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Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
02-21-2006 At 02:11 pm.
ORDINANCE 29.00

ORDINANCE NO. 06-08

**AN ORDINANCE OF THE TOWN OF WESTFIELD CONCERNING AMENDMENT
TO TITLE 16 - LAND USE CONTROLS**

WHEREAS, The Town of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Township Plan Commission ("Commission") considered a petition (docket 0601-PUD-01) filed with the Commission to rezone certain lands; and

WHEREAS, the Westfield Washington Township Plan Commission did take action to forward the request to the Westfield town Council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the commission to the Town Council on January 23, 2006 and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-608(g) concerning any action on this request.

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL
THAT TITLE 16 OF THE WESTFIELD CODE OF ORDINANCE BE AMENDED AS
FOLLOWS:**

SECTION 1. WC-16-04 Zoning maps amended as follows:

The zoning classification of the real estate described in Exhibit A (hereinafter the "Real Estate"), attached hereto and incorporated herein by reference is made a part of the "Bridgewater PUD" as defined and governed by Ordinance No. 02-17 of the Town of Westfield, Washington Township, Hamilton county, Indiana (hereinafter the "Bridgewater PUD").

2/8/2006

Ordinance 06-08
Rezone 3510 East 151st Street Bridgewater

The Real Estate is reclassified on the Zone Map from the AG-SF1 District Classification to the Planned Unit Development district Classification, the underlying zoning classification of which shall be the SF-2 District Classification of the Zoning Ordinance in force at the time of the enactment of the Bridgewater PUD.

The Real Estate shall become a part of Parcel H as depicted in Exhibit 9 of the Bridgewater PUD.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

**ALL OF WHICH IS HEREBY ADOPTED BY THE TOWN COUNCIL OF
WESTFIELD, HAMITON COUNTY, INDIANA THIS 13 DAY OF
Feb, 2006.**

WESTFIELD TOWN COUNCIL

Voting For

Voting Against

Abstain

Teresa Otis Skelton

Teresa Otis Skelton

Teresa Otis Skelton

Jack Hart

Jack Hart

Jack Hart

Jack Hart

David Mikesell

David Mikesell

David Mikesell

David Mikesell

Bob Smith

Bob Smith

Bob Smith

Bob Smith

Ron Thomas

Ron Thomas

Ron Thomas

Ron Thomas

ATTEST

Cindy Gossard

Clerk/Treasurer Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager

2/8/2006

Ordinance 06-08
Rezone 3510 East 151st Street Bridgewater

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission met on Monday, January 23, 2006, to consider proposed rezoning of three acres from the AG-SF-1 District to the Bridgewater PUD, 0601-PUD-01. Notice of public hearing advertised and noticed was presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed text amendment is as follows:

0601-PUD-01 3510 East 151st Street.
Rezoning of three acres from the SF-2 District
to the Bridgewater PUD is requested
by Throgmartin-Henke Development LLP.

A motion was made and passed to recommend to Town Council approval of the rezone request for 0601-PUD-01 (8-0-0).

I, Kevin G. Buchheit, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on January 23, 2006.



Kevin G. Buchheit, AICP, Secretary

January 23, 2006
Date

EXHIBIT A

PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 518.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES 01 MINUTES 43 SECONDS EAST 381.12 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 39 SECONDS EAST 332.25 FEET TO THE EAST LINE OF A 53.05 ACRE TRACT CONVEYED TO MORRIS A. AND E. JOAN RANDALL AS DESCRIBED IN A WARRANTY DEED RECORDED IN DEED BOOK 332 PAGE 801 IN THE OFFICE OF THE RECORDER IN SAID COUNTY; THENCE SOUTH 00 DEGREES 40 MINUTES 01 SECONDS EAST ALONG THE EAST LINE OF SAID 53.05 ACRE TRACT 385.19 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID SOUTH LINE 350.19 FEET TO THE POINT OF BEGINNING, CONTAINING 3.00 ACRES MORE OR LESS.



