2014043720 ORDINANCE $27.00
09/30/2014 10:17:19A 9 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NUMBER 14-35

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 Indoor Sports and Recreation Facility PUD Ordinance") to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning 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 Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") held a public hearing on September 2, 2014 for a petition (Docket 1408-PUD-12), filed by Holladay Properties requesting to rezone lands within the City;

WHEREAS, the Commission took action to forward said petition (Docket 1408-PUD-12) to the Westfield City Council (the "Council") with a favorable recommendation (by a vote of 7 in favor and 0 opposed) in accordance with Ind. Code § 36-7-4-608, as required by Ind. Code § 36-7-4-1505, on September 15, 2014;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council on September 16, 2014;

WHEREAS, the Westfield City 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 PUD District Ordinance (the "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 Zoning Ordinance applicable to the GB District shall apply.

1.3 All provisions and representations of the Zoning 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 Indoor Athletic Field Facility and uses contained therein, including but not limited to the following: Office, Restaurant, Retail Sales, Athletic and Recreational Uses, 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").

SECTION 3. DEVELOPMENT STANDARDS.

3.1 Minimum Lot Frontage on Road – none.

3.2 Minimum Setback Lines
A. Minimum Front Yard building setback – ten (10) feet.

B. Minimum Side Yard building setback – ten (10) feet.

C. Minimum Rear Yard building setback – ten (10) feet.

3.3 Building Height shall not exceed eighty-five (85) feet.

3.4 No Off-Street Parking shall be required on the Real Estate. Off-street parking shall be shared on adjacent property within the Grand Park Sports Campus. A parking easement shall be provided for during platting.

3.5 Building Orientation: The building orientation standards of the Zoning Ordinance shall apply. Modifications to the building orientation standards may be made as approved by the ECD Director.

3.6 Building Materials: Building Materials and elevations shall be in substantial compliance with the building elevations attached hereto and incorporated herein by Exhibit B. Modifications to the building materials and elevations may be made as approved by the ECD Director.

3.7 Landscaping: The landscaping plan attached hereto and incorporated herein by Exhibit C shall be the landscaping plan for the Real Estate.

A. Landscaping shall be installed in substantial compliance with the plantings shown on Exhibit C.

B. Dumpster enclosure shall be screened per the requirements of the Zoning Ordinance.

C. All HVAC equipment shall be screened per the requirements of the Zoning Ordinance.

D. Modifications to the required landscaping may be made as approved by the ECD Director.

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

3.9 Signage: the standards of the Zoning Ordinance shall apply with the following exceptions:

A. Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.). Modifications to the signage may be made as approved by the ECD Director.

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

C. Ground signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.). Modifications to the signage may be made as approved by the ECD Director.

D. Information Signs and Directory Signs shall be consistent with the Grand Park Sports Campus (including: color, style, lighting, size, etc.) and the Zoning Ordinance. Modifications to the signage may be made as approved by the ECD Director.

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

SECTION 4. **APPROVAL.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 22 day of September, 2014.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMITON COUNTY, INDIANA THIS 22 DAY OF September, 2014.

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. Cossard, 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: Jennifer M. Miller

Prepared by: Jennifer M. Miller, AICP
Assistant Director of Economic and Community Development
City of Westfield, 2728 East 171st Street, Westfield, IN 46074
317-804-3170

