ORDINANCE NUMBER 17-45

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 **HITTLE AT THIRTYONE 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. 1712-PUD-26**), requesting an amendment to the Unified Development Ordinance and to 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**. **1712-PUD-26** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (9-0) 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 January 17, 2018;

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 "**Hittle at ThirtyOne 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.

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 District is hereby divided into two (2) subareas, as depicted on the Concept Plan and labeled as Area I: Hotels and Area II: Outlots (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 4. **Illustrative Layout**. The "Illustrative Layout", attached hereto as **Exhibit C**, provides one possible site layout for parking, internal drives and building locations of new improvements. The final layout and site plan shall be subject to the terms and conditions of this Ordinance and may vary from the Illustrative Layout.

Section 5. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be the GB: General Business District (the "Underlying Zoning District").

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted, except as otherwise modified below:

6.1 Prohibited Uses: The following use(s) shall be explicitly prohibited:

A. Special Exception Uses.

Section 7. **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 below.

7.1 Minimum Lot Frontage: No minimum; however, all Lots shall have vehicular access to an External Street (e.g., via a shared ingress/egress easement).

7.2 Minimum Building Setback Lines:

A. District Perimeter: Fifteen (15) feet.

B. District Perimeter Abutting External Street: Thirty (30) feet.

C. All Other: No minimum.

7.3 Maximum Building Height: No maximum.

7.4 Minimum Building Height:

A. Area I: Hotels: Four (4) stories, or sixty (60) feet, whichever is less.

B. Area II: Outlots: One (1) story.

7.5 Minimum Building Size:

A. Area I: Hotels: Forty Thousand (40,000) square feet.

B. Area II: Outlots: Three Thousand (3,000) square feet. Outdoor seating area(s) shall count towards this requirement.

Section 8. **Overlay Districts.** The standards of Article 5.2 US Highway 31 Overlay District shall not apply to the development of the Real Estate.

Section 9. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified below.

9.1 Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) Screening of Receptacles and Loading Areas shall apply to only prohibit enclosures located within an Established Front Yard abutting US Highway 31 or191st Street.

9.2 Article 6.3 Architectural Standards: Shall apply; except as otherwise modified below.

A. Character Exhibit: Area I. The "Character Exhibit", attached hereto as **Exhibit D**, is hereby incorporated. Buildings within Area I shall be in substantial compliance with the Character Exhibit. Although the Character Exhibit does not necessarily represent the final design, it does hereby establish a benchmark for the quality and appearance of Buildings permitted to be constructed and that contribute to the intent and vision for Area I. If a provision of Article 6.3 Architectural Standards, as modified herein, is in conflict with the Character Exhibit, then the Character Exhibit shall control.

B. Mechanical Screening (Article 6.3(F)(1)): Shall apply; however, roof-mounted mechanical equipment shall be screened or located in a manner which prevents reasonable visibility.

C. Building Materials (Article 6.3(F)(2)). Shall apply to Area II: Outlots. Shall not apply to Area I: Hotels; rather, the following shall apply:

i. Masonry Materials: A minimum of eighty percent (80%) of each Building Façade, excluding windows and doors, shall be Masonry Materials, unless panels are used in accordance with paragraph (ii) below.

ii. Panel Materials: One (1) building within Area I: Hotels shall be permitted to use Architectural Insulated Panels and/or ceramic panels as the primary exterior building material, as depicted in **Exhibit D-2: Character Exhibit**, and shall comply with the following:

a. A minimum of twenty percent (20%) of the Building's aggregate Building Façades, exclusive of windows (including faux windows and glazing), doors and loading berths, shall be Masonry Materials.

b. No more than sixty percent (60%) of the Building's aggregate Building Façades, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with Architectural Insulated Panels.

c. No more than twenty-five percent (25%) of the Building's aggregate Building Façades, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with ceramic panels.

d. 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.

D. Building Elevations; Wall Planes (Article 6.3(F)(5)(b)). Shall apply to Area II: Outlots. Shall not apply to Area I: Hotels; rather, the Character Exhibit shall control.

9.3 Article 6.5 Fence Standards: Shall apply; however, chain-link and other non-decorative fencing shall be permitted for Childcare / Daycare Centers, or other businesses requiring a similar secured activity-area. All walls and fencing shall be architecturally compatible with the associated building(s).

9.4 Article 6.8 Landscaping Standards: Shall apply, except as modified below.

A. Buffer Yard Requirements (Article 6.8(N)): Shall not apply.

B. Parking Area Landscaping (Article 6.8(O)). If adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter Parking Area Landscaping (Article 6.8(O)(2)); rather, the combined Parking Area shall be designed as a single Parking Area and landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements.

9.5 Article 6.17 Sign Standards: Shall apply, except as modified below.

A. Monument Sign(s) (Center Only) (Article 6.17(J)(2)). Shall apply. In addition to the permitted Monument Center Sign, one of the following shall also be permitted at the Real Estate's entrance from Chad Hittle Court:

i. One (1) Monument Sign (Center Only): Fifteen (15) feet in Sign Height and one hundred and twenty (120) square feet of Sign Area, per face; or

ii. Two (2) Entrance Signs: Sixty (60) square feet of Sign Area, and may contain tenant information.

B. Outlot Signage (Article 6.17(J)(8). Shall not apply; rather, all Outlots shall be permitted two (2) square feet of Sign Area for each one (1) lineal foot of Building Façade. Sign Area Allocation may be divided between Wall, Awning, and Under Canopy or related areas.

