ORDINANCE NUMBER 15-04

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

This is a Planned Unit Development Ordinance (the "Grand Park Fieldhouse PUD Ordinance") to amend the Westfield-Washington 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 ("City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") held a public hearing on May 4, 2015 for a petition (Docket 1503-PUD-03), filed by Grand Park Fieldhouse, LLC, requesting an amendment to the Unified Development Ordinance and to the Zoning Map of the City;

WHEREAS, the Commission took action to forward said petition (Docket 1503-PUD-03) to the Westfield City Council (the "Council") with a _____ recommendation (by a vote of _____(__) in favor and _____(__) opposed) in accordance with Ind. Code§ 36-7-4-608, as required by Ind. Code§ 36-7-4-1505, on _____, 2015;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2015;

WHEREAS, the Council is subject to the provisions of the Ind. Code§ 36-7-4-1507 and Ind. Code § 36-7-4-1512 concerning any action on this request;

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE ZONING ORDINANCE AND ZONING MAP BE AMENDED AS FOLLOWS:

SECTION 1. APPLICABILITY OF ORDINANCE.

1.1 This Grand Park Fieldhouse PUD Ordinance applies to the subject real estate more particularly described in Exhibit "A" attached hereto and incorporated herein (the "Real Estate").

1.2 The underlying zoning district shall be the GB – General Business District (the "GB District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Unified Development Ordinance applicable to the GB District shall apply.

1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby replaced as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

SECTION 2. PERMITTED USES.

2.1 Commercial Recreational Facility and ancillary uses contained therein, including but not limited to the following: related offices, Sit Down Restaurant, Medium Intensity Retail, and other temporary and permanent associated uses as may be approved by the City of Westfield Economic and Community Development Department Director (the "ECD Director"); provided, that the following uses shall not be permitted: paintball, driving ranges, laser tag, motorized cart tracks or motorized model airplane flying facilities.

SECTION 3. DEVELOPMENT STANDARDS.

3.1 Minimum Off-Street Parking – three hundred forty-eight (348) spaces.

3.2 Building Orientation: The building orientation shall be in substantial compliance with the Concept Plan attached hereto as Exhibit "B" and incorporated herein.

3.3 Building Materials: Building Materials and elevations shall be in substantial compliance with the building elevations attached hereto as Exhibit "C" and incorporated herein.

3.4 Landscaping: Landscaping shall be installed on the Real Estate in substantial compliance with the landscaping plan attached hereto as Exhibit "D" and incorporated herein.

3.5 Lighting: The standards of the Unified Development Ordinance shall apply. All building decorative or accent lighting shall be permitted as approved by the ECD Director.

3.6 Signage: The standards of the Unified Development Ordinance shall apply with the following exceptions:

A. Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.).

B. Wall Signs shall be individual letters with reverse lighting.

C. Monument Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.).

D. Information Signs and Directory Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.) and the Unified Development Ordinance.

E. Temporary Signage shall only be permitted as approved by the ECD Director.

SECTION 4. APPROVAL. Upon motion duly made and seconded, this Grand Park Fieldhouse PUD Ordinance was fully passed by the members of the Council this ____ day of _____, 2015.

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
Charles 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: Joseph M. Scimia

Prepared by: Joseph M. Scimia
Faegre Baker Daniels LLP
600 E. 96th Street, Suite 600
Indianapolis, IN 46240
317-569-9600

I hereby certify ORDINANCE 15-04 was delivered to the Mayor of Westfield on the ____ day of _____, 2015, at _____ __.m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 15-04
this ____ day of _____, 2015.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 15-04
this ____ day of _____, 2015.

_____
J. Andrew Cook, Mayor

ATTEST:

_____
Cindy J. Gossard; Clerk-Treasurer

EXHIBIT "A" – LEGAL DESCRIPTION

A part of Lot 3, Grand Park Subdivision – Secondary Plat as recorded per Instrument Number 2014-57320, in the Office of the Recorder of Hamilton County, Indiana, described as follows: Beginning at the southeast corner of Common Area "E" of said Grand Park Subdivision: thence North 00 degrees 12 minutes 07 seconds West 705.96 feet along the east line of said Common Area "E" to the northeast corner thereof; thence South 89 degrees 43 minutes 01 seconds East 499.62 feet; thence South 00 degrees 12 minutes 07 seconds East 701.73 feet to a point 60.00 feet, by perpendicular measurement, from the south line of the Southeast Quarter of Section 26, Township 19 North, Range 3 East, said point being on the northerly right-of-way of East 186th Street; thence South 89 degrees 47 minutes 53 seconds West 499.60 feet along said northerly right-of-way to the point of beginning and containing 8.073 acres, more or less.

