CITY OF WESTFIELD, IN

AdvisoryPlanningCommission_Meeting_Agenda_10_21_2019

Monday, October 21, 2019 at 07:00 PM

BOARD OR COMMISSION: **Advisory Plan Commission (APC)**

MEETING DATE: **Monday, October 21, 2019 at 07:00 PM**

MEETING PLACE: **Westfield City Hall, 130 Penn Street, Westfield, IN 46074**

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION

OPENING OF MEETING

Note the Presence of a Quorum

Approval of Minutes - October 7, 2019
Documents: APC Minutes - October 7, 2019

Review APC Rules & Procedures

CONSENT AGENDA ITEMS

No Consent Agenda Items

ITEMS OF BUSINESS

1908-PUD-20
Legacy Oaks PUD (formerly The Landings at Village Farms)
14851 Oak Ridge Road
Pulte Homes of Indiana, LLC and Mark Zukerman by Nelson and Frankenberger, LLC requests a change in zoning of approximately 58.02 acres +/- from the SF2: Single-Family Low Density District to The Legacy Oaks PUD District.
(Planner: Daine Crabtree - DCrabtree@westfield.in.gov)
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Proposed Ord. 19-26 | Exhibit 4: Proposed Ord. 19-26 (Redline Version) | Exhibit 5: Concept Plan | Exhibit 6: District Map | Exhibit 7: Residential Character Exhibits | Exhibit 8: Trailhead Park Site Exhibit | Exhibit 9: Focus Group Meeting Handout | Exhibit 10: Summary of Project Changes | Exhibit 11: City Engineer Statement on Entrance | Exhibit 12: Public Comments Pre-Public Hearing | Exhibit 13: Public Comments Post-Public Hearing | Exhibit 14: Petitioner's Presentation

1910-PUD-35
The Trails PUD Amendment III
801 E. 175th Street
Holladay Properties by Woolpert, Inc. requests an amendment to The Trails PUD District, specific to Lot 4, on 7.38 acres +/- to add an additional Concept Plan and Character Exhibit.
(Planner: Daine Crabtree - DCrabtree@westfield.in.gov)
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Proposed Ord. 19-45 | Exhibit 4: Concept Plan | Exhibit 5: Character Exhibits | Exhibit 6: Landscape Plan

1910-PUD-32
Village Park Plaza II PUD
Northeast Corner of US 31 and 146th Street
Washington Prime Group by Onpointe Land Matters, LLC requests a change in zoning of 32.7 acres +/- from the SB-PD: Special Business / Planned Development District to the Village Park Plaza PUD II District.
(Planner: Kevin Todd - KTodd@westfield.in.gov)
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Concept Plan | Exhibit 4: Ordinance 19-48 | Exhibit 5: Ordinance 19-48 (Redline) | Exhibit 6: Neighborhood Meeting Summary

1910-ODP-19 & 1910-SPP-19
Village Park Plaza II Plat
Northeast Corner of US 31 and 146th Street
Washington Prime Group by Onpointe Land Matters, LLC requests Overall Development Plan and Primary Plat review of 8 Lots on 32.7 acres +/- in the Village Park Plaza II PUD District (pending).
(Planner: Kevin Todd - KTodd@westfield.in.gov)
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Primary Plat | Exhibit 4: Overall Development Plan

PUBLIC HEARING ITEMS
No Public Hearing Items

ITEMS CONTINUED TO A FUTURE MEETING

1910-PUD-34[CONTINUED]
Chatham Hills PUD Amendment VII
Southwest Corner of US 31 and 203rd Street
Chatham Hills, LLP by Henke Development Group requests an amendment to incorporate an additional 252.44 acres +/- into the Chatham Hills PUD District and establish standards for the new acreage.
(Planner: Pam Howard - PHoward@westfield.in.gov)

1910-PUD-36[CONTINUED]
Claiborne Farms by Del Webb PUD
West and adjacent to Towne Road, and North and adjacent to 146th Street
Del Webb by Nelson & Frankenberger, LLC requests a change of zoning for approximately 245 acres +/- in the AG-SF1: Agricultural / Single-Family Rural District to the Claiborne Farms by Del Webb PUD District for an age-restricted residential community.
(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

1910-PUD-37[CONTINUED]
Dartown Crossing PUD Amendment I
North and adjacent to State Road 32, West and adjacent to Dartown Road
MR3 Development, LLC by Nelson & Frankenberger, LLC requests an amendment to incorporate an additional 9 acres +/- to the Dartown Crossing PUD District and establish standards for the new acreage.
(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

1910-PUD-39[CONTINUED]
Maple Knoll PUD Amendment IV
17145 Spring Mill Road
Meijer by Woolpert, Inc. requests an amendment to the Maple Knoll PUD District modifying the sign standards and architectural standards for the Meijer's property.
(Planner: Caleb Ernest - CErnest@westfield.in.gov)

1910-PUD-40[CONTINUED]
Grand Park Village PUD Amendment III
18160 Wheeler Road
RWE Management Company requests an amendment to the Grand Park Village PUD District to allow a veterinary clinic with outdoor play areas.
(Planner: Corey Harris - CHarris@westfield.in.gov)

1910-ODP-17 & 1910-SPP-17[CONTINUED]
Grand Park Village Sec
18160 Wheeler Road
Chatham Hills, LLP by Henke Development Group, LLC requests Overall Development Plan and Primary Plat review of 4 Lots on 37.366 acres +/- in the Grand Park Village PUD District.
(Planner: Corey Harris - CHarris@westfield.in.gov)

<u>REPORTS/COMMENTS</u>

Advisory Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

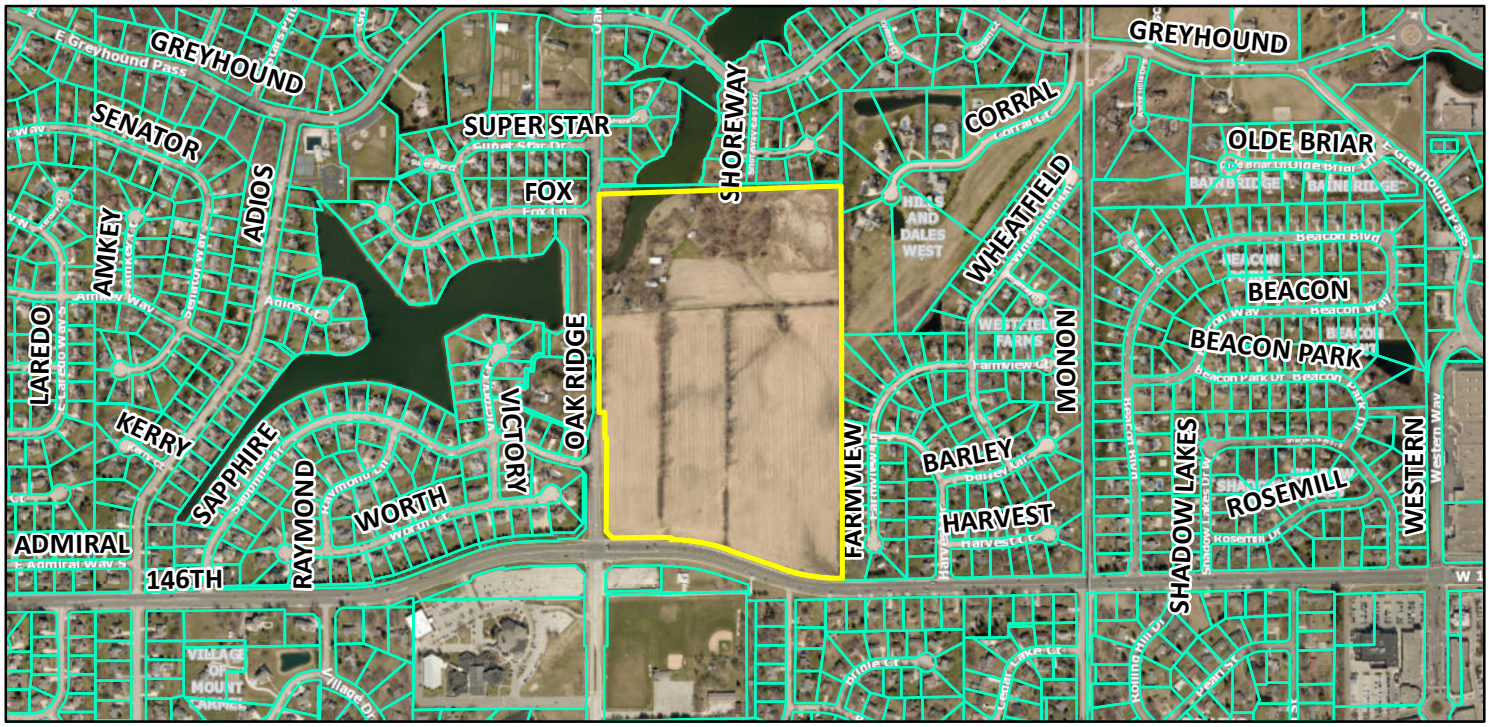
Economic and Community Development Department

ADJOURNMENT

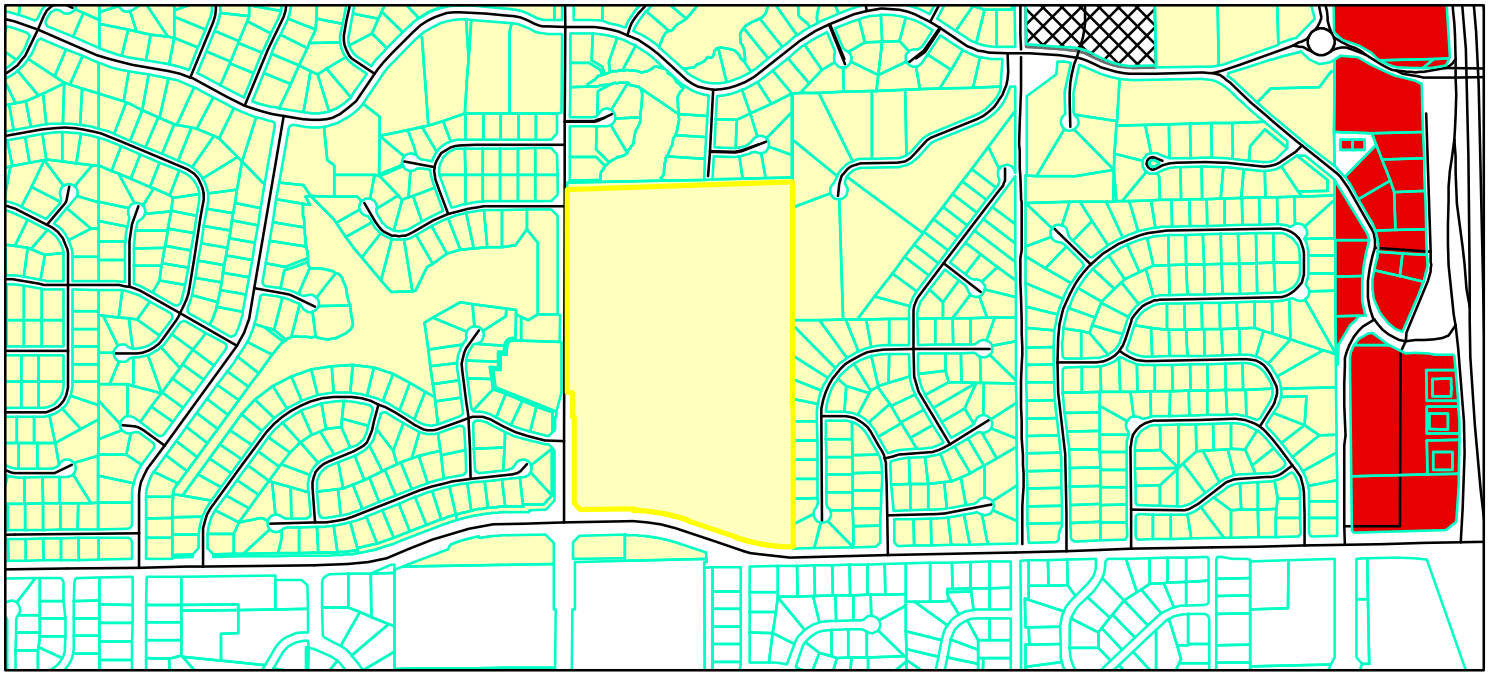
Legacy Oaks PUD

Aerial Location Map

Site



Zoning Map



Parcel
GIS.DBO.PW_Streets
Zoning - All

Zoning
GB (General Business)
PUD (Planned Unit Development)
SF-2 (Single Family - 2)

0 0.050.1 0.2 0.3 0.4 Miles

N W E S

ORDINANCE NUMBER 19-26

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 "**LEGACY OAKS PUD District**") 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;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1908-PUD-20**), requesting an amendment to the Unified Development Ordinance and 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**. **1908-PUD-20** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (_-_) 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 _____, 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 Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Legacy Oaks PUD District**" (the "District").

1.2 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.

1.3 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.

1.4 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 Map: The map as illustrated on what is attached hereto as **Exhibit C** which outlines the two (2) individual Areas of the District.

2.2 Area A: The part of the Real Estate depicted on the District Map as Area A.

2.3 Area B: The part of the Real Estate depicted on the District Map as Area B.

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 Real Estate shall be developed in compliance with Article 10.9(F) Planned Unit Development Districts; PUD District Ordinance Requirements. The details and determination between dry or wet detention/retention areas shall be finalized at the time of Secondary Plat and Construction Plan review.

3.2 The District is hereby divided into two (2) areas as illustrated on the District Map and labeled as Areas A and B (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning Districts shall be as set forth below as illustrated on the attached District Map.

4.1 Area A: SF3: Single-Family Medium-Density District.

4.2 Area B: SF2: Single-Family Low-Density District.

Section 5. **Permitted Uses.** All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted except as modified below:

5.1 Special Exceptions of the Underlying Zoning District shall be prohibited.

5.2 The total number of Dwelling Units on the Real Estate shall not exceed sixty-seven

(67).

5.3 A Public Park shall be a Permitted Use in Area B.

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:

6.1 Common Areas shall not be subject to the Minimum Lot Frontage provisions of the Underlying Zoning District; however, Article 8.6(C) shall apply.

6.2 The following standards shall be applied to the Area A as depicted on the District Map:

Standard	**Area A**
Minimum Lot Area	10,000sqft
Minimum Lot Frontage	50’
Minimum Building Setback	
Front Yard	20’
Side Yard	5’
Rear Yard	15’
Minimum Lot Width	71’
Maximum Building Height	30’
Minimum Living Area (Total)	2,300 square feet

6.3 The Minimum Front Yard Building Setback shall be randomly set and vary by four (4) feet in two (2) foot increments (20’, 22’, and 24’ setbacks) along all the street segments of the District. The random Front Yard Building Setbacks shall be illustrated on the Primary and Secondary Plat.

Section 7. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District.

7.1 Article 6.3 Architectural Standards: Shall apply to all dwellings in Area A, except as modified below:

A. Single-Family Dwelling Character Exhibit: The “Single Family Dwelling Character Exhibit” attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in Area A. It is not the intent to limit the architecture shown in the Single-Family Character Exhibit, but to encourage a diversity in architecture of Dwellings within Area A.

B. Building Materials: In addition to Article 6.3(C)(3) Building Materials,

vinyl and aluminum siding shall be prohibited.

C. Exterior Trim Materials: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials. However, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials. If windows have shutters, then such windows shall not require a trim wrap. Required trim shall be a minimum of four inches by one inch (4”x1”) nominal wide.

D. Windows: All homes shall have a minimum of one (1) window on all four (4) sides of the home, with the exception of garage sides of ranch style homes, which may have no windows provided the other three (3) elevations have a minimum of nine (9) windows total.

For the purpose of this calculation, (i) a twin window shall be counted as two (2) windows, and (ii) a service door to the garage with a window shall be counted as one (1) window.

E. Minimum Overhangs: All homes shall have a minimum of 8” roof overhangs measured prior to the application of siding material.

F. Roof Pitches: The minimum roof pitch for the main roof shall be 5/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.

G. Shingles: All homes shall have dimensional or architectural grade shingles.

H. Perimeter Lots: Dwellings shall be oriented toward / front facing Oak Ridge Road for Lots 1 thru 9, 17, 18, and 19 as shown on the Concept Plan.

I. Garages: All homes must have at least a 2-car attached garage and meet the following requirements:

i. For front loading garages, the garage door total width may not exceed fifty percent (50%) of the linear footage of the front elevation of the home. A third car garage shall not be counted when calculating the linear frontage of the front elevation.

ii. Two (2) dusk-to-dawn coach lights shall be provided on all garages.

iii. If a home has a third car garage, the third car bay shall be offset by a minimum of two (2) feet.

iv. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements include the garage door, garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent

windows and gable decorative louver. All homes shall have decorative garage doors with windows and be painted a color to match the dominant exterior material or a color to accent the dominant exterior material.

J. Side Building Facades with Gable: All Dwellings (i) on Corner Lots (side facing a street) or (ii) with a side lot line abutting a Common Area (side facing the common area) which have a gable end on the side Building Façade shall incorporate a minimum of one of the following elements on the side Building Façade. At least one (1) of the following elements shall be used across the subdivision and the incorporated element(s) shall be consistent with elements on the Front Building Façade:

i. A Masonry Material a minimum of thirty-six (36) inches tall;

ii. A change in the exterior color separated by trim;

iii. A change in the Exterior Material pattern separated by trim;

iv. A change in the Exterior Material separated by trim;

v. A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.)

vi. A minimum ten (10) square foot gable window;

vii. A gable peak with a change in Exterior Material; or

viii. A projecting chimney running the full height of the side Building Façade constructed with Masonry Material.

7.2 Article 6.8 Landscaping Standards: Shall apply, except as modified or enhanced below.

A. Article 6.8(J)(3) Street Trees Spacing Requirements: Shall apply except as modified below:

i. One (1) Street Tree shall be required per Lot, per street frontage.

B. Article 6.8(K) Minimum Lot Landscaping Requirements: Shall apply except as modified below:

i. A minimum of ten (10) shrubs shall be provided at the foundation of the home in the Front Yard.

ii. A minimum of one (1) shade or evergreen tree and one (1) ornamental tree shall be provided. At least one (1) of the trees

shall be located in the Front Yard.

iii. Front yards must be planted with sod and Side and Rear Yards may be either seeded or sodded. For Corner Lots, sod must be planted in both Front Yards.

C. External Street Frontage Landscaping Requirements: Article 6.8(M) shall apply except as modified below:

i. A black "4-board" fence shall be provided along a minimum of sixty-five percent (65%) of the Street Frontage Planting Area of all Areas of the Real Estate along Oak Ridge Road and 146th Street.

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 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.

9.1 Article 8.6 Open Space and Amenity Standards: Shall apply except as otherwise modified or enhanced below:

A. Neighborhood Character: The theme and character of the District shall be comparable to the Village Farms Neighborhood theme as generally depicted on **Exhibit E**.

B. Amenities: The following amenities shall include, but shall not be limited to the following, as generally depicted on **Exhibit F**:

i. Passive Amenities: Trails, sidewalks, and paths shall be provided for passive recreation opportunities as generally depicted on the Concept Plan. The final locations are subject to existing easements and final engineering. If trails are prevented from being installed as generally shown, then alternative trail locations shall be approved by the Director.

C. Trailhead / Park Site: If a public park area is developed in Area B it shall be developed as generally illustrated on **Exhibit G** and subject to the following standards.

i. Improvements: Site improvements shall include a trailhead with parking, a minimum of two (2) benches, and one (1) bike

maintenance station.

ii. Location: The parking area shall be a minimum of two-hundred (200) feet from the east perimeter of Area B.

iii. Design: The design of the parking area benches shall be as generally illustrated as depicted in **Exhibit G,** however no traffic circle shall be included in the design.

iv. Lighting: Site lighting shall be limited to a reduced height lighting similar to lighting at the trailhead located at Greyhound Pass and the Monon and shall include a full cutoff fixture to mitigate any light trespass onto adjoining properties.

v. Safety Measures: Video camera monitoring shall be installed and linked to public safety in a manner consistent with City park facilities. In addition, a time-controlled sliding gate shall be provided to prevent use of the parking area at night.

vi. Landscaping: In addition to plantings surrounding the parking area, prairie grasses and low maintenance plantings (including but not limited to a combination of Big Blue Stem & Switch Grass) shall be installed to enhance the wetlands and reduce the maintenance level of the space.

vii. Prohibited Improvements: The following improvements shall not be constructed on Area B: water fountains, any other water features, restrooms, any other enclosed buildings (an open or non-enclosed shelter would be permitted), active sport courts and playground equipment.

9.2 Article 8.7 Pedestrian Network Standards: Shall apply except as otherwise modified or enhanced below:

A. Perimeter/External Pedestrian Networks Standards: The established sidewalk along146th Street shall meet the Perimeter/External Pedestrian Network Standards requirement of Article 8.7(D). No Trail, sidewalk, or path shall be required north of the existing lake, as generally depicted on **Exhibit B**, rather, a mid-block cross may be provided pending approval from the Director of Public Works to connect to the existing path on the west side of Oak Ridge Road.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Edwards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____

Cindy Gossard, 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: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 19-26** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-26**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-26**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz;
Nelson & Frankenberger, LLC
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	District Map
Exhibit D	Single Family Dwelling Character Exhibit
Exhibit E	Neighborhood Character Exhibit
Exhibit F	Amenity Exhibit
Exhibit G	Trailhead / Park Site Exhibit

EXHIBIT A

REAL ESTATE

Page 1 of 3

Legal Description

Part of the Southwest Quarter of Section 13, Township 18 North, Range 3 East of the Second Principal Meridian, City of Westfield, Washington Township, Hamilton County, Indiana, based upon a survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering Job Number 2019-202-A, dated July 26, 2019, more particularly described as follows:

COMMENCING at the southwest corner of said Southwest Quarter, said point being marked by a Harrison monument found per Hamilton County Surveyor reference ties; thence North 00 degrees 04 minutes 03 seconds East (grid bearing based upon Indiana State Plane – East Zone, NAD83, 2011, EPOCH 2010.0000) along the west line of said Southwest Quarter a distance of 150.00 feet; thence North 88 degrees 41 minutes 05 seconds East a distance of 16.51 feet to a southwest corner of a 4.236-acre tract of land described in Instrument Number 200000000846 in the Office of the Recorder of Hamilton County, Indiana, the following twelve (12) courses being along the west and north lines of said tract; (1) thence North 00 degrees 04 minutes 03 seconds East a distance of 817.82 feet to the POINT OF BEGINNING; (2) thence South 89 degrees 55 minutes 57 seconds East a distance of 28.51 feet; (3) thence South 00 degrees 04 minutes 03 seconds West a distance of 137.80 feet; (4) thence South 89 degrees 55 minutes 57 seconds East a distance of 9.97 feet; (5) thence South 00 degrees 04 minutes 03 seconds West a distance of 495.41 feet; (6) thence South 44 degrees 36 minutes 13 seconds East a distance of 47.36 feet; (7) thence North 89 degrees 13 minutes 49 seconds East a distance of 259.88 feet to the point of curvature of a curve to the right having a radius of 1067.39 feet, said curve being subtended by a chord bearing South 89 degrees 22 minutes 34 seconds East, a chord distance of 51.92 feet; (8) thence easterly along said curve an arc distance of 51.92 feet; (9) thence South 02 degrees 01 minutes 03 seconds West a distance of 10.01 feet to a point on a non-tangent curve to the right having a radius of 1057.38 feet, said curve being subtended by a chord bearing South 79 degrees 22 minutes 34 seconds East, a chord distance of 316.47 feet; (10) thence easterly along said curve an arc distance of 317.66 feet; (11) thence South 70 degrees 46 minutes 11 seconds East a distance of 284.81 feet to the point of curvature of a curve to the left having a radius of 937.37 feet, said curve being subtended by a chord bearing South 80 degrees 46 minutes 11 seconds East, a chord distance of 325.54 feet; (12) thence easterly along said curve an arc distance of 327.20 feet to the east line of the West Half of said Southwest Quarter, being also the west line of Westfield Farms, Section II, the plat of which is recorded in Plat Book 13, pages 41-42 in said Recorder's Office, and also the west line of Hills and Dales West, the plat of which is recorded in Plat Cabinet 1, slide 215 in said Recorder's Office; thence North 00 degrees 01 minutes 52 seconds West along said east line a distance of 2580.07 feet to the northeast corner of said West Half of said Southwest Quarter; thence South 88 degrees 02 minutes 06 seconds West along the north line of said West Half of said Southwest Quarter a distance of 2.52 feet to the northeast corner of Lot 21 in The Village Farms, First Section, the plat of which is recorded in Plat Book 5, pages 16-17 in said Recorder's Office; thence South 00 degrees 08 minutes 59 seconds East along an east line of said subdivision a distance of 480.10 feet to the southeast corner of Lot 19 in said subdivision; thence South 88 degrees 42 minutes 29 seconds

West along a south line of said subdivision a distance of 1096.70 feet to the approximate west edge of water of a lake, being the southeast corner of Block "A" in said subdivision, the following three (3) courses being along the east, north, and west lines of said Block "A"; (1) thence North 37 degrees 08 minutes 38 seconds East a distance of 12.77 feet; (2) thence South 88 degrees 42 minutes 29 seconds West a distance of 157.45 feet; (3) thence South 00 degrees 04 minutes 03 seconds West a distance of 10.00 feet to the south line of said subdivision; thence South 88 degrees 42 minutes 29 seconds West along said south line a distance of 33.51 feet to the east boundary of Oak Ridge Road as described in a 0.938-acre tract of land in said Instrument Number 200000000846; thence South 00 degrees 04 minutes 03 seconds West along said east boundary a distance of 1192.61 feet to the POINT OF BEGINNING, containing 56.992 acres, more or less.

EXHIBIT A

REAL ESTATE

Page 3 of 3

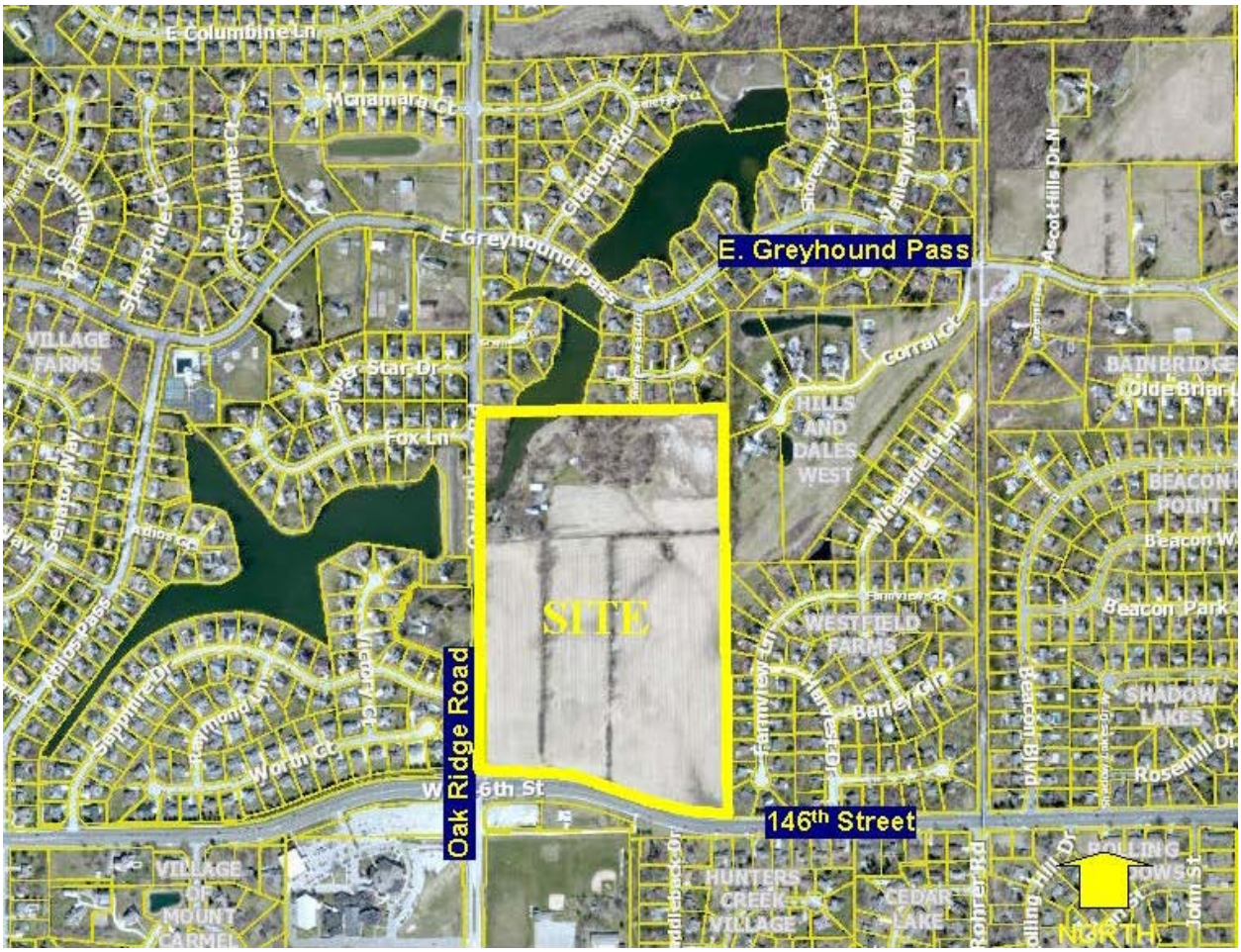
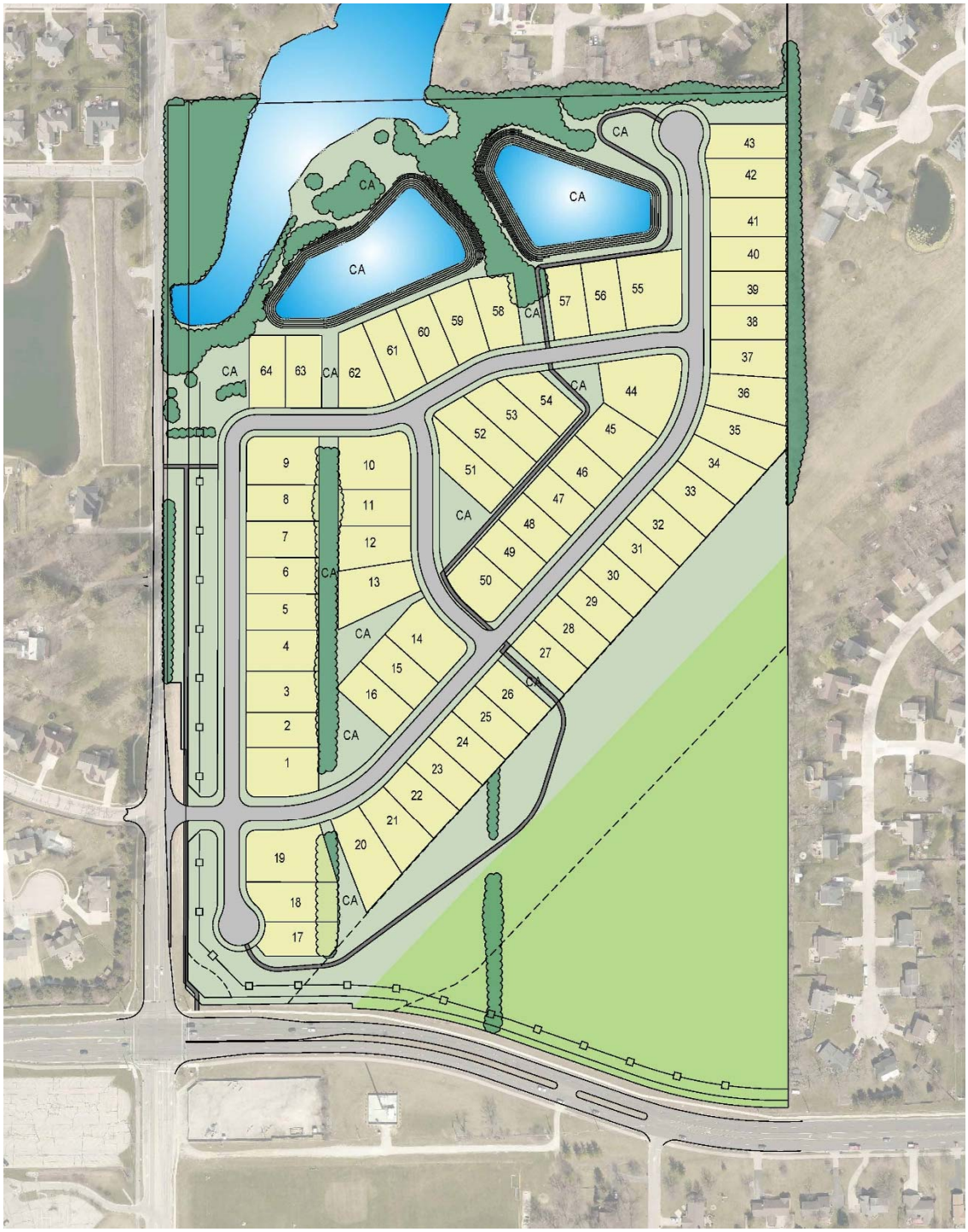


EXHIBIT B

CONCEPT PLAN



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Community Development under Docket Number 1908-PUD-20.

EXHIBIT C

DISTRICT MAP

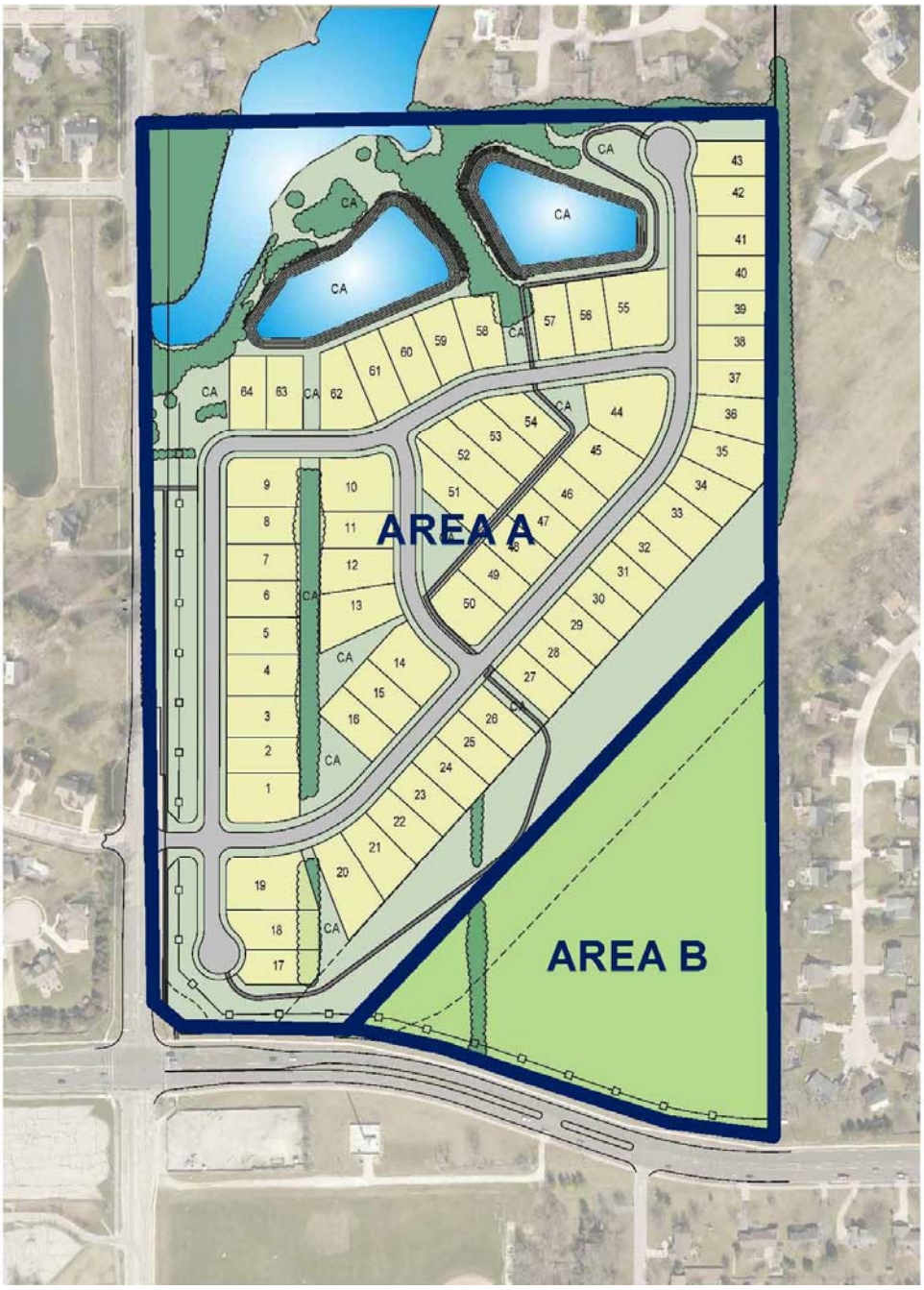


EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

Page 1 of 2

EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

Page 2 of 2

EXHIBIT E

NEIGHBORHOOD CHARACTER EXHIBIT

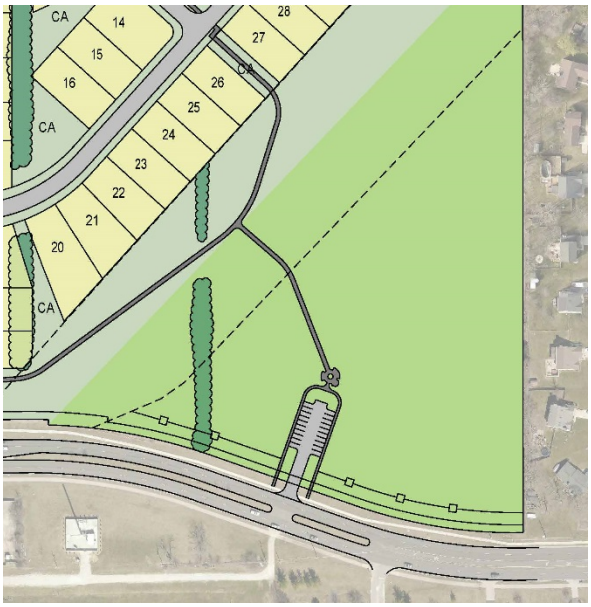
<u>EXHIBIT F</u>

AMENITY EXHIBIT

EXHIBIT G

TRAILHEAD / PARK SITE EXHIBIT

CONCEPT SITE PLAN



LIGHTING EXAMPLE

BENCH AND BIKE
MAINTENANCE EXAMPLE

PARKING EXAMPLE

ORDINANCE NUMBER 19~~-__~~-26

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 "~~THE LANDINGS AT VILLAGE FARMS~~**LEGACY OAKS PUD District**") 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;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No.** ~~19__~~**1908-PUD**~~-__),~~**-20**), requesting an amendment to the Unified Development Ordinance and 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**. ~~19__~~**1908-PUD**~~-__~~**-20** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (_-_) 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 _____, 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 Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "~~The Landings at Village Farms~~**Legacy Oaks PUD District**" (the "District").

1.2 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.

1.3 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.

1.4 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 Map: The map as illustrated on what is attached hereto as **Exhibit C** which outlines the two (2) individual Areas of the District.

2.2 Area A: The part of the Real Estate depicted on the District Map as Area A.

2.3 Area B: The part of the Real Estate depicted on the District Map as Area B.

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 Real Estate shall be developed in compliance with Article 10.9(F) Planned Unit Development Districts; PUD District Ordinance Requirements. The details and determination between dry or wet detention/retention areas shall be finalized at the time of Secondary Plat and Construction Plan review.

3.2 The District is hereby divided into two (2) areas as illustrated on the District Map and labeled as Areas A and B (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning Districts shall be as set forth below as illustrated on the attached District Map.

4.1 Area A: ~~SF4~~SF3: Single-Family ~~High~~Medium-Density District.

4.2 Area B: ~~LB: Local Business~~SF2: Single-Family Low-Density District.

Section 5. **Permitted Uses.** All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted except as modified below:

5.1 Special Exceptions ~~and Prohibited Uses~~ of the Underlying Zoning District shall be

prohibited.

5.2 The total number of Dwelling Units on the Real Estate shall not exceed sixty-seven (67).

5.3 A Public Park shall be a Permitted Use in Area B.

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:

6.1 Common Areas shall not be subject to the Minimum Lot Frontage provisions of the Underlying Zoning District; however, Article 8.6(C) shall apply.

~~6.1~~6.2 The following standards shall be applied to the Area A as depicted on the District Map:

Standard	**Area A**
Minimum Lot Area	~~6~~10,000sqft
Minimum Lot Frontage	~~35'~~50'
Minimum Building Setback	
Front Yard	20'
Side Yard~~/ Building Separation~~	5'~~/ 10'~~
Rear Yard	~~20'~~15'
Minimum Lot Width	~~45'~~71'
Maximum Building Height	~~2 ½ Stories~~30'
Minimum Living Area (Total)	2,300 square feet
~~Single Story~~	~~1,600sqft~~
~~Two Story~~	~~2,300sqft~~

~~6.2 The following standards shall be applied to the Area B as depicted on the District Map:~~

~~**Standard**~~	~~**Area B**~~
~~Minimum Lot Frontage~~	~~0'~~
~~Minimum Building Setback~~	
~~Front Yard~~	~~0'~~
~~Side Yard (Perimeter)~~	~~20'~~
~~Side Yard (Internal)~~	~~0'~~
~~Rear Yard~~	~~0'~~
~~Maximum Building Height~~	~~45'~~
~~Building Size Requirement~~	

~~Minimum Business Size~~	~~800sqft~~
~~Maximum Business Size~~	~~30,000sqft~~
~~Maximum Aggregate of all Buildings of Area B~~	~~90,000sqft~~

6.3 The Minimum Front Yard Building Setback shall be randomly set and vary by four (4) feet in two (2) foot increments (20', 22', and 24' setbacks) along all the street segments of the District. The random Front Yard Building Setbacks shall be illustrated on the Primary and Secondary Plat.

Section 7. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District.

~~**Area A:**~~

7.1 Article 6.3 Architectural Standards: Shall apply to all dwellings in Area A, except as modified below:

A. Single-Family Dwelling Character Exhibit: The "Single Family Dwelling Character Exhibit" attached hereto as **Exhibit D**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in Area A. It is not the intent to limit the architecture shown in the Single-Family Character Exhibit, but to encourage a diversity in architecture of Dwellings within Area A.

B. Building Materials: In addition to Article 6.3(C)(3) Building Materials, vinyl and aluminum siding shall be prohibited.

C. Exterior Trim Materials: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials~~, provided,~~. However, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials~~; and provided further, that~~. If windows have shutters, then such windows shall not require a trim wrap. Required trim shall be a minimum of four inches by one inch (4"x1") nominal wide.

D. Windows: All homes shall have a minimum of one (1) window on all four (4) sides of the home, ~~except~~with the exception of garage ~~side~~sides of ~~a~~ ranch style ~~home~~homes, which may have no windows provided the other three (3) elevations have a minimum of nine (9) windows total.

For the ~~purposes~~purpose of this calculation, (i) a twin window shall be counted as two (2) windows, and (ii) a service door to the garage with a

window shall be counted as one (1) window.

~~D.~~E. Minimum Overhangs: All homes shall have a minimum of 8" roof overhangs measured prior to the application of siding material.

~~E.~~F. Roof Pitches: ~~For a two-story home,~~ The minimum roof pitch for the main roof shall be ~~6/12. A~~ 5/12~~ roof pitch shall be permitted for ranch style homes.~~. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.

~~F.~~G. Shingles: All homes shall have dimensional or architectural grade shingles.

~~G.~~H. Perimeter Lots: ~~A minimum of fifty percent (50%) of the~~ Dwellings shall be oriented toward / front facing Oak Ridge Road ~~shall (i) incorporate a side loading or courtyard loading garage or (ii) the External Street Frontage Landscape Requirements of Article 6.8(M) shall apply~~for Lots 1 thru 9, 17, 18, and 19 as shown on the Concept Plan.

~~H.~~I. Garages: All homes must have at least a 2-car attached garage and meet the following requirements:

i. For front loading garages, the garage door total width may not exceed fifty percent (50%) of the linear footage of the front elevation of the home. A third car garage shall not be counted when calculating the linear frontage of the front elevation.

ii. Two (2) dusk-to-dawn coach lights shall be provided on all garages.

iii. If a home has a third car garage, the third car bay shall be offset by a minimum of two (2) feet.

iv. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements include the garage door, garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver. All homes shall have decorative garage doors with windows and be painted a color to match the dominant exterior material or a color to accent the dominant exterior material.

~~I.~~J. Side Building Facades with Gable: All Dwellings (i) on Corner Lots (side facing a street) or (ii) with a side lot line abutting a Common Area (side facing the common area) which have a gable end on the side Building Façade shall incorporate a minimum of one of the following elements on the side Building Façade. ~~A variety~~At least one (1) of the following elements ~~should~~shall be used across the subdivision and the incorporated element(s) ~~should~~shall be consistent with elements on the Front Building

Façade:

i. A Masonry Material a minimum of thirty-six (36) inches tall;

ii. A change in the exterior color separated by trim;

iii. A change in the Exterior Material pattern separated by trim;

iv. A change in the Exterior Material separated by trim;

v. A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.)

vi. A minimum ~~of~~ ten (10) square foot gable window;

vii. A gable peak with a change in Exterior Material; or

viii. A projecting chimney running the ~~fill~~full height of the side Building Façade constructed with Masonry Material.

7.2 Article 6.8 Landscaping Standards: Shall apply, except as modified or enhanced below.

A. Article 6.8(J)(3) Street Trees Spacing Requirements: Shall apply except as modified below:

i. One (1) Street Tree shall be required per Lot, per street frontage.

~~A.~~B. Article 6.8(K) Minimum Lot Landscaping Requirements: Shall apply except as modified below~~;~~:

i. A minimum of ten (10) shrubs shall be provided at the foundation of the home in the Front Yard.

ii. A minimum of one (1) shade or evergreen tree and one (1) ornamental tree shall be provided. At least one (1) of the trees shall be located in the Front Yard.

iii. Front yards must be planted with sod and Side and Rear Yards may be either seeded or sodded. For Corner Lots, sod must be planted in both ~~"front"~~Front Yards.

~~B.~~C. External Street Frontage Landscaping Requirements: Article 6.8(M) shall apply except as modified below:

~~i.~~ A black "4-board" fence shall be provided along a minimum of sixty-five percent (65%) of the Street Frontage Planting Area of

all Areas of the Real Estate along Oak Ridge Road~~.~~

~~**Area B:**~~

~~7.3 Article 6.1 Accessory Buildings: The Accessory Building requirements of the UDO (Article 6.1 Accessory Use and Building Standards) shall apply; however, Article 6.1(H)(2) and Article 6.1(H)(5) Screening of Receptacles and Loading areas shall be modified to permit trash enclosures to be located within the Established Front Yard of the internal street. If the enclosures are attached to the Principal Building(s), then the opaque gates may be oriented towards the internal street.~~

~~7.4 Article 6.3 Architectural Standards: Shall not apply; rather, the Architectural Design Requirements of Article 5.3(J) State Highway 32 Overlay District (the "32 Overlay") shall apply except as modified below:~~

~~A. Commercial Character Exhibit: The "Commercial Character Exhibit" attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed in Area B. It is not the intent to limit the architecture shown in the Commercial Character Exhibit, but to encourage a diversity in architecture within Area B.~~

~~i. Architectural Design: A residential theme shall be required in the design of all structures. Architectural styles shall include: Colonial, Italianate, Shingle, Folk Victorian, Colonial Revival, Tudor, and Craftsman. Significant architectural elements to determine consistency with a residential theme include:~~

~~a) Window design (ex.: enhanced trim, pane size and type) and alignment/location;~~

~~b) Building massing (pedestrian scaled with façade projections and recessions);~~

~~c) Roof type and pitch (inclusion of shed roofs, dormers with faux windows and/or decorative gables when architecturally appropriate);~~

~~d) Large roof overhangs that are primarily pitches and not flat;~~

~~e) Enhanced cornice treatment;~~

~~f) Enhanced and inviting entryways with pedestrian cover and "porch-like" treatment (ex.: inclusion of columns with masonry bases);~~

~~g) Variety of building materials, patterns, and colors;~~

~~h) Emphasized trim at corner breaks, around windows and within gables; and~~

~~i) Enhanced foundation plantings and planters to soften building façades.~~

~~B. Article 5.3(I) Building Height Standards: Shall apply except as modified below:~~

~~i. Minimum Gross Floor Area: The Minimum Gross Floor Area shall be three thousand (3,000) square feet.~~

~~C. Article 5.3(L) Miscellaneous Requirements: Shall apply, except as modified below:~~

~~i. Mechanical / Utility Meter Screening: Wall and ground-mounted Mechanical Equipment for nonresidential or multi-family structures shall be completely screened from all ground-level viewpoints and are encouraged to be clustered. Clearance for proper functioning of the equipment and access to equipment for maintenance shall be incorporated into the design. Screening may be achieved by using either: (i) a wall or fence constructed of Masonry Material, wood, or fiber cement, that is visually integrated to the adjacent building façade with a minimum height that fully screens the equipment; (ii) a solid evergreen screen with a combination of trees and shrubs; or (iii) a combination of the aforementioned.~~

~~7.5 Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified or enhanced below:~~

~~D. Foundation Plantings: Article 6.8(L) Foundation Plantings requirement shall not apply where a drive-thru aisle is located. Additional planters located at the base of a building or attached to a façade shall be counted to meet the requirement.~~

~~E. External Street Frontage Landscaping Requirements: Article 6.8(M) External Street Frontage Landscaping Requirements shall apply except as modified below:~~

i. ~~A black "4-board" fence shall be provided along a minimum of sixty-five percent (65%) of the Street Frontage Planting Area of all Areas of the Real Estate along Oak Ridge Road~~ and 146th Street.

~~F. Parking Area Landscaping: Article 6.8(O) Parking Area Landscaping shall~~

~~apply, except as modified below:~~

~~i. Perimeter Parking Area Landscaping: Article 6.8(O)(2) shall apply; however, if adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter Parking Area Landscaping; rather, the combined Parking Area shall be designed as a single parking Area and landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements.~~

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 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.

9.1 Article 8.6 Open Space and Amenity Standards: Shall apply except as otherwise modified or enhanced below:

A. Neighborhood Character: The theme and character of the District shall be comparable to the Village Farms Neighborhood theme as generally depicted on **Exhibit ~~F~~E**.

B. Amenities: The following amenities shall include, but shall not be limited to the following, as generally depicted on **Exhibit ~~G~~F**:

i. Passive Amenities: Trails, sidewalks, and paths shall be provided for passive recreation opportunities as generally depicted ~~**Exhibit G**. Trails, sidewalks, and paths shall be installed in substantial compliance with the locations depicted~~ on the Concept Plan. The final locations are subject to existing easements and final engineering. If trails are prevented from being installed as generally shown, then alternative trail locations shall be approved by the Director.

~~ii. Pocket~~Trailhead / Park~~: A Pocket Park~~ Site: If a public park area is developed in Area B it shall be ~~provided~~developed as generally ~~depicted on **Exhibit B** and shall include benches, walking paths, and landscaping.~~

C. ~~Ressler Park: A park shall be provided as generally depicted~~illustrated on

Exhibit G and ~~shall include~~ subject to the following standards.

i. Improvements: Site improvements shall include a trailhead with parking, a minimum of two (2) benches, and one (1) bike maintenance station.

ii. Location: The parking area shall be a minimum of two-hundred (200) feet from the east perimeter of Area B.

iii. Design: The design of the parking area benches~~,~~ shall be as generally illustrated as depicted in **Exhibit G,** however no traffic circle shall be included in the design.

iv. Lighting: Site lighting shall be limited to a reduced height lighting similar to lighting at the trailhead located at Greyhound Pass and the Monon and shall include a full cutoff fixture to mitigate any light trespass onto adjoining properties.

v. Safety Measures: Video camera monitoring shall be installed and linked to public safety in a manner consistent with City park facilities. In addition, a time-controlled sliding gate shall be provided to prevent use of the parking area at night.

vi. Landscaping: In addition to plantings surrounding the parking area, prairie grasses and low maintenance plantings (including but not limited to a combination of Big Blue Stem & Switch Grass) shall be installed to enhance the wetlands and reduce the maintenance level of the space.

~~iii.~~vii. Prohibited Improvements: The following improvements shall not be constructed on Area B: water fountains, any other water features, restrooms, any other enclosed buildings (an open or non-enclosed shelter would be permitted), active sport courts and playground equipment~~, pathways, and open space~~.

~~iv. Canoe/Kayak Launch: A Canoe/Kayak Launch shall be provided as generally depicted on the **Exhibit G.**~~

9.2 Article 8.7 Pedestrian Network Standards: Shall apply except as otherwise modified or enhanced below:

A. Perimeter/External Pedestrian Networks Standards: The established sidewalk along146th Street shall meet the Perimeter/External Pedestrian Network Standards requirement of Article 8.7(D). No Trail, sidewalk, or path shall be required north of the existing lake, as generally depicted on **Exhibit ~~C~~B**, rather, a mid-block cross ~~shall~~may be provided pending approval from the Director of Public Works to connect to the existing path

on the west side of Oak Ridge Road.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Edwards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____

Cindy Gossard, 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: ~~Matt Pleasant, AICP~~Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 19~~__~~-26** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19~~__~~-26**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19~~__~~-26**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver~~,~~ and Jon C. Dobosiewicz~~, and~~;
~~Matt Pleasant, AICP;~~ Nelson & Frankenberger, LLC
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C District Map

Exhibit D Single Family Dwelling Character Exhibit

Exhibit E ~~Commercial Character Exhibit~~

~~Exhibit F~~ Neighborhood Character Exhibit

Exhibit ~~G~~F Amenity Exhibit

Exhibit G Trailhead / Park Site Exhibit

EXHIBIT A

REAL ESTATE

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Legal Description

Part of the Southwest Quarter of Section 13, Township 18 North, Range 3 East of the Second Principal Meridian, City of Westfield, Washington Township, Hamilton County, Indiana, based upon a survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering Job Number 2019-202-A, dated July 26, 2019, more particularly described as follows:

COMMENCING at the southwest corner of said Southwest Quarter, said point being marked by a Harrison monument found per Hamilton County Surveyor reference ties; thence North 00 degrees 04 minutes 03 seconds East (grid bearing based upon Indiana State Plane – East Zone, NAD83, 2011, EPOCH 2010.0000) along the west line of said Southwest Quarter a distance of 150.00 feet; thence North 88 degrees 41 minutes 05 seconds East a distance of 16.51 feet to a southwest corner of a 4.236-acre tract of land described in Instrument Number 200000000846 in the Office of the Recorder of Hamilton County, Indiana, the following twelve (12) courses being along the west and north lines of said tract; (1) thence North 00 degrees 04 minutes 03 seconds East a distance of 817.82 feet to the POINT OF BEGINNING; (2) thence South 89 degrees 55 minutes 57 seconds East a distance of 28.51 feet; (3) thence South 00 degrees 04 minutes 03 seconds West a distance of 137.80 feet; (4) thence South 89 degrees 55 minutes 57 seconds East a distance of 9.97 feet; (5) thence South 00 degrees 04 minutes 03 seconds West a distance of 495.41 feet; (6) thence South 44 degrees 36 minutes 13 seconds East a distance of 47.36 feet; (7) thence North 89 degrees 13 minutes 49 seconds East a distance of 259.88 feet to the point of curvature of a curve to the right having a radius of 1067.39 feet, said curve being subtended by a chord bearing South 89 degrees 22 minutes 34 seconds East, a chord distance of 51.92 feet; (8) thence easterly along said curve an arc distance of 51.92 feet; (9) thence South 02 degrees 01 minutes 03 seconds West a distance of 10.01 feet to a point on a non-tangent curve to the right having a radius of 1057.38 feet, said curve being subtended by a chord bearing South 79 degrees 22 minutes 34 seconds East, a chord distance of 316.47 feet; (10) thence easterly along said curve an arc distance of 317.66 feet; (11) thence South 70 degrees 46 minutes 11 seconds East a distance of 284.81 feet to the point of curvature of a curve to the left having a radius of 937.37 feet, said curve being subtended by a chord bearing South 80 degrees 46 minutes 11 seconds East, a chord distance of 325.54 feet; (12) thence easterly along said curve an arc distance of 327.20 feet to the east line of the West Half of said Southwest Quarter, being also the west line of Westfield Farms, Section II, the plat of which is recorded in Plat Book 13, pages 41-42 in said Recorder's Office, and also the west line of Hills and Dales West, the plat of which is recorded in Plat Cabinet 1, slide 215 in said Recorder's Office; thence North 00 degrees 01 minutes 52 seconds West along said east line a distance of 2580.07 feet to the northeast corner of said West Half of said Southwest Quarter; thence South 88 degrees 02 minutes 06 seconds West along the north line of said West Half of said Southwest Quarter a distance of 2.52 feet to the northeast corner of Lot 21 in The Village Farms, First Section, the plat of which is recorded in Plat Book 5, pages 16-17 in said Recorder's Office; thence South 00 degrees 08 minutes 59 seconds East along an east line of said subdivision a distance of 480.10 feet to the

southeast corner of Lot 19 in said subdivision; thence South 88 degrees 42 minutes 29 seconds West along a south line of said subdivision a distance of 1096.70 feet to the approximate west edge of water of a lake, being the southeast corner of Block "A" in said subdivision, the following three (3) courses being along the east, north, and west lines of said Block "A"; (1) thence North 37 degrees 08 minutes 38 seconds East a distance of 12.77 feet; (2) thence South 88 degrees 42 minutes 29 seconds West a distance of 157.45 feet; (3) thence South 00 degrees 04 minutes 03 seconds West a distance of 10.00 feet to the south line of said subdivision; thence South 88 degrees 42 minutes 29 seconds West along said south line a distance of 33.51 feet to the east boundary of Oak Ridge Road as described in a 0.938-acre tract of land in said Instrument Number 200000000846; thence South 00 degrees 04 minutes 03 seconds West along said east boundary a distance of 1192.61 feet to the POINT OF BEGINNING, containing 56.992 acres, more or less.

EXHIBIT A

REAL ESTATE

Page ~~2~~3 of ~~2~~3

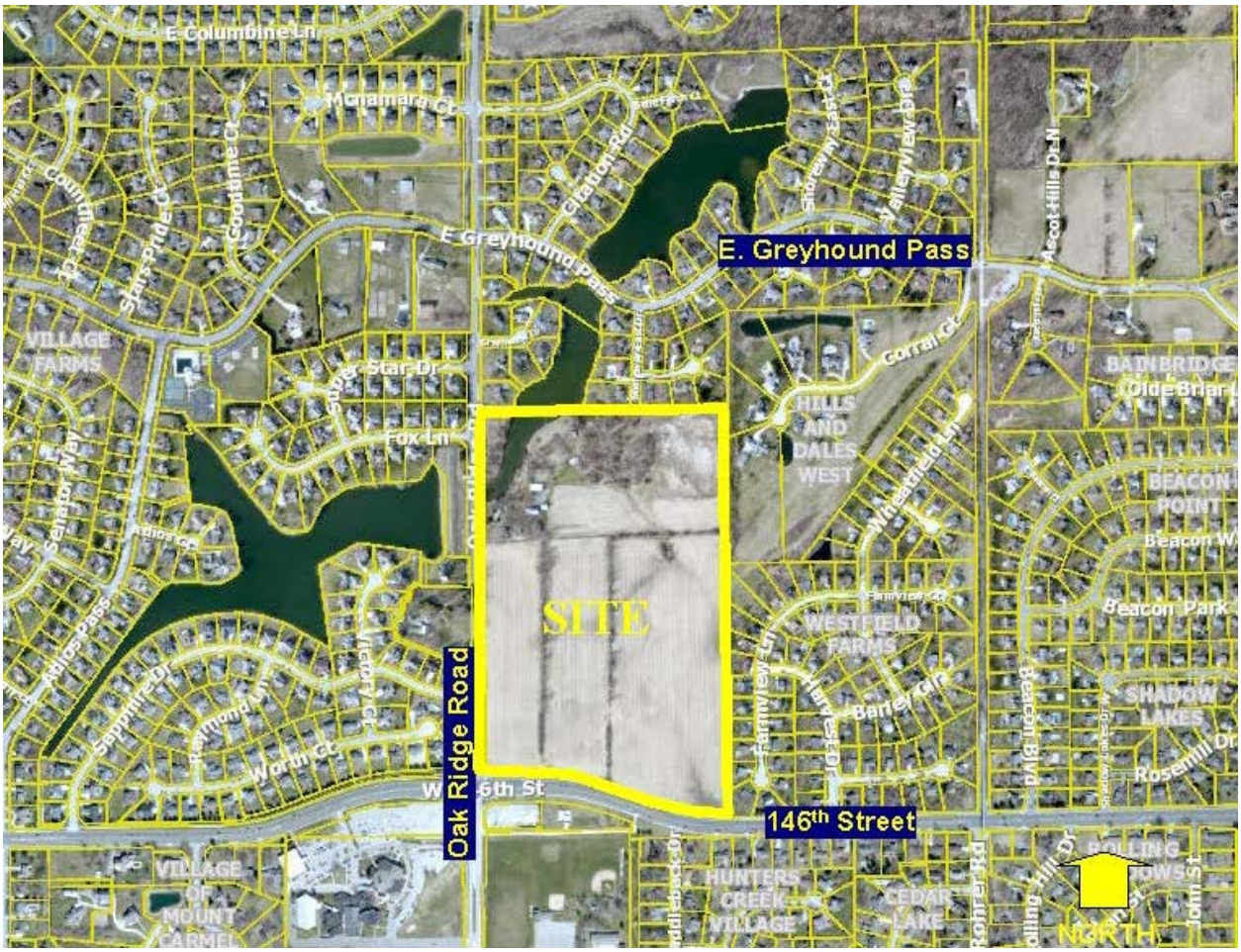
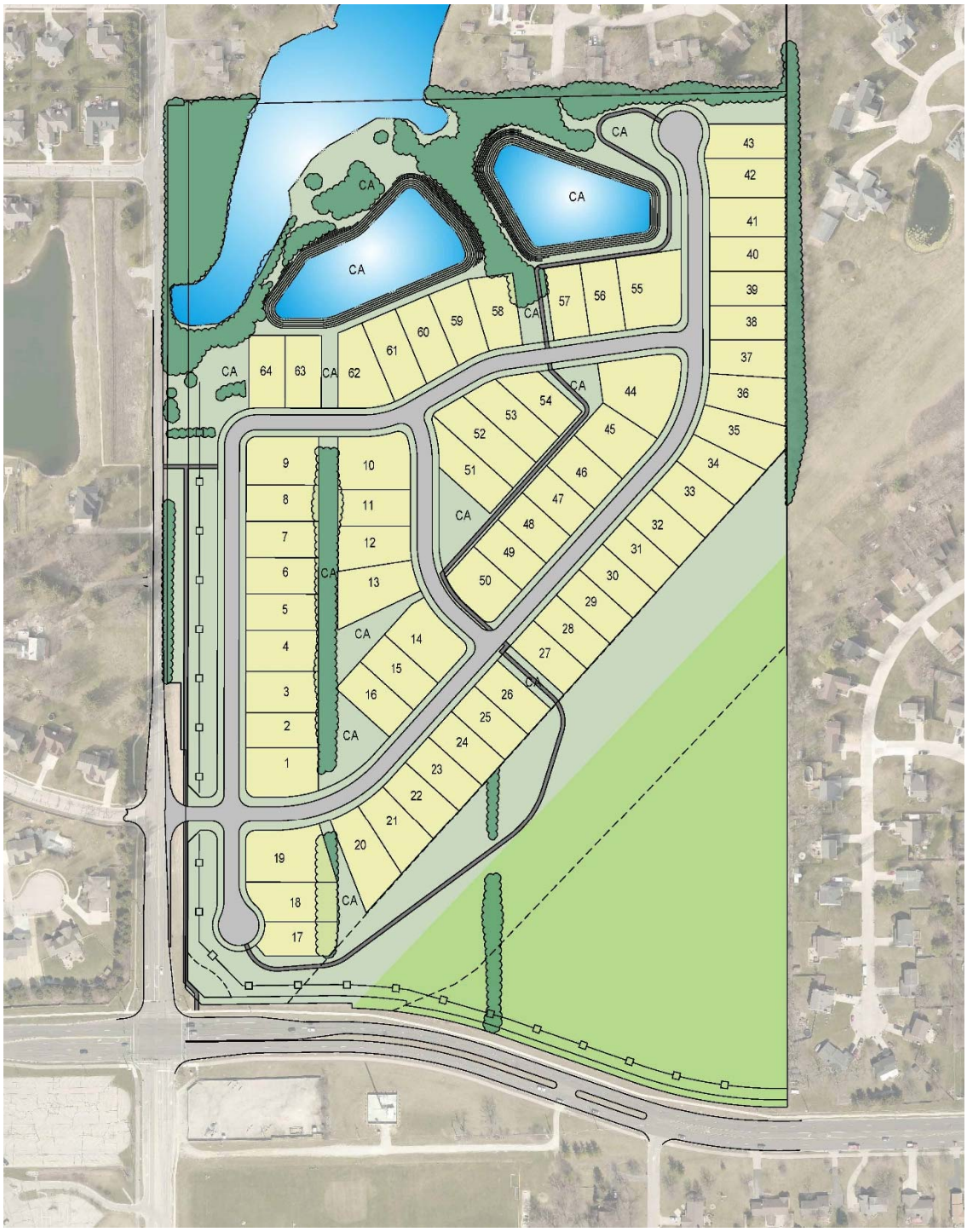


EXHIBIT B

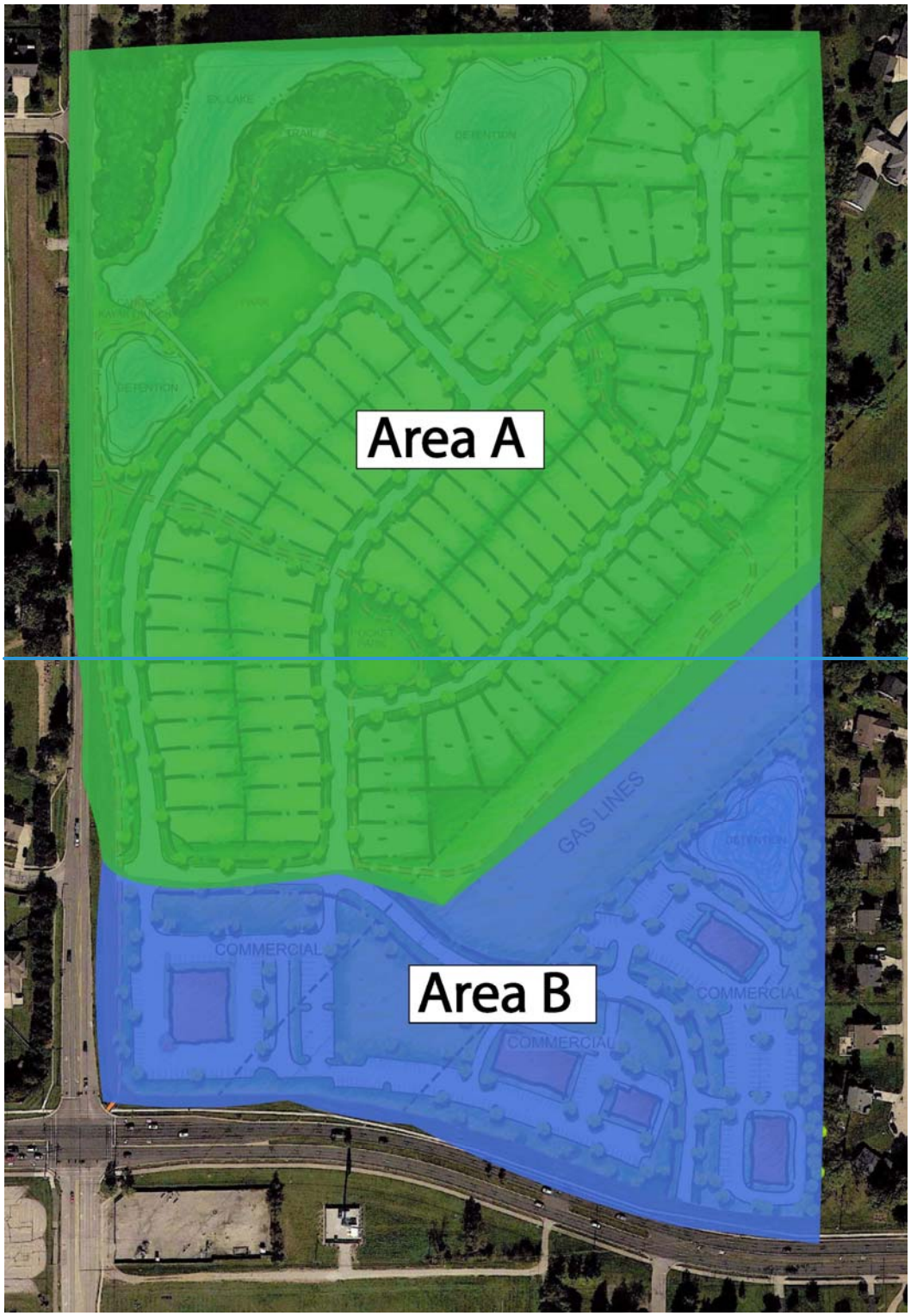
CONCEPT PLAN



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Community Development under Docket Number ~~19__~~1908-PUD~~__~~-20.

