



Westfield City Council Report

Ordinance Number:	15-23
APC Petition Number:	1508-PUD-14
Petitioner:	Langston Residential Development, LLC
Requested Action:	A text amendment to modify the development and architectural standards applicable to the Lakes of Westfield subdivision of the Andover Planned Unit Development (PUD) District.
Current Zoning:	Andover PUD District (Ordinance 03-40)
Current Land Use:	Residential / Agricultural
Exhibits:	<ol style="list-style-type: none">1. Location Exhibit2. Concept Plan3. Illustrative Renderings4. Amendment Ordinance 15-235. APC Certification
Prepared by:	Jesse M. Pohlman, Senior Planner

PETITION HISTORY

This petition was introduced at the July 13, 2015, City Council meeting. The petition received a public hearing at the July 20, 2015, Advisory Plan Commission (the "Plan Commission") meeting. The Plan Commission forwarded this petition with a unanimous favorable recommendation at its Jul 20, 2015, meeting. This petition is eligible for adoption consideration at the July 27, 2015, Council meeting.

PROJECT OVERVIEW

Project Location: The Petitioner is requesting an amendment to the Andover Planned Unit Development (PUD) District Ordinance No. 03-40 (the "PUD Ordinance") for the 137.6-acres located on the south side of the future 186th Street between Grassy Branch Road and Shady Nook Road (see **Exhibit 1**).

Property History: The Property was zoned the Andover PUD District in December 2003, and encompasses "Parcels" A, B, C, D, H, I and J of the PUD Ordinance (collectively, the "PUD Parcels"), as identified on the PUD Ordinance's Concept Plan. The original PUD Ordinance was

approved to allow the PUD Parcels to be developed for detached single-family residential with minimum lot widths of 65' (60 lots), 80' (50 lots), 90' (50 lots) and 100' (40 lots).

In March 2004, the Property received approval of a primary plat and development plan for 200 single family lots (1.58 du/acre). The 200 single family lots were platted with a mix of lot sizes ranging from 65'-wide to 100'-wide lots.

In April 2014, the Plan Commission approved a new primary plat and development plan for the property with a lower overall density of 199 single-family family lots (1.48 du/acre) and larger lots of 90'-wide (125 lots) and 100'-wide (74 lots) than were proposed in 2004 (see **Exhibit 2**).

This property is being subdivided as the "Lakes of Grassy Branch" and the "Lakes of Shady Nook" (collectively, the "Lakes of Westfield").

In June 2015, the Council approved a text amendment to the PUD Ordinance to incorporate a similar standard from the Unified Development Ordinance (the "UDO") that allows for homes with a side load garage to have a minimum side yard setback of five (5) feet, with an aggregate side yard setback of sixteen (16) feet for the lot.

AMENDMENT REQUEST

Over the last month or two, the Department has been working with the Petitioner and the builders as building permits have been submitted for the neighborhood. In reviewing the building permits, a handful of standards have proven a challenge to comply with for the proposed homes. As a result, the Petitioner is requesting this amendment (see **Exhibit 4**) to revise and clarify these standards as they apply to the Lakes of Westfield.

1) **Maximum Building Height:**

Existing Standard: 35 feet

Proposed Standard: 2 ½ stories

Rationale: The amendment reflects the UDO¹ standard for single-family homes because modern home designs at this price point generally include taller ceilings and varying roof pitches.

2) **Minimum Roof Pitch:**

Existing Standard: All residences shall have a minimum roof pitch of 6/12.

Proposed Standard: All residences shall have a minimum roof pitch of 6/12 for the primary roof. The primary roof shall be the portion of the residence's roof structure that most contributes to the mass of the building due to its predominance in height, width, length, bulk, or volume of area covered. Secondary roofs may be covered with a lower roof pitch.

¹ Article 4.5(G) of the UDO reads "Maximum Building Height: Two and one-half (2 ½) stories" for the SF2: Single-Family Low Density District.

Rationale: Although almost all of the proposed homes have primary roof pitches in excess of 6/12 (see **Exhibit 4**), some of the homes have secondary or rear roof pitches less than 6/12. As a result, the Department initially suggested no minimum roof pitch; however, at the Council introduction, several Council members expressed concerns about establishing no minimum roof pitch. As a result, in working with the Petitioner and builders, the amendment as presented incorporates a version of the standard more prevalent in recent PUD district ordinances which addresses roof pitch minimums for primary and secondary roof lines.

