

WESTFIELD, INDIANA

**GRAND PARK VILLAGE
PLANNED UNIT DEVELOPMENT
DISTRICT**

PUD ORDINANCE NO. 1209-PUD-09

D & W FARMS INCORPORATED

8/3/2012

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ORDINANCE NO. 1209-PUD-09

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WESTFIELD
AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA

This PUD Ordinance (the “Grand Park Village PUD”) amends the Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Zoning Ordinance”), enacted by the City of Westfield under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended;

WITNESSETH:

WHEREAS, the Plan Commission of the City of Westfield and Washington Township (the “Commission”) has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by D&W Farms Incorporated for the real estate containing approximately 221 acres, legally described on Exhibit “1” hereto, and located in Washington Township, Westfield, Indiana (the “Real Estate”).

WHEREAS, the Commission has sent to the City Council of the City of Westfield, Indiana (the “City Council”) its favorable recommendation adopted on the ____ day of _____ 2012; and

NOW, THEREFORE BE IT ORDAINED by the City Council meeting in regular session, that the Zoning Ordinance and the Zone Map (the “Zone Map”) of the Zoning Ordinance are hereby amended as follows:

SECTION 1. DEVELOPMENT ORDINANCE

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 inapplicable to the Real Estate. To the extent that this ordinance conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of the ordinance shall prevail.

SECTION 2. LEGISLATIVE INTENT.

Having given reasonable regard to (i) the City of Westfield Grand Park Comprehensive Plan and Concept Plan (Exhibit “2”), (ii) current conditions and the character of current structures and uses in the Real Estate, (iii) the most desirable use for which the Real Estate is adapted, (iv) conservation of property values throughout the City of Westfield and Washington Township, and (v) development and growth, especially in the Grand Park TIF district, it is the intent of the Plan Commission in recommending, and the Council in adopting to:

- A. Encourage flexibility in the development of land in order to promote its most appropriate use;
- B. Improve the design, character and quality of a new development;
- C. Encourage a harmonious and approximate mixture of uses;
- D. Facilitate the adequate and economic provisions of streets, utilities, drainage and municipal services;
- E. Encourage and provide a mechanism for arranging improvement on-site so as to preserve desirable features; and
- F. Mitigate the problems which may be presented by specific site conditions.

SECTION 3. EFFECT.

The development standards created by this Grand Park Village PUD shall supersede the development standards of the City of Westfield Zoning Ordinance. Unless otherwise specified herein, the owner(s) and developer(s) of the Real Estate shall otherwise comply with the terms, conditions, and procedures of PUD Ordinance in the Zoning Ordinance.

SECTION 4. DEFINITIONS.

Unless otherwise specified in (i) this Grand Park Village PUD or (ii) what is attached hereto and incorporated herein by reference as Exhibit “14” the definitions of the Zoning Ordinance shall apply to words and terms set forth in this PUD.

SECTION 5. DEVELOPMENT OVERVIEW.

The Grand Park Sports Campus has evolved into a major catalyst for opportunities, both for residents of the community and for economic development. This initiative has garnered interest from local, regional and national prospective businesses, investors and entrepreneurs who want to bring their business to Westfield and be a part of a growing city and the thousands of visitors Westfield will welcome in the coming years. Grand Park Village (the “Development”) is a response to that growing demand and interest by businesses looking to locate in Westfield and will also play an integral role of attracting sports tourists and encouraging annual return visits. Grand Park Village will not only be a commercial center for people to visit, eat and shop, it will be as unique as the sports campus it will border. Grand Park Village is an integrated development which will comprise approximately 2201 acres, including a 20+ acre lake, boardwalk, beach, restaurants, retail, office, medical, lodging, entertainment and multifamily. Grand Park Village will consist of multiple core areas as seen in the Grand Park Village Conceptual Plan, included in Exhibit “3”:

- A. Lake Village - At the heart of Grand Park Village there will be a 20+ acre lake with a partial boardwalk and trails for pedestrians and cyclists to walk and ride along, enjoy water activities like kayaks, beach and swimming area, restaurants and shops will surround the lake, offering relaxing views and outdoor entertainment for diners.... restaurants overlooking water, shopping, hotels, medical offices, entertainment, land and water activities, community events, a trailhead for bikers and pedestrians seeking a destination along the Monon Trail and quick access for all visitors and local residents going to and from the Grand Park, restaurants, local vendors, water and land activities, outdoor entertainment, walking paths around the lake, Monon Bike Hub. The Lake Village will be home to smaller buildings, shops, offices and multifamily, as well as restaurants, recreational parks and activities and more – the Lake Village will be more of a smaller, quaint area for users to enjoy.
- B. General commercial – Hotels, restaurants, shopping, grocery, open air markets, vendors, equipment rental for boating, biking, tasting rooms, outdoor cafes, bars, relaxing patios for dining, after dinner drinks or places to meet up after a ride will comprise the commercial areas. Areas for lodging and larger commercial will be convenient to residents and visitors of the more unique, smaller businesses and restaurant comprising the Lake Village area, as well as a large convenience for visitors and residents going to and from Grand Park for the numerous sporting events.
- C. Office/medical – Physical therapy, general medical offices, outpatient emergency care, hospital care, senior living care, institutional services, as well as general office, banking, insurance and other general office needs
- D. Multifamily residential – Multifamily housing (rental or owned) in Grand Park Village as separate or adjoined to commercial buildings as mixed-use living. Grand Park Village could be uniquely positioned for above ground multifamily housing overlooking the Lake, restaurants, shopping and more. Alternatively, the area surrounding the smaller Lake Village area could be suitable as it would provide quick access to larger commercial buildings, offices, etc.
- E. Entertainment venues – Family recreational centers including lake activities, outdoor equipment rental to large, indoor facilities such as bowling alleys, sand volleyball, movie theaters (indoors and outdoors, permanent or temporary), etc.

Within each area, design and goals will be presented along with examples illustrating potential development ideas for each of these areas. The guidelines and goals provided in this document have been developed to serve as broad examples and as a means to guide the creation of a cohesively designed community. By no means should the examples presented be seen as the only solutions to the design and development the Grand Park Village. All proposed site and building designs shall be subject to review by the Owner-Developer and City of Westfield’s Planning Staff. Additional covenants and restrictions will be imposed on the Real Estate, the users, builders, vendors, events, etc. that may operate in Grand Park Village and will subject to the approval of the Owner-Developer.

SECTION 6. GENERAL BUSINESS ZONING CLASSIFICATION

The Real Estate comprising all conceptual areas of the Grand Park Village, described in what is attached hereto and made part hereof as Exhibit “1”, which is consistent with the Land Use Concept Map of the Westfield Comprehensive Plan (Exhibit “2”), is reclassified on the Zone Map as follows:

- A. Parcel 08-05-36-00-00-004.000, 08-05-36-00-00-050.000, 08-05-36-00-00-049.001 from the OI – Open Industrial Planned Development District Classification to the Planned Unit Development District Classification, the underlying zoning classification of which shall be the GB General Business District of the Zoning Ordinance in force at the time of enactment of this Grand Park Village PUD.
- B. Parcel 08-05-35-00-00-007.000, 08-05-35-00-00-007.002, 08-05-35-00-00-007.001 from the AG-SF1 Residence District Classification to the Planned Unit Development District Classification, the underlying zoning classification of which shall be the GB General Business District of the Zoning Ordinance in force at the time of enactment of this Grand Park Village PUD.

