



**ORDINANCE NUMBER 17-51**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON  
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING  
THE AURORA PLANNED UNIT DEVELOPMENT DISTRICT (n/k/a NORTHPOINT)  
BEING THAT OF ORDINANCE 06-55 and THE UNIFIED DEVELOPMENT  
ORDINANCE**

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 Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or 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 Common Council enacted Ordinance No. 06-55, Aurora Planned Unit Development District on December 11, 2006, recorded as Instrument No. 2007002778 in the Office of the Recorder of Hamilton County, Indiana (the "Original PUD Ordinance");

**WHEREAS**, the Council subsequently adopted Ordinance No. 16-35, the Aurora Planned Unit Development Ordinance on January 9, 2017 (the "First Amendment"), which repealed and superseded the Original PUD Ordinance;

**WHEREAS**, the Council also subsequently on October 23, 2017, adopted Ordinance No. 17-30, an amendment to the First Amendment (the "Second Amendment")

**WHEREAS**, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (**Petition No. 1801-PUD-03**) filed with the Commission requesting an amendment to the Unified Development Ordinance, the First Amendment, Second Amendment and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** ("Real Estate");

**WHEREAS**, the Commission forwarded **Petition No. 1801-PUD-03** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (eight (8) in favor zero (0) against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**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

**COPY**

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 This Ordinance hereby repeals and supersedes in its entirety the Original PUD Ordinance, the First Amendment and Second Amendment.
- 1.2 This Planned Unit Development shall hereinafter be referred to as Northpoint PUD.
- 1.3 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.
- 1.4 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.
- 1.5 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. The following words and terms, not defined elsewhere in this Ordinance or its Exhibits, shall have the following meanings:

- 2.1 Association. A home owners association, property owners association or other organization formed order to govern and maintain the various Districts as established by Declaration.
- 2.2 Build-To Line. A designated line at which construction of a building facade is to occur.
- 2.3 Corner Break. An exterior corner along the facade of a structure.
- 2.4 Declaration. A Declaration of Covenants, Conditions and Restrictions for one (1) or more areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.
- 2.5 Developer. The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.
- 2.6 District. Any of the Residential Districts, the Commercial District, and/or the Business Districts as identified in this Ordinance.
- 2.7 District, Residential. The Townes and The Villas.
- 2.8 Dormer. Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.
- 2.9 EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base

- coat, and an attractive and durable finish coat.
- 2.10 Exterior Material. The separate architectural siding materials and patterns on a Building Facade such as Masonry materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- 2.11 External Street. Grassy Branch Road, U.S. 31 and State Highway 38.
- 2.12 Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
- 2.13 Facade, Secondary. Any building elevation not having commercial or retail public entrances. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
- 2.14 Gable. That part of the end wall of a building between the eaves and a pitched or gambrel roof.
- 2.15 Internal Street. Any public street, private street, or shared drive other than an External Street.
- 2.16 Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
- 2.17 Natural Materials. Brick, wood, limestone, fiber cement siding, cultured stone, or natural stone.
- 2.18 Real Estate. The real estate, as described in **Exhibit A** to the 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.

3.1 The Concept Plan hereby allocates the Real Estate into the following Districts:

- Business Parke;
- Commerce Parke;
- The Shoppes;
- The Townes; and
- The Villas.

3.2 The approximate size of each District is as follows. The size of the Commerce Parke or The Shoppes may be increased or decreased by up to 15%. The size of the Business Parke may be increased by up to 15%, but may not be decreased. The total acreage comprising The Townes and The Villas may not decrease below ninety one (91) acres total. The total acreage comprising The Townes and the Villas may increase, so long as the number of residences or the ratio of Single-family Dwellings to acres does not exceed the provisions of Section 3.3 hereof.

<u>District</u>	<u>Area</u>
Business Parke	20 Acres
Commerce Parke	303 Acres
The Shoppes	17 Acres

The Townes	68 Acres
<u>The Villas</u>	<u>23 Acres</u>
Total acreage	431 Acres

3.3 The total of residential units on the Real Estate shall not exceed two hundred fifty (250).

The actual number of detached Single-family Dwellings shall be governed by the number of acres dedicated to detached Single-family Dwellings as governed by the following charts:

<u>Minimum Acreage</u>	<u>Maximum Units</u>
61 Acres	180 units
71 Acres	205 units
81 Acres	225 units
91 Acres	250 units

3.4 It is anticipated that the development of The Townes and The Villas will commence prior to the construction of the East Street extension. In this event, 203<sup>rd</sup> Street shall remain open and as access to the residential uses which are located west of Grassy Branch and which currently access their residential uses via 203<sup>rd</sup> Street. Upon completion of East Street to a point north or south of the current location of 203<sup>rd</sup> Street, any and all access from 203<sup>rd</sup> Street to East Street from Grassy Branch shall be eliminated and the internal streets servicing The Townes and The Villas shall be constructed in substantial accordance with the Concept Plan as amended.

3.5 Any drive entry for the Commerce Parke District located east of Grassy Branch Road shall be located at or north of 203<sup>rd</sup> Street.

**Section 4. Underlying Zoning District(s).**

4.1 The Underlying Zoning District of each District shall be:

Business Parke	GB;
Commerce Parke	EI;
The Shoppes	LB;
The Townes	SF-4 (as to Single-family Dwellings) and MF2 (for attached multifamily); and
The Villas	SF-4 (as to Single-family Dwellings) and SFA (for Duplex or Quadraplex Dwellings)

(the “Underlying Zoning District”).

4.2 Article 5.2 (U.S. Highway 31 Overlay Zone) of the UDO shall not apply to the Real Estate.

**Section 5. Permitted Uses.** The permitted uses shall be as set forth below.

5.1 Only the uses identified below shall be permitted in the various Districts.

Uses which are designated as permitted by a Special Exception in the Use Table of Chapter 13 of the UDO are only permitted in a District if specifically provided as a permitted use herein.

A. Permitted Uses for Business Parke.

1. Offices
2. Hotels
3. Retail and Services
  - a. May be included in one or more buildings within a Development Plan (DP), subject to the following:
    - i. May comprise up to fifteen percent (15%) of the Gross Floor Area (GFA) of any building; or
    - ii. Up to thirty percent (30%) of GFA of one building may be retail uses, provided that:
      - Total square footage of retail uses designated in the development plan does not exceed fifteen percent (15%) of the GFA of all buildings combined; or,
      - Retail uses over fifteen percent (15%) of the GFA of any one building be located on the ground floor or below grade.
4. General Business and Enclosed Industrial Uses so long as an office use associated therewith composes the façade which fronts on U.S. Highway 31.
5. Accessory buildings and uses customarily incidental to any of the permitted uses. Any attached or detached Accessory building shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

B. Permitted Uses for Commerce Parke:

1. Commercial Businesses: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category except the uses of Restaurant, Fast Food; and Tavern or Nightclub (excluding a microbrewery which shall be permitted) shall be permitted in District 2 of Commerce Parke. All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB category shall be permitted in Districts 1 and 3 of Commerce Parke except a Tavern or Nightclub (excluding a microbrewery which shall be permitted). The use of a Hotel (or Motel) shall also be permitted in District 3 west of the East Street extension.
2. Industrial Businesses: All uses listed as a permitted use in the Use Table of Chapter 13 of the UDO in the EI category and the uses of construction and manufacturing of outdoor advertising signs; manufacturing, engraving and sales of cemetery monuments and tombstones;; canneries (e.g. taking fresh fruits and vegetables and canning for distribution) coffee roasting; food processing (e.g. commercial bakeries, smokehouses); granaries; grain processing; milk processing plants (without any on-site milking); warehousing and distribution operations (outdoor storage); and structural

- steel fabricating (similar to the existing uses of Westfield Steel); shall also be a permitted use in District 2 of the Commerce Parke. Only EI uses shall be permitted in Districts 1 and 3 of the Commerce Parke.
3. Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the Director. In District 2, the Director shall favorably consider uses which are substantially similar to a permitted use if the impacts on surrounding properties is no greater than uses specifically permitted by Section 5.1(B)(2).
  4. Accessory buildings and uses customarily incidental to any of the permitted uses.
- C. Permitted Uses for The Shoppes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or the use of Hotel (or Motel) shall be permitted in The Shoppes. A Hotel (or Motel) use shall only be permitted west of the East Street extension.
- D. Permitted Uses for The Townes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Townes.
1. Townhomes.
  2. Multi-story condominium;
  3. Public Parks.
  4. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
  5. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
  6. Child care home - in accordance with IC 36-7-4-1108, so long as the home is not located within seven hundred (700') feet of Grassy Branch.
- E. Permitted Uses for The Villas: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Villas.
1. Two-unit thru four-unit single family attached dwellings (n/k/a Duplex or Quadraplex Dwellings).
  2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
  3. Single-family Dwellings. Maintenance of outside lawn and landscaping areas by the homeowner's association shall be offered as an option to buyers.

**Section 6. General Regulations.** The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

A. Lot Standards for Business Parke:

1. Minimum Lot Size.
  - a. Lots abutting U.S. Highway 31 - 5 acres
  - b. All other lots - 2 acres
2. Maximum Building Setback Line:
  - a. Lots abutting U.S. Highway 31 - 105 feet
3. Minimum Front Yard:
  - a. Lots abutting U.S. Highway 31 – 90 feet
  - b. All other lots - 60 feet
4. Minimum Side Yard.
  - a. Adjacent to any residential use or zone 45 feet
  - b. Adjacent to any non-residential use or zone - 15 feet
5. Minimum Aggregate Side Yard.
  - a. Adjacent to any residential use or zone - 90 feet
  - b. Adjacent to any non-residential use or zone - 30 feet
6. Minimum Rear Yard.
  - a. Adjacent to any residential use or zone - 45 feet
  - b. Adjacent to any non-residential use or zone - 15 feet
7. Minimum Lot Width. Shall equal or exceed that amount which is one-half (1/2) the depth of the lot.
8. Minimum Gross Floor Area.
  - a. 15,000 square feet per building (exclusive of parking garages, basements or accessory buildings).
  - b. Permitted accessory buildings need not meet this minimum floor area requirement. The intent of this minimum gross floor area requirement is to preclude small, freestanding buildings and uses not in character with the Business Parke.
9. Maximum Lot Coverage. - 65%
10. Minimum Lot Frontage on Road. - 50 feet
11. Minimum Lot Width at Building Line. – No Minimum

B. Lot Standards for Commerce Parke:

Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet

Maximum gross square feet of retail per a single building in District 3:	65,000 gross square feet
Minimum Building Setback from Grassy Branch Road south of 203 <sup>rd</sup> Street (East of Grassy Branch))	100 feet

C. Lot Standards for The Shoppes:

1. No single occupancy may exceed 65,000 gross square feet.
2. Bulk and Density Standards.
  - a. Setbacks.
    - i. Front - 50 feet
    - ii. Side - 10 feet
    - iii. Rear - 20 feet
  - b. Lot coverage. Lot coverage shall not exceed seventy five (75) percent and is inclusive of buildings, parking areas and all other impervious surfaces which results in a minimum open space requirement of twenty five (25) percent of the land area.

D. Lot Standards for The Townes:

1. Minimum lot area for Attached Multi-Family Dwellings. - None
2. Minimum lot frontage on road for Attached Multi-Family Dwellings. - None
3. Minimum setback lines - for Attached Multi-Family Dwellings.
  - a. Front yard -(corner lots are required two front yard setbacks)
    - i. 10 feet alley load
    - ii. 22 feet front load
  - b. Side yard - minimum 15' between buildings
  - c. Rear yard - None
4. Minimum lot width at building line for Attached Multi-Family Dwellings. - None
5. Minimum total square footage per dwelling unit, exclusive of porches, terraces, and garages) for Attached Multi-Family Dwellings. – 1,200 square feet per dwelling unit
6. Maximum parcel coverage for Attached Multi-Family Dwellings. – None
7. Minimum Open Space for Attached Multi-Family Dwellings. - 15% of the District
8. Minimum lot area for permitted Single-family dwellings – 6,000 square feet
9. Minimum lot frontage on road for permitted Single-family dwellings – 40'
10. Minimum setback lines for permitted Single-family dwellings
  - a. Front Yard – 20'
  - b. Side Yard – 5'
  - c. Rear Yard – 20'

11. Minimum Lot Width for permitted Single-family dwellings – 50’
12. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family dwellings:
  - a. One story dwelling – 1,400 square feet
  - b. Two story dwelling – 1,800 square feet

E. Lot Standards for The Villas:

1. Minimum lot area for Duplex or Quadraplex Dwellings. - None
2. Minimum lot frontage on road for Duplex or Quadraplex Dwellings. - None
3. Minimum setback lines for Duplex or Quadraplex Dwellings.
  - a. 30 feet from arterials
  - b. 20 feet from collectors and local streets
4. Minimum distance between structures for Duplex or Quadraplex Dwellings.
  - a. Two-unit single family attached - 15'
  - b. Four-unit single family attached - 25'
5. Minimum square footage per dwelling unit, exclusive of porches, terraces, and garages for Duplex or Quadraplex Dwellings.
  - a. Single story - 1,300 square feet
  - b. Two story - 1,600 square feet
6. Minimum Open Space for Duplex or Quadraplex Dwellings. - 15% of the District
7. Minimum lot area for permitted Single-family Dwellings – 7,200 square feet.
8. Minimum lot frontage on road for permitted Single-family Dwellings – 40’.
9. Minimum setback lines for permitted Single-family Dwellings
  - a. Front Yard – 20’
  - b. Side Yard – 5’
  - c. Rear Yard – 20’
10. Minimum Lot Width for permitted Single-family Dwellings – 60’
11. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family Dwellings:
  - a. One story single-family dwelling – 1,400 square feet
  - b. One and one half store single family dwelling – 1,500 square feet.

**Section 7. Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

7.1 Article 6.3 Architectural Standards:

- A. Character Exhibit. The Character Exhibits, attached hereto as **Exhibit E** (As to the Townes), **Exhibit F** (as to Quadraplex Dwellings in the Villas) **Exhibit G** (as to the Villas), **Exhibit H** (as to the Business Parke),

**Exhibit I** (as to the Commerce Parke) and **Exhibit J** (as to The Shoppes), are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Buildings shall be constructed substantially similar to those in the Character Exhibit.

B. Architectural Standards for Business Parke.

1. All buildings shall be designed with respect to the general character of the Business Parke, and particularly, with due consideration to buildings located on lots that abut the project site.
2. A minimum of three (3) materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, or ornamental metal. One (1) of the materials shall be either stone, brick or architectural pre-cast (panels or detailing).
3. Large expanses of glass are allowed, up to seventy percent (70%) of the facade area.
4. The building shall not be constructed entirely of a metal and glass curtain wall.
5. Concrete block is not allowed as an exterior finish material.
6. All front and side facades visible from U.S. Highway 31 shall comply with the architecture requirements of Article 5.3(K)(2)(a)-(i) and (M)(2) of the UDO with references to State Road 32 therein interpreted to apply to the right of way of U.S. Highway 31.

C. Architectural Standards for Commerce Parke:

1. District 3 Architecture for Primary and Secondary Facades fronting on a public right of way, or which are visible from adjoining residential uses, shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to the public right of way upon which the structure fronts. The facades of structures within District 3 which do not front on a public right of way, or which are not visible from adjoining residential uses, shall comply with the requirements provided below.
2. Roof Design.
  - a. Roofs may be either residential character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
  - b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
  - c. Rooftop equipment screens and rooftop penetrations (i.e., vents) shall be of a color compatible with the overall building or roof color (not an accent color).
  - d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:12.

3. Facade Rule. - All building elevations shall either be considered a Primary or Secondary Facade. All Facades facing Grassy Branch Road, East Street, State Road 38 or 196<sup>th</sup> Street shall meet the Primary Façade requirements contained herein.

4. Facade Materials.

a. Primary Façade Materials.

i. Permitted building finish materials for the Primary Façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain) architectural block (textured) and EFIS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or architecturally insulated metal panel systems (if used for a maximum of 50% of the façade).

ii. Prohibited building finish materials on the Primary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass, vinyl siding.

iii. Primary Facades may have window glazing or glass storefronts.

iv. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Drive).

v. Colors used on building facades must be complementary. Natural, muted colors should serve as the Primary Facade color, with brighter colors used as limited accents.

vi. Decorative architectural lighting is required at a minimum of one fixture every 40 feet on Primary Facades.

vii. On Primary Facades which do not face a primary arterial, overhead doors may be permitted on the Primary Facade elevations.

b. Secondary Façades Materials.

i. In addition to those materials permitted for the Primary Façade, the Secondary Facade may include architectural metal wall panels.

ii. Prohibited building finish materials on the Secondary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

iii. Overhead doors are permitted on Secondary Facade elevations, but shall not be orientated towards a public right-of-way.

D. Architectural Standards for The Shoppes:

1. General Architectural Standards The Shoppes shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any

references in Article 5.3(K) to State Road 32 shall be interpreted to apply to State Road 38 for this Ordinance.

E. Architectural Standards for The Townes:

1. Architectural Standards for Attached Multi-Family Dwellings.

a. Elevations.

i. The front elevation of a building shall be the facade containing a front door to the building.

ii. Fifty percent (50%) of the front facade of each building, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.

iii. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material. A masonry water table shall be located on all elevations except the front façade.

b. A townhome building shall have a minimum of five (5) ridge lines.

c. Windows.

i. A building shall have a minimum of three (3) windows on the front facade of the structure per unit.

ii. A building shall have two (2) windows on each of the two (2) side facades.

iii. Building shall have three (3) windows per unit on the rear facade of the structure.

iv. A double window will count as two (2) windows.

v. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

d. Garages shall be attached to the primary structure.

e. Garage doors shall not be oriented towards East Street.

f. Carports shall be prohibited.

g. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.

h. The minimum roof pitch of the main roof of the residence shall be 6:12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.

- i. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
- j. Roof vents shall be located to the rear half of the home/structure when possible. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
- k. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Townes, and The Townes Character Exhibit, attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Townes Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

3. Additional Architectural Standards for permitted Single-family dwellings

- a. **Minimum Overhang:** The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
- b. **Garage Composition and Orientation:**
  - i. All Dwellings shall have a minimum two (2) car attached garage.
  - ii. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.
- c. **Building Materials:** In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.
- d. **Front Building Façade Requirements:** At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
  - i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.

- ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
  - iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.
- e. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:
- i. A minimum of three (3) windows with an aggregate minimum of forty (40) square feet in size.
  - ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of half (½) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.
- f. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(E)(3)(e) of this Ordinance.

F. Architectural Standards for The Villas:

1. Architectural Standards for Duplex or Quadraplex Dwellings.

a. Elevations.

- i. Masonry shall be the exterior building material on at least thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
- ii. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any facade area within a dormer projecting from a roof.

b. Windows.

- i. Each unit shall have a minimum of three (3) windows on each facade.
- ii. A double window will count as two (2) windows.
- iii. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the

treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of one half (1/2) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

- c. Garage doors shall not be oriented towards East Street
- d. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
- e. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
- f. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
- g. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
- h. Each four-unit single family attached building shall be substantially similar in quality and character to the illustrative elevations found in **Exhibit F**.
- i. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Villas, and The Villas Character Exhibit, attached hereto as **Exhibit G**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Villas Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

3. Additional Architectural Standards for permitted Single-family Dwellings

- a. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
- b. Garage Composition and Orientation:
  - i. All Dwellings shall have a minimum two (2) car attached garage.
- c. Garage elevations shall include a variety of design elements to

vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.

d. Building Materials: In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.

e. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.

ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).

iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.

f. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:

i. A minimum of three (3) windows with an aggregate minimum of forty (40) feet in size.

ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

g. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-Family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(F)(3)(f) of this Ordinance.

- 7.2 Article 6.6 Height Standards: Shall apply unless otherwise amended hereby for each of the following shall apply to the various Districts:
- A. Business Parke:
    - 1. Minimum Building Height.
      - a. Lots abutting U.S. Highway 31
        - i. Primary Façade: Thirty-eight (38) feet and/or the appearance of three (3) occupiable floors through the use of architectural features
        - ii. All other Facades: Thirty (30) feet
      - b. All other lots - Thirty (30) feet
    - 2. Maximum Building Height.
      - a. One Hundred Fifty (150) feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or structure.
  - B. Commerce Parke:
    - 1. Maximum Building Height:
      - a. District 1: Forty five (45) feet.
      - b. District 2: Forty five (45) feet, except any structure whose lot fronts on 196<sup>th</sup> Street where the maximum height shall be sixty (60) feet. Any building with a height of sixty (60) feet must be set back at least two hundred (200) feet from Grassy Branch Road.
      - c. District 3: Thirty five (35) feet.
    - 2. The limitations herein shall not apply to steeples, silos, chimneys, antennas or appurtenances which are located on structures within the district.
    - 3. Any new structure within two hundred fifty (250) feet of the residential structure/home at 2429 E. 202<sup>nd</sup> Street, 2502 E. 202<sup>nd</sup> Street, 1910 E. 202<sup>nd</sup> Street, shall be limited to a height of thirty five (35) feet so long as those properties are utilized residentially.
  - C. The Shoppes:
    - 1. Maximum Building Height. Buildings are restricted to 35 feet maximum height or a maximum of two stories
  - D. The Townes:
    - 1. Maximum building height for Attached Multi-Family Dwellings. - 45 feet.
    - 2. Lots marked with a star on **Exhibit D** shall be subject to restrictions included in Section 7.1(E)(3)(f) hereof.
  - E. The Villas:
    - 1. Detached Single-family Dwellings in The Villas shall be no taller than one and one half story.
- 7.3 Article 6.8 Landscaping Standard: Shall apply, except as follows:
- A. Article 6.8 N of the UDO shall be replaced by this section.
  - B. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants (inclusive of bushes/shrubs) used for screening must be at least eighteen (18) to twenty four (24) inches

tall when planted. Evergreen trees required for screening must be between six (6) and eight (8) feet in height at the time of planting. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.

