements as shown and dedicated on the plat.

On November 28, 1977, the Commission approved a plat for the land identified on Exhibit A. I am requesting that the part of the plat that pertains to me be vacated for the following reason(s): the property is being included on a new Secondary Plat as part of the Chatham Village Subdivision.

The property to be vacated can be identified as: Lots 5 through 27 inclusive and 29 through 31 inclusive of Style-Rite Meadows, as per secondary plat thereof recorded in Plat Book 7 Pages 23 through 25 in the Office of the Recorder of Hamilton County, Indiana.

The name and address of every other owner of land in the plat is:

Lot 1
Jacob Clark & Allison Leigh Thurman
1417 E. 203rd Street, Westfield, IN 46074

Lot 4
Thomas L. & Katherine M. Shultz
1309 E. 203rd Street, Westfield IN 46074

Lots 2 and 3
Larry R. & Judith E. Snapp
1405 E. 203rd Street, Westfield IN 46074

Lot 28
Leon F. & Janice L. Spear
1251 203rd Street, Westfield, IN 46074

CHATHAM HILLS, LLP:

Dated: 11/8, 2021

By: Beth A. Copeland

Name: Bradley S. Hake

Its: Partner

STATE OF INDIANA)
) SS:
COUNTY OF Boone)

Before me, a Notary Public in and for said County and State, personally appeared Bradley S. Hake, who acknowledged the execution of the foregoing document.

Witness my hand and Notarial Seal this 8th day of November, 2021.

My Commission Expires:
May 2023

Douglas L. Fleenor
(Signature)

My County of Residence:
Boone

Douglas L. Fleenor
(printed name)



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: Beth A. Copeland.

This instrument was prepared by Beth A. Copeland, *Taft Law*, One Indiana Square, Suite 3500, Indianapolis, IN 46204

WESTFIELD ADVISORY PLAN COMMISSION

Voting For

Voting Against

Abstain

Robert Horkay

Robert Horkay

Robert Horkay

Ginny Kelleher

Ginny Kelleher

Ginny Kelleher

Andre Maue

Andre Maue

Andre Maue

Victor McCarty

Victor McCarty

Victor McCarty

David Schmitz

David Schmitz

David Schmitz

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

Kristen Burkman

Kristen Burkman

Kristen Burkman

Mike Johns

Mike Johns

Mike Johns

Matt Deck

Matt Deck

Matt Deck

ATTEST: _____
 Kevin Todd, Director of Community Development
 City of Westfield, Indiana

EXHIBIT A

Style-Rite Meadows Plat

LOT 5-27

This document referred to in Document No. 9241601

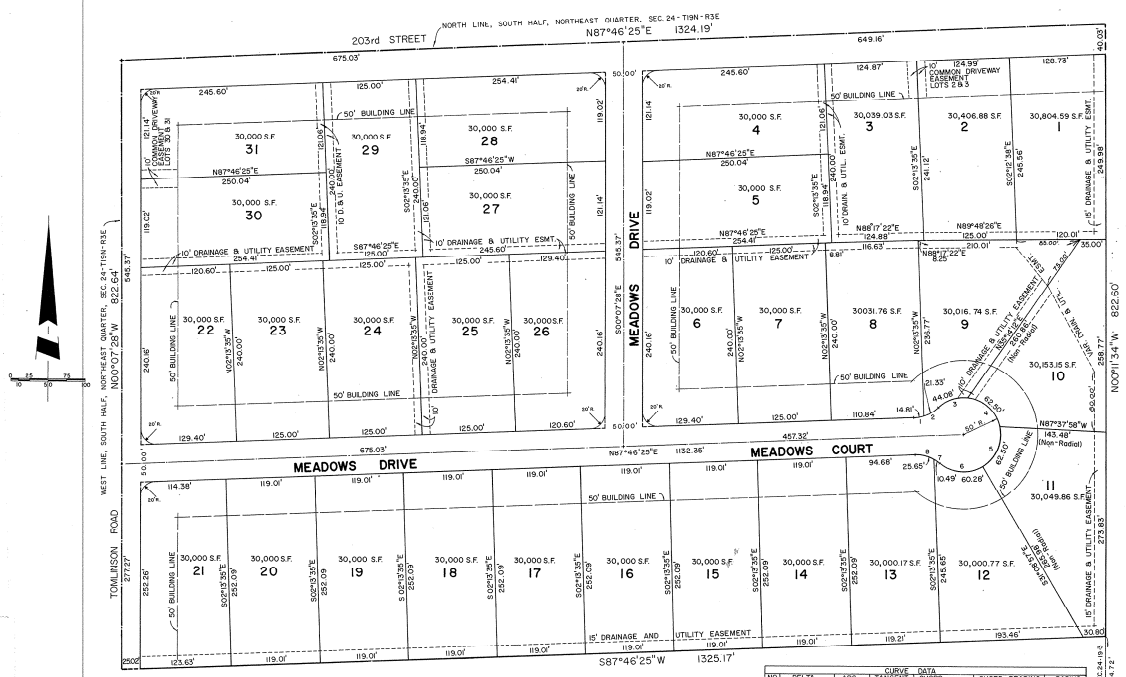
REC 11-27-92

LOT 5-27

This document referred to in Document No. 9241600

REC 10-27-92

STYLE - RITE MEADOWS



I, the undersigned, a Registered Land Surveyor, in the State of Indiana, hereby certify that the within plat represents a subdivision of land in the State of Indiana, and that the same has been duly recorded in the Public Records of Hamilton County, Indiana, and that the same is a true and correct copy of the original as recorded.

Commencing at the Southeast corner of the Northeast Quarter of Section 24, Township 3 North, Range 7 East, Thence South 88 degrees 00 minutes 40 seconds West (magnetic bearing) on and along the South line thereof, 120.00 feet to the West line of the Northeast Quarter and West line 154.77 feet to the Place of Beginning of this tract; thence South 89 degrees 46 minutes 22 seconds West parallel with the North line of the South Half of the Northeast Quarter 120.11 feet to the West line of said Northeast Quarter; thence North 00 degrees 00 minutes 28 seconds West on and along said West line 822.64 feet to the North line of the South Half of said Northeast Quarter; thence South 89 degrees 46 minutes 22 seconds West on and along said West line 14.19 feet; thence North 00 degrees 00 minutes 28 seconds East on and along the East line of the Northeast Quarter of the Northeast Quarter 822.60 feet to the beginning point; containing 23 acres, more or less. Subject to all highways, rights of way and encumbrances of record pertaining to said property.

This subdivision consists of 31 lots, numbered 1 through 31, both inclusive, with streets as shown herein. The lines of the lots and the width of the streets rights-of-way are shown in figures denoting feet and decimal parts thereof.

Witness my signature this 12th day of April, 1978

Chas. F. Fick
Charles F. Fick, Reg. L.S., Indiana 22076



NO.	DELTA	ARC	CURVE DATA	CHORD BEARING	RADIUS
1	20°40'00"	4.00	17.0000	87°14'00" W	30.000
2	20°40'00"	4.00	17.0000	87°14'00" W	30.000
3	20°40'00"	4.00	17.0000	87°14'00" W	30.000
4	20°40'00"	4.00	17.0000	87°14'00" W	30.000
5	20°40'00"	4.00	17.0000	87°14'00" W	30.000
6	20°40'00"	4.00	17.0000	87°14'00" W	30.000
7	20°40'00"	4.00	17.0000	87°14'00" W	30.000
8	20°40'00"	4.00	17.0000	87°14'00" W	30.000
9	20°40'00"	4.00	17.0000	87°14'00" W	30.000
10	20°40'00"	4.00	17.0000	87°14'00" W	30.000
11	20°40'00"	4.00	17.0000	87°14'00" W	30.000
12	20°40'00"	4.00	17.0000	87°14'00" W	30.000
13	20°40'00"	4.00	17.0000	87°14'00" W	30.000
14	20°40'00"	4.00	17.0000	87°14'00" W	30.000
15	20°40'00"	4.00	17.0000	87°14'00" W	30.000
16	20°40'00"	4.00	17.0000	87°14'00" W	30.000
17	20°40'00"	4.00	17.0000	87°14'00" W	30.000
18	20°40'00"	4.00	17.0000	87°14'00" W	30.000
19	20°40'00"	4.00	17.0000	87°14'00" W	30.000
20	20°40'00"	4.00	17.0000	87°14'00" W	30.000
21	20°40'00"	4.00	17.0000	87°14'00" W	30.000
22	20°40'00"	4.00	17.0000	87°14'00" W	30.000
23	20°40'00"	4.00	17.0000	87°14'00" W	30.000
24	20°40'00"	4.00	17.0000	87°14'00" W	30.000
25	20°40'00"	4.00	17.0000	87°14'00" W	30.000
26	20°40'00"	4.00	17.0000	87°14'00" W	30.000
27	20°40'00"	4.00	17.0000	87°14'00" W	30.000
28	20°40'00"	4.00	17.0000	87°14'00" W	30.000
29	20°40'00"	4.00	17.0000	87°14'00" W	30.000
30	20°40'00"	4.00	17.0000	87°14'00" W	30.000
31	20°40'00"	4.00	17.0000	87°14'00" W	30.000

NOTE: PROPERTY LINES AT STREET INTERSECTIONS ARE ROUNDED BY RADIUS OF 30 FEET. HOWEVER, DIMENSIONS SHOWN ARE TO THE P.I. OF THE 30 FOOT RADIUS.

13260

RECEIVED FOR RECORD
MAY 10 1978

DULY ENTERED FOR TAXATION

4 day May 1978
Barbara J. Jennings Auditor
Hamilton County

MAY 4 1978

BOOK 7 PAGE 232425
Judson A. Jones

STYLE - RITE MEADOWS

The undersigned, Raymond G. McCollum, President and Harold L. McFadden, Vice President of Style-Rite Inc., and Donald K. Smith, being the owners of record of the subject real estate, (hereinafter called "Developer"), do hereby lay off, plat and subdivide into lots and streets said real estate in accordance with the within plat. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained and described in said plat.

This subdivision shall be known and designated as STYLE-RITE MEADOWS, a subdivision in Hamilton County, Indiana.

All streets shown and not heretofore dedicated are hereby dedicated to the public for its use.

There are strips of ground as shown on the within plat marked "Drainage Easement" (DR.ESMT.); "Utility Easement" (UT. ESMT.); either separate or in combinations which are reserved for the use of the public utility companies, governmental agencies and Owners in the addition.

- (a) "Utility Easements" (UT. ESMT.) are created for the use of all public utility companies, not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires and also all rights and uses specified for sewer easements as hereinafter designated;
- (b) "Drainage Easements" (DR. ESMT.) are created to provide paths and courses for area and local storm service water drainage, either over land or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system.

All lots in the subdivision are reserved for residential use and no buildings, other than a one family residence or structure or facility accessory in use thereto, shall be erected thereon. Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

No building shall be erected, placed or altered on any building lot in this subdivision until the building's plans, specifications and plot plan showing the location of such building has been approved as to the conformity and harmony of external design and existing structures herein and as to the building with respect to topography and finished ground elevation, by the Architectural Control Committee composed of Raymond G. McCollum, and Harold L. McFadden, or by their duly authorized representatives. In the event of the death or resignation of any member of said Committee, the remaining members shall have full authority to approve or disapprove such design and location, or to designate a representative with like authority. If the Committee fails to act upon any plan submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the lot owner may proceed with the building according to the plans as submitted. Neither the Committee members nor the designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than fourteen (1,400) square feet in the case of a one-story structure, not less than eight hundred (800) square feet in the case of a multi-story structure, provided no structure of more than one-story, shall be less than an aggregate of fifteen (1,500) square feet of finished and livable floor area. All garages shall be attached to the residence dwelling and be a minimum of a two car size. No structure in this subdivision shall exceed two and one-half (2½) stories or twenty-five (25) feet in height measured from finished grade level to the underside of the eave line, and no structure other than an open porch shall be erected between the building line, as designated on the plat, and the property line of the street.

