



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_05_09_2017

Tuesday, May 09, 2017 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, May 09, 2017 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD OF ZONING APPEALS

OPENING OF REGULAR MEETING

Note the presence of a quorum

Approval of minutes - April 11, 2017

Documents: [BZA Minutes - April 11, 2017](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

PUBLIC HEARINGS

1705-VS-08 [PUBLIC HEARING]

1600 East 151st Street (Target)

Target Corporation by Ice Miller

The Petitioner is requesting a Variance of Standard to modify the Maximum Sign Area permitted to allow for additional proposed signage in the GB: General Business District (Article 6.17(F)(5)).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Existing Conditions](#) | [Exhibit 4: Site Plan](#) | [Exhibit 5: Elevations](#) | [Exhibit 6: Statement of Intent](#) | [Exhibit 7: Petitioner's Application](#) | [Reference Only: Westfield Boulevard Extension](#)

1705-VS-09 [PUBLIC HEARING]

17600 Shamrock Blvd (Riverview Health)

Riverview Health

The Petitioner is requesting a Variance of Standard to permit a Banner as a Wall Sign in the Junction Planned Unit Development (PUD) District (Article 6.17(E)(6) of UDO & Section 4.4 of Ordinance 14-22).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Sign](#)

CONTINUED

1609-AA-01 [CONTINUED]

14939 Ditch Road

Indiana Structural Foundations, LLC The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

1612-VS-17 [WITHDRAWN]

18300 Block of Joliet Road (Parcel No. 08-05-31-00-00-004.000)

TNA Enterprises, LLC

The petitioner is requesting approval of a Variance of Standard to reduce the Minimum Lot Frontage in the AG-SF1: Agriculture / Single-Family Rural District (Article 4.2(D)).

REPORTS/COMMENTS:

Plan Commission Liaison

Economic and Community Development Department

ADJOURNMENT

The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, March 11, 2017, at Westfield City Hall. Members present included Jeannine Fortier, Martin Raines, and Robert Smith. Also present were Pam Howard, Associate Planner; Amanda Rubadue, Associate Planner; and Brian Zaiger, City Attorney.

ROLE CALL

Noted presence of a quorum.

APPROVAL OF MINUTES

Raines moved to approve the March 14, 2017, meeting minutes as presented.

Fortier seconded, and the motion passed 3-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1704-VS-07 [PUBLIC HEARING]

3629 Oak Hollow Road

Adam Gonzalez

The Petitioner is requesting a Variance of Standard to reduce the Minimum Rear Yard Setback to accommodate the installation of a pool on .34+/- acres in the Bridgewater PUD District (Exhibit 12 of Ordinance 06-49).

Rubadue presented an overview of the requested Variances of Standard, as summarized in the Department report and overviewed the petitioner's request to modify the minimum rear yard setback from 30 feet to 20 feet to accommodate the addition of an in-ground pool.

Adam Gonzales, petitioner, gave an overview of the project.

Gonzales responded to finding of facts questions from Smith.

Public Hearing opened at 7:12 p.m.

Dave Mennal, 15379 Whistling Lane, representing the Bridgewater Master HOA stated that the HOA is waiting on final plans, specs, and photos of the project. He added that Mr. Gonzales has been very willing to work with the HOA.

Public Hearing closed at 7:14 p.m.

Raines motioned to approve the 1704-VS-07 Variance of Standard to reduce the Minimum Rear Yard Building Setback Line in the Bridgewater PUD District with the condition that plans for the pool shall be reviewed and receive approval from the Bridgewater Club prior to issuance of an Improvement Location Permit.

Fortier seconded and the Motion passed 3-0.

Raines moved to adopt the Department's recommended findings of facts.

Fortier seconded and the Motion passed 3-0.

REPORTS/COMMENTS

Plan Commission Liaison report by Schmitz.

Economic and Community Development Department, no report

Fortier motioned to adjourn the meeting.

Raines seconded, and the motion passed.

The meeting adjourned at 7:17 p.m.

Chairperson
Robert Smith, Esq.

Secretary
Matthew S. Skelton, Esq., AICP
Director



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

May 9, 2017
1705-VS-08
Exhibit 1

Petition Number: 1705-VS-08

Subject Site Address: 1600 East 151st Street (the "Property")

Petitioner: Target Corporation (the "Petitioner")

Request: The petitioner is requesting a Variance of Standard to modify the maximum permitted Individual Nonresidential Sign Area on 9.49+/- acres in the GB: General Business, AG-SF1: Agriculture/Single-Family Rural and SF-2: Single Family Low Density Districts (Article 6.17(F)(5) & (H)(1)).

Current Zoning: GB: General Business, AG-SF1: Agriculture/Single Family Rural and SF-2: Single Family Low Density Districts

Current Land Use: Commercial Retail

Approximate Acreage: 9.49+/- acres

Exhibits:

1. Staff Report
2. Location Map
3. Existing Conditions
4. Site Plan
5. Elevations
6. Statement of Intent
7. Petitioner's Application

Staff Reviewer: Amanda Rubadue, Associate Planner

OVERVIEW

The subject property is 9.49 acres +/- in size and located at 1600 East 151st Street (see [Exhibit 2](#)).

The Property is zoned GB, AG-SF1 and SF-2. The property currently contains an approximately 118,595 SF commercial retail building (see [Exhibit 3](#)). The surrounding properties are GB, AG-SF1 and SF-2.

SUMMARY OF VARIANCE

The petitioner is requesting a Variance of Standard to modify the maximum permitted Individual Nonresidential Sign Area from the permitted five hundred (500) square feet to one thousand, two hundred, twenty (1,220.83) square feet, as further described in [Exhibit 6](#).

The property is subject to the General Sign Regulations and the Individual Nonresidential Sign standards of the UDO. Article 6.17(F)(5) limits nonresidential uses or tenants to a maximum of five hundred (500) square feet of Sign Area.¹ Signage on the property is further limited by the Individual Nonresidential Sign standards that restrict Sign Area to one (1) square foot of Sign Area for each one (1) linear foot of

¹ The UDO defines "Sign Area" as "The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters."



building fronting on a public right of way. This calculation would include frontage on US Highway 31, 151st Street and the Westfield Boulevard extension, which is currently under construction, for a total of potential Sign Area of nine hundred, ninety-five (995) square feet (see [Exhibit 3](#)).

This request would accommodate a total Sign Area of one thousand, two hundred, twenty (1,220) SF including the current signage which will remain (see [Exhibit 4](#) and [Exhibit 5](#)). The requested Sign Area will be divided between additional Wall signage and two (2) Monument Signs.

Procedural

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the May 9, 2017, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals' Rules of Procedure.

Conditions: The UDO² and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO³ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variance of Development Standard: The Board of Zoning Appeals shall approve or deny a variance from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

² Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

³ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



Department Comments

If the Board is inclined to approve the variance, then the Department recommends approving the petition with the following condition and findings:

Recommended Condition:

Plans for the signs shall be reviewed and receive approval from the Department and Public Works prior to issuance of a Sign Permit.

Recommended Findings for Approval:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variance would be injurious to the public health, safety, morals, and general welfare of the community because the existing use and proposed improvements would otherwise comply with the applicable standards of the UDO.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance(s) should not have a negative impact on surrounding properties because: i) wall and monument signs are permitted and the property will be used for its current commercial use; ii) the parcel would otherwise comply with or exceed the applicable standards; iii) the approval of the variance(s) will facilitate the viable and continued use of the property in a manner substantially consistent with the quality and character of the surrounding area and the Comprehensive Plan.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strict adherence to the zoning ordinance would result in the inability to improve the property's signage as proposed. The use is permitted by the zoning ordinance and the proposed improvements and parcel would otherwise be permitted and comply with the zoning ordinance.

Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



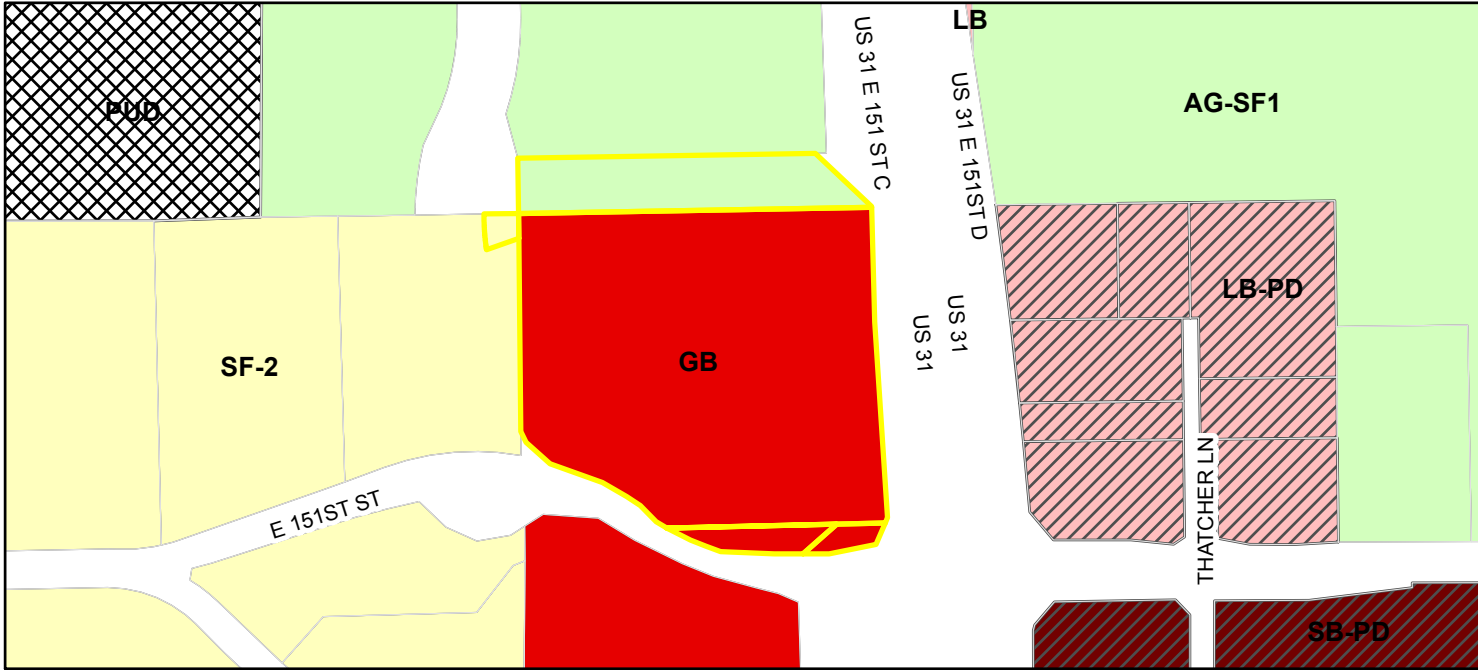
Property Location Map
1705-VS-08
1600 East 151st Street



Aerial Location Map



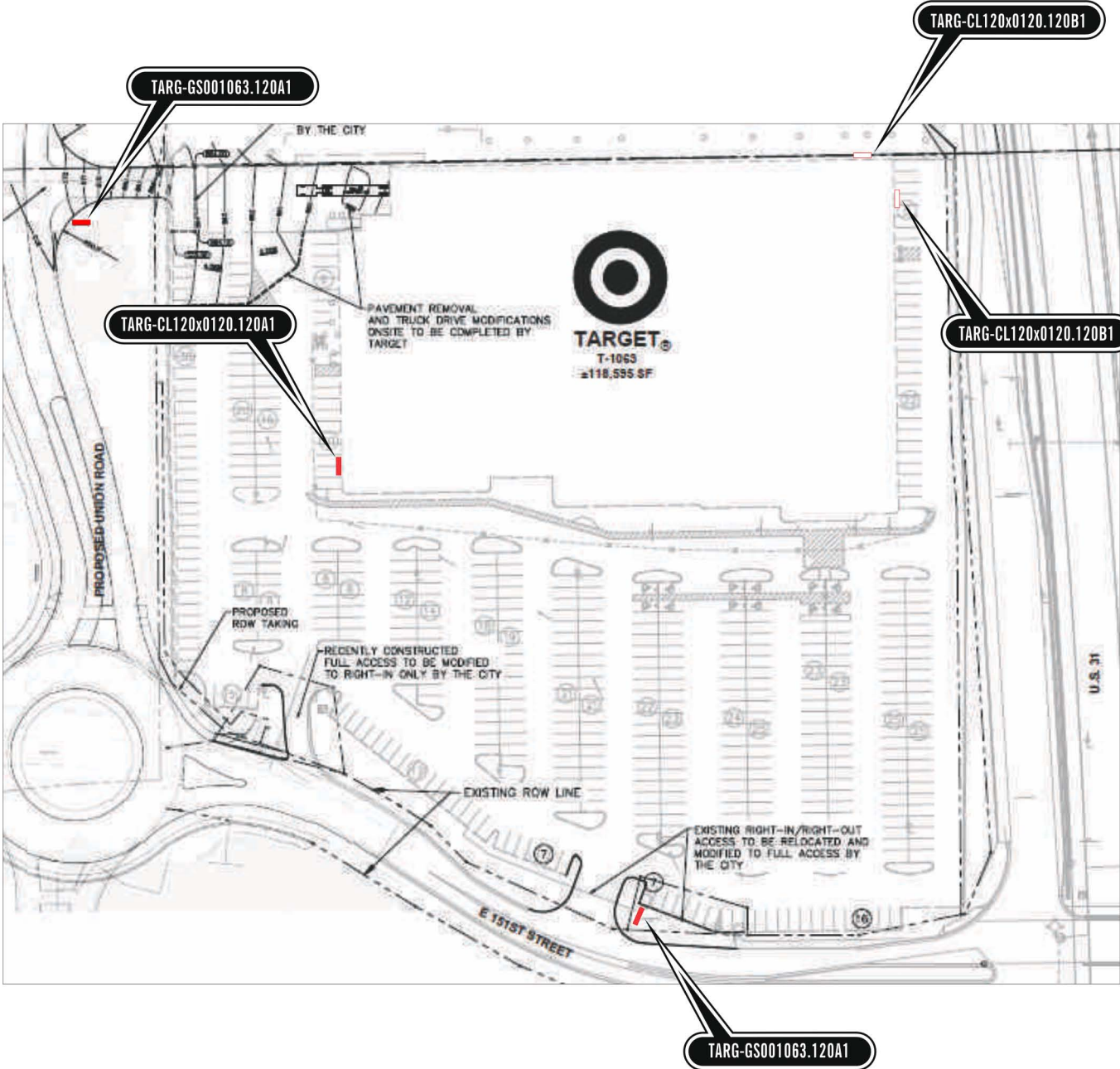
Zoning Map



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

Existing Conditions Exhibit





MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v 277v 347v OTHER

 Preliminary Artwork

 Approved for Production

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

REVISION DATES:



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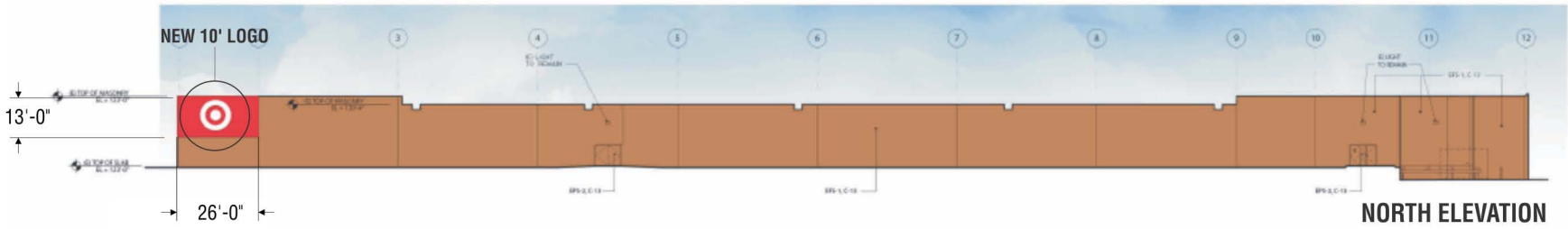
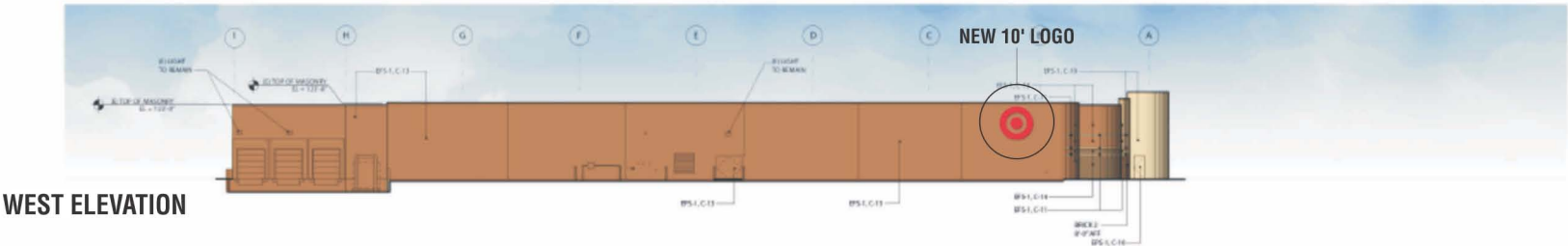
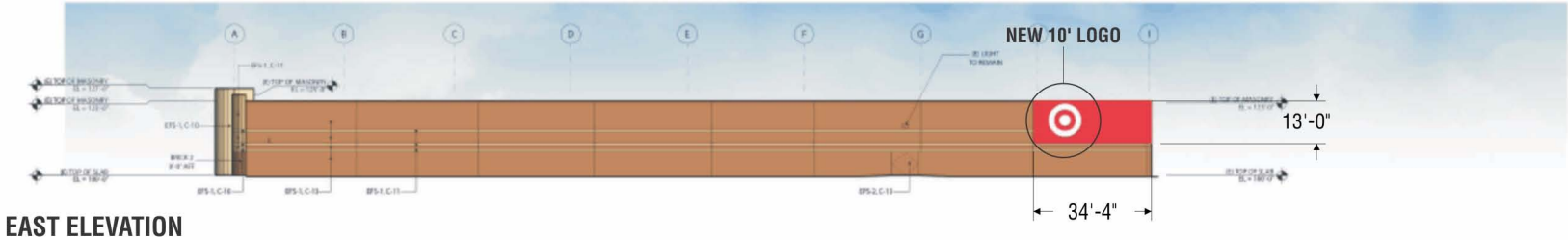
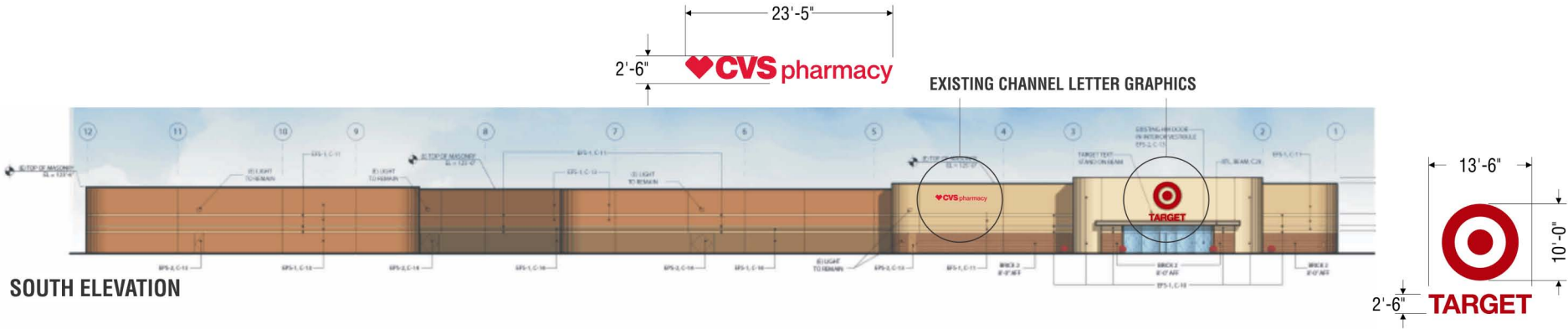
255 PINEBUSH ROAD CAMBRIDGE ONTARIO CANADA TEL: 519.622.4040 FAX: 519.622.4031 WWW.PRIDESIGNS.COM



