ORDINANCE NUMBER 22-__

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE TEXT OF THE MIDTOWN AT WESTFIELD PLANNED UNIT DEVELOPMENT BEING THAT OF ORDOINACE 19-21 AND TITEL 16 – LAND USE CONTROLS

"Midtown at Westfield PUD Amendment I"

This amendment to a Planned Unit Development District Ordinance (the "**Amendment**"), known as the MIDTOWN AT WESTFIELD PUD DISTRICT (Ordinance 19-21, the "**Midtown Ordinance**"), to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "**UDO**"), 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. ____-PUD-__), filed with the Commission requesting an amendment to Ordinance 19-21, enacted by the Common Council of the City of Westfield (the "**Council**") on September 9, 2019;

WHEREAS, the Amendment pertains to the subject real estate located north of 191st Street and east of U.S. Highway 31 North, and more particularly identified by legal description in Exhibit A attached hereto and incorporated herein (the "**Real Estate**");

WHEREAS, the Commission forwarded Petition No. ____-PUD-__ to the Council with a favorable recommendation (Vote: __ in favor, __ opposed) 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 Council on _____ ___, 2022;

WHEREAS, the 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 Council, meeting in regular session, that the UDO and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1.1 The Midtown Ordinance is hereby amended for the Real Estate. In all other respects, the Midtown Ordinance shall remain in effect and unchanged. To the extent that the provisions of the UDO or the Midtown Ordinance conflict with the provisions of this Amendment, the provisions of this Amendment shall prevail.

1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment and any exhibits attached hereto, and (ii) the Midtown Ordinance, and (iii) the provisions of the UDO, as amended and applicable to the Real estate, except as modified, revised, supplemented or expressly made inapplicable by this Amendment.

1.3 Chapter ("**Chapter**") and Article ("**Article**") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.

1.4 All provisions and representations of the UDO 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 Amendment.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO.

Section 3. Concept Plan. The concept plan, attached hereto as Exhibit B (the "**Concept Plan**"), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

3.1 The District is hereby divided into two (2) areas, as depicted on the Concept Plan and labeled as "**Lot 1**" and "**Lot 2**" (individually or collectively, the "**Lot**" or "**Lots**").

3.2 Development of each Parcel shall be regulated as set forth in this Amendment.

3.3 The boundaries of the Parcels shall be developed in substantial compliance with the Concept Plan. The final layouts and site plans within the Parcels shall be subject to the terms of this Amendment and may vary from the depictions shown in the Concept Plan.

Section 4. Overlay Districts. Section 6.2 of the Midtown Ordinance shall not apply to the Real Estate. Instead, the Building on Lot 1 of the Real Estate ("**Building 1**") shall be constructed in substantial compliance with the elevations attached hereto as Exhibit C ("**Building 1 Elevations**"). The Building on Lot 2 ("**Building 2**") shall be constructed in substantial compliance with the same character and quality as Building 1; however, the design of Building 2 may be different. Conceptual elevations of Building 2 are shown in Exhibit D ("**Building 2 Conceptual Renderings and Elevations**").

Section 5. General Regulations. The standards of Section 7 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

5.1 Minimum Building Height: Section 7.7(A) of the Midtown Ordinance is hereby modified to permit a Minimum Building Height of: (i) two (2) stories on Lot 2; (ii) three (3) stories on no more that 50% of Building 1; and (iii) four (4) stories on at least 50% of Building 1.

Section 6. Development Standards. The standards of Section 8 of the Midtown Ordinance shall apply to the development of the Real Estate, except as otherwise modified below.

6.1 Character Imagery: Section 8.2(A) of the Midtown Ordinance is hereby modified for the Real Estate and is hereby replaced by Exhibit E (the "**Character Imagery Exhibit**") of this Amendment. In all other respects, Section 8.2(A) of the Midtown Ordinance shall remain in effect and unchanged.

6.2 Hotel and Office Subdistrict: Section 8.2(B) of the Midtown Ordinance is replaced and restated for the Real Estate as follows:

i. Glass shall constitute at least thirty-five (35) percent of the exterior surfaces of each Building Façade.

ii. In addition to glass, each Building Façade shall utilize a minimum of two (2) other exterior building materials.

iii. A minimum of twenty (20) percent of each Building Façade (exclusive of windows and doors) shall be Masonry Materials.

iv. No more than eighty (80) percent of each Building Façade (exclusive of windows and doors) shall be architectural aluminum panels.

6.3 Landscaping Standards.

i. Foundation Plantings. Section 8.4(B) of the Midtown Ordinance is amended to include the following additional text: Foundation plantings shall not be required along portions of the Front Building Façade where pedestrian infrastructure or covered canopy areas abut such façade.

ii. Parking Area Design. Section 8.4(E)(i) of the Midtown Ordinance shall be amended to include the following additional text: Perimeter Parking Area Landscaping shall not be required along the south property line of Lot 1.

6.4 Lighting Standards: Section 8.5(A) of the Midtown Ordinance is hereby modified to permit the street light and parking lot light fixtures included in Exhibit F (the "**Light Fixtures**") of this Amendment to be installed on the Real Estate. The luminaires on

the street light fixtures shown on Page 1 of Exhibit F shall include full covers to prevent light from projecting vertically from the fixtures.

6.5 Parking and Loading Standards: Section 8.7 of the Midtown Ordinance is hereby modified for the Real Estate as follows: Parking Space requirements shall be determined by the Director based upon data supplied in response to traffic and parking data requested to be furnished with the application for a Detailed Development Plan.

6.6 Sign Standards: Section 8.8 of the Midtown Ordinance is hereby modified to permit signage on Lot 1 in substantial compliance with the sizes and locations of the signage included in Exhibit C ("**Building 1 Signage**") of this Amendment.

i. Building 1 Signage shall not exceed the Sign Areas shown on Exhibit G, attached hereto.

ii. Corporate logos incorporated into exterior building materials on Buildings on the Real Estate shall not constitute Signs.

iii. All other Signs on the Real Estate shall comply with the UDO.

Section 7. Infrastructure Standards. Infrastructure on the Real Estate shall comply with the UDO, the Midtown Ordinance and the City's Construction Standards (see Chapter 7 Subdivision Regulations) unless otherwise approved by the Department of Public Works.

Section 8. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ___ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
James Edwards	James Edwards	James Edwards
_____	_____	_____
Scott Frei	Scott Frei	Scott Frei
_____	_____	_____
Jake Gilbert	Jake Gilbert	Jake Gilbert
_____	_____	_____
Mike Johns	Mike Johns	Mike Johns
_____	_____	_____
Troy Patton	Troy Patton	Troy Patton
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric
_____	_____	_____
Scott Willis	Scott Willis	Scott Willis

ATTEST:

_____

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 22-___** was delivered to the Mayor of Westfield on the ___ day of _____, 2022, at _____ ___m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 22-__**

this _____day of _____, 2022.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 22-__**

this _____day of _____, 2022.

_____
J. Andrew Cook, Mayor

This document prepared by: Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074, (317) 773-2190.

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: Matthew S. Skelton.

