ORDINANCE 12-37

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE ANDOVER PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCE 03-40, ORDINANCE 06-24 AND TITLE 16 LAND USE CONTROLS

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

WHEREAS, the Westfield-Washington Township Plan Commission ("Commission") considered a petition (docket 1212-PUD-13) filed with the Commission requesting an amendment to Ordinance 03-40, enacted by the Town Council on December 8, 2003, and amended by Ordinance 06-24, enacted by the Town Council on June 12, 2006 (jointly referred to hereinafter as the "Andover PUD").

WHEREAS, on January 7, 2013, the Commission took action to forward Docket 1212-PUD-13 to the Westfield City Council with a favorable recommendation in accordance with Indiana Code 36-7-4-608, as required by Indiana Code 36-7-4-1505;

WHEREAS, on January ___, 2013, the Secretary of the Commission certified the action of the Commission to the City Council; and

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

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 06-24, and TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. Section 4 of Ordinance 06-24 is replaced in its entirety with the following:

"The number of dwelling units (either single family attached or multi-family) permitted in Parcel G of the Andover PUD shall be increased from 180 to 230 ~~242~~. The number of dwelling units permitted in Parcel E of the Andover PUD shall be increased from 80 to 90. The total number of dwelling units permitted in the Andover PUD shall be increased from 640 to 712, and the total number for single-family attached dwelling units and/or multi-family dwelling units permitted on Parcel G shall be increased from 180 to 230 ~~242~~ in any combination of single-family attached or multi-family dwelling units."

NOW THEREFORE BE IT FURTHER ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 03-40, and TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 2. Section 6, paragraph A (1) of Ordinace 03-40 is replaced in its entirety with the following:

"All uses permitted in the SF-2 District per the Zoning Ordinance in force of the enactment of the original Andover PUD, including attached and detached single family or multi-family dwellings on Parcel G only and single structures and buildings and uses accessory thereto, together with model homes and temporary trailers from which sales activities may be conducted;"

SECTION 3. Section 6, paragraph A(2) of the Ordinance 03-40 is replaced in its entirety with the following:

"Residential common areas and amenity areas (to be owned and maintained by the ~~Andover Homeowners' Association~~ appropriate homeowner's association for the parcel, or their successors or assigns) along with accessory uses, structures and improvements located thereon including, without limitation, recreational developments, including clubhouses, parks, pools, ballfields, ball courts, practice facilities, playgrounds and other recreational spaces, and recreational buildings. The construction of said amenity improvements shall be approved by Department staff and shall not require an additional DPR;"

SECTION 4. A new Paragraph D of Section 9 of Ordinance 03-40 added as follows:

D. Any development on Parcel G occurring after January 1, 2013, shall be constructed in substantial compliance with the "Overall Landscape Concept" attached to the Andover PUD as Exhibit 11 and in accordance with the "Landscape Details" attached to the Andover PUD as Exhibit 11A. All such landscaping identified in this Overall Landscape Concept shall be installed prior to the issuance of permanent Certificates of Occupancy for the appropriate Phase, as defined herein, or Sub-phase, as defined herein, in which the units are located, as identified in Exhibit 12 attached hereto. A Phase shall be defined as all of the units present in the respective phases shown on Exhibit 12 (Phase I is noted to have 89 units and Phase II will have 91 units). A Sub-phase is hereinafter defined as a smaller portion of Phase I denoted by the area demarked on Exhibit 12 and shown as Phase 1A, 1B, etc.

All Landscape Buffer (Road Frontage) located in Phase II (as identified in Exhibit 12, attached hereto) shall be installed at the same time that public improvements (inclusive of roads and sewers) located on Phase II are installed and prior to the issuance of any Certificates of Occupancy within Phase II.

SECTION 5. Paragraph 1 of Exhibit 2 to the Ordinance 03-40 is deleted.

~~**Apartment.** A building or portion thereof designed for or occupied by one or more families.~~

SECTION 6. The Land Use Type associated with Parcel G on Exhibit 7of Ordinance 03-40 is renamed to "Single-family attached or multi-family".

SECTION 7. Paragraph Number 6 of Exhibit 8 to Ordinance 03-40 shall be amended as follows:

6. Lots Adjacent to External Streets. Except as provided below, all homes whose sides face an External Street shall have at one (1) of the Architectural Design Features required by Exhibit 9 of the side of the home facing the External Street. For development occurring on Parcel G after January 1, 2013, the rear elevations of units which front on Shady Nook Road and 186th Street (excepting Buildings R and Z) shall be substantially in conformance with the exhibit attached hereto as Exhibit 8A The rear elevations on Buildings I, E, R, Z (as shown on Exhibit 13) shall be developed substantially in conformance with the rear elevations attached hereto as Exhibit 8B

SECTION 8. A new paragraph, Paragraph 15 is added to Exhibit 8 of Ordinance 03-40:

15. External Colors of Multi-Family Buildings on Parcel G. Any buildings located on Parcel G constructed after January 1, 2013, which contain multi-family dwellings shall not have the same exterior color as any other building located immediately adjacent to the building and located on the same side of a public or private street.