No building, structure or accessory building shall be erected closer to the side of any lot than ten (10) feet, however, any proposed construction closer than fifteen (15) feet to the side of any lot must be approved by the Architectural Control Committee. Where buildings are erected on more than one single lot, this restriction shall apply to the side of the extreme boundaries of the multiple lots.

The rear setback shall be not less than twenty (20) feet from the rear building line.

Building lines on the plat measured in feet from the street property line are hereby established between which line and the street property line there shall be erected or maintained no building structure of any kind or part thereof.

No fences shall be erected in this subdivision between the building lines and the property lines of the street as shown on the within plat, except with approval of the Architectural Control Committee, which fences shall not exceed forty-two (42) inches in height.

No trailer, tent shack, attached shed, basement, garage or temporary building shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architectural and appearance of such residence.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste material which shall not be kept, except in sanitary containers.

No animals, livestock or poultry of any description shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes.

It shall be the duty of the owner of each lot in the subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then the Developer may take such action as he deems appropriate in order to make the lot neat and attractive and the lot owner shall, upon demand, reimburse Developer for the expenses incurred in so doing.

Until such time as a sanitary sewage system is installed in this subdivision, sanitary septic tank with adequate absorption bed or drywell shall be installed for each dwelling erected. Such septic tank, absorption bed and/or drywell shall be of such type and construction and so located on the lot as to be approved in writing by the proper public health authority and the Architectural Control Committee. No other sanitary project or device for sewage disposal shall be permitted or used in this subdivision unless prior written approval is obtained from said Committee and the same is approved by the proper regulatory authority. Such septic tank absorption bed and/or drywell shall be designed and constructed so that in no event will any effluent drain or seep into the lake and water course.

STYLE - RITE MEADOWS

If the parties hereto or any of them, their heirs or assigns shall violate or attempt to violate any of the covenants, restrictions, provisions, terms or conditions herein, it shall be lawful for any person, owning real estate in this subdivision, to prosecute any proceeding at law or in equity against any person violating or attempting to violate any such covenants and to recover damages or other remedies for such violation.

The restrictions, covenants and provisions set forth herein shall run with the land and shall remain in full force and effect until January 1, 1998, at which time said covenants shall automatically be extended for successive periods of ten (10) years unless by vote of a majority of the then owners of said lots in this subdivision shall agree to change said covenants in whole or in part.

The invalidity of any of the foregoing covenants, restrictions, provisions, terms or conditions by judgment or Court Order shall in no way affect any of the provisions which shall remain in full force and effect.

COUNTY COMMISSIONERS' CERTIFICATE:

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1951, OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD ON: April 17, 1978

Roy Davis
Roy Davis

Jeff Roudsush
Jeff Roudsush

Lewis Grinstead
Lewis Grinstead

Barbara Jennings
Barbara Jennings, County Auditor

Witness Our Signatures this 19th day of April, 1978.

Raymond G. McCollum Harold L. McFadden
Raymond G. McCollum, President Harold L. McFadden, Vice President

STATE OF INDIANA)
COUNTY OF HAMILTON) SS: Donald K. Smith

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Raymond G. McCollum, President and Harold L. McFadden, Vice President of Style-Rite inc., and Donald K. Smith, who acknowledge the foregoing instrument as their voluntary act and deed for the uses and purposes therein described and expressed, and affixed their signatures thereto.

WITNESS MY HAND and Notarial Seal this 19th day of April, 1978.

My Commission Expires July 18, 1979
Thomas D. Rowe
Notary Public

COMMISSION CERTIFICATE:

Under authority provided by Chapter 174-Acts of 1947, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereof, and an ordinance adopted by the Town Board of Trustees of the Town of Westfield as follows:

Approved by the Westfield Plan Commission at a meeting held Nov 28, 1977.

Robert F. Polley William C. Morris
President Secretary

LOT 5-27

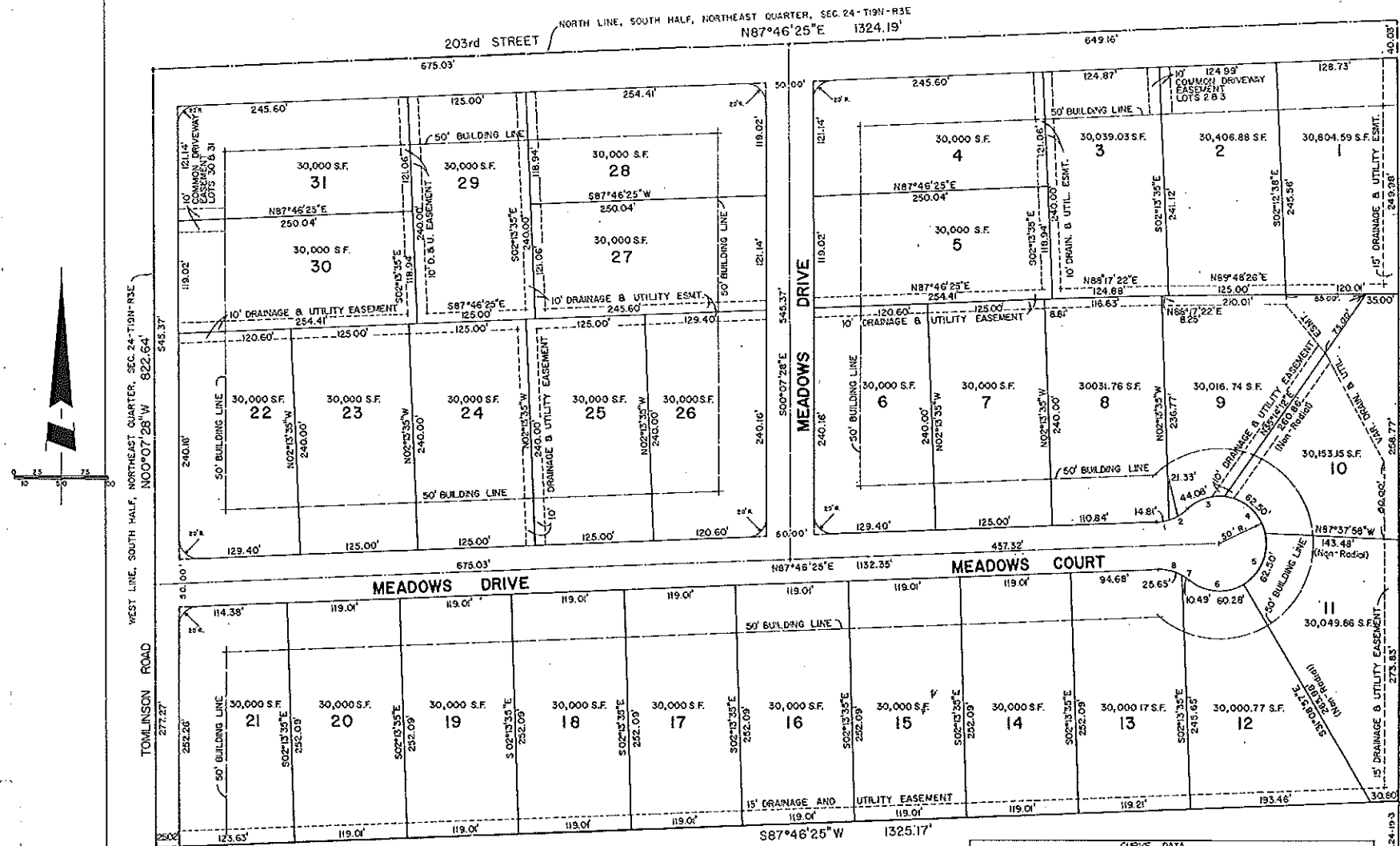
This document referred to in Document No. 9241600

LOT 5-27

This document referred to in Document No. 9241600

23

STYLE - RITE MEADOWS



I, the undersigned, a Registered Land Surveyor, in the State of Indiana, hereby certify that the within plat represents a subdivision of Part of the South Half of the Northeast Quarter of Section 24, Township 19 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter of Section 24, Township 19 North, Range 3 East, thence South 88 degrees 08 minutes 41 seconds East (assumed bearing) on and along the South line thereof 1325.19 feet to the West line of the Southeast Quarter of said Northeast Quarter; thence North 00 degrees 11 minutes 34 seconds West on and along said West line 314.72 feet to the Place of Beginning of this tract; thence South 87 degrees 44 minutes 23 seconds West parallel with the North line of the South Half of said Northeast Quarter 1325.17 feet to the West line of said Northeast Quarter; thence North 00 degrees 07 minutes 25 seconds East on and along said West line 822.64 feet to the North line of the South Half of said Northeast Quarter; thence North 87 degrees 46 minutes 25 seconds East on and along said North line 1325.19 feet; thence South 00 degrees 11 minutes 34 seconds East on and along the East line of the Southeast Quarter of the Northeast Quarter 632.60 feet to the Beginning Point, containing 31 acres, more or less. Subject to all highways, rights of way and easements of record pertaining to said property.

This subdivision consists of 31 lots, numbered 1 through 31, both inclusive, with streets as shown hereon. The size of the lots and the street rights-of-way are shown in figures enclosing feet and decimal parts thereof.

Witness my signature this 17th day of April, 1978.

Allen H. Wehn
Allen H. Wehn, Reg. L.S. - Indiana 710395



NO.	DELTA	ARC	TANGENT	CHORD	CHORD BEARING	RADIUS
1	45°58'22"	14.81	7.46	14.76	S79°17'6"W	50.00
2	23°22'13"	7.53	4.03	5.16	S53°32'57"W	50.00
3	50°50'26"	44.09	23.99	22.88	S71°37'04"W	50.00
4	71°37'11"	62.40	35.07	38.87	N47°19'03"W	50.00
5	71°37'11"	62.40	35.07	38.87	N24°18'03"E	50.00
6	59°04'21"	62.28	34.47	36.63	S65°27'11"E	50.00
7	12°02'20"	10.49	5.27	10.47	S55°49'40"E	50.00
8	28°23'15"	25.65	15.11	25.37	S77°31'57"E	50.00

NOTE: PROPERTY LINES AT STREET INTERSECTIONS ARE ROUNDED BY RADIUS OF 20 FEET. HOWEVER, DIMENSIONS SHOWN ARE TO THE R.L. OF THE 20 FOOT RADIUS.

13260

RECEIVED FOR RECORD
AT 1:00 O'CLOCK P.M.

MAY 4 1978

BOOK 7 PAGE 232425
James M. Aldridge
CLERK HAMILTON COUNTY, INDIANA

DULY ENTERED FOR TAXATION

4 day May 1978

Barbara J. Jennings Auditor
Hamilton County

STYLE - RITE MEADOWS

The undersigned, Raymond G. McCollum, President and Harold L. McFadden, Vice President of Style-Rite Inc., and Donald K. Smith, being the owners of record of the subject real estate, (hereinafter called "Developer"), do hereby lay off, plat and subdivide into lots and streets said real estate in accordance with the within plat. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained and described in said plat.

This subdivision shall be known and designated as STYLE-RITE MEADOWS, a subdivision in Hamilton County, Indiana.

All streets shown and not heretofore dedicated are hereby dedicated to the public for its use.

There are strips of ground as shown on the within plat marked "Drainage Easement" (DR. ESMT.); "Utility Easement" (UT. ESMT.); either separate or in combinations which are reserved for the use of the public utility companies, governmental agencies and Owners in the addition.

- (a) "Utility Easements" (UT. ESMT.) are created for the use of all public utility companies, not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires and also all rights and uses specified for sewer easements as hereinafter designated;
- (b) "Drainage Easements" (DR. ESMT.) are created to provide paths and courses for area and local storm service water drainage, either over land or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system.

