



CITY OF WESTFIELD, IN

Advisory Planning Commission Meeting Agenda_08_15_2022

Monday, August 15, 2022 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, August 15, 2022 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

Public input can be submitted in 1 of 2 ways:

- Email to planners@westfield.in.gov
- Show up at Westfield City Hall for an opportunity to participate in this public hearing. Staff will be present to help direct traffic inside the room.

Documents: [Online viewable @ https://www.youtube.com/user/CityofWestfieldIN](https://www.youtube.com/user/CityofWestfieldIN)

OPENING OF MEETING

Note the Presence of a Quorum

Approval of Minutes

August 1, 2022 APC Minutes

Documents: [August 1, 2022 APC Minutes](#)

Review APC Rules & Procedures

CONSENT AGENDA

2201-DDP-03

Union Square

South side of State Route 32, between Mill Street and Union Street

Old Town Companies by American Structurepoint request Detailed Development Plan approval of an 80,400 square foot mixed use building and parking garage on 4.10 acres +/- in the Union Square at Grand Junction Planned Unit Development District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Landscape Plan](#) | [Exhibit 5: Elevations](#) | [Exhibit 6: Perspective Views](#) | [Exhibit 7: Square Footage Details](#) | [Exhibit 8: Grand Junction Task Group Letter of Support](#)

ITEMS OF BUSINESS

2203-PUD-05

Towns at Union PUD

East of and adjacent to Union Street and south of David Brown Drive

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC request a change of zoning of 12.85 acres +/- from the AG-SF1 District to the Towns at Union PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 22-06 \(Clean\)](#) | [Exhibit 4: Proposed Ord. 22-06 \(Updated Redline\)](#) | [Exhibit 5: Issue List](#) | [Exhibit 6: Issue List with Petitioner's Responses](#) | [Exhibit 7: Revised Concept Plan](#) | [Exhibit 8: Project Description](#) | [Exhibit 9: Revised Townhome Examples \(Dwelling Character\)](#) | [Exhibit 10: Neighborhood Meeting Summary](#) | [Exhibit 11: Fence Exhibit](#) | [Exhibit 12: Single-family Distance Exhibit](#) | [Exhibit 13: Union Right-of-way Cross Section Exhibit](#) | [Exhibit 14: Public Comment](#) | [Petitioner Presentation](#)

PUBLIC HEARING ITEMS

2008-PUD-09 [PUBLIC HEARING]

Northpoint II PUD

North side of SR 38 between Anthony Road and Hinkle Road

Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Northpoint II PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 20-25 \(clean\)](#) | [Exhibit 4: Concept Plan](#) | [Exhibit 5: Character Exhibit](#) | [Exhibit 6: Area 2 Front Facade Character Exhibit](#) | [Exhibit 7: Proposed Ord. 20-25 \(redline\)](#) | [Exhibit 8: Updated Narrative Statement](#) | [Exhibit 9: Petitioner's Response to Issue List](#) | [Exhibit 10: Neighbor Meeting Summaries](#) | [Exhibit 11: Remonstrance Packet \(February 2022\)](#) | [Exhibit 12: Remonstrators' Response \(March 2022\)](#) | [Exhibit 13: Public Comments \(updated 8/15 @ 5:00pm\)](#)

ITEMS CONTINUED TO A FUTURE MEETING

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

North of David Brown Drive, East and West of Westfield Blvd

31/32 Investors by Edgerock Development, LLC requests an Amendment to the Permitted Uses and General Regulations of the Grand Millennium Center PUD District.

(Presenting Planner: Pam Howard - phoward@westfield.in.gov)

2111-PUD-27 [CONTINUED]

TowneRun PUD

Northwest corner of Towne Road & West 146th Street

**LOR Corporation by Church Church Hittle + Antrim requests a change in zoning for 26.94 acres +/- from AG-SF1: Agriculture / Single-family Rural District to the TowneRun Planned Unit Development (PUD) District.
(Planner: Kevin Todd - ktodd@westfield.in.gov)**

2112-ODP-26 [CONTINUED]

Southpark Industrial

16465 Southpark Drive

CTC02, LLC by Total Engineering Solutions Co. requests Overall Development Plan review of one Lot on 3.69 acres +/- in the Southoak PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2206-PUD-11-06 [CONTINUED]

Towne Road Crossing PUD Amendment I

South of SR 32, west of Little Eagle Creek Avenue

H&H Stables, LLC by Nelson & Frankenberger, LLC requests an amendment to the Towne Road Crossing PUD to permit an Equestrian Facility and a maximum of thirty (30) residential Lots on 69 acres +/- in the Towne Road Crossing PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

2207-PUD-13 [CONTINUED]

Woods Robinson Briggs PUD Amendment II

Generally at 904 East 191st Street

PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, and modify the proposed Park/Trail Head District standards.

(Planner: Weston Rogers - wrogers@westfield.in.gov)

2208-PUD-16 [CONTINUED]

Westfield Yard PUD

West Side of Gray Road, 200 feet south of State Road 32

Grand Communities, LLC by Nelson & Frankenberger, LLC requests a change in zoning for 10.8 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Westfield Yard Planned Unit Development (PUD) District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

2208-ZOA-02 [CONTINUED]

Unified Development Ordinance Amendment (Landscape Bonds)

The City of Westfield requests approval of an ordinance to amend Article 6.8 of the Westfield-Washington Township Unified Development Ordinance.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2205-PUD-09 [CONTINUED]

iBeach31 at Grand Park PUD

724 East 181st Street

iBeach31, LLC by Church Church Hittle + Antrim request a change in zoning for 3 acres

**+/- from OI-PD: Open Industrial / Planned Development District to the iBeach 31 at Grand Park Planned Unit Development (PUD) District.
(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)**

REPORTS/COMMENTS

Plan Commission Members

Downtown Update

City Council Liaison

Board of Zoning Appeals Liaison

Community Development Department

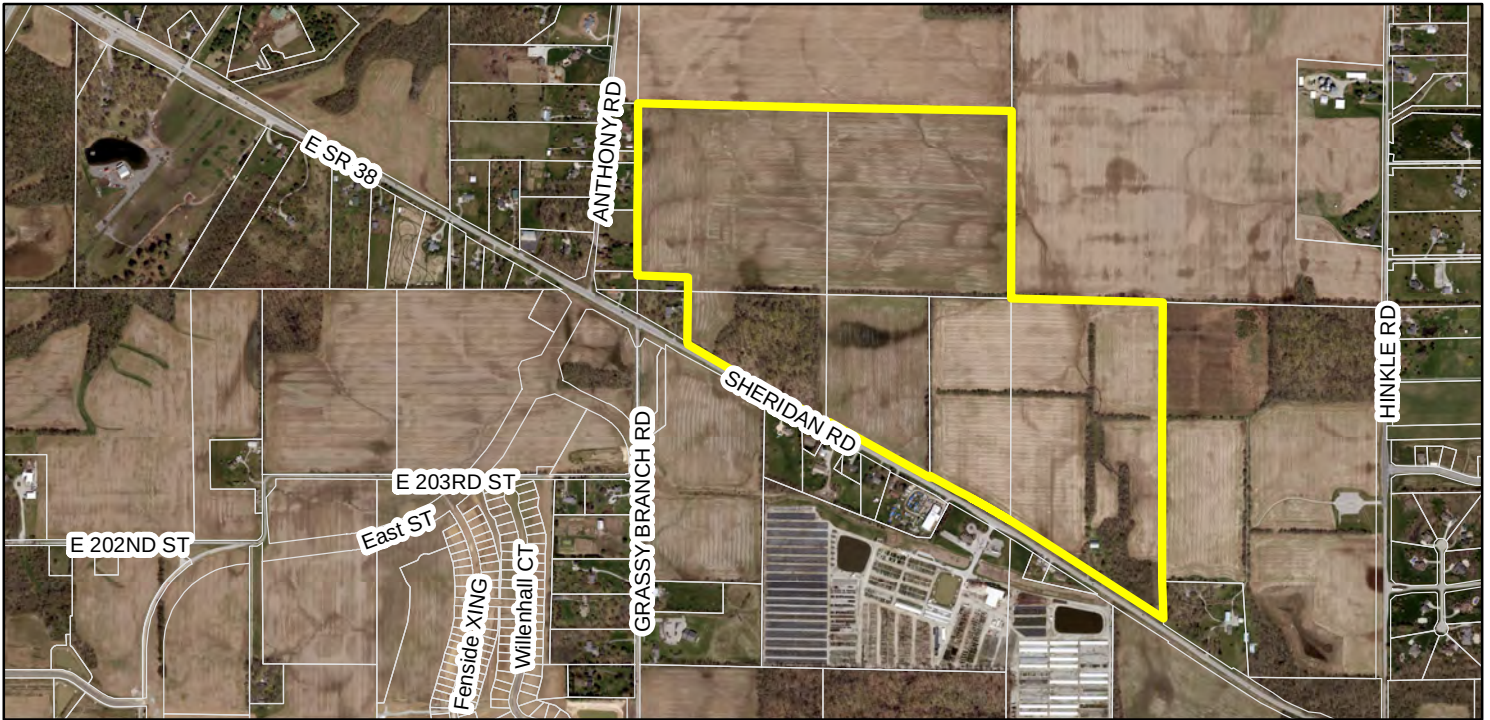
ADJOURNMENT



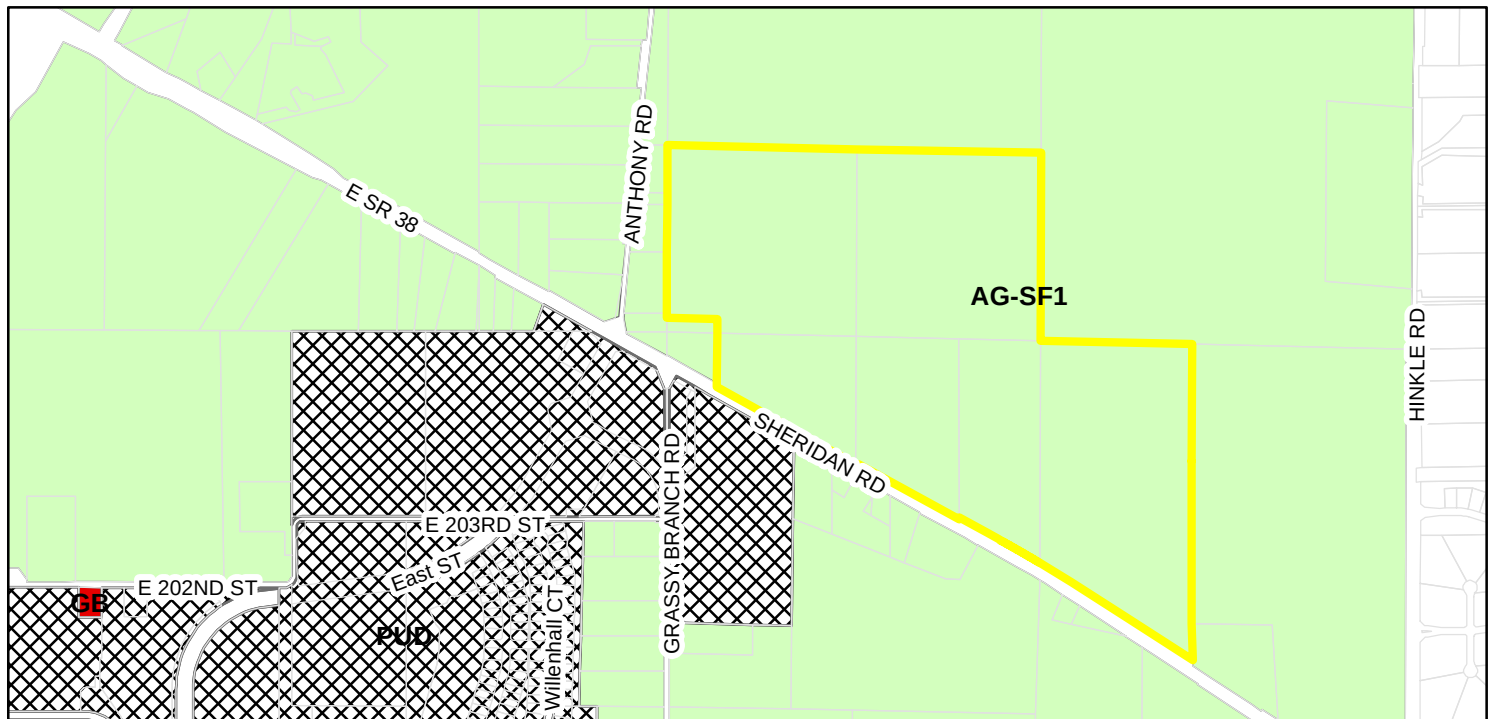
Property Location Map
Northpoint II PUD
2008-PUD-09



Aerial Location Map



Zoning Map



Zoning

- AG-SF1 (Agriculture - Single Family - 1)
- GB (General Business)
- PUD (Planned Unit Development)

ORDINANCE NUMBER 20-25

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING THE NORTHPOINT II PLANNED UNIT DEVELOPMENT and THE UNIFIED DEVELOPMENT ORDINANCE

This is an Ordinance (this "Ordinance") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or the "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (**Petition No. 2008 - PUD - 09**) filed with the Commission 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** ("Real Estate");

WHEREAS, the Commission forwarded **Petition No. 2008 - PUD - 09** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (_____ in favor _____ against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Planned Unit Development shall hereinafter be referred to as NorthPoint II PUD.
- 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.

The following words and terms, not defined elsewhere in this Ordinance or its Exhibits, shall have the following meanings:

- 2.1 EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base coat, and an attractive and durable finish coat.
- 2.2 Exterior Material. The separate architectural siding materials and patterns on a Building Facade such as Masonry materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- 2.3 Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
- 2.4 Facade, Secondary. Any building elevation not having commercial or retail public entrances. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
- 2.5 Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
- 2.6 Real Estate. The real estate, as described in **Exhibit A** to the Ordinance.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The Concept Plan hereby allocates the Real Estate into the following Districts as shown on Exhibit B:
- Conservation Lot Residential Area
 - Commerce Parke (Area 1); and
 - Commerce Parke (Area 2)

Substantial conformance with the Concept Plan shall be required.

3.2 The approximate size of each District is as follows.

<u>District</u>	<u>Area</u>
Commerce Parke (Area 1)	58 Acres
Commerce Parke (Area 2)	92 Acres
Conservation Lot Residential Area (including tree preservation)	28 Acres
Total acreage	180 Acres

The Conservation Lot Residential Area (inclusive of tree preservation) may not be reduced below 25 acres in total size. No more than five individual buildable lots shall be created in the Conservation Lot Residential Area.

Section 4. Underlying Zoning District(s).

4.1 The Underlying Zoning District of the District shall be:

Commerce Parke Area 1 and Area 2:	EI
Conservation Lot Residential Area	SF1
(the “Underlying Zoning District”).	

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

5.1 Only the uses identified below shall be permitted in the District. Uses which are designated as permitted by a Special Exception in the Use Table of Chapter 13 of the UDO are only permitted in a District if specifically provided as a permitted use herein.

A. Commerce Parke Area 1 and Area 2 Permitted Uses

- Commercial Businesses:** All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category except the uses of Restaurant, Fast Food; and Tavern or Nightclub (excluding a microbrewery which shall be permitted) shall be permitted
- Industrial Businesses:** All uses listed as a permitted use in the Use Table of Chapter 13 of the UDO in the EI category and the uses of construction and manufacturing of outdoor advertising signs; manufacturing, engraving and sales of cemetery monuments and tombstones;; canneries (e.g. taking fresh fruits and vegetables and canning for distribution) coffee roasting; food processing (e.g. commercial bakeries, smokehouses); granaries; grain processing; milk processing plants (without any on-site milking); warehousing and distribution operations (outdoor storage); and structural steel fabricating (similar to the existing uses of Westfield Steel); shall also be a permitted uses.
- Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the

Director. The Director shall favorably consider uses which are substantially similar to a permitted use if the impacts on surrounding properties is no greater than uses specifically permitted by Section 5.1(A)(2).

4. Accessory buildings and uses customarily incidental to any of the permitted uses.

B. Permitted Uses for the Conservation Lot Residential Area:

1. Dwelling, Single-family.
2. Agricultural Use.
3. Stable, Private.

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

A. Conservation Lot Residential Area

Minimum Lot Area:	3 acres
Minimum Lot Frontage:	25 feet
Minimum Front Yard Setbacks:	40 feet
Minimum Living Area of single-family dwelling	2,500 gross square feet
Maximum percentage of Lot covered by single-family dwelling or accessory buildings	Thirty percent (30%)

B. Commerce Parke Lot Standards (Area 1 and Area 2):

Minimum Lot Area:	3 acres
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet

Maximum gross square feet of retail per a single building:	65,000 gross square feet
Minimum Building Setback along exterior of District	100 feet from any boundary of the District
Maximum Building Height (Area 1)	45 feet

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

7.1 Article 6.1 Accessory Use and Building Standards shall apply unless otherwise amended.

In the Residential District, each Lot may have one Accessory Building of greater height than the Principal Building, so long as the height of the Accessory Building does not exceed the lesser of: a) the height of the Principal Building by more than thirty percent (30%), or (b) thirty five (35) feet.

7.2 Article 6.3 Architectural Standards: The following shall replace Article 6.3 in its entirety as related to the Commerce Parke.

A. Character Exhibit for Commerce Parke. The Character Exhibits, attached hereto as **Exhibit C** are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the Commerce Parke Area 1 and Area 2. Buildings shall be constructed substantially similar to those in the Character Exhibit. Any west facing façade in Commerce Parke Area 2 must be constructed substantially in conformance with **Exhibit C-1** hereto.

B. Architectural Standards for Commerce Parke Area 1 and 2:

1. Façade Rules.

a. All building elevations shall be considered either a Primary Façade or a Secondary Façade.

b. A façade facing State Road 38 must meet Primary Façade requirements of this Section.

c. Architecture for Primary and Secondary Facades fronting on a public right of way, or which are visible from adjoining residential uses, shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to the public right of way upon which the structure fronts.

d. Any Primary Facade which does not front on a public right of way, or any Primary Façade or Secondary Facades which are not visible from adjoining residential uses, shall not be required to Section 5.3(K) of the UDO, but instead shall comply with the requirements provided below.

2. Roof Design.

a. Roofs may be either residential character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.

b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.

c. Rooftop equipment screens and rooftop penetrations (i.e., vents) shall be of a color compatible with the overall building or roof color (not an accent color).

d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:12.

3. Facade Materials.

a. Primary Façade Materials.

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

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

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

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

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

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

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

b. Secondary Façades Materials.

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

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

unfinished concrete panels, plastics, reflective glass.

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

- c. Facades in Area 1. Notwithstanding anything provided in 7.1(B)(3) hereof any building constructed in Area 1 shall be prohibited from having overhead doors on facades facing north, south or west.

4. Wall Planes.

- a. A Building may be constructed with wall planes which do not meet the required offsets provided in Article 5.3(K)(2(b))) of the UDO only if an alternative feature provided herein is utilized. If no alternative features provided herein are utilized and the wall plane is otherwise required to meet the conditions of Article 5.3(K(2(b))), compliance with Article 5.3(K(2(b))) of the UDO must be accomplished. If an alternative feature is utilized the distance between offsets required under Article Article 5.3(K(2(b))) of the UDO may be increased as provided hereunder, but the obligation for offsets is not eliminated.
- b. The distance between required offsets may be increased up to two times the otherwise permitted separation provided in Article 5.3(K(2(b))) of the UDO if one or more of the following is utilized:
- (i) Change in materials on the same vertical plane occurring with a separation of no more than sixty (60) feet between material changes with a width of at least four (4) feet; or
 - (ii) A change in paint colors for materials of the same type with a separation of no less than sixty (60) feet and a change in color which is at least six (6) feet in width. To qualify for an increased distance between offsets, the change in paint colors must be significant enough to provide a meaningful and visually apparent contrast.
 - (iii) Alternatively, in lieu of only vertical articulation, architectural articulation which occurs no less than every sixty (60) feet comprised of either a vertical articulation of not less than eighteen (18) inches and/or horizontal articulation of not less than thirty-six (36) inches shall be acceptable wall plane changes. Horizontal articulation should account for not less than fifty percent (50%) of the articulation required herein.
- c. Any wall plane which is a Primary Façade must utilize a change in wall height of at least twenty-four (24) inches on all require wall planes and one of the two of the following features on a majority of the offsets which are required on a wall plane:
- A change in paint color in compliance with Section

- 7.2(B)(4)(b)(ii) hereof; or
- a change in materials in compliance with Section 7.2(B)(4)(b)(i) hereof.

7.3 Article 6.3. Architectural Standard: The following shall apply in addition to the Requirements of Section 6.3(C) of the UDO for the Conservation Lot Residential Area.

- A. Perimeter Lot Requirements. No lots in the Conservation Lot Residential Area shall be required to comply with 6.3(C)(1)(a) in regards to orientation of the front façade. Any side or rear facade visible from an External Street or from a an adjacent AG SF-1 zoned property shall be required to comply with the requirements of 6.3(C)(1)(b).
- B. Building Materials. In addition to the requirements of Section 6.3(C)(3) of the UDO, the following shall apply to the Conservation Lot Residential Area:
 - (i) No vinyl siding shall be permitted on a single-family dwelling; and
 - (ii) At least fifty percent (50%) of the front façade of a single-family dwelling (excluding doors and windows) shall be Brick (clay), natural stone or simulated cut stone.

7.4 Article 6.5 Fence Standards: Shall apply unless otherwise amended:

Any fencing located on along an External Street and separating the Conservation Lot Residential Area from Commerce Parke Area 1 shall be a three-rail fencing which is dark in color.

7.5 Article 6.8 Landscaping Standard: Shall apply, except as follows:

- A. Article 6.8 L of the UDO shall apply, except as follows:
 - 1. Regardless of length of a façade, any façade which is comprised primarily of overhead doors shall allow for the elimination of required foundation plantings along such a facade.
- B. Article 6.8 N of the UDO shall be replaced in its entirety with the following:
 - 1. Plantings in Buffer Yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.
 - 2. A fifty (50') Buffer Yard shall be placed around the entirety of the Commerce Park. Within the Buffer Yard, upon request from the City of Westfield Parks Department, Westfield Washington Township, or the Hamilton County Parks Department, a perpetual easement of at least thirty (30') feet in width will be granted or dedicated for the construction of a multi-use trail which may be asphalt or gravel in construction. This easement shall

be located in the area which constitutes required setbacks, building setbacks and/or buffer yards. Landscaping may be removed for the construction of a path within this easement area. The construction of the path shall only be required to be completed at the time of construction along the length of a newly platted Lot's border with the buffer yard.

3. In areas where a trail easement is not granted or dedicated the Buffer Yard Planting requirements shall be as required around the perimeter of each District in accordance with the UDO except as follows:

(a). No buffer yards shall be required:

(i) adjacent to proposed greenways and park areas (including existing parks to the east of the District); and

(ii) within easements prohibiting landscaping.

4. Within buffer yards at least eight (8) evergreen trees per one hundred (100) linear feet and five (5) evergreen shrubs per one (100) hundred linear feet shall be planted. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses.

5. Between the Commerce Parke (Area 1) and the Conservation Lot Residential Area (excluding the area shown as a Tree Preservation Area), an earthen mound of at least six (6) feet in height shall be created. Any landscaping required in said buffer yard shall be planted near the top of the required mounding.

6. Between the Conservation Lot Residential Area and adjacent AG-SF1 zoned properties Buffer Yard A requirements of the UDO shall be required (excluding the area shown as a Tree Preservation Area).

7. Tree preservation. Any tree which is larger than six (6) inches in diameter at breast height and which is located within ten (10) feet of the property line of the District shall be preserved unless removal is required for the installation of utilities or vehicular or pedestrian access to the Property or the installation of a multi-use trail or path as provided in Section 7.5(A)(2)(a) hereof. The area shown as "Tree Preservation" within the Conservation Lot Residential Area shall be substantially maintained as it exists as of the date of adoption of this Ordinance. The costs of maintenance shall be borne by the Developer and/or any owner's association created for the Commerce Park Areas 1 and 2.

7.6 Article 6.12 Outside Storage and Display shall apply except as specifically modified:

A. Commerce Parke:

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

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

3. No outside storage shall be permitted within two hundred feet (200') of the right-of-way of State Road 38 or within two hundred feet (200') of the northern boundary of Area 1 or Area 1's boundary with the

Conservation Lot Residential Area.

4. Service/Material Yard and Storage Areas.

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

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

7.7 Article 6.15 Performance Standards shall apply except as specifically modified:

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

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

7.8 Access to surrounding right of way. The District shall have access only to State Road 38. No access to Anthony Road shall be permitted.

Section 8. **Annexation.** The Real Estate, or parts thereof that may be the subject of a secondary plat approval, shall be annexed into the corporate limits of the City of Westfield prior to the approval and recording of a secondary plat for that part of the Real Estate. A Minor Subdivision for the purpose of Annexation is exempt from this standard.

Section 9. **Duration.** Failure to obtain Secondary Plat/Construction Plan approval for the District by January 1, 2033 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to AG-SF1 District.

