

ORDINANCE 15-15

SPRING MILL STATION SWC PUD

**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 District Ordinance (to be known as Spring Mill Station SWC) 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 (the “City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Petition No. 1506-PUD-11), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition No. 1506-PUD-11 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (9-0) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on June 15, 2015; and,

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

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”) and shall hereafter be referred to as the "**SPRING MILL STATION SWC PUD**".
- 1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.
- 1.3 The underlying zoning district for **Lot 1** shall be the **MF2 – Multi-Family Medium Density District**. The underlying zoning district for **Lot 2** shall be **LB – Local and Neighborhood Business District**. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

- 1.4 Chapter (“Chapter”) and Article (“Article”) cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Site Concept Design Plan: The plan attached hereto and incorporated herein by reference as **Exhibit B.** Exhibit B is a general plan for the development of the Real Estate.
- 2.2 Lot 1: Lot 1 is graphically depicted in **Exhibit B.**
- 2.3 Lot 2: Lot 2 is graphically depicted in **Exhibit B.**
- 2.4 Illustrative Character Exhibit: A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as **Exhibit C.**
- 2.5 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

Section 3. **Permitted Uses.**

- 3.1 Lot 1– All uses permitted in the Underlying Zoning District for MF2 shall be permitted in Lot 1, except for the following:
- A. Utilities – Regulated by IURC
- 3.2 Lot 2 – All uses permitted in the Underlying Zoning District for LB shall be permitted in Lot 2.

Section 4. **General Regulations.** The regulations of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply except as otherwise modified below.

- 4.1 Article 4.11 MF2: Multi-Family Medium Density District
- A. Maximum Density: Twenty (20) Dwelling Units per acre.
- B. Maximum Dwelling Units per structure: Thirty (30)
- C. Maximum Number of Dwelling Units: Two hundred ninety-two (292) units.
- D. Minimum Building Setback Lines: Front Yard: None
- E. Maximum Building Height: Three (3) stories, except that
- (i) the buildings nearest to the Crosswind Commons development to the south (depicted on the Site Concept Design Plan as buildings 14 and 15) shall not exceed two (2) stories;
- (ii) the building nearest to 161st Street (depicted on the Site Concept Design Plan as building 1) shall be stepped down to two (2) stories at the ends in substantial compliance with the elevations of Building Type VII as depicted in **Exhibit C;** and
- (iii) no building shall be greater than Sixty (60) feet in height.

Section 5. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified or enhanced by this Ordinance.

- 5.1 Article 6.3 Architectural Standards shall apply. In addition, the following shall also apply.
- A. Site Concept Design Plan: Site shall be developed in substantial compliance with **Exhibit B.**
 - B. Character and Quality of Multifamily: Multifamily buildings shall be built in substantial compliance with the elevations provided in **Exhibit C.** The building nearest to 161st Street (depicted on the Site Concept Design Plan as building 1) shall be built in substantial compliance Building Type VII.
 - C. Character and Quality of Other Uses: Uses other than multifamily, which may be proposed on Lot 2, shall be built in substantial compliance with the elevations provided in **Exhibit C,** or in substantial compliance with the character and quality consistent with the Spring Mill Station Comprehensive Plan Addendum, as determined by the Director.
- 5.2 Article 6.14 Parking and Loading Standards shall apply, except as otherwise modified below.
- A. Required Spaces for Multi-family Dwellings: 1.6 spaces per Dwelling Unit

Section 6. **Design Standards.** The regulations of Chapter 8: Design Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified below.

- 6.1 Article 8.6 Open Space and Amenity Standards shall apply, except as otherwise modified below.
- A. Minimum Open Space: Minimum Open Space required to be 15%.
 - B. Development Amenities: The following amenities shall be required as generally illustrated on the Site Concept Design Plan:
 - (i) Clubhouse
 - (ii) Fitness Center in Clubhouse
 - (iii) Resort style pool at Clubhouse
 - (iv) Business Center in Clubhouse
 - (v) Grilling Cabana at Clubhouse
 - (vi) Dog Park at Clubhouse
 - (vii) Fitness Trail around perimeter of site
 - (viii) Outdoor Classroom area (at pond through an agreement with Westfield Washington Schools)

- (ix) Trail around pond for school activities (through an agreement with Westfield Washington Schools)

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

**WESTFIELD COMMON 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

Bob Smith

Bob Smith

Bob 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: David C. George.