Legend:

- Existing Easement
- Proposed Vehicular Access
- Proposed Greenway Trail
- Prospective Park Site

Original Site Data:

Parcel	Land Use	Area	Density	Units
A	Estate Lots	48 Ac		
B	150' Lots	15 Ac		
C	120' Lots	15 Ac		
D ₁₋₄	100' Lots	38 Ac		
E	90' Lots	25 Ac		
F	85' Lots	30 Ac		
G ₁₋₄	65' Lots	50 Ac		
H	60' Lots	18 Ac		
I	Club Villas	50 Ac		
J	Club Condominiums	35 Ac		
K	Village Townhomes	43 Ac		
L	Office/Flex Space	10 Ac		
M	Village Marketplaces	45 Ac		
N	Cubhouse Area	18 Ac		
	Golf Course	240 Ac		
	Open Space/R.O.W	30 Ac		
Total Area		588 Ac		
Non-Commercial Area		555 Ac	1.75 Units/Ac	975 Units



Revised April 5, 2001
 Revised March 20, 2002
 Revised March 11, 2002
 February 15, 2002

Prepared For:
Threemartin-Henke Development, LLC
 Prepared By:
HampDesign Pete Bly, Inc.

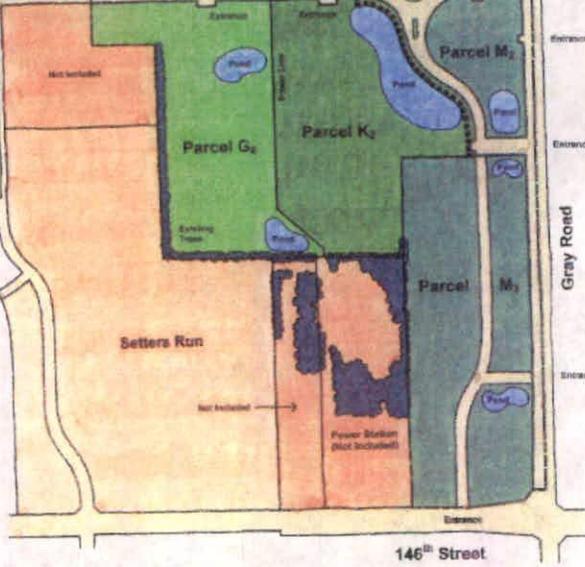
Concept Plan

The Bridgewater Club
 An Exclusive Golf Course Community in Westfield, Indiana

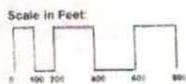
subject, Parcel - 3 notes

Revised Site Data:

Parcel	Land Use	Area:
A	Estate Lots	48 Ac
B	150' Lots	15 Ac
C	120' Lots	15 Ac
D ₁₋₄	100' Lots	38 Ac
E	90' Lots	25 Ac
F	85' Lots	30 Ac
G ₁₋₄	65' Lots	50 Ac
H	60' Lots	18 Ac
I	Club Villas	50 Ac
J	Club Condominiums	35 Ac
K ₁₋₂	Village Townhomes	43 Ac
L	Office/Flex Space	10 Ac
M ₁₋₂	Village Marketplaces	45 Ac
N	Cubhouse Area	18 Ac
	Golf Course	240 Ac
	Open Space/R.O.W	30 Ac
Total Area		688 Ac



Concept Plan- Phase Two



Revised April 15, 2004

WESTFIELD, INDIANA

THE BRIDGEWATER CLUB

Text Amendment to Add 3 Acres

1st Consideration
Town Council
January 3, 2005

Throgmartin-Henke Development LLC
c/o Steven H. Henke
3535 East 161st Street
Noblesville, IN 46060
867-4653

RECEIVED

DEC 21 2005

WESTFIELD COMMUNITY
DEVELOPMENT DEPARTMENT

Attorney – Charles D. Frankenberger
Nelson & Frankenberger
3105 East 98th Street, Suite 170
Indianapolis, IN 46280
844-0106