3) Garage Entry:

Existing Standard: The Lakes of Westfield includes Parcel A and Parcel B of the PUD District. Parcel A prohibits front load garages while Parcel B permits front load Garages.

Proposed Standard: All residences shall have an angled, courtyard or side load garage. A maximum of fifty percent (50%) of a Dwelling's garage doors may be front load.

Rationale: The amendment reflects the Petitioner's intent that all homes will be side load garages. In addition, several of the builders' proposed homes include 3rd car garage options where the 3rd car may face the street, creating a courtyard design typically seen in semi-custom and custom neighborhoods. As a result, the standard includes the ability for this option to be offered throughout the entire neighborhood.

4) Rear Façade Enhancement:

Existing Standard: A patio or deck, of minimum dimensions of 12 feet by 16, shall be installed at the main exit door at the rear of each residence.

Proposed Standard: A patio or deck (a minimum of one hundred and eighty (180) square feet in size); or, a sunroom, screened-in porch, covered patio, or covered porch (lanai) (a minimum of one hundred and forty-four (144) square feet in size), shall be installed at the main exit door at the rear of each residence.

Rationale: The builders have proposed more substantial enhancements on the rear facades of their homes in the way of covered or screen in porches or sunrooms that don't technically qualify as a deck or patio. As a result, this amendment would allow these enhancements to qualify towards meeting this requirement.

5) Architectural Design Feature:

Existing Standard: The PUD Ordinance requires homes incorporate at least four (4) architectural design options as listed in the PUD Ordinance. One of those options includes "Architecturally-enhanced articulated trim mouldings (i.e. fypons above windows)".

Proposed Standard: Architecturally-enhanced trim a minimum of five and one-half inches (5-1/2") wide. Alternative decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments) may be considered by the Director if the trim otherwise results in a comparable visual contrast that enhances the architectural interest of the building façade.

Rationale: The amendment is intended to better clarify how enhanced trim is defined to reflect a similar UDO² standard.

PROCEDURAL

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the APC. The public hearing for this petition was held at the July 20, 2015, APC meeting. Notice of the public hearing was provided in accordance with Indiana law and the APC's Rules of Procedure.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
 2. Current conditions and the character of current structures and uses.
 3. The most desirable use for which the land is adapted.
 4. The conservation of property values throughout the jurisdiction.
 5. Responsible growth and development.
-

RECOMMENDATIONS / ACTIONS

Plan Commission Recommendation

At its July 20, 2015, meeting, the Plan Commission forwarded a unanimous favorable recommendation of this petition to the Council (Vote: 7 in favor, 0 opposed) (see **Exhibit 5**).

City Council

Introduction: July 13, 2014

Eligible for Adoption: July 27, 2015

Submitted by: Jesse M. Pohlman, Senior Planner
Economic and Community Development Department

