

Re-recording to
Add legal description
of property - Exhibit A

2500
25

25

2020013476 ORDINANCE \$25.00
03/13/2020 11:45:10A 25 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 19-60

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the "LINKS PUD") to amend the Westfield-Washington Township UDO of the City of Westfield and Washington Township, Hamilton County, Indiana (the "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 *et seq.*, as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

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

WHEREAS, the Commission forwarded Petition No. 1912-PUD-44 to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable** recommendation (8-1) 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 4, 2020; and,

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

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

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate") and shall hereafter be referred to as the "Links PUD".
- 1.2 The provisions of the UDO as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the UDO that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.

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03/13/2020 09:47:00A 25 PGS

- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

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

- 2.1 **District 1:** The property referenced as District 1 as shown on the District Map contained herein. May also be referred to as the Hotel District.
- 2.2 **District 2:** The property referenced as District 2 as shown on the District Map contained herein. May also be referred to as the Park District.
- 2.3 **District 3:** The property referenced as District 3 as shown on the District Map contained herein. May also be referred to as the Technology Center District.
- 2.4 **District 4:** The property referenced as District 4 as shown on the District Map contained herein. May also be referred to as the Observatory District.
- 2.5 **District 5:** The property referenced as District 5 as shown on the District Map contained herein. May also be referred to as the Community Entertainment Center District.
- 2.6 **Controlling Developer:** EdgeRock Development, LLC, its successors or assigns.
- 2.7 **Motorsports Industry Team Facility:** An establishment in which the research, development, and application of motorsports technologies for a single or partnered motorsports team takes place. This definition may also include engine testing, racing logistics and engineering, performance technology, and other associated uses to the motorsports industry or speedway logistics.

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

Section 4. **Illustrative Character Exhibits.** The “Illustrative Character Exhibits”, attached hereto as **Exhibit D** and **Exhibit E** are hereby incorporated to capture the intended quality of the improvements made on the designated District 4 and District 5 portions of the Real Estate. In the event that District 4 is not developed in substantial compliance with **Exhibit D**, the Architectural Standards of the State Highway 32 Overlay District shall apply. In the event that District 5 is not developed in substantial compliance with **Exhibit E**, the Architectural Standards

Section 5. Underlying Zoning District.

- 5.1 The underlying zoning district for Districts 1, 3, 4 and 5 shall be LB: Local and Neighborhood Business District.
- 5.2 The underlying zoning district for District 2 shall be AG-SF1: Agriculture/Single-Family Rural

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

6.1 Prohibited Uses: The following shall be explicitly prohibited:

- Heliport
- Special Exception Uses

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

- Hotel
 - Permitted in District 1 only
- Commercial Recreational Facility
 - (i) Permitted in District 5 only
 - (ii) Permitted only if developed in substantial compliance with the Architectural Character Exhibits shown in **Exhibit E**
- Race Track
 - (i) Permitted in District 5 only
 - (ii) Permitted only if developed in conjunction with an adjoining Commercial Recreational Facility that is substantially compliant with the Architectural Character Exhibits shown in **Exhibit E**
 - (iii) Only electric-powered recreational go-karts shall be permitted to be utilized on any permitted Race Track.
- Motorsports Industry Team Facility
 - (i) Permitted in District 5 only
 - (ii) Permitted only if developed in conjunction with an adjoining Commercial Recreational Facility that is substantially compliant with the Architectural Character Exhibits shown in **Exhibit E**
 - (iii) All day-to-day operations unrelated to loading or unloading of equipment and/or business-related products shall take place completely indoors.

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

7.1 Article 4.14 LB: Local and Neighborhood Business District

- Minimum Building Setback Lines:
 - (i) Front Yard: Thirty (30) feet
- Maximum Building Height:
 - (i) District 1: Sixty (60) feet if a Hotel is built within District; otherwise, forty-five (45) feet shall be the maximum.
 - (ii) District 3: Forty-five (45) feet
 - (iii) District 4: Ninety (90) feet if a Museum that is built in substantial compliance with the Illustrative Character Exhibits shown in **Exhibit D** is built within District 4; otherwise, forty-five (45) feet shall be the maximum.
 - (iv) District 5: Forty-five (45) feet
- Project Perimeter Setback: Shall not apply.
- Building Size Requirements:
 - (i) Maximum Business Size: Shall not apply.
 - (ii) Maximum Aggregate of all Buildings (within a single development): Five Hundred Thousand (500,000) square feet of gross floor area

7.2 General Requirements for District 2

The Controlling Developer of the Real Estate commits to donate the real estate of which District 2 is comprised to the City of Westfield no later than fifty percent (50%) of the occupancy of the first building constructed on the Real Estate. In addition, the real estate of which District 2 is comprised shall be calculated as part of the PUD's fifteen percent (15%) Open Space requirement.