This Instrument prepared by: David C. George
Westfield Residential Investors, LLC.
111 Monument Circle, Suite 900
Indianapolis, IN 46204

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

Cindy J. Gossard, Clerk Treasurer

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

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

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A

ORDINANCE 15-15
SPRING MILL STATION SWC PUD

89 000 492

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Rev. 10/86

Parcel No. 8928893

WARRANTY DEED

THIS INDENTURE WITNESSETH, That G. Gale Pruitt and Vonda L. Pruitt,
husband and wife, (Grantor)
of Hamilton County, in the State of Indiana, CONVEY
AND WARRANT to Westfield Washington School Corporation
(Grantee)
of Hamilton County, in the State of Indiana, for the sum
of TEN Dollars (\$ 10.00) and other
valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following
described real estate in Hamilton County, State of Indiana:

See Attached EXHIBIT A - LEGAL DESCRIPTION

Subject to the Spring Installment of Real Estate Taxes due and payable in May 1990 and all taxes payable thereafter.

It is my intent to use the proceeds of this sale for a tax free exchange of real estate.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

21 day December 19 89

Billy Pearce Auditor
Hamilton County

RECEIVED
FOR RECORD
DEC 21 9 48 PM 1989
SHARON K. CHERRY
RECORDER
HAMILTON CO. IN

This Instrument Recorded 12-21- 1989
Sharon K. Cherry, Recorder, Hamilton County, IN

Parcel # _____

Subject to any and all easements, agreements and restrictions of record. The address of such real estate is commonly known as _____

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

IN WITNESS WHEREOF, Grantor has executed this deed this 19th day of December, 19 89.

Grantor: (SEAL)
Signature G. Gale Pruitt
Printed G. Gale Pruitt

Grantor: (SEAL)
Signature Vonda L. Pruitt
Printed Vonda L. Pruitt

STATE OF Indiana }
COUNTY OF Hamilton } SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for said County and State, personally appeared G. Gale Pruitt and Vonda L. Pruitt, husband and wife

who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 19th day of December, 19 89

My commission expires: May 17, 1991

Signature Ladonna G. Thompson
Printed Ladonna G. Thompson, Notary Public
Resident of Hamilton County, Indiana.

This instrument prepared by James J. Nelson, Attorney at Law,
NELSON & FRANKENBERGER 3021 E. 98th St., Suite 220, Indianapolis, Indiana 46280

Return deed to _____

Send tax bills to 322 W. main St, Westfield, In 46074



EXHIBIT A - LEGAL DESCRIPTION

The Northwest quarter of the Southeast Quarter of Section 10, Township 18 North, Range 3 East, containing 39.09 acres more or less.

ALSO: A part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 3 East located in Washington Township, Hamilton County, Indiana being more specifically described as follows:

BEGINNING at the northwest corner of the Northeast Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 3 East; thence South 00 degrees 14 minutes 59 seconds West 1311.37 feet to the southwest corner of the Northeast Quarter of said Southeast Quarter; thence North 89 degrees 35 minutes 49 seconds East 657.25 feet (39 5/6 rods) on and along the south line of the Northeast Quarter of said Southeast Quarter; thence North 00 degrees 14 minutes 57 seconds East 1312.55 feet to a point on the north line of the Northeast Quarter of said Southeast Quarter, said point being 657.25 feet (39 5/6 rods) east of the Point of Beginning; thence South 89 degrees 29 minutes 38 seconds West 657.25 feet (39 5/6 rods) to the POINT OF BEGINNING. Containing 19.79 acres, more or less. Both tracts being a total of 58.88 acres, more or less.

This Instrument Recorded 12-21 1989
Shirley K. Cherry Recorder, Hamilton County, IN

