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200600020816
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
04-18-2006 At 03:34 pm.
ORDINANCE 47.00

ORDINANCE NO. 06-19

AN ORDINANCE OF THE TOWN OF WESTFIELD CONCERNING AMENDMENT TO 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 0602-REZ-01) filed with the Commission to rezone certain lands; and

WHEREAS, the Westfield Washington Township Plan Commission did take action to forward the request to the Westfield town Council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the commission to the Town Council on March 27, 2006; and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-608(f) concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT TITLE 16 OF THE WESTFIELD CODE OF ORDINANCE BE AMENDED AS FOLLOWS:

SECTION 1. WC-16-04 Zoning maps amended as follows:

The zoning classification of the real estate described in Exhibit A (hereinafter the “Real Estate”), attached hereto and incorporated herein by reference be changed to SF-2. All descriptions included in the document described as “Tomlinson Terrace Request for Zoning Change”, are part of the zoning map changes.

Commitments identified on document attached noted "Revised March 23, 2006" and presented at the APC on March 27, 2006 are also part of the zoning map changes associated with this rezone.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

ALL OF WHICH IS HEREBY ADOPTED BY THE TOWN COUNCIL OF

WESTFIELD, HAMITON COUNTY, INDIANA THIS 10 DAY OF

April, 2006.

WESTFIELD TOWN COUNCIL

Voting For

Voting Against

Abstain


Teresa Otis Skelton

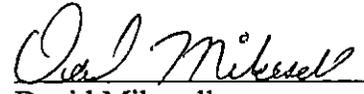
Teresa Otis Skelton

Teresa Otis Skelton


Jack Hart

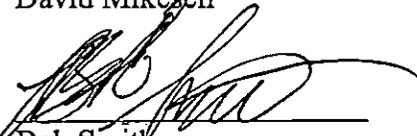
Jack Hart

Jack Hart


David Mikesell

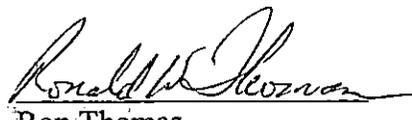
David Mikesell

David Mikesell


Bob Smith

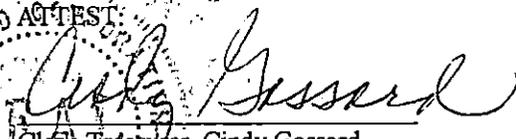
Bob Smith

Bob Smith


Ron Thomas

Ron Thomas

Ron Thomas


Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager

4/5/2006

Ordinance 06-19
Rezone AG-SF1 to SF-2
19720 N. Tomlinson Road

Exhibit A

LAND DESCRIPTION (41.73 ACRES)

Part of the Southwest Quarter of Section 24, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana, more fully described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 24; thence along the approximate center line of Tomlinson Road and the Quarter Section line, North 00°00'00" East 609.23 feet to the Point of Beginning; thence South 90°00'00" West 912.63 feet; thence South 00°00'00" West 609.23 feet; thence along the Section line, South 90°00'00" West 1231.44'; thence North 00°00'00" East 1106.70 feet; thence North 90°00'00" East 2145.00 feet; thence along the approximate center line of said Tomlinson Road and said Quarter Section line, South 00°00'00" West 497.47 feet to the Point of Beginning, containing 41.73 Acres, more or less.

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission met on Monday, March 27, 2006, to consider proposed change in zoning of 41.73 acres from the AG-SF1 District to the SF-2 District, 0602-REZ-01. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed text amendment is as follows:

0602-REZ-01 19720 North Tomlinson Road.
P. C. Wright & Co. requests a change in zoning
for approximately 41.73 acres, from the
AG-SF-1 District to the SF-2 District.

A motion was made and passed to send a positive recommendation to Town Council to approve the rezone request for 0602-REZ-01 (7-0-1).

I, Kevin G. Buchheit, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on March 27, 2006.



