

ORDINANCE NUMBER 15-24

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRING MILL STATION NORTHEAST QUADRANT PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is an 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 (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Council enacted Ordinance No. 14-39, Spring Mill Station Northeast Quadrant Planned Unit Development on September 8, 2014;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1508-PUD-15**), requesting an amendment to the Unified Development Ordinance, the Zoning Map and the Spring Mill Station Northeast Quadrant PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1508-PUD-15** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **positive** recommendation (8-0) 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 August 19th, 2015;

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; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Spring Mill Station Northeast Quadrant Planned Unit Development and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the Real Estate into the Spring Mill Station Northeast Quadrant Planned Unit Development District (the “District”) as “Area A.4”.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Spring Mill Station Northeast Quadrant PUD Ordinance (The “PUD Ordinance”); and (iii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the PUD Ordinance.
- 1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. The definitions of the PUD Ordinance shall apply in addition to the following:

- 2.1 Curb Side Pickup Station: Dedicated parking spaces with covered canopy, appurtenances and way finding/identification signage where merchandise is picked up.

Section 3. Permitted Uses. The permitted use in “Area A.4” shall be a Curb Side Pickup Station.**Section 4. Setbacks/Building Separation.** The following shall apply to “Area A.4”.

- 4.1 The separation between the Curbside Pickup Station and the existing grocery store shall be at least thirty (30) feet.
- 4.2 Side and Rear yards that abut existing residential shall be at least forty (40) feet.

Section 5. Parking. Article 6.14 of the UDO shall apply; however, Article 6.14(E), Stacking Requirements for Drive-Through Facilities, shall not apply.**Section 6. Landscaping.** Article 6.8 of the UDO shall not apply; rather, landscaping and screening shall be installed in substantial compliance with **Exhibit B.****Section 7. Sign Standards.** Article 6.17 of the UDO shall apply, except as otherwise modified below.

- A. The maximum permitted Sign Area for the Curb Side Pickup Station shall be one hundred (100) square feet, which shall be in addition to Sign Area

otherwise permitted within the District.

- B. All signs shall be either (i) reverse channel letter, in accordance with Article 6.17(F)(9); or (ii) externally lit with gooseneck light fixtures.
- C. Ground identification signs shall be architecturally compatible with the architecture of the Real Estate's buildings.
- D. Signs shall be installed in substantial compliance with **Exhibit C, D, E, F, G and H.**

Section 8. **Architectural and Streetscape Design Standards.** Article 6.3 of the UDO shall not apply; however, buildings shall be developed in substantial compliance with **Exhibit I.**

ALL OF WHICH IS ORDAINED/RESOLVED THIS 8th DAY OF SEPTEMBER, 2015.

WESTFIELD CITY COUNCIL

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

Charles Lehman

Charles 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 Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 15-24** was delivered to the Mayor of Westfield
on the _____ day of _____, 2015, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-24**
this _____ day of _____, 2015.

I hereby VETO **ORDINANCE 15-24**
this _____ day of _____, 2015.

