ORDINANCE 19-60

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 **"LINKS PUD"**) to amend the Westfield-Washington Township UDO 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 Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**1912-PUD-44**), filed with the Commission requesting an amendment to the Unified Development Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition No. **1912-PUD-44** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (X-X) 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 XXXX XX, 2020; 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 Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate") and shall hereafter be referred to as the "Links PUD".

1.2 The provisions of the UDO as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the UDO that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.

1.3 Chapter ("Chapter") and Article ("Article") cross-reference 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 District 1: The property referenced as District 1 as shown on the Concept Plan. May also be referred to as the Hotel District.

2.2 District 2: The property referenced as District 2 as shown on the Concept Plan. May also be referred to as the Park District.

2.3 District 3: The property referenced as District 3 as shown on the Concept Plan. May also be referred to as the Technology Center District.

2.4 District 4: The property referenced as District 4 as shown on the Concept Plan. May also be referred to as the Observatory District.

2.5 District 5: The property referenced as District 5 as shown on the Concept Plan. May also be referred to as the Community Entertainment Center District.

2.6 Controlling Developer: EdgeRock Development, LLC, its successors or assigns.

Section 3. **Concept Plan.** The Concept Plan is hereby incorporated in accordance with Article 10.0(F)(2) Planned Unit Development District; PUD District Ordinance Requirements; Concept Plan. The final layout and site plans shall be subject to the regulations of this Ordinance.

Section 4. **Illustrative Character Exhibits.** The "Illustrative Character Exhibits", attached hereto as **Exhibit C** and **Exhibit D** are hereby incorporated to capture the intended quality of the improvements made on the designated District 4 and District 5 portions of the Real Estate. Site improvements shall be constructed substantially similar to those in the Illustrative Character Exhibits.

Section 5. **Underlying Zoning District.**

5.1 The underlying zoning district for Districts 1, 3, 4 and 5 shall be LB: Local and Neighborhood Business District.

5.2 The underlying zoning district for District 2 shall be AG-SF1: Agriculture/Single-Family Rural

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning Districts, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted except as modified below:

6.1 Prohibited Uses: The following shall be explicitly prohibited:

- Heliport
- Special Exception Uses

6.2 Additional Permitted Uses: The following additional uses shall be permitted:

- Hotel
  - Permitted in District 1 only.

- Commercial Recreational Facility
  (i) Permitted in District 5 only.
  (ii) Permitted only if developed in substantial compliance with the Architectural Character Exhibits contained herein.

- Race Track
  (i) Permitted in District 5 only.
  (ii) Permitted only if developed in conjunction with an adjoining Commercial Recreational Facility that is substantially compliant with the Architectural Character Exhibits contained herein.

Section 7. **General Regulations.** The regulations of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply except as otherwise modified below.

7.1 Article 4.14 LB: Local and Neighborhood Business District

- Minimum Building Setback Lines:
  - Front Yard: Thirty (30) feet

- Maximum Building Height:

  (i) District 1: Sixty (60) feet
  (ii) District 3: Forty-five (45) feet
  (iii) District 4: Ninety (90) feet if a Museum that is built in substantial compliance with the Illustrative Character Exhibits shown in **Exhibit C** is built within District 4; otherwise, forty-five (45) feet shall be the maximum.
  (iv) District 5: Forty-five (45) feet

- Project Perimeter Setback: Shall not apply.

- Building Size Requirements:

  (i) Maximum Business Size: Shall not apply.

(ii) Maximum Aggregate of all Buildings (within a single development): Five Hundred Thousand (500,000) square feet of gross leasable area

7.2 General Requirements for District 2

The Controlling Developer of the Real Estate commits to construct or install a bike park/trail head within District 2 adjacent to the Monon Trail. This shall be installed no later than the occupancy of the building(s) on the development of fifty percent (50%) or more of the Real Estate.

•

(i)

(ii)

(iii)

(iv)

(v)

Section 8. Overlay Districts.

8.1 US Highway 31 Overlay District: Article 5.2 US Highway Overlay District shall not apply to the development of the Real Estate

8.2 State Highway 32 Overlay District: Article 5.3(K) Architectural Design Requirements of the State Highway 32 Overlay District (the "32 Overlay") shall apply to development within District 1 and District 3, except as otherwise modified by this Ordinance.