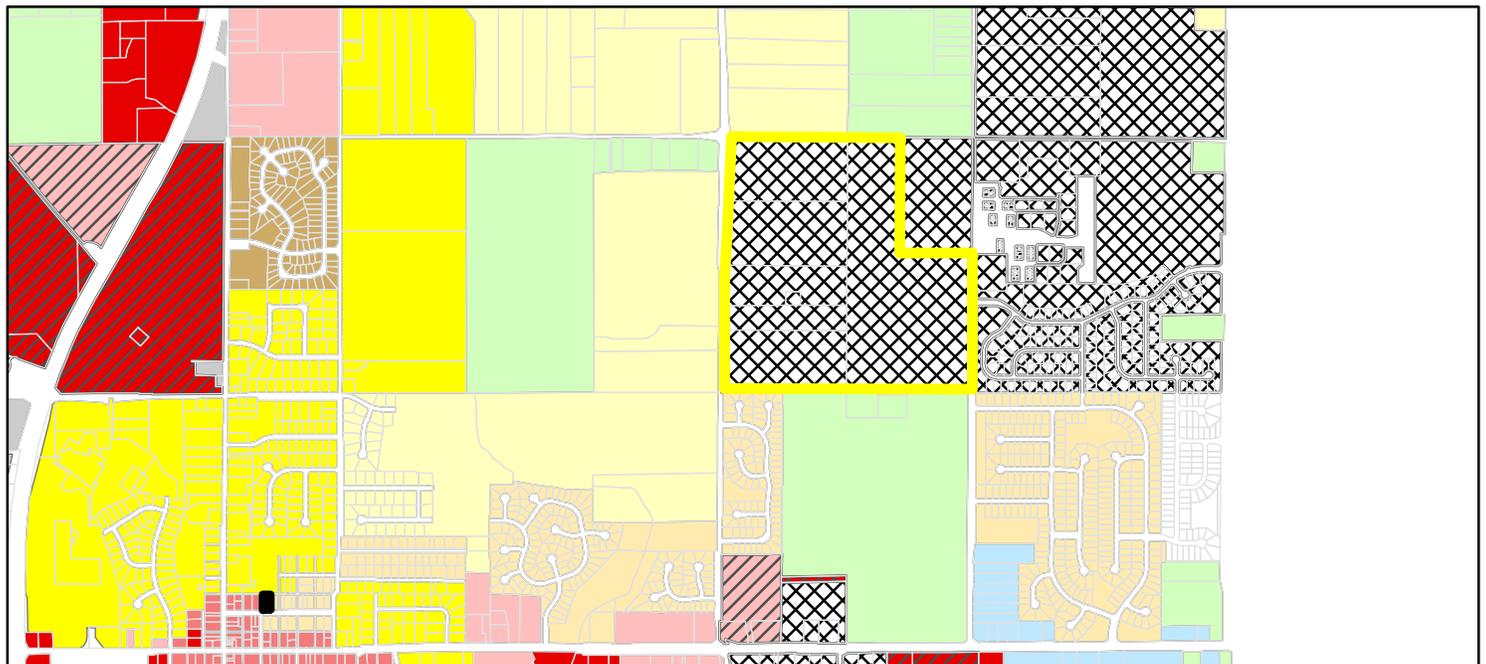
² Article 6.3(C)(iii)(d)(5) of the UDO reads "Minimum five and one-half inch (5-1/2") wide trim around all windows of the Dwelling. Alternative decorative window trim detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments) may be considered by the Director if the trim otherwise results in a comparable visual contrast that enhances the architectural interest of the Building Facade."

Aerial Location Map

 Site



Zoning Map



Zoning		
 AG-SF1 (Agriculture - Single Family - 1)	 GB-PD (General Business - Planned Development)	 MF-2 (Multiple Family - 2)
 AG-SF1 (Agriculture - Single Family - 1 In-town)	 GO (General Office)	 MF-1 (Multiple Family - 1)
 EI (Enclosed Industrial)	 GO-PD (General Office - Planned Development)	 OI (Open Industrial)
 EI-PD (Enclosed Industrial - Planned Development)	 LB (Local Business)	 OI-PD (Open Industrial - Planned Development)
 GB (General Business)	 LB-H (Local Business - Historical)	 PUD (Planned Unit Development)
	 LB-PD (Local Business - Planned Development)	 SB-PD (Special Business - Planned Development)
	 MF-1 (Multiple Family - 1)	 SF-2 (Single Family - 2)
		 SF-3 (Single Family - 3)
		 SF-3 (Cluster (Single Family - 3 Cluster))
		 SF-4 (Single Family - 4)
		 SF-4 Pre-1994 (Single Family - 4 Pre-1994)
		 SF-5 (Single Family - 5)
		SF-A (Single Family - Attached)

THE LAKES OF WESTFIELD



THE LAKES
AT GRASSY BRANCH




THE LAKES
at Shady Nook





ORDINANCE NUMBER 15-23

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE ANDOVER PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

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

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

WHEREAS, the Council enacted Ordinance No. 03-40, the Andover Planned Unit Development District (the "Andover PUD Ordinance"), on December 8, 2003, as amended by Ordinance No. 06-24, Ordinance No. 12-37 and Ordinance 15-19;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1508-PUD-14**), requesting an amendment to the Andover PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1508-PUD-14** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable recommendation** (7-0) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on July 21, 2015;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance shall amend the Andover PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by the Andover PUD Ordinance, as amended by this Ordinance and its exhibits.
- 1.2 All other provisions of the Andover PUD Ordinance shall remain in effect with the adoption of this Ordinance.
- 1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of the Andover PUD Ordinance, as amended.

Section 2. Development Standards. The standards of *Exhibit 7: Development Standards Matrix* of the Andover PUD Ordinance shall apply to the development of the Real Estate, except as otherwise modified below:

- 2.1 Maximum Building Height: 35-feet. The maximum building height shall be two and one-half (2 ½ stories).

