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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 15-27

THE TRAILS 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 The Trails PUD District) 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 1509-PUD-18), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition 1509-PUD-18 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (7-0) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 367-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on November 3, 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 "**THE TRAILS PUD DISTRICT**" (the "District").

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All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.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 **GB – General Business District**. Except as modified, revised, supplemented or expressly made inapplicable by

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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.

A. Architectural Insulated Panels: An insulated metal panel with a foamed core and an exterior finish that simulates the look of stucco.

B. Family Entertainment Center. A retail/entertainment establishment which may include any combination of the following activities: bowling, laser tag, arcade, full-service restaurant and bar, outdoor seating, outdoor entertainment, and other similar activities.

C. 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.

2.1 Site Concept Design Plan: The plans attached hereto and incorporated herein by reference as **Exhibit B**. Exhibit B includes two (2) alternative layouts for multi-family development on Lot 1. Each layout depicts a general plan for the development of the Real Estate. The site shall be developed in substantial compliance with one of the two (2) alternative plans.

A. Exhibit B1 depicts a multi-building multi-family development ("Layout B1").

B. Exhibit B2 depicts a single-building multi-family development ("Layout B2").

2.2 Illustrative Character Exhibit: The Character Exhibit, attached hereto as **Exhibit C**, is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are permitted to be constructed and that contribute to the District's intent and vision. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

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 GB shall be permitted in Lot 2. In addition, the following are also permitted:

A. Family Entertainment Center

B. Mixed-Use Commercial, including office and/or retail space

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* regulations shall apply to Lot 1, except as modified below.

A. Location: *Article 4.11 (C)(2)* regarding multi-family zoning district proximity shall not apply.

B. Maximum Density: Thirty (30) Dwelling Units per acre.

C. Maximum Dwelling Units per Structure:
   a. Layout B1 – 30 units per building; or
   b. Layout B2 – Maximum of 300 units

D. Maximum Number of Dwelling Units: Three Hundred (300)

E. Minimum Building Setback Lines: Front Yard: 0'

F. Maximum Building Height:
   a. Layout B1 – 3 stories
   b. Layout B2 – 80 feet

G. Project Perimeter Setback: *Article 4.11 (J)* regarding proximity slope shall not apply.

4.2 *Article 4.16: General Business District* regulations shall apply to Lot 2.

Section 5. Development Standards. The standards of *Article 5.3: State Highway 32 Overlay District and Chapter 6: Development Standards* shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

5.1 *Article 5.3 (K)* and *Article 6.3 Architectural Standards* shall apply, except as otherwise modified below.

A. Lot 2 – If Architectural Insulated Panels are used as an exterior building material on Lot 2, then the following applies:

1. A minimum of thirty-three percent (33%) of each Building Façade, exclusive of windows (including faux windows and glazing), doors and loading berths, shall be covered with Masonry Materials.

2. No more than sixty-seven percent (67%) of each Building Façade, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with Architectural Insulated Panels.

3. No more than twenty-five percent (25%) of each Building Façade, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with metal (that is not Architectural Insulated Panels), Fiber Cement Siding, Polymeric Cladding, E.I.F.S., stucco, or vinyl exterior building materials.

B. Lot 2 – If Architectural Insulated Panels are not used as an exterior building material on Lot 2, then the architectural standards under *Article 5.3 (K)* and *Article 6.3 Architectural Standards* shall apply.

5.2 *Article 6.14 Parking and Loading Standards* shall apply to the Real Estate, except as otherwise modified below.

A. Required Spaces for Multi-family Dwellings: 1.5 spaces per Dwelling Unit

5.3 The existing trees and other vegetation along the Midland Trace Trail corridor shall be preserved and maintained. Direct access to the Midland Trace Trail from the Real Estate shall not be permitted, except as otherwise requested or required by the City.

Section 6. **Design Standards.** The regulations of *Chapter 8: Design Standards* shall apply to the Real Estate, 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: 15%.

B. Development Amenities: Lot 1 shall be developed to include a minimum of five (5) amenities, including but not limited to the following:

(i) Clubhouse

(ii) Fitness Center in Clubhouse

(iii) Pool at Clubhouse

(iv) Business Center in Clubhouse

(v) Grilling Cabana at Clubhouse

(vi) Dog Park at Clubhouse

(vii) Unique Bicycle Storage Units on Ground Level

(viii) Electric car charging station

6.2 Trail Access

A. Access to the Midland Trace Trail shall be limited to the intersection with perimeter pathway along Oak Ridge Road, unless otherwise requested or required by the City.