EXHIBIT "B" – CONCEPT PLAN

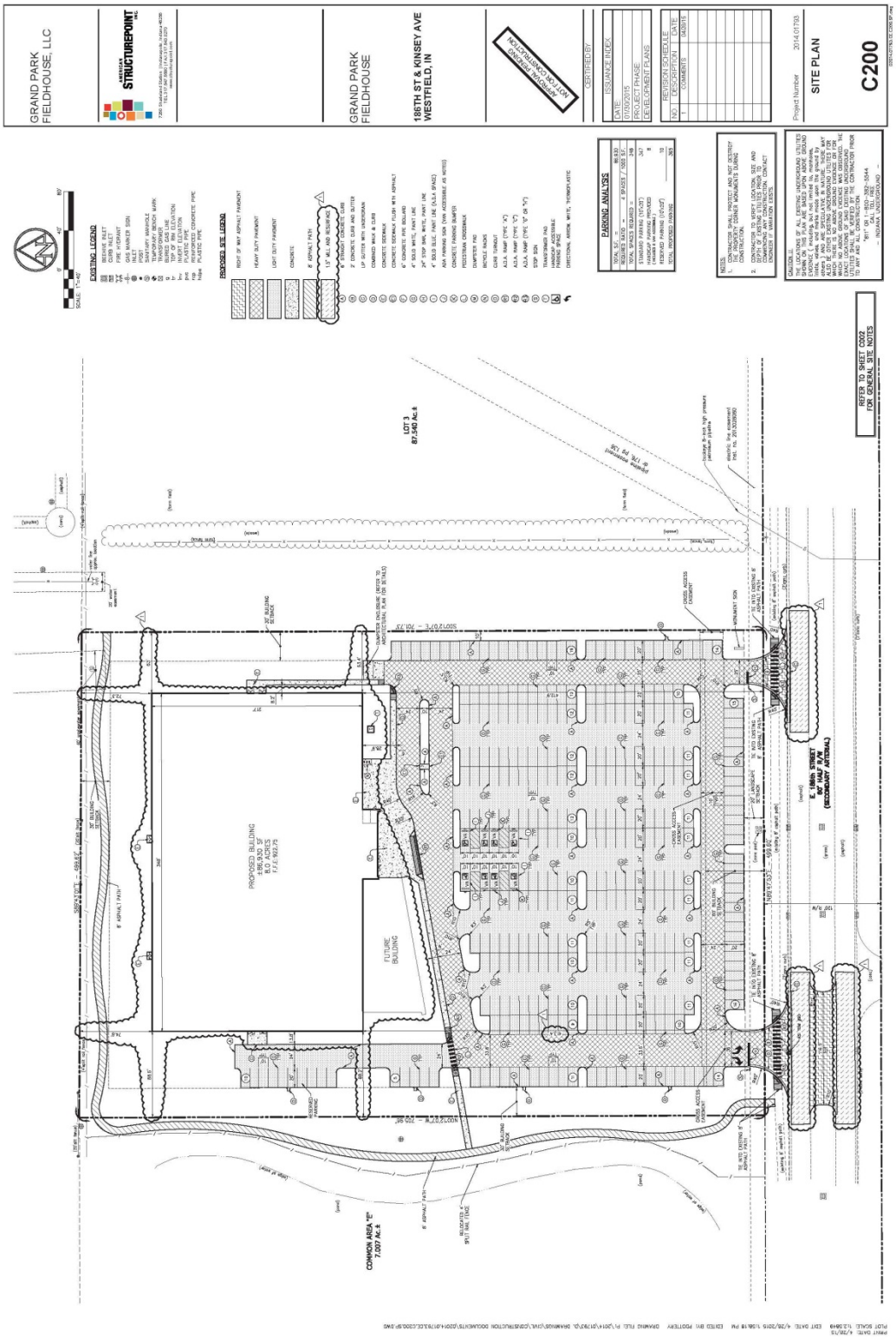

EXHIBIT "C" – BUILDING ELEVATIONS