8928893

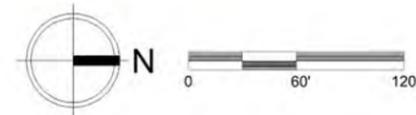
EXHIBIT B

**ORDINANCE 15-15
SPRING MILL STATION SWC PUD**



SITE LANDSCAPE PLAN
 SPRING MILL STATION
 WESTFIELD, INDIANA

August 10, 2015

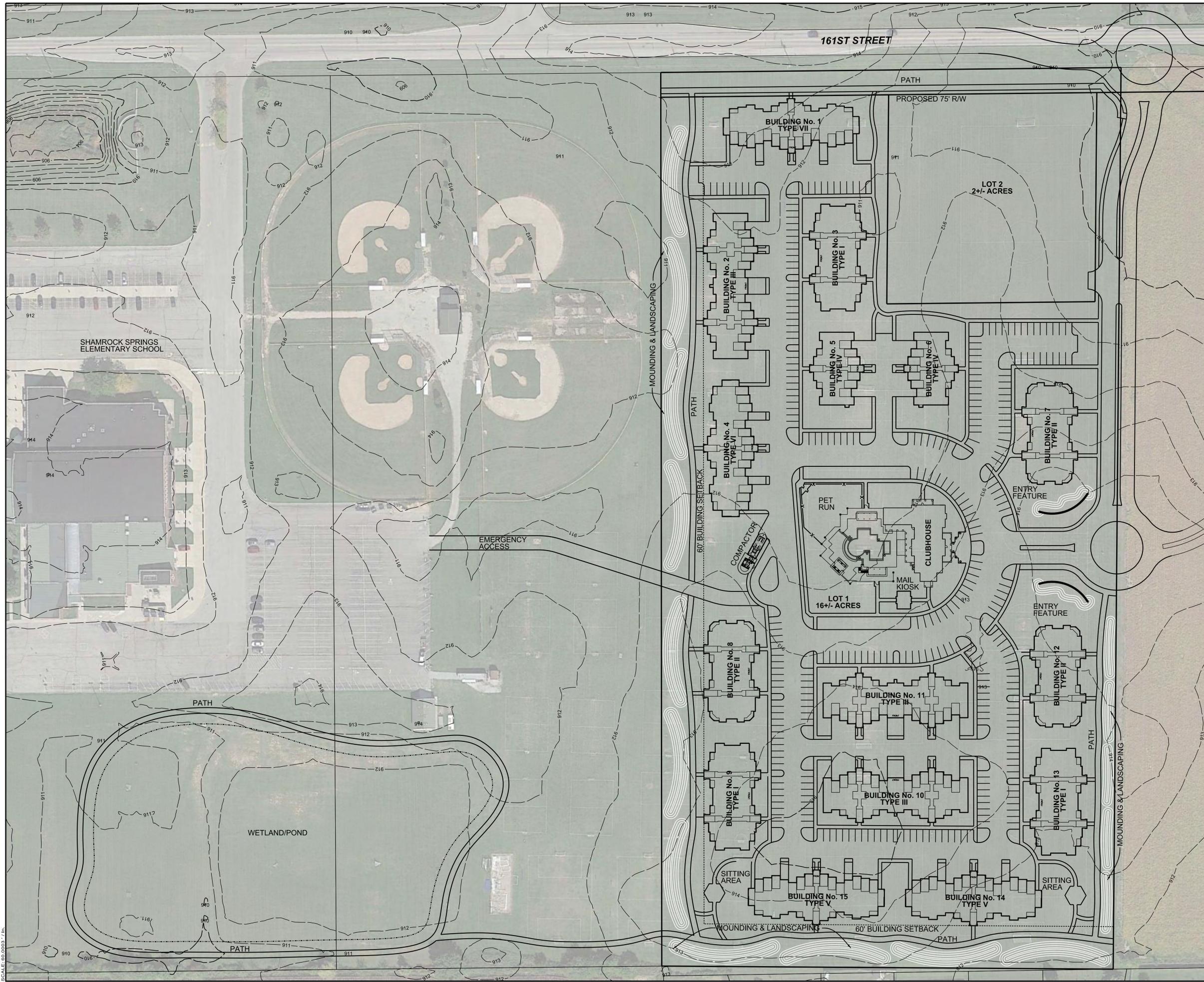


VISION II DESIGN STUDIO, INC.