All lots in the subdivision are reserved for residential use and no buildings, other than a one family residence or structure or facility accessory in use thereto, shall be erected thereon. Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

No building shall be erected, placed or altered on any building lot in this subdivision until the building's plans, specifications and plot plan showing the location of such building has been approved as to the conformity and harmony of external design and existing structures herein and as to the building with respect to topography and finished ground elevation, by the Architectural Control Committee composed of Raymond G. McCollum, and Harold L. McFadden, or by their duly authorized representatives. In the event of the death or resignation of any member of said Committee, the remaining members shall have full authority to approve or disapprove such design and location, or to designate a representative with like authority. If the Committee fails to act upon any plan submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the lot owner may proceed with the building according to the plans as submitted. Neither the Committee members nor the designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than fourteen (1,400) square feet in the case of a one-story structure, not less than eight hundred (800) square feet in the case of a multi-story structure, provided no structure of more than one-story, shall be less than an aggregate of fifteen (1,500) square feet of finished and livable floor area. All garages shall be attached to the residence dwelling and be a minimum of a two car size. No structure in this subdivision shall exceed two and one-half (2½) stories or twenty-five (25) feet in height measured from finished grade level to the underside of the eave line, and no structure other than an open porch shall be erected between the building line, as designated on the plat, and the property line of the street.

No building, structure or accessory building shall be erected closer to the side of any lot than ten (10) feet, however, any proposed construction closer than fifteen (15) feet to the side of any lot must be approved by the Architectural Control Committee. Where buildings are erected on more than one single lot, this restriction shall apply to the side of the extreme boundaries of the multiple lots.

The rear setback shall be not less than twenty (20) feet from the rear building line.

Building lines on the plat measured in feet from the street property line are hereby established between which line and the street property line there shall be erected or maintained no building structure of any kind or part thereof.

No fences shall be erected in this subdivision between the building lines and the property lines of the street as shown on the within plat, except with approval of the Architectural Control Committee, which fences shall not exceed forty-two (42) inches in height.

No trailer, tent shack, attached shed, basement, garage or temporary building shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architectural and appearance of such residence.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste material which shall not be kept, except in sanitary containers.

No animals, livestock or poultry of any description shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes.

It shall be the duty of the owner of each lot in the subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then the Developer may take such action as he deems appropriate in order to make the lot neat and attractive and the lot owner shall, upon demand, reimburse Developer for the expenses incurred in so doing.

Until such time as a sanitary sewage system is installed in this subdivision, sanitary septic tank with adequate absorption bed or drywell shall be installed for each dwelling erected. Such septic tank, absorption bed and/or drywell shall be of such type and construction and so located on the lot as to be approved in writing by the proper public health authority and the Architectural Control Committee. No other sanitary project or device for sewage disposal shall be permitted or used in this subdivision unless prior written approval is obtained from said Committee and the same is approved by the proper regulatory authority. Such septic tank absorption bed and/or drywell shall be designed and constructed so that in no event will any effluent drain or seep into the lake and water course.

STYLE - RITE MEADOWS

If the parties hereto or any of them, their heirs or assigns shall violate or attempt to violate any of the covenants, restrictions, provisions, terms or conditions herein, it shall be lawful for any person, owning real estate in this subdivision, to prosecute any proceeding at law or in equity against any person violating or attempting to violate any such covenants and to recover damages or other remedies for such violation.

The restrictions, covenants and provisions set forth herein shall run with the land and shall remain in full force and effect until January 1, 1998, at which time said covenants shall automatically be extended for successive periods of ten (10) years unless by vote of a majority of the then owners of said lots in this subdivision shall agree to change said covenants in whole or in part.

The invalidity of any of the foregoing covenants, restrictions, provisions, terms or conditions by judgment or Court Order shall in no way affect any of the provisions which shall remain in full force and effect.

Witness Our Signatures this 19th day of April, 1978.

Raymond G. McCollum Harold L. McFadden
Raymond G. McCollum, President Harold L. McFadden, Vice President

STATE OF INDIANA }
COUNTY OF HAMILTON } SS: Donald K. Smith

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Raymond G. McCollum, President and Harold L. McFadden, Vice President of Style-Rite Inc., and Donald K. Smith, who acknowledge the foregoing instrument as their voluntary act and deed for the uses and purposes therein described and expressed, and affixed their signatures thereto.

WITNESS MY HAND and Notarial Seal this 19th day of April, 1978.

My Commission Expires July 18, 1979
Thomas D. Long
Notary Public

COMMISSION CERTIFICATE:

Under authority provided by Chapter 174-Acts of 1947, enacted by the Teneral Assembly of the State of Indiana, and all acts amendatory thereof, and an ordinance adopted by the Town Board of Trustees of the Town of Westfield as follows:

Approved by the Westfield Plan Commission at a meeting held Nov 28, 1977.

Robert E. Robey Virginia C. Norris
President Secretary

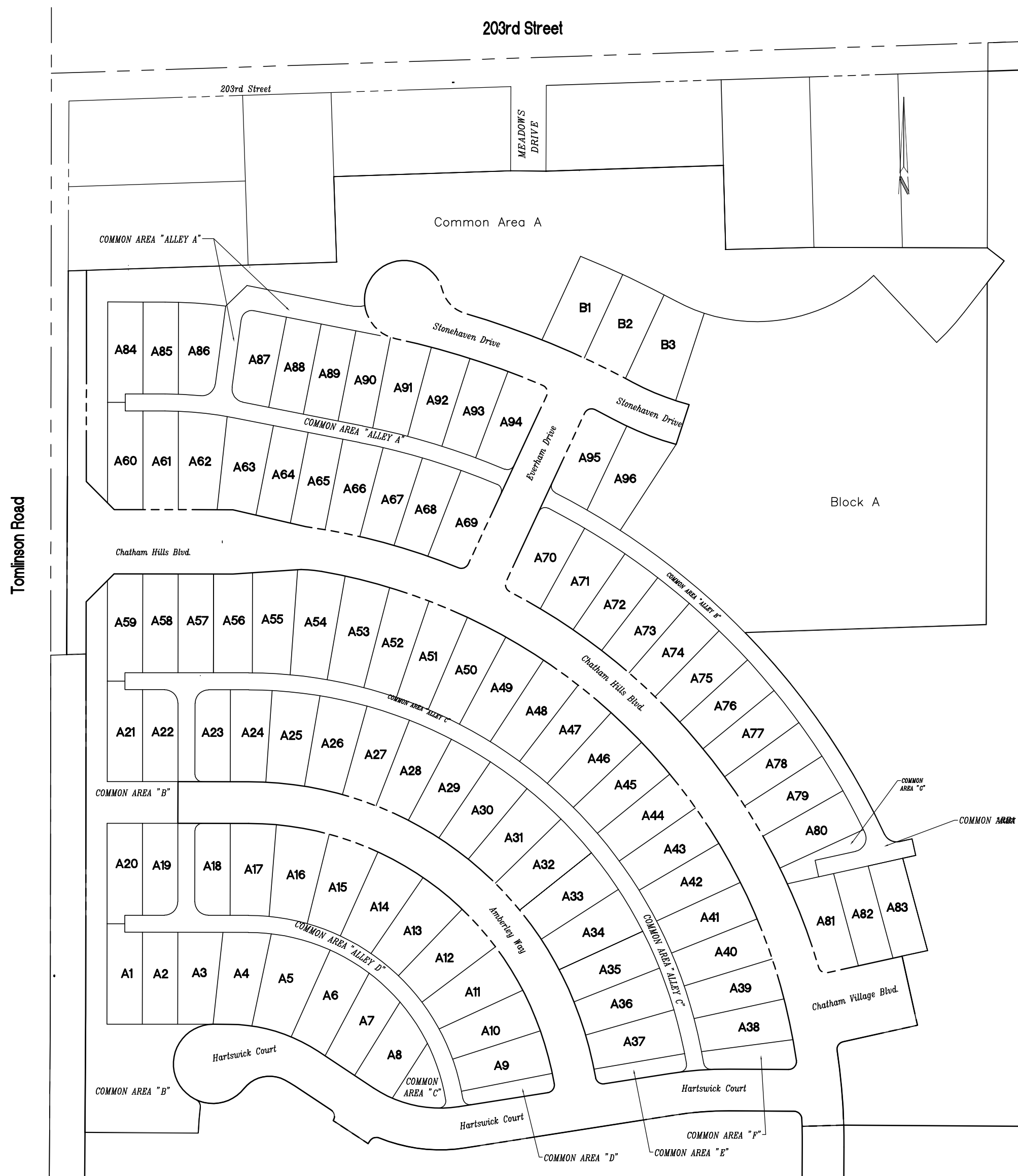
COUNTY COMMISSIONERS' CERTIFICATE:

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1951, OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD ON: April 17, 1978.

Roy Davis Jerre Koudebusch
Roy Davis Jerre Koudebusch
Lewis Grinstead Barbara Jennings
Lewis Grinstead Barbara Jennings, County Auditor

SECONDARY PLAT CHATHAM VILLAGES – SECTION 1

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA



Section 1 Map

Not To Scale



AREA MAP
Not To Scale

LEGEND

P.S.,S.D. & U.E. = PRIVATE STREET, SANITARY,
DRAINAGE AND UTILITY EASEMENT
S.,D.,U. & L.M.A.E. = SANITARY, DRAINAGE, UTILITY AND
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S.F. = SQUARE FEET
R/W = RIGHT OF WAY
[T5150] = TYPICAL STREET ADDRESS

Note: The Curve Table is on Sheet 3.

SOURCE OF TITLE:

Deed to Chatham Hills, LLP: per Inst. No. 2020-064213

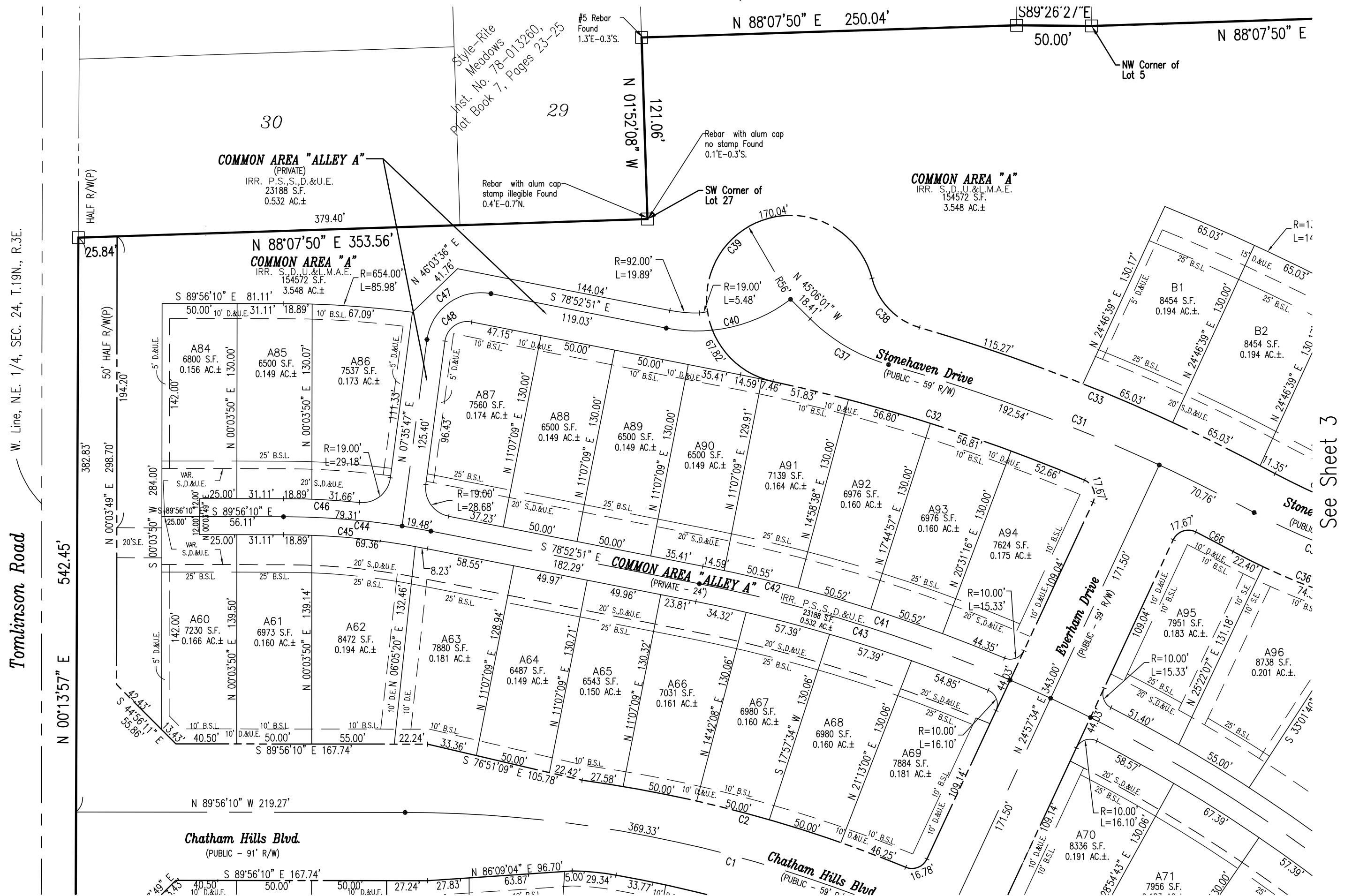


3939 Priority Way South Drive, Suite 200
Indianapolis, Indiana 46240
(317) 844-6777
E-Mail: cripe@cripe.biz

SHEET 1 OF 9

SECONDARY PLAT CHATHAM VILLAGES — SECTION 1

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA



NOTES ON MONUMENTS AND MARKERS:

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A 5/8" Dia. rebar w/yellow plastic cap stamped "CRIPE FIRM NO. 0055" to be set at all lot corners unless otherwise noted.

See Sheet 5



SCALE: 1"=60'

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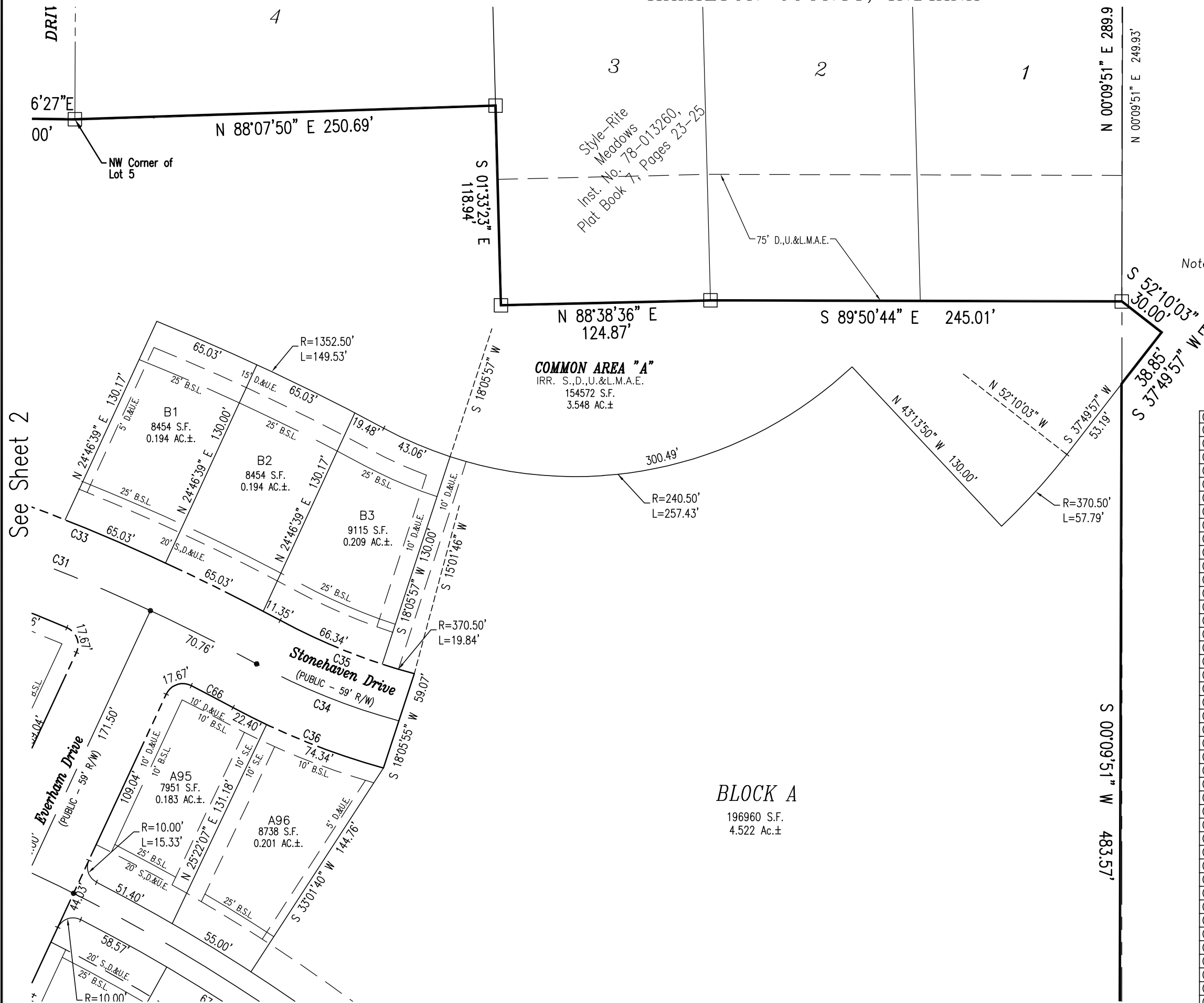
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SECONDARY PLAT CHATHAM VILLAGES – SECTION 1

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA



- Notes:
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 - (2) The radius of all right-of-way curves at street corners shown on each plat sheet are 11.00 feet unless otherwise noted.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	850.00'	1309.65'	1183.90'	N 45°47'47" W	88°16'46"
C2	879.50'	223.83'	223.23'	S 74°56'18" E	14°34'54"
C3	820.50'	1029.60'	963.36'	N 44°07'21" W	71°53'49"
C4	879.50'	551.81'	542.80'	N 34°23'43" W	35°56'53"
C5	879.50'	106.02'	105.95'	N 05°06'44" W	6°54'23"
C6	820.50'	10.83'	10.83'	S 02°01'56" E	0°45'22"
C7	500.00'	81.02'	80.93'	N 85°42'58" E	9°17'04"
C8	470.50'	76.24'	76.16'	N 85°42'58" E	9°17'04"
C9	529.50'	85.80'	85.71'	N 85°42'58" E	9°17'04"
C10	200.00'	148.35'	144.97'	S 77°40'37" E	42°29'53"
C11	170.50'	126.47'	123.59'	S 77°40'37" E	42°29'53"
C12	229.50'	124.01'	122.51'	N 83°26'44" W	30°57'39"
C13	200.00'	15.31'	15.31'	N 58°37'17" W	4°23'13"
C14	170.50'	17.18'	17.17'	S 59°18'52" E	5°46'24"
C15	229.50'	134.22'	132.32'	S 73°10'56" E	33°30'31"
C16	120.00'	118.02'	113.32'	N 88°59'23" W	56°20'58"
C17	46.00'	63.72'	58.75'	S 78°06'44" W	79°22'24"
C18	56.00'	226.40'	100.82'	N 25°45'20" W	231°38'17"
C19	507.00'	143.41'	142.93'	N 13°34'24" W	16°12'23"
C20	477.50'	96.09'	95.93'	S 15°54'42" E	11°31'48"
C21	536.50'	109.65'	109.46'	S 15°49'17" E	11°42'38"
C22	466.50'	555.77'	523.48'	S 55°48'24" E	68°15'35"
C23	437.00'	520.62'	490.38'	N 55°48'24" W	68°15'35"
C24	496.00'	590.91'	556.58'	S 55°48'24" E	68°15'35"
C25	295.00'	426.21'	390.09'	S 48°32'49" E	82°46'45"
C26	283.00'	397.81'	365.86'	S 49°39'59" E	80°32'25"
C27	307.00'	434.07'	398.80'	N 49°25'53" W	81°00'38"
C28	638.00'	760.09'	715.93'	N 55°48'24" W	68°15'35"
C29	650.00'	774.38'	729.39'	N 55°48'24" W	68°15'35"
C30	626.00'	745.79'	702.46'	N 55°48'24" W	68°15'35"
C31	1193.00'	263.30'	262.76'	N 67°57'54" W	12°38'43"
C32	1163.50'	218.10'	217.78'	S 72°25'29" E	10°44'25"
C33	1222.50'	256.69'	256.22'	N 67°39'27" W	12°01'49"
C34	400.00'	91.47'	91.27'	S 68°11'36" E	13°06'06"
C35	370.50'	86.19'	85.99'	S 68°18'23" E	13°19'41"
C36	429.50'	96.75'	96.54'	S 68°05'44" E	12°54'22"
C37	120.00'	61.13'	60.47'	N 59°41'38" W	29°11'16"
C38	46.00'	47.57'	45.48'	N 44°02'55" W	59°14'54"
C39	56.00'	237.87'	95.31'	N 43°53'26" E	243°22'13"
C40	104.00'	87.63'	85.06'	N 76°58'49" E	48°16'39"
C41	1021.50'	246.75'	246.15'	N 71°57'39" W	13°50'25"
C42	1033.50'	210.52'	210.16'	S 73°02'44" E	11°40'15"
C43	1009.50'	203.95'	203.60'	S 73°05'36" E	11°34'31"
C44	512.00'	98.79'	98.64'	N 84°24'31" W	11°03'19"
C45	500.00'	96.47'	96.33'	N 84°24'31" W	11°03'19"
C46	524.00'	50.55'	50.53'	S 87°10'21" E	5°31'38"
C47	36.00'	58.76'	52.45'	N 54°21'28" E	93°31'22"
C48	15.00'	24.48'	21.86'	S 54°21'28" W	93°31'22"
C49	1021.50'	738.60'	722.61'	N 44°19'36" W	41°25'41"
C50	1009.50'	656.69'	645.17'	S 44°08'24" E	37°16'17"
C51	1033.50'	688.07'	675.43'	N 43°47'55" W	38°08'44"
C52	678.50'	183.01'	182.46'	N 13°56'58" W	15°27'16"
C53	690.50'	148.23'	147.95'	S 15°31'36" E	12°18'00"
C54	666.50'	139.51'	139.26'	S 15°40'49" E	11°59'35"

BLOCK A

196960 S.F.
4.522 Ac.±

See Sheet 4

LEGEND

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[T5150] = TYPICAL STREET ADDRESS

NOTES ON MONUMENTS AND MARKERS:

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A 5/8" Dia. rebar w/yellow plastic cap stamped "CRIPE FIRM NO. 0055" to be set at all lot corners unless otherwise noted.