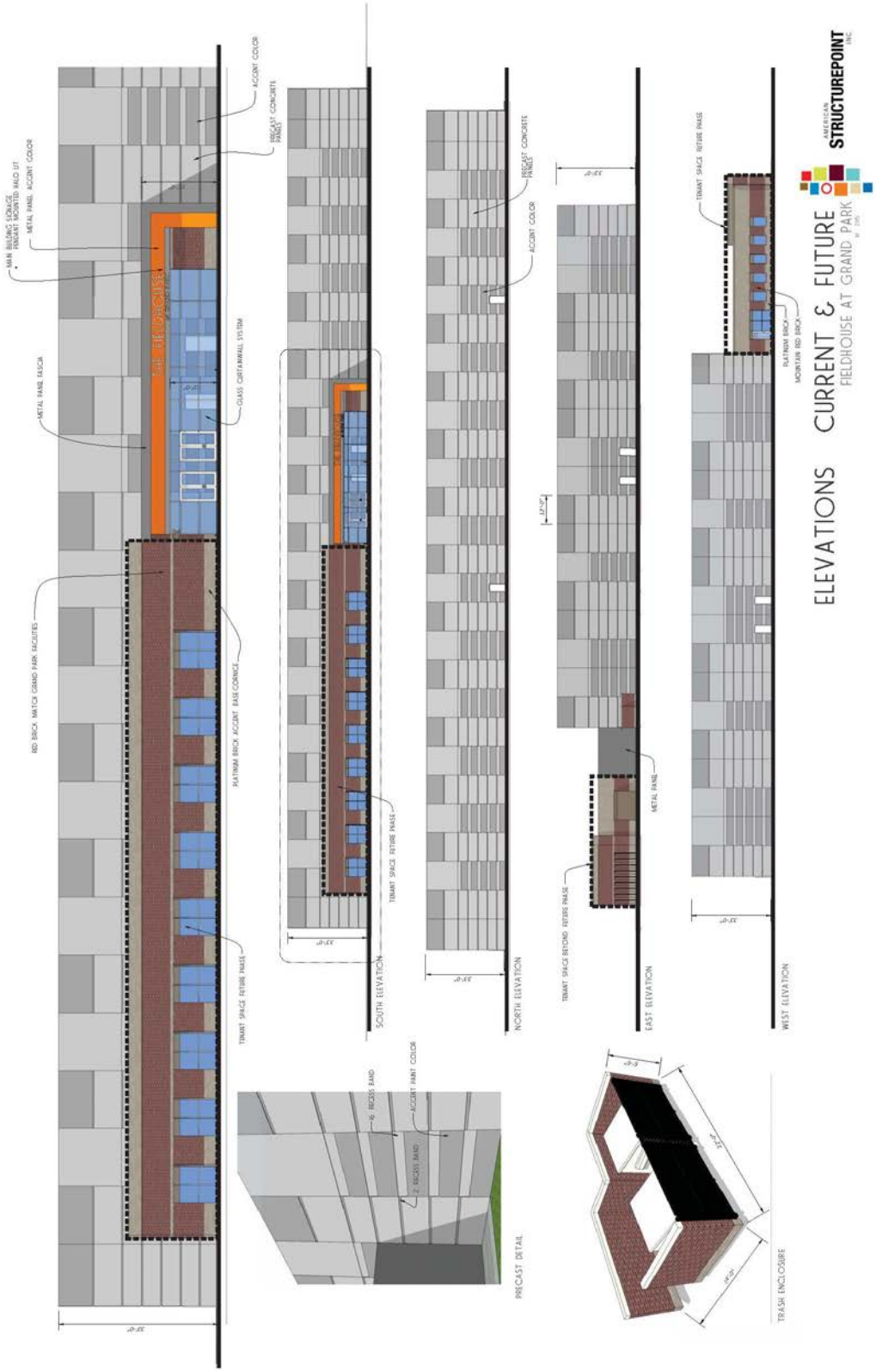

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