

ORDINANCE 11-

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF PLANNED UNIT DEVELOPMENT, BRIDGEWATER CLUB BEING THAT OF ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-05, ORDINANCE 10-08, ORDINANCE 10-19 AND TITLE 16 – LAND USE CONTROLS

WHEREAS, The City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance; and,

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Docket 1007-PUD-09), filed with the Commission requesting an amendment to Ordinance 06-49, enacted by the Town Council on October 9, 2006, and amended by (i) Ordinance 08-05, enacted by the City Council on February 11, 2008; (ii) Ordinance 09-17, enacted by the City Council on September 14, 2009; (iii) Ordinance 10-01, enacted by the City Council on February 8, 2010; (iv) Ordinance 10-05, enacted by the City Council on April 12, 2010; (v) Ordinance 10-08, enacted by the City Council on May 24, 2010; and (vi) Ordinance 10-19, enacted by the City Council on September 13, 2010;

WHEREAS, on _____, the Commission took action to forward Docket 1007-PUD-09 to the Westfield City Council with a _____ recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505;

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

WHEREAS, the Westfield City Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-05, ORDINANCE 10-08, ORDINANCE 10-19 AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The document as referenced by Ordinance 06-49 described as “The Bridgewater Club Restated and Consolidated Planned Unit Development District”, as amended by Ordinance 08-05, Ordinance 09-17, Ordinance 10-01, Ordinance 10-05, Ordinance 10-08 and Ordinance 10-19 (collectively, the “Bridgewater PUD Ordinance”) is hereby amended, (i) but only with respect to the uses and standards applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit “A”, and (ii) only to the extent set forth in what is attached hereto and incorporated herein by reference as Exhibit “B”.

In all other respects, the Bridgewater PUD Ordinance shall remain unchanged.

SECTION 2. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered. To the extent that this ordinance conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this ordinance shall prevail.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS ____ DAY OF _____, 2011.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

John Dippel

John Dippel

John Dippel

Steve Hoover

Steve Hoover

Steve Hoover

Robert Horkay

Robert Horkay

Robert Horkay

Kenneth Kingshill

Kenneth Kingshill

Kenneth Kingshill

Bob Smith

Bob Smith

Bob Smith

Tom Smith

Tom Smith

Tom Smith

Rob Stokes

Rob Stokes

Rob 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: Kevin M. Todd

Prepared by: Kevin M. Todd, AICP, Senior Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 804-3170.

Exhibit A
Legal Description

Part of the Northwest Quarter of the Southwest Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Four (4) East in Hamilton County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of said Quarter Quarter; thence along the West line of said Quarter Quarter Section, North 00 degrees 54 minutes 43 seconds West 486.69 feet to the point of beginning; thence continue along the West line of said Quarter Quarter Section, North 00 degrees 54 minutes 43 seconds West 841.68 feet to the Northwest Corner of the Southwest Quarter of said Section; thence along the north line of said Quarter Section, North 89 degrees 46 minutes 22 seconds East 602.30 feet; thence South 00 degrees 39 minutes 48 seconds East 837.09 feet; thence South 89 degrees 20 minutes 12 seconds West 598.63 feet to the point of beginning and containing a gross area of 11.570 acres.

Subject to all easements, rights-of-ways, restrictions and covenants of record.

AND

Part of the Northwest Quarter of the Southwest Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Four (4) East in Hamilton County, Indiana and being more particularly described as follows:

Beginning at the Southwest Corner of said Quarter Quarter; thence along the West line of said Quarter Quarter Section, North 00 degrees 54 minutes 43 seconds West 486.69 feet; thence North 89 degrees 20 minutes 12 seconds East 598.63 feet; thence South 00 degrees 39 minutes 48 seconds East 490.83 feet to a point on the south line of said Quarter Quarter Section; thence along the south line of said Quarter Quarter Section, South 89 degrees 44 minutes 05 seconds West 596.53 feet to the point of beginning and containing a gross area of 6.705 acres.

Subject to all easements, rights-of-ways, restrictions and covenants of record.

EXHIBIT B

Section 1. **Description of Real Estate:** See Exhibit “A” of Ordinance 10-

Section 2. **Office /Flex Area – Area Z:**

The Real Estate shall be classified as Area Z as defined in Section 7 of The Bridgewater Club Restated and Consolidated Planned Unit Development District, as amended (the “Bridgewater PUD”).

The Real Estate shall be known as Parcel L2, as identified on the revised Concept Plan, attached hereto and incorporated herein as Exhibit 1.

The original Area Z, Parcel L shall be known as Parcel L1, as identified on the revised Concept Plan.

Section 3. **Permitted Uses:**

The following uses shall be permitted on Parcel L2:

1. Assisted Living Facilities
2. Independent Living Facilities
3. Medical Offices ~~Buildings~~
4. ~~General Office Buildings~~ Office Buildings – General Purpose
5. Limited Retail Uses, ancillary to Medical Offices or Office Buildings – General Purpose

All other uses permitted in Area Z are prohibited on Parcel L2.

Section 4. **Definitions:**

Assisted Living Facility. A commercial facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four (4) or more dwelling units and/or rooming units, provide a combination of housing, support services, personalized assistance, and healthcare, and respond to the individual needs of persons requiring assistance with the activities of daily living.

Section 5. **Development Standards:**

1. All development standards in the Bridgewater PUD which apply to Area Z (Section 10) shall apply to Parcel L2, unless otherwise stated herein.
2. The maximum building height shall not exceed two-stories.
3. The maximum square footage for an Assisted Living Facility, an Independent Living Facility, or combination thereof shall not exceed 95,000 square feet.

4. The maximum first floor square footage for a Medical Office building or Office Buildings – General Purpose shall not exceed 20,000 square feet per building.

Section 6. **Parking Standards:**

All parking standards in the Bridgewater PUD which apply to Area Y (Section 10, G8) shall apply to Parcel L2.

Section 7. **Architectural Standards:**

1. All architectural standards in the Bridgewater PUD which apply to Area Z shall apply to Parcel L2, unless otherwise stated herein.
2. All buildings shall have masonry on at least fifty (50) percent of the exterior, excluding doors, windows and other openings.
3. The use of vinyl shall be prohibited, excluding trim, soffits, windows and other architectural ornamentation.
4. The use of sheet metal shall be prohibited, excluding trim, soffits, windows, other architectural ornamentation and roofs.

Section 8. **Landscaping Standards:**

1. All Perimeter Yard landscaping requirements in the Bridgewater PUD which apply to Area Y (Section 11, C2) shall apply to Parcel L2.
2. All Perimeter Yard landscaping requirements in the Bridgewater PUD which apply to Area Z (Section 11, C3) shall not apply to Parcel L2.
3. All Buffer Yard landscaping requirements in the Bridgewater PUD which apply to Area Z (Section 11, F) shall only apply to eastern perimeter of Parcel L2.
4. All other landscaping requirements in the Bridgewater PUD (Exhibit 18) which apply to Area Z shall apply to Parcel L2.

Section 9. **Sign Standards:**

All sign standards in the Bridgewater PUD which apply to Area Z shall apply to Parcel L2.

Exhibit 1
Concept Plan