- C. A twenty foot (20') buffer yard shall be required around the perimeter of each District except as follows:
1. No buffer yards shall be required:
    - a. internal to the Northpoint PUD, except as provided in Subsections C(2)(c) and C(3) below;
    - b. adjacent to proposed greenways and park areas; and
    - c. within easements prohibiting landscaping.
  2. A fifty foot (50') buffer yard shall be required along the existing home sites on Grassy Branch Road (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall be improved as follows:
    - a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard (the existing trees along the north side of 203<sup>rd</sup> street shall maintain fifty percent (50%) of the existing treeline, and no additional plantings or mounding shall be required in this area provided there is a minimum of 50 feet of detention pond provided). The mound shall be designed in order to protect the root system and drip lines of existing trees on adjacent properties.
    - b. The buffer yard shall be landscaped per this Ordinance.
    - c. A fifty foot (50') buffer yard shall be required along the existing homestead parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). If any portion of the Real Estate is added to the Heitman property, it shall be buffered in accordance with this provision. If the Heitman property is no longer utilized as a residential use, the requirements of this section 7.3(C)(2)(c) shall no longer apply to the Heitman property:
    - d. A thirty foot (30') buffer yard shall be required along the eastern and western borders of the driveway parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard. If the Heitman property is no longer utilized as a residential use, the requirements of this Section 7.3(C)(2)(d) shall no longer apply to the Heitman property.
    - e. The buffer yard shall be landscaped per this Ordinance.
  3. Buffer between The Shoppes and adjoining Residential District (to the west) (as shown on the Buffer Exhibit, **Exhibit D**)
    - a. A thirty foot (30') buffer yard shall be required and shall be landscaped per this Ordinance:

4. Buffer along the northern, western southern and eastern borders of the Commerce Parke
  - a. In the areas as shown on Buffer Plan, Exhibit “D” a forty foot (40') buffer yard shall be required and shall be improved as follows:
    - i. The buffer yard shall have a six foot (6') mound.
    - ii. Shall be landscaped per this Ordinance.
    - iii. Evergreen trees shall be planted on or near the top of the mound.
  - b. Buffer yard planting requirements shall be included with the Development Plan Review of each parcel.
5. Buffer yards that are not additionally road frontage shall be landscaped per this subsection, with the exception of areas encompassed by easements prohibiting landscaping, where no landscaping shall be required. Buffer yards that are additionally road frontage shall be landscaped per the buffer yard requirements of External Street Frontage Landscaping per Section 6.8 (M) of the UDO.
  - D. Within buffer yards at least eight (8) evergreen trees per one hundred (100) linear feet and five (5) evergreen shrubs per one (100) hundred linear feet shall be planted. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses. Staggering evergreen trees on alternating sides of the mound shall be utilized when feasible.
  - E. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards with the requirement for mounding/fencing eliminated. In the NW corner of the property located north of the 203<sup>rd</sup> Street extension (as shown on the Concept Plan) a forty (40) foot tree preservation area shall be utilized as the buffering requirement without any mounding or fencing. Prior to development adjacent to this tree preservation area, a tree preservation plan prepared in accordance with Article 6.8(E)(4) of the UDO shall be approved by the Director.
  - F. In residential districts, plantings required to be placed in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
  - G. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
  - H. Buffer yards shall not be required between uses within the same districts or within subdivisions.

7.4 Article 6.12 Outdoor Storage and Display shall apply except as specifically modified to the various Districts:

A. Commerce Parke:

1. Uses in the Commerce Parke shall be permitted to have outside storage subject to the screening/buffering requirements as set forth in this Ordinance.

2. Outside storage shall be permitted in District 2 in accordance with Article 6.12(D) of the UDO.

3. No outside storage shall be permitted within District 1 or District 3, or within one hundred feet (100') of the right-of-way of the new East Street extension, Grassy Branch Road, or US 31 within District 2.

4. Service/Material Yard and Storage Areas.

a. Article 6.12(D)(2) of the UDO shall apply with the following addition: Must be completely screened as follows:

i. The fence required under Article 6.12(D)(2)(b) of the UDO shall be an opaque wood privacy fence, the style of which shall be consistent throughout the Commerce Parke.

B. The Shoppes:

1. No outdoor sales areas or permanent outdoor display areas are permitted unless surrounded by a permanent structure consistent with material of the building.

7.5 Article 6.14 Parking and Loading Standards shall apply except as specifically modified to the various Districts:

A. Business District:

1. Loading and Unloading Areas.

a. Loading and Unloading Berth shall not be oriented to or visible from U.S. Highway 31.

b. Loading and Unloading Berths oriented toward any other public right-of-way, shall be landscaped/screened using Masonry wall(s), plant material, or a combination thereof.

2. For buildings fronting on US Highway 31, no more than two (2) rows of parking (composed of a single drive aisle with angled or perpendicular parking on both sides accessible from such drive aisle) shall be located between the building's Primary Façade and the right of way for US Highway 31.

B. Commerce Parke:

1. Loading Docks. Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, a screening wall, topography, vegetation and/or landscaping.

7.6 Article 6.15 Performance Standards shall apply except as specifically modified to the various districts:

A. Commerce Parke:

In addition to the requirements of Article 6.15, B (4) of the UDO, the following shall apply:

No outdoor speakers shall be used in conjunction with any uses between the hours of 11 P.M. and 6 A.M.

7.7 Article 6.17 Sign Standards shall apply except as specifically modified to the various districts:

A. The Shoppes:

The following restrictions shall apply to signage immediately adjacent to State Road 38:

All sign materials shall be architecturally complimentary to the materials utilized in The Shoppes.

No Pole Signs shall be permitted.

No Electronic Signage shall be permitted.

Reverse channel lighting shall be utilized for all Wall Signs on the facades of buildings facing and visible from State Road 38.

The lighting of all signs in The Shoppes shall comply with Article 6.9(G)(3) of the UDO, regardless of the source of the signs lighting.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(i) shall be reduced to six (6) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(ii) shall be reduced to nine (9) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(iii) shall be reduced to twelve (12) feet.

**Section 8. 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 in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

**Section 9. Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

9.1 Article 8.7, Pedestrian Network Standards, shall apply except as follows:

A. The Shoppes:

1. Pedestrian Circulation.

a. Continuous internal pedestrian walkways, no less than eight

(8) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all structures on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.

b. Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet from the facade of the building to provide planting facade.

c. Internal pedestrian walkways provided in conformance with part b above shall provide weather protection features such as awnings or arcades within 30 feet of customer entrances.

d. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

**Section 10. Amenities.** In accordance with Article 10.9(F)(4) of the UDO, the following Amenities will be distributed throughout the Residential Districts, for use by residents of districts designated by the Developer within the Real Estate:

A. A minimum of two (2) small parks. One small park shall be installed with the first section of The Townes and one small park shall be installed with the first section of The Villas.

B. A minimum of one (1) swimming pool and swimming pool area and a Bathhouse. This shall be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and the Villas.

C. A minimum of one (1) 3,000 square foot playground to be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and Villas.

D. Integrated trail system of a minimum eight (8') foot asphalt path connecting all districts as shown on the Pedestrian Network Exhibit (**Exhibit C**).

E. The swimming pool and playground amenities shall not be located adjacent to the perimeter buffer yard for the existing home sites on Grassy Branch Road.

**[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]**

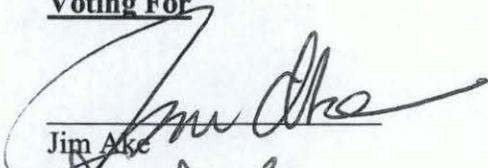
ALL OF WHICH IS ORDAINED/RESOLVED THIS 13 DAY OF Aug, 2018.

WESTFIELD CITY COUNCIL

Voting For

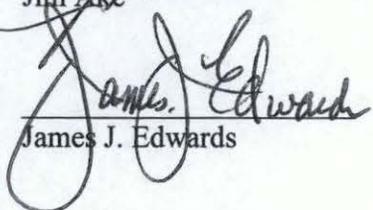
Voting Against

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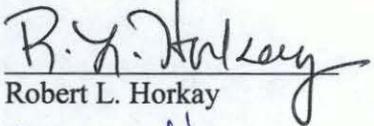
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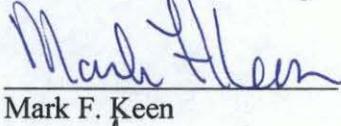
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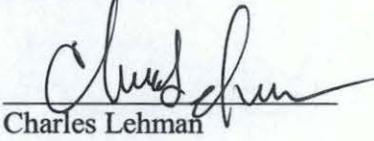
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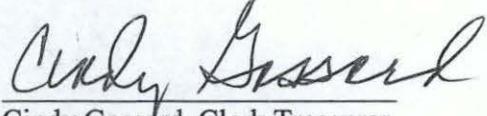
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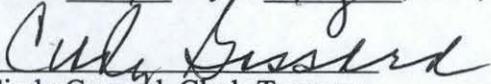
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ATTEST:

  
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Cindy Gossard, Clerk Treasurer

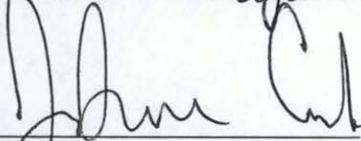
I hereby certify that **ORDINANCE 17-51** was delivered to the Mayor of Westfield

on the 14 day of Aug, 2018, at 9:30A m.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 17-51**

this 14 day of August, 2018.

  
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 17-51**

this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

This document prepared by:

Russell L. Brown, Clark, Quinn, Moses, Scott & Grahn, LLP, 320 N. Meridian Street, Suite 1100, Indianapolis, Indiana 46204

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. Russell L. Brown

**SCHEDULE OF EXHIBITS**

- Exhibit A Real Estate (Legal Description)
- Exhibit B Concept Plan
- Exhibit C Pedestrian Network
- Exhibit D Buffer Plan
- Exhibit E Townes Character Exhibit
- Exhibit F Four Family Attached Illustrative Elevations
- Exhibit G Villas Character Exhibit
- Exhibit H Business Parke Character Exhibit
- Exhibit I Commerce Parke Character Exhibit
- Exhibit J The Shoppes Character Exhibit

EXHIBIT A  
REAL ESTATE

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER'S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF IF E SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA;

THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD 83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY , INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 1101.42 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 50 MINUTES 20 SECONDS WEST 2671.16 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 35 SECONDS WEST 825.00 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19 TO THE SOUTHWEST CORNER OF TRACT "C" AS RECORDED IN DEED BOOK 345, PAGE 360 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THE FOLLOWING TWELVE (12 COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1)THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 635.25 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 35 SECONDS EAST 734.25 FEET; 3) THENCE NORTH 00 DEGREES 00

MINUTES 29 SECONDS EAST 417.56 FEET; 4) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 5) THENCE NORTH 00 DEGREES (10 MINUTES 29 SECONDS EAST 284.87 FEET; 6) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 7) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 8) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 9) THENCE SOUTH 01 DEGREES 28 MINUTES SECONDS WEST 1336.02 FEET; 10) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 11) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 12) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 154.55 ACRES, MORE OF LESS.

EXCEPT:

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER'S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 2,8.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 2 82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED "WEIHE ENGR 0012" AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

**Northpoint PUD District (f/k/a Aurora)– Replacement Ordinance**

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A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; HENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION 838.78 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST AND PARALLEL TO THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET TO THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 838.78 FEET TO THE POINT OF BEGINNING.

AND ALSO:

PART OF THE SOUTH HALF OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST (ASSUMED BEARING) ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 19 A DISTANCE OF 90.75 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 285.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTH HALF 238.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL WITH SAID WEST LINE 285.00 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON SAID NORTH LINE 147.25 FEET TO THE PLACE OF BEGINNING.

AND ALSO:

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

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST (ASSUMED BEARING) ON THE EAST LINE THEREOF 1811.0 FEET TO THE TRUE BEGINNING POINT OF THE REAL ESTATE HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST ON THE EAST LINE OF SAID QUARTER 20.02 FEET TO THE NORTHEAST CORNER OF FORTY-SEVEN AND THREE-FOURTHS ACRES OFF THE SOUTH SIDE OF SAID NORTHWEST QUARTER AS DESCRIBED IN AN ADMINISTRATOR'S DEED RECORDED IN DEED RECORD 329, PAGE 919 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON THE NORTH LINE OF SAID REAL ESTATE 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID QUARTER, 20 FEET, MORE OR LESS, TO THE APPROXIMATE CENTERLINE OF 202ND STREET; THENCE EASTERLY ON SAID SOUTH LINE 90.75 FEET TO THE TRUE BEGINNING POINT.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4, EAST, 2<sup>ND</sup> P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19, NORTH, RANGE 4 EAST, 2<sup>ND</sup> P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (INDIANA STATE PLANE COORDINATES-EAST ZONE NAD 83) A DISTANCE OF 2248.54 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE CENTERLINE OF STATE HIGHWAY 38; THENCE SOUTH 60 DEGREES 52 MINUTES 07 SECONDS EAST 481.49 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER, THENCE SOUTH 00 DEGREES 02 MINUTES 34 SECONDS EAST 1102.19 FEET ON THE

EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 2669.90 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER, THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 80.70 ACRES, MORE OR LESS.

EXCEPT:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED "WEIHE ENGR 0012" AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON SOUTH LINE OF SAID SOUTHEAST QUARTER 409.0 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, THENCE NORTH PARALLEL WITH WEST LINE OF SAID EAST 242.0 FEET TO A POINT R/W OF STATE ROAD #38. THENCE SOUTHEASTERLY R/W OF SAID STATE ROAD WHERE IT INTERSECTS THE SOUTH LINE OF SAID QUARTER SECTION 858.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID EAST HALF. THENCE WEST ON SAID SOUTH LINE 449.0 FEET TO IRON STAKE OR PLACE OF BEGINNING, IN HAMILTON COUNTY, INDIANA, EXCEPT: A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, STATE OF INDIANA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER 409.00 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN SAID COUNTY AND STATE, THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID EAST HALF 242.6 FEET TO A POINT IN THE RIGHT OF WAY OF STATE ROAD NUMBER 38, THENCE SOUTHEASTERLY IN SAID RIGHT OF WAY 66.0 FEET TO A POINT, THENCE DIVERT TO THE RIGHT OF SOUTHWESTERLY 223.0 FEET TO THE PLACE OF BEGINNING.

AND ALSO:

FORTY-SEVEN AND THREE-FOURTHS (47%) ACRES OFF THE SOUTH SIDE OF THE NORTHWEST QUARTER OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE FOUR (4) EAST. ALSO, THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19, CONTAINING 74.3 ACRES, MORE OR LESS, EXCEPT BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTH HALF OF SAID SOUTHWEST QUARTER AND RUN NORTH 659 FEET, THENCE EAST 148.75 RODS, THENCE SOUTH 38 1/2 RODS, THENCE WEST 148.62 RODS TO THE PLACE OF BEGINNING, CONTAINING 36.74 ACRES, MORE OR LESS. ALSO, EXCEPT A STRIP OF LAND FIVE AND ONE-HALF (5½) RODS WIDE OFF THE ENTIRE EAST END OF THE ABOVE TWO TRACTS, REMAINING AFTER THE AFORESAID EXCEPTION, CONTAINING 3.2 ACRES, MORE OR LESS. ALSO, EXCEPT A CEMETERY LOT DESCRIBED AS FOLLOWS: BEGINNING 78 RODS EAST OF THE NORTHWEST CORNER OF THE FIRST DESCRIBED TRACT AND RUN SOUTH 9 3/4

**Northpoint PUD District (f/k/a Aurora)– Replacement Ordinance**

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RODS; EAST 10 RODS; NORTH 9 3/4 RODS; WEST 10 RODS TO THE PLACE OF BEGINNING, CONTAINING 0.61 ACRES, MORE OR LESS. CONTAINING AFTER SAID EXCEPTIONS EIGHTY-ONE AND ONE-HALF (81 ½) ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST (ASSUMED BEARING) 406.68 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 59 MINUTES 06 SECONDS EAST 16.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF GRASSY BRANCH ROAD AND THE EAST LINE OF THE 0.072 ACRE PROPERTY (PARCEL 14A, CODE 4162) OWNED BY STATE OF INDIANA AS RECORDED IN, INST. NO. 2006-041657, DATED: JULY 20, 2006 IN SAID RECORDERS OFFICE; THENCE NORTH 29 DEGREES 40 MINUTES 08 SECONDS EAST 101.82 FEET ALONG SAID EAST LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE FOR STATE ROAD 38; THENCE ALONG THE LINES OF SAID SOUTHWESTERLY RIGHT-OF-WAY, BY THE NEXT TWO (2) COURSES: (1) THENCE SOUTH 60 DEGREES 41 MINUTES 09 SECONDS EAST 615.03 FEET; (2) SOUTH 60 DEGREES 52 MINUTES 35 SECONDS EAST 345.98 FEET TO THE EAST LINE OF THE 3.040 ACRE PROPERTY OWNED BY ALICE E. DREXLER ET AL, AS RECORDED IN INST. NO. 2007-063319, DATED: NOVEMBER 9, 2007 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 34 MINUTES 59 SECONDS WEST 1,306.76 FEET TO THE EAST PROLONGATION OF THE NORTH LINE OF THE 9.15 ACRE PROPERTY OWNED BY THE FIRST BAPTIST CHURCH OF WESTFIELD, INC., AS RECORDED IN INST. NO. 2005-068167, DATED: OCTOBER 17, 2005 IN SAID RECORDERS OFFICE; THENCE NORTH 88 DEGREES 51 MINUTES 00 SECONDS WEST 289.89 FEET ALONG THE EAST PROLONGATION OF SAID NORTH LINE, THE NORTH LINE AND THE WEST PROLONGATION OF SAID NORTH LINE TO THE NORTH PROLONGATION OF THE EAST LINE OF THE THREE (3) ACRE PROPERTY OWNED BY WILLIAM R. STUBBS AS RECORDED IN, INST. NO. 2003-028318, DATED: MARCH 24, 2003 IN SAID RECORDERS OFFICE; THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS EAST 0.75 FEET ALONG SAID NORTH PROLONGATION OF THE EAST LINE TO THE NORTH LINE OF SAID THREE (3) ACRE PROPERTY; THENCE NORTH 88 DEGREES 50 MINUTES 42 SECONDS WEST 240.38 FEET ALONG SAID NORTH LINE TO THE SOUTH LINE OF SAID 3.040 ACRE PROPERTY; THENCE NORTH 88 DEGREES 37 MINUTES 02 SECONDS WEST 361.62 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST 1,669.09 FEET TO THE PLACE OF BEGINNING, CONTAINING 31.920 ACRES, MORE OR LESS.