SECTION 9. The Description associated with Parcel G on Exhibit 9 of Ordinance 03-40 is renamed to "Single-family attached or multi-family".

The section "Architectural Design Features" associated with Parcel G on Exhibit 9 of the Ordinance 03-40 shall be amended as follows:

> All residences constructed prior to January 1, 2013, shall include at least one (1) of the items in Table 9(A) and a total of at least three (3) items from either Table 9A or Table 9B. All development occurring after January 1, 2013, shall require at least five (5) items from Table 9A and four (4) items from Table 9B.

SECTION 10. The development phasing related to Parcel G as shown on Exhibit 10 of Ordinance 03-40 shall be amended as follows:

> Development Schedule for Parcel G: Development on Parcel G shall be completed in substantial compliance with the exhibit attached hereto as Exhibit 12. Any amenities, trails, sidewalks or other infrastructure required for a particular Phase, as defined herein, shall be installed during the construction occurring in that specific Phase or Sub-phase, as defined in Paragraph D of Section 9 of Ordinance 03-40, and shall be completed prior to the issuance of permanent Certificates of Occupancy for the various Phases or Sub-phases, except for those located in the Landscape Buffer (Road Frontage) on Phase II, which shall be installed in accordance with Section 4 hereof.

SECTION 11. A new Exhibit, Exhibit 13 is added to the Andover PUD Ordinance. Exhibit 13 contains the conceptual site plan for all improvements to be constructed upon Parcel G after January 1, 2013. All development of Parcel G occurring after this date shall be in substantial compliance with the site plan shown on Exhibit 13 attached hereto.

In all other respects, the Andover PUD Ordinance shall remain in effect and unchanged.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2013.

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 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. Russell L. Brown

I hereby certify that ORDINANCE No. _____ was delivered to the Mayor of Westfield on the _____ day of _____ 2013 at _____ __.m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE NO. 12-37

This ____ day of _____, 2013.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 12-37

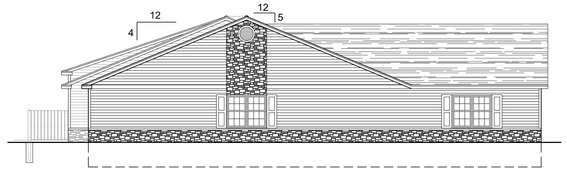
This _____ day o _____ 2013.

_____
J. Andrew Cook, Mayor

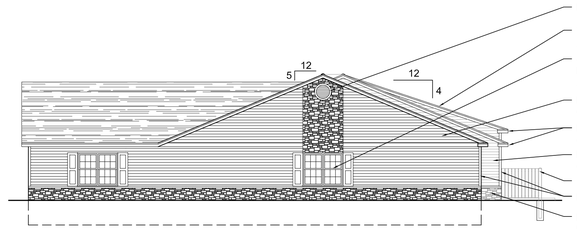
ATTEST:

_____
Cindy J. Gossard, Clerk-Treasurer

Prepared by: Russell L. Brown, 26781-49, Clark, Quinn, Moses, Scott & Grahn, LLP
320 N. Meridian Street, Suite 1100, Indianapolis, IN 46204, (317) 637-1321



SIDE ELEVATION
SCALE: 3/32" = 1'-0"



SIDE ELEVATION
SCALE: 3/32" = 1'-0"

DECORATIVE LOUVER - TYP. COLOR: WHITE

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL SINGLE HUNG WINDOW WITH COLONIAL PATTERN FLAT GRIDS (FRONT AND SIDE ONLY). COLOR: STANDARD WHITE.

FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

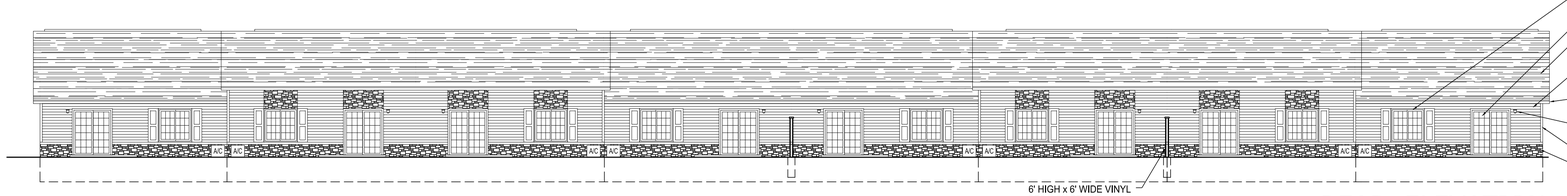
PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

VINYL "BOARD ON BOARD" PRIVACY FENCE. COLOR: WHITE

FIBER CEMENT CORNER TRIM. COLOR: WHITE

ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND



6' HIGH x 6' WIDE VINYL PRIVACY FENCE.

SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL 2-LITE SLIDER WINDOW . COLOR: STANDARD WHITE.