EXHIBIT C

DISTRICT MAP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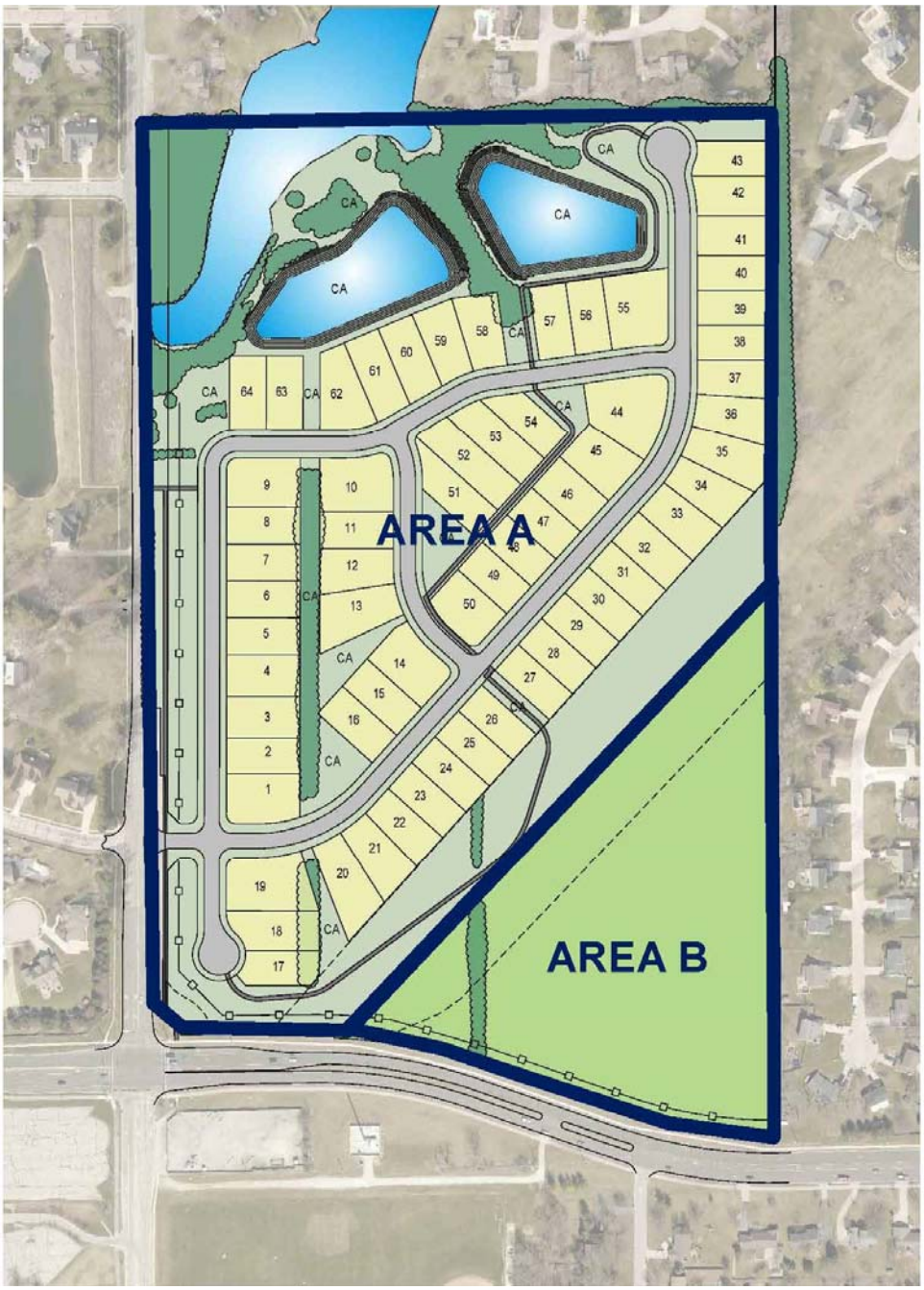
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EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

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EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

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EXHIBIT E

~~COMMERCIAL CHARACTER EXHIBIT~~

~~Page 1 of 2~~

~~EXHIBIT E~~

~~COMMERCIAL CHARACTER EXHIBIT~~

~~Page 2 of 2~~

~~**EXHIBIT F**~~

NEIGHBORHOOD CHARACTER EXHIBIT

EXHIBIT ~~G~~F

AMENITY EXHIBIT

~~Page 1 of 2~~

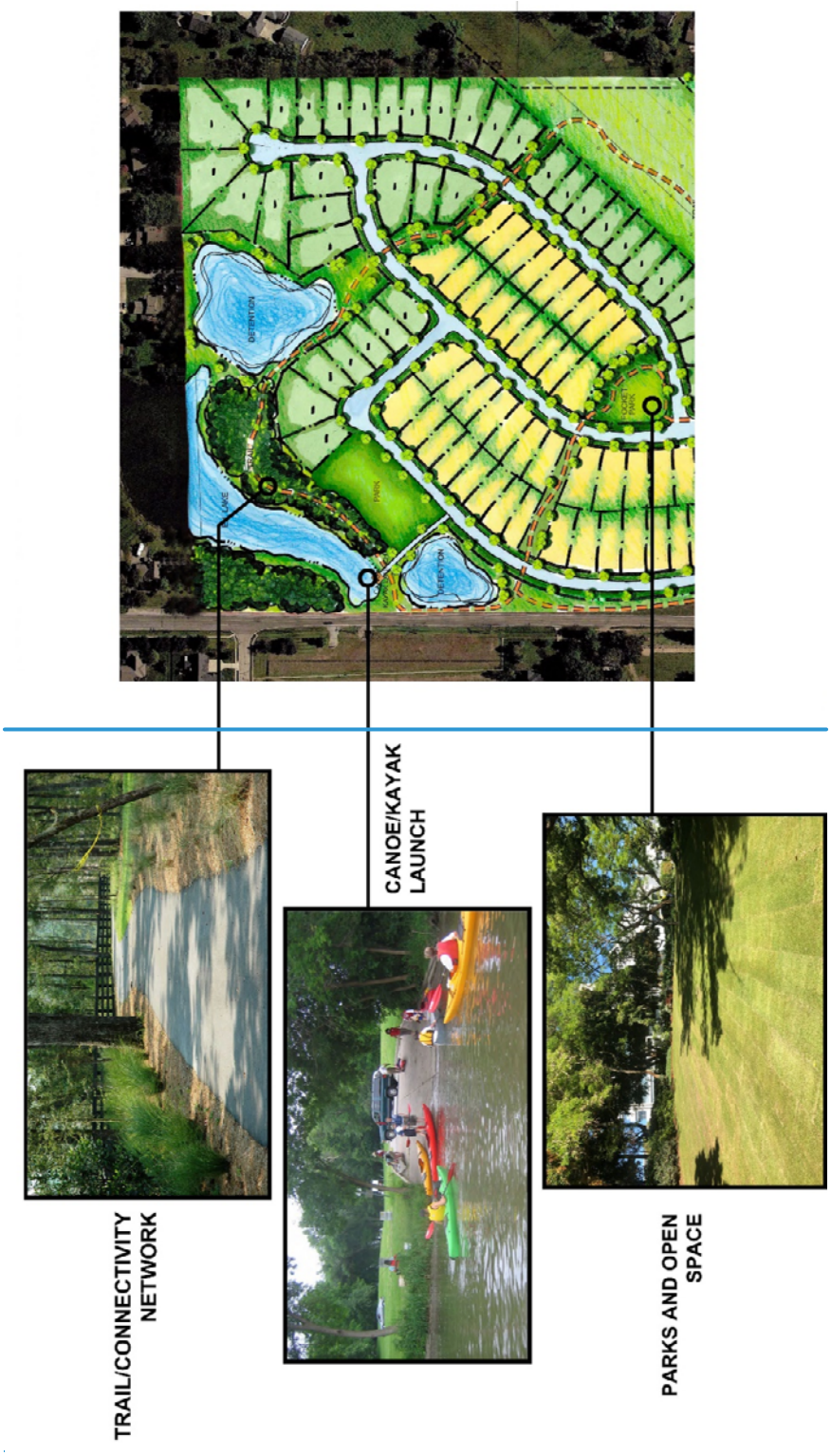
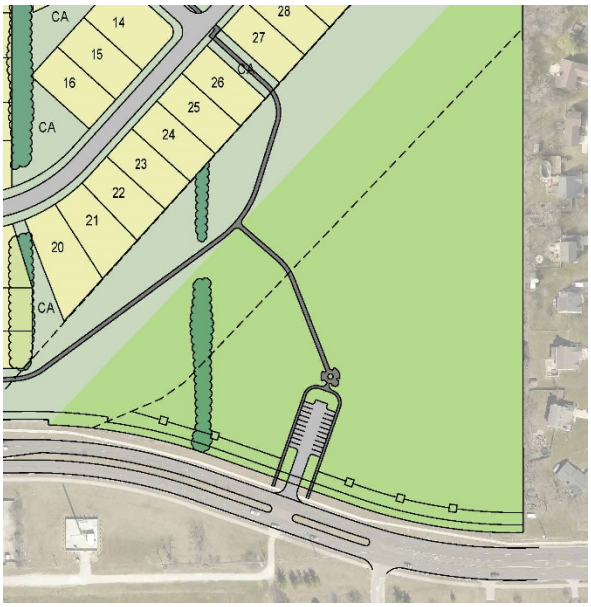

TRAIL/CONNECTIVITY NETWORK
CANOE/KAYAK LAUNCH
PARKS AND OPEN SPACE

EXHIBIT G
~~AMENITY~~
TRAILHEAD / PARK SITE EXHIBIT
~~Page 2 of 2~~

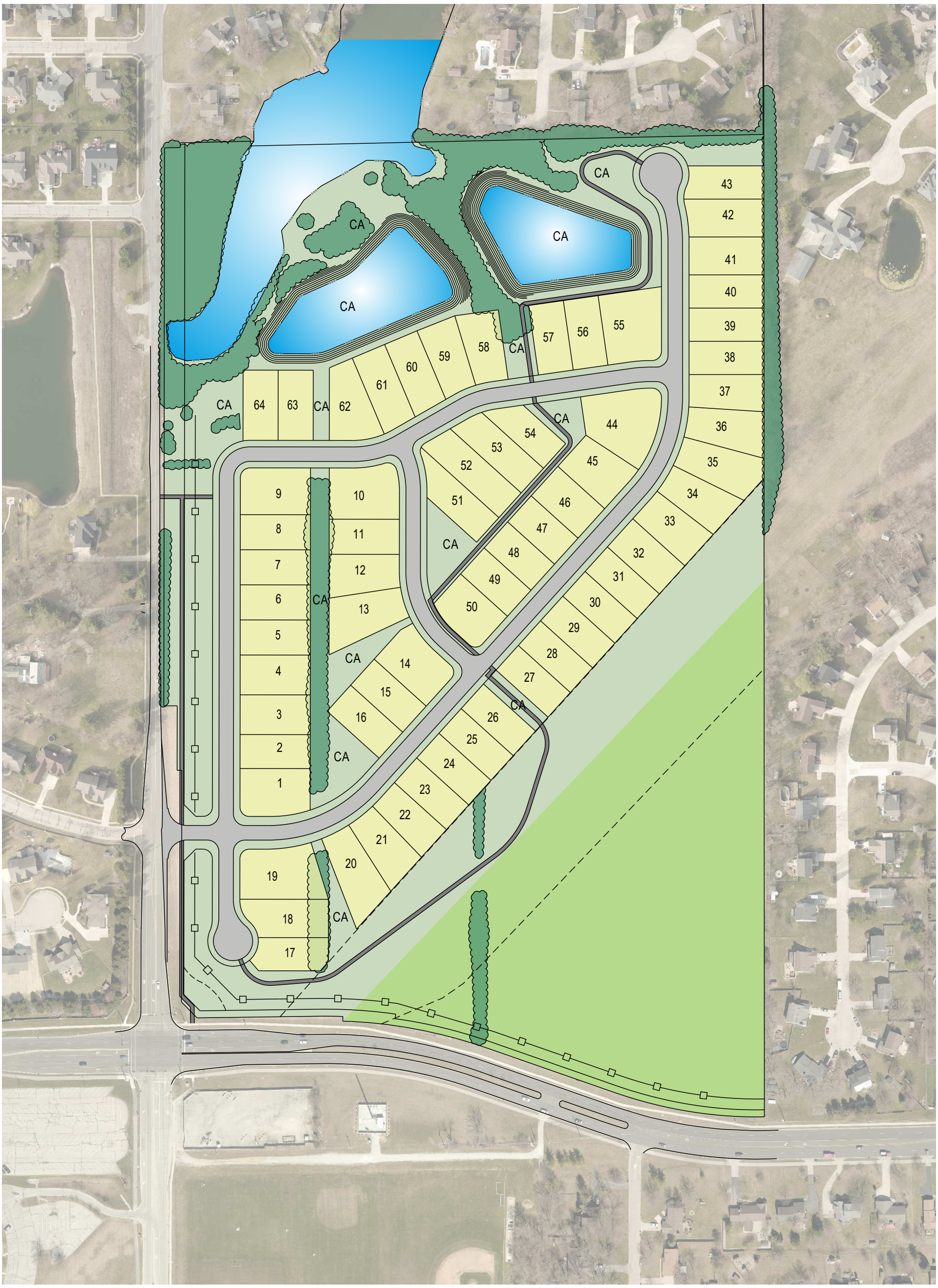
CONCEPT SITE PLAN



LIGHTING EXAMPLE

BENCH AND BIKE MAINTENANCE EXAMPLE

PARKING EXAMPLE



GRAPHIC SCALE

0' 100' 200' 300'

SCALE: 1" = 200'
(11x17)

HWC ENGINEERING

RESSLER PROPERTY
COLOR EXHIBIT
LAYOUT H-1

WESTFIELD, INDIANA
SEPTEMBER 25, 2019

Plot Date: Sep 25, 2019 Plot Time: 3:37pm File Name: W:\Pulte Homes\2019-202-A Pulte- Westfield Ressler Property\Design\Renderings\Ressler Layout H-1 - MColor Exhibit.dwg, Layout: MColor - Layout H-1 By: dchesterfield

EXHIBIT C
DISTRICT MAP

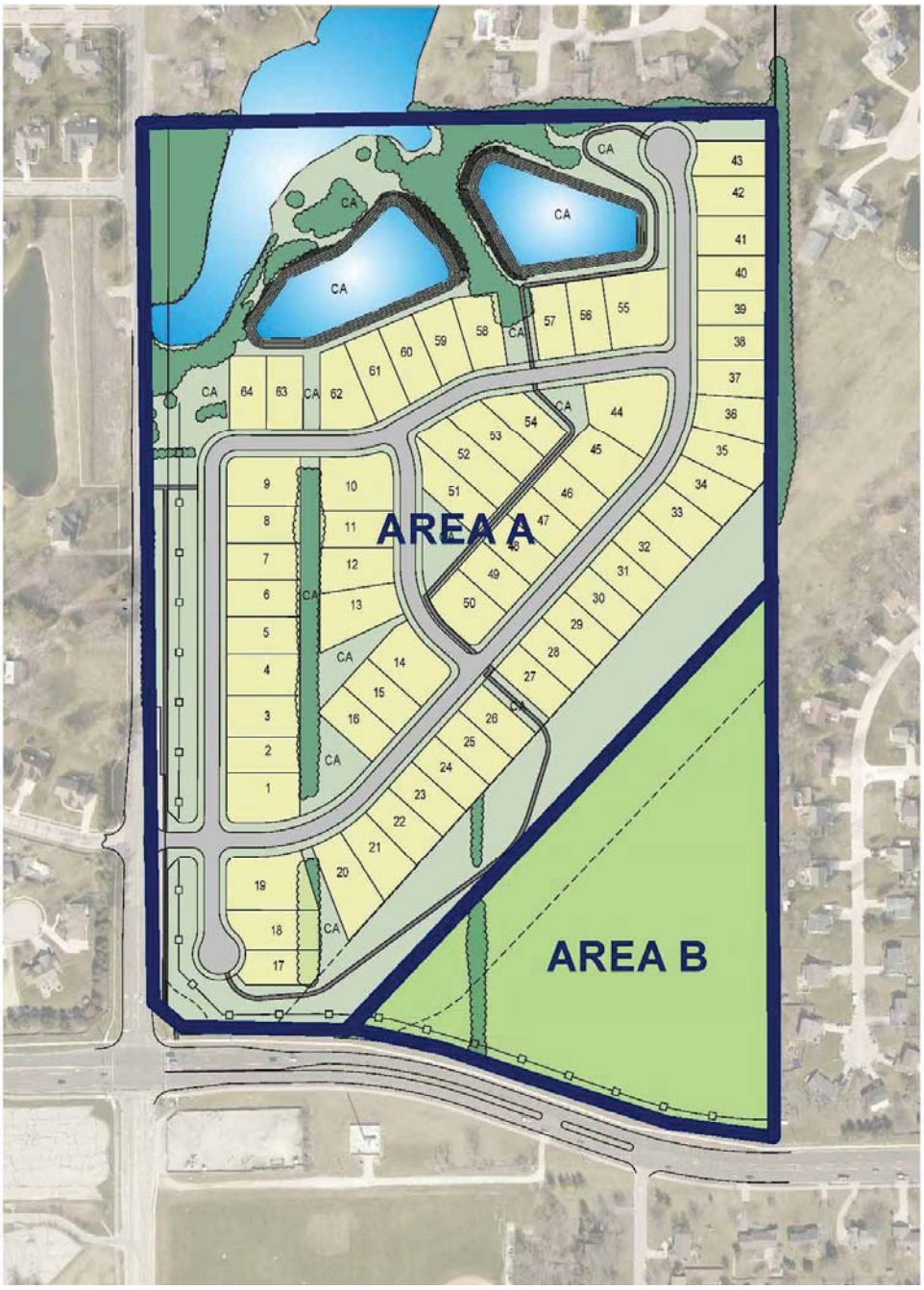


EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

Page 1 of 2

EXHIBIT D

SINGLE FAMILY DWELLING CHARACTER EXHIBIT

Page 2 of 2

EXHIBIT G

TRAILHEAD / PARK SITE EXHIBIT

CONCEPT SITE PLAN

LIGHTING EXAMPLE

BENCH AND BIKE
MAINTENANCE EXAMPLE

PARKING EXAMPLE

Legacy Series

Featured at Lantern Park in Westfield

PulteGroup™

Legacy Series

Legacy Oaks

- 2,397 – 3,415 Base SF
- 2 – 3 bedrooms
- 2.5 bathrooms
- 1 – 1 ½ Story Homes
- Basement, 3rd Car Garage, & Loft Options
- Empty-Nester Buyer
- $450,000 ASP

PulteGroup

Straight Zoning vs. PUD

Legacy Oaks

Underlying Zoning (SF-2):

- Min. Lot Area: 15,000 SF
- Min. Lot Width: 100'
- Min. Living Area: 1,200 SF
- Vinyl is a permitted material
- Rear Elevations Face Oak Ridge
- No Amenities
- 67 Lots

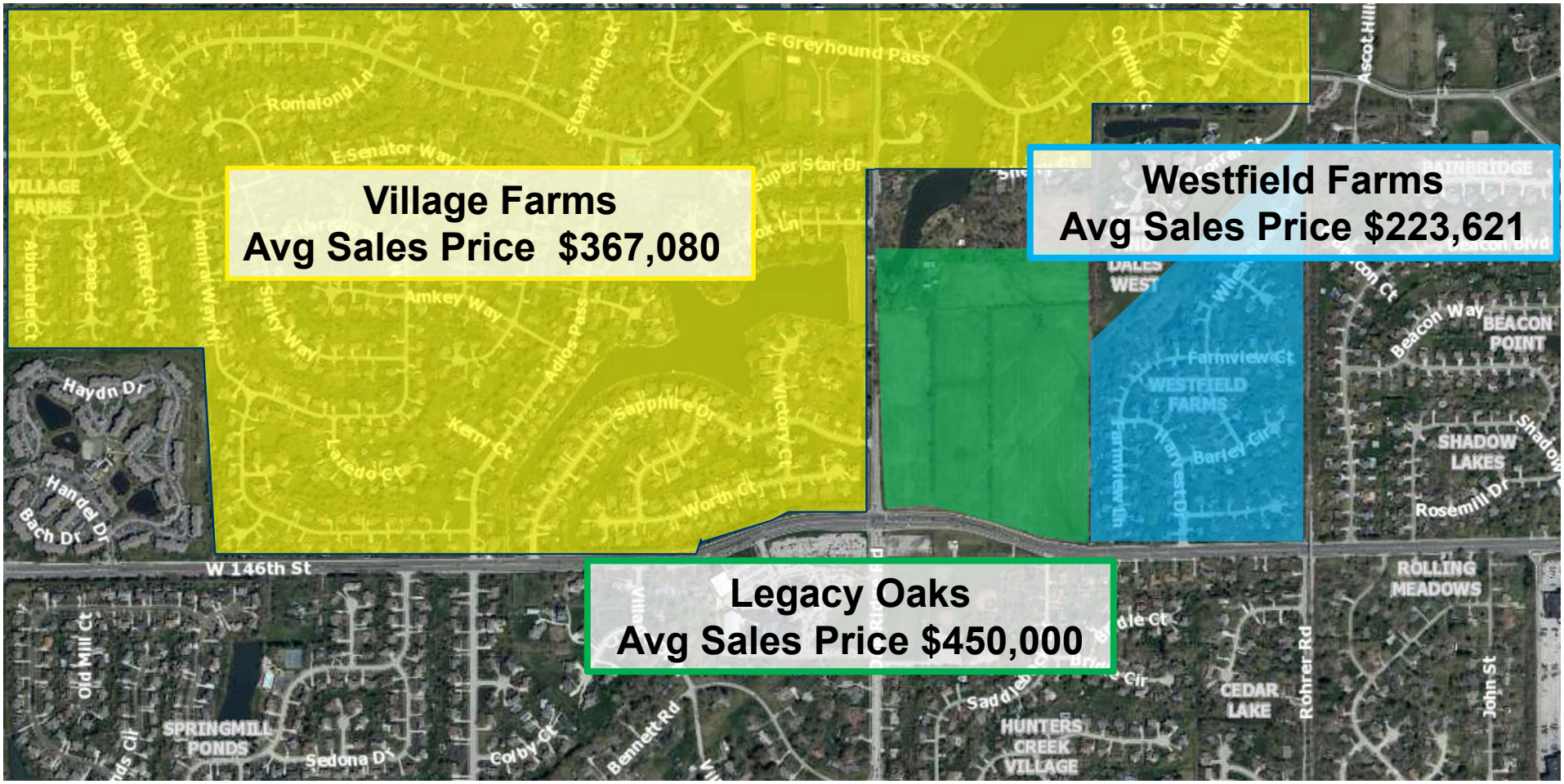
Pulte's Revised Proposal (PUD):

- Min. Lot Area: 10,000 SF
- Min. Lot Width: 71'
- Min. Living Area: 2,300 SF
- Vinyl / Aluminum are *prohibited* materials
- Masonry / Fiber Cement siding
- Dimensional Asphalt Shingles
- Min. 8" Overhangs
- Front Elevations Face Oak Ridge
- Tree Preservation & Proposed Trailhead
- Maintain character of Village Farms with use of Black Board Farm Fence
- 64 Lots

PulteGroup

Average Sales Prices

Neighborhoods Adjacent to Legacy Oaks

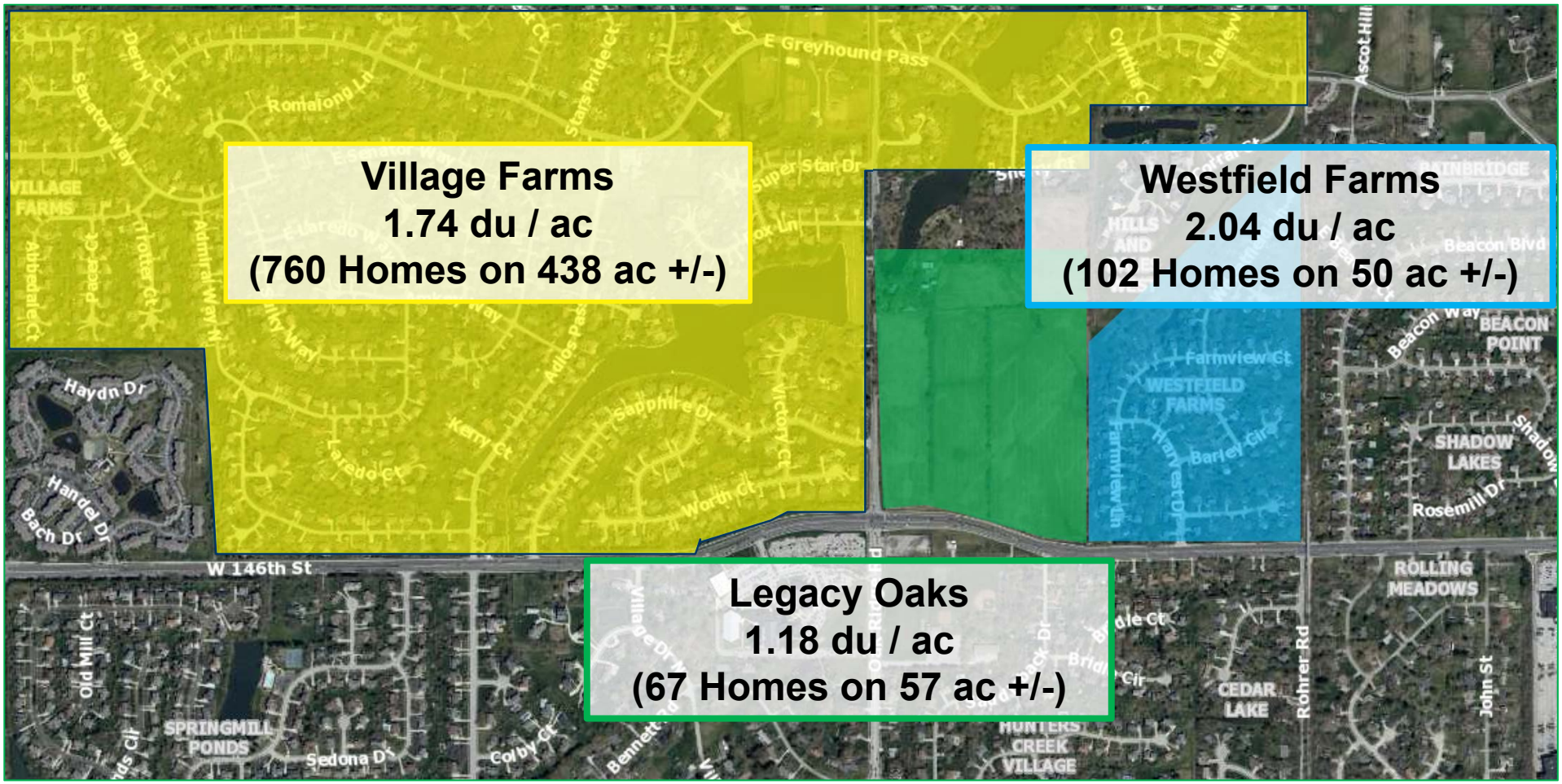


*Data from MIBOR (1/1/17 – 7/31/19)

PulteGroup

Neighborhood Densities

Neighborhoods Adjacent to Legacy Oaks



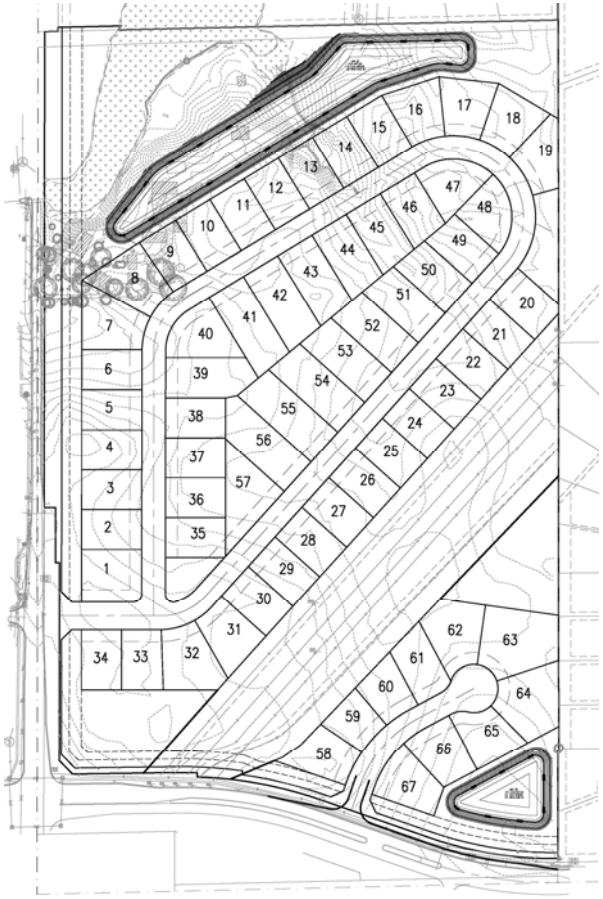
PulteGroup

Site Plan Comparison

Landings at Village Farms vs. Legacy Oaks

Original Proposal

Underlying Zoning (SF-2)



Revised Proposal

PulteGroup

Updated Site Plan

Legacy Oaks

PulteGroup

Tuesday, October 8, 2019

RE: <u>Summary of Changes to the Legacy Oaks PUD</u>
<u>(Formerly known as the Landings at Village Farms PUD)</u>

Dear Westfield APC and City Council Members:

Following our public hearing before the Plan Commission on Monday, August 5, 2019, we held two (2) focus group meetings (August 28th and September 18th) with neighbor representatives from the adjoining neighborhoods. As a result of Plan Commission member and public feeback we received at the August 5th Plan Commission meeting and additional feedback from the neighbors at our August 28th focus group meeting, we then presented the project modifications and enhancements described below to the focus group at our September 18th focus group meeting. We believe the project modifications and enhancements we reviewed with the focus group on September 18th were appreciated and well received by the neighbors. There have been a number of substantial changes to this proposal and below is a summary of the modifications and enhancements to the Legacy Oaks proposal:

<u>Concept Plan</u>: In response to public comments regarding density and traffic, the following changes were made:

1. The Commercial component to the project was removed.

2. The number of residential lots on the concept plan has been reduced by over 30%, from 94 lots on the original concept plan to 64 lots on the updated concept plan (please see the updated concept plan included with this letter).

3. Lot sizes have increased by over 50% in area from the original proposal (from a minimum of 6,000 square feet to 10,000 square feet).

4. The revised layout was intentionally designed to maintain as much of the existing tree lines and natural features as possible (both internal and along the perimeter of the real estate).

<u>Home Series</u>: In response to public comments regarding the home size, buyer demographic, and desire for more ranch-style homes, the following changes were made:

1. The home series being proposed transitioned from a mix of single and two-story series for the "family buyer" to an all single-story home series for "empty-nesters".

Pulte Homes of Indiana, LLC
11590 North Meridian Street, Suite 530
Carmel, IN 46032

Note: The new home series being proposed is the same series offered at our Lantern Park community, near the northeast corner of 161st Street and Union Street.

2. The minimum base square footage increased from 1,600 SF to 2,300 SF. Basements, 3rd car garages, lofts, and other home extension options are available with this home series.

3. The expected average sales price increased from the low $300s to the mid $400s.

PUD Ordinance: In response to the public comment, other additional changes have been made to the proposal including the following changes to the text of the PUD Ordinance:

1. The name of the PUD has changed from the "Landings at Village Farms" to "Legacy Oaks".

   Some of the Village Farms neighbors expressed to us that they did not want us to use the "Village Farms" name as part of our community branding, as it could potentially be perceived as a misrepresentation of the established Village Farms community.

2. As part of the concept plan changes, we felt the residential area north of the pipeline was closer to the City's SF-3 zoning classification, instead of SF-4 which was previously used. The area south of the pipeline will remain as SF-2 zoning, as it currently exists today.

3. The maximum total number of permitted dwelling units on the real estate shall be sixty-seven (67) units, which is equal to our engineer's yield plan if developed under the current SF-2 zoning standards.

4. Area B, the area generally south of the pipeline, shall be permitted to have a trailhead/public park within it; however, the text of the amended PUD provides specific details on how this area may be developed, including a list of prohibited types of improvements that cannot be located in Area B. As a result, specific standards and prohibitions have been put in place to govern the trailhead/public park, if the City so chooses to move forward with the park plan outlined in the PUD text.

5. Other lot development standards have been modified to fit larger homes on larger lots.

6. All references to commercial uses and standards have been removed.

7. Clarity has been added for which lots qualify at Perimeter Lots.

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Carmel, IN 46032

8. Street tree quantity calculations have been simplified for developer compliance and City enforcement of the ordinance.

9. Flexibility has been added for the City to determine if it wants to require a pedestrian crossing on Oak Ridge Road, towards the northern portion of the site (the crosswalk is not required).

10. Exhibits have been updated to reflect the project and plan changes.

We appreciate the opportunity to outline these enhancements and modifications for you and look forward to presenting the Legacy Oaks proposal to the Plan Commission at your October 21, 2019 meeting.

Yours truly,

David Compton
Vice President of Land Acquisition
Pulte Homes of Indiana

Pulte Homes of Indiana, LLC
11590 North Meridian Street, Suite 530
Carmel, IN 46032

SCHEDULE OF ENCLOSURES

1. Focus Group Meeting Handout
2. Red-line of PUD Ordinance
3. Clean version of updated PUD Ordinance
4. Updated Concept Plan

Pulte Homes of Indiana, LLC
11590 North Meridian Street, Suite 530
Carmel, IN 46032

CITY OF
Westfield
INDIANA

October 17, 2019

Subject: Legacy Oaks Entrance Location

To: Whom It May Concern

The proposed entrance for the Legacy Oaks Subdivision off Oak Ridge Road is in an acceptable location as aligned with Sapphire Drive. Aligning subdivision entrances with existing entrances opposite the street in question is a standard engineering practice. The alternative to this creates "offset intersections" which pose significant safety concerns to the general public.

Sincerely,

John Nail
City Engineer
City of Westfield

Mayor
Andy Cook

City Council
Jim Ake
Steven Hoover
Robert L. Horkay
Charles Lehman
Joe Edwards
Cindy L. Spoljaric
Mark Keen

Clerk Treasurer
Cindy J. Gossard

Public Works Department

(317) 804-3100 office
(317) 804-3190 fax

2706 East 171st Street
Westfield, IN 46074
westfield.in.gov

Docket Number:	1910-PUD-35 (Ordinance No. 19-45)
Petitioner:	Holladay Properties by Woolpert, Inc. (the "Petitioner")
Subject Site Address:	801 East 175th Street (the "Property")
Request:	An amendment to The Trails PUD, specific to Lot 4, on 7.38 acres +/- to add an additional Concept Plan and Character Exhibits, and to modify State Highway 32 Overlay District and Development Standards
Current Zoning:	The Trails PUD (Ord. 16-26)
Current Land Use:	Undeveloped
Acreage:	7.38 acres +/-
Exhibits:	1. Staff Report 2. Location Map 3. Proposed Ord. 19-45 4. Concept Plan 5. Character Exhibits 6. Landscape Plan
Staff Reviewer:	Daine Crabtree, Associate Planner

PETITION HISTORY

This petition (the "Amendment") was introduced at the September 9, 2019, City Council meeting. A neighborhood meeting was held on October 1, 2019. There was one public attendee. The petition received a public hearing at the October 7, 2019, Advisory Plan Commission (the "Plan Commission") meeting. There were no public comments.

PROJECT OVERVIEW

Project Location: The Trails PUD is located at the southeast corner of State Road 32 and Oak Ridge Road. Lot 4 specifically is located on Oak Ridge Road immediately south of 175th Street (see **Exhibit 2**).

Zoning History: The Trails PUD (Ordinance 15-27) (the "Original PUD Ordinance") was adopted on November 9, 2015. On November 14, 2016, Council adopted an amendment to the Trails PUD that added acreage to the project (Ordinance 16-26). Ordinance 16-26 repealed and replaced the Original PUD Ordinance. On January 8, 2018, Council adopted an amendment specific to Lot B of the PUD District (Ordinance 17-50).

Multi-Family Dwellings are a permitted use on the Property.

AMENDMENT REQUEST

The Petitioner requests this amendment to The Trails PUD to add an additional Multi-Family Concept Plan and Character Exhibits to the PUD. It is not the intention that this Concept Plan or Character Exhibits replace any existing Concept Plans or Character Exhibits. However, the Concept Plan and Character Exhibits within the Amendment do propose that the Property be developed with several modifications required to meet zoning compliance.

Concept Plan: An additional Concept Plan has been made a part of the Amendment, for which substantial compliance must be achieved (see **Exhibit 4**).

Character Exhibits: Additional Character Exhibits have been made a part of the Amendment, for which substantial compliance must be achieved (see **Exhibit 5**).

State Highway 32 Overlay District/UDO Architectural Standards: Multiple architectural standards of the State Highway 32 Overlay District (the "Overlay") and/or Chapter 6.3 of the UDO, "Architectural Standards", require modifications for the proposed development including building material percentage requirements, cornice treatments, roof modulation, and window treatment. Therefore, if any provision of the Overlay or the UDO's Architectural Standards are in conflict with the Concept Plan or Character Exhibits (collectively, the "Multifamily Building Exhibits"), then the Multifamily Building Exhibits shall control.

Development Standards

- Landscaping: The UDO landscaping standards require one (1) shade tree, one (1) ornamental or evergreen tree and four (4) shrubs per Dwelling Unit. As the multi-family proposal includes 224 Dwelling Units, 448 trees would be required on-site, which is not possible given amount of space available on-site. Therefore, the Petitioner has proposed a customized landscape plan (see **Exhibit 6**) for this development.

- Multi-Family Off-Street Parking: The Trails PUD requires 1.5 parking spaces per Dwelling Unit. The Amendment proposes to modify that standard so that no less than 1.47 parking spaces per Dwelling Unit are required.

REVISIONS SINCE THE PUBLIC HEARING

Since the public hearing, the Petitioner has revised the building elevations (pages 10 and 11 of the Proposed Ordinance) shown as part of the Character Exhibits to better show screening for parking garages under the building on the first floor. The petitioner has also added additional items to the Character Exhibits specifically showing details for screening of the parking garage (see page 16) and the patio garden area (see page 17).

COMPREHENSIVE PLAN

The 2007 Westfield-Washington Township Comprehensive Plan identifies the Property as being within the Highway/Employment Corridor of State Highway 32. The Comprehensive Plan states that smaller-scale local office and service uses are appropriate along State Highway 32, and that retail uses which are subordinate to and supportive of the corridor's office and service uses are appropriate. The 2011 Family Sports Capital Addendum II to the Comprehensive Plan anticipates supporting uses such as restaurants, offices, retail uses, higher density residential, and other supporting commercial uses will be located nearby the Grand Park Sports Campus. State Highway 32 (west of U.S. Highway 31) has been redeveloping into a hospitality corridor, with a focus on providing supporting hospitality-type uses for the visitors to Grand Park.

PROCEDURAL

Public Hearing: Amendments to Planned Unit Development Districts are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the October 7, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

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

Council Introduction: The petition was introduced at the September 9, 2019, Council meeting.

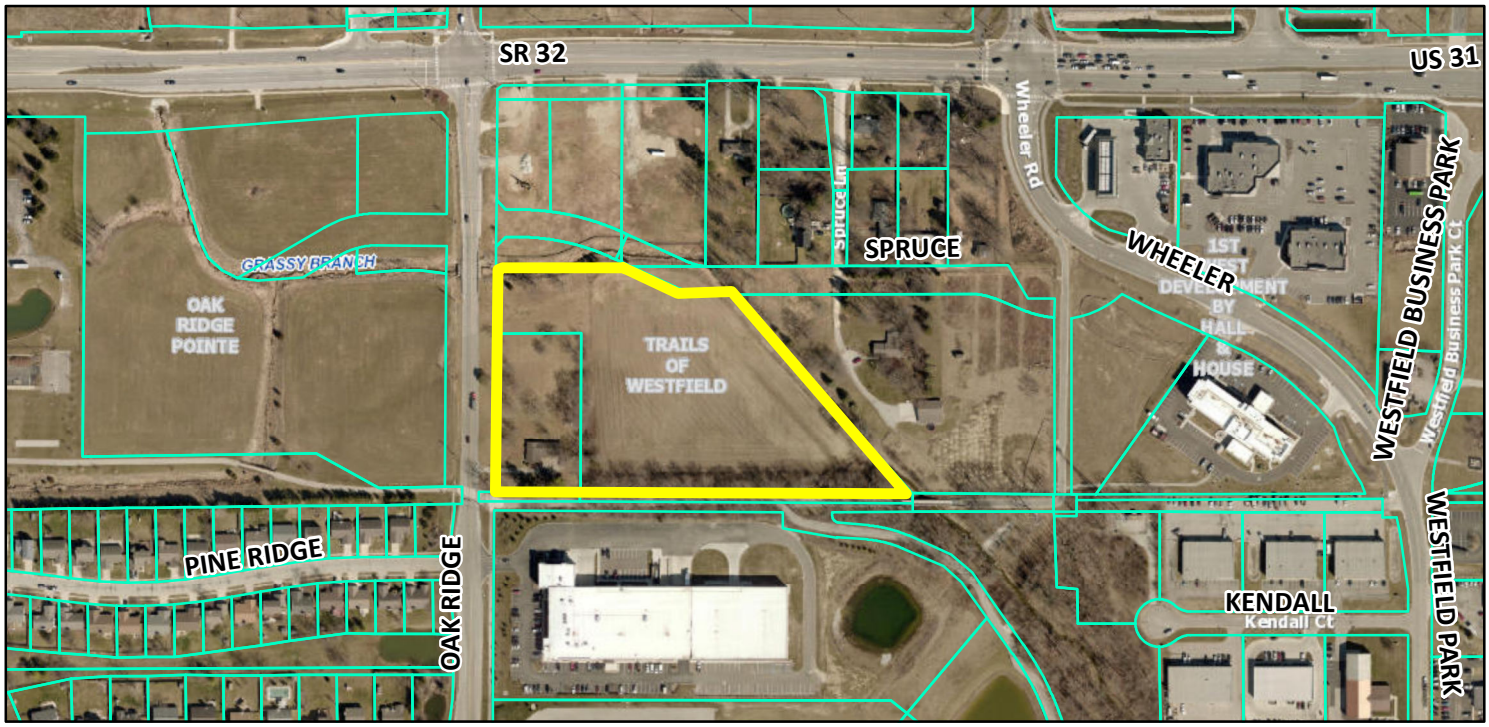
DEPARTMENT COMMENTS

1. **Action: Send a recommendation to the City Council.**
2. If any Plan Commission member has questions prior to the public hearing, then please contact Daine Crabtree at 317.416.2586 or dcrabtree@westfield.in.gov.

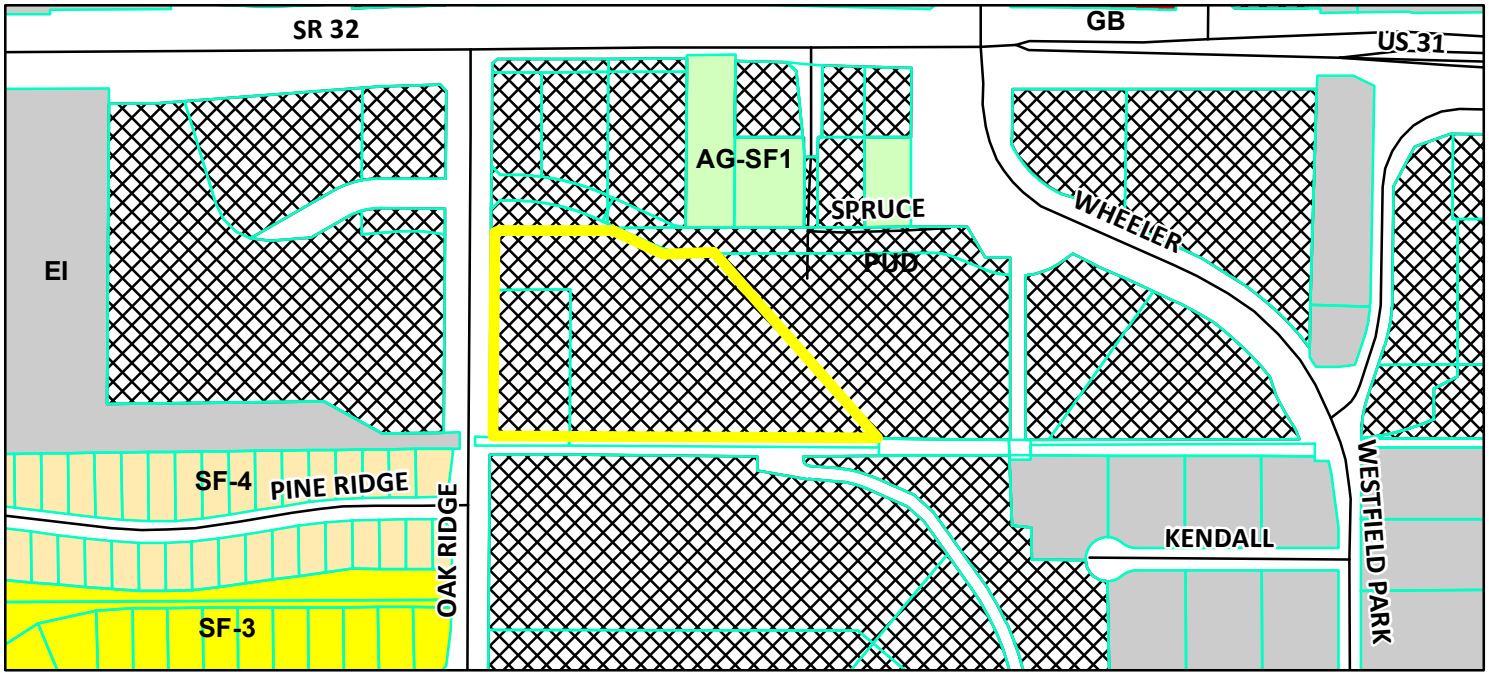
Ord. 19-45
Trails PUD Amendment

Aerial Location Map

Site



Zoning Map



Parcel
GIS.DBO.PW_Streets
Zoning - All
Zoning
AG-SF1 (Agriculture - Single Family - 1)
EI (Enclosed Industrial)
GB (General Business)
PUD (Planned Unit Development)
SF-3 (Single Family - 3)
SF-4 (Single Family - 4)

0 0.0250.05 0.1 0.15 0.2 Miles

N W E S

ORDINANCE NUMBER 19-45

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

This is an Ordinance Amendment (the "Amendment") 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;

WHEREAS, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") enacted Ordinance 15-27 (the "Original PUD Ordinance"), on November 9, 2015 as amended and replaced by Ordinance 16-26 (the "Trails PUD Ordinance"), enacted by the Council on November 14, 2016;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1910-PUD-20**), requesting an amendment to the Trails PUD Ordinance 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-20** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) 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 _____, 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 Trails PUD Ordinance, as amended, and the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

1.1 This Ordinance shall amend the Trails PUD Ordinance, as applicable to the Real Estate. This Ordinance shall be known as the "**Third Amendment"** to the Trails PUD Ordinance.

1.2 All other provisions of the Trails PUD Ordinance shall remain in effect with the adoption of this Ordinance.

1.3 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.

1.4 All provisions and representations of the Unified Development Ordinance or the Trails PUD Ordinance, as amended, 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. **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. The Real Estate shall be developed in substantial compliance with the Concept Plan. The Concept Plan, as shown in Exhibit B, shall not replace any other existing Concept Plan; instead, it shall be added as an additional possible Concept Plan.

Section 3. **Character Exhibits.** The Character Exhibits, attached hereto as **Exhibit C** are hereby incorporated to capture the intended quality of the improvements made on the Real Estate. Site improvements shall be constructed substantially similar to those in the Character Exhibits. The Character Exhibits shall not replace any other existing Character Exhibit; instead, they shall be added as additional possible Character Exhibits.

Section 4. **State Highway 32 Overlay District.** The regulations of Article 5.3 Overlay Districts; State Highway 32 Overlay District (the "SR 32 Overlay") shall apply to the development of the Real Estate except as otherwise modified below.

4.1 If a provision of Article 6.3 Architectural Standards or Article 5.3(K) State Highway 32 Overlay District Architectural Design Requirements, as modified by The Trails PUD Ordinance, is in conflict with the Concept Plan (Exhibit B) or Character Exhibits (**Exhibit C**) (collectively, the "Multifamily Building Exhibits"), then the Multifamily Building Exhibits shall control.

4.2 If a provision of Article 5.3(M)(3) Miscellaneous Requirements, Walls and Fencing is in conflict with walls and fencing shown in the Character Exhibits (**Exhibit C**), then the Fencing/Wall Exhibit shall control. Additionally, walls and/or fencing substantially similar to those shown in Exhibit C shall be permitted in an

Established Front Yard.

Section 5. Development Standards.

5.1 Article 6.8 Landscaping Standards shall not apply to the Real Estate if landscaping is installed in substantial compliance with the Landscape Exhibit (**Exhibit D**)

5.2 Section 9.4 of The Trails PUD Ordinance, Off-Street Parking; Required Spaces; Multi-family Dwellings, shall be modified to require no less than 1.47 spaces per Dwelling Unit

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Edwards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-45** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-45**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-45**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

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

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Character Exhibits

Exhibit D Landscape Plan

EXHIBIT A
REAL ESTATE

PORTIONS OF LOT NUMBER FOUR (4) AND BLOCK C IN THE TRAILS OF WESTFIELD, AN ADDITION TO WESTFIELD, INDIANA AS PER PLAT THEREOF RECORDED MAY 29, 2018 IN PC 5, SLIDE 836 AS INSTRUMENT NUMBER 2018023077, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA

EXHIBIT B
CONCEPT PLAN

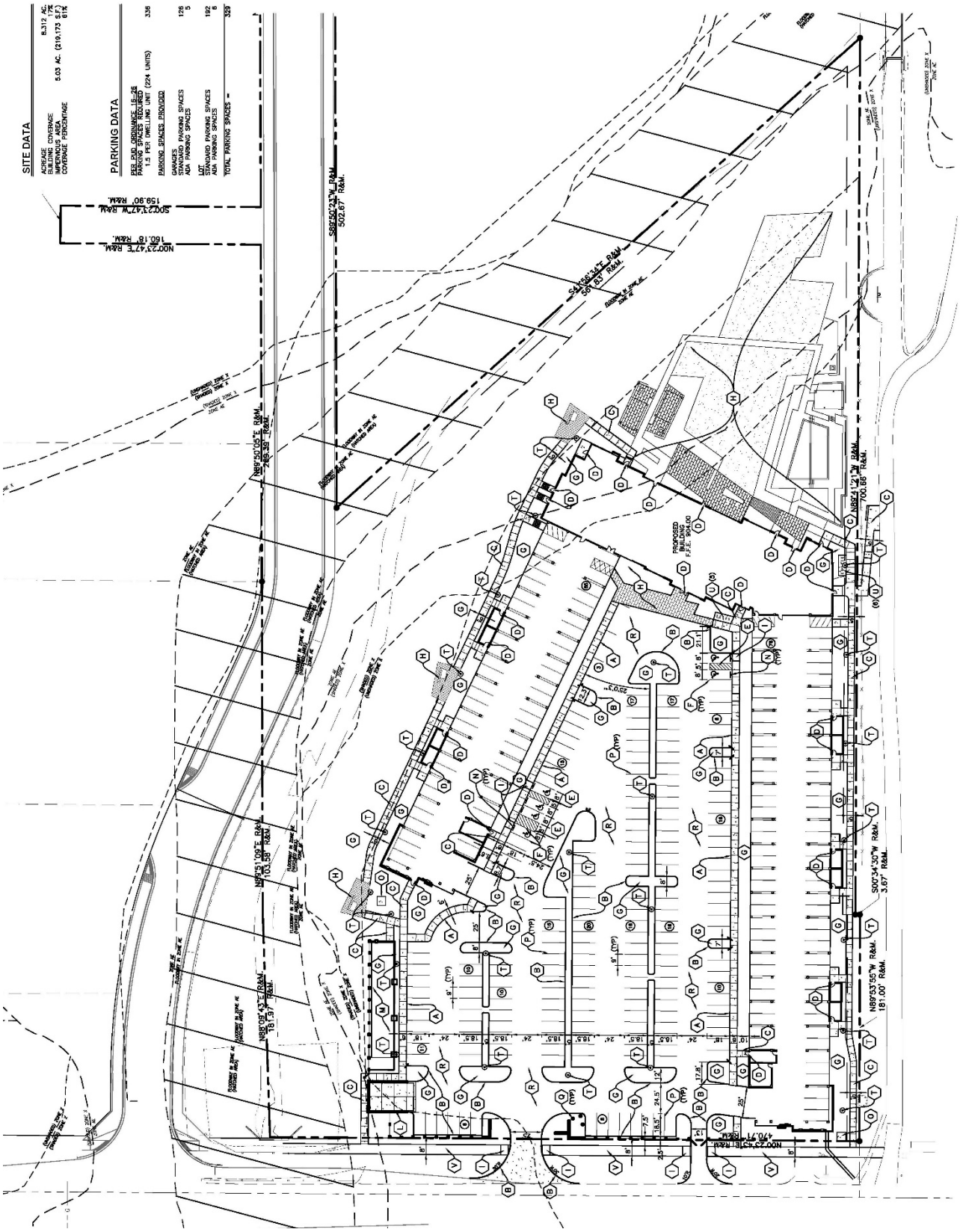


EXHIBIT C
CHARACTER EXHIBITS

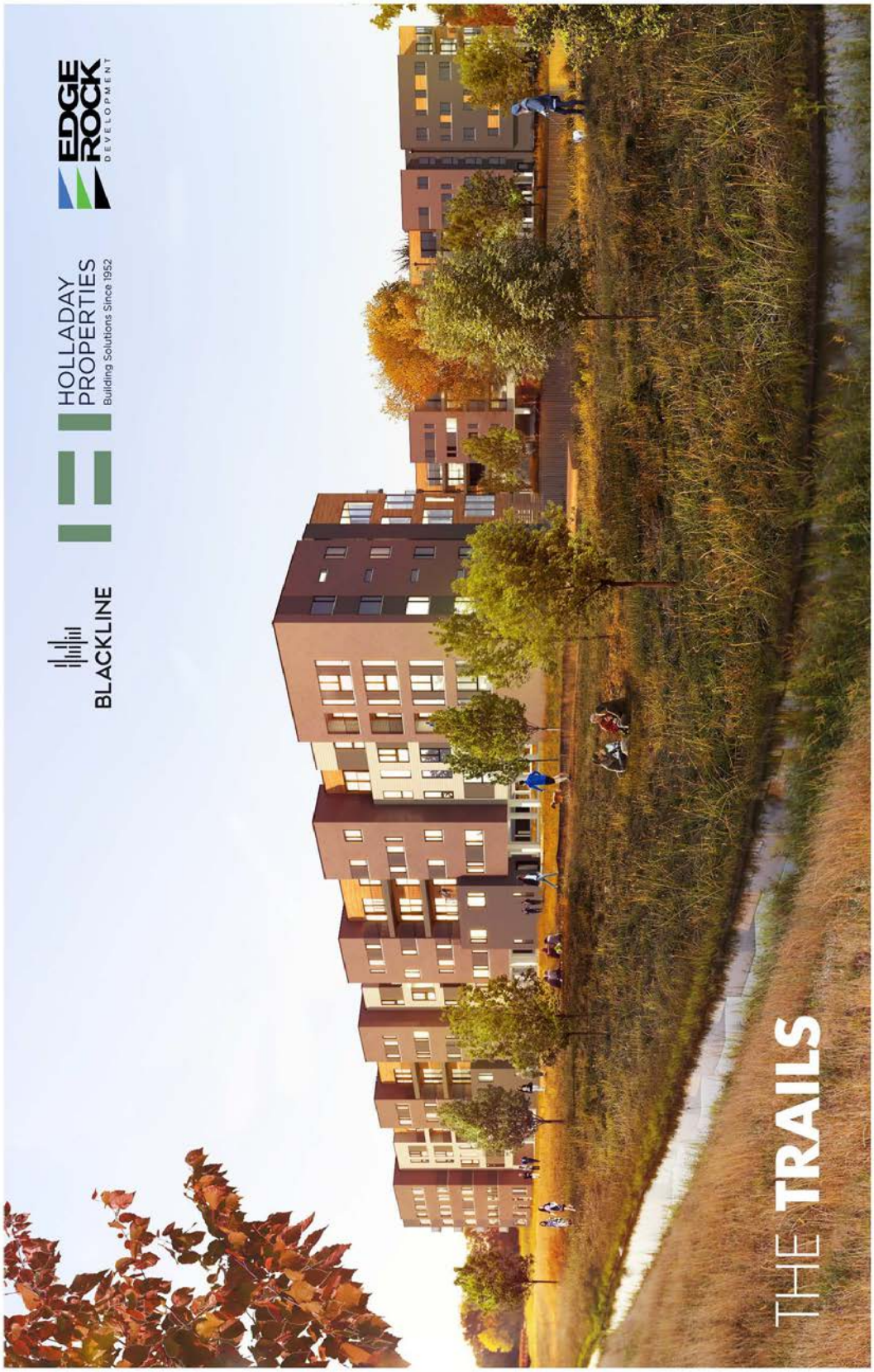


EXHIBIT C
CHARACTER EXHIBITS

EXHIBIT C
CHARACTER EXHIBITS

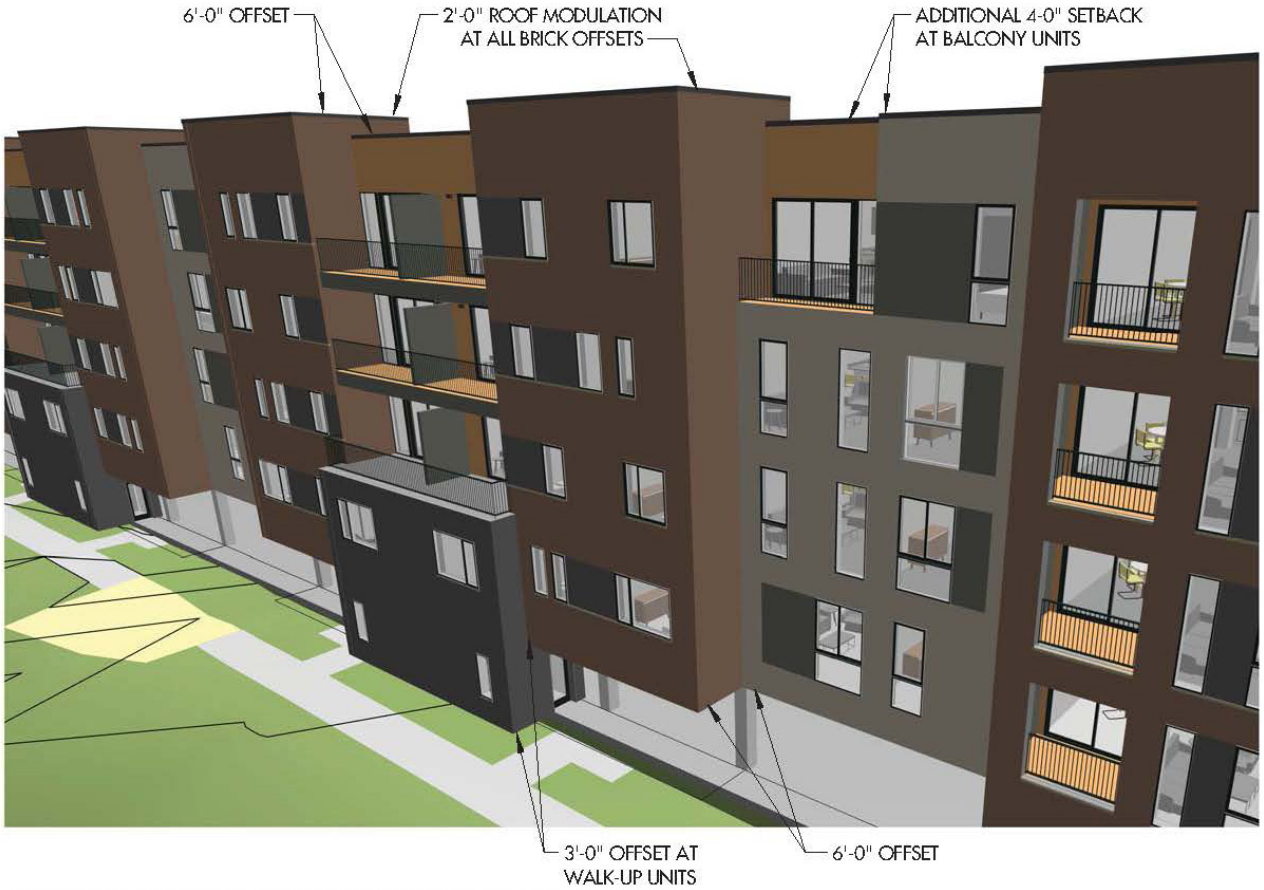
EXHIBIT C
CHARACTER EXHIBITS

MAIN ENTRY

THE TRAILS
HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

EXHIBIT C
CHARACTER EXHIBITS



ROOF MODULATION & BUILDING OFFSET AERIAL

ROOF MODULATION @ BRICK OFFSETS, TYPICAL

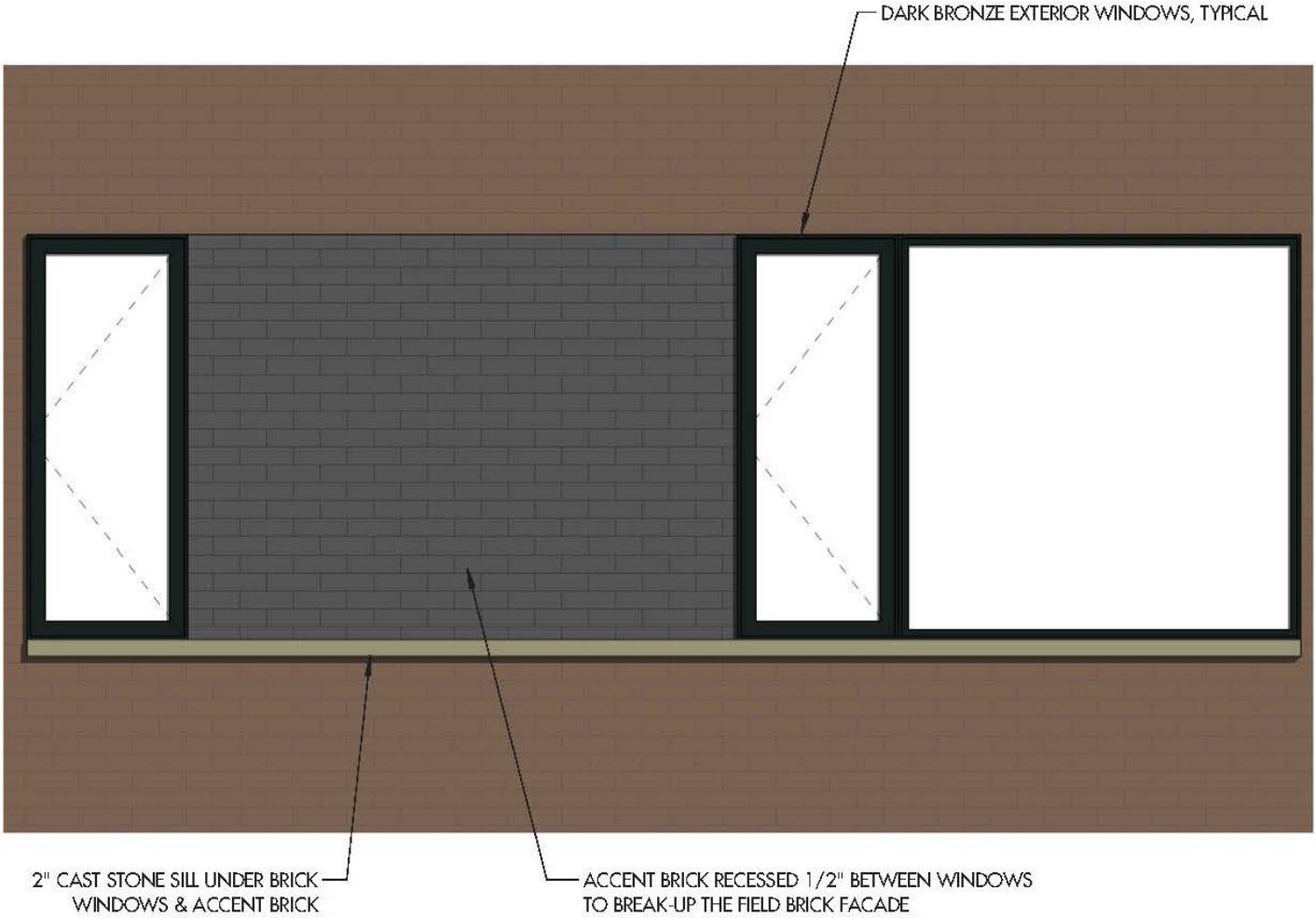
ROOF & BUILDING MODULATION

1/8" = 1'-0"

THE TRAILS
HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

EXHIBIT C
CHARACTER EXHIBITS



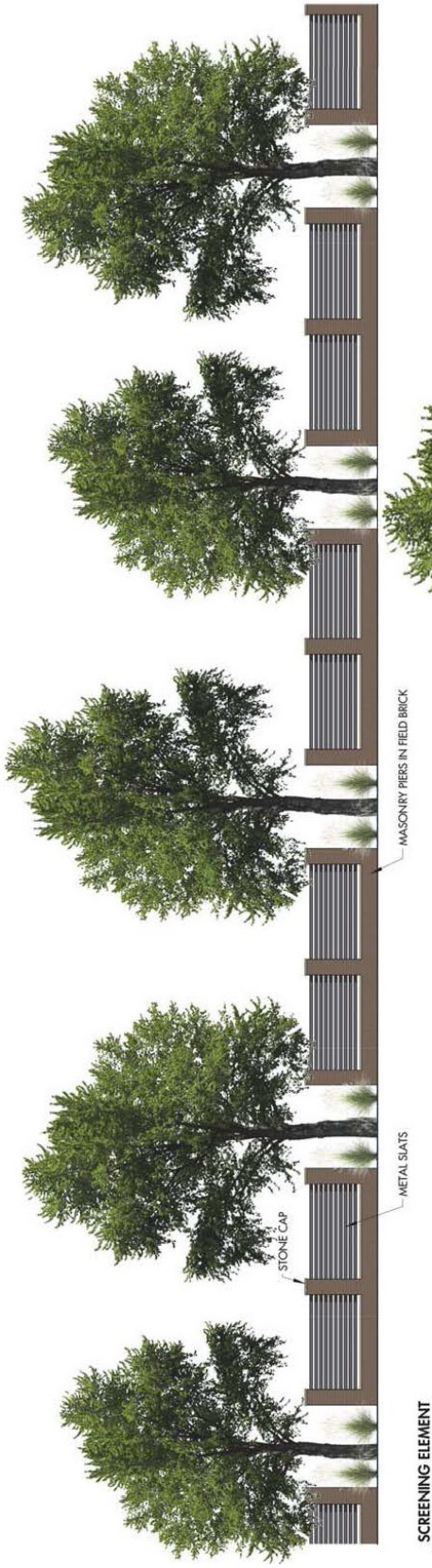
WINDOW DETAILING

1/2" = 1'-0"