AND ALSO

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANG 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 48 MINUTES 08 SECONDS WEST (ASSUMED BEARING) 2,671.48 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 01 MINUTES 23 SECONDS EAST 1,338.82 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTH 89 DEGREES 48 MINUTES 08 SECONDS EAST 2,671.17 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 00 DEGREES 00 MINUTES 35 SECONDS EAST 1,338.82 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE PLACE OF BEGINNING, CONTAINING 82.102 ACRES, MORE OR LESS

**EXHIBIT B**  
CONCEPT PLAN

# EXHIBIT B-1 ZONING BUBBLE PLAN



**STOEPPELWERTH**  
PLANNERS & ARCHITECTS  
1000 W. UNIVERSITY AVENUE  
SUITE 200  
ANN ARBOR, MI 48106-1000  
PH: 313.963.9343  
WWW.STOEPPELWERTH.COM

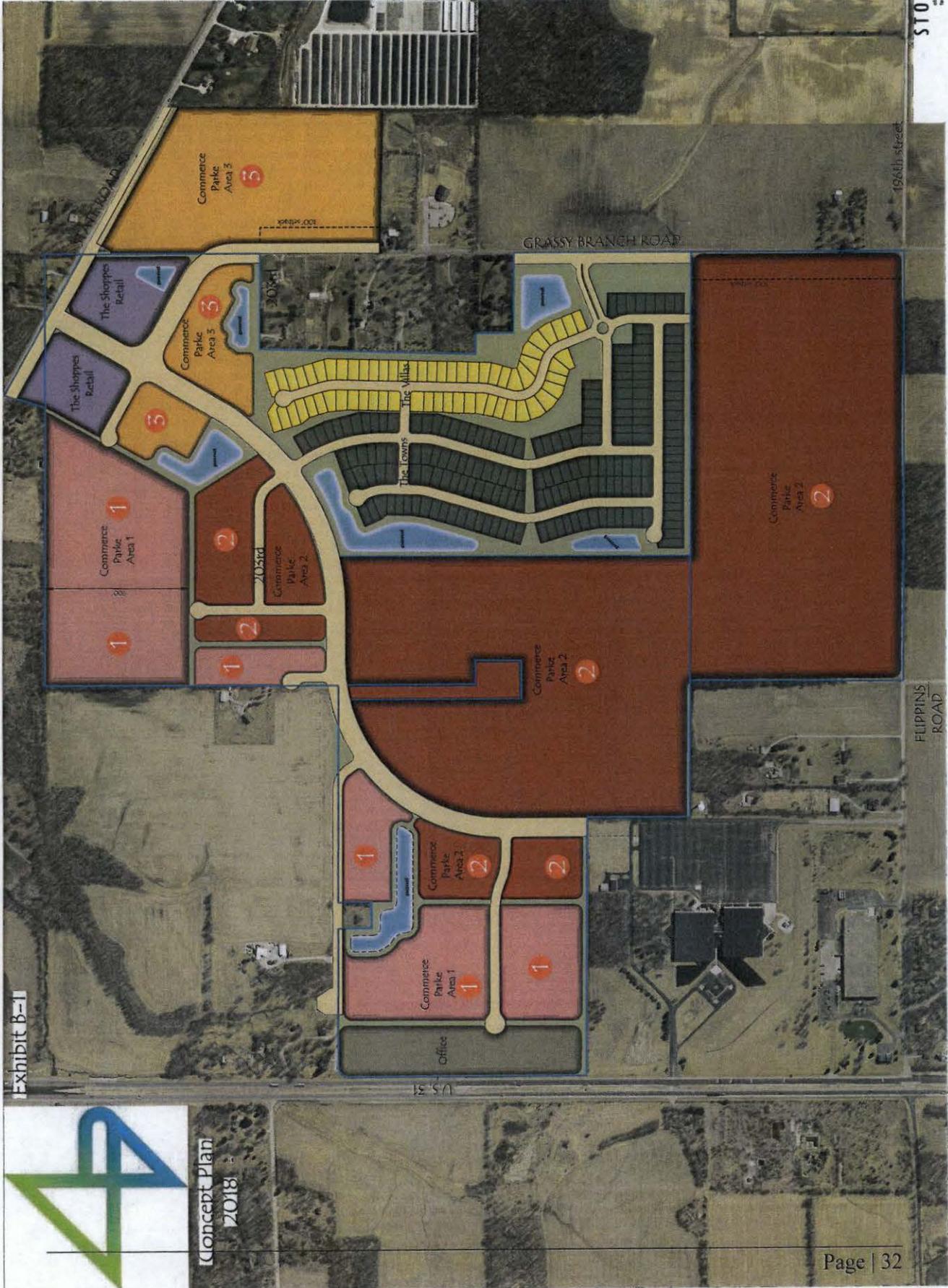


Exhibit B-1



Concept Plan  
2018

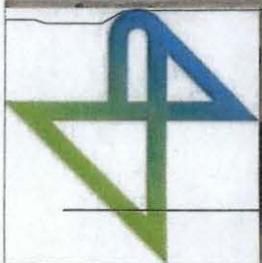
# EXHIBIT B-2 CONCEPT PLAN



**STOEPPELWERTH**  
2905 East 10000 Street  
Midvale, UT 84047  
Tel: 313.940.2000  
Fax: 313.940.2001  
www.stoppelwerth.com



Exhibit B-2



Concept Plan  
2018

**EXHIBIT C**  
PEDESTRIAN NETWORK

# EXHIBIT C PEDESTRIAN NETWORK



**STOEPPELWERTH**  
2000 East 10000 Street  
Suite 111  
Midvale, UT 84047  
www.stoepelwerth.com

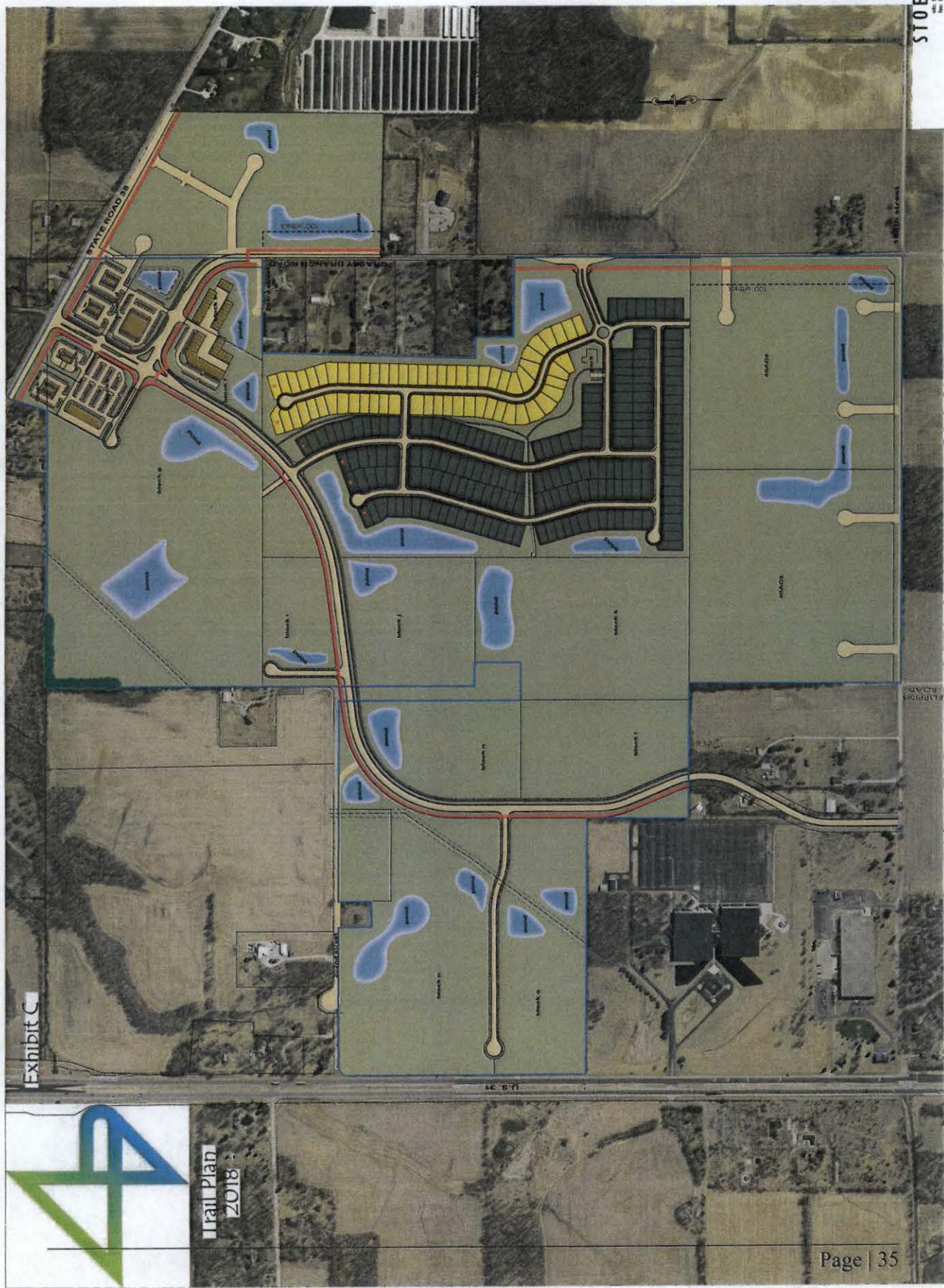
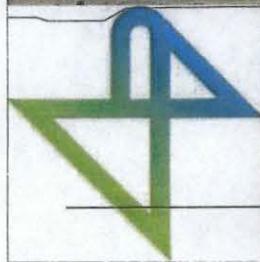


Exhibit C



Rail Plan  
2018

**EXHIBIT D**  
**BUFFER PLAN**

# EXHIBIT D BUFFER PLAN

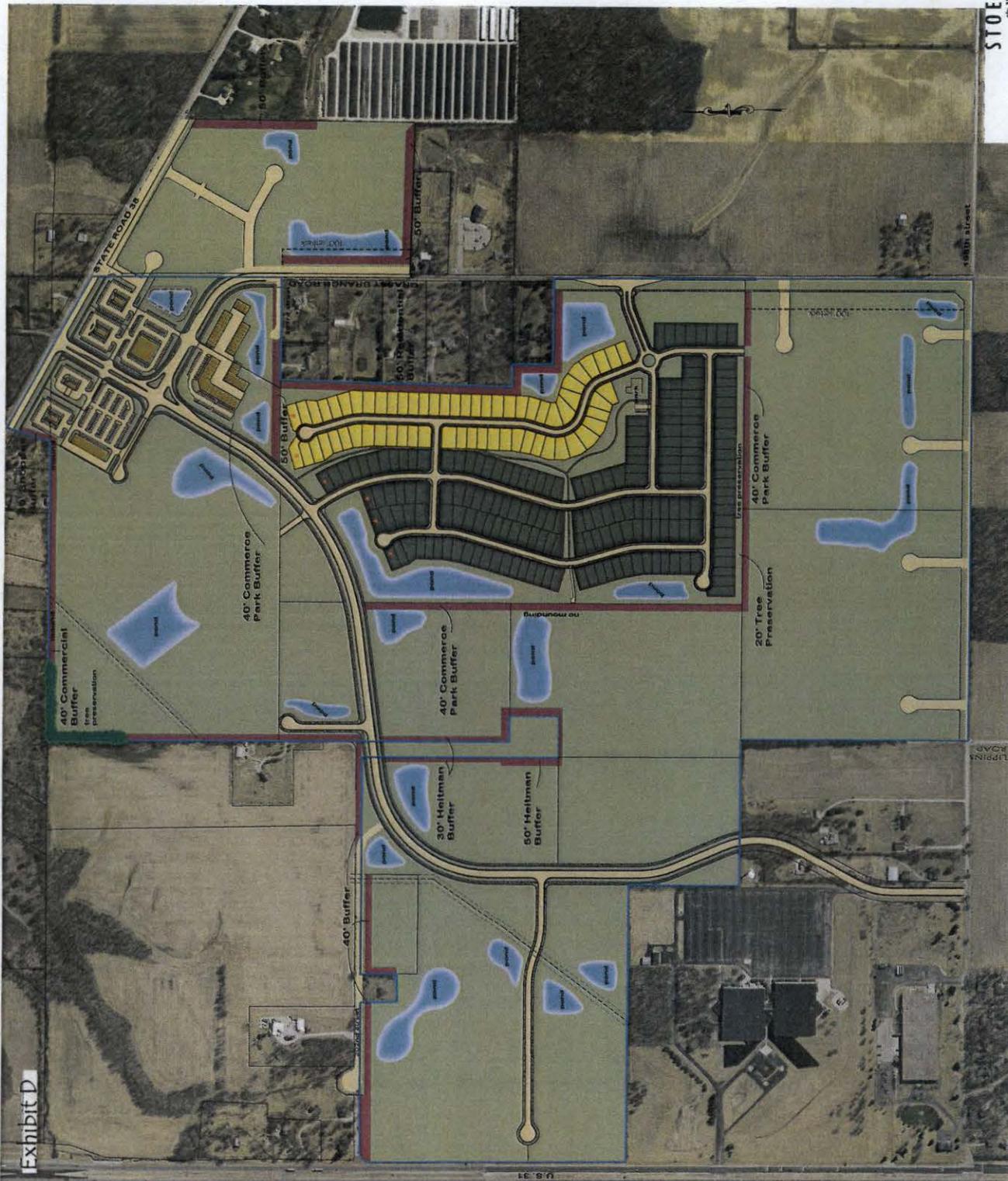
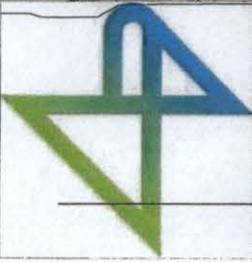


Exhibit D



Buffer Plan  
2018

**EXHIBIT E**  
TOWNES CHARACTER EXHIBIT

  
**CALATLANTIC HOMES<sup>SM</sup>**  
**Stratford**



  
**CALATLANTIC HOMES<sup>SM</sup>**  
**McKinley**



  
**CALATLANTIC HOMES<sup>SM</sup>**  
**Providence**



  
**CALATLANTIC HOMES<sup>SM</sup>**  
**Jackson**



Ⓐ  
**CALATLANTIC HOMES™**  
**Wilmington**

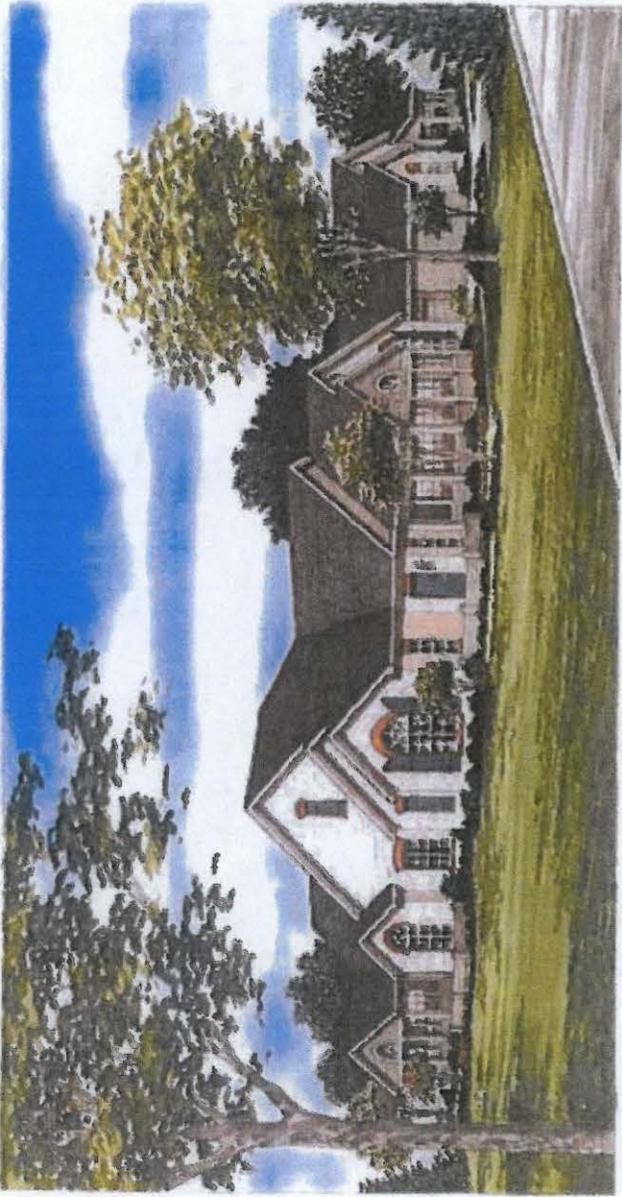


Ⓐ  
**CALATLANTIC HOMES™**  
**McHenry**



**EXHIBIT F**  
FOUR FAMILY ATTACHED ILLUSTRATIVE ELEVATIONS

**EXHIBIT F**  
**FOUR FAMILY ATTACHED ILLUSTRATIVE ELEVATIONS**



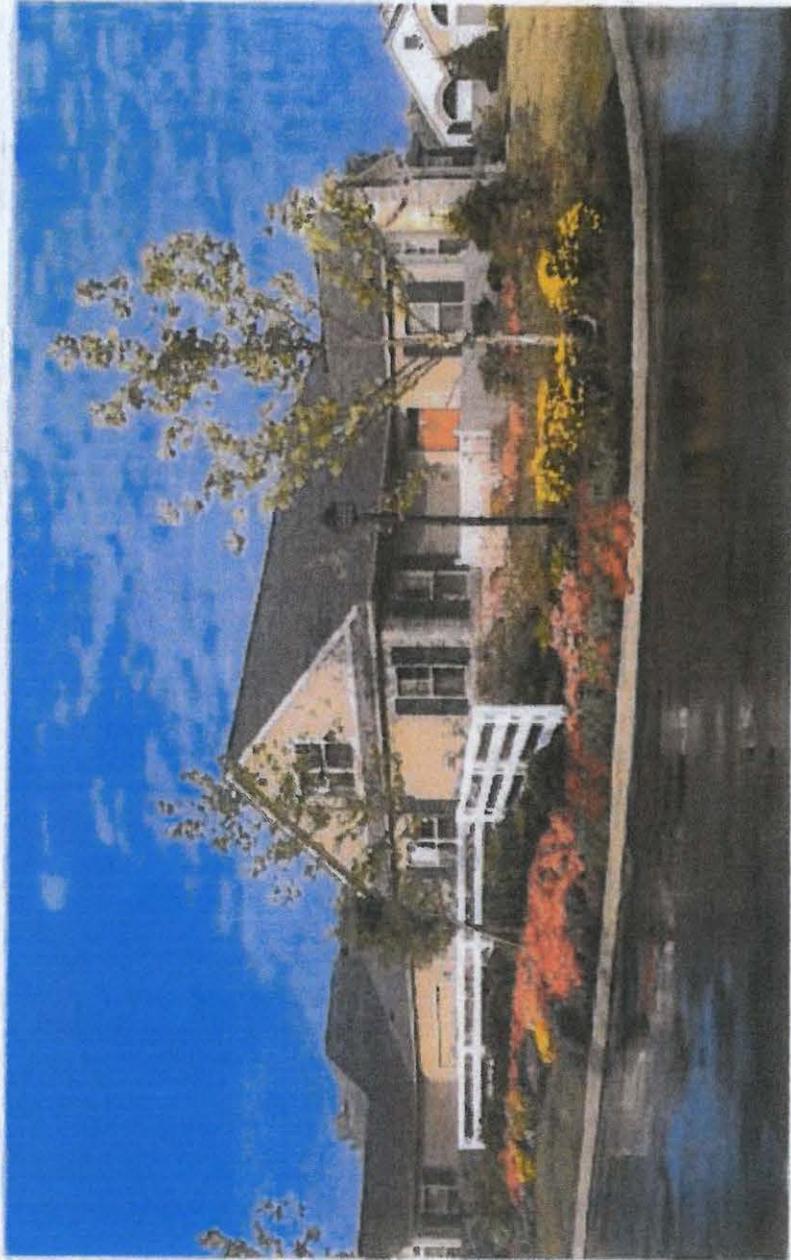
**Four Family Attached  
Illustrative Elevations**



**Four Family Attached  
Illustrative Elevations**



**Four Family Attached  
Illustrative Elevations**



**Four Family Attached  
Illustrative Elevations**



**Four Family Attached  
Illustrative Elevations**

**EXHIBIT G**  
VILLAS CHARACTER EXHIBIT

## Wilmington



**CLASSIC**



**CRAFTSMAN**



**TRADITIONAL**

**Chesapeake**



**CLASSIC**



**CRAFTSMAN**



**TRADITIONAL**

**McHenry**

**"Americana Collection"**



**CLASSIC**



**CRAFTSMAN**



**TRADITIONAL**

## Potomac

"Americana Collection"