EXHIBIT A

“Real Estate”

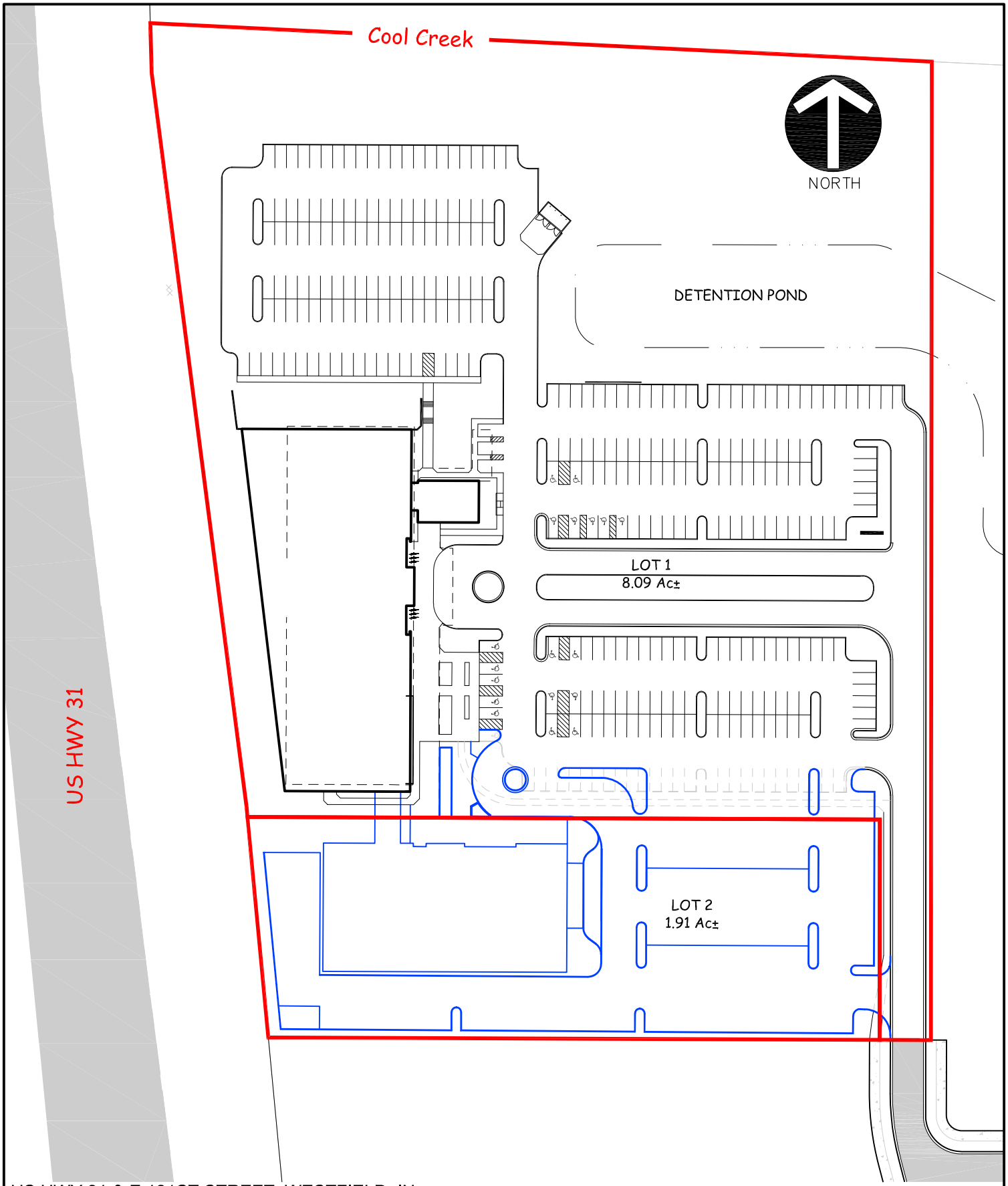
A PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 46 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 1330.93 FEET TO A HARRISON MONUMENT AT THE SOUTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST, 129.37 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 04 SECONDS EAST, 74.58 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 191ST/ STREET AS CONVEYED TO THE STATE OF INDIANA AS INSTRUMENT NUMBER 2014010926 AND 2014021561 RECORDED IN THE OFFICE OF THE RECORDER FOR HAMILTON COUNTY; THENCE ALONG THE NORTHERN AND EASTERN LINES OF SAID INSTRUMENT NUMBERS FOR THE NEXT SEVEN (7) COURSES: (1) NORTH 89 DEGREES 47 MINUTES 50 SECONDS WEST, 350.00 FEET; (2) THENCE NORTH 88 DEGREES 54 MINUTES 57 SECONDS WEST, 325.04 FEET; (3) THENCE NORTH 52 DEGREES 08 MINUTES 13 SECONDS WEST, 118.93 FEET; (4) THENCE NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST, 437.38 FEET TO THE POINT OF BEGINNING; (5) THENCE CONTINUING NORTH 05 DEGREES 24 MINUTES 33 SECONDS WEST 181.05 FEET; (6) THENCE NORTH 07 DEGREES 21 MINUTES 55 SECONDS WEST, 575.59 FEET; (7) THENCE NORTH 01 DEGREE 39 MINUTES 52 SECONDS WEST, 39.10 FEET; THENCE SOUTH 87 DEGREES 11 MINUTES 19 SECONDS EAST 609.73 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 03 SECONDS WEST 762.31 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST, 516.33 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES, MORE OR LESS.

EXHIBIT B

“Concept Plan”

The Concept Plan appears on the following page of this exhibit.



US HWY 31 & E 191ST STREET, WESTFIELD, IN

CSG PROJECT NUMBER ACG.060	DATE: 05/22/22	**CIVIL SITE GROUP, INC.** 718 ADAMS STREET, SUITE E CARMEL, INDIANA 46032 (317) 810-1677
SHEET **1** OF **1**	DWN. BY: BSC	
	CHKD. BY: BSC	
	SCALE: 1" = 100'	

Civil Site GROUP, INC.

EXHIBIT C

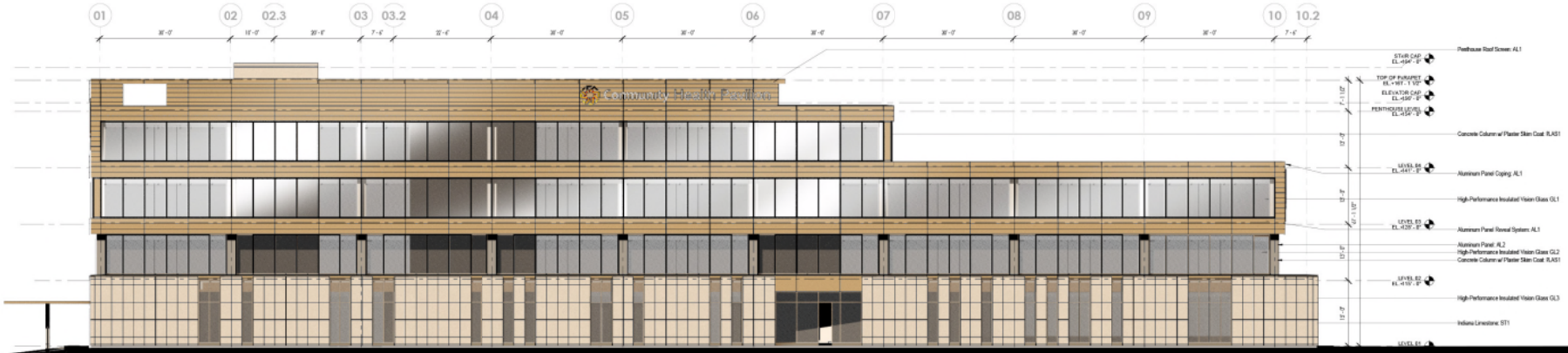
“Building 1 Elevations”

The Building 1 Elevations appear on the following four (4) pages of this exhibit.