A copy of the GB General Business District development standards which were in force at the time of the enactment of this Grand Park Village PUD and which apply to the Real Estate, except as modified by this Grand Park Village PUD, is attached hereto and made part hereof as Exhibit “5” (“General Business District”). The proposed uses are consistent with the City of Westfield Concept Plan from the Comprehensive Plan (Exhibit “2”).

SECTION 7. USES

The Real Estate shall be developed for general business uses including commercial, office, medical, entertainment, lodging, temporary events, trail hub and lake recreational uses, as well as multifamily and single family residential, as more particularly shown on the Grand Park Village Conceptual Plan in Exhibit “3.” The size, dimensions, and acreage of the Sub Areas within the Real Estate may be increased or decreased, so long as the overall layout maintains a consistent, organized, conceptual and visually-appealing plan. Permitted uses for Grand Park Village shall include the following:

- A. All uses permitted in the GB-General Business District of the Zoning Ordinance on the date of the enactment of the Grand Park Village PUD, as indicated by an “X” in the “General Business” column specified on what is attached hereto and made a part hereof as Exhibit “6” Commercial Business Uses, as detailed in WC 16.04.180 Figure 2. Use List of the Zoning Ordinance. Permitted uses for the Real Estate shall also include the following, all of which shall be permitted uses and not special exceptions:
 - (1) Amphitheaters with permanent public address systems;
 - (2) Boat sales, rental, service, trained instruction and camps for non-motorized watercraft (i.e. kayaks, canoes, sailboats, row boats, paddleboards, etc.) shall be permitted. Motorized watercraft shall not be permitted for public users but exceptions will be made for (i) maintenance needs of the lake (i.e. fountain repair, algae control, etc.) which require a low horsepower motor, (ii) temporary events, including skiing competitions, remote-controlled miniature boat races, water taxis, boating shows, etc. or other related events which are approved by the covenants and restrictions.
 - (3) Equipment and recreational service rental including non-motorized boats, fishing, beach chairs, umbrellas, etc;
 - (4) Plaque, trophy and related awards assemblage, engraving and sales (including glass items);
 - (5) Small-scale and personal packaging services (i.e. FedEx, UPS retail stores)
 - (6) Multifamily housing (for rental or owned) located above the ground floor of any building, the main floor of which is used for retail or commercial purposes;
 - (7) Assisted living facilities and institutional facilities
 - (8) Bed & breakfasts, inns, hotels, resorts, together with conference and food facilities as incidental/accessory uses;
 - (9) Hotels, resorts and other hospitality that includes youth amenities including but not limited to playgrounds, water park, water slides and other related items shall be permitted.
 - (10) Coffee shops and coffee roasting as an accessory use;
 - (11) Temporary food and beverage vendors (i.e. trendy food/gourmet sandwiches to bakeries, pretzel stands and “fair”-type food), food trucks/tents/stands/sheds, farmers’ markets, beer gardens/tents, spiced wine (served at Christmas markets) tents, barbeque/grilling vendors, contests or cooking demonstrations shall be permitted. Approval to occupy the premises will be required, as well as all applicable permits or licenses for the State of Indiana or City of Westfield based on type of vendor or event (See Exhibit “9” farmers market images);

- (12) Data processing;
- (13) Restaurants with pedestrian walk-up windows (i.e. Handel's Ice Cream, Westfield, IN) that do not interfere with pedestrian traffic or the function of other retailers;
- (14) Drug store, food service, restaurants or other users with or without drive-thru services; all drive-thru facilities shall be located on the side of building or in the rear of the building;
- (15) Financial institutions, including drive-thru banking facilities and exterior ATMs;
- (16) Automobile service station, including car wash, the sale of gasoline and other automotive petroleum products and retail consumer goods;
- (17) General stores;
- (18) Manufacturing of food, beverage and sale of products on-site;
- (19) Custom meat/seafood shops or other specialty consumer stores (i.e. Joe's Butcher Shop, Carmel, IN);
- (20) Golf cart, bicycle (including but not limited to tandem, tourist, bike taxi, peddle pub) sales, rentals and repair;
- (21) Medical, dental and emergency clinics and labs; temporary medical check vehicles (i.e. IU blood donation bus);
- (22) Physical therapy, rehabilitation, chiropractic and wellness clinics;
- (23) Testing, training and performance research/lab institutes (i.e. athletic performance);
- (24) Playgrounds and recreational "splash pads" or related cooling area, playground or playhouse displays and sales;
- (25) Consignment stores for retail, sporting goods and other small scale items;
- (26) Outdoor photography and film vendors; vendors will be restricted to their approved space to conduct business (i.e. Photos with Santa, Easter Bunny, etc.) and shall not roam throughout the village;
- (27) Windows, lighting, kitchen design, appliance retail showroom and offices;
- (28) Retail warehouses for consumer goods, home décor, food, etc. (i.e. Costco)
- (29) Animal veterinarian clinics, kennels, boarding, hotels and training facilities; outdoor run areas shall be in the rear of the building and if possible, building shall not be along main thoroughfares of the Grand Park Village. Exotic animals and the care of exotic animals shall not be permitted. Secure fencing and barriers to prevent public interaction with the animals or escape by animals shall be installed;
- (30) Outdoor theater and musical performance areas and events (see Exhibit "9" Entertainment images for example) for family-friendly content; if applicable, content of events or media shall be approved prior to public viewing;
- (31) Entertainment venues (indoors and outdoors) shall be permitted and their locations and parking shall not interfere with the smaller commercial environment and culture intended for the lake village area. Entertainment venues may include (but are not limited to): bowling alleys, arcades, playgrounds, rock-climbing walls, skating rinks, miniature golf courses, outdoor recreational games (shuffleboard, giant checkers, etc.), swimming and water park facilities (including those inside/adjoining hotels, restaurants, parks), simulators (i.e. golf, baseball hitting), go-karts tracks, team building or fitness courses/stations, movie theaters, kids playhouses (i.e. Leaps and Bounds), sand volleyball, outdoor basketball courts, ropes courses/zip-lining, acrobatics facility, amusement rides (merry-go-round, Farris wheel). Entertainment venues shall be subject to the covenants and restrictions implemented by the Developer-Owner and all adult-only entertainment businesses shall not be permitted;
- (32) Recreational, amateur and professional athletics, art, music and related entities and their respective facilities shall be permitted, including, but not limited to: stadiums, courts, auditoriums, stages, running/endurance events, etc. shall be permitted (i.e. amateur baseball team and stadium);
- (33) Parking operators and transportation services with a temporary or permanent space including, but not limited to: valet parking, transportation services throughout Grand Park Village and to/from Grand Park via bus, trolley, car, cart, bicycle hire, tram, wagon, Segway, bike, electric bike or other related transport businesses;
- (34) Water and land recreational service companies offering sailing, fishing, swimming, fitness, lifeguarding, outdoor education, camps, clinics, contests and related services that do not require a specific indoor space to operate;