I hereby certify ORDINANCE 14-35 was delivered to the Mayor of Westfield on the 23 day of Sept., 2014, at 8:30 am.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-35 this 23 day of Sept., 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-35 this_____day of_____, 2014.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A – LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 26, Township 19 North, Range 3 East, Hamilton County, Indiana, described as follows: Commencing at the Northeast Corner of said Quarter Section; thence South 89 degrees 54 minutes 07 seconds West 1,196.82 feet along the north line of said Quarter Section; thence South 00 degrees 00 minutes 07 seconds East 40.00 feet to the point of beginning of this description: thence South 00 degrees 00 minutes 07 seconds East 131.49 feet; thence North 90 degrees 00 minutes 00 seconds East 639.08 feet; thence South 00 degrees 00 minutes 00 seconds East 380.00 feet; thence North 90 degrees 00 minutes 00 seconds East 101.94 feet; thence southwesterly 221.70 feet along an arc to the right having a radius of 336.00 feet and subtended by a long chord having a bearing of South 30 degrees 53 minutes 39 seconds West and a length of 217.77 feet; thence South 45 degrees 36 minutes 00 seconds East 28.62 feet; thence southwesterly 149.81 feet along an arc to the right having a radius of 364.50 feet and subtended by a long chord having a bearing of South 61 degrees 09 minutes 11 seconds West and a length of 148.75 feet; thence North 17 degrees 04 minutes 23 seconds West 20.00 feet; thence westerly 96.13 feet along an arc to the right having a radius of 348.57 feet and subtended by a long chord having a bearing of South 80 degrees 52 minutes 39 seconds West and a length of 95.82 feet; thence North 89 degrees 54 minutes 40 seconds West 539.70 feet; thence South 00 degrees 05 minutes 20 seconds West 20.00 feet; thence North 89 degrees 54 minutes 40 seconds West 42.79 feet; thence northwesterly 132.02 feet along an arc to the right having a radius of 80.00 feet and subtended by a long chord having a bearing of North 47 degrees 16 minutes 39 seconds West and a length of 117.54 feet; thence North 00 degrees 00 minutes 00 seconds East 122.52 feet; thence northwesterly 172.79 feet along an arc to the left having a radius of 110.00 feet and subtended by a long chord having a bearing of North 45 degrees 00 minutes 00 seconds West and a length of 155.56 feet; thence North 90 degrees 00 minutes 00 seconds West 5.92 feet; thence North 00 degrees 00 minutes 00 seconds East 41.56 feet; thence North 90 degrees 00 minutes 00 seconds East 115.00 feet; thence North 00 degrees 00 minutes 00 seconds East 451.06 feet; thence North 89 degrees 54 minutes 07 seconds East 250.91 feet to the point of beginning and containing 14.501 acres, more or less.