THE TRAILS
HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

EXHIBIT C
CHARACTER EXHIBITS



SCREENING ELEMENT

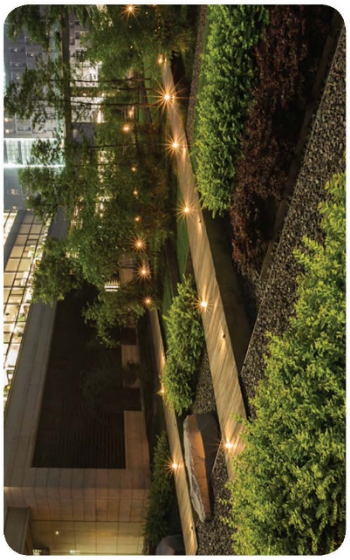
EXAMPLE VIEW FROM OAK RIDGE

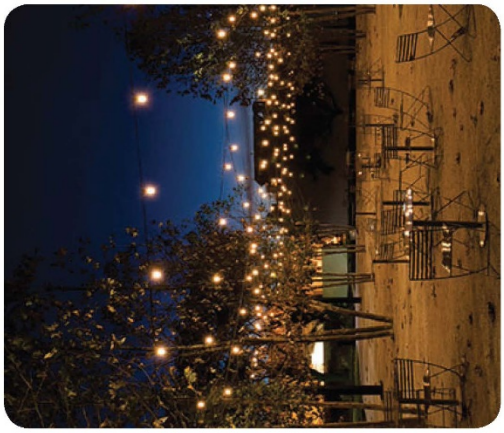
BLACKLINE

OAK RIDGE SCREENING ELEMENT
THE TRAILS - MULTIFAMILY DEVELOPMENT
10/07/19

EXHIBIT C
CHARACTER EXHIBITS

EXHIBIT C
CHARACTER EXHIBITS





character patio garden

EXHIBIT D
LANDSCAPE PLAN

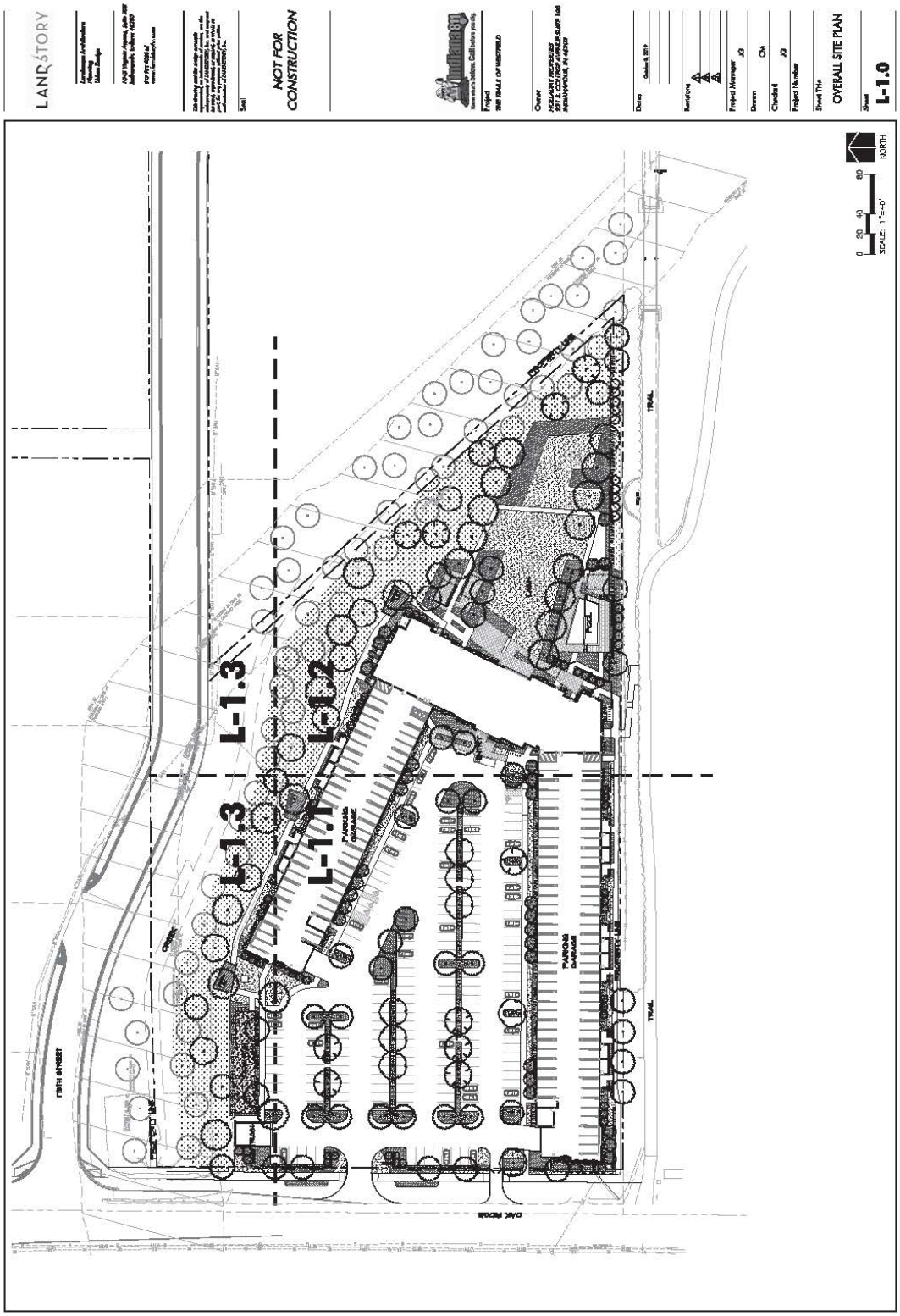


EXHIBIT D
LANDSCAPE PLAN

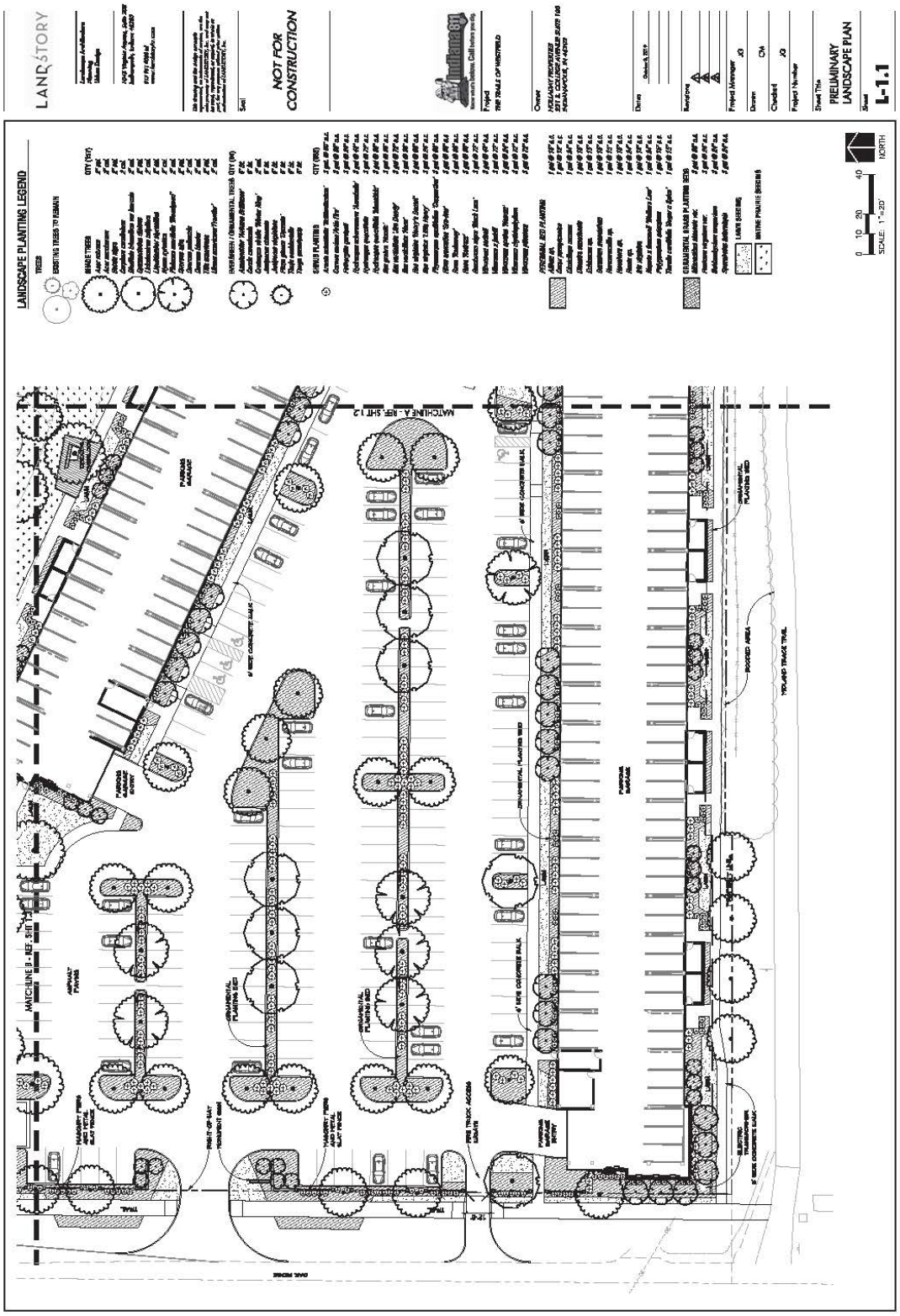
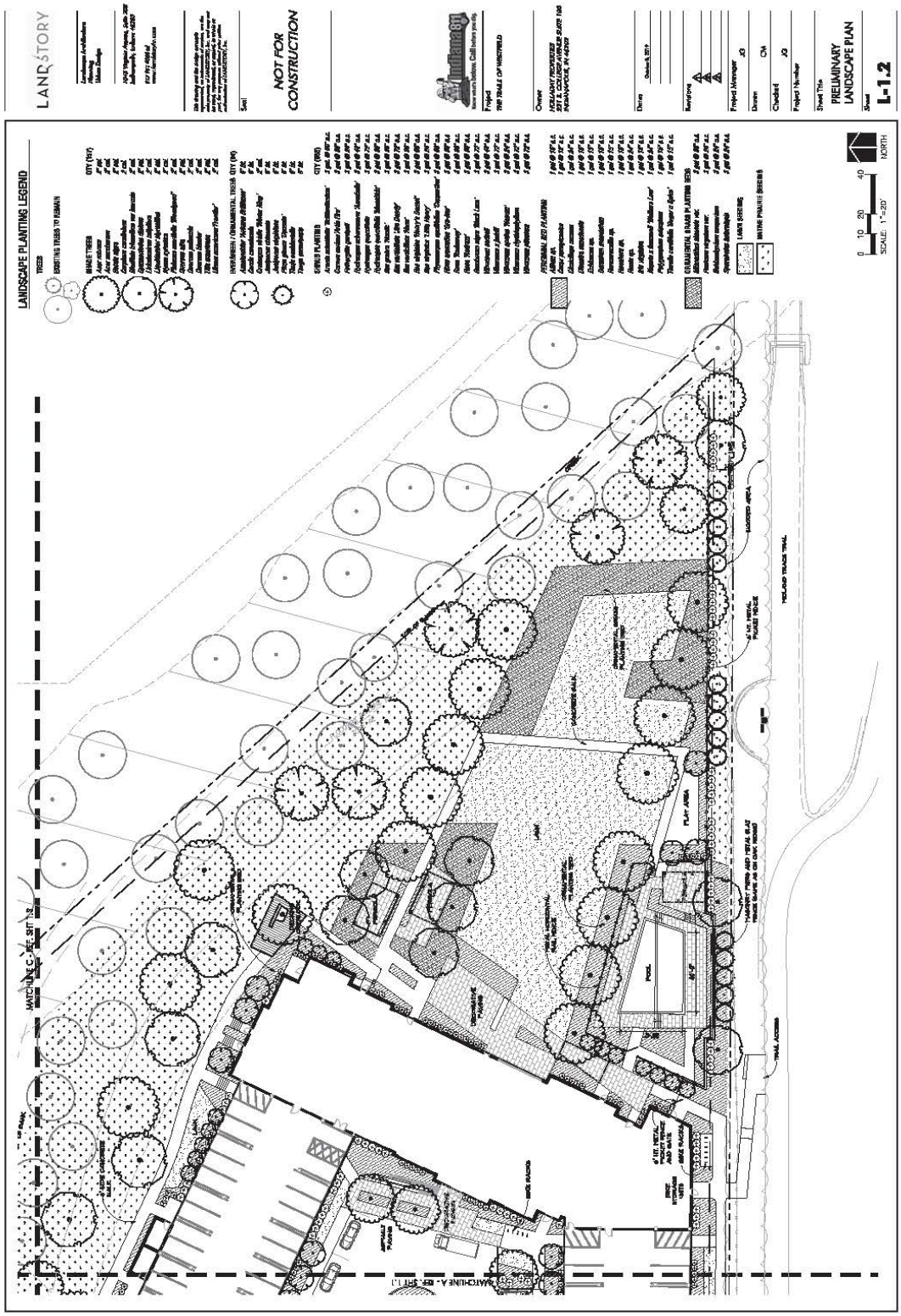


EXHIBIT D
LANDSCAPE PLAN



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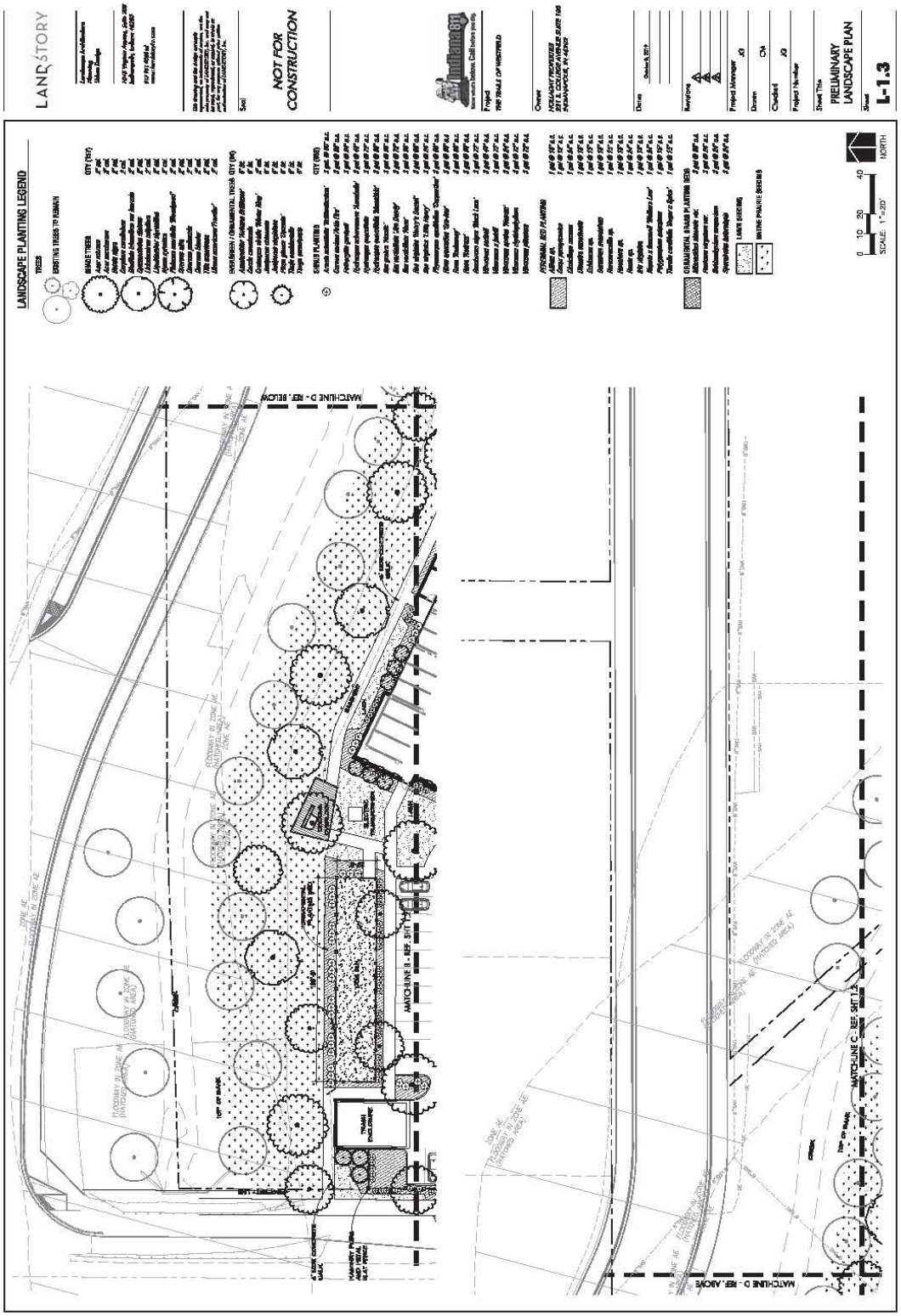

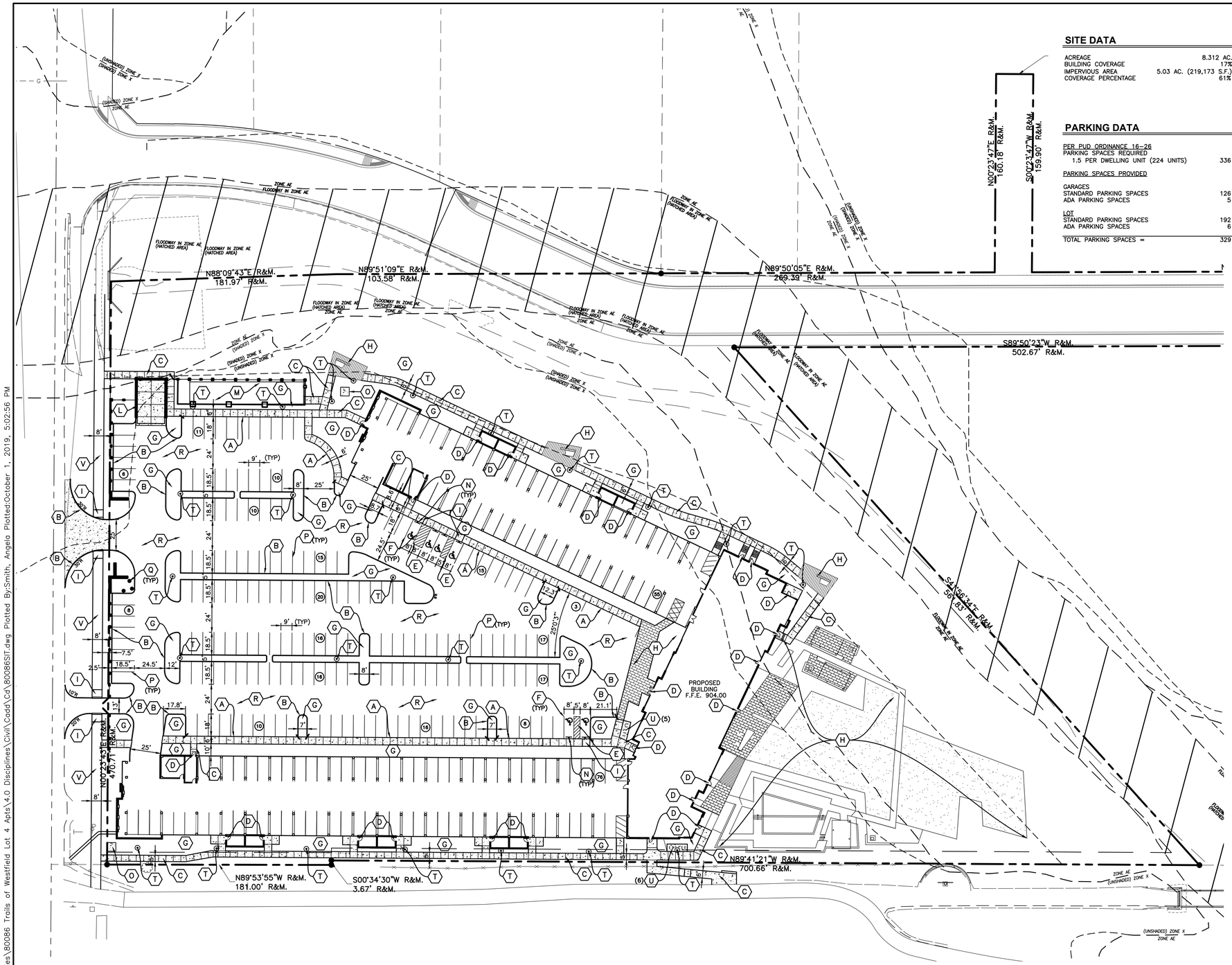

SITE DATA

ACREAGE	8.312 AC.
BUILDING COVERAGE	17%
IMPERVIOUS AREA	5.03 AC. (219,173 S.F.)
COVERAGE PERCENTAGE	61%

PARKING DATA

PER PUD ORDINANCE 16-26	
PARKING SPACES REQUIRED	
1.5 PER DWELLING UNIT (224 UNITS)	336
PARKING SPACES PROVIDED	
GARAGES	
STANDARD PARKING SPACES	126
ADA PARKING SPACES	5
LOT	
STANDARD PARKING SPACES	192
ADA PARKING SPACES	6
TOTAL PARKING SPACES =	329

NORTH

0 40 80 120

GRAPHIC SCALE IN FEET

LEGEND

SYMBOL	DESCRIPTION
A	INTEGRAL WALK & CURB
B	6" STRAIGHT CURB
C	CONCRETE WALK
D	CONCRETE STOOP (5'x5' UNLESS OTHERWISE NOTED. DEFER TO ARCH. PLANS)
E	4" PAINTED BLUE PAVEMENT STRIPE AT 45° ANGLE, 2' O.C.
F	4" PAINTED BLUE PAVEMENT STRIPE
G	LANDSCAPED AREA
H	HARDSCAPE (BY OTHERS, SEE LANDSCAPE PLAN)
I	ACCESSIBLE RAMP
J	CROSSWALK
K	STOP SIGN
L	COMPACTOR ENCLOSURE (BY OTHERS)
M	DOG PARK AREA
N	ACCESSIBLE PARKING SIGN
O	7'x7' CONCRETE TRANSFORMER PAD
P	4" PAINTED WHITE PAVEMENT STRIPE
Q	GUARD POST
R	REGULAR DUTY ASPHALT
S	CONCRETE CURB TAPER
T	LIGHT POLE
U	BICYCLE PARKING
V	8' ASPHALT TRAIL
♿	ACCESSIBLE PARKING SYMBOL, THERMOPLASTIC
/	CURB TRANSITION
(4)	NUMBER OF PARKING SPACES

SITE NOTES

1. ALL DIMENSIONS IN CURBED AREAS SHALL BE BACK TO BACK OF CURB.
   –ALL DIMENSIONS IN AREAS WITHOUT CURB SHALL BE TO EDGE OF PAVEMENT.
   –ALL DIMENSIONS AT INTEGRAL CURB & WALK SHALL BE TO FACE OF CURB.
   –ALL DIMENSIONS FROM BUILDING SHALL BE FROM FACE OF BUILDING.
2. ALL RADII IN PAVED AREAS & ON CURBS SHALL BE 5' UNLESS NOTED OTHERWISE.
3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD BEFORE STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FIELD DIMENSIONS. IF ANY DISCREPANCIES ARE FOUND IN THESE PLANS FROM ACTUAL FIELD CONDITION, THE CONTRACTOR SHALL CONTACT A/E IMMEDIATELY.
4. PROVIDE SMOOTH TRANSITION FROM NEW AREAS TO EXISTING FEATURES AS NECESSARY.
5. ALL AREAS WHERE THE EXISTING PAVEMENT OR PAVEMENTS ARE DAMAGED DURING CONSTRUCTION FROM TRAFFIC BY THE GENERAL CONTRACTOR, SUBCONTRACTORS, OR SUPPLIERS SHALL BE RESURFACED OR RECONSTRUCTED AT LEAST TO THEIR ORIGINAL CONDITION AFTER CONSTRUCTION WORK IS COMPLETED.
6. ALL RADII INDICATED SHALL BE FORMED AS CIRCULAR ARCS.
7. ALL DIMENSIONS ARE PARALLEL AND PERPENDICULAR TO BASE LINES, PROPERTY LINES OR BUILDING LINES UNLESS OTHERWISE NOTED.
8. DISABLED RAMP AND SIGNAGE SHALL BE IN ACCORDANCE WITH FEDERAL, STATE, COUNTY, CITY AND LOCAL CODE WHICHEVER HAS JURISDICTION. SEE SITE PLAN FOR LOCATION AND SITE DETAILS FOR SPECIFICATIONS.
9. ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC UNLESS OTHERWISE NOTED. ALL STRIPES ARE TO BE 4" PAINTED, WHITE, UNLESS OTHERWISE NOTED.
10. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE AT HIS EXPENSE ALL AUTOMOBILE AND PEDESTRIAN TRAFFIC CONTROL DEVICES REQUIRED BY FEDERAL, STATE, COUNTY, CITY OR LOCAL AGENCY. THE AMOUNT, LOCATION AND SIZE SHALL BE PER DIRECTION OF AGENCY.
11. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REMOVE ALL MUD, DIRT, GRAVEL, AND ANY OTHER MATERIALS TRACKED ONTO ANY PUBLIC OR PRIVATE STREETS OR SIDEWALKS. THE CONTRACTOR MUST CLEAN THESE DAILY IF NECESSARY. THE CONTRACTOR MUST USE WATER OR OTHER METHODS TO KEEP AIRBORNE DUST TO A REQUIRED MINIMUM.
12. ALL PAVEMENT PLACED WITHIN THE RIGHT-OF-WAY MUST COMPLY WITH THE APPROPRIATE CITY OF WESTFIELD PAVEMENT SECTION.

No.	DATE	REVISION
###	###	###
###	###	###
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###	###	###

SEAL

PROJECT No: 80086
DATE 10/01/19
DES. MNH
DR. MNH
CKD. ARS

WOOLPERT
ARCHITECTURE | ENGINEERING | CONSTRUCTION
333 North Alabama Street
Suite 200
Indianapolis, IN 46204
317.299.7500
FAX: 317.291.5805

TRAILS OF WESTFIELD APARTMENTS

801 EAST 175TH STREET
WESTFIELD, INDIANA

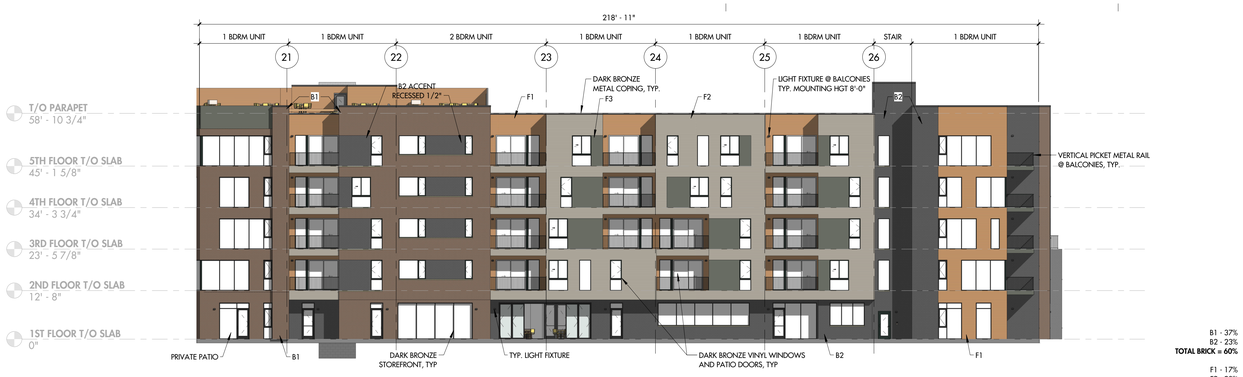
SITE PLAN

SHEET NO.

C201

Layout Tab Name: C201, Images: , Xrefs: 80086-x.dwg; 80086TBLK.dwg; 80086-p.dwg; TheTrails_Level 1.dwg; 175TH STR.dwg; L-THE TRAILS WALL.dwg
Last Saved By:Smith, 10/1/2019 5:02:30 PM Plotted By:Smith, Angela Plotted:October 1, 2019, 5:02:56 PM
\\wdc5dc1\Srvrh\DE\Clients\Holiday Properties\80086 Trails of Westfield Lot 4 Apts\4.0 Disciplines\Civil\Cadd\Cd\80086SIT.dwg

BLACKLINE
HOLLADAY PROPERTIES
Building Solutions Since 1952
EDGE ROCK
DEVELOPMENT
THE TRAILS

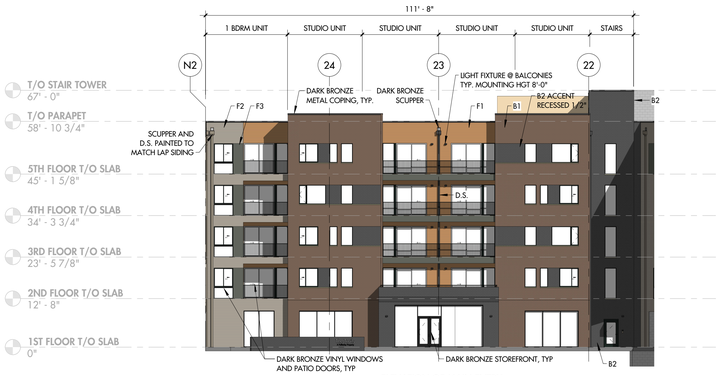


ELEVATION FROM EXTERIOR AMENTITIES

B1 - 37%
B2 - 23%
TOTAL BRICK = 60%

F1 - 17%
F2 - 20%
F3 - 3%
TOTAL FIBER CEMENT = 40%

5 EXTERIOR ELEVATION - EAST WING - EAST - 1/16"
1/16" = 1'-0" REFERENCE: 1 / A112

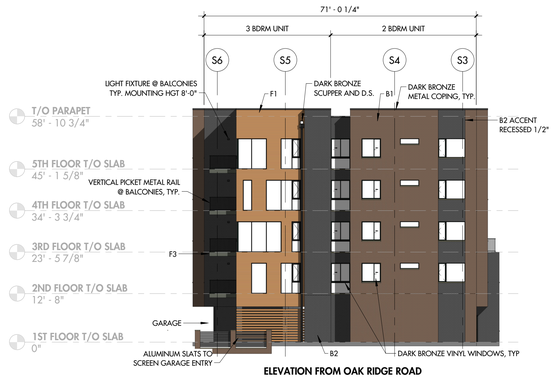


ELEVATION OF MAIN ENTRY

B1 - 46%
B2 - 20%
TOTAL BRICK = 66%

F1 - 20%
F2 - 11%
F3 - 3%
TOTAL FIBER CEMENT = 34%

4 EXTERIOR ELEVATION - EAST WING - WEST - 1/16"
1/16" = 1'-0"

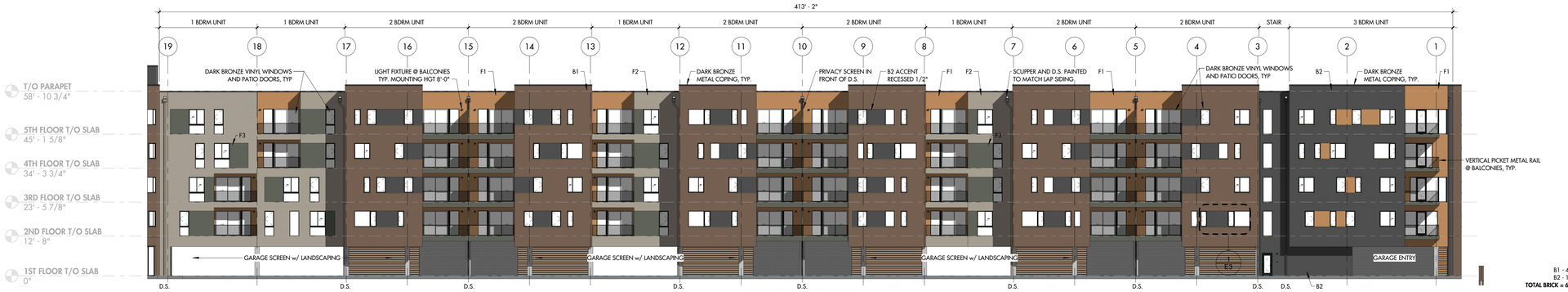


ELEVATION FROM OAK RIDGE ROAD

B1 - 48%
B2 - 27%
TOTAL BRICK = 75%

F1 - 24%
F2 - 0%
F3 - 1%
TOTAL FIBER CEMENT = 25%

3 EXTERIOR ELEVATION - SOUTH WING - WEST - 1/16"
1/16" = 1'-0"



ELEVATION FROM PARKING

B1 - 44%
B2 - 16%
TOTAL BRICK = 60%

F1 - 21%
F2 - 14%
F3 - 5%
TOTAL FIBER CEMENT = 40%

2 EXTERIOR ELEVATION - SOUTH WING - NORTH - 1/16"
1/16" = 1'-0"

ELEVATION FROM MIDLAND TRACE TRAIL

B1 - 51%
B2 - 13%
TOTAL BRICK = 64%

F1 - 14%
F2 - 18%
F3 - 4%
TOTAL FIBER CEMENT = 36%

1 EXTERIOR ELEVATION - SOUTH WING - SOUTH - 1/16"
1/16" = 1'-0"

FIELD BRICK (B1)

MERIDIAN BRICK - SADDLE IRONSPOT (MODULAR)
OVERALL BUILDING PERCENTAGE: 40%

ACCENT BRICK (B2)

MERIDIAN BRICK - BLACK METALLIC (MODULAR)
OVERALL BUILDING PERCENTAGE: 22%

FIBER CEMENT - WOOD STAINED LAP SIDING (F1)

ALLURA - MAPLE
OVERALL BUILDING PERCENTAGE: 18%

FIBER CEMENT - FIELD PAINTED LAP SIDING (F2)

ALLURA (OR EQUAL) - SW7633 TONED TAUPE
OVERALL BUILDING PERCENTAGE: 17%

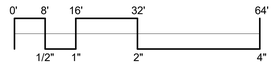
FIBER CEMENT - FIELD PAINTED PANEL SIDING (F3)

ALLURA (OR EQUAL) - SW6180 OAKMOSS
OVERALL BUILDING PERCENTAGE: 3%

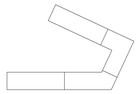
TRIM ACCENTS

ALUMINUM STOREFRONT, VINYL WINDOWS, METAL COPINGS, DOWNSPOUTS, ETC: DARK BRONZE

BUILDING MATERIAL PALETTE



1/16" = 1'-0"



KEY PLAN

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INDIANAPOLIS, IN 46202
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2242 WAYNE STREET
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CRANDALLED.COM
765.277.0996

EXTERIOR COLORED ELEVATIONS

HOLLADAY PROPERTIES - THE TRAILS

801 EAST 175th STREET
WESTFIELD, IN 46074

DRAWN: **ERM** CHECKED: **SBP**

#	REVISION	Date

100% SCHEMATIC DESIGN
10/07/19

A307

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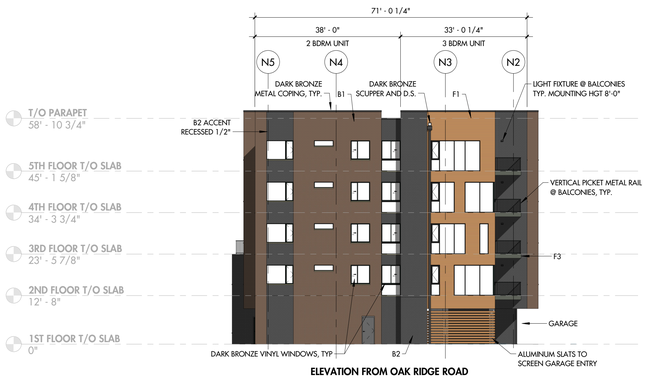

ELEVATION FROM OAK RIDGE ROAD

B1 - 48%
B2 - 27%
TOTAL BRICK = 75%

F1 - 24%
F2 - 0%
F3 - 1%
TOTAL FIBER CEMENT = 25%

3 EXTERIOR ELEVATION - NORTH WING - WEST - 1/16"
1/16" = 1'-0"

ELEVATION FROM CREEK

B1 - 47%
B2 - 17%
TOTAL BRICK = 64%

F1 - 16%
F2 - 16%
F3 - 4%
TOTAL FIBER CEMENT = 36%

1 EXTERIOR ELEVATION - NORTH WING - NORTH - 1/16"
1/16" = 1'-0"

ELEVATION FROM PARKING

B1 - 40%
B2 - 21%
TOTAL BRICK = 61%

F1 - 21%
F2 - 13%
F3 - 5%
TOTAL FIBER CEMENT = 39%

2 EXTERIOR ELEVATION - NORTH WING - SOUTH - 1/16"
1/16" = 1'-0"

FIELD BRICK (B1)

MERIDIAN BRICK - SADDLE IRONSPOT (MODULAR)
OVERALL BUILDING PERCENTAGE: 40%

ACCENT BRICK (B2)

MERIDIAN BRICK - BLACK METALLIC (MODULAR)
OVERALL BUILDING PERCENTAGE: 22%

FIBER CEMENT - WOOD STAINED LAP SIDING (F1)

ALLURA - MAPLE
OVERALL BUILDING PERCENTAGE: 18%

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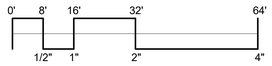
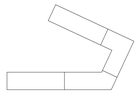


1/16" = 1'-0"



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EXTERIOR COLORED ELEVATIONS

HOLLADAY PROPERTIES - THE TRAILS
801 EAST 175th STREET
WESTFIELD, IN 46074

DRAWN: ERM
CHECKED: SBP

#	REVISION	Date

100% SCHEMATIC DESIGN
10/07/19

A308

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MAIN ENTRY

THE TRAILS
HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

ROOF MODULATION & BUILDING OFFSET AERIAL

ROOF MODULATION @ BRICK OFFSETS, TYPICAL

ROOF & BUILDING MODULATION

1/8" = 1'-0"

THE TRAILS

HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

WINDOW DETAILING

1/2" = 1'-0"

THE TRAILS

HOLLADAY PROPERTIES - 10/07/19

BLACKLINE

SCREENING ELEMENT

EXAMPLE VIEW FROM OAK RIDGE

OAK RIDGE SCREENING ELEMENT

THE TRAILS - MULTIFAMILY DEVELOPMENT
10/07/19

BLACKLINE

THE **TRAILS**

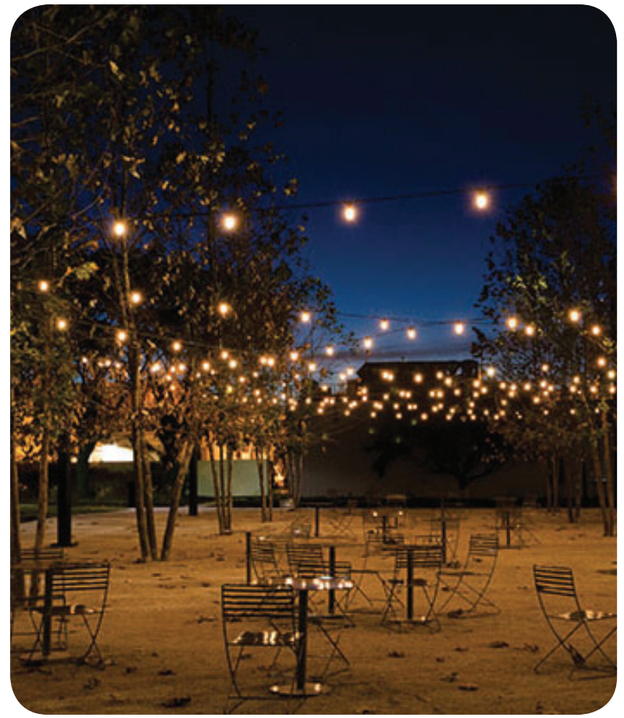
ILLUSTRATIVE CHARACTER EXHIBIT

EDGE ROCK DEVELOPMENT | HOLLADAY PROPERTIES Building Solutions Since 1952 | BLACKLINE

PATIOS & LANDSCAPE

Screening the parking garage

character patio garden



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Landscape Architecture
Planning
Urban Design

1043 Virginia Avenue, Suite 208
Indianapolis, Indiana 46203

317 951 0000 tel
www.landstoryla.com

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Seal

NOT FOR CONSTRUCTION

Indiana 811
Know what's below. Call before you dig.

Project
THE TRAILS OF WESTFIELD

Owner
HOLLADAY PROPERTIES
231 S. COLLEGE AVENUE SUITE 100
INDIANAPOLIS, IN 46202

Dates
October 3, 2019

Revisions
1
2
3

Project Manager
JG

Drawn
CM

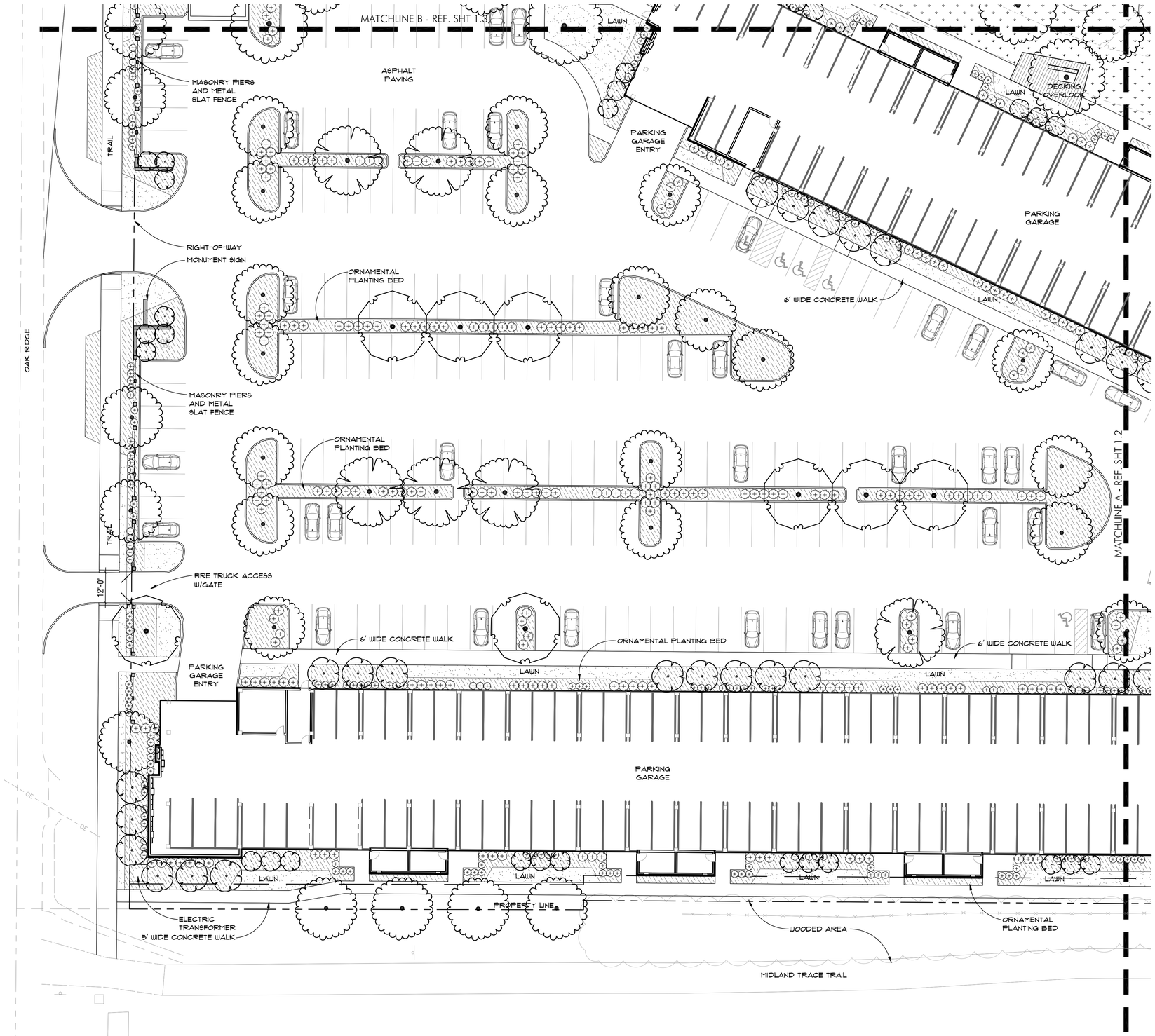
Checked
JG

Project Number

Sheet Title
OVERALL SITE PLAN

Sheet
L-1.0

E:\Dropbox (Landstory)\Landstory (1)\J Drive\Projects\The Trails Westfield\CAD\Sheet\L-2.1-Landscape Plan.dwg Chris Moore Plot:10/2/2019 11:30 AM Save:10/2/2019 11:29 AM



LANDSCAPE PLANTING LEGEND

TREES

EXISTING TREES TO REMAIN

SHADE TREES	QTY (157)
Acer rubrum	*2" cal.*
Acer saccharum	*2" cal.*
Betula nigra	*2" cal.*
Carpinus caroliniana	*2 cal.*
Gleditsia tricanthos var inermis	*2" cal.*
Gymnocladus dioicus	*2" cal.*
Liriodendron tulipifera	*2" cal.*
Liquidamber styraciflua	*2" cal.*
Nyssa sylvatica	*2" cal.*
Platanus acerifolia 'Bloodgood'	*2" cal.*
Quercus alba	*2" cal.*
Quercus pallustris	*2" cal.*
Quercus bicolor	*2" cal.*
Tilia americana	*2" cal.*
Ulmus americana'Frontier'	*2" cal.*

EVERGREEN / ORNAMENTAL TREES	QTY (94)
Amelanchier 'Autumn Brilliance'	*6' ht.*
Cercis canadensis	*6' ht.*
Crataegus viridis 'Winter King'	*2" cal.*
Juniperus chinensis	*6' ht.*
Juniperus virginiana	*6' ht.*
Picea glauca 'Densata'	*6' ht.*
Thuja occidentalis	*6' ht.*
Tsuga canadensis	*6' ht.*

SHRUB PLANTING	QTY (668)
Aronia arbutifolia 'Brilliantissima'	*3 gal. @ 60" o.c.*
Cornus sericea'Artic Fire'	*3 gal @ 36" o.c.*
Fothergilla gardenii	*3 gal @ 24" o.c.*
Hydrangea arborescens 'Annabelle'	*3 gal @ 48" o.c.*
Hydrangea quercifolia	*3 gal @ 72" o.c.*
Hydrangea quercifolia 'Munchkin'	*3 gal @ 36" o.c.*
Ilex grabra 'Nordic'	*3 gal @ 36" o.c.*
Ilex verticillata 'Jim Dandy'	*3 gal @ 72" o.c.*
Ilex verticillata 'Nana'	*3 gal @ 36" o.c.*
Itea virginica 'Henry's Garnet'	*3 gal @ 60" o.c.*
Itea virginica 'Little Henry'	*3 gal @ 24" o.c.*
Physocarpus opulifolius 'Coppertina'	*3 gal @ 60" o.c.*
Rhus aromatica 'Gro-low'	*3 gal @ 36" o.c*
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Viburnum opulus 'Nanum'	*3 gal @ 24" o.c.*
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Viburnum plicatum	*3 gal @ 72" o.c.*

PERENNIAL BED PLANTING	
Allium sp.	*1 gal @ 15" o.c.*
Carex pensylcanica	*1 gal @ 12" o.c.*
Cimicifuga ramosa	*1 gal @ 24" o.c.*
Dicentra canadensis	*1 gal @ 15" o.c.*
Echinacea sp.	*1 gal @ 15" o.c.*
Geranium maculatum	*1 gal @ 15" o.c.*
Hermerocallis sp.	*1 gal @ 15" o.c.*
Heuchera sp.	*1 gal @ 15" o.c.*
Hosta sp.	*1 gal @ 24" o.c.*
Iris virginica	*1 gal @ 18" o.c.*
Nepeta x faassenii 'Walkers Low'	*1 gal @ 24" o.c.*
Polygonatum odoratum	*1 gal @ 15" o.c.*
Tiarella cordifolia 'Sugar n Spice'	*1 gal @ 15" o.c.*

ORNAMENTAL GRASS PLANTING BEDS	
Miscanthus sinensis var.	*3 gal @ 30" o.c.*
Panicum virgatum var.	*3 gal @ 24" o.c.*
Schizachyrium scoparium	*3 gal @ 24" o.c.*
Sporobolus heterolepis	*3 gal @ 24" o.c.*

LAWN SEEDING

NATIVE PRAIRIE SEEDING

0 10 20 40

SCALE: 1"=20'

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Project Manager

JG

Drawn

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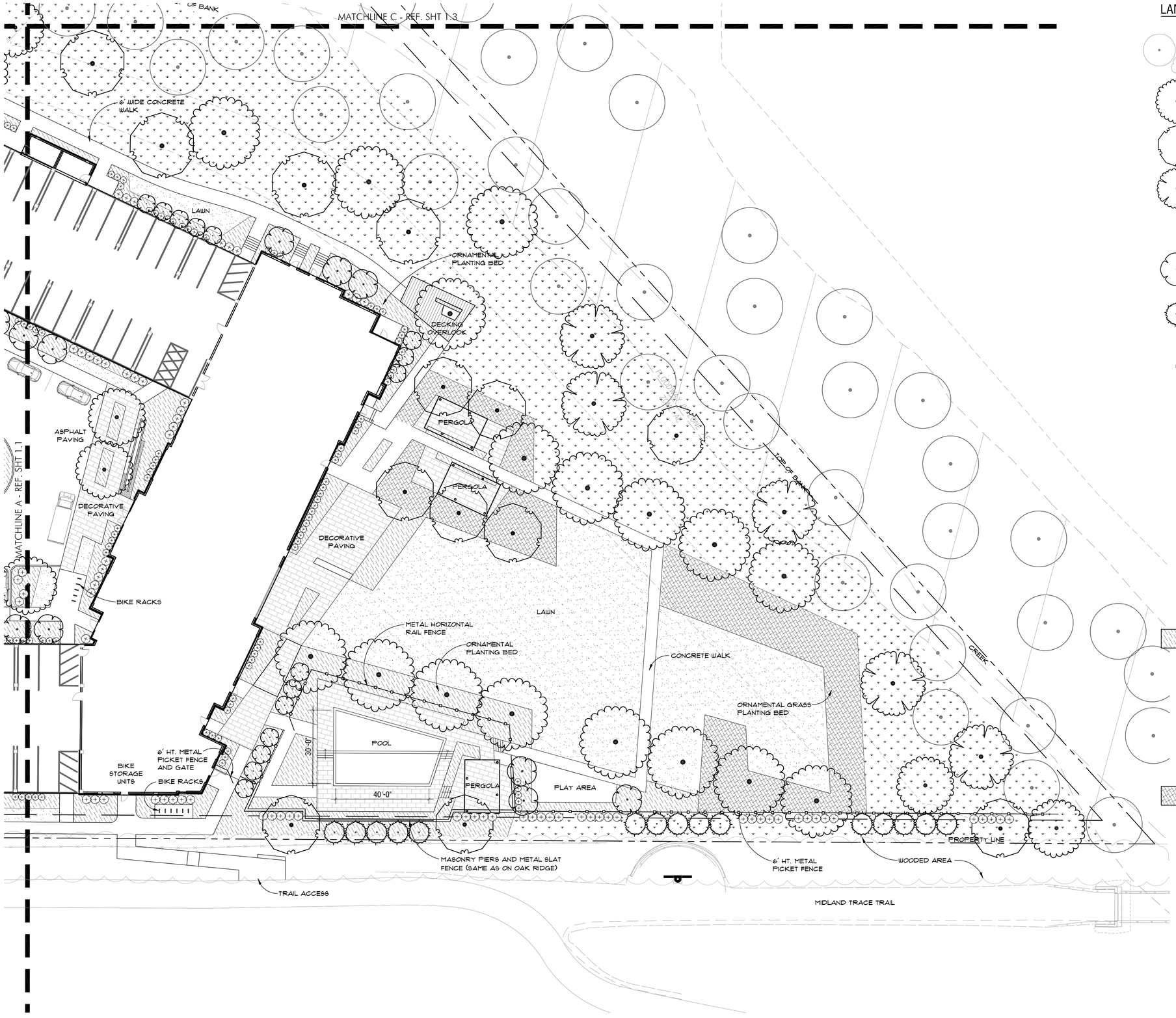

LANDSCAPE PLANTING LEGEND

TREES

EXISTING TREES TO REMAIN

SHADE TREES	QTY (157)
Acer rubrum	*2" cal.*
Acer saccharum	*2" cal.*
Betula nigra	*2" cal.*
Carpinus caroliniana	*2 cal.*
Gleditsia tricanthos var inermis	*2" cal.*
Gymnocladus dioicus	*2" cal.*
Liriodendron tulipifera	*2" cal.*
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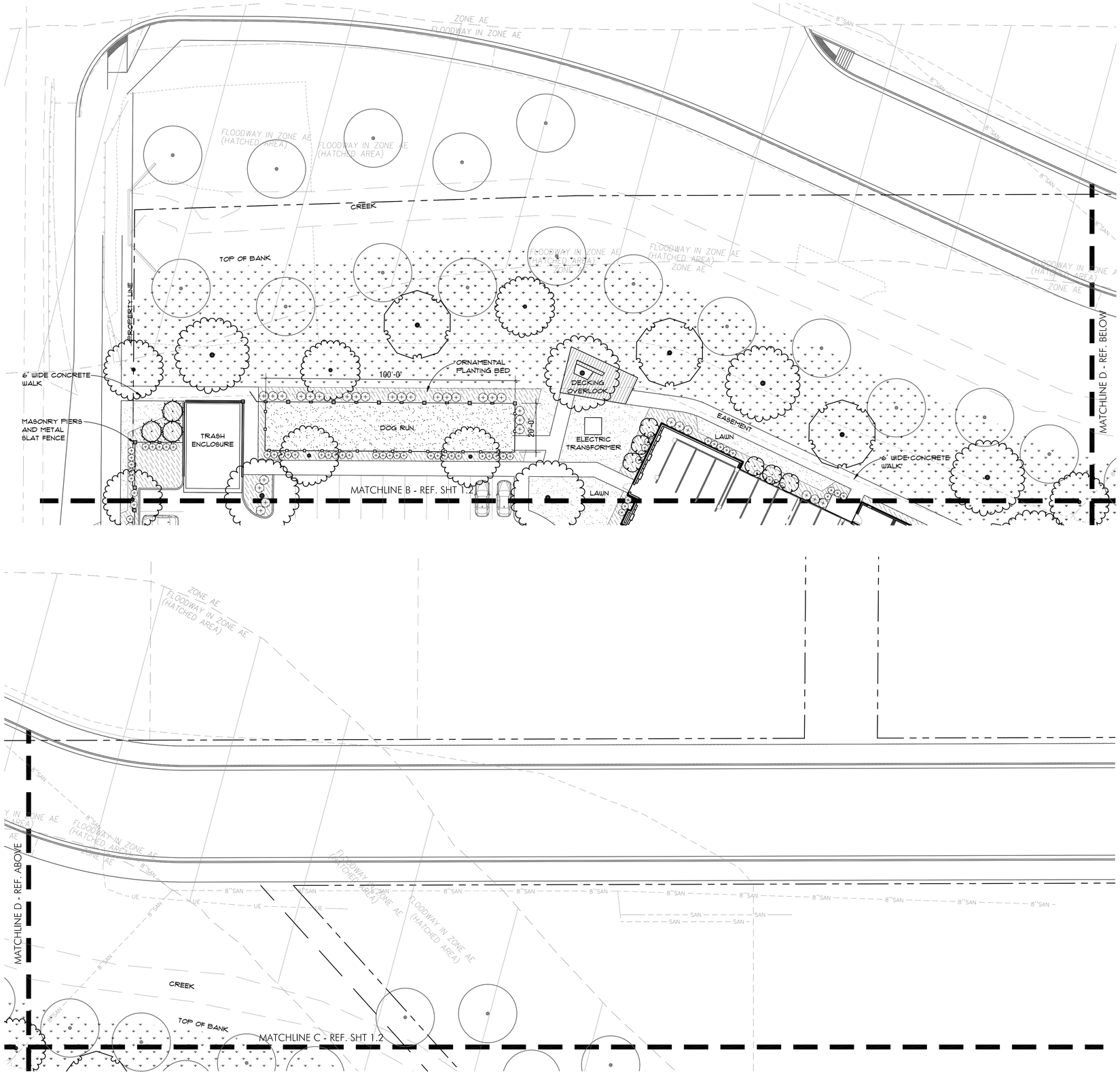

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Westfield–Washington Township Advisory Plan Commission
Minutes of the October 7, 2019 APC Meeting

Presented for approval: October 21, 2019

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, October 7, 2019 scheduled for 7:00 p.m. at the Grand Park Events Center.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Randy Graham, Steve Hoover, Robert Horkay, Ginny Kelleher, Andre Maue, Dave Schmitz, Robert Smith, Scott Willis, and Chris Woodard.

Members Absent: All present.

City Staff Present: Kevin Todd, Senior Planner; Pam Howard, Senior Planner; Daine Crabtree, Associate Planner; Caleb Ernest, Associate Planner; Jonathan Dorsey, Associate Planner; Corey Harris, Associate Planner; and Brian Zaiger, City Attorney with Krieg DeVault.

APPROVAL OF MINUTES

Motion: Approve September 3, 2019 meeting minutes with correction.
Motion: Maue; Second: Hoover. Motion passed. Vote: 9-0.

Motion: Approve September 16, 2019 meeting minutes with correction.
Motion: Willis; Second: Woodard. Motion passed. Vote: 9-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed the meeting rules and procedures.

CONSENT AGENDA ITEMS

1910-DDP-22 — **JJK Investments, LLC Building**

16702 Southpark Drive

JJK Investments, LLC by Keeler-Webb Associates requests Detailed Development Plan approval of a 9,650 square foot warehouse facility on 1.03 acres +/- in the EI: Enclosed Industrial District.

(Planner: Caleb Ernest ▪ CErnest@westfield.in.gov)

1910-DDP-23 — **Roundtrippers Building Addition**

16708 Southpark Drive

Roundtrippers Sports Academy by Keeler-Webb Associates requests Detailed Development Plan approval of a 56,976 square foot Baseball/Softball Training Academy on 10.55 acres +/- in the EI: Enclosed Industrial District.

(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)

Motion: Approve Consent Agenda as presented.
Motion: Horkay; Second: Willis. Motion passed. Vote: 9-0

ITEMS OF BUSINESS

1907-ODP-11
1907-SPP-11

Alpha Tau Park, Lots 1-3
510 E. State Road 32
Alpha Tau Enterprises, LLC by Coots, Henke & Wheeler requests Overall Development Plan and Primary Plat review of three (3) Lots on approximately 8.42 acres +/- in the EI: Enclosed Industrial District.
(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)

Crabtree overviewed this request for an Overall Development Plan and Primary Plat review.

No comments from the Commission.

Motion: Approve 1907-ODP-11 and 1907-SPP-11 with the following staff condition:

- All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.

Motion: Hoover; Second: Willis. Motion passed. Vote: 9-0

1909-PUD-24

181st Street PUD, Amendment V
Southwest Corner of East 181st Street and Sun Park Drive
CH Group, LLC by Church Church Hittle + Antrim requests an amendment to the 181st Street PUD District to permit limited outdoor storage, modify associated Development Standards, and add new Site Plans and Character Exhibits.
(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)

Crabtree overviewed the modifications made to this proposed amendment. He said that since this item's public hearing, the Petitioner has revised their proposal so that the maximum height of products located in the Outside Storage and Display area is ten (10) feet in height instead of twelve (12), and they have proposed to limit materials stored in this area to roofing shingles and any associated pallets they may be delivered upon. Additionally, the proposed parking lot south of the Wheeler Road entrance to the Property has been removed from the proposed Site Plan. He introduced Eric Douthit from Church Church Hittle + Antrim to provide a brief update on the existing screening and fencing.

Douthit said that that fence screening on the west side would be added in response to a specific public comment. He also said that the roofing shingles will be kept inside a fenced area that would be screened. The commitments will be incorporated into the text of the PUD.

Hoover thanked the Petitioner and suggested the fence shielding could be the color black.

Motion: Forward a 1909-PUD-24 to the City Council with a positive recommendation.
Motion: Woodard; Second: Hoover. Motion passed. Vote: 9-0

1909-PUD-26

Wrights Property Group at Grand Park PUD
200 W. 186th Street
Wrights Property Group by Hamilton Designs, LLC requests a change of zoning for approximately 4 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Wrights Property Group at Grand Park PUD District.
(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

Howard overviewed this item and clarified that fabric building material is not permitted and the Petitioner will comply with the ordinance.

Hoover asked about his request that the bottom 3-4 feet of the structure be masonry.

Douthit said the Petitioner has agreed to this request and is the process of looking at design options.

Smith asked about the screening of trash containers.

Douthit responded that the trash containers will be screened following the guidelines of the associated ordinance.

Motion: Forward a 1909-PUD-26 to the City Council with a positive recommendation.
Motion: Smith; Second: Woodard. Motion passed. Vote 9-0

Hoover stated that the masonry request must be included in order for this to be approved at the council level.

1909-PUD-28 **Union Square at Grand Junction PUD**
Southwest Corner of SR 32 and Union Street
Old Town Companies, LLC by Nelson & Frankenberger requests a change of zoning for approximately 4 acres +/- from the MF1: Multi-Family Low Density District and LB-H: Local Business / Historical District to the Union Square at Grand Junction PUD District.
(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

Howard overviewed this request for a change of zoning. She said that since this item's public hearing a couple of changes were made to the ordinance including the requirement that the Petitioner receive community input through a public design process prior to development plan approval.

Kelleher asked the Petitioner if the perimeter greenspace and parking is a part of the PUD.

The Petitioner responded yes.

Motion: Forward a 1909-PUD-26 to the City Council with a positive recommendation.
Motion: Graham; Second: Maue. Motion passed. Vote 9-0

1909-PUD-29 **Poplar Street Townhomes PUD**
West side of Poplar Street, between Jersey Street and Park Street
Estridge Homes by 11th Street Development requests a change of zoning for approximately 1.26 acres +/- in the MF-1: Multifamily Low-Density Residential District to the Poplar Street Townhomes PUD District.
(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)

Woodard recused himself.

Dorsey overviewed this request for a change of zoning.

Maue commented that he spent a lot of time looking at this proposal. He said he likes the product that is proposed; however, location is a concern for this sub-district.

Motion: Forward a 1909-PUD-29 to the City Council with a positive recommendation.
Motion: Kelleher; Second: Willis. Motion failed. Vote 4-4. (Yay: Kelleher, Willis, Smith, Hoover) (Nay: Maue, Schmitz, Graham, Horkay)

Result: Forward a 1909-PUD-29 to the City Council with no APC recommendation.

Woodard returned to the meeting

1910-ODP-18 **Southpark Subdivision, Lot 1**
1910-SPP-18 *16802 Southpark Drive*
JJK Investments, LLC by Keeler-Webb Associates requests Primary Plat and Overall Development Plan review of two (2) Lots on 1.030 acres in the EI: Enclosed Industrial District
(Planner: Caleb Ernest ▪ CErnest@westfield.in.gov)

Ernest overviewed this request for a Primary Plat and Overall Development Plan review.

No Commission comments.

Motion: Approve 1910-ODP-18 and 1910-SPP-18 with the following staff condition:

- All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.

Motion: Kelleher; Second: Woodard. Motion passed. Vote 9-0

PUBLIC HEARING ITEMS

1910-PUD-36 **Claiborne Farms by Del Webb PUD**
[PUBLIC HEARING] *West and adjacent to Towne Road, and North and adjacent to 146th Street*
Del Webb by Nelson & Frankenberger, LLC requests a change of zoning for approximately 245 acres +/- in the AG-SF1: Agricultural / Single-Family Rural District to the Claiborne Farms by Del Webb PUD District for an age-restricted residential community.
(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)

Dorsey overviewed this request for a change of zoning. He said several public comments have been received by the staff and have been made available to all APC members.

Jon Dobosiewicz, with Nelson & Frankenberger on behalf of the Petitioner, summarized the details for this proposed age-restricted community. He said that the Developer will comply with all requirements of The Housing for Older Persons Act of 1995. He described the site and its surrounding real estate. He said a portion of the site is designated as New Suburban in the Comprehensive Plan and another portion of the development is designated as Rural Southwest. He addressed items related to Development Standards, Landscaping Standards, Infrastructure Standards, Design Standards, and Open Space and Amenity Standards. He spoke of positive impacts this project would deliver to Westfield such as less traffic, no impact on schools, employment, and volunteerism by residents.

Scott Mairn, with The Del Webb division of Pulte Homes, presented an overview of the Del Webb's history. The product, and the positives that Del Webb residents bring to the community.

Public Hearing for 1910-PUD-36 opened at 7:48 p.m.

Richard Passman, 3510 West 151st Street; said he feels that the PUD is lacking important details such as buffers, roads, individual lot layouts, houses on lots. He said the density doesn't fit with Comprehensive Plan in regard to side and rear setbacks. He requested that more detail be added to the PUD.

Megan O'Connor, 15201 Shelborne Road; said she shares the concerns of the previous speaker and worried about the density and vagueness of plan, Comprehensive Plan says this area should have a rural feel and she feels the proposed density would compromise the rural feel.

Dan Canan, 13387 Merry Vale, Fishers; said he lives in the Fishers Del Webb community of Britton Falls. He said that, although he sits on of the Britton Falls Advisory Community, he is speaking strictly as an individual. He said he purchased more than his house, that he also purchased a lifestyle. He said Pulte has been responsive to issues that arose and Pulte lived up to the promises they made during development process.

Bruce VanNatta,1812 West 156th Street; said he is concerned about location more than the concept as it is close to rural area of Comprehensive Plan. He said he is worried about lack of detailed language in the PUD such as 360-degree architecture. He said he feels that less density would be an improvement.

Kristen Burkman, 1924 West 161st Street; she showed some slides that show her concern about the current number of available houses and lots in that area. She said that many of these homes are production builders and that there are not very many custom homes in the areas. She suggested adding custom homes/multi-generational homes to increase the AV of the area.

Karen Morrow, 16127 Lambrusco Way, Fishers: lives in Del Webb's Britton Falls in Fishers and said her experience has been great, better than a condo, lots of amenities and recreation options. She said this type of development is not a drain on community.

Scott Lavengood, 15001 Shelborne Road; said he likes the concept; however, he does not like the location being in the Rural Southwest area of Comprehensive Plan, he is concerned about drainage and the roads would require significant work.

Julie Jones, 1500 Water Leaf Drive; said, that as a realtor, she has several clients that are looking for a community like this. She said that many empty nesters can only find townhomes or paired patio homes. She said people have been asking about have Del Webb community here for some time and are moving to Fishers or Plainfield. She said the price point is critical for this product type. She said is supportive of this proposal.

Joe Plankis, 514 Stockbridge Drive; said he likes this type of product in Westfield. He said he is concerned about the density numbers in the western portion of the city. He said he is also concerned with 360-degree architecture and want to be sure to look at these two items.

Public Hearing for 1910-PUD-36 closed at 8:08 p.m.

Dobosiewicz's responses:

- Discussed the 200-foot buffer along west property line and said the UDO would only require a 40-foot buffer
- This development would have decreased density to better fit with the Comprehensive Plan.
- He stated that within the housing inventory mention earlier that no age-restricted development exists in those numbers.
- Expected home values in the range of 260K-400K
- Drainage will be worked out during development plan and the adjoiners will be noticed again.

Smith asked about relationship between Del Webb and Pulte

- Mairn replied that Del Webb is a brand owned by Pulte

Kelleher said she visited Britton Falls in Fishers and liked the amount of open space. She said it didn't feel as dense even though homes close together. She said she is not sure how to accomplish this in the Westfield product

per the PUD language. She said she would like to see the open space plan, not necessarily home layout., She said she want to make sure open space stays opens and isn't all active amenities (no dog park, pickleball, etc.). She said she likes houses in Shadow Wood, a Pulte community in Carmel, and would like to see those in Westfield. She said the homes in Shadow Wood require 360 architecture. She said she prefers the lower density in the north rather than in the southern portion. She said she has concerns about language in PUD which reverts southern portion back to AG-SF1 if it is not developed. She said the southern portion is the more important portion in regard to density and she said thinks sunset provisions make sense for entire PUDs, not for only parts. She stated she is concerned about dimensions not being shown on concept plan. She said she doesn't necessarily care if reforestation in every area, especially since trees are being preserved; however, she said she wants spaces to stay open.

Dobosiewicz responded that the sunset clause is included per the landowner's request

Willis would like to see lot layouts well as an overlay with Comprehensive Plan map. Wants to ensure that berms are done well and provide year-round cover.

Smith said berms in Bridgewater are done well

Woodard appreciates that this is a decrease in density of use. He said he is not against use but thinks the project needs detail work.

Hoover said he likes that consideration has been given to open space and buffers. This may be as close to a conservation subdivision that has been proposed in Westfield. He said the concept is very appealing, and yet, there is a need to continue to tie up loose ends and details.

1910-PUD-37 [PUBLIC HEARING]	**Dartown Crossing PUD Amendment I** *North and adjacent to State Road 32, West and adjacent to Dartown Road* MR3 Development, LLC by Nelson & Frankenberger, LLC requests an amendment to incorporate an additional 9 acres +/- to the Dartown Crossing PUD District and establish standards for the new acreage. *(Planner: Jonathan Dorsey ▪ JDorsey@westfield.in.gov)*

Dorsey overviewed this request for a change of zoning. He said no public comments have been received.

Jon Dobosiewicz, with Nelson & Frankenberger on behalf of the Petitioner, summarized the details of this amendment request. He said the underlying zoning would be a PUD. He shared the revised concept plan. He said the petitioner is working with staff on the details of the Dog Day Care use. He said comments have been received about the Dog Day Care and that the petitioner will work closely with the developer of the facility. He said they held a detailed neighborhood meeting with the neighbor.

Public Hearing for 1910-PUD-37 opened at 8:37 p.m.

No public comment.

Public Hearing for 1910-PUD-37 closed at 8:38 p.m.

Maue said he thinks this is a great location for the proposed use.

Graham agrees that the location is good and this looks like a nice project.

Hoover commented that the architecture didn't meet the State Road 32 Overlay and that there have been some changes made since the project's introduction. Make sure it looks good form State Road 32.

Woodard asked if a recommendation motion and vote could take place tonight.

Dorsey said there are still some items are still being worked through with the petitioner and recommends waiting to vote on this.

Dobosiewicz said if they are ready they may ask to come back at the October 21st APC meeting.

Todd reminded the audience of the change of the November APC meeting from November 4th to November 6th due to the election set up at City Hall.

1910-PUD-39 [PUBLIC HEARING]	**Maple Knoll PUD Amendment IV** *17145 Spring Mill Road* Meijer by Woolpert, Inc. requests an amendment to the Maple Knoll PUD District modifying the sign standards and architectural standards for the Meijer's property. *(Planner: Caleb Ernest ▪ CErnest@westfield.in.gov)*

Ernest overviewed this request for a PUD amendment.

Ashley Mack, with Meijer, summarized this proposed project. She said this business would bring 300+ new jobs to the area. She said Meijer is requesting an amendment for the sign and architectural standards. She introduced Jon Sheidler with Woolpert, Inc.

Sheidler spoke about the need to modify signage for the Meijer store and the fueling station as well as the development signs. He said that all the signs with the exception of three signs meet the UDO standards. He said modifications are requested due to the scale and size of the building and its distance from the road.

Tom Reeder, the architect for Meijer with Bergmann & Associates, said the proposed amendment to the PUD would allow for brick imprinted precast panels in lieu of full brick. He said 100% of the store would be finished with these panels. He showed a variety of photos of other Meijer stores to show the quality of the panels. He spoke about the high quality of the product.

Public Hearing for 1910-PUD-39 opened at 8:51p.m.

No public comments.

Public Hearing for 1910-PUD-39 closed at 8:52 p.m.

Kelleher asked if the brick imprinted panel material has been used on other local Meijer stores.

Reeder replied yes, the material was used in both Whitestown and Plainfield locations. Those facilities do have different designs and colors.

Maue said he was satisfied with the quality of the building material.

Hoover said he is okay with the building material; however, he said he has concern about the architecture of the fueling station that it does not comply with the State Road 32 Overlay and looks very plain. He also said he would prefer to see two smaller ground signs instead of large sign.

Graham agreed about the concerns surrounding the proposed signage. He said he understands that one 25' sign is permitted but doesn't like them and thinks 2 smaller monument signs would be a good compromise. He said he would like to see reverse channel lighting for wall signs.

Petitioner says they worked with staff and they are close to resolving sign issues. Allen Industries is Meijer's sign vendor and the signs will not throw light; they internally illuminate and don't radiate.

Maue said he is not concerned about sign lighting during daylight hours, but is concerned about the sign becoming a beacon at night.

Mack said that when trees are fully grown a 15-foot sign won't be visible. She said they will create a rendering to illustrate this.

Woodard said the sign on Carmel location doesn't look as big.

Mack said that the Carmel location is a larger store, so proportions could be off. She said she can get the measurements of that sign.

Woodard asked about color variation. He said he didn't see the red brick in what is presented.

Petitioner responded that Meijer has rebranded using cooler greys and whites. He said there will still be offsets as required by ordinance.

Kelleher also concerned about sizes of monument signs and said people will know you're there. She said she wants to treat all businesses fairly and that Westfield doesn't want signs all up and down the roadways.

Horkay agrees about the monument signs and said he thinks the level of speed on Spring Mill doesn't warrant this; however, he understands need on State Road 32. He said he was also concerned about fuel station architecture visible from State Road 32.

1910-PUD-35 [PUBLIC HEARING]	**The Trails PUD Amendment III** *801 E. 175th Street* Holladay Properties by Woolpert, Inc. requests an amendment to The Trails PUD District, specific to Lot 4, on 7.38 acres +/- to add an additional Concept Plan and Character Exhibit. *(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)*

Crabtree overviewed this amendment request. Neighborhood meeting was held. The department has not received any public comments.

Chris Wilkes with Holladay properties summarized the proposed changes.

Public Hearing for 1910-PUD-35 opened at 9:14 p.m.

No public comments.

Public Hearing for 1910-PUD-35 opened at 9:15 p.m.

Smith said seems like there are a lot of undecided items and asked if this is the final plan.

Wilkes responded yes, this is the plan for which they are seeking approval.

Hoover voiced that he had concerns about screening of parking on Oak Ridge when this project was first introduced and said he feels that issue has been satisfactorily addressed. He said he had similar concerns about parking garage and understands that petitioner is working on that.

Willis asked if there is a need for another apartment complex at this time. He asked if this the right time for this project. He said he personally doesn't like the architecture and said the modern architecture doesn't fit Westfield.

Woodard mentioned that the apartments are already approved and that now the issue is the architecture. He said he really likes this architecture and thinks the design is better than the original. He added that he thinks people will want to live here with its architecture and proximity to trails.

Wilkes responded that Holladay is excited about this site that has an urban feel with all the shops close by. He said they were guided by the existing PUD to in regard to the architectural design.

Maue said he also doesn't particularly like architectural design. He said he shared Hoover's concerns about screening.

Crabtree stated that the use and density are already approved and that tonight the issues are strictly related to architectural design in the State Road 32 Overlay and the site plan.

Maue asked about roof color.

Scott Perkins, with Blackline, discussed the proposed roof type, a low slope roof design.

Woodard asked if utilities would be roof mounted;

Perkins responded yes, the utilities would be located at the center of the building on the roof and would not be visible from property

Woodard said there is a need to look at visibility from Midland Trace Trail.
Perkins agreed.

Woodard asked how the recent UDO change to screening affected the placement of the utilities.

Todd explained that the change was related to wall mounted meters and that the screening for roof mounted utilities remains unchanged.