- (35) Special interest private or public clubs or community centers shall be permitted and will be required to provide public signage indicating their occupancy of a building or space (i.e. cyclist club/bike hub, yacht club for sailing);
- (36) Spas, salons, masseurs, wellness, tanning salons, yoga, martial arts, personal training, diet and exercise centers;
- (37) Manufacturing and bottling of alcoholic and non-alcoholic beverages for direct consumer sale only shall be permitted so long as the vendor possesses required licenses to bottle and sell the beverage on-site (i.e. 3 Wise Men Brew Company Restaurant, Broad Ripple, sells growlers of beer that they brew and fill on-site);
- (38) Canning, bottling, processing and packaging of food shall be permitted and sold directly to consumers, including but not limited to ice cream, popcorn shops, juice bars, fresh produce, prepared food, sauces/salsa, baked goods, tea, coffee, herbs/spices/rubs;
- (39) Secondary food and beverage processing and packaging, including breweries, winery, condiments, etc;
- (40) The manufacturing or assembly cloth products for retail purposes and generally pertaining to custom clothing apparel including but not limited to design/screen printing of t-shirts, jerseys, corporate items, in-house designs;
- (41) Sale and manufacturing of art/handmade goods (i.e. ceramics, blown glass, screen print) internally or by/with consumer, including painting, jewelry, metal, sewing, photo classes, etc. (i.e. Magdalena Art, Carmel, IN);
- (42) Sale and manufacturing of small scale personal or unique paper products for retail (i.e. stationary, party invites);
- (43) Sale and manufacturing of small scale cosmetic or health products (i.e. Ambre Scents, Indianapolis, IN);
- (44) Mini-warehouse facility, enclosed self-storage, wine storage and other secured storage facility;
- (45) Parishes, Churches, theological schools, rectories, convents, monasteries and community centers;
- (46) Office buildings, medical buildings, hospitals and other related facilities;
- (47) Dormitories/shared housing (i.e. amateur athletic training center);
- (48) Garden centers, Community Garden Centers, produce shops/stands, lawn supply stores and related entities;
- (49) Wireless communication service facilities, including any cell towers or long-range wireless routers, satellites and related components of wireless and integrated networks shall be permitted;
- (50) Installation of alternative energy (including but not limited to solar panels, wind energy, water energy, turbines, water re-use) within Grand Park Village shall be permitted if favored over traditional energy sources;
- (51) Multifamily residential shall be permitted within the Grand Park Village and may be as a stand-alone area or may be located above retail, office, restaurants in the Lake Village area or other establishments. Any multifamily development will be subject to the standards as stated in the City of Westfield Zoning Code WC 16.04.040.B regarding MF-2 zoning standards;
- (52) Single family residential shall be a permitted use of the development and would be located near the multi-family area if developed (likely residential products would include smaller, "empty nester" type homes). Any single family development will be subject to the standards as stated in the City of Westfield Zoning Code WC 16.04.030.E regarding SF-3 zoning standards;
- (53) Outdoor areas including, but not limited to dining/beverage areas, sidewalk sales, farmer/art/design markets, musical performances, recreational events or competitions areas shall be permitted.

SECTION 8. TEMPORARY USES AND EVENTS.

- A. Attached hereto and incorporated herein by reference as Exhibit "7" are temporary use and event standards, set forth in WC 16.04.095. Those and general business standards in the Zoning Code, as they exist and are in force on the date of the enactment of the Grand Park Village PUD, as well as development standards set forth in Section 10.L herein this PUD for outdoor dining and sidewalk sales shall apply to the Development, with the following exceptions listed below. In the event of a conflict, any standard mentioned herein shall supersede the Zoning Code and shall be applied.
 - (1) Proposed temporary uses/events may occur on parcels with a permitted building, vacant parcel, open public space, water features, boardwalk, trails or other open space areas within the Development.

- (2) Unless an event is being organized by a particular on-site business in the Development, temporary event/use shall not be required to be incidental to the permitted use or structure on the property or abutting property, so long as the event/use is for the entertainment, interest or benefit of the public (i.e. farmers' markets, concerts, outdoor movie in the park). All temporary event/use will be required to meet all covenants and restrictions as imposed to all users in the Development.
- (3) If an approved event/use is a reoccurring seasonal event (i.e. weekly farmers' market) and utilizes one large tent or stage, the equipment associated only with the main shelter/structure may remain on the property if approved by applicable covenants and restrictions in the Development, so long as it is not in a location that interferes with daily businesses, traffic, pedestrian paths, views, recreation or other Development amenities.
- (4) Permits may be obtained for more than 60-days total in the calendar year if event is reoccurring and meets all other approvals by Development covenants and restrictions (i.e. farmers' market from Summer-Fall).
- (5) Signage will be minimal as in the Zoning Code; however, additional signage needed to adequately identify the event and directional signage for different sections, entry/exit, checkout, restrooms, parking, etc. shall be permitted but will need to be approved per the covenants and restrictions for the Development.
- (6) Outdoor dining, drinking and food areas which are integrated into the business model and floor plan may be exempt from being classified as temporary if approved in covenants and restrictions.

SECTION 9. DEVELOPMENT AND ARCHITECTURAL STANDARDS.

- A. Attached hereto and incorporated herein by reference as Exhibit "8" are architectural and design standards, set forth in Section 16.04.065 of the Zoning Code (the "32 Overlay Zone"). Those standards were used to develop the architectural design standards outlined below and in some instances, the 32 Overlay Zone standard is explicitly referenced and shall applied. Upon any conflicts with those standards set forth in Exhibit "5" of the Zoning Ordinance or Exhibit "8", the following shall replace and supersede those set forth in Exhibit "5" and Exhibit "8" and other provisions of the Zoning Ordinance.
- B. Purpose. The intent of the Grand Park Village is to create a destination development for local and regional residents and is unique to Westfield and the surrounding area. The Development will be high-quality and will be a center for recreation, dining, shopping, entertainment and lodging in the area and especially catering to the sports tourism goals of the Grand Park Sports Campus.
- C. Design theme. The design theme of Grand Park Village is intended to be a destination development that is refined, yet comfortable and will do so by incorporating a consistent, overall aesthetic reflecting that of New England, Colonial, Georgian and Shake Shingle style buildings, stores, restaurants, etc. commonly seen in Cape Cod, the Hamptons, Nantucket and similar areas. This design generally comprises buildings with wood, Hardee Plank or shingled siding, often painted in neutral or traditional American color palettes (gray, cream, red, green, blues, yellow) and accented with white wood trim throughout, cottage style lighting (See Exhibit "9" architectural style images) and outdoor seating (amongst other things described herein). Architectural variation will be encouraged through building heights, exterior paint colors, exterior fixtures (flower boxes, shutters, windows), etc. The overall theme complements the feeling of a lake/waterside village that is visually appealing.
- D. All architectural and design plans will be reviewed and must have written approval from Owner-Developer and when applicable, government entities/committees prior to development.
- E. Building elevations may vary throughout the development. The Lake Village buildings will comprise pitched and flat roofs and generally abutting next to each other/shared side walls.
- F. Building offsets. The standards in Exhibit "8", will be recommended for future users.
- G. Openings. Openings as defined in Exhibit "8" will be applied to create an aesthetically pleasing development. The additional exceptions shall apply:
 - (1) The terrain and views from the perimeter of the lake and boardwalk will vary for each user and therefore, arrangement of seating, windows, doorways, paths and other openings may vary as the location varies around the lake and by user (i.e. retail store will not have rear dining area overlooking lake).