Section 8. Overlay Districts.

- 8.1 US Highway 31 Overlay District: Article 5.2 US Highway 31 Overlay District shall not apply to the development of the Real Estate
- 8.2 State Highway 32 Overlay District: Article 5.3(K) Architectural Design Requirements of the State Highway 32 Overlay District (the "32 Overlay") shall apply to development within District 1 and District 3, except as otherwise modified by this Ordinance. 32 Overlay Architectural Design Requirements shall apply to District 4 in the event that a development not substantially compliant with **Exhibit D** is developed.

Real Estate, except as otherwise modified below. In addition, the follow shall apply:

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

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

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

In the event that a development not substantially compliant with Exhibit D is proposed within District 4, the Architectural Design Requirements of the 32 Overlay shall apply.

9.3 Chapter 6.8 Landscaping Standards. Shall apply to the development except as otherwise modified or enhanced below.

- A three (3) foot tall mound shall be installed abutting no less than seventy-five percent (75%) of the entirety of the southern boundary of District 5. On the top of this berm shall be a staggered row of evergreen trees, one placed no less than every fifteen (15) feet.
- A three (3) foot tall mound shall be installed abutting no less than seventy-five percent (75%) of the entirety of the eastern boundary of Districts 4 & 5. On the top of this berm shall be a staggered row of evergreen trees, one placed no less than every fifteen (15) feet. In addition, a thirty (30) foot Buffer Yard shall be required to exist immediately adjacent to the Wyatt Parcel, identified as 18710 Chad Hittle Drive at the time of this Ordinance's approval.

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

- Uniformity. All lighting fixtures and poles shall consistent in style, color, size, height and design.
- Decorative Fixtures. Decorative light fixtures shall be provided along the Real Estate's entrance drives, public rights-of-way, building ad pedestrian walkways as part of the site's overall architectural design.
- Full Cut-Off Fixtures. With the exception of low intensity architectural lighting and sign lighting, exterior wall mounted lights and pole mounted

lights shall utilize full cut-off fixtures that direct light downward towards the Earth's surface.

- Architectural Lighting. Architectural Lighting shall be permitted in District 5 only. Architectural Lighting shall be consistent with the Illustrative Character Exhibits contained in Exhibit E and shall project light only against Building Facades and not into the sky.
- Light Levels. No wall or pole mounted lights shall cause light levels along the south property line to exceed 0.1-foot candles. Additionally, lights located within or on the perimeter of Parking Areas on the Real Estate adjacent to residential areas to the south of the Real Estate shall be dimmed after 11:00 p.m. to a level no greater than 65% of the maximum light levels.
- Light Poles. Pole mounted lights shall not exceed twenty (20) feet in height, including the base with the exception of pole mounted lights fronting on the multiuse path, which shall not exceed fifteen (15) feet in height including the base.
- Neon-Colored Lighting. Neon-colored LED accent lighting shall be permitted along the roof lines of commercial buildings provided that the lighting is fully shielded from above.

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

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

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

- Individual and/or Center Monument Signs shall be architecturally compatible with the architecture of the Real Estate's buildings.
- A maximum of two (2) Center Monument Signs shall be permitted on the Real Estate. One Monument Center Sign shall be permitted along the Real Estate's 191st Street frontage and one Monument Center Sign shall be permitted for the Real Estate's Tomlinson Road frontage. Each of these aforementioned Center Monument Signs may be a maximum of fifteen (15) feet in height and one hundred and twenty (120) square feet of sign area, per face.
- Permitted Individual Monument Signs shall be a maximum of six (6) feet in height and contain a maximum of thirty-six (36) square feet of sign area, per face.

