

ORDINANCE 18-05

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND HALL AND HOUSE PLANNED UNIT DEVELOPMENT DISTRICT

This is an Ordinance (this “Ordinance”) 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 Westfield-Washington Township Unified Development Ordinance (the “UDO”); and

WHEREAS, the Common Council enacted Ordinance No. 12-25, establishing the Hall and House PUD Ordinance on July 9, 2012, recorded as Instrument No. 2012041159 in the Office of the Recorder of Hamilton County, Indiana (the “Original PUD Ordinance”); and

WHEREAS, the Council subsequently adopted Ordinance No. 17-16, the Hall and House PUD Amendment on July 10, 2017 (the “First Amendment”), which amended the Original Ordinance; and

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (**Petition No. 1803-PUD-07**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly describe in **Exhibit A**, attached hereto and made apart hereof (the “Real Estate”); and

WHEREAS, the Commission forwarded Petition No. 1803-PUD-07 to the Common Council with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018; 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 Unified Development Ordinance and Zoning Map is hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 Development of the Real Estate shall be governed by (i) the provision of this Ordinance and its exhibits, (ii) the Hall and House 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 Hall and House PUD Ordinance.

1.2 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.

1.3 All provision and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance or the Hall and House PUD 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 or the Hall and House PUD Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

Section 3. **Concept Plan.** The “Concept Plan”, attached hereto as **Exhibit B**, 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. **General Regulations.** The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the Real Estate, except as otherwise modified by the Hall and House PUD Ordinance as set forth below:

4.1 Minimum front yard building setback along 175th Street from the public right-of-way shall be ten (10) feet.

Section 4. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified by the Hall and House PUD Ordinance as set forth below:

4.1 Article 6.8 Landscape Standards: Shall not apply to Lot B-2, rather landscaping shall be installed in substantial compliance with the Illustrative Landscape Exhibit, attached hereto as **Exhibit C**.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2018.

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 hereby certify that **ORDINANCE 18-05** was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 18-05**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 18-05**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

- Exhibit A Real Estate (Legal Description)
- Exhibit B Concept Plan
- Exhibit C Illustrative Landscape Exhibit