- (2) Retractable glass doors, window/door openings, covered and uncovered patios and related items shall be permitted at the front, side or rear of the building, provided that written approval has been given by Owner-Developer and government officials (when applicable).
 - (3) Entrances to be defined by architectural elements, signage, lights or other related items with an emphasis on high-quality and preserving the Development style; however, building entrances may vary season to season (i.e. walk-up entrance to open-air restaurant patio on lake side versus traditional door entryway on front during winter months).
- H. Roof. Roof form and design will include, where appropriate, varied pitches and ridge levels. Roof materials will be approved by Owner-Developer in order to protect the overall design aesthetic; however, wooden shingle, mixed material and metal roofs will be permitted.
- I. Maximum aggregate square footage. No restriction; however, to ensure a consistent overall layout and plan, all sizes and building layouts must meet all architectural requirements per the covenants and restrictions.
- J. Windows. Window design standards as stated in Exhibit "8" shall apply with the emphasis on having a variety of styles that all complement the Cape Cod architectural theme (i.e. round/porthole type windows and large square picture windows with or without window pane work).
- K. Building materials. Exterior materials permitted throughout the development shall include EIFS, synthetic stucco, cultured stone, brick, stone, wood and concrete fiber (Hardi-Plank or similar), with the emphasis on New England style siding, trim and integration of brick or other masonry materials at the base of a building or in other accent areas.
- (1) The use of vinyl and metal siding may be used on a building as well as the above products; vinyl clad windows and soffits shall also be permitted. All designs must be reviewed and receive approval per the covenants and restrictions in place in the Development, so as to ensure the overall design is consistent throughout Grand Park Village.
 - (2) Accessory structures must adhere to the 32 Overlay Zone standards.
- L. Outdoor dining. Businesses, including but not limited to restaurants, bars, mobile vendors, food shops (coffee) shall be permitted to operate outdoor seating or dining areas under the following standards, as well as in the Zoning Code. In the event of a conflict, any standard mentioned herein shall supersede the Zoning Code and be applied.
- (1) A minimum of eighteen (18) feet of uninterrupted access area on the perimeter along the outdoor café area at all times.
 - (2) Roof-top dining/bar shall be permitted so long as all safety and covenants or restrictions are adhered to by user.
 - (3) Planters, posts with ropes, flags, or other removable enclosures are encouraged and may be used as a way of defining the area occupied by the café but may not interfere with the above pedestrian area.
 - (4) Fixtures such as extended awnings, winter canvas/encasement, canopies, mobile outdoor heating or cooling/misting units shall be permitted. Fixture colors shall complement building colors.
 - (5) Tables, chairs, planters, trash receptacles, fireplaces, lounge seating and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.
 - (6) The operators of outdoor restaurants, bar areas, winery/brewery or food vendors, picnic pavilions, bike hubs shall be required to provide additional outdoor trash receptacles and shall be responsible for maintaining a clean, litter-free and well-kept appearance within and immediately adjacent to the area of their activities.
 - (7) Restaurants, bars and other related businesses may incorporate outdoor fire places/pits, music/televisions, dancing or other approved amenities or fixtures per the covenants and restrictions.
- M. Sidewalk displays. Retail and food service/beverage establishments shall be permitted to have sidewalk displays of merchandise. The following standards and guidelines are applicable:
- (1) Sidewalk displays are permitted directly in front of an establishment, provided that a minimum of eight (8) feet of sidewalk clearance along the curb and leading to the storefront entrance is maintained free of display.

- (2) Sidewalk displays or sampling shall be permitted only during normal business hours and shall be removed at the end of the business day. Cardboard boxes or pallets shall not be used for sidewalk displays.
- (3) Sidewalk displays shall maintain a clean, litter-free, and well-kept appearance at all times. Advertising for sales may not be in the form of street advertisers holding large signs, dressed up, etc. to distract traffic.

N. All non-residential and Mixed-Use buildings.

- (1) Minimum lot area: none
- (2) Minimum lot frontage on road: none
- (3) Minimum lot depth: none
- (4) Yard dimensions:
 - (a) Set back from Internal Streets: no minimum
 - (b) Set back from External Streets: at least fifteen (15) feet from the road right-of-way line or the edge of the pavement; the set back area shall be landscaped according to standards set forth in Section 13 herein.
 - (c) Side yard (each side): no minimum (may be adjoining buildings)
 - (d) Rear yard: Fifteen (15) feet unless abutting a common parking lot, in which event no rear yard is required. If abutting a pedestrian trail, the boardwalk, lake, park, beach or other public amenity in Grand Park Village, then no landscaped setback shall be required.
 - (e) All buildings abutting a pedestrian trail, boardwalk, park, etc. shall be permitted to construct a pathway and/or stairway (including handicap-accessible ramp) leading from trail to a rear entrance or rear dining area of a the business or abut against the path.
- (5) Building height and area.
 - (f) Maximum building height. Maximum height is 65 feet for light commercial buildings, excluding buildings with attached office or multifamily above, and no maximum building height will be required for Entertainment, lodging, large commercial or related areas so long as the building is aesthetically pleasing to the remainder of the development. Buildings may have multiple stories.
 - (g) Minimum gross floor area. None.
 - (h) Parking requirements. All loading, on-street, off-street and/or private parking and drive-through facilities shall be reviewed by Owner-Developer and adhere to covenants and restrictions so as to ensure no interference with, right-of-way, traffic or trail ways. Internal parking has been planned for the village. For buildings adjacent to Internal Streets with parking bays, those spaces immediately adjacent to the frontage of the building lot shall be included in the calculation for required spaces. Bike racks shall also be provided, as needed, throughout the park in high bike traffic areas. Once users are established, the possibility of utilizing parking spaces for shuttle transportation and general car drop-off/pick-up, large vehicle parking (i.e. 15-passenger vans, mini buses, RVs etc.) and other possible issues will be addressed. All parking should be in accordance with WC 16.04.120 attached herein as Exhibit "10" and will apply to various users as determined in the ordinance and/or calculated based upon the parking requirements for that specific user.

O. Accessory structures shall not be erected between the main roadways and the setback line established by the building elevation of a primary structure nearest to the main roadways; accessory structures shall not include the items set forth in WC 16.04.065.c.ii and WC 16.04.065.c.iii, as well as outdoor restaurant or public seating areas, outdoor firepits or lounge areas, lamp posts/banners, cooling stations, art, temporary events using tents or the like (i.e. farmers' market).