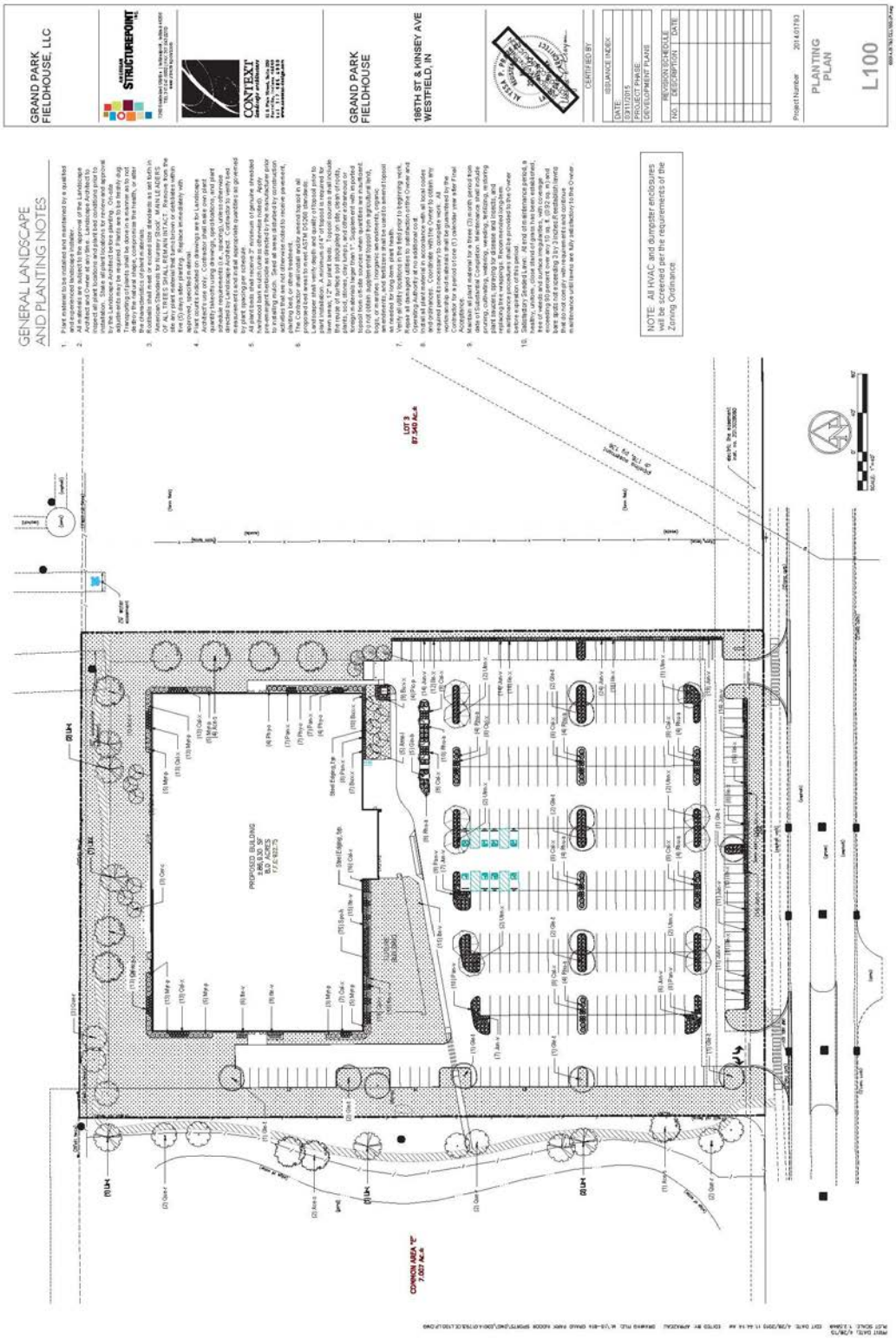
EXHIBIT "D" – LANDSCAPING PLAN



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