LAST REVISION DATE: 12/15/21

THIS INSTRUMENT PREPARED BY PAUL E. KLODZEN, P.S. #20400015

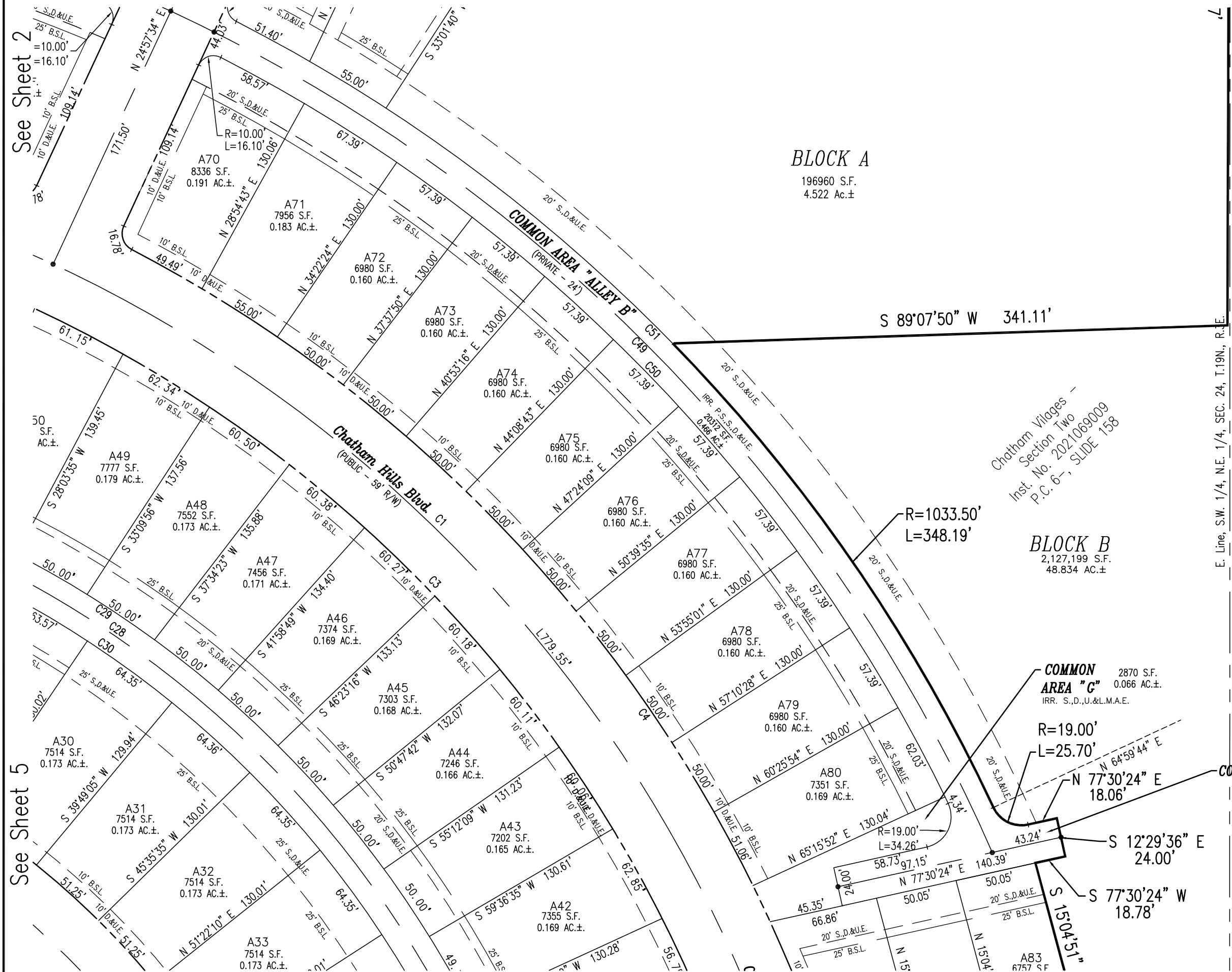
SHEET 3 OF 9

CHATHAM VILLAGES – SECTION 1 PIC JOB #170504–20400

SECONDARY PLAT CHATHAM VILLAGES — SECTION 1

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,

See Sheet 3 HAMILTON COUNTY, INDIANA



BLOCK A

196960 S.F.
4.522 AC.±

BLOCK B

2,127,199 S.F.
48.834 AC.±

COMMON
AREA \"C\"

2870 S.F.
0.066 AC.±
IRR. S.,D.,U.&L.M.A.E.

COMMON AREA \"ALLEY B\"

(PRIVATE-24')
IRR. P.S.,S.,D.&U.E.
20312 S.F.
0.466 AC.±

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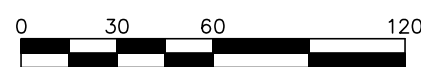
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See Sheet 6

Notes: (1) The Curve Table is on Sheet 3.
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SCALE: 1\"=60'

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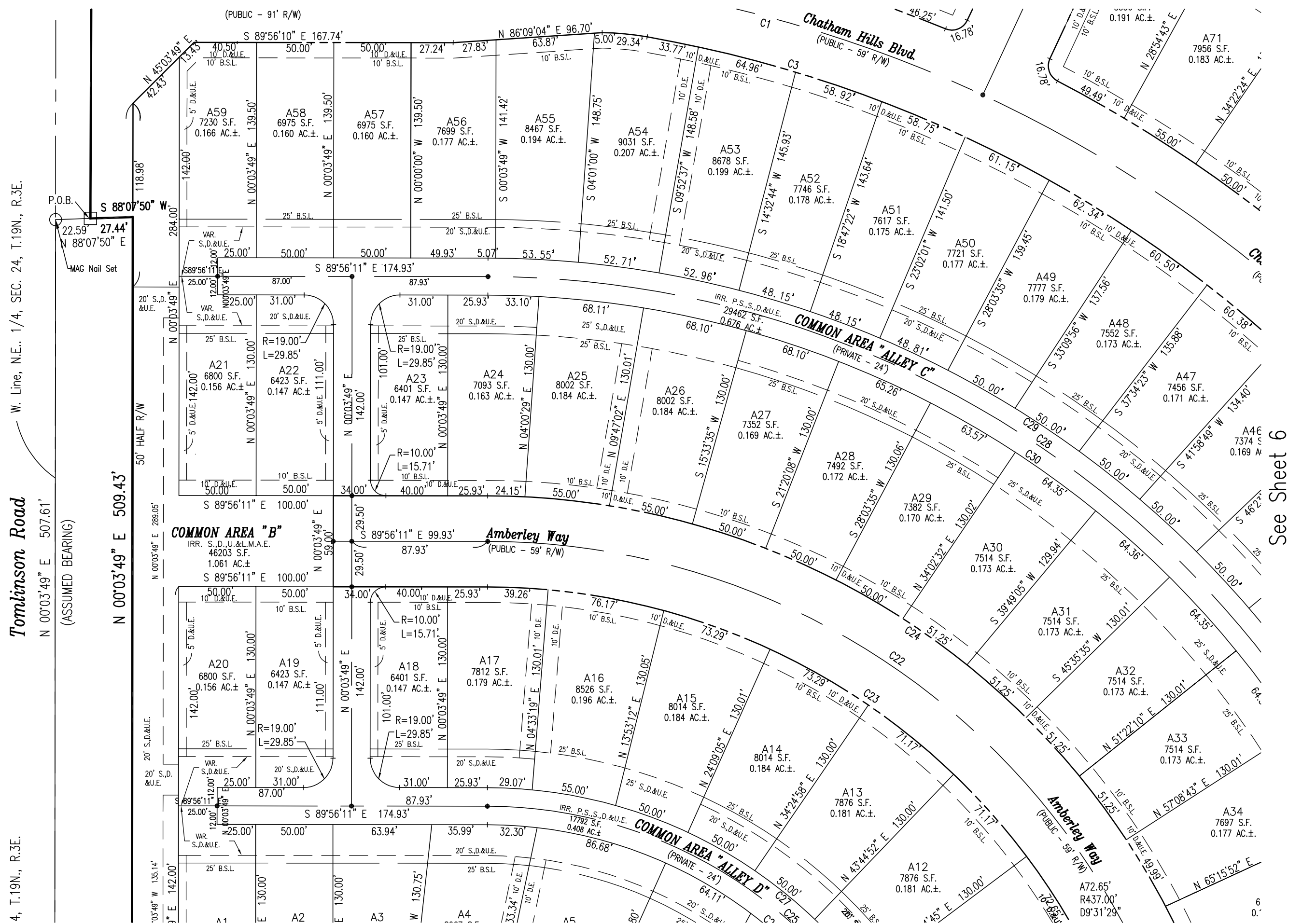
LAST REVISION DATE: 12/15/21

THIS INSTRUMENT PREPARED BY PAUL E. KLODZEN, P.S. #20400015

SHEET 4 OF 9

CHATHAM VILLAGES — SECTION 1 PIC JOB #170504-20400

SECONDARY PLAT
CHATHAM VILLAGES — SECTION 1
PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
See Sheet 2 HAMILTON COUNTY, INDIANA



NOTES ON MONUMENTS AND MARKERS:

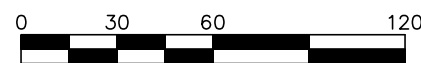
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See Sheet 7



SCALE: 1"=60'

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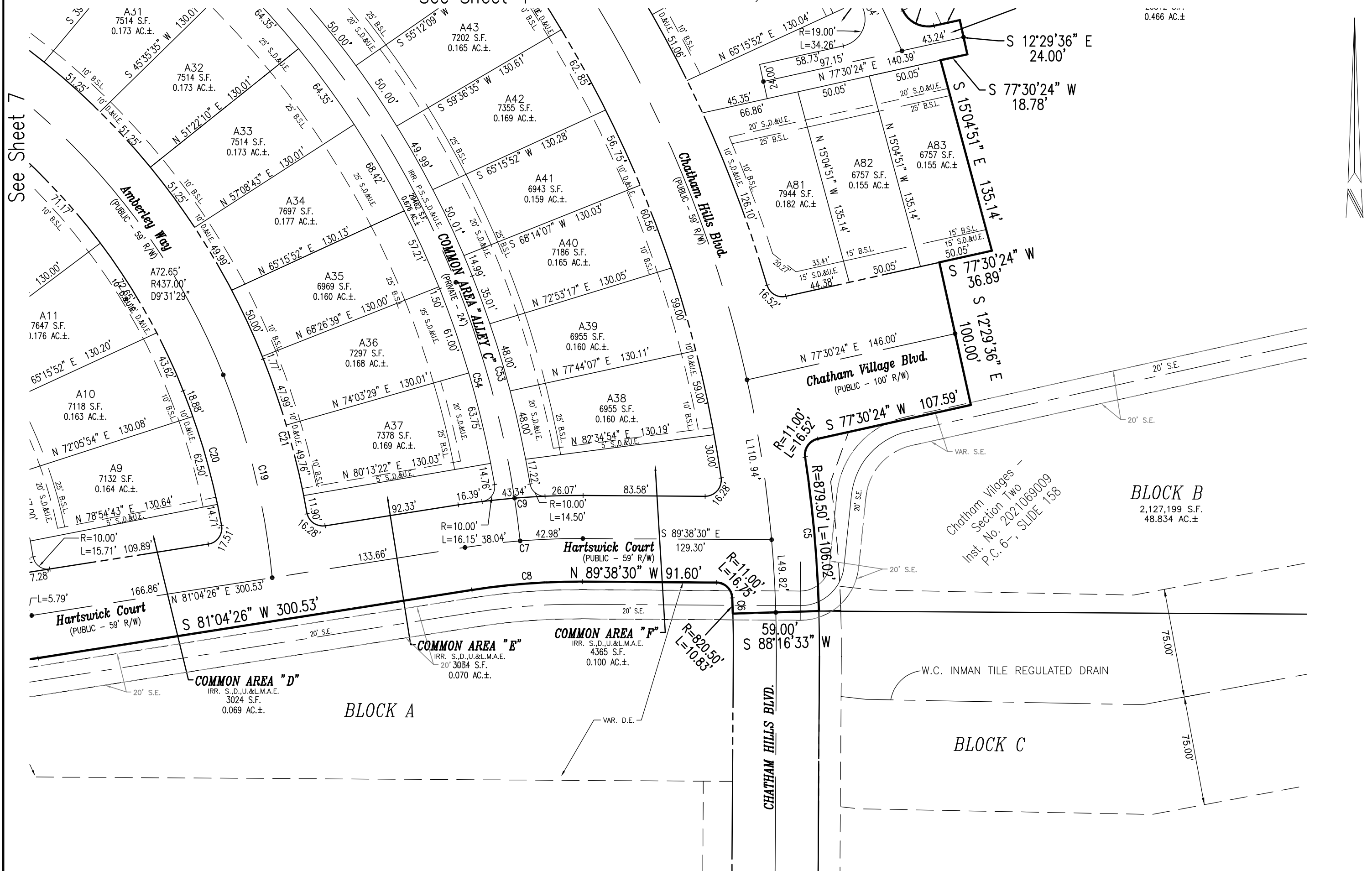
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SECONDARY PLAT CHATHAM VILLAGES – SECTION 1