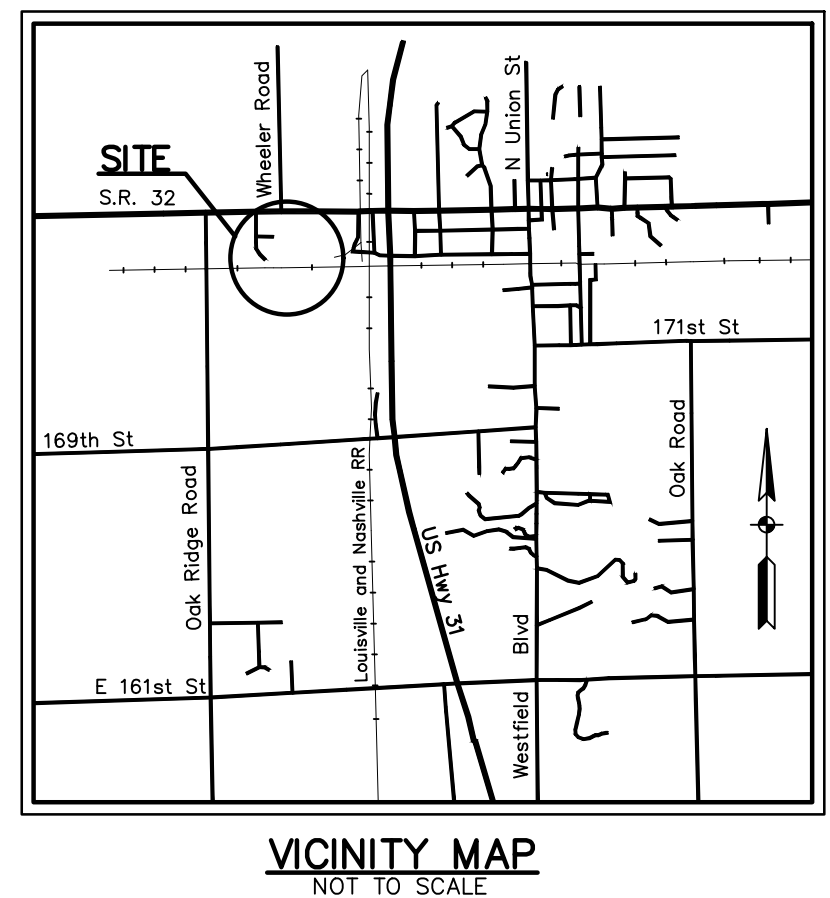
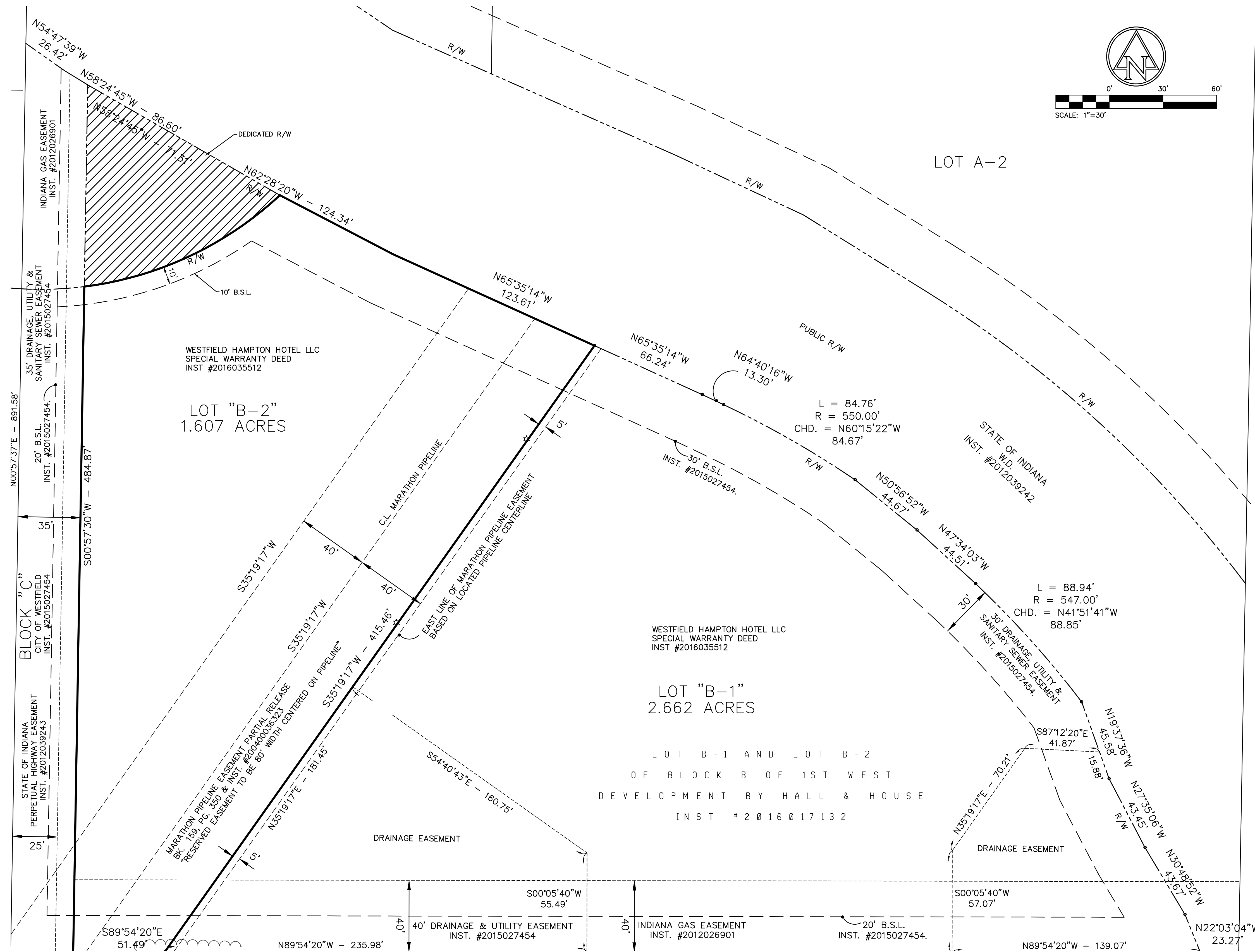
EXHIBIT “A”

DESCRIPTION

Part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East located in Hamilton County, Indiana described as follow:

Commencing at the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East (said corner being South 89 degrees 49 minutes 58 seconds West 79.77 feet from the Northeast corner of the East Half of the Northwest Quarter of Section 1, Township 18 North, Range 3 East) assumed basis of bearings; thence South 89 degrees 49 minutes 58 seconds West along the North line of the said Half Quarter Section 551.56 feet to the northeast corner of a variable right-of-way of State Road 32 per Project STP-008-6(006) parcel 41; thence South 01 degrees 02 minutes 08 seconds West 51.03 feet to the southeast corner of said right-of-way parcel 41, being the Point of Beginning; thence South 01 degrees 02 minutes 08 seconds West 843.75 feet to the north right-of-way of the Central Indiana Railroad; thence North 89 degrees 54 minutes 20 seconds West along said right-of-way 687.23 feet; thence North 00 degrees 57 minutes 37 seconds East 852.24 feet to the southwest corner of the aforesaid variable right-of-way; thence North 89 degrees 11 minutes 51 seconds East along the south line of said right-of-way 688.26 feet to the Point of Beginning containing 13.38 acres more or less.

PLOT DATE: 11/19/2018 4:05 PM
 PLOT SCALE: 1" = 30'
 EDITED BY: AHOLUBER
 DRAWING FILE: P:\2017\00598\0_Drawing\Chh\ExhibitB\2017.00598_CE_2018-01-18_PUD Amendment Exhibit B.dwg
 EDIT DATE: 11/18/2018



AMERICAN
STRUCTUREPOINT
 INC.

7260 Shadeland Station | Indianapolis, Indiana 46256
 TEL 317.547.8580 | FAX 317.543.0270
 www.structurepoint.com

HALL AND HOUSE PUD AMENDMENT

S.R. 32 & WHEELER ROAD
WESTFIELD, IN

CERTIFIED BY

ISSUANCE INDEX	
DATE:	01/19/2018
PROJECT PHASE:	

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2017.00598.0001

EXHIBIT B

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	COND.	SIZE	SPACING
AR	6	Acer rubrum 'Redpointe' / Redpointe Maple	B & B	2' Cal.	As shown
GA	3	Ginkgo biloba 'Autumn Gold' TM / Maidenhair Tree	B & B	2' Cal.	As shown
GS	7	Gleditsia triacanthos 'Skyline' / Skyline Honey Locust	B & B	2' Cal.	As shown
NW	3	Nyssa sylvatica 'Wildfire' / Black Gum	B & B	2.5' Cal.	As shown
TN	15	Thuja occidentalis 'Nigra' / Nigra Cedar	B & B	6' HT.	As shown
ORNAMENTAL TREE	QTY	BOTANICAL NAME / COMMON NAME	COND.	SIZE	SPACING
CM	2	Cornus kousa 'Milky Way' / Milky Way Kousa Dogwood	B & B	8' HT.	As shown
MS	5	Magnolia virginiana / Sweet Bay	B & B	8' HT.	As shown
MC	9	Malus x 'Centzam' TM / Centurion Crab Apple	B & B	1.5' Cal.	As shown
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	COND.	SIZE	SPACING
AA	7	Aronia melanocarpa 'Autumn Magic' / Autumn Magic Black Chokeberry	CONT.	3 GAL.	60" O.C.
DN	11	Deutzia gracilis 'Nikko' / Slender Deutzia	CONT.	3 GAL.	36" O.C.
IV	9	Itea virginica 'Henry's Garnet' / Henry's Garnet Sweetspire	CONT.	3 GAL.	As Shown
JF	15	Juniperus chinensis 'Sea Green' / Sea Green Juniper	CONT.	3 GAL.	60" O.C.
JO	50	Juniperus virginiana 'Grey Owl' / Eastern Redcedar	CONT.	3 GAL.	48" O.C.
RG	24	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	CONT.	3 GAL.	48" O.C.
RD	23	Rosa x 'Double Knockout' / Rose	CONT.	3 GAL.	48" O.C.
ST	13	Spiraea betulifolia 'Tor' / Birchleaf Spirea	CONT.	3 GAL.	36" O.C.
SM	7	Syringa meyeri 'Palibin' / Dwarf Korean Lilac	CONT.	3 GAL.	48" O.C.
TR	33	Taxus x media 'Runyan' / Yew	CONT.	3 GAL.	48" O.C.
VS	9	Viburnum plicatum tomentosum 'Shasta' / Shasta Japanese Snowball	CONT.	3 GAL.	96" O.C.
GRASSES	QTY	BOTANICAL NAME / COMMON NAME	COND.	SIZE	SPACING
MM	45	Miscanthus sinensis 'Morning Light' / Eulalia Grass	CONT.	3 GAL.	48" O.C.
PS	21	Panicum virgatum 'Shenandoah' / Switch Grass	CONT.	3 GAL.	36" O.C.
GROUND COVERS	QTY	BOTANICAL NAME / COMMON NAME	COND.	SIZE	SPACING
HH	21	Hemerocallis x 'Happy Returns' / Happy Returns Daylily	Cont.	4" Pot	24" OC
LB	47	Liriope muscari 'Big Blue' / Big Blue Lilyturf	Cont.	4" Pot	24" OC
NF	35	Nepeta x faassenii 'Walkers Low' / Walkers Low Catmint	Cont.	4" Pot	24" OC

