

ORDINANCE NUMBER 16-44

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the "**Drexler Woods PUD District**") to amend the 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 Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 16__-PUD-__**), requesting an amendment to the Unified Development Ordinance and the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 16__-PUD-__** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (__-__) 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 _____, 2016;

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 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 designate the Real Estate as a Planned Unit Development District to be known as the "**Drexler Woods PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) 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.

- 1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 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.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Area: A discrete geographic area within the District. The District contains three (3) Areas, "Area A", "Area B" and “Area C”, which are represented on the District Map. The Areas are regulated accordingly by the terms of this Ordinance.
- 2.2 District Map: The map as illustrated on what is attached hereto as **Exhibit B** which outlines the three (3) individual Areas of the District.
- 2.3 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various Areas, as set forth in Section 4 of this Ordinance

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit C**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District shall be as set forth below as illustrated on the attached District Map.

- 4.1 Area A: LB: Local Business District.
- 4.2 Area B: SFA: Single Family Attached District.
- 4.3 Area C: SF4: Single Family High Density District.

Section 5. **Permitted Uses.** The permitted uses shall be as set forth below.

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted.
- 5.2 Maximum Dwellings. The total number of Dwellings permitted in Area C shall not exceed four hundred and ninety (490) Single-family Dwellings.

Section 6. General Regulations. The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below for Area C.

Standard	
Minimum Lot Area	6,000 SF
Minimum Lot Frontage	35'
Minimum Building Setback Lines	
Front Yard	21'
Side Yard	5'
Rear Yard	20'
Maximum Building Height	2 ½ stories

Section 7. Development Standards. The standards of Chapter 6: Development Standards shall apply to the development of the District.

7.1 Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified or enhanced below.

- A. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified below;
 - i. Preserved woodlots shall be credited toward and satisfy all Open Space / Common Area (per acre) landscaping requirement.
- B. Buffer Yard Requirements: Article 6.8(N) shall apply except that no mound shall be required within the Buffer Yard.

Section 8. Infrastructure Standards. The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

Section 9. Design Standards. The standards of Chapter 8: Design Standards shall apply to the development of the District.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy 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: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 16-__** was delivered to the Mayor of Westfield

on the _____ day of _____, 2015, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-__**

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-__**

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

Drexler Woods - PUD District Ordinance 3 110416

SCHEDULE OF EXHIBITS

- Exhibit A Real Estate (Legal Description)
- Exhibit B District Map
- Exhibit C Concept Plan

EXHIBIT A
REAL ESTATE

(Page 1 of 2 – Legal Description)

A part of the Northwest Quarter of Section of Section 26, part of the Southeast Quarter of Section 22, and part of the Northeast Quarter of Section 27, all in Township 19 North, Range 3 East, in Wayne Township, Hamilton County, Indiana.

Beginning at the Northwest corner of said Southeast Quarter Section; thence North 89 degrees 45 minutes 54 seconds East along the north line thereof 2317.42 feet; thence South 00 degrees 05 minutes 22 seconds West 1320.58 feet; thence South 89 degrees 43 minutes 55 seconds West 333.41 feet; thence South 00 degrees 00 minutes 03 seconds East 1323.56 feet; thence North 89 degrees 43 minutes 12 seconds East 668.57 feet to the Northwest corner of said Northwest Quarter; thence North 89 degrees 43 minutes 12 seconds East along the north line thereof 1318.40 feet to the Northeast corner of the West Half thereof; thence South 00 degrees 08 minutes 07 seconds West 2638.28 feet to the Southeast corner of the West Half thereof; thence South 89 degrees 42 minutes 45 seconds West along the South line thereof 1312.27 to the Southwest corner thereof; thence North 00 degrees 00 minutes 08 seconds East 1315.76 feet to a point on the East line of said Northeast Quarter Section; thence ; thence South 89 degrees 58 minutes 19 seconds West 723.83 feet; thence South 89 degrees 35 minutes 24 seconds West 658.08 feet; thence South 89 degrees 14 minutes 18 seconds West 752.37 feet; thence North 00 degrees 00 minutes 00 seconds East 558.56 feet; thence South 88 degrees 59 minutes 59 seconds East 6.66 feet; thence North 00 degrees 00 minutes 00 seconds East 496.92 feet; thence North 11 degrees 28 minutes 23 seconds West 88.84 feet; thence North 00 degrees 52 minutes 39 seconds West 66.92 feet; thence North 37 degrees 25 minutes 32 seconds West 61.45 feet; thence North 49 degrees 28 minutes 26 seconds West 52.94 feet; thence North 67 degrees 36 minutes 30 seconds West 89.04 feet to a point on the South line of said Section 22; thence North 89 degrees 43 minutes 12 seconds East along said south line 406.18 feet; thence North 00 degrees 03 minutes 25 seconds East 574.61 feet; thence North 89 degrees 59 minutes 37 seconds West 751.73 feet to a point on the West line of said Southeast Quarter; thence North 00 degrees 01 minutes 06 seconds East along said West line 2067.52 feet to the place of beginning, containing 265.1 acres, more or less.