**CLASSIC**



**CRAFTSMAN**



**TRADITIONAL**

## Hatteras



**CLASSIC**



**CRAFTSMAN**



**TRADITIONAL**

**EXHIBIT H**

**BUSINESS PARKE CHARACTER EXHIBIT**



**BUSINESS PARKE**

**EXHIBIT I**

**COMMERCE PARKE CHARACTER EXHIBIT**

**AREA 1**



**COMMERCE PARKE**

**ENCLOSED OFFICE WAREHOUSE**





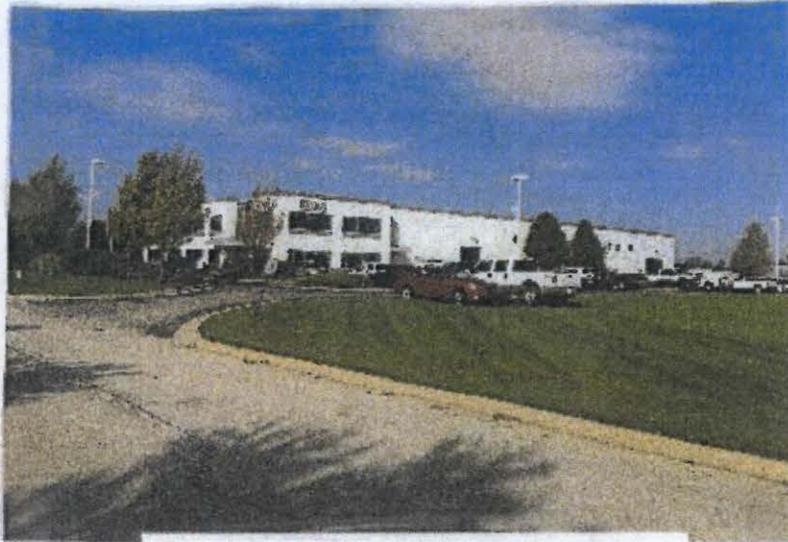
# DESIGN



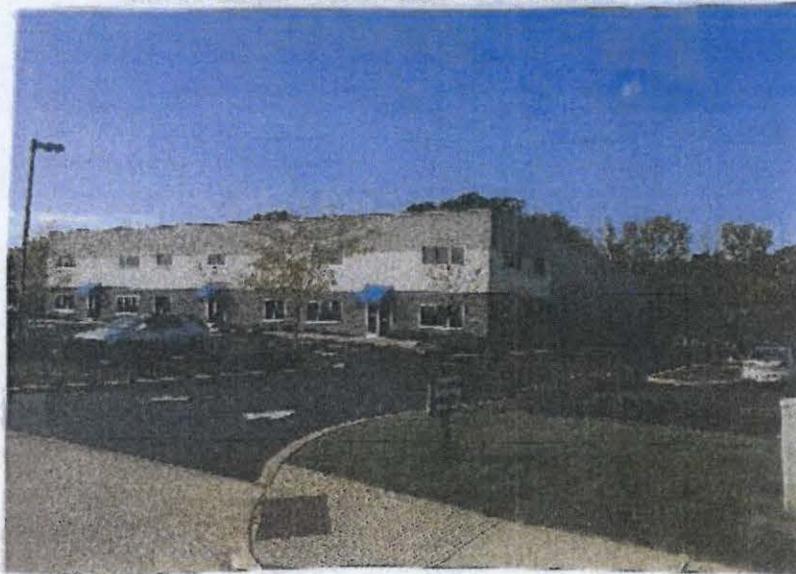
COMMERCE PARKE



AREA 2



**GENERAL CONTRACTORS  
SCREENED OUTSIDE STORAGE BEHIND**



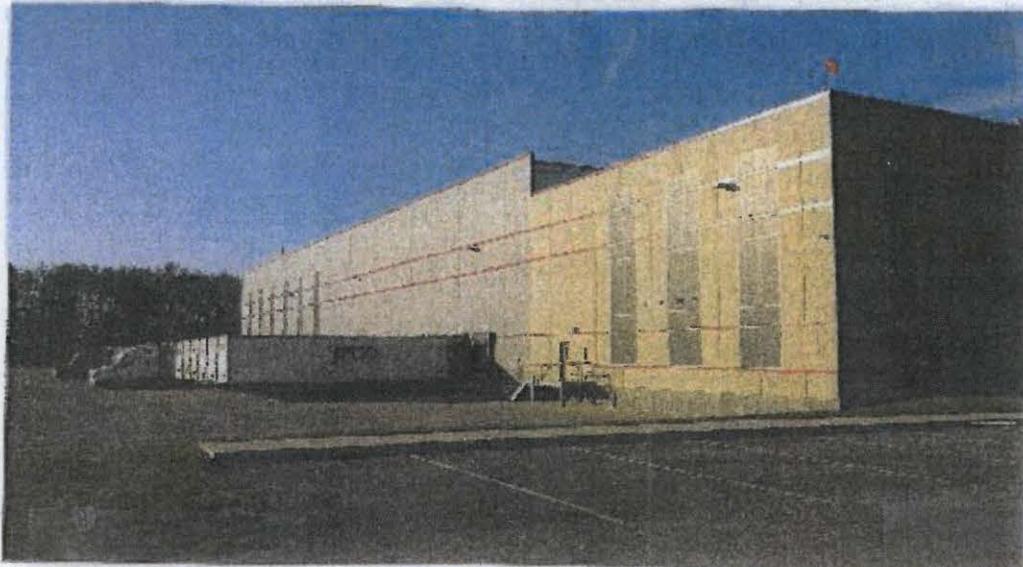
**COMMERCE PARKE**



**AREA 2**



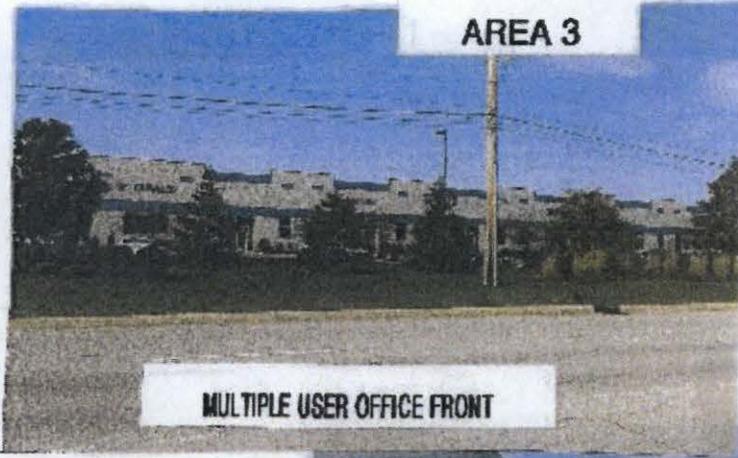
**FOOD PROCESSING DISTRIBUTION AMERIPLEX**



COMMERCE PARKE

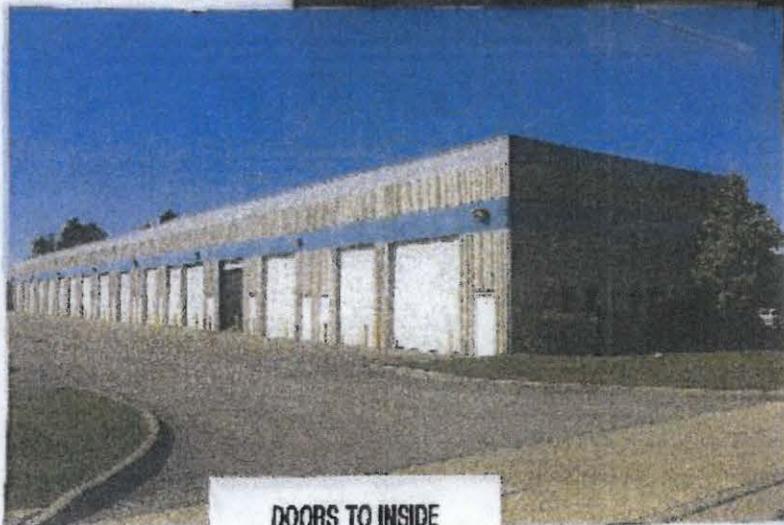


AREA 3



MULTIPLE USER OFFICE FRONT

REAR



DOORS TO INSIDE

**EXHIBIT J**

**THE SHOPPES CHARACTER EXHIBIT**



**THE SHOPPES**



**ORDINANCE NUMBER 19-57**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE NORTHPOINT PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCE 17-51 AND THE UNIFIED DEVELOPMENT ORDINANCE**

This is a Planned Unit Development District Ordinance to amend the Northpoint Planned Unit Development District being that of Ordinance 17-51 ("Northpoint Ordinance") 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 (the "UDO");

**WHEREAS**, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted the Northpoint Ordinance on August 14, 2018, recorded as Instrument 2018038572 in the Office of the Recorder of Hamilton County;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 1910-PUD-33**), requesting an amendment to the Northpoint Ordinance and 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. 1910-PUD-33** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable** recommendation (6 - 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 November 19, 2019;

**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 Northpoint Ordinance, the Unified Development Ordinance and Zoning Map are hereby amended as follows:

COPY

**Section 1. Applicability of Ordinance.**

- 1.1 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Northpoint Ordinance except as revised, modified, supplemented or expressly made inapplicable hereby; 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.
- 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 provisions and representations of the Unified Development Ordinance of the Northpoint 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 Illustrative Character Exhibit: The architectural building elevations, attached hereto as **Exhibit B.**
- 2.2 Illustrative Landscape Exhibit: the landscaping plan, attached hereto as **Exhibit C.**

**Section 3. Concept Plan.** The Concept Plan, attached hereto as **Exhibit D,** 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. Permitted Uses.** The Permitted Uses of Section 5.1(B) of Northpoint Ordinance shall apply to the development of the District, except that Section 5.1(B)(4) shall be amended as follows:

Accessory Buildings and uses customarily incidental to any of the permitted uses, including but not limited to a vehicle maintenance facility and wash bay and a fuel island shall be permitted when constructed in conjunction with a warehousing or distribution facility of at least 475,000 square feet.

**Section 5. Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

- 5.1 Article 6.1 (Accessory Use and Building Standards) of the UDO: Shall apply

except as follows:

A. Screening of Receptacles and Loading Area.

- i. A trash compactor shall be allowed between the façade orientated towards 196<sup>th</sup> Street so long as landscaping is installed in accordance with Exhibit C hereto.

5.2 Article 6.3 (Architectural Standards) of the UDO and Section 7.1(C) of the Northpoint Ordinance: Shall apply, except as follows:

A. Primary Facades.

- i. 196<sup>th</sup> Street. Facades oriented towards 196<sup>th</sup> Street shall not be considered a Primary Façade or a Secondary Façade under Section 7.1(C)(3) of the Northpoint Ordinance.
- ii. Grassy Branch Road. Facades oriented towards Grassy Branch Road, which are located more than four hundred (400) feet from the right of way, shall not be considered a Primary Façade or a Secondary Façade under Section 7.1(C)(3) of the Northpoint Ordinance.
- iii. Overhead doors shall be permitted on Facades which meet the criteria provided in this section.

B. Façade Materials. Facades as identified in Section 4.1(A) of this Amendment shall be constructed substantially in conformance with the Illustrative Character Exhibit attached hereto as **Exhibit B**.

C. Roof Design. The screening requirements of Section 7.1(C)(2)(b) of the Northpoint Ordinance shall not apply to rooftop equipment which is less than seventy (70) feet in overall height.

D. Building Lighting. Section 7.1(C)(4)(a)(vi) shall not apply to the Real Estate. Wall packs located on facades oriented towards 196<sup>th</sup> Street or Grassy Branch Road shall be installed in substantial conformance with the specifications provided in **Exhibit E** hereto.

5.3 Article 6.8 (Landscaping Standards) of the UDO and Section 7.3 of the Northpoint Ordinance: Shall apply, except as follows:

- A. Required landscaping on the Real Estate and located in the required setbacks for 196<sup>th</sup> Street and Grassy Branch shall be installed substantially in conformance with the Illustrative Landscaping Exhibit attached hereto as **Exhibit C**. Landscaping installed in substantial conformance with **Exhibit C** hereto, shall meet the obligations of providing appropriate screening from 196<sup>th</sup> Street and Grassy Branch Road as required in Section 7.5(B) of the

Northpoint Ordinance.

- B. Landscaping installed in substantial conformance with **Exhibit C** hereto, shall meet the obligations of providing Section 6.8(L) Foundation Plantings, Section 6.8(O) Parking Area Landscaping and Section 6.8(K) Minimum Lot Landscaping Requirements, which shall not otherwise be applicable to the Real Estate.
- C. Landscaping installed in the northern and western buffer yards in conformance with **Exhibit C** hereto shall meet the obligations of buffer yard landscaping and the material requirements included in Section 7.5(C) shall not otherwise be applicable to the Real Estate for the northern or western buffer yards.

5.4 Article 6.9 (Lighting Standards) of the UDO: Shall apply except as follows:

- A. The maximum light pole height shall be forty (40) feet.
- B. Section 6.9(b)(iv) shall not apply in regards to the reduction or elimination of lighting after 11:00 P.M.

5.5 Article 6.12(D) (Outdoor Storage and Display) of the UDO and Section 7.4(A) of the Northpoint Ordinance: Shall apply, except as follows:

- A. The fencing on the west, south and east property lines shall vinyl chain link fencing with an anti-climbing measure and shall comply with the height limitations included in Article 6.5(C)(5). Fencing near the controlled access points shall be decorative in nature.
- B. Fencing on the north property lines shall be either opaque fencing or privacy fencing of a material to be reasonably approved by the Director.

ALL OF WHICH IS ORDAINED/RESOLVED THIS 23<sup>rd</sup> DAY OF April, 2019.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

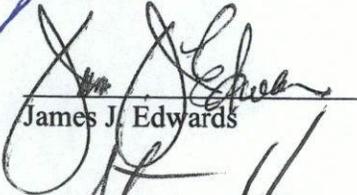
Abstain



Jim Ake

Jim Ake

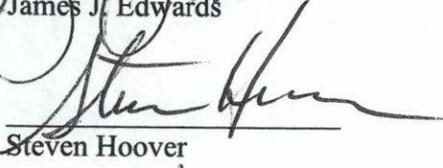
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James J. Edwards

James J. Edwards

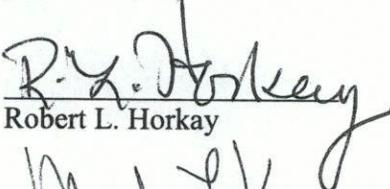
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Steven Hoover

Steven Hoover

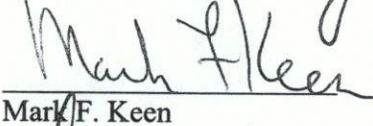
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Robert L. Horkay

Robert L. Horkay

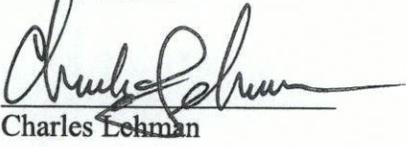
Robert L. Horkay



Mark F. Keen

Mark F. Keen

Mark F. Keen



Charles Lehman

Charles Lehman

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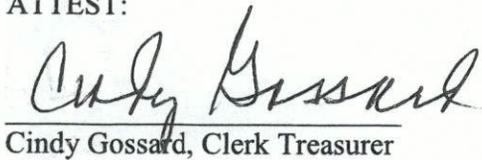


Cindy L. Spoljaric

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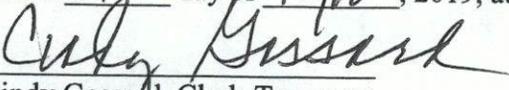
Cindy L. Spoljaric

ATTEST:

  
Cindy Gossard, Clerk Treasurer

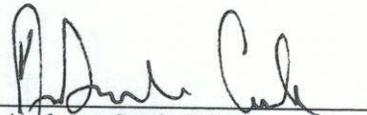
I hereby certify that **ORDINANCE 19-57** was delivered to the Mayor of Westfield

on the 27<sup>th</sup> day of Nov, 2019, at 10:00A m.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-57**

this 3<sup>rd</sup> day of Dec., 2019.

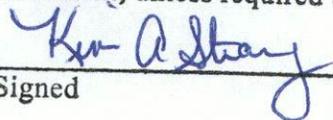
  
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-57**

this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

"I affirm, under the penalties of perjury,  
that I have taken reasonable care to redact  
each Social Security Number in this  
document, unless required by law"

  
Signed \_\_\_\_\_

This document prepared by:

Russell L. Brown, CLARK, QUINN, MOSES, SCOTT & GRAHN, LLP, 320 N. Meridian Street, Suite 1100, Indianapolis,  
IN 46204

**SCHEDULE OF EXHIBITS**

- Exhibit A Real Estate (Legal Description)
- Exhibit B Illustrative Character Exhibit
- Exhibit C Illustrative Landscape Plan
- Exhibit D Concept Plan
- Exhibit E Wall pack specifications

**EXHIBIT A**  
**REAL ESTATE**

## Exhibit A

### LEGAL DESCRIPTION:

(WARRANTY DEED INST. NO. 88-011769)

#### PARCEL 1

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA, EXCEPT: 25.264 ACRES OFF OF THE SOUTH SIDE THEREOF, CONTAINING AFTER SAID EXEMPTION 14.736 ACRES, MORE OR LESS.

#### PARCEL 2

12.632 ACRES IN EVEN WIDTH OFF OF THE SOUTH SIDE OF THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE:  
THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, EXCEPT: 12.632 ACRES OFF OF THE SOUTH SIDE THEREOF.  
(THIS 12.632 ACRES EXCEPTION BECOMES THE SECOND EXCEPTION OFF OF THE ABOVE DESCRIBED QUARTER QUARTER SECTION.)

#### PARCEL 3

12.632 ACRES IN EVEN WIDTH OFF OF THE SOUTH SIDE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA.

#### PARCEL 4

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, CONTAINING 40 ACRES, MORE OR LESS,

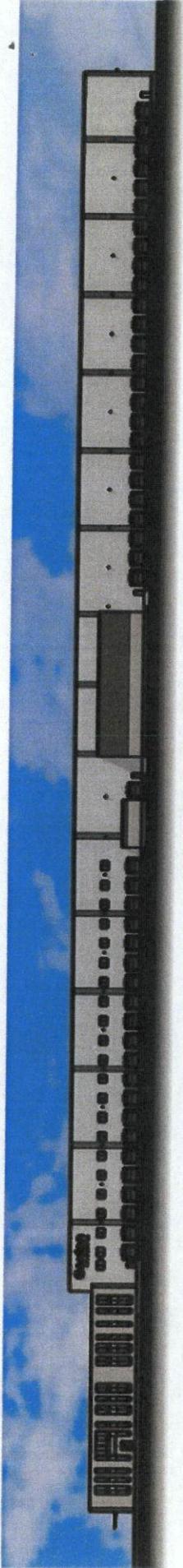
#### EXCEPT,

WARRANTY DEED (INST. NO. 2018-006274) RIGHT-OF-WAY TAKE - PROJ. 1500430, PARCEL 5  
APART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST AND A PART OF THE REAL ESTATE DESCRIBED WITHIN INSTRUMENT NUMBER 8811769 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, DEPICTED BY THE ATTACHED PLAT MARKED EXHIBIT 'B', AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION DESIGNATED '41 023' ON SAID PLAT AND SOUTHEAST CORNER OF THE GRANTOR'S LAND; THENCE ON AND ALONG THE SOUTH LINE OF SAID SECTION AND GRANTOR'S LAND NORTH 89 DEGREES 50 MINUTES 08 SECONDS WEST (BASIS OF BEARING BEING THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER 2017010477 IN THE OFFICE OF THE RECORDER OF SAID COUNTY) 30.00 FEET TO POINT '611' ON SAID PLAT; THENCE NORTH 00 DEGREES 00 MINUTES 23 SECONDS EAST 276.34 FEET TO POINT '614' ON SAID PLAT; THENCE SOUTH 89 DEGREES 59 MINUTES 37 SECONDS EAST 30.00 FEET TO THE EAST LINE OF THE GRANTOR'S LAND; THENCE ON AND ALONG SAID EAST LINE SOUTH 00 DEGREES 00 MINUTES 23 SECONDS WEST 276.42 FEET TO THE POINT OF BEGINNING, CONTAINING 0.190 ACRES (8,291.43 SQUARE FEET), MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.083 ACRES (2728.81 SQUARE FEET), MORE OR LESS.

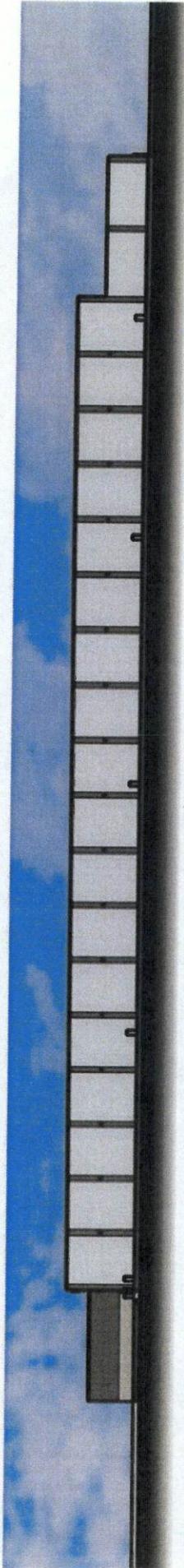
THE ABOVE-DESCRIBED REAL ESTATE (PARCELS 1, 2, 3 AND 4 WITH THE EXCEPTION) WAS FOUND BY THIS SURVEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
OVERALL PARCEL.

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 48 MINUTES 46 SECONDS WEST (ASSUMED BEARING) 30.00 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF A 0.190 ACRE PARCEL OWNED BY CITY OF WESTFIELD AS RECORDED IN INSTRUMENT NO. 2018-006274 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE NORTH 89 DEGREES 48 MINUTES 46 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 2,841.11 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 01 MINUTES 44 SECONDS EAST 1,337.66 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTH 89 DEGREES 50 MINUTES 02 SECONDS EAST 2,870.59 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 00 DEGREES 00 MINUTES 24 SECONDS WEST 1,062.21 FEET; ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHEAST CORNER OF SAID 0.190 ACRE PARCEL; THENCE THE NEXT TWO (2) COURSES ARE ALONG THE BOUNDARY OF SAID PARCEL: (1) NORTH 89 DEGREES 59 MINUTES 36 SECONDS WEST 30.00 FEET; (2) SOUTH 00 DEGREES 00 MINUTES 24 SECONDS WEST 276.34 FEET TO THE PLACE OF BEGINNING, CONTAINING 81.857 ACRES, MORE OR LESS.