Section 9. Development Standards: The standards of Chapter 6: Development Standards as applicable to the Underlying Zoning District, shall apply to the development of Real Estate, except as otherwise modified below. In addition, the follow shall apply:

9.1 Article 6.1 Accessory Buildings. Shall apply. In addition, trash enclosures located in District 5 may only exist in the areas depicted in **Exhibit E**. If conflicts with easements or landscaping exist, the Director may permit trash enclosures in areas not shown on **Exhibit E**; however, trash enclosures shall not be placed in any Tomlinson Road Front Yard or the Proposed Local Road Front Yard in District 5 as shown on the Concept Plan.

9.2 Article 6.3 Architectural Standards: Shall not apply to Districts 1 and 3; rather the Architectural Design Requirements of the 32 Overlay shall apply.

For Districts 4 and 5, if a provision of Article 6.3 Architectural Standards is in conflict with the Illustrative Character Exhibits shown in **Exhibit C** and **Exhibit D**, then the Illustrative Character Exhibits shall control.

9.3 Chapter 6.8 Landscaping and Screening. Shall apply to Districts 1 through 4. For District 5, substantial compliance with a customized landscape plan, as shown in **Exhibit F**, shall be required if District 5 is developed in substantial compliance with a Commercial Recreational Facility and Race Track as shown in **Exhibit D**. If District 5 is not developed in substantial compliance with **Exhibit D**, the standards within Chapter 6.8 shall apply.

9.4 Chapter 6.9 Lighting Standards. Shall apply. In addition, the following shall also apply:

- Uniformity. All lighting fixtures and poles shall consistent in style, color, size, height and design.

- Decorative Fixtures. Decorative light fixtures shall be provided along the Real Estate's entrance drives, public rights-of-way, building ad pedestrian walkways as part of the site's overall architectural design.

- Full Cut-Off Fixtures. With the exception of low intensity architectural lighting and sign lighting, exterior wall mounted lights and pole mounted lights shall utilize full cut-off fixtures that direct light downward towards the Earth's surface.

- Architectural Lighting. Architectural Lighting shall be permitted in District 5 only. Architectural Lighting shall be consistent with the Illustrative Character Exhibits contained in **Exhibit D** and shall project light only against Building Facades and not into the sky.

- Light Levels. No wall or pole mounted lights shall cause light levels along the south property line to exceed 0.1-foot candles. Additionally, lights located within or on the perimeter of Parking Areas on the Real Estate adjacent to residential areas to the south of the Real Estate shall be dimmed after 11:00 p.m. to a level no greater than 65% of the maximum light levels.

- Light Poles. Pole mounted lights shall not exceed twenty (20) feet in height, including the base with the exception of pole mounted lights fronting on the multiuse path, which shall not exceed fifteen (15) feet in height including the base.

- Neon Lights. Neon accent lighting shall be permitted along the roof lines of commercial buildings provided that the lighting is fully shielded from above.

9.5 Chapter 6.14 Parking and Loading Standards. Shall apply. In addition, the following shall also apply:

- A maximum of three (3) rows of parking shall be permitted to exist abutting the 191st Street and Tomlinson Road Rights-of-way within District 1 and District 3.

9.6 Chapter 6.17 Sign Standards. Shall apply except as modified or enhanced below.

- Individual and/or Center Monument Signs shall be architecturally compatible with the architecture of the Real Estate's buildings.

- One Monument Center Sign shall be permitted along the Real Estate's 191st Street frontage and one Monument Center Sign shall be permitted for the Real Estate's Tomlinson Road frontage. Each of these aforementioned Center Monument Signs may be a maximum of fifteen (15) feet in height and one hundred and twenty (120) square feet of sign area, per face.

- Individual Monument Sings shall be permitted for businesses immediately adjacent to 191st Street and Tomlinson Road. Individual Monument Signs may be a maximum of six (6) feet in height and contain a maximum of thirty-six (36) square feet of sign area, per face.

Section 10. Design Standards: The standards of Chapter 8: Design Standards shall apply to the development, except as otherwise modified below.

10.1 Article 8.6 Open Space and Amenity Standards shall apply, except as otherwise modified below.

- Minimum Open Space Minimum Open Space required to be 15%.