ARCHITECTURE • INTERIOR DESIGN

1364 COLONY PARK CIRCLE, GREENWOOD, IN 46143
 317-281-7982
 MIKE@VISION-DESIGNSTUDIO.COM

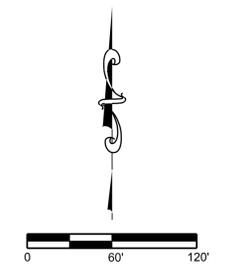




**SPRING MILL STATION
CONCEPT PLAN**
AUGUST 10, 2015



PROJECT LOCATION
LOCATION MAP
NO SCALE

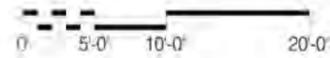


BANNING ENGINEERING

853 COLUMBIA ROAD, SUITE #101
PLAINFIELD, IN 46168
BUS: (317) 707-3700, FAX: (317) 707-3800
E-MAIL: Banning@BanningEngineering.com
WEB: www.BanningEngineering.com

EXHIBIT C

ORDINANCE 15-15
SPRING MILL STATION SWC PUD



CLUBHOUSE - FRONT ELEVATION
SPRING MILL STATION
WESTFIELD, INDIANA
May 26, 2015

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317-281-7982

MIKE@VISION-DESIGNSTUDIO.COM





REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION

BUILDING TYPE I - EXTERIOR ELEVATIONS
SPRING MILL STATION
WESTFIELD, INDIANA

May 26, 2015

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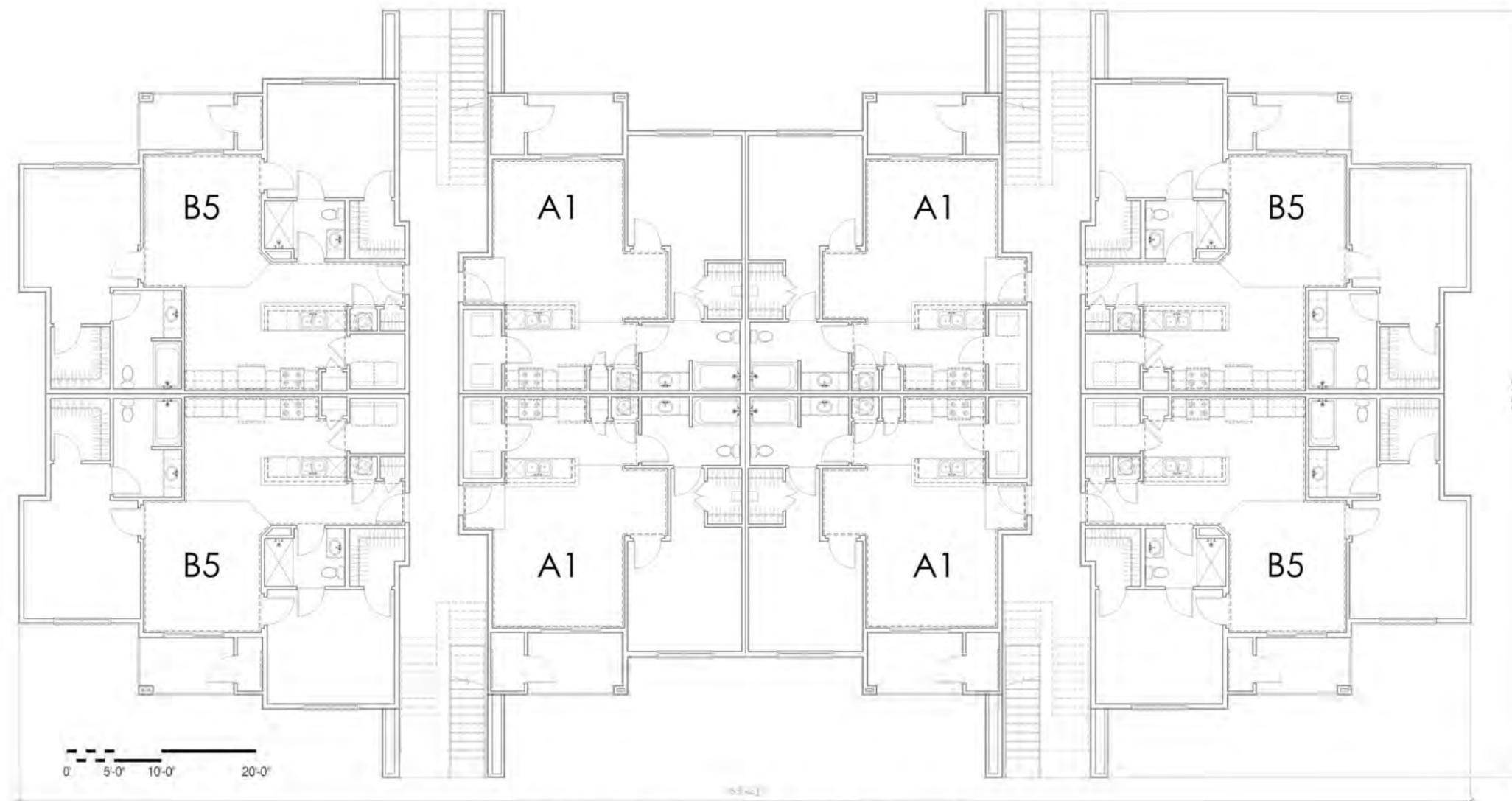
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BUILDING TYPE I - FLOOR PLAN
 SPRING MILL STATION
 WESTFIELD, INDIANA
 April 30, 2015

