

**AN ORDINANCE TO AMEND THE WEST WYNNE FARMS DEVELOPMENT
COMMITMENTS IN ORDINANCE 2013-26; AND MORE SPECIFICALLY WITH
REGARD TO MODIFICATIONS TO ARCHITECTURAL COMMITMENTS FOR PARCELS R & S**

WHEREAS, Site Solutions Group, LLC (the “Developer”) previously filed an amendment to the West Wynne Farms Planned Development (PD), for approximately 220 acres of real estate east of South Green Street (State Road 267) on the north and south side of County Road 300 North and on the north and south side of South Northfield Drive, in the Town of Brownsburg, Lincoln Township, Hendricks County, Indiana, inclusive of Parcel Numbers 32-07-23-306-004.000-016; 32-07-23-306-005.000-016; 32-07-23-306-003.000-016; 32-07-26-105-002.000-016; 32-07-26-105-003.000-016; 32-07-26-105-004.000-016; 32-07-26-105-005.000-016; 32-07-26-105-006.000-016; 32-07-26-151-001.000-016; 32-07-26-150-002.000-016; 32-07-26-152-001.000-016; 32-07-26-105-004.000-016; and 32-07-26-151-002.000-016 (the “Real Estate”) more particularly described on Exhibit ‘A’ and generally depicted on Exhibit ‘B’; and

WHEREAS, the Town Council did approve Ordinance 2013-26, the West Wynne Farms Zoning Map Amendment, on September 26, 2013; and

WHEREAS, the Town Council did amend Ordinance 2013-26, the West Wynne Farms Zoning Map Amendment, by Ordinance 2014-11 on August 28, 2014; and

WHEREAS, on January 15, 2015 the Developer did file a Commitment Amendment Application with the Advisory Plan Commission to amend Section 7.03 A. “Architectural Commitments: Design Standards” of the West Wynne Farms Planned Development as adopted by Ordinance 2013-26; and

WHEREAS, the Development Services Staff prepared a Project Synopsis regarding Case # PCMA-01-15-1271 | West Wynne Farms Architecture Commit. Amendment - Parcels R and S dated February 17, 2015; and

WHEREAS, the Advisory Plan Commission for the Town of Brownsburg (the “Commission”) has considered the proposed commitment amendments at a public meeting on February 23, 2015; and by a

vote of its members has made a FAVORABLE RECOMMENDATION that the 7.03 A. "Architectural Commitments: Design Standards" of the West Wynne Farms Plan Development Ordinance be revised as follows:

All Commercial/Retail/Office buildings shall be in accordance with the following standards and specifications:

A1. All structures within Parcels R & S excluding self-storage structures in Parcel-S.

1. Acceptable exterior façade materials shall include masonry, glass, architectural block, decorative metal, Exterior Insulation Finishing System (EIFS), concrete or other similar materials. However, a minimum of seventy-five percent (75%) of the structure's exterior façade, excluding doors and windows, shall be comprised of masonry or architectural block.
 - a. Integrally colored, smooth faced, concrete block or other similar materials shall be a permitted exterior façade material in loading areas not directly or indirectly visible from public view or internal streets.
 - b. Non-Integrally colored, smooth faced, concrete block or other similar materials shall not be a permitted exterior façade material.

A2. Self-Storage structures within Parcel-S

1. Acceptable façade materials shall include masonry, architectural block, decorative metal (e.g. with a finish appearance of stucco), Exterior Insulation Finishing System (EIFS), concrete or other similar materials.
 - a. Decorative metal or Exterior Insulation Façade System (EIFS) shall not comprise more than seventy-one percent (71%) of any façade except as follows:
 - i. Self-storage structure façades, interior to the self-storage facility may be comprised of one hundred percent (100%) decorative metal or Exterior Insulation Finishing System (EIFS) in areas not directly or indirectly visible from public view or internal streets.
 - b. Split faced block shall not comprise more than thirty-one percent (31%) of any façade.

WHEREAS, the Commission has found that the amendments do not adversely affect the Comprehensive Plan of the Town of Brownsburg but rather satisfies the current standards, and has been favorably recommended by the Commission to the Town Council;

NOW, THEREFORE, BE IT ORDAINED by the Town Council as follows:

- (1) The above recitals are incorporated herein, by reference, as though set forth fully herein below.

- (2) The Developer shall assume and be responsible for payment of all costs incurred in the preparation and filing of all changes in this ordinance which are satisfactory to the Town of Brownsburg.
- (3) This amendment shall be subject to the Advisory Plan Commission Report of Determination as depicted on Exhibit 'C'.