ALDERSON COMMERCIAL GROUP

East Elevation

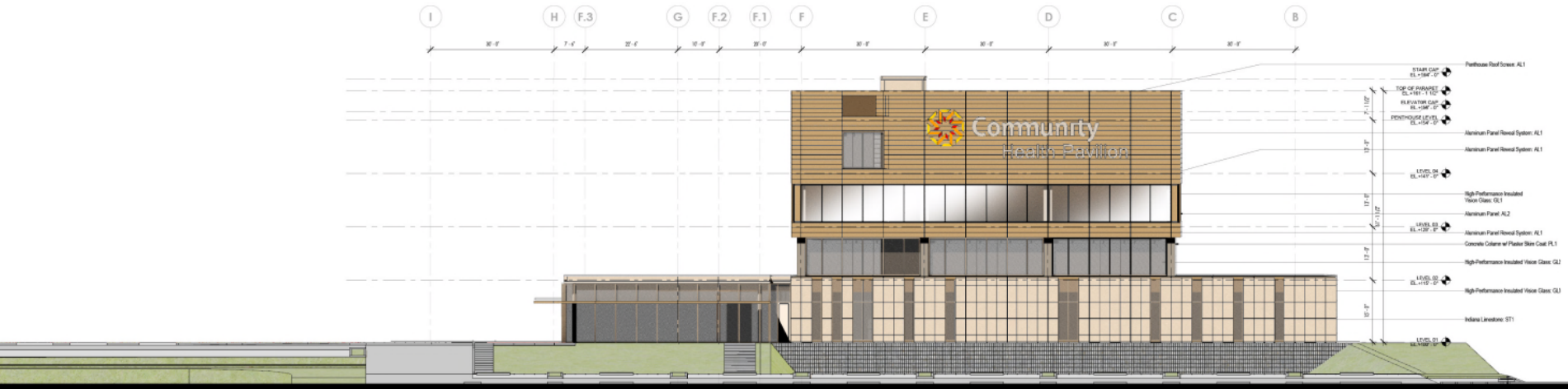
STUDIO AXIS



ALDERSON COMMERCIAL GROUP

West Elevation

STUDIO AXIS



ALDERSON COMMERCIAL GROUP

North Elevation

STUDIO AXIS

ALDERSON COMMERCIAL GROUP

South Elevation

STUDIO AXIS

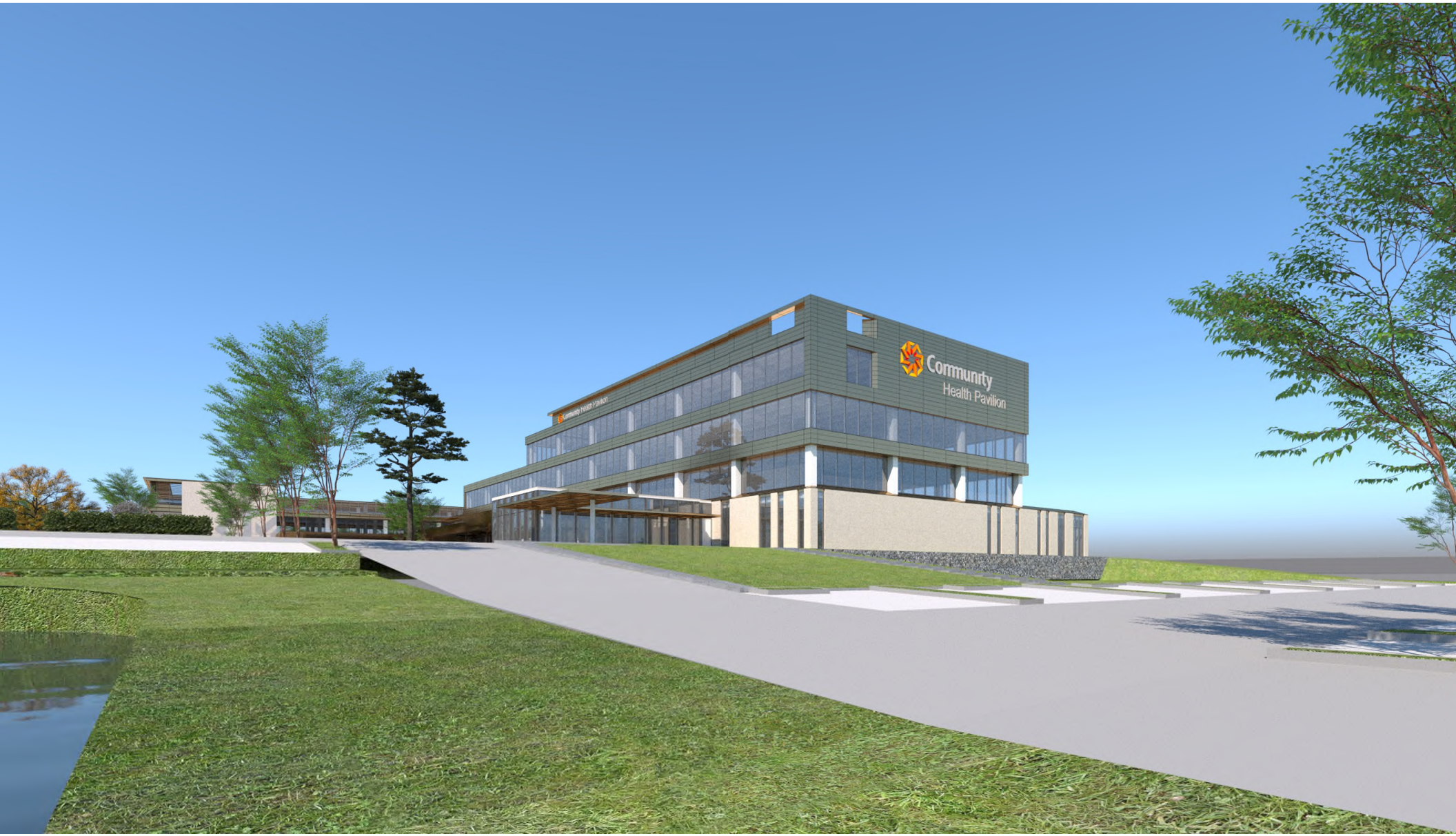
EXHIBIT D

"Building 2 Conceptual Renderings and Elevations"

The Building 2 Conceptual Renderings and Elevations appear on the following seven (7) pages of this exhibit.