ATRIUM VINYL SLIDING PATIO DOOR w/ FLAT GRIDS

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

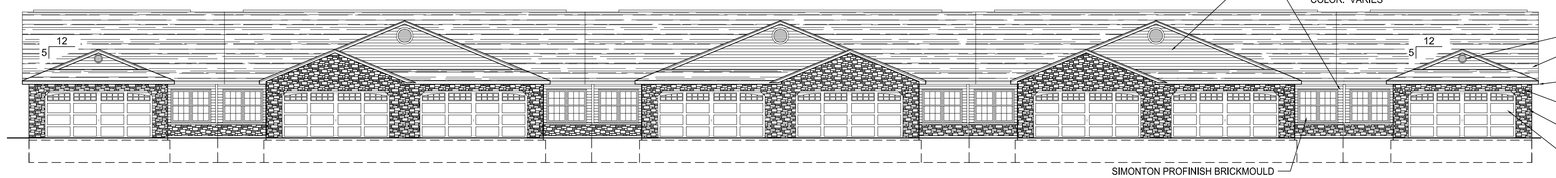
PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

PROGRESS LIGHTING INCANDESCENT FIXTURE. STYLE: ROMAN COACH (P5986-31EB)

FIBER CEMENT CORNER TRIM. COLOR: WHITE

ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND

REAR ELEVATION
SCALE: 3/32" = 1'-0"



FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

DECORATIVE LOUVER - TYP. COLOR: WHITE

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

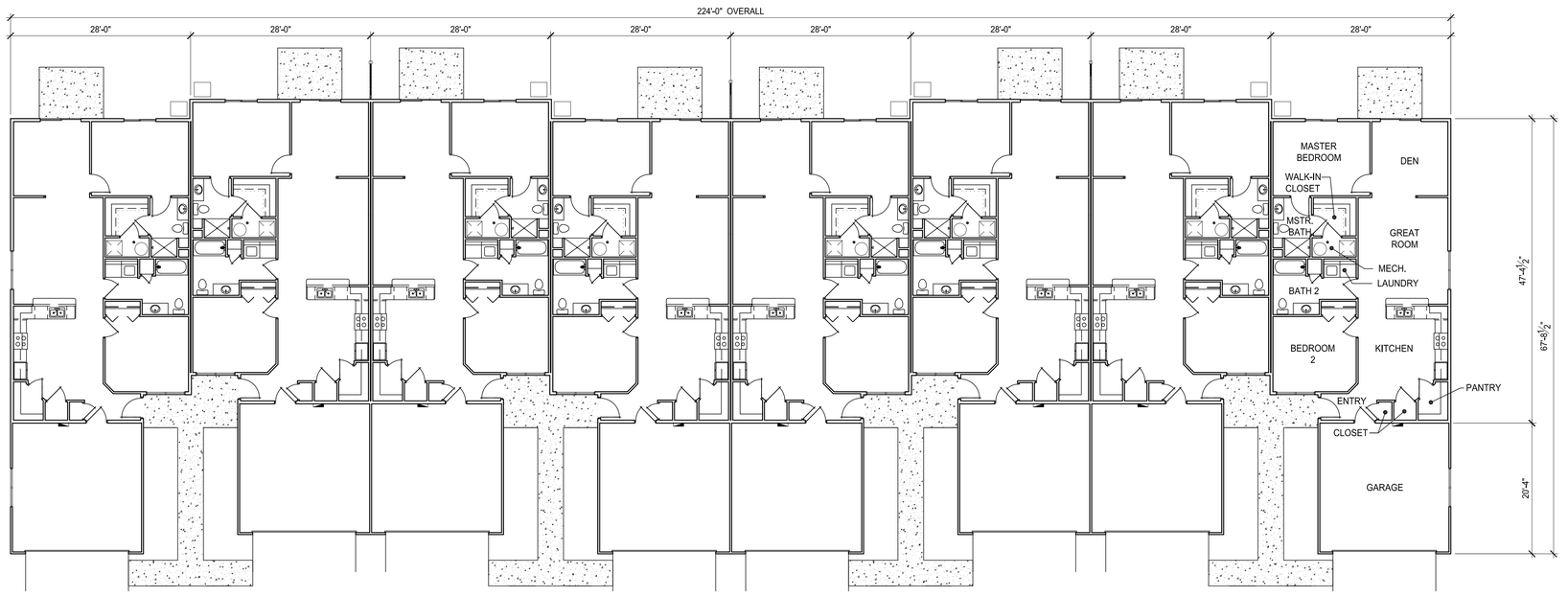
PROGRESS LIGHTING INCANDESCENT FIXTURE. STYLE: ROMAN COACH (P5766-31EB)

ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND

C.H.I. RAISED PANEL PAN STEEL OVERHEAD GARAGE DOOR. COLOR: WHITE

SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL SINGLE HUNG WINDOW WITH COLONIAL PATTERN FLAT GRIDS (FRONT AND SIDE ONLY). COLOR: STANDARD WHITE.