Section 10. **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.

Section 11. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the Real Estate, except as otherwise modified below.

11.1 Article 8.6 Open Space and Amenity Standards: Shall apply. In addition, the following shall apply.

A. Enhanced Entry: The District's entrance from Chad Hittle Court shall be enhanced in a manner substantially consistent with the Site Enhancement Exhibit, attached hereto as **Exhibit E**.

B. Public Art Node: The District shall incorporate a public art node in the location generally depicted on the Illustrative Site Layout (the "Public Art Plaza"), and in accordance with the following:

i. The Public Art Plaza shall be enhanced to include a combination of landscaping (e.g., shrubs, groundcover) and hardscaping (e.g., decorative pavement, bench seating), as generally depicted in the Site Enhancement Exhibit.

ii. The Public Art Plaza shall incorporate a minimum of one (1) sculpture, which shall be scaled in size for visibility from the District's entrance from Chad Hittle Court and the right-of-way of the vehicular onramp onto US Highway 31 adjacent to the Public Art Plaza. Examples of the sculpture is depicted on the Site Enhancement Exhibit.

11.2 Article 8.7 Pedestrian Network Standards: Shall apply. In addition, the District shall also incorporate a trail, as generally depicted on the Illustrative Site Layout, to provide connectivity with the District's Retention Area(s), Public Art Plaza and Enhanced Entry.

[Remainder of page intentionally left blank.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS 22nd DAY OF JANUARY, 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 17-45** was delivered to the Mayor of Westfield

on the _____ day of January, 2018, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 17-45**

this _____ day of January, 2018.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 17-45**

this _____ day of January, 2018.

_____
J. Andrew Cook, Mayor

This document prepared by: Jesse M. Pohlman, Onpointe Land Matters, LLC
Himanshu Patel, PRYAM, LLC
51055 Sail Bay Court, Elkhart, Indiana 46514

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: Jesse M. Pohlman

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Illustrative Site Layout
Exhibit D-1	Character Exhibit
Exhibit D-2	Character Exhibit
Exhibit E	Site Enhancement Exhibit

EXHIBIT A
REAL ESTATE

This description includes two (2) parcels of land:

PARCEL I (Parcel No: 08-05-25-00-00-043.000):

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST, IN HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 88 DEGREES 54 MINUTES 32 SECONDS WEST (BASIS OF BEARING = NORTH LINE OF THE SOUTHEAST QUARTER BEING SOUTH 88 DEGREES 54 MINUTES 32 SECONDS WEST PER A WARRANTY DEED TO THE STATE OF INDIANA FOR U.S. HIGHWAY #31, RECORDED AS INSTRUMENT NO. 2013071540 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA) ALONG THE NORTH LINE THEREOF A DISTANCE OF 662.46 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE DOYLE OLIVER CARNAHAN REVOCABLE TRUST, RECORDED AS INSTRUMENT NO. 200600002049 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 11 MINUTES 26 SECONDS WEST ALONG THE WEST LINE OF SAID LAND A DISTANCE OF 93.02 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING SOUTH 00 DEGREES 11 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1,306.48 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88 DEGREES 54 MINUTES 27 SECONDS EAST ALONG THE SOUTH LINE OF SAID LAND A DISTANCE OF 334.23 FEET TO A WESTERLY LINE OF THE LAND AS DESCRIBED IN THE AFORESAID DEED TO THE STATE OF INDIANA, (THE FOLLOWING SIX (6) COURSES ARE ALONG THE WESTERLY AND SOUTHERLY LINES THEREOF); (1) NORTH 11 DEGREES 44 MINUTES 49 SECONDS EAST 176.00 FEET; (2) NORTH 05 DEGREES 09 MINUTES 15 SECONDS EAST 388.79 FEET; (3) NORTH 06 DEGREES 21 MINUTES 51 SECONDS WEST 391.31 FEET; (4) NORTH 20 DEGREES 03 MINUTES 14 SECONDS WETS 350.02 FEET; (5) NORTH 84 DEGREES 58 MINUTES 28 SECONDS WEST 186.08 FEET; (6) NORTH 82 DEGREES 46 MINUTES 36 SECONDS WEST 52.24 FEET TO THE POINT OF BEGINNING, CONTAINING 10.554 ACRES, MORE OR LESS.

PARCEL II (Parcel No: 08-05-25-00-00-042.000):

Part of the West Half of the East Half of the Southeast Quarter of Section 25, Township 19 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

Beginning 505.0 feet East of the Northwest corner of the West Half of the East Half of the Southeast Quarter of Section 25, Township 19 North, Range 3 East, and on the North line thereof; thence South 550.0 feet; thence East parallel with the North line of said West Half 156.8 feet to the East line of said West Half; thence North on and along aforesaid East line 550.0 feet to the North line of said West Half; thence West on and along aforesaid North line 157.6 feet to the Place of Beginning, containing 1.98 acres, more or less.