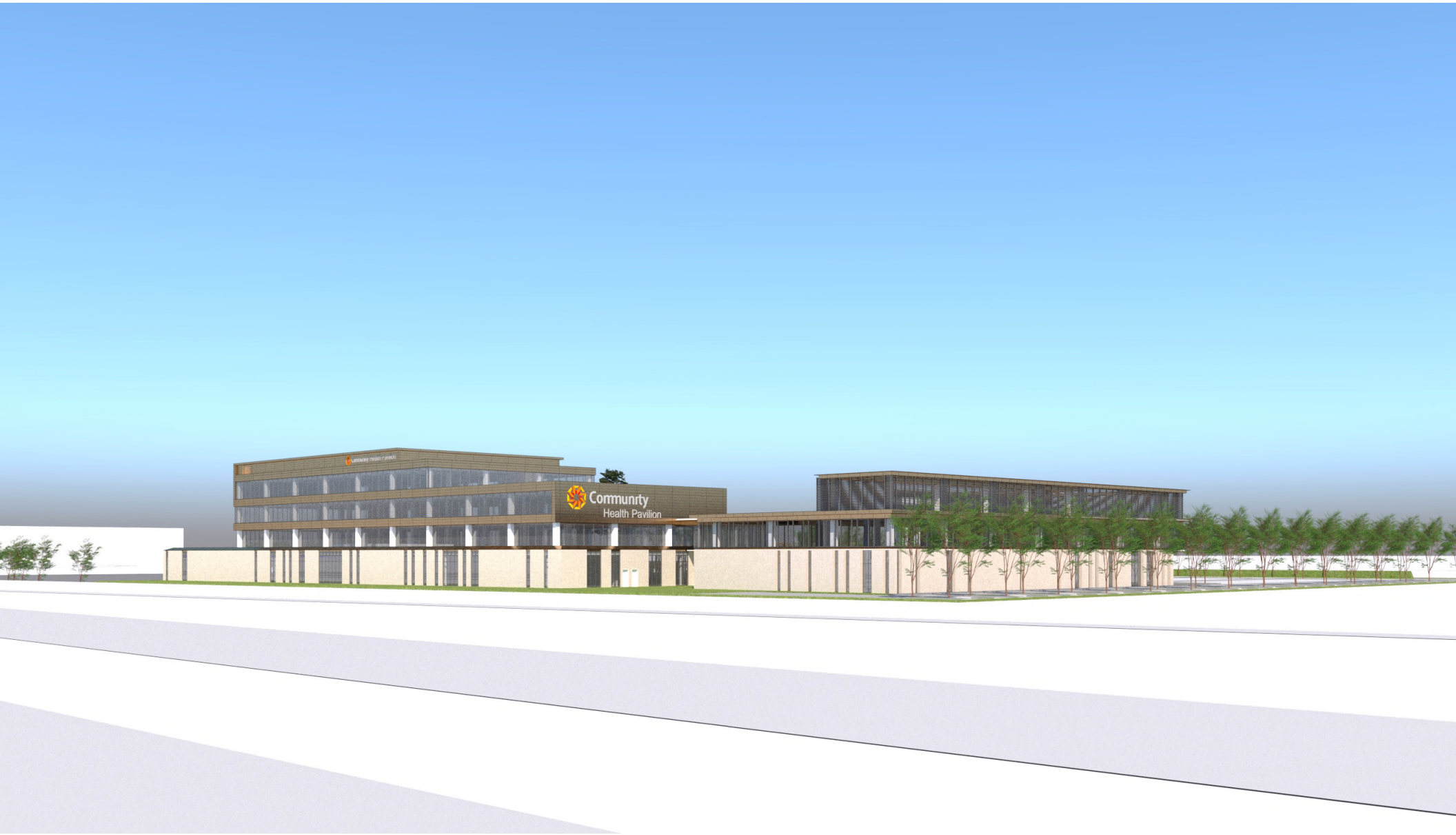
ALDERSON
COMMERCIAL GROUP

STUDIO AXIS



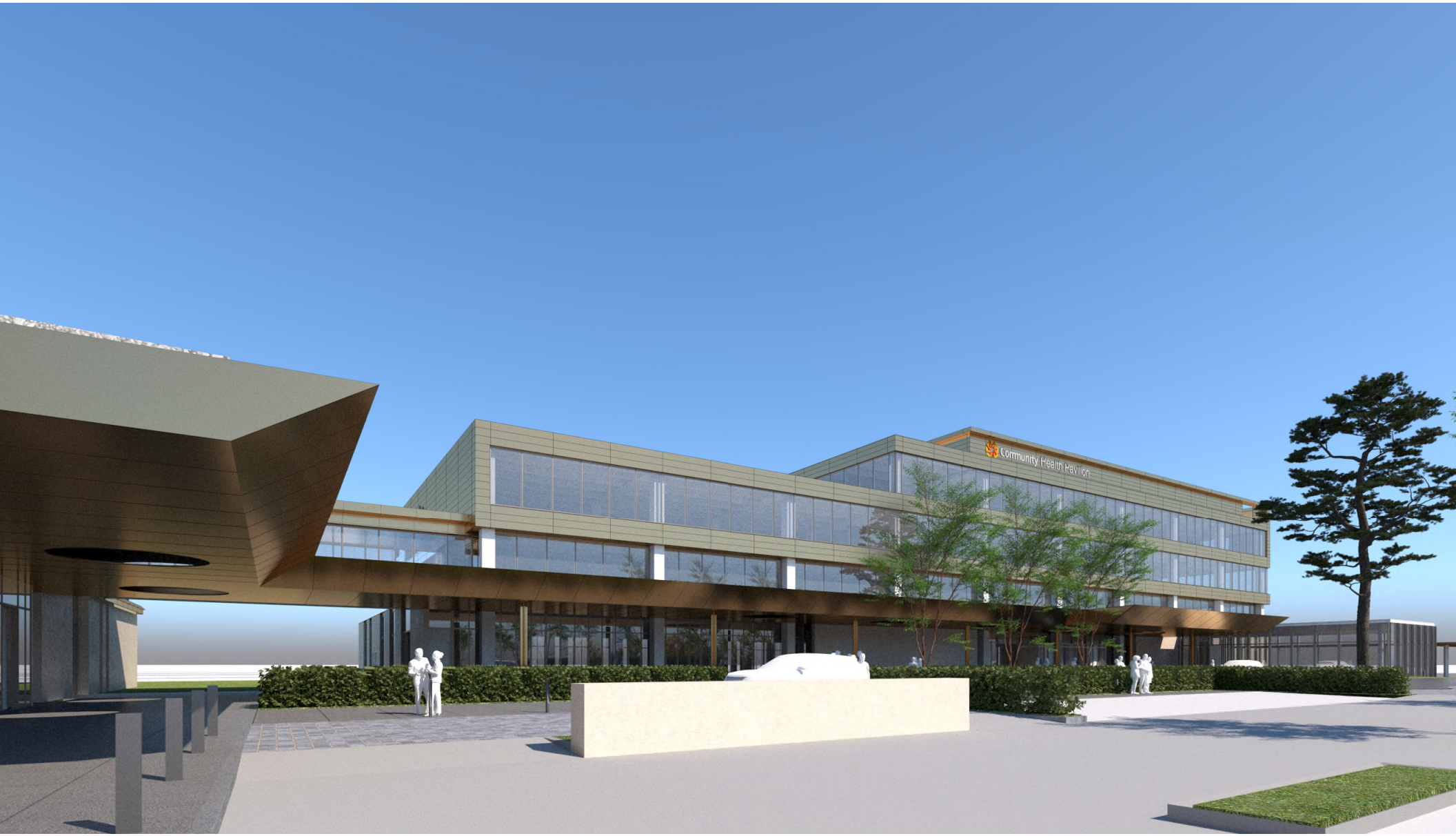
ALDERSON
COMMERCIAL GROUP

STUDIO AXIS



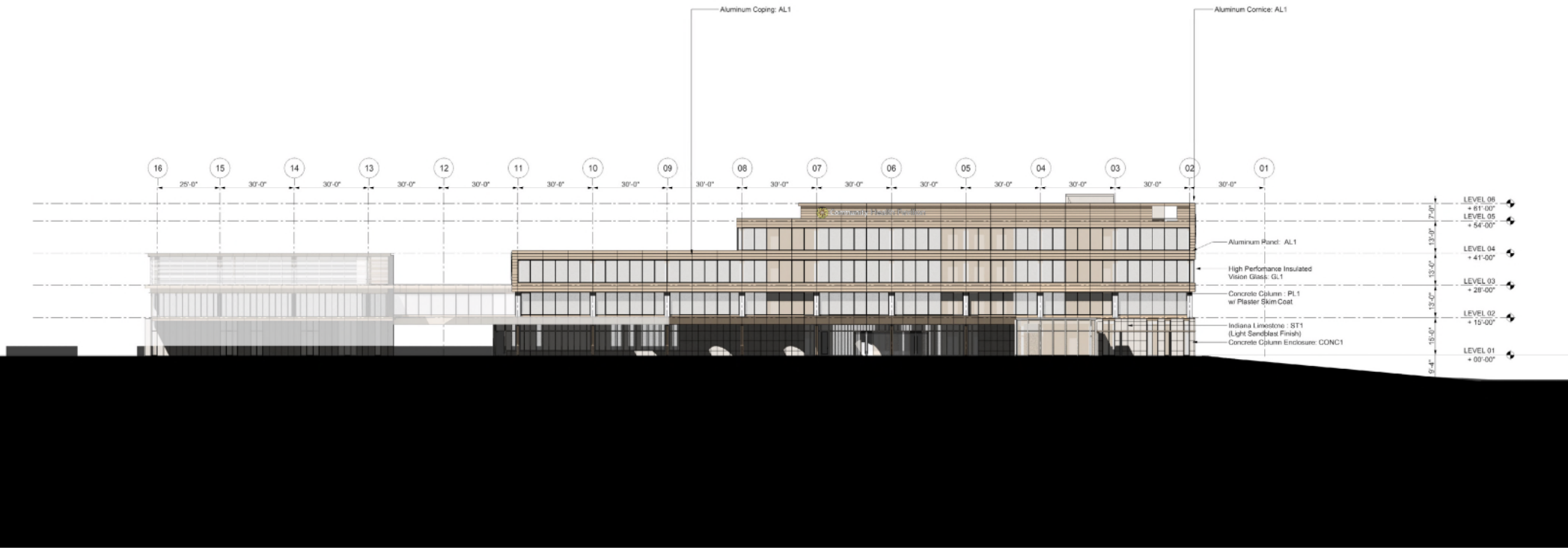
ALDERSON
COMMERCIAL GROUP

STUDIO AXIS



ALDERSON COMMERCIAL GROUP