Kevin G. Buchheit, AICP, Secretary

March 27, 2006

Date

Tomlinson Terrace Subdivision
Commitments of PC Wright & Co.; Developer
To: City Council Members
Advisory Plan Commission Members
Planning Staff
Comprehensive Plan Subcommittee

Commitments:

1. The Developer shall dedicate 40 ft ½ right-of-way along west side of Tomlinson Road.
2. Developer shall purchase and dedicate 40 ft ½ right-of-way along north side of **future** 196th Street extension westward beyond Tomlinson Road prior to Final Plat Recording. The right of way shall be contiguous to the projects southern property line.
3. When the covenants are written, each lot shall have a minimum of \$6,000.00 in landscaping.
4. Dedication of Tree Preservation Areas: 30 ft along the north property line and 40 ft along the south property line.
5. The common area within the subdivision shall contain a Conservancy Area equal to one (1) acre to be maintained by the HOA. The maintenance program will be defined in the future Covenants and Restrictions.
6. Final construction plans shall include the following in the design of entry to the subdivision: Masonry walls lighted landscaping and fountains in the entry ponds shall be included in the Final Construction Plans.
7. A walking path from subdivision to 196th Street right of way to access Westfield-Washington School Corporations intended 'trail head' at the southwest corner of the project shall be included in the Final Construction Plans.
8. Developer to provide 8 ft wide asphalt path along west side of Tomlinson Road.
9. Maximum number of lots on these 41.73 acres shall be 70.
10. All homes in the subdivision will be a minimum of 1800 sq. ft. of heated living space on the main level (not including basements, garages, porches, etc.) for two story homes with a overall heated minimum of 3000 sq. ft. and a minimum of 2400 sq. ft. of heated living space for ranch style homes.

RECEIVED

APR 05 2006

Revised March 23, 2006

WESTFIELD COMMUNITY
DEVELOPMENT DEPARTMENT

11. Developer will act as the Architectural Review Committee to insure the exterior of the homes are uniquely created by all builders. All home exteriors will consist of a majority of brick, stone, other masonry material, or wood siding, supplemented with fiber cement type siding. No vinyl or aluminum siding except for soffits, windows and exterior doors. No wood sheet products will be used as an exterior finish on any home.
12. All garages will be at least two car capacities and a minimum of 36 lots will be side/rear load as lot configuration and home footprint dictates.
13. **A tree inventory will be made to identify the quantity and quality of trees to be preserved prior to obtaining an Improvement Location Permit to construct houses.**
14. **There will be no trees within the dedicated Right-of-Way or Utility Easements. It is the responsibility of the Developer to remove trees, at Developer's expense, from the dedicated right of way of Tomlinson Road and replace those removed trees with 'Road Frontage Trees' per the Town of Westfield ordinances.**

Chuck Wright, President, PC Wright & Co., Inc.

“TOMLINSON TERRACE”
REQUEST FOR ZONING CHANGE
WESTFIELD TOWN COUNCIL
FIRST CONSIDERATION

By

Anderson & Associates

For

P C Wright & Co.

February 8, 2006

TOMLINSON TERRACE

42 ACRES +/-

TOMLINSON ROAD, WESTFIELD

CURRENT ZONING: AG-SF1

REQUESTED ZONING: SF2

Tomlinson Terrace Subdivision Data Summary

Acreage	41.73
Number of Lots	60 Equals 1.31 dwelling/ac
Common area	3.43 acres equals 8%
Lineal Feet of Road	0.75 miles
Sanitary outlet	10 in. Diameter-Tomlinson R/W
Domestic Water	12 in. Diameter-Tomlinson R/W
Storm Water	Eastward outlet 12" CMP under Tomlinson Road Western outlet is into Isaac Jones Drain
Electrical	Cinergy
Natural Gas	Vectren
Cable	Insight Cablevision
Fiber Optics/Internet Access	Verizon Enterprise Solutions
Right of Way Dedication For Tomlinson and 196 th Street Extension	40ft ½ R/W for Collector Road Without a median
Traffic Generation	513 Trips/day
School System Students	24 additional students (For homes averaging \$400K) (60 lots, 0.4 students Per lot)

Landscaping	Boulevard Trees by Builders, Two (2) per Lot, 4 per corner lot
Landscaping Allowances	\$6000 in Material-Plants & Shrubs
Site Amenities	Masonry Wall Entry with Ponds In Entry design Island Common Area For Playground Walking Path to School
Tree Preservation	40 ft wide on both North & South Property lines

Tomlinson Terrace Subdivision

Location

The project lies immediately north of the Westfield Washington Schools property at Tomlinson Road and 196th Street in the northwest quadrant of that intersection. (Approx. 19702 Tomlinson)

Zoning and Platting

Subdivision zoning request is SF-2 allowing 2 homes per gross acre. Current Preliminary Plat design allows for 60 lots on 41.73 acres, which equates to 1.31 homes per gross acre. The lot price range will be in the \$90,000 to \$145,000 per lot. The 1/3 rd plus acre lots will demand a complete home cost, including lot, to be in the \$400,000 to \$600,000 price range.