FRONT ELEVATION
SCALE: 3/32" = 1'-0"



OVERALL FLOOR PLAN
SCALE: 3/32" = 1'-0" 8 UNIT BUILDING

EXHIBIT 8A TO ORDINANCE 12-37

PRELIMINARY

NOTE!!!
THIS DRAWING IS NOT FOR CONSTRUCTION

revisions

3660 embassy parkway
fairlawn, ohio 44333
tel. 330 . 666 . 5770
fax. 330 . 666 . 8812
www . mann-architects . com

23775 commerce park rd. suite 7
beachwood, oh 44122
tel. 216 . 360 . 9473

mann architects

REDWOOD MANAGEMENT CO.

drawing
8 UNIT BUILDING - 28' WIDE UNIT

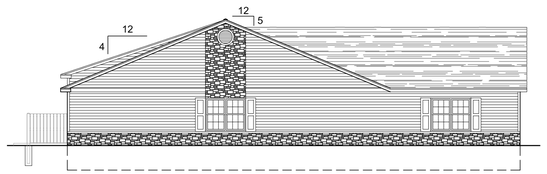
project no.
19512

date
JANUARY 3, 2013

scale
AS NOTED

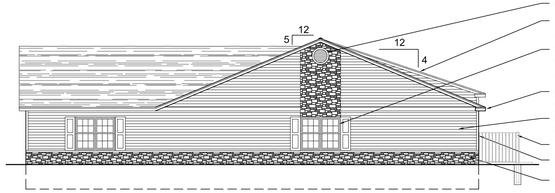
project
REDWOOD AT ANDOVER
WESTFIELD, INDIANA

A1.2
2 OF 2
sheet no.



SIDE ELEVATION

SCALE: 3/32" = 1'-0"



DECORATIVE LOUVER - TYP. COLOR: WHITE

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL SINGLE HUNG WINDOW WITH COLONIAL PATTERN FLAT GRIDS (FRONT AND SIDE ONLY). COLOR: STANDARD WHITE.

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

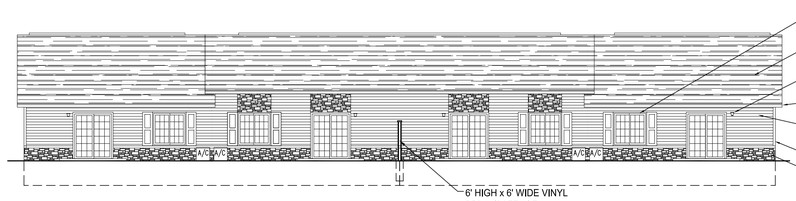
VINYL "BOARD ON BOARD" PRIVACY FENCE. COLOR: WHITE

FIBER CEMENT CORNER TRIM. COLOR: WHITE

ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND (AT STREET VIEW ONLY)

SIDE ELEVATION

SCALE: 3/32" = 1'-0"



SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL 2-LITE SLIDER WINDOW . COLOR: STANDARD WHITE.

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

PROGRESS LIGHTING INCANDESCENT FIXTURE. STYLE: ROMAN COACH (P5986-31EB)

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

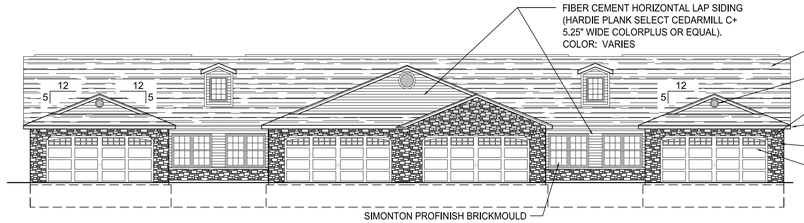
FIBER CEMENT CORNER TRIM. COLOR: WHITE

ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND

6' HIGH x 6' WIDE VINYL PRIVACY FENCE.

REAR ELEVATION

SCALE: 3/32" = 1'-0"



FIBER CEMENT HORIZONTAL LAP SIDING (HARDIE PLANK SELECT CEDARMILL C+ 5.25" WIDE COLORPLUS OR EQUAL). COLOR: VARIES

TAMKO CLASSIC HERITAGE 30 YEAR LAMINATED ASPHALT SHINGLES. COLOR: WEATHERED WOOD

DECORATIVE LOUVER - TYP. COLOR: WHITE

PROGRESS LIGHTING INCANDESCENT FIXTURE. STYLE: ROMAN COACH (P5766-31EB)