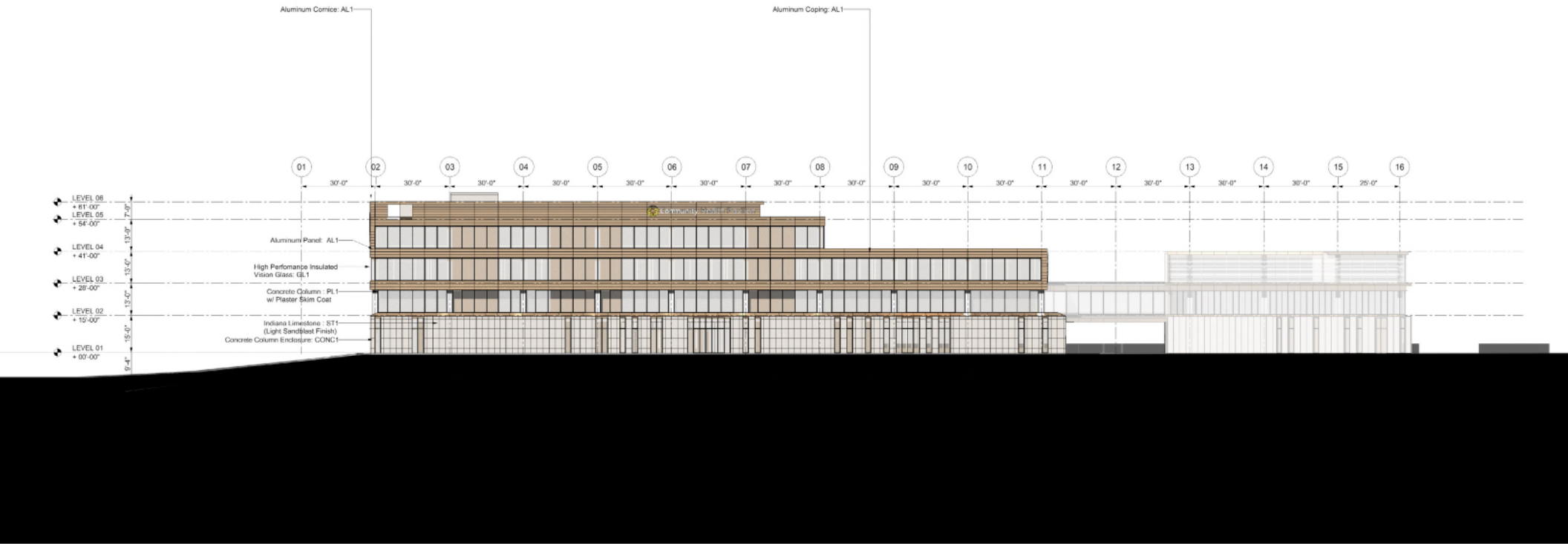
STUDIO AXIS



ALDERSON COMMERCIAL GROUP

East Elevation

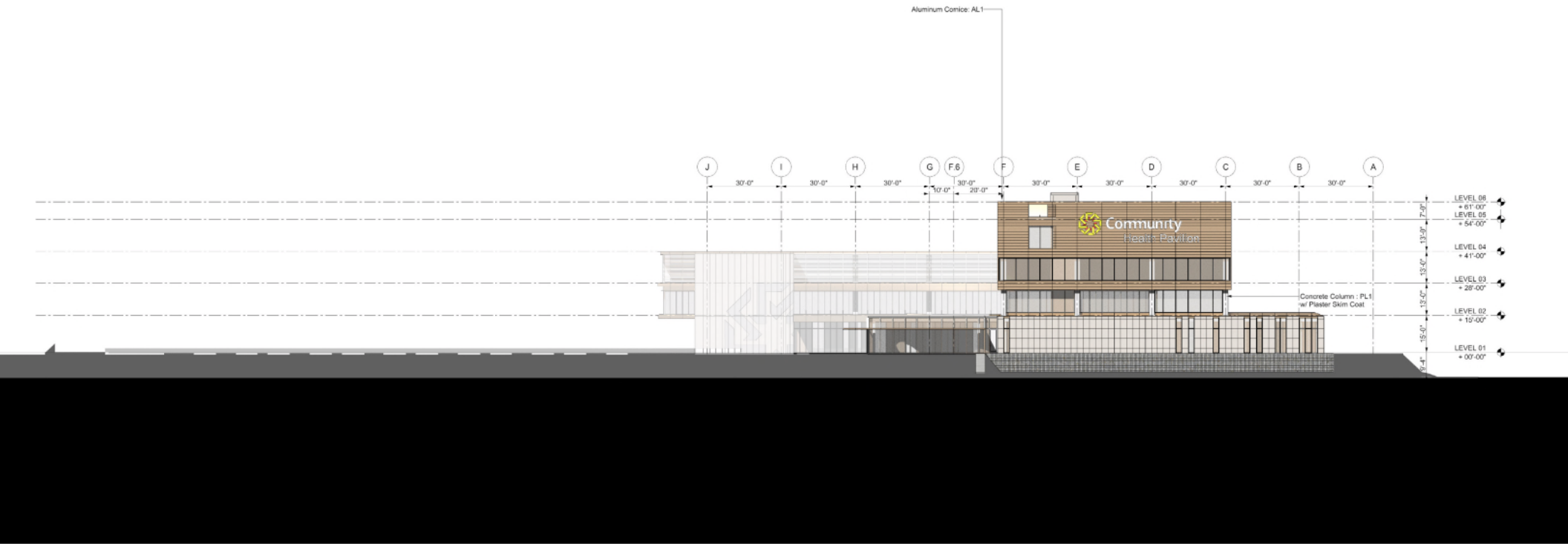
STUDIO AXIS



ALDERSON COMMERCIAL GROUP

West Elevation

STUDIO AXIS



ALDERSON COMMERCIAL GROUP

North Elevation

STUDIO AXIS

EXHIBIT E

“Character Imagery Exhibit”