P. Streetscape

- (1) Lighting. Standards shall apply from the Zoning Ordinance, WC 16.07.010 for necessary lighting on streets, sidewalks, parking lots, trails, boardwalk, lakefront and other areas in the development so as to provide adequate lighting for vehicular and pedestrian visitors. All lighting shall have a height and a type, style, manufacturer approved by the Developer/Owner. Carriage lighting on buildings that are often open in the evenings (restaurants, shops, etc.) will be encouraged and subject to approval by Owner-Developer to comply with overall architectural standards.

- (2) Street Number/Address. The number of the street address shall appear on all buildings and separate units when necessary; otherwise, suite, space or other identification, as well as business name shall appear on all entrances.
- (3) Street signage. Signage according to the Zoning Ordinance shall be in place throughout the development indicating directions, building locations, tenants, amenity areas, bike paths, trail crossings, transportation drop off/pick up locations, trail ways, directions to Grand Junction, Grand Park, major highways and other features.
- Q. Miscellaneous building amenities. Gas lights, fireplaces, fire pits, heating lamps, misting stations, water features or other items approved per the covenants and restrictions set forth in the Development shall be permitted.
- R. Lighting. All outdoor lighting as required by WC 16.07.010 (“Lighting Standards”) shall apply.
- S. Loading berths. Loading berths shall be permitted as defined in the 32 Overlay Zone.

SECTION 10. ROADWAYS AND ACCESS.

- A. Attached hereto and incorporated herein by reference as Exhibit “4” is the conceptual thoroughfare plan for Grand Park Village and shows all existing and future roadways in the Development area. The thoroughfare plan is consistent with the Grand Park Comprehensive Plan (Exhibit “2”) and Westfield’s overall thoroughfare plan. As a part of the US-31 Highway Improvements, a north-south interior road will be constructed by INDOT for local transit; this roadway will be extended through the Grand Park Village site and connect to 186th Street, which is presently under construction by the City of Westfield. Grand Park Village (as seen in Exhibit “4”) will comprise the following boundaries:
 - (1) North: Future 186th Street extension road (currently under construction by City of Westfield)
 - (2) South: 181st Street
 - (3) West: Kinsey Avenue
 - (4) East: Tomlinson Road
 - (5) Internal thoroughfares: Future Wheeler Road Extension (INDOT to construct) shall extend from south to north through Grand Park Village) and Future thoroughfare west of Wheeler Road through Grand Park Village (to be named and constructed)
- B. Trails will be included throughout the park as specified in building standards in Section 13.B and the Monon Trail will be an integral trailway that brings pedestrians and cyclists from the south to Grand Park Village and Grand Park. The amenities planned for Grand Park Village will make it an unique destination for active, recreation-seeking individuals throughout the community and visitors, it will also provide an excellent connection for visitors and residents to experience Westfield’s Grand Junction and other areas downtown. Trails will connect to the Monon Trail to provide east-west transit throughout the park and bike racks will be located as needed.

SECTION 11. SIGNAGE.

- A. Signage design. Business, directional, building and recreational signs will incorporate the New England style of old taverns, restaurants with colors including but not limited to black, green, red, navy, gray, etc. (often wooden) and bright white or gold engraved font, often in traditional serif fonts and bold lettering. Lanterns, cottage-style lamps and other similarly-themed lighting shall be encouraged as sign lighting to enhance the design theme as seen in Exhibit “9.”
- B. Attached hereto and incorporated herein by reference as Exhibit “11” are signage standards, as set forth in Section 16.08.010 of the Zoning Code (the “Sign Standards”). Those Sign Standards, as they exist and are in force on the date of the enactment of the Grand Park Village PUD, shall apply to the development with the following exceptions:
 - (1) The display or temporary display of banners, pennants, flags, ribbons or other similar signage shall be permitted in Grand Park Village if coordinating with any like signage used in the Grand Park Sports Campus or to enhance the feeling of a sports-minded community and development. Any use of these items will be subject to covenants and restrictions associated with the Development.

- (2) Electronic signage that scrolls or changes content frequently as it may pertain to events occurring at Grand Park Sports Campus or in athletics may be permitted for use in a public open area (i.e. score ticker with game updates from Grand Park or large leader board with updates from Grand Park games).
 - (3) Signs may be placed on various equipment to identify the business (i.e. signs on a kayak displayed on beach).
 - (4) No illuminated sign setbacks shall be required if the residential is above office, retail, restaurants, etc., located in the central part near the lake of the Development and is only illuminated during business hours.
 - (5) Signs placed on the interior or exterior of a space for the purpose of selling or leasing the unit must be approved by Owner-Developer and consistent with approved signs of that type.
 - (6) All billboards in the Lake Village area, signs on roofs, dormers and balconies shall be prohibited.
 - (7) Signs painted or mounted upon the exterior side or rear walls of any principal or accessory building or structure will be permitted only if adhering to the covenants and restrictions; painted or wall-mounted signs that are affixed to the façade of the building shall project outward at a distance that is consistent with other development and signage areas and approved per the covenants and restrictions governing the Development.
- C. Building directory signage identifying the occupants of a commercial building, including upper story business uses:
- (1) The sign shall be mounted on the wall next to the entrance.
 - (2) The sign shall project outward from the wall to which it is attached at a distance that is consistent with other development and signage areas as approved per the covenants and restrictions. The sign shall not extend above the parapet, eave or building façade.
- D. Glass signage is permitted and window or door signs may be applied directly to the glass, provided the sign shall not exceed 50 percent of the window or door area, limited to two signs for each ground floor business establishment (three are permitted if the business has frontage on more than one street).
- E. Awning signs for ground floor uses only will be permitted so long as the sign does not detract from the overall visual aesthetic of the building.
- F. Restaurant, bars, mobile food and beverage vendors shall be permitted a wall-mounted display of the menu, as well as a sandwich board sign, so long as the signs are framed in a border of wood or other approved looking frame, clearly visible through a glass front and attached to the building wall at a height of approximately five feet. Sandwich board signs may be double-sided and shall not exceed five square feet; boards shall be constructed of wood, chalkboard and or finished metal. Letters may be painted or handwritten. The sign shall be located within four feet of the main entrance so as to not interfere with pedestrian or vehicular traffic and must be removed by the end of the business day.

SECTION 12. LANDSCAPING.

- A. Attached hereto and incorporated herein by reference as Exhibit "12" are landscaping standards, as set forth in Section 16.06 of the Zoning Code (the "Landscaping Standards"). Those Landscaping Standards, as they exist and are in force on the date of the enactment of this PUD, shall apply to the development with the following exceptions:
- (1) Prior to development plan approval or the issuance of a building permit, the Owner-Developer shall not be required to inventory any trees due to future lake and state/municipal road improvements.
 - (2) Minimum required buffer yard between commercial and residential shall not apply to residential (single family or multi-family dwellings) that adjoins or is immediately adjacent to commercial buildings. (i.e. units above shops) Buffer areas along the Monon Trail, which is on the eastern boundary of the Real Estate, as well as along 186th Street should be a minimum of ten (10) feet, as the visibility and ease of access is of importance.
 - (3) For parking located in the interior of the Development (i.e. surrounded generally by commercial or amenities), parking lot landscaping shall account for two and a half percent of the total vehicular parking area due to the configuration of the buildings and landscaping that will accompany those uses.
 - (4) Perimeter parking lot landscaping requirements shall apply only to large, open, parking areas that are not surrounded by commercial or mixed use buildings.