10.2 Article 8.7 Pedestrian Network Standards shall apply, except as otherwise modified or enhanced below.

- Pedestrian Accessibility. The following shall be required in order to encourage pedestrian connectivity with surrounding developments and enhance pedestrian connectivity internal to the Real Estate. Variations to the pedestrian accessibility depicted in the Concept Plan may be approved by the Director.

  (i) An eight (8) foot wide path shall be provided along the Real Estate's 191st Street and Tomlinson Road frontages, as depicted on the Concept Plan.

  (ii) All walkways internal to the Real Estate that cross vehicular ways (e.g. drive lanes, parking lots) shall be delineated and distinguished from the driving surface through the use of durable, low maintenance surface materials such as integrated concrete pavers, scored or textured concrete, or brick.

(iii) Perimeter trail and Central Trail to be installed. The Perimeter Trail is labelled as Pedestrian Path on **Exhibit B** and the Central Trail is labelled as Pedestrian Walkway on **Exhibit B**.

(iv) A pedestrian walkway shall be provided from the 191st Street and Tomlinson Road paths to the gathering space. Such walkway shall be at least eight (8) feet in width and may encroach into the south and/or west property line buffer yards described in Section 7 below as depicted in the Concept Plan.

(v) Bike parking and common area benches shall be provided. The bike parking and common area benches shall be functional and architecturally consistent with the overall development.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

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: David C. George.

This Instrument prepared by: David C. George
Westfield Residential Investors, LLC.
111 Monument Circle, Suite 900
Indianapolis, IN 46204

ALL OF WHICH IS ORDAINED/RESOLVED THIS _____ DAY OF _____, 2020.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
James J. Edwards	James J. Edwards	James J. 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 J. Gossard, Clerk-Treasurer

I hereby certify **ORDINANCE 19-60** was delivered to the Mayor of Westfield on the _____ day of_____, 2020.

_____
Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 19-60 this _____ day of _____, 2020.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 19-60 this _____ day of _____, 2020.

_____
J. Andrew Cook, Mayor

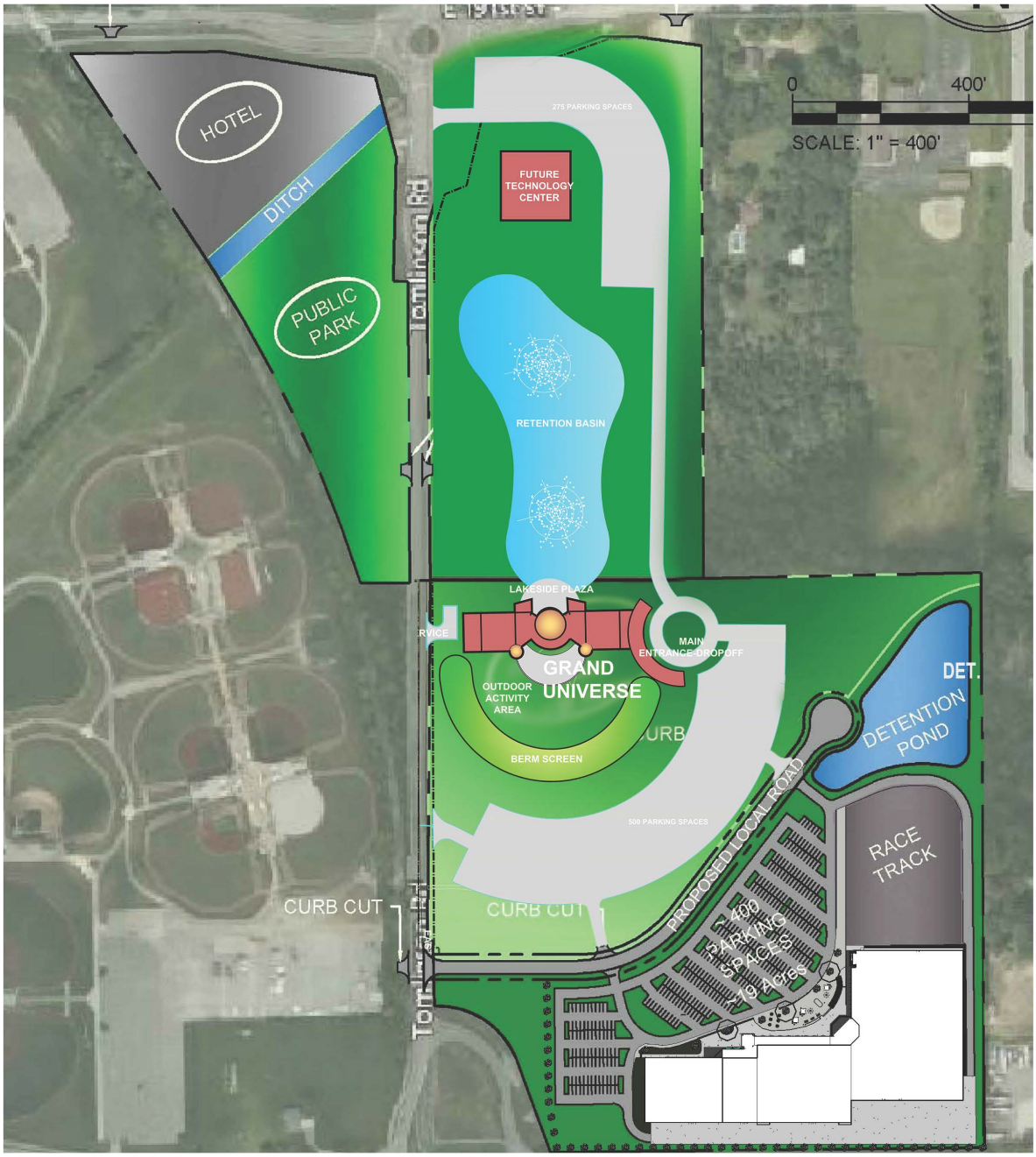
ATTEST:

_____
Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
LAND DESCRIPTION

TBD

EXHIBIT B
CONCEPT PLAN



EDGE ROCK DEVELOPMENT

COMMUNITY ENTERTAINMENT CENTER

WESTFIELD, IN

10/25/19

Cooler Design

ARCHITECTURE • PLANNING • INTERIOR DESIGN

EXHIBIT C
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 4

SERPENTINE STRUCTURE

GLASS STOREFRONT TO EXPOSE INTERIOR PLANETARIUM DOME

METAL PANEL ROOFS AND FACADE

FLOWER PETAL OBSERVATORY DOME

RADIO TELESCOPE

COVERED WALKWAYS WITH ADA RAMPING

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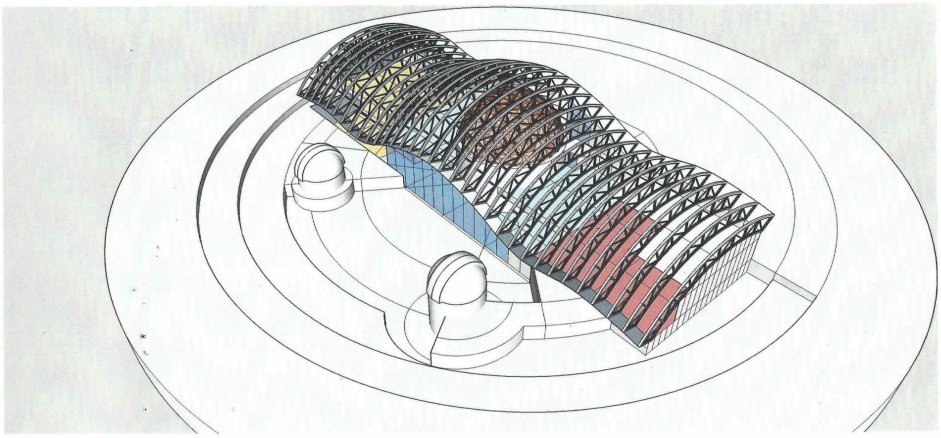
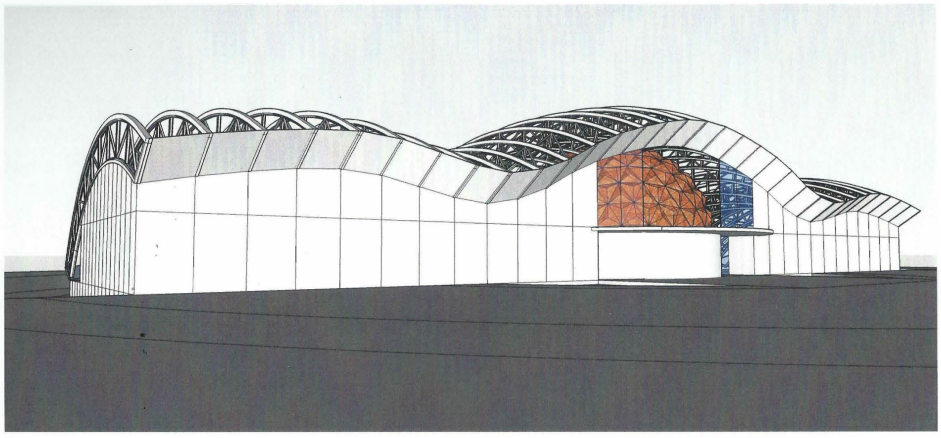
EXHIBIT C
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 4