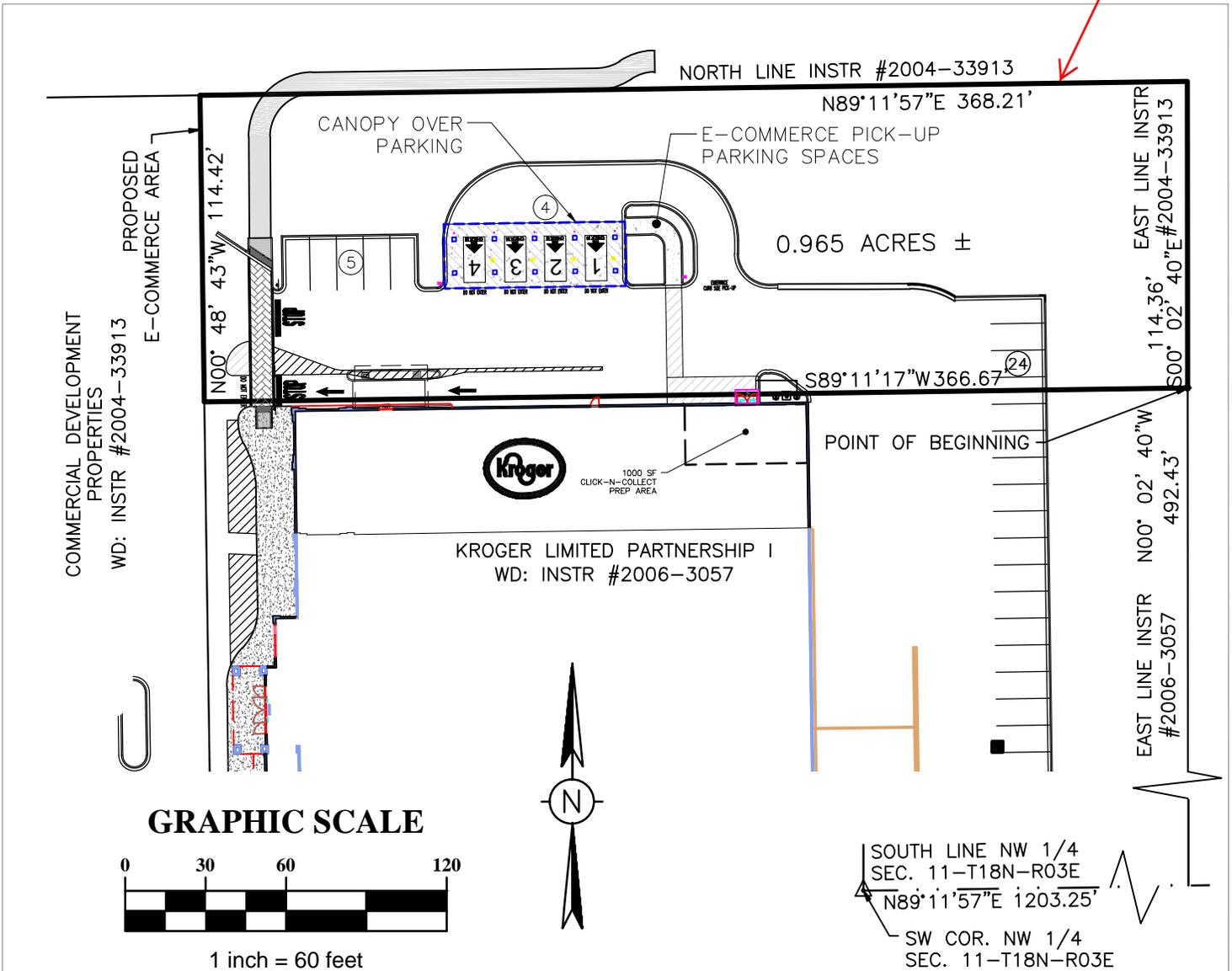
J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Paula J. Gartner, PE

EXHIBIT A

AREA A.4



PROPOSED E-COMMERCE AREA DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 03 EAST IN THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 11 MINUTES 57 SECONDS EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1203.25 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 40 SECONDS WEST ALONG THE EAST LINE OF THE LAND DESCRIBED TO KROGER LIMITED PARTNERSHIP I IN INSTRUMENT #2006-3057 RECORDED IN THE OFFICE OF THE HAMILTON COUNTY RECORDER A DISTANCE OF 492.42 FEET TO THE NORTHEAST CORNER THEREOF AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 11 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID LAND A DISTANCE OF 366.67 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 48 MINUTES 43 SECONDS WEST A DISTANCE OF 114.42 FEET TO THE NORTH LINE OF THE LAND DESCRIBED TO COMMERCIAL DEVELOPMENT PROPERTIES IN INSTRUMENT #2004-33913 RECORDED IN THE OFFICE OF THE HAMILTON COUNTY RECORDER; THENCE NORTH 89 DEGREES 11 MINUTES 57 SECONDS EAST ALONG THE NORTH LINE OF SAID LAND A DISTANCE OF 368.21 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 00 DEGREES 02 MINUTES 40 SECONDS EAST ALONG THE EAST LINE OF SAID LAND A DISTANCE OF 114.36 FEET TO THE POINT OF BEGINNING, CONTAINING 0.965 ACRES, MORE OR LESS.