EXCEPT THEREFROM:

A part of the West Half of the East Half of the Southeast Quarter of Section 25, Township 19 North, Range 3 East in Hamilton County, Indiana and being that part of the grantors' land lying within the right of way lines depicted on the Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the North line of said quarter section North 88 degrees 54 minutes 32 seconds East 505.00 feet from Northwest corner of said half-quarter section which point of beginning is the Northwest corner of said grantors' land; thence continuing North 88 degrees 54 minutes 32 seconds East 156.19 feet (157.60 feet deduced from Deed Book 297, Page 544 recorded in the Office of the Recorder of Hamilton County) along the North line of said quarter section to the Northeast corner of said grantor's land; thence South 0 degrees 11 minutes 38 seconds East 92.83 feet along East line of said grantors' land; thence North 82 degrees 45 minutes 46 seconds West 157.30 feet to the West line of said grantors' land; thence North 0 degrees 09 minutes 45 seconds East 70.04 feet along the West line of said grantors' land to the Point of Beginning and containing 0.292 acres more or less. TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), along the lines described as follows: Beginning at the South end of the North 56.65 feet of the 70.04-foot course described above; thence South 83 degrees 11 minutes 22 seconds East 157.17 feet and terminating on the East line of said grantors' land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

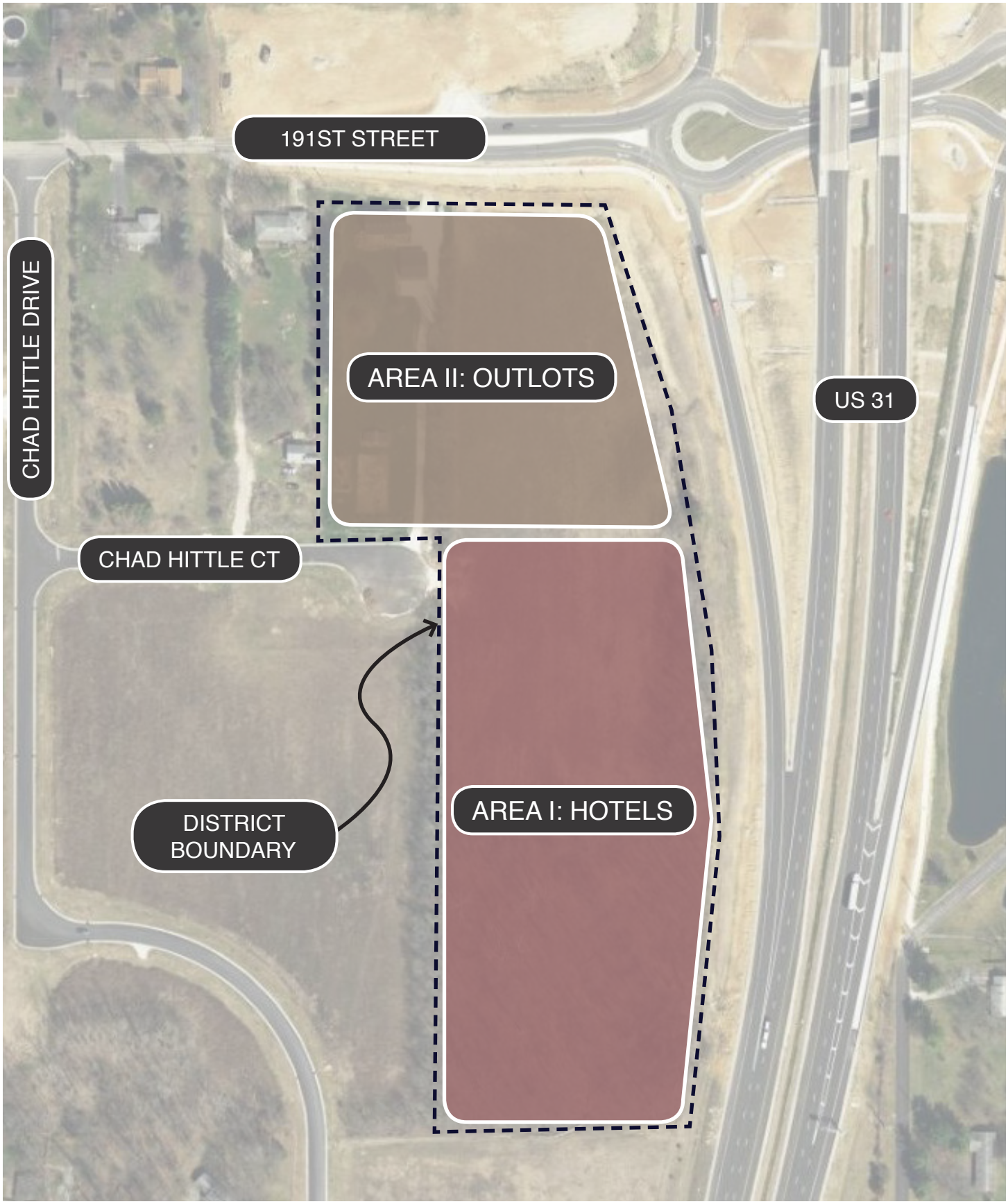


EXHIBIT B: CONCEPT PLAN

HITTLE AT THIRTYONE

PLANNED UNIT DEVELOPMENT DISTRICT

N.T.S.