Road Infrastructure

Westfield Public Works has indicated the desire to dedicate R/W for the future extension of 196th Street along the southern boundary of the subdivision. After discussing options with the Westfield Washington School Corporation, it was agreed that the developer would, and could, purchase the 40 ft half R/W from the school corporation. This right of way would be dedicated to the Town of Westfield and extend from Tomlinson Road to the eastern boundary of the School Corporations property. The School Corporation would then dedicate an additional 40 ft of right of way to make the full right of way width 80 ft for a non-median collector street. The eastern end of 196th Street would tee into the future right of way of Oakridge Road. The Hamilton County Thoroughfare Plan calls for a future extension of Oakridge Road as a Secondary Parkway from SR 32 to SR 38 through this location. The Monon Trail passes through this intersection also.

Utilities

Sanitary

Current Sanitary infrastructure exists at the intersection of 196th Street and Tomlinson Road. The existing 10" sanitary line flows south along Tomlinson Road. The intent of the developer is to extend the sanitary sewer westward through the subdivision with an 8" diameter PVC sewer main to the furthest reaches of the property at minimum slope therefore maximum depth. This will facilitate providing sanitary service to property owners west of the subdivision.

Domestic Water

Current water infrastructure exists at the intersection of 196th Street and Tomlinson Road and consists of a 12" diameter main. The intent of the developer is to extend this water main through the subdivision to the western most property line with a 10" main with smaller pipes looping off the main to service the subdivision. The intent is to provide water service to the property owners west of the subdivision for future development.

Storm Water

The natural storm water sheds on this property is split east and west with a break line approximately 3/4ths of the way in from the entrance to the subdivision on Tomlinson Road. The storm water management design will focus on creating four (4) smaller wet detention ponds within the subdivision. The wooded area to the west will flow to the Isaac Jones Drain, which is a tiled legal county drain. The landowner to the west has promised to give a drainage easement across his land for access to the tile.

See attached map of the subdivision.

The eastern portion of the property naturally flows toward and under Tomlinson Road. There is a small headwater stream on the east side of Tomlinson Road. This will serve as the outlet for the eastern 3/4ths of the property. The three wet detention ponds will serve as water features for the main entrance to the subdivision and for the playground common area inside the property.

Site Amenities and Landscaping

Entrance

The entry will be custom designed to enhance the rural feeling now established along Tomlinson Road. The landscaping will be exceptionally colorful and will be illuminated with in the evening to draw attention to signage and the landscaping. The entry ponds will have fountains with a backdrop of undulating landscape with a background of light colored masonry wall.

Boulevard Landscaping

Each Builder will be required to plant and maintain two (2) hardwood trees in the front yard of every home. In addition the Builder will plant and maintain two (2) boulevard trees between the sidewalk and back of curb. In addition to new plantings the developer is dedicating Tree Preservation areas along the north and south property lines. The northern area will be 30 ft wide and the southern area will be 40 ft wide. These areas will protect the mature trees currently in place along the fencerows and will help screen the subdivision from neighbor's view. Each builder will be required to spend a minimum of \$6000 on landscaping plant and shrubs. This amount will not include mulch annuals, perennials or any labor.

Utilities

The common utilities will be provided such as electric, natural gas, cable and telephone service. In addition it is the intent of the developer to include a fiber optic intranet/internet service that will

be interconnected to the Westfield Washington School Corporation. Verizon Enterprise Solutions will design this system.

Desired Use and Enjoyment

The Developer's intent is to construct a Custom to Semi-Custom home subdivision that has eye appealing street sense and elegant architecture. The intent is to not have any identical homes and have many homes with unique architectural features frequently found in The Village of West Clay, Carmel. The Builder/Builders are not yet determined but as this traditional custom home subdivision comes online for lot sales the Developer expects 20 lots to be sold at an initial lot drawing some time in the late summer of 2007.