- 1) One (1) Individual Monument Sign shall be permitted within District 1.

- 2) One (1) Individual Monument Sign shall be permitted within District 2.
- 3) One (1) Individual Monument Sign shall be permitted within District 3 only if the Sign is located a minimum of two-hundred (200) feet from the Tomlinson Road or 191st Street Right-of-ways.
- 4) One (1) Individual Monument Sign shall be permitted within District 4 only if the Sign is located a minimum of two-hundred (200) feet from the Tomlinson Road or Wheeler Road Right-of-ways.
- 5) One (1) Individual Monument Sign shall be permitted within District 5 only if the Sign is located a minimum of two-hundred (200) feet from the Tomlinson Road or Wheeler Road Right-of-ways.

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

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

- Minimum Open Space: Minimum Open Space for the Real Estate shall be fifteen percent (15%).

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

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

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

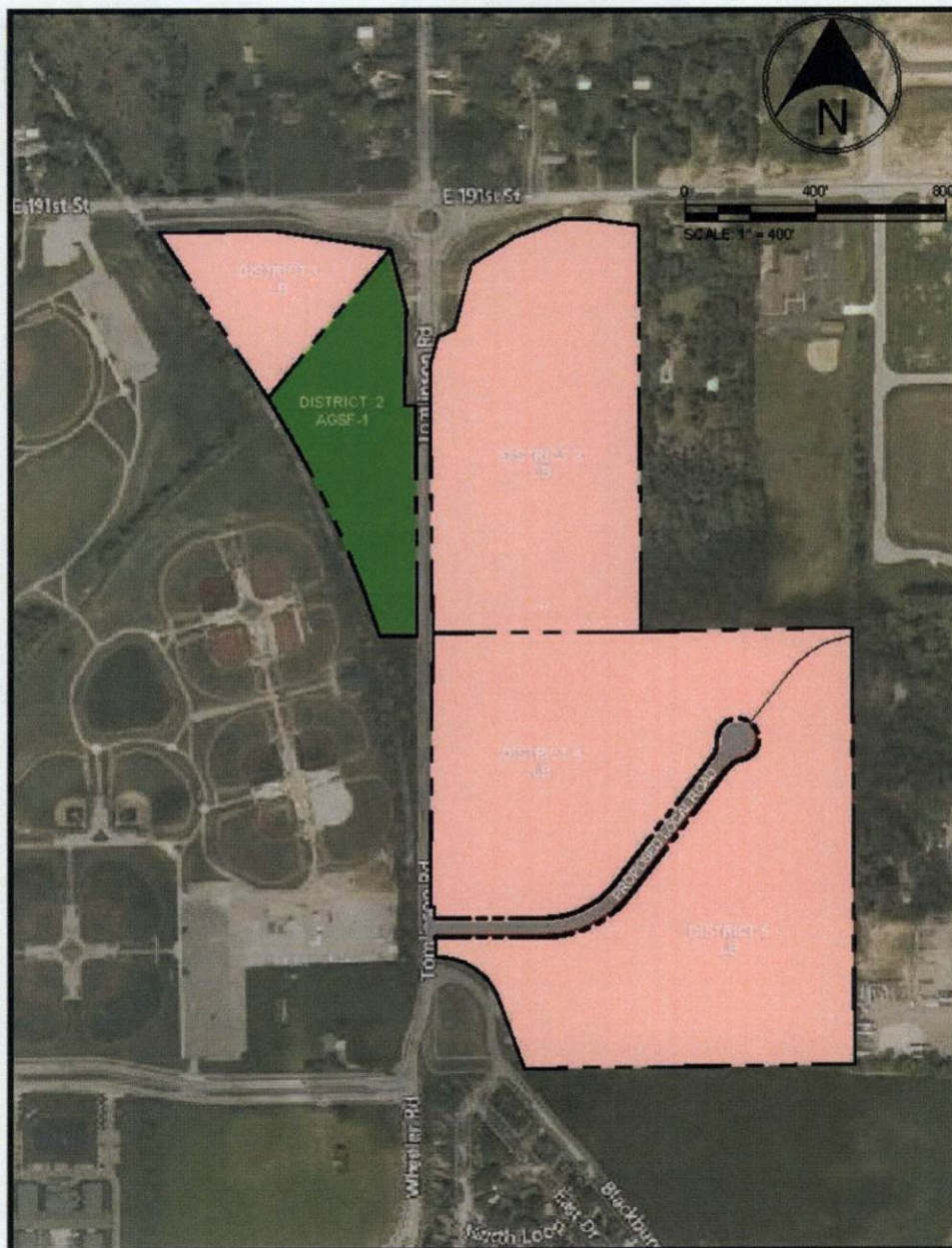
(ii) All walkways internal to the Real Estate that cross vehicular ways (e.g. drive lanes, parking lots) shall be delineated and distinguished from the driving surface through the use of durable, low maintenance surface materials such as integrated concrete pavers, scored or textured concrete, or brick.