PASSED, by the Town Council of the Town of Brownsburg, Indiana, this 9th day of April, 2015, by a vote of four (4) ayes, and zero (0) nays.

TOWN OF BROWNSBURG
HENDRICKS COUNTY, INDIANA

By: 
Don Spencer, President

ATTEST:

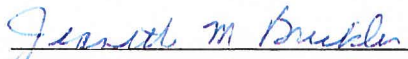

Jeanette Brickler, Clerk-Treasurer

Exhibit – A Legal Description

32-07-23-306-004.000-016: Amazon Brownsburg, LLC:

Lot 2 in West Wynne Farms Section 4, as per plat thereof recorded June 26, 2014 in Plat Cabinet 8, slide 16, pages 1 A- H, Instrument Number 201412625, in the Office of the Recorder of Hendricks County, Indiana.

32-07-23-306-005 .000-016: Light Development Corp.:

Block A in West Wynne Farms Section 4, as per plat thereof recorded June 26, 2014 in Plat Cabinet 8, slide 16, pages 1 A- H, Instrument Number 201412625, in the Office of the Recorder of Hendricks County, Indiana.

32-07-23-306-003 .000-016: Site Solutions Property Group LLC:

Lot 3 in West Wynne Farms Section 4, as per plat thereof recorded June 26, 2014 in Plat Cabinet 8, slide 16, pages 1 A- H, Instrument Number 201412625, in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-150-002.000-016: Burton E & Kathleen Rossiter, H/W:

Lot numbered 2 in Minor Plat Numbered Four (4) in Lincoln Township, Hendricks County, Indiana, as per plat thereof recorded April 7, 1978, in Plat Book 9, page III, in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-152-001.000-016: James B. White:

Lot Numbered 3 in the Replat of Lot 3 of Minor Plat No.4 in Lincoln Township, Hendricks County, Indiana, as per plat thereof recorded March 13, 2014 in Plat Cabinet 8, Slide 7, pages 2 A, B, C, D, Instrument Number 201404723, in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-105-002.000-016: Site Solutions Property Group LLC:

Block Bin West Wynne Farms, Section 1, Secondary Plat, an addition to the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof recorded March 13, 2014 in Plat Cabinet 8, Slide 6, pages 2 A, B, C, D as Instrument Number 201404721 in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-105-003.000-016: Site Solutions Property Group LLC:

Lot 4 in West Wynne Farms, Section 1, Secondary Plat, an addition to the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof recorded March 13, 2014 in Plat Cabinet 8, Slide 6, pages 2 A, B, C, D as Instrument Number 201404721 in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-105-004.000-016: Site Solutions Property Group LLC:

Block C in West Wynne Farms, Section 1, Secondary Plat, an addition to the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof recorded March 13, 2014 in Plat Cabinet 8, Slide 6, pages 2 A, B, C, D as Instrument Number 201404 721 in the Office of the Recorder of Hendricks County, Indiana.

Exhibit – A
Legal Description - *continued*

32-07-26-105-005.000-016: Site Solutions Property Group LLC:

Lot 5 in West Wynne Farms, Section 1, Secondary Plat, an addition to the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof recorded March 13, 2014 in Plat Cabinet 8, Slide 6, pages 2 A, B, C, D as Instrument Number 201404721 in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-105-006.000-016: Site Solutions Property Group, LLC:

Block Din West Wynne Farms, Section 1, Secondary Plat, an addition to the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof recorded March 13,2014 in Plat Cabinet 8, Slide 6, pages 2 A, B, C, D as Instrument Number 201404721 in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-150-004.000-016: Chester A & Norma J Blake:

Lot Numbered 4 in Minor Plat Numbered Four (4) in Lincoln Township, Hendricks County, Indiana, as per plat thereof recorded April 7, 1978, in Plat Book 9, page 111, in the Office of the Recorder of Hendricks County, Indiana.

32-07-26-151-001.000-016: Site Solutions Property Group LLC:

Lot 7 in West Wynne Farms, Section 2, a subdivision of the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof, recorded march 13, 2014 as Instrument No. 201404722, Plat Cabinet 8, Slide 7, pages 1 A, B, C, D, in the Office of the Recorder of Hendricks County, Indiana. Together with a right-of-way to accommodate vehicular access over Block "F" (Northfield Drive) of the aforementioned West Wynne Farms, Section 2, as set forth therein, and the right of access as contained in Temporary Ingress-Egress Easement Agreement recorded March 7, 2014 as Instrument No. 201404259, as amended by scrivener's error affidavit recorded March 7, 2014 as Instrument No. 201404392, in said Recorder's Office.

