ORDINANCE 15-__

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE ANDOVER NORTH PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCE 06-12 AND TITLE 16 LAND USE CONTROLS

WHEREAS, The Town 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 Township Plan Commission ("Commission") considered a petition (docket ____-PUD-___) filed with the Commission requesting an amendment to Ordinance 06-12, enacted by the Town Council on May 8, 2006, (referred to hereinafter as the "Andover North PUD").

WHEREAS, on March _____, 2015, the Commission took action to forward Docket _____-PUD-___ to the Westfield City Council with a favorable recommendation in accordance with Indiana Code 36-7-4-608, as required by Indiana Code 36-7-4-1505;

WHEREAS, on _____ ___, 2015, 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 Indiana Code 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT FURTHER ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 06-12, and TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The following shall be added as an asterisk to the table included in Section 6 NUMBER OF DWELLING UNITS:

> If Product Type M (Single Family Attached) is not developed in the Andover North PUD, the Maximum Dwelling Units in Type L (Single Family Detached) may be increased from a maximum number of 105 to 150, provided that the total number of all lots shall not exceed 220.

SECTION 2. The following shall be added to the end of Section 6, NUMBER OF DWELLING UNITS:

> If the number of K-1 Lots exceeds twenty five (25) the number above twenty five (25) may apply towers the K-2 Lots minimum, so long as the combination of K-1 and K-2 lots actually developed is a minimum of sixty five (65).

SECTION 3. SECTION 8, Paragraph F, shall be amended as follows:

> A minimum of thirty (30%) of the gross area of the residential Real Estate shall be Open Space, which shall superseded the Green Belt Space, Secondary Green Space, and all other Open Space Requirements set forth in the Zoning Ordinance. Any of the area of the Real Estate that is dedicated to or reserved for the use of a

neighborhood association or the public as well as any are in which title or an easement is granted to a municipality shall be included in the Open Space calculation.

SECTION 4. SECTION 10. AMENITIES shall be amended as follows:

The Following shall be provided:

A. Dedicated Open Space of Wooded Area and Park (minimum 5,000 square feet);
B. Trail;
~~C.~~ Trail Staging Area, including benches and trail map.~~; and~~
~~D. Clubhouse~~

In addition, the following amenities or substitutions as approved by the Director Director's designee, shall be included:

E. Playground and/or "Tot Lot" (minimum 4,000 square feet);
F. Basketball court;
G. Picnic area:
H. ~~Secondary Playground or "Tot Lot"~~ Dog park (minimum of 1,500 square feet)
I. Soccer field;
J. Softball diamond;
K. Vistas; and
L. A total of ~~six (6)~~ ten (10) pocket parks (minimum 2,000 square feet).

SECTION 5. EXHIBIT 5, DEVELOPMETN STANDARDS MATRIX shall be amended as follows:

Dwelling Units Maximum for Product Type L, shall be increased to 150, and a new footnote 10, which states "The Number of Product Type L may be increased from 105 to 150 only if no Product Type M lots are developed in the Andover North PUD and the total number of all lots does not exceed 220." shall be added to Exhibit 5.

SECTION 6. EXHIBIT 9, DEVELOPMENT PHASING, shall remove the Amenity "Clubhouse" from the Amenity Phasing table.

SECTION 7. The property covered by _____ - PUD - _____ shall be subject to the Landscaping Standards included in Section 6.8 of the Unified Development Ordinance of the City of Westfield adopted by Ordinance _____ and not those included as applicable under the Andover North PUD.

In all other respects, the Andover North PUD Ordinance shall remain in effect and unchanged.

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

WESTFIELD CITY 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
_____	_____	_____
Robert J. Smith	Robert J. Smith	Robert J. 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. Russell L. Brown

I hereby certify that ORDINANCE No. _____ was delivered to the Mayor of Westfield on the _____ day of _____ 2015 at _____ __.m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE NO. 15-__

This ____ day of _____, 2015.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 15-__

This _____ day of _____ 2015.

_____
J. Andrew Cook, Mayor

ATTEST:

_____
Cindy J. Gossard, Clerk-Treasurer

Prepared by: Russell L. Brown, 26781-49, Clark, Quinn, Moses, Scott & Grahn, LLP
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