(iii) Perimeter trail and Central Trail to be installed.

- (iv) A pedestrian walkway shall be provided from the 191st Street and Tomlinson Road paths to the gathering space. Such walkway shall be at least eight (8) feet in width and may encroach into any required buffer yards.
- (v) Bike parking and common area benches shall be provided. The bike parking and common area benches shall be functional and architecturally consistent with the overall development.

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EXHIBIT B
DISTRICT MAP



COMMUNITY ENTERTAINMENT CENTER
WESTFIELD, IN

10/25/19



Cooler Design

ARCHITECTURE • PLANNING • INTERIOR DESIGN

**EXHIBIT C
CONCEPT PLAN**



COMMUNITY ENTERTAINMENT CENTER
WESTFIELD, IN

10/25/19



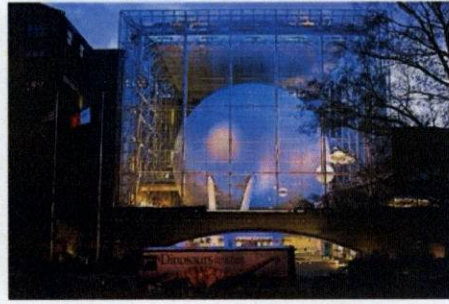
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ARCHITECTURE • PLANNING • INTERIOR DESIGN

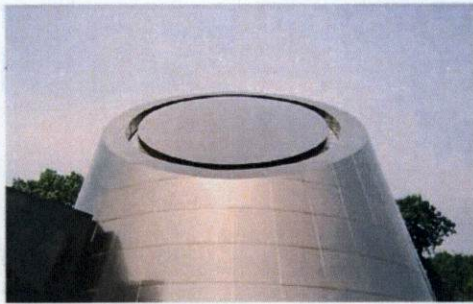
EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 4



