

ORDINANCE 15-27

THE TRAILS PUD

**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 District Ordinance (to be known as The Trails PUD District) 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 (the “City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Petition 1509-PUD-18), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition 1509-PUD-18 to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a _____ recommendation (X-X) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 367-4-1505;

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

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.

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

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”) and shall hereafter be referred to as the "**THE TRAILS PUD DISTRICT**" (the “District”).
- 1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.
- 1.3 The underlying zoning district for **Lot 1** shall be the **MF2 – Multi-Family Medium Density District**. The underlying zoning district for **Lot 2** shall be **GB – General Business**

District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

1.4 Chapter (“Chapter”) and Article (“Article”) cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

A. **Family Entertainment Center.** A retail/entertainment establishment which may include any combination of the following activities: bowling, laser tag, arcade, full-service restaurant and bar, outdoor seating, outdoor entertainment, and other similar activities.

B. **Underlying Zoning District.** The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

2.1 **Site Concept Design Plan:** The plans attached hereto and incorporated herein by reference as **Exhibit B.** Exhibit B includes two (2) alternative layouts for multi-family development on Lot 1. Each layout depicts a general plan for the development of the Real Estate. The site shall be developed in substantial compliance with one of the two (2) alternative plans.

A. Exhibit B1 depicts a multi-building multi-family development (“Layout B1”).

B. Exhibit B2 depicts a single-building multi-family development (“Layout B2”).

2.2 **Illustrative Character Exhibit:** The Character Exhibit, attached hereto as **Exhibit C,** is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are permitted to be constructed and that contribute to the District’s intent and vision. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department’s decision may be appealed to the Plan Commission.

Section 3. **Permitted Uses.**

3.1 Lot 1 – All uses permitted in the Underlying Zoning District for **MF2** shall be permitted in Lot 1, except for the following:

A. Utilities – Regulated by IURC

3.2 Lot 2 – All uses permitted in the Underlying Zoning District for **GB** shall be permitted in Lot 2. In addition, the following are also permitted:

A. Multi-Family Dwellings pursuant to the standards set forth in this Ordinance for Lot 1.

B. Family Entertainment Center

- C. Mixed-Use Commercial, including office and/or retail space

Section 4. General Regulations. The regulations of *Chapter 4: Zoning Districts*, as applicable to the Underlying Zoning District, shall apply except as otherwise modified below.

- 4.1 Article 4.11 MF2: Multi-Family Medium Density District
 - A. Location: *Article 4.11 (C)(2)* regarding multi-family zoning district proximity shall not apply.
 - B. Maximum Density: Thirty (30) Dwelling Units per acre.
 - C. Maximum Dwelling Units per Structure:
 - a. Layout B1 – 30 units per building; or
 - b. Layout B2 – Maximum of 300 units
 - D. Maximum Number of Dwelling Units: Three Hundred (300)
 - E. Minimum Building Setback Lines: Front Yard: 0’
 - F. Maximum Building Height:
 - a. Layout B1 – 3 stories
 - b. Layout B2 – 120 feet
 - G. Project Perimeter Setback: *Article 4.11 (J)* regarding proximity slope shall not apply.

Section 5. Development Standards. The standards of *Article 5.3: State Highway 32 Overlay District* and *Chapter 6: Development Standards* shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

- 5.1 *Article 5.3 (K)* and *Article 6.3 Architectural Standards* shall apply, except as otherwise modified below.
 - A. Architectural Insulated Panels shall be considered a Masonry Material.
- 5.2 *Article 6.14 Parking and Loading Standards* shall apply to the Real Estate, except as otherwise modified below.
 - A. Required Spaces for Multi-family Dwellings: 1.5 spaces per Dwelling Unit

Section 6. Design Standards. The regulations of *Chapter 8: Design Standards* shall apply to the Real Estate, except as otherwise modified below.

- 6.1 *Article 8.6 Open Space and Amenity Standards* shall apply, except as otherwise modified below.
 - A. Minimum Open Space: 15%.
 - B. Development Amenities: Lot 1 shall be developed to include a minimum of five (5) amenities, including but not limited to the following:
 - (i) Clubhouse

- (ii) Fitness Center in Clubhouse
- (iii) Pool at Clubhouse
- (iv) Business Center in Clubhouse
- (v) Grilling Cabana at Clubhouse
- (vi) Dog Park at Clubhouse
- (vii) Trail Access to Monon and Midland Trace Trails
- (viii) Unique Bicycle Storage Units on Ground Level
- (ix) Electric car charging station

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

WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA

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

Chuck Lehman

Chuck Lehman

Chuck Lehman

Bob Smith

Bob Smith

Bob 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: Adam H. Horkay

This Instrument prepared by: Adam H. Horkay
EdgeRock Development, LLC.
733 E. State Road 32, Westfield IN 46074

I hereby certify **ORDINANCE 15-27** was delivered to the Mayor of Westfield on the _____ day of _____, 2015.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 15-27
this _____ day of _____, 2015.

