



## *Westfield City Council Report*

<b>Ordinance Number:</b>	16-26
<b>APC Petition Number:</b>	1608-PUD-13
<b>Subject Site Address:</b>	<i>Southeast Corner of State Road 32 and Oak Ridge Road</i>
<b>Petitioner:</b>	EdgeRock Development, LLC
<b>Requested Action:</b>	To expand and amend The Trails Planned Unit Development (PUD) District, consisting of 21.0 acres +/-.
<b>Current Zoning</b>	The Trails PUD (Ord. 15-27); AG-SF1; and GB
<b>Current Land Use:</b>	Residential and Office
<b>Approximate Acreage:</b>	21.0 acres +/-
<b>Exhibits:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Location Map</li><li>3. Concept Plan</li><li>4. District Map</li><li>5. Character Exhibits</li><li>6. The Trails PUD Ordinance, Ord. 16-23</li><li>7. The Trails PUD Ordinance (redline version)</li></ol>
<b>Prepared By:</b>	Kevin M. Todd, AICP

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### **PETITION HISTORY**

This petition was introduced at the June 25, 2016 City Council meeting. The petition received a public hearing at the August 15, 2016 Advisory Plan Commission (the "APC") meeting. The APC forwarded this petition with a favorable recommendation (Vote: 5-0) at its October 17, 2016 meeting. This petition is eligible for adoption consideration at the November 14, 2016 Council meeting.

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## **PROCEDURAL**

**Public Hearing:** Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition was held at the August 15, 2016 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.

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## **PROJECT OVERVIEW**

**Project Location:** The petitioner is requesting add to and modify the Trails Planned Unit Development (PUD) District. The property is located on the south side of State Road 32, and is located between Oak Ridge Road and Westfield Park Road. The southern portion of the property is zoned Trails PUD (Ord. 15-27). The northern portion of the property is currently zoned a combination of AG-SF1 and General Business.

**Property History:** The southern portion of the property was zoned Trails PUD in November 2015 (1509-PUD-18; Ordinance 15-27) (the "Original Trails PUD Ordinance").

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## **ZONING REQUEST**

The petitioner requests this PUD amendment to allow commercial development on the northern portion of the property and to allow multi-family on the entire southern portion of the property. This ordinance (Ord. 16-26) ("The Trails PUD Ordinance") would replace and supersede the original Trails PUD Ordinance (Ord. 15-27), if approved.

**Default Standards:** As depicted in the District Map of The Trails PUD Ordinance, the southern portion of the project is Lot A and the northern portion of the project is Lot B and Lot C. Lot A would default to MF2: Multi-Family Medium Density District. Lot B and Lot C would default to GB: General Business District.

**Permitted Uses:** Lot A would default to MF-2 permitted uses. Lot B and Lot C would default to GB permitted uses. A list of prohibited uses is also included for Lot B and Lot C (highlighted below under Modifications Since the Council Introduction, Item 13).

**General Development and Design Standards:** As proposed, the Trails PUD Ordinance defaults to the Development and Design Standards as identified in the Westfield-Washington Township Unified Development Ordinance, but includes some modifications to accommodate the proposal.

Lot A Development Standards: The proposal modifies setback, building separation, and building materials standards for the multi-family development of Lot A as follows:

	<b>MF-2 Requirement (per UDO)</b>	<b>Trails PUD Ordinance</b>
Front Yard Setback	30 feet	0 feet (same as original Trails PUD requirement)
Side Yard Setback	12 feet	5 feet
Rear Yard Setback	20 feet	10 feet
Minimum Distance Between Buildings	20 feet	15 feet
Use of Masonry Materials	Min. of 75% of each building Façade	Min. of 60% of each building Façade
Minimum Building Height	N/A	All Buildings: 3 stories At least 25% of all units shall be in a 4-story building(s)

State Highway 32 Overlay: Lot C defaults to the State Highway 32 Overlay District standards. Lot B defaults to the State Highway 32 Overlay District standards of the UDO, except as outlined below:

	<b>SR 32 Overlay (per UDO)</b>	<b>Trails PUD Ordinance</b>
Use of Masonry Materials	Min. of 60% of each Building Façade	Min. of 60% of each Building Façade <i>(Original draft proposal required a minimum of 40% of each Building Façade.)</i>
Use of Other Materials	No more than 25% of each Building Façade may be covered with metal, Fiber Cement Siding, Polymeric Cladding, EIFS, stucco, or vinyl	No more than 40% of each Building Façade may be covered with another single building material (exclusive of Masonry Materials)
Building Size	Min. Gross Floor Area of 5,000 SF  (could be lessened if enhanced architecture, outdoor seating, etc. are included)	One (1) building in Lot B allowed to be 2,500 SF, as long as it includes outdoor seating (600 SF min.) and an architecturally significant/compatible canopy connecting to the next adjacent building.

Development Standards: The Trails PUD Ordinance proposal defaults to the Development Standards of the UDO (Chapter 6), except as outlined below:

	<b>UDO Standard</b>	<b>Trails PUD Ordinance</b>
Dumpster Location	Not allowed within an Established Front Yard <sup>1</sup>	Lot B & C: Lot Lines along the new frontage road are not considered a Front Lot Line, for the purpose of this standard.

Comprehensive Plan: The 2007 Westfield-Washington Township Comprehensive Plan identifies the Property as being within the Highway/Employment Corridor of State Highway 32. The Comprehensive Plan states that smaller-scale local office and service uses are appropriate along State Highway 32, and that retail uses which are subordinate to and supportive of the corridor’s office and service uses are appropriate. The 2011 Family Sports Capital Addendum II to the Comprehensive Plan anticipates supporting uses such as restaurants, offices, retail uses, higher density residential, and other supporting commercial uses will be located nearby the Grand Park Sports Campus. State Highway 32 (west of U.S. Highway 31) has been redeveloping into a hospitality corridor, with a focus on providing supporting hospitality-type uses for the visitors to Grand Park.

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**MODIFICATIONS SINCE THE COUNCIL INTRODUCTION**

Since the Council Introduction on June 25, 2016 meeting, there were numerous changes to the proposal. This section will highlight the major changes that were made to the proposal:

1. PUD Ordinance Document/Format: The applicable sections/standards of the Original Trails PUD Ordinance (Ord. 15-27) are now included in the current version of The Trails PUD Ordinance proposal (Ord. 16-26). The new ordinance would completely replace the original ordinance, addressing administrative concerns regarding which standards apply to the Real Estate. Other than an occasional lot reference or other minor format modification to fit the new ordinance, these highlighted sections are the identical to what can be found under the Original Trails PUD Ordinance.
2. Concept Plan: The concept plan was modified to address site access and circulation concerns. Size and other modifications were made to the northwest corner building/lot, and a new building identified for multiple restaurants was added.

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<sup>1</sup> Established Front Yard: defined as “a Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the least distance between the Front Lot Line and the Principal Building.

Front Lot Line: defined as “A Lot Line abutting a Street (public or Private Street). A Through Lot and Corner Lot will have multiple Front Lot Lines.

3. Multi-Family Standards: It was clarified that the multi-family standards that apply to Layout B2 under the Original Trails PUD Ordinance apply to the new Trails PUD Ordinance. Layout B1 standards do not apply to the new Trails PUD Ordinance.

Additionally, revised character exhibit images were submitted for the multi-family development (under Exhibit D of the Trails PUD Ordinance).

