

ORDINANCE NUMBER 15-XX

**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 “Grand Park Fieldhouse PUD 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 (“City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) held a public hearing on _____ for a petition (Docket _____), filed by Grand Park Fieldhouse, LLC, requesting to rezone lands within the City;

WHEREAS, the Commission took action to forward said petition (Docket _____) to the Westfield City Council (the “Council”) with a _____ recommendation (by a vote of _____ in favor and _____ opposed) in accordance with Ind. Code§ 36-7-4-608, as required by Ind. Code§ 36-7-4-1505, on _____, 2015;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council on _____, 2015;

WHEREAS, the Westfield City Council is subject to the provisions of the Ind. Code§ 36-7-4-1507 and Ind. 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. APPLICABILITY OF ORDINANCE.

- 1.1 This Grand Park Fieldhouse PUD Ordinance applies to the subject real estate more particularly described in Exhibit “A” attached hereto and incorporated herein (the “Real Estate”).
- 1.2 The underlying zoning district shall be the GB – General Business District (the “GB District”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the GB District shall apply.

- 1.3 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby replaced as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

SECTION 2. PERMITTED USES.

- 2.1 Indoor Athletic Field Facility and uses contained therein, including but not limited to the following: Office, Restaurant, Retail Sales, Athletic and Recreational Uses, Physical Rehabilitation, Performance Training, and other temporary and permanent associated uses as may be approved by the City of Westfield Economic and Community Development Department Director (the “ECD Director”).

SECTION 3. DEVELOPMENT STANDARDS.

- 3.1 Minimum Lot Frontage on Road – One Hundred (100) feet.
- 3.2 Minimum Setback Lines:
 - A. Minimum Front Yard building setback – ten (10) feet.
 - B. Minimum Side Yard building setback – ten (10) feet.
 - C. Minimum Rear Yard building setback – ten (10) feet.
- 3.3 Building Height shall not exceed eighty-five (85) feet.
- 3.4 Minimum Off-Street Parking – three hundred sixty (360) spaces.
- 3.5 Building Orientation: The building orientation shall be in substantial compliance with the site plan attached hereto as Exhibit “B” and incorporated herein. Modifications to the building orientation may be made as approved by the ECD Director.
- 3.6 Building Materials: Building Materials and elevations shall be in substantial compliance with the building elevations attached hereto as Exhibit “C” and incorporated herein. Modifications to the building materials and elevations may be made as approved by the ECD Director.
- 3.7 Landscaping: The landscaping standards shall be in substantial compliance with the landscaping plan attached hereto as Exhibit “D” and incorporated herein.
 - A. Landscaping shall be installed in substantial compliance with the plantings shown on Exhibit “D”.
 - B. Dumpsters shall be screened per the requirements of the Zoning Ordinance.

- C. All HVAC equipment shall be screened per the requirements of the Zoning Ordinance.
 - D. Modifications to the required landscaping may be made as approved by the ECD Director.
- 3.8 Lighting: The standards of the Zoning Ordinance shall apply. All building decorative or accent lighting shall be permitted as approved by the ECD Director.
- 3.9 Signage: the standards of the Zoning Ordinance shall apply with the following exceptions:
- A. Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.). Modifications to the signage standards may be made as approved by the ECD Director.
 - B. Wall signs shall be individual letters with reverse lighting. Modifications to the wall signage standards may be made as approved by the ECD Director.
 - C. Ground signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.). Modifications to the ground signage standards may be made as approved by the ECD Director.
 - D. Information Signs and Directory Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.) and the Zoning Ordinance. Modifications to these signage standards may be made as approved by the ECD Director.
 - E. Temporary Signage shall only be permitted as approved by the ECD Director.

SECTION 4. APPROVAL. Upon motion duly made and seconded, this Grand Park Fieldhouse PUD Ordinance was fully passed by the members of the Common Council this day of _____, 2015.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS ____ DAY OF _____, 2015.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Chuck Lehman	_____ Chuck Lehman
_____ 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: Joseph M. Scimia

Prepared by: Joseph M. Scimia
Faegre Baker Daniels LLP
600 E. 96th Street, Suite 600
Indianapolis, IN 46240
317-569-9600

I hereby certify ORDINANCE 15-XX was delivered to the Mayor of Westfield on the ____ day of _____, 2015, at ____ .m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 15-XX
this ____ day of _____, 2015.

I hereby VETO ORDINANCE 15-XX
this ____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard; Clerk-Treasurer

EXHIBIT “A” – LEGAL DESCRIPTION

A part of Lot 3, Grand Park Subdivision – Secondary Plat as recorded per Instrument Number 2014-57320, in the Office of the Recorder of Hamilton County, Indiana, described as follows: Beginning at the southeast corner of Common Area “E” of said Grand Park Subdivision: thence North 00 degrees 12 minutes 07 seconds West 705.96 feet along the east line of said Common Area “E” to the northeast corner thereof; thence South 89 degrees 43 minutes 01 seconds East 499.62 feet; thence South 00 degrees 12 minutes 07 seconds East 701.73 feet to a point 60.00 feet, by perpendicular measurement, from the south line of the Southeast Quarter of Section 26, Township 19 North, Range 3 East, said point being on the northerly right-of-way of East 186th Street; thence South 89 degrees 47 minutes 53 seconds West 499.60 feet along said northerly right-of-way to the point of beginning and containing 8.073 acres, more or less.

