ORDINANCE 12-39

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 ordinance (the "Ordinance") to amend the Westfield-Washington Township 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., as amended.

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1205-PUD-05), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Docket 1205-PUD-05 to the Westfield City Council with a _____recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505; and,

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

WHEREAS, the Westfield City 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 WESTFIELD CITY COUNCIL THAT THE ZONING ORDINANCE AND ZONING MAP BE AMENDED AS FOLLOWS:

Section 1. Development of the Real Estate shall be governed by the provisions of the Zoning Ordinance unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

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

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA, THIS _____ DAY OF _____, 2012.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For:	**Voting Against:**	**Abstain**
Jim Ake	Jim Ake	Jim Ake
John Dippel	John Dippel	John Dippel
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Robert J. Smith	Robert J. Smith	Robert J. 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 hereby certify that ORDINANCE 12-39 was delivered to the Mayor of Westfield on the

_____ day of _____, 2012, at _____m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 12-39

This _____ day of _____, 2012.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 12-39

This _____ day of _____, 2012.

_____
J. Andrew Cook, Mayor

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

Prepared by: Bryan D. Stumpf, ASLA, AICP, 11th Street Development
7378 N 550 E, Lebanon, IN 46052 (317) 721-8279

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ARTICLE 1. GENERAL PROVISIONS

Section 1.1. Applicability. This Harmony PUD Ordinance (the "Ordinance") applies to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate").

Section 1.2. Districts. There are two districts within the Ordinance as illustrated in Exhibit B attached hereto (the "District Map").

A. The underlying zoning district for Area A within the Mixed Use District shall be the MF-2 – Multi-Family 2 District (the "MF-2 District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the MF-2 District shall apply to Area A within the Mixed Use District of this Ordinance.

B. The underlying zoning district for Area B and Area C within the Mixed Use District shall be the LB – Local Business District (the "LB District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the LB District shall apply to Area B and Area C within the Mixed Use District of this Ordinance.

C. The underlying zoning district for the Single Family Residential District shall be the SF-4 – Residential District (the "SF-4 District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the SF-4 District shall apply to the Single Family Residential District of this Ordinance.

Section 1.3. Open/Green Space. A minimum of 69 acres of Open/Green Space shall be provided throughout the Real Estate. Development amenities as required in Section 2.4, N and Section 3.3, B and Active Recreation facilities shall be included as Open/Green Space for the purposes of calculating the quantity of Open/Green Space provided. Any Open/Green Space, Green Belt Space, or Green Space Area requirement in the Zoning Ordinance or in the Harmony PUD Ordinance shall apply toward the Open/Green Space requirement.

Section 1.4. The Real Estate shall develop in a manner substantially similar to the layout shown in Exhibit C-1 - Illustrated Site Development Plan.

Section 1.5. The Real Estate is expected, but is not bound, to develop in the order of the sections identified in Exhibit D - Construction Phasing Plan.

ARTICLE 2. MIXED USE DISTRICT

The underlying zoning of Area A within the Mixed Use District shall be the MF-2 District in the Zoning Ordinance. The underlying zoning of Area B and Area C within the Mixed Use District shall be the LB District in the Zoning Ordinance. Said underlying zoning classifications, except as modified in this Article, shall govern the use and development of the Mixed Use District. The purpose of this Mixed Use District is to allow multifamily residential uses and commercial development.

Section 2.1. General Requirements. The following general requirements apply to the Mixed Use District.

A. Parking may be permitted within the area between the right-of-way and building setback line.

B. A planting buffer shall be provided on any yard that abuts a residential area external to the Real Estate in accordance with the Landscaping Standards of this Ordinance, unless otherwise provided in Article 5.

C. Pedestrian connections shall be provided between buildings and parking areas via pavement striping and sidewalks.

D. Sidewalk connections a minimum of five (5) feet in width shall be made between buildings and sidewalks/paths within the rights-of-way closest to the buildings.

E. Chain link fencing is prohibited.

F. The Mixed Use District as pictured on Exhibit B (Zoning District Map) contains 40.933 acres comprising 28.396 acres of commercial uses and 12.537 acres of multifamily uses. As more detailed plans are developed in the future, the exact acreage of the commercial area and the multifamily area may increase or decrease, but in no case shall the amount of increase for either use exceed 2.5 acres. The total acreage of the Mixed Use District shall not exceed 40.933 acres.

Section 2.2. Permitted Uses.

A. In addition to the uses permitted in the LB District in the Zoning Ordinance, the following uses shall be permitted in the Mixed Use District:

   1. Health, fitness, and exercise center

   2. Multifamily residential

B. In addition to the uses permitted in the LB District in the Zoning Ordinance, in Area C of the Mixed Use District, the following uses shall be permitted:

1. Restaurants with drive-through facilities

2. Convenience store with fueling center. This land use is not being entitled as a part of Ordinance 12-39. It is anticipated that, once a specific Convenience Store/Fueling Center entity is identified to be located in Area C, the petitioner/developer will follow the zoning approval process to seek entitlement of this use. This use is tentatively contemplated in Area C. But, due to the special characteristics of this land use type that significantly affect the desirability of such use at this location (e.g., traffic volumes, pump orientation, lighting, outdoor sales displays, signage, building architecture), such use is not being entitled by right at this time. If a Convenience store with fueling center is developed in Area C, then it shall be developed substantially similar to the building massing and materials example shown in Exhibit C-2.

Section 2.3. Development Standards for Commercial Uses within the Mixed Use District.

A. Special Requirements.

1. Buildings within Area B and Area C of the Mixed Use District shall comply with *WC § 16.04.065(8), Architectural Design Requirements* of the City of Westfield's State Highway 32 Overlay Zone (the "Overlay Zone").

2. The maximum gross floor area of an individual business shall be 70,000 square feet. No more than one business within the entire development shall have a gross floor area of more than 50,000 square feet.

3. The aggregate maximum gross floor area of all commercial buildings shall be 170,000 square feet. The uses within Areas B and C of the Mixed Use District shall have the following maximum aggregate square footages by use type:

   a. Grocery – 70,000 s.f.
   b. Inline retail – 30,000 s.f.
   c. Office – 40,000 s.f.
   d. All uses on Outlots – 50,000 s.f
   e. Other permitted uses – 30,000 s.f.

4. Proximity Slope – *WC § 16.04.040(B)(11)* and *WC § 16.04.040(B)(13)* shall not apply to the development of the Real Estate.

5. Area C of the Mixed Use District shall develop in a manner substantially similar to the layout shown in Exhibit C-2 – Area C Illustrated Site Development Plan.

6. Neighborhood commercial uses in the Mixed Use District shall be designed to encourage the design elements shown in Exhibit C-3.

B. Development Standards.

1. Minimum Lot Area – None.

2. Minimum Lot Frontage on Road – Direct access to a Public Way or indirect access to a Public Way via a Private Street is required.

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

a. Front Yard – Twenty (20) feet

b. Side Yard – Twenty (20) feet

c. Rear Yard – Twenty (20) feet

4. Maximum Building Height – Forty-five (45) feet.

5. Loading and Parking - See Article 4 Off-Street Loading and Parking.

6. Landscaping - See Article 5 Landscaping Standards.

Section 2.4. Development Standards for Multifamily Uses within the Mixed Use District.

A. Minimum Lot Area – None.

B. Minimum Lot Frontage on Road – Direct access to a Public Way or indirect access to a Public Way via Private Street is required.

C. Minimum Setback Lines (applied to perimeter of the Mixed Use District and lots abutting Public Ways):

1. Front Yard – Twenty (20) feet

2. Side Yard – Twenty (20) feet

3. Rear Yard – Twenty (20) feet

D. Minimum Setback from Internal Driveways/Parking Areas – Ten (10) feet.

E. Maximum Density – Not applicable.

F. Maximum Number of Attached Dwelling Units Per Structure – Thirty (30) attached dwelling units.

G. Maximum Number of Attached Dwelling Units – Two hundred seventy (270) attached dwelling units.

H. Minimum Square Footage Per Attached Dwelling Unit (excluding porches, terraces, carports, and garages):

1. A one bedroom attached dwelling unit shall have a minimum of six hundred fifty (650) square feet.

2. A two bedroom attached dwelling unit shall have a minimum of eight hundred fifty (850) square feet.

3. A three bedroom attached dwelling unit shall have a minimum of one thousand (1,000) square feet.

I. Maximum Building Height – Forty (40) feet.

J. Development Amenities and Proximity Slope – *WC § 16.04.040(B)(11)* and *WC § 16.04.040(B)(13)* shall not apply to the development of the Real Estate.

K. Minimum Distance Between Buildings – Twenty (20) feet.

L. Parking Lot Screening - In addition to the requirements in Article 5, off-street parking lots and spaces within 20 feet of a Public Way or adjacent to single or multifamily development shall be screened by either a three (3) foot high opaque wall or fence or by a solid hedge row. If a hedge row is used, the plants shall be evergreen shrubs and have a minimum mature height of three (3) feet, be spaced a maximum of 48 inches on center, and be a minimum of 18 inches in height at the time of installation.

M. Development Amenities within Area A of the Mixed Use District – *WC § 16.04.040(B)(13)(b)* and *WC § 16.04.040(B)(13)(c)* shall not apply to the development of the Real Estate. The following amenities shall be distributed throughout Area A of the Mixed Use District:

1. A clubhouse a minimum of 8,000 square feet in size containing an exercise room, gathering room, conference space, reception area, sales offices, kitchen, conference room, maintenance area, and restrooms.

2. A pool area containing a swimming pool with a minimum surface area of 800 square feet.

3. An integrated trail and sidewalk system connecting buildings with common areas throughout Area A of the Mixed Use District.