EMH&T
 Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 7400 N. Shadeland Ave., Ste. 150, Indianapolis, IN 46250
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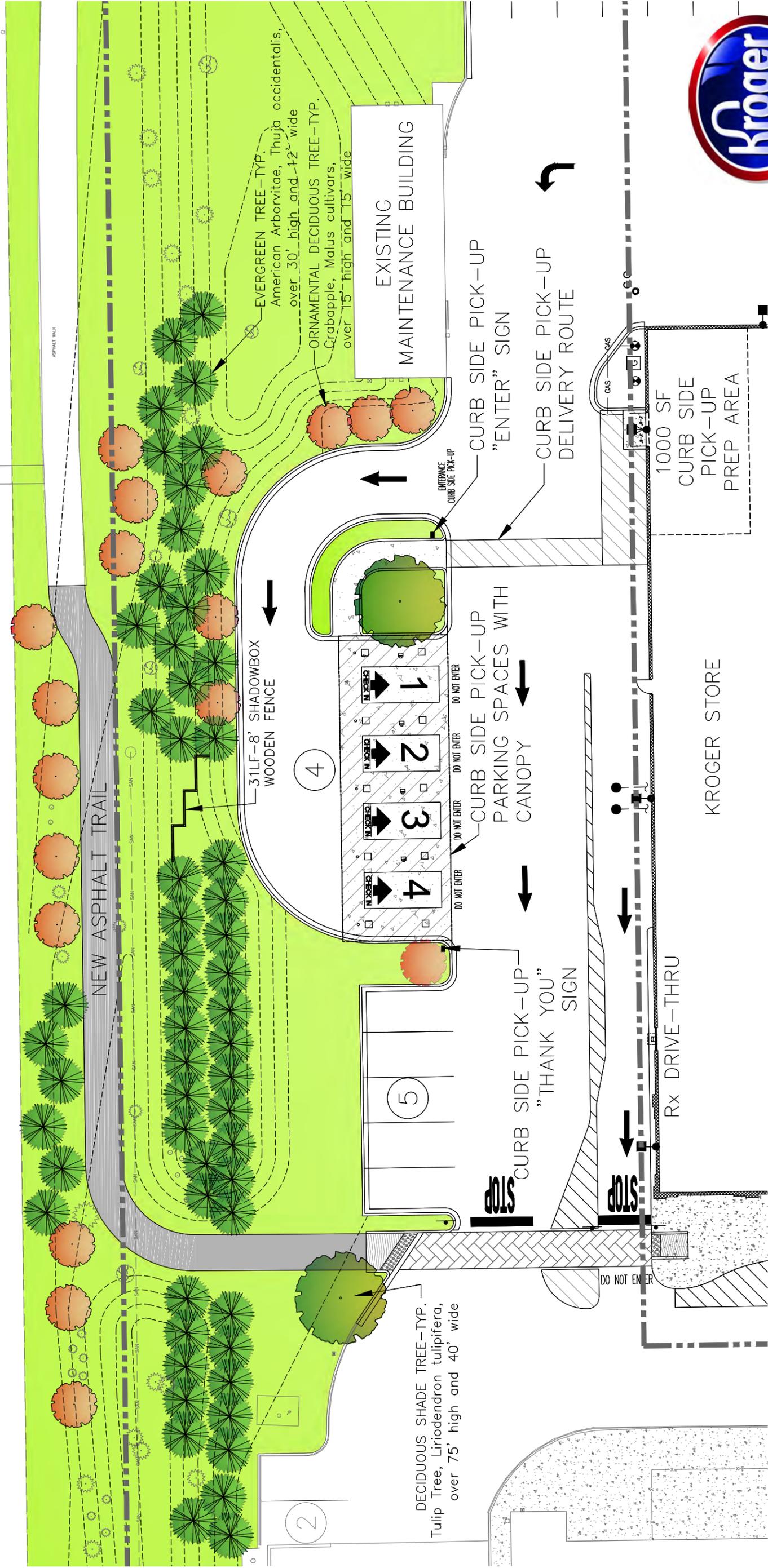
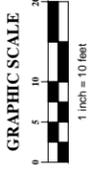
CITY OF WESTFIELD, INDIANA
 EXHIBIT A
 FOR
KROGER J970
CURB SIDE PICK UP

JULY 23, 2015

1" = 60'

2015-0601

STRAUGHN LANE



SITE DATA
SPACES LOST TO E-COMMERCE 0

CURB SIDE PICK-UP PLAN

August 10, 2015

J970 Westfield, Indiana



Engineers, Surveyors, Planners, Scientists
Job Number: 2015-0601

EXHIBIT C



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CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