Section 10. **Severability.** If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

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[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 20-25** was delivered to the Mayor of Westfield

on the _____ day of _____, 2022, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 20-25**

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 20-25**

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

This document prepared by:

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

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Russell L. Brown

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibit
Exhibit C-1	Area 2 Front Façade Character Exhibit

EXHIBIT A
REAL ESTATE

PART OF THE NORTH HALF OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE STONE AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 89 DEGREES 01 MINUTE 33 SECONDS EAST (ASSUMED BEARING) 2081.64 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 01 MINUTE 33 SECONDS EAST 581.19 FEET TO A STONE AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 45 MINUTES 33 SECONDS EAST 1083.56 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 00 DEGREES 10 MINUTES 59 SECONDS 2278.22 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 38 AS DESCRIBED IN EXHIBIT "A", PARCEL 21, IDOT PROJECT STP-5229 (008); THENCE NORTH 57 DEGREES 18 MINUTES 05 SECONDS WEST 1031.18 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT POINT #118 AS REFERRED TO IN SAID EXHIBIT "A"; THENCE NORTHWESTERLY 603.22 FEET ALONG SAID RIGHT OF WAY LINE AND ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 8732.36 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 59 DEGREES 16 MINUTES 49 SECONDS WEST AND A LENGTH OF 603.10 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT POINT #124 AS REFERRED TO IN SAID EXHIBIT "A"; THENCE NORTH 61 DEGREES 15 MINUTES 33 SECONDS WEST 318.82 FEET, MORE OR LESS, ALONG SAID RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING THAT BEARS SOUTH 00 DEGREES 15 MINUTES 45 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 15 MINUTES 45 SECONDS WEST 1293.11 FEET TO THE POINT OF BEGINNING. CONTAINING 67.58 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHWEST QUARTER OF SECTION 20, BOTH BEING IN TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST (ASSUMED BEARING), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,330.30 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 1,350.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST A DISTANCE OF 1,315.20 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 21 MINUTES 20 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1,327.71 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 42 MINUTES 52 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST

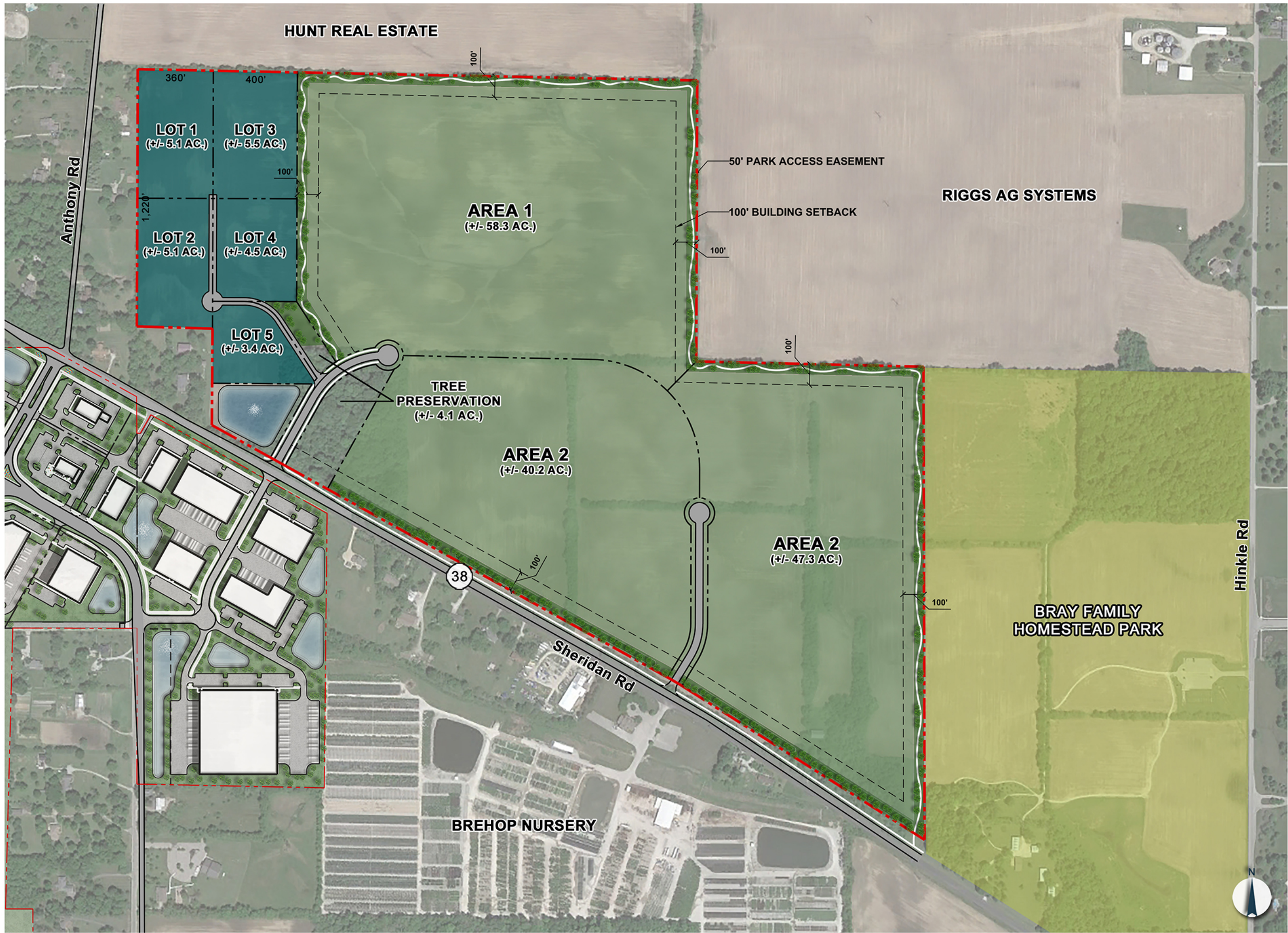
QUARTER, A DISTANCE OF 580.77 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2005-001215 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 01 MINUTES 17 SECONDS EAST, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 1,293.25 FEET TO THE NORTH RIGHT-OF-WAY LINE STATE ROAD 38; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 4 COURSES: (1) NORTH 61 DEGREES 00 MINUTES 07 SECONDS WEST A DISTANCE OF 691.86 FEET; (2) NORTH 60 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 125.11 FEET; (3) SOUTH 28 DEGREES 51 MINUTES 17 SECONDS WEST A DISTANCE OF 10.00 FEET; (4) NORTH 60 DEGREES 52 MINUTES 35 SECONDS WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST A DISTANCE OF 2,241.43 FEET TO THE POINT OF BEGINNING, CONTAINING 58.580 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHWEST QUARTER OF SECTION 20, BOTH BEING IN TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST (ASSUMED BEARING), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 101.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 1,228.55 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 1,350.91 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 44 SECONDS WEST A DISTANCE OF 2,241.43 FEET TO THE NORTH RIGHT-OF-WAY LINE STATE ROAD 38; THENCE ALONG THE NORTH LINES OF SAID RIGHT-OF-WAY THE FOLLOWING 2 COURSES: (1) NORTH 60 DEGREES 52 MINUTES 35 SECONDS WEST A DISTANCE OF A DISTANCE OF 804.96 FEET; (2) NORTH 60 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 326.89 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2019025668 IN SAID RECORDERS OFFICE; THENCE NORTH 00 DEGREES 24 MINUTES 08 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND, A DISTANCE OF 482.11 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE NORTH 88 DEGREES 19 MINUTES 29 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 361.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING, CONTAINING 55.131 ACRES, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN



NORTHPOINT

WESTFIELD, INDIANA

DATE: 07.21.2022

MASTER PLAN

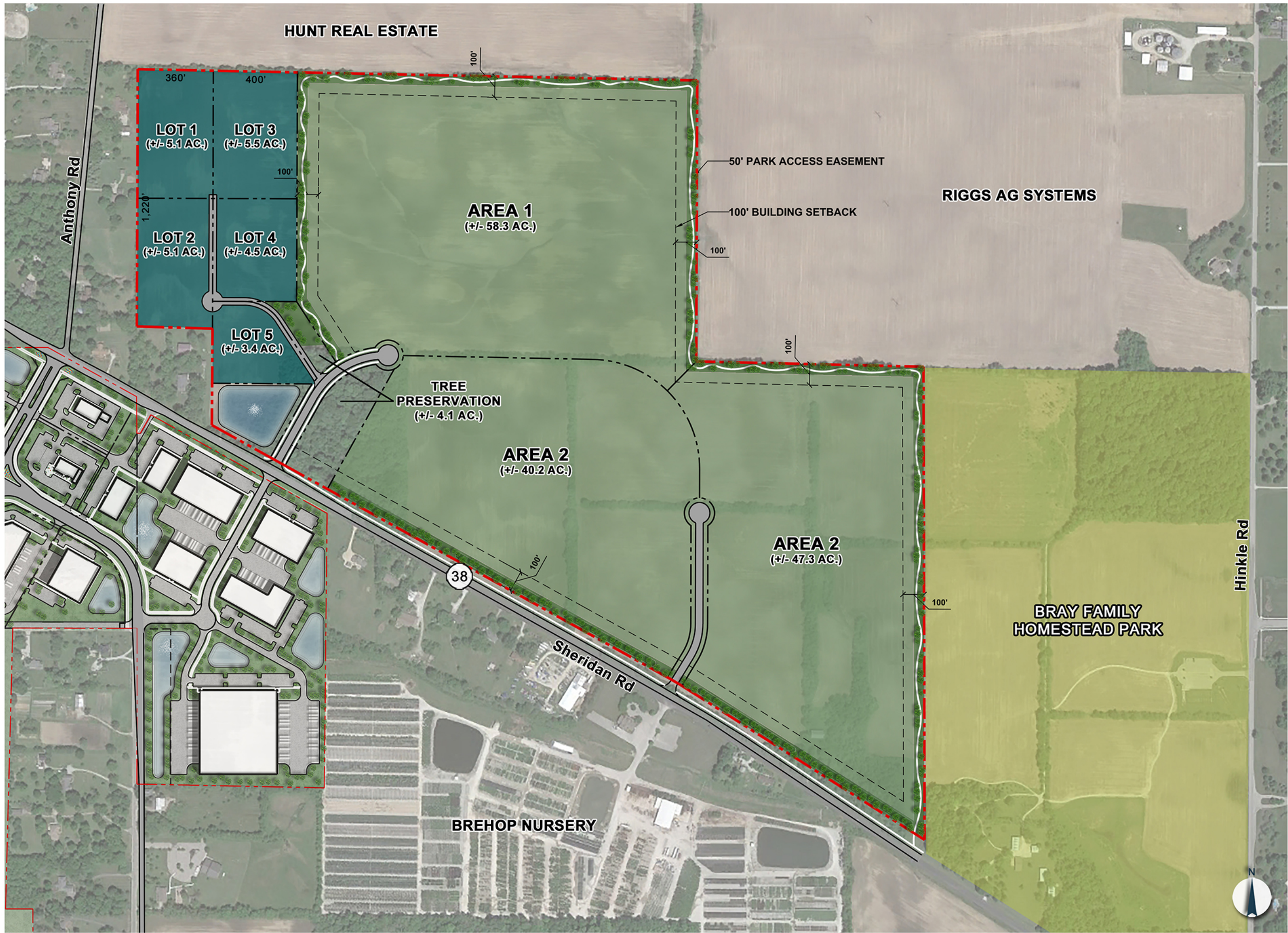
EXHIBIT C
CHARACTER EXHIBIT





EXHIBIT C-1
AREA 2 FRONT FAÇADE CHARACTER EXHIBIT





NORTHPOINT

WESTFIELD, INDIANA

DATE: 07.21.2022

MASTER PLAN





EXHIBIT C-1
AREA 2 FRONT FAÇADE CHARACTER EXHIBIT



ORDINANCE NUMBER 20-25

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING THE NORTHPOINT II PLANNED UNIT DEVELOPMENT and THE UNIFIED DEVELOPMENT ORDINANCE

This is an Ordinance (this "Ordinance") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or the "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (**Petition No. 2008 - PUD - 09**) filed with the Commission 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** ("Real Estate");

WHEREAS, the Commission forwarded **Petition No. 2008 - PUD - 09** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (_____ in favor _____ against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Planned Unit Development shall hereinafter be referred to as NorthPoint II PUD.
- 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.

The following words and terms, not defined elsewhere in this Ordinance or its Exhibits, shall have the following meanings:

- 2.1 EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base coat, and an attractive and durable finish coat.
- 2.2 Exterior Material. The separate architectural siding materials and patterns on a Building Facade such as Masonry materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- ~~2.3 — External Street. State Highway 38.~~
- ~~2.42.3~~ Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
- ~~2.54~~ Facade, Secondary. Any building elevation not having commercial or retail public entrances. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
- ~~2.65~~ Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
- ~~2.76~~ Real Estate. The real estate, as described in **Exhibit A** to the Ordinance.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The Concept Plan hereby allocates the Real Estate into the following Districts as shown on Exhibit B:

- ~~Dedicated Park (Conservation Lot Residential Area~~
- ~~Commerce Parke (Area 1)); and~~
- ~~Commerce Parke (Area 2); and)~~
- ~~Commerce Parke (Area 3)~~

Substantial conformance with the Concept Plan shall be required.

3.2 The approximate size of each District is as follows.

District	Area	
Commerce Parke (Area 2)	1551	58 Acres
Commerce Parke (Area 3)	152	92 Acres
Dedicated Park (Conservation Lot Residential Area 1)	10	
(including tree preservation)	28 Acres	
Total acreage		180 Acres

The Conservation Lot Residential Area (inclusive of tree preservation) may not be reduced below 25 acres in total size. No more than five individual buildable lots shall be created in the Conservation Lot Residential Area.

Section 4. Underlying Zoning District(s).

4.1 The Underlying Zoning District of the District shall be:

Commerce Parke Area ~~21~~ and Area ~~32~~: EI
~~Dedicated Park (Conservation Lot Residential Area 1):~~
~~SF-3 SF1~~
 (the “Underlying Zoning District”).

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

5.1 Only the uses identified below shall be permitted in the District. Uses which are designated as permitted by a Special Exception in the Use Table of Chapter 13 of the UDO are only permitted in a District if specifically provided as a permitted use herein.

A. Commerce Parke Area ~~21~~ and Area ~~32~~ Permitted Uses

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

3. Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the Director. The Director shall favorably consider uses which are substantially similar to a permitted use if the impacts on surrounding properties is no greater than uses specifically permitted by Section 5.1(A)(2).
4. Accessory buildings and uses customarily incidental to any of the permitted uses.

B. Permitted Uses for ~~The Dedicated Park~~the Conservation Lot Residential Area:

1. ~~Public Parks~~Dwelling, Single-family.
2. Agricultural Use.
3. Stable, Private.

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

A. Conservation Lot Residential Area

<u>Minimum Lot Area:</u>	<u>3 acres</u>
<u>Minimum Lot Frontage:</u>	<u>25 feet</u>
<u>Minimum Front Yard Setbacks:</u>	<u>40 feet</u>
<u>Minimum Living Area of single-family dwelling</u>	<u>2,500 gross square feet</u>
<u>Maximum percentage of Lot covered by single-family dwelling or accessory buildings</u>	<u>Thirty percent (30%)</u>

B. Commerce Parke Lot Standards (Area 21 and Area 32):

<u>Minimum Lot Area:</u>	<u>3 acres</u>
<u>Minimum Lot Frontage:</u>	<u>70 feet</u>
<u>Minimum Lot Width At Setback Line:</u>	<u>100 feet</u>
<u>Minimum Front Yard Setbacks:</u>	<u>30 feet</u>
<u>Minimum Parking Lot Setback:</u>	<u>20 feet from the property line abutting any street</u>
<u>Minimum Side Yard:</u>	<u>10 feet</u>
<u>Minimum Rear Yard:</u>	<u>10 feet</u>

Maximum gross square feet of retail per a single building:	65,000 gross square feet
Minimum Building Setback along exterior of District	100 feet from any boundary of the District
<u>Maximum Building Height (Area 1)</u>	<u>45 feet</u>

Section 7.

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

7.1 Article 6.1 Accessory Use and Building Standards shall apply unless otherwise amended.

In the Residential District, each Lot may have one Accessory Building of greater height than the Principal Building, so long as the height of the Accessory Building does not exceed the lesser of: a) the height of the Principal Building by more than thirty percent (30%), or (b) thirty five (35) feet.

7.17.2 Article 6.3 Architectural Standards: The following shall replace Article 6.3 in its entirety as related to the Commerce ~~Parke~~.

A. Character Exhibit- for Commerce Parke. The Character Exhibits, attached hereto as **Exhibit C-** are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the ~~District.~~Commerce Parke Area 1 and Area 2. Buildings shall be constructed substantially similar to those in the Character Exhibit. Any west facing façade in Commerce Parke Area 2 must be constructed substantially in conformance with **Exhibit C-1** hereto.

B. Architectural Standards for Commerce Parke Area ~~21~~ and ~~32~~:

1. Façade Rules.

a. All building elevations shall be considered either a Primary Façade or a Secondary Façade.

b. A façade facing State Road 38 must meet Primary Façade requirements of this Section.

c. Architecture for Primary and Secondary Facades fronting on a public right of way, or which are visible from adjoining residential uses, shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to the public right of way upon which the structure fronts.

d. Any Primary Facade which does not front on a public right of way, or any Primary Façade or Secondary Facades which are not visible from adjoining residential uses, shall not be required to Section 5.3(K) of the UDO, but instead shall comply with the requirements provided below.

2. Roof Design.

- a. Roofs may be either residential character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
 - b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
 - c. Rooftop equipment screens and rooftop penetrations (i.e., vents) shall be of a color compatible with the overall building or roof color (not an accent color).
 - d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:12.
3. Facade Materials.
- a. Primary Façade Materials.
 - i. Permitted building finish materials for the Primary Façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain) architectural block (textured) and EFIS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or architecturally insulated metal panel systems (if used for a maximum of 50% of the façade).
 - ii. Prohibited building finish materials on the Primary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass, vinyl siding.
 - iii. Primary Facades may have window glazing or glass storefronts.
 - iv. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Drive).
 - v. Colors used on building facades must be complementary. Natural, muted colors should serve as the Primary Facade color, with brighter colors used as limited accents.
 - vi. Decorative architectural lighting is required at a minimum of one fixture every 40 feet on Primary Facades.
 - vii. On Primary Facades which do not face a primary arterial, overhead doors may be permitted on the Primary Facade elevations.
 - b. Secondary Façades Materials.
 - i. In addition to those materials permitted for the Primary Façade, the Secondary Facade may include architectural metal wall panels.
 - ii. Prohibited building finish materials on the Secondary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

- iii. Overhead doors are permitted on Secondary Facade elevations, but shall not be orientated towards a public right-of-way.
- c. Facades in Area 21. Notwithstanding anything provided in 7.1(B)(3) hereof any building constructed in Area 21 shall be prohibited from having overhead doors on facades facing north, south or west.

4. Wall Planes.

- a. A Building may be constructed with wall planes which do not meet the required offsets provided in Article ~~6.3(F(5(b))) and/or Article 5.3(K)(2(b)))~~ of the UDO only if an alternative feature provided herein is utilized. If no alternative features provided herein are utilized and the wall plane is otherwise required to meet the conditions of Article ~~6.3(F(5(b))) and/or Article 5.3(K)(2(b)))~~, compliance with ~~Article 6.3(F(5(b))) and/or Article 5.3(K)(2(b)))~~ of the UDO must be accomplished. If an alternative feature is utilized the distance between offsets required under Article ~~6.3(F(5(b))) and/or Article 5.3(K)(2(b)))~~ of the UDO may be increased as provided hereunder, but the obligation for offsets is not eliminated.
- b. The distance between required offsets may be increased up to two times the otherwise permitted separation provided in Article ~~6.3(F(5(b))) or Article 5.3(K)(2(b)))~~ of the UDO if one or more of the following is utilized:
 - (i) Change in materials on the same vertical plane occurring with a separation of no more than sixty (60) feet between material changes with a width of at least four (4) feet; or
 - (ii) A change in paint colors for materials of the same type with a separation of no less than sixty (60) feet and a change in color which is at least six (6) feet in width. To qualify for an increased distance between offsets, the change in paint colors must be significant enough to provide a meaningful and visually apparent contrast.
 - (iii) Alternatively, in lieu of only vertical articulation, architectural articulation which occurs no less than every sixty (60) feet comprised of either a vertical articulation of not less than eighteen (18) inches and/or horizontal articulation of not less than thirty-six (36) inches shall be acceptable wall plane changes. Horizontal articulation should account for not less than fifty percent (50%) of the articulation required herein.
- c. Any wall plane which is a Primary Façade must utilize a change in wall height of at least twenty-four (24) inches on all required wall planes and one of the two of the following features on a majority

of the offsets which are required on a wall plane:

- A change in paint color in compliance with Section 7.42(B)(4)(b)(ii) hereof; or
- a change in materials in compliance with Section 7.42(B)(4)(b)(i) hereof.

7.3 Article 6.3. Architectural Standard: The following shall apply in addition to the Requirements of Section 6.3(C) of the UDO for the Conservation Lot Residential Area.

A. Perimeter Lot Requirements. No lots in the Conservation Lot Residential Area shall be required to comply with 6.3(C)(1)(a) in regards to orientation of the front façade. Any side or rear facade visible from an External Street or from a an adjacent AG SF-1 zoned property shall be required to comply with the requirements of 6.3(C)(1)(b).

B. Building Materials. In addition to the requirements of Section 6.3(C)(3) of the UDO, the following shall apply to the Conservation Lot Residential Area:

(i) No vinyl siding shall be permitted on a single-family dwelling; and

(ii) At least fifty percent (50%) of the front façade of a single-family dwelling (excluding doors and windows) shall be Brick (clay), natural stone or simulated cut stone.

7.27.4 Article 6.5 Fence Standards: Shall apply unless otherwise amended:

Any fencing located on along an External Street and separating the Conservation Lot Residential Area from Commerce Parke Area 1 shall be a three-rail fencing which is dark in color. ~~An entrance monument shall be located at the entry into the Development from an External Street.~~

~~7.3 Article 6.6 Height Standards: Shall apply unless otherwise amended hereby for the following District:~~

~~A. Maximum Building Height~~

~~1. Commerce Parke Area 2: Height shall be limited to forty five (45) feet. All other areas shall default to UDO.~~

~~2. The limitations herein shall not apply to steeples, silos, chimneys, antennas or appurtenances which are located on structures within the district.~~

7.45 Article 6.8 Landscaping Standard: Shall apply, except as follows:

A. Article 6.8 ~~NL~~ of the UDO shall apply, except as follows:

1. Regardless of length of a façade, any façade which is comprised primarily of overhead doors shall allow for the elimination of required foundation

plantings along such a facade.

B. Article 6.8 N of the UDO shall be replaced in its entirety with the following:

1. Plantings in Buffer Yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.

~~2. The Buffer Yard Requirements of the UDO shall be replaced in its entirety as follows:~~

~~a.~~ A fifty (50') Buffer Yard shall be placed around the entirety of the Commerce Park. Within the Buffer Yard, upon request from the City of Westfield Parks Department, Westfield Washington Township, or the Hamilton County Parks Department, a perpetual easement of at least thirty (30') feet in width will be granted or dedicated for the construction of a multi-use trail which may be asphalt or gravel in construction. This easement shall be located in the area which constitutes required setbacks, building setbacks and/or buffer yards. Landscaping may be removed for the construction of a path within this easement area. The construction of the path shall only be required to be completed at the time of construction along the length of a newly platted Lot's border with the buffer yard.

3. In areas where a trail easement is not granted or dedicated the Buffer Yard Planting requirements shall be as required around the perimeter of each District in accordance with the UDO except as follows:

(~~ia~~). No buffer yards shall be required:

(~~ai~~) adjacent to proposed greenways and park areas (including existing parks to the east of the District); and

(~~Bii~~) within easements prohibiting landscaping.

~~b. Buffer yard planting requirements shall be included with the Development Plan Review of each parcel.~~

~~4.~~ Within buffer yards at least eight (8) evergreen trees per one hundred (100) linear feet and five (5) evergreen shrubs per one (100) hundred linear feet shall be planted. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses.

3 5. Between the Commerce Parke (Area 1) and the Conservation Lot Residential Area (excluding the area shown as a Tree Preservation Area), an earthen mound of at least six (6) feet in height shall be created. Any landscaping required in said buffer yard shall be planted near the top of the required mounding.

6. Between the Conservation Lot Residential Area and adjacent AG-SF1 zoned properties Buffer Yard A requirements of the UDO shall be required (excluding the area shown as a Tree Preservation Area).

7. Tree preservation. Any tree which is larger than six (6) inches in diameter at breast height and which is located within ten (10) feet of the property line of the District shall be preserved unless removal is required for the installation of utilities or vehicular or pedestrian access to the Property or the installation

of a multi-use trail or path as provided in Section 7.4(A)(2)(a) ~~hereof.~~ 5(A)(2)(a) hereof. The area shown as “Tree Preservation” within the Conservation Lot Residential Area shall be substantially maintained as it exists as of the date of adoption of this Ordinance. The costs of maintenance shall be borne by the Developer and/or any owner’s association created for the Commerce Park Areas 1 and 2.

7.46 Article 6.12 Outside Storage and Display shall apply except as specifically modified:

A. Commerce Parke:

1. Uses in the Commerce Parke shall be permitted to have outside storage subject to the screening/buffering requirements as set forth in this Ordinance.
2. Outside storage shall be permitted in accordance with Article 6.12(D) of the UDO.
3. No outside storage shall be permitted within two hundred feet (200’) of the right-of-way of State Road 38- or within two hundred feet (200’) of the northern boundary of Area 1 or Area 1’s boundary with the Conservation Lot Residential Area.
4. Service/Material Yard and Storage Areas.
 - a. Article 6.12(D)(2) of the UDO shall apply with the following addition: Must be completely screened as follows:
 - i. The fence required under Article 6.12(D)(2)(b) of the UDO shall be an opaque wood privacy fence, the style of which shall be consistent throughout the Commerce Parke.