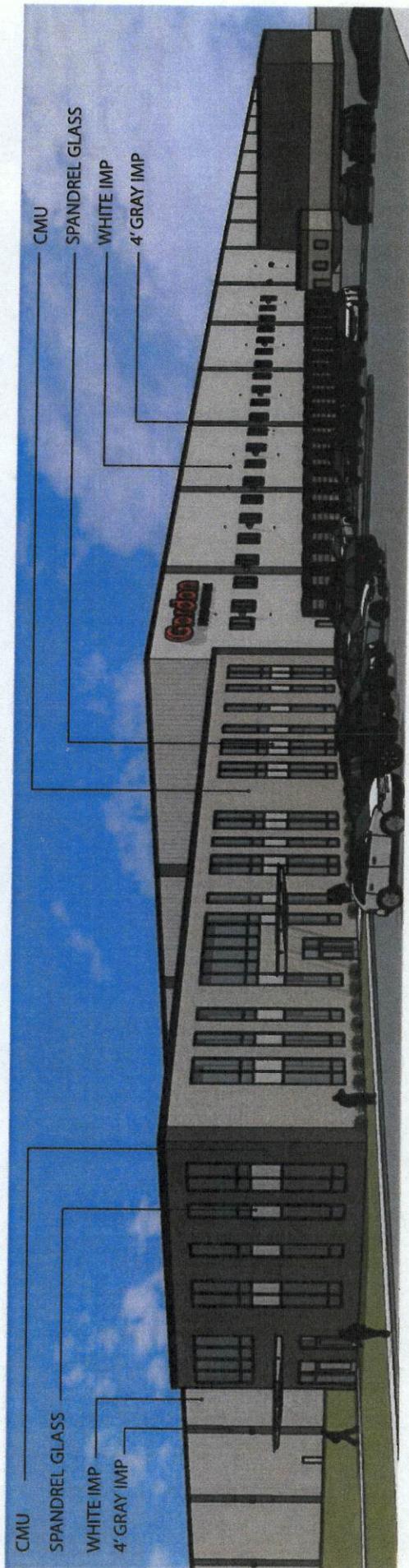
**EXHIBIT B**  
ILLUSTRATIVE CHARACTER EXHIBIT



SOUTH ELEVATION



EAST ELEVATION



SOUTHWEST PERSPECTIVE

CMU

SPANDREL GLASS

WHITE IMP

4' GRAY IMP

CMU

SPANDREL GLASS

WHITE IMP

4' GRAY IMP

DISTRIBUTION CENTER

10.30.2019



PARADIGM DESIGN

**EXHIBIT C**  
ILLUSTRATIVE LANDSCAPE PLAN



**EXHIBIT D**  
**CONCEPT PLAN**



**EXHIBIT E**  
**WALL PACK SPECIFICATIONS**





2019058859 ORDINANCE \$25.00  
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Jennifer Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

**ORDINANCE NUMBER 19-58**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE NORTHPOINT PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCE 17-51 AND THE UNIFIED DEVELOPMENT ORDINANCE**

This is a Planned Unit Development District Ordinance to amend the Northpoint Planned Unit Development District being that of Ordinance 17-51 ("Northpoint Ordinance") 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 (the "UDO");

**WHEREAS**, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted the Northpoint Ordinance on August 14, 2018, recorded as Instrument 2018038572 in the Office of the Recorder of Hamilton County;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 1911-PUD-41**, requesting an amendment to the Northpoint Ordinance and 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. 1911-PUD-41** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **positive** recommendation (7 - 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 November 7, 2019;

**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 Northpoint Ordinance, the Unified Development Ordinance and Zoning Map are hereby amended as follows:

**COPY**

**Section 1. Applicability of Ordinance.**

- 1.1 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Northpoint Ordinance except as revised, modified, supplemented or expressly made inapplicable hereby; 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.
- 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 provisions and representations of the Unified Development Ordinance of the Northpoint 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 **Illustrative Character Exhibit:** The architectural building elevations, attached hereto and made a part hereof as **Exhibit B.** The Real Estate shall be developed in substantial accordance with **Exhibit B** attached hereto.
- 2.2 **Illustrative Landscape Exhibit:** The landscaping plan, attached hereto and made a part hereof as **Exhibit D.** Any landscaping on the Real Estate shall be installed, implemented or otherwise developed in substantial accordance with **Exhibit D** attached hereto.

**Section 3. Concept Plan:** The concept plan (the “Concept Plan”) attached hereto and made a part hereof as **Exhibit C** 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. Underlying Zoning District.** Section 5.2 (US Highway 31 Overlay District) of the UDO shall not apply to the Real Estate. The uses permissible in the Northpoint Ordinance shall apply to the Real Estate.

**Section 5. General Regulations.** The standards applicable under the Northpoint Ordinance apply to the development of the Real Estate, except as otherwise modified below.

a. **Minimum Building Setback Line:**

- i. U.S. Highway 31: 90 feet

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

6.1 **Architectural Standards:** The building(s) on the Real Estate shall be constructed in substantial compliance with **Exhibit B** attached hereto.

6.2 **Architectural Standards for Commerce Parke:** Section 7.1(C) shall be amended as follows:

A minimum of three (3) material finishes shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass or ornamental metal. One (1) of the materials shall be stone, brick or architectural pre-cast (panels or detailing).

6.3 **Landscaping Plan Standard.**

a. Section 7.3 of othe Northpoint Oridnance which amended Section 6.8 of the UDO entitled “Landscaping Standard”, shall not apply to the Real Estate. Instead, landscaping on the Real Estate shall be installed in substantial compliance with the Illustrative Landscape Exhibit attached hereto as **Exhibit D.**

**[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]**

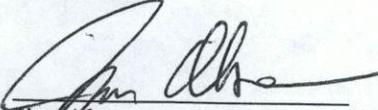
ALL OF WHICH IS ORDAINED/RESOLVED THIS 11<sup>th</sup> DAY OF Nov, 2019.

WESTFIELD CITY COUNCIL

Voting For

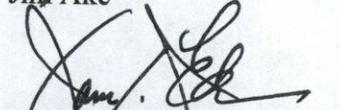
Voting Against

Abstain

  
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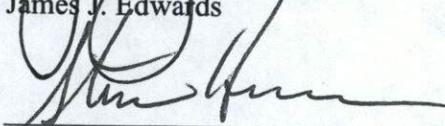
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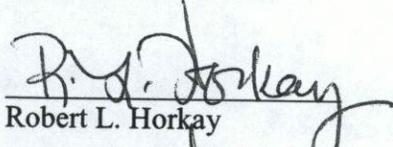
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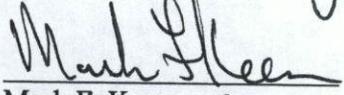
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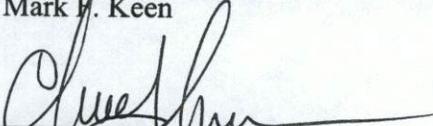
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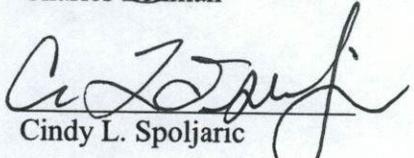
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Charles Lehman

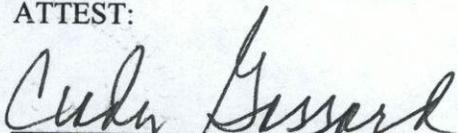
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Charles Lehman

  
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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 19-58** was delivered to the Mayor of Westfield

on the 12<sup>th</sup> day of Nov, 2019, at 1:00 p m.

Cindy Gossard  
Cindy Gossard, Clerk-Treasurer

I hereby **APPROVE ORDINANCE 19-58**

this 13<sup>th</sup> day of Nov, 2019.

J. Andrew Cook  
J. Andrew Cook, Mayor

I hereby **VETO ORDINANCE 19-58**

this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

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: Russell L. Brown

Prepared by Russell L Brown of Clark, Quin, Moses, Scott & Graham LLP

**SCHEDULE OF EXHIBITS**

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

**EXHIBIT A**  
LEGAL DESCRIPTION



**EXHIBIT B**  
ILLUSTRATIVE CHARACTER EXHIBIT

**EWING  
COLE**

**ILLUSTRATIVE CHARACTER EXHIBIT - VIEW FROM NORTHWEST**  
Project Heartland | Westfield, IN



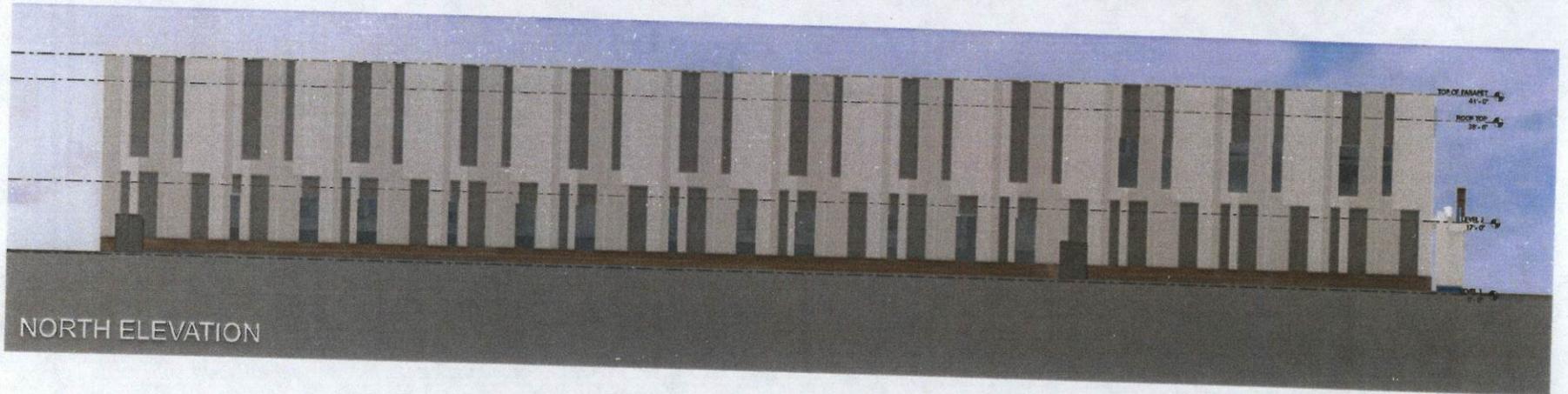
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COLE**

Project Heartland | Westfield, IN



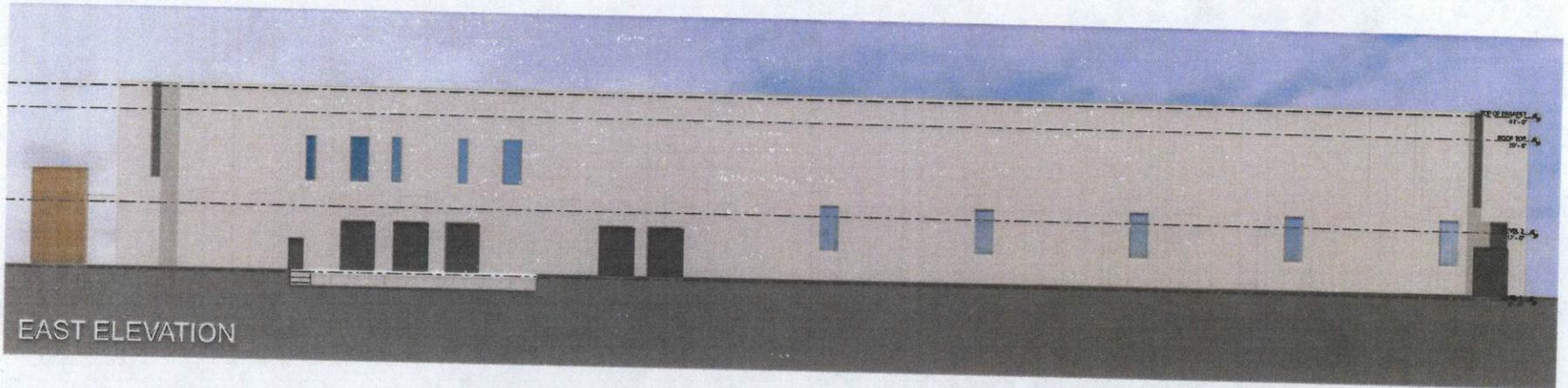
**EWING  
COLE**

**ILLUSTRATIVE CHARACTER EXHIBIT - EXTERIOR ELEVATIONS**  
Project Heartland | Westfield, IN

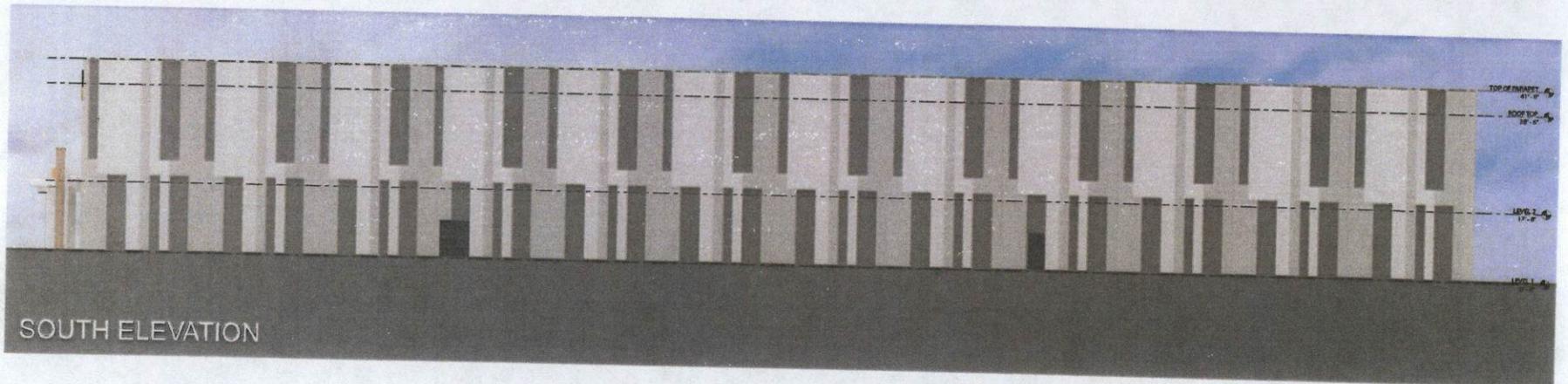




**ILLUSTRATIVE CHARACTER EXHIBIT - EXTERIOR ELEVATIONS**  
Project Heartland | Westfield, IN



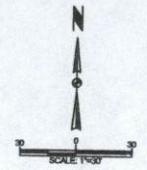
EAST ELEVATION



SOUTH ELEVATION

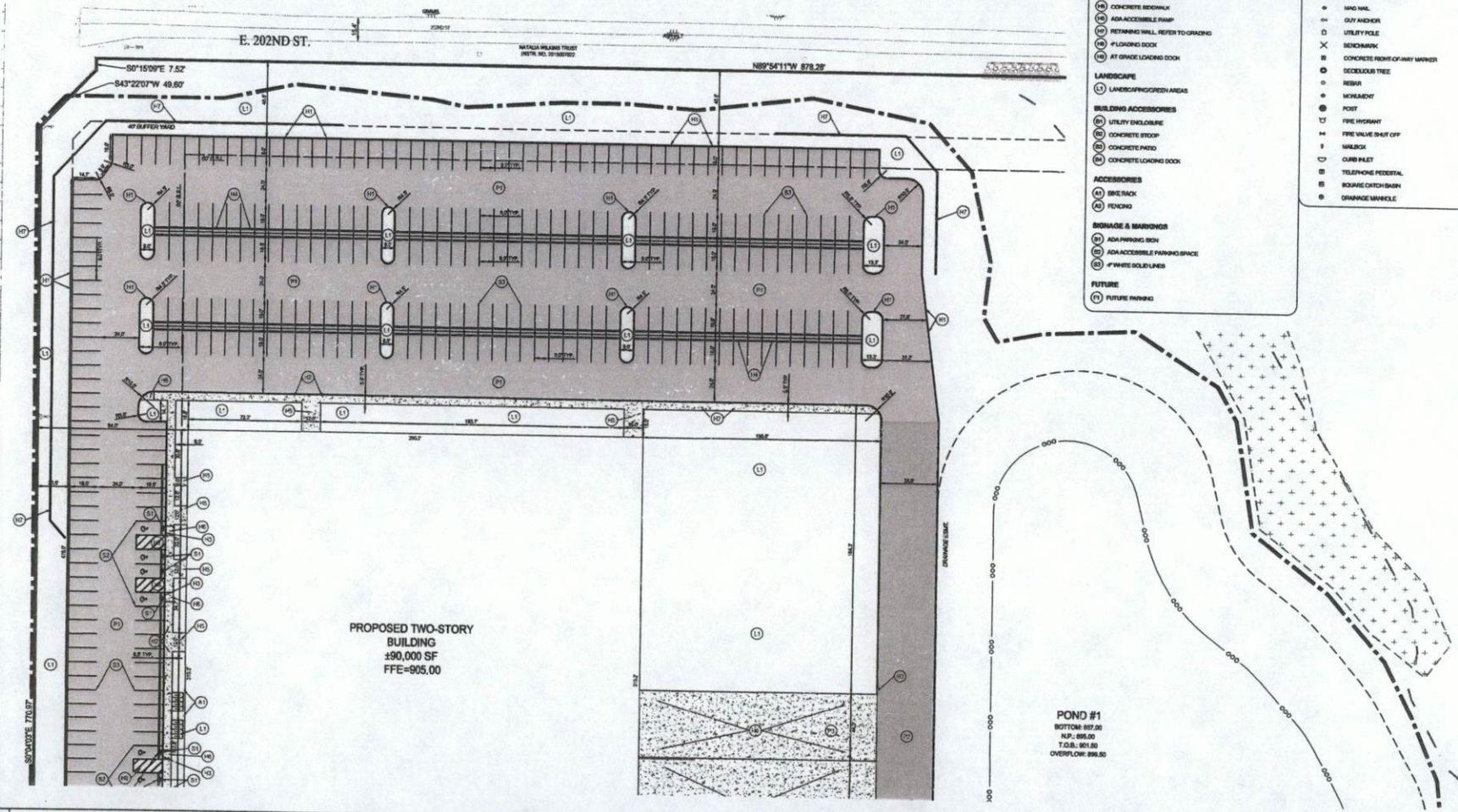
**EXHIBIT C**  
CONCEPT PLAN





- KEYNOTES**
- PAVEMENT**
- (P1) LIGHT DUTY ASPHALT PAVING
  - (P2) HEAVY DUTY ASPHALT PAVING
  - (P3) HEAVY DUTY CONCRETE PAVING
  - (P4) 8" FOOT CLASS B DRIVE APPROACH
- HARDSCAPE**
- (H1) 4" FINISHING CURB
  - (H2) METEORAL WALK AND CURB
  - (H3) CURB TAPER WITHIN 7'
  - (H4) CONCRETE PARKING BARRIER
  - (H5) CONCRETE SIDEWALK
  - (H6) ADA ACCESSIBLE RAMP
  - (H7) RETAINING WALL, REFER TO GRADING
  - (H8) FLOORING DOCK
  - (H9) AT GRADE LOADING DOCK
- LANDSCAPE**
- (L1) LANDSCAPE/GREEN AREAS
- BUILDING ACCESSORIES**
- (A1) UTILITY ENCLOSURE
  - (A2) CONCRETE STROP
  - (A3) CONCRETE PAD
  - (A4) CONCRETE LOADING DOCK
- ACCESSORIES**
- (M1) BUREAU
  - (M2) FENCING
- SIGNAGE & MARKINGS**
- (S1) ADA PARKING SIGN
  - (S2) ADA ACCESSIBLE PARKING SPACE
  - (S3) 4" WHITE SOLID LINES
- FUTURE**
- (F1) FUTURE PAVING

- EXISTING LEGEND**
- QUADRAL
  - OVERHEAD ELECTRIC
  - STORM SEWER
  - UNDERGROUND ELECTRIC
  - UNDERGROUND WATER PIPE
  - FENCING
  - TREE LINE
  - PUMP
  - WETLAND
  - BENCH
  - 1/4" DIA. NAIL
  - 4" DIA. ANCHOR
  - UTILITY POLE
  - BENCHMARK
  - CONCRETE FRONT OF CURB MARKER
  - DECIDUOUS TREE
  - SHRUB
  - IMPAVEMENT
  - FOOT
  - FIRE HYDRANT
  - FIRE VALVE SHUT OFF
  - MAILBOX
  - CURB PALET
  - TELEPHONE PEDESTAL
  - SQUARE CATCH BASIN
  - GRASS/GRASS WALK



**CB BURKE**

**CHRISTOPHER B. BURKE ENGINEERING, LLC**  
 PNC Center, Suite 1368 South  
 115 West Washington Street  
 Indianapolis, Indiana 46204  
 (317) 265-8000 FAX: (317) 632-3308

**PROJECT: PROJECT WHOLEHEARTEDLY**

WESTFIELD, INDIANA

NO.	DATE	NATURE OF REVISION	CHG.