EXHIBIT

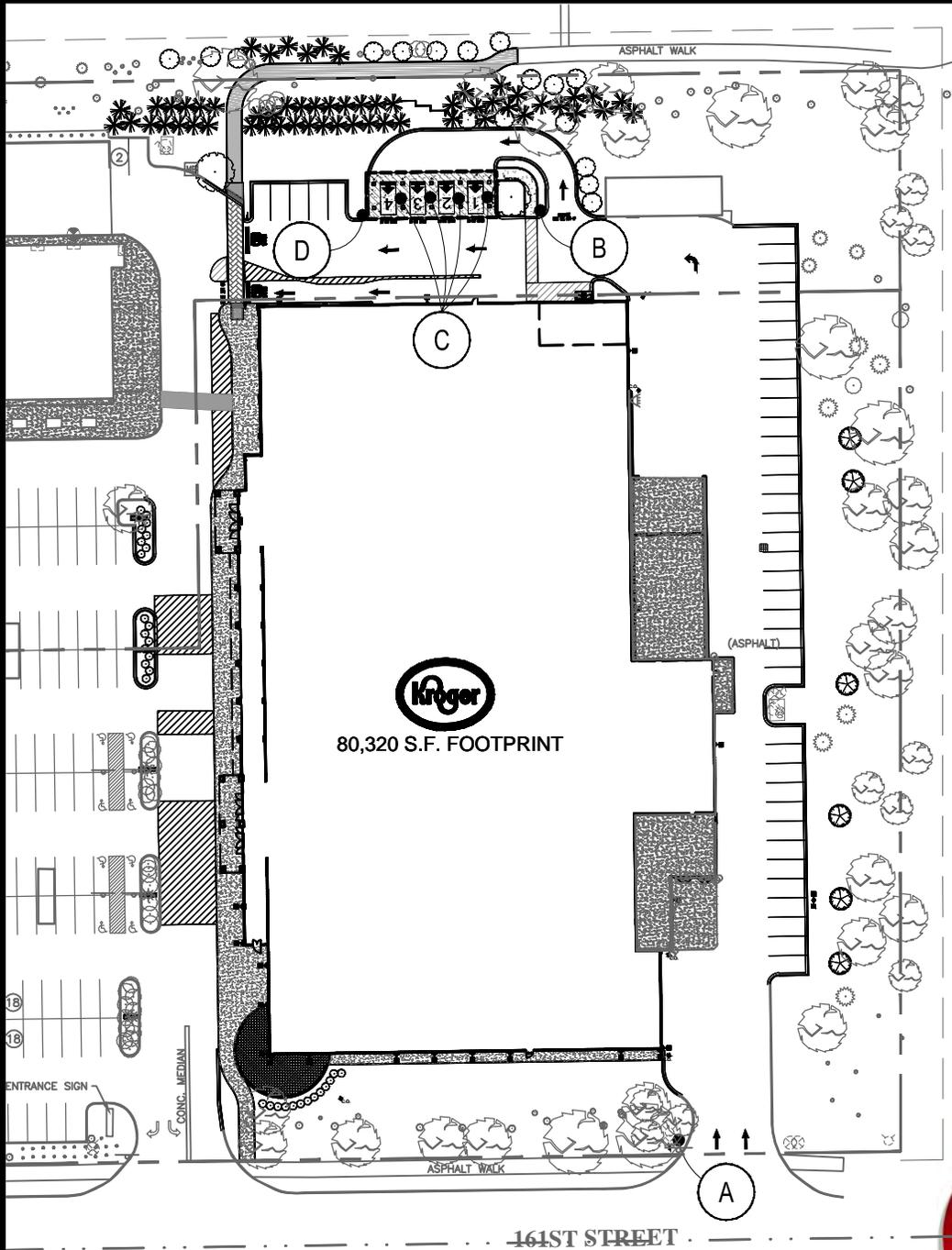
FOR

KROGER J-970 CURB SIDE PICK-UP SIGNAGE PLAN

DATE: August 10, 2015

JOB NO. 2015-0601

SCALE: None



KEY

- (A) MONUMENT SIGN
- (B) "ENTER" SIGN
- (C) CALL BOX SIGN
- (D) "EXIT" SIGN



Engineers, Surveyors, Planners, Scientists



EXHIBIT D



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CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA
EXHIBIT