SECTION 13. LAKE VILLAGE.

The 20+ acre planned lake will be at the heart of the Grand Park Village and will be the center of activity as a local and regional destination for residents and visitors. The area will offer a wealth of activities and appeal to all ages – from a stroll along the boardwalk to various restaurants or stores to weekend farmers’ markets, as well as activities at the lake including sailing, paddle boarding, movies overlooking the lake and much more. The area will be a unique development in the heart of Westfield and will be an excellent amenity for its residents and the many visitors at Grand Park. A varied mixture of public spaces and streetscapes will create ample opportunity for intriguing and enjoyable programming and events by all.

A. The Lake

- (1) As outlined in the Uses section above, the Lake will function as the core activity area and public park for events, water activities, performances, concerts, farmer’s markets, beach, outdoor equipment rental, health and wellness activities (from casual strolls to larger running or athletic events), views for dining and relaxation and more. Throughout the year, the lakefront will be a destination and will feature a multitude of things to do.
- (2) The Lake will be approximately twenty (20) acres and shall adhere to all required slopes as they may pertain to different types of uses (i.e. swimming, boat entry) per Zoning Ordinance. Exceptions may be made to the slope requirements for piers, sea walls, beaches, boat entry/exit, wetlands, docks, etc.
- (3) All standards required by any applicable government agencies for the development of a lake will be followed; all required safety parameters will be implemented into the Lake Village so as to ensure the safety of its users.
- (4) All programming and events occurring at the Lake Village will require the approval of Owner-Developer and any municipal officials, if required.
- (5) Consideration will be made to preserve any natural features surrounding the perimeter of the lake. All landscaping standards in the Zoning Ordinance will be followed as they may pertain to the lake area. A variety of trees and plantings will be used to create a unique and inviting space.
- (6) All vendors, services, organizations or individuals with approval to use the lake for a particular purpose will be required to have any applicable permits or licenses as required by the state, local or occupational agency.
- (7) The 20+ acre lake and surrounding green space shall be included in required green space for the overall development as both provide tremendous benefit to the public community. Owner-Developer and users will share in the creation, implementation and approval of any programming or events on or near the Lake.
- (8) In order to eliminate numerous small drainage ponds throughout the Development, the Lake will also be used for drainage by surrounding buildings. Owner-Developer will work with City and County officials to ensure that each user’s required drainage is provided for in the communal lake.
- (9) The development of a bike hub for cyclist shall be permitted; the potential Monon Trail Bike Hub would be an area and destination for cyclists to ride to from the north or south or a place to originate their ride individually or as groups. There is currently no headquarter or club for cyclists to base their riding out of and this location would create an excellent area for them to store one’s bike, go on rides, refresh and meet family for dinner in the Lake Village and would be an amenity that does not exist elsewhere in the area.

B. The Boardwalk

- (1) The Boardwalk will consist of a pedestrian and biking trail covering the entire perimeter of the Lake at Grand Park Village. The Boardwalk will serve as a feature amenity in the Development in connecting the various businesses, restaurants, recreation areas and trails in the area. It will be reminiscent of boardwalks seen on the East Coast and similar commercial/recreation developments.
- (2) A minimum of ten (10) foot trails will be permitted in the Development and it is foreseeable that the Boardwalk would be ten feet or more.
- (3) Restaurants, pavilions, shops and other areas near the Boardwalk will be connected by sidewalks or similar paths to enable clear and visible access throughout the area.
- (4) Where necessary, railings, gates, fences, landscaping, signage and other barriers will be installed to ensure the safety of all visitors using the Boardwalk.

EXHIBIT 1. Real Estate – Legal / Aerial boundary of property



Grand Park Village PUD

Legal Boundary of Real Estate (Red Overlay)

Printed: Aug 03, 2012



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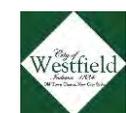
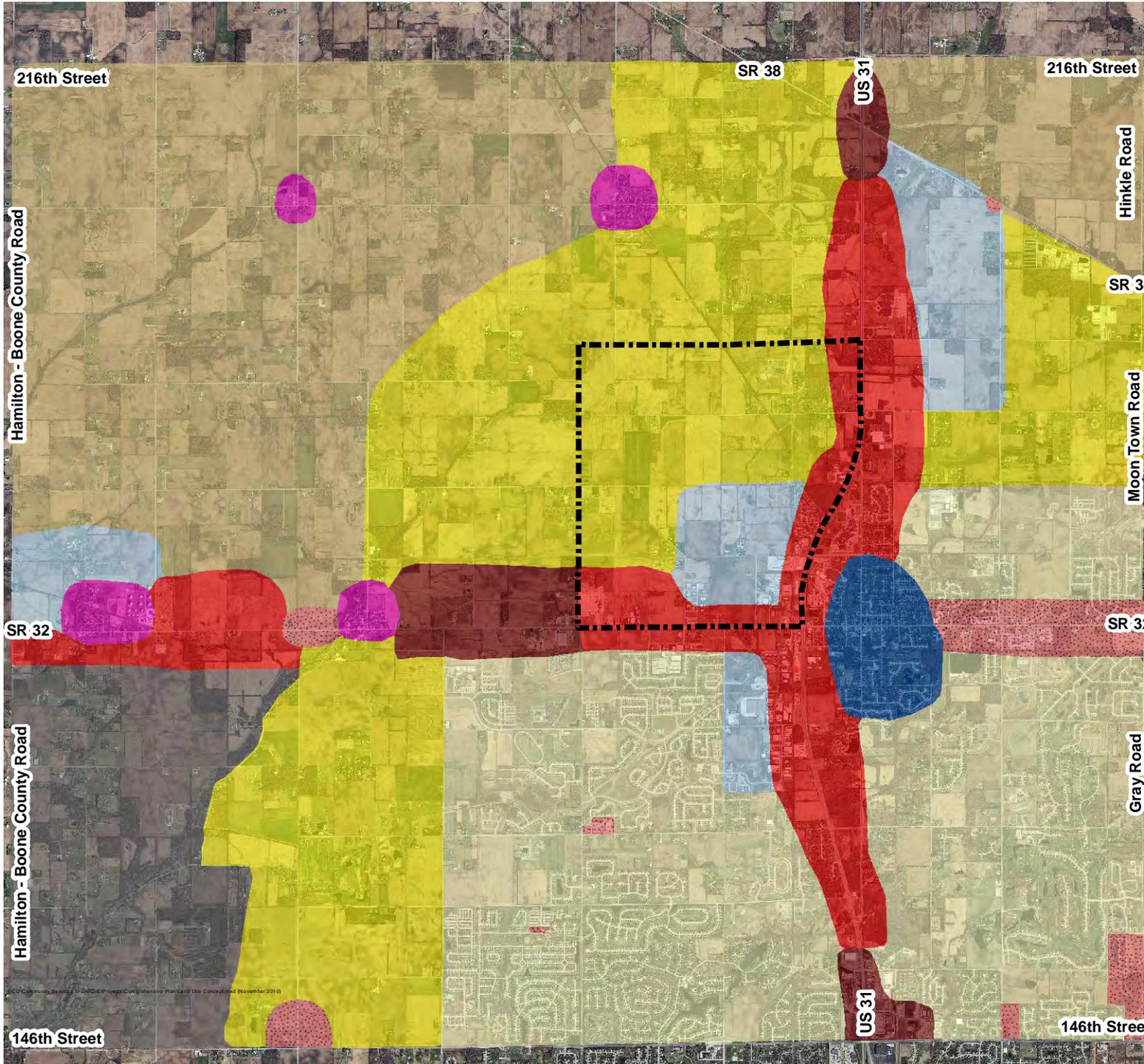
**EXHIBIT 2. City of Westfield Grand Park Land Use Concept Plan (from
Comprehensive Plan)**