N. Architectural Standards and Building Materials for all Principal Buildings

1. Building massing and quality of design and materials shall meet or exceed the standards reflected in the illustrations found in Exhibit F.

2. Permitted exterior building materials shall include: cultured stone, Masonry, wood, EIFS, stucco, and concrete fiber board. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl and aluminum siding are prohibited.

3. All buildings shall utilize a minimum of two (2) exterior building materials (excluding window, door, and roofing materials).

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

5. All buildings shall utilize a minimum of two (2) Exterior Building Material Designs per elevation. Horizontal concrete fiber board and shake concrete fiber board constitute different exterior building materials for the purpose of this standard.

6. All windows shall have either shutters and/or Enhanced Architectural Window Treatment.

7. The minimum Primary Roof Pitch on the front and sides of all Principal Buildings shall be 6/12, unless a flat roof (for roof examples see *WC § 16.04.065.J*) is being used for the building. Elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch. Lower roof pitches may occur on rear elevations if concealed by side roof elements.

8. Roof vents shall be located to the rear of the dwelling. All vents shall be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural or painted to match the roofing material.

O. Development Plans. Multifamily development shall meet the following requirements, in addition to the other requirements set forth in this Ordinance.

1. In the event that more than one building is proposed, they shall be designed to be located so that no more than two (2) buildings are in a straight, unbroken line.

2. Architectural Breaks shall be constructed at intervals of not greater than sixty (60) feet.

P. Off-Street Loading and Parking - See Article 4.

Q. Landscaping - See Article 5.

ARTICLE 3. SINGLE FAMILY RESIDENTIAL DISTRICT

The underlying zoning of the single family uses within the Single Family Residential District shall be the SF-4 Single Family Residential District in the Zoning Ordinance. Said underlying zoning classification, except as modified in this Article, shall govern the use and development of the Single Family Residential District. The purpose of this Single Family Residential District is to allow a variety of detached single family residential living options.

Section 3.1. Building Height. All residential dwellings are permitted to be a maximum of thirty (30) feet in height.

Section 3.2. Permitted Uses. All uses permitted in the SF-4 District in the Zoning Ordinance.

Section 3.3. Development Requirements.

A. Lots and buildings within the Single Family Residential District shall comply with the following development standards based upon lot classification:

	Lot Classification						
Development Standard	**Mew Lots**	**42' Alley-load lots**	**50' Alley-load lots**	**60' front load lots**	**70' front load lots**	**80' front load lots**	**Add'l Restric-tions**
Minimum Lot Width at Building Line	42'	42'	50'	60'	70'	80'	
Minimum Lot Area	3,780 s.f.	3,780 s.f.	5,500 s.f.	7,200 s.f.	8,400 s.f.	9,600 s.f.	1, 2
Minimum Lot Frontage on a Public Way	0'	30'	40'	40'	40'	40'	
Minimum House Size (total square footage)	1,400 s.f.	1,400 s.f.	1,700 s.f.	2,000 s.f.	2,200 s.f.	2,600 s.f.	
Min. Ground Level Area – 1-story House	1,000 s.f.	1,000 s.f.	1,000 s.f.	1,200 s.f.	1,200 s.f.	1,200 s.f.	
Min. Ground Level Area – 2-story House	750 s.f.	750 s.f.	750 s.f.	800 s.f.	800 s.f.	800 s.f.	
Minimum Front Yard Setback	10'	10'	10'	20'	20'	20'	3
Minimum Side Yard Setback	5'	5'	5'	5'	5'	5'	
Minimum Rear Yard Setback	20'	20'	20'	20'	20'	20'	

Additional Restrictions:

1. No more than 225 lots shall be less than five thousand five hundred (5,500) square feet in lot area.
2. No more than 405 lots shall be less than seven thousand two hundred (7,200) square feet in lot area.
3. The front yard setback for the Mew Lots shall be measured from the narrowest property line adjacent to a Mew.

B. Development Amenities.

1. A recreation area shall be located immediately north of 151st Street west of Ditch Road and shall comply with the 50' alley-loaded lot standards noted above; except, that the community building shall be a minimum of 1,000 s.f. The community building shall meet or exceed the architectural standards in Section 3.4. The recreation area shall contain a swimming pool with a minimum surface area of 3,000 square feet, a baby pool with a minimum surface area of 100 square feet, and a play ground area.

2. Within the Open/Green Space located along the pipeline easements (see Exhibit C-1) the following amenities shall be provided:

   i. An eight (8) foot wide asphalt trail the entire length of the Open/Green Space,

   ii. A dog park with fenced enclosures and a shade pavilion,

   iii. A playground, and

   iv. A multi-purpose field with moveable soccer goals.

Section 3.4. Architectural Standards.

A. Architectural Design Standards. Each single family detached dwelling unit located on a Mew Lot, 42' Alley-load Lot, or 50' Alley-load Lot shall comply with one of the defined architectural designs detailed in Section 3.4,A,3. Each single family detached dwelling unit located on a 60' Front-load Lot, 70' Front-load Lot, or 80' Front-load Lot shall meet one of the following standards:

1. Comply with one of the defined architectural designs detailed in Section 3.4,A,3, or

2. Comply with the conventional design guidelines identified in Section 3.4,A,4.

3. Defined Architectural Designs. The following architectural designs of homes are permitted to be constructed within Harmony:

   Adam (Colonial)
   Georgian
   Italianate
   Shingle
   Folk Victorian
   Colonial Revival
   Tudor
   Craftsman

   Architectural Detailing on the side and rear elevations of the building shall be consistent with the design of the Front Elevation.

a. Adam (Colonial) – See Exhibit E, Figures 101, 102, 108, 109, and 110 for examples of qualifying Adam houses.

   i. Identifying features – A minimum of three (3) items below shall be present on the Front Elevation in order to qualify as an Adam.

      1. Semi-circular or elliptical fanlight over front door. See Exhibit E, Figure 103 for examples of Adam Semi-circular or elliptical fanlight over front door. At least one of the types shown in Figure 103 shall be present in order to qualify.

      2. Cornice. See Exhibit E, Figure 104 for examples of Adam cornices. At least one of the types shown in Figure 104 shall be present in order to qualify.

      3. Windows. See Exhibit E, Figures 105 and 106 for examples of Adam windows. At least one of the types shown in Figures 105 and 106 shall be present in order to qualify.

      4. Windows aligned horizontally and vertically in symmetrical rows. See Exhibit E, Figures 101 and 102 for examples of Adam fenestration.

   ii. Building Massing and Roof Types. One shall be present in order to qualify as an Adam house – See Exhibit E, Figure 107 for examples of Adam building massing and roof types.

      1. Side-gabled roof. See Exhibit E, Figure 108 for examples of Adam side-gabled roof houses.

      2. Hipped roof, two-story. See Exhibit E, Figure 109 for examples of Adam hipped roof, two-story houses.

      3. Centered gable. See Exhibit E, Figure 110 for examples of Adam centered gable houses.

b. Georgian – See Exhibit E, Figures 201, 202, 211, 212, 213, and 214 for examples of qualifying Georgian houses.

   i. Identifying features – A minimum of four (4) items below shall be present on the Front Elevation in order to qualify as a Georgian house.

      1. Paneled front door. See Exhibit E, Figure 203 for examples of Georgian entryways.

      2. A row of small rectangular panes of glass beneath the crown, either within the door or in a transom just above. See Exhibit E, Figure 204 for examples of Georgian use of glass at the front door. At least one of the types shown in Figure 204 shall be present in order to qualify.

      3. Cornice. See Exhibit E, Figure 205 for an example of a Georgian cornice. At least one of the types shown in Figure 205 shall be present in order to qualify.

      4. Windows having small panes. See Exhibit E, Figure 206 for examples of Georgian windows. At least one of the types shown in Figure 206 shall be present in order to qualify.

      5. Windows aligned horizontally and vertically in symmetrical rows. See Exhibit E, Figure 207 for examples of Georgian fenestration. At least one of the types shown in Figure 207 shall be present in order to qualify.

      6. A central chimney or paired chimneys. See Exhibit E, Figure 208 for examples of Georgian chimneys. At least one of the types shown in Figure 208 shall be present in order to qualify.

      7. Roof with an open side gable, gambrel, pedimented side gable, pent, hipped, or double-hipped configuration. See Exhibit E, Figure 209 for examples of Georgian roofs. At least one of the types shown in Figure 209 shall be present in order to qualify.

   ii. Building Massing and Roof Types. One shall be present in order to qualify as a Georgian house – See Exhibit E, Figure 210 for examples of Georgian building massing and roof types.

      1. Side-gabled roof. See Exhibit E, Figure 211 for examples of Georgian side-gabled roof houses.

      2. Gambrel roof. See Exhibit E, Figure 212 for examples of Georgian gambrel roof houses.

3. Hipped roof. See Exhibit E, Figure 213 for examples of Georgian hipped roof houses.

4. Centered gable. See Exhibit E, Figure 214 for examples of Georgian centered gable houses.

c. Italianate – See Exhibit E, Figures 301, 302, 309, 310, 311, 312, and 313 for examples of qualifying Italianate houses.

i. Identifying features – A minimum of five (5) items below shall be present on the Front Elevation in order to qualify as a Italianate house.

1. Two stories. See Exhibit E, Figure 302 for examples of Italianate building heights.

2. Low-pitched roof with widely overhanging eaves having decorative brackets beneath. See Exhibit E, Figure 301 for an example of Italianate roof detailing.

3. Tall, narrow windows. See Exhibit E, Figure 303 for examples of Italianate windows. At least one of the types shown in Figure 303 shall be present in order to qualify.

4. Window crowns. See Exhibit E, Figure 304 for examples of Italianate window crowns. At least one of the types shown in Figure 304 shall be present in order to qualify.