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS. COLOR: WHITE

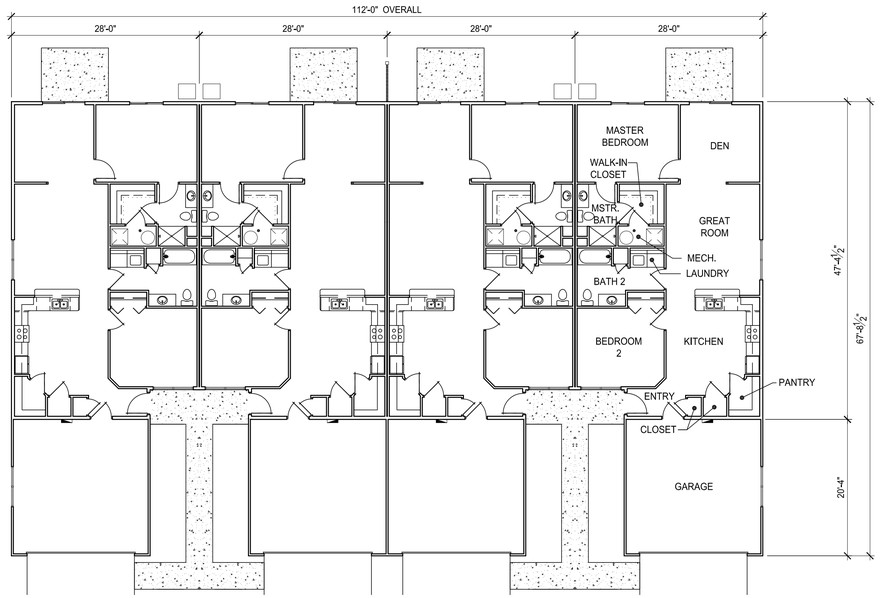
ENVIRONMENTAL STONEWORKS STONE VENEER. STYLE: LEDGE STONE COLOR: NEW ENGLAND

C.H.I. RAISED PANEL PAN STEEL OVERHEAD GARAGE DOOR. COLOR: WHITE

SIMONTON PROFINISH BRICKMOULD SERIES 300 VINYL SINGLE HUNG WINDOW WITH COLONIAL PATTERN FLAT GRIDS (FRONT AND SIDE ONLY). COLOR: STANDARD WHITE.

FRONT ELEVATION

SCALE: 3/32" = 1'-0"



OVERALL FLOOR PLAN

SCALE: 3/32" = 1'-0" 4 UNIT BUILDING

EXHIBIT 8B TO
ORDINANCE 12-37

PRELIMINARY

NOTE!!!
THIS DRAWING IS NOT FOR CONSTRUCTION

revisions

3660 embassy parkway
fairlawn, ohio 44333
tel. 330 . 666 . 5770
fax. 330 . 666 . 8812
www . mann-architects . com

23775 commerce park rd. suite 7
beachwood, oh 44122
tel. 216 . 360 . 9473

mann architects

REDWOOD MANAGEMENT CO.