32-07-26-151-002.000-016: NJ Holdings LLC:

Lot 6 in West Wynne Farms, Section 2, a subdivision of the Town of Brownsburg, Hendricks County, Indiana, as per plat thereof, recorded March 13, 2014 as Instrument No. 201404722, Plat Cabinet 8, Slide 7, pages 1 A, B, C, D, in the Office of the Recorder of Hendricks County, Indiana. Together with a right-of-way to accommodate vehicular access over Block "F" (Northfield Drive) of the aforementioned West Wynne Farms, Section 2, as set forth therein, and the right of access as contained in Temporary Ingress-Egress Easement Agreement recorded March 7, 2014 as Instrument No. 201404259, as amended by scrivener's error affidavit recorded March 7, 2014 as Instrument No. 201404392, in said Recorder's Office.

Exhibit – B
General Depiction

Amazon Brownsburg LLC

Date Created: 1/15/2015

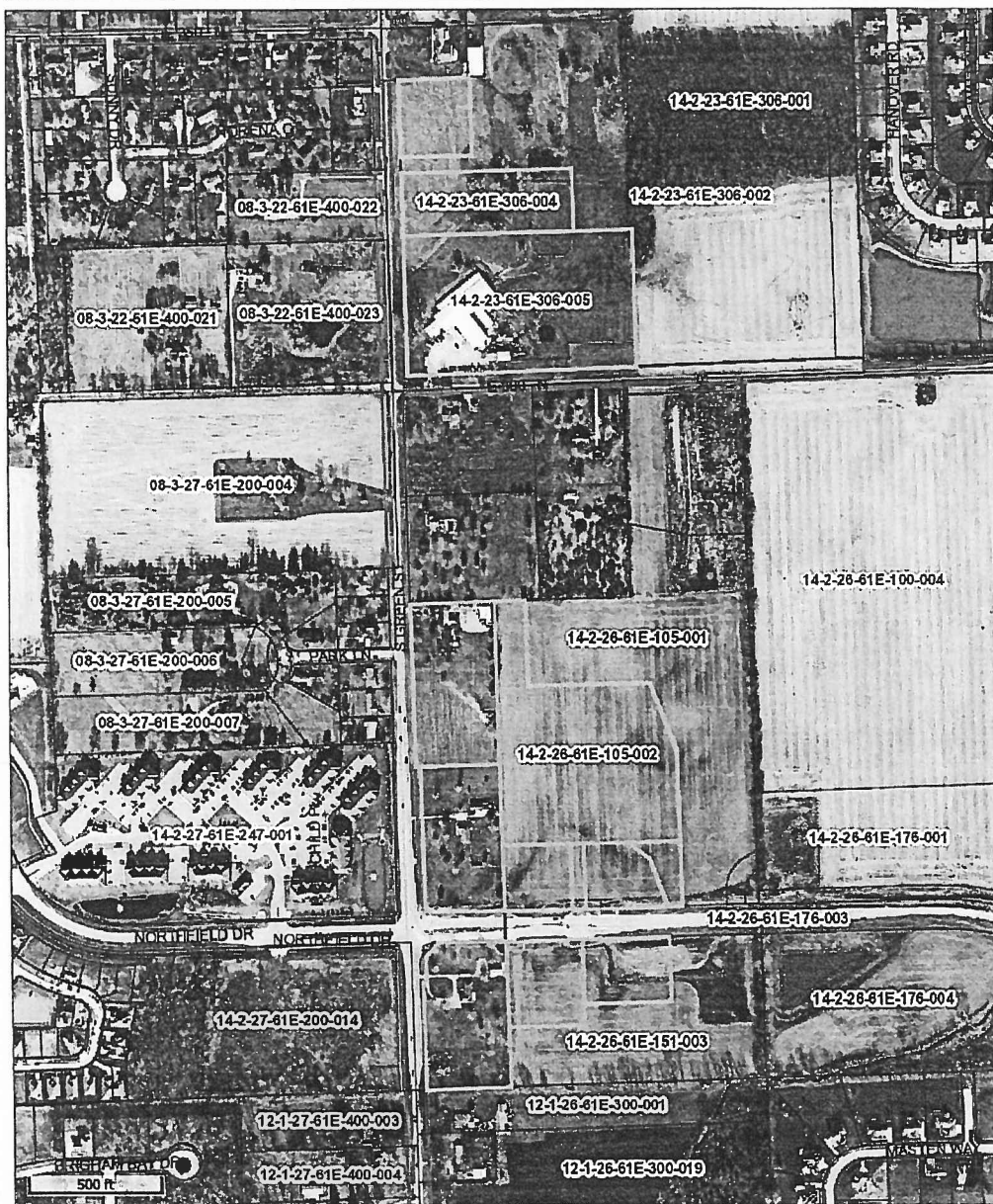
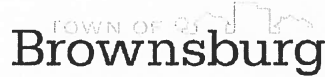