**EXHIBIT A
REAL ESTATE**

(Page 2 of 2 - Location Map)

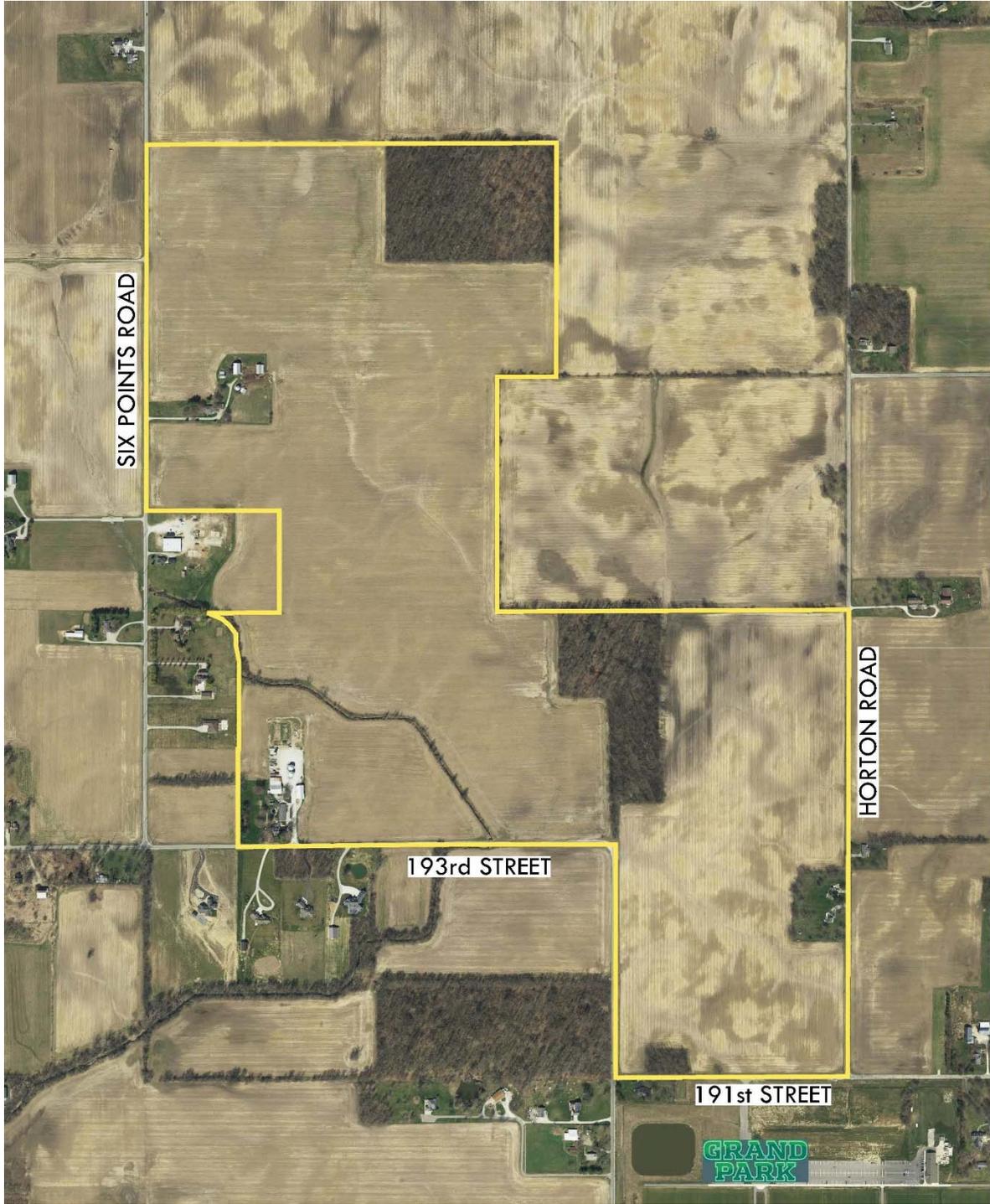


