

ORDINANCE NUMBER 15-24

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRING MILL STATION NORTHEAST QUADRANT PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is an Ordinance to amend the Westfield-Washington 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. 14-39, Spring Mill Station Northeast Quadrant Planned Unit Development on September 8, 2014;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1508-PUD-15**), requesting an amendment to the Unified Development Ordinance, the Zoning Map and the Spring Mill Station Northeast Quadrant 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-15** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **positive** recommendation (8-0) 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 August 19th, 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 Unified Development Ordinance and Spring Mill Station Northeast Quadrant Planned Unit Development and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the Real Estate into the Spring Mill Station Northeast Quadrant Planned Unit Development District (the “District”) as “Area A.4”.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Spring Mill Station Northeast Quadrant PUD Ordinance (The “PUD Ordinance”); and (iii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the PUD 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 this Ordinance.

Section 2. Definitions. The definitions of the PUD Ordinance shall apply in addition to the following:

- 2.1 Curb Side Pickup Station: Dedicated parking spaces with covered canopy, appurtenances and way finding/identification signage where merchandise is picked up.

Section 3. Permitted Uses. The permitted use in “Area A.4” shall be a Curb Side Pickup Station.**Section 4. Setbacks/Building Separation.** The following shall apply to “Area A.4”.

- 4.1 The separation between the Curbside Pickup Station and the existing grocery store shall be at least thirty (30) feet.
- 4.2 Side and Rear yards that abut existing residential shall be at least forty (40) feet.

Section 5. Parking. Article 6.14 of the UDO shall apply; however, Article 6.14(E), Stacking Requirements for Drive-Through Facilities, shall not apply.**Section 6. Landscaping.** Article 6.8 of the UDO shall not apply; rather, landscaping and screening shall be installed in substantial compliance with **Exhibit B.****Section 7. Sign Standards.** Article 6.17 of the UDO shall apply; however, the maximum permitted Sign Area for the Curb Side Pickup Station shall be one hundred (100) square feet, which shall be in addition to Sign Area otherwise permitted within the District.

Section 8. **Architectural and Streetscape Design Standards.** Article 6.3 of the UDO shall not apply; however, buildings shall be developed in substantial compliance with **Exhibit C.**

ALL OF WHICH IS ORDAINED/RESOLVED THIS 8th DAY OF SEPTEMBER, 2015.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles 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 Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 15-24** was delivered to the Mayor of Westfield
on the _____ day of _____, 2015, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-24**
this _____ day of _____, 2015.

I hereby VETO **ORDINANCE 15-24**
this _____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Paula J. Gartner, PE