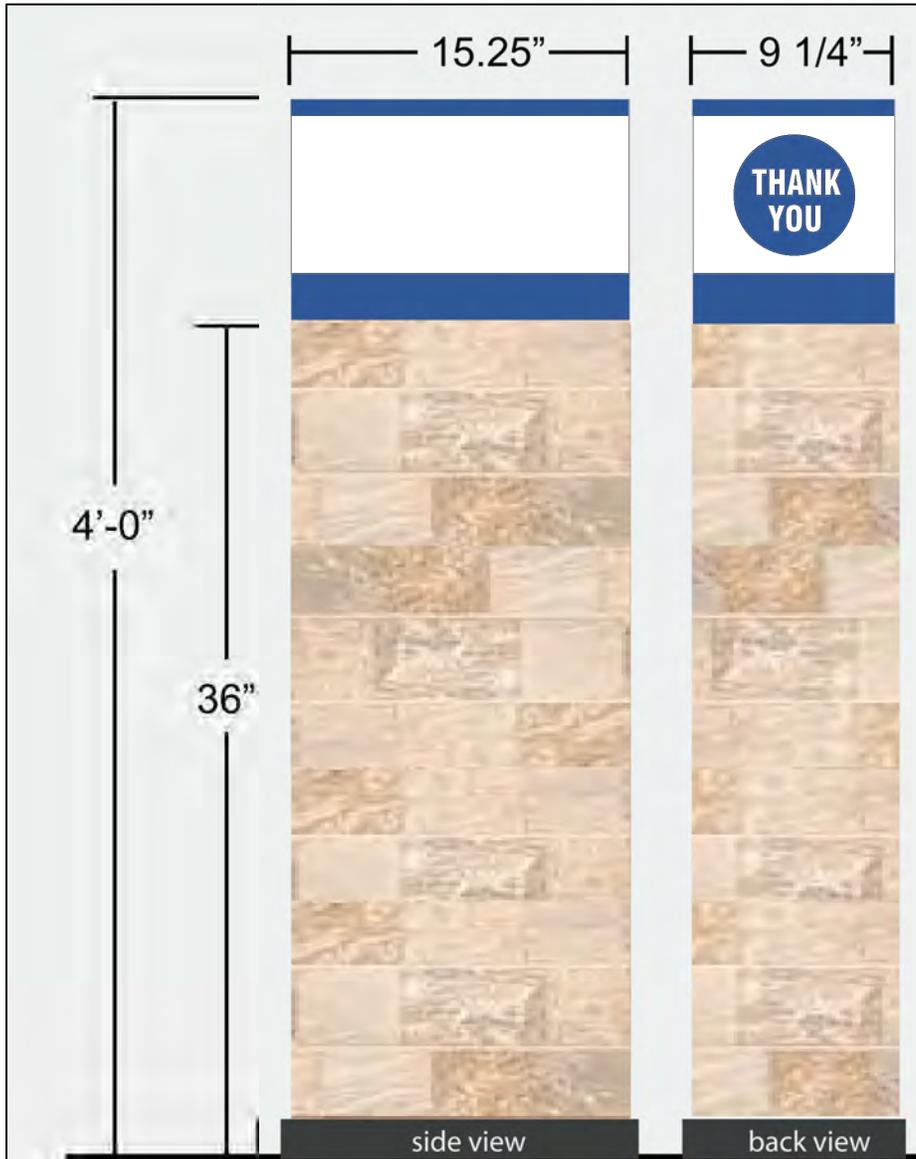
FOR

KROGER J-970 CURB SIDE PICK-UP "THANK YOU" SIGN - DETAIL D

DATE: June 12, 2015

JOB NO. 2015-0596

SCALE: None



"THANK YOU" SIGN (NON-ILLUMINATED)

Aluminum angle frame with aluminum and Desert Slate Quarry Stone.
Directional copy to be 1st surface white reflective vinyl decoration.
PMS 293U Blue circle on a white background.



EXHIBIT E



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CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