7.57 Article 6.15 Performance Standards shall apply except as specifically modified:

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

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

7.68 Access to surrounding right of way. The District shall have access only to State Road 38. No access to Anthony Road shall be permitted.

~~**Section 8. Amenities.** Any amenities and programing within Dedicated Park shall be the responsibility and obligation of Westfield Washington Township Trustee. An access easement shall be granted as required and necessary over Area 2 to access the Dedicated Park.~~

Section 9. Section 8. Annexation. The Real Estate, or parts thereof that may be the subject of a secondary plat approval, shall be annexed into the corporate limits of the City of Westfield prior to the approval and recording of a secondary plat for that part of

the Real Estate. A Minor Subdivision for the purpose of Annexation is exempt from this standard.

Section 109. Duration. ~~If no development occurs on~~ Failure to obtain Secondary Plat/Construction Plan approval for the Real Estate within a period of ten (10) years, District by January 1, 2033 (unless otherwise extended by the terms of this PUD Director) shall automatically ~~expire~~ void this Ordinance and cause the zoning classification of the Real Estate to revert to AG-SF1 District.

Section 10. Severability. ~~If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.~~

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK.]

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 20-25** was delivered to the Mayor of Westfield

on the _____ day of _____, 2022, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 20-25**

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 20-25**

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

This document prepared by:

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

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Russell L. Brown

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibit
Exhibit C-1	Area 2 Front Façade Character Exhibit

EXHIBIT A
REAL ESTATE

PART OF THE NORTH HALF OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE STONE AT THE NORTHWEST COMER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 89 DEGREES 01 MINUTE 33 SECONDS EAST (ASSUMED BEARING) 2081.64 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 01 MINUTE 33 SECONDS EAST 581.19 FEET TO A STONE AT THE NORTHEAST COMER OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 45 MINUTES 33 SECONDS EAST 1083.56 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 00 DEGREES 10 MINUTES 59 SECONDS 2278.22 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 38 AS DESCRIBED IN EXHIBIT "A", PARCEL 21, IDOT PROJECT STP-5229 (008); THENCE NORTH 57 DEGREES 18 MINUTES 05 SECONDS WEST 1031.18 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT POINT #118 AS REFERRED TO IN SAID EXHIBIT "A"; THENCE NORTHWESTERLY 603.22 FEET ALONG SAID RIGHT OF WAY LINE AND ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 8732.36 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 59 DEGREES 16 MINUTES 49 SECONDS WEST AND A LENGTH OF 603.10 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT POINT #124 AS REFERRED TO IN SAID EXHIBIT "A"; THENCE NORTH 61 DEGREES 15 MINUTES 33 SECONDS WEST 318.82 FEET, MORE OR LESS, ALONG SAID RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING THAT BEARS SOUTH 00 DEGREES 15 MINUTES 45 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 15 MINUTES 45 SECONDS WEST 1293.11 FEET TO THE POINT OF BEGINNING. CONTAINING 67.58 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHWEST QUARTER OF SECTION 20, BOTH BEING IN TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST (ASSUMED BEARING), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,330.30 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 1,350.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST A DISTANCE OF 1,315.20 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 21 MINUTES 20 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1,327.71 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 42 MINUTES 52 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST

QUARTER, A DISTANCE OF 580.77 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2005-001215 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 01 MINUTES 17 SECONDS EAST, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 1,293.25 FEET TO THE NORTH RIGHT-OF-WAY LINE STATE ROAD 38; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 4 COURSES: (1) NORTH 61 DEGREES 00 MINUTES 07 SECONDS WEST A DISTANCE OF 691.86 FEET; (2) NORTH 60 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 125.11 FEET; (3) SOUTH 28 DEGREES 51 MINUTES 17 SECONDS WEST A DISTANCE OF 10.00 FEET; (4) NORTH 60 DEGREES 52 MINUTES 35 SECONDS WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST A DISTANCE OF 2,241.43 FEET TO THE POINT OF BEGINNING, CONTAINING 58.580 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHWEST QUARTER OF SECTION 20, BOTH BEING IN TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST (ASSUMED BEARING), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 101.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 15 MINUTES 44 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 1,228.55 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 39 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 1,350.91 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 44 SECONDS WEST A DISTANCE OF 2,241.43 FEET TO THE NORTH RIGHT-OF-WAY LINE STATE ROAD 38; THENCE ALONG THE NORTH LINES OF SAID RIGHT-OF-WAY THE FOLLOWING 2 COURSES: (1) NORTH 60 DEGREES 52 MINUTES 35 SECONDS WEST A DISTANCE OF A DISTANCE OF 804.96 FEET; (2) NORTH 60 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 326.89 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2019025668 IN SAID RECORDERS OFFICE; THENCE NORTH 00 DEGREES 24 MINUTES 08 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND, A DISTANCE OF 482.11 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE NORTH 88 DEGREES 19 MINUTES 29 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 361.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING, CONTAINING 55.131 ACRES, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN

EXHIBIT C
CHARACTER EXHIBIT

EXHIBIT C-1
AREA 2 FRONT FAÇADE CHARACTER EXHIBIT



NORTHPOINT II

ZONING SUMMARY

JULY 2022

NorthPoint is proposing to expand the Commerce Park uses of the NorthPoint Project to meet the growing demand of users in the Westfield market. With recent activity and market demand some very large projects are seeking Westfield as their location to build their facilities. Out of the original 400 acres in the NorthPoint PUD we now are left with only 85 acres to market today. Additionally, the single family residential development of NorthPoint PUD has continued with great takedown velocity, even through the COVID pandemic. Some of the remaining Commerce Park sites are being reviewed by buyers looking to relocate to the park. In 2018 the existing park was expanded south to 196th street and east to the southeast corner of SR 38 and Grassy Branch Road adjacent to Brehob nursery. We have recently talked to most all of the large landowners around and adjacent to NorthPoint including Roberts, Wilkins, and Chance and those owners are just not in the market to sell at anytime in the near future. We are looking to expand our park with an additional 180 acres of land, to the north side of SR 38 across from these present commercial uses. This is the area originally looked at in early 2019 by Washington Township for a park area however the bond was rescinded by the present Township Board. Discussions with the Township trustee have indicated no further interest in a large park in this area. This area has direct access to State Road 38 with easy access to US 31 without going through other residential areas.

ZONING: The Commerce Park zoning will be called NORTHPOINT II PUD. The PUD commerce park from the existing NorthPoint PUD will be largely duplicated. A lot of time was spent with planning staff in the development of the NorthPoint PUD to create an acceptable and workable ordinance which we plan to continue into this new area. The standards need to be flexible enough to invite new business to Westfield without giving up a common quality development that Westfield wants and anticipates.

As a proposed buffer to the existing single family development on Anthony Road, an area designated as “Conservation Lot Residential Area” has been built into the revised ordinance. This area would have approximately 25 acres of property set aside for larger lot residential development, on-site detention facilities and a tree preservation area. The residential lot standards have been established to require at least three acre lots with significant open space. The ordinance provides for a minimum amount of space to be retained for the residential purpose and have provide for buffering requirements between the Commerce Parke portions and these residential lots.

Further, the PUD provides that within the buffer yards on the northern part of the property that a trail easement will be dedicated to a public park department to allow for the connection between existing park land to the east and the western boundary of Northpoint II along State Road 38. This dedication will ensure that future growth to the north is not accessed through NorthPoint II, and provides a “firewall” to area residents from continued commercial and industrial growth in this area.

ACCESS: The main access point for vehicular truck traffic to access US 31 for NorthPoint is State Road 38 via the East Street extension. This will provide a connection via East Street to the US 31 at 191st Street. This intersection at 191st is now planned with retail, hotels, office and residential uses with Mid-Town. Additional truck traffic to this area which also serves Grand Park is not desirable with the intended uses in this area. SR 38 is the most direct access point. Even the recently approved Gordan Foods site on 196th street intends for the vast majority of its traffic to access their site via St Rd 38. NorthPoint II will access directly onto SR 38 and direct traffic to US 31 without going south to 191st St. A traffic signal at East St- (Anthony Road) and SR 38 is proposed as part of the East Street connection and the federally funded project. NorthPoint II will have two access points, one of which will align with the existing entrance to Brehob Nursery (which would allow for access to the Conservation Lot Residential Area) and a second entrance located approximately between that entrance and the proposed light at East Street. We have reviewed these locations with the State Highway Department to determine improvements to SR 38 for turn lanes at these entrances. No traffic would be directed onto Anthony Road or Hinkle Road and the ordinance specifically prohibits such access. All traffic would enter and exit all users in NorthPoint II from SR 38.

SURROUNDING USES: The proposed NorthPoint II Commerce Park will consist of approximately 180 acres comprised of three property owners. The western parcel consists of 113.7 acres and is presently owned by two land investors. The eastern parcel consists of 67.8 Acres and is owned by Green TAT Farms. All parcels are presently under contract by NorthPoint and have consented to and a party to this petition. To the south of these parcels exists Brehob Nursery, existing NorthPoint Commerce Park zoning and some existing single family homes fronting on SR 38 between Brehob Nursery and SR 38. To the east is the existing Hamilton County Park. To the north is agricultural farm land owned by Hunt and Riggs. To the west and north of SR 38 are some existing single family homes along Anthony Road and SR 38. The Conservation Lot Residential Area will serve as the buffer between the business park and the existing single family homes. The proposed trail connections will assist in to insure that the boundary of the proposed business park does not expand northward. It is not our intent to extend beyond the areas of the 180 acres.

SCHEDULE - TIMING: The Commerce Park zoning was initially heard in February 2022, with the adoption consideration (with the modification to include the Conservation Lot Residential Area as buffering instead of a dedicated park) in August 2022. Assuming approval by the Westfield City Council in late 2022, we will follow up in early 2023 with Detailed Development plan approvals and construction plan approval to be ready to start construction in mid- to late 2023. Construction will take approximately one year to complete making the site shovel ready by the middle of 2024. This will provide 2 more years of marketing to complete phase one of NorthPoint and ability to market this area ahead of time to create tax base for the Westfield.

UTILITIES: The Commerce Park will be serviced by all utilities upon completion. Gas, Electric, Telephone exist at the site today based on extensions of utilities to service the

existing Site. Water and sanitary sewer have been extended to 203rd and East Street by Lennar Homes and will be extended to SR 38 with the development of parcels to the north. We are working with Citizens Utility as to eventual extensions to this site.

MARKETING: The Commerce Park zoning will allow similar uses as the existing NORTHPOINT PUD and will be marketed to together with this site as one master planned community. We foresee a mix of high tech engineering uses along with warehouse distribution uses as we have found to date in the area. Available workforce in the area along with the quality of life for employees that Westfield offers provides, create a great location and community for companies to relocate or expand into.

ISSUES RAISED REGARDING THE NORTHPOINT II PUD PROPOSAL

The list below includes issues that were raised during the February 22, 2022, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Community Development Department. Because this is the third iteration of the proposal, only comments sent in 2022 were referenced when compiling this list. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. How does the proposal compare with the Comprehensive Plan for the area?

A: Three areas of the Comp Plan are relevant to this proposal: The first is Highway Corridors. Residential development is not encouraged along State Road 38. Instead, developments which positively impact community's appearance, economic vitality and convenience are encouraged. It is petitioner's belief that NorthPoint II has this positive impact. That positive impact is made by adhering to the concept of a Business Park as contemplated in the Comp Plan. The Comp Plan text provides that Business Parks should be developed as a campus like setting, providing interconnectedness, located near highways, limit access to thoroughfares and other design features, which we believe the NorthPoint II ordinance adheres to in spirit and implementation while also being removed from residential neighborhoods, a removal which is increased by the revised site plan included in the August 2022 version of the ordinance.

The final text of the Comp Plan which is relevant is the need to re-evaluate this section of the Township, which is specifically contemplated in the Comp Plan. The Comp Plan includes is a specific re-evaluation period and an expectation that the town should monitor development patterns and reevaluate the development policies as the community grows and changes.". It is UNQUESTIONED, that Westfield Washington Township has changed in the last 15 years, yet no update has occurred. Unfortunately, the development pattern has long surpassed the designations included in the Comp Plan.

2. How will the proposal impact adjacent property values?

The separation provided by buffering uses, the design considerations given and the focus of traffic away from residential uses are all included to mitigate the impact on surrounding residential uses. The proposal will positively impact the value of commercial uses already located on State Road 38.

3. How will the proposal impact the quality of life of neighboring residents?

The separation provided by buffering uses, the design considerations given and the focus of traffic away from residential uses are all included to mitigate the impact on surrounding residential uses. The proposal will allow for orderly development which supports the growth and development in the community and the associated public service and infrastructure needs.

4. What can be done to mitigate potential environmental impacts of the proposed development related to pollution (air, water, light, and debris), noise, and existing wildlife?

The development will comply with all existing environmental, drainage and design standards. No modifications are sought to the requirements of the noise ordinances with the City of Westfield. The requirements of Westfield's Zoning ordinance limit offsite light spillage which will be further screened by the proposed buffer yards and landscaping requirements included in the NorthPoint II ordinance.

5. Why was this location chosen?

The proximity to the existing NorthPoint Development was important. The direct access to State Road 38 and the close proximity to the State Road 38 and US 31 interchange was important. The ability to assemble property to allow for larger scale potential development was important. The commercial growth/development south of State Road 38 made this location seem like a logical location for development orientated towards State Road 38 to occur.

6. Have alternate locations, where the project would more closely align with the Comprehensive Plan, been considered?

The development team has focused on finding a logical extension of the growth of NorthPoint. The Comp Plan does not have a large number of areas which are undeveloped which carry the business park designation.

7. With other existing industrial areas not yet built-out, is there a need for additional industrial space in the community at this time?

The opportunity presented by NorthPoint II is the opportunity to have large footprint type uses. There are a variety of smaller sites (1 to 5 acre sites) in Westfield available for EI type development, but the development team believes a hole in the market exists for uses which are larger in size or which require the opportunity for future expansion.

8. If this is approved, what will stop additional industrial or commercial users from locating in this area as well?

The development team has built in a proposed dedicated easement on the northern boundary of the proposed development which would preclude development occurring further north through NorthPoint II. Proximity to US 31 via State Road 38 is important to this site. Moving further away from that intersection or away from State Road 38 decreases the attractiveness for future development in line with NorthPoint II.

9. How would this development impact traffic on SR 38 and other nearby streets?

The development team has worked to align the entry points on State Road 38 with other existing entry points on the south side of State Road 38. This is an effort to decrease traffic conflicts when entering/exiting State Road 38. The development will not have access to Anthony Road or other nearby streets. The anticipated flow of traffic to and from the site is via the State Road and US 31 interchange.

10. Are the proposed minimum lot standards adequate to ensure the type of development desired for the project?

The proposed minimum lot standards are similar to those utilized in NorthPoint, which has generally attracted larger scale development for which there is not an alternative location within Westfield.

11. How can the ordinance be modified to ensure the Dedicated Park area will contain a park even if a Public Entity does not participate?

The Dedicated Park concept has been removed from the August 2022 version of the ordinance and replaced with a larger area for larger lot residential development.

12. Will sightline studies be prepared to show the visual impact of the proposed development?

Perspectives were prepared for previous versions of the ordinance. None have been prepared with the current design standards.

13. Has a conservation subdivision been considered for this area?

The current version of the ordinance dedicates approximately 28 acres for conservation lots and tree preservation to act as a buffer for the existing homes on Anthony Road. The design

standards included in the ordinance contemplate these lot being largely open space with larger accessory buildings in line with a common understanding of a conservation subdivision.

14. Have other (non-township) public entities been approached in regards to creating a park on this property?

Not to the knowledge of the development team.

15. Will tax abatements be requested for the proposed buildings?

The financial incentives requested for any future development will be considered on a case-by-case basis and will follow any and all required public hearings for approval.

Northpoint 2 Neighborhood Meeting

6:30 P.M. 8/13/20

VIA Go To Meeting/Call In

Petitioner's representatives on-line:

Russell Brown, Chris Wilkes

City of Westfield Personnel on-line: Pam Howard

Attendees: Not all attendees identified themselves or spoke. Approximately ten (10) individuals asked questions or raised concerns.

Petitioner's gave an overview of project. Described proposal, including permitted uses, areas utilized for District 3 uses versus District 2 uses. Discussion of buffering plans and intentions between Single Family homes on Anthony Road and proposed development. A variety of concerns and questions were raised by neighbors. Those questions included:

How will access to Anthony Road be prohibited by the developer?

What impact will proposal have on value of property?

How will light/noise/air quality be impacted?

Will city utilities now be available to the homeowners on Anthony Road? Will they be offered to us for free?

What type of drainage infrastructure will be in place?

Can a larger buffer be put in place between Anthony Road and NP2? Eighty foot was offered as a suggestion.

The minimum size of lots for commerce park seems small (1 acre) that doesn't seem to fit into goal of having larger users.

The building height adjacent to residential uses seems too tall. Can it be reduced?

What hours of operation will be allowed on site?

Can existing trees on the northern boundary be saved to keep some screening in place?

The development team indicated that some of these concerns could be attempted to addressed through modifications to the PUD. At the conclusion, the development team agreed that a follow-up meeting could be valuable and agreed to hold a meeting at a later date, with notice to be distributed to neighbors of the date and time. The meeting adjourned at approximately 7:30 P.M.

Northpoint 2 Second Neighborhood Meeting

6:30 P.M. 8/27/20

VIA Go To Meeting/Call In

Petitioner's representatives on-line: Russell Brown, Chris Wilkes

City of Westfield Personnel on-line: Pam Howard

Attendees: Not all attendees identified themselves or spoke. More than fifteen (15) individuals asked questions or raised concerns.

The development team discussed edits which had been made to the ordinance following the questions and concerns raised in the first meeting. These changes included:

Increasing buffer along western boundary of property and increasing height of buffer mound. An exhibit was presented which showed a view of a typical building based on the presence of a mound as described in the ordinance.

No entries would be allowed on Anthony Road.

Minimum lot size was increased to 3 acres to avoid a number of smaller users.

Height maximum within 300' feet of residential uses was decreased to 45'.

Tree preservation area (for trees greater than 6 inches in height and within 10' of northern boundary) would be established.

Additional information about UDO standards for parking lot lights, noise, odor was provided.

An additional comment was made by Trustee Tolan regarding the previous plans for this property for park property which were terminated after bond remonstrance occurred.

Several neighbors and others from the community raised concerns about the proposal, including concerns raised in previous meetings. The concerns regarding noise, truck traffic, potential lack of upkeep for buffering area, impact of use and enjoyment of homes along Anthony Road and other areas further to the East were raised, including neighbors who live along Hinkle Road.

Concerns were raised about the lack of a "mitigation strategy" for impact on health, safety, drainage, water quality and other environmental matters.

Neighbors raised concern about how the proposed use compared to the Comp Plan recommendations, with several individuals indicating they had recently moved to the area because of the current undeveloped status of this property or the scenic nature of Anthony Road. Individuals expressed concern that the prohibition of an entry on Anthony Road would not be enough to keep truck traffic off of Anthony Road. Individuals had concern about levels of traffic already present on SR 38 and how entry/exit into the site would work. Concerns were raised about why sidewalks along State Road 38 weren't shown on the conceptual drawings.

Due to an issue with the remote platform utilized for the meeting, the meeting ended abruptly at approximately 8:20 P.M.

Northpoint 2 Third Neighborhood Meeting

6:30 P.M. 2/4/21

VIA Go To Meeting/Call In

Petitioner's representatives on-line: Russell Brown, Chris Wilkes

City of Westfield Personnel on-line: Pam Howard

The Petitioner's team presented the revised site plan which was created during the significant time off between previous meeting and February 2021. Highlighted the residential development features, requirements, indicating that the development will be by the same developer currently working in Northpoint. Discussed other modifications to the ordinance, including the elimination of District 3 uses, but maintaining prohibitions of access onto Anthony Road, adding language which would require dedication of easement for path on northern boundary if requested by City/County Parks department. Discussed how public process would be moving forward.

Opened floor for discussions and questions. Between 10 and 15 individuals raised concerns about the proposal.

A number of comments were raised about how the proposal is a deviation from the current Comp Plan recommendations. One individual asked how this deviation could move forward for consideration. Several individuals indicated that the addition of single family residential with a density of 3 units per acre was not an acceptable development pattern to them, and it was referred to as "high density" single family development. The lack of buffering between the new proposed single family development and the existing single family development was raised as an issue (when asked if this would be desired by adjoining owners, it was indicated that it would not change their opinion of the project). Individuals indicated that they believed that the number of permitted uses under the ordinance was too vast. Concerns were raised about animals which used the field in its current state. A question was asked about why Westfield Washington Parks weren't a possible department for a trail dedication (this was consented to by the Developer as a good addition). Individuals expressed concern about this development continuing to move north beyond the parcels which are shown today and wanted some assurances that it would not happen (Development team indicated they did not have plans to move further north and that the access to SR 38 was part of this property's appeal). A neighbor asked if the development team had looked into developing a project in line with the comp plan's rural residential designation, with low density (3-5 acres lots), which the development team indicated they had not done because that is not the development work they do.

The next steps in the public process were discussed. Ms. Howard gave information about how public comments could be submitted to the APC or Ms. Howard's department. One individual asked if he could have copies of all documents currently submitted, which Mr. Brown indicated he would provide.

The meeting adjourned at approximately 7:30 P.M.

Northpoint 2 – Fourth Neighborhood Meeting
6:00 P.M. 1/31/22
Grand Park Event Center

Petitioner's representatives in person: Russell Brown, Chris Wilkes, Jordan Corbin

City of Westfield Personnel in attendance: Pam Howard

Public in attendance, approximately 34 people signed in, including to members of City Council.

The meeting began with a presentation provided by Petitioner's representatives highlighting the nature of the project and the changes which had been made since the previous iteration of the proposal in winter of 2021, focusing on the creation of three areas within the development, including one which would include dedicated park property to buffer the single family lots adjacent to the project. The presentation included highlights of the specific provisions of the revised ordinance related to height restrictions, buffering requirements, dedication of walking paths to connect existing park and the proposed park.

The meeting was then opened up for questions and comments. Several individuals raised procedural questions about the process including questions about why the city was allowing the proposal to move forward at all and how the ordinance was treated based on outcomes of the APC recommendation and City Council vote.

Many individuals spoke regarding their view that the project did not align with the comprehensive plan recommendations for this area from the current comprehensive plan and they indicated that they believed or feared that the project would negatively impact the value of their homes. Some individuals indicated that they did not think the proposed park area was adequately sized for the size of the development and others indicated that they did not desire to engage in any discussions with the development team because they did not want discussions to be perceived as negotiations with the developer. An individual raised a question about whether the building heights in Area 2 could interfere with their cellular reception which was their current mechanism of receiving high speed internet.

Several questions were asked about what tax impact/benefit the project would have for the City if approved and constructed. A small amount of discussion related to TIF and tax abatements also occurred. Individuals asked if city utilities would be made available to those on Anthony Road with this project occurring. Several individuals gave information on how to submit letters of opposition to the APC or city council members.

The meeting concluded with a reminder that the matter would NOT be heard on February 7, but would be considered at the February 22 meeting.

The meeting concluded at approximately 7:05 P.M.