B. Lot 2 shall include direct access to the Monon Trail.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 9 DAY OF Nov, 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: Adam H. Horkay

This Instrument prepared by: Adam H. Horkay
EdgeRock Development, LLC.
733 E. State Road 32, Westfield IN 46074

I hereby certify **ORDINANCE 15–27** was delivered to the Mayor of Westfield on the 10 day of Nov, 2015.

Cindy J. Gossard

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 15–27
this 11 day of November, 2015.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 15–27
this _____ day of _____, 2015.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A

The Trails PUD

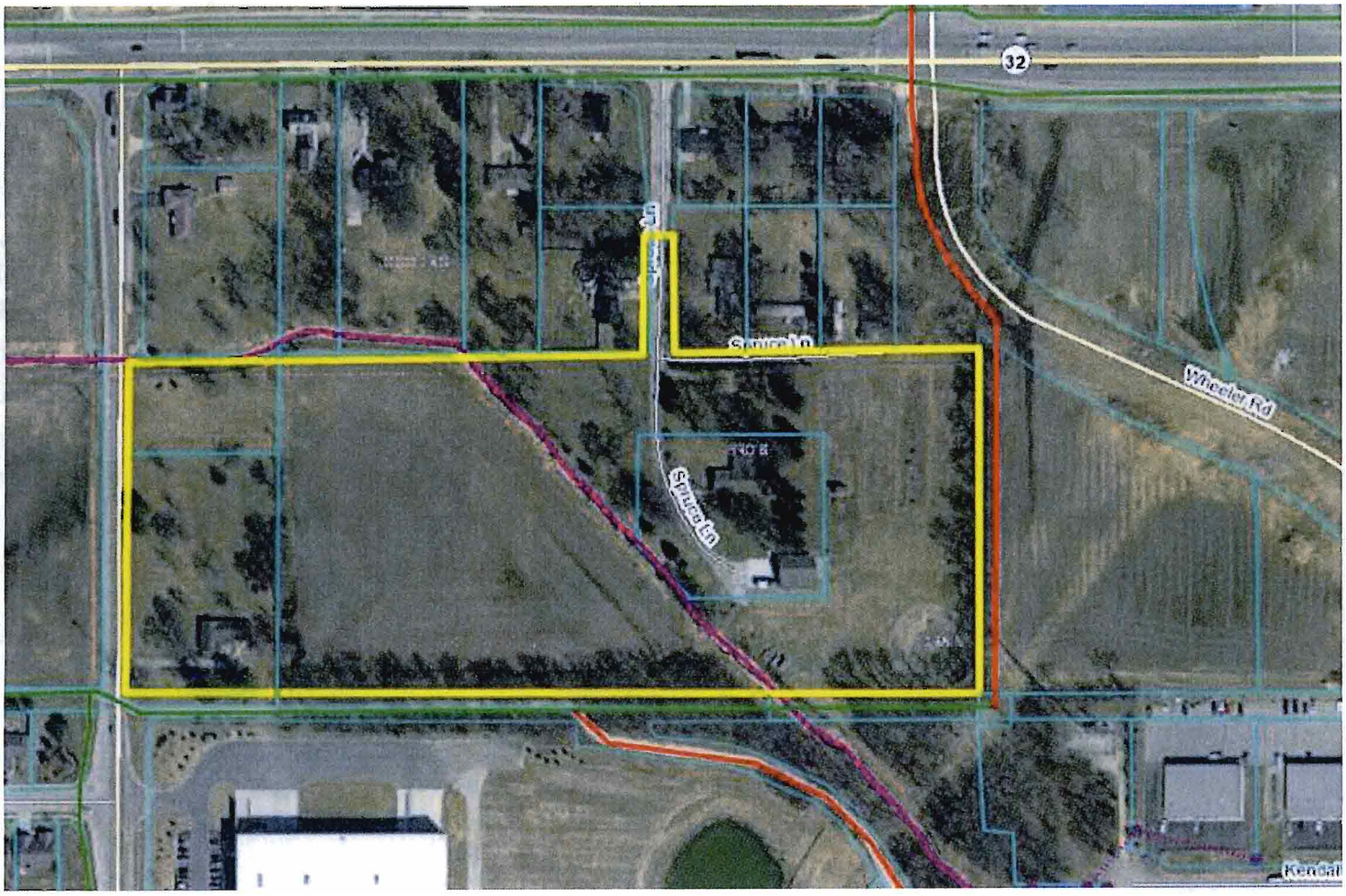
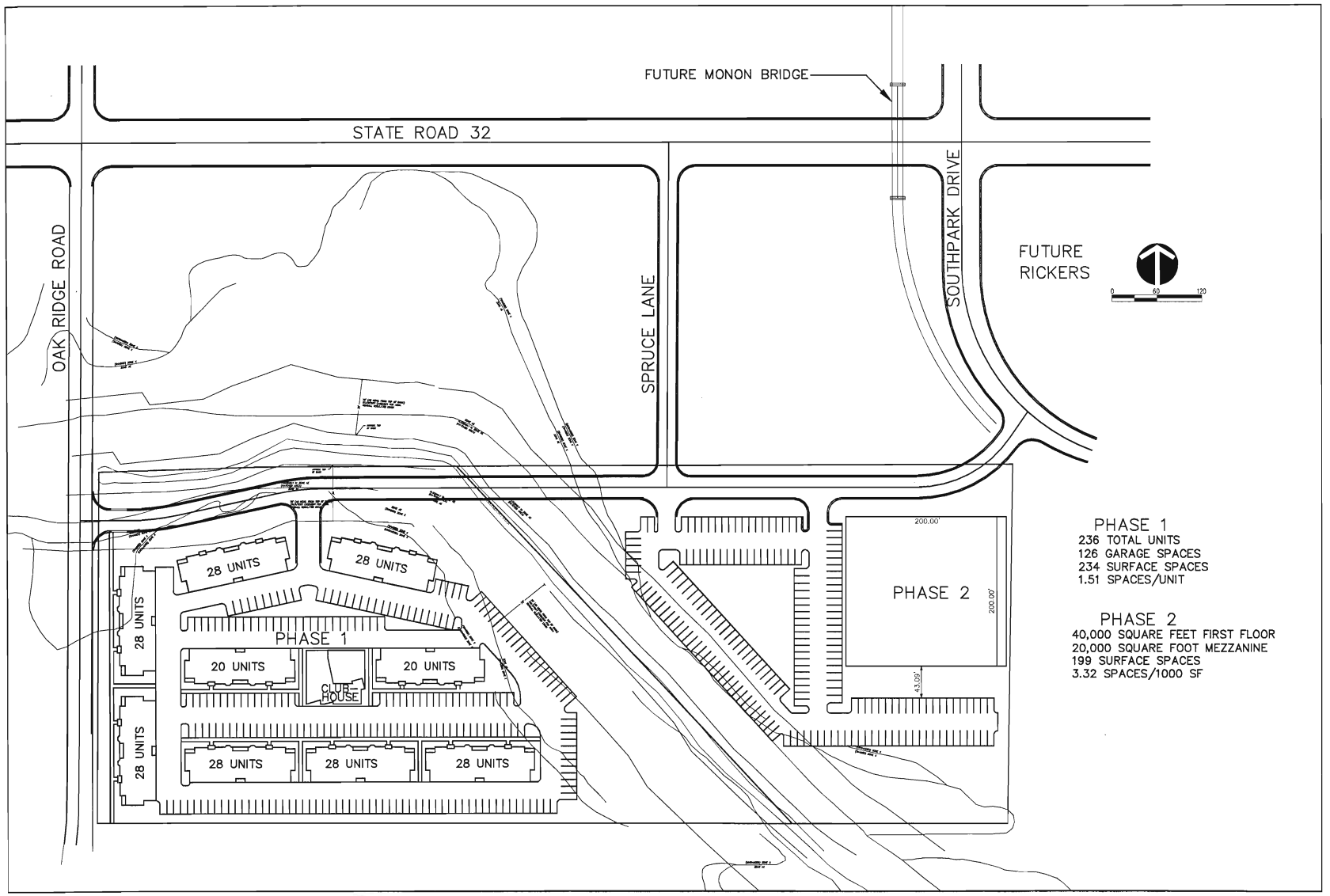