11.21.17

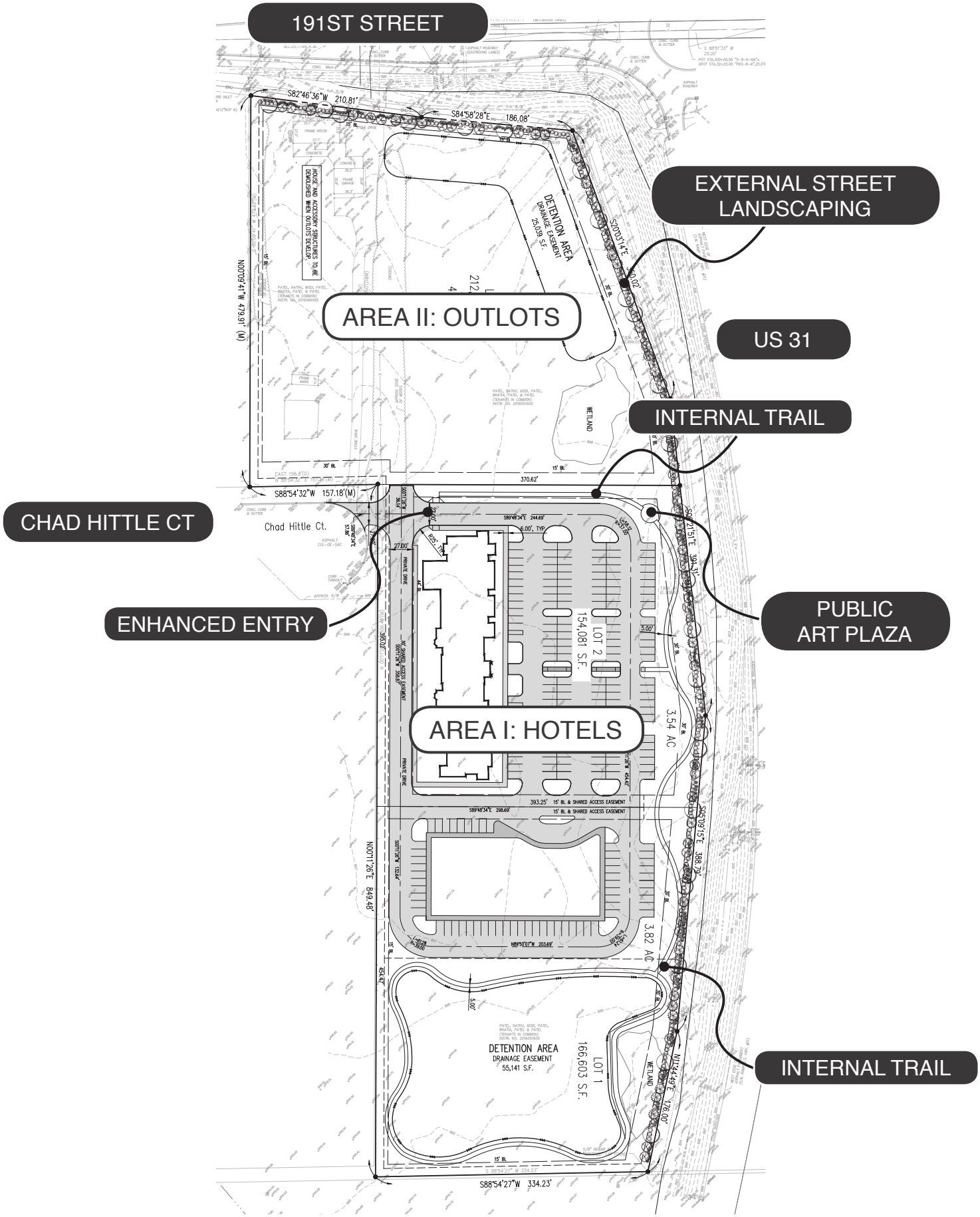


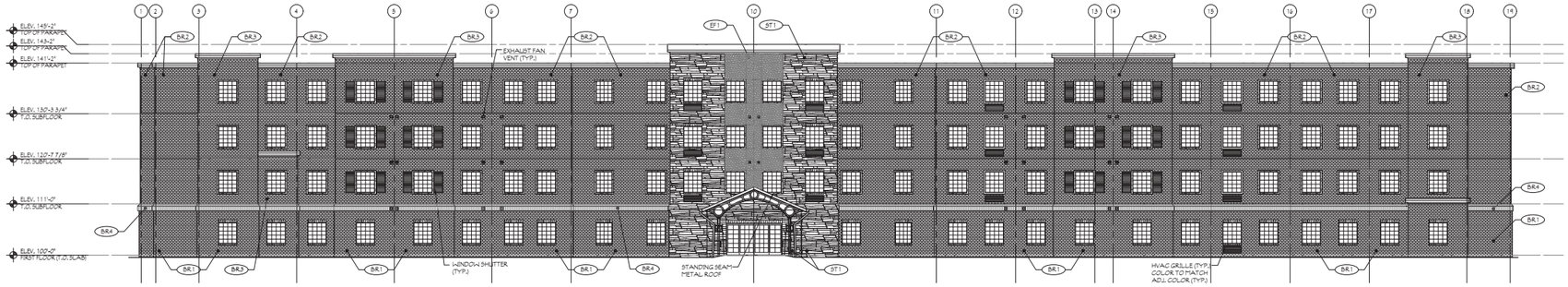
EXHIBIT C: ILLUSTRATIVE SITE LAYOUT

HITTLE AT THIRTYONE

PLANNED UNIT DEVELOPMENT DISTRICT

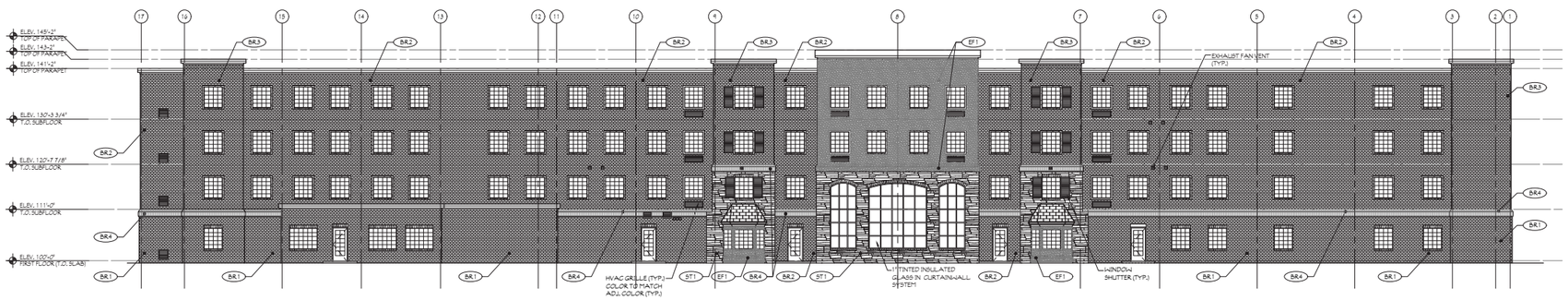
N.T.S.

01.05.18



1 FRONT ELEVATION
SCALE: 3/32" = 1'-0"

BUILDING MATERIALS		
EIFS	375 SQ. FT.	3%
STONE	1,201 SQ. FT.	10%
BRICK	10,625 SQ. FT.	87%
TOTAL	12,201 SQ. FT.	100%

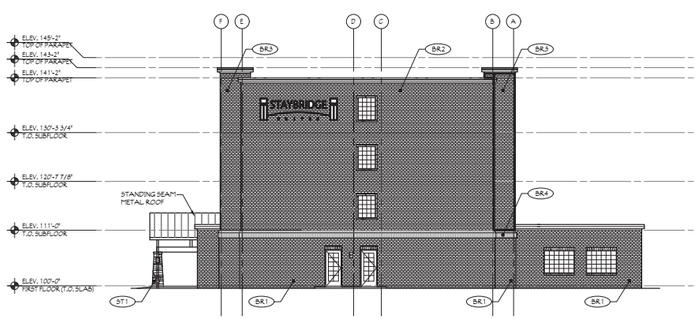


2 REAR ELEVATION
SCALE: 3/32" = 1'-0"

BUILDING MATERIALS		
EIFS	968 SQ. FT.	7%
STONE	1,241 SQ. FT.	9%
BRICK	11,315 SQ. FT.	84%
TOTAL	13,524 SQ. FT.	100%

*TOTALS DON'T INCLUDE GLAZING

NOTES:
1. COLOR OF FASCIA, AND SOFFIT TO MATCH EIFS COLOR EF-1.
2. ALUMINUM DOWNSPOUTS TO MATCH COLOR OF GUTTERS.
3. ALL CONDENSATION LINES FROM PTAC UNITS SHALL DAYLIGHT INTO CLOSEST LANDSCAPE AREA.
4. TRIM AROUND ALL WINDOWS TO BE COLOR EF-1.
5. MINIMUM EIFS THICKNESS TO BE 2". SEE EIFS BAND DETAILS FOR THICKNESS OF THESE ELEMENTS.



3 SIDE ELEVATION
SCALE: 3/32" = 1'-0"

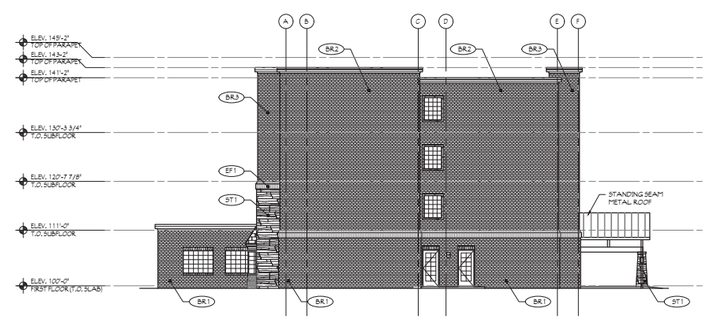
BUILDING MATERIALS		
BRICK	2,668 SQ. FT.	100%
TOTAL	2,668 SQ. FT.	100%

*TOTALS DON'T INCLUDE GLAZING

EXTERIOR FINISH KEY

- EF1 — E.I.F.S. / COLOR EF-1 (TYP.)
- BR1 — BRICK
- BR2 — BRICK
- BR3 — BRICK
- BR4 — BRICK SOLIDER COARSE
- ST1 — SIMULATED DRY STACK STONE (TYP.)