**SERPENTINE
STRUCTURE**



**GLASS STOREFRONT TO EXPOSE
INTERIOR PLANETARIUM DOME**



**METAL PANEL ROOFS
AND FACADE**



**FLOWER PETAL
OBSERVATORY DOME**

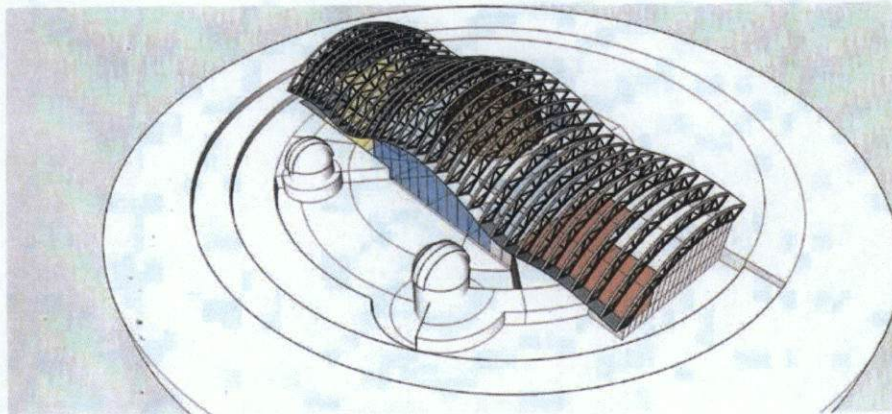


RADIO TELESCOPE

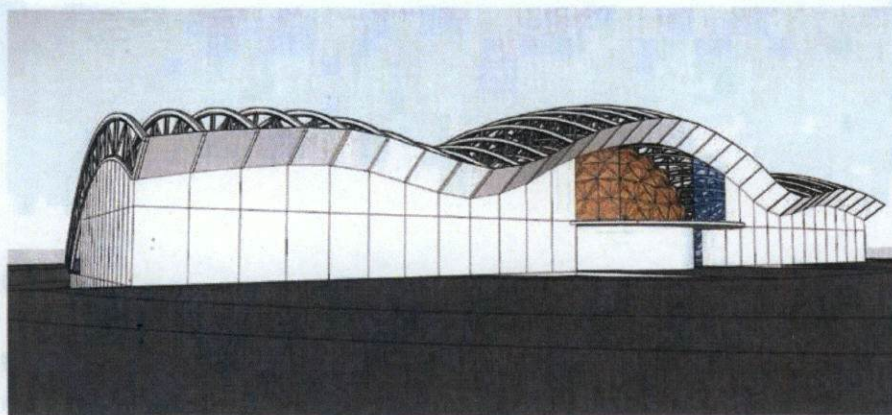


**COVERED WALKWAYS
WITH ADA RAMPING**

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 4



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



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



COMMUNITY ENTERTAINMENT CENTER
WESTFIELD, IN

10/25/19



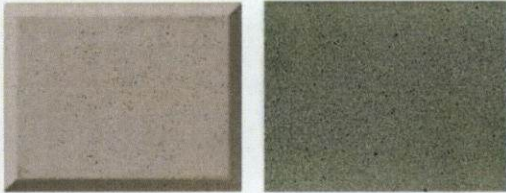
Cooler Design

ARCHITECTURE • PLANNING • INTERIOR DESIGN

EXHIBIT D
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 4



EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



**LIMESTONE AND SHAMROCK
COLORED PRECAST**



**LOUVERED MECHANICAL
SCREENS**



**STOREFRONTS INSPIRED BY
PAGODA AT IMS**



**PUBLIC PLAZA; SIMILAR
TO MIDTOWN CARMEL**



**BRIGHTLY COLORED
SIGNAGE**



**ARCHITECTURAL
LIT TOWERS**

EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

FACADE %'S
 APPROX. 30,3000 SF
 GLAZING: 22.7%
 PRECAST: 60.7%
 EMBOSSED PRECAST: 9.7%
 METAL: 2.5%
 OTHER: 4.4%

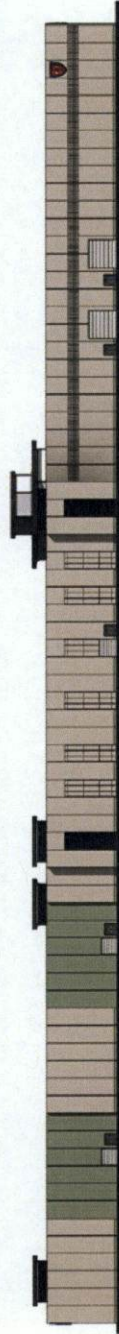


① NORTH ELEVATION
 1" = 80'-0"



② NORTH ELEVATION ENLARGED
 1" = 30'-0"

FACADE %'S
 APPROX. 31,200 SF
 PRECAST: 61%
 EMBOSSED PRECAST: 30%
 METAL: 9%



③ SOUTH ELEVATION
 1" = 80'-0"