drawing
4 UNIT BUILDING - 28' WIDE UNIT

project no.
19512

date
JANUARY 3, 2013

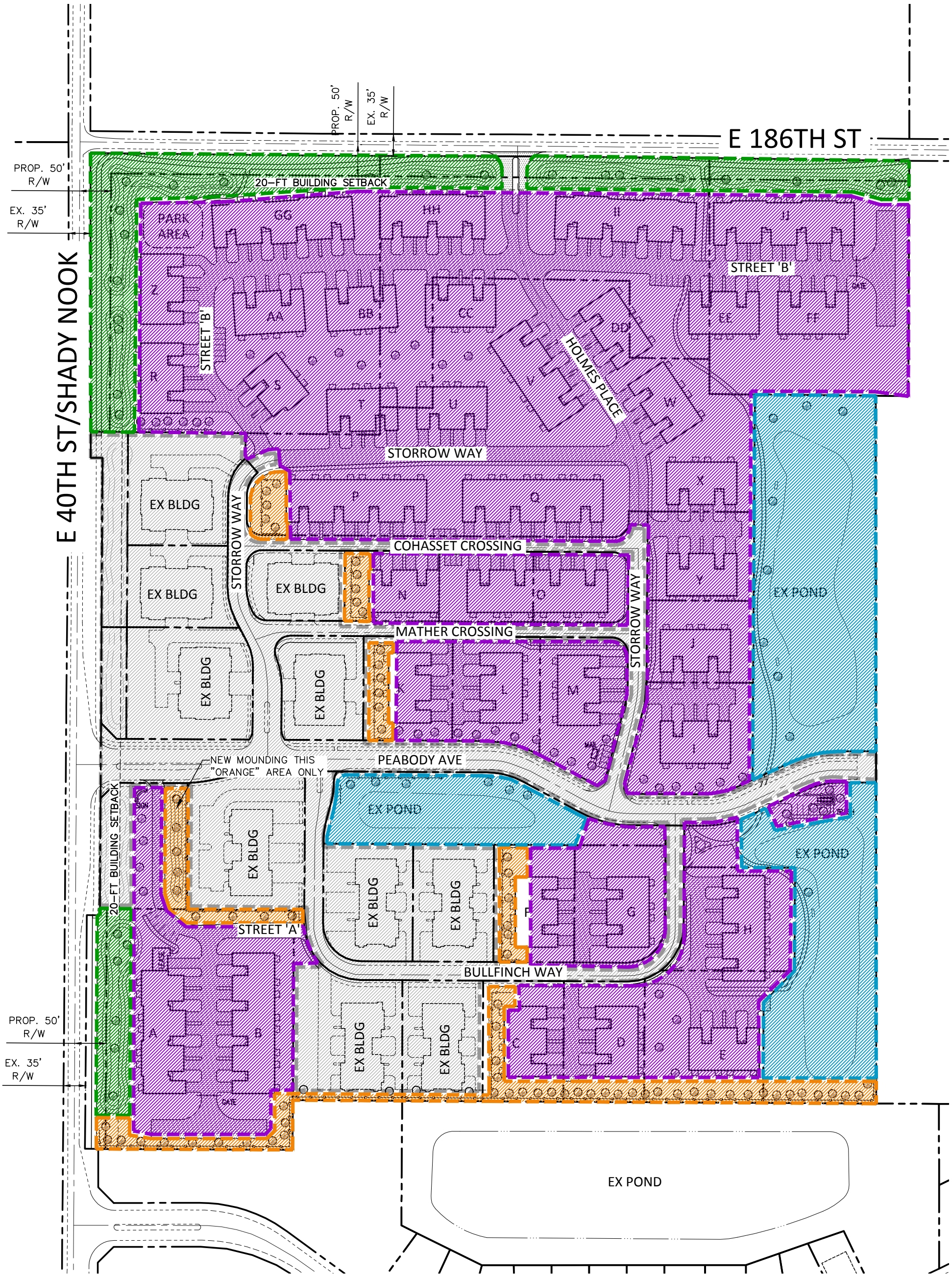
scale
AS NOTED

project
REDWOOD AT ANDOVER
WESTFIELD, INDIANA

A1.1

1 OF 2

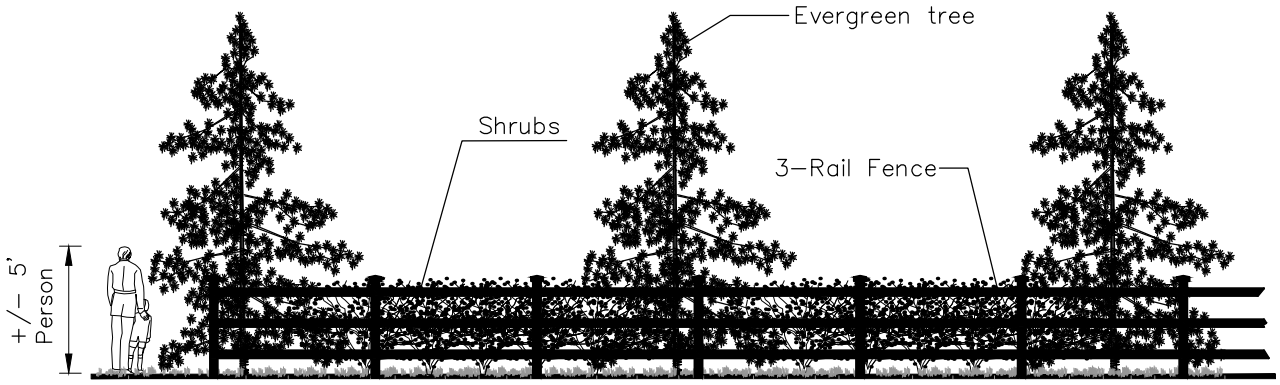
sheet no.



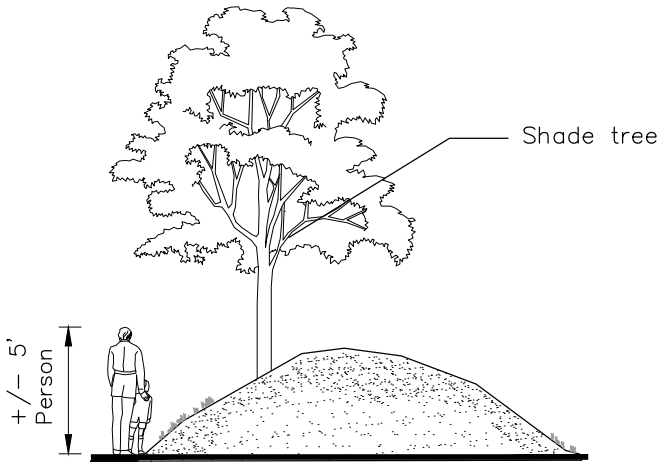
REDWOOD AT ANDOVER

DECEMBER 31, 2012

OVERALL LANDSCAPE PLAN - EXHIBIT 11 TO ORD. 12-37



LANDSCAPE BUFFER ELEVATION (FROM EXISTING)



LANDSCAPE BUFFER CROSS–SECTION (ROAD FRONTAGE)

AMERICAN STRUCTUREPOINT INC.

REDWOOD AT ANDOVER

JANUARY 2, 2012

LANDSCAPE DETAILS - EXHIBIT 11A TO ORD. 12-37

LANDSCAPE BUFFER (FROM EXISTING)

- Landscape material shall include planting (2) evergreen tree per thirty (30) linear feet and five (5) evergreen shrubs per thirty (30) linear feet.
- The shrub material shall be planted at a minimum height of eighteen (18) inches tall and reach the minimum height of forty-eight (48) inches within three years of installation.
- The evergreen trees shall be planted at a minimum height of six (6) feet.
- Buffer plantings shall consist of two (2) or more species of both shrubs and trees.
- Additionally, a 3-rail white vinyl fence shall be installed along the length of the buffer.

LANDSCAPE BUFFER (ROAD FRONTAGE)

- The landscape buffer shall include a 4-6 foot berm for the material to be planted on.
- Landscape material shall be placed at least (1) shade tree per thirty (30) linear feet of road frontage.
- The shade trees shall be planted at a minimum of eight (8) feet in height and have a caliper measuring at least two (2) inches.
- Shade trees shall be of a variety that will attain an average mature spread greater than twenty (20) feet.