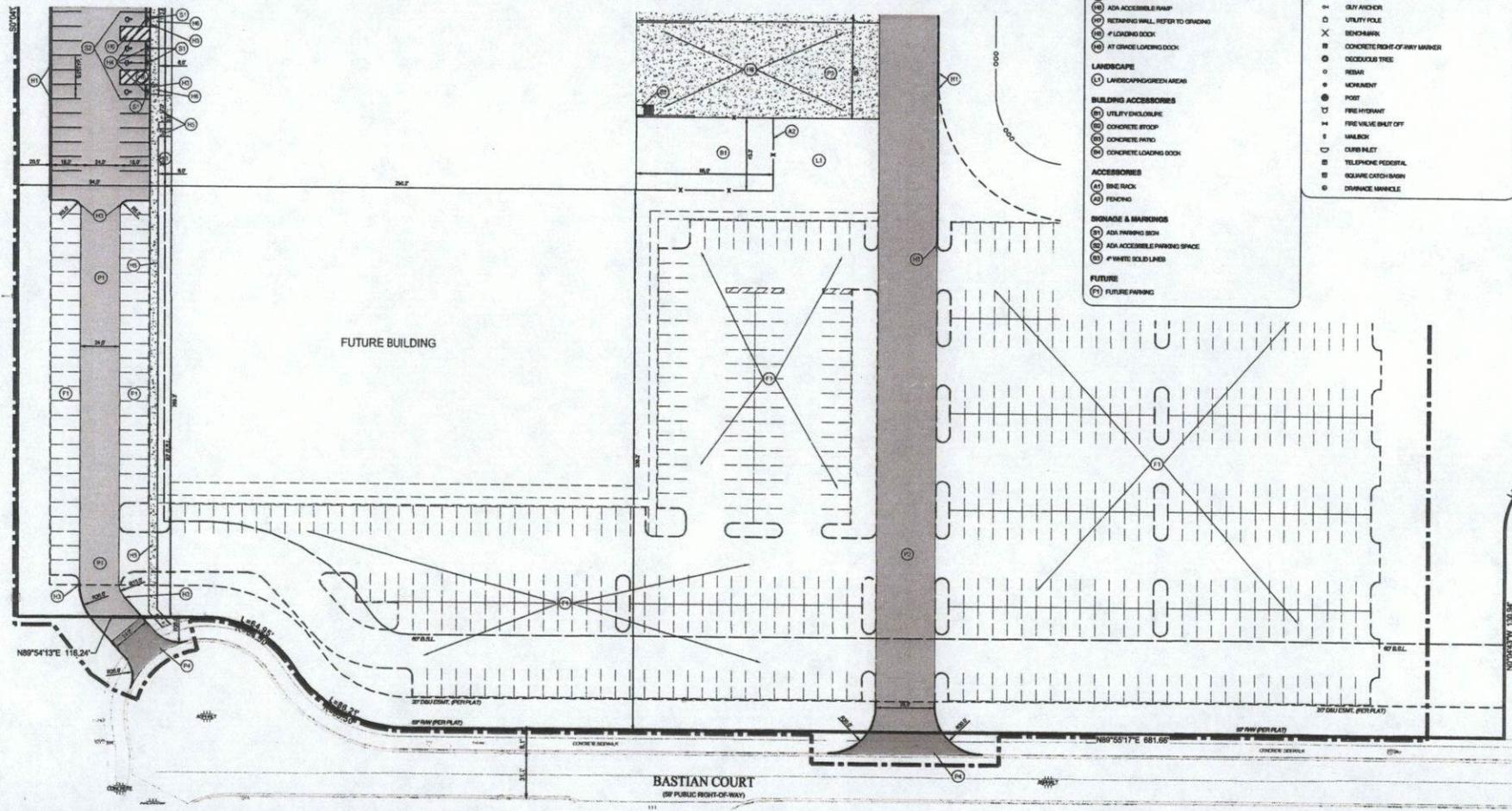
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DSGN.	—
DRAW.	ASP
CHGD.	—
SCALE:	AS NOTED
DATE:	11/1/2019

**SITE LAYOUT PLAN**

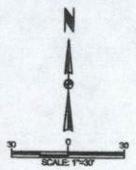
PROJECT NO. 19-0238.00000  
 SHEET — OF —  
 DRAWING NO. C201





- KEYNOTES**
- PAVEMENT**
- (1) LIGHT DUTY ASPHALT PAVING
  - (2) HEAVY DUTY ASPHALT PAVING
  - (3) HEAVY DUTY CONCRETE PAVING
  - (4) RIGHT-OF-WAY PAVING
- HARDSCAPE**
- (5) 6" STANDING CURB
  - (6) INTERNAL WALK AND CURB
  - (7) CURB TAPER WITHIN 6"
  - (8) CONCRETE PAVING BANNER
  - (9) CONCRETE SIDEWALK
  - (10) ADA ACCESSIBLE RAMP
  - (11) RETAINING WALL, REFER TO GRADING
  - (12) 6" LOADING DOCK
  - (13) AT GRADE LOADING DOCK
- LANDSCAPE**
- (14) LANDSCAPING GREEN AREAS
- BUILDING ACCESSORIES**
- (15) UTILITY ENCLOSURE
  - (16) CONCRETE STOOP
  - (17) CONCRETE PATIO
  - (18) CONCRETE LOADING DOCK
- ACCESSORIES**
- (19) BIKE RACK
  - (20) FISHING
- SIGNAGE & MARKINGS**
- (21) ADA PARKING SIGN
  - (22) ADA ACCESSIBLE PARKING SPACE
  - (23) WHITE SOLID LINES
- FUTURE**
- (24) FUTURE PARKING

- EXISTING LEGEND**
- GENERAL
  - OVERHEAD ELECTRIC
  - STORM SEWER
  - UNDERGROUND ELECTRIC
  - UNDERGROUND WATER PIPE
  - FISHING
  - TREE LINE
  - RIPRAP
  - WETLAND
  - SOIL
  - MANHOLE
  - GRY ANCHOR
  - UTILITY POLE
  - SEWER MAIN
  - CONCRETE RIGHT-OF-WAY MARKER
  - DECIDUOUS TREE
  - PERM
  - MOVEMENT
  - POST
  - FIRE HYDRANT
  - FIRE VALVE SHUT OFF
  - WALKBOX
  - CURB PALET
  - TELEPHONE PEDESTAL
  - SQUARE CATCH BASIN
  - DRIVAGE UNBLOCK



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**PROJECT WHOLEHEARTEDLY**

WESTFIELD, INDIANA

NO.	DATE	NATURE OF REVISION	CHKD.

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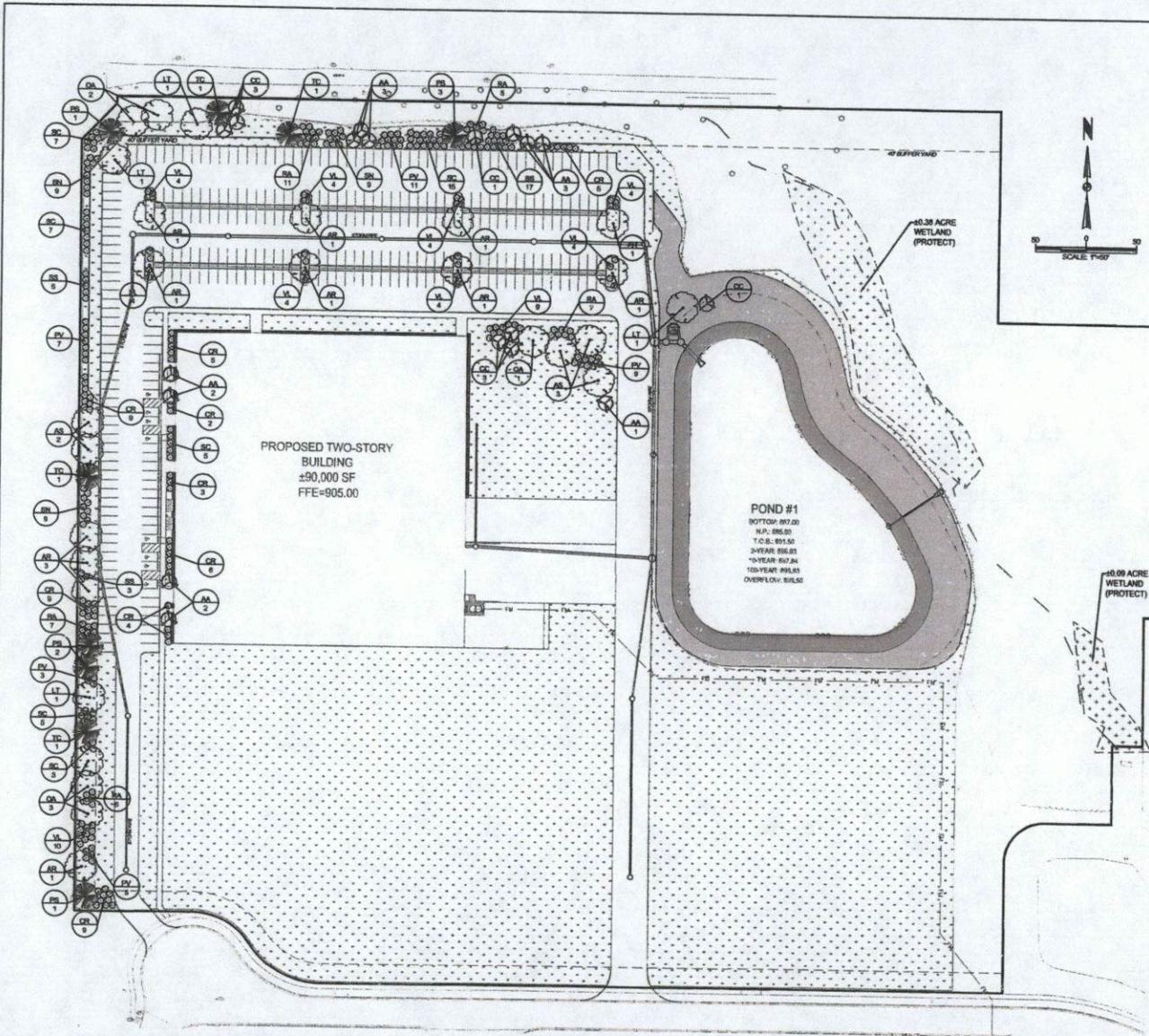
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CHKD.	—
SCALE:	AS NOTED
DATE:	11/7/2019



**SITE LAYOUT PLAN**

PROJECT NO.	19-0236.00000
SHEET — OF —	—
DRAWING NO.	C202

**EXHIBIT D**  
ILLUSTRATIVE LANDSCAPE PLAN



**GENERAL NOTES**

1. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL GOVERN. IF IN QUESTION, CONTACT THE LANDSCAPE DESIGNER.
2. ALL SHRUB PLANTING AREAS TO BE COVERED WITH 2" THICK LAYERS OF BRUSHED WOODCHIP MULCH. ALL GROUND COVER SHALL BE APPROVED BY LANDSCAPE DESIGNER AND SHALL BE IDENTIFIED BY TYPE AND COLOR AND SHALL BE OBTAINED FROM SAME SOURCE. ALL PLANTS SHALL BE PROVIDED WITH PROTECTIVE COLLARS AND SHALL BE IDENTIFIED BY PROJECT IDENTIFICATION AND PLANT TAGS. ALL PLANTS SHALL BE PROVIDED WITH PROTECTIVE COLLARS AND SHALL BE IDENTIFIED BY PROJECT IDENTIFICATION AND PLANT TAGS.
3. AN APPROVED MERCANTILE NURSERY SHALL BE APPLIED IN ALL PLANTING AND GROUND COVER AREAS AT RATES SPECIFIED BY MANUFACTURER FOR EACH TYPE OF PLANT.
4. FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE DESIGNER BEFORE PLANTING OPERATIONS ARE TO PROCEED. LINES SHALL BE MARKED BY A HIGHLY VISIBLE PAINT LINE WITH OCCASIONAL WOOD STAKES FOR REFERENCE. ALL OTHER MARKS SHALL BE FIELD CHECKED AND APPROVED BY THE LANDSCAPE DESIGNER. LANDSCAPE DESIGNER SHALL BE NOTIFIED OF ANY CHANGES TO THE PLAN. THE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER PRIOR TO ANY CHANGES. ALL PLANTS SHALL BE IDENTIFIED AND TAGGED WITH PROJECT IDENTIFICATION AT THE JOB SITE. PLANTS MAY ALSO BE IDENTIFIED AND APPROVED OR REJECTED ON THE JOB SITE.
5. ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF PLANTERSHIP.
6. PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT COMPLY WITH CONSTRUCTION OPERATIONS AND AS SPECIFIED BY OWNER.
7. ALL LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE DESIGNER. AS AT THE END OF THIS PERIOD, PLANT MATERIALS, TENDED GRASS OR LANTERN POTTAGE BY LANDSCAPE DESIGNER SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.
8. THE LANDSCAPE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND FEES THAT MAY BE REQUIRED FOR HIS PORTION OF WORK.
9. FIRST YEAR TO BE LANTERN POTTAGE SHALL BE A DOUBLED OR UNDOUBLED MATERIAL, CHOCOLATE BROWN IN COLOR AND COMPOSED OF PARTIALLY DECOMPOSED VEGETABLE MATTER. FIRST YEAR TO BE LANTERN POTTAGE SHALL BE IDENTIFIED BY PROJECT IDENTIFICATION AND PLANT TAGS.
10. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER IN WRITING PRIOR TO DATE DATE OF ANY PLANTS THAT HE FEELS MAY NOT SURVIVE IN LOCATIONS NOTED.
11. ALL LANDSCAPING PLANTINGS TO BE MAINTAINED FOR 1 YEAR FOLLOWING TURNKEY. MAINTENANCE TO INCLUDE WATERING, WEEDING, CULTURAL MAINTENANCE, AND ALL OTHER NECESSARY OPERATIONS REQUIRED FOR PROPER ESTABLISHMENT OF PLANTINGS. NOTE: AT END OF MAINTENANCE PERIOD, CONTRACTOR TO REMOVE GRASS AND STAKES FROM TREES.
12. CONTRACTOR TO SUBMIT LANTERN POTTAGE ON EVERY TYPE OF WORK AS REQUIRED BY LANDSCAPE DESIGNER.
13. MULCH FOR TREE AND SHRUB PLANTINGS SHALL BE 2" APPROVED PINE STRIPS. TOP LAYER OF MULCH SHALL BE NON-EROSIVE TOPSOIL. A 2" LANTERN POTTAGE SHALL BE INCORPORATED INTO MULCH AS APPROVED RATES.
14. PROVIDE MULCH IN PLANTING HOLES IN ALL GROUND COVER AND FLOWER AREAS WITH MULCH COMPOSED OF THE MOST COMMERCIALLY AVAILABLE SOFT FINE SOIL, PARTIAL TOPSOIL AND FERTILIZER MOBS. A FULL LAYER OF APPROVED BRUSHED WOODCHIP MULCH SHALL BE USED IN LANTERN POTTAGE.
15. PLANTS SHALL BEAR A TAG SHOWING GENUS, SPECIES AND VARIETY.
16. PLANTS SHALL BE CERTIFIED BY THE STATE OF INDIANA DEPARTMENT OF NATURAL RESOURCES AND FREE FROM DISEASE OR HARMFUL INSECTS.
17. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL EXISTING UTILITIES PERTAINING TO THEIR PHASE OF WORK. UTILITIES ARE SHOWN TO BE APPROXIMATE. CALL UTILITY LOCATOR PRIOR TO ANY PLACEMENT OF PLANT MATERIALS OR OTHER PROTECTIVE MATERIAL.

**NOTE**  
 EACH PLANTING ISLAND WILL HAVE FINE, CRIPPLED GRASS OR COVER. EACH SMALL ISLAND WILL HAVE 6 GRASSES AND EACH LARGE ISLAND WILL HAVE 8 GRASSES.

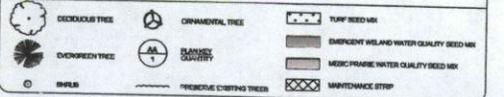
**PLANT SCHEDULE**

PLAN KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	COND.	SPACING
<b>DECIDUOUS TREES</b>						
AR	30	ACORN BACCHARIS	RED MAPLE	2" CAL.	80%	AS SHOWN
LR	2	LINDERA BICOLOR	YEW	2" CAL.	80%	AS SHOWN
CR	1	CRATAEGUS	WHITE THORN	2" CAL.	80%	AS SHOWN
<b>SHRUBS</b>						
DR	8	DRYAS	WINTER GREEN	2" CAL.	80%	AS SHOWN
FR	4	FRAXINUS	AMERICAN HEMLOCK	2" CAL.	80%	AS SHOWN
<b>ORNAMENTAL TREES</b>						
AR	1	ARALIUM	WINTER GREEN	2" CAL.	80%	AS SHOWN
CR	8	CRATAEGUS	CAROLINA HAWTHORN	2" CAL.	80%	AS SHOWN
<b>SHRUBS</b>						
DR	10	DRYAS	GREY BARK	2" CAL.	80%	AS SHOWN
FR	4	FRAXINUS	AMERICAN HEMLOCK	2" CAL.	80%	AS SHOWN
LR	2	LINDERA BICOLOR	YEW	2" CAL.	80%	AS SHOWN
VR	1	VERBENA	VERBENA	2" CAL.	80%	AS SHOWN
<b>GROUND COVER</b>						
FR	30	FRAXINUS	AMERICAN HEMLOCK	2" CAL.	80%	AS SHOWN
GR	30	GRASS	GRASS	2" CAL.	80%	AS SHOWN
HR	30	HERB	HERB	2" CAL.	80%	AS SHOWN

**LANDSCAPE GUIDELINES**

GUIDELINE:	PROVIDED:
<b>SELECTION AND SELECTION AREAS</b> REPLICATES THE NATURAL FORM WETLANDS ADAPTIVE VEGETATION SHOULD BE UTILIZED	REPLICATES THE NATURAL FORM EMERGENT WETLAND AND MISC. FRAMES WATER QUALITY BEEING
<b>MINIMUM LANDSCAPING REQUIREMENTS</b> INDUSTRIAL USES PER ACRE INTERIOR	5 SHADE TREES, 4 ORNAMENTAL TREES, 10 SHRUBS, 4 GROUND COVER
<b>EXTERIOR PLANTINGS</b> INTERMEDIATELY EVERY 40 FEET ALONG LONG EDGES	4 ORNAMENTAL TREES, 20 SHRUBS
<b>EXTERIOR STREET FRONTAGES</b> MINIMUM 50 FEET ALONG EXTERIOR STREET ALONG HIGH RESIDENTIAL DEVELOPMENT UNDEVELOPED LOTS	4 SHADE TREES, 4 EMERGENT TREES, 10 ORNAMENTAL TREES, 10 SHRUBS, 20 GROUND COVER 3 - 7 FEET RETAINING WALL
<b>INTERIOR LANDSCAPING - INTERIOR PARKING AREAS</b> INTERIOR PARKING AREAS COMPLETELY VEGETATED	10 TREES, 10 SHRUBS, 20 GROUND COVER
<b>INTERIOR LANDSCAPING - PERIMETER PARKING</b> REQUIRED FOR 10 OR MORE PERIMETER PARKING SPACES: LANDSCAPING MAY BE CURBED	10 TREES, 10 SHRUBS, 20 GROUND COVER

**LEGEND**



**CB BURKE**  
 CHRISTOPHER B. BURKE ENGINEERING, LLC  
 PNC Center, Suite 1368 South  
 115 West Washington Street  
 Indianapolis, Indiana 46204  
 (317) 266-8000 FAX: (317) 632-3308

PROJECT  
**PROJECT WHOLEHEARTEDLY**  
 WESTFIELD, INDIANA

NO.	DATE	REVISION	BY	CHKD.	DATE
1	11/1/2019	LANDSCAPE PLAN	SLM	ARP	11/1/2019

**LANDSCAPE PLAN**  
 PROJECT NO. 19-0238.00000  
 SHEET 01 OF 01  
**C600**



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Jennifer Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

**ORDINANCE 20-09**

**Northpoint PUD Amendment III**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON  
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO  
TITLE 16 – LAND USE CONTROLS**

This is an ordinance (this "Ordinance") 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 Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted Ordinance 17-51, Northpoint Planned Unit Development Ordinance on August 14, 2018 (the "Northpoint PUD");

**WHEREAS**, The Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted Ordinance 19-57, Northpoint PUD Amendment I Ordinance on November 25, 2019 (the "GFS Amendment");

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Petition No. 2003-PUD-03), filed with the Commission requesting an amendment to the Unified Development Ordinance and the Northpoint PUD with regard to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded Petition No. 2003-PUD-03 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable recommendation (5-0)** 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 February 24, 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 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the Northpoint PUD, as amended, and (iii) 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 Northpoint PUD.

1.2 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.

1.3 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 **Pump Room and Tank:** An Accessory Building with the purpose of holding and controlling water for the Principal Building’s fire suppression system.

**Section 3.** **Concept Plan:** The Concept Plan, attached hereto as **Exhibit B**, shall replace and supersede Exhibit D of Ordinance 19-57. The Real Estate shall be developed in substantial compliance with the Concept Plan.

**Section 4.** **Development Standards:** The standards of Article 6: Development Standards of the UDO, as amended by the Northpoint PUD and GFS Amendment, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below. In addition, the follow shall apply:

4.1 **Accessory Use and Building Standards:** The standards of Article 6.1 of the UDO, as amended by the Northpoint PUD and GFS Amendment, as applicable to the Underlying Zoning District, shall apply to the development of the District. In addition, the follow shall apply:

A. A Pump Room and Tank, as shown the Concept Plan, shall be permitted in the Established Front Yard and shall have a Maximum Height of thirty-five (35) feet.

4.2 **Architectural Standards:** The Standards of Article 6.3 of the UDO, as amended by the Northpoint PUD and GFS Amendment, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as modified below. In addition, the follow shall apply:

A. The Pump Room and Tank shall be constructed in Substantial Compliance with **Exhibit C**. No other Architectural Standards shall apply.

B. The Maximum Building Height for the Principal Building shall be sixty-five (65) feet.

4.3 **Landscaping Standards:** The Standards of Article 6.8 of the UDO, as amended by the Northpoint PUD and GFS Amendment, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as modified below. In addition, the follow shall apply:

A. The Landscape Plan, attached hereto as **Exhibit D**, shall replace and supersede Exhibit C of Ordinance 19-57.

B. Existing trees within thirty (30) feet of the north property line shall be preserved. The number of new plantings may be reduced in accordance with Article 6.8(E) of the UDO.

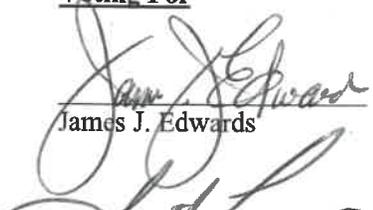
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS 9<sup>th</sup> DAY OF Mar, 2020.

WESTFIELD COMMON COUNCIL  
HAMILTON COUNTY, INDIANA

Voting For

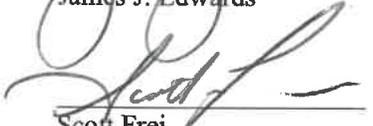
Voting Against

Abstain

  
James J. Edwards

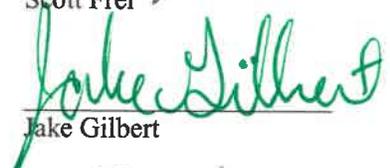
James J. Edwards

James J. Edwards

  
Scott Frei

Scott Frei

Scott Frei

  
Jake Gilbert

Jake Gilbert

Jake Gilbert

  
Mike Johns

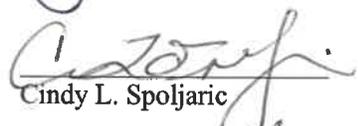
Mike Johns

Mike Johns

  
Troy Patton

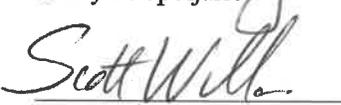
Troy Patton

Troy Patton

  
Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

  
Scott Willis

Scott Willis

Scott Willis

ATTEST:

  
Cindy J. Bossard, Clerk-Treasurer

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: Pam Howard

Prepared by: Pam Howard, Senior Planner, City of Westfield  
2728 East 171<sup>st</sup> Street, Westfield, IN 46074, (317) 804-3170

I hereby certify **ORDINANCE 20-09** was delivered to the Mayor of Westfield on the 11<sup>th</sup> day of Mar, 2020.