1910-PUD-38 [PUBLIC HEARING]	**Custom Commerce Park PUD Amendment IV** *19719 Foundation Parkway* Thieneman Properties requests an amendment to the Custom Commerce Park PUD, specific to Lot 1, on 4.45 acres +/-to permit Light Industry uses. *(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)*

Crabtree overviewed this request for a proposed amendment to permit Light Industry Uses as defined by the UDO as well as a Children's Recreational Facility.

Eric Douthit, with Church Church Hittle + Antrim, summarized this amendment that addresses use only and includes additional lines of business and allowing Carter's Play Place to be brought into compliance.

Public Hearing for 1910-PUD-38 opened at 9:28 p.m.

No public comments.

Public Hearing for 191-PUD-38 closed at 9:29 p.m.

No Commission comments.

Motion: Forward a 1910-PUD-38 to the City Council with a positive recommendation.
Motion: Maue; Second: Woodard. Motion passed. Vote 9-0

1910-PUD-34 [PUBLIC HEARING]

Chatham Hills PUD Amendment VII
Southwest Corner of US 31 and 203rd Street
Chatham Hills, LLP by Henke Development Group requests an amendment to incorporate an additional 252.44 acres +/- into the Chatham Hills PUD District and establish standards for the new acreage.
(Planner: Pam Howard ▪ PHoward@westfield.in.gov)

Howard overviewed this amendment request. She said the petitioner hosted two neighbor meetings and summaries of each have been provided to the Commission members.

Steve Henke, with Henke Development, summarized the points of this request. He said creating lakes and a mix of homes, office buildings, perhaps apartments or senior living, a village center, and an aquatics area are proposed parts of this amendment. He said there have been many meetings with neighbors. The petitioner said he has agreed to preserve woods as a buffer and to provide mounds where there are no trees. He said they will be working on draining and adding lakes as buffers. He said they had eliminated townhomes along Tomlinson. Along the Bokeelia Bend neighborhood uses have been limited and apartments have been eliminated. He said that Chad Hittle Drive would be extended to a roundabout at 196th Street. An additional road would be put in to service the village area. He said park space, green space and trails will be included as well. He said they are considering additional access to the clubhouse with the addition of a bridge. He shared character exhibits of the proposed homes and also addressed landscaping and architectural designs and home pricing. He said that other amenities would include a mini amphitheater on the water and a large gathering space within the Village Center Area. He said the lakes would also offer kayaks and paddle boats.

Public Hearing for 1910-PUD-34 opened at 9:46 p.m.

Mark Christoffersen, 1217 Bokeelia Bend, on behalf of the Bokeelia Residents; asked that the APC help foster relationship between developer and residents of Bokeelia Bend. He said the residents want to ensure that the buffer language reflects what the residents want. He said the language is too ambiguous. He said the residents don't like the overlapping easement language in preservation standards. He said they are not asking for neighborhood plan like Spring Mill Station but to assist in the communication between the residents and the developer.

Public Hearing for 1910-PUD-34 closed at 9:49 p.m.

Henke responded that they will be happy to work with Bokeelia residents on buffers and height limitations.

Kelleher mentioned that this subdivision is older and has had some drainage issues.

Smith said he would ask staff later about how this proposal fits into the 31 Overlay

Henke said the existing neighbors preferred apartments over commercial in the northern area.

Woodard thanked the petitioner for the quality of the project and he asked about phasing of this project.

Henke said phasing would depend on demand, and probably coming with residential from Tomlinson. He said there is the possibly central lake at the same time to assist with drainage. He said there are current discussions with some potential commercial users. He said that homes in Chatham Hills have developed faster than the developer anticipated.

1910-PUD-40 [PUBLIC HEARING]	**Grand Park Village PUD Amendment III** *18160 Wheeler Road* RWE Management Company requests an amendment to the Grand Park Village PUD District to allow a veterinary clinic with outdoor play areas. *(Planner: Corey Harris ▪ CHarris@westfield.in.gov)*
1910-ODP-17 **1910-SPP-17** [PUBLIC HEARING]	**Grand Park Village Sec. 6** *18160 Wheeler Road* Chatham Hills, LLP by Henke Development Group, LLC requests Overall Development Plan and Primary Plat review of 4 Lots on 37.366 acres +/- in the Grand Park Village PUD District. *(Planner: Corey Harris ▪ CHarris@westfield.in.gov)*

Harris overviewed these requests which include the permitted uses of veterinarian clinics, kennels and boarding facilities with outdoor runs.

Michael Matthys, with Linden Group representing the petitioner, presented a background of Coyne's history and an overview of its services. He summarized the details and of these outdoor play areas. He said there are a variety of spaces with synthetic pet turf which are able to be hosed down and would be supervised at all times. He also addressed parking spaces, parking lot egresses and access. He addressed the projects required screening and landscaping, along with sound/odor control, cleaning, and waste disposal practices. He showed character exhibits with architectural designs.

Public Hearing for 1910-PUD-40/1910-ODP-17/1910-SPP-17 opened at 10:08 p.m.

No public comments.

Public Hearing for 1910-PUD-40/1910-ODP-17/1910-SPP-17 opened at 10:09 p.m.

Kelleher said it was a very nice proposal.

1910-PUD-32 [PUBLIC HEARING]	**Village Park Plaza II PUD** *Northeast Corner of US 31 and 146th Street* Washington Prime Group by Onpointe Land Matters, LLC requests a change in zoning of 32.7 acres +/- from the SB-PD: Special Business / Planned Development District to the Village Park Plaza PUD II District. *(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)*
1910-ODP-19 **1910-SPP-19** [PUBLIC HEARING]	**Village Park Plaza II Plat** *Northeast Corner of US 31 and 146th Street* Washington Prime Group by Onpointe Land Matters, LLC requests Overall Development Plan and Primary Plat review of 8 Lots on 32.7 acres +/- in the Village Park Plaza II PUD District (pending). *(Planner: Kevin Todd ▪ KTodd@westfield.in.gov)*

Todd overviewed these requests for a change in zoning and an Overall Development Plan and Primary Plat review. He said this is a platting exercise with a zoning component and has no new improvements.

Public Hearing for 1910-PUD-32/1910-ODP-19/1910-SPP-19 opened at 10:11 p.m.

No public comments.

Public Hearing for 1910-PUD-32/1910-ODP-19/1910-SPP-19 closed at 10:12 p.m.

No Commission comments.

ITEMS CONTINUED TO A FUTURE MEETING

1908-PUD-20 **The Landings at Village Farms**
14851 Oak Ridge Road
Pulte Homes of Indiana, LLC and Mark Zukerman by Nelson and Frankenberger, LLC requests a change in zoning of approximately 58.02 acres +/- from the SF2: Single-Family Low Density District to The Landings at Village Farms PUD District.
(Planner: Daine Crabtree ▪ DCrabtree@westfield.in.gov)

REPORTS/COMMENTS

- Plan Commission Members
- City Council Liaison
- Board of Zoning Appeals Liaison
- Community Development Department

ADJOURNMENT

Motion: Adjourn Meeting
Motion: Graham; Second: Kelleher. Motion passed. Vote: 9-0
Meeting adjourned at 10:16 p.m.

_____
Randell Graham, President

_____
Andre Maue, Vice President

_____
Kevin M. Todd, Secretary

Docket Number:	1908-PUD-20 (Ord. 19-26)
Petitioner:	Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC (the "Petitioner")
Subject Site Address:	Generally 14851 Oak Ridge Road
Request:	Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC requests a change in zoning on 58.02 acres +/- from the SF2: Single-Family Low Density District to the Legacy Oaks Planned Unit Development (PUD) District
Current Zoning:	SF2: Single-Family Low Density
Current Land Use:	Residential/Open Space
Approximate Acreage:	58.02 acres+/- (the "Property")
Exhibits:	1. Staff Report 2. Location Map 3. Proposed Ordinance 19-26 4. Proposed Ordinance 19-26 Redline Version 5. Concept Plan 6. District Map 7. Residential Character Exhibits 8. Trailhead & Park Site Exhibit 9. Focus Group Meeting Handout 10. Summary of Project Changes 11. City Engineer Statement on Entrance 12. Public Comments Pre-Public Hearing 13. Public Comments Post-Public Hearing
Staff Reviewer:	Daine Crabtree, Associate Planner

PETITION HISTORY

This petition (the "Proposed Ordinance") was introduced at the July 8, 2019, City Council meeting. The petition received a public hearing the August 5, 2019, Advisory Plan Commission (the "APC") meeting. Many issues were discussed at length mainly related to traffic, density, the

proposed commercial area (which has since been removed), price point of homes/home quality, light pollution, deviation from the Village Farms-specific subsection of the Comprehensive Plan, noise, drainage, impact on schools, property values, and pedestrian safety.

PROJECT OVERVIEW

Location: The petitioner is requesting a change in zoning to The Legacy Oaks PUD (formerly known as the "Landings at Village Farms"), which would consist of a maximum of sixty-seven (67) residential lots on approximately 58.02 acres +/- located at the northeast corner of 146th Street and Oak Ridge Road (see **Exhibit 2**).

The Property is currently zoned SF2: Single-Family Low Density. The Property is surrounded by SF2 zoned parcels as well.

This public hearing for this petition was held at the August 5, 2019, APC meeting.

ZONING REQUEST

The petitioner requests this change in zoning to allow for a single-family residential development with the potential for a public park component.

Concept Plan: A Concept Plan (see **Exhibit 5** or **Exhibit B** of the PUD) is made a part of the PUD.

District Map: A District Map (see **Exhibit 6** or **Exhibit C** of the PUD) is made a part of the PUD, which outlines the two (2) individual Areas (A & B) of the District.

Underlying Zoning: The proposed underlying zoning for Area A is the SF3: Single-Family Medium-Density while the proposed underlying zoning for Area B will remain SF2: Single-Family Low Density.

Permitted Uses: All uses permitted in both underlying zoning districts would be permitted, except that Special Exception uses would be prohibited. Additionally, a public park shall be a permitted use in Area B.

General Regulations: Although the Residential Area (Area A) of the PUD is proposed to default to an underlying zoning district of SF3, modifications from the SF3 Westfield-Washington Township Unified Development Ordinance (UDO) standards to Minimum Lot Area, Minimum Lot Frontage, Minimum Building Setbacks, Maximum Building Height and Minimum Lot Width are proposed. The PUD also proposes a Minimum Total Living Area instead of a Minimum Ground Floor Living Area.

Development Standards: The PUD defaults to Chapter 6 of the Westfield-Washington Township UDO for Development Standards, but proposes some alternative Architectural Standards. Character Exhibits (see **Exhibit 7** or **Exhibit D**) have been made a part of the proposed PUD.

The PUD proposes that vinyl and aluminum siding be prohibited, a minimum number of windows per Façade requirement, a minimum roof pitch, a garage orientation requirement for Perimeter Lots, and enhanced architectural requirements for facades that along Corner Lots or those that abut Common Areas.

Design Standards: The PUD proposes to default to Article 8.6 Open Space and Amenity Standards of the UDO except as modified or enhanced, requiring that the theme and character of the District shall be comparable to the Village Farms Neighborhood theme as generally depicted on the Neighborhood Character Exhibit (see **Exhibit E** of the PUD). The PUD also proposes to provide trails, sidewalks, and paths as generally depicted on the Concept Plan.

As the PUD permits a Public Park in Area B, if such a park were to be developed, the PUD sets forth various standards for the Public Park including location, design, lighting, safety measures, and landscaping. As this Park is meant to act more as a trailhead for the nearby Monon Trail than a typical active park, various improvements such as water fountains, restrooms, enclosed buildings, and active sport courts would be prohibited from being implemented in this Area.

CHANGES SINCE THE PUBLIC HEARING

For a more comprehensive document detailing changes since the public hearing, see **Exhibit 10**.

Village Farms Relationship: At this time, the proposal does not plan to have any relationship with the Village Farms HOA; as such, the project name has changed from "The Landings at Village Farms" to "Legacy Oaks".

Land Uses: The commercial area has been removed from the Proposed Ordinance. A public park has been added as a permitted use to Area B.

Underlying Zoning: The underlying zoning for Area A has changed from SF4: Single-Family High Density to SF3: Single-Family Medium Density. Area B, which was originally proposed as part of the Commercial Area, is proposed to remain SF2: Single-Family Low Density.

Number of Residential Lots: The number of residential lots has been reduced from ninety-four (94) to sixty-four (64), with a maximum of sixty-seven (67) if Area B of the Property is not developed into a public park.

Lot Standards: Minimum Lot Size has increased from 6,000 square feet to 10,000 square feet. Minimum Lot Frontage has increased from thirty-five (35) to fifty (50) feet. Minimum Lot Width has increased from forty-five (45) to seventy-one (71) feet. Minimum Side Yard Setback has been reduced from ten (10) to five (5) feet while Minimum Rear Yard Setback has been reduced from twenty (20) to fifteen (15) feet.

Home Type: Home type has changed from a mix of single story and two-story homes to an all-single story home type; the exact product is offered at Lantern Park, located at the northeast corner of 161st Street and Union Street. Exhibits within the PUD have been updated to reflect this change.

Square Footage: Minimum Square Footage for homes has increased from 1,600 square feet to 2,300 square feet.

Price Point: Expected average price point for the homes on the Property has increased from the low $300Ks to the mid-$400Ks.

Amenities: The proposed amenity of a canoe/kayak launch has been removed. A Public Park use has been added as a potential use on Area B.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan"), which was approved in 2007, identifies the Property as "Suburban Residential". The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

Per the Comprehensive Plan, Suburban Residential identified areas include residential development with a variety of housing types, including subdivisions at a variety of densities along with recreational uses. Appropriate land uses in Existing Suburban areas include detached dwellings, attached dwellings, institutional uses, and recreational uses.

PROCEDURAL

Public Hearing: Planned Unit Development (PUD) Districts are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the August 5, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

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

DEPARTMENT COMMENTS

1. **Action: Send a recommendation to the City Council.**

2. The petitioner will make any necessary revisions to the proposal based on the Plan Commission comments, public comments, and any additional Department comments, prior to the Plan Commission's further consideration of this petition.

3. If any Plan Commission member has questions prior to the public hearing, then please contact Daine Crabtree at 317.416.2586 or dccrabtree@westfield.in.gov

WRITTEN PUBLIC COMMENTS

Docket Number: 1908-PUD-20

Petitioner: Pulte Homes of Indiana, LLC and Mark Zukerman by Nelson and Frankenberger, LLC

Request: A change in zoning of approximately 58.02 acres +/- from the SF2: Single-Family Low Density District to The Landings at Village Farms Planned Unit Development

Enclosed Attachments (as of 5:03pm., Monday, August 5):
August 5, 2019 Advisory Plan Commission Meeting

1. Kate Snedeker	121 Amkey Way	(7/15/19)
2. Ray Ketring	1130 Barley Cr	(7/17/19)
3. Carrie Strahl	15230 Citation Rd.	(7/19/19)
4. Lisa Leahy	Village Farms	(7/20/19)
5. Holly Moore	15302 Derby Court	(7/20/19)
6. Paul Leahy	N/A	(7/22/19)
7. John Mueller	510 Fox Lane	(7/24/19)
8. Denise Dolin	N/A	(7/24/19)
9. Mary Ann Hale	15767 Viking Lair Rd.	(7/24/19)
10. Mary Ann Hale (2)	15767 Viking Lair Rd.	(7/24/19)
11. Jackie Berthiaume	Village Farms	(7/25/19)
12. Brenda Whan	Village Farms	(7/25/19)
13. Janice Mowry	Adios Pass	(7/25/19)
14. Keena Rector	Village Farms	(7/26/19)
15. Evan Hetrick	Village Farms	(7/26/19)
16. John Servizzi	417 Fox Lane	(7/26/19)
17. Philip Sheets	Bridgewater	(7/26/19)
18. Lavonne/Scott Cooper	1012 Farmview Lane	(7/26/19)
19. Jill Olecki	Village Farms	(7/27/19)
20. Jayne Harvey	N/A	(7/29/19)
21. Barton Harvey	N/A	(7/29/19)
22. Pat Melson	248 Maple View Dr.	(7/29/19)
23. Nancy Wallis	14739 Raymond Ln.	(7/29/19)
24. Dr. Steve Cox	494 Sapphire Dr.	(7/29/19)
25. Charlie Catron	412 Fox Lane	(7/29/19)
26. Nora Bentivoglio	Village Farms	(7/29/19)
27. Mary K. Krambeer	14812 Sulky Way	(7/30/19)
28. Amy Dolen	N/A	(7/30/19)
29. Brent Thompson	N/A	(7/30/19)
30. Kurt Schepers	N/A	(7/30/19)
31. Ann Catron	412 Fox Lane	(7/30/19)
32. Tenders Duff	N/A	(7/30/19)
33. Carolyn Wittmann	Village Farms	(7/30/19)
34. Paul Pringle	Village Farms	(7/30/19)
35. Mark Lammers	Village Farms	(7/31/19)

36. James Finley	N/A	(7/31/19)
37. Kathleen Taylor	N/A	(7/31/19)
38. Scott and Linda Adams	15050 Super Star Dr.	(7/31/19)
39. Larry Hutson	Village Farms	(7/31/19)
40. Steve and Susanne Baranyk	202 E. Senator Way	(7/31/19)
41. Mike and Gina Bostic	70 W. Admiral Way	(7/31/19)
42. Nancy and David Koehler	150 E. Senator Way	(7/31/19)
43. Dave Beckman	540 Sapphire Dr.	(7/31/19)
44. Scott Cooper	1012 Farmview Lane	(8/1/19)
45. James Kunkel	446 Sapphire Dr.	(8/1/19)
46. Greg and Linda Johnson	15073 Super Star Dr.	(8/1/19)
47. Jane Allain	533 Worth Court	(8/2/19)
48. Emily Featherstone	Village Farms	(8/2/19)
49. Barb Krivosik	31 Cynthia Ct.	(8/2/19)
50. Dan Pitcock	15120 Romalong Ln.	(8/2/19)
51. Steele Kruzel	N/A	(8/2/19)
52. Shelley Koglin	531 Sapphire Dr.	(8/2/19)
53. Nathan Mundy	Village Farms	(8/2/19)
54. Bryon and Cathy Clevenger	14919 Admiral Way	(8/2/19)
55. Francine Weigand	Abbedale Court	(8/2/19)
56. Tom and Kim Wagner	Westfield	(8/2/19)
57. Maureen McCullough	Westfield	(8/2/19)
58. Lisa Young	14817 Senator Way	(8/2/19)
59. Monica J Cochran	Village Farms	(8/2/19)
60. Nicole Williams	N/A	(8/3/19)
61. Julia Mattern	16604 Salimonia Lane	(8/3/19)
62. Maura Skiba	Village Farms	(8/3/19)
63. Alex Hutchison	N/A	(8/3/19)
64. David and Nancy Wallis	14739 Raymond Lane	(8/3/19)
65. Elizabeth Hanrahan	15107 Stars Pride Ct.	(8/3/19)
66. John Cotrell	556 Worth Court	(8/3/19)
67. Marc Kruithoff	14625 Adios Pass	(8/3/19)
68. Sam Macaluso	101 Senator Way	(8/3/19)
69. Karyn Sneath	626 Sapphire Drive	(8/3/19)
70. Ashley Fish	480 E Greyhound Pass	(8/3/19)
71. Troy Yoder and Andrea McIntosh	N/A	(8/3/19)
72. Martin Allain	533 Worth Court	(8/4/19)
73. Preston Meng	Village Farms	(8/4/19)
74. Kristin Cary	N/A	(8/4/19)
75. Doug and Deb Miller	Oak Ridge Crossing	(8/4/19)
76. Michael Hawk	15011 Oak Ridge Road	(8/4/19)
77. Jeff and Nancy Sweet	Raymond Lane	(8/4/19)
78. Marcia Powell	32 Cynthia Court	(8/4/19)
79. Nicole House	14802 Sulky Way	(8/4/19)
80. Lisa Kreag	14949 Senator Way	(8/4/19)
81. Patrick Jeffers	638 Sapphire Drive	(8/4/19)
82. Catherine Anderson	14545 John Paul Way	(8/4/19)

83. Kelly Cox	15236 Dan Patch Ct.	(8/4/19)
84. Janet Warns	N/A	(8/4/19)
85. Michelle Talbott	N/A	(8/4/19)
86. Janet Warns (2)	132 W Romalong Ct	(8/4/19)
87. Ron and Tara-Lynne Sinicki	15211 Stars Pride Ct.	(8/4/19)
88. Ryan Kreag	Village Farms	(8/4/19)
89. John Moore	N/A	(8/4/19)
90. Jennifer Sprague	918 Farmview Lane	(8/4/19)
91. Greg Templeton	136 Senator Way	(8/4/19)
92. Scott Rector	N/A	(8/4/19)
93. The Smiths	435 Worth Ct.	(8/4/19)
94. Steve Sneath	626 Sapphire Drive	(8/4/19)
95. Lara E Clark	N/A	(8/4/19)
96. Jason DeWitt	14809 Victory Ct	(8/4/19)
97. John Kane	15 W. Greyhound Pass	(8/4/19)
98. Robert Ress	218 W. Admiral Way S	(8/4/19)
99. Chris and Dawn Street	14705 Victory Ct.	(8/4/19)
100. Marianne and Andrew Roush	537 Fox Lane	(8/4/19)
101. Art and Peggy Lecheler	926 Farmview Ln	(8/5/19)
102. Levi Michel Bess	Village Farms	(8/5/19)
103. Linda Naas	1122 E. 161st St.	(8/5/19)
104. Elizabeth and Gabriele Piron	710 E. Greyhound Pass	(8/5/19)
105. Lindsay Clark	Worth Court	(8/5/19)
106. Jan Riesche	Village Farms	(8/5/19)
107. Steve Schrader	14620 Adios Pass	(8/5/19)
108. Doug and Cheryl Evans	Village Farms	(8/5/19)
109. Larry Robinson	504 Super Star Ct.	(8/5/19)
110. Caitlin Smarrelli	428 Sapphire Drive	(8/5/19)
111. William and Deborah Dale	14903 Trotter Ct.	(8/5/19)
112. Eric Gilbert	15206 Count Fleet Ct.	(8/5/19)
113. Nathan and Leigh Muller	15024 Senator Way	(8/5/19)
114. Troy Comstock	14717 Victory Court	(8/5/19)
115. Becky Deischer	15018 Shoreway East Dr.	(8/5/19)
116. Linda Prokai	140 W. Greyhound Pass	(8/5/19)
117. Dan and Tracey Traub	534 Worth Ct.	(8/5/19)
118. Seth Yudes	14941 Admiral Way N	(8/5/19)
119. Karmen Mueller	510 Fox Ln	(8/5/19)
120. Irene K Harrington	415 Adios Ct.	(8/5/19)
121. Cynthia and Jason Richmond	545 Sapphire Dr.	(8/5/19)
122. Matt and Mary Verner	14934 Admiral Way N	(8/5/19)
123. Cheryl Jensen	Westfield	(8/5/19)
124. Denise Dolin (2)	14602 Harvest Dr.	(8/5/19)
125. Tom Gentry	720 E. Greyhound Pass	(8/5/19)
126. Karen Hymbaugh	2929 W. 159th St.	(8/5/19)
127. Kenneth Klinker	15121 Count Fleet Ct.	(8/5/19)
128. Linda Johnson	N/A	(8/5/19)
129. Michal Misiurewicz	15240 Goodtime Ct	(8/5/19)

130. Sharon Humes	N/A	(8/5/19)
131. Kathy Lentz	15126 Count Fleet Ct	(8/5/19)
132. Cory and Kari Pitre	14722 Raymond Lane	(8/5/19)
133. David Lentz	15126 Count Fleet Ct	(8/5/19)
134. Mike and Laurie Busch	401 Sapphire Drive	(8/5/19)
135. Jeff Radabaugh	14715 Adios Pass	(8/5/19)
136. Harry Kasdorf	15118 Stars Pride Ct.	(8/5/19)
137. Allison Spalding	144 E Admiral Way S	(8/5/19)
138. William Spaulding	14817 Adios Pass	(8/5/19)
139. Drake Anne Deneve	433 Fox Lane	(8/5/19)

From:	Kate Snedeker, APR
To:	APC
Subject:	The Landings at Village Farms
Date:	Monday, July 15, 2019 6:14:28 AM

Hello - my name is Kate Snedeker, and I live at 121 Amkey Way in Village Farms. We have lived in VF for 15 years and this is our second home in the neighborhood.
I'm writing to you today to express my concerns about the rezoning and development of the Landings at Village Farms, being developed by Pulte. My concern is less about the density - which worries many of my neighbors - but about the possibility of a drugstore being added to the development as an LB. If LB stands for local business - how does Walgreens or CVS fit that description? With drugstores in close proximity - 161st & Spring Mill, 31 & 136th, and 146th & Ditch - I'm stuggling to see how adding another drugstore on this site would be beneficial to our neighborhood and community.
I know the VF HOA is working hard to make this the best possible proposal, but I wanted to share my concerns with you. Thank you for your service to Westfield on APC. Sincerely, Kate Snedeker

From:	Ray Ketring
To:	APC
Cc:	Council Members
Subject:	Landings at Village Farms
Date:	Wednesday, July 17, 2019 1:17:04 PM
Attachments:	Landings.pdf

To all
Please consider the attached points of concern, before approving the new development.

Ray Ketring
1130 Barley Cr
Carmel, In 46032

Planners and Council Members
In your continuing success of making Westfield a wonderful community.
Here are a couple of features that would be considered a benefit for locals of this
Landings at Village Farms
No curb cuts on 146th street. The curve is already risky
Along the boundary to any residential and commercial, Create a classy noise and litter barrier. Delivery and trash vehicles are noisey. Prevailing winds carry much trash.
Westfield Farms

From: Daine Crabtree
To: Daine Crabtree
Subject: RE: Development at 146th & Oakridge
Date: Monday, July 22, 2019 8:35:24 AM

Daine Crabtree | Associate Planner

Economic and Community Development | 2728 East 171st Street | Westfield, IN 46074
dcrabtree@westfield.in.gov | 317-416-2586

Need to send me a file over 25MB?

From: Carrie Strahl <carrie_strahl@yahoo.com>
Sent: Friday, July 19, 2019 10:44 AM
To: CRM_ContactUs <CRM_ContactUs@westfield.in.gov>
Subject: Development at 146th & Oakridge

Hello. I am a 5-year resident of Westfield in the Village Farms neighborhood. My family and I specifically chose this community and neighborhood because of:

1) the quality schools
2) the relatively larger lot sizes and the variety of home styles in one neighborhood
3) the Village Farms amenities, such as the lakes, pool, and clubhouse

I recently listened to a Pulte presentation regarding a planned new development called "The Landings at Village Farms" to be located at the corner of 146th & Oakridge, on what was, I believe, the former Russell farm.

I ask the City Council to reconsider this planned proposal for the following reasons:

1) Westfield schools are already overcrowded, and my daughters have both felt the impact of this as students of Westfield Washington Schools. My eldest daughter attends WMS, and the parking situation and general space constraints of that area have already made us consider relocating.
2) My youngest daughter attends Shamrock Springs, and I worry that an addition of 94 homes to this area would require the elementary schools to be redistricted, causing a disruption in her education.
3) The small sizes of the lots are less desirable than the current VF lot sizes, and I'm concerned this will drive down the value of my home
4) The infrastructure in Westfield, such as the lack of affordable, well-stocked grocery stores, the constantly increasing traffic on both Greyhound Pass and Oakridge, and the lack of employee base for jobs such as bus driver, postal worker, and cashier, does not support adding population. The infrastructure needs should be addressed first, and I do not believe the revenue generated from this lot would be enough to support the population growth.
5) The amenities of VF that I currently enjoy will increase in cost to maintain and decrease in value, both due to additional usage from the residents of the new development.

In short, please consider the needs of the broader Westfield community and address those before

agreeing to yet another Pulte community shoved into this location.

Thank you, and please call me at (317) 529-8775 to discuss further.

Carrie Strahl
15230 Citation Road
Carmel, IN 46032

From: Lisa Leahy
To: APC
Subject: Say NO to PUD Exception for 146th and Oak Ridge development
Date: Saturday, July 20, 2019 3:47:26 PM

Dear APC and City Council,
As a 16-year Village Farms resident, I remember when Carmel wanted to annex our wonderfully unique neighborhood into their city, and was happy when Westfield became a city itself and stopped that from happening. It was then, and remains now, our hope that Westfield would protect our home investment and keep the concerns and best interests of its citizens at the very heart of every decision it makes. Enforcing existing city zoning rules are perhaps the most critical of those decisions.

The plan being proposed for the The Landings at Village Farms PUD District, which is seeking to change the zoning from SF2 to SF4 and LB for the corner of 146th and Oak Ridge Rd, has unnerved hundreds of Westfield citizens. Residents from the 6 surrounding communities, which are all zoned SF2, are unified in their belief that the proposed development combining extremely dense housing and "local businesses" is going to create havoc on the roads and ultimately diminish property values for all.

On August 5, you will have the opportunity to show the people of Westfield that you will do the right thing and uphold the current zoning laws. Please do NOT grant the exemption to change the zoning for this parcel of land just because a developer is asking for it. They don't live here…we do. We do not want or need businesses at this intersection, and we appreciate open land and space between homes. This proposed development will in no way enhance Westfield…it will have the opposite effect.
Kindly stop the madness.

Sincerely,
Lisa Leahy

From:	Holly Moore
To:	APC
Subject:	Development on 146th and Oak Ridge
Date:	Saturday, July 20, 2019 3:59:33 PM

Hello,
I am writing to voice my concerns over the proposed development plans on the northeast corner of 146th and Oak Ridge. It is my understanding that stopping development is not an option, however, thoughtfully considering the type of development is critical. To maintain the safety and well-being of your Westfield constituents, that corner should be zoned for residential only, and require larger lot sizes.
1. That intersection houses a large school and church that generates significant traffic already.
2. The area is residential, and adding businesses will increase noise and traffic, thus detracting from the residential feel.
3. Many Westfield residents walk and bike around that area; increased traffic compounds safety risks.

I urge you to zone strictly residential and require lot sizes similar to those in the surrounding areas.
Thank you.
Holly Moore
15302 Derby Court
Village Farms

Sent from my iPhone

From:	paul Leahy
To:	APC
Subject:	Say NO to PUD Exception for 146th and Oak Ridge development
Date:	Monday, July 22, 2019 10:27:42 PM

Dear APC and City Council,

Like a lot of Westfield residents, I've always hoped for continued "green space", horse farms, and crop farms to be my neighbors. Having been here for 16 years, I understand this is not possible, and change is inevitable. However, I was very concerned when I saw the plans Pulte is proposing for the The Landings at Village Farms PUD District, and the fact that they are seeking to change the zoning from SF2 to SF4 and LB for the corner of 146th and Oak Ridge Rd. Several things were concerning to me about this proposal.

- I think previous Town and City planners had it right to begin with, why does Pulte think we need to change our plans for them? I've lived in several different states and several different communities within those states, and I can tell you there is a striking difference in those places who had thoughtful, future-thinking City Leaders and Planners vs. those that seemed to change their minds constantly and didn't keep a future vision of their community in the forefront. 146th Street is a gateway from Carmel to Westfield and I don't think the vision Pulte conveyed is what we should build there, or what previous Planners and City leaders had in mind.
- There is no need for any commercial property being built here. We already have too much traffic on 146th Street and we have several similar businesses all within a 2 mile radius of this location.
- As a resident of Village Farms, the presentation I heard from Pulte claimed they were going for the market of current Village Farms residents who are empty nesters/retired who want to downsize, but still want to remain part of Village Farms. Nobody I know in Village Farms agrees with this statement, and Pulte has no business claiming this, like they can guarantee this will be a quiet retirement community with an average household size of "1.7 people".

As I mentioned, I understand change is coming to this property, and this particular area would be very attractive to develop. I just ask that you maintain the current zoning as is- as a resident and as a City, we should feel good about this being a very sought after and desirable area to build on (and raise a family) that we shouldn't have to change the zoning.

Sincerely,

Paul Leahy

Daine Crabtree

From: John Mueller <Fumig8r@aol.com>
Sent: Wednesday, July 24, 2019 9:57 AM
To: APC
Cc: Karmen Mueller
Subject: The Landings at Village Farms

Dear APC and City Council,

The plan being proposed for the The Landings at Village Farms PUD District, which is seeking to change the zoning from SF2 to SF4 and LB for the corner of 146th and Oak Ridge Rd, is unacceptable for our community. Residents from the 6 surrounding communities, which are all zoned SF2, are unified in their belief that the proposed development combining extremely dense housing and "local businesses" is going to create havoc on the roads and ultimately diminish property values for all.

On August 5, you will have the opportunity to show the people of Westfield that you will do the right thing and uphold the current zoning laws. Please do NOT grant the exemption to change the zoning for this parcel of land just because a developer is asking for it. They don't live here…we do.

This has woken me from a voter to a community protectionist willing to knock on doors and open candidate funding to those who are willing to preserve our great community. I am unhappy with this and other governance and expect better decision making from our elected leaders.

John B Mueller
510 Fox Lane
(Village Farms)
314 330-5336
john@foodprotectionservices.net
Sent from my iPhone

From: Denise Dolin
To: APC
Subject: Pulte Development at OakRidge and 146
Date: Wednesday, July 24, 2019 10:22:00 AM

This development needs to have a density consistent with Westfield Farms and Village Farms for multiple reasons including infrastructure overcrowding, devaluation of adjacent properties, and noise and light pollution. It makes no sense to allow commercial development in a residential area when there are vacancies at nearly all of the retail sites one mile away from the proposed sight. Plus, commercial property so close to residential will further decease property values adjacent to it.
Sent from my iPhone

From:	Mary Ann Hale
To:	APC
Subject:	NO!!! to 146th and Oak Ridge Rd.
Date:	Wednesday, July 24, 2019 3:27:26 PM

No - Keep commercial development out of the neighborhoods and up on Hwy 32.

No -Do not rezone from SF1 / SF2 to SF4 to allow more homes in this small space.

I live at 15767 Viking Lair Rd. and density of the townhouse development near me at 161st west of Hwy 31 is completely out of place for Westfield. It looks like downtown Indy. I believe the 146th and Oak Ridge PUD will be the same way. Quit trying to "shoehorn" more development in Westfield. There is a lot of open space north and west for Pulte to go make money in.

Westfield is beginning to lose its character and look like a copycat of Carmel. If I wanted to live in Carmel I would have bought there. Westfield had a more rural feel that is rapidly deteriorating.

Best Regards,

Mary Ann Hale
15767 Viking Lair Rd
Westfield, IN 46074

From:	Daine Crabtree
To:	Daine Crabtree
Subject:	FW: NO - to rezoning 146th and Oak Ridge
Date:	Thursday, July 25, 2019 8:24:53 AM

Daine Crabtree | Associate Planner

Economic and Community Development | 2728 East 171st Street | Westfield, IN 46074
dcrabtree@westfield.in.gov | 317-416-2586

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From: Mary Ann Hale <maryannhaledm@yahoo.com>
Sent: Wednesday, July 24, 2019 4:55 PM
To: Kristen Sparks <ksparks@westfield.in.gov>
Subject: NO - to rezoning 146th and Oak Ridge

Dear Mayor Cook,

I am writing to voice my dissent of the proposed Landings at Village Farms PUD rezoning from SF2.

This will bring increased traffic to an already insufficient infrastructure of roadways, unnecessary commercial business built on property intended for residential use, and smaller lot sizes that are not consistent with surrounding properties.

Thirty years ago when residents bought their homes, Village Farms and Westfield Farms were the only two neighborhoods north of 146th St. 146th was a narrow two lane road. They moved there to be a suburb, not in the middle of commercial and high density development. When I bought my home at 15767 Viking Lair Rd. five years ago, I felt the same. I moved to Westfield because of the smaller, community feel as opposed to Carmel. I now feel like I live in an extension of Carmel.

The commercial component of the PUD is unnecessary. There are plenty of empty spaces in existing commercial properties and the density seems really high.

Please keep this area zoned for SF1 or SF2 residential only.

Thank you for your consideration,

Mary Ann Hale

15767 Viking Lair Rd.
Westfield, IN 46074

From:	Jackie Berthiaume
To:	APC
Subject:	146th & Oak Ridge Development
Date:	Wednesday, July 24, 2019 10:23:01 PM

I know we can't stop the development...but we (YOU) can stop the rezoning for high density residential and commercial development. Do the right thing for the Westfield people.
Jackie Berthiaumes
Village Farms

From:	Brenda Whan
To:	APC
Subject:	Pulte request to change zoning for corner 146 th and Oakridge
Date:	Thursday, July 25, 2019 3:44:04 PM

Dear Westfield City Council Members,

Please protect our community and deny the change in zoning for the development proposal listed above. As a homeowner it is my hope our city wouldn't always have an attitude of if "I lived there" not "well it doesn't effect me".

I know it's a lame duck time frame which can even make the vote more questionable.

Please do the right thing for the traffic, school , church, and surrounding neighborhood that built and bought homes with the idea of protection from this high density and retail plan.

Thank you,
Sincerely,
Brenda Whan
Village Farms

Sent from my iPhone

From:	Janice Mowry
To:	APC
Subject:	Request for larger venue for Aug. 5th mtg. Re: Landings at Village Farms PUD and concerns regarding the proposed PUD
Date:	Thursday, July 25, 2019 4:43:30 PM

Hello, I live on Adios Pass in Village Farms and attended last night's informational mtg. re: the Landings at Village Farms PUD.

I urge you to change the venue for the Aug. 5th APC mtg. so that all interested persons may attend the meeting without having to be turned away due to full capacity at City Hall. City Hall was full last night and the attendance at last night's meeting represents just a fraction of the interested parties since Village Farms residents were not notified by the developer of the meeting. Recognizing that those residents from Village Farms that did attend, plan to inform the rest of their neighbors in Village Farms about what they heard last night as well as recognzing that the Village Farms HOA is planning to do the same, an increase in the number of people planning to attend the August 5th APC meeting, can be expected. Let's not have to turn people away when there exists ample time to plan for a different venue so that all who want to participate, can participate.

My concerns regarding the development mirror those that I heard at the meeting last night, namely the concern that the there is a change in zoning being requested that would not only allow for commercial development, but also allow for a much denser housing development (minimum lot size of 6,000 square feet compared with a minimum lot size of 15,000 square feet) than the area is currently zoned for. This raises safety concerns due to the increased traffic and congestion, especially along Oakridge Road, as well as concerns about drainage and increased load on the city's existing infrastructure of roads, schools, police and fire, and waste disposal. In additon, the increased noise and light pollution brought to the area from the commercial sites being proposed is also concerning.

I'm not naive enough to think that the area will never be developed, I'm just asking for the area to be developed responsibly and within the current zoning requirements.

Thank you.

Janice Mowry

From: Keena Rector
To: APC
Subject: Fwd: Rezoning proposal at 146tth & Oak Ridge Road
Date: Friday, July 26, 2019 4:25:22 AM

Planning Commission Members:
>
> I would like to voice my concern with the proposed project and rezoning at 146th St and Oak Ridge Rd called the Landings at Village Farms. I understand development of land is inevitable. I am not against the development of this property. However, I am against rezoning it to allow for any type of commercial/retail development.
>
> The congestion on 146th Street is already atrocious during morning and evening rush and weekends. This will only increase the traffic extending farther along 146th St. It will also create a potentially unsafe intersection at Sapphire Dr and Oak Ridge Rd due to that becoming the main entrance for the project. I realize that business is good for the tax base and welcome it elsewhere, just not at this particular location.
>
> I look forward to the growth of Westfield, especially when given intelligent and thoughtful consideration by those in our government. I'm hoping you'll truly consider against rezoning at this location as it is put in front of you and the City Council.
>
> Thank You,
>
> Keena Rector
> Resident in the Village Farms

From: Evan Hetrick
To: APC
Subject: The Landings at Village Farms
Date: Friday, July 26, 2019 10:40:54 AM

Hello,

I am a resident of Village Farms and am writing about the proposed Pulte development at 146th and Oak Ridge. I understand that as Westfield grows, residential development is inevitable. For this reason I support the residential aspect of the proposal, but would like to voice 2 strong reservations: 1) the proposed density of residential development and, 2) the proposed commercial development.

1 - I do not support the proposed high density residential development that Pulte proposes. I would instead advocate for lower density housing, that matches the density of neighboring Village Farms and Westfield Farms.

2 - I very strong disagree with the commercial aspect of the proposal. Just down the street are the commercial areas of Clay Terrace and Greyhound Commons. To the west and north, other commercial areas exist (e.g., Kroger at Springmill Commons). My concern is the traffic on 146th and Oak Ridge. Please keep in mind that the current Village Farms neighborhood is divided across Oak Ridge Road. Many many pedestrians cross Oak Ridge at various points, either to get to the neighborhood pool and park, or to get to the Monon Tail. Increasing traffic on Oak Ridge, due to either high density residential or commercial development at the proposed location - is a serious safety threat for residents of Westfield.

To summarize: I am a nearby resident who is affected by this decision. I understand and support residential development at that location. I feel strongly that the density should be lower than what is proposed, to match the surrounding areas, and very strongly oppose any commercial development at that location.

Thank you for the work you do balancing economic development and quality of life in Westfield.

Regards,
Evan Hetrick
269-599-5402

From: John Servizzi
To: APC
Subject: Pulte Homes Rezoning at 146th and Oak Ridge
Date: Friday, July 26, 2019 10:56:13 AM

I am not against development on this site. We live in a growing community and this is to be expected.

I am, however, firmly against rezoning this site. Pulte's request is doubly troubling, as it wishes to both increase the density, roughly twice what's currently allowed, AND add commercial, which is not currently acceptable.

My family has purchased and heavily invested in the improvement of two homes in Village Farms. We love the neighborhood and look forward to its inevitable expansion. But this purposed project does not fit with our vision of the neighborhood, nor the intention of the city, as defined in the existing zoning.

Thanks for your consideration.

John Servizzi
417 Fox Ln
Carmel (Westfield), IN 46032

From:	Philip Sheets
To:	APC
Subject:	What are we doing???
Date:	Friday, July 26, 2019 11:32:59 AM

Westfield and officials,

Now you are considering a new development off of 146? Folks, this is crazy! I'm most angry at myself for not standing up more, when Bridgewater (of which I'm a member) expanded all up and down Carey and 146. We are left with lot after lot after lot of unpurchased area. I don't know who the "if you build it, they will come" people are, but "they" stopped coming! Wouldn't it be prudent to STOP DEVELOPING!?

I'm sure it's developers that are driving this, but why did our elected officials stand by and let this happen? My greatest fear is that it's going to KILL the values of our homes. Since we purchased our home in Bridgewater (Hampton) 2 1/2 yrs ago, I've seen some nice building. But it has slowed dramatically. Are you all not paying attention to this?

Again, I stood by and let this happen in the past. I'm not doing the same this time! You can count on that!

What are you doing to build infrastructure and encourage business in vacant buildings?

Please advise, because my wife and I are pretty fed up.

Philip

From: lavonne cooper
To: APC
Subject: 146 and oak ridge road proposal
Date: Friday, July 26, 2019 6:24:16 PM

---

1. Our names are Lavonne and Scott Cooper. We live in Westfield Farms, (1012 Farmview lane), directly behind the farm field. We know that land will be developed but the plan that was presented on 7/24 we are very concerned with. Has any one done a traffic study? It is already hard enough to get out of our neighborhood let alone 94 homes with families to increase traffic, it will be entirely impossible to get out of the neighborhood.
Also, do we really need commercial properties here? we have all we need within 5 min of our homes...It will only increase traffic..
2. The acreage for these houses are 2.3 houses per acre. That equates to zero lot lines. This area is not built like that. Most have a least 1/2 acre. We need to keep things equal among housing additions.

I don't think I will be able to talk at the 8/5 meeting since there is many people speaking.
We just want to get our 2 words worth.
from my iPad

From: Jill Olecki
To: APC; Council Members
Subject: Landings at VF PUD
Date: Saturday, July 27, 2019 12:48:49 PM

Advisory Plan Commission and Council Members,

As a resident of Village Farms and a member of Our Lady of Mt. Carmel, I am extremely concerned about this proposal.
My largest concern is increased vehicle traffic in our residential area:
- Greyhound Pass: I walk along here many days a week to get to the Monon and the stretch from Oakridge to the Monon is already full of excessively speeding cars and distracted drivers, making the walking path dangerous. This would get much worse with the potential residents and customers of the proposed commercial businesses using Greyhound to get to the highway or other businesses.
- 146th & Oakridge: this intersection already has a high frequency of accidents and adding more traffic to and from the development would increase that incidence. This is especially concerning due to the proximity to the sports fields and the school at OLMC. I would like for my kids (and the many others who live in VF, Merrimac, VoMC, Springmill Ponds, etc.) to be able to bike to OLMC, which is even currently not that safe.

It looks like a traffic and safety assessment has not been done, which is an extremely important component to this proposal.

I also don't believe our neighborhood should add so many homes to share in our amenities. In my opinion, we are at a comfortable population in regard to the pool, etc. The high density nature of the proposed neighborhood would also change the character of VF, turning it into more of a "cookie cutter" neighborhood. Our range of size and style of homes and the established nature makes VF unique, and drew us to the neighborhood 2 years ago.

I understand Westfield's desire to add affordable housing, but 325k-350k on a 0.15-0.18 acre lot is NOT affordable housing. There is also no need for commercial properties in such close proximity to other commercial areas with open store fronts.

I appreciate your willingness to hear our feedback.

Thank you!

Jill Olecki
336 Abbedale Ct.

From:	Jayne Harvey
To:	APC
Subject:	LANDINGS AT VILLAGE FARMS REZONING PROPOSAL
Date:	Monday, July 29, 2019 8:54:38 AM

To Whom It May Concern:

We are 100% OPPOSED to the rezoning proposal for this area by Pulte Homes and Mark Zukerman. This is an unacceptable, inappropriate, uninformed and unsafe usage of this property. Any commercialized proposal should only come with informed input especially from the community and it's population that surrounds it. Useage of this property with anything other ideal green space/ park area or comparable higher income residential homes (300,000 and up) would be a hindrance to the beautiful well planned and developed community it's citizens wish to see continue today!!!

Please please ABSOLUTELY DO NOT allow such an outrageous rezoning to even be considered!!!

Thank you

Jayne A. Harvey and family

From: Bart Harvey
To: APC
Subject: LANDINGS AT VILLAGE FARMS REZONING PROPOSAL
Date: Monday, July 29, 2019 9:04:31 AM

To Whom It May Concern:

My familcy is 100% OPPOSED to the rezoning proposal for this area by Pulte Homes and Mark Zukerman.

This is an unacceptable, inappropriate, uninformed and unsafe usage of this property. Any commercialized proposal should only come with informed input especially from the community and it's population that surrounds it.

Useage of this property with anything other ideal green space/ park area or comparable higher income residential homes ($300,000 and up) would be a hindrance to the beautiful well planned and developed community our citizens wish to see continue today!!!

Please please ABSOLUTELY DO NOT allow such an outrageous rezoning to even be considered!!!

Thank you

Barton C. Harvey
601 Worth Court
Carmel, IN 46032

From:	Patricia Melson
To:	APC; Council Members
Subject:	Landings at Village Farms proposal
Date:	Monday, July 29, 2019 9:32:19 AM

Westfield Planning Commission

RE: Landings at Village Farms Proposal

There are two issues regarding this proposal:

<!--[if !supportLists]-->1. <!--[endif]-->The proposed commercial use

<!--[if !supportLists]-->2. <!--[endif]-->The density of the proposed residential use
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

The most troublesome of these two issues is the commercial use. Forget that they did it at Harmony. It was planned for there from the beginning and appropriate space has been allotted away from the houses. This area at 146th and Oakridge is an afterthought and would look much like an afterthought.

As you contemplate this zoning decision, I would like for you to put aside your desire for profit and look at it from the current resident's point of view. Also, not just the surrounding housing additions who are directly impacted, but also Westfield residents in general.

Drive west on 146th and turn north on Oakridge. What do you see? This road is the first road west of hwy 31 that travels the distance to hwy 32 and the heart of Westfield. Currently there is a sign welcoming visitors to Westfield. It is a pleasant view of a very nice older established residential subdivision, Village Farms, and of course the vacant green space. Do you really want the first impression of visitors or potential homeowners turning that corner to see a commercial development? I would think not.

Not 5 minutes east from this area is 146th and hwy 31 which has ample commercial development and which struggles to maintain businesses in these areas. Why would you want to develop another area specifically leading into Westfield that could become empty space.

And you know that will happen.

Please do not approve the commercial aspect of this proposal.

And now for the residential area. You already have the basis for housing developments. Why would you consider such a dense housing area? I think the potential for overuse is great. The problems that would affect Village Farms would be greater than should be expected from their government. Again, turn North onto Oakridge from 146th. There is not a turn lane into Village Farms on Sapphire. The traffic backup at 146th would be greater than you have imagined, or projected. And the great potential for those 100 residents to go directly across Oakridge to Sapphire is a reality. Sapphire is not currently a thoroughfare. It would become one. Is that

fair to the residents on this street since it was not designed to be a thoroughfare?

Pat Melson
248 Maple View Dr
Westfield

From: N Wallis
To: APC
Subject: 146th & Oakridge Rezoning
Date: Monday, July 29, 2019 9:58:31 AM

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1. We are 100% against this development.

2. If this development does come to pass, we do not like the use of the Village Farms name as proposed.

David & Nancy Wallis
14739 Raymond Lane
Village Farms residents for 30 years

Nancy Wallis

Sent from my IPhone

From: Cox, Steve R
To: APC
Subject: Proposed development at Oak Ridge and 146th street
Date: Monday, July 29, 2019 12:09:39 PM

Hello - This message is in response to the proposed development at the corner of Oak Ridge Rd and 146th. My family and I are residents of the Village Farms subdivision and live at 494 Sapphire Drive. I am not opposed to the proposed residential development at this location. I am very much concerned and opposed to retail development. My opposition to retail is based on the following:

1. The intersection planned opposite the Sapphire Dr. entrance will create a traffic shortcut (for cars heading west) through our residential street. This is a serious concern. If retail is allowed a plan will be needed to prevent traffic from flowing through our relatively narrow residential road.

2. The intersection of 146th Street and Oak Ridge is already very busy. Adding retail traffic to that corner is frightening. It is especially critical to not allow gas stations or fast food outlets, which have significant hourly traffic.

3. From a community standpoint, we already have significant vacancies in existing retail strip malls. It is unclear that more retail outlets at this location is the best decision for our community. Instead, I suggest that Pulte be asked to create neighborhood green space and community buildings near the corner to compensate for their proposed higher density housing.

Thanks for considering my feedback.

Steve

Dr. Steve Cox
Professor of Finance
School of Business
Indiana University Kokomo
765-455-9314 (office)
317-696-0571 (mobile)

From:	Charles Catron
To:	APC
Cc:	Catron Charles
Subject:	Comments: Landings at Village Farms
Date:	Monday, July 29, 2019 3:52:08 PM

To Whom It Concerns:

I am Charlie Catron. My wife Ann and I live in Village Farms at 412 Fox Lane. We have strong objections to the request to rezone Pulte's proposed build. They are:

1) The current zoning (lot and home size) matches the surrounding Village and Westfield Farms homes. Pulte's plans to rezone to 2.3 homes per acre is much too dense and won't match existing neighborhoods. Lowering of existing neighborhood property values will result.

2) Additional traffic due to the density proposal, plus a single entrance will make if difficult to enter/exit VF and the new Pulte addition. Add school bus and garbage collection to this congestion to amplify the problems.

3) Has Westfield considered what the dense new addition will cause for schools, fire/police protection, and utilities? Will these smaller lots/homes generate taxes to cover? Shouldn't a selective moratorium on home building be considered?

4) Additional commercial isn't wanted or needed. We have businesses (Kohls, Walmart, Clay Terrace, CVS, fast food, gas stations) within a mile, 2 miles at most. Many local businessess struggle to find employees and remain competitive. We see no need to add to traffic congestion with unwanted and unnecessary commercial additions.

In summary, please consider DENYING the rezone of the Pulte planned addition. Keep (a) home and lot size comparable to the surrounding neighborhoods AND (b) deny the commercial addition. We realize the land will be developed, but feel it should complement the existing neighborhoods.

Sincerely,
Charlie Catron
317-625-3747

Please acknowledge receipt of this email. Your comments are appreciated.
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Sent from myMail for Android

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Sent from myMail for Android

From: Nora Bentivoglio
To: APC
Subject: Say NO to PUD Exception for 146th and Oak Ridge development
Date: Monday, July 29, 2019 9:24:46 PM

Dear APC and City Council,

Twenty two years ago my husband and I decided to move our small, growing family to Westfield. Although at the time we did not move to Village Farms, 5 years ago we did, admiring this beautiful neighborhood all along.

When we moved to this community we weren't naive to think that much of the area surrounding would soon be developed, but were hopeful that more neighborhoods like Village Farms would be the norm. Viking Meadows, while started out as an estate lot neighborhood, quickly turned into high density housing due to the housing crisis of 2007. We were disappointed with how so many areas being developed after that continued to be high density, despite the recovery of that crisis. When an opportunity to make the move to Village Farms was afforded us, we jumped at the chance, still admiring the large lots with mature trees, full amenities and overall well kept landscaping. It also allows for easy access to shopping, Monon Trail and highways.

Then this summer we were made aware of the plan being proposed for the The Landings at Village Farms PUD District, to change the zoning from SF2 to SF4 and LB for the corner of 146th and Oak Ridge Rd. Residents from the 6 surrounding communities, which are all zoned SF2, are unified in their belief that the proposed development combining extremely dense housing and “local businesses” is going to create havoc on the roads and ultimately diminish property values for all.

On August 5, you will have the opportunity to show the people of Westfield that you will do the right thing and uphold the current zoning laws. Please do NOT grant the exemption to change the zoning for this parcel of land just because a developer is asking for it. We do not want or need businesses at this intersection. Too many store fronts are already left unoccupied and more retail space is not needed in the part of Westfield. We appreciate open land and space between homes. This proposed development will in no way enhance Westfield.

Sincerely,

Nora Bentivoglio

Input | Communication | Learner | Individualization | Adaptability

From:	Mary Kay Krambeer
To:	APC
Subject:	Landings at Village Farms
Date:	Tuesday, July 30, 2019 11:52:37 AM

I live in Village Farms. I would like to see a more responsible development proposed. The current plan is for too many houses on much smaller lots. I would like to see fewer houses.

Support the commercial aspects. Fond memories of being able to walk to get ice cream and would like to see more availability interspersed.

Thank you for your work.
Mary K Krambeer
14812 Sulky Way, Carmel
3175010978

From:	Edward Dolen
To:	APC
Subject:	Commercial business development and too many houses
Date:	Tuesday, July 30, 2019 2:56:05 PM

To whom it concerns,
I am writing to voice my concerns about the proposed development on 146th and Oakridge. We DO NOT need anymore commercial businesses in a all residential area. We have to many empty buildings now that need to be used first before we add more structures. Also the amount of houses that are proposed for that space is way too many. Please listen to the members of your community you represent!
Thank you
Amy Dolen

Sent from my iPad

From:	Team Thompson
To:	APC
Subject:	Opposition to rezoning
Date:	Tuesday, July 30, 2019 3:09:05 PM

As a resident of Westfield and reviweing what has been propsoed for the development of 146th and Oakridge Road, I would like to voice my opposition. Rezoning for commercial and the propsoed homes per acre are a concern and I do not feel it is best for that area or Westfield in general.

Thank you for your time.

Brent Thompson

From: kschepers@unarcorack.com
To: bod@thevillagefarms.com; APC
Subject: Landings at Village Farms PUD
Date: Tuesday, July 30, 2019 3:51:42 PM

Village Farms BOD and Advisory Plan Commission,
We all understand that the property will develop sooner or later, my concern comes from past experience where development wins out over what is best for the existing neighborhoods. When I lived on the NW side of Indy similar promises were made and not kept which is why we moved up here.
According to the concept renderings by Pulte it this will do nothing other than put dense housing and population in an area that is already congested which also typically leads to higher crime rates. Our pool is already crowded so that is definitely a negative. Traffic is becoming Fishers-esc multiple times throughout the day and evenings especially over by Clay Terrace What would be appreciated would be for Pulte to continue with something similar to what they did on the North side of Village Farms larger lots and higher value homes or what Carmel has been done on Old Meridian St in Carmel high value town homes. We need quality not quantity.
I look forward to hearing what will be said at the meeting on Thursday.

Sincerely,

Kurt Schepers
317-695-5275

From: catron1272@sbcglobal.net
To: APC
Subject: Landings at Village Farms
Date: Tuesday, July 30, 2019 5:50:55 PM

I live at Village Farms, on Fox Lane. I request consideration of leaving the zoning on the property at 146th Street and Oak Ridge as it is. I realize something will be developed on this corner at some point but I feel it's best used as residential with no commercial added. There are several vacant businesses in Westfield currently (some within a mile or two of this location) and I feel this property will be better used as residential only. Also, If high density housing is allowed there will be a huge traffic problem exiting onto Oak Ridge. If those residents use Sapphire Drive as a shortcut to 146th Street it will become a heavily traveled thoroughfare. Currently children are often on bikes on that street and the potential for a deadly accident will increase. The fewer houses built, the fewer cars using that shortcut.
I understand that this property will be sold and developed but I beg your consideration of leaving the zoning as it stands.

Thank you.
Ann Catron
412 Fox Lane
Carmel 46032
317-514-2189

Sent from myMail for iOS

From:	Tenders Duff
To:	APC
Subject:	Pulte Landings
Date:	Tuesday, July 30, 2019 8:32:52 PM

Village Farms pool & playground are great the way they are. If we add more houses, we add more people coming in/out of our pool & everything else that Village Farms currently offers.

Sent from my iPhone

From: Carolyn
To: APC
Subject: The Landings at Village Farms PUD
Date: Tuesday, July 30, 2019 9:07:20 PM

Good evening

This email serves as my formal disapproval of the suggested rezoning on the land located 146th and Oakridge to a high density residential and commercial use property.

We live directly across the street from this property in Village Farms. We bought this house three years ago because we believed the government of Westfield cared about the wellness of its community and stood behind their Comprehensive Plan that was established.

Rezoning this land to PUD does not keep true to your original plan to " preserve and protect the stability and integrity of the area as it fills."

Here is what rezoning to a high density/ commercial PUD will do to our neighborhood and the area:

Decrease the value of our home- the proposed homes are 1600-2800 sq Ft. Our home is 4300 sq Ft on almost 1/2 acre lot

Increase traffic congestion at the intersection of 146/Oakridge. This will cause Sapphire Dr to become a pass through street to avoid the light

Increased crime and safety issues

Drain on tax resources, our schools, police/fire

Issues to our lake system from drainage

Thank you for your time and for strongly considering the preservation of this land and our community by not voting for this high density/ commercial PUD rezoning.

Carolyn Wittmann
Village Farms resident

From:	Paul Pringle
To:	APC
Subject:	The Landings at Village Farms proposed PUD
Date:	Tuesday, July 30, 2019 10:32:31 PM

Hello,

As a 25+ year resident of Village Farms, I'd like to voice my opinion that the proposed high density residential development proposed by Pulte would be very detrimental to the area. Village Farms is not a cookie-cutter, cram as many copies of the same house as possible type of subdivision that has been approved time and again by Westfield. As someone who commutes up and down Oakridge every day, adding another 90+ households and several businesses will make Oakridge very congested and likely the scene of many ore accidents with people trying to get out in the morning. Please do not go forward with the proposed re-zoning. The people of Westfield spoke in the primary election that the direction of ever more growth and higher density housing is not what we want. Please listen to your constituents and do the right thing.

Thank you.

Sincerely,

Paul Pringle

From: Mark Lammers
To: APC
Subject: Landings at Village Farms
Date: Wednesday, July 31, 2019 8:08:06 AM
Importance: High

Watermark

Mark Lammers

Contact Info

Address

Visit Website

Linkedin

I would like to express my adamant opposition to the rezoning request for this development. I have lived in Village Farms for nearly 30 years and the last thing Westfield needs is more retail. Absolutely not. How ridiculous to even consider this. We have empty retail all over the city and have no need of any more. It is bad enough that Pulte will cram way too many homes on the land but the retail development is an affront to all the residents of the city.

I urge you to reject this foolish request.

DISCLAIMER
Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Watermark CPA Group, LLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

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From: James Finley
To: APC
Subject: proposed rezoning at 146th and Oak Ridge
Date: Wednesday, July 31, 2019 1:36:38 PM

Who would benefit from adding more commercial properties at the above location? Certainly not the residents in this area. We have Clay Terrace, WalMart and its attached strip mall, the Khol's and its attached strip mall, the Kroger on 161 and its strip mall, the Best Buy and its att strip mall, and numerous other restaurants and shops. Why do we need more? The traffic, congestion, and noise in this area is horrific and getting worse year by year. Again, who stands to benefit from this proposed rezoning?

From: Kathleen Taylor
To: APC
Subject: Landings at VF
Date: Wednesday, July 31, 2019 3:41:01 PM

I would like to add my voice to being against changing the zoning for this development near Village Farms known as Landings at Village Farms. First, this area is not part of Village Farms.
I think the proposed housing development is fine with larger lots perhaps but NO commercial added. It is not needed and would cause increased traffic congestion. There are many empty buildings for a business to consider very close to this area. Currently we have a CVS at nearly every corner and 5 Starbucks within 1-2miles for example. And the proposed Meijer slightly north.
This area is adjacent to Westfield Farms and should be a part of that subdivision.
I hope the plans are not all about money but can consider what is best for the community well established here.

Thank you
Kathleen Taylor
Village Farms

From: Scott Adams
To: APC
Subject: "THE LANDINGS AT VILLAGE FARMS PUD District" - SAY NO PUDs!
Date: Wednesday, July 31, 2019 5:04:44 PM

To the Westfield Advisory Plan Commission,

I would like to address the commission via email in regards to the proposed Pulte development potentially known as The Landings and Village Farms. As a 25 year resident of Westfield I've seen tremendous growth in our community – some good, some not so good.
The request from Pulte to change the zoning is purely financial and has no regard for those of us in this community. That corner needs commercial development and homes sitting on top of each other like Carmel needs another round-about! The type of commercial they are requested can be found in multiples within a 2 mile radius and there are plenty of vacancies in some of those commercial developments as it is. With an elementary school directly across the street, and a way too busy 146th street the traffic generated from this type of development will be too burdensome. Oakridge Road is already beyond capacity with the existing development between 146th and SR 32.

The only two way intersection will be less than 100 yards from 146th/Oakridge. Without an easy way to go East, most cars will likely leave the development heading North on Oakridge using Greyhound pass as a cut through – that is the last thing we need in that neighborhood. The proposed 'cross-walk' over to Village Farms sits at the bottom of a hill which will only become a safety hazard for anyone wanting to walk across the street. It is an injury or worse just waiting to happen.

At some point, the integrity of the area has to be considered, which is what your predecessors determined when they zoned this for SF-2. I request that you vote NO to this rezoning request as it is simply not necessary, needed or wanted. Keep the are SF-2 and let them, or someone else develop as zoned.

Sincerely,
Scott and Linda Adams
15050 Super Star Dr.
Carmel, IN 46032

From: Larry Hutson
To: APC
Subject: Landings at Village Farms PUD
Date: Wednesday, July 31, 2019 5:14:22 PM

APC members,

I am a resident in Village Farms and have lived here since 1988. Like so many of my neighbors, I came here to enjoy a rural setting and to escape the crowded conditions in Indianapolis proper. I understand that Pulte has requested a change in the zoning of a parcel of land that borders our subdivision. This request is for a high density residential development, to include some commercial structures as well.
I am asking you to not approve this request as it is contrary to the existing housing density in the surrounding area, especially that of Village Farms. We don't need or want 90-plus houses jammed onto 50 acres of land adjacent to our community. Nor do we need any commercial establishments- not a bank, not a CVS, no fast food, nothing. We have a monstrosity sitting just east of us called Village Park Plaza that is more than capable of meeting the shopping needs of any human being within 20 miles of Village Farms. To change the zoning from low-density residential/agricultural to medium/high-density residential/commercial would be a betrayal of trust. Trust in our leaders that they would not appease the whims/desires of a city bent on over-developing this area at the expense of those citizens living in a quasi-rural development. We had no say when it came to annexation and now we are being forced to live with little to no green space; just house after house after house and the traffic that comes with it. Our infrastructure was not designed to accommodate all of these people and their cars. Look at the traffic jams we now experience during the morning and afternoon rush hours. Everyone needs to slow down, take a breath and re-consider what this rapid, uncontrolled and ill-planned growth is doing to a large segment of the population who are opposed to it.

Respectfully,

Larry Hutson

Sent from Mail for Windows 10

From:	Stephen Baranyk
To:	APC
Cc:	Susanne B.; Robert Horkay; Doug Holtz; Dave Koehler
Subject:	Zoning - 146th St. & Oak Ridge Road
Date:	Wednesday, July 31, 2019 6:10:07 PM

As 34 year residents of the Village Farms my wife and I oppose the re-zoning of this parcel as indicated due to the inclusion of commercial lots.

There are numerous retail/commercial properties within a reasonable distance of this intersection - there is no compelling need for more retail/commercial property.

I am a member of OLMC - since 1984 - and it would be disturbing to our parishioners to have retail right across the street. And especially if there were a gas station included.

My wife and I are opposed to the proposed zoning which includes commercial properties.

Steve and Susanne Baranyk
202 E. Senator Way - VF

From:	Mike and Gina Bostic
To:	APC
Subject:	Rezoning and The Landings at Village Farms
Date:	Wednesday, July 31, 2019 7:36:25 PM

Hello,

It has just come to our attention that the area at the corner of Oak Ridge and 146th is potentially being rezoned for commercial use. We are Village Farms residents and implore you to please reconsider that decision. That area should not only remain residential, but Pulte should not be allowed to use the Village Farms name, with no association to our historical neighborhood.

We, along with many of our neighbors, will be attending the August 5th meeting. We can only hope that the Westfield leadership will listen to its constituents!

Most Sincerely,
Mike and Gina Bostic
70 W. Admiral Way

From:	Dave Koehler
To:	"Stephen Baranyk"; APC
Cc:	"Susanne B."; "Robert Horkay"; "Doug Holtz"
Subject:	RE: Zoning - 146th St. & Oak Ridge Road
Date:	Wednesday, July 31, 2019 7:46:22 PM

My wife and I are also opposed to the re-zoning of this parcel due to the inclusion of the commercial lots.

Nancy and David Koehler
150 E. Senator Way
Carmel, IN 46032
Village Farms

From: Stephen Baranyk [mailto:swbaranyk@yahoo.com]
Sent: Wednesday, July 31, 2019 6:10 PM
To: apc@westfield.in.gov
Cc: Susanne B. <susannemarieb@icloud.com>; Robert Horkay <rhorkay@gmail.com>; Doug Holtz <douglasjholtz@aol.com>; Dave Koehler <dkoehler@wintek.com>
Subject: Zoning - 146th St. & Oak Ridge Road

As 34 year residents of the Village Farms my wife and I oppose the re-zoning of this parcel as indicated due to the inclusion of commercial lots.

There are numerous retail/commercial properties within a reasonable distance of this intersection - there is no compelling need for more retail/commercial property.

I am a member of OLMC - since 1984 - and it would be disturbing to our parishioners to have retail right across the street. And especially if there were a gas station included.

My wife and I are opposed to the proposed zoning which includes commercial properties.

Steve and Susanne Baranyk
202 E. Senator Way - VF

From: Dave Beckman
To: APC
Subject: Proposed development at Oak Ridge and 146th Street
Date: Wednesday, July 31, 2019 11:44:20 PM

I recently learned of the proposed development at the corner of Oak Ridge Rd and 146th Street in Westfield. My family and I currently live at 540 Sapphire Dr. in Village Farms so my interest in what happens in this area truly hits close to home.

First, let me say I am not opposed to residential development. I understand the value of the land and the desire for people to live in this area. I am however opposed to retail being included. My concerns are based on the following:

1. As I understand it, the proposed entrance/exit is across from Sapphire Dr. This will create a natural shortcut for drivers heading west and increase traffic levels through our small section of the neighborhood. Sapphire Dr is already challenging to drive down when people park on the same section of the street across from each other. On the occasions this happens, only one car may pass safely today.

2. The existing 146th Street and Oak Ridge intersection is already busy at certain times of the day and the proximity of that to the proposed entrance will likely create additonal traffic issues. If commercial use is approved, especially anything with high turnover such as gas stations or restaurants, this will become a consistent and significant issue.

3. The area already has numerous retail properties nearby with more being added on US 32 to support Grand Park. While I understand convenience, there are already several dedicated and existing destinations in a very close proximity such as Greyhound Plaza, Rohrer Road, and Clay Terrace. There is even more across the bridge all along 146th Street. The increased traffic congestion was recently covered in an article published by The Current.

I think our growing community would be better served if this development was dedicated to an attractive and sustainable residential neighborhood. Pulte could contribute to this by adding more common areas and walking paths and removing any commercial development from this proposal. As Westfield residents since 2000, my family and I feel this is the best long-term use of the land for our community.

Sincerely,
Dave

From:	Scott Cooper
To:	APC
Subject:	The Landings at Village Farms Proposed Development
Date:	Thursday, August 1, 2019 5:33:01 AM

APC,

Please consider this email as my input regarding this proposal.
I am a resident of Westfield Farms.

Do not allow this property to be re-zoned for any commercial buildings.
Also the proposed density of the residential area is not in line with the lot sizes of the surrounding communities.
A new proposal must be created eliminating commercial building of any kind and reducing the density of homes period.

Sincerely,
Scott Cooper
1012 Farmview Lane
Carmel, IN. 46032

From: Jim Kunkel
To: APC
Subject: Landings at Village Farms
Date: Thursday, August 1, 2019 8:29:22 PM

I reside at 446 Sapphire Dr. in Village Farms. I am vehemently opposed to the current plans presented by Pulte for a dense, small lot development which would include commercial buildings.?? The congestion along 146th has already increased dramatically in the last few years and Oak Ridge Road is not set up to handle any more traffic without a disproportionate increase in accidents.?? The area is currently zoned R1 and should stay R1 for any future development.?? No commercial property should be allowed to be shoehorned in between the current residential neighborhoods.

Sincerely,

James Kunkel

446 Sapphire Dr.

Carmel, IN 46032

From:	Greg Johnson
To:	APC
Subject:	STOP the proposed rezoning at 146th street and Oak Ridge Road
Date:	Thursday, August 1, 2019 10:07:32 PM

I am a resident living in Village Farms, Greg and Linda Johnson, 15073 Super Star Drive.

The proposed rezoning at 146th street and Oak Ridge Road needs to be rejected and the current zoning remain in tact.

The proposed rezoning to include local business establishments is NOT a good thing for our community at this location.

There are many issues which make this proposal bad for the surrounding residents among which are the traffic patterns and congestion affecting Village Farms residents, pedestrian safety (mainly our children), and over crowded housing development.

Stick with the plan that the city developed several years ago.

MAKE NO CHANGES TO THE CURRENT ZONING OF THIS AREA!