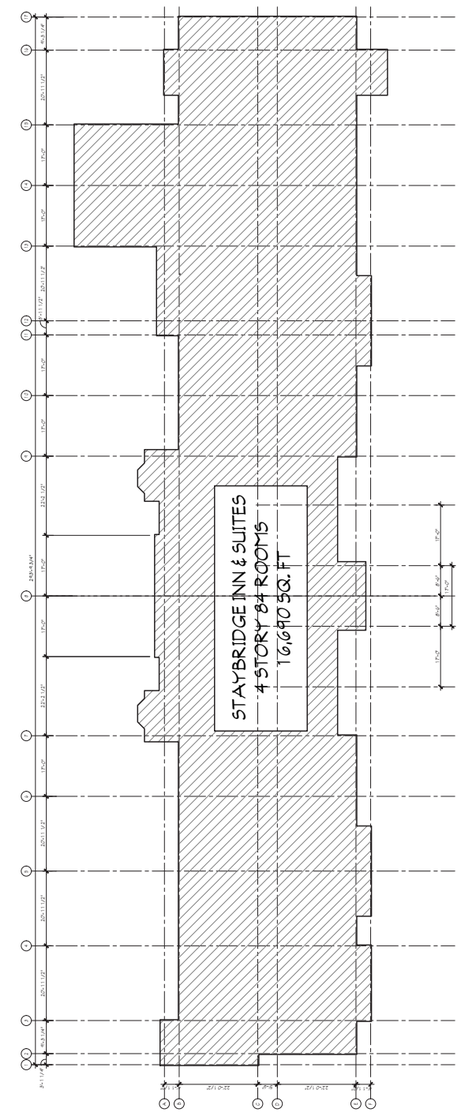
NOTE:
REFER TO
W-R-W-LIMGDESIGNCONNECT.COM
FOR LISTING OF EXTERIOR
COLOR SCHEMES.



4 SIDE ELEVATION
SCALE: 3/32" = 1'-0"

BUILDING MATERIALS		
EIFS	7 SQ. FT.	.3%
STONE	88 SQ. FT.	3%
BRICK	2,742 SQ. FT.	96.5%
TOTAL	2,837 SQ. FT.	100%

*TOTALS DON'T INCLUDE GLAZING



1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT D-1: CHARACTER EXHIBIT

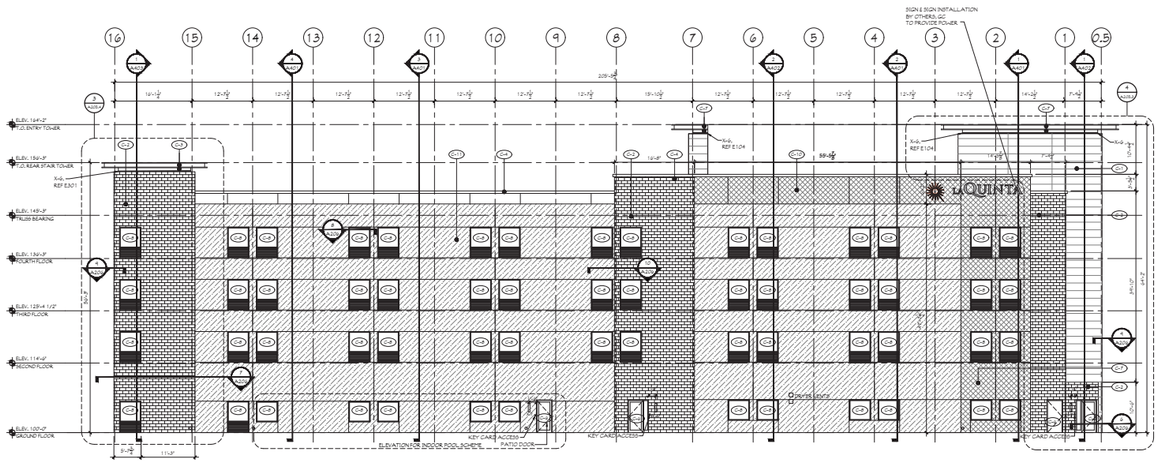
HITTLE AT THIRTYONE

PLANNED UNIT DEVELOPMENT DISTRICT

11.21.17

BUILDING MATERIALS		
BRICK	1,457 SQ. FT.	14%
CERAMIC PANELS 809 SQ. FT.		8%
ARCHITECTURAL PANELS 7,884 SQ. FT.		73%
TOTAL	10,752 SQ. FT.	100%