TURF SCHEDULE

LAWN SEED - SUN AND PARTIAL SHADE MIX	21,777 sf
<i>See general notes for seed requirements.</i>	
Agrostis alba / Redtop	2,178 sf
Festuca rubra / Red Fescue	6,539 sf
Lolium perenne / Perennial Ryegrass	2,178 sf
Poa pratensis / Kentucky Bluegrass	10,888 sf

GENERAL NOTES:

- CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS IN THE FIELD PRIOR TO BEGINNING WORK. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES ASSOCIATED WITH WORK. UTILITIES SHALL BE REPAIRED TO SATISFACTION OF THE UTILITY OWNER AND/OR OPERATING AUTHORITY AT NO ADDITIONAL COST.
- A MINIMUM OF 4" OF TOPSOIL (AT TOPSOIL 1/2 MULCH AND SOIL CONDITIONER) SHALL BE PLACED ON ALL AREAS TO BE SEED, SODDED AND PLANTED. PLANTING SOIL MIX SHALL BE FREE FROM SUBSOIL, VEGETATION, WEEDS OR ANY EXTRANEOUS OR DELETERIOUS MATERIALS LARGER THAN 1". REMOVE ANY UNSUITABLE AND EXCESS TOPSOIL, AS DETERMINED BY SOILS ENGINEER, FROM THE SITE. FURNISH ANY ADDITIONAL TOPSOIL NEEDED AT NO ADDITIONAL COST. ADDED TOPSOIL SHALL BE INCORPORATED INTO EXISTING SOIL.
- IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICATE. IF IN QUESTION, CONTACT THE LANDSCAPE ARCHITECT.
- ALL PLANTING BEDS SHALL HAVE A 3" THICK LAYER OF SHREDDED HARDWOOD BARK MULCH. NO UTILITY MULCH OR PROCESSED TREE TRIMMINGS WILL BE ALLOWED. ALL PLANTING BEDS SHALL HAVE PRE-EMERGENT HERBICIDE APPLIED AS PER MANUFACTURERS RECOMMENDATION, AFTER INSTALLATION IS COMPLETE.
- FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE PLANTING OPERATIONS ARE TO PROCEED. ALL TREE LOCATIONS SHALL BE MARKED WITH A WOODEN STAKE INDICATING VARIETY AND SIZE OF TREE.
- NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT PRIOR TO BID DATE IN WRITING. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTORS OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
- ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, 2004 EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERMEN.
- PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT CONFLICT WITH CONSTRUCTION AND AS DIRECTED BY OWNER.
- ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE ARCHITECT. AT END OF THIS PERIOD, PLANT MATERIAL TERMED DEAD OR UNSATISFACTORY BY LANDSCAPE ARCHITECT SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.
- ALL DISTURBED LAWN AREAS SHALL BE HYDRO-SEEDDED OR SODDED AS SHOWN PER THE LANDSCAPE AND EROSION CONTROL PLANS.
- LAWN AND SOD AREAS ARE TO BE GRADED UNIFORMLY WITHOUT ANY UNDULATIONS OR IRREGULARITIES IN THE SURFACE PRIOR TO ANY HYDRO-SEED OR SOD WORK.
- ALL LAWN IS TO BE A BLEND PER THE PLANT SCHEDULE. HYDRO-SEED AREAS ARE TO HAVE 0% NOXIOUS WEED AND FREE OF DISEASE.
- PROTECT LAWN SEEDDED AREAS WITH STRAW MULCH. SPREAD MULCH UNIFORMLY AT A MINIMUM RATE OF 2 TONS PER ACRE TO FORM A CONTINUOUS BLANKET 1 1/2 INCHES IN LOOSE THICKNESS OVER SEEDDED AREAS.