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
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See Sheet 4 HAMILTON COUNTY, INDIANA



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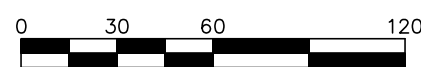
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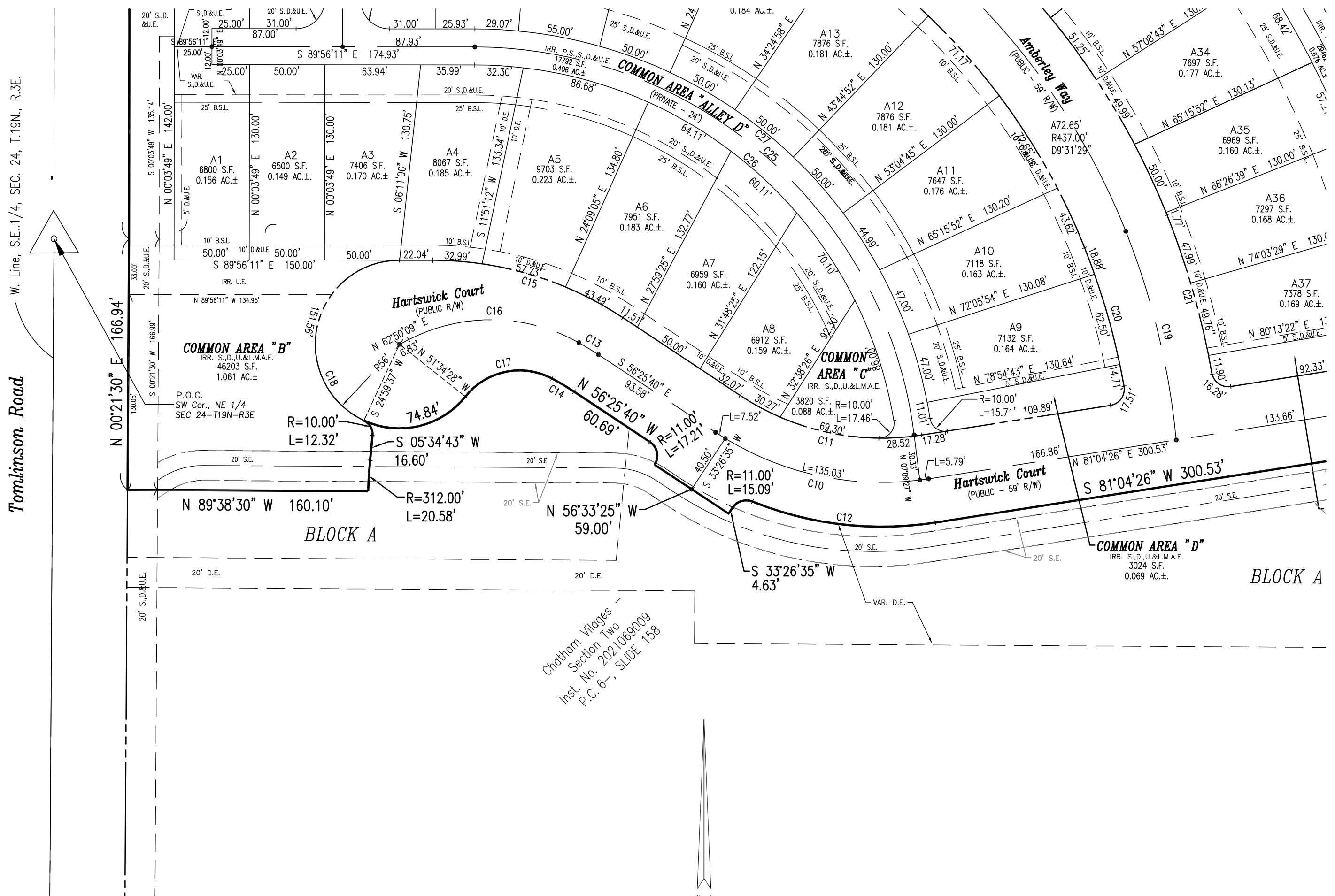
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SECONDARY PLAT
CHATHAM VILLAGES — SECTION 1
PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA See Sheet 5



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- Denotes a 5/8" Dia. rebar with yellow plastic cap set. Cap stamped "CRIPE FIRM NO. 0055" unless otherwise noted.

A 5/8" Dia. rebar w/yellow plastic cap stamped "CRIPE FIRM NO. 0055" to be set at all lot corners unless otherwise noted.

Notes: (1) The Curve Table is on Sheet 3.
(2) The radius of all right-of-way curves at street corners shown on each plat sheet are 11.00 feet unless otherwise noted.

LEGEND

P.S.,S,D. & U.E. = PRIVATE STREET, SANITARY, DRAINAGE AND UTILITY EASEMENT	B.S.L. = BUILDING SETBACK LINE
S.D.U. & L.M.A.E. = SANITARY, DRAINAGE, UTILITY AND LANDSCAPE MAINTENANCE ACCESS EASEMENT	IRR. = IRREGULAR
D.U. & L.M.A.E. = DRAINAGE, UTILITY, & LANDSCAPE MAINTENANCE ACCESS EASEMENT	R = RADIUS
S.D. & U.E. = SANITARY, DRAINAGE & UTILITY EASEMENT	L = LENGTH
D & U.E. = DRAINAGE & UTILITY EASEMENT	VAR. = VARIABLE
S.E. = SANITARY SEWER EASEMENT	AC.± = ACRES MORE OR LESS
D.E. = DRAINAGE EASEMENT	S.F. = SQUARE FEET
R.D.E. = REGULATED DRAINAGE EASEMENT	R/W = RIGHT OF WAY
	[15150] = TYPICAL STREET ADDRESS

SECONDARY PLAT
CHATHAM VILLAGES – SECTION 1
PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA

Block E of Chatham Villages – Section 2, as per Secondary Plat thereof, recorded in Plat Cabinet 6, Slide 158 as Instrument Number 2021069009 in the Office of the Recorder of Hamilton County Indiana; part of Style–Rite Meadows, as per plat thereof, recorded as Instrument No. 78–013260 in Plat Book 7, pages 23–25 in the said Recorder’s Office and also unplatted real estate which is part of the Northeast and Southeast Quarters of Section 24, Township 19 North, Range 3 East in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the Northeast Quarter of said Section 24; thence North 00 degrees 03 minutes 49 seconds East (assumed bearing) along the West line of said Northeast Quarter 507.61 feet to the South line of said plat of Style–Rite Meadows; thence North 88 degrees 07 minutes 50 seconds East 22.59 feet to the East right–of–way line of Tomlinson Road per said plat and the POINT OF BEGINNING; thence North 00 degrees 13 minutes 57 seconds East along said Right–of–way line 542.45 feet to the Southwest corner of Lot 30 in said subdivision; thence North 88 degrees 07 minutes 50 seconds East along the South line of said lot a distance of 25.84 feet; thence continuing North 88 degrees 07 minutes 50 seconds East 353.56 feet along the south line of said Lot 30 and 29 to the Southeast corner of Lot 29 in said subdivision and being the Southwest corner of Lot 27 in said subdivision (the following two courses are along the West and North lines of said Lot 27); (1) thence North 01 degrees 52 minutes 08 seconds West 121.06 feet; (2) thence North 88 degrees 07 minutes 50 seconds East 250.04 feet to the West Right–of–way line of Meadows Drive (unimproved); thence South 89 degrees 26 minutes 27 seconds East 50.00 feet to the Northwest corner of Lot 5 in said subdivision, which is located on the East right–of–way line of said Meadows Drive (the following two courses are along the North and East lines of said Lot 5); (1) thence North 88 degrees 07 minutes 50 seconds East 250.69 feet; (2) thence South 01 degrees 33 minutes 23 seconds East 118.94 feet to the Southwest corner of Lot 3 in said subdivision; thence North 88 degrees 38 minutes 36 seconds East 124.87 feet to the Southwest corner of Lot 2 in said subdivision; thence South 89 degrees 50 minutes 44 seconds East along the South line of said Lot and Lot 1 a distance of 245.01 feet to the Southeast corner of said Lot 1 and the West boundary of Block B of said Chatham Villages – Section 2 (the following four courses are along the West and North boundaries of said Block B); (1) thence South 52 degrees 10 minutes 03 seconds East 30.00 feet; (2) thence South 37 degrees 49 minutes 57 seconds West 38.85 feet; (3) thence South 00 degrees 09 minutes 51 seconds West 483.57 feet; (4) thence South 88 degrees 07 minutes 50 seconds West 341.11 feet to a non–tangent curve to the right having a radius of 1033.50 feet, the radius point of which bears South 45 degrees 41 minutes 32 seconds West; thence southeasterly along said curve 348.19 feet to a point of reverse curve having a radius of 19.00 feet, the radius point of which bears North 64 degrees 59 minutes 44 seconds East; thence southeasterly along said curve 25.70 feet to a point which bears South 12 degrees 29 minutes 36 seconds East from said radius point; thence North 77 degrees 30 minutes 24 seconds East 18.06 feet; thence South 12 degrees 29 minutes 36 seconds East 24.00 feet; thence South 77 degrees 30 minutes 24 seconds West 18.78 feet; thence South 15 degrees 04 minutes 51 seconds East 135.14 feet; thence South 77 degrees 30 minutes 24 seconds West 36.89 feet; thence South 12 degrees 29 minutes 36 seconds East 100.00 feet; thence South 77 degrees 30 minutes 24 seconds West 107.59 feet to a curve to the left having a radius of 11.00 feet, the radius point of which bears South 12 degrees 29 minutes 36 seconds East; thence southwesterly along said curve 16.52 feet to a point of reverse curve having a radius of 879.50 feet, the radius point of which bears South 81 degrees 26 minutes 04 seconds West; thence southerly along said curve 106.02 feet to a point which bears North 88 degrees 20 minutes 28 seconds East from said radius point; thence South 88 degrees 16 minutes 33 seconds West 59.00 feet to a non–tangent curve to the left having a radius of 820.50 feet, the radius point of which bears South 88 degrees 20 minutes 44 seconds West; thence northerly along said curve 10.83 feet to a point of compound curve having a radius of 11.00 feet, the radius point of which bears South 87 degrees 35 minutes 23 seconds West; thence northwesterly along said curve 16.75 feet to a point which bears North 00 degrees 21 minutes 30 seconds East from said radius point; thence North 89 degrees 38 minutes 30 seconds West 91.60 feet to a curve to the left having a radius of 470.50 feet, the radius point of which bears South 00 degrees 21 minutes 30 seconds West; thence westerly along said curve 76.24 feet to a point which bears North 08 degrees 55 minutes 34 seconds West from said radius point; thence South 81 degrees 04 minutes 26 seconds West 300.53 feet to a curve to the right having a radius of 229.50 feet, the radius point of which bears North 08 degrees 55 minutes 34 seconds West; thence westerly along said curve 124.01 feet to a point of reverse curve having a radius of 11.00 feet, the radius point of which bears South 22 degrees 02 minutes 05 seconds West; thence westerly along said curve 15.09 feet to a point which bears North 56 degrees 33 minutes 25 seconds West from said radius point; thence South 33 degrees 26 minutes 35 seconds West 4.63 feet; thence North 56 degrees 33 minutes 25 seconds West 59.00 feet a non–tangent curve to the left having a radius of 11.00 feet, the radius point of which bears North 56 degrees 48 minutes 08 seconds West; thence northerly along said curve 17.21 feet to a point which bears North 33 degrees 34 minutes 20 seconds East from said radius point; thence North 56 degrees 25 minutes 40 seconds West 60.69 feet to a curve to the left having a radius of 170.50 feet, the radius point of which bears South 33 degrees 34 minutes 20 seconds West; thence northwesterly along said curve 17.18 feet to a point of compound curve having a radius of 46.00 feet, the radius point of which bears South 27 degrees 47 minutes 56 seconds West; thence westerly along said curve 63.72 feet to a point of reverse curve having a radius of 56.00 feet, the radius point of which bears North 51 degrees 34 minutes 28 seconds West; thence westerly along said curve 74.84 feet to a point of compound curve having a radius of 10.00 feet, the radius point of which bears South 24 degrees 59 minutes 37 seconds West; thence southeasterly along said curve 12.32 feet to a point which bears South 84 degrees 25 minutes 17 seconds East from said radius point; thence South 05 degrees 34 minutes 43 seconds West 16.60 feet to a curve to the left having a radius of 312.00 feet, the radius point of which bears South 84 degrees 25 minutes 17 seconds East; thence southerly along said curve 20.58 feet to a point which bears North 88 degrees 12 minutes 06 seconds West from said radius point; thence North 89 degrees 38 minutes 30 seconds West 160.10 feet to the East Right–of way line of Tomlinson Road (the next two (2) courses are along said East Right–of–way line);(1) thence North 00 degrees 21 minutes 30 seconds East 166.94 feet;(2) thence North 00 degrees 03 minutes 49 seconds East 509.43 feet to the South boundary of said Style Rite Meadows Subdivision; thence South 88 degrees 07 minutes 50 seconds West along said South boundary 27.44 feet to the Point of Beginning, containing 34.822 acres, more or less.