1/31/22

NP II

NEIGHBORHOOD MEETING

NAME

ADDRESS

Barry Pike

5458 Sheridan Rd

Cathy Pike

" " "

Tim Armstrong

20636 Anthony Rd

Ted Sommer

21001 Anthony Rd

Tony Dues

20798 HAWKEE RD

ADAM CORYA

21247 ANTHONY RD

Scott Willis

Westfield City Council

JAMES EMERSON

20803 Anthony Rd

Jill Bracken-Emerson

20803 Anthony Rd

David Borshoff

20205 Willenhall Ct

Alessie Borshoff

" " "

Ron White

20221 WILLENHALL Ct.

Brad Canale

20975 Army Rd

Justin Rusher

20831 Anthony Rd.

Mike Jackson

5107 SHERIDAN Rd.

MIKE JOTHAS

WESTFIELD City Council

CURT CHRISTENSEN

4950 Citadel Dr. Haverwood

DES SCHILLINGER

17819 Commerce Dr. Suite 100, Westfield

Jim & Mary Sue Riggs

20707 Hawk Rd, Westfield 46062

Mike Graber

21250 Anthony Rd

Chris Barkman

5136 Aegis Dr Noblesville

Heather Sommer

21244 Anthony Rd

Joe Dubyel SR

20202 Willenhall Court

JOE DUBYEL SR

436 PLAINVILLE DRIVE

Casey Mihal

5106 Citadel Dr

Martin Kirkwood

21570 Anthony Road, Westfield 46062

NAME

ADDRESS

James Hogan

20275 DAYSPRING CT, Noblesville

Wayne Wheeler

20889 Anthony Rd

Christy Wheeler

20889 Anthony Rd

Janet Zimmerman-May

20776 " "

Jim May

5620 Pine Hill Noblesville

Ed & Cyndie Marcus 5192 Aegis Lane

REMONSTRATION AGAINST

Northpoint II PUD

Location

183.5 acres +/- on the north side of SR 38
between Anthony Road and Hinkle Road
Westfield, IN 46062

Petitioner

Northpoint Owners, LLC

Petition

2008-PUD-09 Requesting Land Use Change
from existing Agriculture/Single-Family Rural
to Industrial, Commercial and Single-Family High Density

Ordinance

20-25

Date

February 2, 2021

PREPARED BY

Citizens of the Northeast Rural Residential Area

(See Appendix B for all 183 Citizens)

Executive Summary

We, citizens of the *Northeast Rural Residential* ("NRR") district and surrounding area ("NRR Citizens"), implore Westfield's Advisory Plan Commission ("APC"), City Council and any other planners within the City of Westfield ("Westfield") to vote against Northpoint Owners, LLC's, ("Northpoint Owners") Petition No. 2008-PUD-09, an unnatural, out-of-place plan. Put simply, the NRR district will be ruined forever if the APC and City Council pass such an abomination. We object on the grounds that 2008-PUD-09 shows a blatant disregard for the Westfield-Washington Township Comprehensive Plan ("Comp Plan") and, further, violates all 5 elements of Indiana Code IC 36-7-4-603 as follows:

1. **IC 36-7-4-603 (1) (shall pay reasonable regard to the comprehensive plan):** 2008-PUD-09 violates all aspects of the NRR district specified in the Comp Plan. It does not promote rural residential development. It violates the rural character and open space by introducing commercial congestion. It disregards our Black History and Native American History. It presents unnecessary development pressure in a location that the Comp Plan said would be the last to face such pressure.
2. **IC 36-7-4-603 (2) (shall pay reasonable regard to the current conditions and the character of current structures and uses in the NRR district):** 2008-PUD-09 violates the current character and uses in the *Northeast Rural District*. 2008-PUD-09 would forever destroy the tiny NRR district's current rural residential culture. It threatens our environmental resources. It would destroy our wetlands and associated groundwater supply - a critical resource upon which the entire NRR district (and beyond) draw their vital potable water. It would introduce traffic congestion. It would introduce noise, light and air pollution. It would replace quiet, calming rural residential serenity with active, hectic commercial chaos. It would destroy the historic barn.
3. **IC 36-7-4-603 (3) (shall pay reasonable regard to the most desirable use for which the land in each district is adapted):** 2008-PUD-09 does not propose a single acceptable land use specified in the Comp Plan for the NRR district. Its inflexible designs run counter to maximizing open space. It disrespects the natural features. It does not seek to preserve its historically significant barn. It will not preserve its wetlands. It will not preserve the night sky by limiting lighting and,

NRR CITIZENS' REMONSTRATION AGAINST NORTHPOINT II PUD
(PETITION NO. 2008-PUD-09, ORDINANCE NO. 20-25)

in fact, will eliminate the residents' personal quiet comfort of viewing the night sky.

4. **IC 36-7-4-603 (4) (shall pay reasonable regard to the conservation of property values throughout the jurisdiction):** 2008-PUD-09 would confiscate personal property value of a sampling of 55 homes surrounding it by nearly \$9,000,000.00. It would not conserve property values. It would devalue properties by 30%. It would set household net worth back by an average of \$160,000.00, or approximately 1.6 years worth of the average household income in Hamilton County.
5. **IC 36-7-4-603 (5) (shall pay reasonable regard to responsible development and growth):** 2008-PUD-09 is the model example of irresponsible development. It disregards the Comp Plan. It tears apart the natural beauty of Hamilton County - a quality it holds dear. Not a single surrounding property owner supports it.

The NRR Citizens' remonstrations against 2008-PUD-09 demonstrates how it fails to meet all 5 criteria specified in Indiana Code 36-7-4-603 and also violates the policies, zoning considerations and implementation plans of the Comp Plan. As a result of these shortcomings at every single level, the APC and City Council have no choice but to reject 2008-PUD-09. Furthermore, any other PUDs that attempt to reclassify land use other than Rural Residential or Agricultural in this area or any other land in the NRR district should be rejected on the same grounds. Consequently, **the NRR Citizens - all 183 respondents - are united in imploring the APC and City Council to REJECT 2008-PUD-09 outright.**

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-

1 Introduction

We, citizens of the *Northeast Rural Residential* district and surrounding area (“NRR Citizens”), implore Westfield’s Advisory Plan Commission (“APC”), City Council and any other planners within the City of Westfield (“Westfield”) to vote against Northpoint Owners, LLC’s, (“Northpoint Owners”) Petition No. 2008-PUD-09 due to its unnatural, out-of-place plan. Put simply, 2008-PUD-09 will ruin our *Northeast Rural Residential* (“NRR”) district’s rural character forever if the APC and City Council pass such an abomination. As such, the NRR Citizens are both frustrated and concerned.

1.1 Basis for Frustration

During the Northpoint I Commercial/Industrial Park PUD negotiations, the NRR Citizens were led to believe that commercial, industrial and high-density residential would not intrude into the north side of State Route (“SR”) 38. But, a few years after Northpoint I passed, Northpoint II 2008-PUD-09 comes along and does just that.

By presenting an out-of-place, unwanted industrial park that comes nowhere close to meeting the NRR district’s unique natural qualities, the Northpoint Owners have completely disregarded the well-established Comp Plan. As the Comp Plan states on page 31, the NRR district holds these natural qualities in high regard as it is characterized by precisely the opposite of what the Northpoint Owners intend:

“The policy of this plan is that these areas [Northeast Rural Residential district] will be designated as rural for the foreseeable future. In particular, the development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy set out in the general policies.”

After reviewing the revisions to 2008-PUD-09, we firmly believe that the Northpoint Owners fully intend to violate the contiguity policy. They are banking on convincing the APC and City Council that their plan is a good one - one that will generate little to no conflict with the public.

But they are wrong.

1.2 Basis for Concern

By outright dismissing the Comp Plan, we are concerned that the Northpoint Owners will attempt to obfuscate the NRR district's hardline boundary of SR 38. We will not stand for their games. We will fight to maintain our community's commitment to preserve the NRR district's well-established rural and agricultural boundary at SR 38.

Should 2008-PUD-09 be approved, it would be an abomination to the NRR Citizens, the framers of the Comp Plan and the larger community as a whole. It would set a precedent for development clear north to 216th St, thereby rendering the NRR district nonexistent and destroying the remaining rural character of Washington Township. We are therefore writing to you to voice our frustration and concern and to implore you to **VOTE AGAINST 2008-PUD-09**.

1.3 Basis for Denial of 2008-PUD-09

The NRR Citizens' unified and clear opposition to 2008-PUD-09 is rooted in Indiana Statute. We acknowledge such factors that weigh into the decision as the basis for our advocacy against 2008-PUD-09, specifically those codified under Indiana Code IC 36-7-4-603 as follows:

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) the conservation of property values throughout the jurisdiction; and*
- (5) responsible development and growth.*

The following narrative exposes how 2008-PUD-09 violates every one of these criteria. These critical violations can never be cured no matter how many amendments Northpoint Owners, LLC, makes unless they change their view of and purpose for the land. A positive and acceptable change would be a development plan that does not deviate from those specified in the Comp Plan on page 32, including and *limited to*:

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1. Single-family detached houses on large lots (1 unit per 3 acres) or in a Rural or Conservation Subdivision (rules of which are specified in the Comp Plan)
2. Accessory dwellings
3. Equestrian uses
4. Agriculture, including artisan farms
5. Institutional uses, such as schools, churches, public safety facilities, and similar uses

We pray that the APC and City Council defend the Comp Plan for the sake of the inhabitants of the area, using these points along with the commitment not to migrate north of SR 38 as a basis. The NRR Citizens welcome development, so long as it is in accordance with the Comp Plan's vision of maintaining the rural character of the NRR district. If the APC and City Council heed our words and take action in voting against 2008-PUD-09 as we advocate, it will have thwarted an attempt by an overzealous developer to manipulate the Comp Plan for it's financial gain and will ease the burdens of the APC and City Council in the future by establishing that all future land development plans in the NRR district be denied if not compliant with the Comp Plan's specifications.

Key Points of Introduction:

- 1. If passed, 2008-PUD-09 will ruin the district's rural character forever.*
- 2. It violates all 5 elements of Indiana Code ("IC") 37-7-4-603.*
- 3. It violates every aspect of the Comp Plan for the NRR district.*
- 4. The people most affected by it are uniformly against it.*
- 5. Northpoint Owners can rectify it by adhering to the rural development options available to the NRR district as specified in the Comp Plan.*
- 6. As it currently stands, 2008-PUD-09 fails to comply with even a single element germane to the NRR district.*

2 Indiana Code 36-7-4-603(1) Violations

2.1 Indiana Statute Reference

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, [the plan commission and the legislative body shall pay reasonable regard to:](#)

- [\(1\) the comprehensive plan;](#)*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) the conservation of property values throughout the jurisdiction; and*
- (5) responsible development and growth.*

2.2 Basis for 2008-PUD-09 Violations of Comp Plan

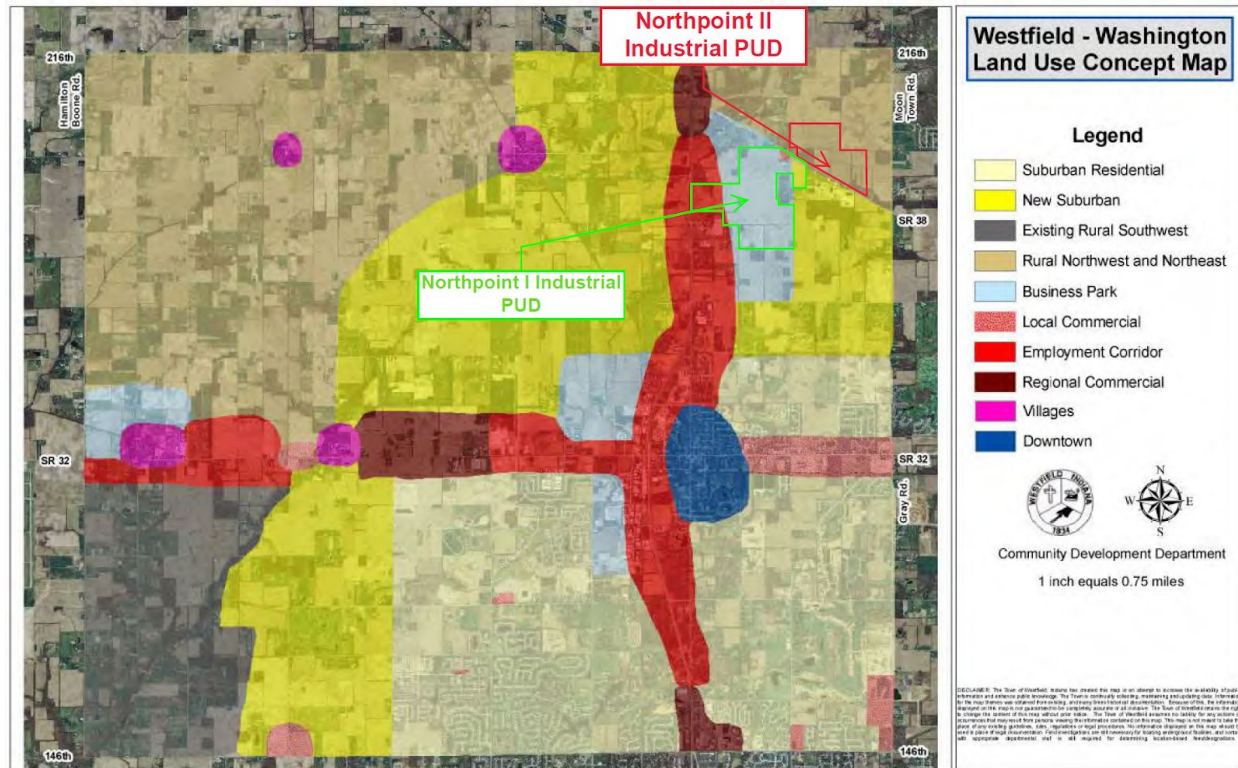
As stated in Section 2.1, when considering 2008-PUD-09, the plan commission and legislative body must pay reasonable regard to the Comp Plan per Indiana statute. The subsections present only a handful of key points whereby the Northpoint Owners have completely disregarded and disrespected the Comp Plan.

2.2.1 Noncompliant with NRR District Land Use

By its common name alone, the Northpoint Owners want the APC and City Council to believe that Northpoint II (2008-PUD-09) is merely an extension of Northpoint I, that all else is equal. In fact, they are quite different. Northpoint I sought to develop land that the Comp Plan slated as *Business Park*; Northpoint II seeks to develop land slated as *Rural Northwest and Northeast*. Thus, the two PUDs are fundamentally distinct, with the latter PUD being far more egregious than the former. Figure 1, which is adapted from the Comp Plan, depicts the distinction quite well.

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Figure 1. Westfield-Washington Township Land Use Concept Map



Note how Northpoint I overlies mostly blue-colored and red-colored real estate and how Northpoint II overlies mostly brown-colored real estate. The Comp Plan's distinction was intentional. It placed a hard stop for commercial and residential suburb expansion to the south side of SR 38 in order to maintain the natural beauty of our NRR district culture on the northside of SR 38 up to the Washington Township termination at E 216th St.

The Northpoint Owners are welcome to purchase the block of land west of Northpoint I, south of SR 38 and east of US 31. It is for sale, and the Comp Plan has it slated for *Business Park* development just like Northpoint I. It seems to be a perfect fit for them and a logical extension for their plans.

Instead, the Northpoint Owners have taken a more unorthodox approach of petitioning to intrude into the brown-colored real estate slated for *Rural Northwest and Northeast* development as it tries to convert it to industrial, commercial and high-density residential. This brought to life the nightmarish scenario that many NRR Citizens voiced at the time of Northpoint I, which is *what will stop the Northpoint Owners from attempting to cross over SR 38 and intrude into the NRR district?* Those NRR Citizens

were understandably concerned at that time, and, in hindsight, for good reason. Northpoint I has led to Northpoint II (2008-PUD-09).

They were further concerned with how Northpoint I would lead to a Northpoint II and then a Northpoint III and so on, driving a commercial/industrial split straight up the spine of the NRR district all the way to E 216th St. Those same NRR Citizens have reported to the authors that they were led to believe at the time of Northpoint I that their fears would not be realized and that this advancement would not intrude into the north side of SR 38. Only now, with 2008-PUD-09, we find that the Northpoint Owners are threatening to do just that. **We implore the APC and City Council: hold true to the assurances that the NRR Citizens were led to believe during Northpoint I. REJECT 2008-PUD-09 outright.**

In order to protect the NRR district, the NRR Citizens cannot and will not accept any plans that deviate from those specified in the Comp Plan on page 32, including and *limited to*:

1. Single-family detached houses on large lots (1 unit per 3 acres) or in a Rural or Conservation Subdivision (rules of which are specified in the Comp Plan)
2. Accessory dwellings
3. Equestrian uses
4. Agriculture, including artisan farms
5. Institutional uses, such as schools, churches, public safety facilities, and similar uses

2.2.2 NRR District is Presented with Unwarranted Development Pressure

The Comp Plan designates the NRR district as “*rural for the foreseeable future*” and notes that it will “*continue to have rural uses and a rural appearance: natural open spaces, trees, fields and streams*” (p. 31, City of Westfield, 2007). In fact, the Comp Plan states that the NRR district “*will be the **last** (emphasis added) to face development pressure*” (p. 31, City of Westfield, 2007).

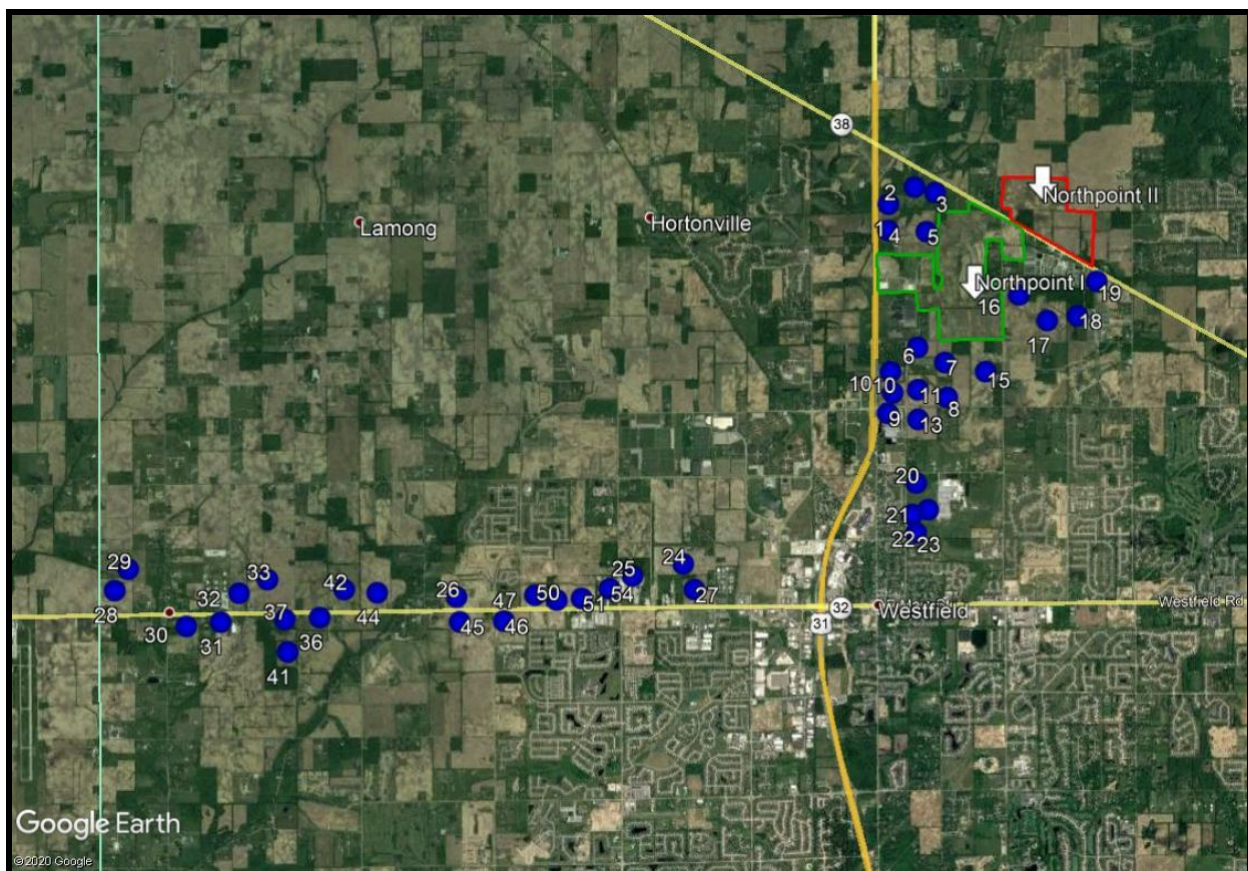
Why, then, attempt to re-zone and disrupt a quiet, close-knit community of rural residential citizens north of SR 38 with the nearly 190-acre atrocity known as 2008-PUD-09? Perhaps it's because they own it, but that does not give them the right to do what they please with it. They have a responsibility to their neighbors and the

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community as a whole to develop prudently and within the framework of the well-established Comp Plan. Every other neighbor has done so, why can't they?

They can take their 190-acre development and apply it elsewhere. With nearly 2,000 acres of Commercial/Industrial land use already properly zoned for such development as summarized in Table 1 and on Figure 2 below, the Northpoint Owners can take their plans for Northpoint II and fit them in any of those other 2,000 acres - and it would only consume less than 10% of that available total.

Figure 2. Locations (blue dots) of nearly 2,000 acres of currently available, properly zoned Commercial/Industrial property throughout Washington Township



Alternatively, the Northpoint Owners could purchase the land to the west of Northpoint I as described above and convert it to commercial/industrial. After all, it's for sale and is already slated for *Business Park* in the Comp Plan.

Our point is that the Northpoint Owners have other options available in Washington Township. With more than 2,000 acres currently available elsewhere (including in Northpoint Owners' very own Northpoint I) as well as the far more logical *Business Park*

land for sale west of Northpoint I, the Northpoint Owners' development pressure in the NRR district with its 2008-PUD-09 is unwarranted. Further, it has now confirmed for so many NRR Citizens that the Northpoint Owners never really had any intent of using SR 38 as a hard stop for its aggressive and damaging development agenda.

2.2.3 Disregard for Agricultural Conversion Rules in the NRR District

The 190 acres of 2008-PUD-09 is mostly agricultural. The Comp Plan is clear on how agricultural land is to be converted in the NRR district:

"If land converts from agricultural uses, it is encouraged to develop in the form of Rural or Conservation Subdivisions, with substantial open space. Higher gross densities, up to one unit per acre, may be permitted only in Conservation Subdivisions (see development policies)." (p. 31, City of Westfield, 2007)

Note that not a single land use proposed in 2008-PUD-09 (namely commercial, industrial and high-density residential) is mentioned in the above statement from the Comp Plan. Consequently, 2008-PUD-09 violates the Comp Plan's specifications and, as we will point out in Section 5, will actually confiscate land value in the NRR district.

However, should the Northpoint Owners opt to modify 2008-PUD-09 to develop in accord with the Comp Plan, it must develop with a minimum of 3-acre lots or follow a Conservation Plan. Currently, 2008-PUD-09 makes no attempt to do either.

No matter what the Northpoint Owners put forth, we urge the APC and City Council to require the Northpoint Owners to develop a Conservation Plan so as to force them to identify all of the characteristics unique to 2008-PUD-09 that warrant such a plan. Accordingly, the NRR Citizens have explored how a Conservation Plan might look by exploring the 4-step procedure of developing a *Conservation Subdivision* in accordance with the Comp Plan as further described below and would expect the Northpoint Owners to develop a plan with these features in mind, at a minimum.

2.2.3.1 Conservation Plan Step 1: Development of a Site Analysis Map

A Site Analysis Map requires several preservation features to be identified, including:

1. Mature woodlands (these exist in 2008-PUD-09)

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2. Hedgerows, freestanding trees or tree groups (exist in 2008-PUD-09)
3. Wildlife habitats and travel corridors (exist in 2008-PUD-09)
4. Prime farmland (exists in 2008-PUD-09)
5. Groundwater recharge areas (exists in 2008-PUD-09)
6. Greenways and trails (exist in 2008-PUD-09)
7. River and stream corridors (exist in 2008-PUD-09)
8. Historic site and buildings (exist in 2008-PUD-09)
9. Scenic view sheds (exist in 2008-PUD-09)

Note that every one of these features exist within 2008-PUD-09, but, as 2008-PUD-09 currently stands, it would destroy every one of them!

2008-PUD-09 also abuts up against Hamilton County's Bray Family Park - an area of cultural and historical significance as the following excerpt describes:

"The Bray Family began arriving in Westfield, Indiana in 1836. Like many other Quakers, the Bray's left their original homestead in North Carolina for new opportunities in Indiana. A major reason Quakers fled the south centered on their deep commitment to the abolishment of slavery. The territory of Indiana came into the Union in 1816 with its declared law as "all men are born, equally, free and independent." This sentiment appealed to Quaker families like the Bray's, which began their journey north into Indiana in the spring on 1815." (from Hamilton County, 2021)

Geographically, the band of land between the Bray's and Anthony Road (within which 2008-PUD-09 rests), is culturally significant in that it represents an area of a significant cultural event in 1837 as it relates to the Underground Railroad and the eventual freedom granted to Mr. and Mrs. Rhoads and their family as is further described below.

"The procession [of 150 or 200 friends of the Rhoads] started on the rutty road lined with tree stumps. Arriving at a point where the road divided, one fork leading to Noblesville, the other to Westfield, [Singleton] Vaughn [the Rhoads' slave owner] and his men placed themselves in front of the team and demanded that the slaves be driven to Noblesville. (This place was at the crossroads of Rd 38 and Anthony Road, near where the No. 1 Schoolhouse was located. The Lafayette diagonal road was crossed by another diagonal road leading in a southwest direction to Westfield. Editor)" (p. 17, Roberts, 1984)

A melee at the intersection ensued with horses frantically rolling away the wagon carrying the Rhoads as fast as the road would allow, but the rough road loosened the wagon's framing, dropping the Rhoads out of the bottom of it and into the nearby Dismal Swamp (p. 17, Roberts, 1984). That evening, they were hidden in a haystack and taken west to the Lindley Ditch where they were temporarily safe until, eventually, the Marion County courts ruled against Mr. Vaughn, declaring the Rhoads free (p. 17, Roberts, 1984).

Members of the APC and City Council, do not allow the Northpoint Owners (or any other developer) to wipe away this culturally significant event of our nation's black heritage. Rather, take the courageous stand to preserve this area's nature and history now. Stand with the NRR Citizens for the preservation of this land and the important role it played in the abolitionist movement. **Vote no to 2008-PUD-09 today to culturally preserve our Black History and heal our divides.**

2.2.3.2 Conservation Plan Step 2: Conduct a Site Inspection

This very important second step of the Conservation Subdivision Process is intended for the APC and City Council to verify that the developer's own Site Analysis has not omitted any important ecological, hydrogeological, archeological or cultural elements of the land. We have named a few above, but there are more. To name a few located in 2008-PUD-09:

1. Sly Run and the surrounding watershed is a wetland
2. The underlying groundwater is a sole source aquifer for all of the surrounding residents
3. The natural flora and fauna of the area have made paths through the area
4. Coyotes and deer flourish as the NRR Citizens have seen and heard both species throughout the year
5. An historic barn rests on the property (see Photos 2 thru 4 in Section 3)
6. Woodlands and free-standing trees are scattered throughout (Photos 2 thru 4)
7. The area is culturally significant as described above¹
8. Scenic view sheds are prevalent (see Photo 5 in Section 3, provided by a property owner along Anthony Road)

¹ In addition to the Underground Railroad history, the NRR Citizens have evidence that 2008-PUD-09 is a culturally significant area for past Native American settlements, specifically to the Miami tribe that settled in the area. Research in this regard is not complete as of this writing, but a Conservation Plan should be required to preserve the cultural significance.