INTERNAL LANDSCAPE

- Internal landscape shall have one (1) shade tree, one (1) ornamental or evergreen tree, and four (4) shrubs per dwelling. Plantings will occur within the side yards, setback areas, and green spaces, comprised of 180 shade trees, 180 ornamental trees or evergreen trees, and 720 shrubs.
- The proposed trash dumpster shall be screened by using a six (6) foot high evergreen screen planted nine (9) feet on center in a double staggered row.
- All planting material shall comply with sizing requirements provided herein.

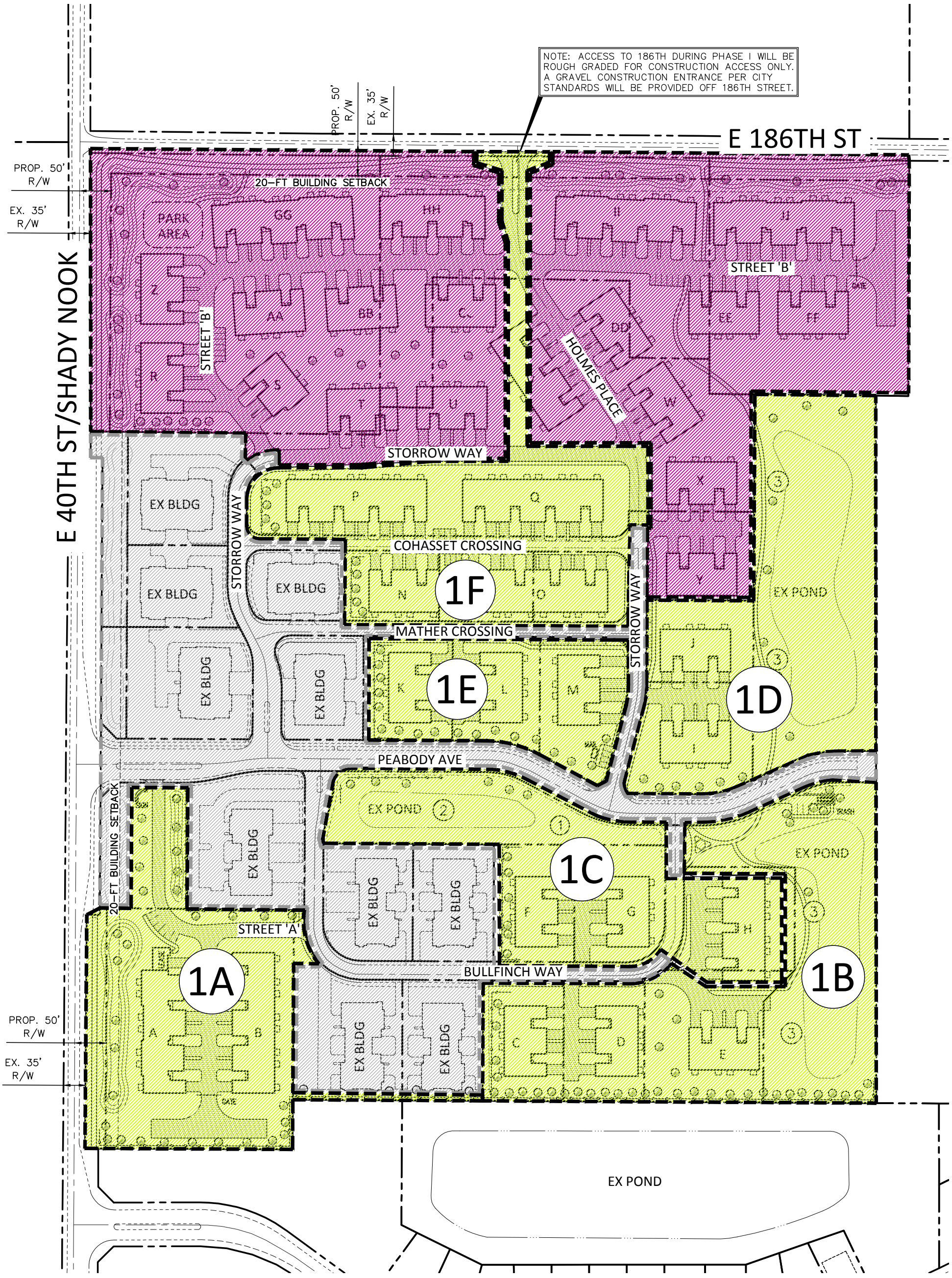
POND LANDSCAPE

- The existing onsite ponds shall be planted with shade and evergreen trees to replicate the natural form of ponds.
- All planting material shall comply with sizing requirements provided herein.

NOTE: Landscape plantings in Landscape Buffer (From Existing), Landscape Buffer (Road Frontage) and Pond Landscape areas shall count toward the required number of plantings described in Internal Landscape calculations.