Call me if you have any questions.... 317-566-0353

Greg and Linda Johnson
15073 Super Star Drive

From: jane allain
To: APC
Subject: Rezoning proposal
Date: Friday, August 2, 2019 11:13:00 AM

I am against the rezoning proposal for the Landings at Village Farms.I am against creating a high density residential community and against decreasing the lot size from the current zoning requirements . I am against any commercial development in that area.I think that increased traffic and the proximity to the Catholic school would create problems.Thank you,Jane Allain (533 Worth Court,Carmel,In .46032)

From:	Emily Featherstone
To:	APC
Subject:	Reject proposed zoning change at Oak Ridge and 146th
Date:	Friday, August 2, 2019 11:20:38 AM

Hello,
Please reject the request to change the zoning for the northeast corner of Oak Ridge and 146th Street (1908-PUD-20). The proposed housing development does not match the custom-build style of other homes in the area and will devalue the existing homes. The commercial development also proposed is completely unnecessary in the community and will only make the area/intersection more crowded.

I am a current resident of Village Farms and I believe the area in question should remain a low-density zoning district and **should not** be changed to allow this proposed development.

Thank you!
Emily Featherstone

From:	Barb Krivosik
To:	APC
Cc:	rusterr@msn.com
Subject:	zoning
Date:	Friday, August 2, 2019 11:47:54 AM

My name is Barb Krivosik I live in Village Farms at 31 Cynthia Ct.

Please DO NOT change the zoning laws.

Sincerely,
Barb Krivosik

From:	Dan Pitcock
To:	APC
Subject:	Pulte Landings at Village Farms
Date:	Friday, August 2, 2019 12:02:59 PM

Please vote against rezoning this property, stay with the current Master Plan.

Thank you,

Dan Pitcock
15120 Romalong Lane
Village Farms Resident for 29+ years

From:	Steele Kruzel
To:	APC
Subject:	I appose
Date:	Friday, August 2, 2019 12:33:52 PM

I would like to appose the Pulte addition. Please note my email as a rejection to this plan.

Steele Kruzel
317-459-7814
Sent from my iPhone

From: Dennis Shelley Koglin
To: APC
Subject: Pulte Development
Date: Friday, August 2, 2019 1:33:36 PM

Hello:

I live at 531 Sapphire Drive in Village Farms. I have several concerns with the proposed Pulte Development at 146th & Oak Ridge.

This area is a residential area! Why must retail be added so close to so many homes, especially when there are vacancies at Clay Terrace and within the Greyhound Pass area. And right across the street from an elementary school? The additional traffic will overwhelm Oak Ridge. What is the Westfield Council thinking?

After yesterday evening's Village Farm Town hall, I think you will discover that most of the homeowners are opposed to this potential rezoning and we will not sit idle on this. Did you see WRTV's news story yesterday evening? This type of media coverage does not portray Westfield in a positive light.

Please vote "NO" on the rezoning.

I always knew this property would be developed one day. But doesn't it make more sense for it to be a subdivision with comparable homes to Village Farms, rather than 92 homes packed like sardines!?

We are looking forward to seeing the entire council on Monday evening. Thank you.

Shelley Koglin

From:	Nathan Mundy
To:	APC
Subject:	Please Reject 1908-PUD-20
Date:	Friday, August 2, 2019 1:59:58 PM

Hello,

I would like to request the Advisory Planning Commission reject proposal 1908-PUD-20 and maintain the zoning of SF2. There is no need for further commercial development in this area with so many options within a few minutes drive in any direction. Also, the proposed higher density residential development is inconsistent with all the surrounding neighborhoods and likely have a negative impact on the perception of the area at best and could devalue the nearby homes.

I would also like to state that Oak Ridge Road needs to be evaluated based on the amount of traffic flow through the area North of 146th street regardless of what sort of development is approved for this parcel. It is already quite busy and dangerous and additional traffic from the development will only exacerbate the issue.

Regards,
Nathan Mundy,
Village Farms Resident

From:	Bryon K Clevenger
To:	APC
Cc:	Bryon K Clevenger
Subject:	Landings at Village Farms PUD
Date:	Friday, August 2, 2019 2:55:32 PM

The Advisory Plan Commission.

I Attended the Village Farms "Town Hall" meeting on 8/1/2019. The HOA discussed with us the Pulte PUD proposal and wanted to present the proposal and to receive feedback from the residents. There were approximately 100 residents that attended the meeting. As expected, the pros and cons were discussed and everyone had an opportunity to make statements and ask questions. A show of hands indicated there is very little to no support to change the zoning. The proposed density is way out of character for this area and it was communicated last evening that Westfield's long range plan was to not change the density in the area. As 27 year residents of Village Farms, my wife and I strongly oppose any change that would alter the allowed density of this property and I didn't see or speak with any other residents at the meeting that would support the change. My wife and I are planning to attend the meeting 8/5/2019 and I intend to speak in opposition. We DO NOT want you to support this change. We built in the community because it was small, quiet and not and the proposed change is contrary to everything we love about the area.

Respectfully,

Bryon and Cathy Clevenger
14919 Admiral Way

From:	Roger Weigand
To:	APC
Subject:	Against new proposal
Date:	Friday, August 2, 2019 3:09:00 PM

Dear APC,

I am a resident of Village Farms and am strongly opposed to the proposed rezoning for the 146th and Oak Ridge area.

The proposal has too much density (homes too small) and there is no compelling or logical need for ANY commercial properties there. It's a ridiculous, short-sighted, greedy proposal.

If the land is going to be sold, please use some common sense, creativity and vision when moving forward. And please listen to the citizens who will be impacted by this.

Thank you for your time.

Francine Weigand
Abbedale Court
Village Farms

Sent from my iPhone

From:	Kim Wagner
To:	APC
Subject:	Landings at Village Farms
Date:	Friday, August 2, 2019 3:49:34 PM

We are opposed to the re-zoning of the land on the NE corner of 146th and Oak Ridge Road. We believe the current zoning (Low density/single family) to be correct and appropriate for the area. The proposed HIGH density with local business plan would defile the remaining peacefulness of the surrounding neighborhoods. We chose to move to Westfield 27 years ago because it was NOT Carmel, and even better, it was NOT Fishers. We've watched as the city of Westfield tries its best to mimic Carmel (while choosing to ignore its unique inherited charm and character with the history of the Underground Railroad). Even worse would be to watch Westfield continue to cheapen itself by more over-crowding, poor planning, and irresponsible development- thus turning itself into another Fishers/Castleton area.

Tom and Kim Wagner

From:	Maureen Drudge
To:	APC
Subject:	Landings at village farms PUD
Date:	Friday, August 2, 2019 4:51:11 PM

Hello: I would like to say as a citizen of Westfield and neighbor to the proposed development, I object to changing the zoning.

The area is already too dense, and no commercial buildings are needed there. The zoning should not be changed.

Thank you,

Maureen McCullough
Westfield resident 10 years

From:	Lisa Young
To:	APC
Subject:	STOP Westfield Re-Zoning Landings at Village Farms
Date:	Friday, August 2, 2019 5:21:39 PM

I am against the rezoning petition by Pulte. I am a Westfield Resident – 14817 Senator Way – Village Farms

Lisa Young | **CHIEF OPERATING OFFICER**
LisaY@FinelinePrintingGroup.com | 317.802.1962 Direct |
FinelinePrintingGroup.com | 8081 Zionsville Rd, Indianapolis, IN 46268

We will not ask for your business until we can improve it.

From:	Monica Cochra
To:	APC
Subject:	Please do not rezone!
Date:	Friday, August 2, 2019 8:11:43 PM

As a happy homeowner in The Village Farms neighborhood, I am absolutely against the Proposed rezoning for Pulte at Oak Ridge and 146th.
We need no more retail! If homes are to be added, then they should be on large lots similar to our neighborhood. The area is zoned the way it should be for the happiness and safety of residents living here. Please hear us as we strongly oppose the change!
Thank you,
Monica J Cochran

From:	Nicole Williams
To:	APC
Cc:	Nicole Williams
Subject:	Landings at Village Farms
Date:	Saturday, August 3, 2019 8:46:00 AM

I want to voice my concern about this new neighborhood and commercial development. I live in Hunters Creek on Saddleback Dr. We are right across 146th St. from the proposed development. I am concerned about the increase in traffic as well as having commercial development on this site. There are already so many empty commercial buildings in close proximity to US 31 and 146th street. If the commercial buildings sit empty so close to neighborhoods I am concerned about my property value as well as trespassing and trouble empty buildings may bring. Recent articles outline concerns about traffic flow on 146th and I am concerned about how the additional commercial development will impact traffic flow. If a neighborhood is allowed on this site my hope is that it does not include commercial development and the lot size per home is increased to lot sizes more comparable to the current neighborhoods in the area.

Thank you - Nicole Williams

Sent from my iPhone

From:	Julia Mattern
To:	APC
Subject:	Opposition to Village Farms PUD rezoning
Date:	Saturday, August 3, 2019 11:05:15 AM

I am writing to express my strong opposition to the proposed Village Farms PUD rezoning.

First, there is no need for commercial development at that site. There is plenty of retail of all kinds available within a short drive and many of those properties are not even filled to capacity already, so why do we need more? That's a residential area and commercial use is not appropriate for that parcel of land. It's simply about Pulte want to extract as much financial gain as possible without regard to what the community needs and wants.

Second, the large number of homesites proposed and the incredibly small sizes of the parcels are not in keeping with adjacent properties. This has the potential to negatively impact neighboring property values.

Third, 146th street already has problems with heavy traffic and a large number of accidents. There is a school and a busy church across the street and the last thing everyone needs is more traffic congestion in that area.

This proposal is yet another example of both Pulte's greed and the city of Westfield's unwillingness to stand up to big developers because of political connections. It has already been pointed out by many people that the expense to Westfield in terms of infrastructure and schools needed to support this development will far outweigh any financial concessions by Pulte. If we are going to continue developing Westfield responsibly, we need to, at the very minimum, insist on developers paying for ALL the extra expenses the city will incur and stop passing this along to taxpayers.

You have been elected to serve as the voice of the people and I hope you are getting the message loud and clear. It's time to take a step back from development and examine the bigger picture. I, for one, will be paying attention to your actions and voting accordingly in the next election.

Julia Mattern
16604 Salimonia Lane
Westfield, IN 46074

From:	Maura Skiba
To:	APC
Subject:	New Development
Date:	Saturday, August 3, 2019 11:45:00 AM

I oppose the rezoning of this land for the purpose of a mixed development. Our schools are already over crowded Westfield's infrastructure is a mess and as a Village Farms home owner it will not benefit our resale values.

From:	Alex Hutchison
To:	APC
Subject:	Rezoning
Date:	Saturday, August 3, 2019 1:25:38 PM

To whom it may concern,
Please cinsider this my public comment I do not approve the proposed rezoning of the land at 146th and oak ridge.

From: N Wallis
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Saturday, August 3, 2019 3:55:44 PM

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1. We are opposed to the rezoning request to change from existing SF-2 (Single Family Low Density) to SF-4 (Single Family High Density).

2. We are opposed to the rezoning request to turn 17 acres into Local Business.

David & Nancy Wallis
14739 Raymond Lane
30 year residents of The Village Farms

Nancy Wallis
317-435-1733

Sent from my IPhone

From:	Elizabeth Hanrahan
To:	APC
Subject:	Landings at Village Farms PUD Comment
Date:	Saturday, August 3, 2019 4:00:30 PM

To whom it may concern:
I am unable to attend the August 5 th meeting, but believe I can write to you with concerns about a request that is going in to rezone the area at 146 and Oakridge. I am strongly against the area being rezoned from SF-2 to SF-4. Plus I feel there is no reason to add local businesses to that area. The traffic is already busy at that intersection. Oakridge road is narrow. The housing proposed and businesses is not in keeping with any of the neighborhoods around it. Developing that land with similar houses and acreage as Village Farms, I have no problem with- estimating that would be 30 +/- houses.

Thank you for your time
Elizabeth Hanrahan
15107 Stars Pride Ct.
Carmel, IN 46032

From: John Cottrell
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Saturday, August 3, 2019 5:00:25 PM

Hello:

I would like to state that I am totally **against** the rezoning proposal to commercial.
The land/area is currently zoned as residential and all the surrounding land are
occupied by housing/residential. I moved here to be in a nice quiet residential area surrounded by homes. I ask also that for the safety of residents in the Westfield
community and our neighboring Carmel citizens, please leave this land residential.
Please make this decision based what is good and right for people (not the almighty
dollar).

John Cottrell
556 Worth Court

From: kruithoffmw
To: APC
Subject: 146 and oakridge rezone
Date: Saturday, August 3, 2019 5:20:28 PM

Ladies and gentlemen,

We live in village farms. We do not need commercial business in the area. Plenty of options real close. Please leave the zoning the way it is and let a real nice subdivision to develop.

Marc Kruithoff 14625 Adios Pass

Sent from my Sprint Samsung Galaxy S® 6.

From:	Rick Macaluso
To:	APC
Subject:	Landings at Village Farms PUD Comment
Date:	Saturday, August 3, 2019 6:28:45 PM

I am in favor of the rezone. Our town country can use the additional homes and real estate and income tax base. Please approve.
Sam Macaluso
101 Senator Way
Carmel
Village Farms

From: karyn@npoweryourself.com
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Saturday, August 3, 2019 7:06:13 PM

Dear APC leaders,

I live at 626 Sapphire Drive, right across the street of the proposed rezoned area.

I vehemently oppose the COMMERCIAL development as this will negatively impact driving safety on Oak Ridge. It will dramatically increase traffic at the Oak Ridge/Sapphire Drive entrance and make it difficult for residents and school bus drivers to enter Oak Ridge.

We already have Our Lady of Mount Carmel churchgoers park in front of our house and use Sapphire as a pass-through when traffic on 146th is slowed. Having businesses on this corner will facilitate even more drivers to cut through Sapphire Drive to avoid the traffic on both Oak Ridge and 146th Street.

Please keep the area zoned LOW-DENSITY RESIDENTIAL.
Karyn Sneath
317-513-4502

Virus-free. www.avg.com

From: Ashley Fish
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Saturday, August 3, 2019 7:48:23 PM

To whom it may concern,
I am a Village Farm resident and I am writing in regards to the proposed development of the Landings of Village Farms. I am very much against the proposed changes for rezoning. Please keep zoning as is and as outlined in the Westfield comprehensive plan. Please honor the wishes of your constituents!

Thank you,
Ashley Fish
480 E Greyhound Pass
Carmel, IN 46032

From: AT McIntoshYoder
To: APC
Subject: Zoning change
Date: Saturday, August 3, 2019 8:43:11 PM

Hello apc members,

I'm writing today to ask the members to not change the zoning for the pulte development at 146th and Oakridge. Not only do we not need the commercial space the residential section should fit with the surrounding neighborhoods. The master plan for westfield also agreed with not changing the zoning requirements for the area. Please leave the current zoning as it is.

Troy Yoder and Andrea McIntosh

Sent from my iPhone

From: Martin Allain
To: APC
Subject: Development on land at 146th St. and OakRidge
Date: Sunday, August 4, 2019 7:41:40 AM

I completely disagree with the rezoning of the 53 acres on the corner of 146 and Oak Ridge. We have a community principally made up of kids and two exceptional schools. We have so much with Grant Park, bike trails and ageneral environment of quality-of-life. We do not need any taverns or additional commercial buildings. Martin Allain 533 Worth Court, Westfield, IN 46032.

From:	Preston Meng
To:	APC
Cc:	Robert Horkay; Cindy Spoljaric
Subject:	Landings at Village Farms re-zoning request
Date:	Sunday, August 4, 2019 8:21:20 AM

I took my kids for a bike ride to get ice cream this weekend, and it brought tears to my eyes. No longer will I feel comfortable allowing my children ride from the light at Oak Ridge to the Monon trail as they will have to cross through a commercial development with cars pulling in and out, paying attention only to the increased congestion on an already crowded 146th street. The high density homes will lend to a lower price point, driving down the value of the surrounding neighborhoods. Ultimately all of those higher density homes will produce more children than planned for, and they will be crammed into busses where my children already have to sometimes sit in the aisle on the floor!

My question is WHY would we re-zone? Because a company is wanting to make additional money? All of OUR time and energy is being spent on this because a developer decided they could squeeze a few extra dollars out of a development if the plan is changed to allow them to put in businesses where they aren't needed (or wanted) and pile homes on top of each other? SF-2 to SF-4 drops it from 15,000 square feet to 6,000 square feet, allowing you to build 2.5 houses where you could previously build one, so of course they want to make more money and do that. But what is the value of our city's plan and the appeal of Westfield? What is the cost of our children's safety? Why are we even discussing this? Another biker was struck on 146th yesterday, and putting more business along this stretch of road only makes that more terrifying.

Please do not allow a private company, only looking out for THEIR profits, to influence YOUR decision and obligation to look out for the best for the residents of this great city.

Thank you for your time,

Preston Meng
Village Farms resident

From:	Kristin Cary
To:	APC
Subject:	Opposition to overdevelopment of land at 146th and Oakridge
Date:	Sunday, August 4, 2019 9:53:41 AM

Hello
I would like to voice my opposition against the overdevelopment of the land at 146th and Oakridge!
Thanks,

Kristin Cary
CPSAS
Living-Truth.org
317-645-7911

From: dsmiller8593@gmail.com
To: APC
Subject: I oppose the rezoning at 146th and OakRidge to Commercial
Date: Sunday, August 4, 2019 11:15:02 AM

I oppose this re-zoning. The area all around is residential. There is plenty of opportunity in the old Marsh Plaza and surrounding area, so there is no need to insert a commercial plaza so close to the others.

Considering that there is a church and school right across the street, commercial buildings are not an appropriate use of this area

Doug & Deb Miller
Joan Brandenburg

Oak Ridge Crossing subdivision, Westfield IN.

From:	Michael Hawk
To:	APC
Subject:	Re-zoning of 146th and Oak Ridge
Date:	Sunday, August 4, 2019 11:48:28 AM

To whom it may concern:

I am in opposition to the re-zoning to high density housing and businesses Polte is interested in. We already have too much traffic on Oak Ridge and we don't need any commercial interest at that location.

Thank you,

Michael Hawk

15011 Oak Ridge Road

From:	Jnsweet@att.net
To:	APC
Cc:	jnsweet@att.net
Subject:	Village Farms Area Proposed Re-zoning
Date:	Sunday, August 4, 2019 11:52:11 AM

Hello,

We ask that the committee NOT approve changes to the comprehensive plan, which would allow for commercial zoning on the corner of 146th and Oak Ridge Road. Additionally, we are not in favor of approval of any development that permits lots that are smaller than those approved for Village Farms and the comprehensive plan for the area. Further, the current Pulte plan does not include enough access points into the development, and the access points are located in dangerous areas along Oak Ridge and 146th. Allowing an access point to the Pulte development which is directly across the street from Sapphire road will create back-ups at the light on 146th and Oak Ridge that will block these roads during high traffic times, including during mass times at Our Lady of Mt Carmel church and school. Sapphire will become a cut-through road, which is not consistent with the interests and safety of residents.

As frequent users of Oak Ridge road, our experience is that it is a dangerous road in the Village Farms area, primarily because it is hilly and too narrow given the higher level of traffic. Additionally the electrical poles are too close to the road. Sidewalks are needed along the entirety of the road, including over the bridge just north of Greyhound pass. Traffic has increased substantially as a result of commercial development near SR 32 and Oak Ridge must be updated accordingly.

Thank you for your consideration.

Jeff and Nancy Sweet
Raymond Lane
Village Farms residents

From:	mkpowell@indy.rr.com
To:	APC
Cc:	Robert Horkay; Cindy Spoljaric
Subject:	Rezoning land for Landings at Village Farms
Date:	Sunday, August 4, 2019 11:59:05 AM

I am opposed to the rezoning of the land parcel at 146th and Oak Ridge Road. Increased traffic to an already stressed 2 lane road and adjacent to Our Lady of Mt. Carmel church/school would be overwhelming. Commercial development is not warranted with the Meridian corridor less than a mile from the intersection. SF-2 zoning should be maintained. The City of Westfield approved the current zoning for this area when the long range plan for The Village Farms neighborhood in 2016.

Marcia Powell
32 Cynthia Court
The Village Farms

From:	Nicole House
To:	APC
Subject:	Oak Ridge/146th Street to commercial
Date:	Sunday, August 4, 2019 12:02:18 PM

Nicole House
14802 Sulky Way
Carmel, In 46032

I'm in opposition to the Oak Ridge/146th Street to commercial proposal because this is a residential / church / school area. We do not need to mix all of these together. Up 146th street there is enough commercial options.
I'm saying 'no' to mixing this commercial proposal with our residual area.

Thank you,
Nicole House

Sent from my iPhone

From: Lisa Kreag
To: APC
Subject: zoning meeting August 5, 2019
Date: Sunday, August 4, 2019 12:12:20 PM

My name is Lisa Kreag and I live at 14949 Senator Way, Carmel in Village Farms. I have lived at this address for almost 21years. My husband Ryan Kreag and I are opposed to the rezoning of the property at 146th and Oak Ridge Road. We are opposed due to retail and smaller lot size. We believe that both the retail and smaller lot size will increase traffic on Oak Ridge Road and ultimately Greyhound Pass which both already are very busy. I would like to see the current zoning stand for that land and not make any changes.
Thanks,
Lisa Kreag
14949 Senator Way
Carmel, IN 46032
317-695-3126
Lkreag@att.net

From: Patrick Jeffers
To: APC
Subject: Landings at village farms rezoning proposal @ 146th and Oakridge
Date: Sunday, August 4, 2019 12:35:43 PM

To the members of the APC of Westfield:

Thank you for your service. This is a note to register my disagreement with the proposed rezoning of said property. Please consider that Westfield planning has long held that lots should adhere to minimum of 15k feet. Making a special exception for a couple builders/brokers is wrong and not in keeping with town history nor compatible and consistent with every other property adjacent to this site.

I'm all for putting housing in that space , but let's keep the plans adherent to current regulations and compatible with the current landscape and property all of which abides by the Westfield code as written.

Respectfully submitted,

Patrick Jeffers
638 Sapphire Dr
Carmel In 46032
Village Farms
pjeffers@indyknit.com
317-850-1461

Sent from my iPhone

From: Anderson Amish
To: APC
Subject: Oak ridge /146th Opposition
Date: Sunday, August 4, 2019 12:46:35 PM

As a homeowner in the Oakridge and 146th area and a parishioner of Our Lady of Mount Carmel, I strongly oppose the rezoning of that corner.

There is no reason for commercial property in that area. 146th and Ditch has a CVS and gas is available in any direction. The safety of the over 10,000 parishioners will be greatly impacted by al the traffic and congestion the proposed land use will bring. There are no buses for the over 700 students that attend OLMC and that intersection handles heavy traffic already the 180 days of school every year. The seven masses every Sunday produce steady bottlenecks every week that do not need the additional cars such a neighborhood density would produce. Property values will declined with this backwards progress.

Please veto this proposal. A neighbor with less density and no commercial component would be a reasonable option

Respectfully

Catherine Anderson
14545 John Paul Way
Carmel IN
317-575-9277

Sent from my iPhone

From: Kelly Cox
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Sunday, August 4, 2019 1:12:17 PM

To whom it may concern,

I am a Village Farm resident and have been for 10 years. I am writing in regards to the proposed development of the Landings of Village Farms. I am very much against the proposed changes for rezoning. Please keep zoning as is and as outlined in the Westfield comprehensive plan. Please honor the wishes of your constituents!

Thank you,

Kelly Cox
15236 Dan Patch Ct.
Carmel, IN 46032

Kelly Cox
Owner/trainer
Crossfit Westfield
317-507-4224
www.westfieldcrossfit.com

From: Janet Warns
To: APC
Subject: Rezoning
Date: Sunday, August 4, 2019 4:09:21 PM

APC Board,

My name is Janet Warns and I am against any rezoning proposals for the property at 146st and Oakridge Rd. No commercial property or high density housing should ne allowed. Keep Westfield beautiful!

Janet Warns

From:	Michelle West
To:	APC
Subject:	No to pulte at 146th
Date:	Sunday, August 4, 2019 4:13:37 PM

I vote no for Pulte to build at 146th and Oakridge. The traffic is already heavy on 146th and it is impossible certain times of the day to go west out of my driveway on to 146th. Can’t we leave some land untouched for once. There is habitat that live on that land that will be driven out.

Michelle Talbott
Sent from my iPhone

From:	Janet Warns
To:	APC
Subject:	Fwd: Rezoning
Date:	Sunday, August 4, 2019 4:19:39 PM

Janet Warns
132 W Romalong Ct
Carmel In 46032
Village Farms 20 year resident
317-730-3665

Iobject to proposed rezoning at 146 & Oakridge Rd.

---------- Forwarded message ---------
From: **Janet Warns** <jmwarns@gmail.com>
Date: Sun, Aug 4, 2019 at 4:09 PM
Subject: Rezoning
To: apc@westfield.in.gov <apc@westfield.in.gov>

APC Board,

My name is Janet Warns and I am against any rezoning proposals for the property at 146st and Oakridge Rd. No commercial property or high density housing should ne allowed. Keep Westfield beautiful!

Janet Warns

From:	Ron Sinicki
To:	APC; Cindy Spoljaric; Robert Horkay
Cc:	Tara-Lynne Sinicki
Subject:	Landings at Village Farms PUD Comment
Date:	Sunday, August 4, 2019 6:00:56 PM

Ladies and Gentlemen-

My wife and I are residents of Village Farms and are writing to express our concern about the upcoming proposed development "Landings at Village Farms". To be brief:
- we oppose additional commercial development so close to our existing homes. We believe we have enough CVS pharmacies within a short distance (as well as gas stations, liquor stores, restaurants, etc.) and are concerned about the additional traffic a commercial development will bring to an already busy intersection.
- we oppose a residential rezoning of the the property as described to us by our Home Owners Association, and would encourage the APC to recommend adhering to Westfield's Comprehensive Plan. We are greatly concerned about any rezoning that would allow smaller lots and a greater number of homes packed into a tight space. Our concerns are driven by safety concerns (additional traffic at 146th/Oak Ridge, additional traffic on Oak Ridge which is already busy and dangerous, as well as impacts to our existing Village Farms neighborhood and home property values).

Thank you for your consideration. We look forward to listening to and participating in a productive conversation tomorrow night at the APC town hall meeting.

Regards,

Ron and Tara-Lynne Sinicki
15211 Stars Pride Ct.

From:	Ryan Kreag
To:	APC
Subject:	Opposed to resining northeast corner of 146th and Oak Ridge Rd
Date:	Sunday, August 4, 2019 6:27:03 PM

I am a resident of the adjacent neighborhood and am completely opposed to resining this corner making it high density residential and commercial. It should remain as it is currently zoned.

Thank you,
Ryan Kreag
The Village Farms, Resident

From:	John Moore
To:	APC
Subject:	Oak Ridge + 146th Pulte Development
Date:	Sunday, August 4, 2019 8:05:25 PM

Hello,

I do not believe this revision to the zoning is a good idea in regards to the residential. The commercial could add needed business tax. However, the home values aren't enough to support the impact they will have to Westfield. If the zoning remained Pulte could build more expensive houses on the lot to support Westfield and the houses would blend in more with the surrounding area. I hope you will execute your best judgement in the coming days.

Thanks,

John Moore

From: Jenni Sprague
To: APC
Subject: Proposed Rezoning for Housing Development--Landings at Village Farms
Date: Sunday, August 4, 2019 8:27:13 PM

Good Evening,

I am writing to express my concern about a proposed re-zoning that will be presented tomorrow, Aug 5, at the Advisory Plan Commission Meeting.

1908-PUD-20 [PUBLIC HEARING]
The Landings at Village Farms
14851 Oak Ridge Road

It is concerning that this request for rezoning is for a future development that includes retail as well as high density housing. The retail portion is not desired or needed by the citizens of Westfield. We have many shopping options and several vacant store fronts today. Adding additional retail locations to an already heavily traveled street will create more congestion for the area and potentially safety issues.

The existing communities have large lots and the proposed community will not. It does not fit in with the rest of the area that is developed.

I urge you to vote no to this request for rezoning.

Thank you,

Jennifer Sprague
918 Farmview Lane
Carmel IN 46032

Sent from Mail for Windows 10

Virus-free. www.avg.com

From: Greg Templeton
To: APC; Council Members
Subject: Proposed Landings at Village Farms PUD
Date: Sunday, August 4, 2019 8:38:50 PM

Greetings and kind regards to the Westfield Advisory Planning Commissioners and the City Councilors of the Westfield City Council.

My name is Gregory Templeton and I'm a 26 year resident of The Village Farms and am writing to express my opposition to the proposed rezoning request and the Landings at Village Farms PUD. My opinion is based on three reasons: (1) environmental, (2) Financial, and (3) non-compliance to Westfield's Comprehensive Plan.

1. Environmental:

An often over looked ecological asset of Westfield are the 3 lakes known by The Village Farms residents from west to east as Upper, Middle and Lower Lakes. These are not small ponds that often serve ground water detention purposes in our neighborhoods. These are the three largest bodies of water in the City of Westfield Indiana. They are part of the Cool Creek water drainage system serving thousands of homes and businesses. Equally important, they have added to the natural ecology of the larger Westfield/Carmel community. The fishes, small mammals and small birds that benefit from these lakes make possible the presence of large birds of prey including cooper hawks, red tail hawks, owls and even the American Bald Eagle!

While these lakes are privately owned – by The Village Farms, Inc. (HOA) and the late Mr. & Mrs. Ressler – thousands of Westfield residents have enjoy boating, fishing and ice skating recreation and all Westfield residents have gained the aesthetic benefit of their beauty and natural grace in addition to their ecological benefit. Because these lakes are privately owned no Westfield, no county, no state tax dollars have been taken from our citizens to maintain them. And that cost has been very expensive.

Over the past several years The Village Farms has spent hundreds of thousands of dollars to repair, upgrade and maintain them some of which was mandated the Indiana Department of Natural Resources (DNR). These have included repairing and upgrading one of the two dams, dredging Middle Lake and installing a natural prairie flower garden. While more dollars are currently being reserved in The Village Farms budget for future maintenance and improvements, in my observation little has been done to maintain that portion owned by the Resslers – I say respectfully for reasons that may have been important to them. Nevertheless, that portion of Middle Lake will require ecologically necessary conservancy work not just presently, but perpetually.

I have read nothing in the proposed PUD documents that address the ecological conservancy needs of Middle Lake, its plans to maintain the free flow of water from Upper Lake (much needed dredging) and the expected costs that will have to be reserved from HOA funds. These costs will be large and that leads me to my second reason for my opposition.

2. Financial:

I believe the creation of an independent HOA governed neighborhood of less than 100 small residential properties will be unable to collect and reserve the funds necessary to perpetually maintain, conserve and, indeed, improve that portion of Middle Lake which will be owned by that small membership. At some point these costs will be mandated by either the DNR (as they were to The Village Farms), the county Drainage Board or by a court of jurisdiction and a surprisingly large special assessment will likely be required. The approval of what I would describe as a "pocket neighborhood" with such large and expensive ecological responsibilities is knowingly setting up future Westfield residents for financial failure.

The solution to this developmental problem is the adoption (or annexation) of this small neighborhood into the huge Village Farms HOA of 784 homes. A larger HOA governed community of 850 to 875 homes will have the financial resources to meet these expensive needs.

Unfortunately, I can say with absolute certainty that there is zero (0) probability of The Village Farms adopting this pocket neighborhood as proposed into its community. Under The Village Farms HOA covenant a quorum of not less than 20 percent of the membership is required to decide this issue. This means that a plurality as small as 10% (plus 1) can approve or disapprove an adoption. Based on the recent HOA town hall meeting that was hugely attended, I found no one that would express approval. No one.

The financial security of future Westfield residents are at risk if the City of Westfield is unable create a neighborhood that is reasonable acceptable to the residents of The Village Farms for adoption purposes. I believe such a neighborhood is possible – if the City of Westfield, its political leadership and the professional planning and development department work with The Village Farms HOA to create a neighborhood that is similar to the character, size and qualities enjoyed by all of the current Village Farms homeowners. Which leads me to my final reason for my opposition.

3. Non-Compliance to Westfield's Comprehensive Plan:

The proposed PUD is in complete non-compliance with the Westfield-Washington Township Comprehensive Plan. These are the developmental policies of our city's plan regarding existing suburban areas:

A. Promote the protection of the existing suburban character of the area.

B. Encourage only compatible infill development on vacant parcels in existing neighborhoods as a means of avoiding sprawl.

C. New development should be permitted only upon a demonstration that it will not alter the character of the area, and will not generate negative land use impacts.

D. Ensure that infill development is compatible in mass, scale, density, materials, and architectural style to existing development.

E. Ensure that new development adjacent to existing suburban is properly buffered.

F. New retail uses should not be permitted in the Existing Suburban areas. The Existing Suburban Areas were planned and have developed primarily for residential uses, and attempting to introduce retail uses into those areas will change the residential character of the area. These should be located in those areas that are planned for retail expansion.

There is literally no portion of the proposed PUD that conforms to this developmental plan. The approval of the proposal to rezone this island in the middle of the existing homes of The Village Farms, Westfield Farms, The Village of Mount Carmel and the Hunter and Roherer neighborhoods means that the City of Westfield has no intention to honor the written commitments made to its residents. The hard work of scores of community members, political leaders and the solicited input of hundreds of residents will be abandoned. It becomes a folly that has wasted thousands of labor-hours by people that worked into the evening and weekends instead of more profitably falling asleep watching television. Every Westfield resident will learn the lesson that the City of Westfield is not to be trusted and a city request to add value or input should be avoided as it will not be respected.

In conclusion, I have read the opinion of some that "no one would want to have a home on 146th Street and only businesses would/should be built abutting 146th St." This is contrary to both common sense and existing evidence. There are hundreds (perhaps thousands) of suburban HOA governed homes in Westfield, Carmel, Noblesville and Fishers that abut 146th Street including in The Village Farms. These homes exist in harmony with the busy 146th Street corridor.

It is my opinion that a small neighborhood of under 100 homes on 1/3 (.34) to 1/2 (.5) acre lots similar in size and character to the surrounding homes would be readily adopted into The Village Farms HOA. This now larger and financially stronger community that would enjoy the amenities of three large lakes, club house, tennis courts, children's areas, large common areas and possibly the largest private pool in Hamilton County while adding much needed local area parks in the middle of the most desired residential spot between Westfield and Carmel would sell such homes at any price point so quickly it would shock everyone's imagination.

Please reject the proposed rezoning request and the requested PUD as environmentally and financially unsound and contra-indicated by existing city developmental commitments.

Thank you for your kind attention to my opinion and reasons.

Gregory Templeton
136 Senator Way
Carmel (Westfield), Indiana 46032

From:	Scott Rector
To:	APC
Subject:	Landings at Village Farms land parcel
Date:	Sunday, August 4, 2019 8:46:44 PM

APC,

I would like to express my views on the parcel of land at 146th Street and Oak Ridge Road. I realize that development of this land is highly sought after and eminent. I am not opposed to the development of this former farmland. However, I am opposed to commercial/retail development of any part of this land for the following reasons:

Increased traffic congestion on 146th Street
Direct entry/new throughway created at Sapphire Drive as is currently proposed by Pulte/Zuckerman
Public safety--proximity of proposed entry to the light at this intersection

In addition, I do not feel that high density housing is in line with the surrounding area. A change in zoning as proposed currently would take 15000 square foot lots to 6000 square feet. While the cost of the land may prohibit quality housing on 15000 square foot lots, I would rather see at least 10000 square foot at the minimum. The Comprehensive Plan had this land slated to be similar to the surrounding neighborhoods and did not plan for retail here. I cannot think of any retail business that would go on this plot of land that I cannot already access within a few minutes by car, biking or walking. We are very fortunate to have everything in close proximity in this area and I feel housing alone would be sought after due to the convenience of all that is already nearby.

Development of this land is welcomed and would likely be embraced by the thousands current residents and community. It might be a wise decision to create a community task force to assist in a smooth non-controversial new development in the city Westfield.

Take care,
Scott Rector
317-506-1481

From:	Veronica Smith
To:	APC; Robert Horkay; cspoljarac@westfield.in.gov; bod@thevillagefarms.com
Subject:	Fwd: Landing PUD
Date:	Sunday, August 4, 2019 8:46:50 PM

Hello,

We have lived at Village Farms for 17 years at 435 Worth Ct. We have been listening neighbors, letters and emails regarding the vote to develop commercial businesses across our street.

We are not interested rezoning developing to commercial in this residential area. 17 years ago, we built and moved to Village Farms to raise our family in nice quite area and to attend school at OLMC in a beautiful neighborhood.

Our Family is not interested in more traffic, stores, restaurants and/or commercials stores within walking distance from our homes. As you know, with that comes traffic more congestion and most times will come crime.

My kids go to OLMC and WHS and I hope the right decision is made to decline any offer to rezone in order to gain more income for Westfield.

This is our vote, no.

Thank you,
The Smiths

Sent from my iPhone

Begin forwarded message:

> **From:** The Village Farms <communications@thevillagefarms.com>
> August 3, 2019 at 3:23:30 PM EDT
> **To:** Keith Smith <vsmith31@sbcglobal.net>
> **Subject: Landings PUD - 8/1 Town Hall Meeting Recap**
> **Reply-To:** The Village Farms <communications@thevillagefarms.com>

Check out what's happening at The Village Farms!

View this email in your browser

Recap of the Town Hall Meeting Concerning Nearby Development Proposal

On Thursday, August 1st The Village Farms residents gathered to discuss the proposed development 'Landings at Village Farms' on the northeast corner of 146th Street and Oak Ridge Road. This was a comprehensive, informative meeting to keep all residents up to date on what is being discussed about the development and it's potential involvement with The Village Farms.

For your reference, we have compiled the documents, maps, and renderings of the PUD shared with the city at https://thevillagefarms.com/landingspud.

Meeting Recap

Doug Holtz, the HOA Board's Planning and Development Director, was able to lead us through what we know about the development so far. Currently, the development is facing the need to re-zone the land in order to move forward with their 'Plan A'. This means taking the existing lot from an SF-2 "Single-Family Low Density" Zoning requiring minimum lot sizes of 15,000 sq. ft. to SF-4 "Single-Family High Density" requiring 6,000 sq. ft. lots and allowing a higher density development. In addition, the proposal will take 17 acres and re-zone it for Local Business (CVS, Daycare, Coffee Shops, etc). While the purpose of this meeting was to discuss what, if any, affiliation The Village Farms would like to have with this new development, it was clear from the comments and concerns from Residents that the main concern is the potential rezoning of this property.

What Can You Do?

Let Your Voice Be Heard

The Village Farms has no say over the zoning of this land. Any concerns about how it should be zoned and the potential impact this development may have needs to be heard by the Advisory Plan Commission (APC) and the City Council. Many of you referenced the Westfield Comprehensive Plan, which is linked here for your convenience.

The next steps for this development will be to appear in front of the APC on Monday, August 5th at 7 pm to present this plan. After the presentation to the APC, the commission will field questions, comments, and concerns from attendees. If you have a concern, it is your right to attend the meeting and address the commission. To do so, you will need to fill out a card upon arrival. When you walk in the doors at City Hall, the cards will be on a table to the left. You are also encouraged to email the APC at apc@westfield.in.gov. According to the APC, emails are heard just as strongly as in-person comments and every email will be read.

You are also encouraged to reach out to your City Council with any concerns.

Although the APC will make suggestions to the Council, it is the council that ultimately decides how the zoning of this land proceeds. Our District 5 City Council Member is Village Farms Resident, Mr. Bob Horkay. He can be reached at rhorkay@westfield.in.gov. You may also reach out to At-Large City Council Member, Cindy Spoljaric. She can be reached at cspoljaric@westfield.in.gov. Remember: Your community, your voice, your right. Let yourself be heard.

Thank you to those who've written to express ideas, concerns and questions to The Village Farms HOA Board. Your involvement helps make The Village Farms a better place for all of us. As always, any additional questions or comments can be emailed to bod@thevillagefarms.com. Every e-mail received on this account is read and replied to.

Sincerely,
The Village Farms HOA Board

Please contact our Property Manager, Maureen Schriner at 317-816-7010 or a Board Member if you have any questions. Thanks for making this a great place to live!

The Village Farms Homeowners Association
TheVillageFarms.com

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You are receiving this email as a member of The Village Farms Homeowners Association, Westfield IN.

Our mailing address is:
The Village Farms
PO Box 717
Westfield, IN 46074

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

From: Steve Sneath
To: APC
Subject: Landings at Village Farms PUD
Date: Sunday, August 4, 2019 8:52:42 PM

Dear members of the APC of Westfield,

I greatly appreciate all that you do to help our city develop in a responsible and well thought out manner.

I live at 626 Sapphire Drive and I am greatly opposed to the proposed rezoning of the property located on the northeast corner of 146th and Oak Ridge.

I fear the proposed rezoning will cause an already congested area to become even more dangerous. Mornings/evenings are already difficult to safely get in and out of our neighborhood. The traffic includes school children in private vehicles, walking and riding bicycles (to our lady of my Carmel) and school buses in addition to commuters. Additionally, the proposed entrance to the new neighborhood will undoubtedly add traffic cutting through the Sapphire Drive area of Village Farms where many small children live and play.

The commercial development in the proposal potentially adds an element of additional/transient people who do not belong in the neighborhood and a greater risk of theft, vandalism, and other personal safety concerns. We already have multiple lost vehicles turn around in our driveway at all hours of the day and night. These people are literally on my property every day. I hate to think how many additional folks this would add to that mix. The commercial component of the proposal is my biggest contention. There are many available retail and other local business locations that are vacant within a mile of this location. There is no need for it - or the potential issues I mention above.

This area was zoned SF-2 in the master plan for a good reason. The proposed lot sizes would be approximately 6,000 SF compared to the already zoned 15,000 SF. That's well under 1/2 the size of the current zoning (and the size of lots in surrounding neighborhoods). A change of this magnitude would have to impact our home values.

I do not have a problem with developing the land as it is currently zoned.

Please deny this request and stick to the current zoning of the master plan. It was made that way for a reason. Preserve the history of Westfield and consistency of the surrounding neighborhoods.

There is no reason to change the zoning other than helping a few developers line their pockets further.

Respectfully,

Steve Sneath
626 Sapphire Drive
Carmel In 46032
Village Farms Neighborhood
Sneath82@yahoo.com
317-946-0035

From:	Laraclark7
To:	APC; Robert Horkay; Cindy Spoljaric
Subject:	Proposed rezoning for Pulte development
Date:	Sunday, August 4, 2019 8:55:39 PM

As a resident of Village Farms, I am opposed to the proposed rezoning on behalf of Pulte of the property located at 146th St. and Oakridge Rd.

The master plan from 2007 specifically calls out that land maintain the same SF2 zoning that surrounds the property on both sides.

In addition to the zoning issue, the greatest concern for introducing commercial zoning and higher density zoning is the introduction of higher traffic in an already crowded area.

Intentionally changing the zoning to introduce unnecessary risks to the children and residents of the surrounding neighborhoods would be both irresponsible and negligent. As a constituent in your district, consider this my official opposition to the proposed rezoning and I will take in to consideration this boards actions in future elections.

Lara E Clark

From:	Jason DeWitt
To:	APC
Cc:	Amy DeWitt
Subject:	Concerns re: Zoning at 146th & Oak Ridge
Date:	Sunday, August 4, 2019 8:59:05 PM

My name is Jason DeWitt and I live at 14809 Victory Ct in Village Farms. Our family has the following concerns regarding the proposed zoning at 146th street and Oak Ridge.

1.) Increased traffic on Oak Ridge and increased traffic coming through Sapphire Drive.
2.) The proposed high density housing will not match the character of the surrounding Village Farms neighborhoods.
3.) From reason 2.), it follows that our property values will decrease over time if the developer's wish is granted to name the new housing "Landings at Village Farms".
4.) We do not need any more commercial space. Clay Terrace and Village Park Plaza are literally less than two miles away.

We hope our concerns are taken into consideration and a wise decision is made that benefits ALL parties involved.

Sincerely,

Jason DeWitt

From: John Kane
To: APC
Subject: Regarding proposed development "Landings at Village Farms"
Date: Sunday, August 4, 2019 9:15:39 PM

To the Advisory Plan Commission:

My name is John Kane, and I have lived at 15 West Greyhound Pass in Village Farms for the past twenty years. I am writing in regards to the proposed development 'Landings at Village Farms' on the northeast corner of 146th Street and Oak Ridge Road. I want you to be aware of my opinion regarding two aspects of that proposal:

1) I am opposed to any rezoning of the proposed development 'Landings at Village Farms' on the northeast corner of 146th Street and Oak Ridge Road. More specifically:

- I am opposed to any plans to rezone any of that land from residential to commercial. I believe any such rezoning would be detrimental to the quality of life of nearby residents, of which I am one; and I believe more commercial development would be redundant given the adequate commercial avenues available to myself and nearby residents.
- I am opposed to rezoning the land from the SF-2 "Single-Family Low Density" Zoning requiring minimum lot sizes of 15,000 sq. ft. to SF-4 "Single-Family High Density" requiring 6,000 sq. ft. lots and allowing a higher density development. I believe this is detrimental to the property value and quality of life that has been carefully cultivated in that area for decades.

2) I am opposed to any new residential community attempting to appropriate either the Village Farms name and/or the Village Farm Home Owners Association. I am satisfied with the current state of affairs in Village Farms, and I see no benefit to me, my family, or the Village Farms community through any planned or forced expansion of the existing Village Farms community.

I trust you will hear similar sentiments from many of my neighbors in Village Farms; and if so, I trust that the Advisory Plan Commission will act accordingly.

I thank you for your time and your consideration to my email. My best,

John Kane
15 West Greyhound Pass
johnkane@indy.rr.com

From: Rob R
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Sunday, August 4, 2019 9:34:52 PM

I am a resident of Village Farms and am opposed to any rezoning of the land at the northeast corner of 146th street and Oakwood Dr from its current residential status. Commercial enterprises have no business in this neighborhood area and this is acknowledged in the Westfield-Washington Township Comprehensive Plan of 12 February 2007. There exists ample commercial enterprises just one mile to the east and planned commercial enterprises 2.5 miles to the west at Ditch Rd. Please protect our residential neighborhood and prevent any rezoning of this property.

Thank you,

Robert Ress
218 W Admiral Way S
Carmel, IN 46032
317-910-9276

From:	The Street Family Street
To:	APC
Subject:	Rezoning of land at 146th and Oakridge
Date:	Sunday, August 4, 2019 9:36:06 PM

Dear APC,

We would like to express our sincere concern with the recent proposal by Pulte homes in regards to the land at 146th St. and Oakridge Rd. We are absolutely not in favor of ANY commercial development on that exceptionally busy corner. Our opposition is due to numerous reasons:

1. This is a very busy intersection that already houses a church and school, as well as surrounding neighborhoods. Commercial development would further add to the congestion.
2. There is no need for commercial development as this area has a plethora of commercial development within two miles and many units/store fronts are empty.
3. A traffic study has not be done to see the current impact of traffic and future impact on the area.

We would also like to express our opposition to the current housing proposal by Pulte homes. Westfield does not need such a development for many reasons:

1. Pulte has proposed a high density neighborhood for their benefit only. This type of neighborhood does not fit with the surrounding neighborhoods.
2. The quality of homes proposed are the lowest quality Pulte homes that we have seen in the area. The quality does not match the surrounding neighborhoods and will certainly bring down current home values.
3. Does Westfield REALLY need another Pulte development. There are thousands of Pulte homes within 3 miles of their proposed development. Westfield should insist on higher standards for this development.

All in all, we simply ask that you do not approve the rezoning proposed by Pulte Homes. We feel as if Pulte is trying to make a fast buck at the expense of Westfield and their residents.

During the last few years we have closely followed the development of Westfield and we praise the APC for demanding high standards in Westfield. You have kept builders accountable for their products while demanding quality. Please continue this practice. Thank you for volunteering to serve our community. We appreciate you.

Sincerely,
Chris and Dawn Street
14705 Victory Ct.

From:	Marianne Roush
To:	APC
Cc:	Andrew Roush
Subject:	Public Hearing for Proposed Rezoning of land at 146th St./ Oak Ridge St.
Date:	Sunday, August 4, 2019 10:38:59 PM

Dear City Council,

We are adamantly opposed to the proposed rezoning of the parcel of land at 146th St./Oak Ridge. We have lived at 537 Fox Lane for 11 years and resided at 14829 Admiral Way for 10 years in Village Farms prior to that. We have raised 3 children in this neighborhood and have seen many changes in the area over this time period. This area is a high traffic zone during morning rush hour and evening rush hour. Adding 94 homes and multiple businesses will only make this area more dangerous. There has been an accident involving a bike rider and automobile this summer at Oak Ridge and 161st and a 2nd near accident last week. We have families that allow their children to ride bikes to Our Lady of Mt. Carmel who would be put in additional danger by adding an outlet to Oak Ridge Rd. for the proposed neighborhood and proposed commercial area. We also have Westfield buses servicing this area with routes to Oak Trace Elementary, Shamrock Springs Elementary and the Intermediate, Middle and Westfield High School. Additional traffic would impact these students and drivers ability to get to school promptly. We think a comprehensive traffic study must be conducted. Those results should be determined before development decisions would be finalized and any construction started. Thank you for looking carefully at all of the ramifications of this rezoning and not simply the revenue that the businesses might generate.

Sincerely,

Marianne and Andrew Roush

From:	Peggy Lecheler
To:	APC; Daine Crabtree
Cc:	Peggy Lecheler
Subject:	Landings at Village Farms
Date:	Monday, August 5, 2019 8:20:24 AM

We live in Westfield Farms neighborhood and *our house happens to be one of the five houses where the proposed commercial area will be in our backyard.* We were very surprised that this proposed area would even have a commercial section, let alone that be in back of our house. Let us ask you - ***would you want that in your backyard?***

Questions we ask: is what does that do to the value of our house? What will be there? Concerns of lightening, traffic, type of businesses there, the hours they are opened, garbage upkeep, etc. The local nearby area is currently saturated with commercial businesses, of which many buildings are empty, and more commercial buildings surely are not needed

Although there are concerns of the lots sizes for the proposed lots, the additional traffic that this will bring, our main concern is:

- Commercial being as part of the proposal

We strongly feel that in the proposed area:

- **NO COMMERCIAL, THEREFORE NO NEED TO RE-ZONE**

Thank you for your consideration into this matter. *We have a voice, and feel VERY strongly against the current proposal.*

Art and Peggy Lecheler
926 Farmview Ln
Carmel, IN 46032

From:	Levi.Bess@wellsfargoadvisors.com
To:	APC
Subject:	Landings at Village Farms PUD Comment
Date:	Monday, August 5, 2019 8:33:54 AM
Attachments:	image001.png

To Whom It May Concern:

I am a resident of the Village Farms neighborhood – and wanted to express my support for the new development and rezoning at the Northeast corner of Oak Ridge and 146th Street. I don't believe my opinion is a popular one among the longer tenured residents of my neighborhood. However, I wanted to make it known that not EVERYONE is up in arms about this rezoning. If development, progression, and commercialized zoning is a worry for many in the area, I believe they may be confused as to where they currently live. Carmel and Westfield are expanding at an exponential rate. This is a GOOD thing.

One thing I have noticed in my six years as a resident of Carmel/Westfield – is that as more people begin to move into town, the restaurants and other commercial shops become crowded. Meaning it is sometimes difficult on a weekend evening to find a quick bite to eat with my family of three. I am a fan of expansion, and a fan of making this a place where everyone has a multitude of options to dine or shop. Thus, the more restaurants and businesses, the better.

My neighborhood is notorious for pushing back on progress. I recall in 2013/2014 – the neighborhood put a stop to the fully funded roundabout that was to be built at Oak Ridge and Greyhound Pass. This sort of thing would help with the flow of traffic as other case studies have shown – however, now this petition that is circulating states as a "con" of the rezoning to be congested traffic flow. If we want to be truly concerned about traffic flow – and not just listing it as a concern to block rezoning – I think we should back-up our talk with some progressive measures to combat congested traffic. And let's be real about another thing – having a few businesses and maybe a small restaurant nearby will not be a noise pollutant to the neighborhood. That is just a silly accusation that was inserted to the petition. Take a look at the "block" of businesses at the Southeast corner of Spring Mill and 161st (Springmill Station) – it doesn't generate loud noises, if any. In addition, I believe that even with a grocery across the street, traffic flows well.

I am but one resident of many – but I wanted it to be known that this pushback is not unanimous.

Best,

Levi Michel Bess
Financial Advisor
Wells Fargo Advisors
400 West Sycamore | Kokomo, IN 46901
Office: (765) 452-1211 | Fax: (765) 452-1361
levi.bess@wfadvisors.com

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August 5, 2019, APC Meeting
Landings at Village Farms, 1908-PUD-20 (Ordinance 19-26)
To: APC, City Council
From: Linda Naas, 1122 East 161st Street

- This land is in the Southside Economic Development Area that was established in 2013 but shouldn't be. This can easily be corrected.

The map of the Southside Economic Development Area (https://www.westfield.in.gov/egov/documents/1375300648_31369.pdf) does not match the written description below:
(https://www.westfield.in.gov/egov/documents/1375300529_53101.pdf)

Southside Economic Development Area

The Southside Economic Development Area (the "Southside EDA") is generally located along US Highway 31 between 161st Street and 146th Street. The Southside EDA is approximately 200 acres. Most of the property in the Southside EDA is currently zoned for multi-family, commercial or general business type uses.

Clearly the "Landings of Village Farms" property although on the map does not match or agree with the written description above. This could have been an error or lack of attention during the approval process which should be rectified now by removing high density and commercial uses -- two wrongs would not make a right for this neighborhood or for Westfield. This property per the Comprehensive Plan is zoned for Suburban Residential and lesser density than proposed, change to SF-2 Underlying and remove LB, and as the Staff Report for this August 5 meeting notes: **The Comprehensive Plan states that, "New retail uses should not be permitted in the Existing Suburban areas."** Please refer to pages 38 and 39 of the Comprehensive Plan.

- Proposal - Change the Commercial area proposed to Park/Open Space (please refer to concept plan). Hasn't there been an outcry for more greenspace and parks? This would be a great entrance into Westfield.

1. The fact that a gas line easement goes through this property and commercial development would require an undesirable street cut on 146th Street begs a different design and proposal.
2. There should not be an internal street constructed on the gas line easement.
3. Remove the commercial, make the area east of gas line easement into a public park - a dog park, public tennis courts, pond - accessible on foot/bicycle/vehicle from a limited parking area in the very southwest corner south of the Oak Ridge entrance - in place of commercial.

- Although the picture shows cars dropping off in the kayak/canoe area, where is the car access? Please add to design.

- Second Entrance also needed for public safety access - Abandon the 146th Street cut (see #1 above) use Shoreway East Drive.

This was the intent of the dead end Shoreway East Drive on the north boundary of the property.

See comments on Concept Plan following.

Proposal for APC 8/5/2019 - OPTION 1 - shown and described below. Plots need to be enlarged for less density. Meets Comprehensive Plan, lowers housing density, removes commerical, removes 146th St. curb cut and accompanying traffic issues, eliminates issues with Gas Line Easement, adds a park in this area of Westfield, and creates an impressive entrance to Westfield.

Option 2 would be to change Park #6 below to low density housing on a cul-de-sac with a 146th Street curb cut if possible.

2nd Entrance from stubbed East Shoreway Dr, modifying detention pond. -:----------->

Enlarge all lots to meet Comp Plan Page 39: "infill should be compatible in mass, scale, density, materials & architectural style to exisitng development . . . New retail uses should not be permitted in the Existing Suburban areas" This is Village Farms infill - there is a stubbed street.

See Numbers on Plan to Right:

1. Parking for Park with Landscaping outside Gas Lines. Remove Commercial. Public Restrooms.

2. Entry Play Park.

3. Remove Street, Parking, from Gas Lines, move Landscaping to Park area, add trail to Park.

4. Remove Street over Gas Lines, trees moved to Park.

5. Expand trail across Gas Lines East to Ressler Park

6. Make this triangular area into Ressler Park open to Village Farms & the Public - Open Space, Greenspace, Parks the people have been wanting but developers don't offer on their own. Fill with: Dog Park, Tennis Courts, Basketball Hoops, Playground, Incorporate Pond with benches, fishing, no swimming, etc.,fields, TBD.

Put a nice fence along perimeter of park areas, entrance only from Oak Ridge Rd.

2nd Entrance off Shoreway East Dr where stubbed.

No Entrance here.

LOT SUMMARY
- **42 LOTS @ 60'x130' LOT SIZE**
  52 LOTS @ 52'x130' LOT SIZE
  94 TOTAL UNITS

Pulte Homes

CONCEPT PLAN

RESSLER PROPERTY

WESTFIELD, INDIANA

HRGreen

NORTH

0 100' 200' 300'

SCALE: 1" = 100'

JUNE 27, 2019

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

\\hrgmhnas\data\86140161\Design\PLANNING\Ressler Property-Westfield\Revised Concept 4-19-19.dwg Saved: Apr. 16, 19 3:00 PM Plotted

From: Liz Piron
To: APC
Subject: 146th St and Oakridge Rd Rezoning
Date: Monday, August 5, 2019 9:39:15 AM

My name is Elizabeth Piron and I live at 710 E Greyhound Pass in Village Farms. I am at the corner of Oakridge Rd and Greyhound Pass.
I strongly oppose the Rezoning of the land parcel at 146th St and Oakridge Rd. The zoning should remain as is. We do not need high density housing or commercial development at this location. The developer is only interested in how much money he can reap from the property so he wants high density housing and commercial. We have enough commercial property in this area: Clay Terrace, Village Park Plaza, 146th St Shopping Center(Fresh Market, etc), then the 161st St --Kroger shopping center. We have a pharmacy there plus at Village Park Plaza. How many more shopping centers do we need. We are surrounded by them.
I feel this will impact traffic and thus safety. Our home values will be negatively effected by both the high density housing sitting right next to us as well as commercial property so close to housing. This corner will be a hazard for safety. Putting in a roundabout is a disaster for pedestrians. This is a wide intersection now with traffic lights which
is safer for pedestrians and cyclists. There is no need for a roundabout either. I strongly oppose this.
We moved here 26 years ago and love the area. It is like a piece of country inside the city. It will be ruined by excessive high density housing as well as more commercial property sitting in a residential zoned area.
We want the area zoning to remain as is. NO REZONING FOR HIGH DENSITY HOUSING OR COMMERCIAL ZONING.

Thank you.
Elizabeth and Gabriele Piron
710 E Greyhound Pass
Village Farms

From: Lindsay Clark
To: APC
Subject: Landings at Village Farms
Date: Monday, August 5, 2019 9:54:18 AM

Hello, my name is Lindsay Clark and I live on Worth Court in Village farms. When we exit our neighborhood to go to Westfield where both of our daughters attend school, we turn left out of Sapphire Dr. If The Landings at village farms goes in as planned the main entrance and exit will be directly across from Sapphire Drive. This will make it very dangerous to turn left out of our street. I also see residents and people using the proposed commercial businesses using Sapphire Drive as a way to avoid the traffic light at 146th street and Oakridge. We have so many places to shop and do business in the area, all within a mile of the proposed development. Some of the nearby retail is vacant, I do not know why we need more.

I am aware that this land is going to be developed but would like the zoning to remain the same and to have no commercial zoning.
I also would like to have a traffic study done for the entire area, no matter the zoning. I understand progress will happen but it should not happen in with no regard for safety of neighbors.

Thank you,
Lindsay Clark
540 Worth Ct
Carmel, IN 46032
317-777-4862

From:	Jan Riesche
To:	APC
Subject:	Opposition to building at 146th St
Date:	Monday, August 5, 2019 10:08:56 AM

My husband and I are 40 year residents of Village Farms. We are totally opposed to the proposed plan for development at the corner of 146th St and Oakridge Rd. And, we vote in EVERY election!

Sent from my iPhone

From: STEPHEN Schrader
To: APC
Subject: Against Re zoning of 146 St and Oakridge
Date: Monday, August 5, 2019 10:19:18 AM

I am firmly against the re zoning of the property at 146th and Oakridge. The proposal will put to many people in a small area. The additional people and commercial development will cause traffic problems.

Steve Schrader
14620 Adios Pass
Carmel, Indiana
(Village Farms resident)
Sent from my iPhone

From:	Cheryl
To:	APC
Cc:	Robert Horkay; bod@thevillagefarms.com
Subject:	Please do NOT re-zone the real estate at Oak Ridge Rd. and 146th St. Westfield, IN
Date:	Monday, August 5, 2019 10:28:32 AM

To City of Westfield, IN,

Please do not re-zone the approximately 58 acres of real estate located on the northeast corner of Oak Ridge Rd. and 146th St. (the "Real Estate"). Many residents of Village Farms which live directly west and north of the Real Estate filled the cafeteria at Shamrock Springs Elementary School August 1st to discuss Village Farms association with the Real Estate. The overall consensus stated it was in the best interest of Village Farms for the Real Estate to remain in the current Zone SF2 Family Low Density, minimum lot size 15,000 SF.

Pulte Homes is requesting the Real Estate to be commercial and residential. They are proposing 94 family high density homes minimum lot size of 6,000 SF, and 5 commercial stores along with an already large portion of land used for the pipeline. We do not think their plan is in the best interest of the surrounding area. It seems they are trying to maximize their profits at the expense of the surrounding homes. We do not want tiny homes of 1600 SF on tiny lots along with retail stores. The amount of retail options within a mile of the proposed development is more than sufficient.

Additionally, in INDOT's rush to complete the US 31 project a few years back, there was not an adequate study of what the traffic impact would be for the housing developments between 146th and 151st/Greyhound pass. The amount of traffic is already extreme for a residential area on Greyhound Pass and Oak Ridge Road. The Village Farms residents use these streets for going to the Monon Trail and the Pool/Clubhouse/Playground areas. Approval of Pulte's current proposal stands to significantly add to the safety concerns for pedestrians, bicycles, and parents with strollers. The Village Farms residents use these streets for going to the Monon Trail and the Pool/Clubhouse/Playground areas.

Village Farms and surrounding neighborhoods are a unique part of Westfield with many individually designed homes built on large lots creating something not often found in today's push to maximize profit over style, individuality and safety.

Once again we ask that zoning remains unchanged and that decisions are not made based on maximizing profits. There is still a lot of land available in Westfield where the type of development Pulte is proposing would fit, but in our opinion 146th and Oak Ridge is not one of those areas.

Thank You,
Doug and Cheryl Evans
Residents at The Village Farms

Sent from Mail for Windows 10

From: larryr0623@aol.com
To: APC
Subject: STOP Re-zoning of 146th and Oak Ridge, AKA Landings at Village Farms
Date: Monday, August 5, 2019 10:29:44 AM

Dear APC members,
I'm writing this email to express my concern with the re-zoning effort for the land at 146th and Oak Ridge. Allowing for this request to pass will certainly increase the traffic on Oak Ridge and create a dangerous situation
with the proposed crossing of Oak, Ridge. We've all seen how dangerous the 161st and Monon can be with the recent
pedestrian being struck by a vehicle. Adding a crossing on Oak Ridge will be an Attractive Nuisance encouraging pedestrians
to cross a very busy street with hill from the 146th street direction versus crossing at the intersection. It's not IF someone will be
injured or killed at this proposed crossing, but when will the tragedy occur.

In addition, the business development plan will add even more traffic as most will be forced to enter and exit on Oak Ridge if the curb cut on
146th is a Right In and Right Out only situation. We don't need another pharmacy as we have 6 within a 2 mile radius.
There is no NEED for any of the proposed LB development. What are we possibly missing that we NEED in this area?
Perhaps the city should consider another Fire Station at this location to support a growing city.

As for the Pulte Development plan, the land should be developed similar to the surrounding neighborhoods. Larger Lots, fewer homes.

Thank you for your time as committee members. I'm confident the committee will recognize how a re-zoning of this magnitude will
greatly impact the resources of our community and infrastructure.

Thank you for you time.

Larry Robinson
504 Super Star Ct. (village farms)
Carmel, IN. 46032

From: Caitlin Smarrelli
To: APC
Subject: Traffic & School Overcrowding Concerns: The Landings at Village Farms
Date: Monday, August 5, 2019 10:57:14 AM

Hello,

I am writing to share my concerns about the development that is being proposed for the corner of 146th St and Oak Ridge Road. I live at 428 Sapphire Drive in the Village Farms neighborhood, my husband and I have 3 kids (ages 7, 4 and 4 months) and they attend Shamrock Springs Elementary.

The Westfield Washington Township Comprehensive Plan states: **"Citizens of Westfield value a low crime rate, easy access to public services, manageable traffic, excellent schools, and high-quality public services. It is the intent of this plan to preserve those valued characteristics and enhance them where possible."** Growing quickly without building the infrastructure to support growth is in direct contradiction of the intent to preserve what the citizens of Westfield love about their community.

1. **Overcrowding Schools**
    - We moved to Westfield specifically because the schools were not over-crowded like Fishers and Carmel. Currently our classrooms are full and our amazing teachers, administrators and support staff are doing their best to maintain an excellent educational experience for the students. I want to see our city improve support to the school system.
2. **Increased Traffic & Safety Concerns**
    - 146th Street is already over-crowded I am worried that Oak Ridge and surrounding side roads are going to be over-burdened. We live on Sapphire Drive and cars already fly down our street. Sapphire drive is a connector between Oak Ridge and 146th and could be used as a short cut or avoidance of that intersection causing excess traffic on the street and compromising safety for residents.
3. **Village Farms Amenities**
    a. The perks of being a resident of Village Farms not only are the wide streets, mature trees on our lots, and lakes ... but the clubhouse and pool. The pool is well-utilized by the neighborhood and adding almost 100 more homes might cause it to be overcrowded.

If this development goes through, I'd like to understand the plans to support our schools and the over-crowding, the traffic on 146th, Oak Ridge and residential streets, especially Sapphire Drive, and the impacts to the VF neighborhood and its ability to support 100 more families.

Thank you,
Caitlin Smarrelli

428 Sapphire Drive
Carmel, IN 46032

From:	William Dale
To:	APC; Robert Horkay; Cindy Spoljaric; Jim Ake
Cc:	bod@thevillagefarms.com
Subject:	"THE LANDINGS AT VILLAGE FARMS PUD District"
Date:	Monday, August 5, 2019 10:58:54 AM

To the Westfield APC and City Council:
We are 22 year residents of Village Farms and are expressing our concern that the proposed zoning changes for "THE LANDINGS AT VILLAGE FARMS PUD District" are out of place at the northeast corner of 146th street. The proposed change from SF-2 to SF-4 in an area completely surrounded by lower density single family housing is not needed or desired at the location proposed. We ask that this rezone request be denied to retain the character of the lower density housing that surrounds this area.
This also includes the requested change for Local Business zoning as proposed. We believe that there are sufficient nearby areas already available for development or vacancies in buildings already available in the general area to accommodate new businesses wishing to start or expand nearby. In addition to the traffic and other concerns associated with businesses, we do not want to see unneeded commercial area which could become vacant in a weakened economy sometime in the future injected in the middle of this area of homogeneous low density housing. We believe this land locked small local business area could easily be abandoned when economic projections don't materialize because consumers chose to park just a little farther away in an existing commercial area because there is a greater selection of businesses within walking distance of their parking space. When that happens, businesses in this location will suffer and there will be pressure to allow nuisance businesses to occupy the location. That would not be a desirable outcome.
Please vote to retain the current SF-2 zoning for this corner.

Respectfully,
William and Deborah Dale
14903 Trotter Ct.
Carmel, IN 46032

From:	Eric Gilbert
To:	APC
Subject:	1908-PUD-20 The Landings at Village Farms
Date:	Monday, August 5, 2019 11:20:53 AM

I am against changing the current zoning to accommodate the builders development plans which would reduce lot sizes and change the character of the community by adding commercial space.

The development of the area shouldn't be done with only the developers profits in consideration it should line up with the existing comprehensive plan which calls for buffers and transitions between different land uses.

Change is fine and development of the area is inevitable but it should be done in a responsible manner that blends with the existing area and the community plans.

Keep the zoning and plot sizes with accordance to the existing zoning.

Thanks for you consideration,
Eric Gilbert
15206 Count Fleet Ct

From:	Nathan Muller
To:	APC
Subject:	Re-zoning Opposition for Landings at Village Farms Parcels
Date:	Monday, August 5, 2019 11:21:18 AM

To Whom it May Concern,

We (Nathan and Leigh Muller) are writing to publically oppose the proposed re-zoning of the parcels located at 146th and Oak Ridge Road (Proposed Landings at Village Farms), to accommodate high density housing and commercial/retail businesses.

We, as well as many of my neighbors in Village Farms (and other surrounding neighborhoods), are completely against the proposal to re-zone the above mentioned area from the current SF2 (which matches the surrounding neighborhoods) to PUD/SF4. This rezoning would cause tremendous strain to the infrastructure, neighborhoods, and community.

In addition to this email, there is currently a petition to stop this re-zoning effort which has garnered ~700 signatures to date (current as of 10:50AM on 8/5/19), voicing the community's concerns with the proposed re-development. Additionally, those who are available are planning to attend the meeting this evening (8/5/19) to voice our concerns. Below is a brief summary of why we feel this re-zoning request should be denied:

1) There is not a need for additional commercial/retail in this general area:

- There are may vacant commercial/retail units located near US 31 and 146th Street, therefore additional retail is not needed at this time;
- This zoning deviation has the potential to drive the surrounding property values **LOWER**;
- Commercial/retail units are also in progress near Ditch and 146th Street, which are yet to be seen if those units will be occupied;
- "Brick and mortar" business are on a steady, continual decline, as on-line retailers continue to cut into the need for traditional business fronts;
- Adding commercial/retail to this area strays away from the current landscape which is already 99% developed;
- The additional strain of customers will cause more traffic congestion in the area, which is already taxed by Our Lady of Mount Carmel traffic, general traffic, and neighborhood traffic;
- Retail areas also bring the risk of undesirable activities (crime) closer to our neighborhoods; and,
- If these proposed units go and/or start-off/continue to be vacant, they will cause an eyesore for all that have to live in the area to deal with.

2) There is not a need to change the residential zoning for the area, to allow for high density housing:

- Changing the residential zoning in this area will not match the current standards set by the surrounding neighborhoods (Village Farms, Westfield Farms, Rohrer Meadows, ect);
- This zoning deviation has the potential to drive the surrounding property values **LOWER**;

- The strain of adding additional, high density homes, will strain the current infrastructure and drive the current landowner's property taxes **HIGHER**, in order to upgrade the area; and,
- Additional traffic caused by the proposed developments will endanger our children's and other pedestrian's lives, as current traffic is already not regulated well; and,
- The increased volume of children from this proposed high density housing will strain our school system as well.

3) The proposed development will add strain to the Village Farms' common areas/pool, as the proposal grants the new development access to those areas:

- Currently the Village Farms' common areas and most specifically the pool are over used by the current Village Farms' residents. Most days where ideal pool weather conditions exist, causes the pool and parking area to be over crowded. The addition of 94 homes/305 people (based on the average family size of 3.25 people in Westfield, IN) will completely overwhelm the pool on heavy usage days; and,
- The increased traffic into the Village Farms neighborhood will also endanger our children's and other pedestrian's lives, as current traffic is already not regulated well.