EXHIBIT B – BUILDING ELEVATIONS

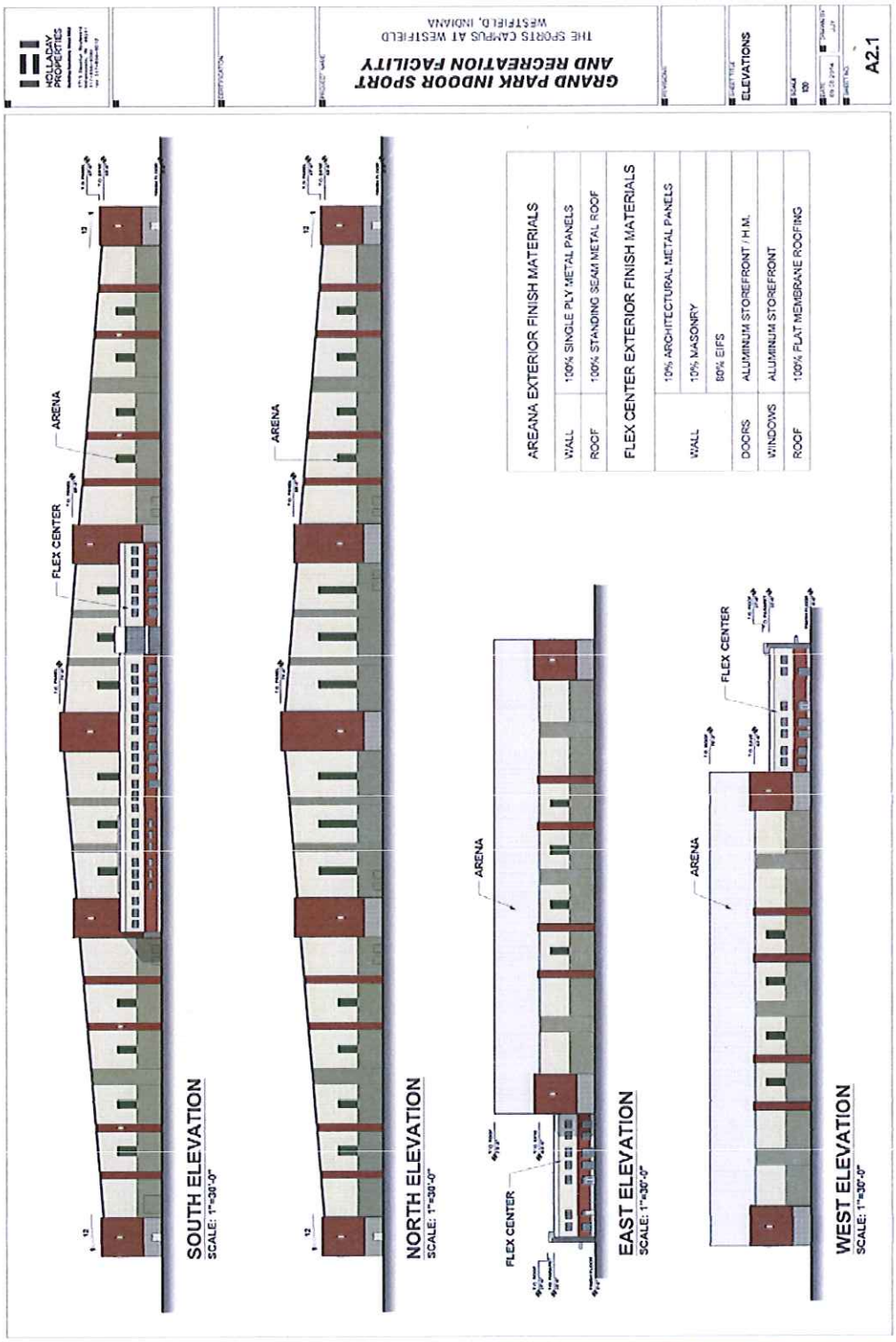

EXHIBIT C – LANDSCAPING

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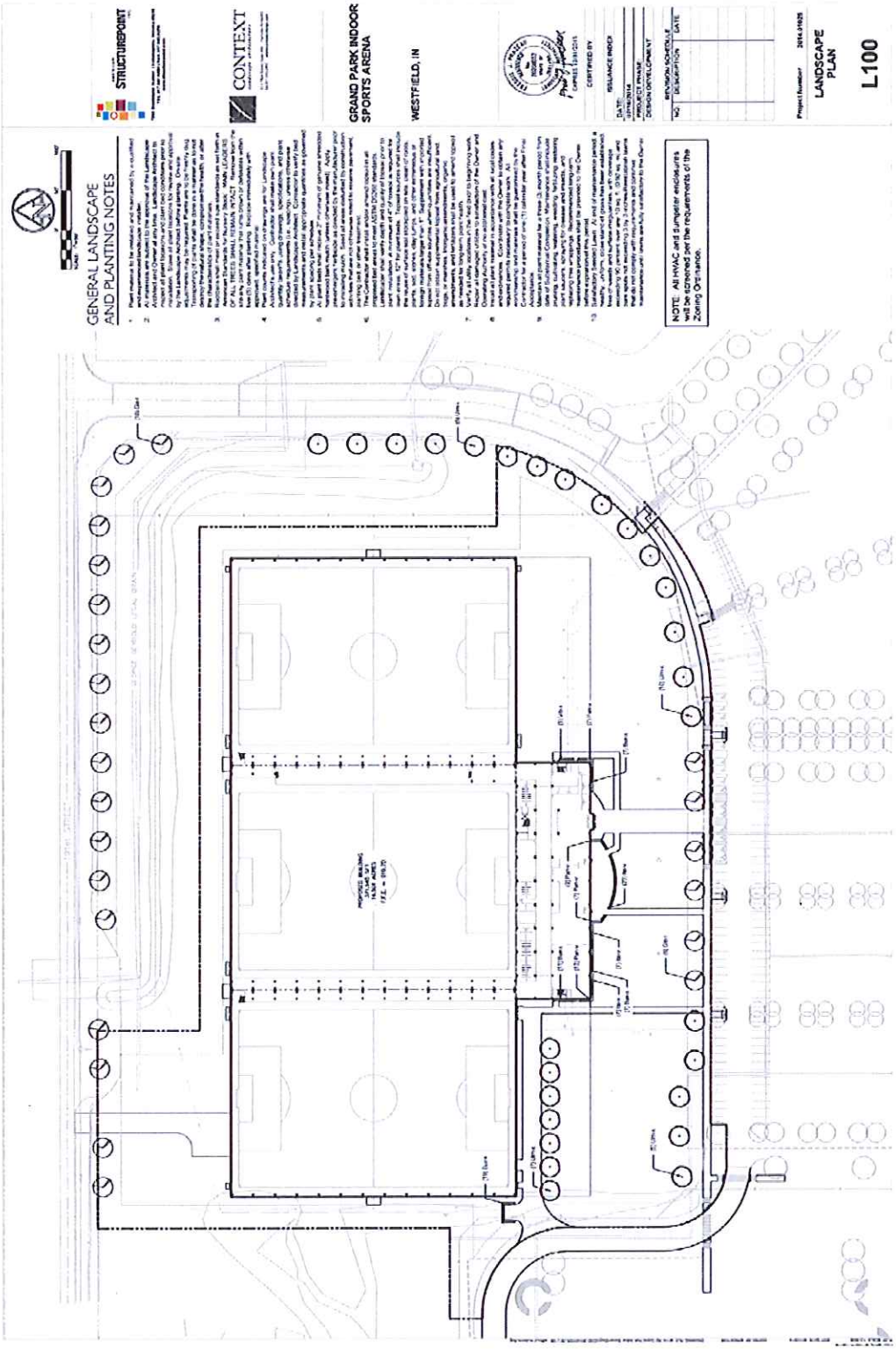