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REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION

BUILDING TYPE IV - EXTERIOR ELEVATIONS
SPRING MILL STATION
WESTFIELD, INDIANA

May 26, 2015

VISION II DESIGN STUDIO, INC.

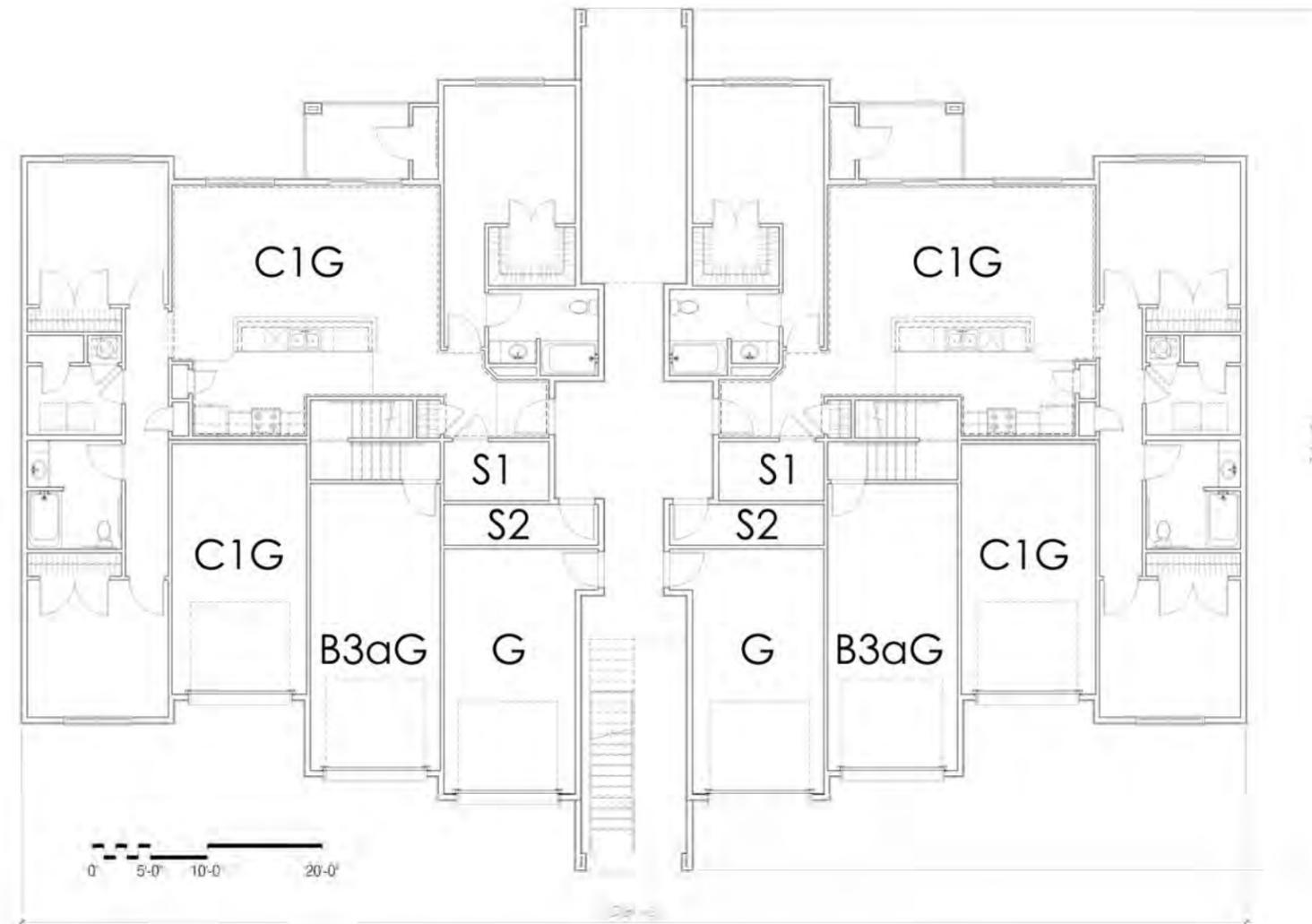
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BUILDING TYPE IV - FLOOR PLAN
 SPRING MILL STATION
 WESTFIELD, INDIANA
 April 30, 2015