Exhibit – C
Advisory Plan Commission’s
Report of Determination



ADVISORY PLAN COMMISSION

DOCKET NO.
PCMA-01-15-1271

IN THE MATTER OF:
West Wynne Farms Architecture Commit.
Amendment - Parcels R and S

REPORT OF DETERMINATION

The Advisory Plan Commission (the "Commission") received a request, pursuant to I.C. 36-7-4-602(c), to amend to amend the Official Zoning Map of the Town of Brownsburg for the property located in West Wynne Farms- Parcels R and S, Parcel No(s) 32-07-23-306-004.000-016; 32-07-23-306-005.000-016; 32-07-23-306-003.000-016; 32-07-26-105-002.000-016; 32-07-26-1 05-003.000-016; 32-07-26-1 05-004.000-016; 32-07-26-1 05-005.000-016; 32-07-26-105-006.000-016; 32-07-26-151-001.000-016; 32-07-26-150-002.000-016; 32-07-26-152-001.000-016; 32-07-26-105-004.000-016; and 32-07-26-151-002.000-016 This petition is a request to amend the text of the Planned Development (PD) ordinance as it relates to the architectural commitments of the Amazon Storage Facility and future projects located in parcels "R & S". Thereafter, the Commission held a public hearing on February 23, 2015 for Docket No. PCMA-01-15-1271, West Wynne Farms Architecture Commit. Amendment - Parcels R and S.

This Report of Determination is based, in whole or in part, on the Applicant's Commitment Amendment Application, submitted on January 15, 2015, and the same is hereby incorporated herein, by reference.

Staff prepared a Project Synopsis, dated February 17, 2015, and the same is hereby incorporated herein, by reference.

After hearing a presentation from Town Staff, the Commission voted 7 In-Favor/ 0 Opposed / 0 Abstained to forward a **FAVORABLE RECOMMENDATION** to the Town Council to amend the Official Zoning Map of the Town of Brownsburg, pursuant to the request, subject to and conditioned upon the following:

(1) That the proposed language read as follows:

§7.03 Design Standards

All Commercial/Retail/Office buildings shall be in accordance with the following standards and specifications:

- A1. All structures within Parcels R & S excluding self-storage structures in Parcel-S.
 - 1. Acceptable exterior façade materials shall include masonry, glass, architectural block, decorative metal, Exterior Insulation Finishing System (EIFS), concrete or other similar materials. However, a minimum of seventy-five percent (75%) of the structure's exterior façade, excluding doors and windows, shall be comprised of masonry or architectural block.
 - a. Integrally colored, smooth faced, concrete block or other similar materials shall be a permitted exterior façade material in loading areas not directly or indirectly visible from public view or internal streets.
 - b. Non-Integrally colored, smooth faced, concrete block or other similar materials shall not be a permitted exterior façade material.
- A2. Self-Storage structures within Parcel-S
 - 1. Acceptable façade materials shall include masonry, architectural block, decorative metal (e.g. with a finish appearance of stucco), Exterior Insulation Finishing System (EIFS), concrete or other similar materials.

Exhibit – C
Advisory Plan Commission’s
Report of Determination – *continued*

DOCKET NO.

PCMA-01-15-1271

IN THE MATTER OF:

West Wynne Farms Architecture Commit.
Amendment - Parcels R and S

- a. Decorative metal or Exterior Insulation Façade System (EIFS) shall not comprise more than seventy-one percent (71%) of any façade except as follows:
 - i. Self-storage structure façades, interior to the self-storage facility may be comprised of one hundred percent (100%) decorative metal or Exterior Insulation Finishing System (EIFS) in areas not directly or indirectly visible from public view or internal streets.
- b. Split faced block shall not comprise more than thirty-one percent (31%) of any façade.

(2) The approval of the Report of Determination by the Plan Commission.

The Commission took the following into consideration when making their recommendation on this above referenced proposal:

- (1) The Brownsburg Comprehensive Plan;
- (2) Current conditions and the character of current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

Glenn Nulty, President

ATTEST:

Todd A. Barker, AICP, Administrator