2.2.3.3 Conservation Plan Step 3: Conservation and Development Areas Map

This third step of the Conservation Subdivision Process requires that these areas be properly defined as Conservation areas. They become central to the planned development rather than shoved to the side. Specifically, the map must consider the following:

1. This map will serve as the basis (emphasis added) for the final site plan.
2. The map should designate at least 60% of the site area for conservation (emphasis added).

2.2.3.4 Conservation Plan Step 4: Final Conservation Plan

Per the Comp Plan, the Northpoint Owners must develop a Conservation Plan that minimizes roads and preserves the land features described above. However, the Northpoint Owners have never suggested developing a Conservation Plan and would have no intention of doing so because it would force them to withdraw their 2008-PUD-09 petition. Instead, the Northpoint Owners have repeatedly attempted to trivialize the importance of the Conservation Plan in hopes of creating the next concrete jungle to ruin the landscape.

2.3 Conclusion

The Comp Plan envisions natural beauty for the NRR district, one that preserves Washington Township's cultural history. 2008-PUD-09 does not. Although we have not pointed out every circumstance in which 2008-PUD-09 violates the Comp Plan, those described herein demonstrate that the stark contrast between the two cannot be rectified. The contrast is brought to light more clearly when exploring how a Conservation Plan might look for 2008-PUD-09. We urge the APC and City Council to require a Conservation Plan no matter what the development plan is so as to preserve the cultural, environmental and ecological conditions unique to this strip of land.

With or without a Conservation Plan, 2008-PUD-09 violates IC 36-7-4-603(1) because it does not pay reasonable regard to the Comp Plan. If 2008-PUD-09 had paid reasonable regard to the Comp Plan, it would have proposed converting the agricultural land to rural residential or developed a conservation subdivision using a Conservation Plan. Such alternate plans would preserve the area's rural character and use. Because this

was not done, the APC and City Council must reject 2008-PUD-09 in order to pay reasonable regard to the Comprehensive Plan per Indiana statute IC 36-7-4-603(1).

Comp Plan Violations Under IC 36-7-4-603(1):

- 1. Northpoint II (2008-PUD-09) is incongruent with the NRR district land use options. It is not merely a continuation of Northpoint I. Northpoint I was approved under an entirely different land use concept, which was NOT rural residential.*
- 2. It does not promote rural residential development.*
- 3. It violates the rural character and open space by introducing commercial congestion.*
- 4. It disregards our Black History and Native American History. Due to these unique circumstances, the NRR Citizens urge the development of a Conservation Plan consistent with the 4-step procedure set forth in the Conservation Subdivision Process of the Comp Plan.*
- 5. It presents unnecessary development pressure. With nearly 2,000 acres of Commercial/Industrial real estate available elsewhere in Westfield, the Northpoint Owners can fit these 189 acres in those areas and would use less than 10% of it.*
- 6. Alternatively, the Northpoint Owners can develop immediately west of Northpoint I, south of SR 38 and east of US 31. This land is already slated for Business Park use.*

3 Indiana Code 36-7-4-603(2) Violations

3.1 Indiana Statute Reference

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) the conservation of property values throughout the jurisdiction; and*
- (5) responsible development and growth.*

3.2 2008-PUD-09 Points of Non-Compliance

The NRR district is the smallest of all of the Westfield-Washington Township districts, limited to the north of SR 38 and east of US 31. It is imperative that the APC and City Council take note of our limited landscape and see for yourselves what the look and feel of a rural residential area is supposed to be as the Comp Plan depicts on page 37:

Photos 1 and 2. Comp Plan examples of how development in the NRR district should appear



Industrial. Commercial. High-density residential. 2008-PUD-09. Do those words call to mind images even remotely similar to Photos 1 and 2? The answer is a resounding **NO!**

3.2.1 Disregard for Current Conditions and Character of Current Structures

As applied to 2008-PUD-09 specifically, one of the NRR Citizens so eloquently described the conditions that it bears repeating here:

“I arrived at the barn and was immediately greeted by a red tailed hawk perched on the corner of the barn. He flew to a nearby tree and kept careful watch of my activities. The barn is lovely despite the vines over growing it’s sides. About 100 yards from the barn is a meandering creek - Sly Run perhaps? Moss-covered stones dot the creek bed and the woods were alive with birds! Cardinals, Juncos, Nuthatches, and Chickadees were everywhere, drinking from the stream and flitting all around. The deer must also frequent the creek as evidenced by their tracks and trails. I went there expecting to see a barn and what I found was an unexpected wildlife sanctuary. It was peaceful and beautiful...it sparked a fire to fight for its preservation. Hopefully these few pictures capture some of its significance!”

Members of the APC and City Council: re-read those endearing words that capture the essence of the NRR district. Study the pictures below. **Vote NO to 2008-PUD-09 and preserve this landscape**. Indiana statute demands that you do so.

Photo 3. Historic barn and Sly Run wetlands



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Photos 4 through 7. Additional views of barn and open landscaping depicting the current rural residential feel of the land of 2008-PUD-09.

3.2.2 Threat to the NRR Citizens Water Supply

Page 31 of the Comp Plan designates it as *rural for the foreseeable future*, further stating that *the development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy set out in the general policies* and that the *Northeast Rural Residential area will continue to have rural uses and a rural appearance: natural open spaces, trees, fields and streams.*

There are multiple reasons for this. One primary reason is that agriculture and every surrounding resident of 2008-PUD-09 rely upon the underlying aquifer for its drinking water supply. We depend on the ecological preservation of these wetlands to feed our aquifers to feed our potable water supplies. A concrete jungle like the one planned with 2008-PUD-09 will wipe out the vital Sly Run groundwater recharge area, thereby threatening the sustainability of our water supply. This is in no way acceptable to the NRR Citizens. **Vote NO to 2008-PUD-09 and preserve our water supply.**

3.2.3 Introduction of Never-Before Seen Pollution

- ☐ City lights
- ☐ Urban roads
- ☐ Large parking lots
- ☐ Truck traffic
- ☐ Noise
- ☐ Warehouses
- ☐ Business

This list represents the current conditions and character of every commercial/industrial district in Hamilton County. They come tethered to 2008-PUD-09. They are fine and appropriate in areas zoned to accept such development, such as the other 2,000 acres currently available in Washington Township. Contrast that list with this one:

- ☐ Nature
- ☐ Farm fields
- ☐ Trees
- ☐ Wildlife
- ☐ Rural roads
- ☐ Flowing water
- ☐ Sunrises and Sunsets

- ☐ Moonlit nights
- ☐ Peaceful retreat

With 2008-PUD-09, the tiny NRR District is robbed of these characteristics unless the APC and City Council vote NO to 2008-PUD-09. Indeed, the Comp Plan itself stresses the importance of preserving *the night sky by limiting lighting* (p. 32, City of Westfield, 2007). With 2008-PUD-09, this landscape will cease to exist - both for the NRR district AND the Bray Homestead Park. **Vote NO to 2008-PUD-09 and prevent unwanted pollution.**

3.3 Conclusion

The culture of the NRR district is so beautifully captured by its landscape. 2008-PUD-09 threatens to ruin it far beyond the 190 acres it seeks to develop. It will ruin it by threatening our water supply and introducing light and noise pollution far beyond its perimeter. Members of the APC and City Council: the NRR Citizens implore you to vote NO to this nightmare scenario that will destroy our serenity. The APC and City Council must reject 2008-PUD-09 in order to pay reasonable regard to the current conditions and the character of current structures and uses in the NRR district per Indiana statute IC 36-7-4-603(2).

Violations of Current Conditions/Structures under IC 36-7-4-603(2):

- 1. 2008-PUD-09 would forever destroy the tiny NRR district's rural residential culture.*
- 2. It threatens our environmental resources. It would destroy our wetlands and associated groundwater supply - a critical resource upon which the entire NRR district (and beyond) draw their vital potable water.*
- 3. It would introduce traffic congestion.*
- 4. It would introduce noise, light and air pollution.*
- 5. It would replace quiet, calming rural residential serenity with active, hectic commercial chaos.*
- 6. It would destroy the historic barn.*

4 Indiana Code 36-7-4-603(3) Violations

4.1 Indiana Statute Reference

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) the conservation of property values throughout the jurisdiction; and*
- (5) responsible development and growth.*

4.2 2008-PUD-09 Points of Non-Compliance

The most desirable use for the NRR district is to *allow the continuation of the historic rural patterns, including homestead farms, artisan farms, and equestrian uses* (p. 32, City of Westfield, 2007). As it applies to this area specifically, the APC and City Council can be assured that these patterns of development remain in 2008-PUD-09 by requiring a Conservation Plan as further described in Section 2.2.3. The Conservation Plan would aid the Northpoint Owners in understanding the most desirable use for which the land in the NRR district is adapted. As the following subsections point out, 2008-PUD-09 promotes objectionable use, not desirable.

4.2.1 Disregard for Acceptable Land Use Options in the NRR District

The NRR district land use is *limited to*:

- ☐ Single-family detached houses on large lots or in a Rural or Conservation Subdivision
- ☐ Accessory dwellings
- ☐ Equestrian uses
- ☐ Agriculture, including artisan farms

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- ☐ Institutional uses, such as schools, churches, public safety facilities, and similar uses

The Comp Plan further stipulates the following development policies to ensure continuation of the rural character of the NRR area:

- ☐ Flexible designs that maximizes open space by regulating density
- ☐ Locate roadways and house lots so as to respect natural features and to maximize exposure to open space
- ☐ Appropriate transitions from the villages to the open agricultural land
- ☐ Preserve historically significant buildings and resources (barns, houses, etc.)
- ☐ Preserve the night sky by limiting lighting

Not a single one of these uses or designs is germane to the Northpoint Owners' 2008-PUD-09.

4.2.2 Disregard for Acceptable Land Use Zoning in the NRR District

The NRR district is zoned as *AG-SF1: Agricultural/Single Family Rural District*. Note that not a single one of the land use plans specified in 2008-PUD-09 are AG-SF1. Instead, 2008-PUD-09 will allow:

- ☐ EI: Enclosed Industrial District
- ☐ LB: Local and Neighborhood Business District
- ☐ GB: General Business District
- ☐ R-4 (this is probably meant to be SF4: Single-Family High-Density District)

Members of the APC and City Council: **the conclusion is black and white - the Northpoint Owners have paid NO reasonable regard to the most desirable land use in the NRR district as the Comp Plan specifies.**

4.3 Conclusion

2008-PUD-09 makes no attempt to adapt to the surrounding land use. In fact, it doesn't make any attempt to apply the current zoning at all. All of the Northpoint Owners' proposed uses - industrial, commercial and high-density residential - fail to adapt to the single acceptable land use in the NRR district as specified in the Comp Plan (AG-SF1). Worse, it makes no attempt to preserve the rural character of the NRR district as

evidenced by its lack of a Conservation Plan. Consequently, **the APC and City Council must reject 2008-PUD-09** in order to pay reasonable regard to the most desirable use for which the land in the NRR district is adapted per Indiana statute IC 36-7-4-603(3).

Violations under IC 36-7-4-603(3) to Adapt to Most Desirable Land Use:

- 1. 2008-PUD-09 **does not propose a single acceptable land use specified in the Comp Plan** for the NRR district.*
- 2. Its inflexible designs run counter to maximizing open space.*
- 3. It disrespects the natural features.*
- 4. It does not seek to preserve its historically significant barn.*
- 5. It will not preserve its wetlands.*
- 6. It will not preserve the night sky by limiting lighting and, in fact, will eliminate the residents' personal quiet comfort of viewing the night sky.*

5 Indiana Code 36-7-4-603(4) Violations

5.1 Indiana Statute Reference

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, [the plan commission and the legislative body shall pay reasonable regard to:](#)

- (1) the comprehensive plan;*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) [the conservation of property values throughout the jurisdiction;](#) and*
- (5) responsible development and growth.*

5.2 2008-PUD-09 Points of Non-Compliance

When considering 2008-PUD-09, the plan commission and legislative body must pay reasonable regard to the conservation of property values per Indiana statute.

5.2.1 Surrounding Property Conservation Value Baseline Study

To assist with this consideration, we have prepared a list of current land values for 55 residences surrounding the 2008-PUD-09 area.² The property values are estimated by calculating the average of the following three sources of information:

1. A Re/Max realtor's professional opinion of current property values
2. Zillow.com's Zestimate[®]
3. The Hamilton County Assessor's Office Property Assessment cards³

The total valuation of the 55 residences is **\$29,267,053.10** as summarized in Table 2.

² These 55 properties are a **subset** of the much larger number of homes that would be affected by the 2008-PUD-09.

³ Zillow.com established that the average selling price is 24.2% above their tax assessment value. Accordingly, each Hamilton County property assessment card was adjusted by a factor of 1.242 to estimate the value.

5.2.2 Surrounding Property Devaluation

Ms. Maria Hunt of Re/Max estimates that a commercial/industrial/high-density residential development such as what is proposed in 2008-PUD-09 will devalue the surrounding property by as much as 30%, or **-\$8,780,115.93**. Each home's current and anticipated devaluation is summarized in Table 2.

This *significant* devaluation would wipe out approximately \$159,638.47 of net worth for each of the 55 households on average, and, for one unfortunate household, over \$500,000.00! To put this financial hardship in perspective, the median household annual income in Hamilton County in 2018 was only \$100,209.00! As the APC and City Council might imagine, none of the surrounding land owners are pleased with how 2008-PUD-09 would confiscate property value. 2008-PUD-09 fails to address this issue.

5.3 Conclusion

2008-PUD-09 clearly places a financial burden on the surrounding landowners that sets back the median household by over 1.6 years of annual income. This confiscation of property value is unjust and unfair to the families surrounding 2008-PUD-09, but the Northpoint Owners fail to address this issue. Consequently, **the APC and City Council must reject 2008-PUD-09** in order to pay reasonable regard to the conservation of the surrounding property values per Indiana statute IC 36-7-4-603(4).

Key Violations to IC 36-7-4-603(4):

1. *2008-PUD-09 would confiscate personal property value of a sampling of 55 homes surrounding 2008-PUD-09 by nearly \$9,000,000.00.*
2. *It would not conserve property values.*
3. *It would devalue properties by 30%.*
4. *It would set household net worth back by an average of \$160,000.00, or approximately 1.6 years worth of the average household income in Hamilton County.*

6 Indiana Code 36-7-4-603(5) Violations

6.1 Indiana Statute Reference

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, [the plan commission and the legislative body shall pay reasonable regard to:](#)

- (1) the comprehensive plan;*
- (2) current conditions and the character of current structures and uses in each district;*
- (3) the most desirable use for which the land in each district is adapted;*
- (4) the conservation of property values throughout the jurisdiction; and*
- [\(5\) responsible development and growth.](#)*

6.2 2008-PUD-09 Points of Non-Compliance

At this point in the document, perhaps we have made clear that 2008-PUD-09 is unwelcome in the NRR district. To recap, we have demonstrated how 2008-PUD-09:

1. Violates Indiana Code
2. Disregards the Comp Plan
3. Neglects culturally significant Black and Native American history
4. Threatens the NRR Citizens' drinking water supply
5. Devalues our surrounding property
6. Has no place in a rural residential setting

This section contemplates whether such actions are responsible. A responsible development would meet the specifications of the Comp Plan. It would meet the provisions previously outlined *ad infinitum*. For these reasons, the NRR Citizens are frustrated, angry and concerned. With no prior history or provision for industrial, commercial or high-density residential in the NRR district, who can blame us?

The NRR Citizens have touched on the irresponsibility of this plan in the past. They voiced objections at two prior GoToMeetings hosted by the Northpoint Owners' counsel,

but the Northpoint Owners have not responded with a plan that pays reasonable regard to responsible development.

To assess whether our concerns have merit, we commissioned a couple of surveys. We first commissioned a change.org survey. This survey confirmed our frustrations. We then commissioned our own house-to-house petition of owners surrounding 2008-PUD-09. Third, as we were digesting these surveys, the Hamilton County Draft Comprehensive Plan, dated 12/18/20, was published on its website on 1/21/21 and so we had the benefit of reviewing that as well. Together, these surveys and petitions carry the same theme: **LEAVE THE NRR DISTRICT ALONE!**

6.2.1 Change.org Online Petition

A petition was circulated in August of 2020 on change.org entitled *Stop Northpoint II*.⁴ This petition was signed by over 300 viewers and includes comments from the NRR Citizens and beyond. One such comment demonstrates the **far-reaching ill effects of 2008-PUD-09** on the larger community:

“This also affects the woods and homes on Sheridan Rd/SR38, not just Anthony Rd. This needs (to) stay a rural area, not more businesses. Don't take the homes from the deer, hawks, etc along with the residents. I've lived here over 30 years. Don't add more traffic and businesses taking away security and peace of mind of residents. Don't ruin another area taking away nature. Westfield should care about keeping current rural residents, not just getting new businesses.”

There's **concern**:

“I'm a life-long resident of Westfield. It's concerning when our City doesn't adhere to their own Comprehensive Plan. Where is the protection for the homeowners in the Township?”

There's **anger** and **frustration**:

“Just try to imagine moving out to the country to enjoy the solitude and the lack of traffic and everything that comes with it... Only to find out they're going to Rezone and start building a major commercial

⁴ The change.org petition is available [here](#).

development directly across the street from your home. It's a nightmare for the Hinshaw family and many others."

-and-

"Too much industry! Leave the solitude of the country alone. A lot can be learned from it."

-and-

"I'm tired of the city turning the areas that make Westfield beautiful and unique into commercial spaces with little consideration for the current residents and future use."

-and-

"Too much industrial growth is not good for the city. At some point this needs to stop!"

Lastly, perhaps the **most apropos statement of all:**

"The Rural Northeast section on our Comprehensive Plan does not allow for this use for so many reasons and would ruin the planned uses in which property owners have personally invested. This developer should look to other areas noted in the Comp Plan for this use. This is NOT a simple rezoning; it would require a major amendment to the Comp Plan which would involve the entire community especially those located in the Rural Northeast. Westfield shouldn't change the Comp Plan for all the reasons listed therein for creating it, otherwise there is no planning for the future of our community. It is not the responsibility of Westfield to abandon community planning to financially benefit any developer."

The full petition and comment list is included in Appendix A.

6.2.2 Door-to-Door Petition of the NRR District and Greater Affected Area

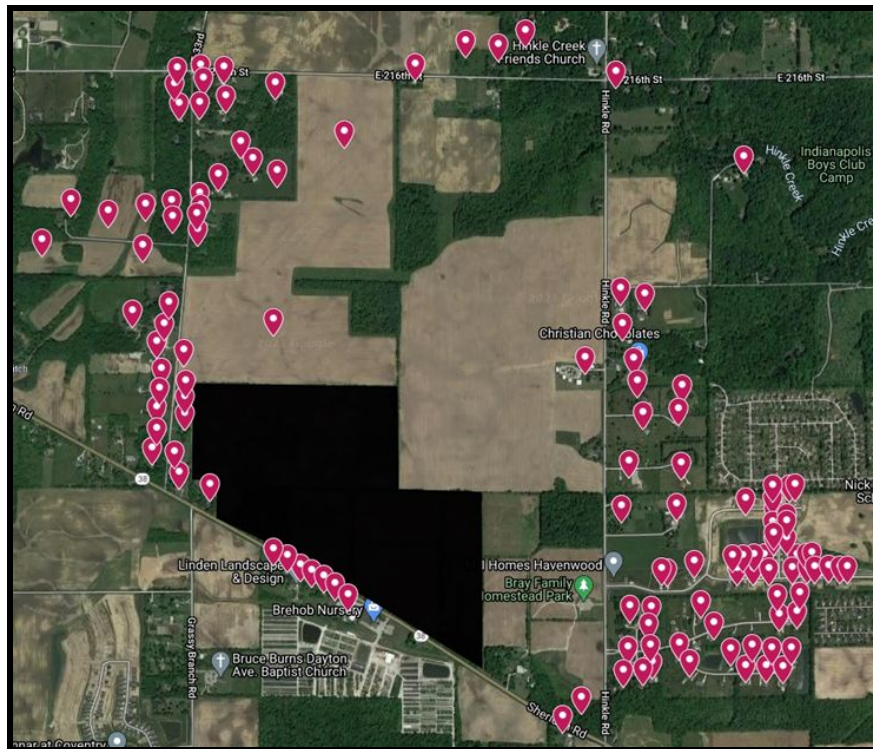
After reading the uniform opposition to 2008-PUD-09 in the change.org *Stop Northpoint* // survey, the NRR Citizens decided to take the pulse of those most directly affected by 2008-PUD-09 by conducting our own survey of adjacent and nearby property owners.

The results were astounding.

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Lined like a ring of fire around Northpoint II, every property owner respondent opposed 2008-PUD-09! Members of the APC and City Council: listen to the 183 signatories. Deny 2008-PUD-09. See Figure 3 below for the survey respondents.

Figure 3. Map of the NRR Citizens' Objections to 2008-PUD-09 (The area in black identifies 2008-PUD-09 property; red flags represent residents' objections to the PUD)



6.2.3 Hamilton County Comprehensive Plan Survey Results

The timing of the Hamilton County *Comprehensive Plan* publication was perfect. Amidst the frustration, it reminded us that Hamilton County and the NRR district offer a distinct and unique rural residential and agricultural environment, one that is to be respected and preserved. This admiration can be found rooted in their online and mail survey. People in the greater community revere the same qualities of Hamilton County that the Comp Plan serves to protect in the NRR district. A few noteworthy takeaways from the survey:

“They live in Hamilton County Townships because of ‘community rural character.’” (p.43, Hamilton County, 2020)

- and -

“There is a strong preference to preserve existing farmland across all townships.” (p.43, Hamilton County, 2020)

In fact, Hamilton County’s survey found that 70% of respondents reported that their future land use vision was for agricultural purposes and nearly 50% reported that they wanted no further development at all!

6.3 Conclusion

In a day and age when few agree on anything, it is noteworthy that not a single homeowner petitioned in and around the NRR district supports 2008-PUD-09. And while unanimous agreement is rare, those who live in this area are unanimous on this: **2008-PUD-09 does not belong in the NRR district!**

The level of opposition to 2008-PUD-09 is so severe and so scintillating, how can the Northpoint Owners, APC and City Council consider 2008-PUD-09 to be anything other than irresponsible? More important, the greater Hamilton County community agrees that our precious rural and agricultural landscape must be preserved to maintain its attractive beauty. 2008-PUD-09 serves none of these ideals. Consequently, **the APC and City Council must reject 2008-PUD-09** in order to pay reasonable regard to responsible development and growth per Indiana statute IC 36-7-4-603(5).

Key Violations to IC 36-7-4-603(5):

- 1. 2008-PUD-09 is the model example of **irresponsible development**.*
- 2. It disregards the Comp Plan.*
- 3. It tears apart the natural beauty of Hamilton County - a quality it holds dear.*
- 4. Not a single surrounding property owner supports it.*

7 Conclusion and Recommendation

The NRR Citizens' remonstrations against 2008-PUD-09 demonstrate how it fails to meet all 5 criteria specified in Indiana Code 36-7-4-603 and also violates the policies, zoning considerations and implementation plans of the Comp Plan. As a result of these shortcomings at every single level, the APC and City Council have no choice but to reject 2008-PUD-09. Furthermore, any other PUDs that attempt to reclassify land use other than Rural Residential or Agricultural in this area or any other land in the NRR district should be rejected on the same grounds. Consequently, **the NRR Citizens - all 183 respondents - are united in imploring the APC and City Council to REJECT 2008-PUD-09 outright.**

8 References

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Hamilton County, 2020, *Comprehensive Plan*, Hamilton County Plan Commission 2020 Update, 12/18/20, Hamilton County: <https://hamiltoncounty.in.gov/1618/2020-Comp-Plan-Update> (URL last verified 1/31/21).