5. A square cupola or tower. See Exhibit E, Figures 301 and 302 for examples of Italianate cupolas or towers. At least one of the types shown in Figures 301 and 302 shall be present in order to qualify.

6. A cornice line dominated by large eave brackets. See Exhibit E, Figure 305 for examples of Italianate cornices. At least one of the types shown in Figure 305 shall be present in order to qualify.

7. A single-story porch. See Exhibit E, Figure 306 for examples of Italianate porches. At least one of the types shown in Figure 306 shall be present in order to qualify.

8. Doorways in the same shapes as windows (rectangular, arched, segmentally arched) with elaborate enframements above doors that are similar to those over the windows. See Exhibit E, Figure 307 for examples of Italianate doorways. At least one of the types shown in Figure 307 shall be present in order to qualify.

ii. Building Massing and Roof Types. One shall be present in order to qualify as a Italianate house – See Exhibit E, Figure 308 for examples of Italianate building massing and roof types.

1. Simple hipped roof. See Exhibit E, Figure 309 for examples of Italianate simple hipped roof houses.

2. Centered gable. See Exhibit E, Figure 310 for examples of Italianate center gable houses.

3. Asymmetrical. See Exhibit E, Figure 311 for examples of Italianate asymmetrical houses.

4. Towered. See Exhibit E, Figure 312 for examples of Italianate towered houses.

5. Front-gabled roof. See Exhibit E, Figure 313 for examples of Italianate front-gabled roof houses.

d. Shingle – See Exhibit E, Figures 401, 402, 407, 408, 409, 410, and 411 for examples of qualifying Shingle houses.

   i. Identifying features – A minimum of four (4) items below shall be present on the Front Elevation in order to qualify as a Shingle house.

      1. Wall cladding and roofing of continuous wood or composition shingles (shingled wall may occur on second story only). See Exhibit E, Figures 401 and 402 for examples of Shingle wall cladding and roofing.

      2. Shingled walls without interruption at corners (no corner boards). See Exhibit E, Figure 401 for an example of Shingle walls.

      3. Asymmetrical elevation with irregular, steeply pitched roof line. See Exhibit E, Figure 402 for an example of a Shingle asymmetrical elevation.

      4. Roofs having intersecting cross gables and multi-level eaves. See Exhibit E, Figures 401 and 402 for examples of Shingle roofs;

      5. Extension porches. See Exhibit E, Figure 403 for examples of Shingle porches. At least one of the types shown in Figure 403 shall be present in order to qualify.

      6. Window surrounds using bay windows, multiple windows, walls curving into windows, and Palladian windows. See Exhibit E, Figure 404 for an example of a Shingle window. At least one of the types shown in Figure 404 shall be present in order to qualify.

      7. Dormers with geometric, angular, or curved roof. See Exhibit E, Figure 405 for an example of Shingle dormers. At least one of the types shown in Figure 405 shall be present in order to qualify.

   ii. Building Massing and Roof Types. One shall be present in order to qualify as a Shingle house – See Exhibit E, Figure 406 for examples of Shingle building massing and roof types.

      1. Hipped roof with cross gables. See Exhibit E, Figure 407 for examples of Shingle hipped roof with cross gables houses.

      2. Side-gabled roof. See Exhibit E, Figure 408 for examples of Shingle side-gabled roof houses.

3. Front-gabled roof. See Exhibit E, Figure 409 for examples of Shingle front-gabled roof houses.

4. Cross-gabled roof. See Exhibit E, Figure 410 for examples of Shingle cross-gabled roof houses.

5. Gambrel roof. See Exhibit E, Figure 411 for examples of Shingle gambrel roof houses.

e. Folk Victorian – See Exhibit E, Figures 501, 503, 504, 505, 506, and 507 for examples of a qualifying Folk Victorian house.

   i. Identifying features – A minimum of two (2) items below shall be present on the Front Elevation in order to qualify as a Folk Victorian house.

      1. Porches with spindlework detailing or flat, jig-saw cut trim. See Exhibit E, Figure 501 for an example of a Folk Victorian porch.

      2. Symmetrical elevation (except gable-front-and-wing subtype).

      3. Cornice-line brackets. See Exhibit E, Figure 501 for an example of a Folk Victorian cornice-line bracket.

   ii. Building Massing and Roof Types. One shall be present in order to qualify as a Folk Victorian house – See Exhibit E, Figure 502 for examples of Folk Victorian building massing and roof types.

      1. Front-gabled roof. See Exhibit E, Figure 503 for examples of Folk Victorian front-gabled roof houses.

      2. Gable front and wing. See Exhibit E, Figure 504 for examples of Folk Victorian gable front and wing houses.

      3. Side-gabled-roof, one-story. See Exhibit E, Figure 505 for examples of Folk Victorian side-gabled-roof, two-story houses.

      4. Side-gabled-roof, two-story. See Exhibit E, Figure 506 for examples of Folk Victorian side-gabled-roof, two-story houses.

      5. Pyramidal. See Exhibit E, Figure 507 for examples of Folk Victorian pyramidal houses.

f. Colonial Revival – See Exhibit E, Figures 601, 605, 606, 607, 608, 609, 610, 611, and 612 for examples of a qualifying Colonial Revival house.

i. Identifying features – A minimum of two (2) items below shall be present on the Front Elevation in order to qualify as a Colonial Revival house.

1. Accentuated front door. See Exhibit E, Figure 602 for examples of Colonial Revival accentuated front doors. At least one of the types shown in Figure 602 shall be present in order to qualify.

2. Overhead fanlights or sidelights. See Exhibit E, Figure 602 for examples of Colonial Revival overhead fanlights or sidelights. At least one of the types shown in Figure 602 shall be present in order to qualify.

3. Symmetrically balanced windows and center door. See Exhibit E, Figure 603 for examples of Colonial Revival fenestration. At least one of the types shown in Figure 603 shall be present in order to qualify.

ii. Building Massing and Roof Types. One shall be present in order to qualify as a Colonial Revival house – See Exhibit E, Figure 604 for examples of Colonial Revival building massing and roof types.

1. Asymmetrical. See Exhibit E, Figure 605 for examples of Colonial Revival asymmetrical houses.

2. Hipped roof with full-width porch. See Exhibit E, Figure 606 for examples of Colonial Revival hipped roof with full-width porch houses.

3. Hipped roof without full-width porch. See Exhibit E, Figure 607 for examples of Colonial Revival hipped roof without full-width porch houses.

4. Side-gabled roof. See Exhibit E, Figure 608 for examples of Colonial Revival side-gabled roof houses.

5. Centered gable. See Exhibit E, Figure 609 for examples of Colonial Revival centered gable houses.

6. Gambrel roof. See Exhibit E, Figure 610 for examples of Colonial Revival gambrel roof houses.

7. Second-story overhang. See Exhibit E, Figure 611 for examples of Colonial Revival second-story overhang houses.

8. One-story. See Exhibit E, Figure 612 for examples of Colonial Revival one-story houses.

g. Tudor – See Exhibit E, Figures 701, 702, 710, 711, 712, 713, and 714 for examples of qualifying Tudor houses.

i. Identifying features – A minimum of four (4) items below shall be present on the Front Elevation in order to qualify as a Tudor house.

1. Steeply pitched roof. See Exhibit E, Figures 701 and 702 for examples of Tudor roofs.

2. Elevation dominated by one or more prominent cross gables. See Exhibit E, Figure 703 for examples of Tudor cross gables. At least one of the types shown in Figure 703 shall be present in order to qualify.

3. Decorative (i.e., not structural) half-timbering. See Exhibit E, Figure 704 for examples of Tudor decorative half-timbering. At least one of the types shown in Figure 704 shall be present in order to qualify.

4. Tall, narrow windows. See Exhibit E, Figure 705 for examples of Tudor windows. At least one of the types shown in Figure 705 shall be present in order to qualify.

5. Massing chimneys. See Exhibit E, Figure 706 for examples of Tudor massing chimneys. At least one of the types shown in the Figure shall be present in order to qualify.

6. Gables with decorated vergeboards or parapeted gables. See Exhibit E, Figure 707 for examples of Tudor gables. At least one of the types shown in Figure 707 shall be present in order to qualify.

7. Doorways with cut stone projecting into surrounding brickwork giving a quoin-like effect, simple round-arched doorways with heavy board-and-batten doors, or Tudor (flattened pointed) arches. See Exhibit E, Figure 708 for examples of Tudor doorways. At least one of the types shown in Figure 708 shall be present in order to qualify.

ii. Building Massing and Roof Types. One shall be present in order to qualify as a Tudor house – See Exhibit E, Figure 709 for examples of Tudor building massing and roof types.

1. Stucco wall cladding. See Exhibit E, Figure 710 for examples of Tudor stucco wall cladding houses.

2. Brick wall cladding. See Exhibit E, Figure 711 for examples of Tudor brick wall cladding houses.

3. Stone wall cladding. See Exhibit E, Figure 712 for examples of Tudor stone wall cladding houses.

4. Wooden wall cladding. See Exhibit E, Figure 713 for examples of Tudor wooden wall cladding houses.

5. Parapeted gables. See Exhibit E, Figure 714 for examples of Tudor parapeted gables houses.

h. Craftsman – See Exhibit E, Figures 801, 802, 806, 807, 808, and 809 for examples of qualifying Craftsman houses.

i. Identifying features – A minimum of three (3) items below shall be present on the Front Elevation in order to qualify as a Craftsman house.

1. Low-pitched, gabled or hipped roof with wide, unenclosed eave overhang. See Exhibit E, Figures 801 and 802 for examples of a Craftsman roof.

2. Exposed roof rafters. See Exhibit E, Figure 803 for examples of Craftsman roof rafters.

3. Decorative (false) beams or braces added under gables; porches, either full- or partial-width, with roof supported by tapered square columns. See Exhibit E, Figure 803 for examples of Craftsman decorative (false) beams or braces.