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REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION

BUILDING TYPE VII - EXTERIOR ELEVATIONS
SPRING MILL STATION
WESTFIELD, INDIANA

July 28, 2015

VISION II DESIGN STUDIO, INC.

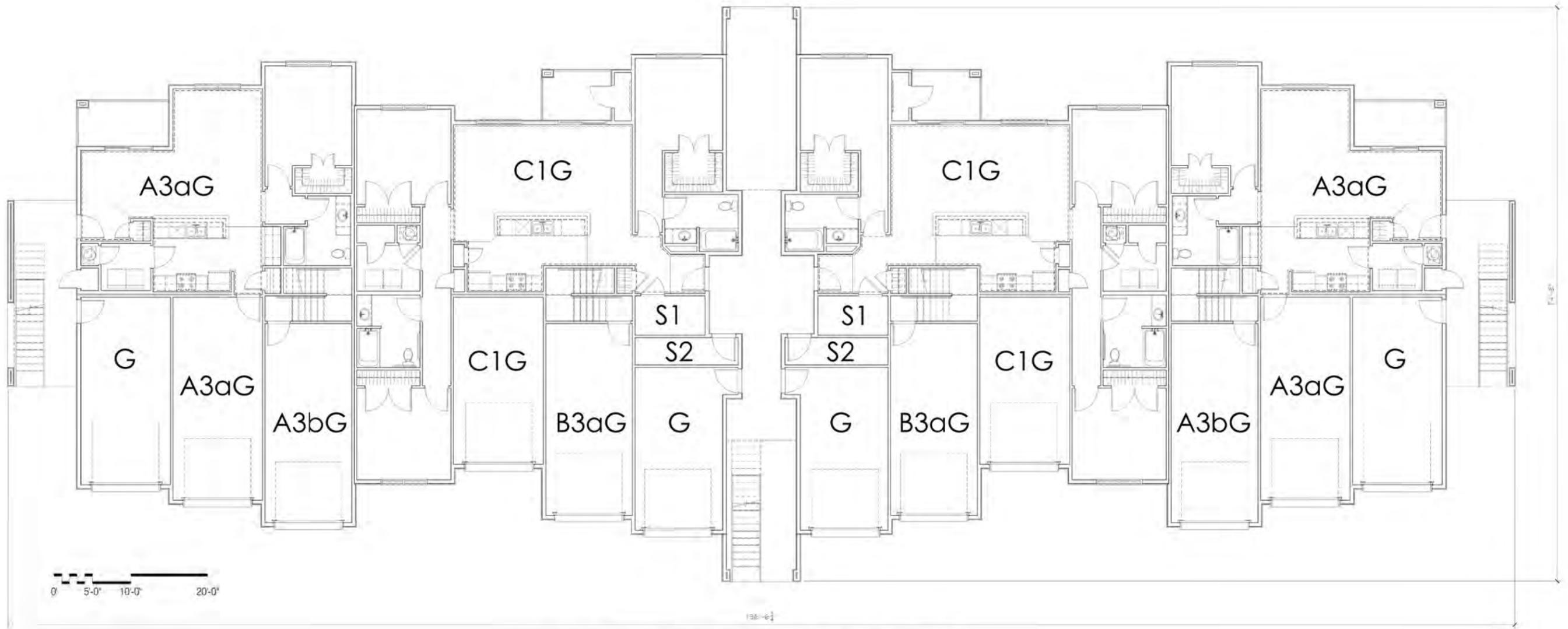
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MIKE@VISION-DESIGNSTUDIO.COM





BUILDING TYPE VII - FLOOR PLAN
 SPRING MILL STATION
 WESTFIELD, INDIANA
 July 28, 2015

VISION II DESIGN STUDIO, INC.

ARCHITECTURE • INTERIOR DESIGN

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