Explanation

On the April 9, 2002, the Westfield Town Council enacted the Bridgewater Club Planned Unit Development Ordinance, the blueprint for the vision of a master planned residential golf community. Since then, the vision has quickly materialized. As The Bridgewater Club emerges as a "National Model," as described in Foresight Magazine (Exhibit 3), the accentuation of details remains one of the highest priorities. The Bridgewater Club has evolved out of carefully planned ideas as well as existing natural landscapes and cooperation between developers and the Town of Westfield. The fruition of the golf course and surrounding land generates a sense of traditional and modern living and leisure (See photos of The Bridgewater Club - Exhibit 2). Born from the creative mind of world-renowned designer, Pete Dye, the 18-hole Championship Course highlights the maturity of the natural environment. Encompassing a wide variety of trees, ponds, lakes, streams, rolling fairways, as well as a highly-competitive golfing experience, the Championship Course entices a national interest to Westfield's Bridgewater Club. The 9-hole Executive Course offers a peek at what the remaining amenities offer. With its shortened version of the Championship Course, the inclusion of water, an assortment of trees, and undulating terrain, the Executive Course brings Bridgewater members a chance to enhance their golfing experience on a smaller degree.

Apart from the golfing experience that can be enjoyed, the custom residential development now appeals to many seeking new residence in a lifestyle resort community. The golf course and landscaped views create a lush and hidden environment desired by many seeking to relax in the comfort of their personalized homes. With a wide array of amenities within walking or a short golf cart ride's distance, a convenient and comfortable lifestyle is maintained. Amenities at the new 70,000 square foot clubhouse include indoor and outdoor swimming pools, the 16,000 square foot fitness facility, tennis, croquet, dining, entertainment, socializing, and relaxation. A Bridgewater Club Brochure is included as Exhibit 2, and a magazine article detailing the golf course is included as Exhibit 3. Additionally, multiple parks located in various areas provide recreational freedom throughout the community along with plans for more than five miles of trails for walking, jogging, bicycling, or a leisurely stroll with children and grandchildren on a private golf cart.

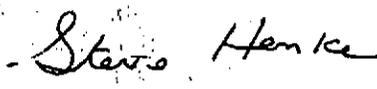
The Village Marketplace will allow residents to embrace the complete and traditional community lifestyle. With a balance of commercial space for retail and office, as well as residential area, the Village Marketplace will create a neighborhood village which distinctively sets The Bridgewater Club in Westfield apart from other neighborhood villages. The incorporation of heavily landscaped areas and upscale brick design elements create an integrated national development model.

When the Bridgewater PUD was originally enacted, it was anticipated that three smaller parcels, located on the north side of 151st Street, just east of Carey Road, would later be annexed to the Bridgewater Club. To this end, two of these three smaller parcels have already been annexed and, by this application, we are requesting to annex the third remaining, three-acre parcel. This parcel will become part of Parcel H within the Bridgewater PUD, to be developed for detached single-family residences per the standards applicable to Parcel H.

We look forward to the first consideration of this matter with the Town Council on January 9, 2006.

Respectfully submitted,

THROGMARTIN-HENKE DEVELOPMENT, LLP


Steven H. Henke

0601-PUD-01

3510 East 151st Street. Rezoning of three acres from the SF-2 District to the Bridgewater PUD is requested by Throgmartin-Henke Development LLP.

Mr. Don Carise, Director of Development of the Bridgewater Club and Throgmartin-Henke Development, presented the details of the project stating that this parcel was anticipated in the original Bridgewater PUD to be part of the overall Bridgewater PUD development. He also stated this three-acre tract is next to Section H, which is a seven-acre tract, and the intent in the original PUD was for this to be incorporated into Section H making it a ten-acre tract, at the discretion of the developer when they were ready. Carise asked that the Commission suspend the rules to be sent to Committee; this item will go back to the Town Council for reading.