4. Columns or pedestals extend to ground level. See Exhibit E, Figure 804 for examples of Craftsman columns or pedestals. At least one of the types shown in Figure 804 shall be present in order to qualify.

ii. Building Massing and Roof Types. One shall be present in order to qualify as a Craftsman house – See Exhibit E, Figure 805 for examples of Craftsman building massing and roof types.

1. Front-gabled roof. See Exhibit E, Figure 806 for examples of Craftsman front-gabled roof houses.

2. Cross-gabled roof. See Exhibit E, Figure 807 for examples of Craftsman cross-gabled roof houses.

3. Side-gabled roof. See Exhibit E, Figure 808 for examples of Craftsman side-gabled roof houses.

4. Hipped roof. See Exhibit E, Figure 809 for examples of Craftsman hipped roof houses.

4. Conventional Design Standards. Each dwelling not following a defined architectural design as established in Section 3.4, A, 3 shall conform with the following design standards. Roof designelements shall contribute to no more than two (2) of the required architectural elements for the same elevation. An architectural element used to meet the standards for one elevation shall not contribute as an element on other elevations.

   a. Front Elevation. Each dwelling shall utilize a minimum of six (6) of the following architectural elements on the Front Elevation:

      i. Side load, rear load, or angled (>15°) garage;

      ii. Covered front porch at least six (6) feet in width and four (4) feet in depth;

      iii. Roofline direction change or roofline height change greater than sixteen (16) inches on the dwelling and attached garage (dormers and porches shall not qualify to meet this standard);

      iv. Wood, concrete fiber board, trim at corners, frieze boards, window and door wraps, and as transitional material between two different exterior materials;

      v. Decorative shutters or other Enhanced Architectural Window Treatment on all windows, where feasible (a minimum of three (3) windows with shutters are required to meet this provision);

      vi. Architectural Break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the Front Elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more Architectural Breaks shall be deemed to have met two (2) of the element requirements);

      vii. Primary Roof Pitches of 8/12 or greater and Secondary Roof Pitches of 10/12 or greater;

      viii. Masonry, EIFS, stucco, cultured stone material on a minimum of the first floor or twenty-five percent (25%) of the total elevation, exclusive of windows and doors;

      ix. Separate overhead garage door for each car space;

      x. Roof design featuring hip roof, dormers (a minimum of two (2) dormers), a reverse gable, a shed roof accent, or two (2) or more roof planes;

xi. Architecturally-treated Entranceways (for homes without a front porch) consistent with the architectural design of the home;

xii. Bay window(s);

xiii. Transom window(s);

xiv. Veranda/balcony;

xv. Architecturally-enhanced Articulated Trim Moldings (e.g. fipons above windows); or

xvi. Exterior chase Masonry fireplace.

b. Side Elevation. Each dwelling shall utilize a minimum of three (3) of the following architectural elements on each side elevation. Side elevations that face Public Ways on corner lots, or Open/Green Space on Mew Lots, shall utilize a minimum of five (5) of the following architectural elements on said side elevation:

i. Side load, rear load, or angled (>15°) garage;

ii. Hip roof;

iii. Roofline direction change OR roofline height change greater than sixteen (16) inches OR two or more roof planes;

iv. Architectural Break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the side elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more Architectural Breaks shall be deemed to have met two (2) of the element requirements);

v. Masonry, EIFS, stucco, cultured stone material a minimum of eighteen (18) inches in height the entire length of the elevation or a five (5) foot return on the first floor;

vi. Three (3) or more windows on the elevation;

vii. Side yard landscaping to include at least one (1) tree a minimum of six (6) feet in height at the time of planting and three (3) shrubs three (3) feet in height at the time of planting;

viii. Bay window(s);

ix. Transom window(s);

x. Veranda/balcony;

xi. Architecturally-enhanced Articulated Trim Moldings (e.g. fipons above windows);

xii. Exterior chase fireplace;

xiii. Architectural Treatment on Gable Ends; or

xiv. Sunroom or screened porch.

c. Rear Elevation. Each dwelling shall utilize a minimum of three (3) of the following architectural elements on the rear elevation. Rear elevations that face exterior Public Ways, and which are located within fifty (50) feet of that Public Way, shall utilize a minimum of five (5) of the following architectural elements on said rear elevation:

i. Covered open or screened porch (minimum size ten (10) foot by ten (10) foot, includes porches with arbor or similar roof treatments);

ii. Shutters on all windows, where they can fit (a minimum of three (3) windows with shutters are required);

iii. Architectural Break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the rear elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more Architectural Breaks shall be deemed to have met two (2) of the element requirements);

iv. Masonry, EIFS, stucco, cultured stone material a minimum of eighteen (18) inches in height the entire length of the elevation or a five (5) foot return on the first floor;

v. Hip roof;

vi. Elevated deck a minimum of twenty-four (24) inches above finish grade;

vii. Roofline direction change OR roofline height change greater than sixteen (16) inches OR two (2) or more roof planes;

viii. Bay window(s);

ix. Transom window(s);

x. Veranda/balcony;

xi. Rear yard landscaping to include at least two (2) trees, one of which shall be an evergreen tree (a minimum of six [6] feet in height at the time of planting) and at least one of which shall be a deciduous tree (a minimum of 2” caliper 12 inches above finished grade) and five (5) shrubs (a minimum of three [3] feet in height at the time of planting).

xii. Architecturally-enhanced Articulated Trim Moldings (e.g. fipons above windows);

xiii. Exterior chase fireplace; or

xiv. Architectural Treatment on Gable Ends.

d. Garage Doors. A maximum of 120 dwellings that follow the Conventional Design Standards detailed in Section 3.4,A,4 may have garage doors that are not Architectural Garage Doors. All other dwellings that follow the Conventional Design Standards shall have Architectural Garage Doors.

B. The following architectural standards apply to all dwellings within the Single Family Residential District.

1. On homes with front load garages, the garage door shall be recessed behind the primary plane of the Front Elevation of the home a minimum of two (2) feet.

2. Building Materials. Permitted exterior building materials shall include: cultured stone, Masonry, wood, EIFS, stucco, and concrete fiber board. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl and aluminum siding are prohibited.

3. Windows.

   a. A dwelling shall have a minimum of three (3) windows on the Front Elevation of the structure.

   b. A dwelling shall have a minimum of two (2) windows on each side elevation. A door on the side elevation shall meet the requirements of one window.

   c. A dwelling shall have a minimum of three (3) windows on the rear elevation.

   d. A double window (a single window unit a minimum of four (4) feet in width with two windows side by side) shall count as two windows.

4. The minimum slope of the Primary Roof Pitch shall be 6/12. Secondary Roof Pitches such as porches, bays, walkways, etc., may be covered with a lower roof pitch.

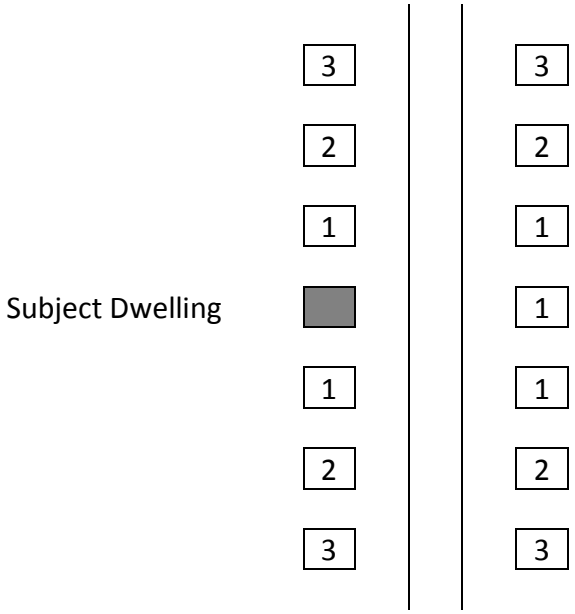
5. Roof overhangs shall be required and shall be a minimum of 8 inches. Elements such as porches, bays, walkways, etc. may be covered with fewer inches of overhang.

6. Roof vents shall be located to the rear of the dwelling. All vents shall be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural or painted to match the roofing material.

Section 3.5. Additional Standards.

A. The maximum number of single family detached dwellings shall be seven hundred ten (710).

B. Single family detached dwellings shall comply with the variety requirements illustrated below:



Dwelling	May be Same Front Elevation as Subject Dwelling	May be Same Color Package as Subject Dwelling
1	No	No
2	Yes	No
3	Yes	Yes

ARTICLE 4. OFF-STREET LOADING AND PARKING

WC § 16.04.120 of the Zoning Ordinance, entitled "Off-Street Loading and Parking", shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 4.1. Loading Berths. The Other Local Business off-street loading guidelines in *WC §16.04.120* shall be modified as follows: two (2) loading berths for businesses with 10,001 or more square feet.

Section 4.2. Off-Street Parking.

A. Collective Provisions for the Mixed Use District. Off-street parking facilities for separate uses may be provided collectively. A reduction down to not less than 80% of the total number of spaces required for all uses is permitted.

B. Curbs. All parking lots, including access drives and parking spaces, shall require concrete curbing unless the curb conflicts with the provision of Low Impact Development ("LID") design elements, as determined by the Economic and Community Development Director. In LID situations, wheel stops may be used adjacent to parking stalls as determined by the Economic and Community Development Director. This requirement is not applicable to single family detached dwellings.