EXHIBIT

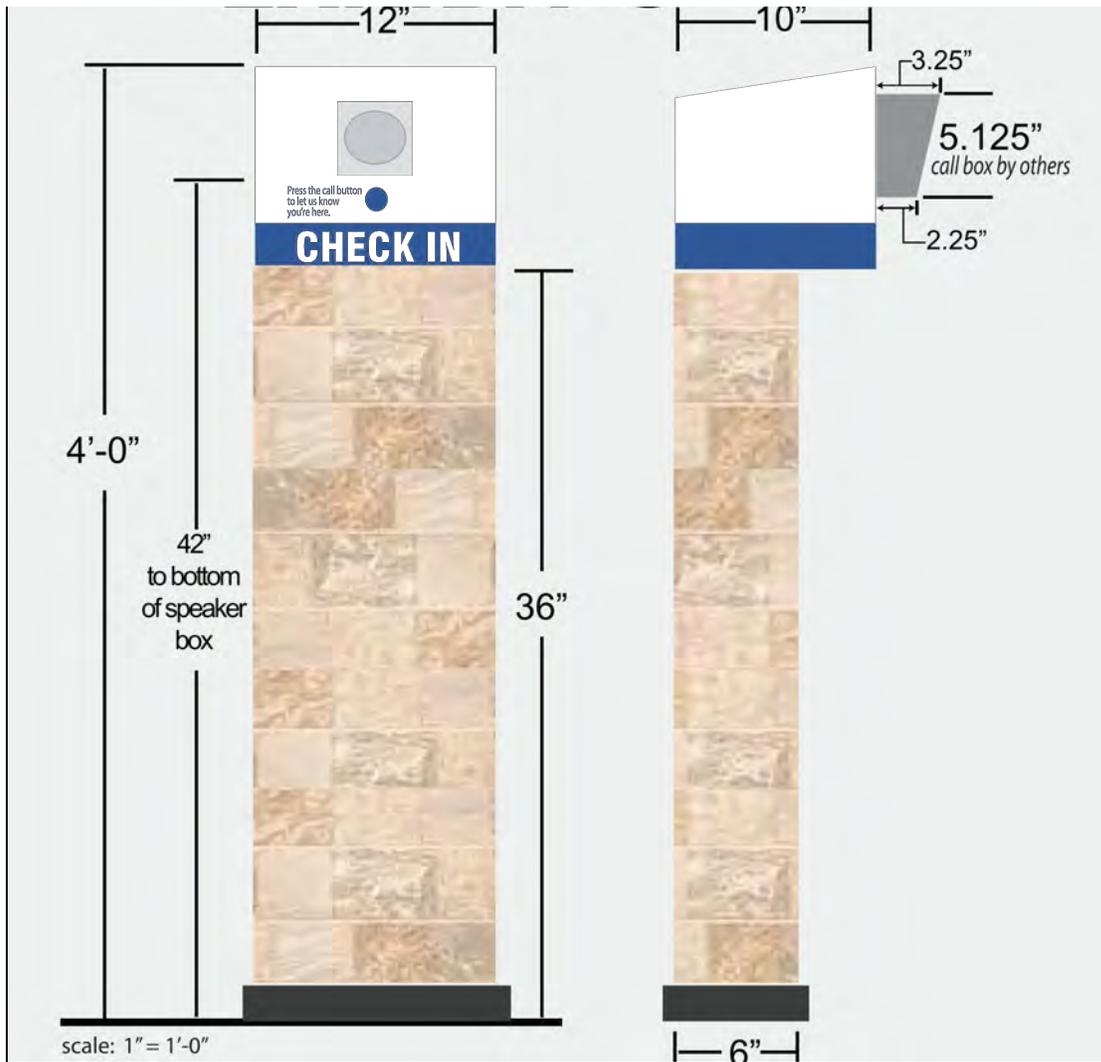
FOR

KROGER J-970 CURB SIDE PICK-UP CALL BOXES - DETAIL C

DATE: June 12, 2015

JOB NO. 2015-0596

SCALE: None



CALL BOXES

Speaker mechanism by others.

Aluminum angle frame with aluminum and Desert Slate Quarry Stone.

Copy to be 1st surface vinyl decoration.

PMS 293U Blue background with white copy for "Check In".

PMS 293U Blue copy for call button instruction.

Open bottom for conduit.

Quarry Stone:
Color: Desert Slate

COLOR KEY

■ PMS 293U

□ WHITE

EXHIBIT F



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CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