ORDINANCE NOTES:

MINIMUM LOT LANDSCAPING (1.61 ACRES)
 BUSINESS USE: (10) SHADE TREES + (10) ORNAMENTAL TREES + (25) SHRUBS / ACRE
 REQUIRED: (16.1) SHADE TREES + (16.1) ORNAMENTAL TREES + (40.3) SHRUBS
 PROPOSED: (16) SHADE TREES + (31) ORN. / EVERGREEN TREES + (204) SHRUBS

STREET FRONTAGE LANDSCAPING
 (3) SHADE OR EVERGREEN TREES + (2) ORNAMENTAL TREES + (25) SHRUBS / 100 LF
 WESTFIELD PARK ROAD (200 LF):
 REQUIRED: (6) SHADE TREES + (4) ORNAMENTAL TREES + (50) SHRUBS
 PROPOSED: (6) SHADE TREES + (4) ORNAMENTAL TREES + (40) SHRUBS
 SITE RESTRICTIONS LIMIT PLANTINGS. SEE NOTE BELOW

FOUNDATION PLANTINGS (837 LF)
 (1) SHRUB OR ORNAMENTAL TREE / 12 LF
 REQUIRED: (28.08) TREES / SHRUBS
 PROPOSED: (68) SHRUBS

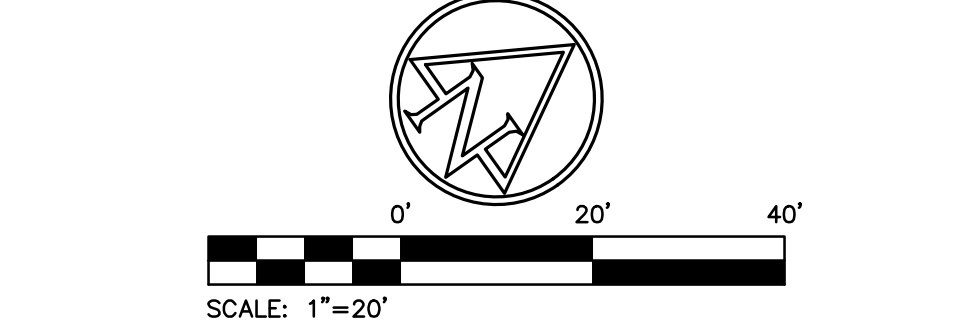
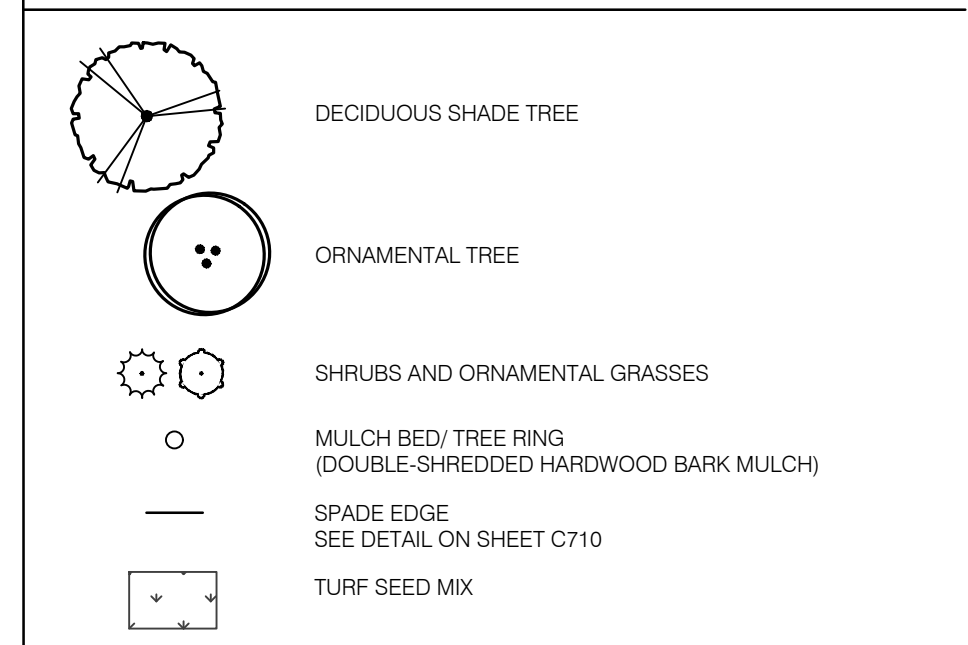
BUFFER YARDS (NW - 485 LF)
 REQUIRED: (20) SHADE TREES + (20) EVERGREEN TREES + (40) SHRUBS
 PROPOSED: (8) SHADE TREES + (17) EVERGREEN TREES + (9) ORN TREES + (103) SHRUBS
 SITE RESTRICTIONS LIMIT PLANTINGS. SEE NOTE BELOW