Westfield - Washington Land Use Concept Map

Exhibit A

Legend

-  Suburban Residential
-  New Suburban
-  Existing Rural Southwest
-  Rural Northwest and Northeast
-  Business Park
-  Local Commercial
-  Employment Corridor
-  Regional Commercial
-  Villages
-  Downtown
-  Family Sports Capital of America



Community Development Department

1 inch = 1 mile

DISCLAIMER: The Town of Westfield, Indiana has created this map in an attempt to increase the availability of public information and enhance public knowledge. The Town is continually collecting, maintaining and updating data. Information for the map themes was obtained from existing, and many times historical documentation. Because of this, the information displayed on this map is not guaranteed to be completely accurate or all inclusive. The Town of Westfield retains the right to change the content of this map without prior notice. The Town of Westfield assumes no liability for any actions or occurrences that may result from persons viewing the information contained on this map. This map is not meant to take the place of any existing guidelines, rules, regulations or legal procedures. No information displayed on this map should be used in place of legal documentation. Field investigations are still necessary for locating underground facilities, and contact with appropriate departmental staff is still required for determining location-based fee designations.

GRAND PARK

THE SPORTS CAMPUS AT WESTFIELD

Land Use Plan

-  Regional Retail & Hospitality
-  Sports & Recreation Mixed-Use
-  Sports Village Mixed-Use 1
-  Sports Village Mixed-Use 2
-  Sports Corporate Campus
-  Life Science Mixed-Use
-  School
-  Sports Residential

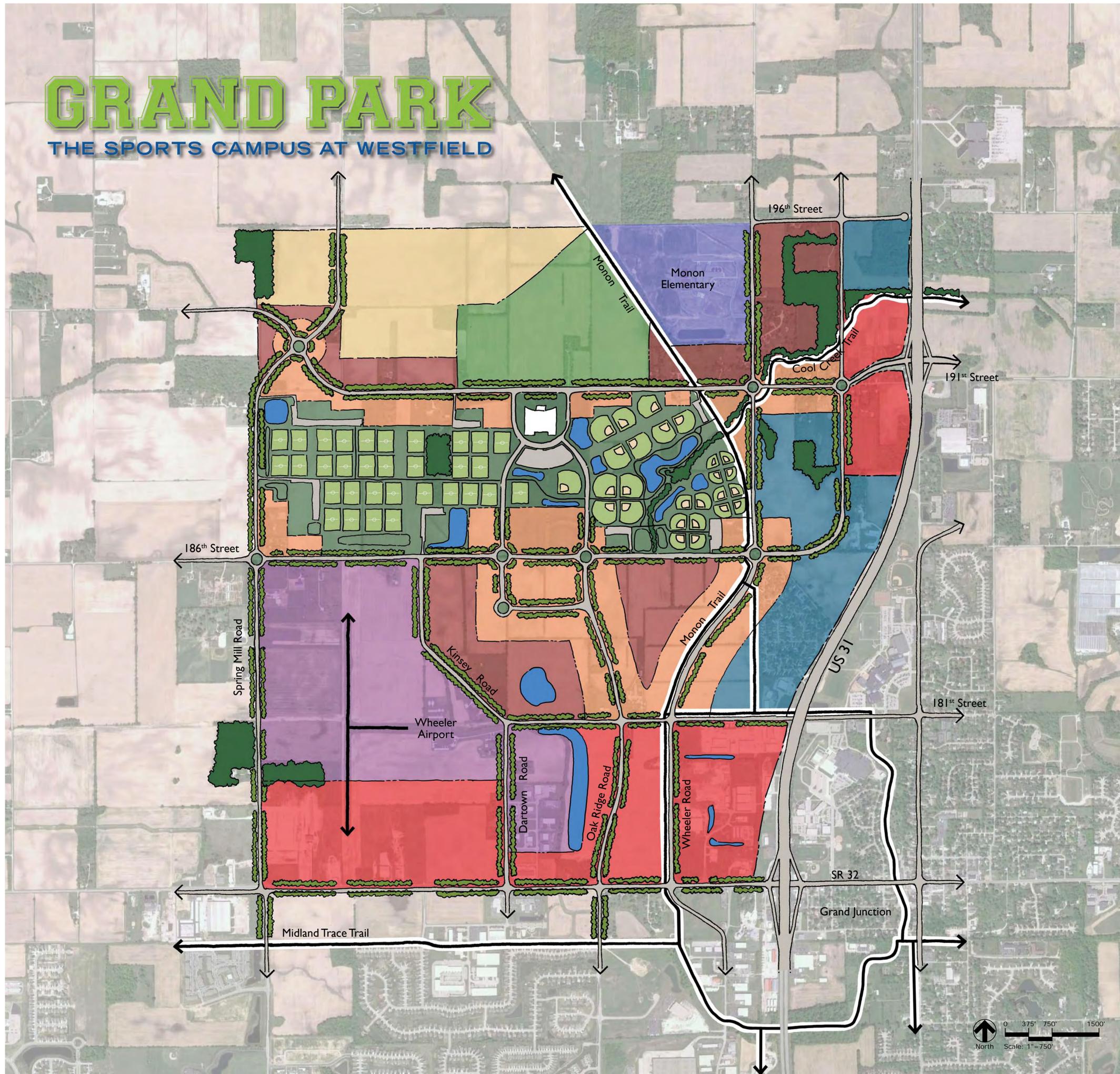
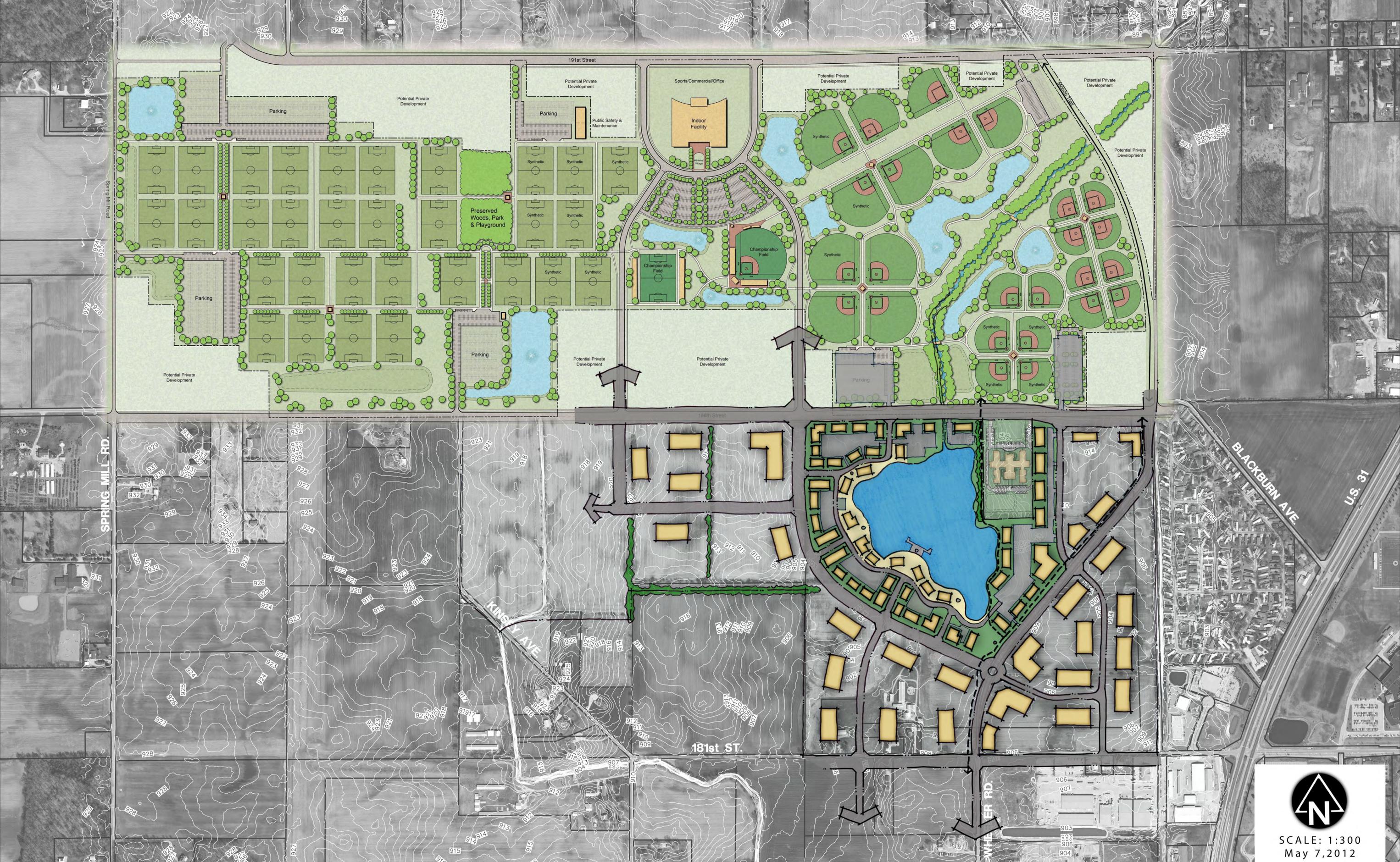