C. Required Spaces. Parking spaces accessory to designated uses shall be provided to meet the following minimum requirements:

    1. General Offices: One (1) parking space per each two hundred fifty (250) square feet of assignable office area.

    2. Retail Uses: One (1) parking space per each three (300) square feet of gross leasable area.

    3. Multifamily Residential Uses:
        a. One (1) parking space per bedroom of each dwelling unit.
        b. The minimum number of garage parking spaces shall be equal to 60% of the total number of dwelling units within the multifamily area of the Mixed Use District.
        c. Two (2) parking spaces for every one thousand (1,000) square feet of clubhouse.

D. Size. A required off-street parking space shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of drives, aisles, ramps, and columns.

E. Each required off-street parking space within Area A of the Mixed Use District shall open directly upon an aisle or a driveway of such width and design as to provide safe access to the street. Tandem parking spaces adjacent to individual garages shall meet this requirement provided that both the garage and tandem space are dedicated to the same tenant.

F. A parking area a minimum depth of 20 feet shall be provided in front of all garage doors within the Single Family Residential District.

Section 4.3. Bicycle Parking Facilities. Bicycle parking facilities shall be required as follows:

A. A bicycle parking facility, that will accommodate a minimum of ten (10) bicycles, shall be provided at each of the following locations:

   1. The clubhouse within Area A of the Mixed Use District,

   2. The recreation area within the Single Family Residential District, and

   3. Area B within the Mixed Use District.

B. In addition to the bicycle parking facilities required under Section 4.3, A, 3, bicycle parking facilities that will accommodate a minimum of two (2) bicycles each shall be provided at each building within Area B of the Mixed Use District.

ARTICLE 5. LANDSCAPING STANDARDS

WC § 16.06.010 thru *WC § 16.06.080*, entitled "Landscaping Standards", shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 5.1. Low Impact Development ("LID") Considerations. Perennial ornamental grasses with a mature height of no more than six (6) feet, may be substituted for shrubs where necessary to address LID applications, as determined by the Economic and Community Development Director. Ornamental grasses shall not be used as a substitute for buffer yard plantings. The minimum container size for planting ornamental grasses shall be one gallon.

Section 5.2. Buffer Yard Requirements.

A. Buffer yards shall not be required internal to the Real Estate.

B. Buffer yards shall not be required where the front of lots or dwellings face 146th Street, 151st Street, 156th Street or Ditch Road, except as required by Section 5.3.

C. Where the rear yards of lots abut Ditch Road, a minimum 20 foot wide landscape buffer containing a minimum of one (1) evergreen tree, one (1) shade tree, one (1) ornamental tree, and five (5) evergreen shrubs per 30 linear feet of frontage shall be installed. For the area between 151st Street and the pipeline easements, the minimum width of the landscape easement shall vary from 20 feet to 40 feet as shown on Exhibit C-1.

D. A minimum 40 foot wide landscape buffer shall be provided in the areas abutting the existing large lot residential parcels on the south side of 156th Street as shown on Figure #2.

Section 5.3. Landscape Buffer in the Mixed Use District.

A. In the areas noted Landscape Buffer A on the following illustration, Figure #1, a landscape buffer a minimum of 20 feet wide and planted with a minimum of one and one-half (1.5) evergreen trees, and five (5) evergreen shrubs per 30 linear feet of frontage shall be installed.

B. In the areas noted Landscape Buffer B on the following illustration, Figure #1, a landscape buffer a minimum of 10 feet wide and planted with a minimum of one (1) evergreen tree, and five (5) evergreen shrubs per 30 linear feet of frontage shall be installed.

Section 5.4. Refer to Section 2.4,M for additional parking lot screening requirements for Area A of the Mixed Use District.

Figure #1

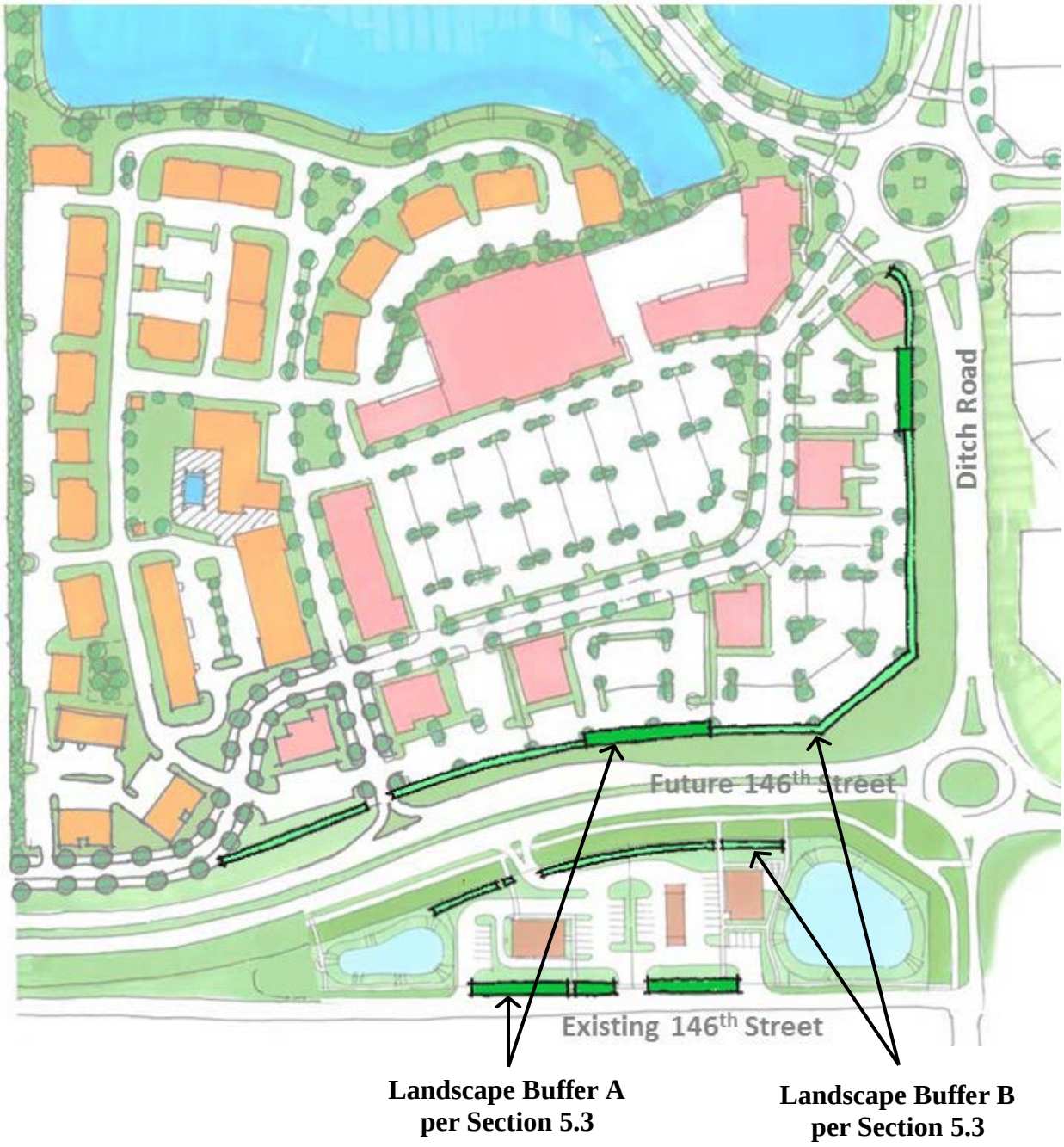
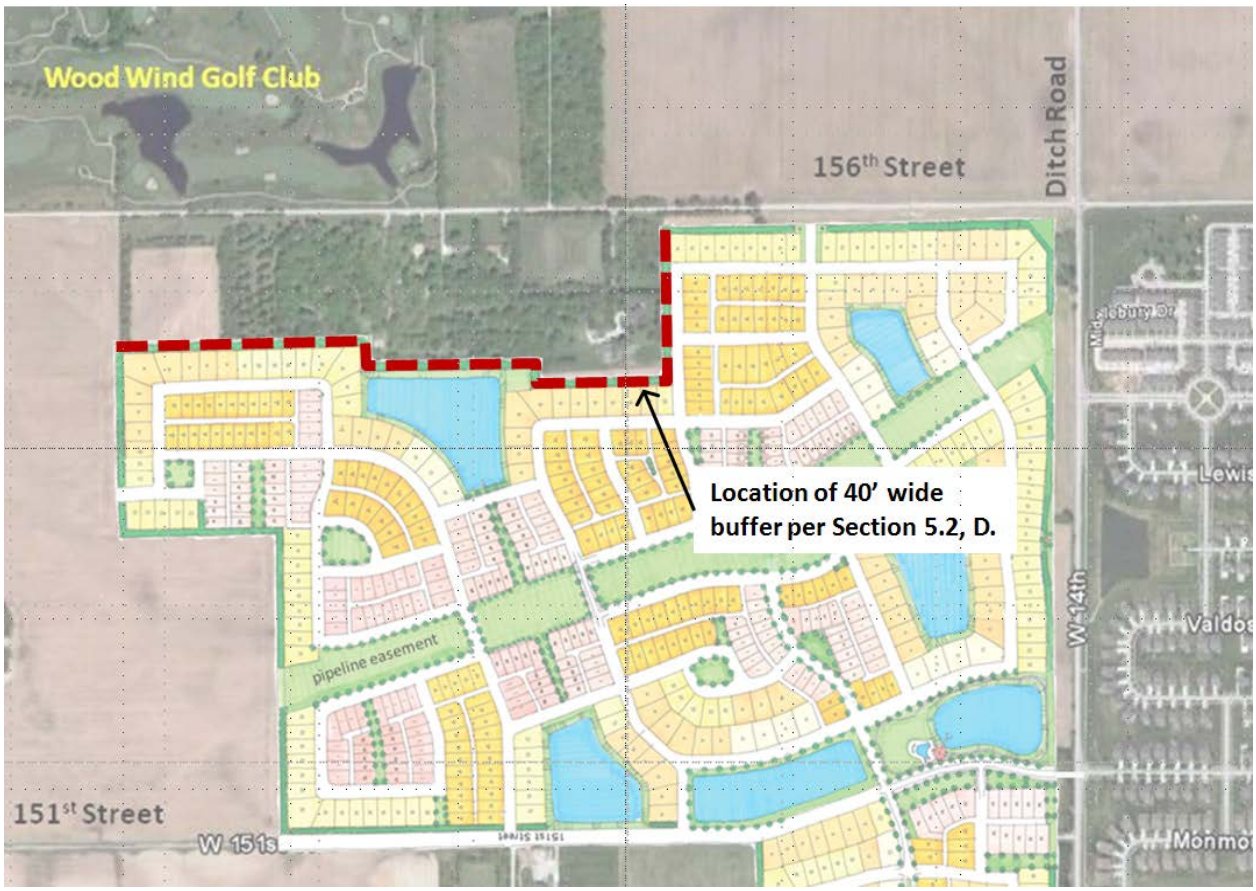

