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Jennifer Hayden
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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 favorable recommendation (by a vote of seven (7) in favor and zero (0) opposed) in accordance with Ind. Code§ 36-7-4-608, as required by Ind. Code§ 36-7-4-1505, on May 4, 2015;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on May 5, 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. Texture shall be incorporated to the finish of the precast concrete panels of the Proposed Building (or "Primary Facility"), as identified on the Concept Plan, in a manner and pattern approved by the ECD Director.

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.

3.7 If construction of the Future Building (or "Tenant Space Future Phase"), as identified on the Concept Plan, has not started within twenty four (24) months after an Improvement Location Permit is issued for the Primary Facility, then additional architectural features and/or improvements shall be incorporated to the Primary Facility's south elevation entrance to enhance the entrance in a manner 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 11 day of May, 2015.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 11 DAY OF May, 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 affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed

US.55607875.09

I hereby certify ORDINANCE 15-04 was delivered to the Mayor of Westfield on the 12 day of May, 2015, at 1:00 pm.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 15-04 this 13 day of May, 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

WESTFIELD COUNTY SEAL WESTFIELD INDIANA

US.55607875.09

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

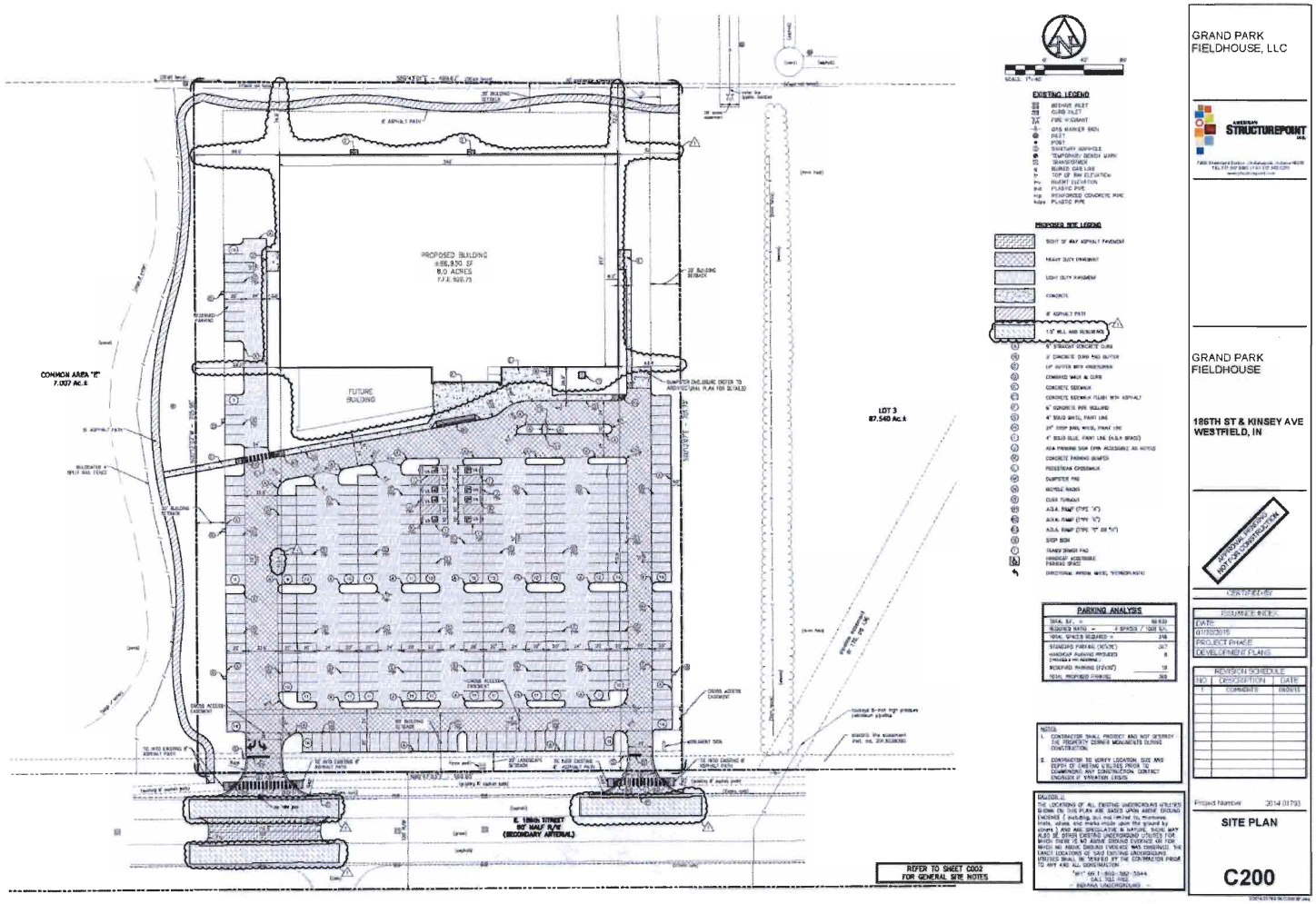


EXHIBIT "C" – BUILDING ELEVATIONS

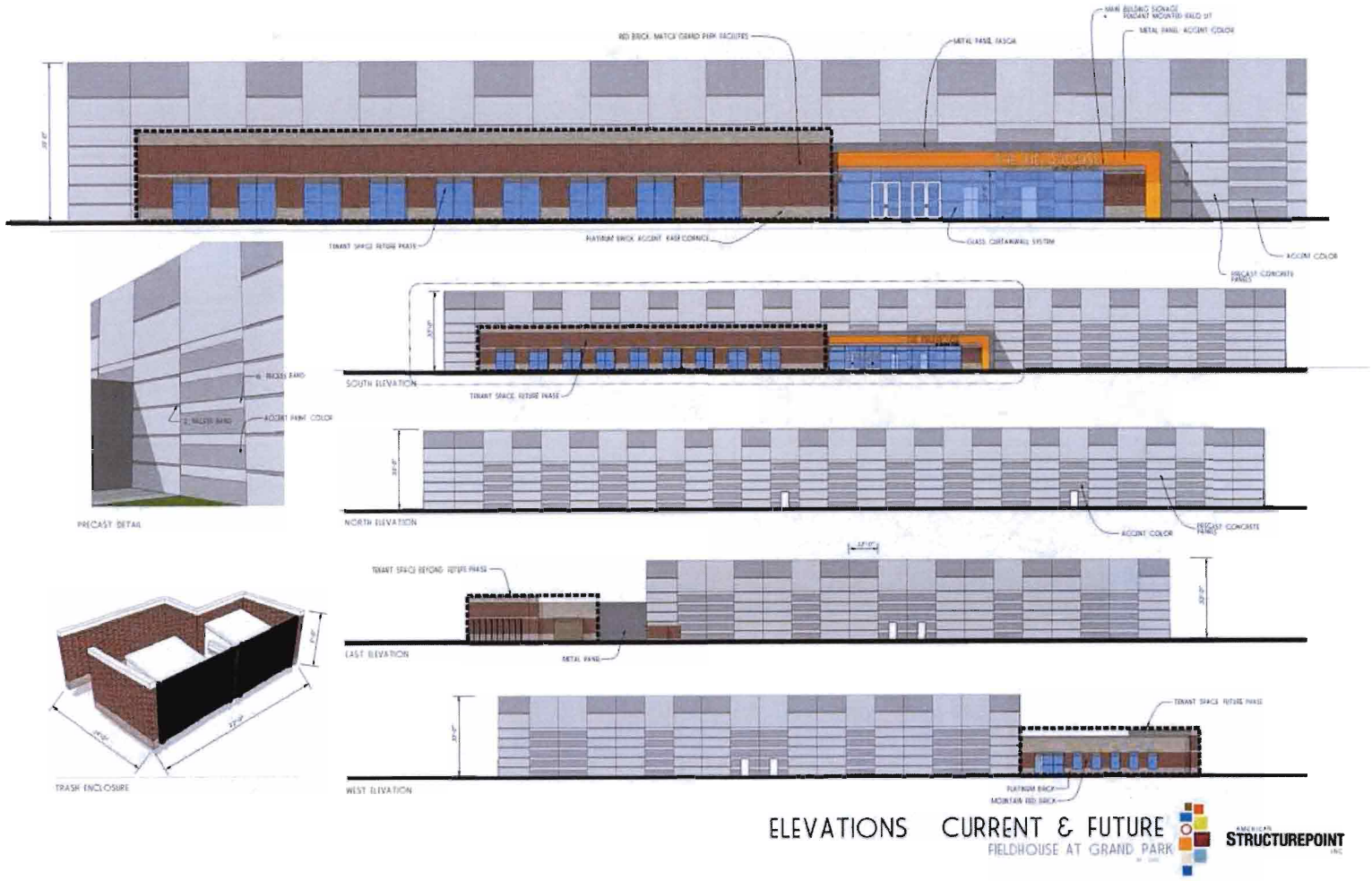
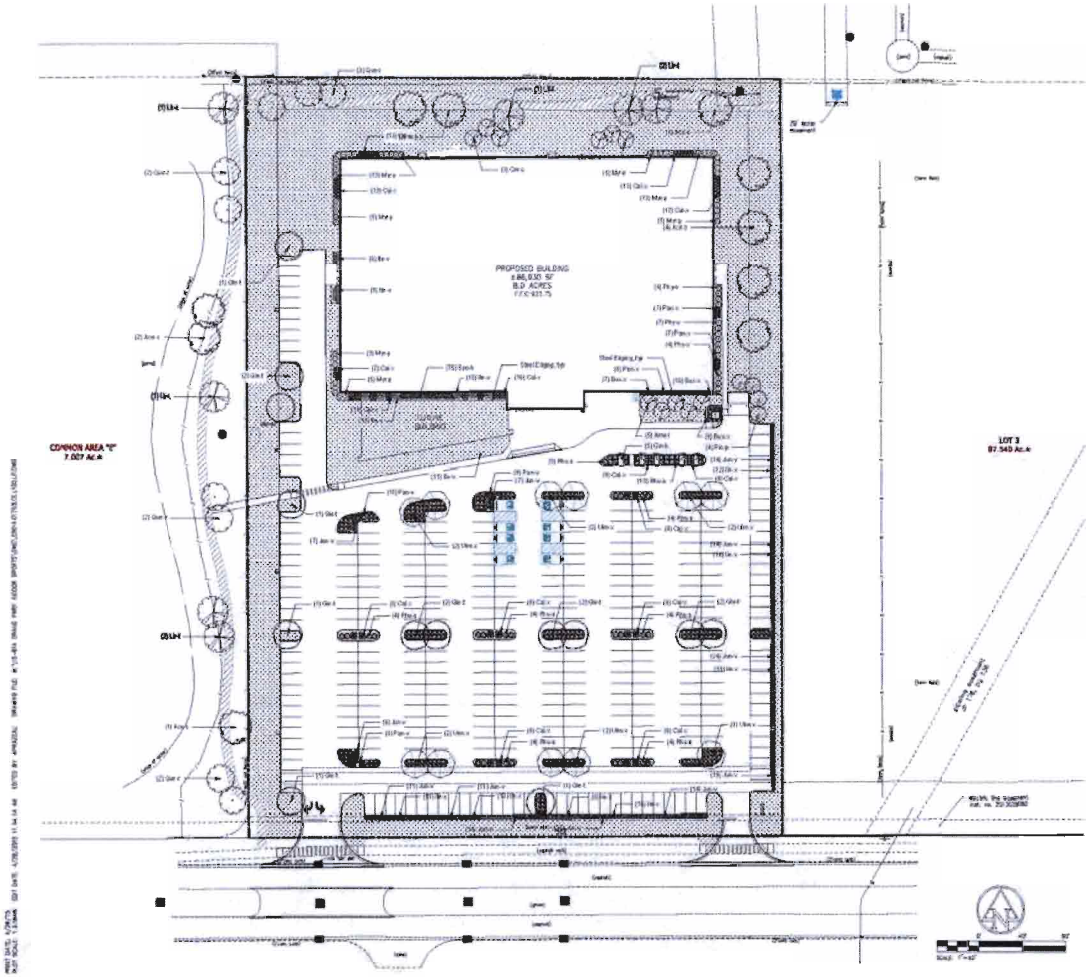