EXHIBIT B

Layout B1



PHASE 1
236 TOTAL UNITS
126 GARAGE SPACES
234 SURFACE SPACES
1.51 SPACES/UNIT

PHASE 2
40,000 SQUARE FEET FIRST FLOOR
20,000 SQUARE FOOT MEZZANINE
199 SURFACE SPACES
3.32 SPACES/1000 SF

GARY E. MURRAY
REGISTERED
No. 9300348
STATE OF INDIANA
PROFESSIONAL ENGINEER

DATE: May 27, 2015

NORTH
1307 N. 161st Street
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5225 Exploration Drive, Suite 100
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DEVELOPMENT & ENGINEERING CONSULTANTS

EDGEROCK DEVELOPMENT
733 EAST STATE ROAD 32
WESTFIELD, IN 46074

REVISIONS:

DATE	BY	DESCRIPTION

DRAWING FILES:

DATE: MAY 27, 2015

PROJECT NUMBER: 150324-1.001

DRAWN BY: RT

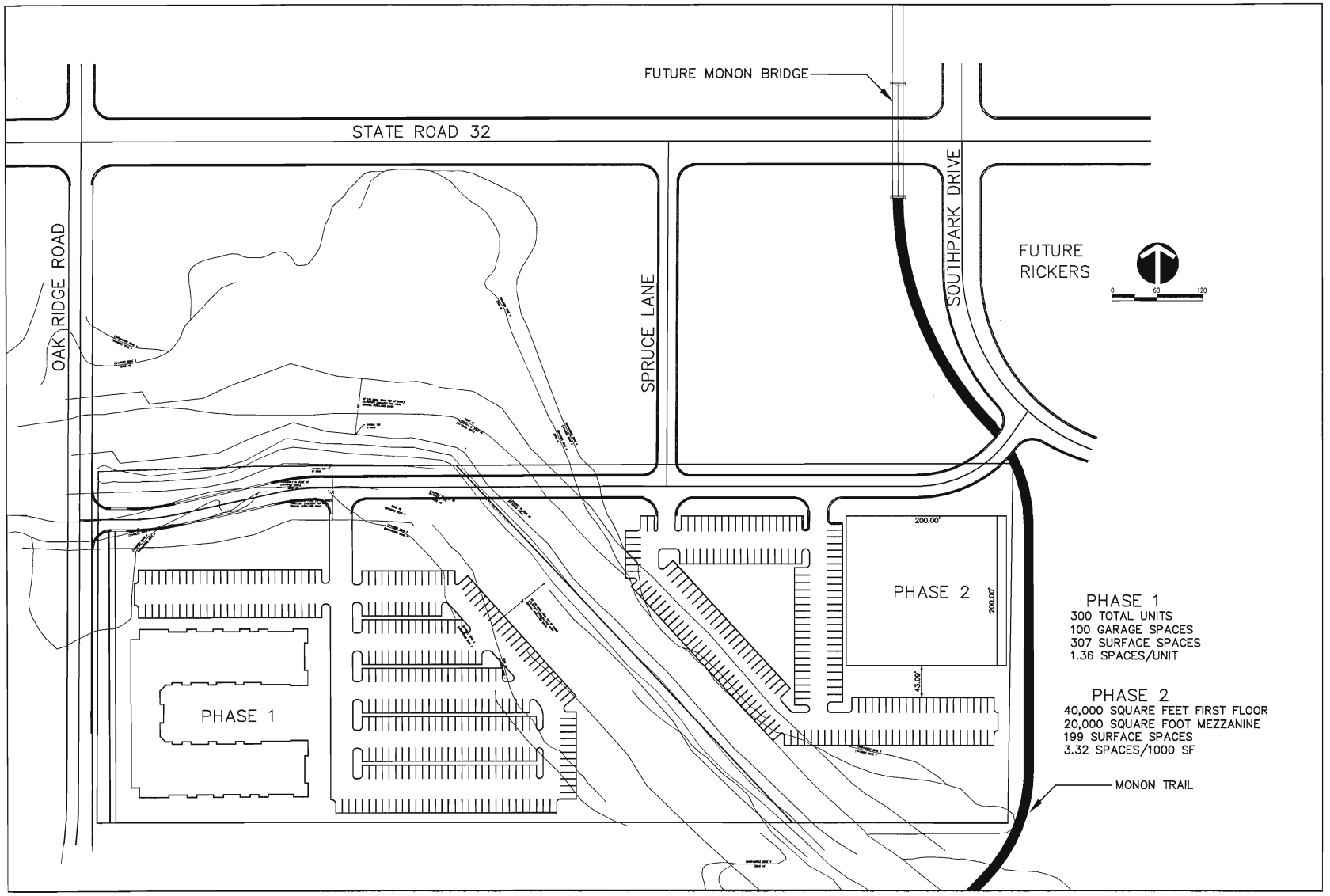
CHECKED BY: GEM

SHEET TITLE:

SHEET #:

of 8

Layout B2



GARY E. MURRAY
REGISTERED
No. 9300348
STATE OF INDIANA
PROFESSIONAL ENGINEER

Gary E. Murray
DATE: MAY 27, 2015

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PROJECT NUMBER: 150324-1.001

DRAWN BY: RT

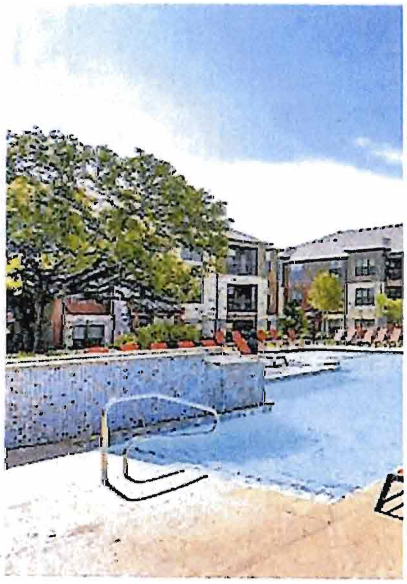
CHECKED BY: GEM

SHEET TITLE:

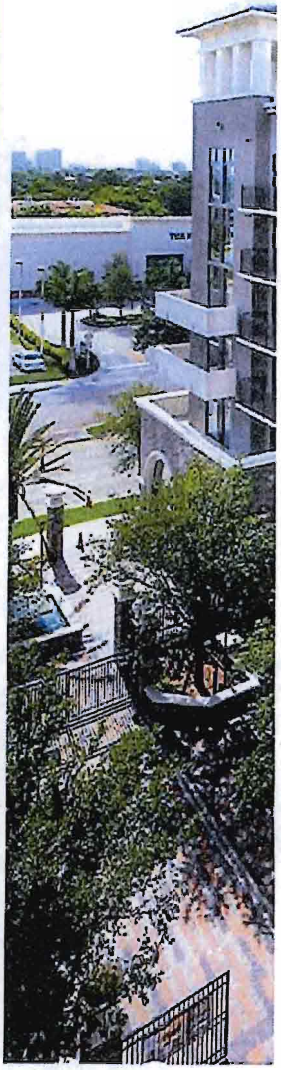
SHEET #: of 8

EXHIBIT C

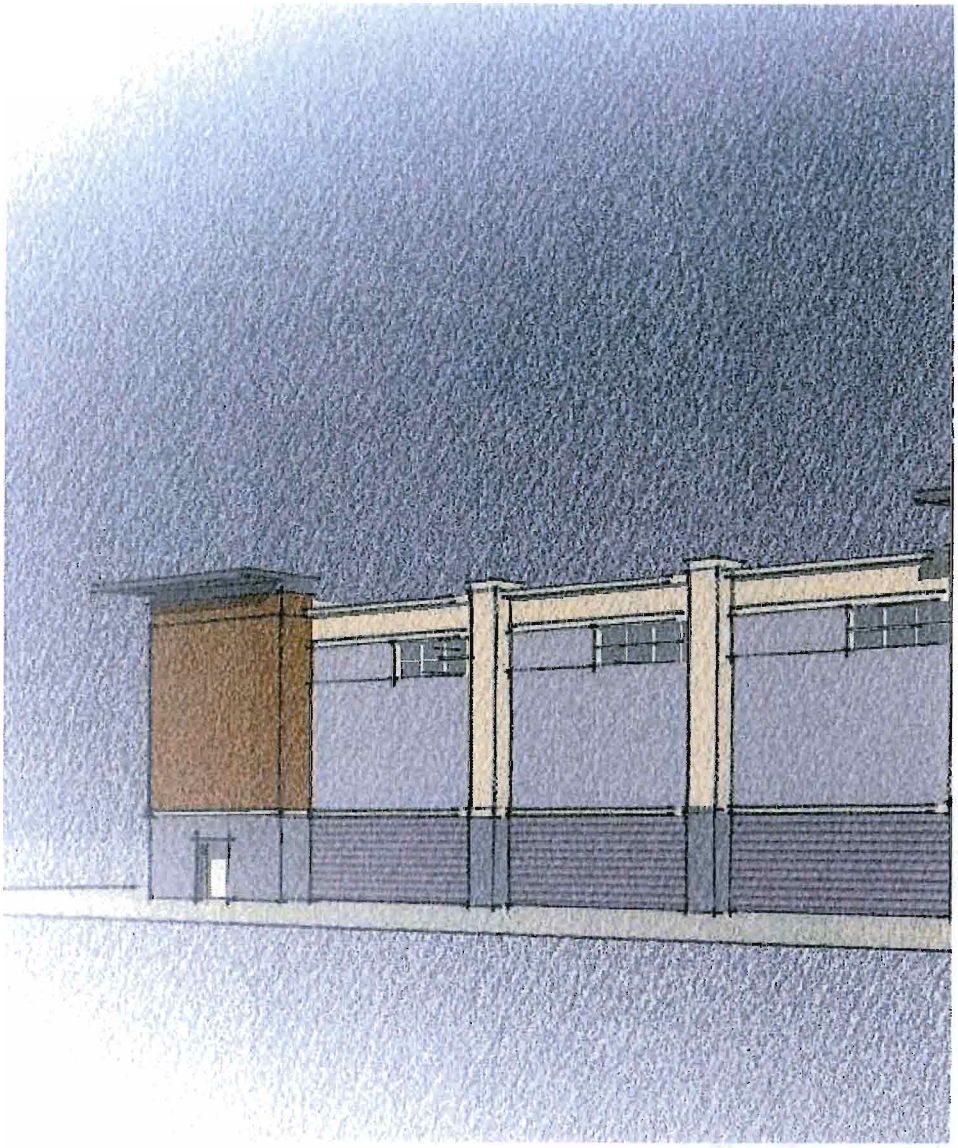
Lot 1 - Layout B1 Buildings

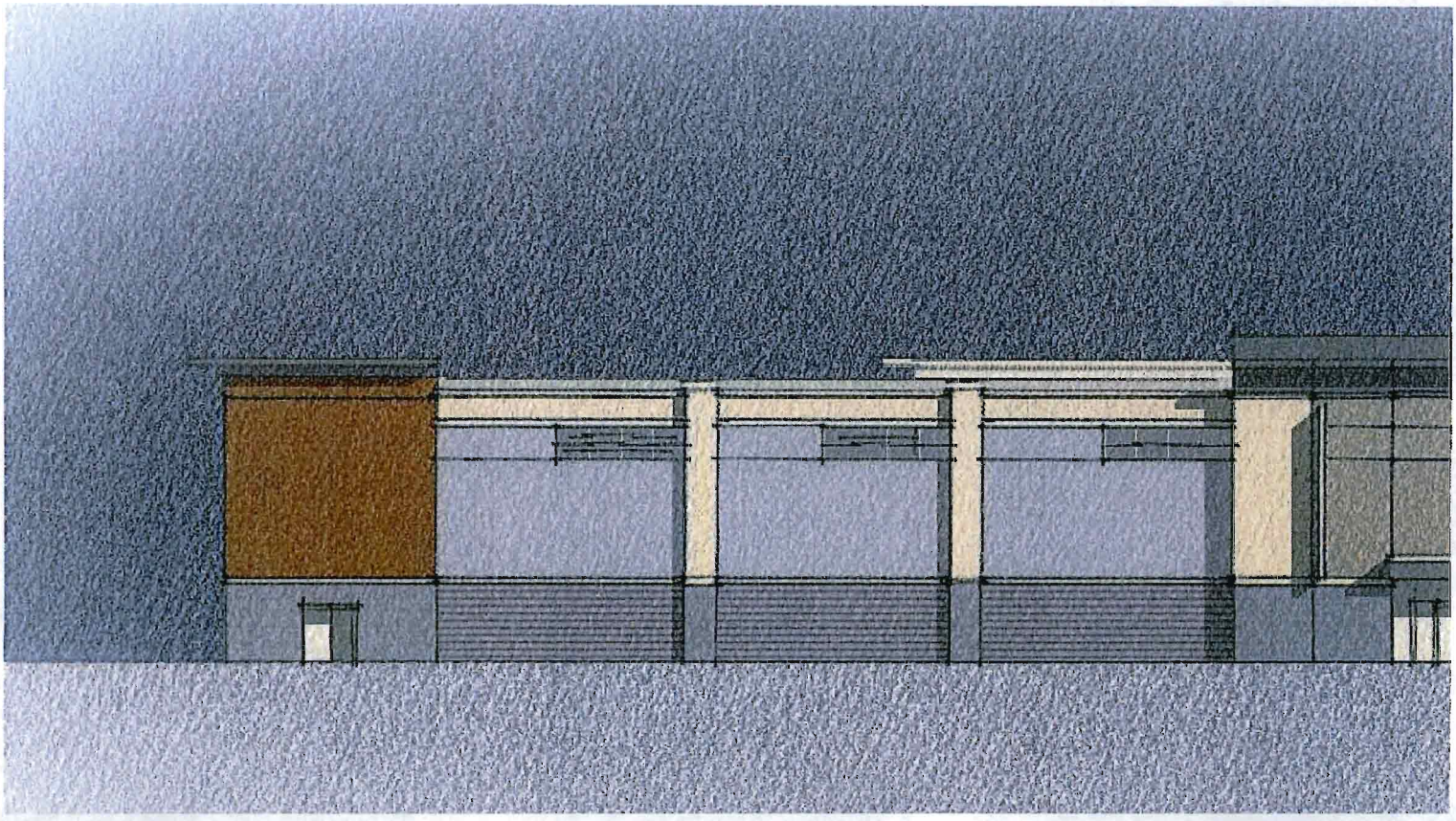