EXHIBIT 3. Grand Park Village Conceptual Plan



SCALE: 1:300
May 7, 2012

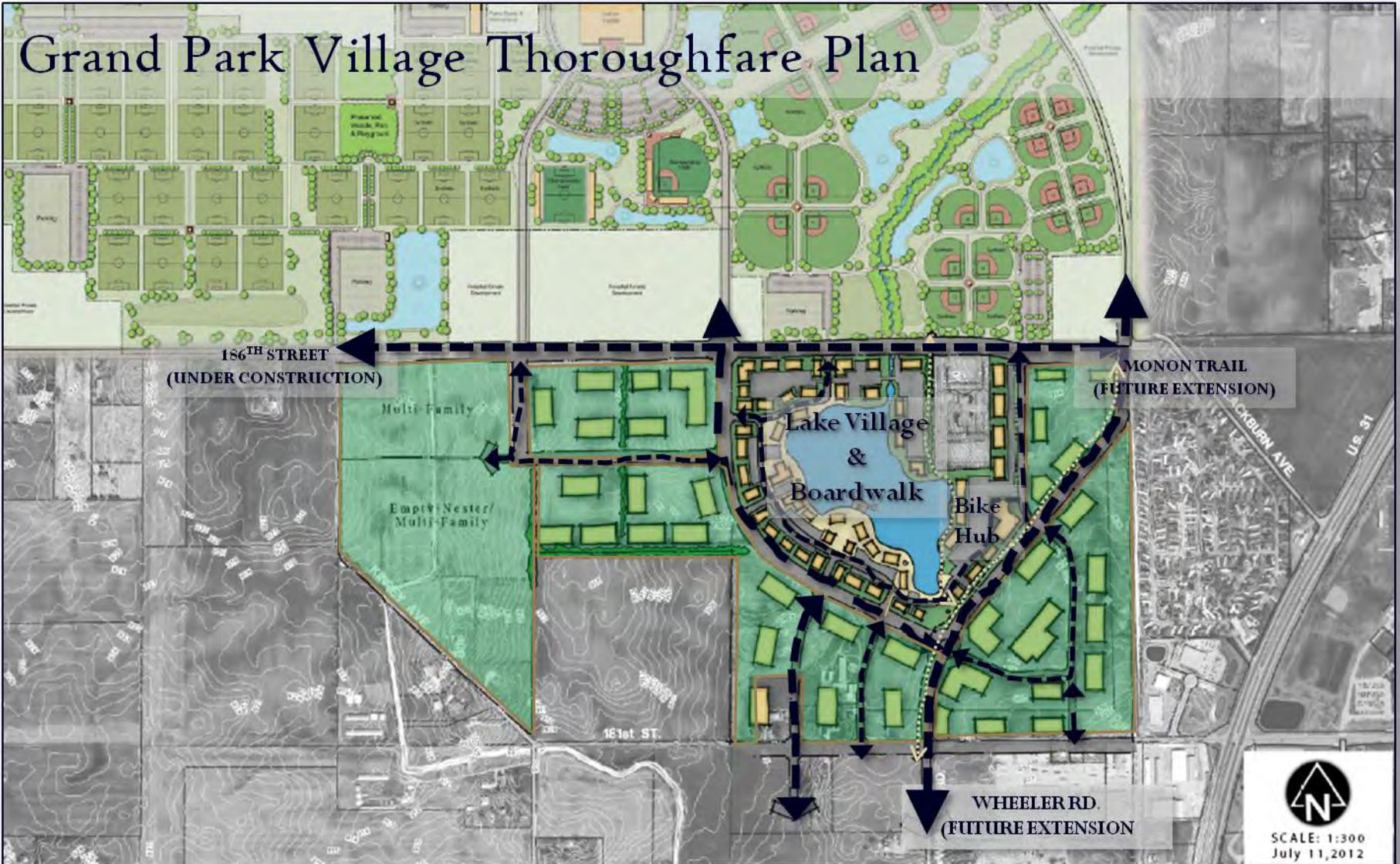
GRAND PARK VILLAGE - ALT. A

WESTFIELD, INDIANA



EXHIBIT 4. Grand Park Village Thoroughfare Plan

Grand Park Village Thoroughfare Plan



GRAND PARK VILLAGE - ALT. A
WESTFIELD, INDIANA



SCALE: 1:300
July 11, 2012