Please be advised that there is a strong opposition to this development by the surrounding community, and we would appreciate if the re-zoning request was denied.

Regards,

Nathan and Leigh Muller
15024 Senator Way
Carmel, IN 46032

From: troy comstock
To: APC
Subject: Re zoning proposal for Landings at Village Farms
Date: Monday, August 5, 2019 11:35:13 AM

My name is Troy Comstock and I have been part of the Westfield community for ten years now. I am not normally a person who would speak up about these types of things. I don't consider myself to be difficult but I really feel compelled to share my thoughts this time.

First, let me offer my thanks to all of you for what you do for us. We have been able to count on you and that is very important. So thank you for serving the Westfield community.

I will be brief as I am confident you probably have received more e-mails on this subject than I can imagine.

I am not against development. I am sure the house I live in was once farmland. All that I ask is that you leave the current zoning alone. We don't need more commercial property. I live directly across the street and I would love to see a subdivision that mirrors ours. Our part of Village farms backs up against 146th with a nice fence and trees. You don't need more commercial on 146th. There is all we can handle 1 mile down the road.

My biggest concern is traffic and the safety of our children. I believe the council already determined these were potential risks in a 2016 study. What has changed since then. People can walk, ride bikes and get around right now and that is becoming more of a problem already. Please don't add more fuel.

Thank you all for your consideration.

Sincerely,

Troy Comstock
14717 Victory Court

From:	Becky Deischer
To:	APC
Subject:	Landings at Village Farms
Date:	Monday, August 5, 2019 12:01:26 PM

Good Afternoon,
My name is Becky Deischer, I am a resident of Village Farms (15018 Shoreway East Drive). I am writing today to implore you not to approve the request for the rezoning. I am deeply concerned about the negative implications of the possible rezoning in respect to traffic, property values, as well as the possibility of our street being turned into a "cut through" from the new neighborhood with the high volume of proposed residents. I appreciate you taking the time to hear the concerns of the current residents and I am hopeful that our concerns will be addressed appropriately.
Regards,
Becky Deischer

From: LINDA PROKAI
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Monday, August 5, 2019 12:47:01 PM

> As a home owner in Village Farms for 25 years and a 30 year Westfield resident , I am very concerned about the over development of our area over the last several years. Our schools are overloaded, our busses are over crowded and our traffic worsens, yet every field is becoming a new housing development with a pharmacy! I feel strongly that Westfield should not change the zoning rules on the property at 146 and Oakridge rd. 94 houses and commercial development there would have serious negative consequences with almost zero positives except for Pulte. Zoning rules were set so that building can be consistent in a given area. That's a good thing! Please be mindful of the voices and opinions of the people who live in this area. We are not against progress, but it can't always be just about money , quality still counts. I'm afraid we will become like Fishers with overcrowded schools and strip malls everywhere. We moved to Westfield to avoid that! Thanks for your consideration, Linda Prokai. 140 w Greyhound Pass.

Sent from my iPhone

From: Dan Traub
To: APC; Robert Horkay; Cindy Spoljaric
Subject: Feedback and a proposal concerning Landings PUD
Date: Monday, August 5, 2019 12:51:21 PM

To the members of the Westfield APC and City Council,

We have been residents of The Village Farms in Westfield since 2007, and we live near the corner of 146th and Oak Ridge on the city's south side. We are writing to share our concerns and a possible solution regarding the proposed development entitled the Landings at Village Farms PUD.

First we want to acknowledge the importance of the work you do in guiding our city's growth. Since we have been residents since before Westfield became a city, we have seen and benefitted from the foresight and planning that you, our public servants, have put forth to make it a great place to live. We have chosen Westfield to raise our family and we are actively involved in various ways ourselves in improving our community that we share.

The proposed PUD concerns us on a number of fronts, but primarily we want to raise the following:

1. The zoning change from SF-2 to a modified and condensed SF-4 with LB commercial is a huge departure from the character of the area as described in Westfield's own Comprehensive Plan as well as the Unified Development Ordinance and The Village Farms Neighborhood Plan (adopted by the City). Residents new and old rely on these plans as we have made high-stakes decisions to invest in the community by living here. These plans are well-constructed and should not be discarded.
2. The addition of commercial of any type to the parcel in question introduces traffic, safety, and nuisance factors to an area that is in close proximity to well-established neighborhoods with walkable, safe streets and families who walk/bike to nearby churches and schools. The LB zoning proposed leaves the door open for higher traffic uses that threaten Sapphire Drive with cut-through traffic as well as unneeded and unwanted traffic on Oak Ridge Road. LB allows uses such as taverns, which would be in the direct sightline of a school, youth athletic fields, and a church. This does not fit the picture of responsible, appropriate development.

In a project of this visibility, there are many details to be addressed in creating a viable plan that supports the various constituents. We have seen successful partnerships with the City Council on many area developments, notably the Spring Mill Station and Wood Wind projects. We would like to propose a "Landings Task Force" be established to work in a fashion similar to the existing Spring Mill Station Task Force Group. The model has been very successful and we see many benefits of using it in this instance. The Group would have the time and focus to properly examine the concerns and address them with the developers in a way that the APC cannot.

In closing, we appreciate your efforts to create the best Westfield possible for all our residents, current and future. The best communities locally and nationally have strong zoning and planning functions. As citizens, we expect Westfield to set and enforce high standards, creating a place of which we all can be proud. The extra effort is well worth it.

Best regards,
Dan and Tracey Traub
534 Worth Court

The Village Farms

Dan Traub | *Director, Technology*

The Village Farms, Inc. - Homeowners Association
PO Box 717, Westfield, Indiana 46074
Office/Mobile: 317-703-0933

website | **email**

This message is intended solely for the attention and use of the named addressee(s). If you are not the intended recipient, or person responsible for delivering this information to the intended recipient, kindly notify us immediately by reply email. Thank you.

From:	Yudes, Seth S
To:	APC
Subject:	Opposition to proposed development at 146th and Oakridge
Date:	Monday, August 5, 2019 1:17:14 PM
Attachments:	image005.png
Importance:	High

Seth Yudes
14941 Admiral Way N
Carmel, IN 46032

As a homeowner and resident of Village Farms for 30 years, I am adamantly opposed to a lower density development which includes retail and commercial property. I am not naïve and I realize that eventually that land will be used for something. Developers and would be lease holders of commercial or retail parcels are the ones who have the most to gain. I also realize there is tax revenue that could go to the City of Westfield to help our tax base. I pay my share of those taxes too! But there must be another way to raise revenue and not add additional congestion and high speed traffic in an area that has gotten worse and worse as we've seen more development and the widening of 146th as a thoroughfare in recent years.

Unfortunately, having watched the evolution of our area over the years, including the apartments at 146th and Springmill as well as Clay Terrace, my property value has continued to remain relatively stagnant even though every developer who has added homes has promised it would "lift all boats." As has been stated by others, do we really need another CVS, bank drive through, Subway or attorney's office in closer proximity? We already have more than enough of these and ***no one that lives in the area*** stands to benefit from additional housing or commercial property at 146th and Oakridge.

Westfield is a wonderful, up and coming city and I'm in favor of keeping it a great place to live and send our kids to school….but there must be other types of development the City of Westfield could implement at 146th and Oakridge that would actually add to the community instead of just lining the pockets of the developers. Adding true "value" would lead to increased property values and therefore tax revenue! Let's find a lower density solution. In fact, I like the idea of a wonderful "greenspace" such as a park where families would like to take their children. I love the development that's occurring up north with Grant Park and the "downtown" area. Why not do something similar for the southern part of the city? We pay taxes too. Add value and tax revenue by creating a reason for folks to want to visit Westfield, not by creating higher density, higher turnover and higher speeds in our community.

Seth S. Yudes
First Vice President – Wealth Management

Financial Advisor
Financial Planning Specialist

☎ **Direct: 317-818-7403**
☎ Toll-Free 800-336-0095
🖷 E-Fax: 317-489-4954
✉ **seth.s.yudes@morganstanley.com**

https://www.linkedin.com/in/seth-s-yudes/

Visit my website: *https://advisor.morganstanley.com/seth.s.yudes*
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Morgan Stanley Wealth Management
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NMLS# 1279337

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From: Karmen Mueller
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Monday, August 5, 2019 1:18:45 PM

Good Afternoon,

For the safety of Village Farms residents, surrounding communities and anyone traveling on 146th and Oakridge, I **oppose** the re-zoning of the land located at the North East corner of 146 and Oakridge.

Knowing that anything is for sale, I thought better judgement would have been used on how to even consider developing this land.

Regards,
Karmen

Karmen Mueller
510 Fox Ln
Carmel, IN 46032
317-727-6327
Kmueller001@indy.rr.com

From:	Irene Harrington
To:	APC
Cc:	Patrick Ice Harrington
Subject:	Landings at Village Farms PUD Comment
Date:	Monday, August 5, 2019 1:20:51 PM

Dear City of Westfield Leaders.
We are writing to let you know that you we are against the proposal to rezone residential property into a high density/ mixed use commercial development called Landings at Village Farms PUD located at the NE corner of 146th and Oakridge.
We oppose the rezoning for the following reasons:

- **High density housing resulting in more houses on smaller lots that will lead to increased traffic and a potential strain on public services.**
- **Place a greater burden on our already crowded schools.**
- **90,000 SF of commercial space that will allow such business as taverns, daycares, medium intensity retail, private clubs, and amphitheater/outdoor theater leading to increased noise, light pollution and traffic.**
- **Will add additional drainage to already stressed lakes and retention ponds in adjacent neighborhoods.**
- **Change the character of the area and go against the permitted land use laid out in the Westfield Comprehensive Plan which can be found at: https://www.westfield.in.gov/egov/documents/1376577220_98148.pdf**
- **Divert property tax dollars to commercial development that is not supported by the community.**
- **Create new traffic patterns through connecting neighborhoods that will compromise pedestrian safety and accessibility to nearby trails, local church and school.**

Thank you for supporting our neighbors' safety, traffic impact, and home values!
Irene and Patrick Harrington
415 Adios Ct.

Irene K. Harrington
irene.k.harrington@gmail.com
Phone: 210-380-8689

From:	Cynthia Richmond
To:	APC
Subject:	146th and Oakridge
Date:	Monday, August 5, 2019 1:33:50 PM

Cynthia and Jason Richmond
545 Sapphire Drive
Carmel. Village Farms

We are against the rezoning at 146th and Oakridge. We think if passed it would bring more traffic to an already busy road. We live on Sapphire Dr and it would bring more traffic down our street which people already drive fast past our house. We would like to keep the zoning the same and build similar houses to Village Farms without any commercial.

Thank you.
Sent from my iPhone

From:	J. Matt Verner
To:	APC
Subject:	Opposition to proposed high-density/commercial development at 146th and Oakridge
Date:	Monday, August 5, 2019 1:35:19 PM

Hello,
I am a homeowner and resident of Village Farms, we bought our property and moved in the summer of 1991 and have made it our home ever since. I am completely opposed to the proposed Pulte development at 146th and Oakridge. It will being much more traffic and pose a major additional risk to the many families with small children who park at Our Lady of Mount Carmel Church and utilize the ballfields across the street. This occurs almost daily during the warmer months. In addition, there is no need for commercial development here. Please realize there is major empty commercial space nearby that has been vacant for years!

What is needed is a park that is easily accessible from the Monon Trail with major amenities/playgrounds. It would be fantastic if it had a disc golf course similar to Asa Bales park. Something like this would attract people to the south side of Westfield! Unfortunately the park north of Village Park is not easily accessible from the Monon and people on the south side of Westfield don't know about it.
Thank you for your consideration.
Matt Verner (and Mary Verner)
14934 Admiral Way North Dr.
Carmel, IN 46032 (Village Farms has a Carmel address)

J. Matt Verner | *Sr. Software Engineer* | **The RND Group** | 317-558-6710 | **www.rndgroup.com**
"We shall not fail or falter; we shall not weaken or tire.... Give us the tools and we will finish the job."
--Sir Winston Churchill

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From:	Cheryl Jensen
To:	APC
Subject:	146 and Oakridge
Date:	Monday, August 5, 2019 1:43:57 PM

Hello,

I am a Westfield resident and I oppose the current proposal to build on the land. I understand it will be utilized, but do we need to cram as much as we can in one space and make traffic unbearable. I moved from Washington DC to have quality of life and not sit in traffic for an hour every day. Please consider listening to the citizens.

Cheryl Jensen.

Sent from my iPad

From: Denise Dolin
To: APC
Subject: 146th& Oak Ridge Rezoning
Date: Monday, August 5, 2019 1:51:58 PM

I have previously emailed you my objection to this request, but failed to give you my address. I live at 14602 Harvest Dr.

I want to further add that the required notification requirements are designed to suppress objection. The commercial piece of this rezoning request is adjacent to my neighborhood and I did not get notified because I'm beyond 650 ft. That is outright ridiculous. Once we get through this, I will follow up with an effort to get this law/ordinance changed.

This experience has also brought with it that the Government swamp extends all the way down to local politicians.

Please do what is right and leave the zoning as is, consistent with neighboring development.

Thank You,

Denise Dolin

Sent from my iPhone

From:	Tom Gentry
To:	APC; Chuck Lehman; Cindy Spoljaric; Jim Ake; Joe Edwards; Mark Keen; Robert Horkay; Steve Hoover
Subject:	Landings at Village Farms Proposed Ordinance 19-26
Date:	Monday, August 5, 2019 1:52:32 PM

Dear Westfield APC and City Council,

My name is Tom Gentry. I live at 720 E Greyhound Pass within the Village Farms neighborhood. I oppose the request to rezone the property on the northeast corner of 146th Street and Oak Ridge Road from as presented in Proposed Ordinance 19-26. I do not oppose development of this property. However, I strongly believe that the current proposal is not the appropriate use for this property. As outlined below, a lower density residential development without commercial development should be pursued for this property.

The ***Westfield-Washington Township Comprehensive Plan*** *Adopted by the Westfield Town Council on February 12, 2007 Town of Westfield Resolution 07-06* states on page 1,"The policies in this plan are to serve as the basis for parcel-specific land use decisions." On page 2 the plan states, “This plan is an update to the Westfield 2020 Comprehensive Plan, adopted in December 1999. It involved extensive participation by the residents of Westfield – Washington Township, and it will serve as a guide for development for the next 20 years." On page 8 the plan states, “this plan is adopted by the Plan Commission and the Town Council, and it is the official policy of the Town of Westfield and Washington Township. Decision makers should give full weight to this plan as the agreed-upon vision for the future of the community. These policies should be clear so that they can serve as the basis for the implementing regulations that will follow adoption of the plan. The policies also should assist the Advisory Plan Commission, the Town Council, and the Board of Zoning Appeals in their decision making.” Significant effort and community involvement was involved to develop this plan. The intent is clear on page 1 that it is intended to prescribe specific policies for parcel-specific land use. Any proposal for rezoning this parcel should meet the intent of the comprehensive plan.

I have used the plan as a guide to evaluate the current proposal and have several concerns.

1. The area is within the “Existing Suburban Residential” area as identified in the plan. The plan states, “The basic policy of this plan for this area is fairly simple: preserve and protect the stability and integrity of the area as it fills in. This area consists primarily of single-family residences. Retail uses have not been part of Westfield’s plan for this area, and development of such uses would change the character of the area.” (Page 38) The intent of the plan is clear here. The proposed LB zoning in “Area B” is inconsistent with the intent of the plan.

2. The plan states, “New development should be permitted only upon a demonstration that it will not alter the character of the area, and will not generate negative land use impacts.” (Page 39) Further, “Ensure that infill development is compatible in mass, scale, density, materials, and architectural style to existing development.” (Page 40) And, “New retail uses should not be

permitted in the Existing Suburban areas. The Existing Suburban Areas were planned and have developed primarily for residential uses, and attempting to introduce retail uses into those areas will change the residential character of the area. These should be located in those areas that are planned for retail expansion." (Page 40)

A. As stated above commercial development on this parcel will alter the character of the area and is inconsistent with the intended use of this area. This is reiterated several times in this section of the plan.

B. Changing the zoning for "Area A" also will alter the character of the area. The adjacent communities all have significantly lower densities than the proposed development.

C. LB zoning allows for too wide variety of commercial development which may have a significant negative impact to the surrounding neighborhoods.

3. The current proposal is likely to create new traffic conflicts. The plan states, "Require traffic studies and traffic management plans for new commercial development." A thorough traffic study should be completed and conclusions incorporated in the design of this development, particularly if any commercial space is included. Further, Access points should be limited to reduce traffic conflict and ensure sight distances (Page 15).

A. The current plan adds a new access point at a curve in 146th street along a curve while approaching the traffic signal at Oak Ridge Road.

a. This does not appear to be a safe location to add a new driveway.

b. This appears to create significant new traffic conflicts with relatively high speed and high volume traffic. This would likely negatively affect this already stressed thoroughfare.

c. The current design of 146th street would encourage left turns into and out of the driveway.

d. Right turns from the proposed driveway will have to cross several lanes of traffic to turn south on Oak Ridge.

B. The current plan adds a new access point on Oak Ridge in close proximity to the traffic light at 146th and Oak Ridge. This appears to create a significant conflict with existing traffic.

a. This will be the only exit from the new development for traffic going east.

b. This design will encourage additional traffic on Greyhound Pass as there is no good opportunity for traffic to go east on 146th street.

c. This design will encourage additional traffic on Sapphire drive.

d. There is not sufficient space on Oak Ridge to allow for traffic going south from this exit. This will cause the access point and Sapphire Drive to be blocked.

e. Speeds are high (40mph speed limit) and sight lines on Oak Ridge are limited by the narrow road and mature trees. Turns from this exit present a significant traffic hazard, especially with additional traffic due to the commercial space in "Area B."

4. The current proposal does not provide adequate buffers and transition between the adjacent Westfield Farms neighborhood and the "Area B" to be zoned LB. (Page 7, 11)

5. The Village Farms neighborhood has not agreed to associate with the new residential development. The Village Farms name should not be used unless the development will definitively be part of the neighborhood to avoid future confusion.

Thank you for your consideration.

Regards,

Tom Gentry

720 E Greyhound Pass

Carmel, IN 46032

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From:	Karen H
To:	APC
Subject:	Opposition to rezoning at 146th and Oakridge
Date:	Monday, August 5, 2019 1:56:38 PM

Dear Westfield Planning Commission, Again we find the big developers wanting to change Westfield for their benefit, not for the citizens who live and pay taxes here. This area is already zoned SF2, why does that need to change except for developers wanting more money. During the recent primaries, the citizens of Westfield sent a clear message to the council and Mayor that we are sick of the rape and pillage of our community. These developers want to rezone so that they can make more money. We successfully got rid of council members who were in the pockets of the developers, what more must we do to save what little is left of Westfield that hasn't been run over by Pulte and the other developers? I haven't seen one message, email, letter, etc., by any local person who wants this change. The traffic is already horrendous in this area and every time I go down 146 or Oakridge, it is just getting worse. Keep the commercial area where it already exists at 146 and 31 and let the citizens and people living on the west side of 31 have their peace. Will this ever end? The Westfield leaders have already thrown out the 2007 Comprehensive Plan, how much more do we have to take before the Westfield Government works for the Westfield Citizens and not the big developers. Enough is enough. Thank you, Karen Hymbaugh 2929 W 159th St. Westfield, Indiana 46074

From:	Kenneth Klinker
To:	APC
Subject:	Landings at Village Farms PUD Comment
Date:	Monday, August 5, 2019 2:23:32 PM

Dear Advisory Plan Commission:
Please reject the current rezoning request for this property to go from Low Density to High Density housing and especially the request for rezoning a portion of this property to be Business use.
Here are the reasons why this needs to be rejected:
1. This parcel abuts several neighborhoods including Village Farms, Westfield Farms, Hills and Dales and Hunters Creek, which all have higher density zoning than is being proposed for this property.
2. Our Lady of Mount Carmel School's baseball, soccer and football fields are right across the street from the proposed commercial development. My grandchildren go to that school and use those fields. The increased traffic and people roaming that area would cause increased security issues for all children using the school property.
3. Increased pollution of the Village Farms lakes from runoff in this High Density neighborhood and businesses would be difficult to avoid. In addition, illegal, non-resident use of those lakes would likely increase.

Frankly, I do not blame the developer or property owner for making this request. Building high-density housing and businesses will garner the highest profit for them and their shareholders - much more than developing the property in a similar fashion to the surrounding neighbors. But it is not fair for the rest of us. My wife and I have been residents of The Village Farms for over 20 years and are asking you to require this developer to develop this property in a manner similar to all the residential properties that surround it.
Thank You.

Kenneth Klinker
15121 Count Fleet Court

From: Linda Johnson
To: APC
Subject: Landings at Village Farms PUD Comment
Date: Monday, August 5, 2019 2:32:09 PM

I am writing this email to voice my concerns regarding the proposed Pulte development rezoning. I am against the rezoning for the high density housing and completely against any commercial development.

From: Michal Misiurewicz
To: APC
Subject: Landings at Village Farms PUD
Date: Monday, August 5, 2019 2:33:23 PM

I want to protest against creating and rezoning "Landings at Village Farms PUD". High density residential and commercial neighborhood will create problems for owners of existing nearby homes, in particular in Village Farms. The value of our homes will decrease, we will be less safe, and the additional traffic will lead to traffic jams. Moreover, as we know from the recent referendum, the schools in Westfield are already overcrowded.

Michal Misiurewicz
15240 Goodtime Ct
Carmel, IN 46032
(Village Farms, Westfield)

From:	Sharon Humes
To:	APC
Subject:	Proposed development
Date:	Monday, August 5, 2019 3:09:56 PM

Against. If it passes will our wastewater treatment facility have to be expanded? How will that affect our wallets. Enough new development as new storefronts are sitting empty now!

Sent from my iPhone

From:	Kathy Lentz
To:	APC
Subject:	1908-PUD-20. rezoning of Oak Ridge/146th Street. Opposed
Date:	Monday, August 5, 2019 3:28:06 PM

Re:
1908-PUD-20 [PUBLIC HEARING]
The Landings at Village Farms
14851 Oak Ridge Road
Pulte Homes of Indiana, LLC and Mark Zukerman by Nelson and Frankenberger, LLC requests a change in zoning of approximately 58.02 acres +/- from the SF2: Single-Family Low Density District to The Landings at Village Farms PUD.

I am opposed to the rezoning of the property at Oak Ridge road and 146th street.
I believe it would change the character of the neighborhood area. Cause increased traffic to an already busy and narrow Oak Ridge Road. This is an area of high bicycle traffic and a commercial development and denser housing would bring increased vehicular traffic and impact safety of the current residents.

Thank you for supporting the opposition to this rezoning request.
Kathryn Lentz
15126 Count Fleet Ct
Carmel, IN 46032

From:	Kari Pitre
To:	APC
Subject:	Opposition to rezoning of Oak Ridge/146th Street
Date:	Monday, August 5, 2019 3:36:45 PM

To whom it may concern:

This communication is from Cory and Kari Pitre 14722 Raymond Lane Carmel IN 46032 (Village Farms)

We strongly oppose the rezoning of Oak Ridge/146th Street. Our concerns include the following: high density housing that will provide stress to the current high level traffic and also to the public services of the city (fire, police, etc). Second, as parents of three small children, the stress this rezoning will have on our already rapidly growing school system is terribly concerning. Diluting our school resources for the financial benefit of a builder does not sit well with us. His concern is not for our community but rather himself. Third, the proposal of commercial space in a residential area as a home owner and parent is worrisome. We are not interested in the increased noise, lights, traffic, decreased property value and crime associated with this proposal. Finally, the area we live in was chosen because of its beauty. The neighborhood will lose its character and as I understand it will violate the land usage as declared in the Westfield Comprehensive Plan.

Respectfully,

Cory and Kari Pitre

From:	David Lentz
To:	APC
Subject:	Re: re-zoning of Oak Ridge/146th St
Date:	Monday, August 5, 2019 3:39:54 PM

Please register my opposition to the proposed rezoning of the area north of 146th St and east of Oak Ridge Rd to commercial.

It is my firm belief that the addition of high-density housing would result in a reduction in property values of the hundreds of existing homes in Village Farms, as well as an increase in traffic along Oak Ridge Road, resulting in an increased likelihood of interaction between kids on bikes and cars with texting drivers.

There is more than enough commercial property in this area, even to the extent that along Rohrer Road (near 136th St) and the St Vincent Medical facility at the intersection of Greyhound Ct and Greyhound Pass (with all the "for lease" signs), vacancies are unable to be filled in those existing commercial properties. If it is felt that this area needs more commercial properties, please concentrate on seeing that the properties already in place are productively used. The last thing we need is a bunch of empty buildings merely to satisfy the needs of a developer.

If the developers would like to construct homes fitting the existing zoning, I would not see a problem with that.

Thank You
David Lentz
15126 Count Fleet Court (Village Farms)

Confidence is the feeling you have before you understand the situation.

From:	Laurie Busch
To:	APC
Subject:	Potential Rezoning of Oakridge/146th Street
Date:	Monday, August 5, 2019 3:59:29 PM

We are writing in opposition to the potential rezoning of the property at Oakridge and 146th Street to commercial. As Village Farms Residents who live on Sapphire Drive, we are in favor of keeping the area residential, to the standards of the surrounding neighborhoods, and in accordance with the Westfield Comprehensive Plan. We are not in favor of commercial properties or high density housing in this area as it will contribute to heavier traffic, overcrowding in our schools, and the lowering of property values of the existing residences in the surrounding neighborhoods.

Thank you for your consideration.

Mike and Laurie Busch
401 Sapphire Drive

Sent from Yahoo Mail on Android

From:	J B Radabaugh
To:	APC
Subject:	Proposed rezoning of the property located at the Northeast corner of 146th Street and Rangeline Road
Date:	Monday, August 5, 2019 4:28:14 PM

To whom it may concern
Please take into account my and others comments of reluctance and resistance to the property above being rezoned to accommodate a more dense housing format as well commercial development
We have storefronts standing vacant and recurring traffic flow issues as it stands
In addition having served on the Village Farms Board I am acutely aware of the concrete run off from the pavement without larger lawns will effect the health of our lakes
Please refuse the petition for rezoning
Thank You

Jeff Radabaugh
14715 Adios Pass
Carmel In 46032
317-946-4931

From:	Harry Kasdorf
To:	APC
Cc:	Harry Kasdorf
Subject:	PLEASE DO NOT APPROVE THE REZONING EFFORT REQUESTED BY PULTE HOMES AND ANOTHER COMMERCIAL DEVELOPER
Date:	Monday, August 5, 2019 4:30:21 PM

This is a request being made by Harry Kasdorf, a resident of The Village Farms for over 33 years, asking the APC **NOT to allow the REZONING request** which is being made by Pulte Homes. Pulte has said they will be putting two and a half homes per acre. In The Village Farms, we have half acre lots or larger, our homes are individually designed so that NO TWO HOMES LOOK A LIKE....we cannot say that for the homes in Viking Meadows (the Two Gaits) development. They all look a like, only the color changes!

There is also the commercial development that is also part of the rezoning request...not by Pulte, but another developer. Why do we need another commercial area on 146th street with in a mile of Clay Terrace, Village Park Plaza, Cool Creek Commons to the east and the assortment of stores Paul Estridge is going to put in Harmony to the west.

CC: Joe Plankis, part of the Steering Committee
Robert Horkay, resident of The Village Farms, member of the Town Council, member of the Board of Zoning Appeals
Cindy Spoljaric, member of the Planning Commission, member of the Town Council member of the Board of Zoning Appeals
Jim Ake, member of the Town Council

Sincerely,

Harry Kasdorf
15118 Stars Pride Ct
317-844-4320

From: Allison Spalding
To: APC; Allison Spalding
Subject: Landings at Village Farms
Date: Monday, August 5, 2019 4:37:28 PM

To Whom It May Concern,

My name is Allison Spalding and I live at 144 E Admiral Way S, Carmel IN 46032. I am opposed to and object to rezoning the land on 146th St and Oak Ridge Road to a mixed use commercial/high density neighborhood. I am opposed to the rezoning because of increased traffic congestion in an already busy area, overcrowding at our schools, and crime and safety issues with increased population.

Thank you for your time.

Sincerely,
Allison Spalding

From:	wfshoosier@aol.com
To:	APC
Cc:	WFSHoosier@aol.com
Subject:	Pulte PUD rezoning request
Date:	Monday, August 5, 2019 4:39:17 PM

Regarding the proposal from Pulte to rezone the property at 146th and Oak Ridge Road, I am strongly opposed to this request. Much higher density housing and commercial development at this location is not in keeping with the surrounding housing additions. The property was zoned for construction of single family homes on larger lots, as the adjoining neighborhoods were. There is no other reason than pure greed, exhibited both by Pulte and the so-called representatives in the Westfield government who join Pulte in this most unpopular attempt. Witness the constituents' messages of disapproval and remonstration for validation. Vote NO on the rezoning request.

William Spaulding
14817 Adios Pass
The Village Farms

From:	Drake DeNeve
To:	APC
Subject:	Rezoning 146 th Street and Oakridge Road for high density housing and mixed commercial use
Date:	Monday, August 5, 2019 5:02:18 PM

I would like to add my name, Drake Anne Deneve 433 Fox Lane, Carmel, Indiana 46032, to object to the rezoning of 146th Street and Oakridge Road for mixed commercial use along with high density housing. My concerns are for the safety of the children walking to and from school who attend Our Lady of Mount Carmel, in addition to the empty retail space that is already in the surrounding areas i.e. the old Marsh supermarket, and the many new houses being built all over Westfield, it is nice to keep the “old town charm” greenspaces. Thank you for your consideration.

Sincerely, Drake Anne Deneve

Sent from my iPhone

Docket Number:	1910-PUD-32 (Ordinance No. 19-48)
Subject Site Address:	Northeast Corner of US 31 and 146th Street
Petitioner:	Washington Prime Group (Steve Nikel)
Representative:	OnPointe Land Matters, LLC (Jesse Pohlman)
Request:	A change in zoning of 32.7 acres +/- from the SB-PD: Special Business / Planned Development District to the Village Park Plaza PUD II District.
Current Zoning:	SB-PD: Special Business / Planned Development District
Current Land Use:	Regional Commercial Shopping Center
Acreage:	32.7 acres +/-
Exhibits:	1. Staff Report 2. Location Map 3. Concept Plan 4. Ordinance 19-48 (Village Park Plaza II PUD) 5. Ordinance 19-48 (Redline) 6. Neighborhood Meeting Summary
Staff Reviewer:	Kevin M. Todd, AICP

PETITION HISTORY

This petition was introduced at the September 9, 2019, City Council meeting. The petition received a public hearing at the October 7, 2019, Advisory Plan Commission (the "Plan Commission") meeting. A neighborhood meeting was held on September 17, 2019, and meeting summary can be found attached as **Exhibit 6**.

PROJECT OVERVIEW

Location: The subject properties (collectively, the "Property") encompass approximately 32.7 acres +/- and includes real estate located generally at the northeast corner of U.S. 31 and 146th Street, commonly known today as Village Park Plaza (see **Exhibit 2**). This petition does not include all of the Village Park Plaza center, but it does include all parcels of the Village Park Plaza center that are owned by the Petitioner. The Property is currently zoned the SB-PD: Special Business / Planned Development District.

Project Description: The Property was developed as a regional commercial shopping center known as Village Park Plaza in the late 1980's and early 1990's. Numerous modifications have occurred to the shopping center since it was initially developed. The Petitioner desires to subdivide the property in a conventional manner that would result in existing buildings being located on individual lots. The development and construction of the center occurred prior to the City requiring non-residential platting, and as a result, a few of today's lot and development standards would not allow the property to be

platted in a manner that would result in individual buildings on individual lots. This proposed PUD Ordinance would address those issues so that the property can be properly subdivided.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 3**), which includes all existing buildings on the Property. No further building/development is contemplated by this project.

Permitted Uses: As proposed, the PUD Ordinance would default to the underlying GB: General Business District uses.

General Standards: The underlying GB standards would apply, except that Minimum Setback Line requirements would be modified as follows:

- External Streets: 20 ft
- Internal Streets/Drives: 0 ft
- All Other: 0 ft

US Highway 31 Overlay: The US Highway 31 Overlay Standards would not apply to this site.

Development Standards: As proposed, the PUD Ordinance would default to the UDO's development standards, except the following modifications:

Accessory Buildings: Dumpster enclosures and loading areas would not be allowed in Established Front Yards along U.S. 31, but would be allowed in all other Established Front Yards.

Architectural Standards: The UDO's commercial architectural standards of Article 6.3 would apply to new construction on the Property. Renovations to existing buildings would be required to either comply with Article 6.3 or be substantially similar to the character exhibits of the PUD Ordinance.

Landscaping Standards: The UDO's landscaping standards would apply, except as modified below:

A. The minimum planting area for foundation plantings would be reduced from 8 feet to 3 feet.
B. The External Street Frontage landscaping requirements would not apply.
C. The Buffer Yard requirements would not apply.
D. Landscaping required within perimeter Drainage and Utility Easements may be relocated and/or reduced.

Parking and Loading Standards: Parking requirements for Outlots may be reduced during Detailed Development Plan approval, and cross-access/shared parking situations would be allowed.

Sign Standards: The UDO's sign standards would apply, except as modified below:

A. 3 Center Monument Signs, up to 30 feet in height, would be permitted on the Property;
B. Outlots would be allowed individual monument signs up to 5 feet in height, and located along the Internal Street.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Regional Commercial". Regional retail is a contemplated use in this area of the community. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the October 7, 2019, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

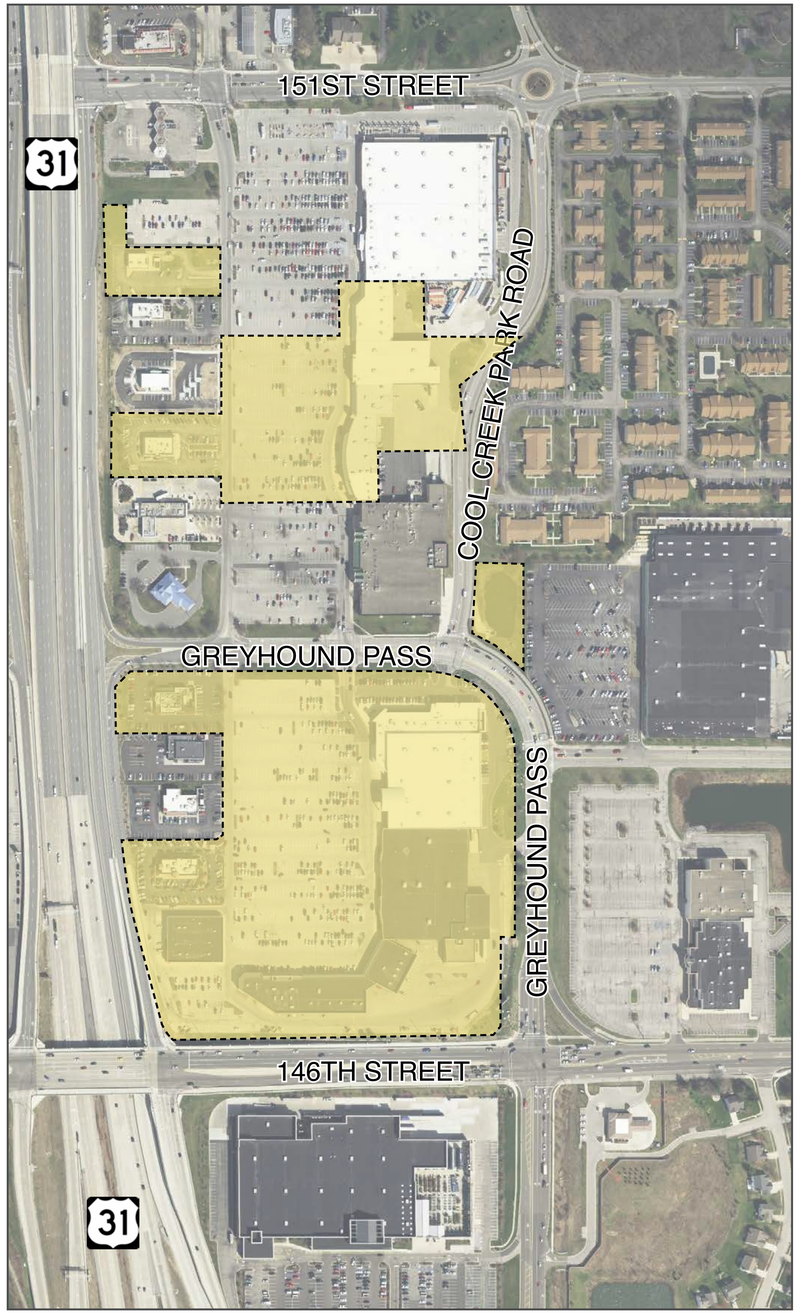
1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

Council Introduction: The petition was introduced at the September 9, 2019, City Council meeting.

DEPARTMENT COMMENTS

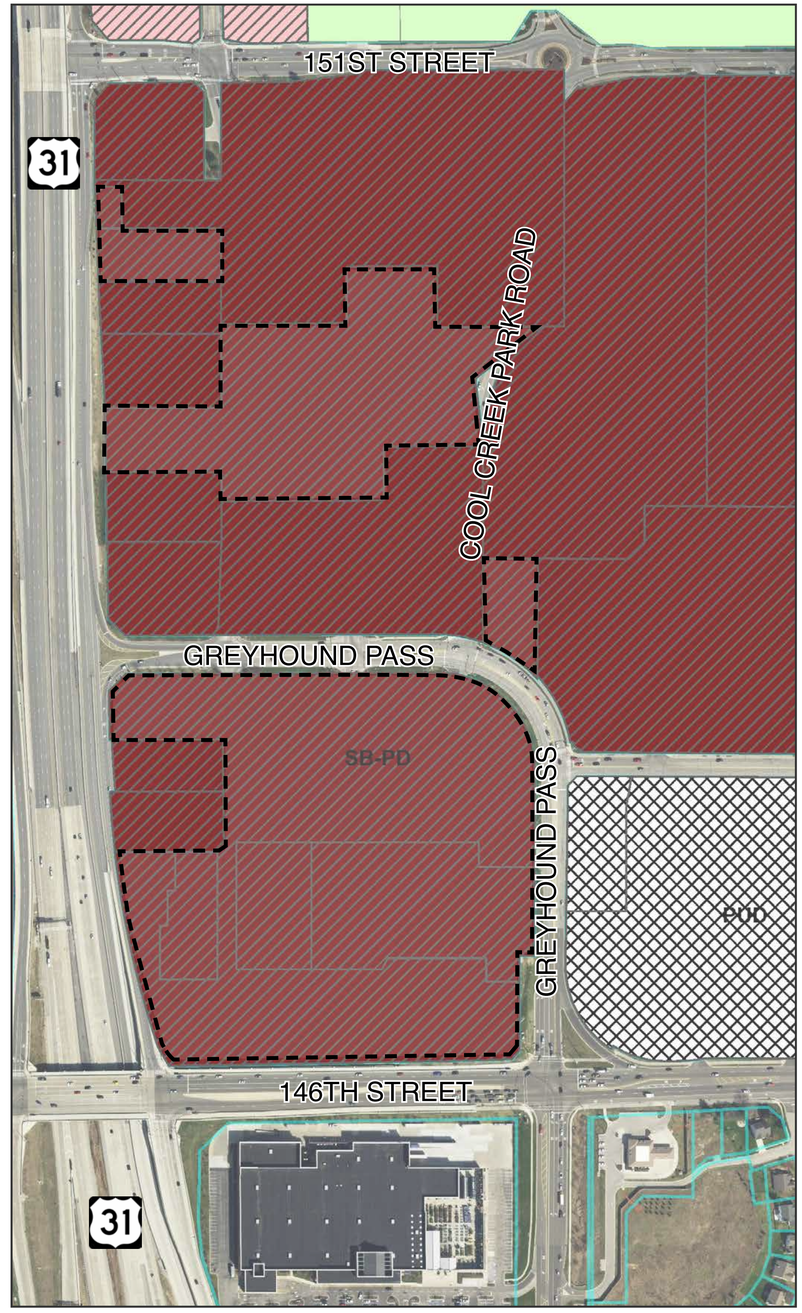
1. **Action: Forward a recommendation to the City Council.**
2. If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at (317) 379-6467 or ktodd@westfield.in.gov.

LOCATION MAP



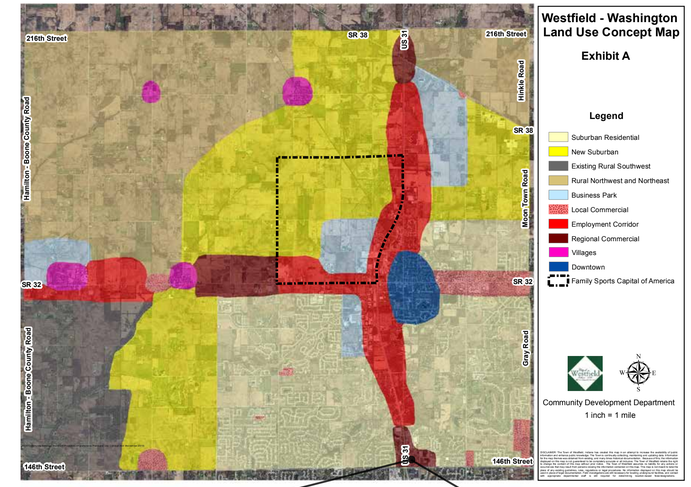
SITE

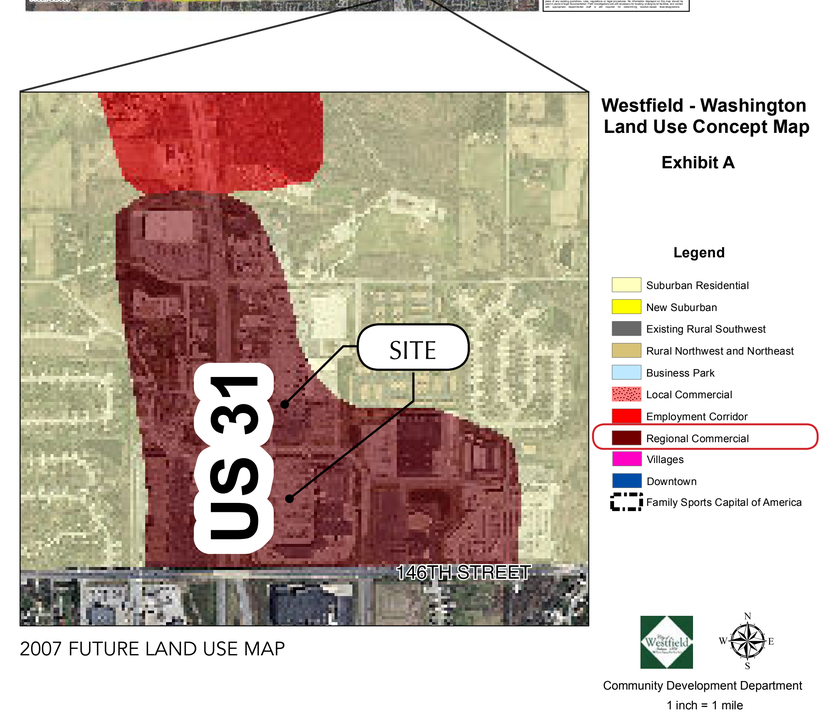
ZONING MAP



SITE

COMPREHENSIVE PLAN





2007 FUTURE LAND USE MAP

WASHINGTON PRIME GROUP™

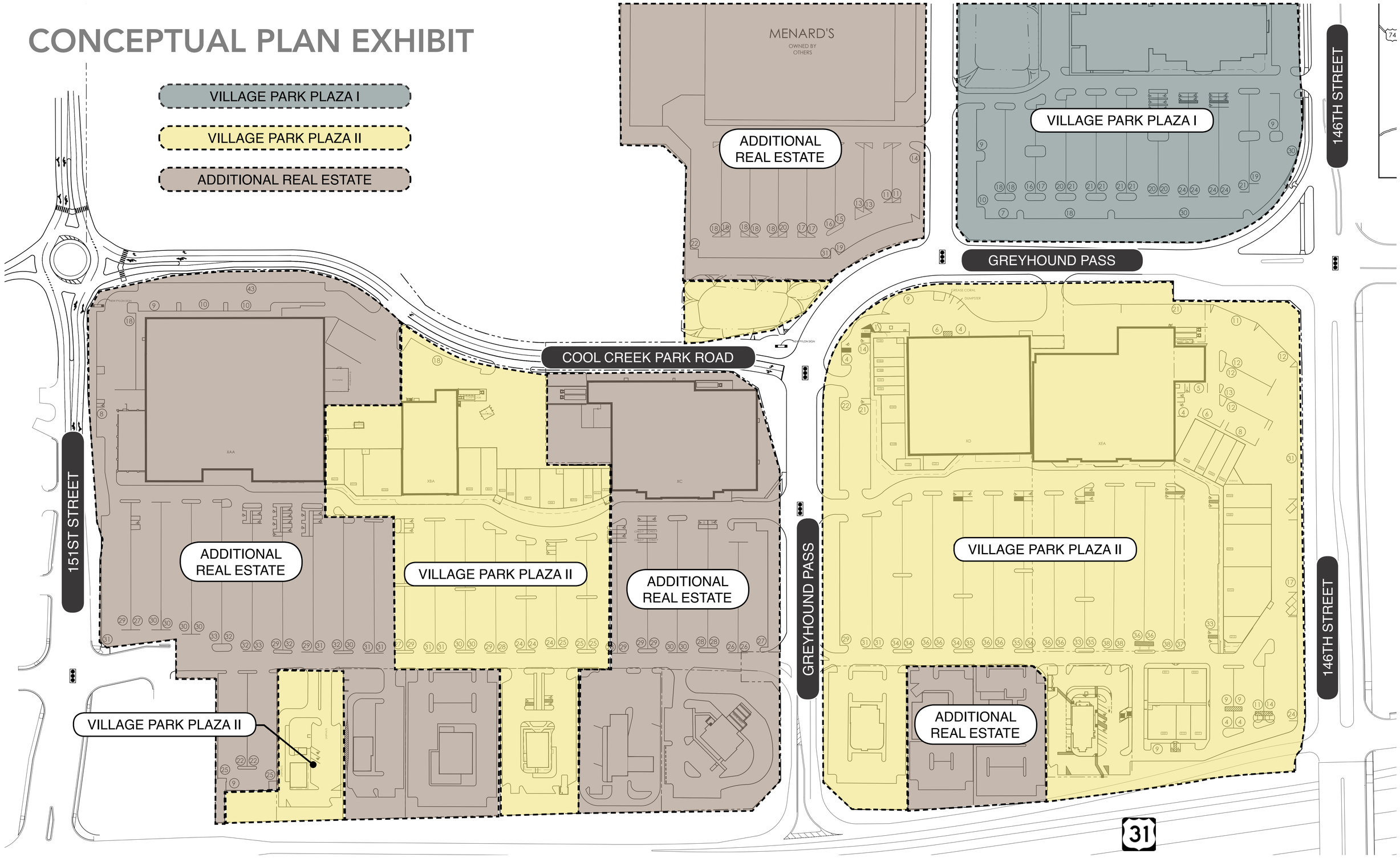
VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

n.t.s.

08.19.19

CONCEPTUAL PLAN EXHIBIT



WASHINGTON PRIME GROUP™

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

n.t.s.

08.19.19

ORDINANCE NUMBER 19-48

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 "**VILLAGE PARK PLAZA II PUD DISTRICT**") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 1910-PUD-32**), 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 Plan Commission forwarded **Petition No**. **1910-PUD-32** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council") with a _____ recommendation (___-___) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Plan Commission certified the action of the Plan Commission to the Council on _____, 2019;

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

NOW, THEREFORE, BE IT ORDAINED by the 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 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as "**Village Park Plaza II**" (the "District").

1.2 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.

1.3 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.

1.4 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.

1.5 This District is contemplated to be expanded in the future to incorporate adjacent real estate as generally identified as "Additional Real Estate" on **Exhibit C**, attached hereto (the "Additional Real Estate"), in order to encourage and facilitate coordinated (re)development.

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 Building, Existing: A Building constructed prior to the effective date of this Ordinance, as generally depicted on the Concept Plan, attached hereto as **Exhibit B**, and Existing Character Exhibit, attached hereto as **Exhibit D**.

2.2 Building, New: A Building constructed after the effective date of this Ordinance.

Section 3. **Legally Established Pre-Existing Improvements**. The Real Estate has been developed as a regional shopping center, as generally depicted on the Concept Plan and the Existing Character Exhibit, attached hereto as **Exhibit C** (the "Existing Character Exhibit") (collectively, the "Existing Improvements"). Existing Improvements may continue after the effective date of this Ordinance in accordance with the Unified Development Ordinance's legal nonconforming development standard provisions. Substantial modifications to Existing Improvements on the Real Estate, including any new building construction, new sign permits, major building renovations, or major site plan changes shall comply with the standards set forth in this Ordinance. Repair, maintenance, restoration, minor building renovations, and/or minor site plan changes of Existing Improvements on the Real Estate shall not be deemed a modification that requires compliance with the standards of this Ordinance.

Section 4. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B** (the "Concept Plan"), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

Section 5. **Underlying Zoning District.** The Underlying Zoning District shall be the GB: General Business District (the "Underlying Zoning District").

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate.

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

7.1 Minimum Building Setback Lines:

A. External Street[1]: Twenty (20) feet

B. Internal Street/Drives[2]: Zero (0) feet

C. All Other: Zero (0) feet

Section 8. **Overlay Districts**. The standards of Article 5.2 US Highway 31 Overlay District shall not apply to the development of the Real Estate.

Section 9. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified below.

9.1 Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) Screening of Receptacles and Loading Areas shall be modified to only prohibit enclosures within the Established Front Yard of US Highway 31. Enclosures constructed after the effective date of this Ordinance shall comply with the required Minimum Building Setback Lines.

9.2 Article 6.3 Architectural Standards: Shall apply to New Buildings. Renovations to Existing Buildings shall either (i) comply with Article 6.3 Architectural Standards; or (ii) be substantially similar or greater in quality and character to the Existing Building being renovated.

9.3 Article 6.8 Landscaping Standards: Shall apply to new improvements; except as otherwise modified below:

A. Minimum Lot Landscaping Requirements (Article 6.8(K)): Shall apply.

B. Foundation Plantings (Article 6.8(L)): Shall apply; however, the minimum planting bed width shall be three (3) feet. Planters located along the Building Facade may be used to meet this requirement.

C. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply.

D. Buffer Yard Requirements (Article 6.8(N)): Shall not apply.

E. Perimeter Drainage and Utility Easements. Landscaping within drainage and utility easements required by the Department of Public Works around the perimeter of Lots (the "Easements") is restricted. As a result, if plantings required by this Ordinance are not permitted by the City within the Easements, then the required plantings shall be relocated and installed elsewhere on the Real Estate. If the relocation of plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a landscape plan with fewer plantings than otherwise required may be approved.

[1] For purposes of this Ordinance, External Streets include US Highway 31, 146th Street, 151st Street, Cool Creek Park Road, and Greyhound Pass (east of Cool Creek Park Road).
[2] For purposes of this Ordinance, Internal Street/Drives include Greyhound Pass (west of Cool Creek Park Road) and Thatcher Lane.

9.4 Article 6.14 Parking and Loading Standards: Shall apply. The minimum required parking spaces for Outlots may be reduced as part of the approval of a Detailed Development Plan. At the discretion of the City, reductions in the minimum required parking spaces may require shared parking agreements. Parking Areas within the District may be designed to provide for vehicular cross-access and shared parking, subject to an agreement between property owners.

9.5 Article 6.17 Sign Standards: Shall apply, except as otherwise modified below.

A. Monument Sign(s) (Center Only) (Article 6.17(J)(2)). Shall not apply; rather, the District shall be permitted three (3) Monument Signs as follows:

(1) 146th Street Frontage: One (1) Monument Sign located along the District's 146th Street frontage shall be permitted with a maximum of fifteen (15) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(2) US Highway 31 Frontage, north of Greyhound Pass: One (1) Monument Sign located along the District's US Highway 31 frontage and north of Greyhound Pass shall be permitted with a maximum of thirty (30) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(3) US Highway 31 Frontage, south of Greyhound Pass: One (1) Monument Sign located along the District's US Highway 31 frontage and south of Greyhound Pass with a maximum of thirty (30) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(4) Sign Base Height: Shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet. Sign caps and bases shall not be used for display or advertising purposes and shall not count towards the Sign Area Calculation.

(5) Sign Copy: The replacement of individual panels does not require a sign permit.

B. Outlot Signage (Article 6.17(J)(8)). Shall apply; however, Outlots shall also be permitted one (1) Monument Sign with a maximum of five (5) feet in Sign Height and thirty-six (36) square feet of Sign Area, per face. Monument Signs shall only be permitted along an Internal Street/Drive, as defined herein.

Section 10. **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 Department of Public Works.

Section 11. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the Real Estate.

ALL OF WHICH IS ORDAINED/RESOLVED THIS _____ DAY OF OCTOBER, 2019.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Edwards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____
Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-48** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-48**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-48**

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: Jesse M. Pohlman

This document prepared by: Jesse M. Pohlman, Onpointe Land Matters, LLC
Washington Prime Group Inc.
111 Monument Circle, Suite 3500, Indianapolis IN 46204

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Additional Real Estate

Exhibit D Existing Character Exhibit

EXHIBIT A
REAL ESTATE

PARCEL I - Fee Simple:

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER AND BEING THE POINT OF BEGINNING OF THE DESCRIPTION OF THE 13.590 ACRE TRACT OF LAND DESCRIBED IK A LIMITED WARRANTY DEED RECORDED AS INSTRUMENT #90 10609 IN SAID RECORDER'S OFFICE, THE NEXT THIRTEEN (13) COURSES ARE ALONG THE BOUNDARY OF SAID 13.590 ACRE TRACT OF LAND; 1.) THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET; 2.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; 3.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET TO THE TERMINUS OF THE FOURTH (4TH) COURSE OF THE DESCRIPTION OF THE 52.495 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #9010607, IN SAID RECORDER'S OFFICE AND THE POINT OF BEGINNING OF THIS DESCRIPTION 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 275.88 FEET; 5.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 160.00 FEET; 6.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 235.00 FEET; 7.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 145.90 FEET; 8.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 324.00 FEET; 9.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 248.35 FEET; 10.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 257.00 FEET; 11.) THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 109.00 FEET; 12.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 67.54 FEET TO THE EASTERN LIMITED ACCESS RIGHT·OF-WAY LINE FOR U.S. ROAD #31 (REF.: WARRANTY DEED RECORDED AS INSTRUMENT #12008 IN DEED RECORD 279, PAGE 612, IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 09 MINUTES 26 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; 13.) THENCE NORTHERLY 20.03 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE SOUTHWESTERN CORNER OF SAID 1.959 ACRE TRACT OF LAND, SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 110.95 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 19 MINUTES 05 SECONDS EAST 2,366.24 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO ITS SOUTHWEST CORNER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 1,326.16 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE TERMINUS OF THE NINTH (9TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND; THENCE NORTH 00 DEGREES 41 MINUTES 21 SECONDS EAST 88.60 FEET ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND TO A POINT ON THE WESTERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION

RECORDED AS INSTRUMENT 9023061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE EAST AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE NORTHWESTERLY AND NORTHERLY 231.34 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 33 MINUTES 18 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE NORTH 00 DEGREES 26 MINUTES 42 SECONDS WEST 511.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 33 MINUTES 18 SECONDS EAST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 3.) THENCE NORTHERLY, NORTHWESTERLY, AND WESTERLY 399.82 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 798.72 FEET; 5.) THENCE NORTH 00 DEGREES 08 MINUTES 51 SECONDS EAST 90.00 FEET TO THE NORTHWESTERN CORNER OF GREYHOUND PASS; THENCE NORTH 45 DEGREES 16 MINUTES 30 SECONDS WEST 84.84 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR STATE ROAD #431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN SAID RECORDER'S OFFICE); THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 29.33 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREE 47 MINUTES 33 SECONDS WEST 48.45 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE SOUTHERN TERMINUS OF SAID EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S. ROAD #3I; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 112.29 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE NORTHWESTERN CORNER OF A 1.64 ACRE TRACT OF LAND; DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 5079 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.80 FEET ALONG THE NORTHERN BOUNDARY OF SAID 1.64 ACRE TRACT OF LAND TO ITS NORTHEASTERN CORNER ON THE WESTERN BOUNDARY OF A 6.528 ACRE TRACT OF LAND, DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 7977 IN SAID RECORDER'S OFFICE; THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF SAID 6.528 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 108.90 FEET; 2.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 437.00 FEET; 3.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 135.00 FEET; 4.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 254.00 FEET TO THE NORTHEASTERN CORNER OF SAID 6.528 ACRE TRACT OF LAND ON THE SEVENTH (7TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND, THE NEXT THREE (3) COURSES ARE ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 13.20 FEET; 2.) THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST 164.22 FEET; 3.) THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST 210.05 FEET
TO THE POINT OF BEGINNING.

EXCEPT:

(BURGER KING)
A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON

COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 269.22 FEET TO A POINT BEING NORTH 88 DEGREES 23 MINUTES 38 SECONDS EAST 11546.16 FEET FROM SAID RADIUS POINT, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 315.55 FEET TO A POINT ON A WEST LINE OF A TRACT OF LAND DEEDED TO WAL-MART STORES, INC. PER WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 90-10609, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE 108.35 FEET TO THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 23.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 313.15 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT·OF·WAY, BEING ALSO A POINT ON THE ABOVE DESCRIBED CURVE; THENCE NORTHERLY ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE AND SAID CURVE AN ARC DISTANCE OF 131.71 FEET TO THE POINT OF BEGINNING. CONTAINING 0.950 ACRES+/- OR 41,382.05 SQUARE FEET.

ALSO EXCEPT:

(EAST SIDE MARIO'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO THE PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 400.93 FEET ALONG SAID CURVE TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 313.15 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 197.95 FEET THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 309.85 FEET TO SAID EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT TWO COURSES: (1) NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 61.92 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; (2) NORTHERLY 137.58 FEET TO THE POINT OF

BEGINNING.

CONTAINING 1.423 ACRES+/- OR 61,696 SQUARE FEET.

ALSO EXCEPT:

(MIKE'S CAR WASH)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418. 79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES: (1) SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 538.52 FEET TO THE END POINT OF SAID CURVE, SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM SAID RADIUS POINT; (2) SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG A NON-TANGENT LINE 227.83 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.74 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 66.97 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 108.90 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.80 FEET TO THE ABOVE SAID LIMITED-ACCESS
RIGHT-OF-WAY; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE 175.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.220ACRES +/- OR 53,143.20 SQUARE FEET.

ALSO EXCEPT - (ROOSTERS/MOYER JEWELERS):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336 PAGE 110, IN THE OFFICE

OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION FOR THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT·OF·WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT·OF·WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT·OF·WAY LINE FOR SAID GREYHOUND PASS; BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT·OF·WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 77.99 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 88 DEGREES 55 MINUTES 38 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.30 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 138.20 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.85 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 138.30 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINING 0.960 ACRES+/· OR 41,818 SQUARE FEET MORE OR LESS.

ALSO EXCEPT:

(APPLEBEE'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE

EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT-OF-WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE FOR SAID GREYHOUND PASS, BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 216.29 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.85 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 115.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES 13 MINUTES 49 SECONDS THENCE SOUTHERLY, SOUTHWESTERLY, AND WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 62.99 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 44 DEGREES 36 MINUTES 18 SECONDS WEST 56.68 FEET), TO THE POINT OF TANGENCY THEREOF; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 247.23 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 83 DEGREES 28 MINUTES 35 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 156.53 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINING 1.046 ACRES +/- OR 45,551 SQUARE FEET MORE OR LESS.

ALSO EXCEPT - (146th STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET) TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE CONTINUING NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 0.457 METERS (1.50 FEET) TO THE EASTERN BOUNDARY OF SR 431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA); THENCE NORTH 63 DEGREES 19 MINUTES 48 SECONDS WEST 14.452 METERS (47.41 FEET) ALONG THE BOUNDARY OF SAID SR 431; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 60.960 METERS (200.00 FEET) ALONG SAID BOUNDARY; THENCE NORTH 50 DEGREES 32 MINUTES 10 SECONDS WEST 15.121 METERS (49.61 FEET) ALONG SAID BOUNDARY; THENCE SOUTH 83 DEGREES 21 MINUTES 08 SECONDS EAST 21.023 METERS (68.97 FEET); THENCE NORTH 89 DEGREES 15 MINUTES 51 SECONDS EAST 70.328 METERS (230.73 FEET) TO THE NORTH LINE OF A 15.00 FEET WIDE SANITARY SEWER EASEMENT DESCRIBED IN EXHIBIT "A" OF THE SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #33672, IN DEED RECORD 330, PAGES 512 TO 519; THENCE NORTH 89 DEGREES 10 MINUTES 01 SECOND EAST 156.847 METERS (514.59 FEET) ALONG THE NORTH LINE OF SAID WATER LINE EASEMENT; THENCE NORTH 88 DEGREES 31 MINUTES 29 SECONDS EAST 34.827 METERS (114.26 FEET) ALONG SAID NORTH LINE; THENCE NORTH 42 DEGREES 13 MINUTES 36 SECONDS EAST 9.175 METERS (30.10 FEET) TO THE WEST LINE OF A SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #9104427; THENCE NORTH O DEGREE 07 MINUTES 07 SECONDS EAST 75.000 METERS (246.06 FEET) ALONG THE WEST LINE OF SAID SANITARY SEWER AND WATER LINE EASEMENT; THENCE SOUTH 89 DEGREES 45 MINUTES 13 SECONDS EAST 12.121 METERS (39.77 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE SOUTH 0 DEGREES 26 MINUTES 42 SECONDS EAST 7.845 METERS (25.74 FEET) ALONG THE WEST BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTHEASTERLY 103.142 METERS (338.39 FEET) ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 103.632 METERS (340.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 28 DEGREES 57 MINUTES 26 SECONDS EAST AND A LENGTH OF 98.937 METERS (324.60 FEET) ALONG SAID BOUNDARY TO THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE BOUNDARY OF SAID 146TH STREET TO THE POINT OF BEGINNING AND CONTAINING 0.5838 HECTARES (1.443 ACRES) MORE OR LESS.

ALSO EXCEPT (PARCEL 7A):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SECTION NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET); IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 263.746 METERS (865.31 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED THENCE SOUTH 0 DEGREES 58 MINUTES 33 SECONDS EAST 5.029 METERS (16.50 FEET) TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1326 HECTARE (0.328 ACRES) MORE OR LESS.

(Note: All reference to acreage or square footage is for informational purposes only)

PARCEL II - Fee Simple:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83 3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON
COUNTY, INDIANA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 531.94 FEET TO A POINT ON THE NORTHERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION RECORDED AS INSTRUMENT #90 23061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST AND BEING NORTH 21 DEGREES 35 MINUTES 35 SECONDS EAST 345.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE EASTERLY, SOUTHEASTERLY, AND SOUTHERLY 416.05 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 18 MINUTES 39 SECONDS EAST 345.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 499.25 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 18 MINUTES 39 SECONDS WEST 260.00 FEET FROM THE RADIUS POINT OF SAID CURVE (SAID POINT HEREINAFTER REFERRED TO AS POINT "A"); 3.) THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY 415.96 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 00 DEGREES 58 MINUTES 33 SECONDS EAST 260.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 391.46 FEET TO THE EASTERN BOUNDARY OF THE 30.00 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #33740 IN DEED RECORD 330, PAGE 554, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF SAID 30.00 ACRE TRACT OF LAND: 1.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 259.99 FEET; 2.) THENCE NORTH 45 DEGREES 07 MINUTES 07 SECONDS EAST 232.38 FEET; 3.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 1,726.93 FEET; 4.) THENCE NORTH 44 DEGREES 52 MINUTES 53 SECONDS WEST 232.38 FEET; 5.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 300.00 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 19 MINUTES 32 SECONDS WEST 1,587.07 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING.

CONTAINING 51.533 ACRES MORE OR LESS.

ALSO:

COMMENCING AT POINT "A"; THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 219.09 FEET TO A POINT ON THE SOUTHWESTERN BOUNDARY OF GREYHOUND PASS, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST (SAID CURVE HEREINAFTER REFERRED TO AS "CURVE #1") AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF "CURVE #1", SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 88.60 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 81.14 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE "POINT OF BEGINNING" OF THE DESCRIPTION OF GREYHOUND PASS; THENCE NORTH 00 DEGREES 58 MINUTES 33 SECONDS WEST 16.50 FEET ALONG THE WESTERN BOUNDARY OF GREYHOUND PASS TO A POINT ON "CURVE #1", SAID POINT BEING SOUTH 32 DEGREES 31 MINUTES 50 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF "CURVE #1"; THENCE NORTHWESTERLY 107.05 FEET ALONG THE SOUTHWESTERN BOUNDARY OF GREYHOUND PASS AND ALONG "CURVE #1" TO THE POINT OF BEGINNING.

CONTAINING 0.090 ACRES MORE OR LESS.

EXCEPT:

(MENARD'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 418.79 FEET TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT A DISTANCE OF 40.00 FEET TO A POINT 40.00 FEET SOUTH BY PERPENDICULAR MEASUREMENT OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST PARALLEL WITH SAID NORTH LINE A DISTANCE OF 919.86 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST A DISTANCE OF 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST A DISTANCE OF 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 306.19 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 133.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 243.42 FEET; THENCE NORTH 45 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 59.40 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 96.00 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 617.09 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 07 SECONDS WEST A DISTANCE OF 642.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST A DISTANCE OF 818.34 FEET TO A POINT ON THE EASTERN BOUNDARY OF GREYHOUND PASS AS
DESCRIBED IN A RIGHT·OF·WAY DEDICATION RECORDED AS INSTRUMENT NUMBER 90-23601 IN SAID RECORDER'S OFFICE, SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHWEST, SAID POINT BEARING NORTH 82 DEGREES 59 MINUTES 27 SECONDS EAST A DISTANCE OF 345.00

FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHWESTERLY ALONG THE NORTHEASTERN BOUNDARY OF SAID GREYHOUND PASS AND ALONG SAID CURVE AN ARC DISTANCE OF 207.28 FEET TO A POINT WHICH BEARS NORTH 48 DEGREES 34 MINUTES 01 SECONDS EAST A DISTANCE OF 345.00 FEET FROM SAID RADIUS POINT;
THENCE NORTH 00 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 317.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.189 ACRES MORE OR LESS.

ALSO EXCEPT:

(TUTTLE GROVE APARTMENT, TRACT II)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1,338.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 379.00 FEET TO A RAILROAD SPIKE SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 70.16 FEET TO A REBAR WITH CAP SET THIS SURVEY THENCE SOUTH 07 DEGREES 50 MINUTES 31 SECONDS WEST A DISTANCE OF 70.78 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 1,028.74 FEET TO THE NORTHERLY LINE OF REAL ESTATE AS DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED TO MENARD, INC. AS RECORDED BY INSTRUMENT NO. 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT
BEING A REBAR WITH CAP SET THIS SURVEY; THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 162.53 FEET, THENCE SOUTH 00 DEGREES 06 MINUTES 57 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 96.00 FEET, THENCE SOUTH 45 DEGREES 06 MINUTES 57 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 59.40 FEET, THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST ALONG SAID NORTHERLY LINE AND THE EXTENSION THEREOF A DISTANCE 376.86 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 306.19 FEET; THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST A DISTANCE OF 164.22 FEET, THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 210.05 FEET, THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST A DISTANCE OF 67.46 FEET. THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 702.36 FEET TO THE POINT OF BEGINNING.

THE AREA IS 13.320 ACRES MORE OR LESS.

ALSO EXCEPT (TUTTLE GROVE APARTMENTS, TRACT 1):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1717.46 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 70.16 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 07 DEGREES 50 MINUTES 31 SECONDS WEST A DISTANCE OF 70.78 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 1028.74 FEET TO THE NORTHERLY LINE OF REAL ESTATE AS DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED TO MENARD, INC. AS RECORDED BY INSTRUMENT NO. 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT BEING A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST ALONG SAID NORTHERLY LINE A DISTANCE OF 454.56 FEET TO THE NORTHEAST CORNER OF SAID REAL ESTATE; THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST A DISTANCE OF 708.66 FEET; THENCE NORTH 44 DEGREES 52 MINUTES 53 SECONDS WEST A DISTANCE OF 232.38 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST A DISTANCE OF 300.00 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 19 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 288.40 FEET TO THE POINT OF BEGINNING.

THE AREA IS 10.871 ACRES MORE OR LESS.

EXCEPT - (146TH STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 605.546 METERS 1986.70 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE PROLONGED EAST LINE OF THE OWNER'S LAND; THENCE NORTH 0 DEGREES 06 MINUTES 46 SECONDS EAST 12.194 METERS (40.01 FEET) ALONG SAID PROLONGED LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 119.621 METERS (392.46 FEET) ALONG THE NORTH BOUNDARY OF SAID 146TH STREET TO THE NORTHERN BOUNDARY OF GREYHOUND PASS DESCRIBED IN A DEED OF DEDICATION RECORDED AS INSTRUMENT #912361, IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE NORTHWESTERLY 46.934 METERS (153.98 FEET) ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 79.248 METERS (260.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 74 DEGREES 00 MINUTES 34 SECONDS WEST AND A LENGTH OF 46.25 METERS (151.74 FEET) ALONG THE NORTHERLY AND NORTHEASTERLY BOUNDARY OF SAID GREYHOUND PASS; THENCE NORTH 34 DEGREES 30 MINUTES 30 SECONDS EAST 3.360 METERS (11.02 FEET); THENCE SOUTHEASTERLY 44.816 METERS (147.03 FEET) ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 75.89 METERS (248.98 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 74 DEGREES 01 MINUTE 42 SECONDS EAST AND A LENGTH OF 44.163 METERS (144.89 FEET); THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 15.65 METERS (51.35 FEET); THENCE NORTH 82 DEGREES 34 MINUTES 12 SECONDS EAST 16.102 METERS (52.83 FEET); THENCE SOUTH 89 DEGREES 52 MINUTES 43 SECONDS EAST 71.013 METERS (232.98 FEET); THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 17.081 METERS (56.04 FEET) TO AN EAST LINE OF THE OWNER'S LAND; THENCE SOUTH 0 DEGREES 06 MINUTES 46 SECONDS WEST 3.089 METERS (10.13 FEET) ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.0628 HECTARES (0.155 ACRES) MORE OR LESS.