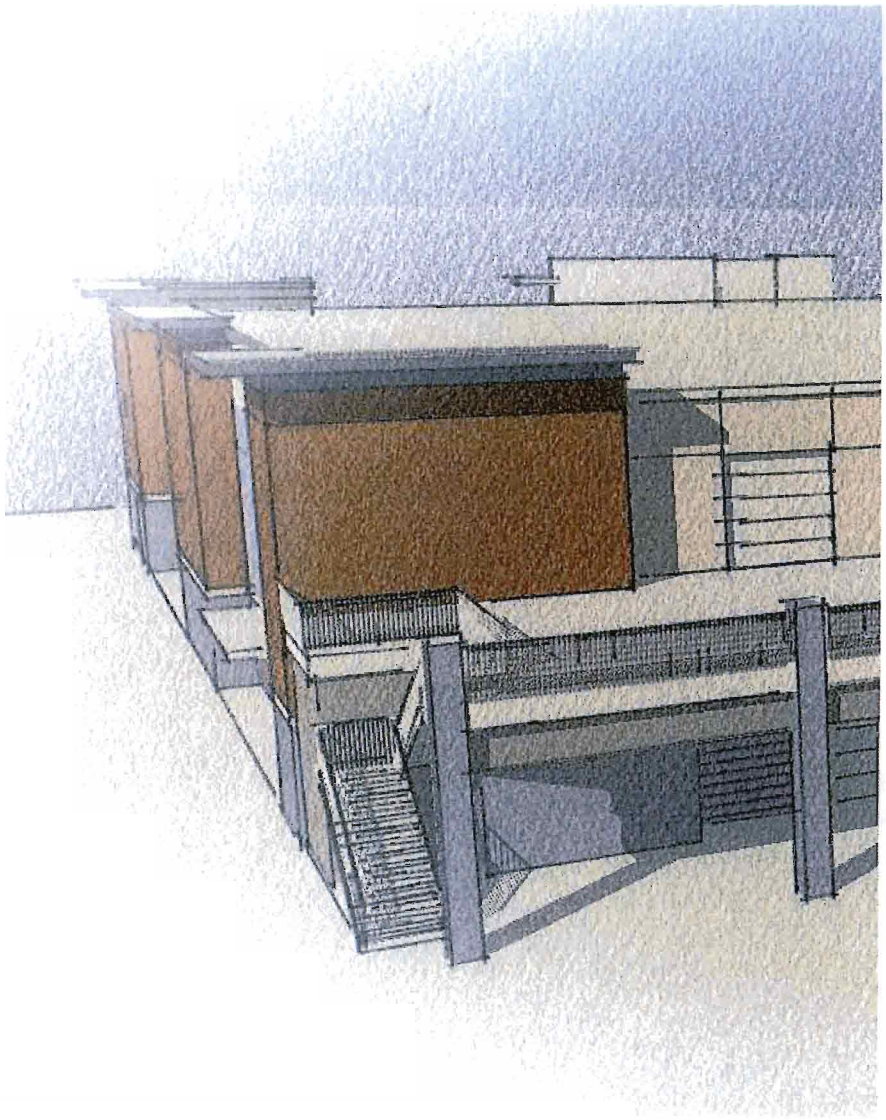
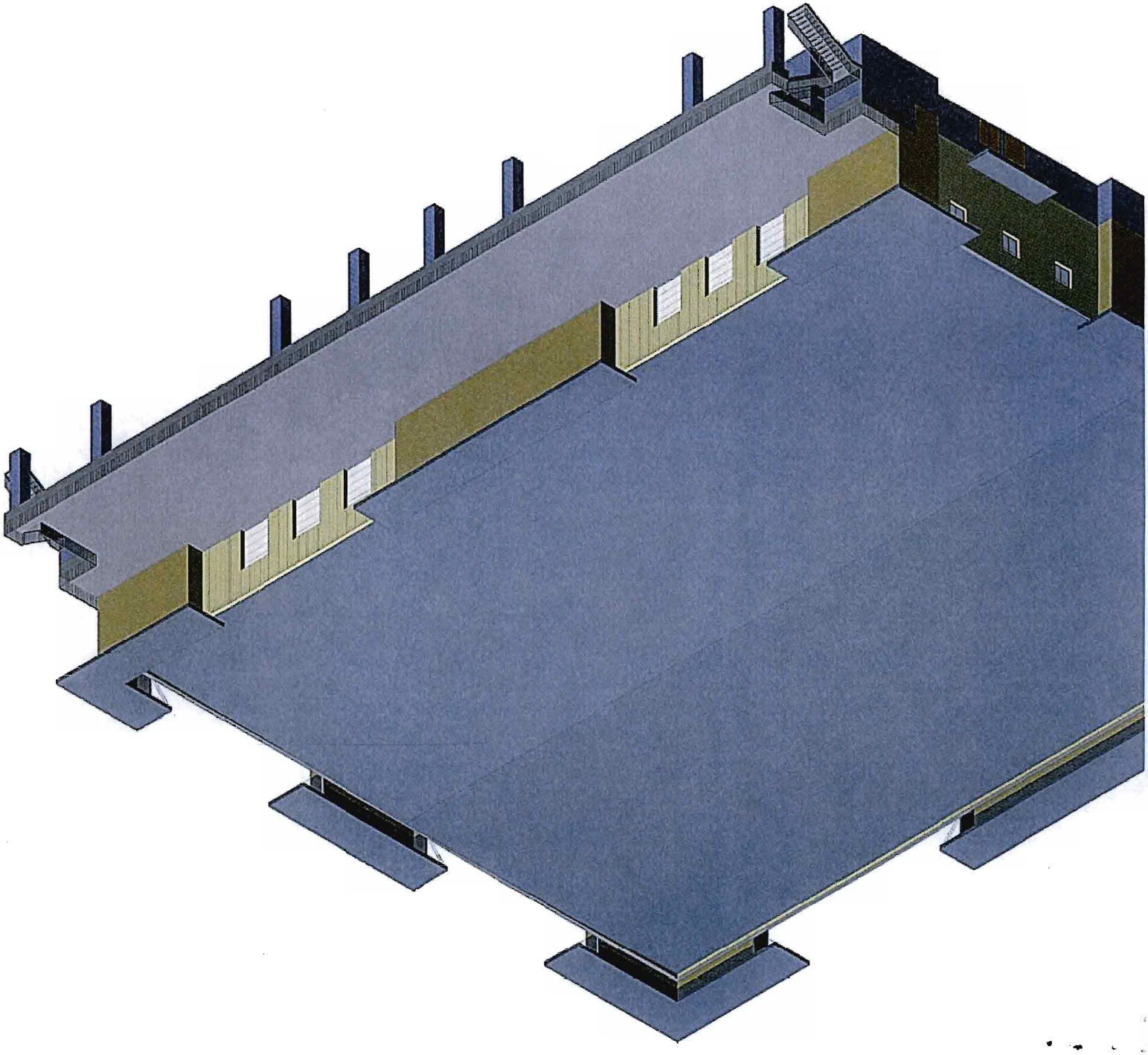


Lot 1 - Layout B2 Building



Lot 2 Building





Lot 2 Building