Ditch Road
Future 146th Street
Existing 146th Street
Landscape Buffer A
per Section 5.3
Landscape Buffer B
per Section 5.3

Figure #2


Wood Wind Golf Club
156th Street
Ditch Road
Location of 40' wide
buffer per Section 5.2, D.
pipeline easement
151st Street
W 151s
W 14th

ARTICLE 6. DEFINITIONS

"Alley" shall mean a permanent right-of-way or easement which provides a secondary means of access to abutting lands. In the case of Mew Lots, an Alley will provide the primary means of access to the lot.

"Architectural Break" shall mean and refer to the corner of a projection along an elevation of a building. The exterior corners of a covered porch and a projection with a height of no less than six (6) feet and projection of no less than two (2) feet shall count as an Architectural Break.

"Architectural Detailing" shall mean detailed design, location, composition and correlation of elements that provide ornamentation.

"Architectural Garage Door" shall mean and refer to a garage door with Architectural Detailing reflecting the design of the building. The architectural details may include windows, materials, colors, hardware specifications, etc., consistent with the details of the remainder of the primary building.

"Architecturally-enhanced Articulated Trim Mouldings" shall mean and refer to a decorative strip used for ornamentation or finishing with materials, dimensions, and colors that are consistent with and enhance the architectural design of a building.

"Architecturally-treated Entranceways" shall mean and refer to the use of trim details on the three sides of a door or entrance point into a building to draw attention to the entrance.

"Architectural Treatment on Gable Ends" shall mean and refer to the finishing of the triangular area of the side of a building with a gable roof with architectural details consistent with the design of the home.

"Color Package" shall mean a combination of the color of the following elements: the main body of the house, the trim, and an optional accent color. To be different from another Color Package, a Color Package must include at least two of the three elements being of a different color.

"Construction Phasing Plan" shall mean and refer to the Construction Phasing Plan attached hereto and incorporated herein by reference as Exhibit D.

"Enhanced Architectural Window Treatment" shall mean and refer to Architectural Detailing of elements around window openings. For windows in a Masonry elevation, the treatment shall be of natural or Masonry materials and be applied to the sill and header at a minimum. For windows in a non-Masonry elevation, the treatment shall be of Natural Materials and be applied to the sill, header, and jams. The width of the treatment shall be a minimum of 3½ inch reveal dimension of the base siding material.

"Exterior Building Material Design" shall mean the combination of exterior building materials used on a building.

“Front Elevation” shall mean the exterior side of a dwelling that primarily faces the street. In the case of a Mew Lot, the Front Elevation shall be that exterior side of the dwelling that primarily faces the Mew. In the case of a corner lot, the Front Elevation shall be determined by the builder and shall be clearly identified on the building permit plans.

“Illustrative Site Development Plans” shall mean and refer to the Illustrative Site Development Plans attached hereto and incorporated herein by reference as Exhibit C.

“Lot, Mew” shall mean and refer to a lot fronting upon Open/Green Space and served by an Alley.

“Low Impact Development (LID)” shall mean and refer to an approach to land development that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

“Masonry” shall mean and refer to brick, limestone, natural stone, cultured stone, or a combination of the same, bonded together with mortar to form a wall, buttress, or similar mass.

“Mew” shall mean and refer to the Open/Green Space the Front Elevation of a dwelling on a Mew Lot faces.

“Mixed Use District” shall mean and refer to what is identified on the Zoning District Map in Exhibit B as Mixed Use.

“Natural Materials” shall mean and refer to brick, wood, limestone, fiber cement siding, or natural stone.

“Owner” shall mean and refer to any owner of any part of the Real Estate.

“Real Estate” shall mean and refer to the property described in what is attached hereto and incorporated herein by reference as Exhibit A.

“Roof Pitch, Primary” shall mean and refer to the slope of the Primary Roof of a building. The pitch of a roof is measured in degrees or the vertical rise in inches for every horizontal 12 inch length (called the "run").

“Roof Pitch, Secondary” shall mean and refer to any roof pitch on a building that is not the Primary Roof Pitch.

“Roof, Primary” shall mean and refer to the portion of a building’s roof structure that most contributes to the mass of a building due to its predominance in height, width, length, bulk, or volume of area covered.

“Single Family Residential District” shall mean and refer to what is identified on the Zoning District Map in Exhibit B as the Single Family Residential District.

“Zoning District Map” shall mean and refer to the Zoning District Map attached hereto and incorporated herein by reference as Exhibit B.

“Zoning Ordinance” shall mean and refer to the Comprehensive Zoning Ordinance of Westfield-Washington Township, 1977, as amended.

ARTICLE 7. CITY OF WESTFIELD'S STATE HIGHWAY 32 OVERLAY ZONE STANDARDS

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 Ditch Road and 146th Street right-of-way lines adjacent to the Real Estate, unless otherwise stated herein. Standards in the Overlay Zone that refer to the State Highway 32 Overlay Zone shall mean and refer to the Harmony PUD, for the purposes of this Ordinance.

Exhibit A

Legal Descriptions and Boundary Information

Exhibit A – Legal Description of Overall Property

Harmony
Southwest corner of 156th Street & Ditch Road

Part of the Northeast, Southeast and Northwest Quarters of Section 16, Township 18 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Northeast Quarter; thence South 00 degrees 00 minutes 00 seconds East (assumed basis of bearings) along the east line of said Northeast Quarter 2,630.58 feet to the northeast corner of said Southeast Quarter; thence South 00 degrees 12 minutes 08 seconds East along the east line of said Southeast Quarter 2,636.09 feet to the southeast corner thereof; thence South 89 degrees 25 minutes 04 seconds West along the south line of said Southeast Quarter 1,352.44 feet to the southwest corner of the East Half of said Southeast Quarter; thence North 00 degrees 18 minutes 09 seconds West along the west line of said East Half 2,633.15 feet to the southeast corner of the West Half of said Northeast Quarter; thence South 89 degrees 17 minutes 41 seconds West along the south line of said West Half 1,357.06 feet to the southeast corner of said Northwest Quarter; thence South 89 degrees 01 minute 52 seconds West along the south line of said Northwest Quarter 678.57 feet to the southwest corner of the East Half of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 11 minutes 40 seconds West along the West line of said East Half 1,315.85 feet to the northwest corner thereof; thence South 89 degrees 07 minutes 04 seconds West along the south line of the Northeast Quarter of said Northwest Quarter 679.24 feet to the southwest corner thereof; thence North 00 degrees 13 minutes 26 seconds West along the west line of the Northeast Quarter of said Northwest Quarter 823.64 feet to a point that is 493.24 feet South 00 degrees 13 minutes 26 seconds East from the northwest corner of the Northeast Quarter of said Northwest Quarter; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 794.85 feet; thence North 00 degrees 13 minutes 26 seconds West 3.82 feet; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 285.30 feet to an east line of the 119.55-acre tract described in Instrument Number 200300107178, on file in the Office of the Recorder of Hamilton County, Indiana, the following six (6) courses are along the east, south and west lines of said 119.55-acre tract; 1)thence South 00 degrees 09 minutes 54 seconds East 108.70 feet; 2)thence North 89 degrees 12 minutes 17 seconds East 279.15 feet to the west line of said Northeast Quarter; 3)thence North 89 degrees 16 minutes 38 seconds East 450.00 feet; 4)thence South 00 degrees 09 minutes 53 seconds East 57.15 feet; 5)thence North 89 degrees 16 minutes 38 seconds East 518.47 feet; 6)thence North 00 degrees 00 minutes 00 seconds East parallel with the east line of said Northeast Quarter 655.30 feet to a point on the north line of said Northeast Quarter that is 1,751.34 feet west of the northeast corner of said Northeast Quarter; thence North 89 degrees 16 minutes 38 seconds East along said north line 1,751.34 feet to the POINT OF BEGINNING. Containing 277.55 acres, more or less.