(Note: All reference to acreage or square footage is for informational purposes only)

ALSO EXCEPT FROM PARCEL I AND PARCEL II:

THAT PART OF PARCEL I AND PARCEL II DEEDED TO THE BOARD OF COMMISSIONERS OF HAMILTON COUNTY, STATE OF INDIANA IN A CERTAIN WARRANTY DEED, GRANT OF TEMPORARY RIGHT OF WAY AND GRANT OF TERMINATION OF ACCESS RIGHTS DATED JANUARY 8, 1999, AND RECORDED JANUARY 14, 1999, AS INSTRUMENT NUMBER 9902569, ALL IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL III - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN "EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND" BETWEEN WAL-MART STORES, INC. AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP DATED MAY 3, 1990 AND RECORDED MAY 7, 1990 AS INSTRUMENT NUMBER 9010610, AMENDED BY FIRST AMENDMENT TO EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BY AND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED JULY 23, 2004, AND RECORDED JANUARY 3, 2005, AS INSTRUMENT NUMBER 200500000153, AND IN AGREEMENT BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, WAL-MART STORES, INC. AND MUNDY REALTY, INC. DATED MAY 22, 1991 AND RECORDED MAY 29, 1991 AS INSTRUMENT NUMBER 9112660, ALL IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL IV - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BETWEEN MUNDY REALTY, INC., AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP DATED FEBRUARY 18, 1991 AND RECORDED MARCH 5, 1991 AS INSTRUMENT NUMBER 9104827, AND AGREEMENT BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, WAL-MART STORES, INC. AND MUNDY REALTY, INC. DATED MAY 22, 1991 AND RECORDED MAY 29, 1991 AS INSTRUMENT NUMBER 9112660, BOTH IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL V - Easement:

TOGETHER WITH THOSE RIGHTS AND DRAINAGE EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN WARRANTY DEED DATED MAY 6, 1982 AND RECORDED MAY 7, 1982 IN DEED RECORD 330 PAGE 554, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL VI - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL UTILITY AND ACCESS EASEMENT AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, AND WESTFIELD PROPERTIES LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED MAY 4, 1990 AND RECORDED MAY 7, 1990 AS INSTRUMENT NUMBER 9010608, MODIFIED BY ADDENDUM TO RECIPROCAL UTILITY AND ACCESS EASEMENT AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, CARMEL/T&R ASSOCIATES LIMITED PARTNERSHIP, AN OHIO LIMITED PARTNERSHIP, AND T&R DEVELOPMENT, INC., AN OHIO CORPORATION, DATED OCTOBER 10, 1993 AND RECORDED OCTOBER 14, 1993 AS INSTRUMENT NUMBER 9350238, BOTH IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL VII - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN RESERVATION OF UTILITY EASEMENT BY VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED AUGUST 19, 1992 AND RECORDED AUGUST 26, 1992 AS INSTRUMENT NUMBER 9232750, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

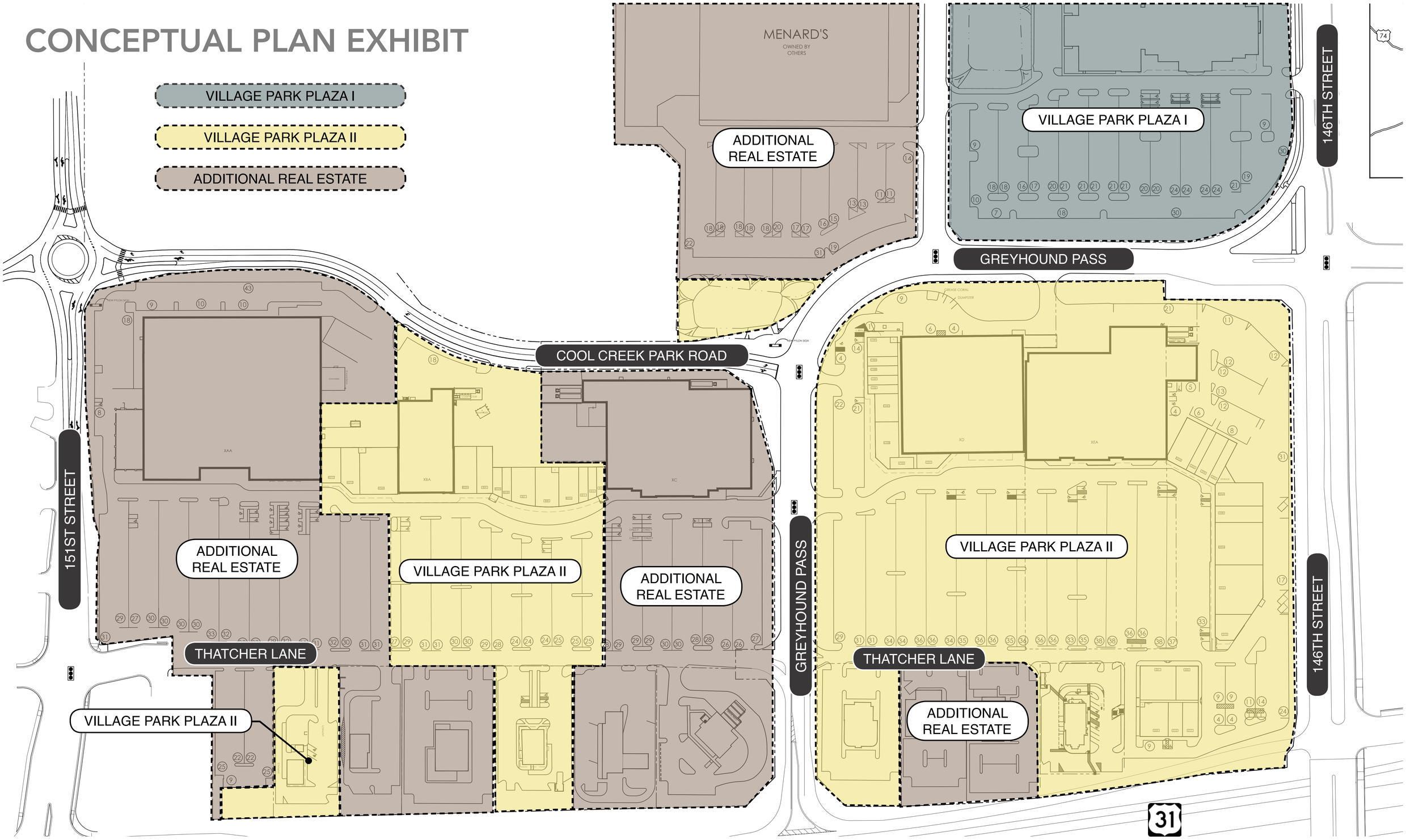
PARCEL VIII - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN PERPETUAL NON-EXCLUSIVE EASEMENT AS CONTAINED IN THAT CERTAIN SPECIAL (LIMITED) WARRANTY DEED BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, AND MENARD, INC., A WISCONSIN CORPORATION, DATED DECEMBER 10, 1992 AND RECORDED DECEMBER 29, 1992 AS INSTRUMENT NUMBER 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL IX - Easement:

TOGETHER WITH CERTAIN NON-EXCLUSIVE THEATRE PYLON SIGN EASEMENT, CREATED DEFINED AND LIMITED BY THAT CERTAIN COVENANTS, CONDITIONS, RESTRICTIONS AND NON-EXCLUSIVE EASEMENTS AS CONTAINED IN THAT CERTAIN COVENANTS, CONDITIONS, AND RESTRICTIONS AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED
PARTNERSHIP, AND EQUUS AGER, INC., AN INDIANA CORPORATION, DATED NOVEMBER 17, 1992 AND RECORDED NOVEMBER 24, 1992 AS INSTRUMENT NUMBER 9246407, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

CONCEPTUAL PLAN EXHIBIT



WASHINGTON PRIME GROUP™

EXHIBIT B: CONCEPT PLAN

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

n.t.s.

08.19.19

WASHINGTON PRIME GROUP™

EXHIBIT C-1: EXISTING CHARACTER EXHIBIT

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

WASHINGTON PRIME GROUP™

EXHIBIT C-2: EXISTING CHARACTER EXHIBIT

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

WASHINGTON PRIME GROUP™

EXHIBIT C-3: EXISTING CHARACTER EXHIBIT

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

ORDINANCE NUMBER 19-48

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 "**VILLAGE PARK PLAZA II PUD DISTRICT**") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 1910-PUD-32**), 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 Plan Commission forwarded **Petition No**. **1910-PUD-32** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council") with a _____ recommendation (___-___) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Plan Commission certified the action of the Plan Commission to the Council on _____, 2019;

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

NOW, THEREFORE, BE IT ORDAINED by the 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 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as "**Village Park Plaza II**" (the "District").

1.2 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.

1.3 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.

1.4 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.

1.5 This District is contemplated to be expanded in the future to incorporate adjacent real estate as generally identified as "Additional Real Estate" on **Exhibit C**, attached hereto (the "Additional Real Estate"), in order to encourage and facilitate coordinated (re)development.

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 Building, Existing: A Building constructed prior to the effective date of this Ordinance, as generally depicted on the Concept Plan, attached hereto as **Exhibit B**, and Existing Character Exhibit, attached hereto as **Exhibit D**.

2.2 Building, New: A Building constructed after the effective date of this Ordinance.

Section 3. **Legally Established Pre-Existing Improvements**. The Real Estate has been developed as a regional shopping center, as generally depicted on the Concept Plan and the Existing Character Exhibit, attached hereto as **Exhibit C** (the "Existing Character Exhibit") (collectively, the "Existing Improvements"). Existing Improvements may continue after the effective date of this Ordinance in accordance with the Unified Development Ordinance's legal nonconforming development standard provisions. Substantial modifications to Existing Improvements on the Real Estate, including any new building construction, new sign permits, major building renovations, or major site plan changes shall comply with the standards set forth in this Ordinance. Repair, maintenance, restoration, minor building renovations, and/or minor site plan changes of Existing Improvements on the Real Estate shall not be deemed a modification that requires compliance with the standards of this Ordinance.

Section 4. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B** (the "Concept Plan"), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

Section 5. **Underlying Zoning District.** The Underlying Zoning District shall be the GB: General Business District (the "Underlying Zoning District").

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate.

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

7.1 Minimum Building Setback Lines:

A. External Street[1]: Twenty (20) feet

B. Internal Street/Drives[2]: ~~Fifteen (15)~~Zero (0) feet

C. All Other: Zero (0) feet

Section 8. **Overlay Districts**. The standards of Article 5.2 US Highway 31 Overlay District shall not apply to the development of the Real Estate.

Section 9. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified below.

9.1 Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) Screening of Receptacles and Loading Areas shall be modified to only prohibit enclosures ~~to be located~~ within the Established Front Yard of US Highway 31. Enclosures constructed after the effective date of this Ordinance shall comply with the required Minimum Building Setback Lines.

9.2 Article 6.3 Architectural Standards: Shall apply to New Buildings. Renovations to Existing Buildings shall either (i) comply with Article 6.3 Architectural Standards; or (ii) be substantially similar or greater in quality and character to the Existing Building being renovated.

9.3 Article 6.8 Landscaping Standards: Shall apply to new improvements; except as otherwise modified below:

A. Minimum Lot Landscaping Requirements (Article 6.8(K)): Shall apply.

B. Foundation Plantings (Article 6.8(L)): Shall apply; however, the minimum planting bed width shall be three (3) feet. Planters located along the Building Facade may be used to meet this requirement.

C. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply.

D. Buffer Yard Requirements (Article 6.8(N)): Shall not apply.

~~E. Parking Area Landscaping (Article 6.8(O)): If adjacent Lots have vehicular cross-access and/or shared parking, then the shared Lot Line shall not require Perimeter Parking Area Landscaping (Article 6.8(O)(2)); rather, the combined Parking Area shall be landscaped in accordance with the Interior Parking Area Landscaping (Article 6.8(O)(1)) requirements as a single Parking Area.~~

~~F.~~E. Perimeter Drainage and Utility Easements. Landscaping within drainage and utility easements required by the Department of Public Works around the perimeter of Lots (the "Easements") is restricted. As a result, if

[1] For purposes of this Ordinance, External Streets include US Highway 31, 146th Street, 151st Street, Cool Creek Park Road, and Greyhound Pass (east of Cool Creek Park Road).
[2] For purposes of this Ordinance, Internal Street/Drives include Greyhound Pass (west of Cool Creek Park Road) and Thatcher Lane.

plantings required by this Ordinance are not permitted by the City within the Easements, then the required plantings shall be relocated and installed elsewhere on the Real Estate. If the relocation of plantings results in planting congestion or is otherwise contrary to landscaping best management practices, then a landscape plan with fewer plantings than otherwise required may be approved.

9.4 Article 6.14 Parking and Loading Standards: Shall apply. The minimum required parking spaces for Outlots may be reduced as part of the approval of a Detailed Development Plan. At the discretion of the City, reductions in the minimum required parking spaces may require shared parking agreements. Parking Areas within the District may be designed to provide for vehicular cross-access and shared parking, subject to an agreement between property owners.

9.5 Article 6.17 Sign Standards: Shall apply, except as otherwise modified below.

A. Monument Sign(s) (Center Only) (Article 6.17(J)(2)). Shall not apply; rather, the District shall be permitted three (3) Monument Signs as follows:

(1) 146th Street Frontage: One (1) ~~sign~~ Monument Sign located along the District's 146th Street frontage shall be permitted with a maximum of fifteen (15) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(2) US Highway 31 Frontage, north of Greyhound Pass: One (1) ~~sign~~ Monument Sign located along the District's US Highway 31 frontage and north of Greyhound Pass shall be permitted with a maximum of thirty (30) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(3) US Highway 31 Frontage, south of Greyhound Pass: One (1) ~~sign~~ Monument Sign located along the District's US Highway 31 frontage and south of Greyhound Pass with a maximum of thirty (30) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.

(4) Sign Base Height: Shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet. Sign caps and bases shall not be used for display or advertising purposes and shall not count towards the Sign Area Calculation.

(5) Sign Copy: The replacement of individual panels does not require a sign permit.

B. Outlot Signage (Article 6.17(J)(8)). Shall apply; however, Outlots shall also be permitted one (1) Monument Sign with a maximum of five (5) feet in Sign Height and thirty-six (36) square feet of Sign Area, per face. Monument Signs shall only be permitted along an Internal Street/Drive, as defined herein.

Section 10. **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 Department of Public Works.

Section 11. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the Real Estate.

ALL OF WHICH IS ORDAINED/RESOLVED THIS _____ DAY OF _____, 2019.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Edwards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____
Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 19-48** was delivered to the Mayor of Westfield

on the _____ day of _____, 2019, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-48**

this _____ day of _____, 2019.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 19-48**

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: Jesse M. Pohlman

This document prepared by: Jesse M. Pohlman, Onpointe Land Matters, LLC
Washington Prime Group Inc.
111 Monument Circle, Suite 3500, Indianapolis IN 46204

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Additional Real Estate

Exhibit D Existing Character Exhibit

EXHIBIT A
REAL ESTATE

PARCEL I - Fee Simple:

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER AND BEING THE POINT OF BEGINNING OF THE DESCRIPTION OF THE 13.590 ACRE TRACT OF LAND DESCRIBED IK A LIMITED WARRANTY DEED RECORDED AS INSTRUMENT #90 10609 IN SAID RECORDER'S OFFICE, THE NEXT THIRTEEN (13) COURSES ARE ALONG THE BOUNDARY OF SAID 13.590 ACRE TRACT OF LAND; 1.) THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET; 2.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; 3.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET TO THE TERMINUS OF THE FOURTH (4TH) COURSE OF THE DESCRIPTION OF THE 52.495 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #9010607, IN SAID RECORDER'S OFFICE AND THE POINT OF BEGINNING OF THIS DESCRIPTION 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 275.88 FEET; 5.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 160.00 FEET; 6.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 235.00 FEET; 7.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 145.90 FEET; 8.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 324.00 FEET; 9.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 248.35 FEET; 10.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 257.00 FEET; 11.) THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 109.00 FEET; 12.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 67.54 FEET TO THE EASTERN LIMITED ACCESS RIGHT·OF-WAY LINE FOR U.S. ROAD #31 (REF.: WARRANTY DEED RECORDED AS INSTRUMENT #12008 IN DEED RECORD 279, PAGE 612, IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 09 MINUTES 26 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; 13.) THENCE NORTHERLY 20.03 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE SOUTHWESTERN CORNER OF SAID 1.959 ACRE TRACT OF LAND, SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 110.95 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 19 MINUTES 05 SECONDS EAST 2,366.24 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO ITS SOUTHWEST CORNER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 1,326.16 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE TERMINUS OF THE NINTH (9TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND; THENCE NORTH 00 DEGREES 41 MINUTES 21 SECONDS EAST 88.60 FEET ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND TO A POINT ON THE WESTERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION

RECORDED AS INSTRUMENT 9023061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE EAST AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE NORTHWESTERLY AND NORTHERLY 231.34 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 33 MINUTES 18 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE NORTH 00 DEGREES 26 MINUTES 42 SECONDS WEST 511.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 33 MINUTES 18 SECONDS EAST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 3.) THENCE NORTHERLY, NORTHWESTERLY, AND WESTERLY 399.82 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 798.72 FEET; 5.) THENCE NORTH 00 DEGREES 08 MINUTES 51 SECONDS EAST 90.00 FEET TO THE NORTHWESTERN CORNER OF GREYHOUND PASS; THENCE NORTH 45 DEGREES 16 MINUTES 30 SECONDS WEST 84.84 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR STATE ROAD #431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN SAID RECORDER'S OFFICE); THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 29.33 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREE 47 MINUTES 33 SECONDS WEST 48.45 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE SOUTHERN TERMINUS OF SAID EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S. ROAD #3I; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 112.29 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE NORTHWESTERN CORNER OF A 1.64 ACRE TRACT OF LAND; DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 5079 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.80 FEET ALONG THE NORTHERN BOUNDARY OF SAID 1.64 ACRE TRACT OF LAND TO ITS NORTHEASTERN CORNER ON THE WESTERN BOUNDARY OF A 6.528 ACRE TRACT OF LAND, DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 7977 IN SAID RECORDER'S OFFICE; THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF SAID 6.528 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 108.90 FEET; 2.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 437.00 FEET; 3.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 135.00 FEET; 4.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 254.00 FEET TO THE NORTHEASTERN CORNER OF SAID 6.528 ACRE TRACT OF LAND ON THE SEVENTH (7TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND, THE NEXT THREE (3) COURSES ARE ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 13.20 FEET; 2.) THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST 164.22 FEET; 3.) THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST 210.05 FEET
TO THE POINT OF BEGINNING.

EXCEPT:

(BURGER KING)
A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON

COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 269.22 FEET TO A POINT BEING NORTH 88 DEGREES 23 MINUTES 38 SECONDS EAST 11546.16 FEET FROM SAID RADIUS POINT, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 315.55 FEET TO A POINT ON A WEST LINE OF A TRACT OF LAND DEEDED TO WAL-MART STORES, INC. PER WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 90-10609, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE 108.35 FEET TO THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 23.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 313.15 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT·OF·WAY, BEING ALSO A POINT ON THE ABOVE DESCRIBED CURVE; THENCE NORTHERLY ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE AND SAID CURVE AN ARC DISTANCE OF 131.71 FEET TO THE POINT OF BEGINNING. CONTAINING 0.950 ACRES+/- OR 41,382.05 SQUARE FEET.

ALSO EXCEPT:

(EAST SIDE MARIO'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO THE PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 400.93 FEET ALONG SAID CURVE TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 313.15 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 197.95 FEET THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 309.85 FEET TO SAID EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT TWO COURSES: (1) NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 61.92 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; (2) NORTHERLY 137.58 FEET TO THE POINT OF

BEGINNING.

CONTAINING 1.423 ACRES+/- OR 61,696 SQUARE FEET.

ALSO EXCEPT:

(MIKE'S CAR WASH)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418. 79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES: (1) SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 538.52 FEET TO THE END POINT OF SAID CURVE, SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM SAID RADIUS POINT; (2) SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG A NON-TANGENT LINE 227.83 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.74 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 66.97 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 108.90 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.80 FEET TO THE ABOVE SAID LIMITED-ACCESS
RIGHT-OF-WAY; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE 175.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.220ACRES +/- OR 53,143.20 SQUARE FEET.

ALSO EXCEPT - (ROOSTERS/MOYER JEWELERS):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336 PAGE 110, IN THE OFFICE

OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION FOR THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT·OF·WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT·OF·WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT·OF·WAY LINE FOR SAID GREYHOUND PASS; BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT·OF·WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 77.99 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 88 DEGREES 55 MINUTES 38 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.30 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 138.20 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.85 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 138.30 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINING 0.960 ACRES+/· OR 41,818 SQUARE FEET MORE OR LESS.

ALSO EXCEPT:

(APPLEBEE'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE

EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT-OF-WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE FOR SAID GREYHOUND PASS, BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 216.29 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.85 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 115.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES 13 MINUTES 49 SECONDS THENCE SOUTHERLY, SOUTHWESTERLY, AND WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 62.99 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 44 DEGREES 36 MINUTES 18 SECONDS WEST 56.68 FEET), TO THE POINT OF TANGENCY THEREOF; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 247.23 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 83 DEGREES 28 MINUTES 35 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 156.53 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINING 1.046 ACRES +/- OR 45,551 SQUARE FEET MORE OR LESS.

ALSO EXCEPT - (146th STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET) TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE CONTINUING NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 0.457 METERS (1.50 FEET) TO THE EASTERN BOUNDARY OF SR 431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA); THENCE NORTH 63 DEGREES 19 MINUTES 48 SECONDS WEST 14.452 METERS (47.41 FEET) ALONG THE BOUNDARY OF SAID SR 431; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 60.960 METERS (200.00 FEET) ALONG SAID BOUNDARY; THENCE NORTH 50 DEGREES 32 MINUTES 10 SECONDS WEST 15.121 METERS (49.61 FEET) ALONG SAID BOUNDARY; THENCE SOUTH 83 DEGREES 21 MINUTES 08 SECONDS EAST 21.023 METERS (68.97 FEET); THENCE NORTH 89 DEGREES 15 MINUTES 51 SECONDS EAST 70.328 METERS (230.73 FEET) TO THE NORTH LINE OF A 15.00 FEET WIDE SANITARY SEWER EASEMENT DESCRIBED IN EXHIBIT "A" OF THE SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #33672, IN DEED RECORD 330, PAGES 512 TO 519; THENCE NORTH 89 DEGREES 10 MINUTES 01 SECOND EAST 156.847 METERS (514.59 FEET) ALONG THE NORTH LINE OF SAID WATER LINE EASEMENT; THENCE NORTH 88 DEGREES 31 MINUTES 29 SECONDS EAST 34.827 METERS (114.26 FEET) ALONG SAID NORTH LINE; THENCE NORTH 42 DEGREES 13 MINUTES 36 SECONDS EAST 9.175 METERS (30.10 FEET) TO THE WEST LINE OF A SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #9104427; THENCE NORTH O DEGREE 07 MINUTES 07 SECONDS EAST 75.000 METERS (246.06 FEET) ALONG THE WEST LINE OF SAID SANITARY SEWER AND WATER LINE EASEMENT; THENCE SOUTH 89 DEGREES 45 MINUTES 13 SECONDS EAST 12.121 METERS (39.77 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE SOUTH 0 DEGREES 26 MINUTES 42 SECONDS EAST 7.845 METERS (25.74 FEET) ALONG THE WEST BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTHEASTERLY 103.142 METERS (338.39 FEET) ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 103.632 METERS (340.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 28 DEGREES 57 MINUTES 26 SECONDS EAST AND A LENGTH OF 98.937 METERS (324.60 FEET) ALONG SAID BOUNDARY TO THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE BOUNDARY OF SAID 146TH STREET TO THE POINT OF BEGINNING AND CONTAINING 0.5838 HECTARES (1.443 ACRES) MORE OR LESS.

ALSO EXCEPT (PARCEL 7A):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SECTION NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET); IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 263.746 METERS (865.31 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED THENCE SOUTH 0 DEGREES 58 MINUTES 33 SECONDS EAST 5.029 METERS (16.50 FEET) TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1326 HECTARE (0.328 ACRES) MORE OR LESS.

(Note: All reference to acreage or square footage is for informational purposes only)

PARCEL II - Fee Simple:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83 3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON
COUNTY, INDIANA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 531.94 FEET TO A POINT ON THE NORTHERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION RECORDED AS INSTRUMENT #90 23061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST AND BEING NORTH 21 DEGREES 35 MINUTES 35 SECONDS EAST 345.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE EASTERLY, SOUTHEASTERLY, AND SOUTHERLY 416.05 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 18 MINUTES 39 SECONDS EAST 345.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 499.25 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 18 MINUTES 39 SECONDS WEST 260.00 FEET FROM THE RADIUS POINT OF SAID CURVE (SAID POINT HEREINAFTER REFERRED TO AS POINT "A"); 3.) THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY 415.96 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 00 DEGREES 58 MINUTES 33 SECONDS EAST 260.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 391.46 FEET TO THE EASTERN BOUNDARY OF THE 30.00 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #33740 IN DEED RECORD 330, PAGE 554, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF SAID 30.00 ACRE TRACT OF LAND: 1.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 259.99 FEET; 2.) THENCE NORTH 45 DEGREES 07 MINUTES 07 SECONDS EAST 232.38 FEET; 3.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 1,726.93 FEET; 4.) THENCE NORTH 44 DEGREES 52 MINUTES 53 SECONDS WEST 232.38 FEET; 5.) THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST 300.00 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 19 MINUTES 32 SECONDS WEST 1,587.07 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING.

CONTAINING 51.533 ACRES MORE OR LESS.

ALSO:

COMMENCING AT POINT "A"; THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 219.09 FEET TO A POINT ON THE SOUTHWESTERN BOUNDARY OF GREYHOUND PASS, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST (SAID CURVE HEREINAFTER REFERRED TO AS "CURVE #1") AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF "CURVE #1", SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 41 MINUTES 21 SECONDS WEST 88.60 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 81.14 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE "POINT OF BEGINNING" OF THE DESCRIPTION OF GREYHOUND PASS; THENCE NORTH 00 DEGREES 58 MINUTES 33 SECONDS WEST 16.50 FEET ALONG THE WESTERN BOUNDARY OF GREYHOUND PASS TO A POINT ON "CURVE #1", SAID POINT BEING SOUTH 32 DEGREES 31 MINUTES 50 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF "CURVE #1"; THENCE NORTHWESTERLY 107.05 FEET ALONG THE SOUTHWESTERN BOUNDARY OF GREYHOUND PASS AND ALONG "CURVE #1" TO THE POINT OF BEGINNING.

CONTAINING 0.090 ACRES MORE OR LESS.

EXCEPT:

(MENARD'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 418.79 FEET TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT A DISTANCE OF 40.00 FEET TO A POINT 40.00 FEET SOUTH BY PERPENDICULAR MEASUREMENT OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST PARALLEL WITH SAID NORTH LINE A DISTANCE OF 919.86 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST A DISTANCE OF 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST A DISTANCE OF 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 306.19 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 133.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 243.42 FEET; THENCE NORTH 45 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 59.40 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 96.00 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 617.09 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 07 SECONDS WEST A DISTANCE OF 642.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST A DISTANCE OF 818.34 FEET TO A POINT ON THE EASTERN BOUNDARY OF GREYHOUND PASS AS
DESCRIBED IN A RIGHT·OF·WAY DEDICATION RECORDED AS INSTRUMENT NUMBER 90-23601 IN SAID RECORDER'S OFFICE, SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHWEST, SAID POINT BEARING NORTH 82 DEGREES 59 MINUTES 27 SECONDS EAST A DISTANCE OF 345.00

FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHWESTERLY ALONG THE NORTHEASTERN BOUNDARY OF SAID GREYHOUND PASS AND ALONG SAID CURVE AN ARC DISTANCE OF 207.28 FEET TO A POINT WHICH BEARS NORTH 48 DEGREES 34 MINUTES 01 SECONDS EAST A DISTANCE OF 345.00 FEET FROM SAID RADIUS POINT;
THENCE NORTH 00 DEGREES 06 MINUTES 57 SECONDS EAST A DISTANCE OF 317.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.189 ACRES MORE OR LESS.

ALSO EXCEPT:

(TUTTLE GROVE APARTMENT, TRACT II)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1,338.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 379.00 FEET TO A RAILROAD SPIKE SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 70.16 FEET TO A REBAR WITH CAP SET THIS SURVEY THENCE SOUTH 07 DEGREES 50 MINUTES 31 SECONDS WEST A DISTANCE OF 70.78 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 1,028.74 FEET TO THE NORTHERLY LINE OF REAL ESTATE AS DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED TO MENARD, INC. AS RECORDED BY INSTRUMENT NO. 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT
BEING A REBAR WITH CAP SET THIS SURVEY; THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 162.53 FEET, THENCE SOUTH 00 DEGREES 06 MINUTES 57 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 96.00 FEET, THENCE SOUTH 45 DEGREES 06 MINUTES 57 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 59.40 FEET, THENCE NORTH 89 DEGREES 53 MINUTES 03 SECONDS WEST ALONG SAID NORTHERLY LINE AND THE EXTENSION THEREOF A DISTANCE 376.86 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 306.19 FEET; THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST A DISTANCE OF 164.22 FEET, THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 210.05 FEET, THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST A DISTANCE OF 67.46 FEET. THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 702.36 FEET TO THE POINT OF BEGINNING.

THE AREA IS 13.320 ACRES MORE OR LESS.

ALSO EXCEPT (TUTTLE GROVE APARTMENTS, TRACT 1):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1717.46 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 70.16 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 07 DEGREES 50 MINUTES 31 SECONDS WEST A DISTANCE OF 70.78 FEET TO A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 1028.74 FEET TO THE NORTHERLY LINE OF REAL ESTATE AS DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED TO MENARD, INC. AS RECORDED BY INSTRUMENT NO. 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT BEING A REBAR WITH CAP SET THIS SURVEY; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST ALONG SAID NORTHERLY LINE A DISTANCE OF 454.56 FEET TO THE NORTHEAST CORNER OF SAID REAL ESTATE; THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST A DISTANCE OF 708.66 FEET; THENCE NORTH 44 DEGREES 52 MINUTES 53 SECONDS WEST A DISTANCE OF 232.38 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 07 SECONDS EAST A DISTANCE OF 300.00 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 19 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 288.40 FEET TO THE POINT OF BEGINNING.

THE AREA IS 10.871 ACRES MORE OR LESS.

EXCEPT - (146TH STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 605.546 METERS 1986.70 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE PROLONGED EAST LINE OF THE OWNER'S LAND; THENCE NORTH 0 DEGREES 06 MINUTES 46 SECONDS EAST 12.194 METERS (40.01 FEET) ALONG SAID PROLONGED LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 119.621 METERS (392.46 FEET) ALONG THE NORTH BOUNDARY OF SAID 146TH STREET TO THE NORTHERN BOUNDARY OF GREYHOUND PASS DESCRIBED IN A DEED OF DEDICATION RECORDED AS INSTRUMENT #912361, IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE NORTHWESTERLY 46.934 METERS (153.98 FEET) ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 79.248 METERS (260.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 74 DEGREES 00 MINUTES 34 SECONDS WEST AND A LENGTH OF 46.25 METERS (151.74 FEET) ALONG THE NORTHERLY AND NORTHEASTERLY BOUNDARY OF SAID GREYHOUND PASS; THENCE NORTH 34 DEGREES 30 MINUTES 30 SECONDS EAST 3.360 METERS (11.02 FEET); THENCE SOUTHEASTERLY 44.816 METERS (147.03 FEET) ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 75.89 METERS (248.98 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 74 DEGREES 01 MINUTE 42 SECONDS EAST AND A LENGTH OF 44.163 METERS (144.89 FEET); THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 15.65 METERS (51.35 FEET); THENCE NORTH 82 DEGREES 34 MINUTES 12 SECONDS EAST 16.102 METERS (52.83 FEET); THENCE SOUTH 89 DEGREES 52 MINUTES 43 SECONDS EAST 71.013 METERS (232.98 FEET); THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 17.081 METERS (56.04 FEET) TO AN EAST LINE OF THE OWNER'S LAND; THENCE SOUTH 0 DEGREES 06 MINUTES 46 SECONDS WEST 3.089 METERS (10.13 FEET) ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.0628 HECTARES (0.155 ACRES) MORE OR LESS.

(Note: All reference to acreage or square footage is for informational purposes only)

ALSO EXCEPT FROM PARCEL I AND PARCEL II:

THAT PART OF PARCEL I AND PARCEL II DEEDED TO THE BOARD OF COMMISSIONERS OF HAMILTON COUNTY, STATE OF INDIANA IN A CERTAIN WARRANTY DEED, GRANT OF TEMPORARY RIGHT OF WAY AND GRANT OF TERMINATION OF ACCESS RIGHTS DATED JANUARY 8, 1999, AND RECORDED JANUARY 14, 1999, AS INSTRUMENT NUMBER 9902569, ALL IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL III - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN "EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND" BETWEEN WAL-MART STORES, INC. AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP DATED MAY 3, 1990 AND RECORDED MAY 7, 1990 AS INSTRUMENT NUMBER 9010610, AMENDED BY FIRST AMENDMENT TO EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BY AND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED JULY 23, 2004, AND RECORDED JANUARY 3, 2005, AS INSTRUMENT NUMBER 200500000153, AND IN AGREEMENT BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, WAL-MART STORES, INC. AND MUNDY REALTY, INC. DATED MAY 22, 1991 AND RECORDED MAY 29, 1991 AS INSTRUMENT NUMBER 9112660, ALL IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL IV - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BETWEEN MUNDY REALTY, INC., AND VILLAGE DEVELOPERS LIMITED PARTNERSHIP DATED FEBRUARY 18, 1991 AND RECORDED MARCH 5, 1991 AS INSTRUMENT NUMBER 9104827, AND AGREEMENT BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, WAL-MART STORES, INC. AND MUNDY REALTY, INC. DATED MAY 22, 1991 AND RECORDED MAY 29, 1991 AS INSTRUMENT NUMBER 9112660, BOTH IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL V - Easement:

TOGETHER WITH THOSE RIGHTS AND DRAINAGE EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN WARRANTY DEED DATED MAY 6, 1982 AND RECORDED MAY 7, 1982 IN DEED RECORD 330 PAGE 554, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL VI - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL UTILITY AND ACCESS EASEMENT AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, AND WESTFIELD PROPERTIES LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED MAY 4, 1990 AND RECORDED MAY 7, 1990 AS INSTRUMENT NUMBER 9010608, MODIFIED BY ADDENDUM TO RECIPROCAL UTILITY AND ACCESS EASEMENT AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, CARMEL/T&R ASSOCIATES LIMITED PARTNERSHIP, AN OHIO LIMITED PARTNERSHIP, AND T&R DEVELOPMENT, INC., AN OHIO CORPORATION, DATED OCTOBER 10, 1993 AND RECORDED OCTOBER 14, 1993 AS INSTRUMENT NUMBER 9350238, BOTH IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL VII - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN RESERVATION OF UTILITY EASEMENT BY VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, DATED AUGUST 19, 1992 AND RECORDED AUGUST 26, 1992 AS INSTRUMENT NUMBER 9232750, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL VIII - Easement:

TOGETHER WITH THOSE RIGHTS AND EASEMENTS CONSTITUTING RIGHTS IN REAL PROPERTY CREATED DEFINED AND LIMITED BY THAT CERTAIN PERPETUAL NON-EXCLUSIVE EASEMENT AS CONTAINED IN THAT CERTAIN SPECIAL (LIMITED) WARRANTY DEED BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, AND MENARD, INC., A WISCONSIN CORPORATION, DATED DECEMBER 10, 1992 AND RECORDED DECEMBER 29, 1992 AS INSTRUMENT NUMBER 9251639, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

PARCEL IX - Easement:

TOGETHER WITH CERTAIN NON-EXCLUSIVE THEATRE PYLON SIGN EASEMENT, CREATED DEFINED AND LIMITED BY THAT CERTAIN COVENANTS, CONDITIONS, RESTRICTIONS AND NON-EXCLUSIVE EASEMENTS AS CONTAINED IN THAT CERTAIN COVENANTS, CONDITIONS, AND RESTRICTIONS AGREEMENT BY AND BETWEEN VILLAGE DEVELOPERS LIMITED PARTNERSHIP, AN INDIANA LIMITED
PARTNERSHIP, AND EQUUS AGER, INC., AN INDIANA CORPORATION, DATED NOVEMBER 17, 1992 AND RECORDED NOVEMBER 24, 1992 AS INSTRUMENT NUMBER 9246407, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

EXHIBIT B
CONCEPT PLAN

EXHIBIT C-1
EXISTING CHARACTER EXHIBIT

EXHIBIT C-2
EXISTING CHARACTER EXHIBIT

EXHIBIT C-3
EXISTING CHARACTER EXHIBIT

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Memorandum

Date: September 18, 2019
To: Kevin Todd, Director
Community Development Department
From: Jesse M. Pohlman

Re: Village Park Plaza II Planned Unit Development (1910-PUD-32)
Summary of Open House for Neighbors

In accordance with Article 10.9(C)(1)(f) Planned Unit Development Districts; PUD District Ordinance; Application Procedures; Neighbor Meeting, Washington Prime Group hosted an open house for adjoining property owners on Tuesday, September 17, 2019, in the Main Level Conference Room of the Westfield City Services Building (2728 East 171st Street).

Below please find a brief written report of the open house.

Open house began at 6:00 p.m.

Petitioner representatives included Steve Nikel (Washington Prime Group) and Jesse Pohlman (Onpointe Land Matters, LLC).

There were no attendees.

Open house concluded at 6:30 p.m.

Petition Number:	1910-ODP-19 & 1910-SPP-19
Subject Site Address:	Northeast Corner of US 31 and 146th Street
Petitioner:	Washington Prime Group (Steve Nikel)
Representative:	OnPointe Land Matters, LLC (Jesse Pohlman)
Request:	Overall Development Plan and Primary Plat review of 8 commercial lots on approximately 32.7 acres +/- in the Village Park Plaza II PUD District (zoning pending).
Current Zoning:	SB-PD: Special Business / Planned Development District – pending change to Village Park Plaza II PUD District (1910-PUD-32)
Current Land Use:	Regional Commercial Shopping Center
Approximate Acreage:	32.7 acres +/-
Exhibits:	1. Staff Report 2. Location Map 3. Primary Plat 4. Overall Development Plan
Staff Reviewer:	Kevin M. Todd, AICP

BACKGROUND

The subject property is zoned SB-PD: Special Business / Planned Development District, and is pending a change to the Village Park Plaza II PUD District (1910-PUD-32). The property was developed as a regional commercial shopping center known as Village Park Plaza in the late 1980's and early 1990's, before platting was required for non-residential developments. Numerous modifications have occurred to the shopping center since it was initially developed. The proposal is to formally plat portions of the existing commercial center.

PROCEDURAL

Approval of an Overall Development Plan and Primary Plat must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

The petition was reviewed by the Technical Advisory Committee at its September 24, 2019, meeting. This petition received a public hearing at the Plan Commission's October 7, 2019, meeting.

PRIMARY PLAT STANDARDS (Article 10.12(J) of the UDO)

The plans comply.

1) Proposed name of subdivision.
2) Names and addresses of the owner, owners, land surveyor or land planner.
3) Title, scale, north arrow and date.
4) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
5) Easements (locations, widths and purposes). (Article 8.3)
6) Statement concerning the location and approximate size or capacity of utilities to be installed.
7) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
11) Building setback lines. (Article 4.23 & Article 5.3(G))
12) Legend and notes.
13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
14) Other features or conditions which would affect the subdivision favorable or adversely.
15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office
19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.

DEVELOPMENT PLAN DOCUMENTATION REQUIREMENTS (Article 10.7(H) of UDO)

The plans comply.

Development Plan Scope: A Detailed Development Plan shall include all details specific to the individual Lot that is the subject of the application.

20) Scale not more than 1”=100’

21) Title, scale, north arrow and date.

22) Proposed name of the development.

23) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property;

24) Address and legal description of the property.

25) Boundary lines of the property including all dimensions.

26) Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.

27) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.

28) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.

29) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.

30) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements;

31) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

32) Location and dimensions of all existing structures and paved areas.

33) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).

34) Location of all Floodplain areas within the boundaries of the property.

35) Names of legal ditches and streams on or adjacent to the site.

36) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

37) Identify buildings proposed for demolition.

38) Areas of the property reserved for Development Amenities, Open Space and other similar uses.

39) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

DEVELOPMENT PLAN (Article 10.7(E) of the UDO)

The plans comply.

Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.

40) Compliance with all applicable provisions of any Overlay District in which the real estate is located.

41) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:

    a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

    b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

    c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

42) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

WESTFIELD UNIFIED DEVELOPMENT ORDINANCE

The plans comply, pending approval of the requested design waiver (see Item #65)**.**

Zoning Districts (Chapter 4)

43) GB District (Article 4.16) (pending underlying Zoning District, per the pending Village Park Plaza II PUD Ordinance
   a) Minimum Lot Area: No minimum
   b) Minimum Lot Frontage: 80 feet
   c) Minimum Building Setback Lines: **Modified by the pending Village Park Plaza II PUD Ordinance**
   d) Minimum Lot Width: No minimum
   e) Maximum Building Height: 60 feet
   f) Minimum Building Size: No minimum

44) SB-PD District (Article 4.22) – **Not applicable, per pending Village Park Plaza II PUD Ordinance**

Overlay Districts (Chapter 5)

45) US Highway 31 Overlay District (Article 5.2) – **Not applicable, per pending Village Park Plaza II PUD Ordinance**

46) Floodplain Overlay District (Article 5.5)

47) Wellhead Protection District Overlay (Article 5.7) **– Not applicable to platting.**

Development Standards (Chapter 6)

48) Accessory Use and Building Standards (Article 6.1)
49) Architectural Standards (Article 6.3)
50) Building Standards (Article 6.4)
51) Height Standards (Article 6.6)
52) Landscaping Standards (Article 6.8)
53) Lighting Standards (Article 6.9)
54) Lot Standards (Article 6.10)
55) Outdoor Storage and Display (Article 6.21)
56) Outdoor Café and Eating Areas (Article 6.13)
57) Parking Standards (Article 6.14)
58) Performance Standards (Article 6.15)
59) Setback Standards (Article 6.16)

60) Sign Standards (Article 6.17)

61) Vision Clearance Standards (Article 6.19)
62) Yard Standards (Article 6.21)

Design Standards (Chapter 8)

63) Block Standards (Article 8.1)
64) Easement Standards (Article 8.3)
65) Monument and Marker Standards (Article 8.5)
Comment: The petitioner is requesting a waiver from Article 8.5, due to existing infrastructure/development on the site causing difficulty in complying with the requirement to set certain monumentation/markers. The Westfield Public Works Department supports this request.

66) Open Space and Amenity Standards (Article 8.6)
67) Pedestrian Network Standards (Article 8.7)
68) Storm Water Standards (Article 8.8)

69) Streets and Right-of-Way Standards (Article 8.9)

70) Street Light Standards (Article 8.10)

71) Street Sign Standards (Article 8.11)

72) Surety Standards (Article 8.12)

VILLAGE PARK PLAZA II PUD STANDARDS (Pending Approval)

The plans comply.

73) Minimum Building Setback Lines (External Streets): 20 feet

74) Minimum Building Setback Lines (Internal Streets): 0 feet

75) Minimum Building Setback Lines (All Other): 0 feet

STAFF COMMENTS

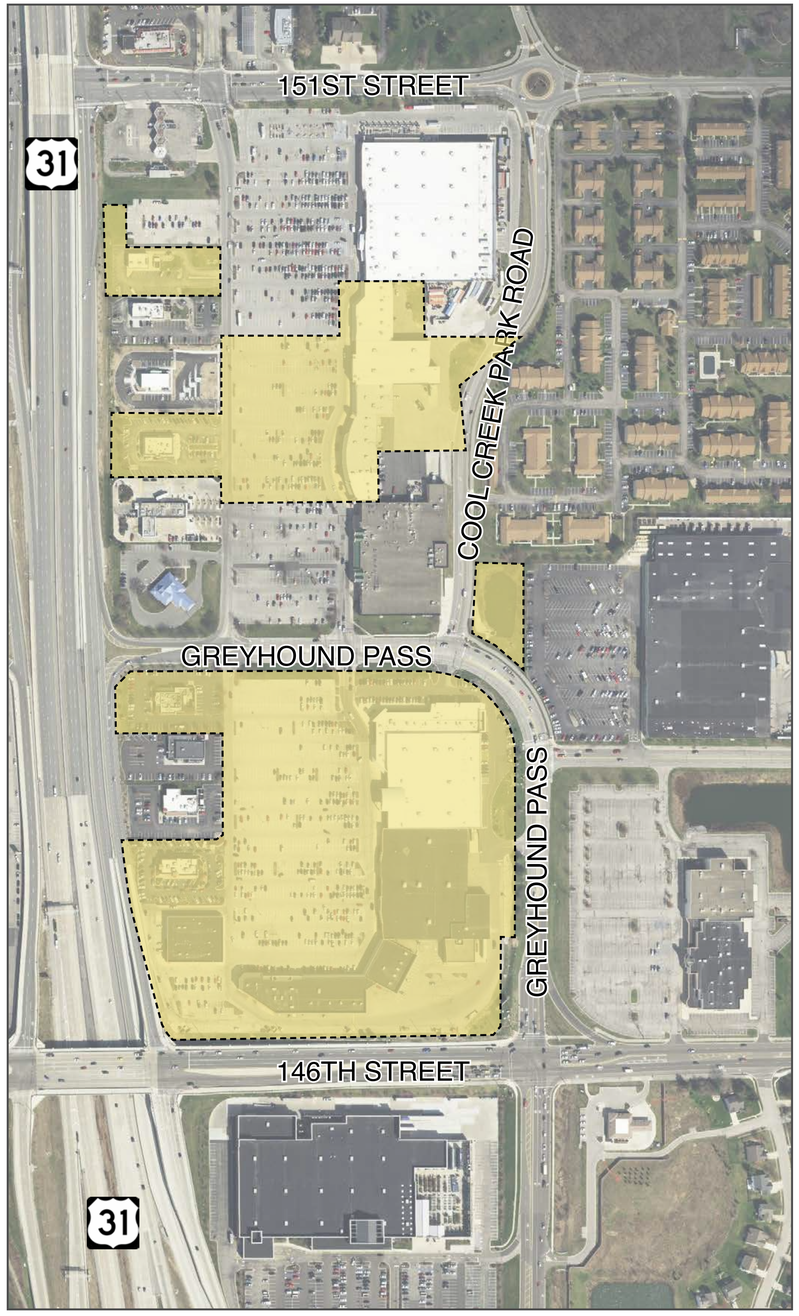
1. **Action: Approve the request to waive the monumentation and marker standards of Article 8.5** (see Item #65 above)**.**

If the APC approves the waiver request (Action Item #1), then:

2. **Action: Approve 1910-ODP-19 & 1910-SPP-19 with the following conditions:**
    a. Approval of 1910-ODP-19 & 1910-SPP-19 is contingent upon the approval of the Village Park Plaza II PUD Ordinance (Ordinance 19-48) by the City Council; and,
    b. All necessary approval be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to approval of a Secondary Plat.

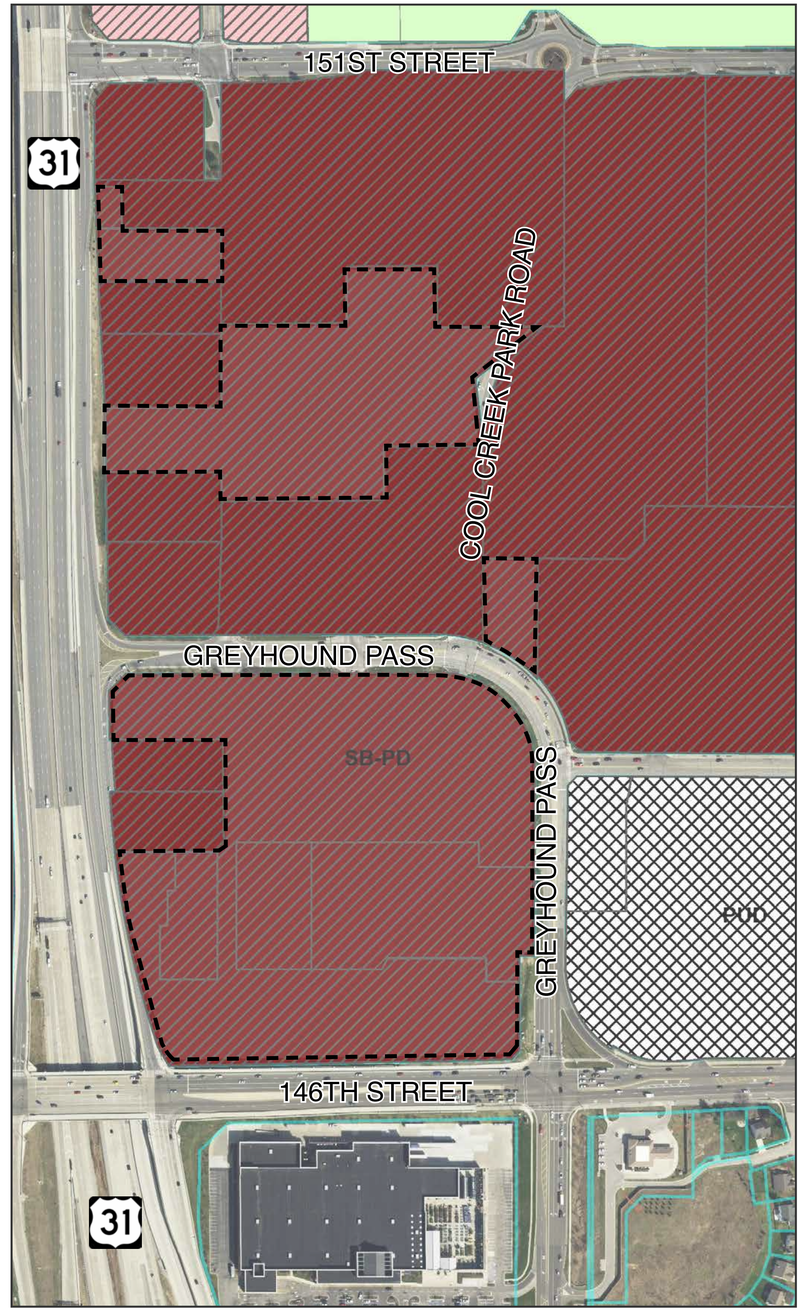
If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at (317) 379-6467 or ktodd@westfield.in.gov.

LOCATION MAP



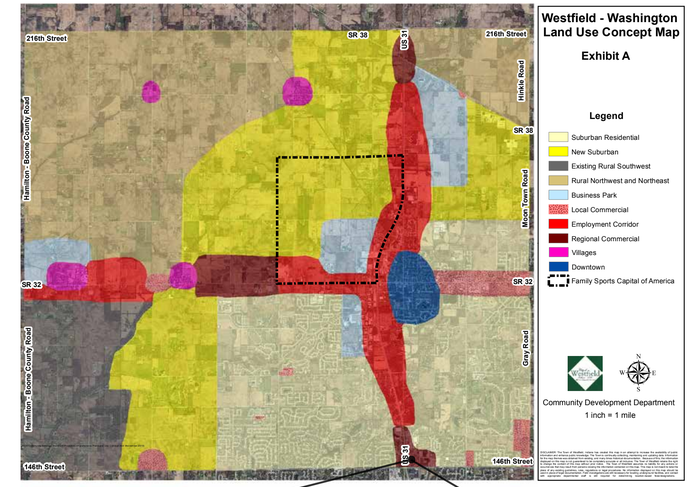
SITE

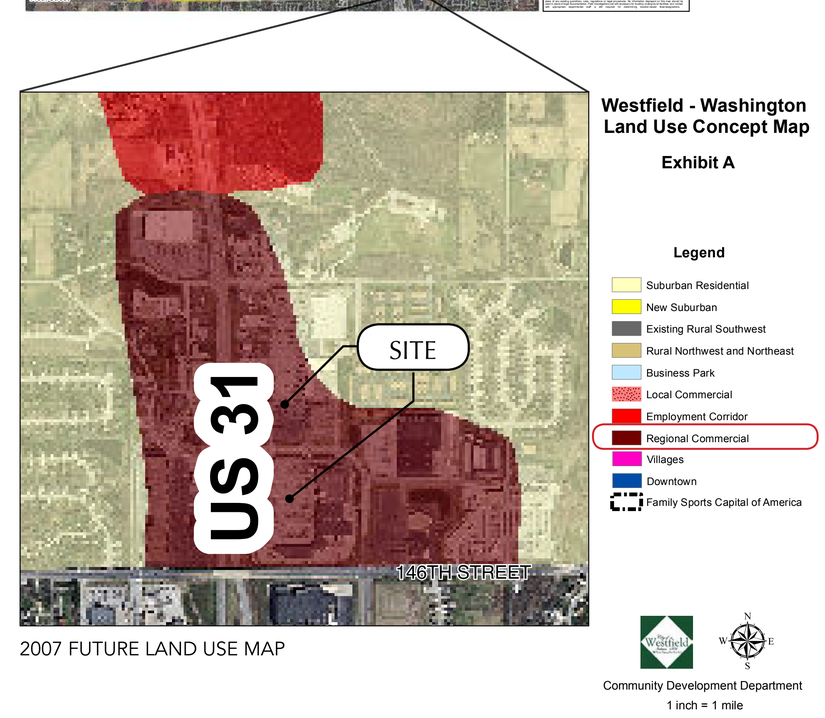
ZONING MAP



SITE

COMPREHENSIVE PLAN





2007 FUTURE LAND USE MAP

WASHINGTON PRIME GROUP™

VILLAGE PARK PLAZA II

PLANNED UNIT DEVELOPMENT DISTRICT

n.t.s.

08.19.19

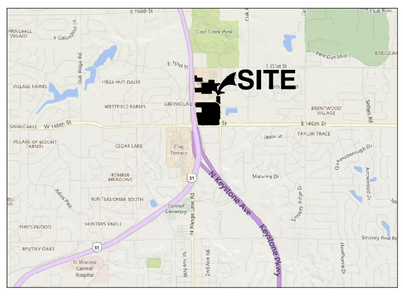
PRIMARY PLAT OF VILLAGE PARK PLAZA II

Part of the Southwest Quarter of Section 18, Township 18 North, Range 4 East
of the Second Principal Meridian, Washington Township, Hamilton County, Indiana

NORTH

DEED BEARINGS

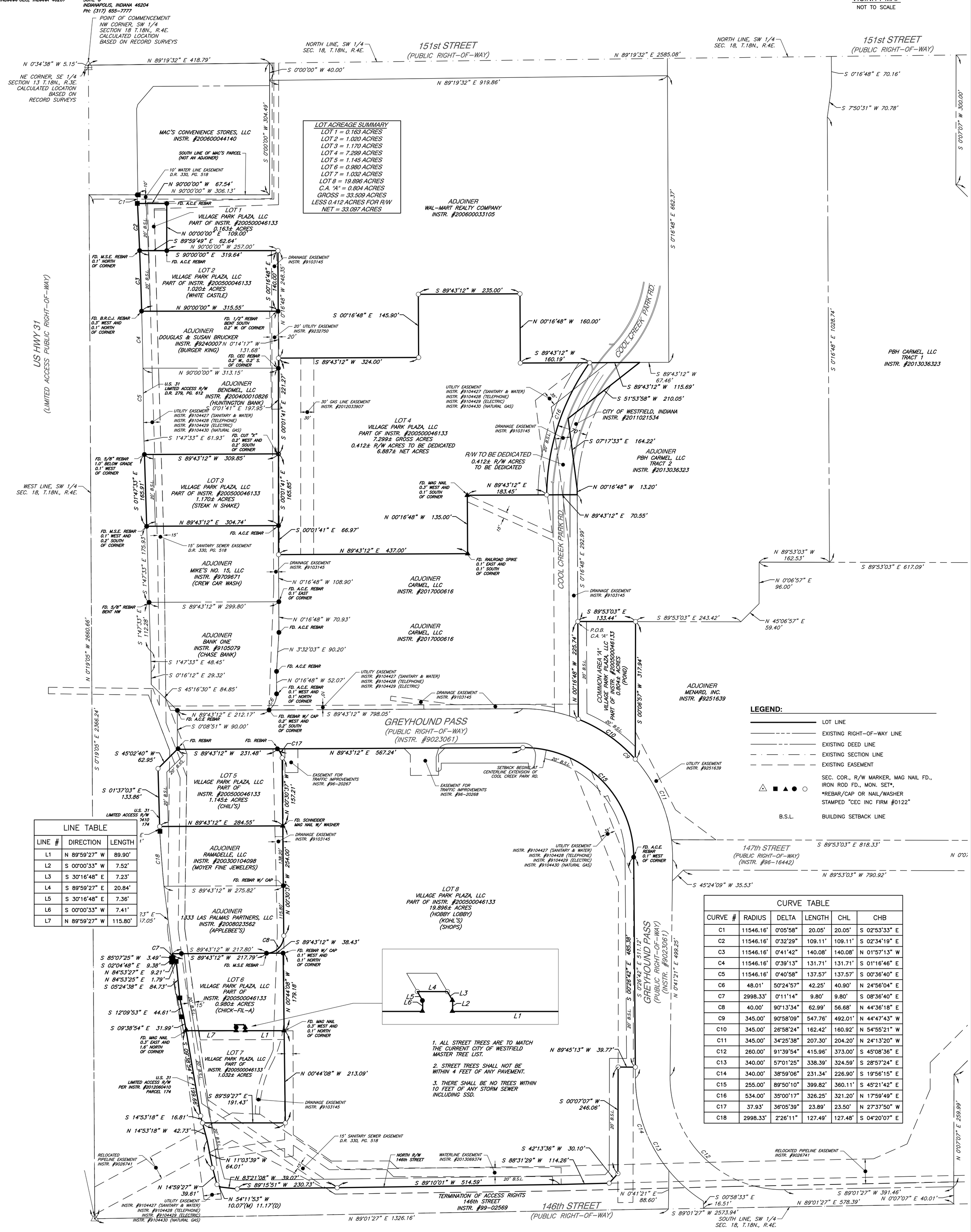
SCALE IN FEET
0 100 200



VICINITY MAP
NOT TO SCALE

OWNER
VILLAGE PARK PLAZA, LLC
P.O. BOX 7019
INDIANAPOLIS, INDIANA 46207

SURVEYOR
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
530 EAST OHIO STREET
SUITE G
INDIANAPOLIS, INDIANA 46204
PH: (317) 655-7777



LEGEND:

- LOT LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING DEED LINE
- EXISTING SECTION LINE
- EXISTING EASEMENT
- SEC. COR., R/W MARKER, MAG NAIL FD., IRON ROD FD., MON. SET*, *REBAR/CAP OR NAIL/WASHER STAMPED "CEC INC FIRM #0122"
- B.S.L. BUILDING SETBACK LINE

LOT ACREAGE SUMMARY

LOT 1	0.163 ACRES
LOT 2	1.020 ACRES
LOT 3	1.170 ACRES
LOT 4	7.299 ACRES
LOT 5	1.145 ACRES
LOT 6	0.980 ACRES
LOT 7	1.032 ACRES
LOT 8	19.896 ACRES
C.A. "A"	0.804 ACRES
GROSS	33.509 ACRES
LESS 0.412 ACRES FOR R/W	
NET	33.097 ACRES

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N 89°59'27" W	89.90'
L2	S 00°00'33" W	7.52'
L3	S 30°16'48" E	7.23'
L4	S 89°59'27" E	20.84'
L5	S 30°16'48" E	7.36'
L6	S 00°00'33" W	7.41'
L7	N 89°59'27" W	115.80'

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHL	CHB
C1	11546.16'	0°05'58"	20.05'	20.05'	S 02°53'33" E
C2	11546.16'	0°32'29"	109.11'	109.11'	S 02°34'19" E
C3	11546.16'	0°41'42"	140.08'	140.08'	N 01°57'13" W
C4	11546.16'	0°39'13"	131.71'	131.71'	S 01°16'46" E
C5	11546.16'	0°40'58"	137.57'	137.57'	S 00°36'40" E
C6	48.01'	50°24'57"	42.25'	40.90'	N 24°56'04" E
C7	2998.33'	0°11'14"	9.80'	9.80'	S 08°36'40" E
C8	40.00'	90°13'34"	62.99'	56.68'	N 44°36'18" E
C9	345.00'	90°58'09"	547.76'	492.01'	N 44°47'43" W
C10	345.00'	26°58'24"	162.42'	160.92'	N 54°55'21" W
C11	345.00'	34°25'38"	207.30'	204.20'	N 24°13'20" W
C12	260.00'	91°39'54"	415.96'	373.00'	S 45°08'36" E
C13	340.00'	57°01'25"	338.39'	324.59'	S 28°57'24" E
C14	340.00'	38°59'06"	231.34'	226.90'	S 19°56'15" E
C15	255.00'	89°50'10"	399.82'	360.11'	S 45°21'42" E
C16	534.00'	35°00'17"	326.25'	321.20'	N 17°59'49" E
C17	37.93'	36°05'39"	23.89'	23.50'	N 27°37'50" W
C18	2998.33'	2°26'11"	127.49'	127.48'	S 04°20'07" E

1. ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.
2. STREET TREES SHALL NOT BE WITHIN 4 FEET OF ANY PAVEMENT.
3. THERE SHALL BE NO TREES WITHIN 10 FEET OF ANY STORM SEWER INCLUDING SSD.

DRAWING NO.: PP1
SHEET 1 OF 2

PRIMARY PLAT
VILLAGE PARK PLAZA II

DATE:	APRIL 16, 2018	DRAWN BY:	TJT
DWG SCALE:	1"=100'	CHECKED BY:	ABS
PROJECT NO:			180-332
APPROVED BY:			ABS

WASHINGTON PRIME GROUP, INC.
VILLAGE PARK PLAZA
WESTFIELD, INDIANA

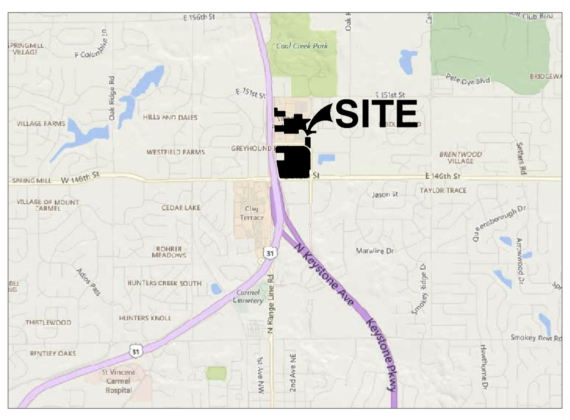
Civil & Environmental Consultants, Inc.
530 E. Ohio Street · Suite G - Indianapolis, IN 46204
317-655-7777 · 877-746-0749
www.cecinc.com

REVISION RECORD

NO	DATE	DESCRIPTION
	8/2/19	CURRENT VERSION

PRIMARY PLAT OF VILLAGE PARK PLAZA II

Part of the Southwest Quarter of Section 18, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana



VICINITY MAP
NOT TO SCALE

OWNER
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P.O. BOX 7019
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PH: (317) 655-7777

LAND DESCRIPTION

THE FOLLOWING DESCRIPTION IS THE REMAINDER OF PARCEL 1 IN INSTRUMENT NUMBER 200500046133.

PARCEL 1:

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER AND BEING THE POINT OF BEGINNING OF THE DESCRIPTION OF THE 13.590 ACRE TRACT OF LAND DESCRIBED IK A LIMITED WARRANTY DEED RECORDED AS INSTRUMENT #90 10609 IN SAID RECORDER'S OFFICE, THE NEXT THIRTEEN (13) COURSES ARE ALONG THE BOUNDARY OF SAID 13.590 ACRE TRACT OF LAND; 1.) THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET; 2.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; 3.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET TO THE TERMINUS OF THE FOURTH (4TH) COURSE OF THE DESCRIPTION OF THE 52.495 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #9010607, IN SAID RECORDER'S OFFICE AND THE POINT OF BEGINNING OF THIS DESCRIPTION 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 275.88 FEET; 5.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 160.00 FEET; 6.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 235.00 FEET; 7.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 145.90 FEET; 8.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 324.00 FEET; 9.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 248.35 FEET; 10.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 257.00 FEET; 11.) THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 109.00 FEET; 12.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 67.54 FEET TO THE EASTERN LIMITED ACCESS RIGHT·OF-WAY LINE FOR U.S. ROAD #31 (REF.: WARRANTY DEED RECORDED AS INSTRUMENT #12008 IN DEED RECORD 279, PAGE 612, IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 09 MINUTES 26 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; 13.) THENCE NORTHERLY 20.03 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE SOUTHWESTERN CORNER OF SAID 1.959 ACRE TRACT OF LAND, SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 110.95 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 19 MINUTES 05 SECONDS EAST 2,366.24 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO ITS SOUTHWEST CORNER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 1,326.16 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE TERMINUS OF THE NINTH (9TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND; THENCE NORTH 00 DEGREES 41 MINUTES 21 SECONDS EAST 88.60 FEET ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND TO A POINT ON THE WESTERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION RECORDED AS INSTRUMENT 9023061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE EAST AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE NORTHWESTERLY AND NORTHERLY 231.34 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 33 MINUTES 18 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE NORTH 00 DEGREES 26 MINUTES 42 SECONDS WEST 511.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 33 MINUTES 18 SECONDS EAST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 3.) THENCE NORTHERLY, NORTHWESTERLY, AND WESTERLY 399.82 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 798.72 FEET; 5.) THENCE NORTH 00 DEGREES 08 MINUTES 51 SECONDS EAST 90.00 FEET TO THE NORTHWESTERN CORNER OF GREYHOUND PASS; THENCE NORTH 45 DEGREES 16 MINUTES 30 SECONDS WEST 84.84 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR STATE ROAD #431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN SAID RECORDER'S OFFICE); THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 29.33 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREE 47 MINUTES 33 SECONDS WEST 48.45 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE SOUTHERN TERMINUS OF SAID EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S. ROAD #3I; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 112.29 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE NORTHWESTERN CORNER OF A 1.64 ACRE TRACT OF LAND; DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 5079 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.80 FEET ALONG THE NORTHERN BOUNDARY OF SAID 1.64 ACRE TRACT OF LAND TO ITS NORTHEASTERN CORNER ON THE WESTERN BOUNDARY OF A 6.528 ACRE TRACT OF LAND, DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 7977 IN SAID RECORDER'S OFFICE; THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF SAID 6.528 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 108.90 FEET; 2.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 437.00 FEET; 3.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 135.00 FEET; 4.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 254.00 FEET TO THE NORTHEASTERN CORNER OF SAID 6.528 ACRE TRACT OF LAND ON THE SEVENTH (7TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND, THE NEXT THREE (3) COURSES ARE ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 13.20 FEET; 2.) THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST 164.22 FEET; 3.) THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST 210.05 FEET TO THE POINT OF BEGINNING.

EXCEPT:

(BURGER KING)
A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 269.22 FEET TO A POINT BEING NORTH 88 DEGREES 23 MINUTES 38 SECONDS EAST 11546.16 FEET FROM SAID RADIUS POINT, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 315.55 FEET TO A POINT ON A WEST LINE OF A TRACT OF LAND DEEDED TO WAL-MART STORES, INC. PER WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 90-10609, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE 108.35 FEET TO THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 23.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 313.15 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT·OF·WAY, BEING ALSO A POINT ON THE ABOVE DESCRIBED CURVE; THENCE NORTHERLY ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE AND SAID CURVE AN ARC DISTANCE OF 131.71 FEET TO THE POINT OF BEGINNING. CONTAINING 0.950 ACRES+/- OR 41,382.05 SQUARE FEET.

ALSO EXCEPT:

(EAST SIDE MARIO'S NOW HUNTINGTON BANK)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO THE PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 400.93 FEET ALONG SAID CURVE TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 313.15 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 197.95 FEET THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 309.85 FEET TO SAID EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT TWO COURSES: (1) NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 61.92 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; (2) NORTHERLY 137.58 FEET TO THE POINT OF BEGINNING. CONTAINING 1.423 ACRES+/- OR 61,696 SQUARE FEET.

ALSO EXCEPT:

(MIKE'S CAR WASH NOW CREW CAR WASH)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418. 79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES: (1) SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 538.52 FEET TO THE END POINT OF SAID CURVE, SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM SAID RADIUS POINT; (2) SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG A NON-TANGENT LINE 227.83 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.74 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 66.97 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 108.90 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.80 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT-OF-WAY; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE 175.93 FEET TO THE POINT OF BEGINNING. CONTAINING 1.220ACRES +/- OR 53,143.20 SQUARE FEET.

ALSO EXCEPT - (ROOSTERS/MOYER JEWELERS):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336 PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION FOR THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT·OF·WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT·OF·WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT·OF·WAY LINE FOR SAID GREYHOUND PASS; BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT·OF·WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 77.99 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 88 DEGREES 55 MINUTES 38 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.30 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 138.20 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.85 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 138.30 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINING 0.960 ACRES+/· OR 41,818 SQUARE FEET MORE OR LESS.

LAND DESCRIPTION CONTINUED

ALSO EXCEPT:

(APPLEBEE'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT-OF-WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE FOR SAID GREYHOUND PASS, BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 216.29 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.85 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 115.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES 13 MINUTES 49 SECONDS THENCE SOUTHERLY, SOUTHWESTERLY, AND WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 62.99 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 44 DEGREES 36 MINUTES 18 SECONDS WEST 56.68 FEET), TO THE POINT OF TANGENCY THEREOF; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 247.23 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 83 DEGREES 28 MINUTES 35 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 156.53 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINING 1.046 ACRES +/- OR 45,551 SQUARE FEET MORE OR LESS.

ALSO EXCEPT - (146th STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET) TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE CONTINUING NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 0.457 METERS (1.50 FEET) TO THE EASTERN BOUNDARY OF SR 431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA); THENCE NORTH 63 DEGREES 19 MINUTES 48 SECONDS WEST 14.452 METERS (47.41 FEET) ALONG THE BOUNDARY OF SAID SR 431; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 60.960 METERS (200.00 FEET) ALONG SAID BOUNDARY; THENCE NORTH 50 DEGREES 32 MINUTES 10 SECONDS WEST 15.121 METERS (49.61 FEET) ALONG SAID BOUNDARY; THENCE SOUTH 83 DEGREES 21 MINUTES 08 SECONDS EAST 21.023 METERS (68.97 FEET); THENCE NORTH 89 DEGREES 15 MINUTES 51 SECONDS EAST 70.328 METERS (230.73 FEET) TO THE NORTH LINE OF A 15.00 FEET WIDE SANITARY SEWER EASEMENT DESCRIBED IN EXHIBIT "A" OF THE SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #33672, IN DEED RECORD 330, PAGES 512 TO 519; THENCE NORTH 89 DEGREES 10 MINUTES 01 SECOND EAST 156.847 METERS (514.59 FEET) ALONG THE NORTH LINE OF SAID WATER LINE EASEMENT; THENCE NORTH 88 DEGREES 31 MINUTES 29 SECONDS EAST 34.827 METERS (114.26 FEET) ALONG SAID NORTH LINE; THENCE NORTH 42 DEGREES 13 MINUTES 36 SECONDS EAST 9.175 METERS (30.10 FEET) TO THE WEST LINE OF A SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #9104427; THENCE NORTH O DEGREE 07 MINUTES 07 SECONDS EAST 75.000 METERS (246.06 FEET) ALONG THE WEST LINE OF SAID SANITARY SEWER AND WATER LINE EASEMENT; THENCE SOUTH 89 DEGREES 45 MINUTES 13 SECONDS EAST 12.121 METERS (39.77 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE SOUTH 0 DEGREES 26 MINUTES 42 SECONDS EAST 7.845 METERS (25.74 FEET) ALONG THE WEST BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTHEASTERLY 103.142 METERS (338.39 FEET) ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 103.632 METERS (340.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 28 DEGREES 57 MINUTES 26 SECONDS EAST AND A LENGTH OF 98.937 METERS (324.60 FEET) ALONG SAID BOUNDARY TO THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE BOUNDARY OF SAID 146TH STREET TO THE POINT OF BEGINNING AND CONTAINING 0.5838 HECTARES (1.443 ACRES) MORE OR LESS.