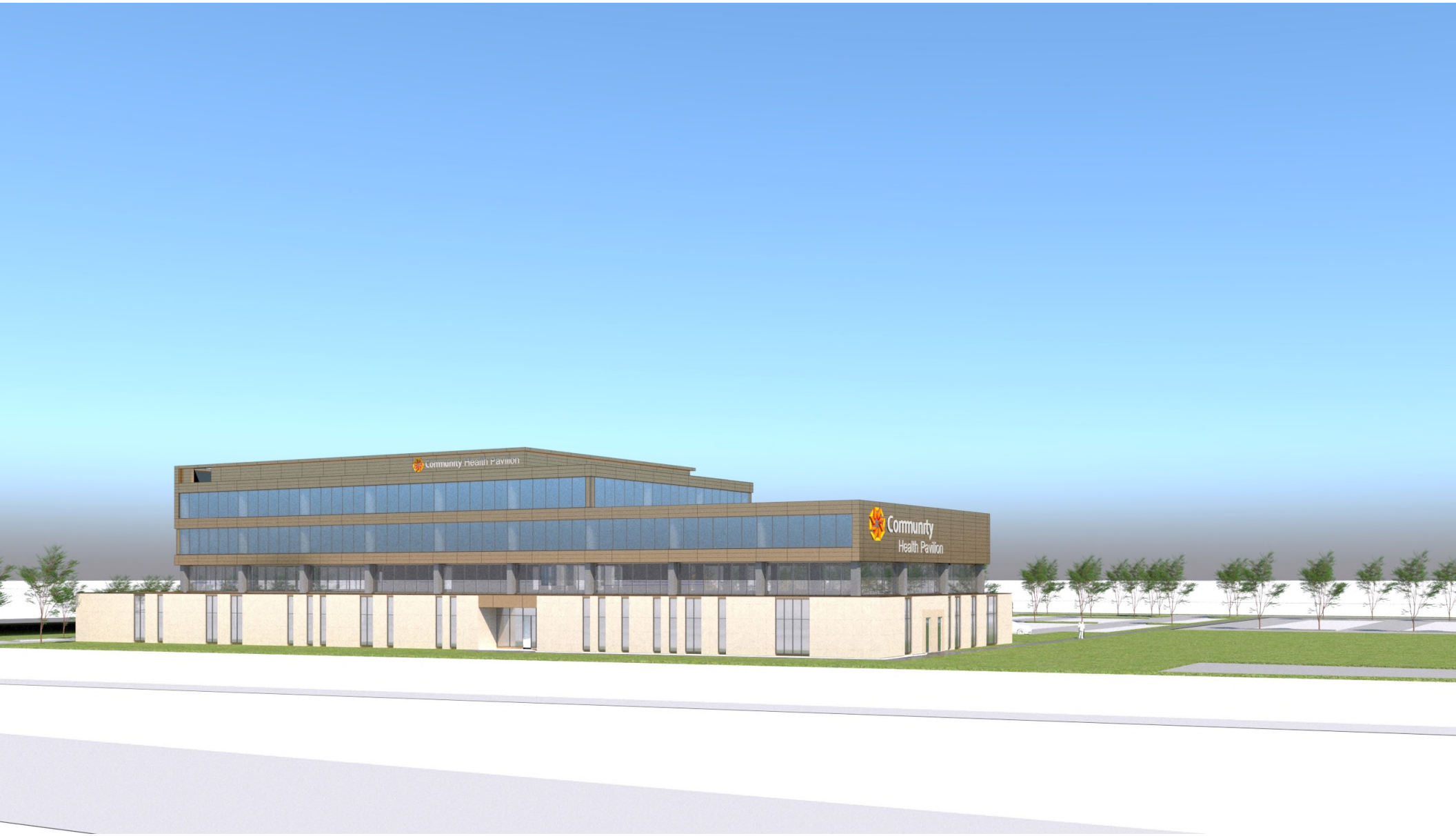
The Character Imagery Exhibit appears on the following seven (7) pages of this exhibit.