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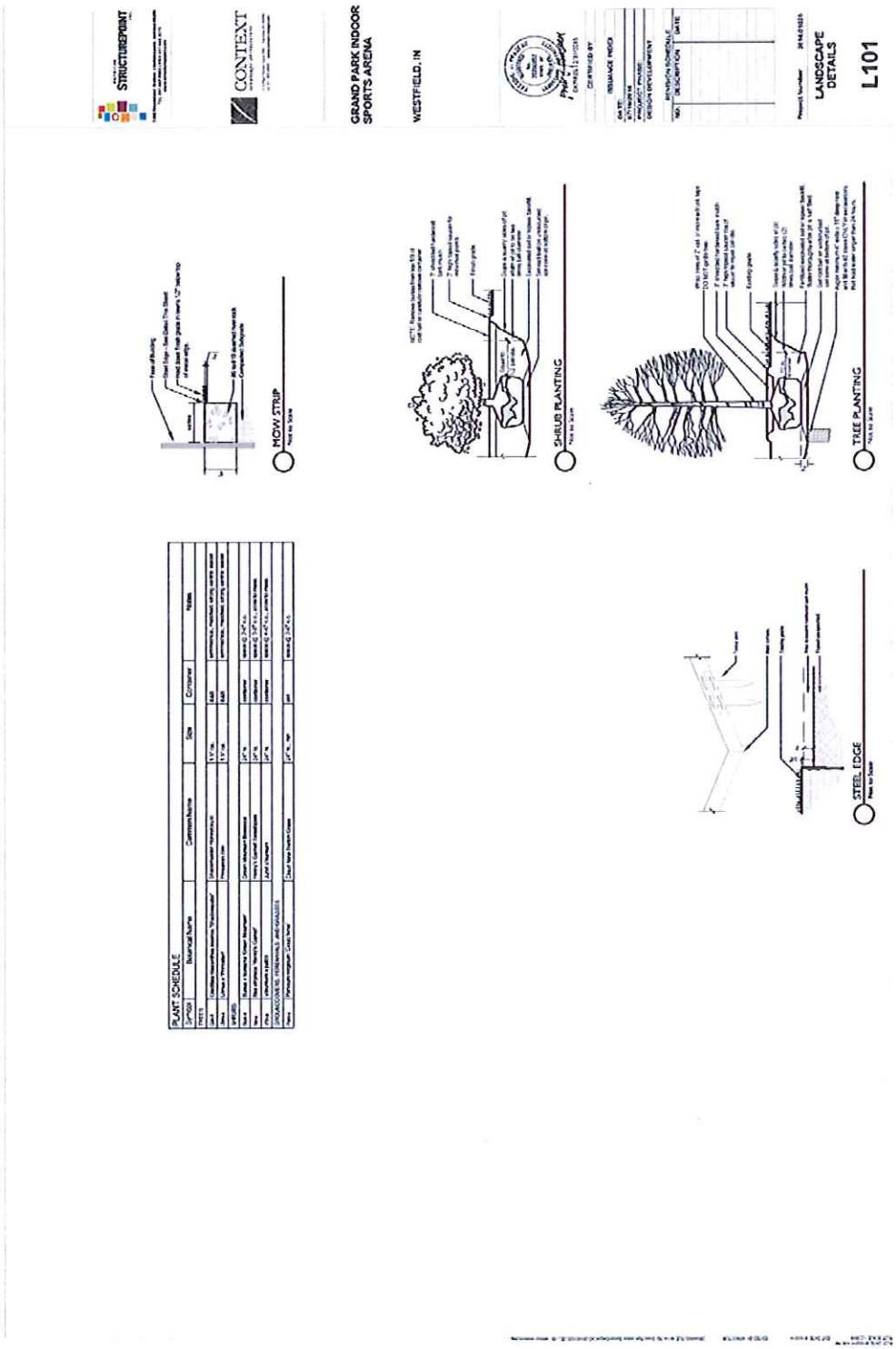
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