15160 N. Meridian St.
Carmel, Indiana



DRAWN BY: T. Dodge
DATE: January 4, 2017



MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v 277v 347v OTHER

■ Preliminary Artwork

■ Approved for Production

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REVISION DATES:
January 4, 2017
March 28, 2017

T. Dodge
T. Dodge



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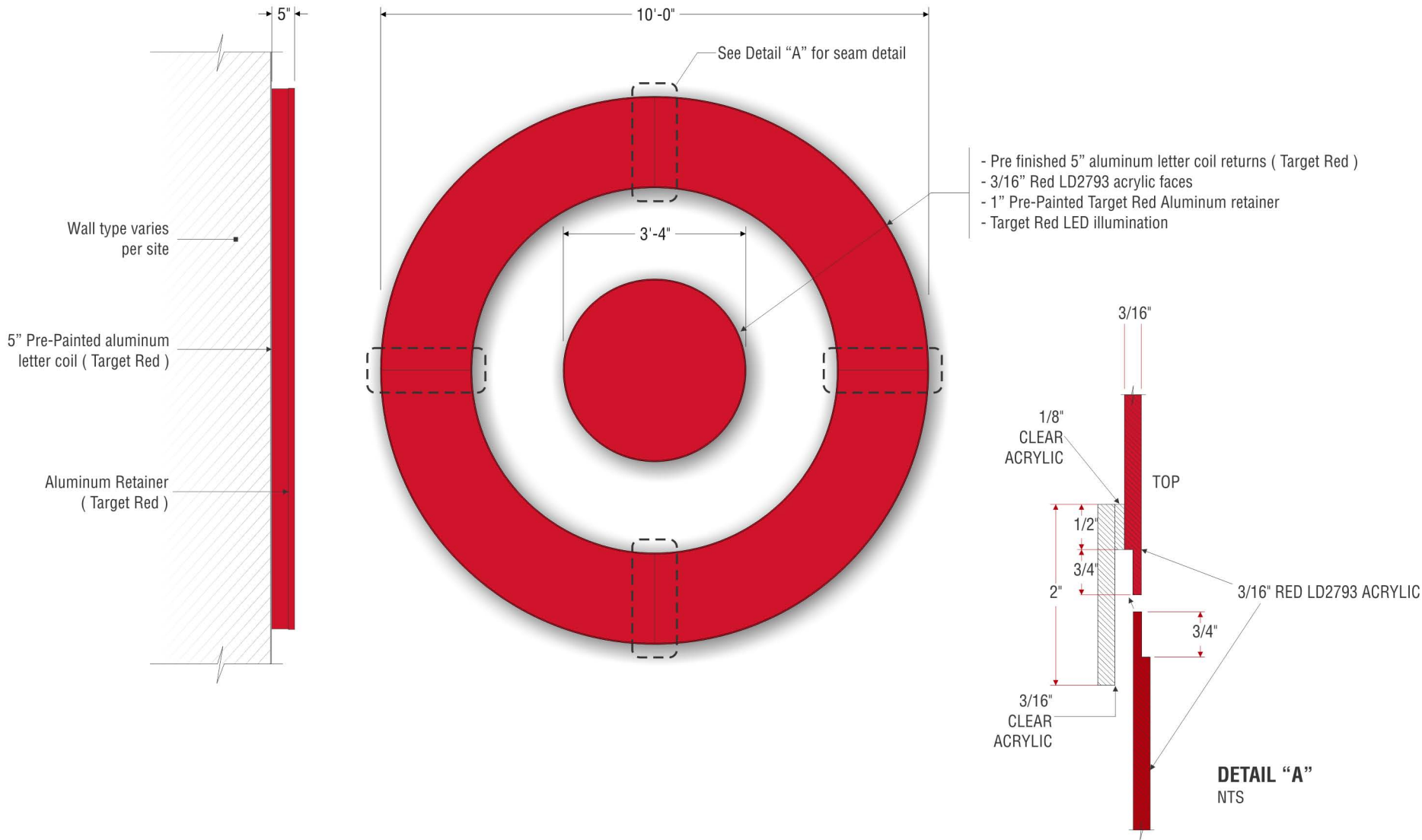
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15160 N. Meridian St.
Carmel, Indiana



DRAWN BY: T. Dodge
DATE: January 3, 2017



MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v \ 277v \ 347v \ OTHER

☐ Preliminary Artwork

☒ Approved for Production

January 3, 2017

T. Dodge

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REVISION DATES:



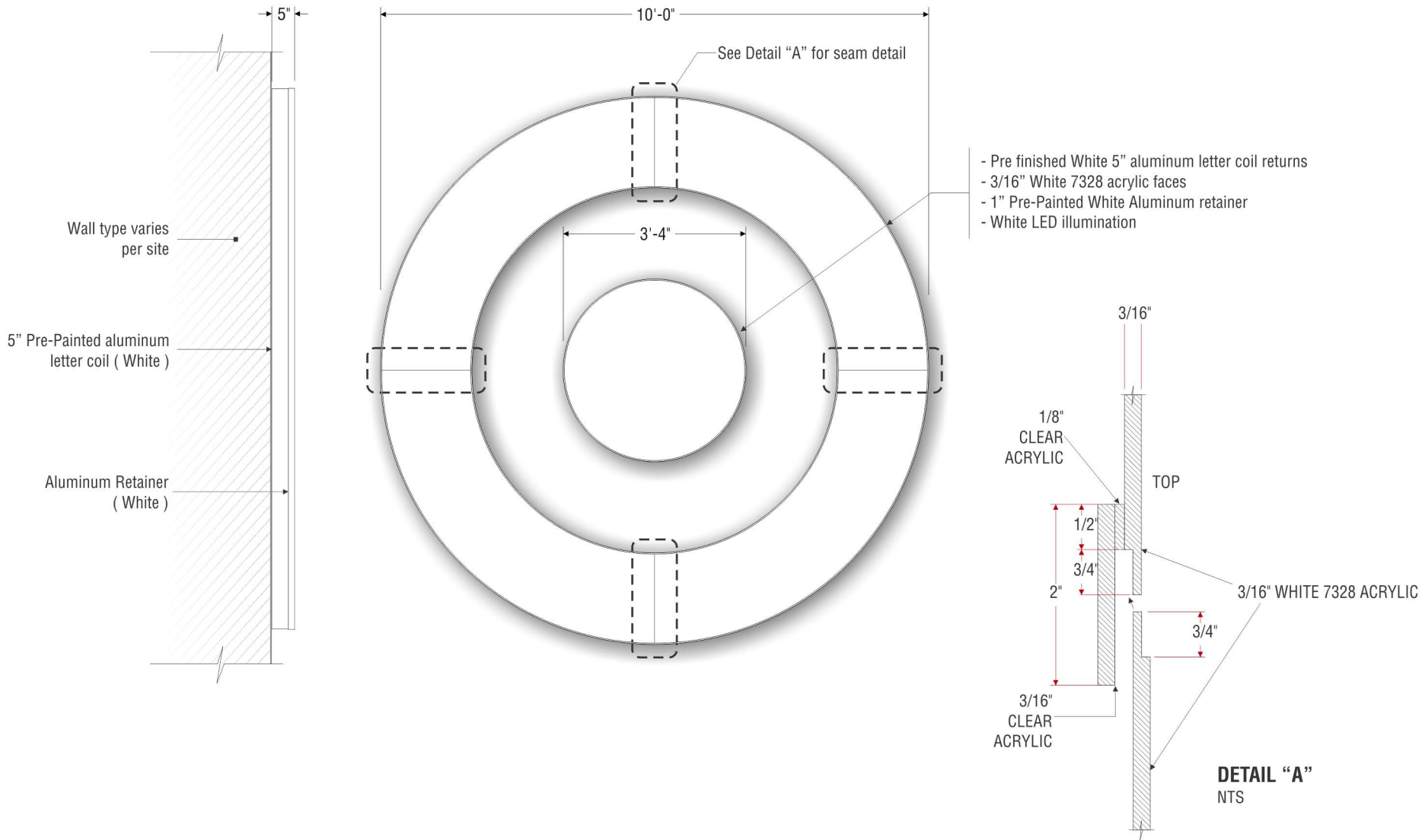
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TARGET USA

DRAWN BY: T. Dodge
DATE: January 3, 2017



MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v \ 277v \ 347v \ OTHER

☐ Preliminary Artwork

☒ Approved for Production

January 3, 2017

T. Dodge

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REVISION DATES:



PRIDE SIGNS

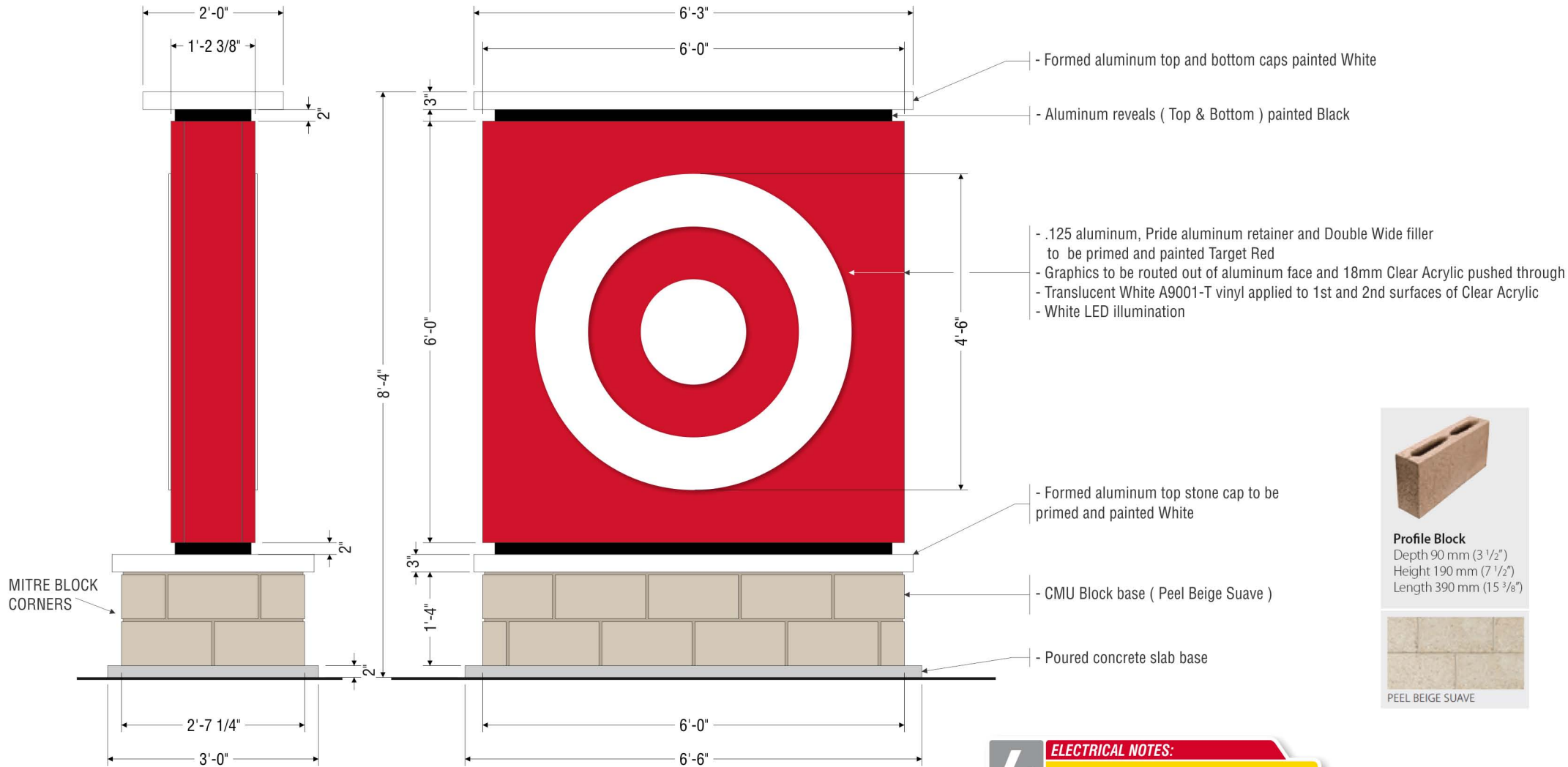
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TARGET USA

DRAWN BY: T. Dodge
DATE: January 3, 2017



ELECTRICAL NOTES:

- ELECTRICAL TO BE PULLED FROM BUILDING
- LIVE HOOK UP AT THE SIGN

- MISCELLANEOUS
- COLOUR REQUIRED
- VECTOR ART REQUIRED
- SITE CHECK REQUIRED**

Electrical Requirements

120v 277v 347v OTHER

- ☒ Preliminary Artwork
- ☐ Approved for Production

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REVISION DATES:
January 30, 2017 T. Dodge

**Target Corporation
1600 E. 151st Street**

Variance of Development Standards – Signage

Statement of Intent

Target Corporation (“Petitioner”) owns and operates a retail store addressed as 1600 E. 151st Street, Westfield, Indiana. Recent improvements to U.S. 31, 151st Street, and the current extension of Union Street/Westfield Boulevard have resulted in the need for additional signage to the existing store. Petitioner requests approval for the following: add new wall signs to the north, east, and west building elevations; and add monument signs to two vehicular entries (one on 151st Street and another on the extension of Union Street/Westfield Boulevard).

The Westfield-Washington Township Unified Development Ordinance limits the maximum amount of sign area for any single use to 500 square feet. The existing signage totals 192.5 square feet. Petitioner proposes to add the following signs:

1. East Elevation: round “Target” logo wall sign on a red background totaling 446.33 square feet of sign area.
2. West Elevation: round “Target” logo wall sign totaling 100.00 square feet of sign area.
3. North Elevation: round “Target” logo wall sign on a red background totaling 338.00 square feet of sign area.
4. 151st Street Entry: monument sign with 36 square feet on each side, totaling 72 square feet of sign area.
5. Union Street/Westfield Boulevard Entry: monument sign with 36 square feet on each side, totaling 72 square feet of sign area.

The new signage totals 1028.33 square feet and, when added to the existing signage, would result in a total site signage total of 1220.83 square feet.

VARIANCE APPLICATION

OFFICE
USE ONLY
DOCKET #: _____ FILING DATE: _____
FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ ____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Jesse Pohlman (STAFF NAME) DATE: _____

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Target Corporation TELEPHONE: _____ADDRESS: P.O. Box 9456, Minneapolis, MN 9456 EMAIL: _____PROPERTY OWNER'S NAME: See attached Parcel List TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

REPRESENTATIVE'S NAME: Jason Mc Niel, Attorney TELEPHONE: 317-236-2300COMPANY: Ice Miller LLP EMAIL: jason.mcniel@icemiller.comADDRESS: One American Square, Suite 2900, Indianapolis, IN 46282

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 1600 E. 151st Street
08-09-13-00-00-012.113; 09-09-13-00-00-009.000; 08-09-13-00-00-008.001;COUNTY PARCEL ID #(S): 09-09-13-00-00-010.001; and 09-09-13-00-00-010.000EXISTING ZONING DISTRICT(S): GB - General Business EXISTING LAND USE(S): Target Retail Store

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: Article 6.17, F, 5: Sign Area - maximum of 500 sq. ft.FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): _____

The Applicant desires to update the sign package for the existing Target Store due to the change in the surrounding public right-of-ways which provide access onto the property. The proposed new signage, comprised of three wall signs and two monument signs, when added to the existing wall signage would exceed the maximum permitted sign area for a nonresidential use of 500 sq. ft.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATIONS



GENERAL INSTRUCTIONS

- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Economic and Community Development Department (the “Department”) to discuss a petition prior to filing. An application will not be considered filed until a pre-filing conference has occurred. Applicants are encouraged to incorporate the Department’s comments into the application prior to filing.
- B. **Filing Petition:** A petition shall be filed with the Department by the filing deadline in accordance with the Schedule of Meeting and Filing Dates. In order to be deemed a complete petition, a petition shall include the following:
- | | |
|--|--|
| ☒ Completed Application | ☒ Legal Description |
| ☒ Draft Public Notice | ☐ List of Adjoining Property Owners (as provided by County) |
| ☒ Property Owner Consent | ☐ TAC Delivery Affidavit (if TAC is determined to be necessary) |
| ☒ Site Plan (to scale) | ☒ Copy of Property Deed |
| ☒ Statement of Intent | ☒ Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s) |
- C. **Filing Fee Check:** After the filing of an application, the Department will advise the applicant of the applicable filing fee amount, which is due and payable (checks made out to “City of Westfield”) within two (2) weeks of filing.
- D. **Technical Advisory Committee (TAC):** The applicant is responsible for submitting a copy of the application and related information to Technical Advisory Committee members prior to filing, if determined by the Department to be necessary. An affidavit confirming delivery of information is required to be completed and signed by the applicant and submitted with the petition. Technical Advisory Committee meetings are held in the City Services Building (2728 East 171st Street, Westfield, IN 46074) in accordance with the Schedule of Meeting and Filing Dates. A representative must be present at this meeting.
- E. **Public Hearing and Notice:** All variance petitions require a public hearing by the Board of Zoning Appeals. The public hearing is held at City Hall, 130 Penn Street, Westfield, Indiana, in accordance with the Schedule of Meeting and Filing Dates. Notice of the hearing is required in accordance with the Board’s [Rules of Procedure](#):
1. **Newspaper Publication:** Notice of the hearing will be published in the Hamilton County Reporter and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by certified mail with proof of mailing (certificate of mailing) to all interested parties, postmarked at least ten (10) days prior to the hearing. A list of adjacent property owners may be obtained from the **Hamilton County Auditor, Office of Transfers and Mapping** (33 North 9th Street, Noblesville, IN 46060, (317) 776-9624), and shall include all owners of property to a depth of two (2) ownerships of no direct or indirect financial or other interest to the applicant or property owner or one-eighth of a mile (1/8), whichever is less.
 3. **Public Notice Sign:** The applicant is responsible to post a public notice sign(s) on the property at least ten (10) days prior to the public hearing. The Department will determine sign locations and will make signs available for the applicant to obtain in the office of the Department.
 4. **Affidavit of Notice of Public Hearing:** The applicant shall deliver a copy of the mailed notice and a signed affidavit, verifying that the notices were mailed and the public notice sign(s) was posted on the subject property, to the Department at least four (4) calendar days prior to the public hearing.
- F. **Ex-parte Communication:** In no event shall applicants or other interested parties contact or attempt to communicate with members of the Board in regard to a filed variance petition prior to the public hearing.
- G. **Revised Materials:** If the applicant wishes to submit additional or revised information than what is filed, then the applicant shall submit those to the Department no later than ten (10) days prior to the public hearing.
- H. **Board’s Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- I. **Resource:** Please see the Board’s [Rules of Procedure](#) for more detailed procedural information.



APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

[Signature]
Attorney for Applicant (signature)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 30th day of MARCH, 2017.

State of INDIANA, County of MARION, SS:



ROGER A. KILMER
Notary Public - Indiana
County of Hamilton
My Comm. Expires: Mar. 11, 2019

[Signature]
Notary Public Signature

Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

See Attached Owner Consent Form

Property Owner (signature)*

Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

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

State of _____, County of _____, SS:

Notary Public Signature

Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

**Target Corporation
1600 E. 151st Street**

Variance of Development Standards – Signage

Statement of Intent

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The new signage totals 1028.33 square feet and, when added to the existing signage, would result in a total site signage total of 1220.83 square feet.

Variances for 1600 E. 151st Street (Target)

Parcel List

Tax Parcel #	Ownership Name
08-09-13-00-00-012.113	Target Corporation
08-09-13-00-00-008.001	Dayton Hudson Corp.
09-09-13-00-00-009.000	Dayton Hudson Corp.
09-09-13-00-00-010.001	Dayton Hudson Corp.
09-09-13-00-00-010.000	Dayton Hudson Corp.

Target Corporation
1600 E. 151st Street

Variance of Development Standards – Signage

Legal Description

Part of the Northeast Quarter of Section 13, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of Section 13, Township 18 North, Range 3 East; thence North 00 degrees 34 minutes 38 seconds West (assumed bearing) on the East line of said Northeast Quarter 100.00 feet; thence South 89 degrees 29 minutes 27 seconds West parallel with the South line of said Northeast Quarter 94.26 feet to a point on the Westerly Limited Access Right-of-Way Line of U.S. Highway No. 31, per I.S.H.C. plans for Project F-24(23)A and the proceedings of the Circuit Court of Hamilton County, Indiana, filed December 1, 1977 as Cause No. C-75-212, said point being the PLACE OF BEGINNING of the within described real estate; thence South 38 degrees 25 minutes 02 seconds West on said Limited Access Right-of-Way Line 83.00 feet to the Southerly terminus of said Limited Access Right-of-Way Line; thence South 04 degrees 26 minutes 02 seconds East on the Westerly permanent right-of-way line of said U.S. Highway No, 31, a distance of 33.97 feet to the centerline of West 151st Street as now located and improved: thence South 86 degrees 55 minutes 01 seconds West on said centerline 151.70 feet to a Brass Plug marking the intersection of said centerline with the centerline of Greyhound Court and the point of curvature of a curve, the radius point of which lies 251.46 feet North 03 degrees 04 minutes 59 seconds West from said Brass Plug; thence Westerly, curving to the right on said centerline, an arc distance of 75.77 feet to the point of tangency of said curve at a point that is 251.46 feet South 14 degrees 10 minutes 54 seconds West of the radius point of said curve; thence North 75 degrees 19 minutes 06 seconds West on said centerline 64.42 feet to the point of curvature of a curve to the right the radius point of which lies 547.48 feet North 14 degrees 10 minutes 54 seconds East from said point; thence Northwesterly, curving to the right on said centerline, on arc distance of 166.21 feet to the point of tangency of said curve at a point that is 547.48 feet South 31 degrees 34 minutes 35 seconds West from the radius point of said curve; thence North 58 degrees 25 minutes 25 seconds West on said centerline 141.43 feet to the point of curvature of a curve to the left, the radius point of which lies 194.60 feet South 31 degrees 34 minutes 35 seconds West from said point; thence Northwesterly, curving to the left on said centerline, an arc distance of 115.95 feet to a point on a curve to the right having a radius of 1337.57 feet, the radius point of which lies 1142.97 feet South 02 degrees 33 minutes 51 seconds East of the radius point of the last described curve; thence Westerly, curving to the left on said centerline, an arc distance of 7.15 feet to a point that is 1337.57 feet North 02 degrees 52 minutes 13 seconds West of the radius point of said curve, said point also being on the Easterly line of real estate described in a Warranty Deed recorded as Instrument 83-15569 in said Recorder's Office; thence North 00 degrees 42 minutes 14 seconds West on the Easterly line of said real estate and the Northerly prolongation thereof 574.30 feet to a point 100.00 feet North of the Northeast corner of said real estate; thence North 89 degrees 03 minutes 39 seconds East 654.29 feet to a point on the aforesaid Westerly Limited Access Right-of-Way Line; thence South 10 degrees 49 minutes 11

seconds East on said Right-of-Way Line 101.50 feet to a concrete right-of-way monument; thence South 07 degrees 53 minutes 36 seconds East on said Right-of-Way Line 327.74 feet; thence South 04 degrees 05 minutes 32 seconds East on said Right-of-Way Line 243.86 feet to the place of beginning, containing 11.276 acres, more or less.

ALSO

A part of the Northeast Quarter of Section 13, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, and being that part of the grantor(s) land described as follows:

Commencing at the southeast corner of said quarter section; thence North 0 degrees 26 minutes 33 seconds West 670.84 feet along the east line of said quarter section to the easterly prolongation of the south line of a tract of land described in Instrument Number 9547485; thence South 89 degrees 12 minutes 15 seconds West 821.59 feet along said prolongation and along the south line of said tract to the northeast corner of the grantor(s) land as described in Instrument Number 2015022849 and the POINT OF BEGINNING of this description: thence South 0 degrees 33 minutes 38 seconds East 45.00 feet along the east line of the grantor(s) land; thence South 70 degrees 43 minutes 34 seconds West 62.18 feet; thence Northwesterly 65.07 feet along an arc to the right having a radius of 420.00 feet and subtended by a long chord having a bearing of North 3 degrees 57 minutes 47 seconds West and a length of 65.00 feet to the north line of the grantor(s) land; thence North 89 degrees 22 minutes 56 seconds East 62.75 feet along said north line to the POINT OF BEGINNING and containing 0.078 acres, more or less.

Subject to trail and utility easements being 30 feet in width by parallel lines off of the entire northerly and easterly sides thereof as per Deed Book 340, Pages 291-292, in the Office of the Recorder of Hamilton County, Indiana.

Draft

**NOTICE OF PUBLIC HEARING BEFORE THE
WESTFIELD BOARD OF ZONING APPEALS
DOCKET NO. 1703-???-??**

Notice is hereby given that the Westfield-Washington Township Board of Zoning Appeals will meet on Tuesday, May 9, 2017, at 7:00 p.m. at the Westfield City Hall, 130 Penn Street, Westfield, Indiana, to hold a Public Hearing upon the Variance Application on signage for the existing Target Store addressed as 1600 E. 151st Street, Westfield (County Parcel Nos. 08-09-13-00-00-008.001; 08-09-13-00-00-012.113; and 09-09-13-00-00-009.000). The Application filed on behalf of Target Corporation is identified as Docket No. 1703-???-??.

The requested Variances are to permit new wall signs on the north, east, and west building elevations and new ground signs at two vehicular entries. The details of the Application and the legal description are on file in the Planning and Zoning Division of the Westfield Community Development Department, City Services Center, 2728 E. 171st Street, Westfield, IN 46074, and may be examined during normal office hours.

Written comments regarding the Application may be filed with the Secretary of the Board of Zoning Appeals before the Public Hearing at the above address. Any person may offer verbal comments at the hearing or may file written comments at the hearing.

The Public Hearing may be continued to a future date from time to time as may be found necessary.

Petitioner: Target Corporation
c/o Ice Miller LLP
Jason McNiel, Attorney
One American Square, Suite 2900
Indianapolis, IN 46282
Phone: (317) 236-2300

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)



APPLICANT: Target Corporation

DOCKET #: _____

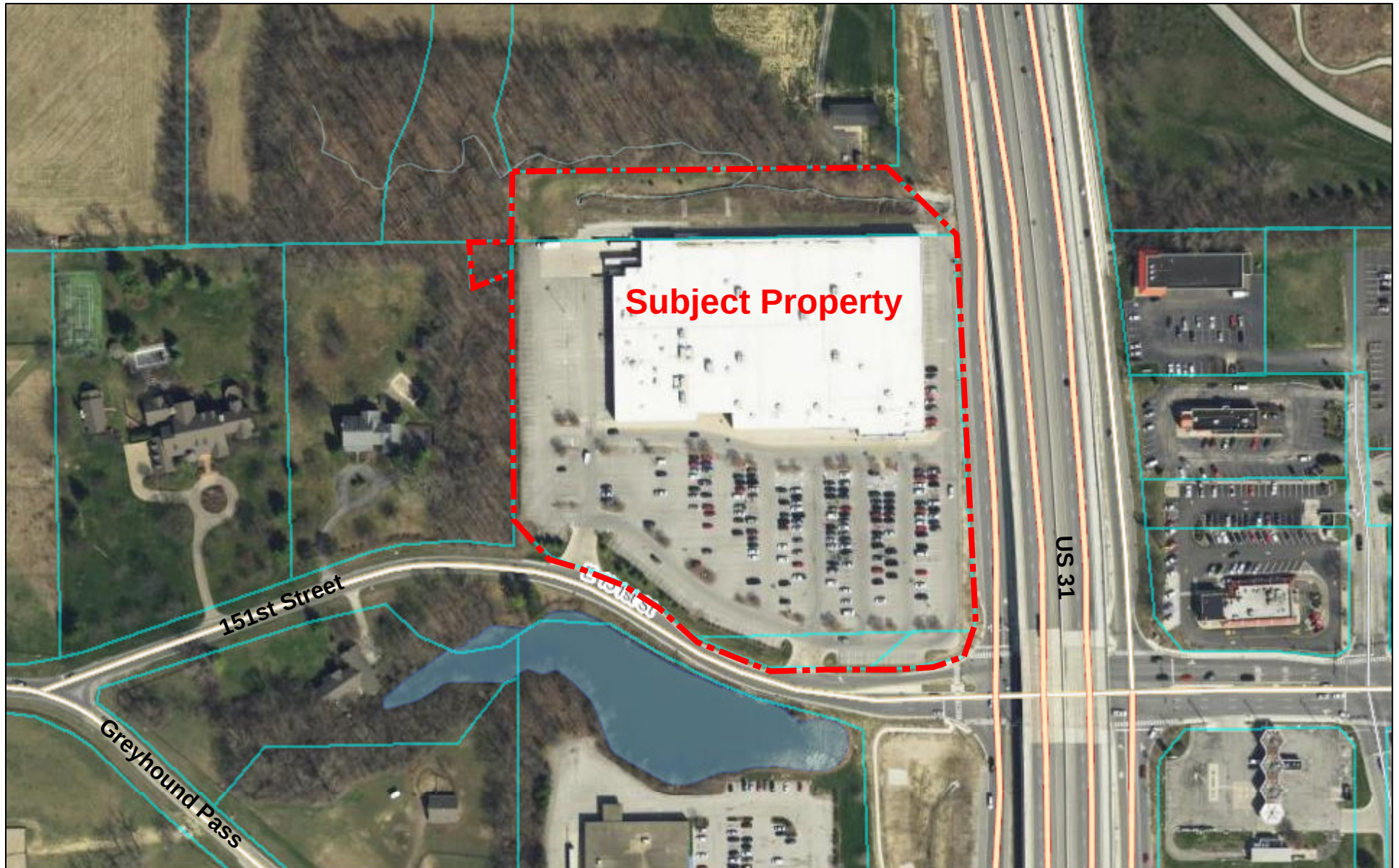
In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
the variance will allow additional signage to be added to the store on facades facing either new or
altered right-of-ways and provide for monument signs at the new vehicular entry points on the site.
This additional signage will aid patrons in finding the store and the new points of entry.

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: _____
the proposed signage will assist in identifying the store to patrons from perspectives or approaches
which were not previously available to the general public. Adjacent properties will not be
substantially adversely affected as the site is bordered on three sides by public right-of-ways and
on the north by a mature growth of trees.

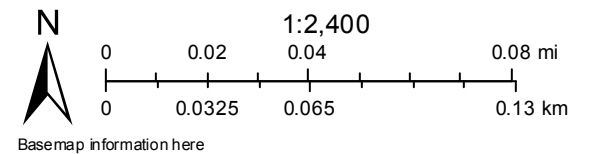
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
the store's existing identifying signage is only be viewable to southbound US 31 traffic after they
pass the offramp providing access to the store. Additionally, the extension of Union Street/Westfield
Boulevard provides a new frontage and point of access for this site. This new access will be the
primary point of entry for delivery trucks servicing the store and signage at this point is needed.

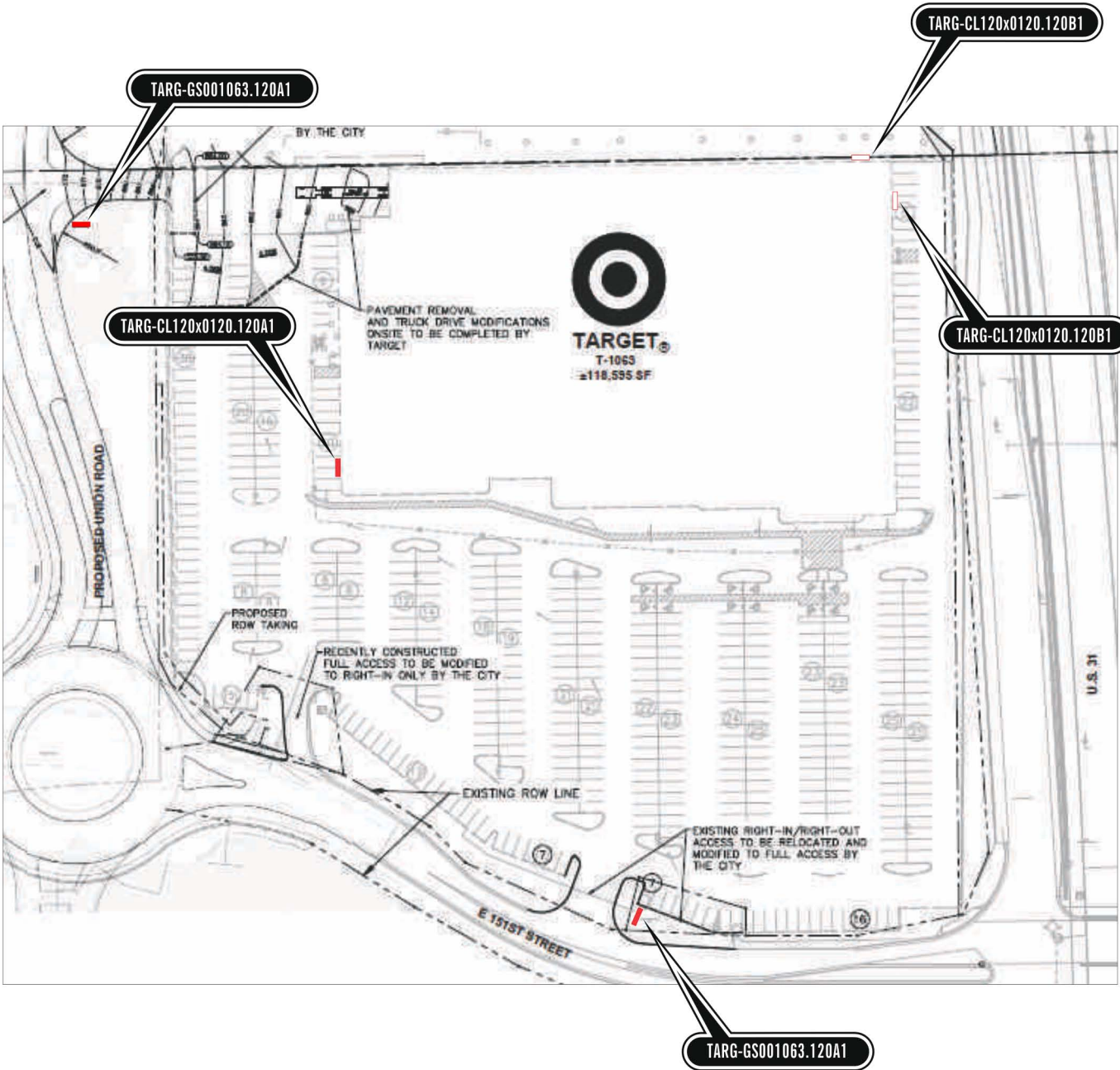
1600 E. 151st Street



March 23, 2017

 Parcels





MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v 277v 347v OTHER

 Preliminary Artwork

 Approved for Production

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

REVISION DATES:



PRIDE SIGNS

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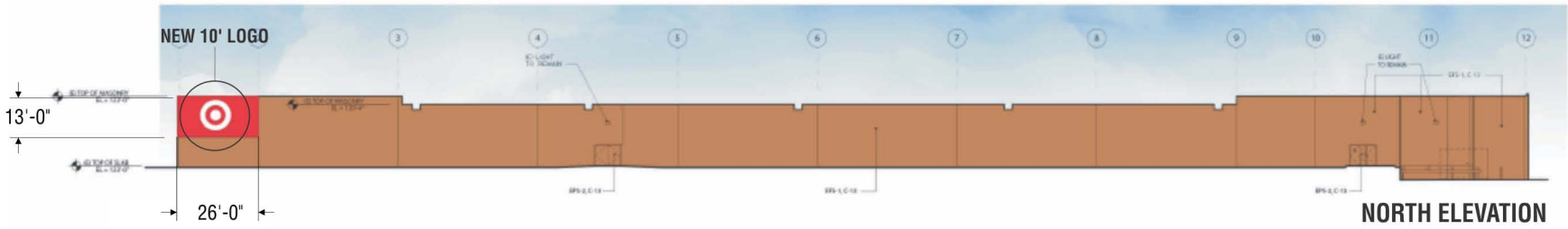
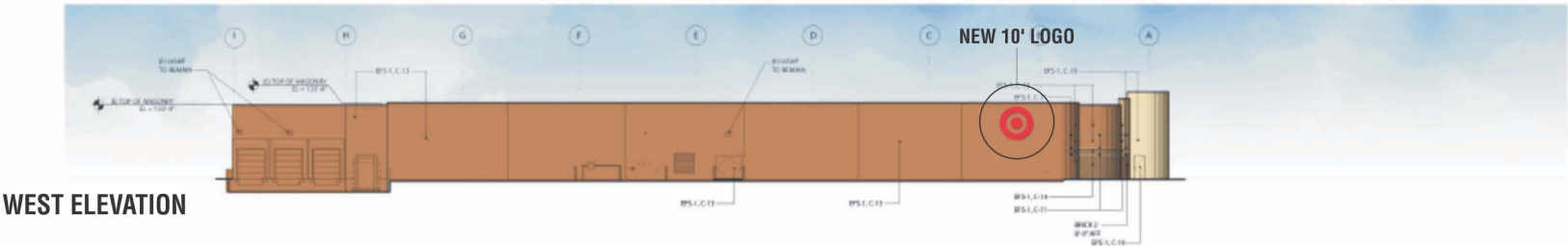
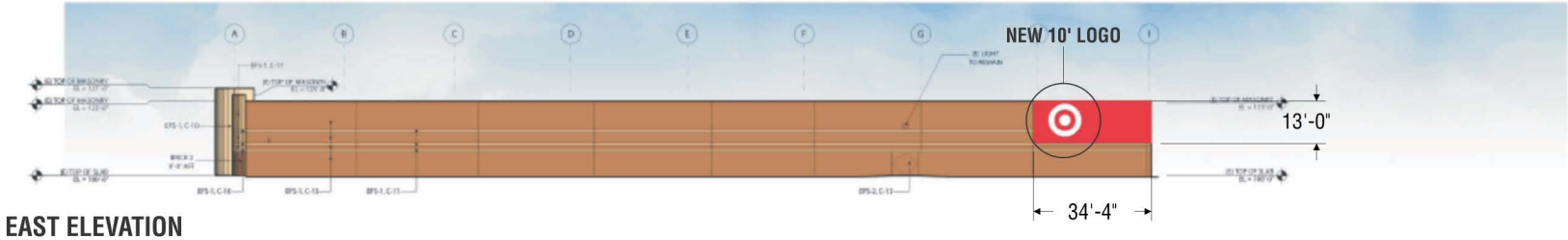
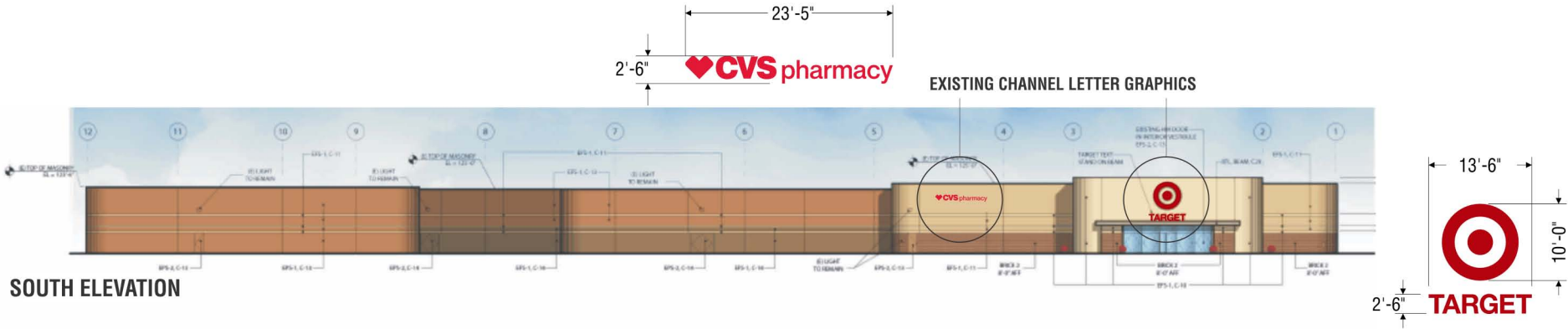
255 PINEBUSH ROAD CAMBRIDGE ONTARIO CANADA TEL: 519.622.4040 FAX: 519.622.4031 WWW.PRIDESIGNS.COM



15160 N. Meridian St.
Carmel, Indiana



DRAWN BY: T. Dodge
DATE: January 4, 2017



MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v 277v 347v OTHER

■ Preliminary Artwork

■ Approved for Production

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

REVISION DATES:
January 4, 2017
March 28, 2017

T. Dodge
T. Dodge



PRIDE SIGNS

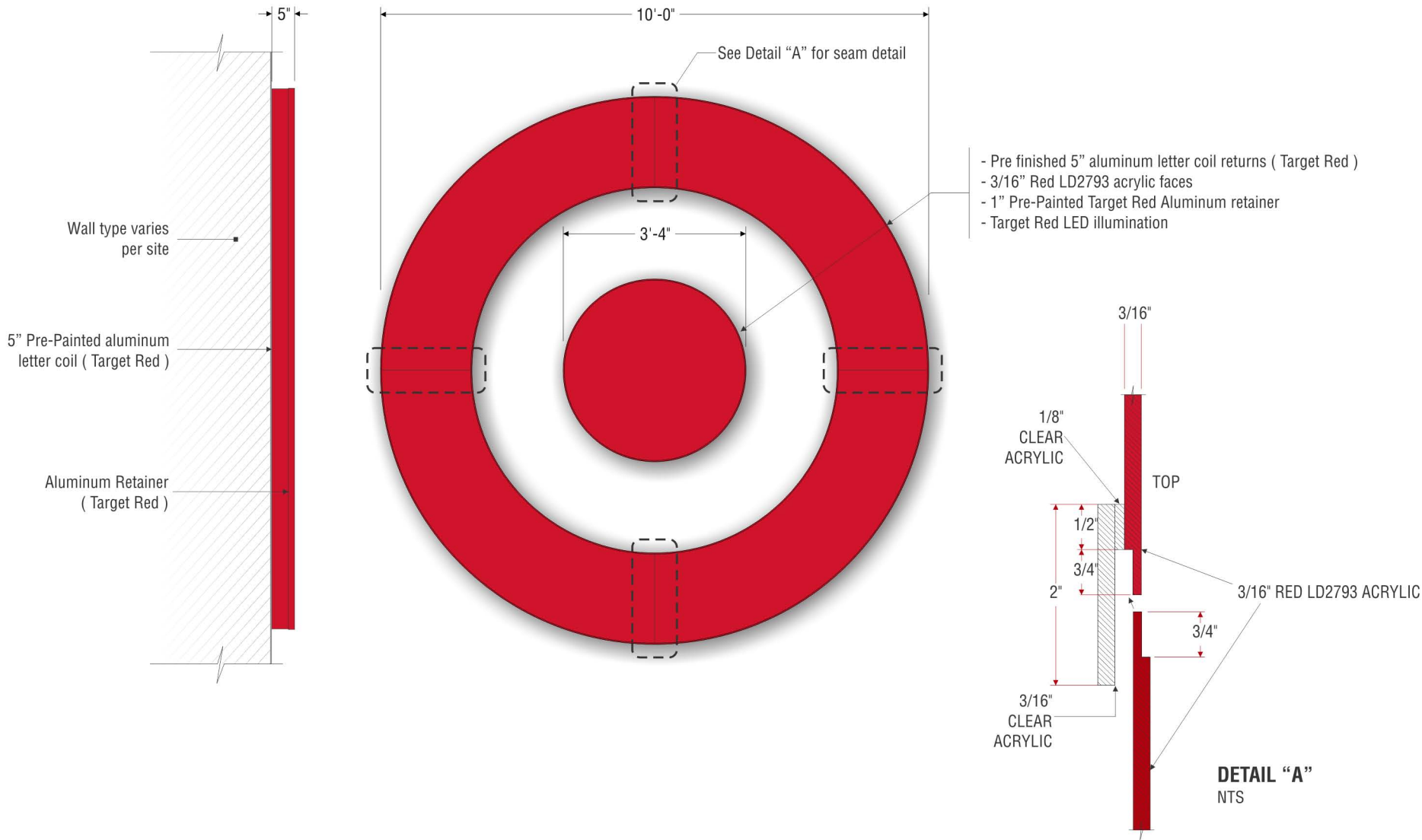
THIS ARTWORK IS THE PROPERTY OF PRIDE SIGNS LTD. AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM PRIDE SIGNS LTD. ©2017
255 PINEBUSH ROAD CAMBRIDGE ONTARIO CANADA TEL: 519.622.4040 FAX: 519.622.4031 WWW.PRIDESIGNS.COM



15160 N. Meridian St.
Carmel, Indiana



DRAWN BY: T. Dodge
DATE: January 3, 2017



MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v \ 277v \ 347v \ OTHER

☐ Preliminary Artwork

☒ Approved for Production

January 3, 2017

T. Dodge

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

REVISION DATES:



PRIDE SIGNS

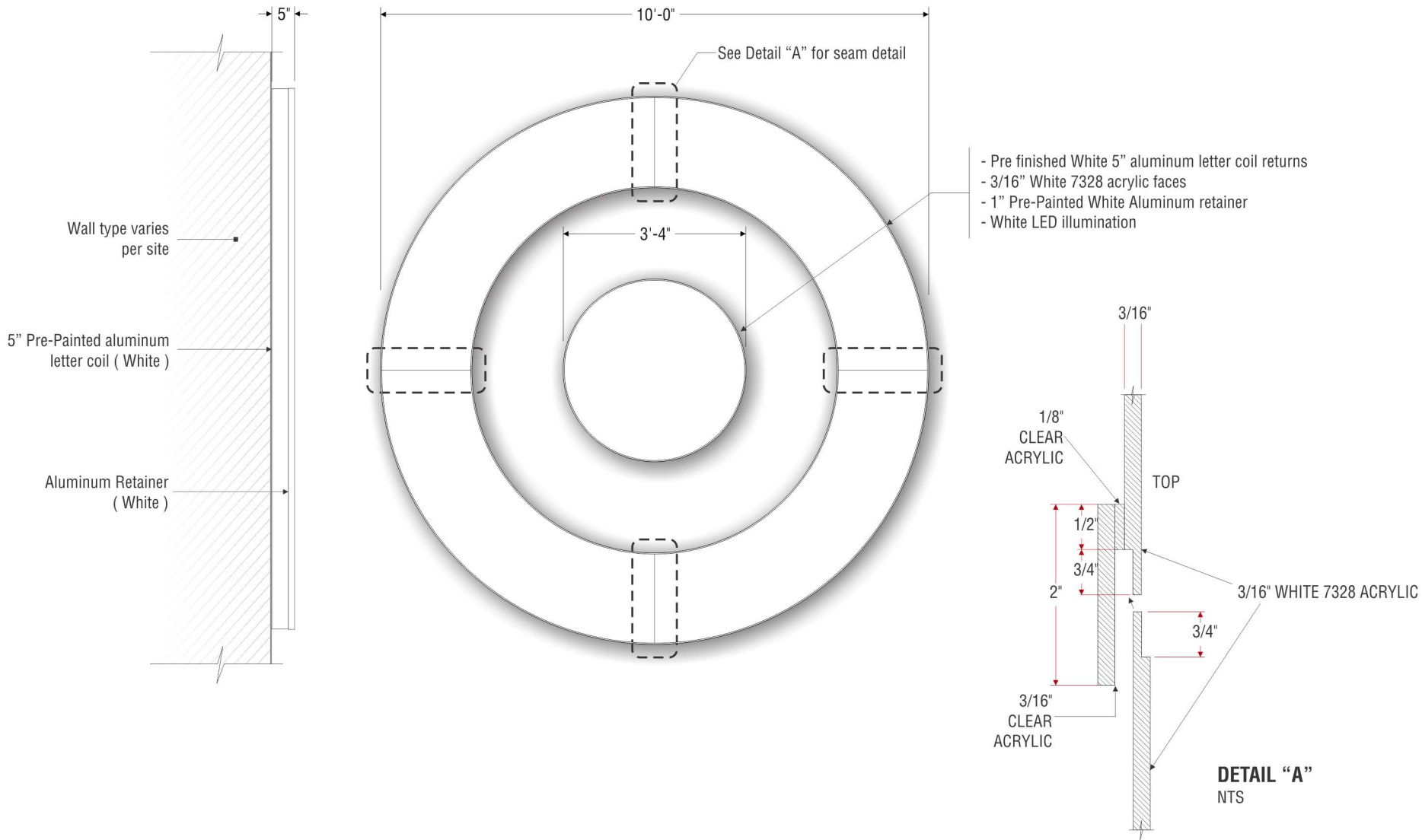
THIS ARTWORK IS THE PROPERTY OF PRIDE SIGNS LTD. AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM PRIDE SIGNS LTD. ©2017
255 PINEBUSH ROAD CAMBRIDGE ONTARIO CANADA TEL: 519.622.4040 FAX: 519.622.4031 WWW.PRIDESIGNS.COM



TARGET USA

DRAWN BY: T. Dodge
DATE: January 3, 2017

Illuminated Channel Logo (2 Required)
Scale: 3/8" = 1'-0"



Drawing No.
TARG-CL120x0120.120B

CHANNEL LETTERS

PL: 19.2m PA: 4.87m²

MISCELLANEOUS

COLOUR REQUIRED

VECTOR ART REQUIRED

SITE CHECK REQUIRED

Electrical Requirements

120v \ 277v \ 347v \ OTHER

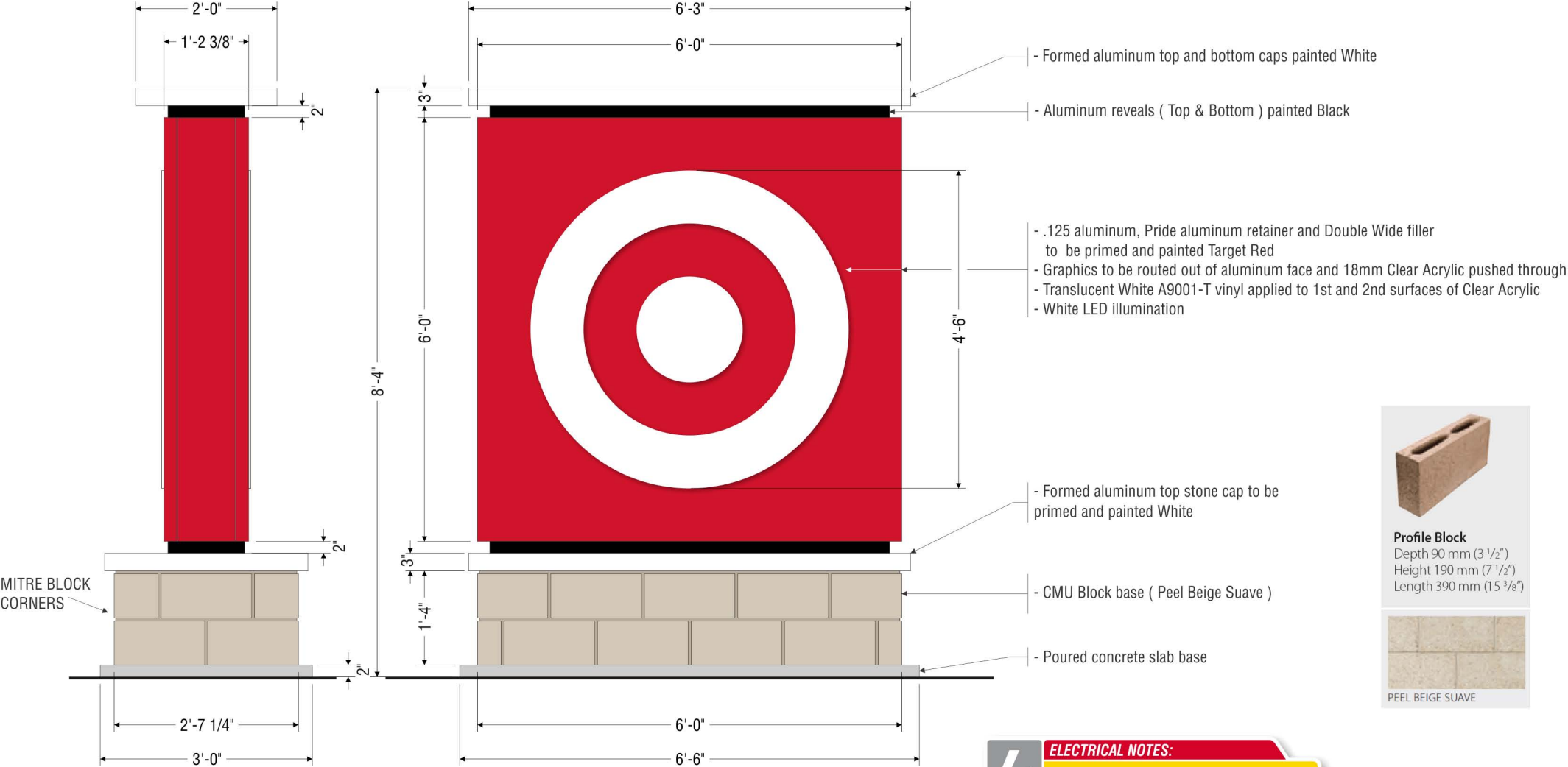
☐ Preliminary Artwork

☒ Approved for Production

January 3, 2017 T. Dodge

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

REVISION DATES:



ELECTRICAL NOTES:

- ELECTRICAL TO BE PULLED FROM BUILDING
- LIVE HOOK UP AT THE SIGN



PUSH-THRU ACRYLIC
PA: .985m

- MISCELLANEOUS
- COLOUR REQUIRED
- VECTOR ART REQUIRED
- SITE CHECK REQUIRED**

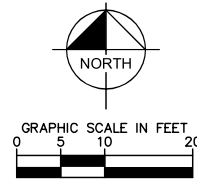
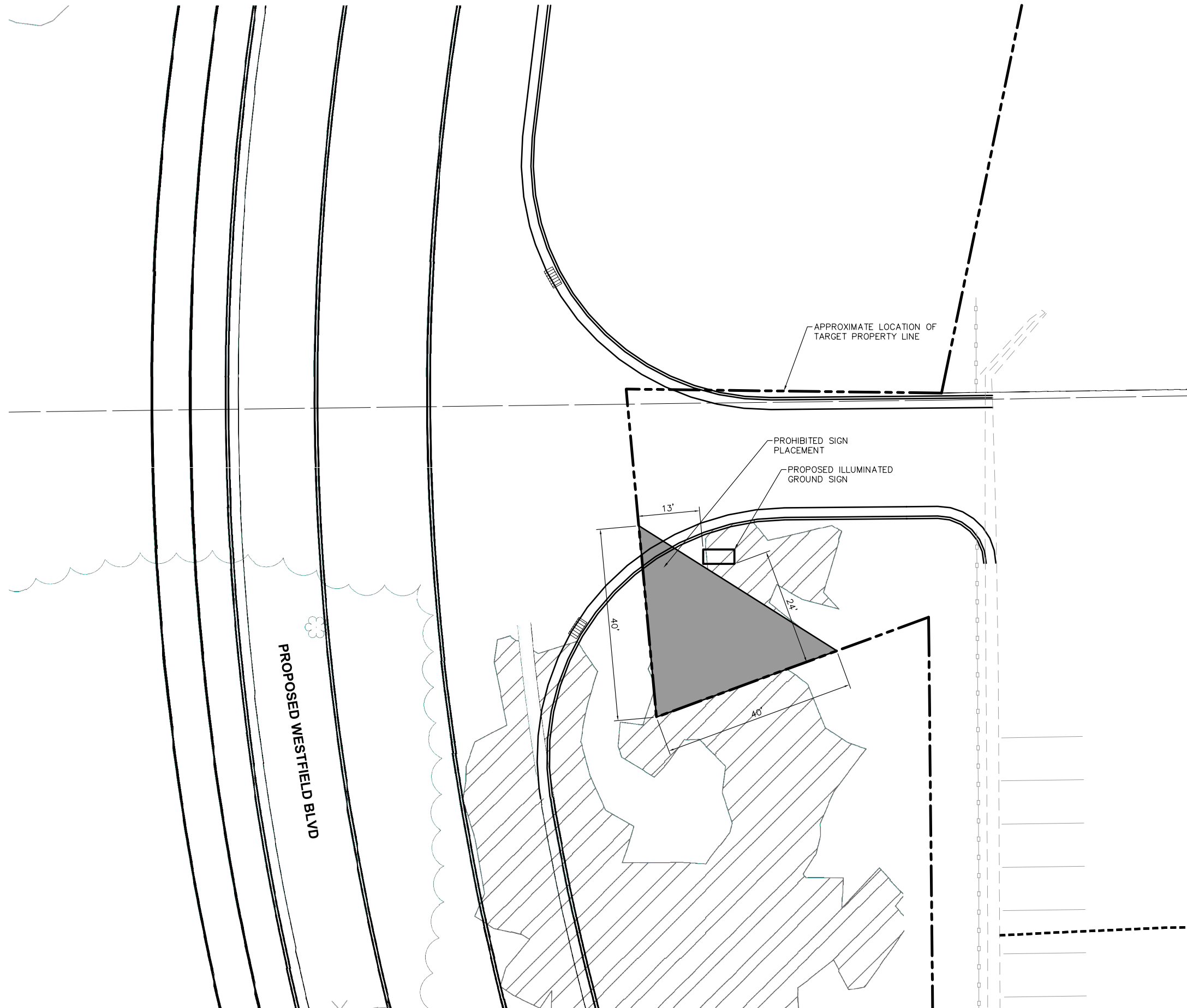
Electrical Requirements
120v 277v 347v OTHER

- ☒ Preliminary Artwork
- ☐ Approved for Production

Graphic rendition is representative of specific signage. Colour / dimensional / material details should be verified using reference drawing specifications. Pride Signs Ltd. is not responsible for inherent variations caused by display and/or print variations.

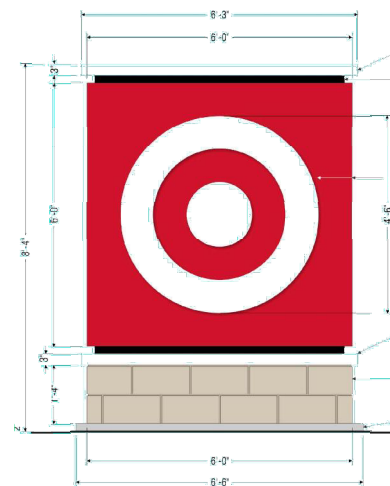
REVISION DATES:
January 30, 2017 T. Dodge





PROHIBITED SIGN AREA

- NOTES:**
- ACCORDING TO INDIANA DOT (ROADWAY INVENTORY & FUNCTIONAL CLASS VIEWER) 151ST STREET IS CONSIDERED A LOCAL ROADWAY. WESTFIELD BOULEVARD HAS NOT BEEN CONSTRUCTED YET. SO NO FUNCTIONAL CLASS HAS BEEN GIVEN TO THIS SECTION OF THE ROADWAY. IT IS ASSUMED THAT WESTFIELD BOULEVARD WILL BE CLASSIFIED SIMILAR TO 151ST STREET.
 - ACCORDING TO WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE, SECTION 6.19, NO SIGN SHALL BE PLACED WITHIN THE TRIANGULAR AREA FORMED BY THE RIGHT-OF-WAY LINE AND A LINE CONNECTING POINTS 40' FROM THE INTERSECTION OF A LOCAL STREET.



GROUND SIGN

TARGET SIGN
EXHIBIT
(WESTFIELD BLVD)

T-1063
WESTFIELD, IN

SCALE: 1"=10'

DESIGNED BY:

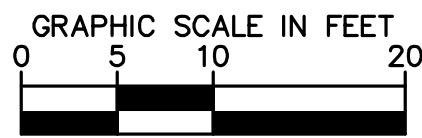
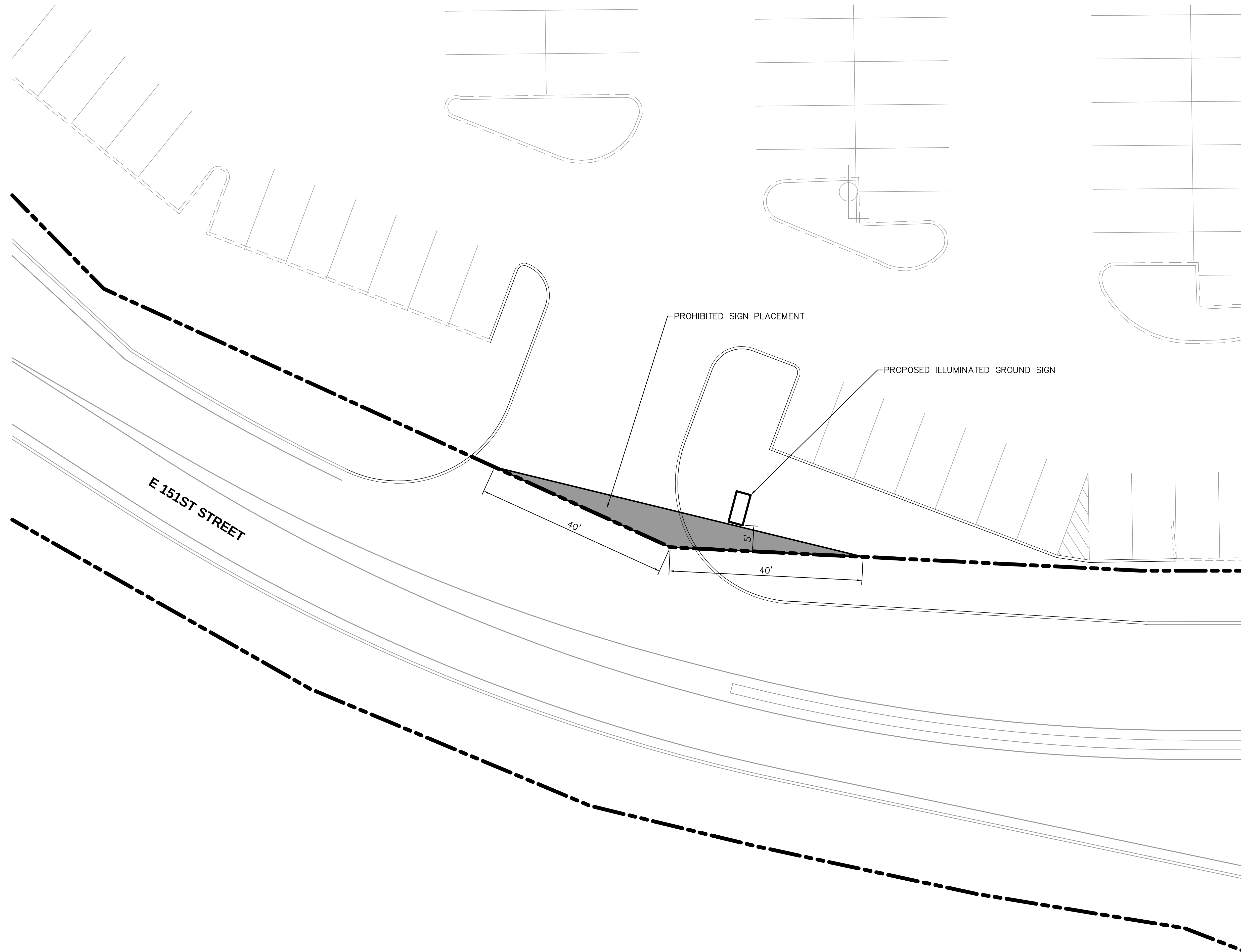
DRAWN BY:

CHECKED BY:

Kimley»»Horn

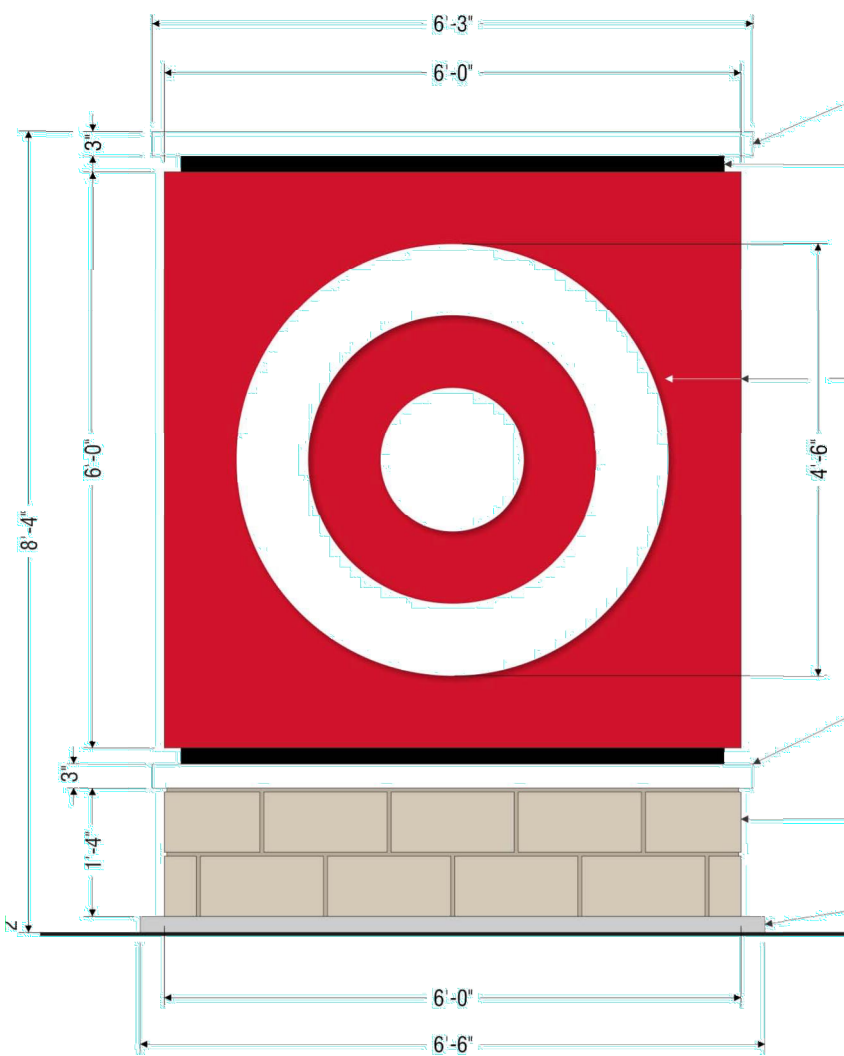
[illegible]

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kinley-Horn and Associates, Inc. shall be without liability to Kinley-Horn and Associates, Inc.

 PROHIBITED SIGN AREA

NOTES:

- ACCORDING TO INDIANA DOT (ROADWAY INVENTORY & FUNCTIONAL CLASS VIEWER) 151ST STREET IS CONSIDERED A LOCAL ROADWAY. WESTFIELD BOULEVARD HAS NOT BEEN CONSTRUCTED YET, SO NO FUNCTIONAL CLASS HAS BEEN GIVEN TO THIS SECTION OF THE ROADWAY. IT IS ASSUMED THAT WESTFIELD BOULEVARD WILL BE CLASSIFIED SIMILAR TO 151ST STREET.
- ACCORDING TO WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE, SECTION 6.19, NO SIGN SHALL BE PLACED WITHIN THE TRIANGULAR AREA FORMED BY THE RIGHT-OF-WAY LINE AND A LINE CONNECTING POINTS 40' FROM THE INTERSECTION OF A LOCAL STREET.



GROUND SIGN

Kimley»»Horn

© 2017 KIMLEY-HORN AND ASSOCIATES, INC.
1001 WARRENVILLE ROAD, SUITE 350,
LISLE, IL 60532
PHONE: 630-487-5550
WWW.KIMLEY-HORN.COM

SCALE: 1"=10'

DESIGNED BY:

DRAWN BY:

CHECKED BY:

T-1063
WESTFIELD, IN

TARGET SIGN
EXHIBIT
(E 151ST STREET)

ORIGINAL ISSUE:
3/30/2017

KHA PROJECT NO
095727007

SHEET NUMBER

2 OF 2

[illegible]

**NOTICE OF PUBLIC HEARING BEFORE THE
WESTFIELD-WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS
DOCKET NO. 1705-VS-08**

Notice is hereby given that the Westfield-Washington Township Board of Zoning Appeals will meet on Tuesday, May 9, 2017, at 7:00 p.m. at the Westfield City Hall, 130 Penn Street, Westfield, Indiana, to hold a Public Hearing upon the Variance Application for additional signage on the existing Target Store addressed as 1600 E. 151st Street, Westfield (County Parcel Nos. 08-09-13-00-00-008.001; 08-09-13-00-00-012.113; 09-09-13-00-00-009.000; 09-09-13-00-00-010.000 and 09-09-13-00-00-010.001). The Application filed on behalf of Target Corporation is identified as Docket No. 1705-VS-08.

The requested Variances are to permit new wall signs on the north, east, and west building elevations and new ground signs at two vehicular entries. The details of the Application and the legal description are on file in the Planning and Zoning Division of the Westfield Community Development Department, City Services Center, 2728 E. 171st Street, Westfield, IN 46074, and may be examined during normal office hours.

Written comments regarding the Application may be filed with the Secretary of the Board of Zoning Appeals before the Public Hearing at the above address. Any person may offer verbal comments at the hearing or may file written comments at the hearing.

The Public Hearing may be continued to a future date from time to time as may be found necessary.

Petitioner: Target Corporation
c/o Ice Miller LLP
Jason McNiel, Attorney
One American Square, Suite 2900
Indianapolis, IN 46282
Phone: (317) 236-2300

Michael Crussel

From: noreply@civicplus.com
Sent: Tuesday, March 28, 2017 3:27 PM
To: Plat Auditor
Subject: Online Form Submittal: Adjoiner Form - Property Notification List

Adjoiner Form - Property Notification List

Property Owner	Target Corporation a/k/a Dayton Hudson Corp.
Petitioner	Target Corporation
Zoning Authority Applying To:	Westfield
Number of Subject Parcels	3
Parcel Number of Property	08-09-13-00-00-008.001
Additional Parcel	09-09-13-00-00-009.000
Additional Parcel	08-09-13-00-00-012.113

CONTACT INFORMATION

Name	Roger Kilmer
Phone	317-236-2106
E-mail	roger.kilmer@icemiller.com

*Note

Due to volume and turnaround, orders take 3-5 business days for processing. Transfer and Mapping will appropriately notify the contact when their order is ready to be picked up.