ALDERSON
COMMERCIAL GROUP

STUDIO AXIS

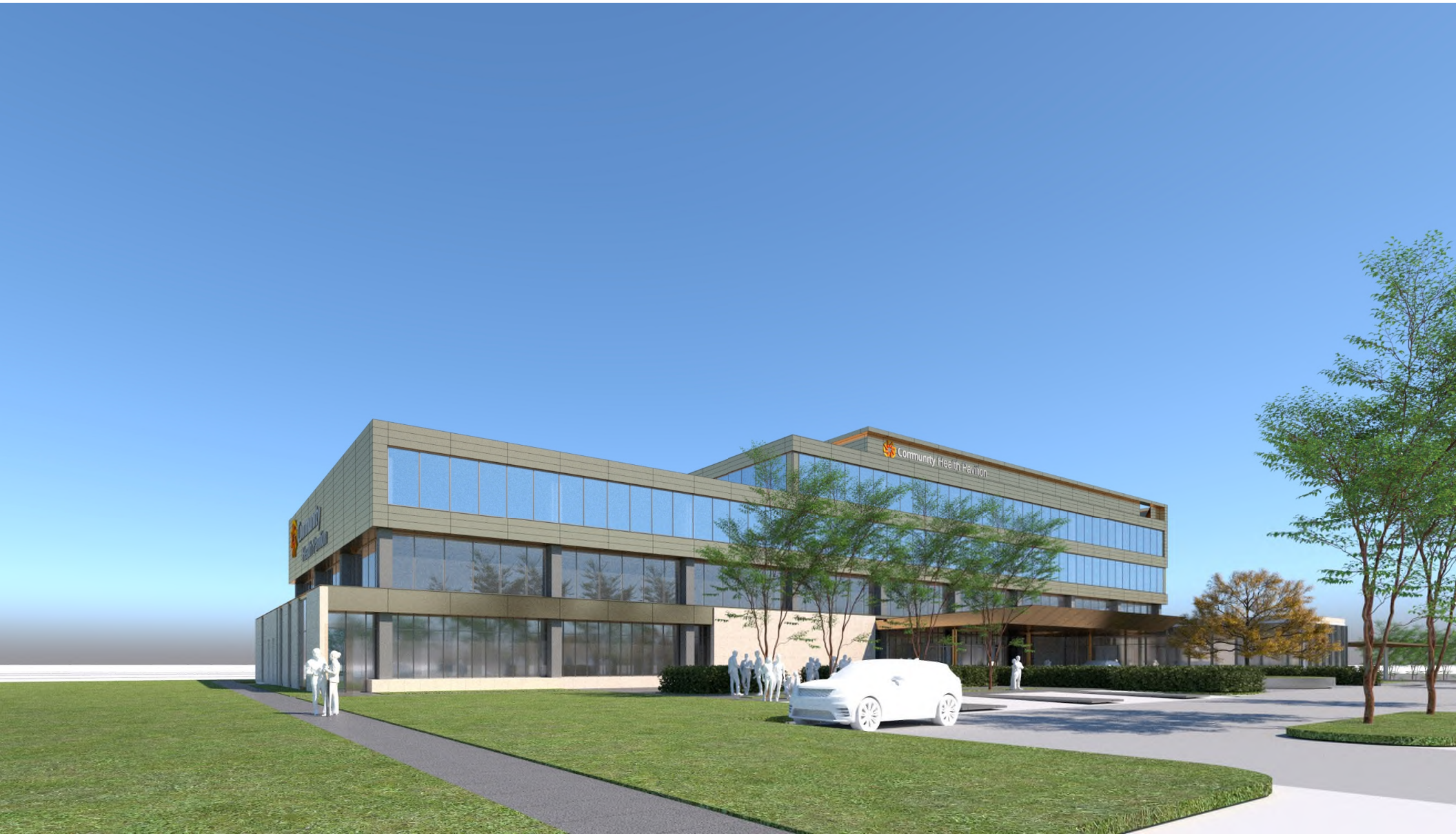
ALDERSON
COMMERCIAL GROUP

STUDIO AXIS



ALDERSON
COMMERCIAL GROUP

STUDIO AXIS



ALDERSON
COMMERCIAL GROUP

STUDIO AXIS

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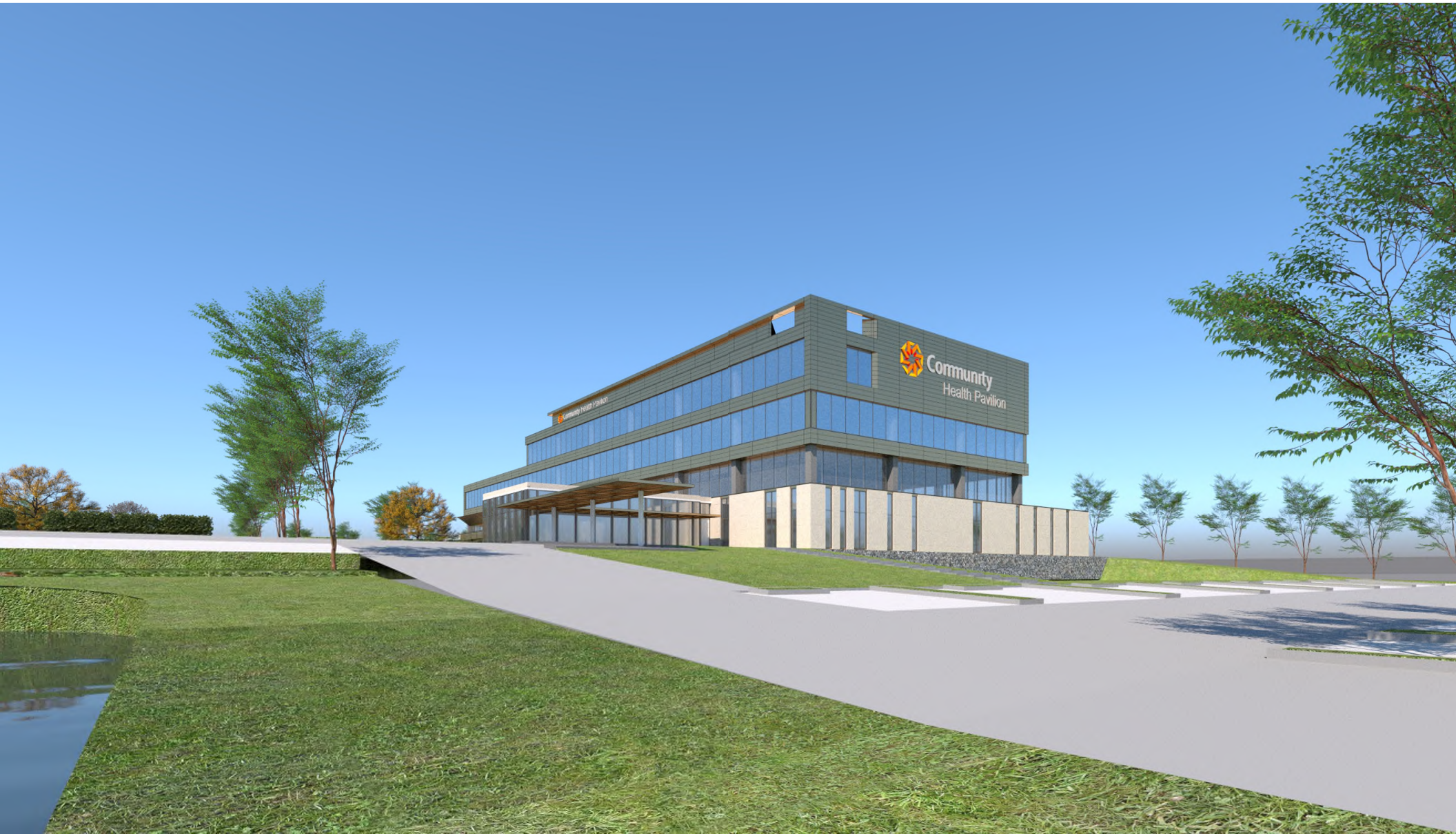
ALDERSON COMMERCIAL GROUP

STUDIO AXIS



ALDERSON
COMMERCIAL GROUP

STUDIO AXIS

EXHIBIT F

"Light Fixtures"

Street lights installed within the green shaded area on the site plan figure on this Page 1 of Exhibit F shall be in substantial compliance with the light fixture image included on this Page 1 of Exhibit F.

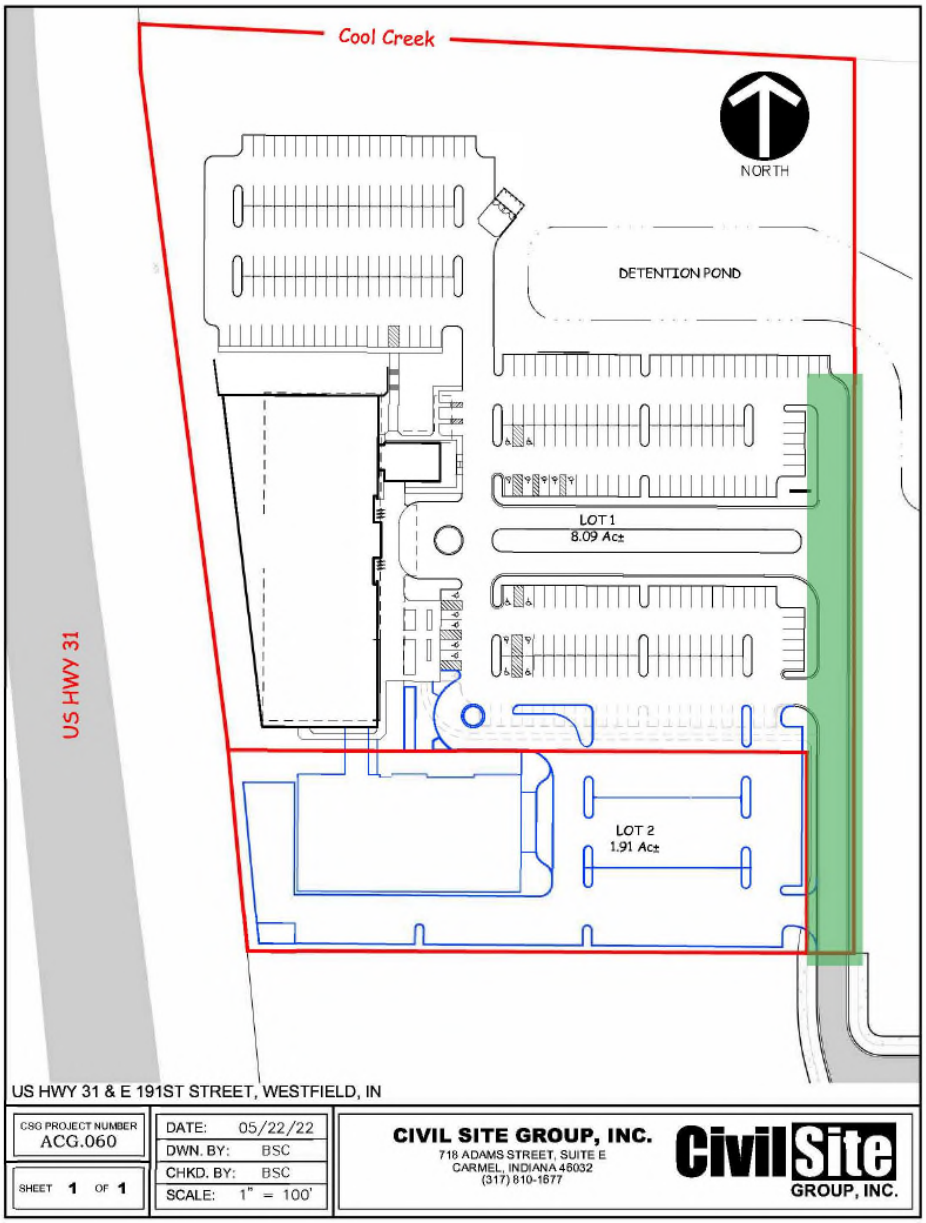


EXHIBIT F

"Light Fixtures"

Parking lot lighting installed on the Real Estate outside of the green shaded area on the site plan figure on Page 1 of Exhibit F shall be in substantial compliance with the style of light fixtures included on this Page 2 of Exhibit F.