GRAND UNIVERSE Bringing Science to Life. Changing the World.

FANNING HOWEY



Astronaut David Wolf Observatory at Grand Universe, Westfield Indiana
Rear View
Roof panels deleted for clarity



Astronaut David Wolf Observatory at Grand Universe, Westfield Indiana
Front View
Roof panels deleted for clarity

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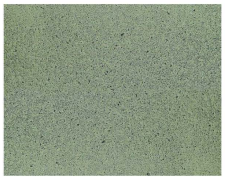
EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

LIMESTONE COLORED PRECAST

LOUVERED MECHANICAL SCREENS

ARCHITECTURALY LIT LOUVER PANELS

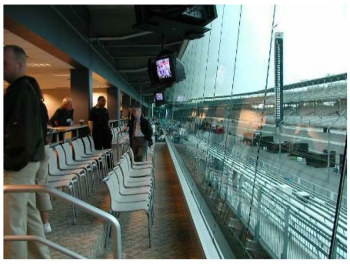


SHAMROCK COLORED PRECAST

BRIGHTLY COLORED SIGNAGE

CANOPIES INSPIRED BY IMS

LASER FLASH INSPIRED BY FORTRESS ARCHITECTURE



GREEN GLASS AND VIEWING AREA INSPIRED BY IMS

PUBLIC PLAZA; SIMILAR TO MIDTOWN CARMEL

ROCK JUMP TO BE INSPIRED BY BASKETBALL GYM

STOREFRONTS INSPIRED BY PAGODA AT IMS

ARCHITECTURAL LIT TOWERS

EDGE ROCK DEVELOPMENT

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10/24/19

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EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