This subdivision consists of 99 lots numbered A1 thru A96 and B1 thru B3, Common Areas A thru G and Common Area Alleys A thru D and Block A all inclusive as shown herein.

This plat is based upon a survey of the within described real estate, performed by Cripe on May 6, 2020 and recorded on July 24, 2020 as Instrument # 2020–047760 in the Office of the Recorder of Hamilton County, Indiana. There has been no change from the matters of survey revealed by said previous survey, or any prior subdivision plats contained therein, on any lines that are common with the within plat.

Also, I Paul E. Klodzen, P.S., hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana:

That this plat correctly represents a survey completed by me on December 15, 2021, that all the monuments shown thereon actually exist or 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.

Witness my signature this 15th day of December, 2021.


Paul E. Klodzen, P.S. #20400015



OWNERS/DEVELOPER:

Chaham Hills, LLP
1415 E. 196th Street
Westfield, IN 46074

Chatham Hills, LLP, an Indiana limited liability partnership

Henke Devlopment Group, LLC, an Indiana limited liability company, general partner

By: _____
Steven H. Henke, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

Before me a Notary Public in and for said County and State, personally appeared Steven H. Henke, Manging Member of Henke Development Group, LLC, the general partner of Chatham Hills, LLP, and acknowledged the execution of the foregoing plat and certificate.

WITNESS my hand and Notarial Seal this ____ day of _____, 20_____.

My Commission Expires: _____
Notary Public

Residing in _____ County
Printed Name

SECONDARY PLAT
CHATHAM VILLAGES – SECTION 1
PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND PART OF THE
SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 3 EAST,
HAMILTON COUNTY, INDIANA

DEED OF DEDICATION AND ESTABLISHMENT OF EASEMENTS

This subdivision shall be known and designated as CHATHAM VILLAGES – SECTION 1, an addition to the City of Westfield, Hamilton County, Indiana. All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public; provided, however, that the areas shown on the plat as "Common Area– Alley A", "B", "C" and "D", "Private Street" or Private Alley" or "P.S." (collectively "Private Alleys"), shall be maintained as Private Streets, and the undersigned landowner, and their successors and assigns, hereby waive all rights to petition the City of Westfield, Indiana, to be responsible for the maintenance of such Private Streets. This plat also vacates any previously approved plats and public rights of ways contained within bounds of this plat as described, including but not limited to Style–Rite Meadows recorded in plat Book 7, Pages 23–25 in the Office of the Recorder of Hamilton County, Indiana.

The Private Streets and Alleys are hereby reserved for vehicular and pedestrian ingress and egress and are to be maintained and repaired by the Neighborhood Association (as defined below) through assessments of the owners of lots levied per the terms of the Neighborhood Declaration (as defined below).

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

- There are strips of ground shown on this plat and marked "Utility Easement" or "U.E.", alone or in combination with other easements, which hereby are reserved for the use of public utilities and private utilities (including without limitation water, sewer, electric and gas utility providers and internet providers) and for the installation and maintenance of utility infrastructure (including without limitation water and sewer mains, poles, ducts, lines cable and wires), subject at all times to the proper authorities. No permanent 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 private utilities specified in this paragraph numbered 1.
- There are strips of ground shown on this plat and marked "Drainage Easement" or "D.E.", alone or in combination with other easements, which are hereby reserved for the drainage of storm water and for the installation, maintenance and repair, by Chatham Hills, LLP and its successors and assigns, and the Neighborhood Association of any storm water drainage infrastructure, including without limitation pipes, culverts, inlets and tiles. No permanent or other structures, or landscaping, that impair or impede the free flow of storm water drainage, are to be erected or maintained upon said strips of land.
- There are strips of ground that are shown on this plat and marked "Landscape Maintenance Access Easement" or "L.M.A.E.", alone or in combination with other easements, which are hereby reserved for (i) the benefit of the owners of Common Areas in order to access their property. Said strips of land are as defined in the Master Declaration, to be assessed for and maintained per the terms of the Master Declaration.

The foregoing provisions and easements are in addition to, and supplement, applicable easement provisions from (i) The Master Declaration and General Protective Covenants, Conditions and Restrictions for _____ recorded with the Recorder of Hamilton County, Indiana, on the ____ day of _____, 20____ as Instrument No. _____, as amended from time to time ("Master Declaration"), which provides for the establishment of The Chatham Villages Master Association, Inc. filed with the Indiana Secretary of State on _____, 20____ ("Master Association") and (ii) the Declaration of Covenants, Conditions and Restrictions for _____as amended from time to time ("Neighborhood Declaration"), which provides for the formation of the Chatham Villages Neighborhood Association, Inc. filed with the Indiana Secretary of State on _____, 20____ ("Neighborhood Association").

The foregoing covenants, restrictions, easements, and conditions, and all other provisions contained herein, as they may be amended from time to time, shall run with the land and be binding on all parties having any right, title or interest in the land which entails this subdivision or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

The right to enforce the foregoing easements 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 (i) Chatham Hills, LLP and its successors and assigns, (ii) the City of Westfield, Indiana and (iii) the several owners of the several lots in this subdivision and to their heirs and assigns.

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

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

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

BOARD OF PUBLIC WORKS AND SAFETY CERTIFICATE:

This plat and the acceptance of any public rights-of-way dedicated herein is hereby approved on the _____ day of _____, 20____, by the Director of the Public Works Department of the City of Westfield, Indiana, on behalf of the Board of Public Works and Safety, pursuant to Resolution 15–120 enacted by the Board of Public Works and Safety on August 26, 2015, and Article 7.4(B) of the Unified Development Ordinance.

Jeremy Lollar, Director
Public Works Department

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 COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA, PURSUANT TO THE WESTFIELD–WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE, ON THE ____ DAY OF _____, _____.

WESTFIELD–WASHINGTON TOWNSHIP PLAN COMMISSION

BY: _____
KEVIN TODD, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

"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__Paul E. Klodzen_____



WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION (APC) 2022 SCHEDULE OF MEETINGS DATES

APC meetings are held in-person at Westfield City Hall and are viewable to the public online.

Meetings will offer an option for participants to join the meeting remotely.

Westfield City Hall
130 Penn Street
Westfield, Indiana 46074

MEETING MONTH	FIRST APC MEETING	SECOND APC MEETING
Typically, the 1 st and 3 rd Monday of each month*	Monday 7:00 PM	Monday 7:00 PM
JANUARY	No meeting	01/18/22
FEBRUARY	02/07/22	02/22/22
MARCH	03/07/22	03/21/22
APRIL	04/04/22	04/18/22
MAY	05/04/22	05/16/22
JUNE	06/06/22	06/21/22
JULY	07/05/22	07/18/22
AUGUST	08/01/22	08/15/22
SEPTEMBER	09/06/22	09/19/22
OCTOBER	10/03/22	10/17/22
NOVEMBER	11/09/22	11/21/22
DECEMBER	12/05/22	12/19/22
JANUARY	No Meeting	01/17/23

**Dates in red are scheduled for a different day due to a conflict.*

ORDINANCE NUMBER XX-XX

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

“Urban Apples PUD”

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. XXXX-PUD-XX), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described as Lot 2 of Spring Mill Market, a subdivision of the City of Westfield, Hamilton County, Indiana, recorded as Instrument No. 2021028993 in the Office of the Recorder of Hamilton County, Indiana (the “**Real Estate**”);

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

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2021;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “Urban Apples Planned Unit Development 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 UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this 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 request and consent of the Real Estate owner. 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 UDO.

- 2.1 “**Food Truck Area**” shall mean an area within the Cidery Area permitting up to two (2) food truck vendors at any given time. Food truck vendors shall only be permitted to vend to patrons of the uses within the Real Estate.
- 2.2 “**Music Shelter**” shall mean an Accessory Building (i) consisting of a covered platform with a floor area of five hundred (500) square feet or less and floor height of three (3) feet or less, (ii) consisting of wood and/or masonry exterior building materials; and (iii) oriented to the northeast in the location within the Lawn Area identified on the Concept Plan.
- 2.3 “**Picnic Shelter**” shall mean a permanent, covered outdoor seating area, consisting of wood and/or masonry exterior building materials.
- 2.4 “**Seasonal Parking**” shall mean parking areas (i) used seasonally; (ii) consisting of compacted gravel drive aisles and grassed parking spaces; (iii) which are constructed in a manner that is substantially consistent with the configuration shown on the

Concept Plan. Seasonal Parking shall not include overnight use of parking areas as a Campground use, as defined in the UDO.

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

3.1 The District is hereby divided into four (4) areas, as depicted on the Concept Plan and labeled as “**Vine**,” “**Seeds**,” “**Cidery**” and “**Lawn**” (individually or collectively, the “**Area**” or “**Areas**”).

3.2 Development of each Area shall be regulated as set forth in this Ordinance.

3.3 The Real Estate shall be developed in substantial compliance with the Concept Plan. Accessory Buildings not shown on the Concept Plan shall be constructed in compliance with the terms of this Ordinance.

Section 4. Underlying Zoning District. The Underlying Zoning District of the Areas shall be the AG-SF1: Agriculture / Single-Family Rural District (the “**Underlying Zoning District**”).

Section 5. Permitted Uses. The following uses (“**Permitted Uses**”) shall be permitted in the District in addition to those permitted in the Underlying Zoning District:

- A. Agritourism Use (or Agritainment Use), except for animal interaction exhibits (i.e., petting zoo, pony rides), as contemplated in the City’s definition of Agritourism Use (or Agritainment Use). The addition of animal interaction exhibits (i.e., petting zoo, pony rides) and similar livestock elements within the District shall require the approval of an amendment to this Ordinance as part of a subsequent zoning request.
- B. Uses defined as Light Industrial in the UDO which are ancillary and/or accessory to Agritourism Use (or Agritainment Use) – only be permitted in the Vine Area.
- C. Uses defined as Low Intensity Retail which are related to the operation of a mail order business and greenhouse sales in accordance with Section 8.1(B) – only permitted in the Seeds Area.
- D. Food Truck Area – only be permitted in the Cidery Area.

Section 6. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the Real Estate, except as otherwise modified in this paragraph.

6.1 Minimum Building Setback Line: Article 4.2(E) shall not apply. Instead the following minimum setback standards shall apply: (i) fifty (50) feet from the Spring Mill Road right-of-way; (ii) thirty (30) feet from all other District property lines.