INTERIOR PARKING AREA LANDSCAPING (121 SPACES; 9,900 SF)
 PARKING ISLANDS TO INCLUDE (1) TREE + (4) SHRUBS / ISLAND (MINIMUM 120 SF)
 REQUIRED LANDSCAPED AREA: (100); 990 SF
 PROPOSED LANDSCAPED AREA: (148); 1470 SF
 PROPOSED PLANTINGS: (6) SHADE TREES + (3) ORNAMENTAL TREES + (46) SHRUBS
 SITE RESTRICTIONS LIMIT PLANTINGS. SEE NOTE BELOW

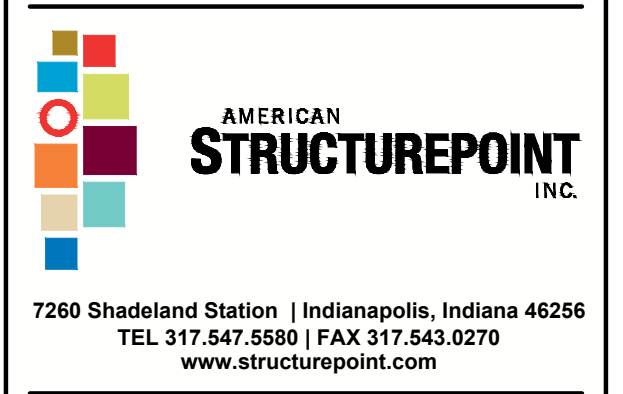
PERIMETER PARKING AREA LANDSCAPING (516 LF)
 (1) SHADE TREE + (10) SHRUBS / 30 LF
 REQUIRED: (5) SHADE TREES, (46) SHRUBS
 PROPOSED: (3) SHADE TREES, (3) ORNAMENTAL TREES, (17) SHRUBS

SITE RESTRICTIONS NOTE:
 GAS LINE ALONG THE SOUTH AND WEST OF THE PROPERTY AND A UTILITY EASEMENT TO THE SOUTH AND EAST LIMIT THE ABILITY TO PLANT IN THESE AREAS. THE NORTH CORNER OF THE LOT IS ALSO TO BE DEDICATED AS RIGHT-OF-WAY TO THE CITY AND WILL NOT BE PLANTED. ADDITIONAL SHRUBS PROVIDED AS FOUNDATION PLANTINGS AND ALONG THE TRAIL ARE TO COMPENSATE FOR OVERALL SITE QUANTITIES, AND ADDITIONAL TREES HAVE ALSO BEEN PROPOSED WITHIN THE RIGHT OF WAY.

LANDSCAPE LEGEND



DRAWING FILE: W:\INDIANAPOLIS\2017\00598.DWG; DIMENSIONS: 18.01.26; LANDSCAPE EXHIBIT 007.00598.C700.LP; EXHIBIT 008
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 EDITED BY: ABLIECHER
 WESTFIELD-INDIANAPOLIS COMPANY
 SPECIAL WARRANTY DEED
 INST. #20180205



GRINDSTONE CHARLEY'S

**17470 WHEELER ROAD
WESTFIELD, IN 46074**

**APPROVAL PENDING
NOT FOR CONSTRUCTION**

CERTIFIED BY

ISSUANCE INDEX		
NO.	DESCRIPTION	DATE

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2017.00598

**ILLUSTRATIVE
LANDSCAPE EXHIBIT**

**EXHIBIT
C**