EXHIBIT G

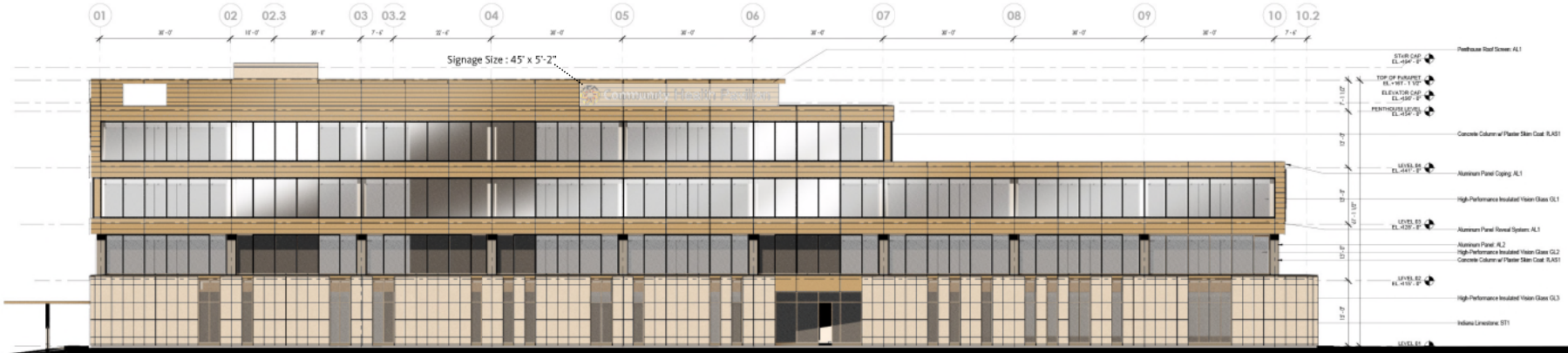
“Building 1 Signage”

The Building 1 Signage exhibit appears on the following four (4) pages of this exhibit.

ALDERSON COMMERCIAL GROUP

East Elevation

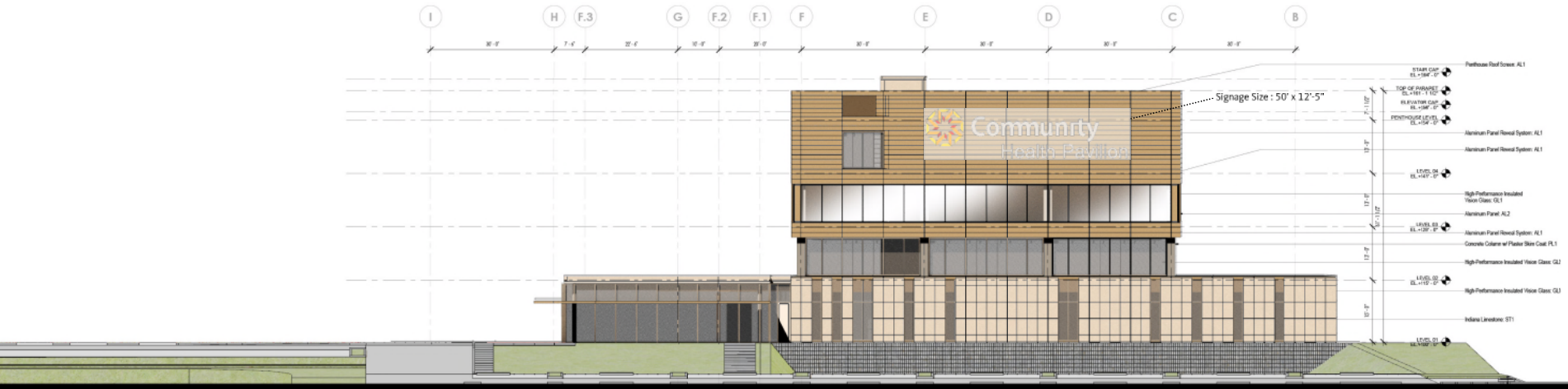
STUDIO AXIS



ALDERSON COMMERCIAL GROUP

West Elevation

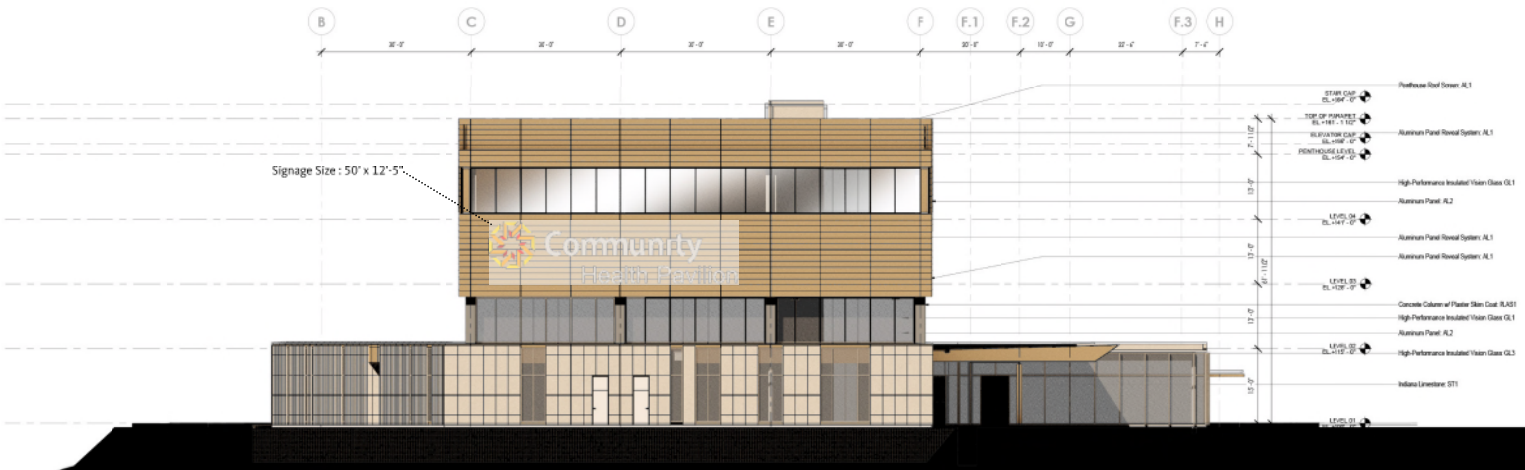
STUDIO AXIS



ALDERSON COMMERCIAL GROUP

North Elevation

STUDIO AXIS



ALDERSON COMMERCIAL GROUP

South Elevation

STUDIO AXIS