Email not displaying correctly? [View it in your browser.](#)

HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED:

Michael R. Crussel 03/31/2017

SUBJECT PROPERTY:

08-09-13-00-00-008.001

Subject

Dayton Hudson Corporation

PO Box 9456

Minneapolis

MN

55440 9456

08-09-13-00-00-012.113

Subject

Target Corporation

PO Box 9456

Minneapolis

MN

55440 9456

09-09-13-00-00-009.000

Subject

Dayton Hudson Corporation

PO Box 9456

Minneapolis

MN

55440 9456

09-09-13-00-00-010.000

Subject

Dayton Hudson Corporation

PO Box 9456

Minneapolis

MN

55440 9456

09-09-13-00-00-010.001

Subject

Dayton Hudson Corporation

PO Box 9456

Minneapolis

MN

55440 9456

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

08-09-13-00-00-006.000 Neighbor

Westtec Land Acquisitions LLC

P O Box 36399

Indianapolis IN 46236

08-09-13-00-00-008.000 Neighbor

Indiana Association of 7th Day Adventists

PO BOX 5000

Westfield IN 46074

08-09-13-00-00-012.001 Neighbor

Gallagher, Michael D & Jennifer R

1255 E GREYHOUND PASS

Carmel IN 46032

08-09-13-00-00-012.004 Neighbor

Peterson, Timothy C & Karen

15210 ASCOT HILLS DR N

Carmel IN 46032

08-09-13-00-00-012.009 Neighbor

Ryan, Garrett Patrick

1441 E 151st St

Carmel IN 46032

08-09-13-00-00-012.013 Neighbor

City of Westfield

130 Penn St

Westfield IN 46074

08-09-13-00-00-012.018 Neighbor

Mayer, Ronald G & Karen K

1350 151st St E

Carmel IN 46032

08-09-13-00-00-012.109 Neighbor

Ryan, Garrett Patrick

1441 151st St E		
Carmel	IN	46032
09-09-13-00-00-007.000		Neighbor
Habig, Lynn & Robert D		
1103 E S R 38		
Sheridan	IN	46069
09-09-13-00-00-011.000		Neighbor
Goodwill Industries Of Central Ind Inc		
1635 Michigan St W		
Indianapolis	IN	46222
09-09-13-00-00-012.024		Neighbor
Price, Daniel A		
15026 Greyhound Ct		
Carmel	IN	46032
09-09-13-00-04-001.000		Neighbor
Technology Marketing Management Inc		
1526 E GREYHOUND PASS		
Carmel	IN	46032
09-09-13-00-04-002.000		Neighbor
Kalus, Ondrej & Katelyn h&w		
16949 Autumn Bend Ct		
Noblesville	IN	46062
09-09-13-00-04-999.999		Neighbor
<null>		
<null>		
<null>	<null>	<null>
09-10-18-00-00-001.000		Neighbor
Hamilton County Department of Parks and Recreation		
15513 Union St S		
Carmel	IN	46033
09-10-18-00-00-015.001		Neighbor
Macs Convenience Stores LLC		
315 Commons Mall PO Box 347		

Columbus	IN	47202
09-10-18-00-00-015.102		Neighbor
Village Park Plaza LLC		
PO Box 7019		
Indianapolis	IN	46207
09-10-18-00-00-015.202		Neighbor
Wal Mart Realty Company		
P O Box 8050 MS 0555		
Bentonville	AR	72712 8050
09-10-18-00-00-016.000		Neighbor
CTS Properties LLC		
1020 E Dupont		
Fort Wayne	IN	46825
09-10-18-00-00-016.005		Neighbor
Meridian Lodging Inc		
3616 S Bogan Rd		
Buford	GA	30519
09-10-18-00-00-016.006		Neighbor
Greyhound Office Company Lp		
P O Box 182571		
Columbus	OH	43218 2571
09-10-18-00-00-016.007		Neighbor
Halle Properties LLC		
20225 Scottsdale Rd N		
Scottsdale	AZ	85255
09-10-18-00-00-016.106		Neighbor
L & Q Realty LLC		
30 11th St W		
Anderson	IN	46016
09-10-18-00-00-016.206		Neighbor
Greyhound Office Company LP		
P O Box 98		

Bloomington	IN	47402
-------------	----	-------

09-10-18-00-00-016.306

Neighbor

Greyhound Office Company LP

3818 Jefferson Blvd W Ste 201

Fort Wayne	IN
------------	----

46804

09-10-18-00-00-016.406

Neighbor

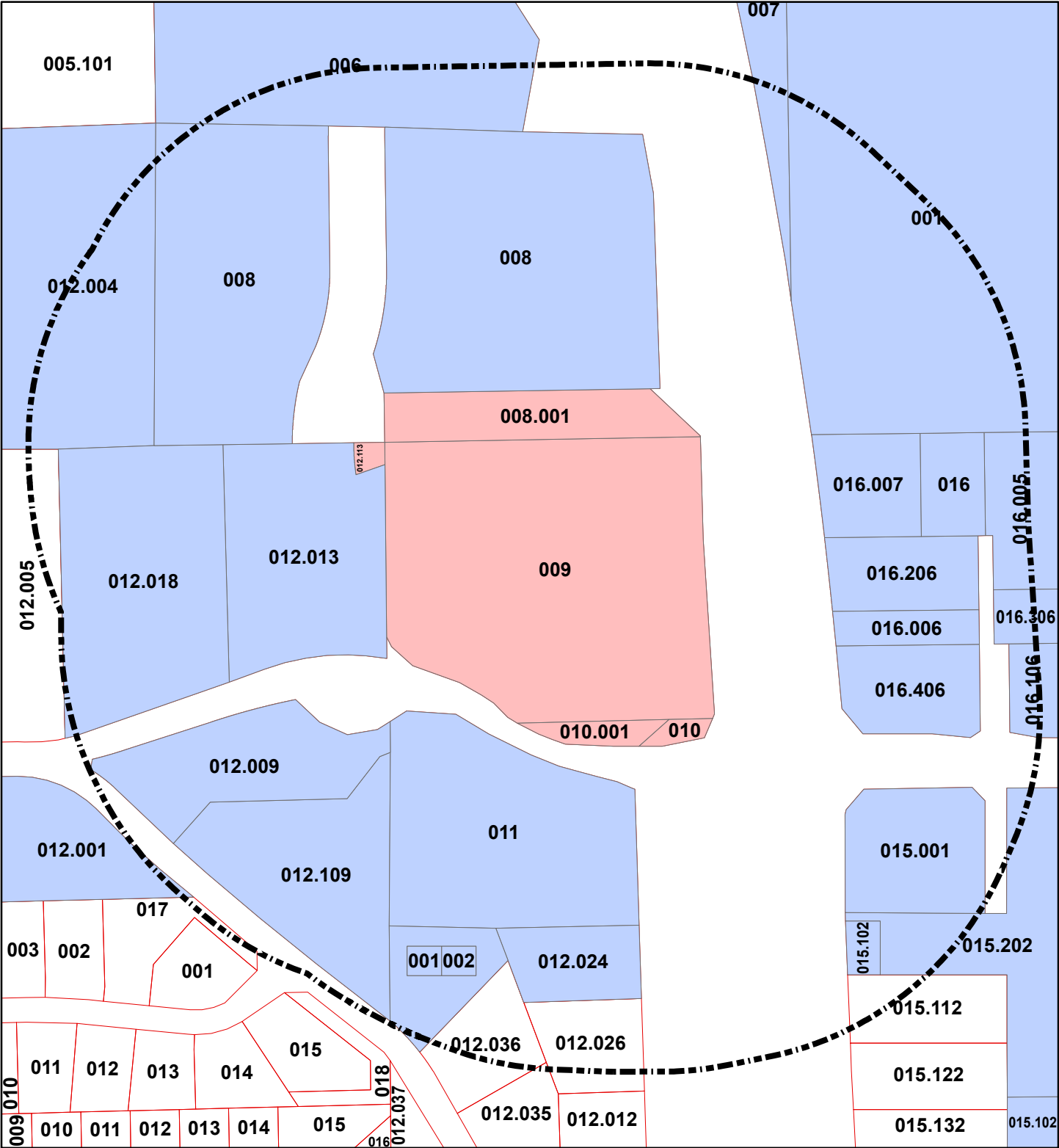
Greyhound Office Company LP

P O Box 182571

Columbus	OH
----------	----

43218 2571

Adjoiner Notification Map



Subject Parcel(s)

Notification Parcel(s)

Buffer

001

Parcel Number

Parcel Boundary

N



AFFIDAVIT OF NOTICE OF PUBLIC HEARING

DOCKET #: 1705-VS-08PUBLIC HEARING DATE: May 9, 2017APPLICANT'S NAME: Target CorporationREPRESENTATIVE'S NAME: Roger A. KilmerCOMPANY: Ice Miller LLPPROJECT TO BE KNOWN AS: Target - Signage Variance

APPLICATION TYPE: ☐ CHANGE OF ZONING ☐ TEXT AMENDMENT ☐ COMMITMENTS ☐ PRIMARY PLAT
☐ DEVELOPMENT PLAN (SITE PLAN) ☒ BOARD OF ZONING APPEALS (VARIANCE, SPECIAL EXCEPTION)

PUBLIC NOTICE AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath does hereby certify that notice of public hearing to consider above petition was sent by certified, registered or first class mail to the last known address of each of the following persons, as attached hereto as **Exhibit A**, they being all persons to whom notice was required to be sent by the Plan Commission's Rules of Procedure, and that said notices were postmarked on the 26th day of April, 2017, being at least ten (10) days prior the scheduled public hearing.

I (We) further certify that the notice required to be posted on the subject property described in the above petition was posted on the subject property in accordance with the Plan Commission's Rules of Procedures on the 26th day of April, 2017, being at least ten (10) days prior the scheduled public hearing.

R. A. Kilmer
 Applicant/Representative (signature)*

Roger A. Kilmer
 Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing instrument.

Witness my hand and Notarial Seal this 26th day of April, 2017.

State of Indiana, County of Marion, SS:



Barbara J. Crook
 Notary Public - Indiana
 County of Marion
 My Comm. Expires: Sep. 20, 2020

Barbara J. Crook
 Notary Public Signature
Barbara J. Crook
 Notary Public (printed)



Certificate of Mailing

Name and Address of Sender Roger Kilmer Ioe Miller LLP 2900 One American Square Indianapolis, IN 46204 08774.0046		Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail ☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery		Affix Stamp Here (if issued as an initial certificate of mailing additional copies of Postmark with Date)										
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	if Registered	Value	Sender if COD	Fee	Fee	Fee	Fee	Fee
1.		City of Westfield 130 Penn Street Westfield, IN 46074												
2.		CTS Properties LLC 1020 E. Dupont Fort Wayne, IN 46825												
3.		Michael & Jennifer Gallagher 1255 E. Greybound Pass Carmel, IN 46032												
4.		Goodwill Industries of Central Inc. 1635 W. Michigan Street Indianapolis, IN 46222												
5.		Greyhound Office Company LP PO Box 182571 Columbus, OH 43218-2571												
6.		Greyhound Office Company LP P.O. Box 98 Bloomington, IN 47402												
7.		Greyhound Office Company LP 3818 W. Jefferson Blvd, Suite 201 Fort Wayne, IN 46804												
8.		Lynn & Robert Habig 1103 E. State Route 38 Sheridan, IN 46069												
Total Number of Pieces Listed by Sender 8		Total Number of Pieces Received at Post Office 8		Postmaster, Per (Name of receiving employee)										

U.S. POSTAGE
PAID
INDIANAPOLIS, IN
46204
APR 16 2015
AMOUNT
\$7.95
R2304H109301-08



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Certificate of Mailing

Firm Mailing Book For Accountable Mail

Name and Address of Sender Roger Kilmer Ice Miller LLP 2900 One American Square Indianapolis, IN 46204 08774.0046		Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail ☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery		Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)			Postage	(Extra Service) Fee	Handling Charge - if Registered and over \$50.00 in value	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	Halle Properties LLC 20225 N. Scottsdale Road Scottsdale, AZ 85255															
2.	Hamilton Cnty Dept. of Parks & Rec. 15513 S. Union Street Carmel, IN 46033															
3.	Indiana Association of 7th Day Adventists P.O. Box 5000 Westfield, IN 46074															
4.	Ondrej & Katelyn Kalus 16949 Altum Bend Court Noblesville, IN 46062															
5.	L & Q Realty LLC 30 West 11th Street Anderson, IN 46016															
6.	Mac's Convenience Stores LLC 315 Commons Mall P.O. Box 347 Columbus, IN 47202															
7.	Ronald & Karen Mayer 1350 E. 151st Street Carmel, IN 46032															
8.	Meridian Lodging Inc. 3616 S. Bogan Road Buford, GA 30519															
Total Number of Pieces Listed by Sender 8		Total Number of Pieces Received at Post Office 8		Postmaster, Per (Name of receiving employee)												



Certificate of Mailing

Firm Mailing Book For Accountable Mail

Name and Address of Sender Roger Kilmer Ice Miller LLP 2900 One American Square Indianapolis, IN 46204 08774.0046		Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail ☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery		Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SRD Fee	SH Fee
1.		Timothy & Karen Peterson 15210 N. Ascot Hills Drive Carmel, IN 46032														
2.		Daniel Price 15026 Greyhound Court Carmel, IN 46032														
3.		Garrett Patrick Ryan 1441 E. 161st Street Carmel, IN 46032														
4.		Technology Marketing Management Inc. 1526 Greyhound Pass Carmel, IN 46032														
5.		Village Park Plaza LLC P.O. Box 7019 Indianapolis, IN 46207														
6.		Wal Mart Realty Company P.O. Box 8050 MS0555 Bentonville, AR 72712-8050														
7.		Westtec Land Acquisitions LLC P.O. Box 36399 Indianapolis, IN 46236														
8.																
Total Number of Pieces Listed by Sender 7		Total Number of Pieces Received by Post Office 7		Postmaster, Per (Name of receiving employee)												

CIRCLE CITY
456 N MERIDIAN ST STE X
INDIANAPOLIS
IN
46204-9998
1715560013
04/26/2017 (800)275-8777 2:57 PM

Product Sale Qty Description
Final Price

CTOM - Bulk - 23 Domestic
\$7.95

Total \$7.95

Cash \$10.00
Change (\$2.05)

BRIGHTEN SOMEONE'S MAILBOX. Greeting
cards available for purchase at select
Post Offices.

Order stamps at usps.com/shop or call
1-800-Stamp24. Go to
usps.com/clickship to print shipping
labels with postage. For other
information call 1-800-ASK-USPS.

Get your mail when and where you want
it with a secure Post Office Box. Sign
up for a box online at
usps.com/poboxes.

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business
HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

Go to:
<https://postalexperience.com/Pos>
840-5460-0101-002-00012-22706-02
or scan this code with
your mobile device:



or call 1-800-410-7420.
YOUR OPINION COUNTS

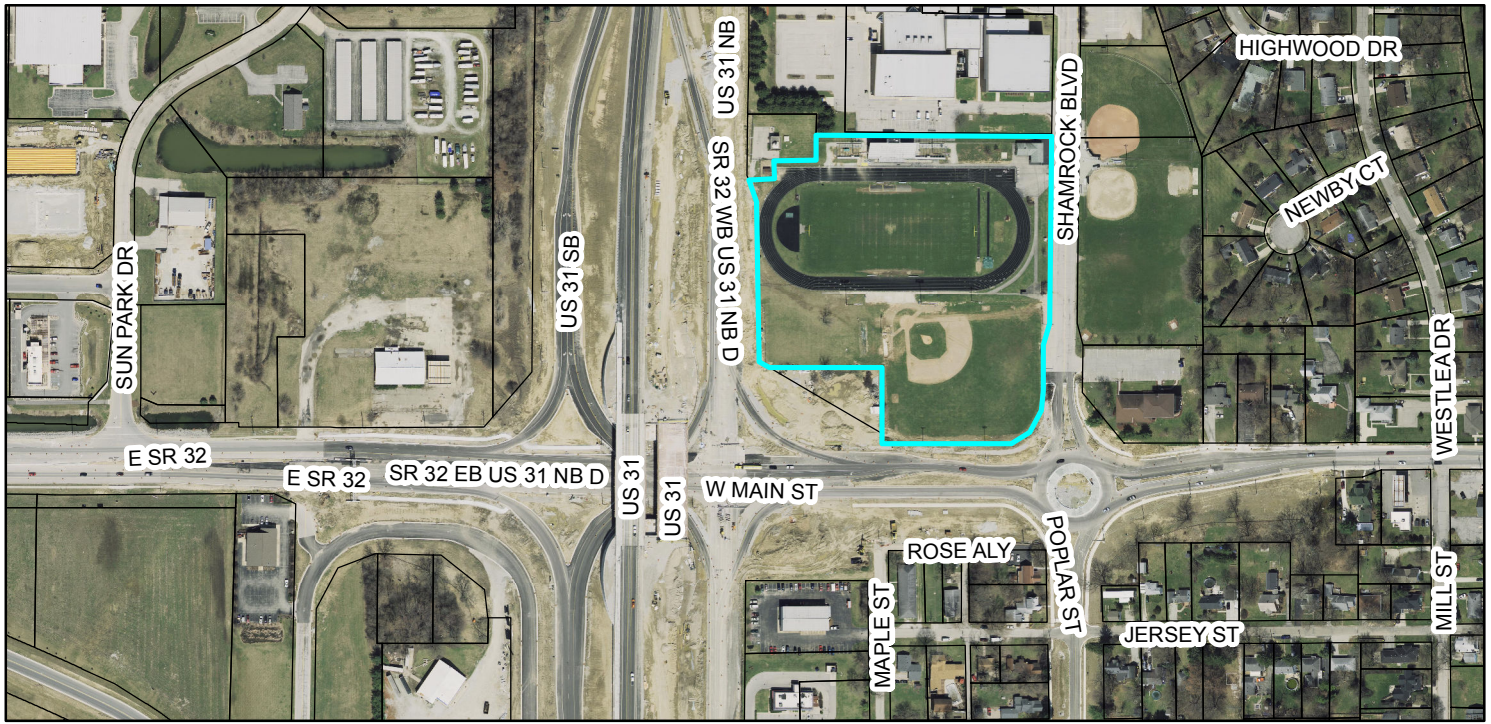
B111 #: 840-54600101-2-1222706-2
Clerk: 08

Westfield Boulevard Extension

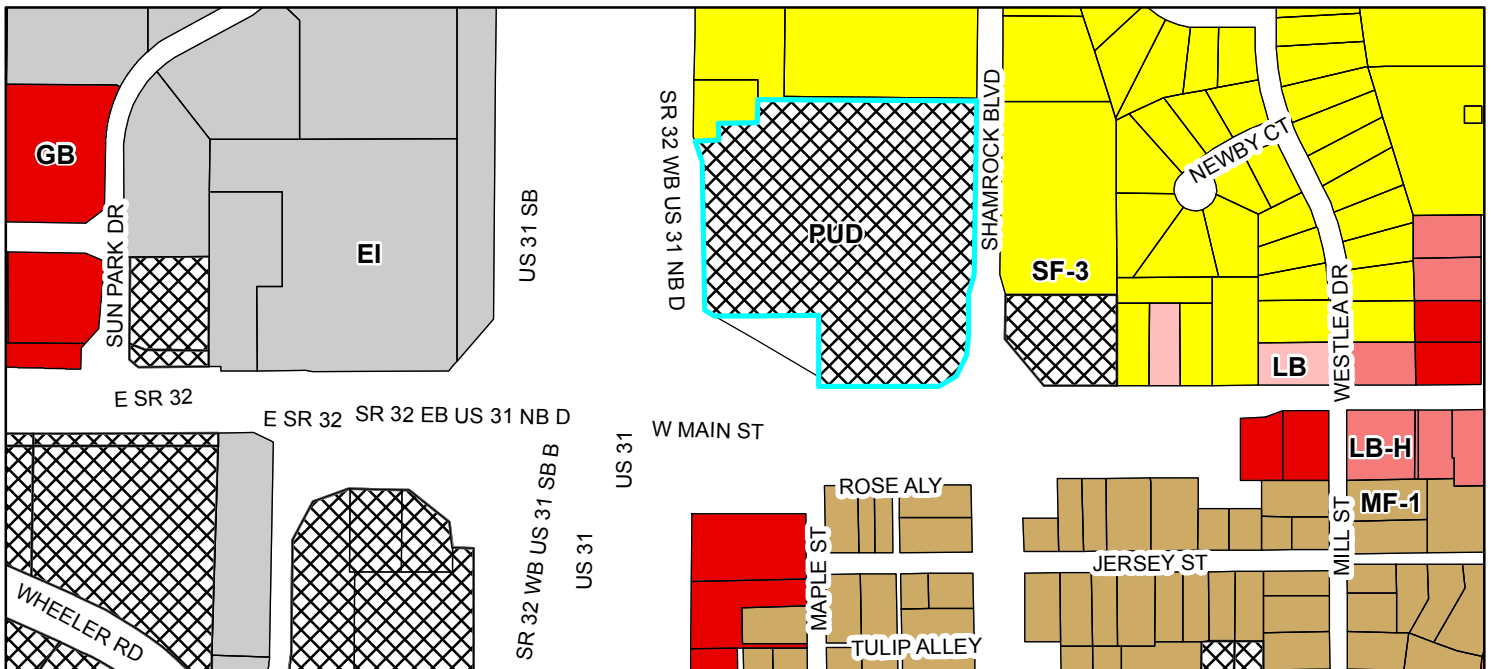


Aerial Location Map

Site



Zoning Map



Zoning

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





OPTION A
(ORIGINAL)