ALSO EXCEPT (PARCEL 7A):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SECTION NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET); IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 263.746 METERS (865.31 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED THENCE SOUTH O DEGREES 58 MINUTES 33 SECONDS EAST 5.029 METERS (16.50 FEET) TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1326 HECTARE (0.328 ACRES) MORE OR LESS.

ALSO EXCEPT

PARCEL 174- FEE SIMPLE WITH FULL LIMITATION OF ACCESS

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 09 MINUTES 50 SECONDS EAST 542.00 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 50 MINUTES 11 SECONDS WEST 18.01 FEET; THENCE NORTH 63 DEGREES 11 MINUTES 25 SECONDS WEST 47.41 FEET; THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 200.00 FEET; THENCE NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 49.10 FEET TO THE NORTHERN BOUNDARY OF 146TH /STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE CONTINUING NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 21.10 FEET TO THE EASTERN BOUNDARY OF U.S-31; THENCE ALONG SAID BOUNDARY NORTHWESTERLY 507.92 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 5,624.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 6 DEGREES 29 MINUTES 53 SECONDS WEST AND A LENGTH OF 507.74 FEET; THENCE NORTH 84 DEGREES 58 MINUTES 53 SECONDS EAST 1.79 FEET TO POINT "17407" DN SAID PLAT; THENCE SOUTH 5 DEGREES 14 MINUTES 07 SECONDS EAST 84.73 FEET TO POINT "17406" ON SAID PLAT; THENCE SOUTH FL DEGREES 59 MINUTES 22 SECONDS EAST 44.61 FEET TO POINT "17405" ON SAID PLAT; THENCE SOUTH 9 DEGREES 28 MINUTES 23 SECONDS EAST 231.65 FEET TO POINT "17404" ON SAID PLAT; THENCE SOUTH 14 DEGREES 42 R:AINUTES 47 SECONDS EAST 59.54 FEET TO POINT "17403" ON SAID PLAT; THENCE SOUTH 10 DEGREES 53 MINUTES 08 SECONDS EAST 64.01 FEET TO POINT "17402" ON SAID PLAT; THENCE SOUTH 14 DEGREES 48 MINUTES 56 SECONDS EAST 39.61 FEET TO POINT "17401" ON SAID PLAT; THENCE SOUTH 54 DEGREES 01 MINUTE 22 SECONDS EAST 11.17 FEET TO THE NORTHERN BOUNDARY OF SAID 146TH /STREET, DESIGNATED AS POINT "17400" ON SAID PLAT; THENCE NORTH 83 DEGREES 08 MINUTES 03 SECONDS WEST 29.90 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.199 ACRES, MORE OR LESS.

ALSO EXCEPT

PARCEL 174A- FEE SIMPLE WITH FULL LIMITATION OF ACCESS

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 8 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89. DEGREES 09 MINUTES 50 SECONDS EAST 542.00 FEETA LONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 50 MINUTES IL SECONDS WEST 18.01 FEET; THENCE NORTH 63 DEGREES 11 MINUTES 25 SECONDS WEST 47.41 FEET; THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 200.00 FEET; THENCE NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 49.10 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 53.39 FEET TO THE EASTERN BOUNDARY OF U.S. 3 1; THENCE ALONG SAID BOUNDARY NORTHERLY 893.32 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 5,671.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 5 DEGREES 09 MINUTES 43 SECONDS WEST AND A LENGTH OF 892.39 FEET; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS. WEST 123.97 FEET ALONG SAID BOUNDARY; THENCE NORTH 4 DEGREES 27 MINUTES 12 SECONDS EAST 87.55 FEET ALONG SAID BOUNDARY; THENCE NORTH 0 DEGREES 07 MINUTES 58 SECONDS WEST 58.67 FEET ALONG SAID BOUNDARY; THENCE SOUTH 44 DEGREES 56 MINUTES 09 SECONDS EAST 84.81 FEET TO THE NORTH BOUNDARY OF GREYHOUND PASS; THENCE SOUTH 0 DEGREES 36 MINUTES 36 SECONDS WEST 90.01 FEET TO THE SOUTH BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTH 45 DEGREES 12 MINUTES 08 SECONDS WEST 62.95 FEET TO POINT "17433" ON SAID PLAT; THENCE SOUTH 1 DEGREE 34 MINUTES 18 SECONDS EAST 133.63 FEET TO THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN INSTRUMENT 200300104098; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 19.75 FEET ALONG SAID LINE TO THE NORTHWEST CORNER OF SAID TRACT; THENCE ALONG THE WESTERN LINE OF SAID TRACT AND ALONG THE WESTERN LINE OF THE TRACT OF LAND DESCRIBED IN INSTRUMENT 2008023562 SOUTHERLY 293.99 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 3,099.10 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 3 DEGREES 38 MINUTES 03 SECONDS EAST AND A LENGTH OF 293.88 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE NORTH 89 52 MINUTES 34 SECONDS EAST 29.44 FEET ALONG THE SOUTH LINE OF SAID TRACT; THENCE SOUTHEASTERLY 9.80 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 2,998.33 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 8 DEGREES 28 MINUTES 14 SECONDS EAST AND A LENGTH OF 9.80 FEET TO POINT "17430" ON SAID PLAT; THENCE SOUTH 85 DEGREES 15 MINUTES 51 SECONDS WEST 3.49 FEET TO POINT "17410" ON SAID PLAT; THENCE SOUTH I DEGREE 56 MINUTES 22 SECONDS EAST 9.38 FEET TO POINT "17409" ON SAID PLAT; THENCE NORTH 84 DEGREES 58 MINUTES 55 SECONDS EAST 9.21 FEET; THENCE SOUTHEASTERLY 507.92 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 5,624.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 6 DEGREES 29 MINUTES 53 SECONDS EAST AND A LENGTH OF 507.74 FEET; THENCE SOUTH 49 DEGREES 54 MINUTES 41 SECONDS EAST 21.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.830 ACRES, MORE OR LESS, SUBJECT TO THE STATE OF INDIANA'S RIGHTS AND INTEREST IN THE SUBJECT PARCEL AS RECORDED IN A RIGHT OF WAY GRANT IN INSTRUMENT NO. 147 IN DEED RECORD171 PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA WHICH CONTAINS 0.768 ACRES, MORE OR LESS.

LAND DESCRIPTION OF COMMON AREA "A"

THE FOLLOWING DESCRIPTION IS THE REMAINDER OF PARCEL 2 IN INSTRUMENT NUMBER 200500046133.

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) A DISTANCE OF 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83 3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST A DISTANCE OF 919.86 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST A DISTANCE OF 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST A DISTANCE OF 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 306.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 133.44 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 57 SECONDS WEST A DISTANCE OF 317.94 FEET TO A POINT ON THE NORTHERN BOUNDARY OF GREYHOUND PASS PER DEED OF DEDICATION RECORDED AS INSTRUMENT NUMBER 90-23061 IN SAID RECORDER'S OFFICE, BEING A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 345.00 FEET, THE RADIUS POINT OF WHICH BEARS SOUTH 48 DEGREES 33 MINUTES 51 SECONDS WEST; THENCE ALONG SAID NORTHERN BOUNDARY OF GREYHOUND PASS NORTHWESTERLY AN ARC DISTANCE OF 162.42 FEET TO A POINT WHICH BEARS NORTH 21 DEGREES 35 MINUTES 27 SECONDS EAST FROM SAID RADIUS POINT; THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 225.74 FEET TO THE POINT OF BEGINNING, CONTAINING 0.804 ACRES OF LAND, MORE OR LESS.

SHEET 2 OF 2	DRAWING NO.: PP2		
PRIMARY PLAT VILLAGE PARK PLAZA II			
DATE:	APRIL 16, 2018	DRAWN BY:	TJT
DWG SCALE:	1"=100'	CHECKED BY:	ABS
PROJECT NO:			180-332
APPROVED BY:			ABS

WASHINGTON PRIME GROUP, INC.
VILLAGE PARK PLAZA
WESTFIELD, INDIANA

CEC
Civil & Environmental Consultants, Inc.
530 E. Ohio Street · Suite G - Indianapolis, IN 46204
317-655-7777 · 877-746-0749
www.cecinc.com

REVISION RECORD

NO	DATE	DESCRIPTION
	8/2/19	CURRENT VERSION

NORTH

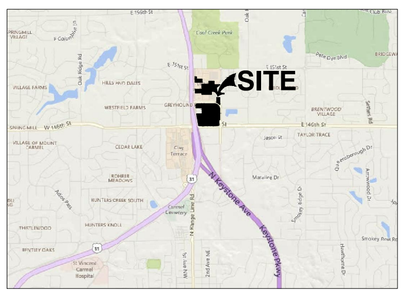
DEED BEARINGS

OWNER
VILLAGE PARK PLAZA, LLC
P.O. BOX 7019
INDIANAPOLIS, INDIANA 46207

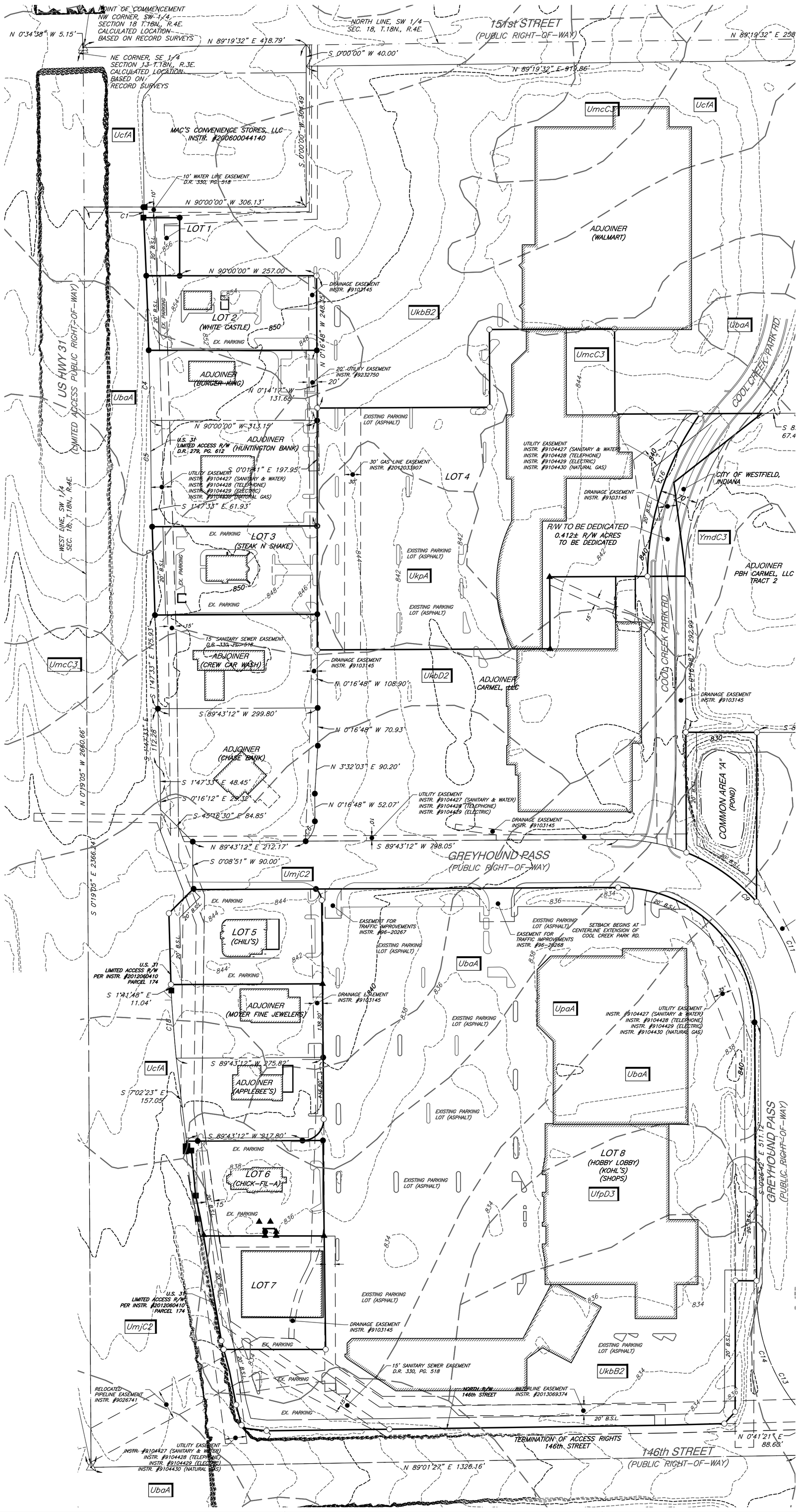
SURVEYOR
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
530 EAST OHIO STREET
SUITE G
INDIANAPOLIS, INDIANA 46204
PH: (317) 655-7777

VILLAGE PARK PLAZA II
OVERALL DEVELOPMENT PLAN

Part of the Southwest Quarter of Section 18, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana



VICINITY MAP
NOT TO SCALE



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CrA	Crosby silt loam, fine-loamy subsoil, 0 to 2 percent slopes	0.5	0.5%
MoC3	Miami clay loam, 6 to 12 percent slopes, severely eroded	0.4	0.4%
UbaA	Urban land-Brookston complex, 0 to 2 percent slopes	21.3	18.8%
UcfA	Urban land-Crosby silt loam complex, fine-loamy subsoil, 0 to 2 percent slopes	14.8	13.0%
UfpD3	Urban land-Fox clay loam complex, 8 to 18 percent slopes, severely eroded	5.0	4.4%
UkbB2	Urban land-Miami silt loam complex, 2 to 6 percent slopes, eroded	20.4	18.0%
UkbD2	Urban land-Miami silt loam complex, 12 to 18 percent slopes, eroded	6.3	5.6%
UkpA	Urban land-Ockley silt loam complex, 0 to 2 percent slopes	2.3	2.0%
UmcC3	Urban land-Miami clay loam complex, 6 to 12 percent slopes, severely eroded	9.9	8.7%
UmjC2	Urban land-Miami silt loam complex, 6 to 12 percent slopes, eroded	10.9	9.6%
UpaA	Urban land-Patton silty clay loam complex, 0 to 2 percent slopes	8.5	7.5%
YbvA	Brookston silty clay loam-Urban land complex, 0 to 2 percent slopes	1.5	1.3%
YmdC3	Miami clay loam-Urban land complex, 6 to 12 percent slopes, severely eroded	3.2	2.8%
YmsB2	Miami silt loam-Urban land complex, 2 to 6 percent slopes, eroded	1.7	1.5%

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHL	CHB
C1	11546.16'	0°05'58"	20.05'	20.05'	S 02°53'33" E
C2	11546.16'	0°32'29"	109.11'	109.11'	S 02°34'19" E
C3	11546.16'	0°41'42"	140.08'	140.08'	N 01°57'13" W
C4	11546.16'	0°39'13"	131.71'	131.71'	S 01°16'46" E
C5	11546.16'	0°40'58"	137.57'	137.57'	S 00°36'40" E
C6	48.01'	50°24'57"	42.25'	40.90'	N 24°56'04" E
C7	2998.33'	0°11'14"	9.80'	9.80'	S 08°36'40" E
C8	40.00'	90°13'34"	62.99'	56.68'	N 44°36'18" E
C9	345.00'	90°58'09"	547.76'	492.01'	N 44°47'43" W
C10	345.00'	26°58'24"	162.42'	160.92'	N 54°55'21" W
C11	345.00'	34°25'38"	207.30'	204.20'	N 24°13'20" W
C12	260.00'	91°39'54"	415.96'	373.00'	S 45°08'36" E
C13	340.00'	57°01'25"	338.39'	324.59'	S 28°57'24" E
C14	340.00'	38°59'06"	231.34'	226.90'	S 19°56'15" E
C15	255.00'	89°50'10"	399.82'	360.11'	S 45°21'42" E
C16	534.00'	35°00'17"	326.25'	321.20'	N 17°59'49" E
C17	37.93'	36°05'39"	23.89'	23.50'	N 27°37'50" W
C18	2998.33'	2°26'11"	127.49'	127.48'	S 04°20'07" E

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N 89°59'27" W	89.90'
L2	S 00°00'33" W	7.52'
L3	S 30°16'48" E	7.23'
L4	S 89°59'27" E	20.84'
L5	S 30°16'48" E	7.36'
L6	S 00°00'33" W	7.41'
L7	N 89°59'27" W	115.80'

LOT ACREAGE SUMMARY

LOT 1 = 0.163 ACRES
LOT 2 = 1.020 ACRES
LOT 3 = 1.170 ACRES
LOT 4 = 7.299 ACRES
LOT 5 = 1.145 ACRES
LOT 6 = 0.980 ACRES
LOT 7 = 1.032 ACRES
LOT 8 = 19.896 ACRES
C.A. "A" = 0.804 ACRES
GROSS = 33.509 ACRES
LESS 0.412 ACRES FOR R/W
NET = 33.097 ACRES

LEGEND:

- LOT LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING DEED LINE
- EXISTING SECTION LINE
- EXISTING EASEMENT
- SEC. COR., R/W MARKER, MAG NAIL FD., IRON ROD FD., MON. SET*, *REBAR/CAP OR NAIL/WASHER STAMPED "CEC INC FIRM #0122"
- (M) (P) (D) (C) — MEASURED, PLAT, DEED, CALCULATED
- UcfA — SOIL IDENTIFICATION LABEL

1. ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST.
2. STREET TREES SHALL NOT BE WITHIN 4 FEET OF ANY PAVEMENT.
3. THERE SHALL BE NO TREES WITHIN 10 FEET OF ANY STORM SEWER INCLUDING SSD.

SCALE IN FEET
0 100 200

DRAWING NO.: DP
SHEET 1 OF 2

OVERALL DEVELOPMENT PLAN
VILLAGE PARK PLAZA II

DATE:	AUGUST 29, 2019	DRAWN BY:	NRB/TJT/ABS
DWG SCALE:	1"=100'	CHECKED BY:	ABS
PROJECT NO:			180-332
APPROVED BY:			ABS

WASHINGTON PRIME GROUP, INC.
VILLAGE PARK PLAZA
WESTFIELD, INDIANA

CEC
Civil & Environmental Consultants, Inc.
530 E. Ohio Street · Suite G - Indianapolis, IN 46204
317-655-7777 · 877-746-0749
www.cecinc.com

REVISION RECORD

NO	DATE	DESCRIPTION
	8/2/19	CURRENT VERSION

VILLAGE PARK PLAZA II
OVERALL DEVELOPMENT PLAN

Part of the Southwest Quarter of Section 18, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana

LAND DESCRIPTION

THE FOLLOWING DESCRIPTION IS THE REMAINDER OF PARCEL 1 IN INSTRUMENT NUMBER 200500046133.

PARCEL 1:

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER AND BEING THE POINT OF BEGINNING OF THE DESCRIPTION OF THE 13.590 ACRE TRACT OF LAND DESCRIBED IK A LIMITED WARRANTY DEED RECORDED AS INSTRUMENT #90 10609 IN SAID RECORDER'S OFFICE, THE NEXT THIRTEEN (13) COURSES ARE ALONG THE BOUNDARY OF SAID 13.590 ACRE TRACT OF LAND; 1.) THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST 919.86 FEET; 2.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 662.37 FEET; 3.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 67.46 FEET TO THE TERMINUS OF THE FOURTH (4TH) COURSE OF THE DESCRIPTION OF THE 52.495 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #9010607, IN SAID RECORDER'S OFFICE AND THE POINT OF BEGINNING OF THIS DESCRIPTION 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 275.88 FEET; 5.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 160.00 FEET; 6.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 235.00 FEET; 7.) THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 145.90 FEET; 8.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 324.00 FEET; 9.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 248.35 FEET; 10.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 257.00 FEET; 11.) THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 109.00 FEET; 12.) THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 67.54 FEET TO THE EASTERN LIMITED ACCESS RIGHT·OF-WAY LINE FOR U.S. ROAD #31 (REF.: WARRANTY DEED RECORDED AS INSTRUMENT #12008 IN DEED RECORD 279, PAGE 612, IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 09 MINUTES 26 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; 13.) THENCE NORTHERLY 20.03 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE SOUTHWESTERN CORNER OF SAID 1.959 ACRE TRACT OF LAND, SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 110.95 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 19 MINUTES 05 SECONDS EAST 2,366.24 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO ITS SOUTHWEST CORNER; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 1,326.16 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE TERMINUS OF THE NINTH (9TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND; THENCE NORTH 00 DEGREES 41 MINUTES 21 SECONDS EAST 88.60 FEET ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND TO A POINT ON THE WESTERN BOUNDARY OF GREYHOUND PASS (REF.: DEED OF DEDICATION RECORDED AS INSTRUMENT 9023061 IN SAID RECORDER'S OFFICE), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE EAST AND BEING SOUTH 50 DEGREES 34 MINUTES 12 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THE NEXT FIVE (5) COURSES ARE ALONG THE BOUNDARY OF GREYHOUND PASS; 1.) THENCE NORTHWESTERLY AND NORTHERLY 231.34 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING SOUTH 89 DEGREES 33 MINUTES 18 SECONDS WEST 340.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 2.) THENCE NORTH 00 DEGREES 26 MINUTES 42 SECONDS WEST 511.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID POINT OF CURVATURE BEING NORTH 89 DEGREES 33 MINUTES 18 SECONDS EAST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 3.) THENCE NORTHERLY, NORTHWESTERLY, AND WESTERLY 399.82 FEET ALONG SAID CURVE TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY BEING NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 255.00 FEET FROM THE RADIUS POINT OF SAID CURVE; 4.) THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 798.72 FEET; 5.) THENCE NORTH 00 DEGREES 08 MINUTES 51 SECONDS EAST 90.00 FEET TO THE NORTHWESTERN CORNER OF GREYHOUND PASS; THENCE NORTH 45 DEGREES 16 MINUTES 30 SECONDS WEST 84.84 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR STATE ROAD #431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN SAID RECORDER'S OFFICE); THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 29.33 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREE 47 MINUTES 33 SECONDS WEST 48.45 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE SOUTHERN TERMINUS OF SAID EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S. ROAD #3l; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 112.29 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE NORTHWESTERN CORNER OF A 1.64 ACRE TRACT OF LAND; DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 5079 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.80 FEET ALONG THE NORTHERN BOUNDARY OF SAID 1.64 ACRE TRACT OF LAND TO ITS NORTHEASTERN CORNER ON THE WESTERN BOUNDARY OF A 6.528 ACRE TRACT OF LAND, DESCRIBED IN A SPECIAL (LIMITED) WARRANTY DEED RECORDED AS INSTRUMENT NO. 91 7977 IN SAID RECORDER'S OFFICE; THE NEXT FOUR (4) COURSES ARE ALONG THE BOUNDARY OF SAID 6.528 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 108.90 FEET; 2.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 437.00 FEET; 3.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 135.00 FEET; 4.) THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 254.00 FEET TO THE NORTHEASTERN CORNER OF SAID 6.528 ACRE TRACT OF LAND ON THE SEVENTH (7TH) COURSE OF THE DESCRIPTION OF SAID 52.495 ACRE TRACT OF LAND, THE NEXT THREE (3) COURSES ARE ALONG THE BOUNDARY OF SAID 52.495 ACRE TRACT OF LAND; 1.) THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 13.20 FEET; 2.) THENCE NORTH 07 DEGREES 17 MINUTES 33 SECONDS WEST 164.22 FEET; 3.) THENCE NORTH 51 DEGREES 53 MINUTES 58 SECONDS EAST 210.05 FEET TO THE POINT OF BEGINNING.

EXCEPT:

(BURGER KING)
A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 269.22 FEET TO A POINT BEING NORTH 88 DEGREES 23 MINUTES 38 SECONDS EAST 11546.16 FEET FROM SAID RADIUS POINT, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 315.55 FEET TO A POINT ON A WEST LINE OF A TRACT OF LAND DEEDED TO WAL-MART STORES, INC. PER WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 90-10609, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE 108.35 FEET TO THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 23.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 313.15 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT·OF·WAY, BEING ALSO A POINT ON THE ABOVE DESCRIBED CURVE; THENCE NORTHERLY ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE AND SAID CURVE AN ARC DISTANCE OF 131.71 FEET TO THE POINT OF BEGINNING. CONTAINING 0.950 ACRES+/- OR 41,382.05 SQUARE FEET.

ALSO EXCEPT:

(EAST SIDE MARIO'S NOW HUNTINGTON BANK)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418.79 FEET TO THE PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 400.93 FEET ALONG SAID CURVE TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 313.15 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 197.95 FEET THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 309.85 FEET TO SAID EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT TWO COURSES: (1) NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST 61.92 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, AND SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; (2) NORTHERLY 137.58 FEET TO THE POINT OF BEGINNING. CONTAINING 1.423 ACRES+/- OR 61,696 SQUARE FEET.

ALSO EXCEPT:

(MIKE'S CAR WASH NOW CREW CAR WASH)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE THEREOF 418. 79 FEET TO A PROLONGATION NORTHERLY OF THE EAST LINE OF A 1.959 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID PROLONGATION AND SAID LINE 304.49 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 306.13 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EASTERLY LIMITED-ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31, DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID LIMITED-ACCESS RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE WESTERLY AND SAID POINT BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES: (1) SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 538.52 FEET TO THE END POINT OF SAID CURVE, SAID POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM SAID RADIUS POINT; (2) SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG A NON-TANGENT LINE 227.83 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.74 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS EAST 66.97 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 108.90 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.80 FEET TO THE ABOVE SAID LIMITED-ACCESS RIGHT-OF-WAY; THENCE NORTH 01 DEGREES 47 MINUTES 33 SECONDS WEST ALONG SAID LIMITED-ACCESS RIGHT-OF-WAY LINE 175.93 FEET TO THE POINT OF BEGINNING. CONTAINING 1.220ACRES +/- OR 53,143.20 SQUARE FEET.

ALSO EXCEPT - (ROOSTERS/MOYER JEWELERS):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336 PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION FOR THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT·OF·WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT·OF·WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT·OF·WAY LINE FOR SAID GREYHOUND PASS; BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT·OF·WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 77.99 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 88 DEGREES 55 MINUTES 38 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 304.30 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 138.20 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 299.85 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 138.30 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINING 0.960 ACRES+/· OR 41,818 SQUARE FEET MORE OR LESS.

LAND DESCRIPTION CONTINUED

ALSO EXCEPT:

(APPLEBEE'S)

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 83-3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 304.49 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHEASTERN CORNER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 306.13 FEET ALONG THE SOUTHERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO ITS SOUTHWESTERN CORNER ON THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR U.S.R. 31 (REF. WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 12008 IN DEED RECORD 279, PAGE 612), SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST AND BEING NORTH 87 DEGREES 03 MINUTES 28 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHERLY 538.52 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND CURVE TO A POINT BEING NORTH 89 DEGREES 43 MINUTES 48 SECONDS EAST 11,546.16 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST 516.05 FEET TO THE EASTERN LIMITED ACCESS RIGHT-OF-WAY LINE FOR S.R. 431 (REF. RIGHT-OF-WAY GRANT RECORDED AS INSTRUMENT NUMBER 147 IN DEED RECORD 171, PAGE 280); THENCE CONTINUING SOUTH 01 DEGREES 47 MINUTES 33 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 48.45 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE 29.33 FEET; THENCE SOUTH 45 DEGREES 16 MINUTES 30 SECONDS EAST 84.84 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR GREYHOUND PASS (146TH STREET RELOCATED); THENCE SOUTH 00 DEGREES 08 MINUTES 51 SECONDS WEST 90.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE FOR SAID GREYHOUND PASS, BEING ALSO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31; THENCE ALONG SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY LINE FOR THE NEXT THREE COURSES: (1) THENCE SOUTH 45 DEGREES 02 MINUTES 40 SECONDS WEST 85.82 FEET; (2) THENCE SOUTH 00 DEGREES 22 MINUTES 08 SECONDS WEST 39.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, SAID POINT BEING NORTH 89 DEGREES 37 MINUTES 52 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; (3) THENCE SOUTHERLY 216.29 FEET ALONG SAID CURVE TO A POINT BEING SOUTH 86 DEGREES 22 MINUTES 13 SECONDS WEST 3,099.10 FEET FROM THE RADIUS POINT OF SAID CURVE, AND BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 43 MINUTES 12 SECONDS EAST 299.85 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 37 SECONDS EAST 115.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES 13 MINUTES 49 SECONDS THENCE SOUTHERLY, SOUTHWESTERLY, AND WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 62.99 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 44 DEGREES 36 MINUTES 18 SECONDS WEST 56.68 FEET), TO THE POINT OF TANGENCY THEREOF; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 247.23 FEET TO A POINT ON THE PROPOSED EASTERN LIMITED ACCESS RIGHT-OF-WAY FOR U.S.R. 31, BEING A CURVE CONCAVE TO THE EAST, SAID POINT BEING SOUTH 83 DEGREES 28 MINUTES 35 SECONDS WEST 3099.10 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY 156.53 FEET ALONG SAID CURVE AND SAID PROPOSED LIMITED ACCESS RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINING 1.046 ACRES +/- OR 45,551 SQUARE FEET MORE OR LESS.

ALSO EXCEPT - (146th STREET):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET) TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS ON THE NORTH BOUNDARY OF 146TH STREET; THENCE CONTINUING NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 0.457 METERS (1.50 FEET) TO THE EASTERN BOUNDARY OF SR 431 (REF.: RIGHT OF WAY GRANT RECORDED AS INSTRUMENT #147 IN DEED RECORD 171, PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA); THENCE NORTH 63 DEGREES 19 MINUTES 48 SECONDS WEST 14.452 METERS (47.41 FEET) ALONG THE BOUNDARY OF SAID SR 431; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 60.960 METERS (200.00 FEET) ALONG SAID BOUNDARY; THENCE NORTH 50 DEGREES 32 MINUTES 10 SECONDS WEST 15.121 METERS (49.61 FEET) ALONG SAID BOUNDARY; THENCE SOUTH 83 DEGREES 21 MINUTES 08 SECONDS EAST 21.023 METERS (68.97 FEET); THENCE NORTH 89 DEGREES 15 MINUTES 51 SECONDS EAST 70.328 METERS (230.73 FEET) TO THE NORTH LINE OF A 15.00 FEET WIDE SANITARY SEWER EASEMENT DESCRIBED IN EXHIBIT "A" OF THE SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #33672, IN DEED RECORD 330, PAGES 512 TO 519; THENCE NORTH 89 DEGREES 10 MINUTES 01 SECOND EAST 156.847 METERS (514.59 FEET) ALONG THE NORTH LINE OF SAID WATER LINE EASEMENT; THENCE NORTH 88 DEGREES 31 MINUTES 29 SECONDS EAST 34.827 METERS (114.26 FEET) ALONG SAID NORTH LINE; THENCE NORTH 42 DEGREES 13 MINUTES 36 SECONDS EAST 9.175 METERS (30.10 FEET) TO THE WEST LINE OF A SANITARY SEWER AND WATER LINE EASEMENT RECORDED AS INSTRUMENT #9104427; THENCE NORTH O DEGREE 07 MINUTES 07 SECONDS EAST 75.000 METERS (246.06 FEET) ALONG THE WEST LINE OF SAID SANITARY SEWER AND WATER LINE EASEMENT; THENCE SOUTH 89 DEGREES 45 MINUTES 13 SECONDS EAST 12.121 METERS (39.77 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE SOUTH O DEGREES 26 MINUTES 42 SECONDS EAST 7.845 METERS (25.74 FEET) ALONG THE WEST BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTHEASTERLY 103.142 METERS (338.39 FEET) ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 103.632 METERS (340.00 FEET) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 28 DEGREES 57 MINUTES 26 SECONDS EAST AND A LENGTH OF 98.937 METERS (324.60 FEET) ALONG SAID BOUNDARY TO THE NORTH BOUNDARY OF 146TH STREET; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE BOUNDARY OF SAID 146TH STREET TO THE POINT OF BEGINNING AND CONTAINING 0.5838 HECTARES (1.443 ACRES) MORE OR LESS.

ALSO EXCEPT (PARCEL 7A):

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SECTION NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST (ASSUMED BEARING) 165.202 METERS (542.00 FEET) FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH O DEGREES 58 MINUTES 33 SECONDS WEST 5.029 METERS (16.50 FEET); IN DEED OF DEDICATION RECORDED AS INSTRUMENT #9023061; THENCE NORTH 89 DEGREES 01 MINUTE 27 SECONDS EAST 263.746 METERS (865.31 FEET) TO THE WEST BOUNDARY OF GREYHOUND PASS DESCRIBED THENCE SOUTH O DEGREES 58 MINUTES 33 SECONDS EAST 5.029 METERS (16.50 FEET) TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 01 MINUTE 27 SECONDS WEST 263.746 METERS (865.31 FEET) ALONG THE SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.1326 HECTARE (0.328 ACRES) MORE OR LESS.

ALSO EXCEPT

PARCEL 174- FEE SIMPLE WITH FULL LIMITATION OF ACCESS

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 09 MINUTES 50 SECONDS EAST 542.00 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 50 MINUTES 11 SECONDS WEST 18.01 FEET; THENCE NORTH 63 DEGREES 11 MINUTES 25 SECONDS WEST 47.41 FEET; THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 200.00 FEET; THENCE NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 49.10 FEET TO THE NORTHERN BOUNDARY OF 146TH /STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE CONTINUING NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 21.10 FEET TO THE EASTERN BOUNDARY OF U.S-31; THENCE ALONG SAID BOUNDARY NORTHWESTERLY 507.92 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 5,624.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 6 DEGREES 29 MINUTES 53 SECONDS WEST AND A LENGTH OF 507.74 FEET; THENCE NORTH 84 DEGREES 58 MINUTES 53 SECONDS EAST 1.79 FEET TO POINT "17407" DN SAID PLAT; THENCE SOUTH 5 DEGREES 14 MINUTES 07 SECONDS EAST 84.73 FEET TO POINT "17406" ON SAID PLAT; THENCE SOUTH FL DEGREES 59 MINUTES 22 SECONDS EAST 44.61 FEET TO POINT "17405" ON SAID PLAT; THENCE SOUTH 9 DEGREES 28 MINUTES 23 SECONDS EAST 231.65 FEET TO POINT "17404" ON SAID PLAT; THENCE SOUTH 14 DEGREES 42 R:AINUTES 47 SECONDS EAST 59.54 FEET TO POINT "17403" ON SAID PLAT; THENCE SOUTH 10 DEGREES 53 MINUTES 08 SECONDS EAST 64.01 FEET TO POINT "17402" ON SAID PLAT; THENCE SOUTH 14 DEGREES 48 MINUTES 56 SECONDS EAST 39.61 FEET TO POINT "17401" ON SAID PLAT; THENCE SOUTH 54 DEGREES 01 MINUTE 22 SECONDS EAST 11.17 FEET TO THE NORTHERN BOUNDARY OF SAID 146TH /STREET, DESIGNATED AS POINT "17400" ON SAID PLAT; THENCE NORTH 83 DEGREES 08 MINUTES 03 SECONDS WEST 29.90 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.199 ACRES, MORE OR LESS.

ALSO EXCEPT

PARCEL 174A- FEE SIMPLE WITH FULL LIMITATION OF ACCESS

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 8 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 89. DEGREES 09 MINUTES 50 SECONDS EAST 542.00 FEETA LONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 50 MINUTES IL SECONDS WEST 18.01 FEET; THENCE NORTH 63 DEGREES 11 MINUTES 25 SECONDS WEST 47.41 FEET; THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 200.00 FEET; THENCE NORTH 49 DEGREES 54 MINUTES 41 SECONDS WEST 49.10 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 89 DEGREES 09 MINUTES 50 SECONDS WEST 53.39 FEET TO THE EASTERN BOUNDARY OF U.S. 3 1; THENCE ALONG SAID BOUNDARY NORTHERLY 893.32 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 5,671.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 5 DEGREES 09 MINUTES 43 SECONDS WEST AND A LENGTH OF 892.39 FEET; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS. WEST 123.97 FEET ALONG SAID BOUNDARY; THENCE NORTH 4 DEGREES 27 MINUTES 12 SECONDS EAST 87.55 FEET ALONG SAID BOUNDARY; THENCE NORTH 0 DEGREES 07 MINUTES 58 SECONDS WEST 58.67 FEET ALONG SAID BOUNDARY; THENCE SOUTH 44 DEGREES 56 MINUTES 09 SECONDS EAST 84.81 FEET TO THE NORTH BOUNDARY OF GREYHOUND PASS; THENCE SOUTH 0 DEGREES 36 MINUTES 36 SECONDS WEST 90.01 FEET TO THE SOUTH BOUNDARY OF SAID GREYHOUND PASS; THENCE SOUTH 45 DEGREES 12 MINUTES 08 SECONDS WEST 62.95 FEET TO POINT "17433" ON SAID PLAT; THENCE SOUTH 1 DEGREE 34 MINUTES 18 SECONDS EAST 133.63 FEET TO THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN INSTRUMENT 200300104098; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST 19.75 FEET ALONG SAID LINE TO THE NORTHWEST CORNER OF SAID TRACT; THENCE ALONG THE WESTERN LINE OF SAID TRACT AND ALONG THE WESTERN LINE OF THE TRACT OF LAND DESCRIBED IN INSTRUMENT 2008023562 SOUTHERLY 293.99 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 3,099.10 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 3 DEGREES 38 MINUTES 03 SECONDS EAST AND A LENGTH OF 293.88 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE NORTH 89 52 MINUTES 34 SECONDS EAST 29.44 FEET ALONG THE SOUTH LINE OF SAID TRACT; THENCE SOUTHEASTERLY 9.80 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 2,998.33 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 8 DEGREES 28 MINUTES 14 SECONDS EAST AND A LENGTH OF 9.80 FEET TO POINT "17430" ON SAID PLAT; THENCE SOUTH 85 DEGREES 15 MINUTES 51 SECONDS WEST 3.49 FEET TO POINT "17410" ON SAID PLAT; THENCE SOUTH I DEGREE 56 MINUTES 22 SECONDS EAST 9.38 FEET TO POINT "17409" ON SAID PLAT; THENCE NORTH 84 DEGREES 58 MINUTES 55 SECONDS EAST 9.21 FEET; THENCE SOUTHEASTERLY 507.92 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 5,624.58 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 6 DEGREES 29 MINUTES 53 SECONDS EAST AND A LENGTH OF 507.74 FEET; THENCE SOUTH 49 DEGREES 54 MINUTES 41 SECONDS EAST 21.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.830 ACRES, MORE OR LESS, SUBJECT TO THE STATE OF INDIANA'S RIGHTS AND INTEREST IN THE SUBJECT PARCEL AS RECORDED IN A RIGHT OF WAY GRANT IN INSTRUMENT NO. 147 IN DEED RECORD171 PAGE 280 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA WHICH CONTAINS 0.768 ACRES, MORE OR LESS.

LAND DESCRIPTION OF COMMON AREA "A"

THE FOLLOWING DESCRIPTION IS THE REMAINDER OF PARCEL 2 IN INSTRUMENT NUMBER 200500046133.

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST (ASSUMED BEARING) A DISTANCE OF 418.79 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO ITS POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF THE 1.959 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT #83 3497 IN DEED RECORD 336, PAGE 110, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET ALONG THE NORTHERLY EXTENSION OF THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND AND ALONG THE EASTERN BOUNDARY OF SAID 1.959 ACRE TRACT OF LAND TO A POINT BEING 40.00 FEET (MEASURED PERPENDICULARLY IN A SOUTHERLY DIRECTION) FROM THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS EAST A DISTANCE OF 919.86 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 662.37 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 12 SECONDS WEST A DISTANCE OF 67.46 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 210.05 FEET; THENCE SOUTH 07 DEGREES 17 MINUTES 33 SECONDS EAST A DISTANCE OF 164.22 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST A DISTANCE OF 306.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 133.44 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 57 SECONDS WEST A DISTANCE OF 317.94 FEET TO A POINT ON THE NORTHERN BOUNDARY OF GREYHOUND PASS PER DEED OF DEDICATION RECORDED AS INSTRUMENT NUMBER 90-23061 IN SAID RECORDER'S OFFICE, BEING A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 345.00 FEET, THE RADIUS POINT OF WHICH BEARS SOUTH 48 DEGREES 33 MINUTES 51 SECONDS WEST; THENCE ALONG SAID NORTHERN BOUNDARY OF GREYHOUND PASS NORTHWESTERLY AN ARC DISTANCE OF 162.42 FEET TO A POINT WHICH BEARS NORTH 21 DEGREES 35 MINUTES 27 SECONDS EAST FROM SAID RADIUS POINT; THENCE NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST A DISTANCE OF 225.74 FEET TO THE POINT OF BEGINNING, CONTAINING 0.804 ACRES OF LAND, MORE OR LESS.

SHEET	2 OF 2
DRAWING NO.:	DP

OVERALL DEVELOPMENT PLAN
VILLAGE PARK PLAZA II

DATE:	AUGUST 29, 2019	DRAWN BY:	NRB/TJT/ABS
DWG SCALE:		CHECKED BY:	ABS
PROJECT NO:			180-332
APPROVED BY:			ABS

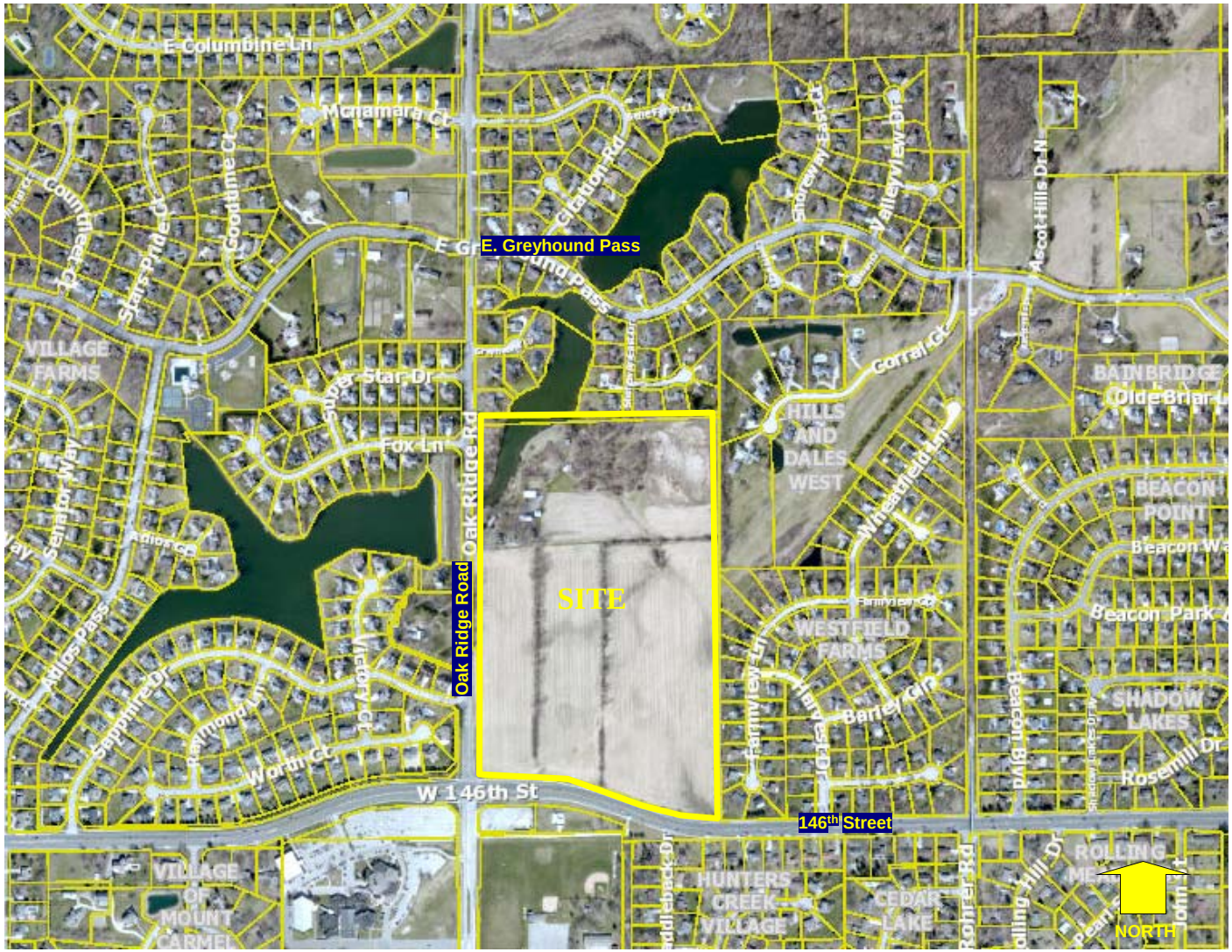
WASHINGTON PRIME GROUP, INC.
VILLAGE PARK PLAZA
WESTFIELD, INDIANA

CEC

Civil & Environmental Consultants, Inc.
530 E. Ohio Street · Suite G - Indianapolis, IN 46204
317-655-7777 · 877-746-0749
www.cecinc.com

REVISION RECORD

NO	DATE	DESCRIPTION
	8/2/19	CURRENT VERSION

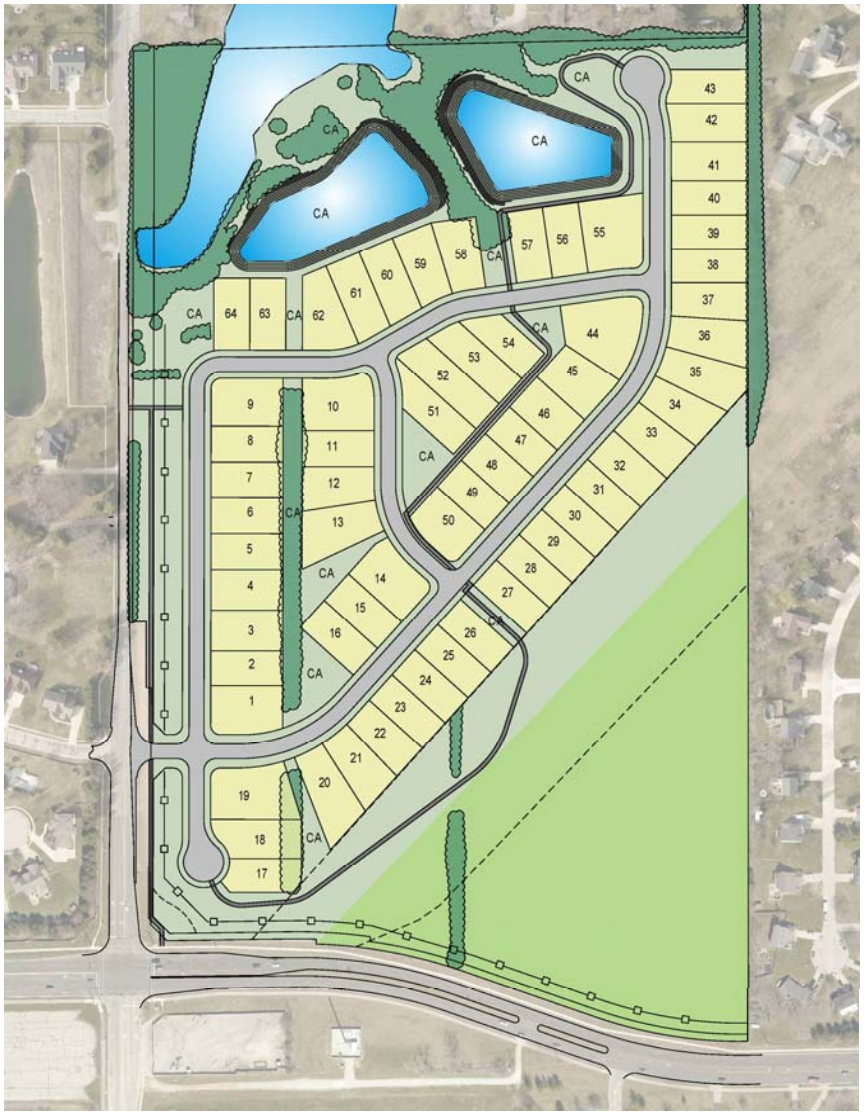


Legacy Oaks

Site Location Map

Original Concept Plan

Revised Concept Plan

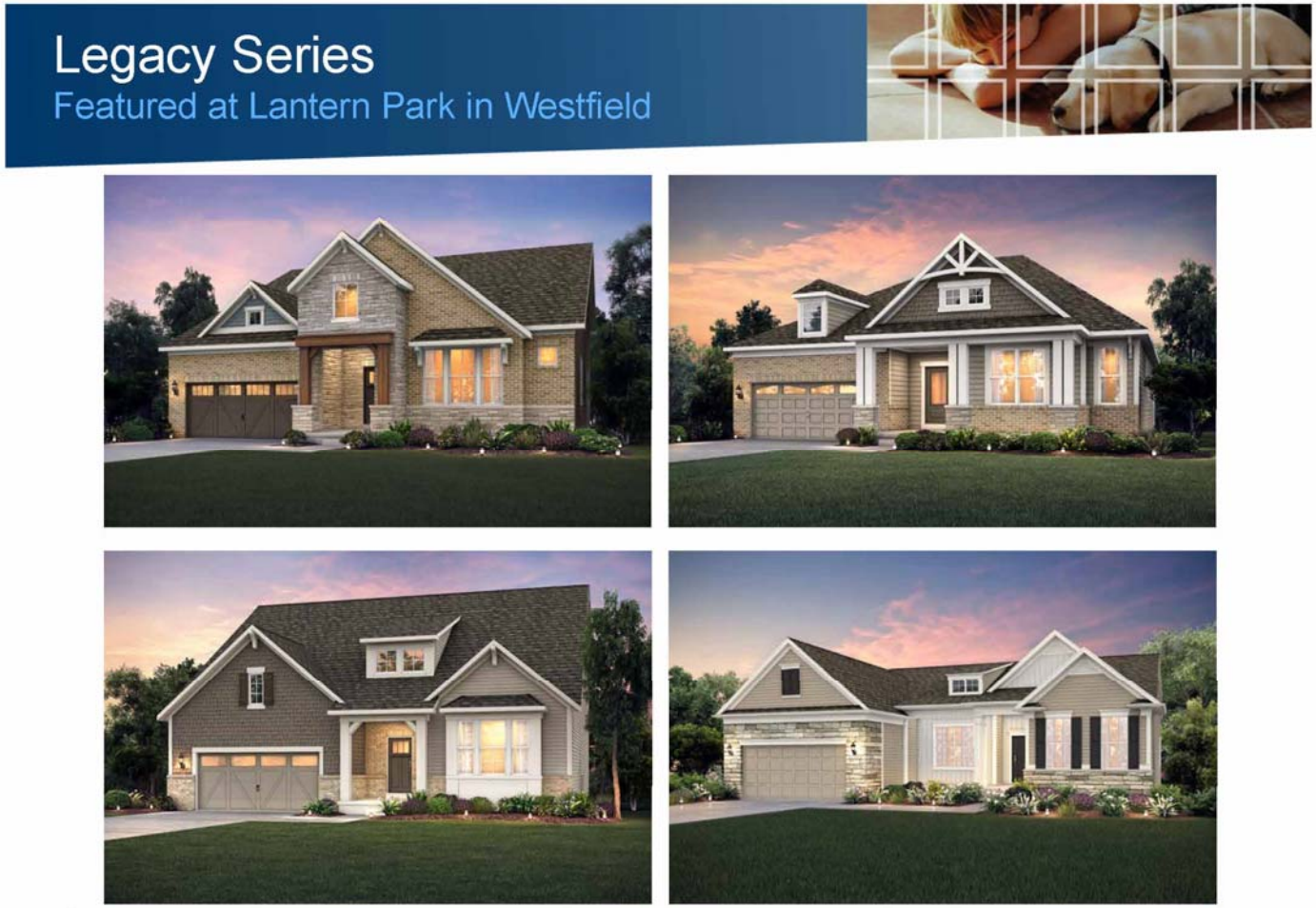


Revised Concept Plan

Pulte's Revised Proposal (PUD):

- Min. Lot Area: 10,000 SF
- Min. Lot Width: 71'
- Min. Living Area: 2,300 SF
- Vinyl / Aluminum are *prohibited* materials
- Masonry / Fiber Cement siding
- Dimensional Asphalt Shingles
- Min. 8" Overhangs
- Front Elevations Face Oak Ridge
- Tree Preservation & Proposed Trailhead
- Maintain character of Village Farms with use of Black Board Farm Fence
- 64 Lots

Legacy Oaks
Residential Character Exhibits



Legacy Series

Legacy Oaks

- 2,397 – 3,415 Base SF
- 2 – 3 bedrooms
- 2.5 bathrooms
- 1 – 1 ½ Story Homes
- Basement, 3rd Car Garage, & Loft Options
- Empty-Nester Buyer
- $450,000 ASP

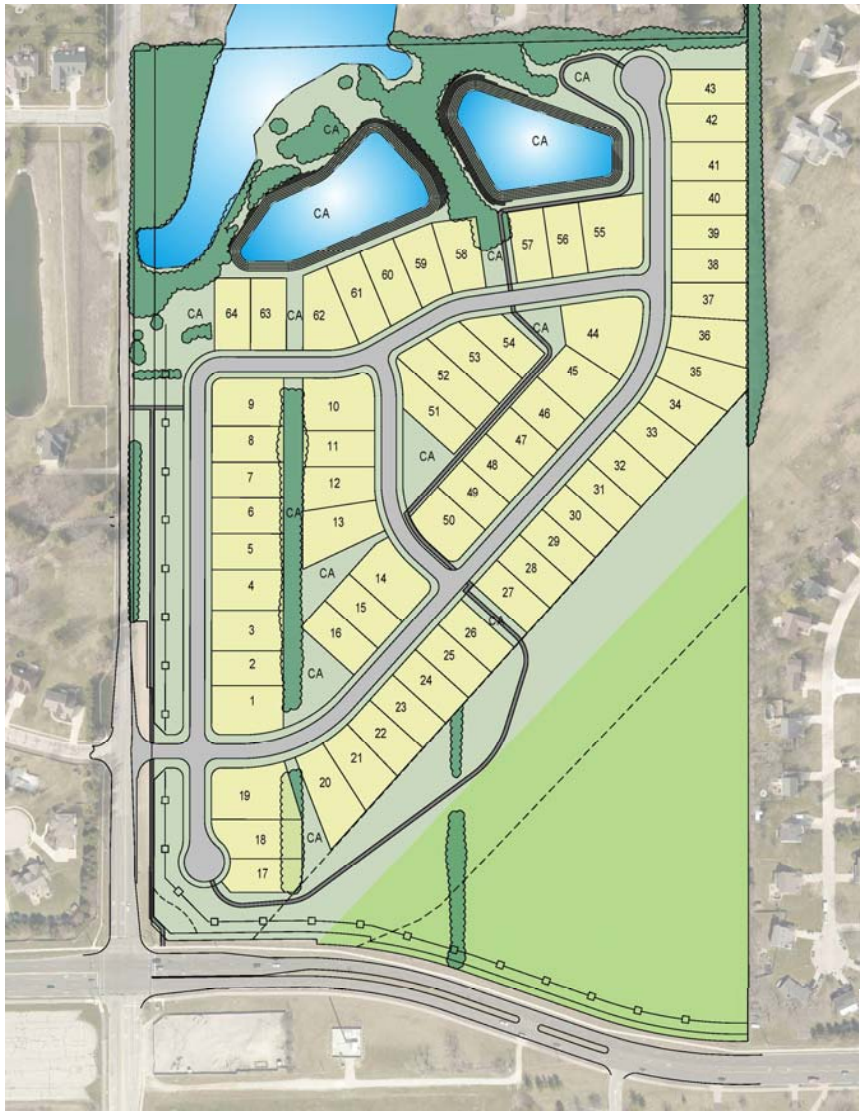
Legacy Oaks
Trailhead / Park Site Exhibit

CONCEPT SITE PLAN

LIGHTING EXAMPLE

BENCH AND BIKE
MAINTENANCE EXAMPLE

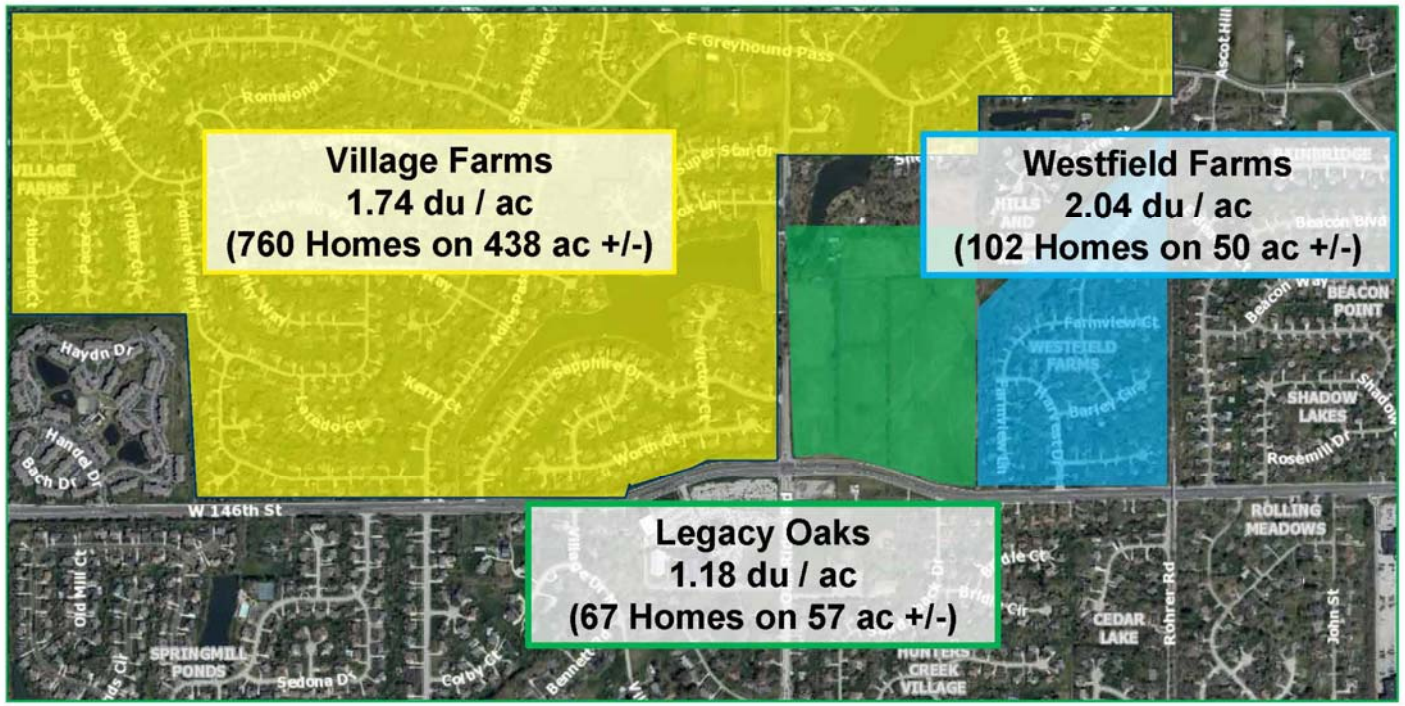
PARKING EXAMPLE



Revised Concept Plan

Neighborhood Densities

Neighborhoods Adjacent to Legacy Oaks



WRITTEN PUBLIC COMMENTS

Docket Number: 1908-PUD-20

Petitioner: Pulte Homes of Indiana, LLC Nelson and Frankenberger, LLC

Request: A change in zoning of approximately 58.02 acres +/- from the SF2: Single-Family Low-Density District to The Legacy Oaks Planned Unit Development

Enclosed Attachments (as of 5:00pm., Monday, October 21st):
October 21, 2019 Advisory Plan Commission Meeting

1. Pam Groover	Westfield Farms	(10/7/19)
2. Mary Ann Hale	15767 Viking Lair Road	(10/7/19)
3. Stacy Davis	N/A	(10/9/19)
4. Stephen Baranyk	N/A	(10/9/19)
5. Amy Dolen	N/A	(10/11/19)
6. Denise Dolin	N/A	(10/13/19)
7. Jill Comstock	N/A	(10/16/19)
8. Art and Peggy Lecheler	926 Farmview Lane	(10/18/19)

From: Pam Groover
To: APC
Subject: Landings at Village Farms now submitted as Legacy Oaks
Date: Monday, October 7, 2019 2:37:57 PM

Westfield APC Members and Staff,

I am writing you concerning the PUD ***formerly known as Landings at Village Farms now submitted as Legacy Oaks.***

I have some questions regarding the information that I received from Pulte following the second of two "Focus Group" (FG) meetings. These meetings were held in response to the APC's direction to work with residents before returning to resubmit a more acceptable plan. Pulte complied and did a nice job of reconvening with residents on the points found most objectionable during the original public meeting with the APC. Points of opposition included reducing home density and eliminating retail of any kind in this area.

TRAILHEAD/PARK

Changes to the original plan submitted for property now includes development of approximately 11 acres as a Trailhead/Park. Though a far better solution for the acreage than originally submitted it does pose concern as no real specifics that have been delivered. The options include the property being deeded to the city as a Trailhead/Park or Pulte further developing it with a few more homes (not Pulte's preferred choice.) So, this bodes the question which will it be? An extension of a few more homes under Pulte construction or a Trailhead/Park?

PARKING LOT

Along with the choices shared there is an indication of a parking lot that is twice the size told to the FG of 6 - 10 spaces. The parking lot size and how far away it is from the property line at Westfield Farms is not specifically indicated. The recent data states an estimated distance of a 200 foot minimum distance where the Westfield Farms property adjoins. It was expected to be farther west than stated. Can the lot design be more specifically defined exact distance from that line of homes, number of allowed spaces?

LOT ACCESS

Along with that Pulte's rendering shows the parking lot located at a turn break on 146th Street. This would indicate traffic access would come from both the east and westbound lanes. This would be highly dangerous and contrary to what the FG group was told. The indication was the lot would be westbound accessible only with a westbound in and out, can this be confirmed?

LIGHTING

When asked about lighting for the Trailhead/Park Pulte told the FG there would be Bollard lights roughly 4 feet high and cast a low light downward. The rendering shows a lighting example that **far** exceeds that and would cast a much more dominant light in the area. Even with a cut-off fixture is this change necessary? Why is this necessary? With a time-controlled sliding gate, preventing use of the parking area at night, open dusk to dawn hours, why would anything beyond Bollard lighting be needed. As well, surveillance cameras for a small lot like this open during daytime hours seems an over-exaggeration to the need.

LANDSCAPING

The landscaping of the Trailhead/Park seems loosely defined as well. The description of a Trailhead/Park goes from that to a Wetlands depending on the actual delivered use for this acreage, native vegetation or a few more homes.

The only understanding is that whether the city maintains this land or Pulte it lacks a concrete description for the real finish for this space or by whom, the city or Pulte? The only takeaway is it must be low maintenance. This is understandable to a point. Will the land be properly finished by grating and replanting with native grasses and native vegetation that attracts butterflies, bees, etcetera? The specifics for the land have been avoided, why? It sends a message that no one really wants to own this part of the project? Is that the case? If so, why not go the distance and finish this project correctly?

DRAINAGE

Regardless of who takes on the Trailhead/Park/Wetland phase the drainage beehives along Westfield Farms and Ressler farm property have been fixed. This has been an issue for many years. I understand from residents that requests to have this mitigated correctly have been excused away between it being city to a county issue wit the county sending it back to the city. Whether a Trailhead/Park/Wetland this should be addressed once and for all while the Legacy Oaks construction is going on. Pulte's intention is to mitigate their new homes to north with retention ponds. When asked if the entire property would be mitigated, they indicated that would fall back to the city to manage. Whether it is a Trailhead/Park/Wetland it seems reasonable it be resolved now. Can this mitigation be resolved within the confines of the project or not? If not, why?

Thank you for your time, I look forward to your response.

Pam Groover

Resident Westfield Farms

From:	Mary Hale
To:	APC
Subject:	146th and Oak Ridge revision
Date:	Monday, October 7, 2019 9:05:32 PM

As a taxpayer and homeowner who drives south on Oak Ridge from 156th to 136th every day for work, I feel Pulte's revised plan for 146th and Oak Ridge is much more acceptable than their original plan. No commercial development, lower density, and a green space park, are welcome improvements. Thank you very much for listening to the residents of Westfield.

Mary Ann Hale
15767 Viking Lair Road
Westfield, IN 46074

Sent from my iPhone

From:	Stacy Davis
To:	APC
Subject:	146th & Oak Ridge
Date:	Wednesday, October 9, 2019 9:58:39 AM

To Whom It May Concern

I don't know about anyone else whose homes backs up to this field currently, but I for one do not want a parking lot or more public traffic anywhere near my back door. This is my backyard and I cherish my privacy and the peace. It is one of the biggest reasons why I purchased this property in 1997. I do not want a park of any kind between my house and the "new neighborhood" at 146th and Oak Ridge Rd. There is no need for it. There is a Monon trail to the east of the pipeline and there is plenty of pavement to access it.

I have not appreciated the removal of other Green Space near my home and neighborhood over the past 20 years, starting with the demolition of the wooded area and homes to make room for Clay Terrace. Protecting areas for wildlife is huge to me and I do not support any of this building, much less adding more traffic and congestion to this busy area.

From:	Stephen Baranyk
To:	APC
Cc:	Robert Horkay; DouglasJHoltz@aol.com; Kirk Farley
Subject:	Legacy Oaks
Date:	Wednesday, October 9, 2019 12:24:16 PM

The revised plan which does not include any Retail and which is much less dense than the previous plan and which homes are much more in-line with the surrounding community is a major step forward.

Presuming this plan is approved without any modification that would increase the home density or reduce the quality of the proposed homes or include Retail then I will support the Plan as presented

Sent from Mail for Windows 10

From:	Edward Dolen
To:	APC
Subject:	Changes to buildings
Date:	Friday, October 11, 2019 8:32:07 AM

We were happy to hear about the changes and no businesses in the plans. Some of our concerns are with the planned green space being deeded back to the city. Who is responsible for the upkeep, flooding issues that we already have a problem with every spring and looks like it would be worse. We recently had to tear down our storage barn due to years of spring flooding rotted the supports away(we have lived in our house for 27 years!) always have had flooding issues! Why the need for the parking area and lighting if it's only to be open from dawn to dusk, not to mention the extra traffic on 146th street with an entrance off 146th, not a great place to make an entrance on a curve in a busy road. Why not just put houses in the space and have the builder address the flooding and proper fencing between the neighborhoods if they want to develop in that space. No more short cuts and make Pulte pay up to develop the area to code.
Thank you
Amy Dolen

Sent from my iPad

From:	Denise Dolin
To:	APC
Subject:	Proposed Legacy Oaks
Date:	Sunday, October 13, 2019 9:10:54 PM

The revised plan is much more acceptable. I do have some concerns about the location of the parking lot for the proposed park. It is currently located on a curve where safety may be an issue. A possible solution would be a foot access park only. It doesn't make a lot of sense having parking when the park doesn't have direct access to the Monon. Thanks for hearing out concerns.

Denise Dolin, Westfield Farms

Sent from AT&T Yahoo Mail for iPhone

From:	Jill Comstock
To:	APC
Cc:	Rex Ramage
Subject:	Legacy Oaks
Date:	Wednesday, October 16, 2019 2:35:09 PM

I would like to share my appreciation to Pulte Homes for listening to community feedback and revising their original proposal for Landings at Village Farms. I believe the removal of commercial property and decreased housing density is much more in alignment with Westfield's comprehensive plan and is a good fit for surrounding neighborhoods. My hope is that the city will see the value in a passive park and the neighborhood connectivity it will bring and approve Pulte's request to designate a portion of the land as a park. I am concerned about how the development's sole entrance/exit on Oak Ridge Rd. lines up with the Village Farms entrance on Sapphire drive and the impact it will have on traffic flow and safety, especially in such close proximity to the traffic light on 146th. If this plan is approved I would like to ask that that city engineers evaluate current traffic patterns and needs to determine if there is a more suitable place for the entrance. Thank you for listening.

Regards,

Jill Comstock
14717 Victory Court
Carmel, IN 46032

From:	Peggy Lecheler
To:	APC; Council Members
Cc:	mikejohnsonforcitycouncil@gmail.com; Peggy Lecheler
Subject:	Pulte Devlepmoent Project
Date:	Friday, October 18, 2019 11:12:26 AM

First we want to thank you for allowing the public to express their concerns with Pulte's first recommendations for what they proposed for "Landings at Village Farms" 1908-PUD-20. We attended the meeting and were very impressed at your attentiveness in listening to each and every person that made a brief statement. And then we were extremely happy that you 'sided' with us, the people, and informing Pulte to revise their plans. So again thank you. Also a big thanks for Pulte for listening too. And thanks to Mike for helping us, the people in Westfield Farms.

Our main concern had been the Commercial Zoning which would have literally been in our backyard. We live in Westfield Farms at 926 Farmview Lane. Although we knew that someday something would go in that area as a whole, we were in shock when they were asking for commercial against our land.

With that said, now the focus goes to the 2nd proposal which overall we have no major concerns with the whole proposal. We want to ***encourage you to highly consider doing the SE Corner as a passive park. Having GREEN space there would be a true compliment to our area and also for us, the people who own homes that would be next to the park.***

Here the only 'wish' is, that if this is to be a GO for a passive park, then could there be meetings for the people who have houses that are on Farmview Lane that have a BIG vested interest in what will be proposed and what will go there in the park. Having meetings we could then be kept abreast on the plans, the timing of events and we then could have a voice on the plans. Concerns are lightening, access after dark, maintenance of the park, plans for any dividers (berms, trees, etc) between our property and the park, drainage (that is currently an issue for many houses already) etc.

Thanks again for listening. We look forward to hearing of the results from the meeting.

Art and Peggy Lecheler
926 Farmview Ln
Carmel, IN 46032