

**ORDINANCE NUMBER 15-\_\_**

**The Junction District Amendment**

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

This is an 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 Common Council enacted Ordinance No. 14-22, The Junction Planned Unit Development (the "The Junction District") on July 14, 2014;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 15\_\_-PUD-\_\_**), requesting an amendment to The Junction District with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded **Petition No. 15\_\_-PUD-\_\_** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a \_\_\_\_\_ recommendation 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 \_\_\_\_\_, 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 Junction District, Unified Development Ordinance are hereby amended as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 This Ordinance shall amend The Junction District, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) The Junction District; 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 Junction District, as amended.
- 1.2 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.3 All provisions and representations of (i) the Unified Development Ordinance or (ii) The Junction District 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.** Capitalized terms not otherwise defined in this Ordinance or the Junction District shall have the meanings ascribed to them in the Unified Development Ordinance.

**Section 3. Development Standards.** The standards of The District shall apply to the development of the Real Estate, except as otherwise modified below.

- 3.1 *Building Height:*
  - A. One building on the Real Estate shall be a minimum of five (5) stories in height. All floors of this building shall be a minimum of two (2) stories in height as generally depicted on the Illustrative Character Exhibit.
  - B. The architectural step back shall be as generally depicted on the Illustrative Character Exhibit.
  - C. All other buildings on the Real Estate shall be a minimum of eighteen (18) feet in height.
- 3.2 *Pedestrian and Vehicular Accessibility Plans:* The Pedestrian Accessibility Plan and Vehicular Accessibility Plan for the Real Estate shall be as depicted on the Concept Plan attached hereto and incorporated herein by reference as **Exhibit B**.
- 3.3 *Article 6.14 Parking Standards:* Shall apply to the Real Estate, except as otherwise modified below.
  - A. A maximum of 4 parking spaces per 1000 square feet of net useable area

shall be required for the aggregate of all Uses on the Real Estate.

- 3.4 Article 6.8 Landscaping Standards: Shall apply to the Real Estate, except as otherwise modified below.
- A. Article 6.8.I(1) Detention Area Natural Appearance, shall not apply. Hardscape areas are planned as illustrated on the Concept Plan and plantings shall be provided around the wet perimeter of ponds where adjacent to lawn area.
  - B. Article 6.8.I(2) Side Slopes, shall not apply. A wall and hardscape areas are planned as illustrated on the Concept Plan. The side slopes will be no steeper that 3:1 above normal pool and may be 2:1 below the safety shelf to provide more depth in the pond.
  - C. Article 6.8.L(4) Foundation Plantings, shall apply except that plantings beds of less than eight (8) feet in width shall be permitted where equivalent planting area is provided around the building perimeter
  - D. Article 6.8.M(3) Easements, shall not apply. Plantings shall be permitted within easements unless otherwise prohibited by the easement holder.
- 3.4 Platting: Platting or otherwise dividing the Real Estate into smaller parcels for the purpose of conveying title or creating separate tax parcels shall not create property lines to which setback or any other standards of this Ordinance, or the Unified Development Ordinance shall be applied, provided that development of the parcels conforms to an approved Development Plan.

**Section 4. Architectural and Design Standards.** The standards of The District shall apply to the development of the Real Estate, except as otherwise modified below.

- 4.1 Site Concept Design Plan: The Site Concept Design Plan for the Real Estate shall be replaced and superseded by the Concept Plan attached hereto and incorporated herein by reference as **Exhibit B**.
- 4.2 Illustrative Character Exhibit: The Illustrative Character Exhibit shall be supplemented by the Illustrative Character Exhibit attached hereto and incorporated herein by reference as **Exhibit C**.

*[Remainder of page intentionally left blank, signature page follows]*

ALL OF WHICH IS ORDAINED/RESOLVED THIS \_\_ DAY OF \_\_\_\_\_, 2015.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Robert L. Horkay

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Robert L. Horkay

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Robert L. Horkay

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Charles Lehman

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Charles Lehman

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Charles Lehman

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Robert J. Smith

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Robert J. Smith

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Robert J. Smith

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

\_\_\_\_\_  
Robert W. Stokes

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Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy 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: Jon C. Dobosiewicz

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

on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-\_\_**

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 15-\_\_**

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger  
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

The Junction PUD - 2015 Text Amendment 103015

**SCHEDULE OF EXHIBITS**

- Exhibit A    Real Estate (Legal Description)
- Exhibit B    Concept Plan
- Exhibit C    Illustrative Character Exhibit