Kelleher reiterated that the staff report stated there would be no additional number of residences added; these acres will simply be added to this parcel.

Carise confirmed Kelleher's statement.

Spoljaric asked what kind of structures would be on the property.

Carise answered the homes will be low maintenance in the neighborhood of 65-70 foot wide lots, 130 feet deep, lots ranging from \$100,000 to \$200,000 price range, and homes from \$700,000 to \$1,000,000.

A Public Hearing opened at 7:25 p.m.

No one spoke, and the Public Hearing closed at 7:26 p.m.

Kelleher moved to suspend the rules.

Hart seconded, and the motion passed by voice vote.

Carise stated an additional request in that Council, in preparing public notice, realized that within the Westfield ordinances, the requirements is to notify all residences within either two lots or 660 feet of all property owned in Westfield by the developer. He further stated in this case 476 certified letters were sent which took an immense amount of staff time and money, stating this is a burden and asking that it be waived for the future. Therefore, the request is that for future notification within the Bridgewater development, send certified letters to the 660 feet or two property owners for the subject property, and regular mail for all other people, as well as sending out public notice via newspapers and neighborhood association meetings.

Zaiger suggested if the Commission is inclined to accept this, that the following verbiage be added, "but in no case anything less than what is required by State Statute."

Kelleher moved to approve the rezone request for 0601-PUD-01.

Sanders seconded, and the motion passed unanimously.

0601-PUD-01 **3510 East 151st Street.** Rezoning of three acres from the AG-SF-1 District to the Bridgewater PUD is requested by Throgmartin-Henke Development LLP.

EXHIBITS

1. Staff report, 01/23/06.
2. Petitioner's information packet, received 12/21/05.

PROCEDURAL ISSUE

Requests for changes in zoning, after initial hearing by the Advisory Plan Commission, are required to be considered at least once by the Comprehensive Plan subcommittee of the APC. At the January 23, 2006 APC hearing, the petitioner will be requesting the APC to suspend the rules of procedure to forego this requirement, allowing the APC to vote on a recommendation at the initial hearing on this request.

PETITION HISTORY

This petition underwent first consideration before the Westfield Town Council at the January 9, 2006 hearing. The council chose to send this petition forward with no further consideration. Comments received from the council were supportive of this petition.

PROJECT OVERVIEW

This rezone request concerns a single three-acre parcel generally located on the north side of 151st Street, approximately five hundred feet east of Carey Road. The subject site is currently zoned AG-SF-1, and is improved with a detached single-family dwelling. The requested change in zoning would include the subject site within the Bridgewater PUD and provide for development of the subject site with single-family dwellings.

The subject site abuts the portion of the Bridgewater PUD identified as Parcel "H," which consists of approximately ten acres. Section 15 of the original Bridgewater PUD document anticipated the eventual acquisition and inclusion of the subject site in the Bridgewater PUD and Parcel "H".

The terms of the Bridgewater PUD provide for up to twenty-five dwelling units within Parcel "H." Lots within Parcel "H" are required to have a minimum width of sixty feet, a minimum area of 7,500 square feet, and tri-level structures are permitted. The proposed change in zoning would not modify the number of units permitted in Parcel "H," and would not modify any development standards established by the Bridgewater PUD.

Properties abutting the subject site to the north, east and west are included within the Bridgewater PUD, and are either improved with detached single-family dwellings or are undergoing development. Property abutting the subject site to the south is currently zoned SF-2, is unimproved, and is cultivated agriculturally.

WWTPC
01/23/06

0601-PUD-01
Exhibit 1

RECOMMENDED MOTIONS

Suspend the rules (Article XI: Committees, 4. c. iv.) and consider action on this petition at this meeting.

Recommend the requested change in zoning be **approved**.

Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.



Signature of Declarant

CINDY J. BOSSARD

Printed Name of Declarant