Section 3. Streetscape Standards. The standards of *Exhibit 8: Streetscape Standards* of the Andover PUD Ordinance shall apply to the development of the Real Estate, except as otherwise modified below:

- 3.1 Roof Pitch: All residences shall have a minimum roof pitch of 6/12 for the primary roof. The primary roof shall be the portion of the residence's roof structure that most contributes to the mass of the building due to its predominance in height, width, length, bulk, or volume of area covered. Secondary roofs may be covered with a lower roof pitch.

Section 4. Architectural Standards. The standards of *Exhibit 9: Architectural Standards* of the Andover PUD Ordinance shall apply to the development of the Real Estate, except as otherwise modified below:

- 4.1 Garage Entry (Parcel A): ~~Front Load Garages shall be prohibited.~~ All residences shall have an angled, courtyard or side load garage. A maximum of fifty percent (50%) of a Dwelling's garage doors may be front load.
- 4.2 Garage Entry (Parcel B): ~~Front Load Garages shall be permitted.~~ All residences shall have an angled, courtyard or side load garage. A maximum of fifty percent (50%) of a Dwelling's garage doors may be front load.
- 4.3 ~~Patio-Rear Façade Enhancement: A patio or deck, of minimum dimensions of 12 feet by 16 feet (a minimum of one hundred and eighty (180) square feet in size); or, a sunroom, screened-in porch, covered patio, or covered porch (lanai) (a minimum of one hundred and forty-four (144) square feet in size), shall be installed at the main exit door at the rear of each residence.~~

- 4.4 Table 9B – Architectural Design Features: “Architecturally-enhanced articulated trim mouldings (i.e. fypons above windows)” shall be redefined and replaced with the following: “Architecturally-enhanced trim a minimum of five and one-half inches (5-1/2”) wide. Alternative decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments) may be considered by the Director if the trim otherwise results in a comparable visual contrast that enhances the architectural interest of the building façade.”

**[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGES FOLLOW.]**

**ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS 27th DAY OF JULY, 2015.**

Voting For

Voting Against

Abstain

Charles Lehman

Charles Lehman

Charles Lehman

Jim Ake

Jim Ake

Jim Ake

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 Gossard, Clerk Treasurer

This document prepared by: Jesse M. Pohlman, 2728 E. 171st Street, Westfield, IN 46074

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: Jesse M. Pohlman

I hereby certify that **ORDINANCE 15-23** was delivered to the Mayor of Westfield

on the _____ day of _____, 2015, at _____m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-23**

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 15-23**

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

EXHIBIT A
Real Estate (Legal Description)

A part of the Northwest Quarter of Section 32, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being described as follows:

Beginning at the Southeast corner of said Quarter Section; thence North 89 degrees 53 minutes 46 seconds West along the South line of said Quarter Section 2,647.32 feet to the Southwest corner of said Quarter Section; thence North 00 degrees 19 minutes 20 seconds East along the West line of said Quarter Section 2,681.38 feet to the Northwest corner of said Quarter Section; thence South 89 degrees 40 minutes 39 seconds East along the north line thereof a distance of 1832.88 feet to the Northeast corner of the Northwest quarter of said Quarter Section; thence South 00 degrees 19 minutes 21 seconds West along the east line of thereof a distance of 1226.26 feet; thence South 89 degrees 39 minutes 38 seconds East 814.87 feet to the East line of said Quarter Section; thence South 00 degrees 20 minutes 22 seconds West along said East line 1,444.78 feet to the POINT OF BEGINNING of this description containing 139.728 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

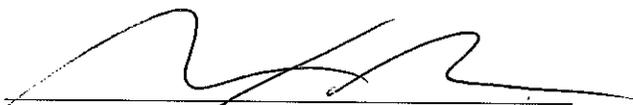
**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY
PLAN COMMISSION CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission held a public hearing on Monday, July 20, 2015, to consider an amendment to the Andover Planned Unit Development District and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

Docket No.	1508-PUD-14
Ordinance No.	15-23
Petitioner	Langston Residential Development, LLC
Description	Langston Residential Development, LLC requests a text amendment to modify the development and architectural standards applicable to the Lakes of Westfield subdivision in the Andover Planned Unit Development (PUD) District.

On July 20, 2015, a motion was made and passed to send a unanimous favorable recommendation to the City Council regarding this petition (Vote: 7 in favor, 0 opposed).

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.



Matthew S. Skelton, Secretary

July 21, 2015

Date