LANDSCAPE DETAILS – EXHIBIT 11A TO ORD. 12-37

PAGE 2



PHASING LEGEND	
EXISTING UNITS = APPROX 50	
PHASE I UNITS = 89	
PHASE II UNITS = 91	

PROPOSED SITE LEGEND

1. GAZEBO
2. FOUNTAIN
3. BENCH

NEW 6-FT ASPHALT TRAIL

NEW 3-RAIL FENCE

LANDSCAPE NOTE

ALL LANDSCAPING WILL BE INSTALLED ACCORDING TO THE TERMS OF ORDINANCE 12-37.

0' 75' 150'

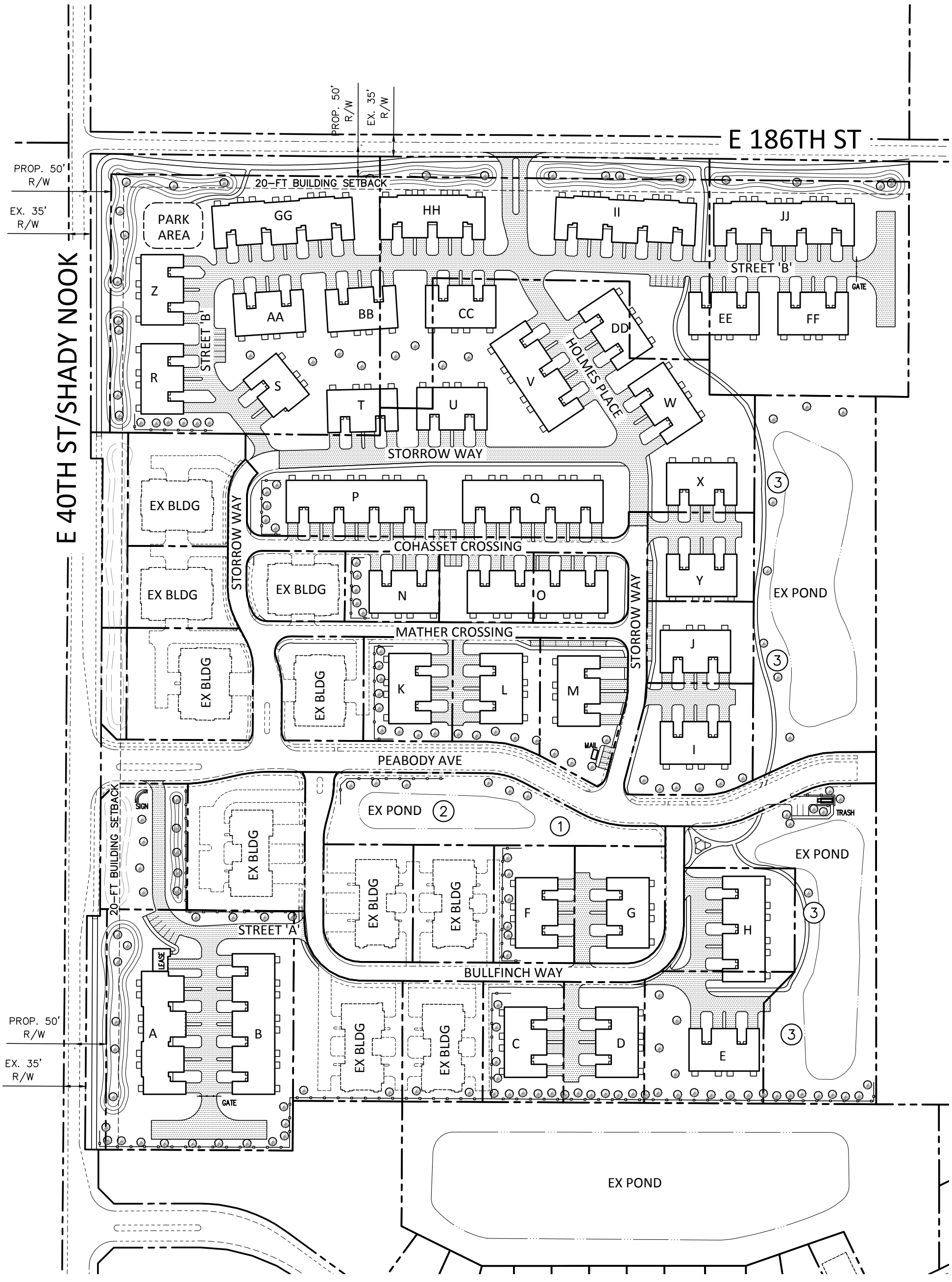
SCALE: 1"=150'

AMERICAN STRUCTUREPOINT INC.

REDWOOD AT ANDOVER

PHASING PLAN - EXHIBIT 12 TO ORD. 12-37

DECEMBER 31, 2012



OVERALL SITE	
EXISTING UNITS =	APPROX 50
PROPOSED UNITS =	180
OPEN SPACE ACREAGE=	21.95

PROPOSED SITE LEGEND

①	GAZEBO		NEW PINE TREE
②	FOUNTAIN		NEW 3-RAIL FENCE
③	BENCH		NEW 6-FT ASPHALT TRAIL

0' 75' 150'

SCALE: 1"=150'

AMERICAN STRUCTUREPOINT INC.

REDWOOD AT ANDOVER

SITE PLAN - EXHIBIT 13 TO ORD. 12-37

DECEMBER 31, 2012