EXHIBIT "D" – LANDSCAPING PLAN



GENERAL LANDSCAPE AND PLANTING NOTES

1. Plant material to be installed and maintained by a qualified and experienced landscape installer.
2. All materials are subject to the approval of the Landscape Architect and Owner at any time. Landscape Architect to inspect all plant locations and plant bed conditions prior to installation. Stake all plant locations for review and approval by the Landscape Architect before planting. Concrete adjustments may be required. If herbicides to be used by pug. Transporting of plants shall be done in a manner so as not deface the natural shape, compromise the health, or alter the characteristics of plant materials.
3. Rootballs shall meet or exceed size standards as set forth in American Standards for Nursery Stock. MAINTLE ADEMS OF ALL TREES SHALL REMAIN INTACT. Remove from the site any plant material that turns brown or deciduous within five (5) days after planting. Replace immediately with approved, specimen stand.
4. Plant counts indicated on drawings are for Landscape Architect's use only. Contractor shall make own plant quantity takeoffs using drawings, specifications, and plant schedule requirements (i.e., spacing) unless otherwise directed by Landscape Architect. Contractor to verify bed measurements and make approximate quantities adjusted by plant spacing per schedule.
5. All plant beds shall receive 3" minimum of genuine shredded hardwood bark mulch (unless otherwise noted). Apply pre-emergent herbicide as directed by the manufacturer prior to installing mulch. Seed all areas disturbed by construction activities that are not otherwise noted to receive pavement, shelling bed, or other treatment.
6. The Contractor shall install and/or amend topsoil in all proposed bed areas to meet ASTM D5268 standards. Landscaper shall verify depth and quality of topsoil prior to plant installation. A minimum of 4" of topsoil is required for lawn areas, 12" for plant beds. Topsoil sources shall include the reuse of surface soil stockpiled on site, clean of roots, plants, sod, stones, clay lumps, and other extraneous or foreign materials larger than 1". Supplement with imported topsoil from off-site sources when quantities are insufficient. Do not obtain supplemental topsoil from agricultural lands, bogs, or marshes. Inorganic amendments, organic amendments, and fertilizers shall be used to amend topsoil as needed for large-term plant health.
7. Verify all utility locations in the field prior to beginning work. Repair all damaged utilities to satisfaction of the Owner and Operating Authority at no additional cost.
8. Install all plant material in accordance with all local codes and ordinances. Coordinate with the Owner to obtain any required permits necessary to complete work. All workmanship and materials shall be guaranteed by the Contractor for a period of one (1) calendar year after Final Acceptance.
9. Maintain all plant material for a three (3) month period from date of Substantial Completion. Maintenance shall include pruning, cultivating, watering, weeding, fertilizing, replacing plant blubs, spraying for disease and insects, and repairing tree wrappings. Recommended long-term maintenance procedures shall be provided to the Owner before expiration of this period.
10. Satisfactory Sodded Lawn: At end of maintenance period, a healthy, uniform, close stand of grass has been established, free of weeds and surface irregularities, with coverage exceeding 90 percent over any 10 sq. ft. (0.92 sq. m) and bare spots not exceeding 3 by 3 inches. Reestablish lawns that do not comply with requirements and continue maintenance until lawns are fully satisfactory to the Owner.

NOTE: All HVAC and dumpster enclosures will be screened per the requirements of the Zoning Ordinance

GRAND PARK FIELDHOUSE, LLC

STRUCTUREPOINT

CONTEXT

GRAND PARK FIELDHOUSE

186TH ST & KINSEY AVE
WESTFIELD, IN

CERTIFIED BY

ISSUANCE INDEX
DATE
03/17/2016
PROJECT PHASE
DEVELOPMENT PLANS

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2014-01793

PLANTING PLAN

L100