**Exhibit "A"**

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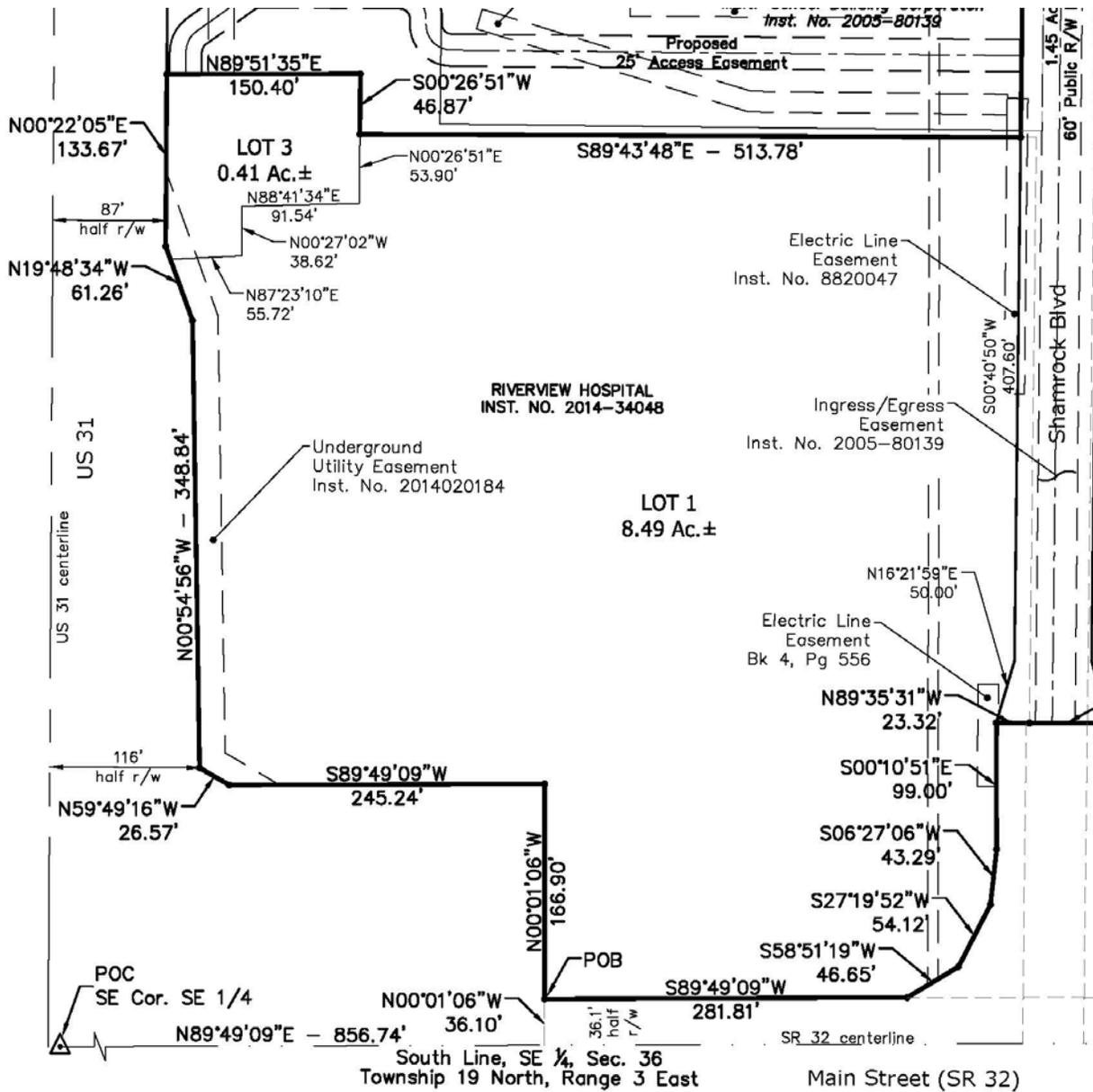
(Real Estate)

PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 89 DEGREES 26 MINUTES 12 SECONDS EAST (ASSUMED BEARING) 856.74 FEET TO THE WEST LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 200400013188; THENCE ON SAID WEST LINE THE FOLLOWING 3 COURSES: 1) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 36.10 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" TO THE POINT OF BEGINNING OF THIS DESCRIPTION; 2) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 166.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; 3) THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 245.24 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF STATE ROAD No. 31; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 60 DEGREES 12 MINUTES 13 SECONDS WEST 26.57 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 01 DEGREES 17 MINUTES 53 SECONDS WEST 348.84 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID RIGHT OF WAY LINE NORTH 20 DEGREES 11 MINUTES 31 SECONDS WEST 50.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 87 DEGREES 00 MINUTES 13 SECONDS EAST 55.72 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 49 MINUTES 59 SECONDS WEST 38.62 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 88 DEGREES 18 MINUTES 37 SECONDS EAST 91.54 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 03 MINUTES 54 SECONDS EAST 53.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS EAST 526.08 FEET TO A MAG NAIL; THENCE SOUTH 00 DEGREES 17 MINUTES 53 SECONDS WEST 455.93 FEET TO A MAG NAIL; THENCE NORTH 89 DEGREES 58 MINUTES 28 SECONDS WEST 25.80 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 00 DEGREES 33 MINUTES 48 SECONDS EAST 99.00 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 06 DEGREES 04 MINUTES 09 SECONDS WEST 43.29 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 26 DEGREES 56 MINUTES 55 SECONDS WEST 54.12 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 58 DEGREES 28 MINUTES 22 SECONDS WEST 46.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 373.99 FEET TO THE POINT OF BEGINNING, CONTAINING 8.63 ACRES MORE OR LESS. EXCEPTING THEREFORM EXISTING AND PROPOSED RIGHT-OF-WAY FOR MAIN STREET AND SHAMROCK BOULEVARD FOR A NET ACREAGE OF 8.49 ACRES MORE OR LESS.

EXHIBIT "A"

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(Real Estate)



**EXHIBIT "B"**

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**(Concept Plan)**



**EXHIBIT “C”**  
Page 1 of 2

**(Illustrative Character Exhibit)**



**EXHIBIT “C”**  
Page 2 of 2

**(Illustrative Character Exhibit)**