Banner Mockup

VARIANCE APPLICATION

OFFICE
USE ONLYDOCKET #: _____ FILING DATE: _____
FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: _____ (STAFF NAME) DATE: _____

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Riverview Health TELEPHONE: 317-776-7449
ADDRESS: 395 Westfield Rd Noblesville, IN EMAIL: bhill@riverview.org
PROPERTY OWNER'S NAME: Riverview Health TELEPHONE: 317-776-7449
ADDRESS: 395 Westfield Rd Noblesville, IN EMAIL: bhill@riverview.org
REPRESENTATIVE'S NAME: _____ TELEPHONE: _____
COMPANY: _____ EMAIL: _____
ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: Riverview Health Westfield Hospital 17600 Shamrock Blvd. Westfield
COUNTY PARCEL ID #(S): _____
EXISTING ZONING DISTRICT(S): Construction Site EXISTING LAND USE(S): construction site

VARIANCE REQUEST

- ☐ VARIANCE OF LAND USE CODE CITATION: _____
☐ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: _____

FINDINGS OF FACT: (PLEASE SEE ATTACHED) _____

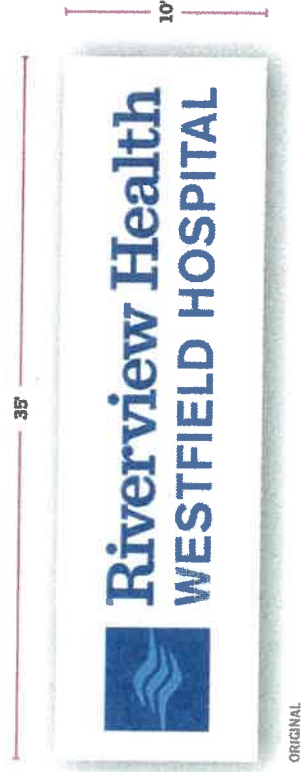
STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): Riverview Health would like to put a large banner on the Riverview Health Westfield Hospital, as it's being built (see attached photos). People in the community do not know this construction will be a hospital. They don't know it's Riverview Health building it. We want to let them know, and we believe that a large banner on the building (visible from 31) will help us to communicate that.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: Riverview Health

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: the sign will only be informative to the community, letting them know that Riverview Health Westfield Hospital is being built here.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the construction of a new hospital will enhance the area.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: a sign fitting within the ordinance will not be large enough to be visible from 31.





OPTION A
(ORIGINAL)

Banner Mockup

Narrative Statement

Riverview Health is currently building a new hospital at the northeast corner of state Route 32 and U.S. Route 31 in Westfield, which is set to open in late 2017.

The 108,000-square-foot hospital will include inpatient beds, three surgery suites and an emergency room.

In addition to expanded emergency care, the new facility will also include the following services:

- Imaging—CT, MRI, 3-D mammography, ultrasound and X-ray
- Laboratory
- Outpatient pharmacy
- Physical and occupational therapy
- Employer wellness clinic
- Physician offices
 - Endocrinology
 - Family medicine
 - Internal medicine
 - Obstetrics and gynecology
 - Orthopedics and sports medicine

We believe that it is crucial that the people of Westfield and surrounding areas know what we're building at this location. However, we keep hearing that people do not know it is Riverview Health and do not know it's going to be a hospital. We do plan to put construction signs on the construction fence along state Route 32. However, this does not address the thousands of commuters using U.S. Route 31. We want to place a large, temporary banner on the building during construction in order to communicate that message. The banner would be temporary and would be replaced by the building's permanent signage during the construction phase.





OPTION A
(ORIGINAL)

Banner Mockup

ORDINANCE 14-22

The Junction PUD

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

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

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

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

WHEREAS, the Commission forwarded Docket 1406-PUD-09 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on July 8, 2014; and,

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

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

Section 1. Applicability of Ordinance.

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

COPY

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

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

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

Section 3. Permitted Uses.

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

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

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

Section 4. Development Standards.

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

A. Minimum Setback Lines

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

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

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

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

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

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

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

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

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

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

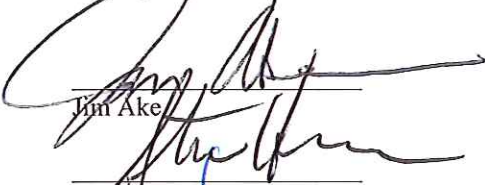
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS 14 DAY OF
July, 2014.

WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain


Jim Ake

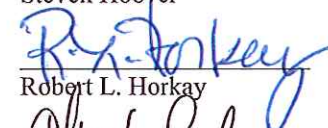
Jim Ake

Jim Ake


Steven Hoover

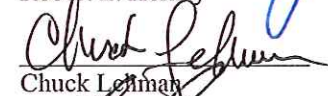
Steven Hoover

Steven Hoover


Robert L. Horkay

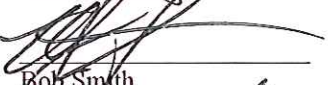
Robert L. Horkay

Robert L. Horkay


Chuck Lehman

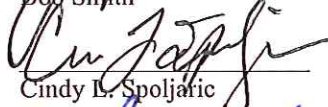
Chuck Lehman

Chuck Lehman


Bob Smith

Bob Smith

Bob Smith


Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric


Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

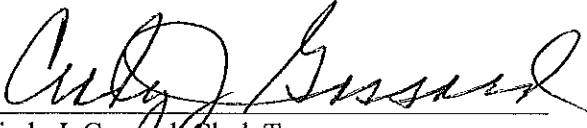
ATTEST:


Cindy J. Gossard, Clerk-Treasurer

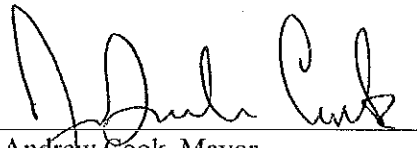
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Randy Zentz.

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

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


Cindy J. Gossard, Clerk Treasurer

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


J. Andrew Cook, Mayor

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

J. Andrew Cook, Mayor

ATTEST:

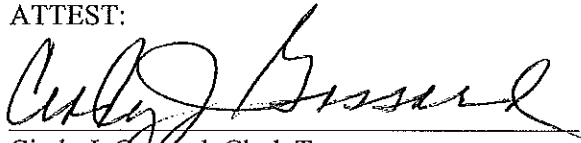

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
LAND DESCRIPTION

DESCRIPTION OF REAL ESTATE: TRACT No. 1*

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

EXHIBIT A
LAND DESCRIPTION CONTINUED

DESCRIPTION OF REAL ESTATE: TRACT No. 2

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

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

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

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

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

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

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

EXHIBIT B
SITE CONCEPT DESIGN PLAN

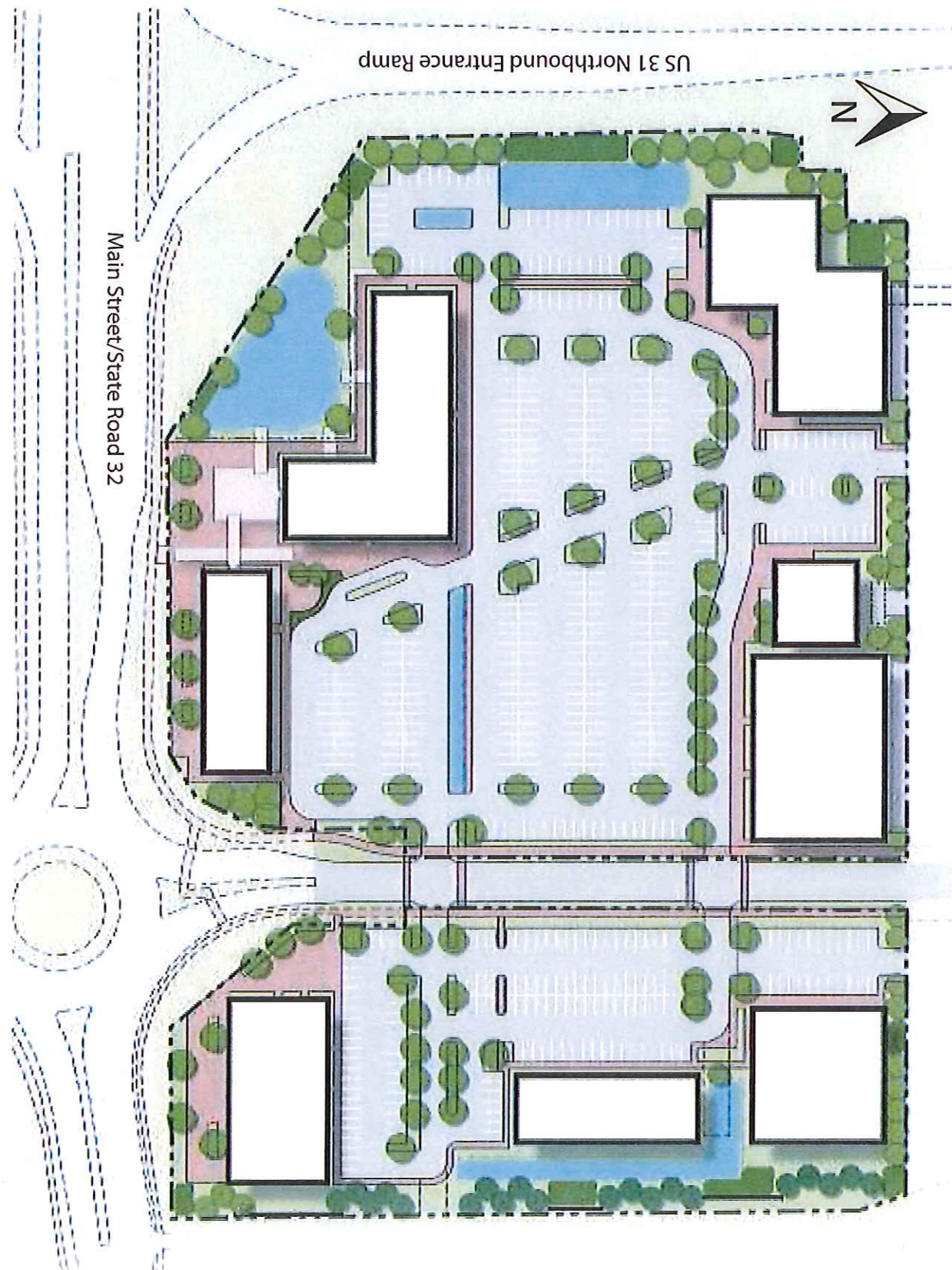


EXHIBIT C
ILLUSTRATIVE CHARACTER EXHIBITS



Representative Character - Aerial Future Raised Intersection Perspective



Representative Character - Streetview Future Roundabout Perspective

EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS – OVERVIEW

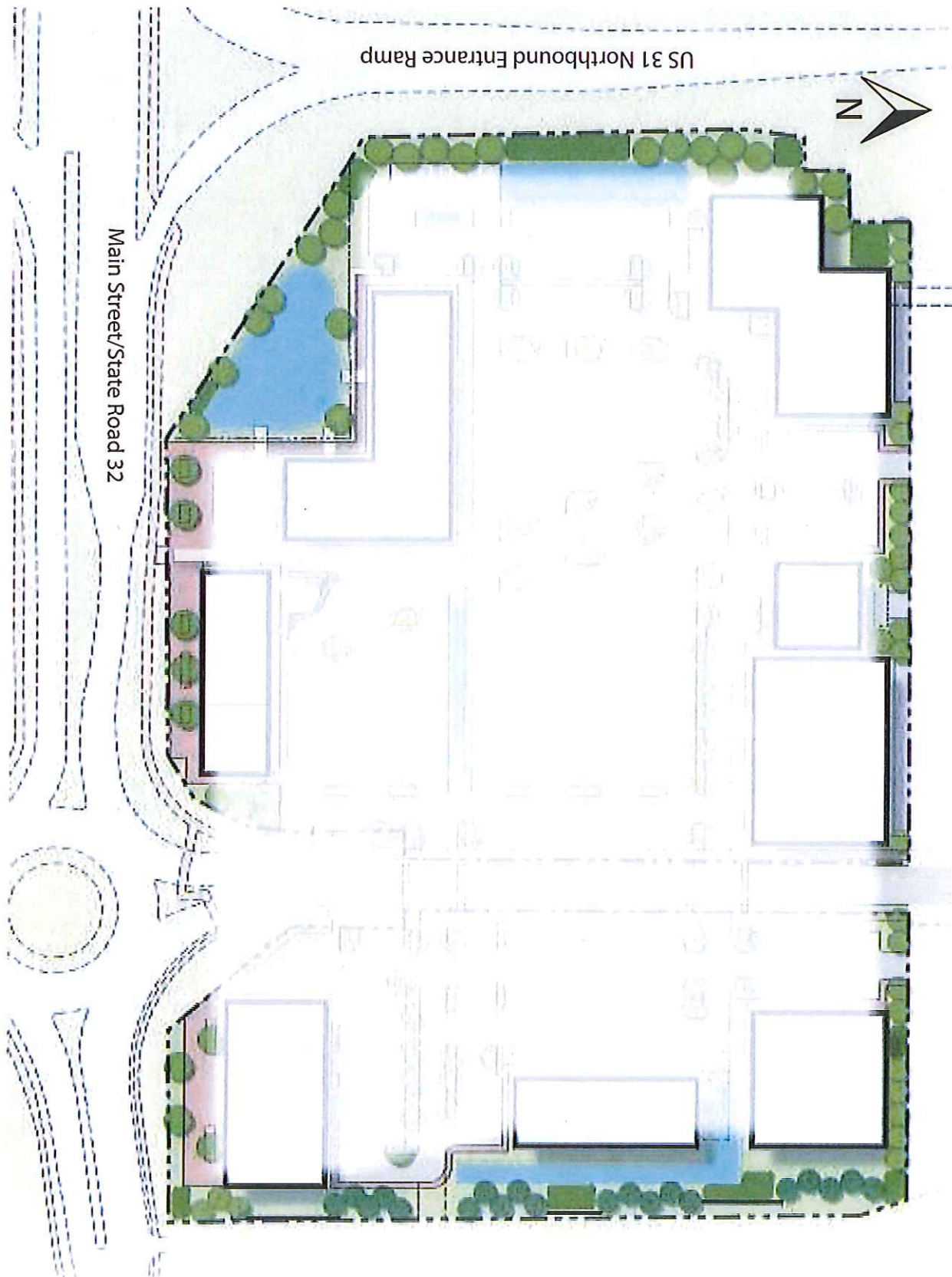
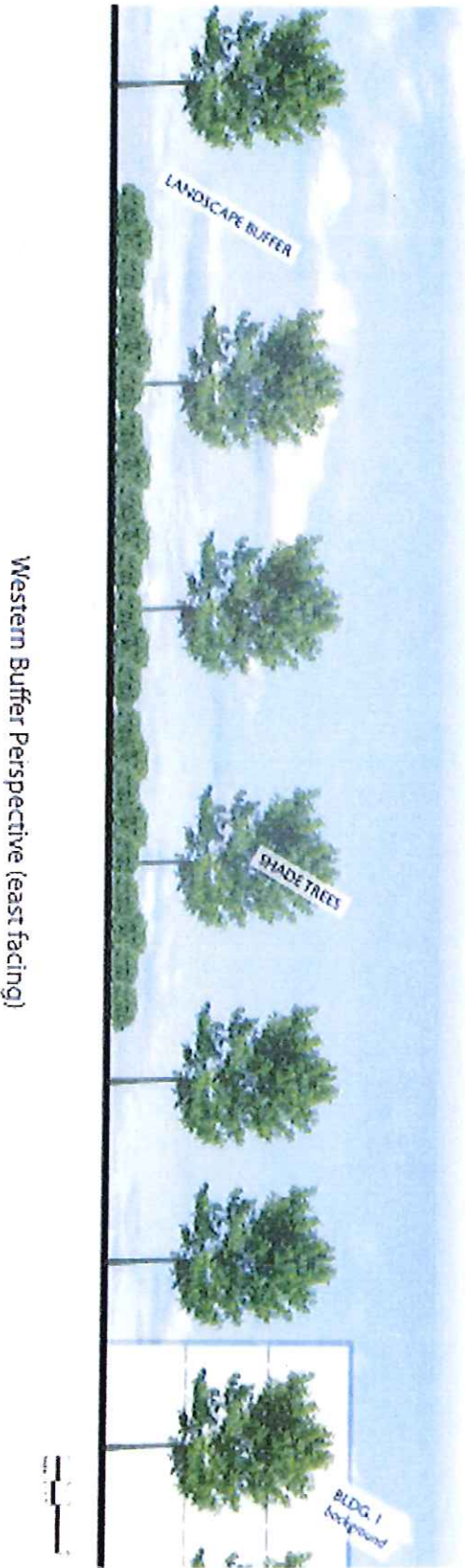
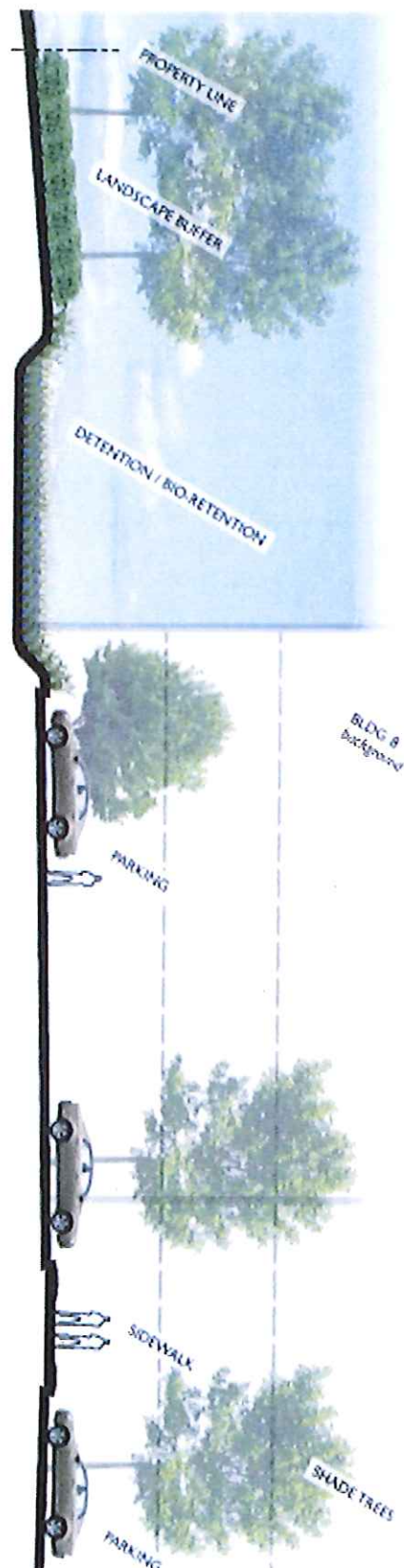


EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS - WEST BUFFER



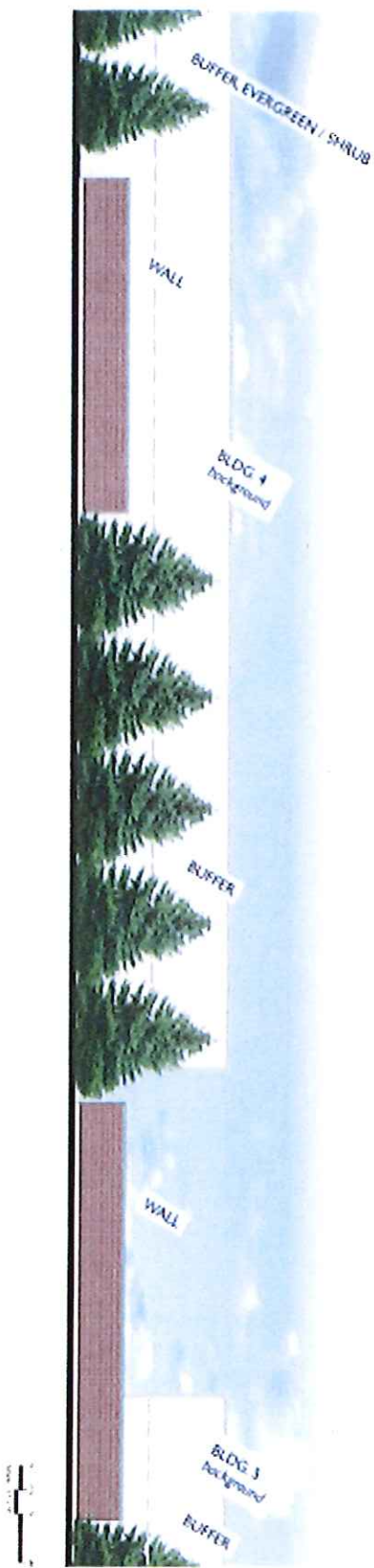
Western Buffer Perspective (east facing)



Western Buffer Cross Section (north facing)

EXHIBIT D
LANDSCAPE BUFFERING EXHIBITS - EAST BUFFER

Eastern Buffer Perspective (west facing from residential)



Eastern Buffer Cross Section (north facing)

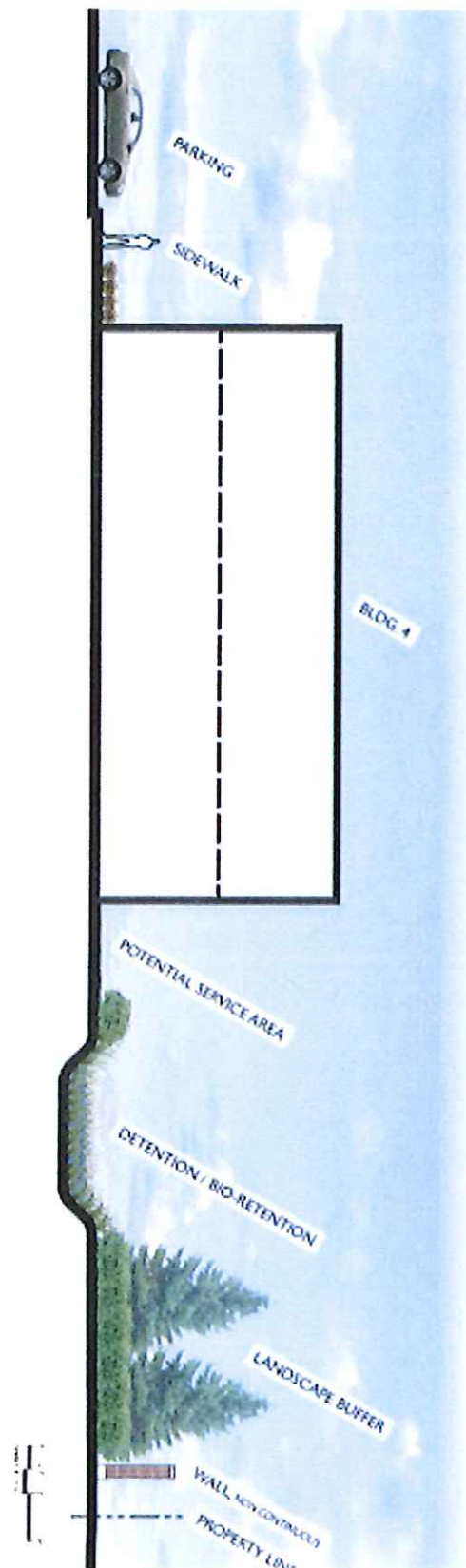


EXHIBIT E
PEDESTRIAN ACCESSIBILITY EXHIBIT

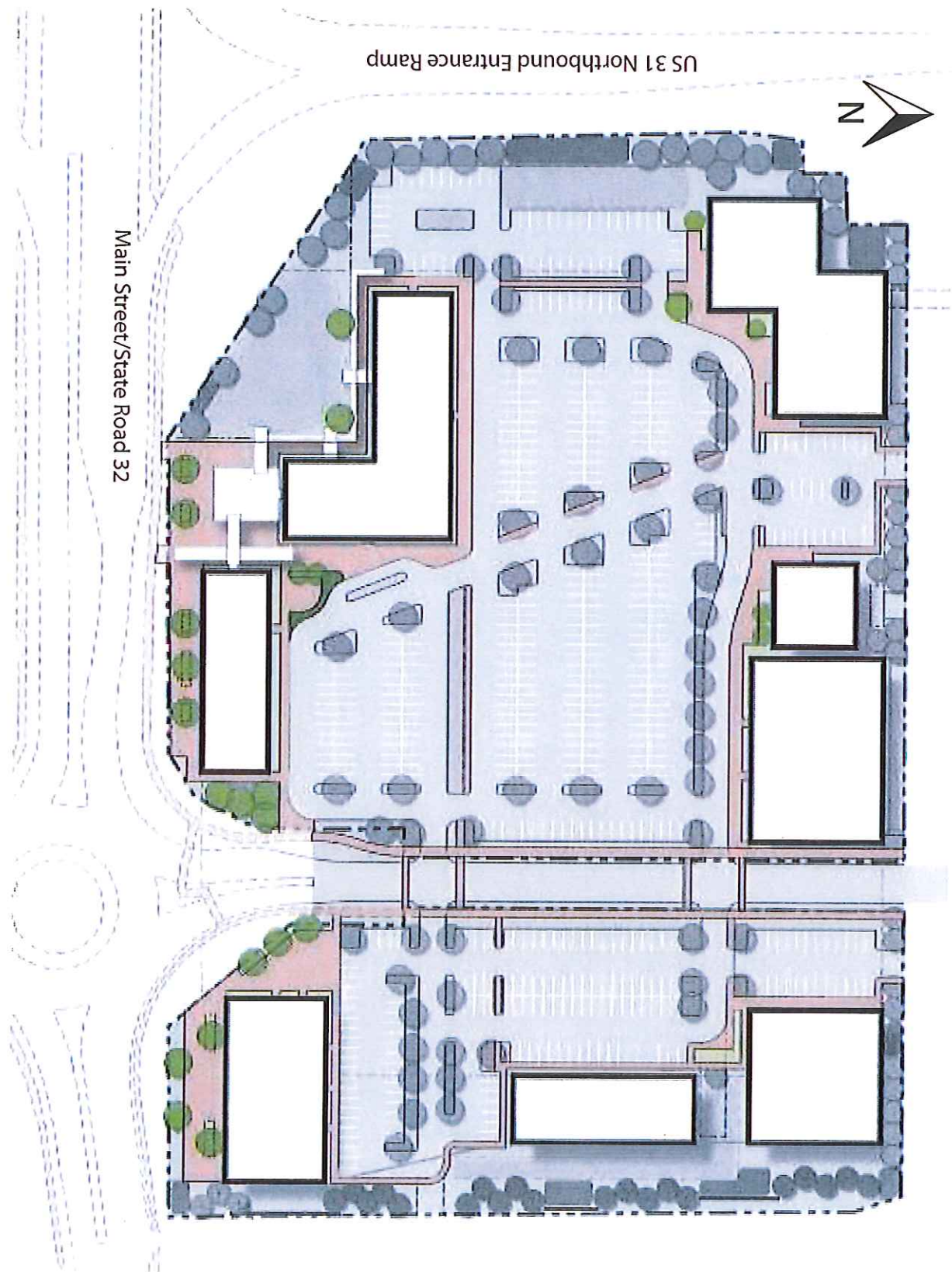
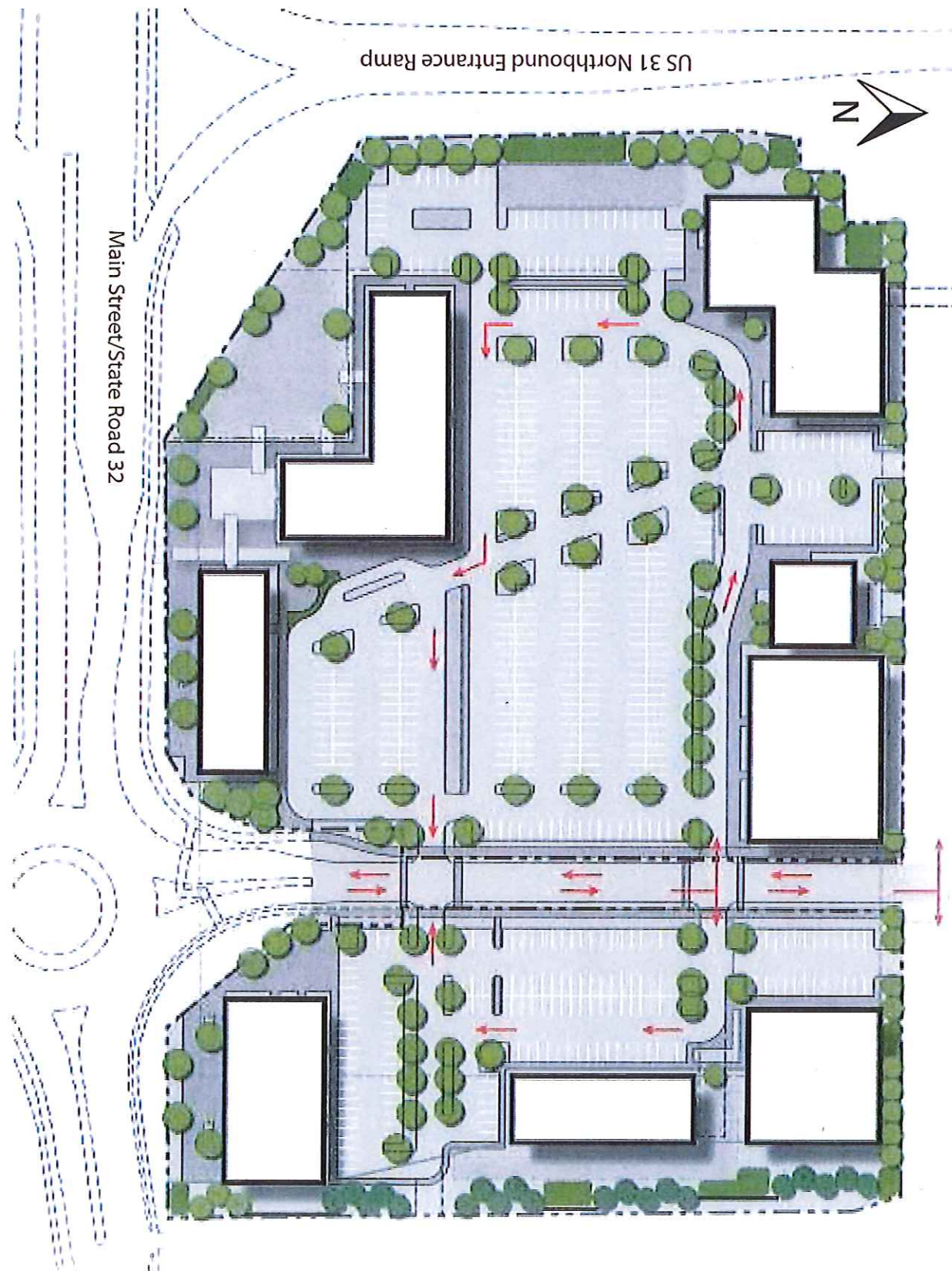


EXHIBIT F
VEHICULAR ACCESSIBILITY EXHIBIT





Petition Number: 1705-VS-09

Subject Site Address: 17600 Shamrock Blvd (the "Property")

Petitioner: Riverview Health (the "Petitioner")

Request: The Petitioner is requesting a Variance of Standard to permit a Banner as a Wall Sign in the Junction Planned Unit Development (PUD) District (Article 6.17(E)(6) of UDO & Section 4.4 of Ordinance 14-22).

Current Zoning: The Junction Planned Unit Development (PUD) District, Ord. 14-22

Current Land Use: Commercial

Approximate Acreage: 8.49 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Sign Elevation Exhibit
4. Proposed Sign Location Exhibit
5. Application
6. Ordinance 14-22

Staff Reviewer: Pam Howard, Associate Planner

OVERVIEW

Location: The Property is approximately 8.49 acres +/- in size and located at 17600 Shamrock Blvd (see Exhibit 2). The Property is zoned The Junction Planned Unit Development (PUD) District. Adjacent properties on the northeast corner of the interchange are zoned the SF-3: Single Family Medium Density District, and includes property owned and used by the school district. Properties on the Southeast corner are zoned the GB: General Business and MF-1: Multi-family Low Density Districts, and includes Single-family, Multi-family, and business uses. Properties on the west side of US 31 are zoned the EI: Enclosed Industrial and Gateway Southwest PUD Districts.

Property History: On April 18, 2017 the Advisory Plan Commission approved a Detailed Development Plan for a 103,000 square foot hospital to be built on the site. An Improvement Location Permit was issued on August 31, 2016, and construction is currently underway.



Variance: The Petitioner is requesting this variance to permit a Banner¹ as a Wall Sign², as generally illustrated on the Proposed Sign Elevation Exhibit (see Exhibit 3) and Proposed Sign Location Exhibit (see Exhibit 4).

SUMMARY OF VARIANCE

The Petitioner is requesting this variance to permit a 35 foot wide by 10 foot tall Banner as a Wall sign; as generally illustrated on the Proposed Sign Elevation (see Exhibit 3) and Proposed Sign Location (see Exhibit 4).

Article 6.17(E)(6) Sign Standards; Prohibitions: Display of temporary signs such as banners, flags, posters, pennants, ribbons, streamers, spinners, strings of lights, feather flags or signs, balloons or inflatable signs; except as otherwise permitted by this article.

Banner is a defined term in the UDO, and therefore a sign fitting that definition can only be permitted as permitted as Temporary Signage, subject to certain size and frequency limits³.

COMPREHENSIVE PLAN

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

The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

¹ The UDO defines "Banner" as "[a] Sign possessing characters, letters, illustrations or ornamentations which are designed or intended to convey any identification, message or information other than an address number and which are applied to cloth, paper, plastic or fabric of any kind. A Banner shall not include: (i) plastic or fabric Signs which are permanently attached within a rigid frame which are intended to be used as a permanent Sign; or (ii) national flags, flags of political subdivisions and symbolic flags of any institution or business."

² The UDO defines "Sign, Wall" as "a Sign attached to and/or integral with an exterior wall or window surface of a building, the face of which is parallel to the surface."

³ Article 6.17(k)(7) Sign Standards; Temporary Signage; Banners



PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the May 9, 2017, Board of Zoning Appeals meeting.

When sending the Public Notice, one adjoiner was mistakenly left out of the initial mailing. A letter was sent to that owner on Monday, May 1, 2017, two days past the deadline. The signs, newspaper notice, and remainder of the letters were all in accordance with Indiana Law and the Board of Zoning Appeals' Rules of Procedure. We are asking that the Board suspend Article X(2)(b) Certified Mail and Timing, of the Rules of Procedure and allow a Public Hearing to be held. A vote to suspend the Rules of Procedure must be unanimous. If the Board chooses not to suspend this rule, then the item will need to be continued to a subsequent meeting.

Conditions: The UDO⁴ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO⁵ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

⁴ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁵ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

DEPARTMENT COMMENTS

Waiver of Rules: Due to the notice issue outlined earlier in this report, we are asking that the Board suspend Article X(2)(b) Certified Mail and Timing, of the Rules of Procedure and allow a Public Hearing to be held. A vote to suspend the Rules of Procedure must be unanimous. If the Board chooses not to suspend this rule, then the item will need to be continued to a subsequent meeting.

Approval: If the Board is inclined to approve the variances, then the Department recommends approval with the conditions and findings as set forth below:

Recommended Condition:

1. The Banner be constructed in substantial compliance with the Proposed Sign Elevation Exhibit (see **Exhibit 3**) at the location shown on the Proposed Sign Location Exhibit (see **Exhibit 4**).
2. The Banner will be removed no later than December 31, 2017.

Recommended Findings for Approval:

1. **Criteria:** The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

Finding: It is unlikely that approving the requested variance(s) would be injurious to the public health, safety, morals, and general welfare of the community because the proposed Banner will be placed at a location that is highly visible to motorists on both US 31 and SR 32.

2. **Criteria:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The use of the property will not change, nor the scope of the approved plans.

3. **Criteria:** The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

Finding: The Sign Standards of the UDO do not necessarily recognize the visibility challenges resulting from the upgrade of US 31. The size limitation on temporary signs



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

May 9, 2017
1705-VS-09
Exhibit 1

do not allow for adequate visibility from US 31. The variance should more practically accommodate these unique circumstances.

Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.