  
Cindy J. Gossard, Clerk Treasurer

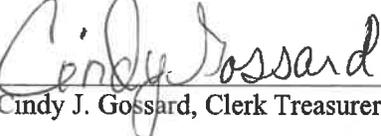
I hereby APPROVE ORDINANCE 20-09  
this 12<sup>th</sup> day of March, 2020.

  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 20-09  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

ATTEST:

  
Cindy J. Gossard, Clerk Treasurer

**EXHIBIT A**  
**LAND DESCRIPTION**

Limited Warranty Deed  
Westfield DC 2019 LLC  
Instrument No. 2020000531

**PARCEL 1:**

The Southeast Quarter of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, in Hamilton County, Indiana, EXCEPT: 25.264 acres off of the south side thereof, containing after said exception 14.736 acres, more or less.

**PARCEL 2:**

12.632 acres of even width off of the south side of the following described tract of real estate:

The Southeast Quarter of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, in Hamilton County, Indiana, EXCEPT: 12.632 acres off of the south side thereof.

**PARCEL 3:**

12.632 acres in even width off of the south side of the Southeast Quarter of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, in Hamilton County, Indiana.

EXCEPT: that part conveyed to the City of Westfield by Warranty Deed recorded February 16, 2018 as Document 2018006274, described as follows:

A part of the Southeast Quarter of the Southeast Quarter of Section 19, Township 19 North, Range 4 East and a part of the real estate described within Instrument Number 8811769 in the Office of the Recorder of Hamilton County, Indiana, depicted by the Plat marked Exhibit "B" which is attached to said Warranty Deed recorded February 16, 2018 as Instrument Number 2018006274, and more particularly described as follows:

BEGINNING at the southeast corner of said Section designated "41023" on said Plat and southeast corner of the Grantor's land; thence on and along the South line of said Section and Grantor's land North 89 degrees 50 minutes 08 seconds West (basis of bearing being the Location Control Route Survey Plat recorded as Instrument Number 2017010477 in the Office of the Recorder of said County) 30.00 feet to point "611" on said Plat; thence North 00 degrees 00 minutes 23 seconds East 276.34 feet to point "614" on said Plat; thence South 89 degrees 59 minutes 37 seconds East 30.00 feet to the east line of the Grantor's land; thence on and along said east line South 00 degrees 00 minutes 23 seconds West 276.42 feet to the Point of Beginning, containing 0.190 acres (8,291.43 square feet), more or less, inclusive of the presently existing right-of-way, which contains 0.063 acres (2728.81 square feet), more or less.

**PARCEL 4:**

The Southwest Quarter of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, containing 40 acres, more or less.

**EXHIBIT B**  
**CONCEPT PLAN**

**[See following page]**



**EXHIBIT C**  
**PUMP ROOM AND TANK REPRESENTATIVE IMAGE**

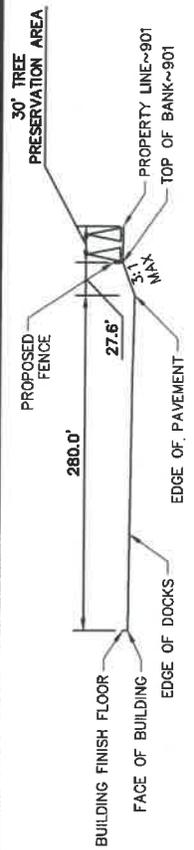
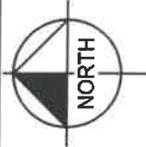
**[See following page]**



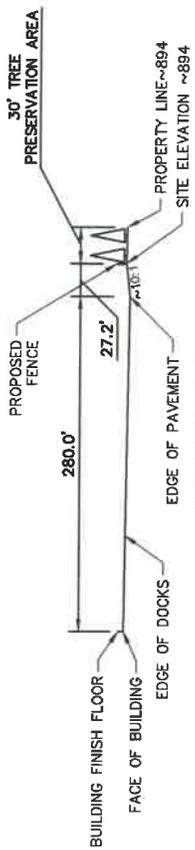
**EXHIBIT**  
**LANDSCAPE PLAN**

**[See following 2 pages]**

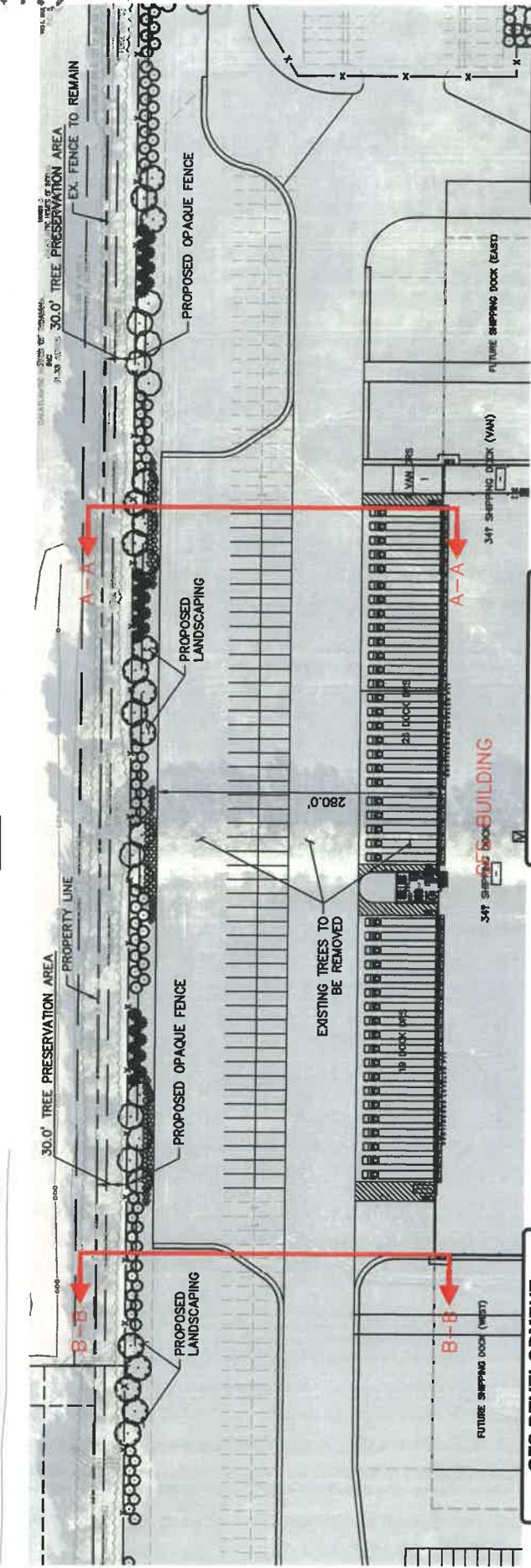




**SECTION A-A  
EAST SECTION**



**SECTION B-B  
WEST SECTION**



**GFS DEVELOPMENT  
WESTFIELD, IN**

**NORTH PROPERTY LINE  
SECTIONS**

01/31/2020





**ORDINANCE NUMBER 21-17**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE NORTHPOINT PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF ORDINANCES 17-51, 19-57, 19-58 AND THE UNIFIED DEVELOPMENT ORDINANCE**

This is a Planned Unit Development District Ordinance to amend the Northpoint Planned Unit Development District being that of Ordinance 17-51 ("Original Northpoint Ordinance") 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 (the "UDO");

**WHEREAS**, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted the Original Northpoint Ordinance on August 14, 2018, recorded as Instrument 2018038572 in the Office of the Recorder of Hamilton County;

**WHEREAS**, the Common Council amended the Northpoint Ordinance via Ordinance 19-57 ("First Amendment") on November 25, 2019, recorded as Instrument Number 2019061619 in the Office of the Recorder of Hamilton County, and Ordinance 19-58 ("Second Amendment") on November 11, 2019, recorded as Instrument Number 2019058859 in the Office of the Recorder of Hamilton County (collectively the Original Northpoint Ordinance, the First Amendment and the Second Amendment are hereinafter the "Northpoint Ordinance");

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 2104-PUD-12**), requesting an amendment to the Northpoint Ordinance and 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. 2104-PUD-12** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable** recommendation (8 - 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 April 20, 2021;

**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

25.00  
12

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Northpoint Ordinance, the Unified Development Ordinance and Zoning Map are hereby amended as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Northpoint Ordinance except as revised, modified, supplemented or expressly made inapplicable hereby; 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.
- 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 provisions and representations of the Unified Development Ordinance or the Northpoint 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. Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

- 2.1 Article 6.3 (Architectural Standards) of the UDO and Section 7.1(B) and (C) of the Northpoint Ordinance: Shall apply, except as follows:
  - A. Wall Planes in Business Parke and Commerce Parke.
    - i. A Building may be constructed with wall planes which do not meet the required offsets provided in Article 6.3(F(5(b))) and/or Article 5.3(K(2(b))) of the UDO only if an alternative feature provided herein is utilized. If no alternative features provided herein are utilized and the wall plane is otherwise required to meet the conditions of Article 6.3(F(5(b))) and/or Article 5.3(K(2(b))), compliance with Article 6.3(F(5(b))) and/or Article 5.3(K(2(b))) of the UDO must be accomplished. If an alternative feature is utilized the distance between offsets required under Article 6.3(F(5(b))) and/or Article 5.3(K(2(b))) of the UDO may be increased as provided hereunder, but the

obligation for offsets is not eliminated.

ii. The distance between required offsets may be increased up to two times the otherwise permitted separation provided in Article 6.3(F(5(b))) or Article 5.3(K(2(b))) of the UDO if one or more of the following is utilized:

a. Change in materials on the same vertical plane occurring with a separation of no more than sixty (60) feet between material changes with a width of at least four (4) feet; or

b. A change in paint colors for materials of the same type with a separation of no less than sixty (60) feet and a change in color which is at least six (6) feet in width. To qualify for an increased distance between offsets, the change in paint colors must be significant enough to provide a meaningful and visually apparent contrast.

iii. Alternatively, in lieu of only vertical articulation, architectural articulation which occurs no less than every sixty (60) feet comprised of either a vertical articulation of not less than eighteen (18) inches and/or horizontal articulation of not less than thirty six (36) inches shall be acceptable wall plane changes. Horizontal articulation should account for not less than fifty percent (50%) of the articulation required herein.

iv. Any wall plane which is a Primary Façade (as defined in the Northpoint Ordinance) must utilize a change in wall height of at least twenty four (24) inches on all required wall planes and one of the two of the following features on a majority of the offsets which are required on a wall plane:

- A change in paint color in compliance with Section 2.1(A)(ii)(b) hereof; or
- a change in materials in compliance with Section 2.1(A)(ii)(a) hereof.

B. Character Exhibits. Character exhibits showing examples of alternative mechanisms of compliance with Wall Plane variation for a Primary Façade are attached hereto as Exhibit B.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS 26<sup>th</sup> DAY OF April, 2021.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

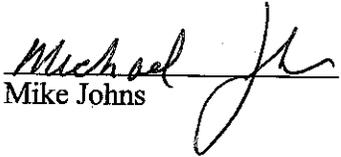
Scott Frei

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 Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 21-17** was delivered to the Mayor of Westfield

on the 28<sup>th</sup> day of April, 2021, at 2:00 p.m.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 21-17

this 28<sup>th</sup> day of April, 2021.

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

I hereby VETO ORDINANCE 21-17

this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

This document prepared by:

Russell L. Brown, CLARK, QUINN, MOSES, SCOTT & GRAHN, LLP, 320 N. Meridian Street, Suite 1100, Indianapolis, IN 46204

**SCHEDULE OF EXHIBITS**

Exhibit A Real Estate (Legal Description)

Exhibit B Illustrative Character Exhibit

**EXHIBIT A**  
**REAL ESTATE**

LOT 3 AND 4 IN NORTH POINT, SECTION 1, PER PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2017-63934 AND REPLATTED AS INSTRUMENT 2019-61727 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

LOTS 6, 7 AND 8 IN NORTH POINT, SECTION 2, PER PLAT THEREOF RECORDED AS INSTRUMENT NUMBER - \_\_\_\_\_ IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

LOT 10 AND 11 IN NORTH POINT, SECTION 3, PER PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2019065962 IN PLAT CABINET 5, SLIDE 1093 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

LOT 15 IN NORTH POINT, SECTION 4, PER PLAT THEREOF RECORDED AS INSTRUMENT NUMBER - \_\_\_\_\_ IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED "WEIHE ENGR 0012" AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

AND ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST (ASSUMED BEARING) 406.68 FEET

ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 59 MINUTES 06 SECONDS EAST 16.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF GRASSY BRANCH ROAD AND THE EAST LINE OF THE 0.072 ACRE PROPERTY (PARCEL 14A, CODE 4162) OWNED BY STATE OF INDIANA AS RECORDED IN, INST. NO. 2006-041657, DATED: JULY 20, 2006 IN SAID RECORDERS OFFICE; THENCE NORTH 29 DEGREES 40 MINUTES 08 SECONDS EAST 101.82 FEET ALONG SAID EAST LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE FOR STATE ROAD 38; THENCE ALONG THE LINES OF SAID SOUTHWESTERLY RIGHT-OF-WAY, BY THE NEXT TWO (2) COURSES: (1) THENCE SOUTH 60 DEGREES 41 MINUTES 09 SECONDS EAST 615.03 FEET; (2) SOUTH 60 DEGREES 52 MINUTES 35 SECONDS EAST 345.98 FEET TO THE EAST LINE OF THE 3.040 ACRE PROPERTY OWNED BY ALICE E. DREXLER ET AL, AS RECORDED IN INST. NO. 2007-063319, DATED: NOVEMBER 9, 2007 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 34 MINUTES 59 SECONDS WEST 1,306.76 FEET TO THE EAST PROLONGATION OF THE NORTH LINE OF THE 9.15 ACRE PROPERTY OWNED BY THE FIRST BAPTIST CHURCH OF WESTFIELD, INC., AS RECORDED IN INST. NO. 2005-068167, DATED: OCTOBER 17, 2005 IN SAID RECORDERS OFFICE; THENCE NORTH 88 DEGREES 51 MINUTES 00 SECONDS WEST 289.89 FEET ALONG THE EAST PROLONGATION OF SAID NORTH LINE, THE NORTH LINE AND THE WEST PROLONGATION OF SAID NORTH LINE TO THE NORTH PROLONGATION OF THE EAST LINE OF THE THREE (3) ACRE PROPERTY OWNED BY WILLIAM R. STUBBS AS RECORDED IN, INST. NO. 2003-028318, DATED: MARCH 24, 2003 IN SAID RECORDERS OFFICE; THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS EAST 0.75 FEET ALONG SAID NORTH PROLONGATION OF THE EAST LINE TO THE NORTH LINE OF SAID THREE (3) ACRE PROPERTY; THENCE NORTH 88 DEGREES 50 MINUTES 42 SECONDS WEST 240.38 FEET ALONG SAID NORTH LINE TO THE SOUTH LINE OF SAID 3.040 ACRE PROPERTY; THENCE NORTH 88 DEGREES 37 MINUTES 02 SECONDS WEST 361.62 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST 1,669.09 FEET TO THE PLACE OF BEGINNING, CONTAINING 31.920 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; HENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION 838.78 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST AND PARALLEL TO THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET TO THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 838.78 FEET TO THE POINT OF BEGINNING.

AND ALSO:

PART OF THE SOUTH HALF OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST (ASSUMED BEARING) ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 19 A DISTANCE OF 90.75 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID

SOUTHWEST QUARTER 285.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTH HALF 238.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL WITH SAID WEST LINE 285.00 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON SAID NORTH LINE 147.25 FEET TO THE PLACE OF BEGINNING.

AND ALSO:

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

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST (ASSUMED BEARING) ON THE EAST LINE THEREOF 1811.0 FEET TO THE TRUE BEGINNING POINT OF THE REAL ESTATE HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST ON THE EAST LINE OF SAID QUARTER 20.02 FEET TO THE NORTHEAST CORNER OF FORTY-SEVEN AND THREE-FOURTHS ACRES OFF THE SOUTH SIDE OF SAID NORTHWEST QUARTER AS DESCRIBED IN AN ADMINISTRATOR'S DEED RECORDED IN DEED RECORD 329, PAGE 919 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON THE NORTH LINE OF SAID REAL ESTATE 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID QUARTER, 20 FEET, MORE OR LESS, TO THE APPROXIMATE CENTERLINE OF 202ND STREET; THENCE EASTERLY ON SAID SOUTH LINE 90.75 FEET TO THE TRUE BEGINNING POINT.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4, EAST, 2<sup>ND</sup> P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19, NORTH, RANGE 4 EAST, 2<sup>ND</sup> P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (INDIANA STATE PLANE COORDINATES-EAST ZONE NAD 83) A DISTANCE OF 2248.54 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE CENTERLINE OF STATE HIGHWAY 38; THENCE SOUTH 60 DEGREES 52 MINUTES 07 SECONDS EAST 481.49 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER, THENCE SOUTH 00 DEGREES 02 MINUTES 34 SECONDS EAST 1102.19 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 2669.90 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER, THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 80.70 ACRES, MORE OR LESS.

EXCEPT

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE

SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED "WEIHE ENGR 0012" AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

ALSO EXCEPT:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, 2ND PM, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST COMER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, 2ND PM, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST 2000.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT; THENCE SOUTH 27 DEGREES 52 MINUTES 08 SECONDS WEST 228.91 FEET; THENCE SOUTH 60 DEGREES 37 MINUTES 37 SECONDS EAST 209.62 FEET; THENCE SOUTH 29 DEGREES 24 MINUTES 24 SECONDS WEST 185.60 FEET; THENCE SOUTH 71 DEGREES 54 MINUTES 10 SECONDS WEST 148.27 FEET; THENCE SOUTH 29 DEGREES 07 MINUTES 53 SECONDS WEST 50.00 FEET; THENCE SOUTH 11 DEGREES 17 MINUTES 55 SECONDS EAST 156.11 FEET; THENCE SOUTH 30 DEGREES 03 MINUTES 38 SECONDS WEST 473.19 FEET; THENCE SOUTH 40 DEGREES 14 MINUTES 54 SECONDS WEST 282.05 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 1238.47 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO THE EAST LINE THEREOF; THENCE NORTH 00 DEGREES 02 MINUTES 34 SECONDS WEST 1102.19 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER TO THE CENTER LINE OF STATE ROAD 38; THENCE NORTH 60 DEGREES 52 MINUTES 07 SECONDS WEST 481.49 FEET ON THE CENTERLINE OF SAID STATE ROAD 38 TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 41 SECONDS WEST 247.64 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT. CONTAINING 25.28 ACRES, MORE OR LESS.

ALSO EXCEPT

A PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST COMER OF SAID QUARTER SECTION, DESIGNATED AS POINT "201" ON SAID PLAT; THENCE SOUTH 0 DEGREES 11 MINUTES 54 SECONDS EAST 1,334.36 FEET (1,334.75 FEET PER INSTRUMENT 199909955120 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY) ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE SOUTHWEST COMER OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 54 MINUTES 20 SECONDS EAST 1,431.98 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER TO THE SOUTHWEST COMER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT 2008002524; THENCE NORTH 40 DEGREES 05 MINUTES 14 SECONDS EAST 279.72 FEET (282.05 FEET PER SAID INSTRUMENT) ALONG A WEST LINE OF SAID TRACT; THENCE NORTH 29 DEGREES 54 MINUTES 25 SECONDS EAST 157.87 FEET ALONG A WEST LINE OF SAID TRACT TO THE POINT OF BEGINNING OF THIS DESCRIPTION, DESIGNATED AS POINT "1615" ON SAID PLAT; THENCE NORTH 29 DEGREES 21 MINUTES 48 SECONDS EAST 318.76 FEET TO A LINE OF SAID TRACT DESIGNATED AS POINT "1621" ON SAID PLAT; THENCE SOUTH 11 DEGREES 27 MINUTES 08 SECONDS EAST 4.58 FEET ALONG SAID LINE TO A COMER OF SAID TRACT; THENCE SOUTH 29 DEGREES 54 MINUTES 25 SECONDS WEST 315.30

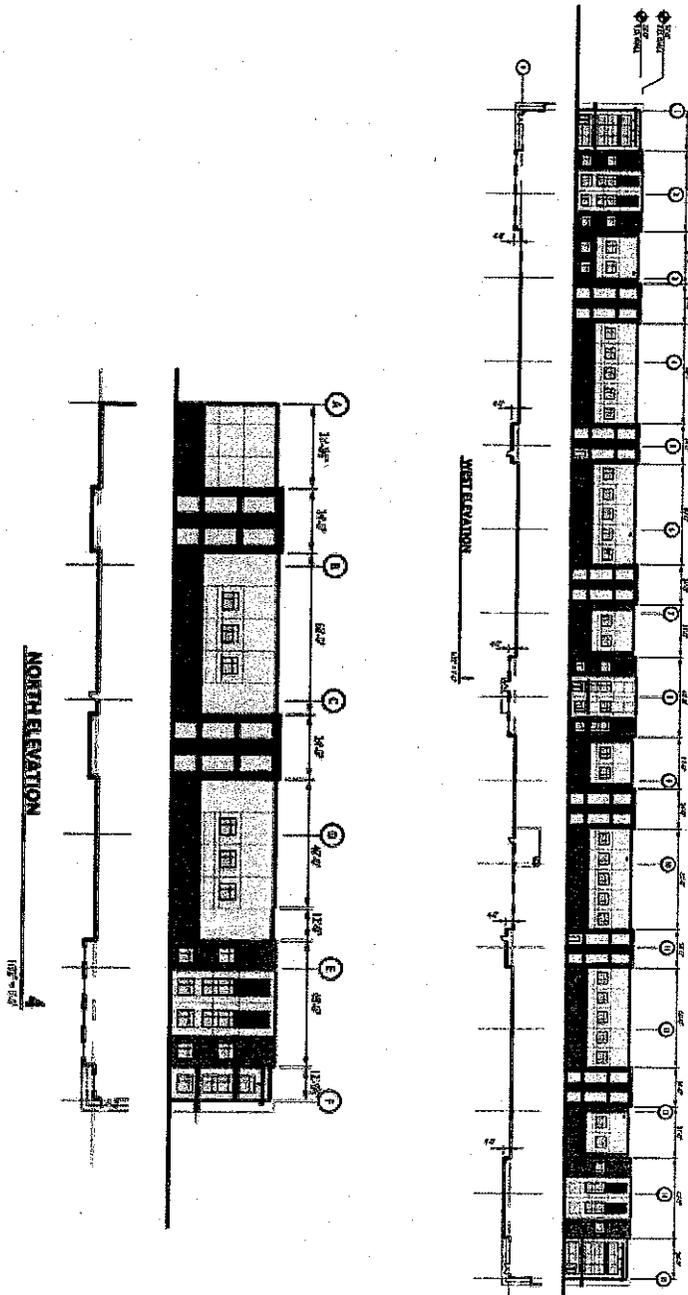
FEET ALONG A WEST LINE OF SAID TRACT TO THE POINT OF BEGINNING AND CONTAINING 0.011 ACRES, MORE OR LESS.