I hereby VETO ORDINANCE 15-27
this _____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

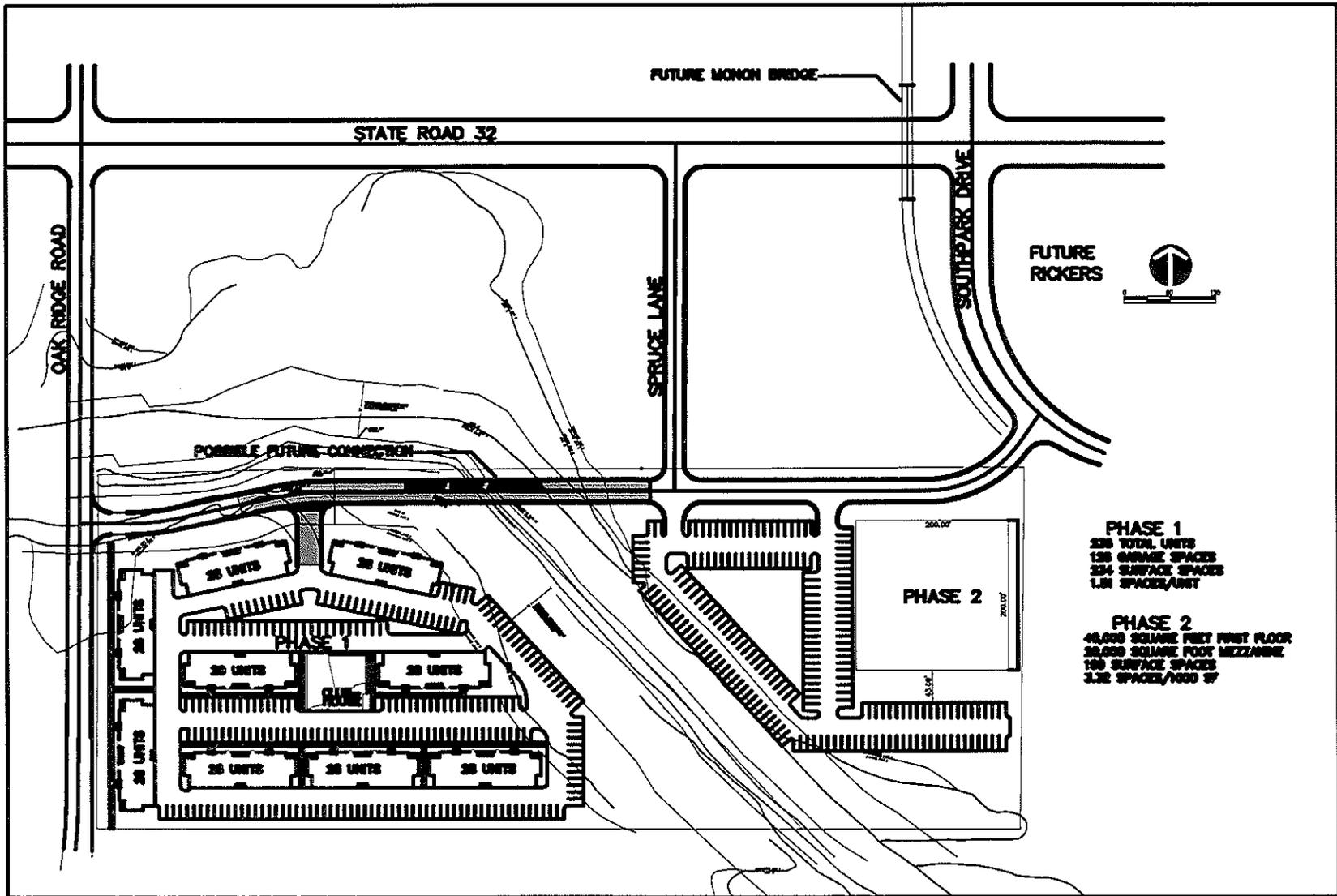
EXHIBIT A

The Trails PUD



EXHIBIT B

Layout B1



PHASE 1
 230 TOTAL UNITS
 120 GARAGE SPACES
 234 SURFACE SPACES
 1.51 SPACES/UNIT

PHASE 2
 40,000 SQUARE FEET FIRST FLOOR
 20,000 SQUARE FOOT MEZZANINE
 100 SURFACE SPACES
 3.20 SPACES/1000 SF

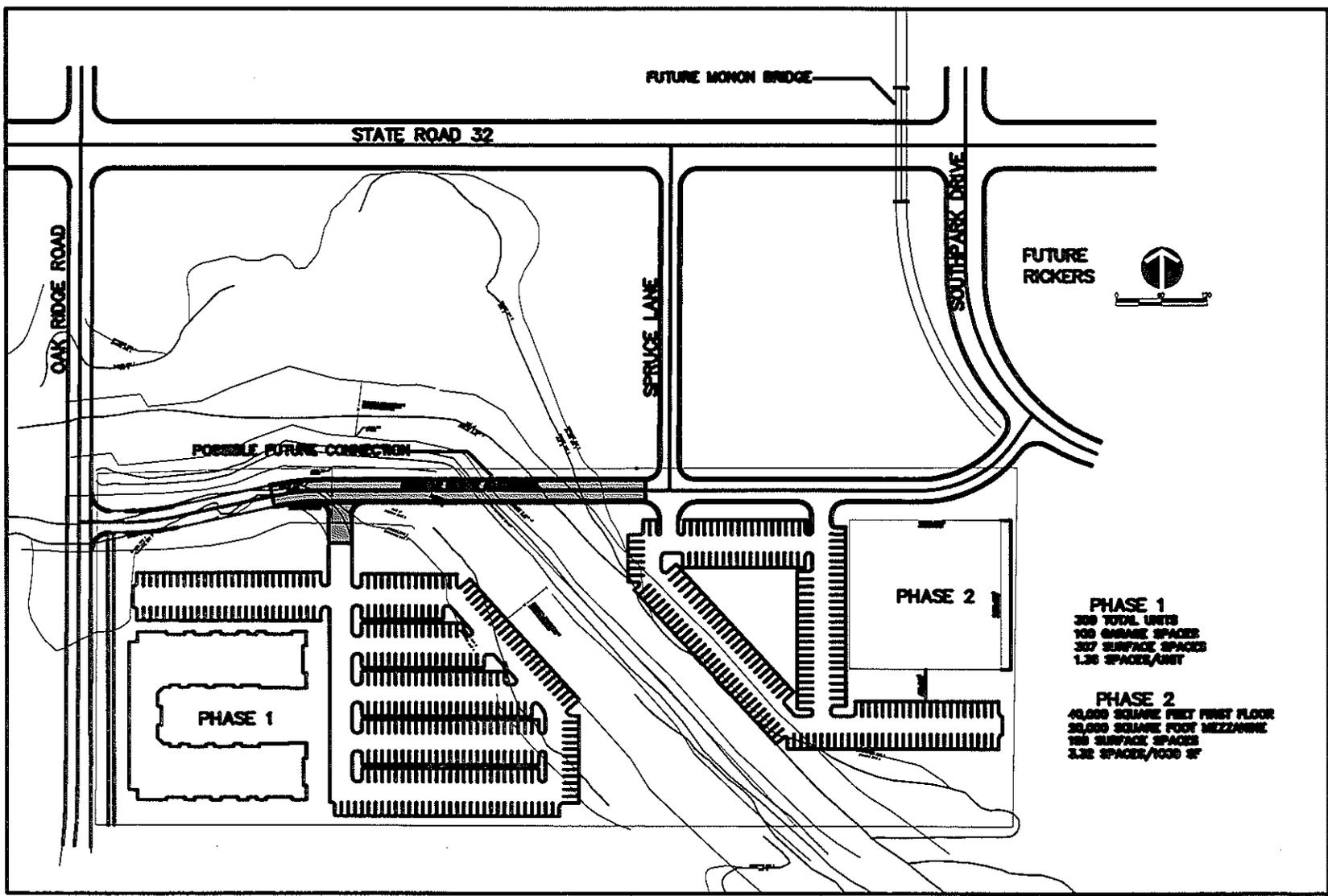


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 Professional Engineer
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 State of Indiana
 1000 West 10th Street
 Westfield, IN 46074
 Phone: 317.434.1111
 Fax: 317.434.1112
 Email: dwhelan@dw-engineering.com

EDGEROCK DEVELOPMENT
 733 EAST STATE ROAD 32
 WESTFIELD, IN 46074

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	5/27/2016
2	REVISED PER COMMENTS	5/27/2016
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DATE: MAY 27 2016
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 DRAWING NO: 10224-01