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Tables

Table 1. Summary of 1,950 Acres of Currently Available Commercial/Industrial Zone Real Estate in Washington Township and Amount Northpoint Owners is Attempting to Convert

Northpoint Owners, LLC

2008-PUD-09 Requesting Land Use Change from existing Agriculture/Single-Family Rural to Industrial

183.5 acres +/- on the north side of SR 38 between Anthony Road and Hinkle Road, Westfield, IN 46062

Map Reference	Property Owner	Comp Plan District	Planned Use	Acres	Does Planned Use Comply with Comp Plan?
Total EXISTING Undeveloped Commercial/Industrial Property in Westfield				1,950 acres; YES	
Undeveloped Northpoint I				779 acres available	
1	Roudebush (SR 31 & SR 38)	Business Park/Employment Corridor/Regional Commercial	<awaiting commercial development>	44	Yes
2	DeLullo (SR 31 & SR 38)	Business Park	<awaiting commercial development>	38	Yes
3	Burton/Bishop (SR 31 & SR 38)	Business Park	<awaiting commercial development>	8	Yes
4	Wilkins (SR 31 & E 202nd St)	Employment Corridor	<awaiting commercial development>	77	Yes
5	Stepheson (202nd St & N East Rd)	Business Park	<awaiting commercial development>	17	Yes
6	Chance (196th & N East Rd)	Employment Corridor	<awaiting commercial development>	16	Yes
7	Chance (191st St & Flippines Rd)	Business Park	<awaiting commercial development>	70	Yes
8	Chance (191st St & Flippines Rd)	Business Park	<awaiting commercial development>	7	Yes
9	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	5	Yes
10	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	29	Yes
10	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	8	Yes
11	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	13	Yes
11	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	19	Yes
13	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	19	Yes
13	North Westfield Developments LLC	Employment Corridor	<awaiting commercial development>	21	Yes
15	Roberts (196th &Grassy Branch Rd)	Business Park	<awaiting commercial development>	80	Yes
16	Roberts (196th &Grassy Branch Rd)	New Suburban	<awaiting commercial development>	78	Yes
17	Roberts (196th &Grassy Branch Rd)	New Suburban	<awaiting commercial development>	80	Yes
18	Reasen (E 196th St)	New Suburban	<awaiting commercial development>	18	Yes
19	Bray (SR 38 & Moontown Rd)	New Suburban	<awaiting commercial development>	54	Yes
20	Freedom Associates of Indiana LLC (N East St & 186th St)	Employment Corridor	<awaiting commercial development>	30	Yes
21	Freedom Associates of Indiana LLC (N East St & 186th St)	Employment Corridor	<awaiting commercial development>	30	Yes
22	Gapinski (N East St)	Employment Corridor	<awaiting commercial development>	10	Yes
23	317 Capital LLC	Employment Corridor	<awaiting commercial development>	9	Yes
Other Vacant Commercial/Industrial Land Use Options				1,171 acres available	
24	Wheeler Landing	Employment Corridor	<awaiting commercial development>	181	Yes
25	Springmill Center	Employment Corridor	<awaiting commercial development>	57	Yes
26	Gristmill Crossing	Regional Commercial	<awaiting commercial development>	15	Yes
27	Dartown Crossing	Employment Corridor	<awaiting commercial development>	34	Yes
28	Wood Farms LLC (SR 32)	Business Park	<awaiting commercial development>	43	Yes
29	Wood Farms LLC (just north of 32 & County Line Rd)	Business Park	<awaiting commercial development>	44	Yes
30	Nuckols, Billy S (SR 32)	Employment Corridor & Villages	<awaiting commercial development>	18	Yes
31	HJW Holdings II LLC (Just off the South side of 32)	Employment Corridor & Existing Rural Southwest	<awaiting commercial development>	55	Yes
32	HJW Holdings V LLC (SR 32 & Mule Barn Rd)	Employment Corridor	<awaiting commercial development>	80	Yes
33	Chance (SR 32 & Centennial Rd)	Employment Corridor	<awaiting commercial development>	40	Yes
33	Chance (SR 32 & Centennial Rd)	Employment Corridor	<awaiting commercial development>	20	Yes
33	Chance (SR 32 & Centennial Rd)	Employment Corridor	<awaiting commercial development>	21	Yes
36	Cardinal Real Estate Holdings LLC (SR 32 & near Towne Rd)	Employment Corridor	<awaiting commercial development>	87	Yes
37	HJW Holdings III LLC (Just off the South side of 32)	Employment Corridor	<awaiting commercial development>	24	Yes
36	Cardinal Real Estate Holdings LLC (SR 32)	Employment Corridor	<awaiting commercial development>	3	Yes

Table 1. Summary of 1,950 Acres of Currently Available Commercial/Industrial Zone Real Estate in Washington Township and Amount Northpoint Owners is Attempting to Convert

Northpoint Owners, LLC

2008-PUD-09 Requesting Land Use Change from existing Agriculture/Single-Family Rural to Industrial

183.5 acres +/- on the north side of SR 38 between Anthony Road and Hinkle Road, Westfield, IN 46062

Map Reference	Property Owner	Comp Plan District	Planned Use	Acres	Does Planned Use Comply with Comp Plan?
36	Cardinal Real Estate Holdings LLC (SR 32)	Employment Corridor	<awaiting commercial development>	20	Yes
36	Cardinal Real Estate Holdings LLC (SR 32)	Employment Corridor	<awaiting commercial development>	8	Yes
41	Tyler Eifert (Just off the south side of SR 32)	Employment Corridor	<awaiting commercial development>	40	Yes
42	Towne Road Crossing North LLC (just north of 32)	Employment Corridor & Local Commercial	<awaiting commercial development>	14	Yes
42	Towne Road Crossing North LLC (just north of 32)	Employment Corridor	<awaiting commercial development>	42	Yes
44	Saxton (SR 32 & just West of Little Eagle Creek Ave)	Local Commercial	<awaiting commercial development>	79	Yes
45	Ackerson Family Farms LLC (SR 32 & Ditch Rd)	New Suburban and Regional Commercial	<awaiting commercial development>	115	Yes
46	Ackerson Family Farms LLC (SR 32 & Ditch Rd)	Regional Commercial & Suburban Residential	<awaiting commercial development>	42	Yes
47	FHM Family Limited Partnership (SR 32 & Casey Rd)	Regional Commercial	<awaiting commercial development>	19	Yes
47	FHM Family Limited Partnership (SR 32)	Regional Commercial	<awaiting commercial development>	4	Yes
47	FHM Family Limited Partnership (SR 32)	Regional Commercial	<awaiting commercial development>	2	Yes
50	191st Street Land Co LLC (SR 32)	Regional Commercial	<awaiting commercial development>	15	Yes
51	Mansoori (SR 32)	Regional Commercial	<awaiting commercial development>	23	Yes
51	Mansoori (SR 32)	Regional Commercial	<awaiting commercial development>	8	Yes
51	Mansoori (SR 32)	Regional Commercial	<awaiting commercial development>	7	Yes
54	Mink Investments LLC (SR 32 & Springmill Rd)	Regional Commercial	<awaiting commercial development>	13	Yes
Total real estate that Northpoint Owners, LLC, is trying to convert to even more available Commercial/Industrial property with 2008-PUD-09				190 acres; NO, but plenty available elsewhere	
2008-PUD-09				190 acres (not zoned for development)	
	Bryant 1	Rural Northeast	Industrial/Commercial/High Density Residential	15	NO
	Bryant 2	Rural Northeast	Industrial/Commercial/High Density Residential	46	NO
	Wiehe 1	Rural Northeast	Industrial/Commercial/High Density Residential	22	NO
	Wiehe 2	Rural Northeast	Industrial/Commercial/High Density Residential	39	NO
	Green TAT Farms 1	Rural Northeast	Industrial/Commercial/High Density Residential	19	NO
	Green TAT Farms 2	Rural Northeast	Industrial/Commercial/High Density Residential	49	NO

Table 2. Current Residential Market Value and Devaluation Estimate of Each Residence if 2008-PUD-09 is Approved

Northpoint Owners, LLC

2008-PUD-09 Requesting Land Use Change from existing Agriculture/Single-Family Rural to Industrial

183.5 acres +/- on the north side of SR 38 between Anthony Road and Hinkle Road, Westfield, IN 46062

Address	City	State	Zip	Re/Max (11/27/20) (1)	Zillow (12/1/20) (2)	Hamilton County (3)	Home Value (4)	30% Devaluation (5)
20155 Starlight Ct	Noblesville	IN	46062	\$ 902,750	\$ 721,581.00	\$ 784,819.80	\$ 803,050.27	\$ (240,915.08)
20160 Starlight Ct	Noblesville	IN	46062	\$ 682,200	\$ 724,795.00	\$ 726,818.40	\$ 711,271.13	\$ (213,381.34)
20170 Starlight Ct	Noblesville	IN	46062	\$ 1,868,000	\$ 1,643,014.00	\$ 1,768,856.40	\$ 1,759,956.80	\$ (527,987.04)
20185 Starlight Ct	Noblesville	IN	46062	\$ 863,000	\$ 684,553.00	\$ 681,485.40	\$ 743,012.80	\$ (222,903.84)
20190 Starlight Ct	Noblesville	IN	46062	\$ 1,308,000	\$ 830,663.00	\$ 881,820.00	\$ 1,006,827.67	\$ (302,048.30)
20251 Dayspring Ct	Noblesville	IN	46062	\$ 637,375	\$ 473,100.00	\$ 603,363.60	\$ 571,279.53	\$ (171,383.86)
20260 Dayspring Ct	Noblesville	IN	46062	\$ 1,102,500	\$ 838,424.00	\$ 806,803.20	\$ 915,909.07	\$ (274,772.72)
20270 Dayspring Ct	Noblesville	IN	46062	\$ 854,500	\$ 613,753.00	\$ 717,751.80	\$ 728,668.27	\$ (218,600.48)
20275 Dayspring Ct	Noblesville	IN	46062	\$ 1,064,200	\$ 762,344.00	\$ 781,963.20	\$ 869,502.40	\$ (260,850.72)
20280 Dayspring Ct	Noblesville	IN	46062	\$ 751,750	\$ 615,865.00	\$ 679,870.80	\$ 682,495.27	\$ (204,748.58)
20516 Hinkle Rd	Noblesville	IN	46062	\$ 316,000	\$ 324,911.00	\$ 297,955.80	\$ 312,955.60	\$ (93,886.68)
20576 Hinkle Rd	Noblesville	IN	46062	\$ 526,000	\$ 442,391.00	\$ 407,624.40	\$ 458,671.80	\$ (137,601.54)
5114 Morning Mist Ct	Noblesville	IN	46062	\$ 617,600	\$ 511,300.00	\$ 636,525.00	\$ 588,475.00	\$ (176,542.50)
5215 Nightshade Ln	Noblesville	IN	46062	\$ 938,400	\$ 810,142.00	\$ 783,826.20	\$ 844,122.73	\$ (253,236.82)
5250 Nightshade Ln	Noblesville	IN	46062	\$ 785,200	\$ 713,565.00	\$ 846,795.60	\$ 781,853.53	\$ (234,556.06)
20636 Anthony Rd	Westfield	IN	46062	\$ 436,000	\$ 410,705.00	\$ 336,457.80	\$ 394,387.60	\$ (118,316.28)
20649 Anthony Rd	Westfield	IN	46062	\$ 1,900,000	\$ 560,500.00	\$ 610,691.40	\$ 1,023,730.47	\$ (307,119.14)
20707 Hinkle Rd	Westfield	IN	46062	\$ 1,304,600	\$ 649,905.00	\$ 645,964.20	\$ 866,823.07	\$ (260,046.92)
20728 Anthony Rd	Westfield	IN	46062	\$ 172,000	\$ 194,549.00	\$ 174,004.20	\$ 180,184.40	\$ (54,055.32)
20737 Anthony Rd	Westfield	IN	46062	\$ 568,000	\$ 469,352.00	\$ 425,509.20	\$ 487,620.40	\$ (146,286.12)
20776 Anthony Rd	Westfield	IN	46062	\$ 57,950	\$ 19,500.00	\$ 40,365.00	\$ 39,271.67	\$ (11,781.50)
20803 Anthony Rd	Westfield	IN	46062	\$ 442,500	\$ 461,953.00	\$ 371,358.00	\$ 425,270.33	\$ (127,581.10)
20818 Anthony Rd	Westfield	IN	46062	\$ 324,500	\$ 295,050.00	\$ 242,562.60	\$ 287,370.87	\$ (86,211.26)
20821 Anthony Rd	Westfield	IN	46062	\$ 354,800	\$ 501,505.00	\$ 467,737.20	\$ 441,347.40	\$ (132,404.22)
20831 Anthony Rd	Westfield	IN	46062	\$ 615,000	\$ 591,850.00	\$ 616,653.00	\$ 607,834.33	\$ (182,350.30)
20889 Anthony Rd	Westfield	IN	46062	\$ 495,000	\$ 491,747.00	\$ 620,751.60	\$ 535,832.87	\$ (160,749.86)
20945 Anthony Rd	Westfield	IN	46062	\$ 1,217,500	\$ 872,852.00	\$ 675,648.00	\$ 922,000.00	\$ (276,600.00)
21001 Anthony Rd	Westfield	IN	46062	\$ 526,000	\$ 540,426.00	\$ 541,512.00	\$ 535,979.33	\$ (160,793.80)

Table 2. Current Residential Market Value and Devaluation Estimate of Each Residence if 2008-PUD-09 is Approved

Northpoint Owners, LLC

2008-PUD-09 Requesting Land Use Change from existing Agriculture/Single-Family Rural to Industrial

183.5 acres +/- on the north side of SR 38 between Anthony Road and Hinkle Road, Westfield, IN 46062

Address	City	State	Zip	Re/Max (11/27/20) (1)	Zillow (12/1/20) (2)	Hamilton County (3)	Home Value (4)	30% Devaluation (5)
21035 Anthony Rd	Westfield	IN	46062	\$ 638,600	\$ 675,674.00	\$ 761,718.60	\$ 691,997.53	\$ (207,599.26)
21151 Anthony Rd	Westfield	IN	46062	\$ 817,700	\$ 594,715.30	\$ 371,730.60	\$ 594,715.30	\$ (178,414.59)
21188 Anthony Rd	Westfield	IN	46062	\$ 393,000	\$ 504,413.00	\$ 395,701.20	\$ 431,038.07	\$ (129,311.42)
21244 Anthony Rd	Westfield	IN	46033	\$ 543,000	\$ 410,555.00	\$ 295,471.80	\$ 416,342.27	\$ (124,902.68)
21247 Anthony Rd	Westfield	IN	46062	\$ 410,000	\$ 528,573.00	\$ 473,947.20	\$ 470,840.07	\$ (141,252.02)
21250 Anthony Rd	Westfield	IN	46062	\$ 565,000	\$ 451,768.00	\$ 427,123.80	\$ 481,297.27	\$ (144,389.18)
21312 Anthony Rd	Westfield	IN	46062	\$ 678,000	\$ 543,872.00	\$ 531,327.60	\$ 584,399.87	\$ (175,319.96)
21344 Anthony Rd	Westfield	IN	46062	\$ 542,700	\$ 474,745.00	\$ 424,515.60	\$ 480,653.53	\$ (144,196.06)
21444 Anthony Rd	Westfield	IN	46062	\$ 447,000	\$ 360,721.00	\$ 296,217.00	\$ 367,979.33	\$ (110,393.80)
21445 Anthony Rd	Westfield	IN	46062	\$ 672,000	\$ 683,849.00	\$ 568,711.80	\$ 641,520.27	\$ (192,456.08)
21477 Anthony Rd	Westfield	IN	46062	\$ 679,000	\$ 617,248.00	\$ 576,288.00	\$ 624,178.67	\$ (187,253.60)
21500 Anthony Rd	Westfield	IN	46062	\$ 533,000	\$ 356,649.00	\$ 318,324.60	\$ 402,657.87	\$ (120,797.36)
21548 Anthony Rd	Westfield	IN	46062	\$ 438,000	\$ 413,753.00	\$ 323,044.20	\$ 391,599.07	\$ (117,479.72)
21551 Anthony Rd	Westfield	IN	46062	\$ 424,700	\$ 621,791.00	\$ 604,729.80	\$ 550,406.93	\$ (165,122.08)
21575 Anthony Rd	Westfield	IN	46062	\$ 285,000	\$ 70,200.00	\$ 124,572.60	\$ 159,924.20	\$ (47,977.26)
21576 Anthony Rd	Westfield	IN	46062	\$ 396,000	\$ 341,321.00	\$ 299,570.40	\$ 345,630.47	\$ (103,689.14)
4355 Sheridan Rd	Westfield	IN	46062	\$ 463,400	\$ 346,460.80	\$ 229,521.60	\$ 346,460.80	\$ (103,938.24)
4779 Sheridan Rd	Westfield	IN	46062	\$ 336,500	\$ 210,673.00	\$ 156,492.00	\$ 234,555.00	\$ (70,366.50)
4787 Sheridan Rd	Westfield	IN	46062	\$ 178,000	\$ 145,088.00	\$ 112,152.60	\$ 145,080.20	\$ (43,524.06)
5005 Sheridan Rd	Westfield	IN	46062	\$ 690,000	\$ 230,200.00	\$ 285,287.40	\$ 401,829.13	\$ (120,548.74)
5069 Sheridan Rd	Westfield	IN	46062	\$ 219,000	\$ 194,549.00	\$ 176,239.80	\$ 196,596.27	\$ (58,978.88)
5091 Sheridan Rd	Westfield	IN	46062	\$ 196,800	\$ 180,131.00	\$ 151,151.40	\$ 176,027.47	\$ (52,808.24)
5107 Sheridan Rd	Westfield	IN	46062	\$ 262,400	\$ 339,409.00	\$ 333,601.20	\$ 311,803.40	\$ (93,541.02)
5143 Sheridan Rd	Westfield	IN	46062	\$ 272,800	\$ 208,239.00	\$ 168,166.80	\$ 216,401.93	\$ (64,920.58)
5171 Sheridan Rd	Westfield	IN	46062	\$ 305,800	\$ 358,490.00	\$ 300,439.80	\$ 321,576.60	\$ (96,472.98)
5376 Sheridan Rd	Westfield	IN	46062	\$ 440,000	\$ 503,077.00	\$ 363,409.20	\$ 435,495.40	\$ (130,648.62)
5458 Sheridan Rd	Westfield	IN	46062	\$ 413,000	\$ 269,941.00	\$ 278,083.80	\$ 320,341.60	\$ (96,102.48)

Table 2. Current Residential Market Value and Devaluation Estimate of Each Residence if 2008-PUD-09 is Approved

Northpoint Owners, LLC

2008-PUD-09 Requesting Land Use Change from existing Agriculture/Single-Family Rural to Industrial

183.5 acres +/- on the north side of SR 38 between Anthony Road and Hinkle Road, Westfield, IN 46062

Address	City	State	Zip	Re/Max (11/27/20) (1)	Zillow (12/1/20) (2)	Hamilton County (3)	Home Value (4)	30% Devaluation (5)
Cumulative Market Value (Devaluation)							\$ 29,267,053.10	\$ (8,780,115.93)
Average Market Value per Home (Devaluation per Home)							\$ 532,128.24	\$ (159,638.47)

NOTES:

1. Estimated Market Value provided by Maria Hunt Re/Max on 11/27/20.
2. The values for 21151 Anthony Rd and 4355 Sheridan Rd were not available and so the average of the other two valuation methods was used.
3. Zillow has calculated that the average home is selling for 24.2% above the local tax assessment.
4. Current Market Value is based on the average of estimates from a local realtor, Zillow and the Hamilton County Property Assessment records.
5. A 30% devaluation was estimated by Re/Max.

Appendix A

Change.org Petition to Stop Northpoint II



Stop Northpoint II



305 have signed. Let's get to 500!



Our Little Funny Farm started this petition to **Citizens of Westfield**

Please sign to show our council members you do not approve the rezoning north of SR 38. Residents along Anthony Road do not want their beautiful country views to be taken over by industrial buildings. This is a residential area where families chose to raise their children. We do not want our quiet road to become busy with traffic or our peaceful evenings to be clouded by noise and bright lights from businesses operating at all hours behind our homes. Also along Anthony Rd there is an alpaca farm that will be negatively affected by Northpoint II development. Stress has been shown to negatively impact alpacas' health, and that is exactly what will happen if council votes to approve this rezoning. Save our quiet road, save our views, save our property values, and save the alpacas.

Start a petition of your own

This petition starter stood up and took action. Will you do the same?

[Start a petition](#)

[Start a petition of your own](#)

[This petition starter stood up and took action. Will you do the same?](#)

Updates

1. 5 months ago
250 supporters
2. 5 months ago
Our Little Funny Farm started this petition

By joining, or logging in via Facebook, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#).

Stop Northpoint II

Petition details **Comments** Updates

Reasons for signing

See why other supporters are signing, why this petition is important to them, and share your reason for signing (this will mean a lot to the starter of the petition).

Thanks for adding your voice.



[Debbie Skomp](#)

[Sep 1, 2020](#)

I feel this proposed development negatively impacts adjacent and surrounding residential properties.

-
- 1

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Thanks for adding your voice.





[Nancy Austin](#)

[Aug 28, 2020](#)

This also affects the woods and homes on Sheridan Rd/SR38, not just Anthony Rd. This needs stay a rural area, not more businesses. Don't take the homes from the deer, hawks, etc along with the residents. I've lived here over 30 years. Don't add more traffic and businesses taking away security and peace of mind of residents. Don't ruin another area taking away nature. Westfield should care about keeping current rural residents, not just getting new businesses.

-
- 1

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[Nicholas Plopper](#)

[Aug 26, 2020](#)

I feel this proposed development negatively impacts adjacent and surrounding residential properties.

-
- 1

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Thanks for adding your voice.



[Joan Hall](#)

[Aug 25, 2020](#)

There is no reason to devastate this rural area with a complete change of plan. This is obvious.

-
- 1

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Thanks for adding your voice.



[Jennifer Siebe](#)

[Aug 25, 2020](#)

There are other areas available more suitable for industrial

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Thanks for adding your voice.





Valerie Pesenko

Aug 25, 2020

Valerie Pesenko

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Thanks for adding your voice.



Amy Burns

Aug 25, 2020

Stop putting asphalt over the earth!!! Enough already!

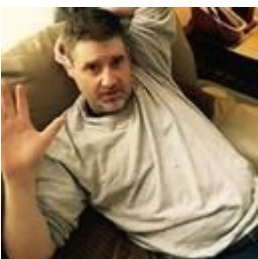
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Thanks for adding your voice.



Dave Weaver

Aug 25, 2020

Just try to imagine moving out to the country to enjoy the solitude and the lack of traffic and everything that comes with it... Only to find out they're going to Rezone and start building a major commercial development directly across the street from your home. It's a nightmare for the Hinshaw family and many others.

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- 1

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Polly Kincaid

Aug 25, 2020

Too much industry! Leave the solitude of the country alone. Alot can be learned from it.

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- 2

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Thanks for adding your voice.



Jackie Slonaker

Aug 24, 2020

It's a beautiful area that should not be disturbed in the name of progress...

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- 2

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[Rob Ginder](#)

[Aug 24, 2020](#)

Mayor Cook will build on every square foot of open land in Westfield if he can get away with it.

-
- 1

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[Jenny Skelton](#)

[Aug 24, 2020](#)

Repurpose an empty building.

-
- 2

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Thanks for adding your voice.



[Seth Hinshaw](#)

[Aug 23, 2020](#)

Clearly this setting doesn't need this development. Please consider it not

-
- 2

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[Lee Ann Clark](#)

[Aug 23, 2020](#)

Please stop taking rural areas and creating more subdivisions!! People still want to own land larger than an acre and have livestock.

-
- 2

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Report

Thanks for adding your voice.



[Nancy Clemens](#)

[Aug 23, 2020](#)

Because nature and land should be preserved—and pollution and nature do not mix!

-
- 2

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Thanks for adding your voice.



[Mandy Hanavan](#)

[Aug 23, 2020](#)

I'm tired of all the building in Westfield! Please leave some green space!

-
- 2

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Thanks for adding your voice.





[Tonya Schaick](#)

[Aug 23, 2020](#)

Enough growth already!

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- 2

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Thanks for adding your voice.



[Barbara Hansen](#)

[Aug 23, 2020](#)

Save Anthony Road from commercial development.

-
- 2

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Thanks for adding your voice.



Luke Santangini

Aug 23, 2020

I'm a life long resident of Westfield. It's concerning when our City doesn't adhere to their own Comprehension Plan. Where is the protection for homeowners in the Township?

-
- 3

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Thanks for adding your voice.



Matthew McWhorter

Aug 23, 2020

To much industrial growth is not good for the city. At some point this needs to stop!

-
- 3

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Thanks for adding your voice.



Kylene Huff

Aug 23, 2020

I'm signing because I'm tired of the city turning the areas that make Westfield beautiful and unique into commercial spaces with little consideration for the current residents and future use.

-
- 3

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Thanks for adding your voice.





[Stacy Meyers](#)

[Aug 23, 2020](#)

The space is taken. Let the animals stay in their home.

-
- 3

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Thanks for adding your voice.



[Carolyn Scott](#)

[Aug 23, 2020](#)

There are a multitude of vacant buildings across the Northside. Revitalize some of those areas and leave beautiful land alone. Quit building new! Traveling north how many deserted strip malls must you pass before reaching a new one being built!

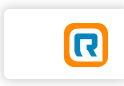
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- 3

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Thanks for adding your voice.





[LINDA NAAS](#)

[Aug 23, 2020](#)

The Rural Northeast section on our Comprehensive Plan does not allow for this use for so many reasons and would ruin the planned uses in which property owners have personally invested. This developer should look to other areas noted in the Comp Plan for this use. This is NOT a simple rezoning; it would require a major amendment to the Comp Plan which would involve the entire community especially those located in the Rural Northeast. Westfield shouldn't change the Comp Plan for all the reasons listed therein for creating it, otherwise there is no planning for the future of our community. It is not the responsibility of Westfield to abandon community planning to financially benefit any developer.

-
- 4

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Appendix B

House-to-House Petition for City of
Westfield to Reject *Ordinance 20-25*

Westfield/Washington Township Citizens Against Northpoint II Industrial

We call on the Mayor, City Council, and Advisory Plan Commission of Westfield to **deny** Northpoint Owners request to re-zone 183+ acres of Rural Residential land to Industrial Use.
Deny approval of Ordinance 20-25 (Petition Docket #2008-PUD-09)

A plan to destroy 183+ acres of beautiful farmland and trees and replace it with an industrial park with over 57 possible, unsavory land uses, has been submitted to the city of Westfield.