COMMUNITY ENTERTAINMENT CENTER

WESTFIELD, IN

Cooler Design



ARCHITECTURE • PLANNING • INTERIOR DESIGN

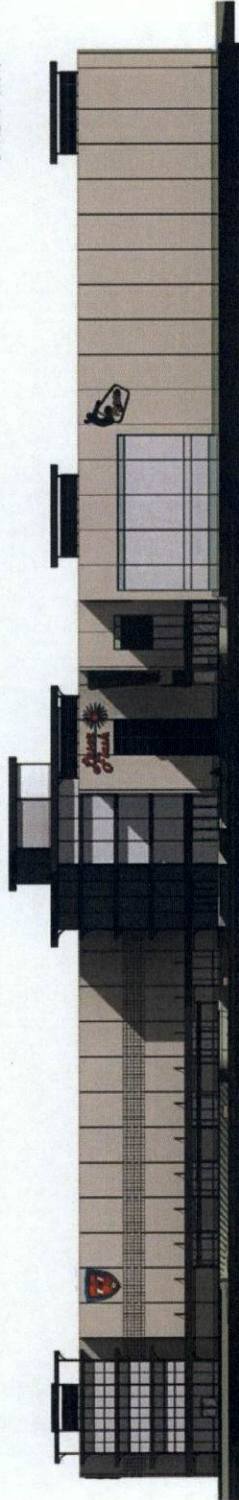
10/16/19



EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5

GLAZING: 34.1%
 PRECAST: 53.3%
 EMBOSSED PRECAST: 7.7%
 METAL: 4.9%
 OTHER: 0.0%

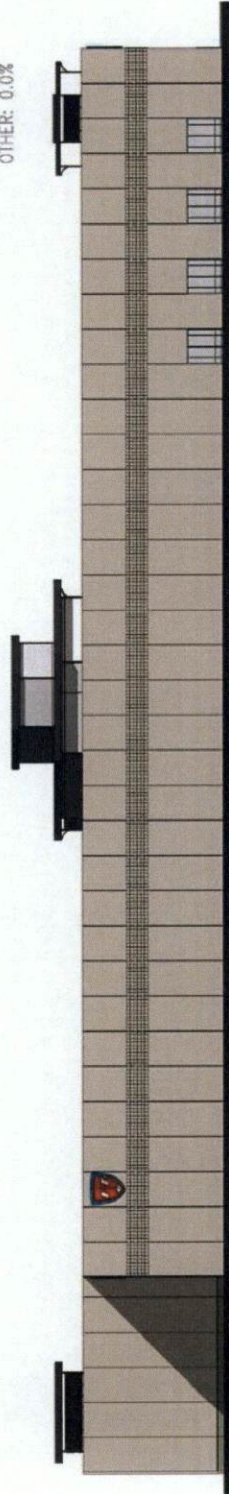
FACADE %'S
 APPROX. 16,800 SF



① WEST ELEVATION
 1" = 40'-0"

GLAZING: 9.1%
 PRECAST: 75.1%
 EMBOSSED PRECAST: 13.1%
 METAL: 2.7%
 OTHER: 0.0%

FACADE %'S
 APPROX. 16,800 SF



② EAST ELEVATION
 1" = 40'-0"



COMMUNITY ENTERTAINMENT CENTER

WESTFIELD, IN

1023/19



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EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



COMMUNITY ENTERTAINMENT CENTER
WESTFIELD, IN

10/30/19



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EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



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EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



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EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



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EXHIBIT E
ILLUSTRATIVE CHARACTER EXHIBITS FOR DISTRICT 5



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10/25/19



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EXHIBIT F
BERM & TRASH ENCLOSURE EXCLUSION EXHIBIT



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



COMMUNITY ENTERTAINMENT CENTER
 WESTFIELD, IN

10/31/19



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ALL OF WHICH IS ORDAINED/RESOLVED THIS 10th DAY OF Feb, 2020.

WESTFIELD CITY COUNCIL

Voting For

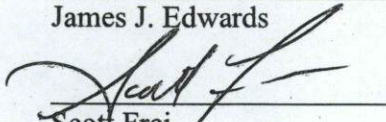
Voting Against

Abstain

James J. Edwards

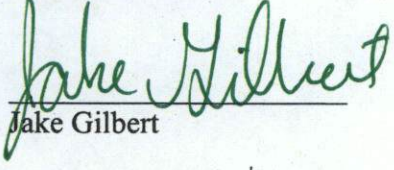
James J. Edwards

James J. Edwards


Scott Frei

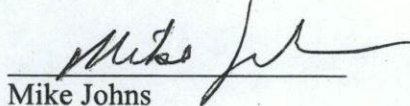
Scott Frei

Scott Frei


Jake Gilbert


Jake Gilbert

Jake Gilbert


Mike Johns

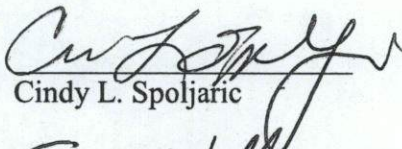
Mike Johns

Mike Johns


Troy Patton

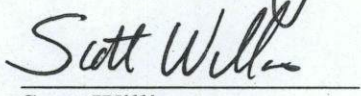
Troy Patton

Troy Patton


Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

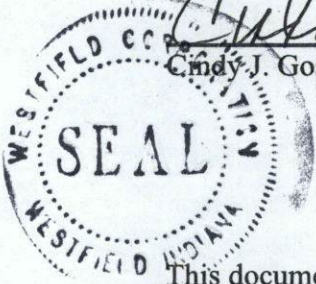

Scott Willis

Scott Willis

Scott Willis

ATTEST:


Cindy J. Gossard, Clerk-Treasurer

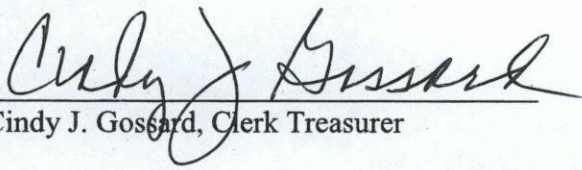


This document prepared by:

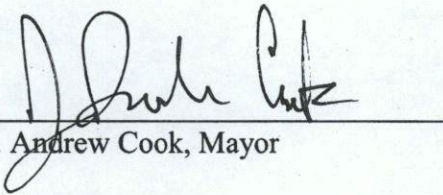
Daine Crabtree, Associate Planner, City of Westfield, 2728 E. 171st Street, Westfield, IN 46074

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: Daine Crabtree

I hereby certify **ORDINANCE 19-60** was delivered to the Mayor of Westfield on the 11th
day of Feb, 2020.


Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 19-60
this 12th day of Feb, 2020.


J. Andrew Cook, Mayor

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

J. Andrew Cook, Mayor

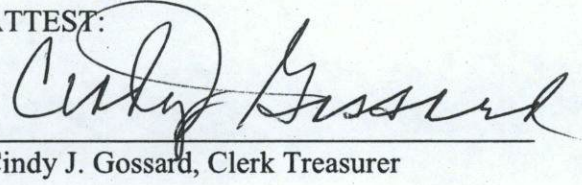
ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
LAND DESCRIPTION

Beginning at the Monument at Section 25, Township 19 North, Range 3 East in Westfield Washington Township, Hamilton County, Indiana, being described as follows:

(All angles are in degrees, minutes and seconds and distance is in feet.)

186-54-19	Distance: 809.644 to a point of the beginning
1-13-51	Distance: 350.54
351-21-54	Distance: 350.18
285-45-6	Distance: 209.37
269-57-24	Distance: 280
359-57-25	Distance: 75.009
89-57-24	Distance: 125
72-36-10	Distance: 83.82
21-45-28	Distance: 53.85
77-16-35	Distance: 205
33-31-40	Distance: 152.77
19-34-30	Distance: 164.91
0-51-39	Distance: 36.793
358-0-42	Distance: 36.793
355-9-45	Distance: 36.793
354-18-41	Distance: 61.269
355-27-32	Distance: 61.269
270-7-23	Distance: 1240.73
1-0-7	Distance: 661.639
269-43-5	Distance: 713.262
270-5-41	Distance: 627.368
180-39-52	Distance: 1009.894
109-37-15	Distance: 201.85
112-40-32	Distance: 24.517
118-47-10	Distance: 24.517
124-53-48	Distance: 24.517
131-0-24	Distance: 24.517
137-7-1	Distance: 24.517
143-13-39	Distance: 24.518
149-20-18	Distance: 24.517
155-26-56	Distance: 24.517
161-33-32	Distance: 24.517
167-40-11	Distance: 24.517
173-46-47	Distance: 24.517
91-29-56	Distance: 151.7
181-29-53	Distance: 11.283
90-54-52	Distance: 107.374
91-51-14	Distance: 228.42
89-37-56	Distance: 269.526
89-50-18	Distance: 230.381
186-16-12	Distance: 35.22
181-1-26	Distance: 114.777
108-26-41	Distance: 149.934
111-24-29	Distance: 144.572
115-48-6	Distance: 291.982
120-4-29	Distance: 132.58
123-2-51	Distance: 237.631
123-30-30	Distance: 229.596
122-44-45	Distance: 225.521 to the point of end containing 66.9464 acres more or less.