EXHIBIT "C" – BUILDING ELEVATIONS

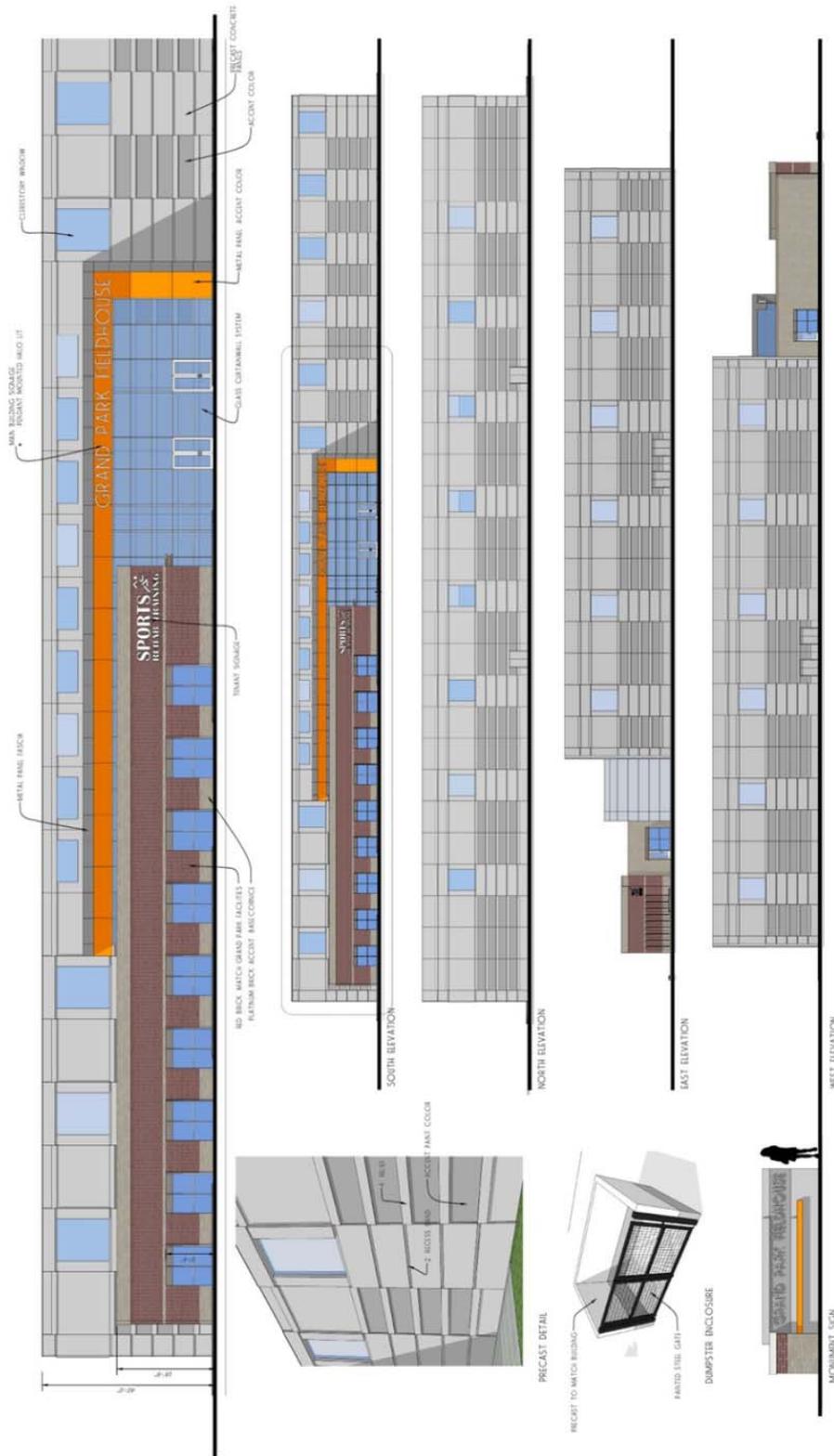


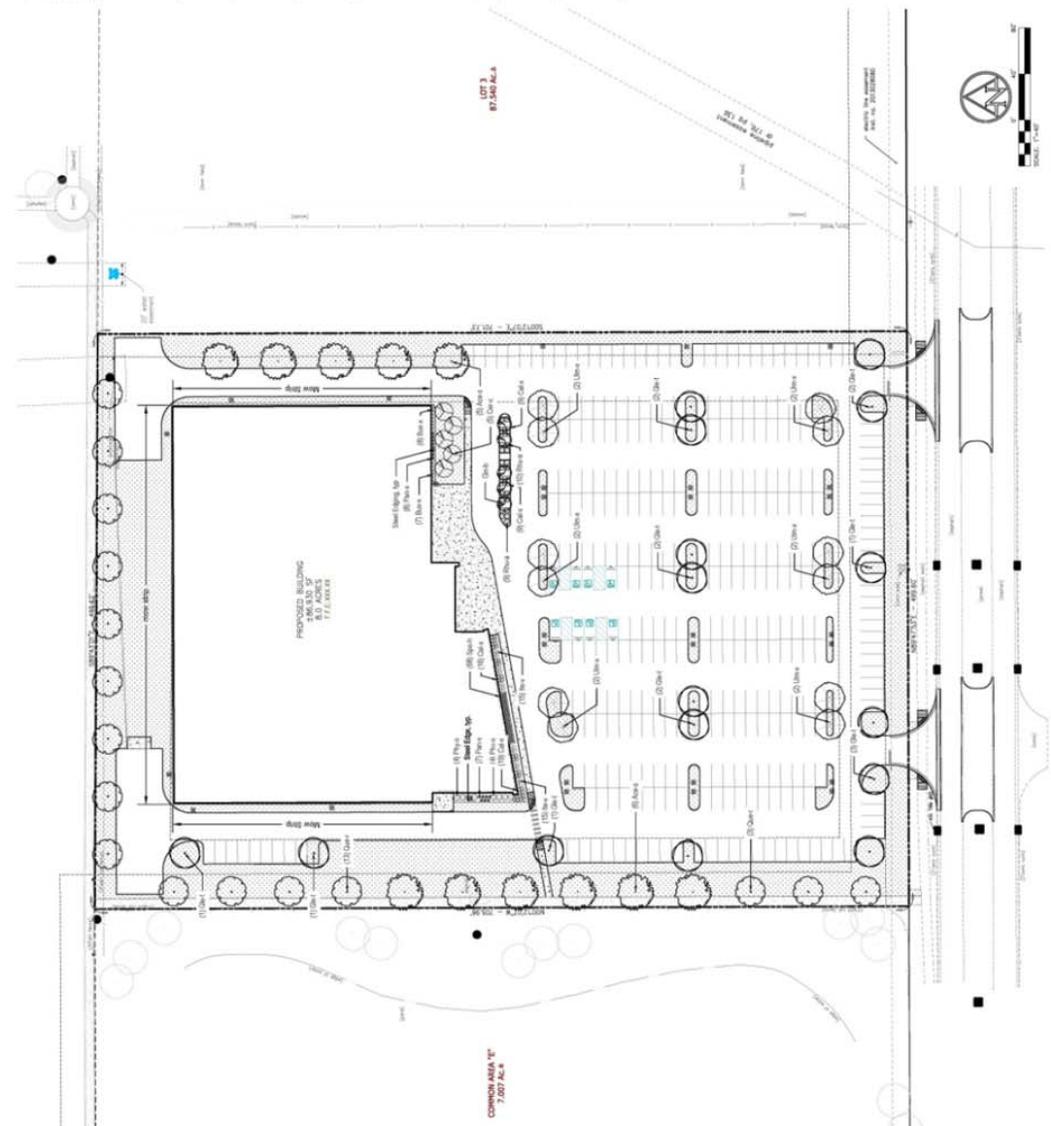
EXHIBIT "D" – LANDSCAPING PLAN

GRAND PARK FIELDHOUSE, LLC			GRAND PARK FIELDHOUSE 187th ST & KINSEY AVE WESTFIELD, IN																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">DATE</td> <td>REVISION INDEX</td> </tr> <tr> <td>01/20/2015</td> <td>01</td> </tr> <tr> <td>DESIGNED BY</td> <td>DESIGNED BY</td> </tr> <tr> <td>ENGINEERED BY</td> <td>ENGINEERED BY</td> </tr> <tr> <td>NO. DESCRIPTION</td> <td>DATE</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>					DATE	REVISION INDEX	01/20/2015	01	DESIGNED BY	DESIGNED BY	ENGINEERED BY	ENGINEERED BY	NO. DESCRIPTION	DATE						
DATE	REVISION INDEX																			
01/20/2015	01																			
DESIGNED BY	DESIGNED BY																			
ENGINEERED BY	ENGINEERED BY																			
NO. DESCRIPTION	DATE																			
Project Number: 2014-0783 PLANTING PLAN L-100																				

GENERAL LANDSCAPE AND PLANTING NOTES

1. Plant material to be installed and maintained by a qualified contractor. All materials are subject to the approval of the Landscape Architect. All materials are to be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
2. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
3. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
4. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
5. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
6. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
7. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
8. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
9. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.
10. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work. All plant material to be installed and maintained shall be installed and maintained in accordance with the specifications and plant list provided prior to the start of work.

NOTE: All HWAG and dumpster enclosures shall be installed in accordance with the requirements of the Zoning Ordinance.



PROPOSED BUILDING: 50,000 SQ FT
 COMMON AREA: 7,007 SQ FT
 LOT AREA: 87,540 SQ FT