Why should you care? Why does this matter? It matters because...

The area of proposed development (immediately north of Hwy. 38, east of Anthony Rd., and west of Hinkle Rd.) has been classified as Northeast Rural Residential in the Westfield-Washington Township Comprehensive Plan. In fact, the Plan states that this area "will be designated as rural for the foreseeable future...development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy". The Northpoint II proposal violates the City's own plan!

This proposal will lead to the destruction of the rural lifestyle of our area. There is no amount of buffer or development standards that would protect our area's rural charm from this type of intrusion. The rural character of this area would be completely changed forever.

It will negatively impact our health and safety. Increased traffic, skyrocketing volume of commercial truck traffic, air pollution, noise pollution, light pollution, contaminated ground water, trash blowing around, businesses operating at all hours of day & night - all are detrimental to our health, safety and wellbeing.

It will decrease our property values. Most made a thoughtful choice to live in this area. Many have invested a sizeable amount of money, time and heart into their homes. Industrial development will decrease the desirableness of our area.

Tell the City that we want to preserve our rural lifestyle...we request that they adhere to the Comprehensive Plan, keep rural areas safe from industrial development, and leave the solitude of the country in place.

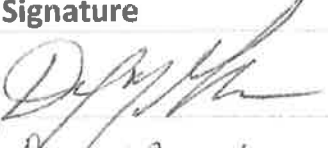
City of Westfield, please don't turn all the areas that make Westfield beautiful and unique into commercial spaces!

Please join us in signing this petition if you feel the land should remain as it is...rural. Your support, by signing this petition, will be used to communicate to the Mayor, City Council and Advisory Plan Commission. Thank you for your time and consideration.

We the undersigned request that the City of Westfield deny Ordinance 20-25.

Name	Address	Signature	Date	Phone/Email
Barry Wayne Pike	5458 Sheridan Rd Noblesville, IN 46062	Barry Wayne Pike	12/22/20	bwpike2004@yahoo.com
Cathy K. Pike	5458 Sheridan Rd. Noblesville, IN 46062	Cathy K. Pike	12/22/20	ckpike@iupui.edu
Rebecca Gudeman	20649 Anthony Westfield IN 46062	Rebecca Gudeman	12/22/20	rwgudeman@gmail.com

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
DANIEL GUDERMAN	20649 Anthony Rd Westfield 46062		12/22/20	630-333-8749
Gemma Mundy	20728 Anthony Rd Westfield, IN 46062	Gemma Mundy	12/22/20	317-877-2436
SETH MEISSER KIPSHAW	20737 Anthony Rd Westfield 46062		12/22/20	317-4606751
IN/M D. BECK	20821 Anthony Rd	W.M.D. Beck	12/22/2020	317-877-2833
Lucy Beck	20821 Anthony Rd	Lucy Beck	12/22	317-877-2833
CAROL SOMMER	2001 ANTHONY ROAD	Carol Sommer	12/22	317-877-0025
Dale McCullough	21151 Anthony Rd Westfield	Dale McCullough	12/22	317-877-2233
Glenn Miller	21188 Anthony Rd Westfield		12/22	317-877-1932
Phil Sway	21241 Anthony Rd	Phil Sway	12/22	330-647-2868
PATRICK BOYLE	21312 Anthony Rd		12/22	317-679-6322
Wendy Bels	" "		12/22	317-679-6323
Jeremy Meade	21477 Anthony Rd Westfield, IN		12/22	317-847-8255
Linda Lutes	21548 Anthony Rd Westfield	Linda Lutes	12/22	317-698-7799
Dave Eckman	21551 Anthony Rd Westfield	D. Eckman	12/22	317-968-9875
Janet Holt	3805 E 216th St Westfield	Janet Holt	12/22	317-694-9227
Haley Payne	3849 E 216th St Westfield, IN 46062	Haley Payne	12/22	317-502-9659
Grant Pontius	3989 E 216th St Westfield IN 46062	Grant Pontius	12/22	317-902-2627
Josh Elliott	4608 E 216th St Noblesville 46062		12/22	317-502-8154
Lidia Forlano	4873 E 216th St Noblesville IN 46062		12/22	614-580-8350 lidia.forlano82@gmail.com

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Kate Furtado	4803 E. 216th St. Noblesville, IN 46062	Kate Furtado	12/22/2020	(513) 314-4155 Kate.sealy@yahoo.com
Gary Pontus	3989 E. 216th St. Westfield, IN	May Pont	12/22/20	(317) 446-0040
Tim Armstrong	20636 Anthony Rd. Westfield, IN	Tim Armstrong	12-22-20	(317) 413-1265
Kim Armstrong	20636 Anthony Rd. Westfield, IN 46062	Kim Armstrong	12/22/20	317-701-7707
Kim Davis	22410 Clifford Cicero, IN 46032	Kim Davis	12/22/20	317-407-1032
Martha Linder	212570 Anthony Westfield, IN 46062	Martha Linder	12/26/20	317-430-1940 m.kirkwood@alumna.nc.edu
Shawn Martz	4331 East 216th St. Westfield, IN 46062	Shawn Martz	12/26/20	317-220-1156
Melanie Martz	4331 East 216th St. Westfield, IN 46062	Melanie Martz	12/18/20	(317) 441-9764
Ed Elliott	4526 E. 216th St. Noblesville, IN 46062	Ed Elliott	12/26/20	317-666-5241
KAREN ELLIOTT	4526 E. 216th St. Noblesville, IN 46062	Karen Elliott	12/26/20	317-508-1204
Sarah Nickel	20260 Dayspring Ct Noblesville, IN 46062	Sarah Nickel	12/28/20	765-667-6721
Vicki Moore	20270 Dayspring Ct Noblesville, IN 46062	Vicki Moore	12/28/20	317-760-0252 317-331-3810
Mike Moore	20251 Dayspring Ct Noblesville, IN 46062	Mike Moore	12/28/20	317-710-3867 317-223-9213
Shannon Cannata	26155 Starlight Ct Noblesville, IN 46062	Shannon Cannata	12/28/20	317-385-1212
Karl W. Wright	20160 Starlight Ct. Noblesville, IN 46062	Karl W. Wright	12/28/20	317-710-2194
Ray Boilens	5147 Morning Mist Noblesville, IN 46062	Ray Boilens	12/28/20	317-225-3851
Minde Reed	5217 Morning Mist Noblesville, IN 46062	Minde Reed	12/28/20	317-1114-9301
RC McGee	5244 Morning Mist Noblesville, IN 46062	RC McGee	12/28/20	317-450-6570
Mindy Isborn	5304 Morning Mist Noblesville, IN 46062	Mindy Isborn	12/28/20	317-989-8956

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Eric Ferral	5114 Morningmist Ct.	[Signature]	12/27/20	745-432-6249
Brent Whaley	5215 Nightshade	[Signature]	12/28	317-937-2719
Frank Vento	5245 Nightshade	[Signature]	12/28	317-575-8689
Shawn Vento	"	[Signature]	12/28	"
Levi Cornell	5030 Nightshade Noblesville, IN	[Signature]	12/28	317-696-4271
Mark Hall	5143 Arc Noblesville	[Signature]	12/28	317-519-7555
David Dance	5207 Aegis Dr. Noblesville	[Signature]	12/28	317-671-5177
Fushing Grandin	5164 Aegis Dr. Noblesville	[Signature]	12/28	469-668-1457
Chris Barkman	5136 Aegis Dr Noblesville	[Signature]	12/28	317-703-9725
Susan Cox	5108 Aegis Dr Noblesville	[Signature]	12/28	317-872-0885
Tracie Puckett	5255 Aegis Noblesville	[Signature]	12/28	765-438-6449
Bruce Puckett	5255 Aegis Dr Noblesville, IN	[Signature]	12/28	(317) 408-1968
Kyle VanHoek	5287 AEGIS NOBLESVILLE, IN	[Signature]	12/28	(317) 519-1623
Chelsea VanHoek	5287 AEGIS DR NOBLESVILLE, IN	[Signature]	12/28	(317) 519-7221
Susan Walker	5303 AEGIS DR Noblesville IN	[Signature]	12/28	313 691 5954
Chuck Walker	5303 AEGIS DR Noblesville IN	[Signature]	12/28	317 2969 764
Chris Spradys	5335 AEGIS DR Noblesville	[Signature]	12/28	815/931/1189
Erin L. McKelvey	5387 AEGIS NOBLESVILLE	[Signature]	12/28	317-439-9007
Dorothy Burton	5383 AEGIS Noblesville	[Signature]	12/28	317-514-0288

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Laura Fenstermaker	5260 Hegis Dr	Laura Fenstermaker	12/28/20	765-702-7666
Sustin Evans	5316 Sheridan Rd	[Signature]	12/29/20	574-453-4668
Kait Evans	5316 SHERIDAN	[Signature]	12/29/20	574-527-2474
Nancy Rusten	5143 Sheridan	Nancy E. Rusten	12/29/20	317-897-9303
Mike Jacobs	5107 Sheridan Rd	Mike Jacobs	12/29/20	317-491-2440
Helen Bray	4355 Sheridan Rd	Helen Bray	12/29/20	317-877-3731
Gordon Miller	20151 Quicksilver Rd	[Signature]	12/29/20	317-430-1234
Kenneth Kane	20403 Quicksilver	[Signature]	12/29/20	317-704-7280
Dan (K) [unclear]	20936 Quicksilver Rd	[Signature]	12/29/20	765-555-26
Kenneth Kucemanski	20473 Quicksilver Rd	[Signature]	12/29/20	260-710-0761
Dan [unclear]	20784 H. H. Kd	[Signature]	12/29/20	317-665-8183
Matt Sp. Jr	20860 H. H. Kd	[Signature]	12/29	317-440-7700
Megan Markewoz	5143 Citadel Dr	Megan Markewoz	12/29/20	(713) 823-7223
CHARTLES DELBREIMER	5018 HAVENWOOD	Charles Delbreimer	12/29/20	(317) 517-6303
Doug Coulman	4948 Hawthorn Dr	[Signature]	12/29/20	317-376-5692
Cheryl Schultz	20798 Hinkle Rd	Cheryl Schultz	1/2/21	317-514-7711
Christy Martin	20492 Quicksilver	Christy Martin	1/2/21	317-989-9213
Larry No. 29/20	20478 Quicksilver	[Signature]	1-2-21	630-770-7670
Phoenix Buder	20445 Quicksilver Rd	[Signature]	1-2-21	317-460-7001

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Name	Address	Signature	Date	Phone/Email
Lauren Badua	20445 Quicksilver Rd.	Lauren Badua	1/2/21	317-480-6769
Brett Schuennern	20503 Quicksilver Rd.	Brett Schuennern	1/2/21	309-256-1524
Kaitlin Bell	20503 Quicksilver Rd Noblesville IN	K Bell	1/2/21	317-775 0993
Ryan McKinley	20524 Quicksilver Rd 5250 Citadel Dr	R McKinley	1/2/21	317-378-3354
Ali Albenny	Noblesville IN 5262 Citadel Dr	A Albenny	1/2/21	615-540 8410
Robert Morrison	5210 Citadel Dr Noblesville	R Morrison	1/2/21	317-946-4313
Robert Morrison	4932 HANESWOOD DR Noblesville TN	R Morrison	1/2/21	317-448-5245
Theodore Sommer	21001 Anthony Road	Theodore Sommer	1/2/21	317-984-0130
Anne West	21001 Anthony Road	Anne West	1/4/22	317-509-4228
Eric Mattie	20448 Quicksilver Noblesville	Eric Mattie	1/4/21	317-385-3816
Lori Hogen	20275 Dayspring Noblesville IN	Lori Hogen	1/7/21	11/16/21 317-219-9955
Andrew DePew	20185 Starlight Noblesville, IN	Andrew DePew	1/7/21	317-698-4169
Rob Hanson	20190 Starlight Noblesville, IN	Rob Hanson	1/8/21	317-801-9473
CAIT STILL	4945 Mainway Dr Noblesville, IN	CAIT STILL	1/8/21	317-801-9473
Kelly Miller	5019 Mainway Noblesville, IN	Kelly Miller	1/8/21	317-691-0413
Mr. Miller	5255 Mainway Noblesville, IN	Mr. Miller	1/8/21	317-691-0413
James Padzinski	5250 Nightshade Noblesville	James Padzinski	1/8/21	317-691-0413
Kathy Padzinski	5250 Nightshade Noblesville	Kathy Padzinski	1/8/21	kpadzinski@gmail.com

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Name	Address	Signature	Date	Phone/Email
Nelson, Zachary	5220 Nightshade Ln.		1/4/2021	ZachNelson750@gmail.com
Kalyn Warren	5123 Aegle Dr Noblesville, IN		1/8/21	Kalyn.warren@gmail.com
Thomas Wynn	5123 Aegle Dr Noblesville, IN		1/8/21	TomWynn12@gmail.com
Ed Marcus	5192 Aegle		1-8-21	esmarcus45@ameritech.net
Cynthia Marcus	5192 Aegle Noblesville 5302 Aegle Spr.		1/8/21	joypastlove@gmail.com
Kristine Kordes	Noblesville		1/8/21	Kristine123@hotmail.com
Krista Marschall	5288 Aegle Dr Noblesville		1/8/21	Krista.e.weber@gmail.com 7651438-1218
Deschilling	20170 Starlight Ct. Noblesville, IN		8 JAN 2021	des.schilling@sci-rep.com
Kathleen Grubbs	5127 Morning Mist Ct Noblesville, IN 46062 5164 Morning Mist Ct		1/18/2021	Kathleen.Grubbs@gmail.com
Timothy Gascho	Noblesville, IN 46062		1/18/21	tj.gascho@gmail.com
Beverly Stewart	20766 Hinkle Rd 46062		1-18-21	20 Hinkle Rd
Nicole Kojetin	20766 Hinkle Rd 46062		1/23/21	kojetina@frontier.com
Ugo Robson	20770 Hinkle Rd		1/23/21	Ugo877@aol.com
Reenie Johnson	20901 Hinkle Rd		1/23/21	317-684-3641
CASEY WEHRE	20962 Hinkle Rd		1/23/21	317-607-3906
Jim Downing	4877 E 21st		1/21/21	
Beth Downing	4877 E 21st		1/21/21	317-464-9398
Jenna White	5050 E 21st		1/21/21	317-750-7310
Mark McClure	5050 E 21st		1/21/21	(250) 501-2061

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Steve Dolvin	21815 E 211th St Noblesville, IN		1/21/21	317-413-6414 stevdolvin@gmail.com
Lauren Cartmel	30052 Hinkle Rd Noblesville, IN		1/23/21	lcartmel@gmail.com
James Lawlor	20660 Hinkle Rd		1/23/21	317-513-1892

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Frank Miller 22000 Anthony Rd
216250 IN 46034 Frank Miller 12/17 317-403-8357

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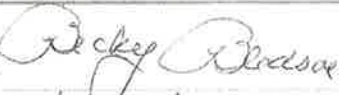
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Name	Address	Signature	Date	Phone/Email
Becky Blesso	17328 Cayuga Dr Westfield, IN 46074		12/23/2020	(317) 413-4273 106188755@yahoo.com
Susan Scanlon	18907 Crestview Ct Westfield, IN 46074		12/23/2020	(514) 815-3711 SScanlon537@gmail.com
Rachel Kuch	DS & Columbus Westfield		12/23	-

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Juli Cary	529 S. Cherry St Westfield	Juli Cary	12-23-20	
Cristy White	908 mindy ct Westfield IN	Cristy White	12-23-20	
Curtis Carey	114 East DR Westfield IN	Curtis Carey	12-23-20	317-835-6074 CurtisCdc,Carey@Gmail
Amy Keelker	5091 Sheridan Rd. Westfield IN	Amy Keelker	12-31-20	767-1000 yarrow
MIKE THOR	2150 ANTHONY RD WEST IN 46062	Mike Thor	12-31-20	+ dcp plus cy bar.
Amy Keelker	5091 Sheridan Rd Westfield IN	Amy Keelker	12-31-20	+ dcp plus cy bar
MIKE THOR	2150 ANTHONY RD WEST IN 46062	Mike Thor	12-31-20	+ dcp plus cy bar
Emily Jackson	5107 Sheridan Rd. Westfield, IN 46062	Emily E Jackson	12-31-20	317-903-9461 eejackson28@gmail.com
Mark Willock	5005 Sheridan Rd 46062	Mark Willock	1/2/21	markwillock@gmail.com 317-703-0275
Teresa Hadley	5005 Sheridan Ave Westfield, IN 46062	Teresa Hadley	1/2/21	tkh9912020@yahoo.com 317-345-5102
FRAN PIT JOHNSON	5069 Sheridan Rd Westfield 46062	Fran Pit Johnson	1/5/21	317-796-7686 rjohnson@rcn.net
Chas. Campbell	4909/5005 Sheridan Rd Westfield 46062	Charles Campbell	1/5/21	317-877-0802
Charles Campbell	4345 E 225th St Cicero IN. 46034	Charles Campbell	1/5/21	317-877-0802
Dennis J Kulesnick	509 Zepherus Way Westfield IN 46064	Dennis J Kulesnick	1/5/21	317-374-3083

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Name	Address	Signature	Date	Phone/Email
DAVID DUNBAR	21344 Anthony Rd. Westfield, IN 46002		1/7/21	317-690-0224
Rose Dunbar	21344 Anthony Rd. Westfield, IN 46002		1/7/21	317-767-5139
Lee Dunbar	21344 Anthony Rd. Westfield, IN 46002		1/7/21	317-695-2671

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Christy Wheeler	Westfield, IN 20889 Anthony Rd.	Christy Wheeler	12/22/20	317-776-3883
Wayne Wheeler	20889 Anthony Rd Westfield		12/22/20	317-697-1160
Joanna McGill	14444 Bexley Dr. Carmel	Joanna McGill	12/23/20	317-435-5297
McGill AnnMarie	14444 Bexley Dr. Carmel	AnnMarie McGill		317-576-0100
Brian Canada	1168 Pebble Brook Dr. Noblesville, IN		12/23/20	410-591-5798
Amy Canada	1168 Pebble Brook Dr. Noblesville, IN	Amy Canada	12/23/20	513-255-6400
Brad Canada	20975 Anthony Rd Westfield, IN 46062		12/23/20	763-471-4683
Janifer Canada	20975 Anthony Rd Westfield, IN 46062		12/23/20	317-508-2288
Jim May	5620 Pine Hill Dr Noblesville, IN 46062		12/24/20	317-385-4963
Janet Pisenberry-May	5620 Pine Hill Dr Noblesville, IN 46062	Janet Pisenberry-May	12/24/20	317-877-2146
Cathy Bjorkman	5635 Pinckney II Blvd Noblesville, IN 46062	Cathy Bjorkman	12/24/20	317-727-1666
Bret Dawson	401 North Union St Westfield, IN 46079		12/26/20	317-209-8161
Harry Schmits	10940 Chapel Woods Blvd. South Noblesville, IN	Harry Schmits	12/26/20	317-443-2347
Dave Monaco	16508 GLENEAGLES CT. NOBLESVILLE, IN 46060	DAVE MONICO	12/26/2020	317-344-4556
Amy Hittle-Rusher	20831 Anthony Rd Westfield 46062	Amy Hittle-Rusher	12-26-20	317-710-1061
Justin R. Rusher	20831 Anthony Rd Westfield, IN 46062		12-26-20	317-710-6398
Alison Hittle	20831 Anthony Rd Westfield, IN 46062	Alison Hittle	12/26/20	317-601-4090
Cathy Biggers	5755 Bradston Way Indpls IN 46237	Cathy L Biggers	12/27/20	317-409-3738
Linda Blough	20818 Anthony Rd Westfield, IN 46062	Linda Blough	1-6-21	317-877-6706

Westfield/Washington Township Citizens Against Northpoint II Industrial Park

Name	Address	Signature	Date	Phone/Email
Marcus Jost	21344 Anthony Rd. Westfield, IN 46062	Marcus Jost	01/07	317 508 7552 marcusjost@gmail.com
Sandra Dunbar	21344 Anthony Rd Westfield, IN 46062	Sandra B. Dunbar	01/07	317-402-4650 sdunbar213@gmail.com
Amanda Hunt	2314 Highwood Dr Westfield, IN 46074	Amanda Hunt	01/08	(317) 565-9835 anunt198950@gmail.com
Michael Graber	21250 Anthony Rd Westfield, IN 46062	Michael Graber	01/10	317 274 5571
Jill Graber	21250 Anthony Rd Westfield, IN 46062	Jill A. Graber	01/10	317-374-1634 jngraber@yahoo.com
Joel Sommer	21244 Anthony Rd. Westfield, IN 46704	Joel Sommer	1/10	317 417 7600 joel.sommer@hotmail.com
Heather Sommer	21244 Anthony Rd Westfield, IN 46074	Heather Sommer	1/11	
Marissa Mangin	401 N Union St Westfield IN 46174	Marissa Mangin	2/22	(317) 606 6171 mangin21marissa@gmail
Kevin Mangin	6882 Bladston Rd Noblesville IN 46062	Kevin Mangin	1/22	317-716-2654 kmangin@kepcross.com

Name Address Signature Date Phone/Email

Ralph R Hatfield 5593 Pine Hill dr. 1-6-21 317-797-1497
Ralph R Hatfield 5593 Pine Hill Dr 1-7-21 317-441-8327

Name Address Signature Date Phone/Email

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Name	Address	Signature	Date	Phone/Email
Jill Bracken Emerson	20803 Anthony Rd Westfield, IN	Jill Bracken Emerson	1-22-2009	317-372-3047
JAMES EMERSON	20803 Anthony Rd Westfield	JAMES EMERSON	1-22-2009	317-334-1966

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Name	Address	Signature	Date	Phone/Email
Ammanda Smith	21575 Anthony Rd.		1/11/21	asmith@orionet
	21575 Anthony Rd.	Ryan Smith	1-14-21	RSmith@CapCity
Mia Smith	21575 Anthony Road	Mia Smith	1/11/21	Fence.Guy

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Name	Address	Signature	Date	Phone/Email
Heather Humphrey	5171 Sheridan Rd.	Heather Humphrey	1-20-20	heatherlynn402@gmail.com
Mark Humphrey	5171 Sheridan Rd	[Signature]	1/20/21	m.humphrey@hotmail.com

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Name	Address	Signature	Date	Phone/Email
Paige Hackman	1126 Saw Mill Dr Mableton, IN 46062	Paige A. Hackman	1/8/21	317-910-0392 paige.a.hackman@gmail.com
Ronald Keith Hunt	15612 Oak Rd Carmel, IN 46033	R. Keith Hunt	1/11/21	317-697-6369 RKH156@AOL.COM
Charles Ray Hunt	15602 Oak Rd Carmel IN 46033	Charles Ray Hunt	1/12/21	317-439-1676 rayshorass@aol.com
Dennis Allen Hunt	15710 Oak Rd Carmel, IN 46033	Dennis A. Hunt	1/14/21	(317) 407-3800 ins@dennishunt.net



Westfield-Washington Township Advisory Plan Commission (APC)

Minutes of the August 1, 2022 APC Meeting

Presented for approval: August 15, 2022

Westfield-Washington Township Advisory Plan Commission
met at 7:00 p.m. on Monday, August 1, 2022 at Westfield City Hall.

Active links for this meeting:

[August 1, 2022 APC Agenda & Exhibits](#)

[August 1, 2022 YouTube Video](#)

OPENING OF MEETING

[You Tube Time: 0:07](#)

Roll Call

Commissioners Members Present In-Person: Kristen Burkman, Matt Deck, Ginny Kelleher, Robert Horkay, Mike Johns, Andre Maue, Victor McCarty, and Cindy Spoljaric.

Commissioners Present Virtually: Dave Schmitz.

Commissioners Absent: None.

City Staff Present In-Person: Kevin Todd, Director; Caleb Ernest, Senior Planner; and Weston Rogers, Associate Planner.

City Staff Present Virtually: None.

Legal Counsel Present Virtually: Ashley Ulbricht with Taft Stettinius & Hollister LLP.

APPROVAL OF MINUTES

McCarty motioned to approve the July 18, 2022 Minutes.

Kelleher seconded. Motion passed. Vote 9-0.

CHANGE TO THE AGENDA

The Approval of Amended Rules of Procedure item will be moved to end of the meeting.

REVIEW RULES AND PROCEDURES

Howard reviewed APC rules and procedures.

CONSENT AGENDA ITEMS

[YouTube Time: 4:20](#)

2207-DDP-22

Westfield Health Pavilion at Midtown

NEC of US 31 and 191st Street, Approximately

CBRE by Weihe Engineers requests Detailed Development Plan review of a 100,000 SF +/- medical building on 8.09 acres +/- in the Midtown at Westfield PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

Maue motioned to approve the Consent Agenda as presented.

Burkman seconded. Motion passed. Vote 9-0.

ITEMS OF BUSINESS

2206-ODP-06 & 2206-SPP-06

[YouTube Time: 5:11](#)

Springwater

East side of Westfield Blvd/Union Street, North of 161st Street

Apollo Developers, LLC by HWC Engineering requests Overall Development Plan and Primary Plat approval for 90 Single-family Attached residential Lots on 50.5 acres +/- in the Springwater PUD District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov) (Presented by Weston Rogers)

Staff presentation / Petitioner presentation / APC comments

Kelleher motioned to approve 2206-ODP-06 & 2206-SPP-06 subject to the condition stated in the motion.