6.2 Maximum Building Height: 45 feet.

6.3 Minimum Living Area (Ground Floor): Article 4.2(H) shall not apply.

6.4 Subdivisions: Article 4.2(I) shall not apply.

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

7.1 Architectural Standards:

A. Vine Area.

- i. The Principal Building within the Vine Area (the “**Vine Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit B.
- ii. The improvements and enhancements shown in Exhibit B shall be completed within one (1) year of the adoption of this Ordinance.
- iii. Any additions or modifications to the Vine Building and any Accessory Buildings shall be architecturally consistent with the Vine Building.

B. Seeds Area.

- i. The Principal Building within the Seeds Area (the “**Seeds Building**”) shall be architecturally consistent with the Vine Building, unless otherwise specified in this Section.
- ii. A minimum thirty-six (36) inch masonry wainscot shall be required on all building elevations of the Seeds Building.
- iii. Any greenhouse structure(s) or greenhouse building additions to the Seeds Building shall be (i) a permanent structure; (ii) permitted to have glass, metal and/or polycarbonate or acrylic greenhouse panel exterior building materials; and (iii) shall not exceed 3,000 square feet.
- iv. Outdoor display of plant materials available for sale to the public shall be permitted in the Seeds Area (not to exceed 2,000 square feet in area).
- v. Any additions or modifications to the Seeds Building and any Accessory Buildings shall comply with the architectural standards included in this Section.

C. Cidery Area.

- i. The Principal Building within the Cidery Area (the “**Cidery Building**”) shall be constructed and enhanced in substantial compliance with the architectural elevations attached hereto as Exhibit C.
- ii. The improvements and enhancements shown in Exhibit C shall be completed within two (2) years of the adoption of this Ordinance.
- iii. Any additions or modifications to the Cidery Building and any Accessory Buildings shall be architecturally consistent with the Cidery Building.

D. All Areas.

- i. Any Picnic Shelter(s) shall be architecturally consistent with Exhibit D of this Ordinance.
- ii. A Music Shelter shall be architecturally consistent with Exhibit E of this Ordinance.
- iii. Unless otherwise provided in Section 8.1(C), any other Accessory Buildings shall (a) be architecturally consistent with the Vine Building; (b) shall not exceed two buildings; and (c) shall not exceed 2,000 square feet per building.

7.2 Landscaping Standards.

- A. General Screening Standards. Article 6.8(H)(2) shall not apply to nonconforming conditions present in the Vine Area at the time of the adoption of this Ordinance.
- B. Minimum Lot Landscaping Requirements. Article 6.8(K) of the UDO shall only apply to the Vine Area, Cidery Area and Seeds Area. The Uses in these Areas shall be treated as “Business Uses” as specified in Article 6.8(K).
- C. External Street Frontage Landscaping Requirements. Article 6.8(M) shall not apply to the District. Instead, External Street Frontage Landscaping and decorative fencing with masonry elements shall be installed in substantial compliance with the landscaping plan attached hereto as Exhibit F (“**Streetscape Landscaping**”) and the decorative fence elements included in Exhibit G (“**Streetscape Fencing**”). The Streetscape Landscaping and Streetscape Fencing shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.
- D. Buffer Yard Requirements. Article 6.8(N) shall not apply to the District. Instead, the Perimeter Tree Preservation and Mound Requirement standards of this Ordinance shall apply.
- E. Parking Area Landscaping. Article 6.8(O) shall apply to all Parking Areas except the Seasonal Parking identified on the Concept Plan.
- F. Perimeter Tree Preservation: Existing trees within ten (10) feet of the perimeter of the District, that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in this area shall not be removed except if (i) needed to provide connectivity to the uses adjacent to the District, (ii) required by the City; or (iii) needed for drainage/utility installations.
- G. Orchard Preservation and Planting: If not already planted at the time this Ordinance is adopted, apple trees shall be installed on the Real Estate in the locations and in substantial compliance with the areas labeled as “Orchard” on the Concept Plan.

These trees shall be preserved and maintained as part of the horticultural operation on the Real Estate. All Orchard trees shall be planted by April 1, 2023.

H. Mound Requirement: A landscaping mound of at least five (5) feet in height shall be constructed along the east side of the pond in substantial compliance with the mound shown on the Concept Plan. The mound shall be landscaped with five (5) shade trees, five (5) evergreen trees and twenty (20) shrubs per one hundred (100) lineal feet of mounding. The mound and associated landscaping shall be installed prior to the issuance of a Certificate of Occupancy for the Music Shelter.

7.3 Sign Standards. The sign standards set forth in this Section 8.4 shall apply to the District. To the extent that the provisions of Article 6.17 of the UDO are in conflict with the standards set forth in this Section 8.4, the standards of this Section shall control.

A. Entrance Signs. Section 6.17(H)(2) of the UDO shall not apply to the District. Instead, the following standards for signs at each entrance ("**Entrance Signs**") shall apply:

- i. Entrance Signs shall not be internally illuminated. Any Entrance Sign illumination shall consist of gooseneck down lighting.
- ii. One two-sided wood directional sign shall be permitted at the northern entrance to the Real Estate along Spring Mill Road (the "**Service Entrance Sign**"). Maximim sign height shall be six (6) feet. Maximum sign area per side shall be ten (10) square feet. The Service Entrance Sign shall be substantially consistent with the character and quality of the signs depicted in Exhibit H, attached hereto.
- iii. Signage at the main entrance (the southernmost entrance) to the Real Estate (the "**Main Entrance Signage**") along Spring Mill Road shall be in accordance with the sign standards set forth in Section 6.17(G)(1)(a) or (b). The Main Entrance Signage shall be substantially consistent with the character and quality of the signs depicted in Exhibit I, attached hereto.
- iv. Entrance Signs shall be installed within one (1) year of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Vine Building, whichever occurs first.

B. Wall Signs.

- i. A maximum of one (1) Wall Sign shall be permitted on each elevation of the Vine Building and the Cidery Building.
- ii. Wall Signs on the Vine Building shall be a maximum of: (a) 75 square feet on the east and west elevations; (b) 30 square feet on the north and south elevations.
- iii. Wall Signs on the Cidery Building shall be a maximum of: (a) 75 square feet on the north and south elevations; (b) 30 square feet on the east and west elevations.
- iv. One Wall Sign shall be permitted on the east elevation of the Seeds Building, a maximum of 75 square feet.

- v. Wall Signs shall not be internally illuminated. Any Wall Sign illumination shall consist of gooseneck down lighting.

7.4 Parking and Loading Standards.

- A. Loading Berths. Article 6.14(C) shall not apply to the District.
- B. Surfacing and Curbs. Article 6.14(G)(7) shall apply to all Parking Areas except the Seasonal Parking and the internal access drive extending to the Music Shelter, as shown on the Concept Plan.
- C. Required Spaces. Article 6.14(G)(11) is hereby modified to provide that Parking Space requirements for all uses in the District shall 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 a Detailed Development Plan or at such other time as deemed appropriate by the Director. The number of Parking Spaces constructed within the District may vary from the numbers indicated on the Concept Plan, based on the determination of the Director.

Section 8. Article 6.15 Performance Standards shall apply except as specifically modified:

- A. In addition to the requirements of Article 6.15, B (4) of the UDO, the following shall apply: No outdoor speakers shall be used in conjunction with any uses between the hours of 10 P.M. and 8 A.M.

Section 98. Processes and Permits. The standards of Article 10 Processes and Permits shall apply to the development of the Real Estate, except as otherwise modified below.

- 98.1 Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy for the Music Shelter, a sound test will be performed by the Department with the assistance of a Professional Audio Company, to confirm compliance with Section 34-51: Environment; Nuisances; Noise; Prohibitions, of the Code of Ordinances, of Westfield, Indiana. The Company will be chosen by the Department and all costs will be paid by the Property Owner and/or Applicant for the associated Improvement Location Permit Application. The Certificate of Occupancy for the Music Shelter shall be obtained within two (2) years of the adoption of this Ordinance or prior to the issuance of a Certificate of Occupancy for the Cidery Building, whichever occurs first.

Section 109. Duration. Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2027 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF1 District.

Section 1011. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2021.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE XX-XX** was delivered to the Mayor of Westfield on the _____ day of _____, 2021, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE XX-XX**

this _____ day of _____, 2021.

J. Andrew Cook, Mayor

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

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



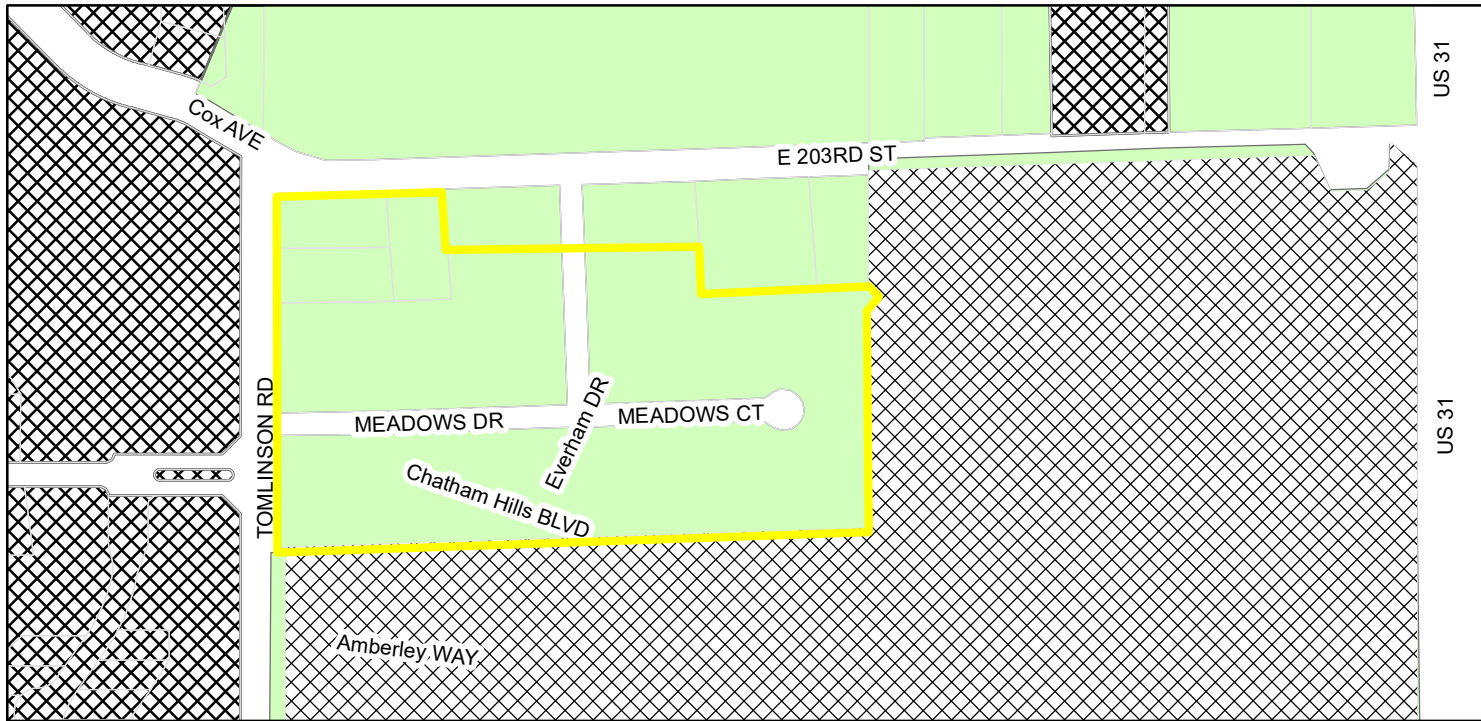
Property Location Map
Style-Rite Meadows Plat Vacation
2112-SPV-01



Aerial Location Map



Zoning Map



Zoning

- AG-SF1 (Agriculture - Single Family - 1)
- PUD (Planned Unit Development)