Town of Westfield and Washington Township Zoning Map

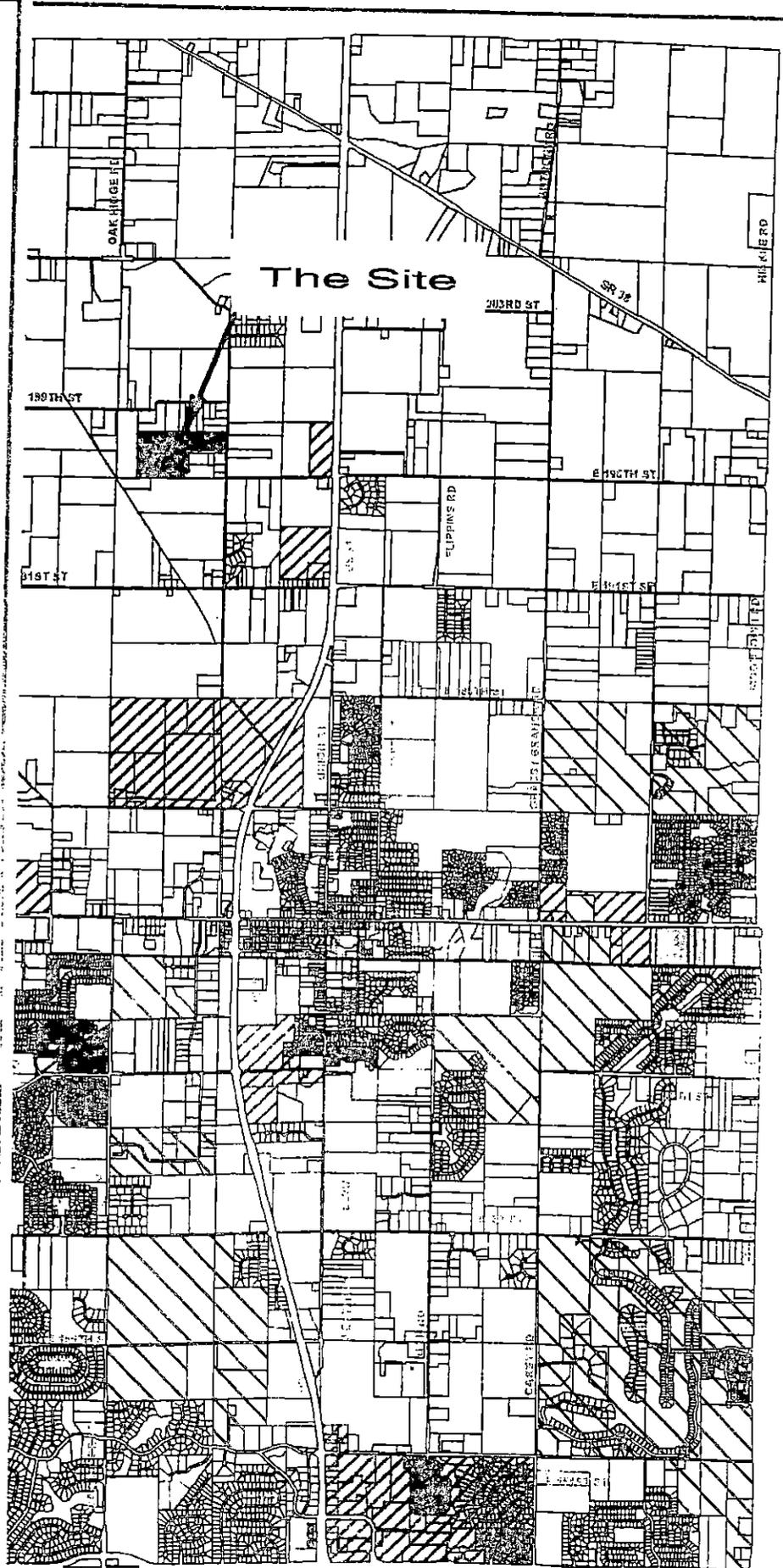


Legend

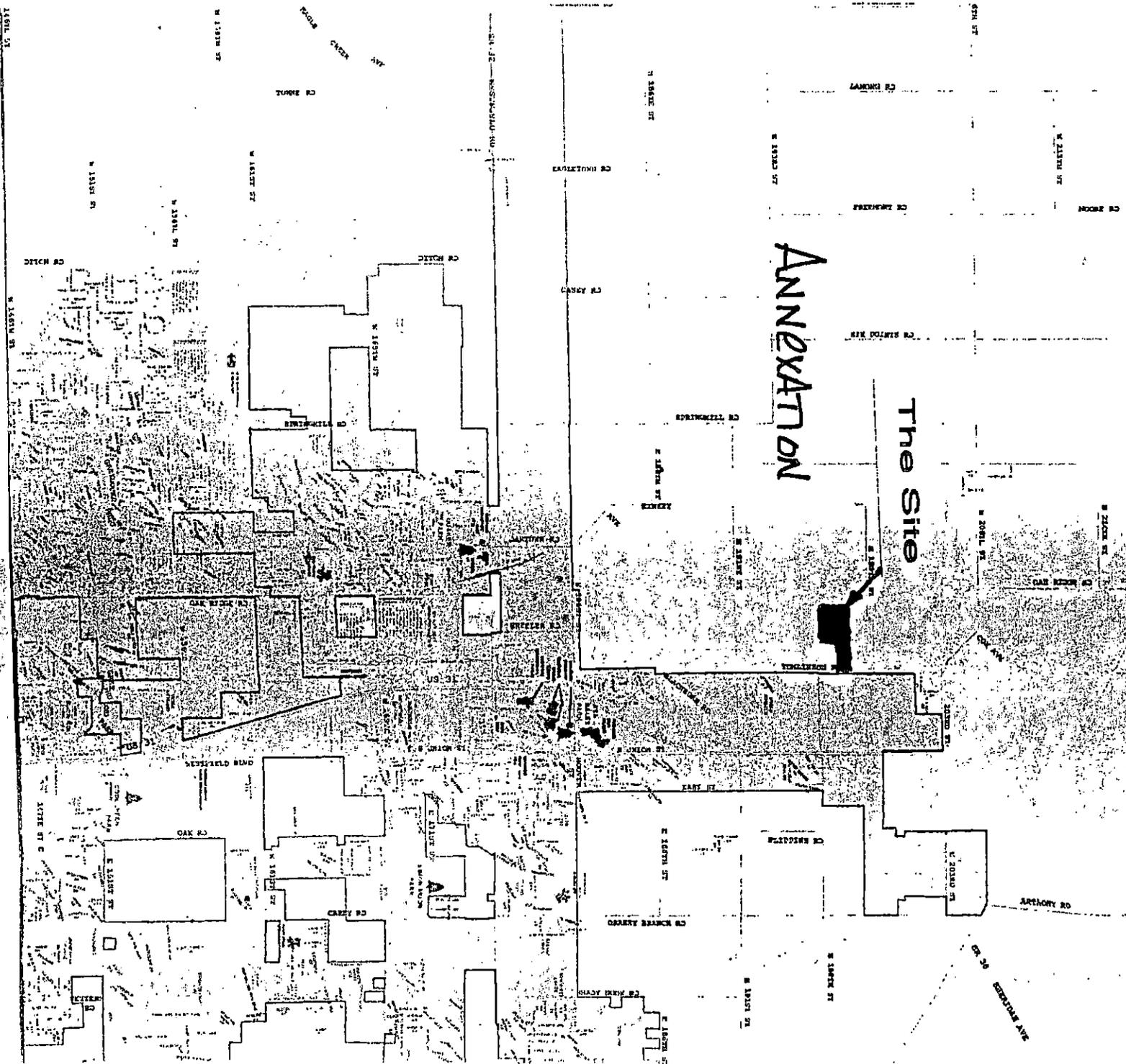
- AG-SF1
- ROW
- AG-SF1I
- SF-2
- SF-3
- SF-3 (Cluster)
- SF-4
- SF-4 (Pre-1994)
- SF-5
- MF-1
- MF-2
- LB
- LE-H
- LB-PD
- GB
- GB-PD
- SB-PD
- GO
- GO-PD
- EI
- EI-PD
- OI
- OI-PD
- PUD

2004-2005 Zoning Ordinance
 Prepared by:
 Town of Westfield
 Planning
 Department
 Date: 10/15/05
 Prepared by:
 Washington Township
 Planning
 Department

April 1, 2005



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ANNEXATION

The Site