4. Multi-Family Amenities: The amenities requirements for Lot A (multi-family) was modified so that there are seven (7) required amenities (clubhouse, fitness center, pool, business center, dog park, bicycle storage units, and electric car charging station) and one (1) optional amenity (grilling cabana). In the previous version, five (5) of the listed amenities were required.
5. Multi-Family Building Height: Minimum building height requirements were added for Lot A, multi-family. Each building is required to be a minimum of three (3) stories in height. Additionally, at least 25% of the final total unit count is required to be located within a building that it at least four (4) stories in height.
6. Multi-Family Character Exhibit: New Multi-Family Character Exhibit images were submitted and added to the Trails PUD Ordinance.
7. Car Wash Character Exhibit: An exhibit depicting the building character of the car wash use was submitted and added to the Trails PUD Ordinance.
8. Architectural Insulated Panels: Architectural Insulated Panels was removed entirely as a permitted building material within the Trails PUD District.
9. Lot B and Lot C Masonry Materials: The minimum required masonry materials on all building facades was changed from the originally-proposed forty percent (40%) to sixty percent (60%). The City's State Highway 32 Overlay requires sixty percent (60%), so the Trails PUD Ordinance was changed to default to the City's standard for masonry.
10. Drive-Thru Building: Language was added to address a potential 2,500 square-foot building within Lot B of the Trails PUD District. The proposed standard requires a minimum of 600 square-feet of outdoor seating area and requires a canopy connecting to an adjacent building.

The PUD Ordinance was also modified to require the drive-thru building (Smaller Building in the PUD Ordinance), the adjacent building, and the canopy be constructed at

the same time. A revised character exhibit (Exhibit E of the Trails PUD Ordinance) was submitted, depicting the buildings and the canopy structure.

11. Dumpster Location: New language was added to allow dumpsters between the new frontage road and the buildings in the commercial areas (Lot B and Lot C). The net effect of this standard allows dumpster locations similar to what is already occurring in similar situations within the State Highway 32 corridor.
12. State Highway 32 Overlay: The State Highway 32 Overlay Architectural Standards (Article 5.3 (K)) apply, unmodified, to Lot C.
13. Land Uses: The following land uses were identified as prohibited within Lot B and Lot C: Auction room; Garden and Lawn Center; Mortuary; Retail, High Intensity; Club, Private; Tavern (or Nightclub); Data processing / call centers; Nursery; Heliport; and, all Special Exception uses listed in Article 13.2 for the General Business District shall also be prohibited.

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## **RECOMMENDATIONS / ACTIONS**

### **APC Recommendation**

At its October 17, 2016, meeting, the APC forwarded a favorable recommendation of this change in zoning request to the Council (Vote of: 5 in favor, 0 opposed), with the following conditions:

1. A new character exhibit depicting the proposed drive-thru building connected to an adjacent building via a canopy shall be included in the ordinance prior to adoption consideration by the Council;
2. Lot C, as identified in Section 4 of the Trails PUD Ordinance, shall default to the State Highway 32 Overlay District architectural standards (UDO Article 5.3 (K)); and,
3. Uses in Lot B and Lot C of the Trails PUD Ordinance shall be further restricted, as deemed necessary by the City Council, prior to adoption of the ordinance.

### **City Council**

Introduction: June 25, 2016

Eligible for Adoption: November 14, 2016

**NOTE**: All three conditions above have been fulfilled and are incorporated in the Trails PUD Ordinance (Ord. 16-26) that is before the City Council.

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

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The Westfield-Washington Township Advisory Plan Commission held a public hearing on Monday, August 15, 2016 to consider an amendment to the Zoning Map and Westfield-Washington Township Unified Development Ordinance (the "UDO"). 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.	1608-PUD-13
Ordinance No.	16-26
Petitioner	EdgeRock Development, LLC
Site Location	Southeast Corner of State Road 32 and Oak Ridge Road
Description	Petitioner requests to expand and amend The Trails Planned Unit Development District, consisting of 21.0 acres +/-.

On October 17, 2016, a motion was made and passed to send a favorable recommendation of the change in zoning request to the City Council (Vote: 5 in favor, 0 opposed), with the following conditions:

1. A new character exhibit depicting the proposed drive-thru building connected to an adjacent building via a canopy be included in the ordinance prior to adoption consideration by the Council;
2. Lot C, as identified in Section 4 of the Trails PUD Ordinance, shall default to the State Highway 32 Overlay District architectural standards (UDO Article 5.3 (K)); and,
3. Uses in Lot B and Lot C of the Trails PUD Ordinance be further restricted, as deemed necessary by the City Council, prior to adoption of the ordinance.

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

  
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Matthew S. Skelton, Secretary

October 18, 2016

Date