Exhibit A – Legal Description of Area A in the Mixed Use District

LEGAL DESCRIPTION
AREA A

Part of the Southeast Quarter of the Southeast Quarter of Section 16, Township 18 North, Range 3 East, in Hamilton County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said Quarter Quarter Section, the following three (3) courses are along the south and west lines thereof; (1) thence South 89 degrees 25 minutes 04 seconds West 1352.44 feet to the southwest corner of said Quarter Quarter Section; (2) thence North 00 degrees 18 minutes 09 seconds West 217.93 feet to the POINT OF BEGINNING; (3) thence North 00 degrees 18 minutes 09 seconds West 1037.19 feet; thence North 88 degree 58 minutes 18 seconds East 313.16 feet; thence South 77 degrees 25 minutes 17 seconds East 228.55 feet; thence North 72 degrees 50 minutes 48 seconds East 156.26 feet; thence South 85 degrees 36 minutes 16 seconds East 72.10 feet; thence South 66 degrees 48 minutes 09 seconds East 84.24 feet; thence South 39 degrees 24 minutes 00 seconds East 133.60 feet; thence South 75 degrees 24 minutes 46 seconds West 278.11 feet; South 47 degrees 10 minutes 32 seconds West 103.05 feet; thence South 20 degrees 33 minutes 07 seconds West 126.00 feet; thence South 87 degrees 08 minutes 18 seconds West 147.66 feet; thence South 08 degrees 21 minutes 04 seconds East 203.08 feet; thence South 15 degrees 39 minutes 18 seconds East 348.42 feet; thence South 70 degrees 26 minutes 11 seconds West 236.73 feet; thence South 83 degrees 05 minutes 16 seconds West 183.83 feet; thence North 86 degrees 20 minutes 47 seconds West 95.84 feet to the POINT OF BEGINNING, containing 12.537 acres more or less.

Exhibit A – Legal Description of Areas B & C in the Mixed Use District

LEGAL DESCRIPTION
AREA B and C

The Southeast Quarter of the Southeast Quarter of Section 16, Township 18 North, Range 3 East, in Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Southeast Corner of said Quarter Quarter Section, the following four (4) courses are along the south, west, north, and east lines thereof; (1) thence South 89 degrees 25 minutes 04 seconds West 1352.44; (2) thence North 00 degrees 18 minutes 09 seconds West 1316.58 feet; (3) thence North 89 degrees 21 minutes 22 seconds East 1354.75 feet; (4) thence South 00 degree 12 minutes 08 seconds East 1318.05 feet to the POINT OF BEGINNING, containing 40.933 acres more or less.

EXCEPT (AREA A)

Part of the Southeast Quarter of the Southeast Quarter of Section 16, Township 18 North, Range 3 East, in Hamilton County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said Quarter Quarter Section, the following three (3) courses are along the south and west lines thereof; (1) thence South 89 degrees 25 minutes 04 seconds West 1352.44 feet to the southwest corner of said Quarter Quarter Section; (2) thence North 00 degrees 18 minutes 09 seconds West 217.93 feet to the POINT OF BEGINNING; (3) thence North 00 degrees 18 minutes 09 seconds West 1037.19 feet; thence North 88 degree 58 minutes 18 seconds East 313.16 feet; thence South 77 degrees 25 minutes 17 seconds East 228.55 feet; thence North 72 degrees 50 minutes 48 seconds East 156.26 feet; thence South 85 degrees 36 minutes 16 seconds East 72.10 feet; thence South 66 degrees 48 minutes 09 seconds East 84.24 feet; thence South 39 degrees 24 minutes 00 seconds East 133.60 feet; thence South 75 degrees 24 minutes 46 seconds West 278.11 feet; South 47 degrees 10 minutes 32 seconds West 103.05 feet; thence South 20 degrees 33 minutes 07 seconds West 126.00 feet; thence South 87 degrees 08 minutes 18 seconds West 147.66 feet; thence South 08 degrees 21 minutes 04 seconds East 203.08 feet; thence South 15 degrees 39 minutes 18 seconds East 348.42 feet; thence South 70 degrees 26 minutes 11 seconds West 236.73 feet; thence South 83 degrees 05 minutes 16 seconds West 183.83 feet; thence North 86 degrees 20 minutes 47 seconds West 95.84 feet to the POINT OF BEGINNING, containing 12.537 acres more or less.