EXHIBIT

FOR

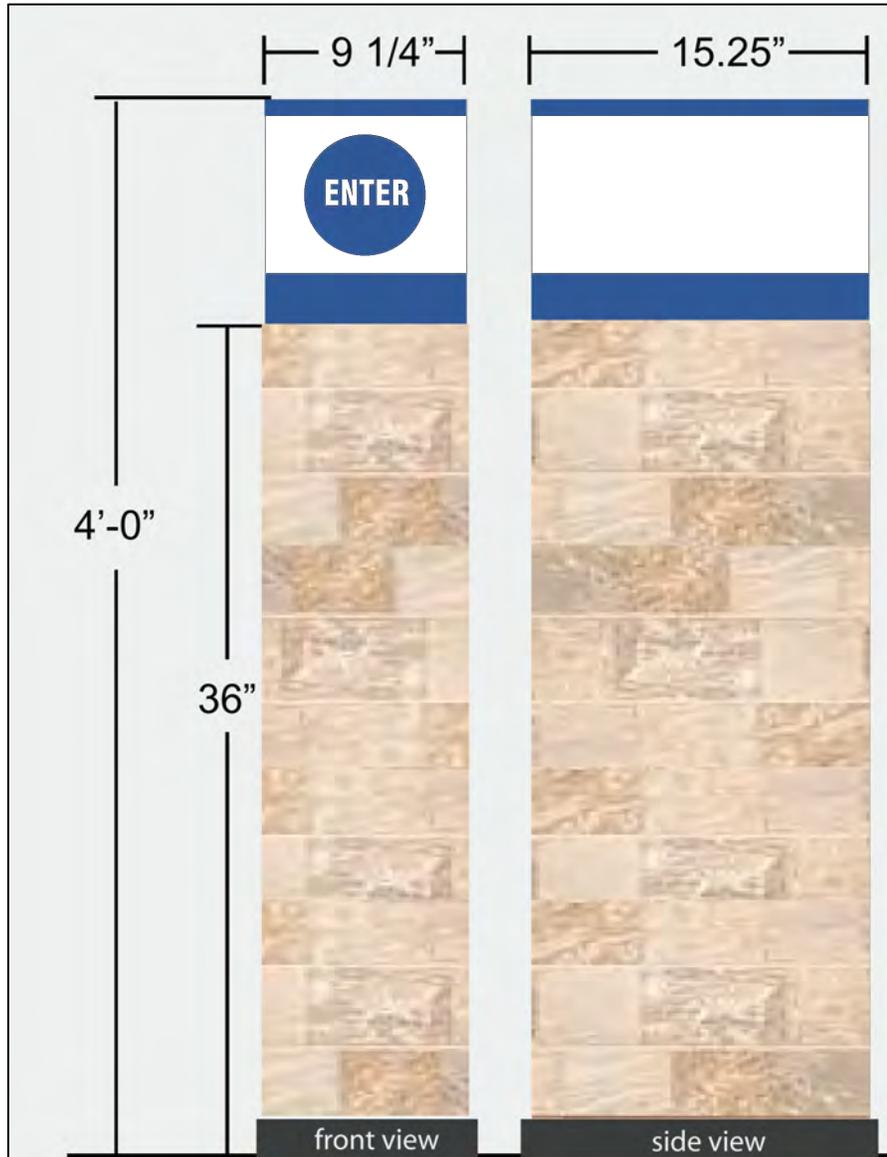
KROGER J-970 CURB SIDE PICK-UP

"ENTER" SIGN - DETAIL B

DATE: June 12, 2015

JOB NO. 2015-0596

SCALE: None



"ENTER" SIGN (NON-ILLUMINATED)

Aluminum angle frame with aluminum and Desert Slate Quarry Stone.
Directional copy to be 1st surface white reflective vinyl decoration.
PMS 293U Blue circle on a white background.

Quarry Stone:
Color: Desert Slate

COLOR KEY
■ PMS 293U
□ WHITE

EXHIBIT G



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CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

EXHIBIT

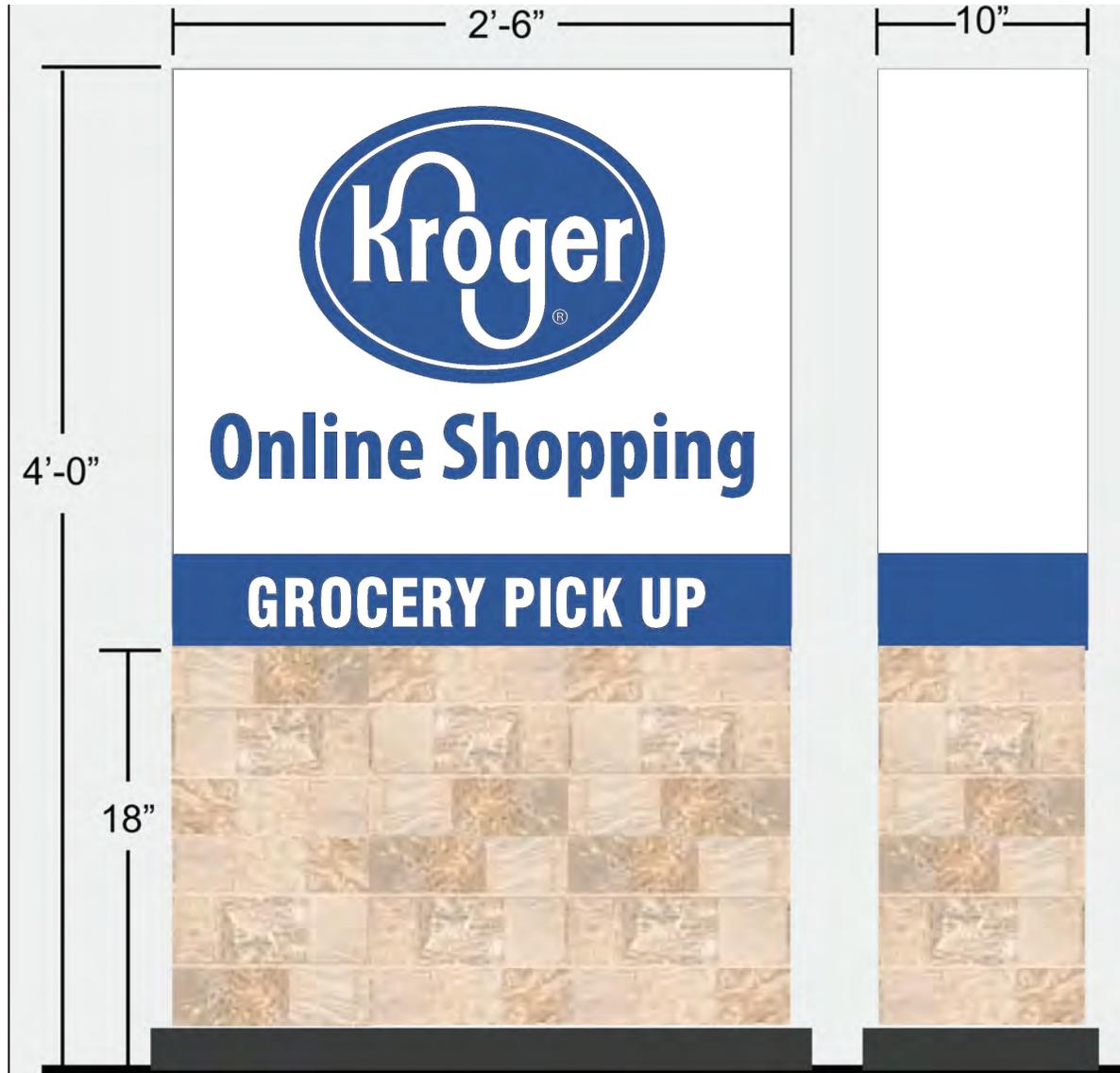
FOR

KROGER J-970 CURB SIDE PICK-UP MONUMENT SIGN @ 161ST - DETAIL A

DATE: August 3, 2015

JOB NO. 2015-0601

SCALE: None



MONUMENT SIGN (INTERNALLY ILLUMINATED)