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 PROJECT NO: [REDACTED]
 SHEET NO: [REDACTED]
 OF 8



PHASE 1
 308 TOTAL UNITS
 108 GARAGE SPACES
 337 SURFACE SPACES
 1.36 SPACES/UNIT

PHASE 2
 40,000 SQUARE FEET FIRST FLOOR
 30,000 SQUARE FOOT MEZZANINE
 100 SURFACE SPACES
 3.32 SPACES/1000 SF



WEST VIRGINIA
 PROFESSIONAL ENGINEER
 No. 3320348
 5/21/2016

EDGEROCK DEVELOPMENT
 733 EAST STATE ROAD 32
 WESTFIELD, IN 46074

EDGEROCK DEVELOPMENT
 733 EAST STATE ROAD 32
 WESTFIELD, IN 46074

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DATE: MAY 21 2016
 TIME: 10:00 AM
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 CHECKED BY: JCM
 SCALE: AS SHOWN
 SHEET NO. 1 OF 4

EXHIBIT C



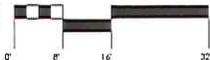






FRONT ELEVATION

1/8" = 1'-0"
DIMENSIONS SHOWN ARE APPROXIMATE FOR
PRELIMINARY PURPOSES



New Multi-Venue
Family Entertainment
Center

24,000 SF
VIERA, FLORIDA

 Creative
Entertainment
Concepts
2625 N Meridian Street, St. 52
Indianapolis, IN 46208

4 MARCH 2014
EXHIBIT D