Exhibit B

Zoning District Map

Exhibit B – Zoning District Map

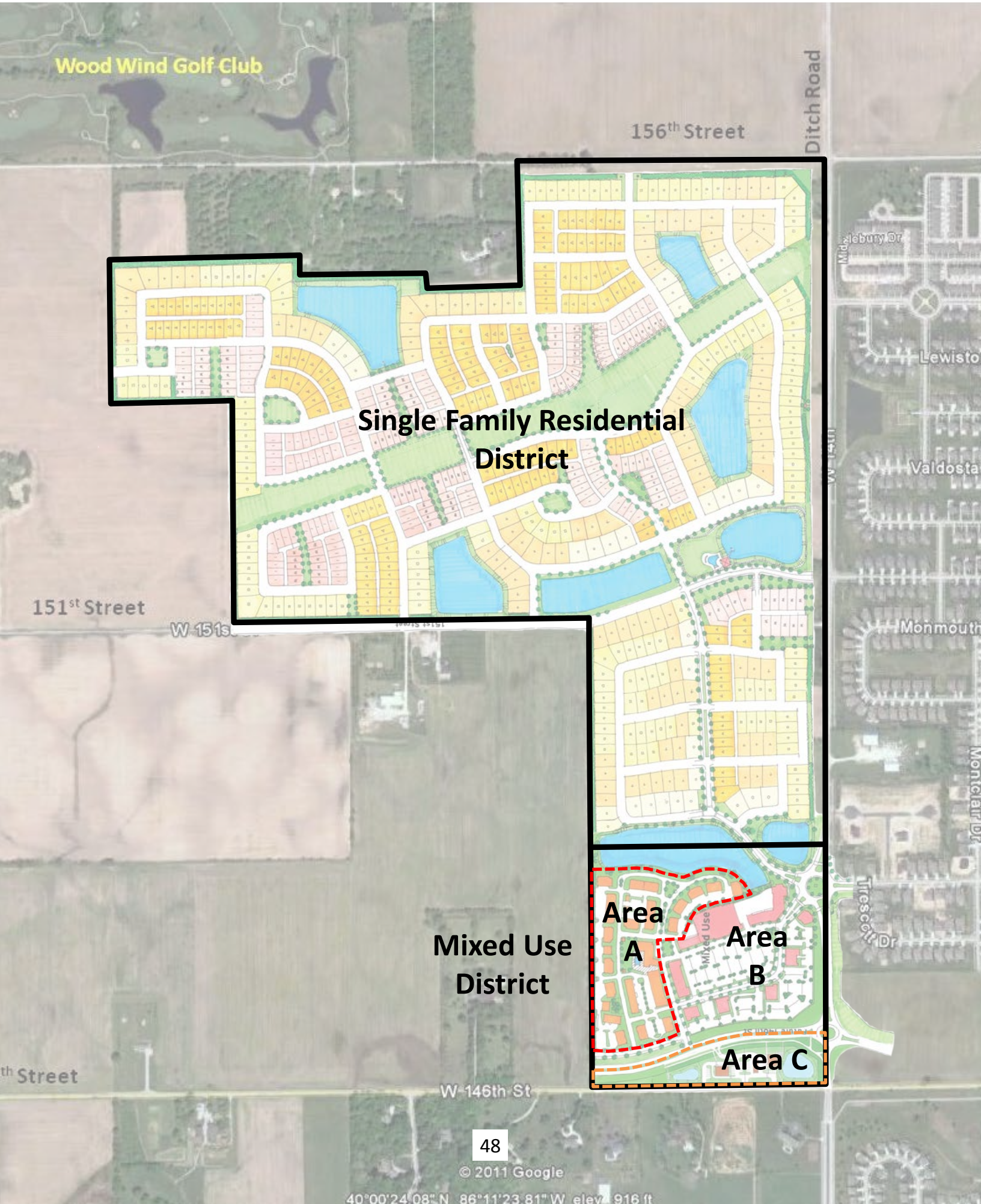


Exhibit C

Illustrated Site Development Plans

Exhibit C-1 – Illustrative Site Development Plan

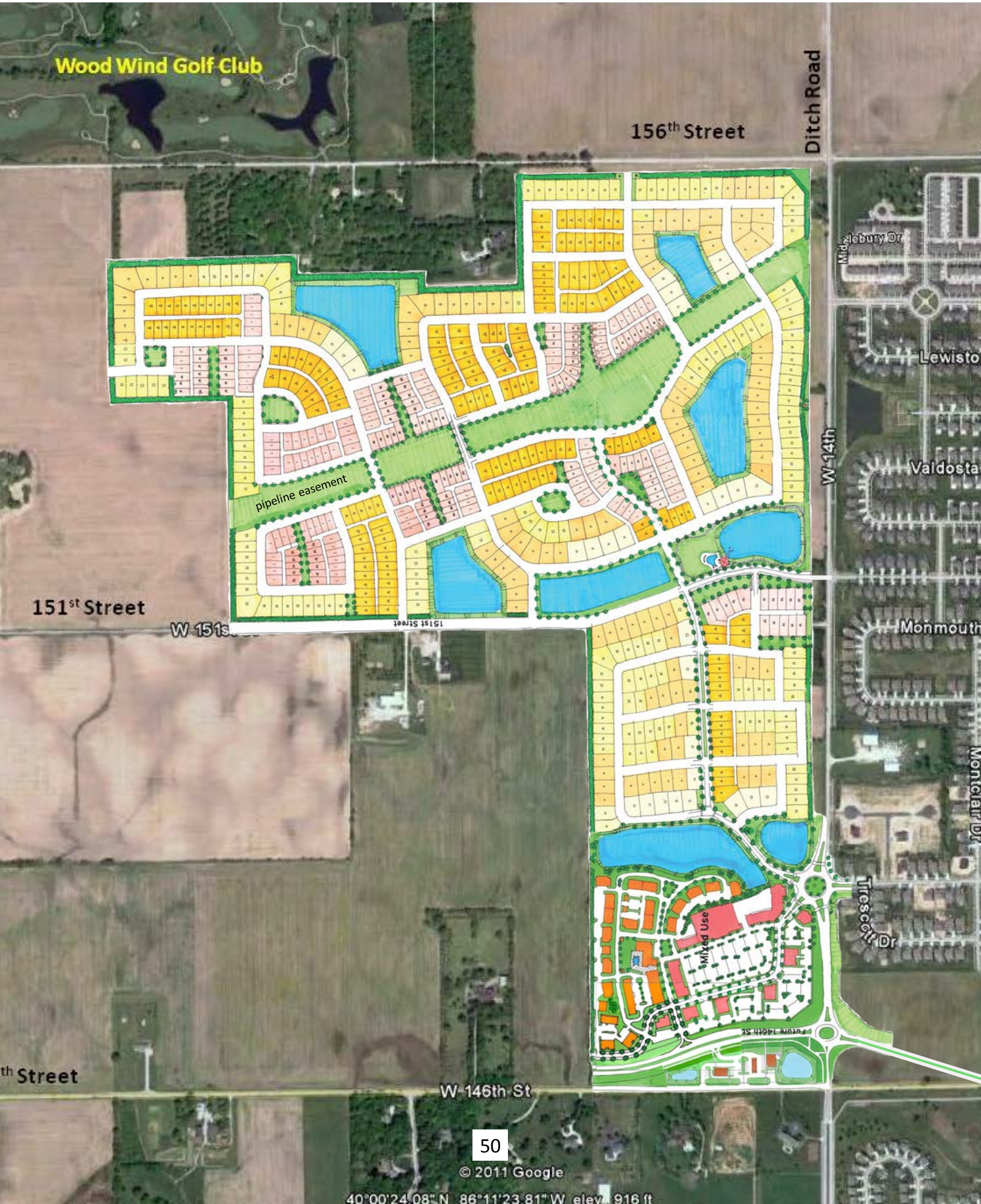
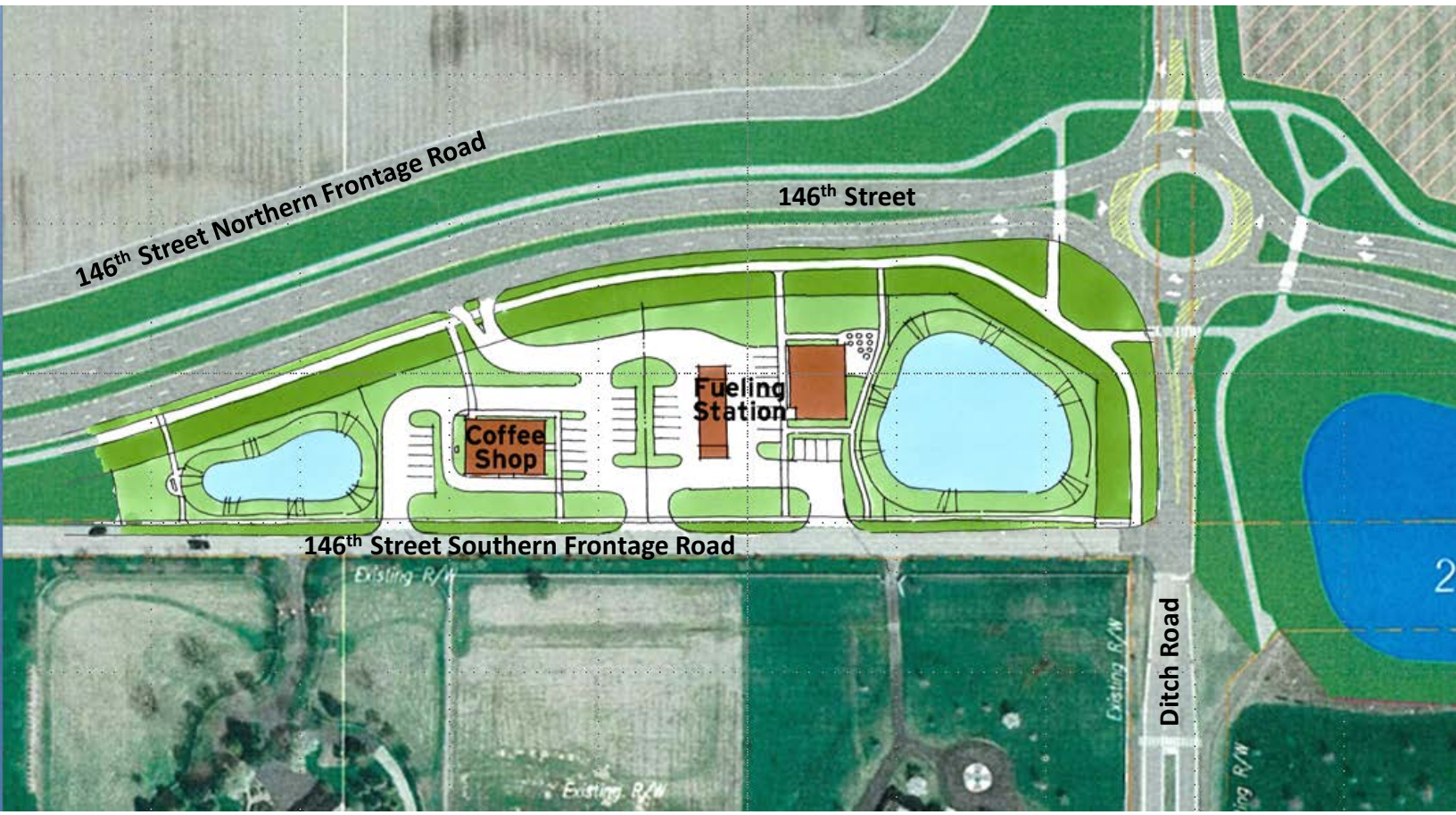


Exhibit C-2 – Area C Illustrative Site Development Plan



Area C Illustrative Site Plan

Convenience store with fueling center building massing and materials example

Exhibit C-3 – Neighborhood Commercial Design Elements

The neighborhood commercial uses in the Mixed Use District shall be designed to encourage:

Outdoor dining

Opportunities to gather

Amenities to enhance pedestrian comfort

Exhibit D

Construction Phasing Plan

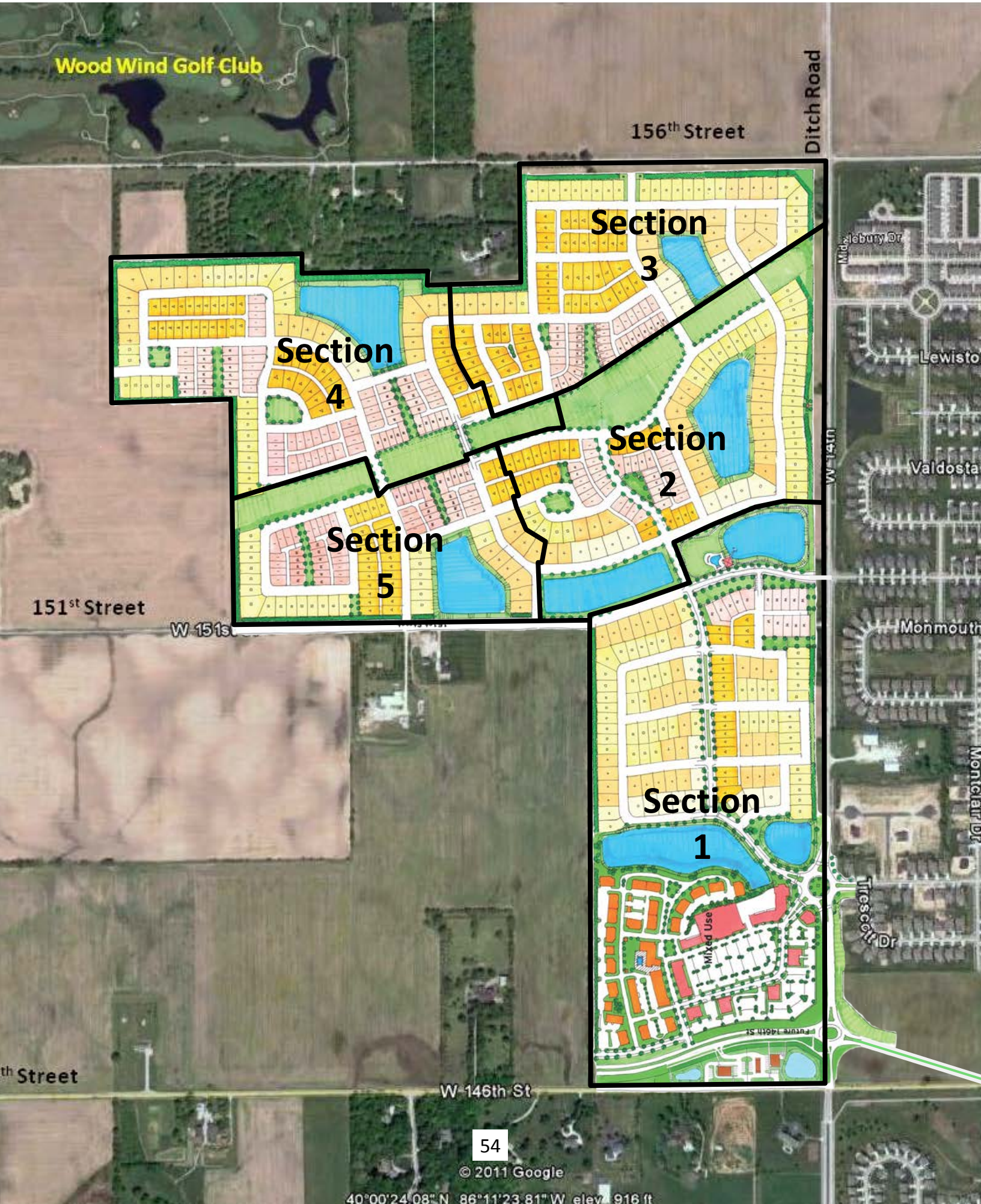



Exhibit D – Construction Phasing Plan