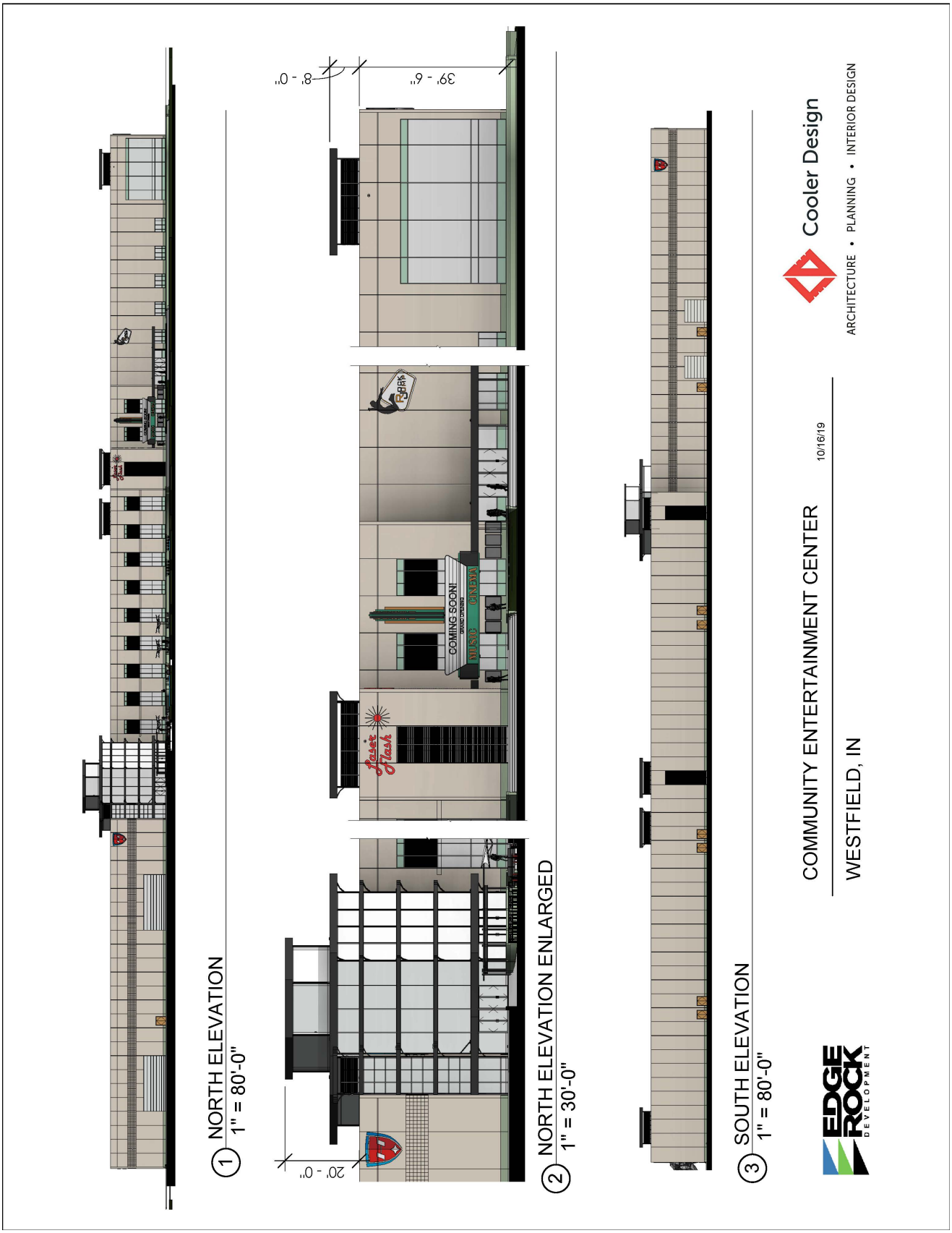

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

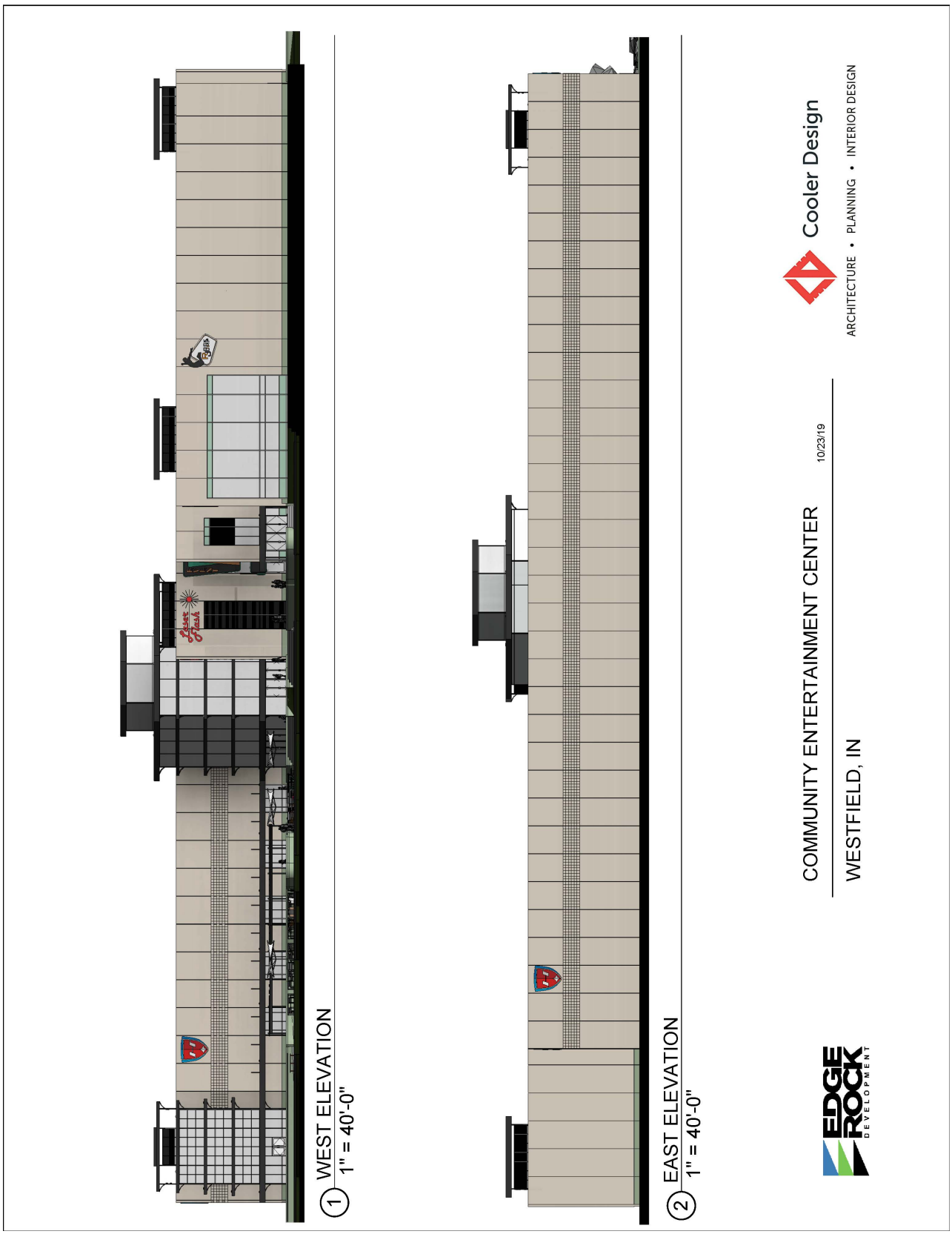

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

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10/30/19

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EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

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EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

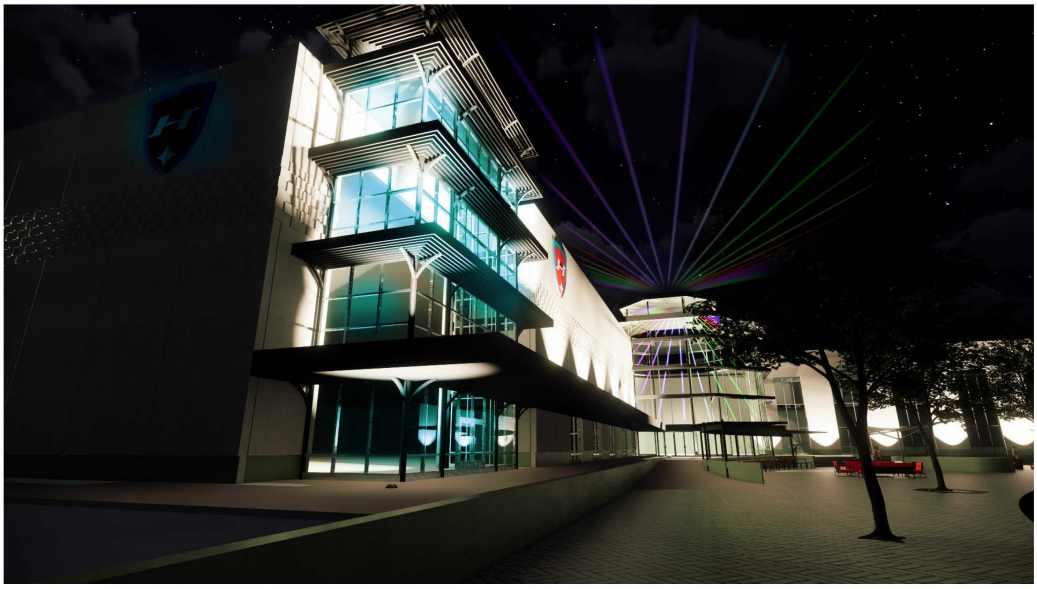

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EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

