

**ORDINANCE \_\_\_\_\_ 16-13**

**AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE BRIDGEWATER CLUB PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-05, ORDINANCE 10-08, ORDINANCE 10-19, ORDINANCE 11-01, ORDINANCE 12-10, ORDINANCE 13-03, ORDINANCE 13-06, ORDINANCE 13-08, ORDINANCE 14-02, ORDINANCE 14-16, ORDINANCE 14-44, ORDINANCE 15-29, ORDINANCE 15-34, ORDINANCE 15-35, ORDINANCE 15-36 AND TITLE 16 - LAND USE CONTROLS**

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

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Docket 1409-PUD-15), filed with the Commission requesting an amendment to Ordinance 06-49, enacted by the Town Council on October 9, 2006 , and amended by (i) Ordinance 08-05, enacted by the City Council on February 11, 2008 (ii) Ordinance 09-17, enacted by the City Council on September 14, 2009; (iii) Ordinance 10-01, enacted by the City Council on February 8, 2010; (iv) Ordinance 10-05, enacted by the City Council on April 12, 2010; (v) Ordinance 10-08, enacted by the City Council on May 24, 2010; (vi) Ordinance 10-19, enacted by the City Council on September 13, 2010; (vii) Ordinance 11-01, enacted by the City Council on January 10, 2011; (viii) Ordinance 12-10, enacted by the City Council on April 9, 2012; (ix) Ordinance 13-03, enacted by the City Council on February 11, 2013; (x) Ordinance 13-06, enacted by the City Council on March 11, 2013; (xi) Ordinance 13-08, enacted by the City Council on March 25, 2013; (xii) Ordinance 14-02, enacted by the City Council on February 24, 2014 Ordinance 14-02; (xiii) Ordinance 14-16, enacted by the City Council on May 12, 2014 and (xiv) Ordinance 14-44, enacted by the City Council on September 22, 2014; (xv) Ordinance 15-29, enacted by the City Council on \_\_\_\_\_, October 12, 2015; (xvi) Ordinance 15-34, enacted by the City Council on \_\_\_\_\_, November 23, 2015; (xvii) Ordinance 15-35, enacted by the City Council on \_\_\_\_\_, November 23, 2015; (xviii) Ordinance 15-36, enacted by the City Council on January 11, 2016 (collectively, the “Bridgewater PUD Ordinance”);

**WHEREAS**, the Commission took action to forward said petition (Docket 1604-DDP-13) to the Westfield City Council (the “Council”) with a ~~favorable~~ \_\_\_\_\_ recommendation (by a vote of \_ in favor and \_ opposed) in accordance with Ind. Code § 36-7-4-608, as required by Ind. Code § 36-7-4-1505, on \_\_\_\_\_2016;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the City Council on \_\_\_\_\_2016; and

**WHEREAS**, the Westfield City Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE BRIDGEWATER PUD ORDINANCE AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

**SECTION 1.** The Bridgewater PUD Ordinance is hereby amended so that the standards established in what is attached hereto and incorporated herein by reference as Exhibit “A” are applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit “B” and Exhibit “B-2”(the “Real Estate”). In all other respects, the Bridgewater PUD Ordinance shall remain in effect and unchanged.

**SECTION 2.** Upon motion duly made and seconded, this Ordinance \_\_\_\_\_ was fully passed by members of the Council this \_\_ day of \_\_\_\_\_, 2016. Further, this Ordinance \_\_\_\_\_ shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict with this Ordinance \_\_\_\_\_ are hereby amended. To the extent that this Ordinance \_\_\_\_\_ conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance \_\_\_\_\_ shall prevail.

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

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

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James J. Edwards

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James J. Edwards

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James J. Edwards

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Steven Hoover

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Robert L. Horkay

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Mark F. Keen

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Charles Lehman

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE No. \_\_\_\_\_ was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
J. Andrew Cook, Mayor

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

## EXHIBIT "A"

DEVELOPMENT STANDARDS FOR PROFESSIONAL BUILDING USES. The below terms, conditions, and provisions shall apply only to the use and development of the Real Estate Professional buildings on Parcel M3 of the Bridgewater PUD Ordinance.

A. — A. — Parking:

1. Minimum Parking Space Size: 9'x18'
2. Parking lot shall be allowed within required yards  
Required parking spaced sizes shall comply with the Landscape plan illustrated  
in what is attached hereto and incorporated herein by reference as Exhibit "C"  
showing a
3. — total of thirteen 9'x20' and forty two 10'x18' spaces. Parking is located in  
the required — front yard area of the east side of the lot. The  
encroachment is approximately five feet — east of the required building  
line and is used to add an additional seven parking spaces.

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B. Landscaping Requirements: Section 11 – Landscaping of the Bridgewater PUD Ordinance (Ord. 06-49) shall not apply to the Real Estate. Required landscaping shall be  
in substantial compliance — comply with the

Landscape Plan illustrated in what is attached hereto and incorporated herein by reference  
as Exhibit "C". The unique requirements of three front yards demand more than sixty  
five trees, mostly on perimeter parking and road frontage plantings. With parking,  
easements and setbacks, it is physically impossible to provide the areas required for  
healthy plantings. This plan shows sixteen less trees than the required total, still leaving  
all of the required buffer yard and on-site plantings around the building as well as all of  
the required shrub plantings that screen the parking areas.

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C. Signage: Section 14 – Signage of the Bridgewater PUD Ordinance (Ord. 06-49), and any  
subsequent Bridgewater PUD Ordinance amendments, shall not be applicable to signs  
— apply to the Real Estate, except as modified herein:

1. The signage permitted under Ordinance 14-02, Exhibit A, Article N shall be modified  
to substantially comply with what is attached hereto and incorporated herein by  
reference as Exhibit "D" of this Ordinance.
2. A tenant sign shall be allowed at the western entrance to the Real Estate from Market  
Center Drive. The sign shall include spaces for up to five (5) individual tenant panels  
and shall substantially comply with what is depicted as the "West Entry Sign Pier" on  
what is attached hereto and incorporated herein by reference as Exhibit "E" of this  
Ordinance.
3. All Wall Sign standards under Westfield Unified Development Ordinance, Article 6.17  
shall apply to the Real Estate, except as modified herein:
  - a. Maximum letter/logo height: Sixteen (16) inches
  - b. All Wall Signs shall be backlit reverse channel letters.

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~~Site signage shall comply with the signage illustrated in what is attached hereto and incorporated herein by reference as Exhibit "D" showing an existing brick faced monument sign on the southeast corner of the property reconstructed as a double sided internally illuminated ground sign with spaces for The Bridgewater Apartments, identification of this Building and tenant signage for this building. Additionally, at the west entry, a brick pier with ground lighted tenant directional and suite information signage will be constructed, as shown with the building elevations, Exhibit "E". Building signage will be backlit channel letters consistent with Westfield signage ordinances and as shown on the building elevations, Exhibit "E". Maximum letter height will be 16". Similar examples of the letters are shown in Exhibit "F".~~

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