EXHIBIT B
DISTRICT MAP

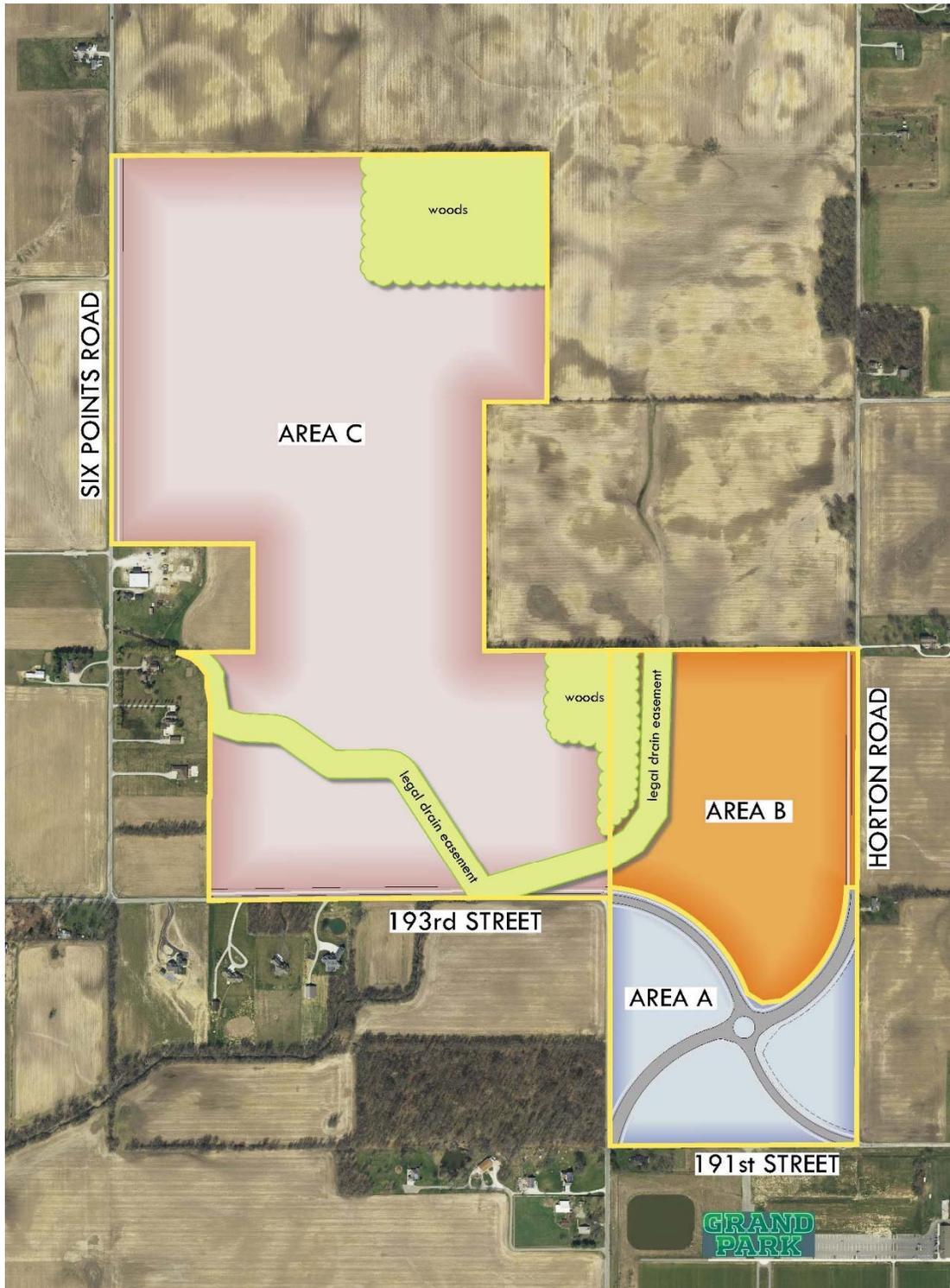
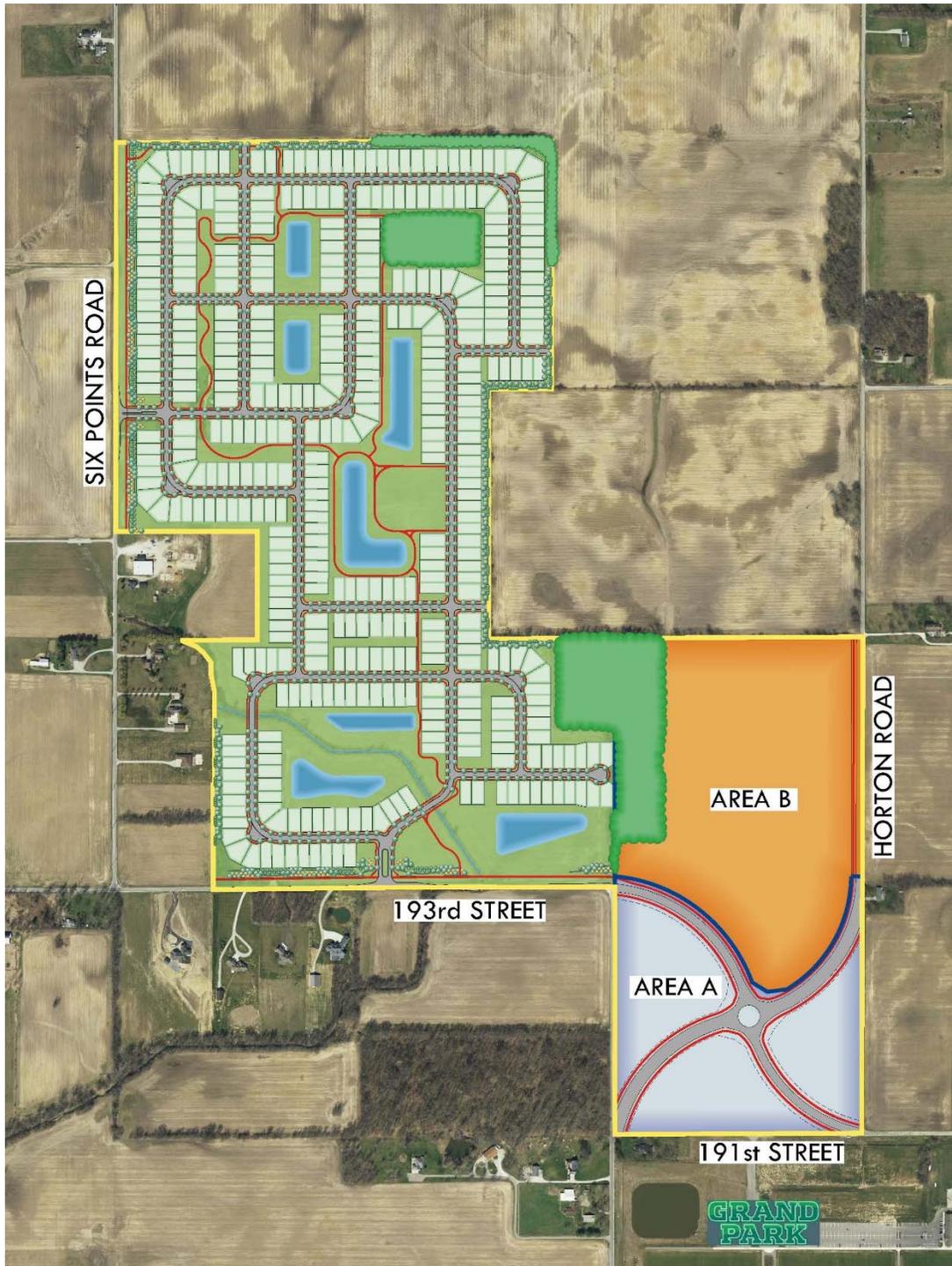


EXHIBIT C
CONCEPT PLAN



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 16__-PUD-__.