ALSO EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION, DESIGNATED AS POINT "201" ON SAID PLAT; THENCE SOUTH 0 DEGREES 11 MINUTES 54 SECONDS EAST 1,334.36 FEET (1,334.75 FEET PER INSTRUMENT 199909955120 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY) ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 54 MINUTES 20 SECONDS EAST 1,431.98 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT 2008002524; THENCE NORTH 40 DEGREES 5 MINUTES 14 SECONDS EAST 250.61 FEET ALONG A WEST LINE OF SAID TRACT TO THE POINT OF BEGINNING OF THIS DESCRIPTION DESIGNATED AS POINT "1612" ON SAID PLAT; THENCE NORTHEASTERLY 89.68 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 1,440.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 33 DEGREES 11 MINUTES 47 SECONDS EAST AND A LENGTH OF 89.67 FEET TO A WEST LINE OF SAID TRACT DESIGNATED AS POINT "1614" ON SAID PLAT; THENCE SOUTH 29 DEGREES 54 MINUTES 25 SECONDS WEST 60.87 FEET ALONG SAID WEST LINE TO A CORNER OF SAID TRACT; THENCE SOUTH 40 DEGREES 05 MINUTES 14 SECONDS WEST 29.11 FEET ALONG A LINE OF SAID TRACT TO THE POINT OF BEGINNING AND CONTAINING 0.003 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION, DESIGNATED AS POINT "201" ON SAID PLAT; THENCE NORTH 89 DEGREES 56 MINUTES 6 SECONDS EAST 2,000.90 FEET ALONG THE NORTH LINE OF SAID SECTION TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT 2008002524 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY; THENCE SOUTH 27 DEGREES 42 MINUTES 55 SECONDS WEST 228.91 FEET ALONG A NORTHWESTERN LINE OF SAID TRACT; THENCE SOUTH 60 DEGREES 46 MINUTES 50 SECONDS EAST 209.41 FEET ALONG A SOUTHWESTERN LINE OF SAID TRACT TO THE POINT OF BEGINNING OF THIS DESCRIPTION DESIGNATED AS POINT "886" ON SAID PLAT; THENCE CONTINUING SOUTH 60 DEGREES 46 MINUTES 50 SECONDS EAST 0.21 FEET ALONG SAID LINE TO A CORNER OF SAID TRACT; THENCE SOUTH 29 DEGREES 15 MINUTES 11 SECONDS WEST 185.60 FEET ALONG A NORTHWESTERN LINE OF SAID TRACT TO A CORNER OF SAID TRACT; THENCE SOUTH 71 DEGREES 44 MINUTES 57 SECONDS WEST 0.85 FEET ALONG A NORTHWESTERN LINE OF SAID TRACT TO THE POINT DESIGNATED AS "1622" ON SAID TRACT; THENCE NORTH 29 DEGREES 21 MINUTES 48 SECONDS EAST 186.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.002 ACRES, MORE OR LESS.

**EXHIBIT B**  
ILLUSTRATIVE CHARACTER EXHIBIT FOR PRIMARY FACADE



**ORDINANCE NUMBER 24-44**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON  
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO  
THE NORTHPOINT PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF  
ORDINANCE 17-51 AND THE UNIFIED DEVELOPMENT ORDINANCE**

**“Northpoint PUD – Commerce Park, Area 3 Amendment”**

This is a Planned Unit Development District Ordinance to amend the Northpoint Planned Unit Development District being that of Ordinance 17-51 (the “Original Northpoint Ordinance”), any amendments thereto and 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 UDO;

**WHEREAS**, the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) enacted the Original Northpoint Ordinance on August 14, 2018, recorded as Instrument 2018038572 in the Office of the Recorder of Hamilton County;

**WHEREAS**, the Common Council subsequently enacted an amendment to the Original Northpoint Ordinance on April 28, 2021, recorded as Instrument 2021034151 in the Office of the Recorder of Hamilton County (collectively with the Original Northpoint Ordinance, the “Northpoint Ordinance”);

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the “Plan Commission”) considered a petition (**Petition No. 2409-PUD-21**) 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. 2409-PUD-21** to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a favorable recommendation (8-0) 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 September 4, 2024;

**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

**COPY**

**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 Development of the Real Estate shall be governed by the (i) provisions of this Ordinance and its exhibits, (ii) the Northpoint Ordinance except as revised, modified, supplemented, or expressly made inapplicable hereby; 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.
- 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 provisions and representations of the Unified Development Ordinance or the Northpoint 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.** **Character Exhibits**

- 2.1 The Character Exhibits, attached hereto as **Exhibit B-1** and **B-2** (collectively, “**Exhibit B**”) are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the Commerce Parke, Area 3. Buildings shall be constructed substantially similar to those in the **Exhibit B** as determined by the Director of Community Development in the event that Article 5.3(K) of the UDO is not followed.

**Section 3.** **Development Standards.**

- 3.1 Section 7.1(C) of Ordinance 17-51, Architectural Standards for Commerce Parke Area 3: Shall be amended so that Article 5.3(K), State Highway 32 Architectural Design requirements of the UDO shall not apply to Primary or Secondary Façades fronting a public Right-of-way or are visible from adjoining residential uses if, instead, said façades are compliant with the following standards herein.
- 3.2 Façade Rules.
  - a. Façades that shall meet Primary Façade requirements of this section are:
    - i. Façades facing State Road 38, East Street or Grassy Branch Road;
    - ii. Façades that contain commercial or retail primary entrances; or

- iii. Façades visible from adjoining residential uses.
  - b. All Façades that are not Primary Façades shall be deemed Secondary Façades.
- 3.3 Roof Design. The following shall apply to roof design for all façades except as otherwise specified below:
- a. Roofs may be either residential character or Low Slope. Primary Façade rooflines shall incorporate parapets and/or modulation similar to roof examples shown in **Exhibit B**. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
  - b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
  - c. Rooftop equipment screens and rooftop penetrations (i.e., vents) shall be of a color compatible with the overall building or roof color (not an accent color).
  - d. Where pitched roofs are used, the main pitch of the roof shall be not less than 6:12.
- 3.4 Façade Materials.
- a. Primary Façade Materials.
    - i. Permitted building finish materials for the Primary Façade include: Masonry Material, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), EIFS (Dryvit) wall systems (if used for a maximum of 20% of the façade and only if it is used at least eight feet (8') above grade), steel or architecturally insulated metal panel systems (if used for a maximum of 50% of the façade).
    - ii. A minimum of three (3) of the following material finishes from the following list must be included on a Primary Façade: Masonry Material, architectural pre-cast panels, engineered or synthetic wood architectural accents or entrance articulations, architectural metal panels, glass, or ornamental metal. One (1) of these materials must be Masonry Material or architectural pre-cast panels.
    - iii. Prohibited building finish materials on all Primary Façades include: wood (not including engineered or synthetic wood architectural accents or entrance articulations), plywood, unfinished concrete or unfinished concrete panels, smooth-face concrete block, plastics, reflective glass, standing seam panels, vinyl siding.
    - iv. Primary Façades may have window glazing, glass curtain walls, or glass

storefronts.

- v. Permitted building trim materials include: Masonry Material, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Dryvit).
- vi. Colors used on building façades must be complementary. Natural, muted colors should serve as the Primary Façade color, with brighter colors used as limited accents.

b. Secondary Façade Materials.

- i. In addition to those materials permitted for the Primary Façade, the Secondary Façade may include architectural metal wall panels.
- ii. Prohibited building finish materials for Secondary Façades include: wood (not including engineered or synthetic wood architectural accents or entrance articulations), plywood, unfinished concrete or unfinished concrete panels, smooth-face concrete block, plastics, reflective glass, and vinyl siding.
- iii. Colors used on building façades must be complementary. Natural, muted colors should serve as the Secondary Façade color, with brighter colors as limited accents, if used.

- c. Overhead Doors. No loading spaces, loading docks or oversized service doors shall be located on Façades immediately adjacent to the property located at 5171 Sheridan Road (immediately east of Lots 1 and 4 of North Point Commerce Park Subdivision), State Road 38, East Street, or Grassy Branch Road.

3.5 Wall Planes.

Primary Façades with a length greater than ninety (90) feet shall utilize one or more of the following architectural features:

- a. Offsets as provided in Article 5.3(K)(2)(b) of the UDO; or
- b. Change in materials on the same vertical plane occurring with a separation of no more than sixty (60) feet between material changes with a width of at least four (4) feet and an offset of no less than eight (8) inches; or
- c. A change in paint colors or materials of the same type with a separation of no less than sixty (60) feet and a change in color which is at least six (6) feet in width and an offset of no less than eight (8) inches.
  - i. The change in paint colors must be significant enough to provide a

meaningful and visually apparent contrast as determined by the Director of Community Development

3.6 Roofline Modulation.

Roofline modulation shall be required on Primary Façades in a manner consistent with those shown in **Exhibit B** as determined by the Director of Community Development.

Primary Façades adjacent to State Road 38 shall require a three-dimensional articulated cornice on raised roofline sections substantially similar to that which is shown in **Exhibit B-2** as determined by the Director of Community Development.

3.7 Openings.

Design elements of all Façades shall be organized such that openings (including windows, doors, loading berths faux windows and architectural or painted elements resembling openings) line up horizontally and vertically with other openings as illustrated in the Character Exhibits. Compliance shall be determined by the Director of Community Development.

Openings in/on a Building Façade shall be arranged in a balanced and relatively uniform fashion as illustrated in the Character Exhibits. Compliance shall be determined by the Director of Community Development.

Exceptions may be permitted if openings are organized in an aesthetically pleasing manner and constitute an essential artistic design element appropriate for the building type, scale, orientation, location and site. These exceptions shall be determined at the discretion of the Director of Community Development.

3.8 Entrances.

All buildings shall be designed with at least one (1) primary entrance with enhanced use of glass, Masonry Material and/or architectural ornamentation at the entrance as shown in the **Exhibit B**. Compliance shall be determined by the Director of Community Development.

3.9 A maximum building height of forty feet (40') shall be permitted, except for Lots 1 and 4 of North Point Commerce Park subdivision which shall remain thirty-five (35) feet.

ALL OF WHICH IS ORDAINED/RESOLVED THIS 9<sup>th</sup> DAY OF September, 2024.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

  
Jon Dartt

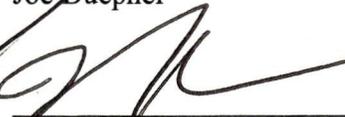
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Jon Dartt

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Joe Duepner

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Noah Herron

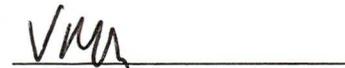
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Patrick T. Tamm

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Kurt J. Wanninger

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Kurt J. Wanninger

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Kurt J. Wanninger

ATTEST:

  
Marla Ailor, Clerk Treasurer

I hereby certify that **ORDINANCE 24-44** was delivered to the Mayor of Westfield

on the 9<sup>th</sup> day of September, 2024, at 8:30 P m.



Marla Ailor, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 24-44**

this 9<sup>th</sup> day of September, 2024.



Scott Willis, Mayor

I hereby VETO **ORDINANCE 24-44**

this \_\_\_\_\_ day of September, 2024.

\_\_\_\_\_  
Scott Willis, Mayor

This document prepared by Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, IN 46060.

I affirm under the penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. Matthew S. Skelton.

**SCHEDULE OF EXHIBITS**

Exhibit A Real Estate (Legal Description)

Exhibit B Character Exhibits

**EXHIBIT A**  
**REAL ESTATE**

Block C in North Point, Section 3 amended Secondary Plat part of the Northwest 1/4 of Section 20, Township 19 North, Range 4 East, according to Plat thereof recorded October 15, 2021 as Instrument No. 2021075164 in Plat Cabinet 6, Slide 172, in the Office of the Recorder of Hamilton County, Indiana.

ALSO:

Lot Numbered Fifteen (15) and Lot Numbered Sixteen (16) in North Point, Section 3 amended Secondary Plat an addition to the City of Westfield, Hamilton County, Indiana as per plat thereof recorded October 15, 2021 as Instrument No. 2021075164 in Plat Cabinet 6, Slide 172, in the Office of the Recorder of Hamilton County, Indiana.

ALSO:

Lot 4 in North Point Commerce Park, a replat of Block A and B North Point Section 3 amended subdivision, part of the N.W. 1/4 Section 20 Township 19 North, Range 4 East, as per plat thereof recorded June 29, 2022 as Instrument No. 2022032636 in Plat Cabinet 6, Slide 283 in the Office of the Recorder of Hamilton County, Indiana.

ALSO:

Lot 10 in North Point Section 3 an addition to the City of Westfield, as per the plat thereof recorded December 27, 2019 as Instrument Number 2019065692 in Plat Cabinet 5, Slide 1093 in the Office of the Recorder of Hamilton County, Indiana.

ALSO:

Lot numbered eleven (11) in North Point Section 3, an addition to the City of Westfield, as per plat thereof recorded December 27, 2019 as Instrument Number 2019065692 in Plat Cabinet 5, Slide 1093 in the Office of the Recorder of Hamilton County, Indiana.

ALSO:

A part of the Northwest Quarter of Section 20, Township 19 North, Range 4 East, in Washington Township, Hamilton County, Indiana more particularly described as follows:

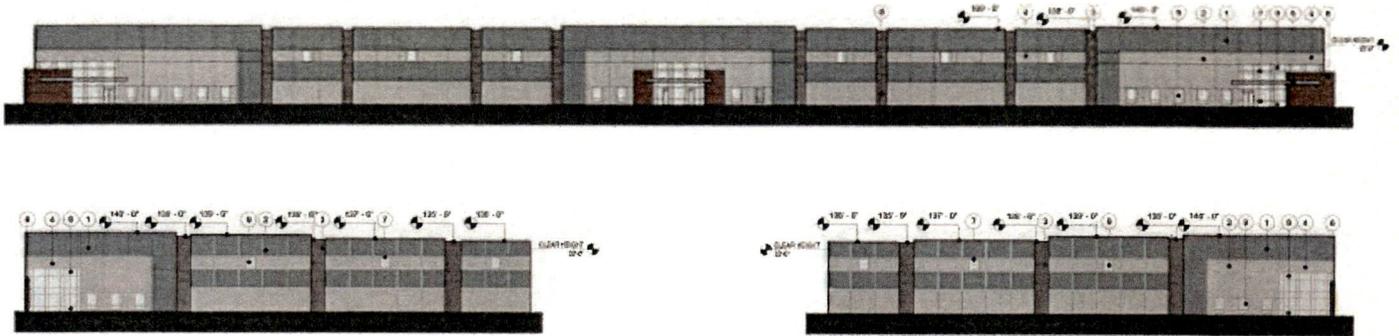
Commencing at the Northwest corner of the Northwest Quarter of said Section 20; thence South 00 degrees 00 minutes 54 seconds East (assumed bearing) a distance of 406.68 feet along the West line of said Northwest Quarter to the POINT OF BEGINNING of this description; thence North 89 degrees 59 minutes 06 seconds East a distance of 16.50 feet to the East Right-of-way line of Grassy Branch Road and the East line of the 0.072 acre property (Parcel 14A, Code 4162) owned by State of Indiana as recorded in, Inst. No. 2006-041657, dated: July 20, 2006 in said Recorders Office; thence North 29 degrees 40 minutes 08 seconds East a distance of 101.82 feet along said

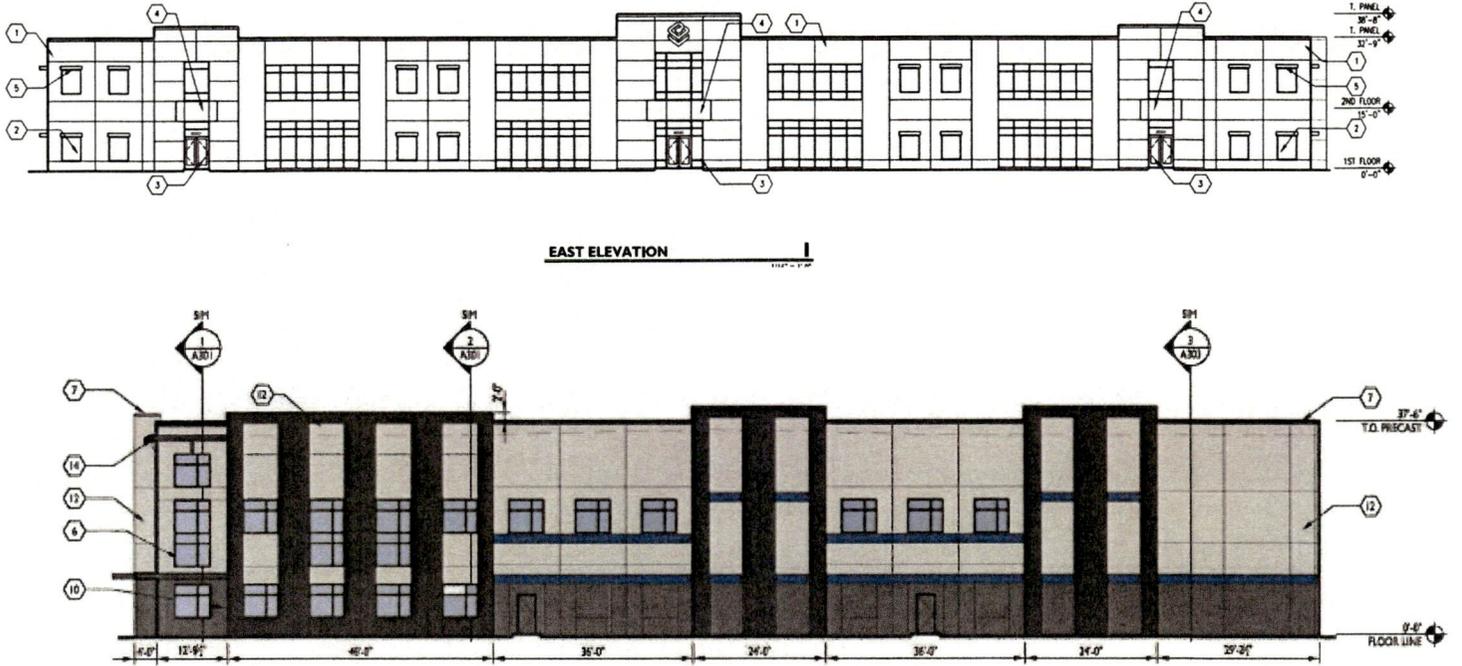
East line to the Southwesterly Right-of-Way line for State Road 38; thence South 60 degrees 41 minutes 09 seconds East a distance of 140.00 feet along the southwesterly line of said Right-of-Way; thence South 29 degrees 40 minutes 08 seconds West a distance of 98.90 feet; thence South 00 degrees 00 minutes 54 seconds East a distance of 390.09 feet parallel with the West line of said Northwest Quarter; thence South 44 degrees 59 minutes 06 seconds West a distance of 197.99 feet to said West line; thence North 00 degrees 00 minutes 54 seconds West a distance of 596.13 feet along said West line to the place of beginning, containing 1.920 acres, more or less.

ALSO:

Lot Numbered One (1) and Lot Numbered Two (2) in North Point Commerce Park replat of Part of Block "A and B" Secondary Plat an addition to the City of Westfield, Hamilton County, Indiana as per plat thereof recorded June 29, 2022 as Instrument No. 2022032636 in Plat Cabinet 6, Slide 283, in the Office of the Recorder of Hamilton County, Indiana

**EXHIBIT B-1**  
**CHARACTER EXHIBITS**









**EXHIBIT B-2**

**CHARACTER EXHIBITS**