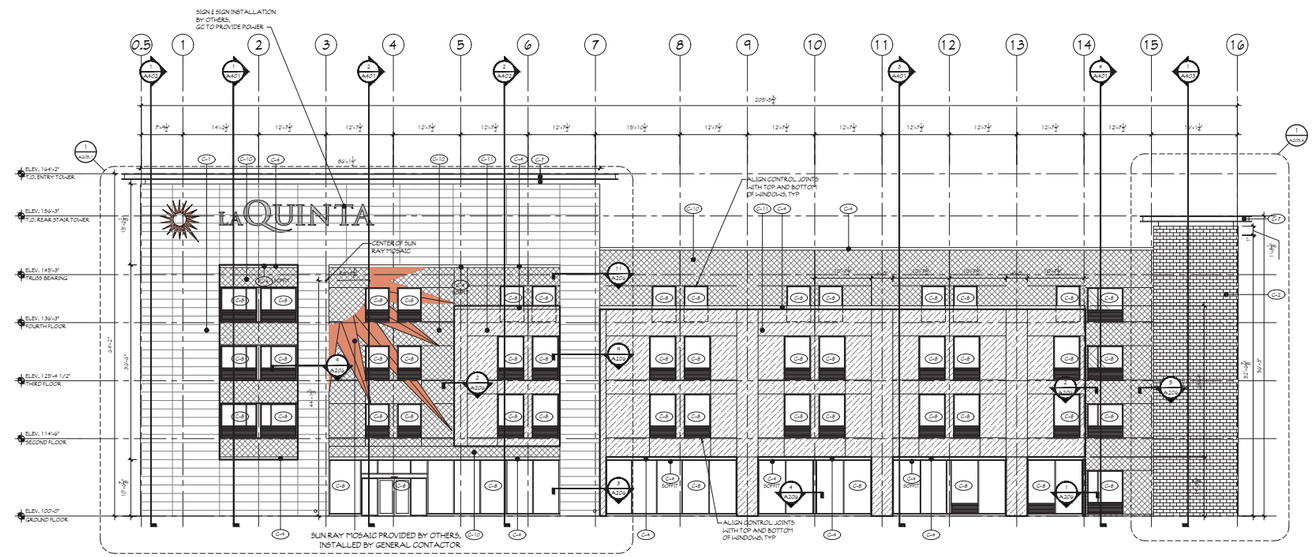
*TOTALS DON'T INCLUDE GLAZING



1 ELEVATION PLAN
SCALE: 1/8" = 1'-0"

BUILDING MATERIALS		
CERAMIC PANELS 2,789 SQ. FT.		25%
BRICK	823 SQ. FT.	7%
ARCHITECTURAL PANELS 7,785		68%
TOTAL	11,397 SQ. FT.	100%

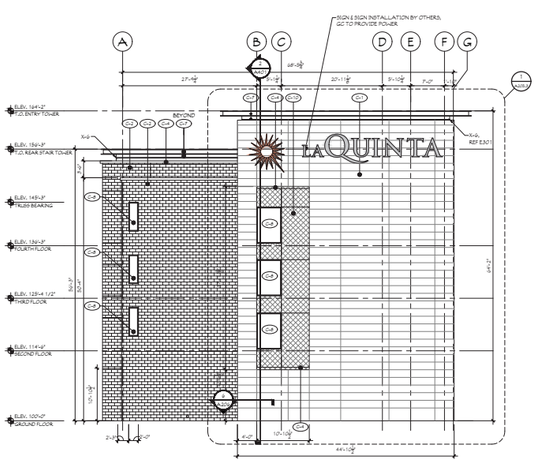
*TOTALS DON'T INCLUDE GLAZING



1 ELEVATION PLAN
SCALE: 1/8" = 1'-0"

BUILDING MATERIALS		
CERAMIC PANELS 2,381 SQ. FT.		56%
BRICK	1,602 SQ. FT.	37%
ARCHITECTURAL PANELS 298 SQ. FT.		7%
TOTAL	4,281 SQ. FT.	100%

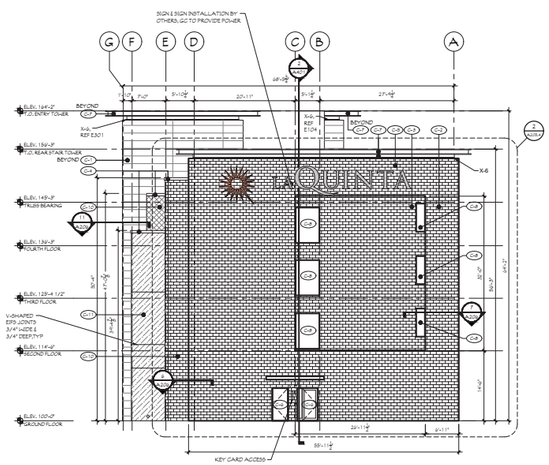
*TOTALS DON'T INCLUDE GLAZING



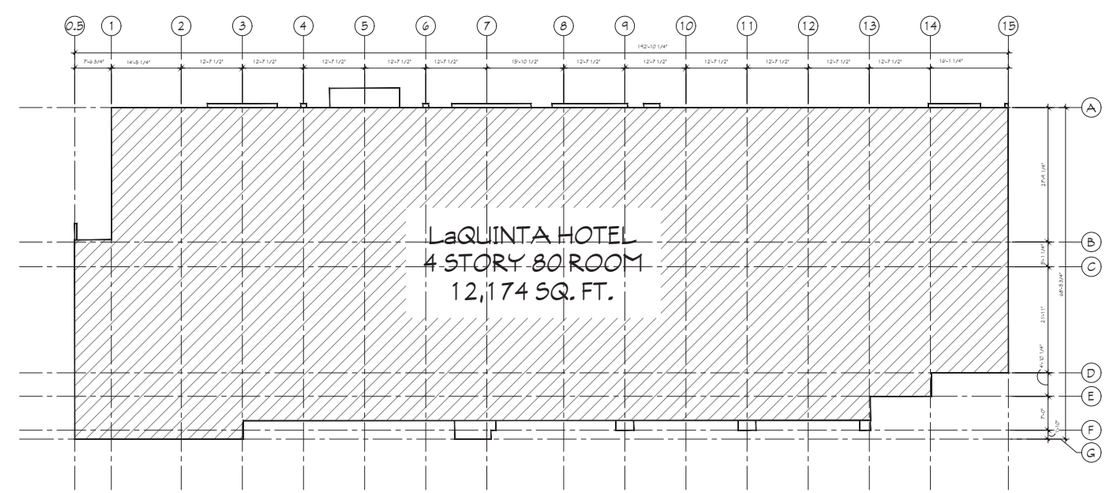
1 SIDE ELAVTIONS
SCALE: 1/8" = 1'-0"

BUILDING MATERIALS		
CERAMIC PANELS 309 SQ. FT.		9%
BRICK	3,175 SQ. FT.	78%
ARCHITECTURAL PANELS 542 SQ. FT.		13%
TOTAL	4,086 SQ. FT.	100%