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10/25/19

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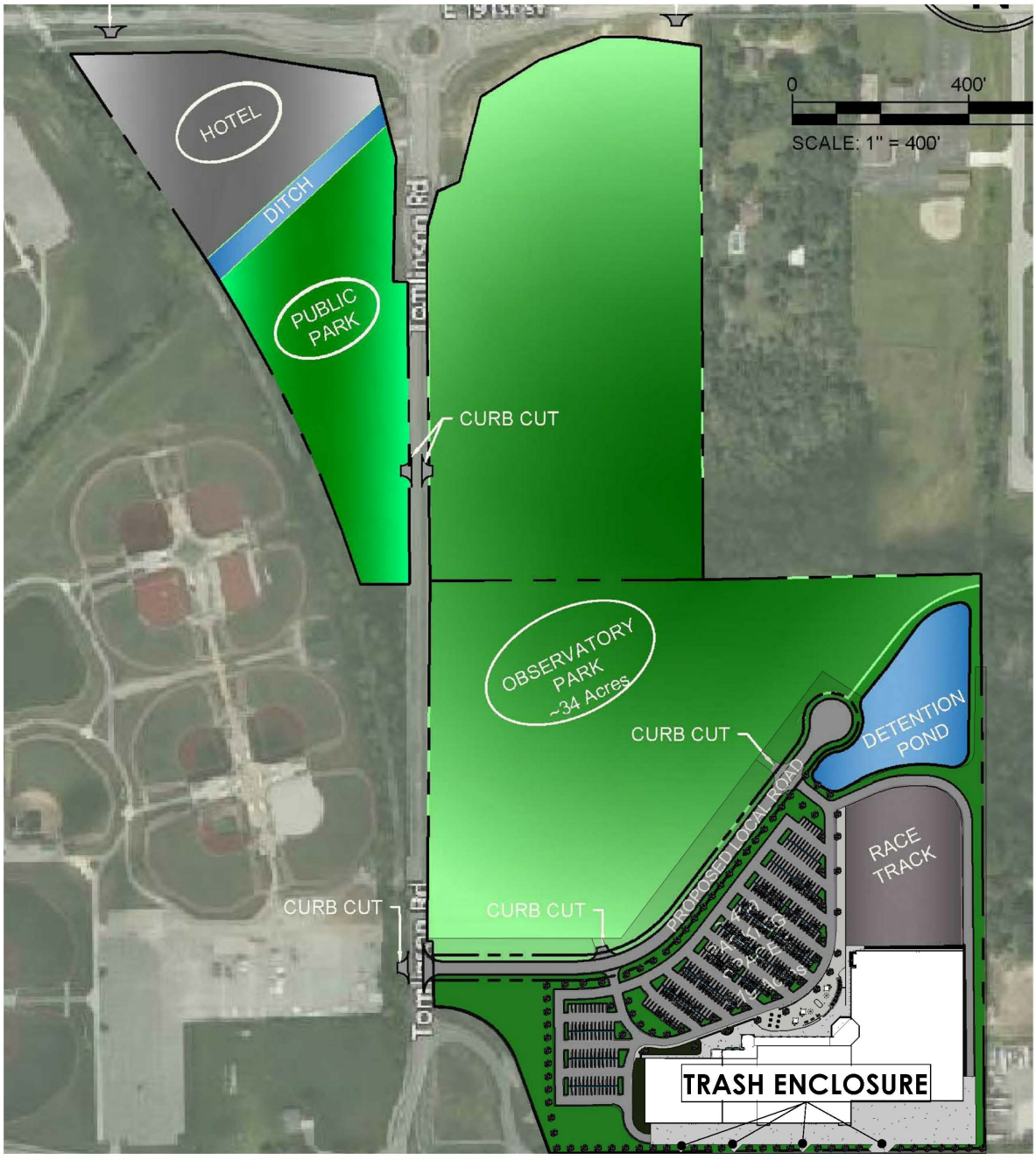
EXHIBIT E
SIGNAGE LOCATION / TRASH ENCLOSURE EXCLUSION EXHIBIT



1 SCHEMATIC DESIGN PLAN TRASH/LANDSCAPE
1" = 300'-0"

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WESTFIELD, IN

10/31/19

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EXHIBIT F
LANDSCAPE PLAN FOR DISTRICT 5

TBD