Routed aluminum faces with push-thru, illuminated copy.
Base to be decorated with Desert Slate Quarry Stone.
Removeable base cover - aluminum painted dark grey.
Open bottom for conduit.
Fabricated white "topper" to be single piece,
removable via top fasteners.

Quarry Stone:
Color: Desert Slate

COLOR KEY
■ PMS 293U
□ WHITE



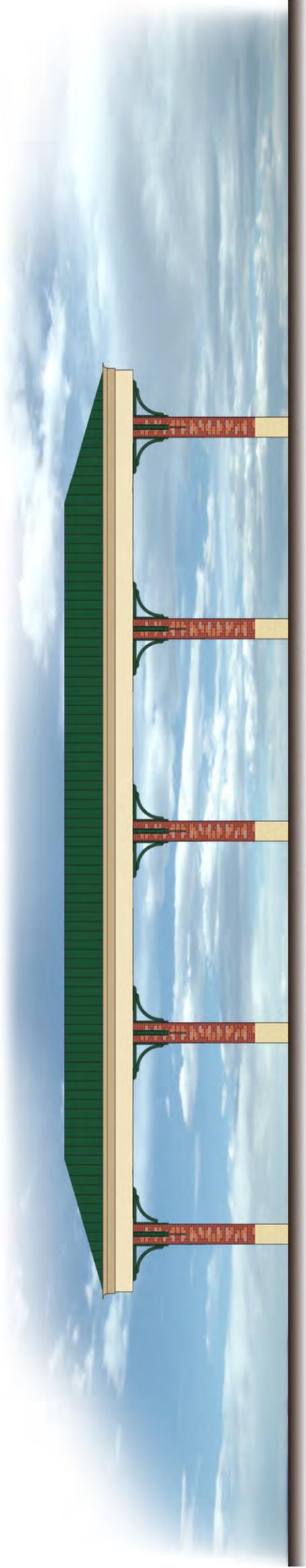
Engineers, Surveyors, Planners, Scientists
Job Number: 2015-0601



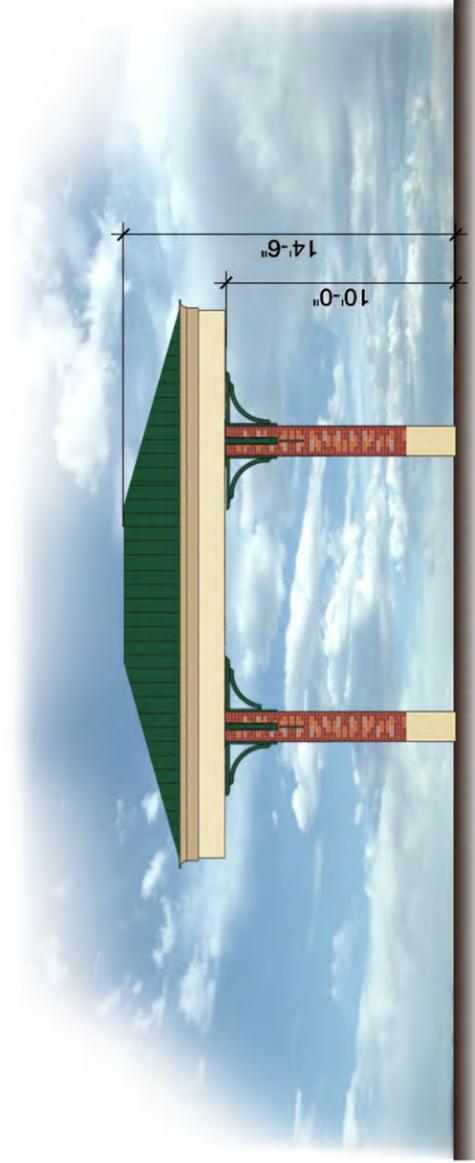
CANOPY SIGN
August 3, 2015

J970 Westfield, Indiana

EXHIBIT I



NORTH/SOUTH ELEVATION



EAST/WEST ELEVATION

ALL MATERIALS ON PROPOSED CANOPY TO
MATCH MATERIALS ON FUEL CENTER CANOPY



proposed canopy

July 21, 2015

Kroger J970

Westfield, IN
513111