*TOTALS DON'T INCLUDE GLAZING



2 SIDE ELEVATIONS
SCALE: 1/8" = 1'-0"



NORTH

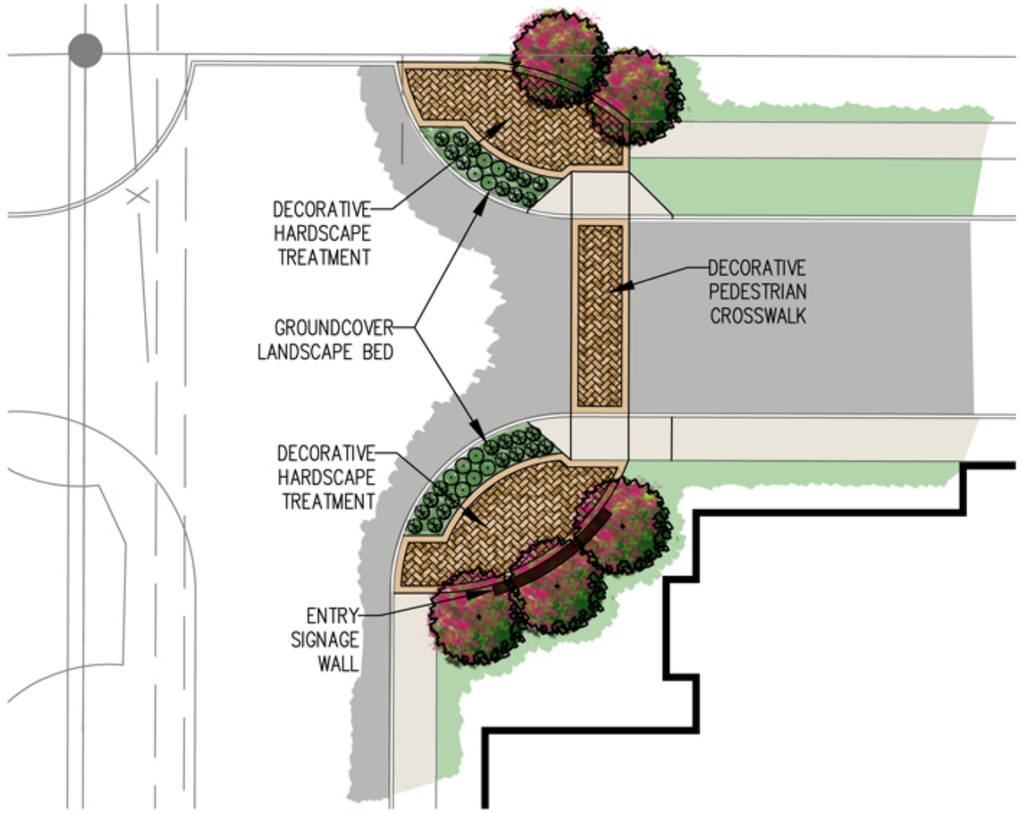
1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

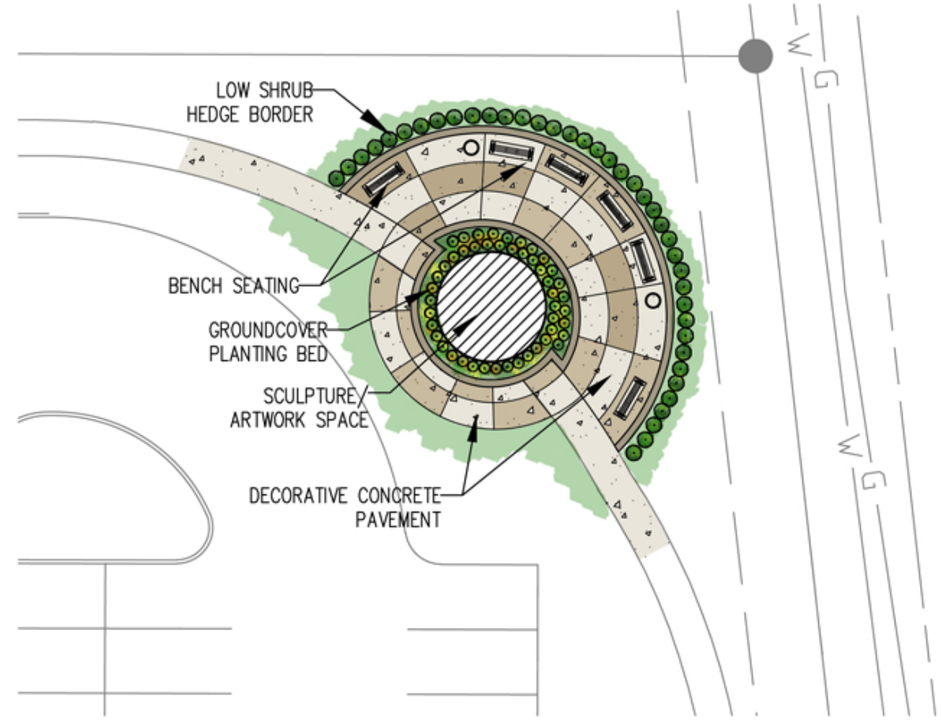
EXHIBIT D-2: CHARACTER EXHIBIT

HITTLE AT THIRTYONE

PLANNED UNIT DEVELOPMENT DISTRICT

11.21.17





SCULPTURE EXAMPLES

Schneider
Landscape Architecture ■ Planning

EXHIBIT E: SITE ENHANCEMENT EXHIBIT

HITTLE AT THIRTYONE

PLANNED UNIT DEVELOPMENT DISTRICT

12.21.17