Burkman seconded. Motion passed. Vote 9-0.

Agendas and minutes for all City meetings are updated and available at the City's website.

Website: www.westfield.in.gov | Community Development Department E-mail: community@westfield.in.gov

APC Minutes for August 1, 2022 Page 1 of 5

2207-PUD-15

[YouTube Time: 10:09](#)

Midtown at Westfield PUD Amendment I

NEC of US 31 and 191st Street, Approximately

Alderson Development Group, LLC by Church Church Hittle + Antrim requests an amendment to the Development Standards of the Midtown at Westfield PUD on 10 acres +/-.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov) (Presented by Weston Rogers)

Staff presentation / Petitioner presentation / APC comments / Petitioner responses.

McCarty motioned to forward 2207-PUD-15 to the City Council with positive recommendation.

Deck seconded. Motion passed. Vote 9-0.

PUBLIC HEARING ITEMS

[YouTube Time: 32:55](#)

2208-PUD-16 [PUBLIC HEARING]

[YouTube Time: 33:19](#)

Westfield Yard PUD

West Side of Gray Road, 200 feet south of State Road 32

Grand Communities, LLC by Nelson & Frankenberger, LLC requests a change in zoning for 10.8 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Westfield Yard Planned Unit Development (PUD) District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov) (Presented by Lauren Gillingham)

Staff presentation / Petitioner presentation.

Public Hearing for 2208-PUD-16 opened at 7:44 p.m.

- No public comment.

Public Hearing for 2208-PUD-16 closed at 7:44 p.m.

APC comments / Petitioner responses.

2208-ZOA-02 [PUBLIC HEARING]

[YouTube Time: 1:14:44](#)

Unified Development Ordinance Amendment (Landscape Bonds)

The City of Westfield requests approval of an ordinance to amend Article 6.8 of the Westfield-Washington Township Unified Development Ordinance.

(Planner: Caleb Ernest - cernest@westfield.in.gov) (Presented by Kevin Todd)

Staff presentation

Public Hearing for 2208-ZOA-02 opened at 8:18 p.m.

- No public comment.

Public Hearing for 2208-ZOA-02 closed at 8:20 p.m.

APC comments / Staff responses.

MISCELLANEOUS ITEMS

2207-PUD-13 [DISCUSSION]

[YouTube Time: 1:35:06](#)

Woods Robinson Briggs PUD Amendment II

Generally at 904 East 191st Street

191st Land Acquisition, LLC requests an amendment to the Woods-Robinson-Briggs PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of the proposed District 1 water feature, and modify the proposed Park/Trail Head District standards.

(Planner: Weston Rogers - wrogers@westfield.in.gov)

Staff presentation / Petitioner presentation / APC comments / Petitioner response.

Discussion only.

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AMENDED RULES OF PROCEDURE

[YouTube Time: 2:03:29](#)

Staff presentation / APC comments.
Discussion only.

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09 [CONTINUED]

Northpoint II PUD

North side of SR 38 between Anthony Road and Hinkle Road

Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-family Rural District to the Northpoint II PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

North of David Brown Drive, East and West of Westfield Blvd

31/32 Investors by Edgerock Development, LLC requests an Amendment to the Permitted Uses and General Regulations of the Grand Millennium Center PUD District.

(Planner: Pam Howard - phoward@westfield.in.gov)

2111-PUD-27

TowneRun PUD [CONTINUED]

Northwest corner of Towne Rd & West 146th Street

LOR Corporation by Church Church Hittle + Antrim requests a change in zoning for 26.94 acres +/- from AG-SF1: Agriculture / Single-family Rural District to the TowneRun PUD District.

(Planner: Kevin Todd - ktodd@westfield.in.gov)

2112-ODP-26 [CONTINUED]

Southpark Industrial

16465 Southpark Drive

CTC02, LLC by Total Engineering Solutions Co. requests Overall Development Plan review of one Lot on 3.69 acres +/- in the Southoak PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2203-PUD-05 [CONTINUED]

Towns at Union PUD

East of and adjacent to Union Street and south of David Brown Drive

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC request a change of zoning of 12.85 acres +/- from the AG-SF1 District to the Towns at Union PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

2206-PUD-11 [CONTINUED]

Towne Road Crossing PUD Amendment I

South of SR 32, west of Little Eagle Creek Avenue

H&H Stables, LLC by Nelson & Frankenberger, LLC requests an amendment to the Towne Road Crossing PUD to permit an Equestrian Facility and a maximum of thirty (30) residential Lots on 69 acres +/- in the Towne Road Crossing PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

2205-PUD-09 [CONTINUED]

iBeach31 at Grand Park PUD

724 East 181st Street

iBeach31, LLC by Church Church Hittle + Antrim request a change in zoning for 3 acres +/- from OI-PD: Open Industrial / Planned Development District to the iBeach 31 at Grand Park Planned Unit Development (PUD) District.

(Planner: Ryan Collingwood - rcollingwood@westfield.in.gov)

Agendas and minutes for all City meetings are updated and available at the City's website.

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REPORTS/COMMENTS:

[YouTube Time: 3:09:49](#)

- Plan Commission Comments
- Downtown Update
- City Council Liaison
- Board of Zoning Appeals Liaison
- Community Development Department

ADJOURNMENT

McCarty motioned to adjourn the meeting. Spoljaric seconded. Motion passed. Vote 9-0.
The meeting adjourned at 10:13 p.m.

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Signature Page for APC Minutes for August 1, 2022

Robert Horkay, President

Ginny Kelleher, Vice President

Kevin M. Todd, Secretary



Petition Number: 2201-DDP-03

Project Name: Union Square Building A

Subject Site Address: South side of SR 32, west of Union Street (the “Property”)

Petitioner: Old Town Companies

Representative: American Structurepoint

Request: Detailed Development Plan review of an 80,400 square mixed-use building and parking garage on 4.10 acres +/- in the Union Square at Grand Junction Planned Unit Development District.

Current Zoning: Union Square PUD District

Current Land Use: Commercial

Approximate Acreage: 4.1 acres +/-

Property History: Union Square at Grand Junction PUD ([Ord. 19-38](#); adopted October 14, 2019)
Amendment to Union Square at Grand Junction PUD ([Ord. 21-08](#); adopted April 26, 2021)
Overall Development Plan (2107-ODP-17; approved August 2, 2021)
Primary Plat (2107-SPP-17; approved August 2, 2021)

Staff Reviewers: Rachel Riemenschneider, Associate Planner
Caleb Ernest, Senior Planner

PROCEDURAL

Approval of a Development Plan must be granted if the submitted plan demonstrates 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.

REVIEW COMMENTS

- 1) Please provide copies or copy this Department on any correspondence you receive from Technical Advisory Committee members and your correspondence to them.

- 2) Additional comments may be forthcoming following review by the Technical Advisory Committee and after the revised primary plat and overall development plan have been submitted and reviewed.
 - 3) The comments contained herein identify those items that are determined by this Department to be outstanding that need addressed prior to approval of the Primary Plat and Overall Development Plan. **Please note some of the standards noted herein are reviewed by the Public Works Department.** The Public Works Department may identify outstanding items accordingly that need addressed prior to approval.
 - 4) ***The Unified Development Ordinance, as amended (Ord. 17-10), no longer requires a public hearing for Development Plan review approval. Once plans have been determined to be in compliance with the applicable ordinances, the petition will be placed on the next scheduled Plan Commission meeting agenda.***
 - 5) Abbreviations:
 - a) WPWD: Westfield Public Works Department
 - b) HCSO: Hamilton County Surveyor's Office
-

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply.

- 1) 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.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 5) 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.
- 6) 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.

- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) 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.
- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 17) 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).
- 18) Misc.

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply.

- 19) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.

- 20) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 21) 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.
- 22) 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.
-

DISTRICT STANDARDS

The plans comply with Article 4.15 (LB-H: Local Business / Historical District) and Union Square at Grand Junction PUD District (Ord. 19-38).

- 23) Minimum Lot Area: No minimum (Ord. 19-38)
- 24) Minimum Lot Width: No minimum (Ord. 19-38)
- 25) Maximum Lot Coverage: No maximum (Ord. 19-38)
- 26) Minimum Tract Requirement: No minimum (Ord. 19-38)
- 27) Minimum Lot Frontage: No minimum, however all lots shall have vehicular access to a street (via public street, private street, alley, or a shared ingress/egress easement) (Ord. 19-38)
- 28) Minimum Building Setback
- a) Minimum Front Yard: 0 feet (Ord. 19-38)
 - b) Minimum Side Yard / Building Separation: 0 feet (Ord. 19-38)
 - c) Minimum Rear Yard: 0 feet (Ord. 19-38)
- 29) Minimum Building Height: Two (2) stories (Ord. 19-38)

30) Maximum Building Height: No maximum (Ord. 19-38)

DEVELOPMENT STANDARDS (Chapter 6 of UDO, Union Square at Grand Junction PUD District (Ord. 19-38), and Union Square at Grand Junction PUD District Amendment (Ord.21-08))

The plans comply, as applicable to a Detailed Development Plan.

31) Accessory Use and Building Standards (Article 6.1)

32) Architectural Standards

A. Ord. 21-08

- i. Character Exhibit: The "Character Exhibit" attached hereto as Exhibit C is hereby incorporated as a compilation of images designed to capture the most recent intended architecture of structures to be constructed in the District. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the District. In order to provide a unique architectural niche for downtown Westfield, the development of the Real Estate (site improvements and building elevations will be of a custom design for the Real Estate that will incorporate community feedback received through a public design process undertaken by Old Town Companies in advance of Development Plan Approval.

B. Ord. 19-38

- i. Mechanical / Utility Meter Screening: All roof and wall mounted Mechanical Equipment shall be visually integrated into the overall design of the Building and shall not be located on the building's Front Façade. Clustering of Mechanical Equipment is encouraged.
- ii. External Wall Protrusions: Gutters, downspouts, vents and other external wall protrusions shall be visually integrated with the architectural style of structure. The color shall be selected to complement or be consistent with the building materials.

33) Building Standards (Article 6.4)

34) Fence Standards (Article 6.5)

35) Height Standards (Article 6.6)

36) Landscaping Standards (Ord. 19-38)

- A. Article 6.8 Landscaping Standards: Shall not apply, rather, the plantings will be as shown on the Detailed Development Plan and Overall Development Plan.

37) Lighting Standards (Article 6.9)

- A. Lighting Plans: The Applicant for any permit required by this Ordinance that proposes outdoor lighting shall submit a Lighting Plan which includes:
- i. A site plan indicating the location of all lighting structures, supports and Light Fixtures, including those Light Fixtures which presently exist on site and those which are proposed for the site.
 - ii. A graphic and/or textual description of all lighting fixtures, both proposed and existing on-site. The description may include, but is not limited to cut sheets and illustrations by the manufacture, lamp types, wattages, and lumen outputs.
 - iii. A site plan with illuminance levels superimposed on the site plan in the form of an iso foot-candle diagram or point-by-point grid diagram.
 - iv. All plot lighting levels shall be depicted at ten-foot (10') intervals or less.
 - v. The iso foot-candle diagram shall plot foot-candle increments of one-half (0.5) foot-candle or less.
 - vi. Photometric data depicting the angle of cut off of light emissions.
 - vii. Any other information that the Director determines necessary to ensure compliance with the provisions of this Article.

38) Lot Standards (Article 6.10)

39) Outside Storage and Display (Article 6.12)

40) Outdoor Café and Eating Areas (Article 6.13)

- A. Applicability: Outdoor cafés and eating areas shall be subject to this Article.
- B. Health Department: All outdoor cafés and eating areas shall conform to all State and County Health Department regulations and code, including but not limited to I.C. 16-42-5 and 410 IAC 7-24.

- C. Lighting: Shall comply with Article 6.9 Lighting Standards. Festoon lighting shall not be permitted.
- D. Audio: Music and other audio devices shall be maintained at a level: (i) not audible from forty (40) feet from the source; or (ii) ninety (90) decibels or less when measured six (6) feet from source on a dB(A) meter.
- E. Pedestrian Ways: Shall not impede pedestrian traffic or force pedestrians into vehicular travel lanes in accordance with the following:
 - i. A five (5) foot pedestrian access area on the perimeter of the outdoor café and eating area shall be maintained at all times. The pedestrian access area on the sidewalk shall not be interrupted with building, infrastructure, utility or landscaping elements such as but not limited to columns, supports, plantings or other such materials.
 - ii. Proposed outdoor cafés and eating areas that would occupy or extend into public Rights-of-way may not be located in such a manner that renders any Right-of-way, sidewalk, or path noncompliant with Federal, State, or City Building Code.
 - iii. Shall be compliant with all Federal, State and City Building Codes and access requirements.
- F. Required Approvals:
 - i. Permanent Areas: Outdoor cafés and eating areas that are utilized or set aside for use for a period longer than seven (7) days in a calendar year shall be deemed permanent in nature. Permanent outdoor cafés and eating areas shall require Development Plan approval, in accordance with Article 10.7 Development Plan Review, to ensure compliance with this Ordinance and that its use and design is compatible with the surrounding area and Zoning District.
 - ii. Temporary Areas: Temporary outdoor cafés and eating areas shall require a Temporary Use/Event Permit annually, in accordance with Article 10.13 Temporary Use and Events Permits, and shall obtain any other necessary permits (e.g., encroachment permit by the Public Works Department) or approvals (e.g., Fire Marshal).

41) Parking and Loading Standards

A. Ord. 19-38

- i. Article 6.14 Parking and Loading Standards: Shall apply except as modified or enhanced below:

- a. On-Street parking: On-Street Parking is contemplated along Jersey Street, Mill Street, and Union Street; however, any on-street parking shall be subject to final engineering and approval by the Department of Public Works.
 - b. Article 6.14(C) Loading Berths: Article 6.14(C) shall not apply.
- B. Ord. 21-08
 - i. Article 6.14(G) Off-Street Parking: Article 6.14(G) shall apply except as modified below:
 - a. Shared Parking: The shared Parking Spaces shall provide at least seventy percent (70%) of the cumulative total of Parking Spaces required for each use.
 - b. Required Spaces: Off-street Parking Spaces shall be 1 space per studio Multi-Family Dwelling Unit and 1.5 spaces per Unit for all other Multi-Family Dwelling Units.
 - c. Parking Space Requirements: Parking space requirements may be waived by the Plan Commission or Director if determined sufficient parking alternatives are available in the City's downtown. Parking Space requirements for other uses shall be determined by the Director based upon data supplied by the Applicant in response to traffic and parking data requested to be furnished with the application for an Improvement Location Permit.
 - d. Off-Street Parking: Off-Street Parking shall not be permitted in the Established Front Yard.
 - ii. Article 6.14
 - a. Bicycle Parking: It is the purpose of this section to provide adequate and safe facilities for the storage of bicycles. This section shall apply to all new development and/or building expansions requiring Development Plan approval or an Improvement Location Permit.
 - (a) Number of Spaces: A minimum of one (1) bicycle parking space (or parking position) shall be provided per thirty (30) vehicular parking spaces. No more than fifteen (15) bicycle parking spaces shall be required for any Principal Building.

- (b) Proximity to Principal Building: the bicycle parking spaces shall be located in close proximity to the main entryway into the Principal Building or be located inside the Principal Building.
- (c) Rack Requirement: A bicycle rack, which may contain multiple bicycle parking spaces, shall be installed on a hard, dustless surface that allows the parking structure to be securely fastened to the ground and that secures the bicycles.
- (d) Pedestrian Ways: Bicycle Parking Areas shall be designed such that when in use, the bicycles (and trailers), shall not obstruct an adjacent sidewalk, path, or other pedestrian way and located to provide a minimum of five (5) feet of clearance behind the bicycle to allow for room to maneuver.
- (e) Exemptions: Single-family Dwellings and Duplex Dwellings shall be exempt from this section. In addition, the Plan Commission or Director may exempt certain Uses from this section where it can be clearly demonstrated that the Use is not a destination for the general public utilizing bicycles (e.g., day care centers, warehousing and distribution, car washes, drive up establishments, other auto-oriented Uses as determined by the Director).

42) Performance Standards (Article 6.15)

43) Setback Standards (Article 6.16)

44) Sign Standards (Article 6.17)

Comment: Will be reviewed with separate Sign Permit Application.

45) Vision Clearance Standards (Article 6.19)

46) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO and Union Square at Grand Junction PUD District (Ord. 19-38))

The plans comply.

47) Block Standards (Article 8.1)

48) Easement Standards (Article 8.3)

49) Monument and Marker Standards (Article 8.5)

50) Open Space and Amenity Standards (Ord. 19-38)

A. Article 8.6 Open Space and Amenity Standards: Shall not apply.

51) Pedestrian Network Standards (Article 8.7)

A. General Standards:

- i. When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a Street intersection with an Arterial within or adjacent to a development, then safety devices (i.e., painted crosswalks, Signs, or other traffic control devices) shall be installed at the Developer's expense as deemed appropriate by the Public Works Department. The Director or Plan Commission may require crosswalks to be marked at other intersections or pedestrian-crossing points as may be deemed appropriate. All traffic control devices shall comply with guidelines and requirements of the current edition of the Indiana Manual on Uniform Traffic Control Devices.

52) Storm Water Standards (Article 8.8)

53) Street and Right-of-Way Standards (Article 8.9)

A. Article 8.9 Street and Right-of-Way Standards: Shall apply, however, no dedication of Right-of-Way shall be required. (Ord. 19-38)

54) Street Light Standards (Article 8.10)

55) Street Sign Standards (Article 8.11)

56) Surety Standards (Article 8.12)

57) Utility Standards (Article 8.13)

Report continued on next page.



DEPARTMENT COMMENTS

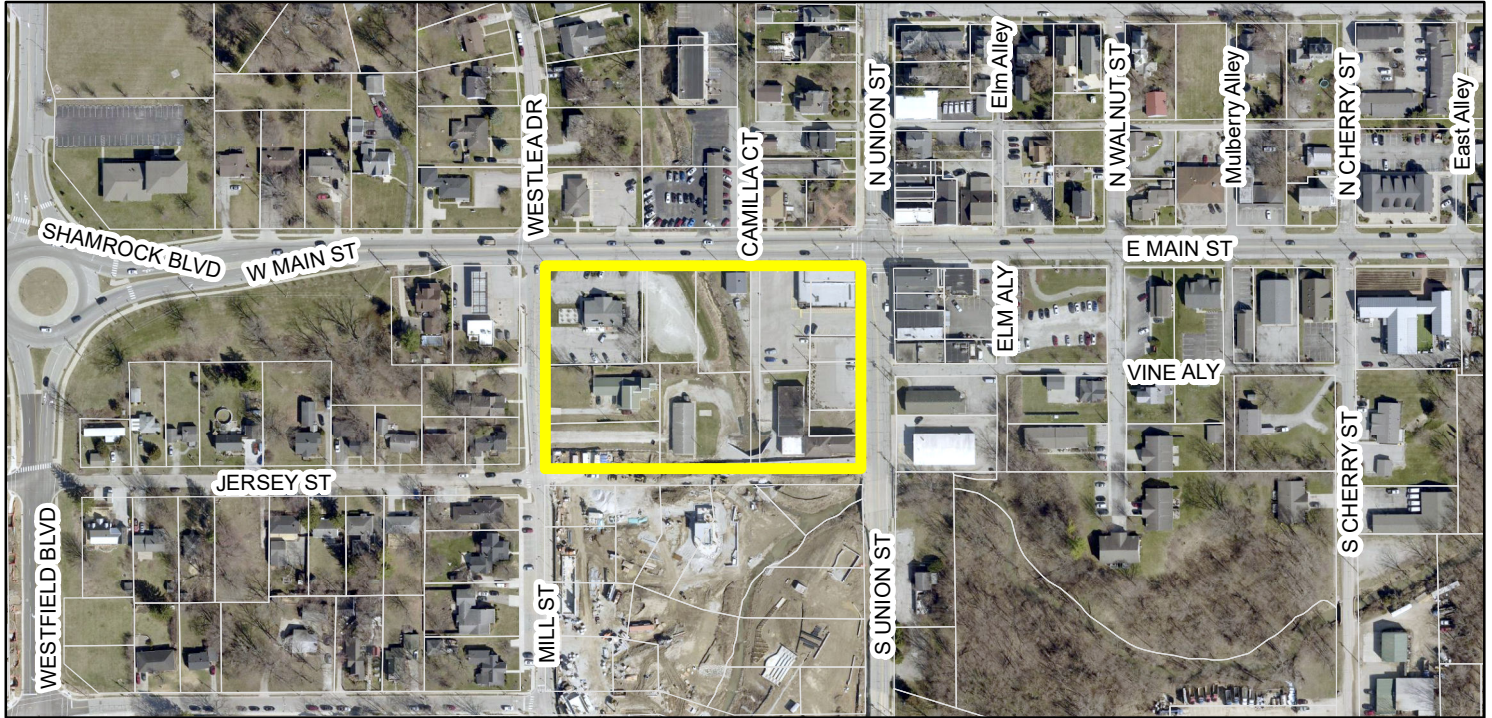
- 1) **Action:** Approve the Detailed Development Plan (2201-DDP-03) with the following condition:
 - a) All necessary approvals be obtained from the Westfield Public Works Department and Hamilton County Surveyor's Office prior to the issuance of an Improvement Location Permit.
- 2) If any Plan Commission member has questions prior to the meeting, then please contact Caleb Ernest (317) 519-8630 or cernest@westfield.in.gov.



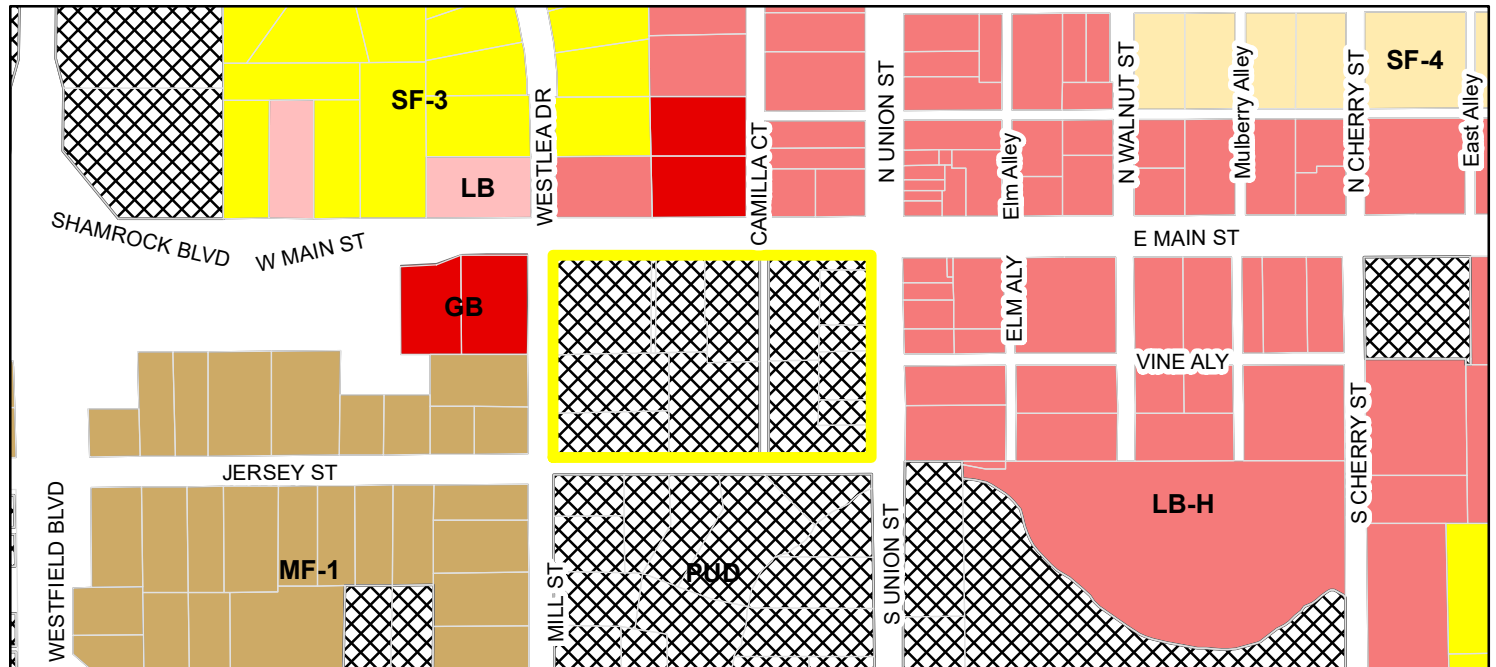
Property Location Map
South side of SR 32, between Mill and Union Street
Detailed Development Plan
2201-DDP-03



Aerial Location Map



Zoning Map



Parcel	LB-H (Local Business - Historical)
Zoning - All	MF-1 (Multiple Family - 1)
Zoning	PUD (Planned Unit Development)
GB (General Business)	SF-3 (Single Family - 3)
LB (Local Business)	SF-4 (Single Family - 4)

PLOT DATE: 06/02/2022 2:05 PM
DRAWING FILE: P:\2018\012620 - Drawing\Civil\Construction Documents\2018.012620.CE C200.SP.dwg
EDITED BY: DWELCH
EDIT DATE: 8/5/2022

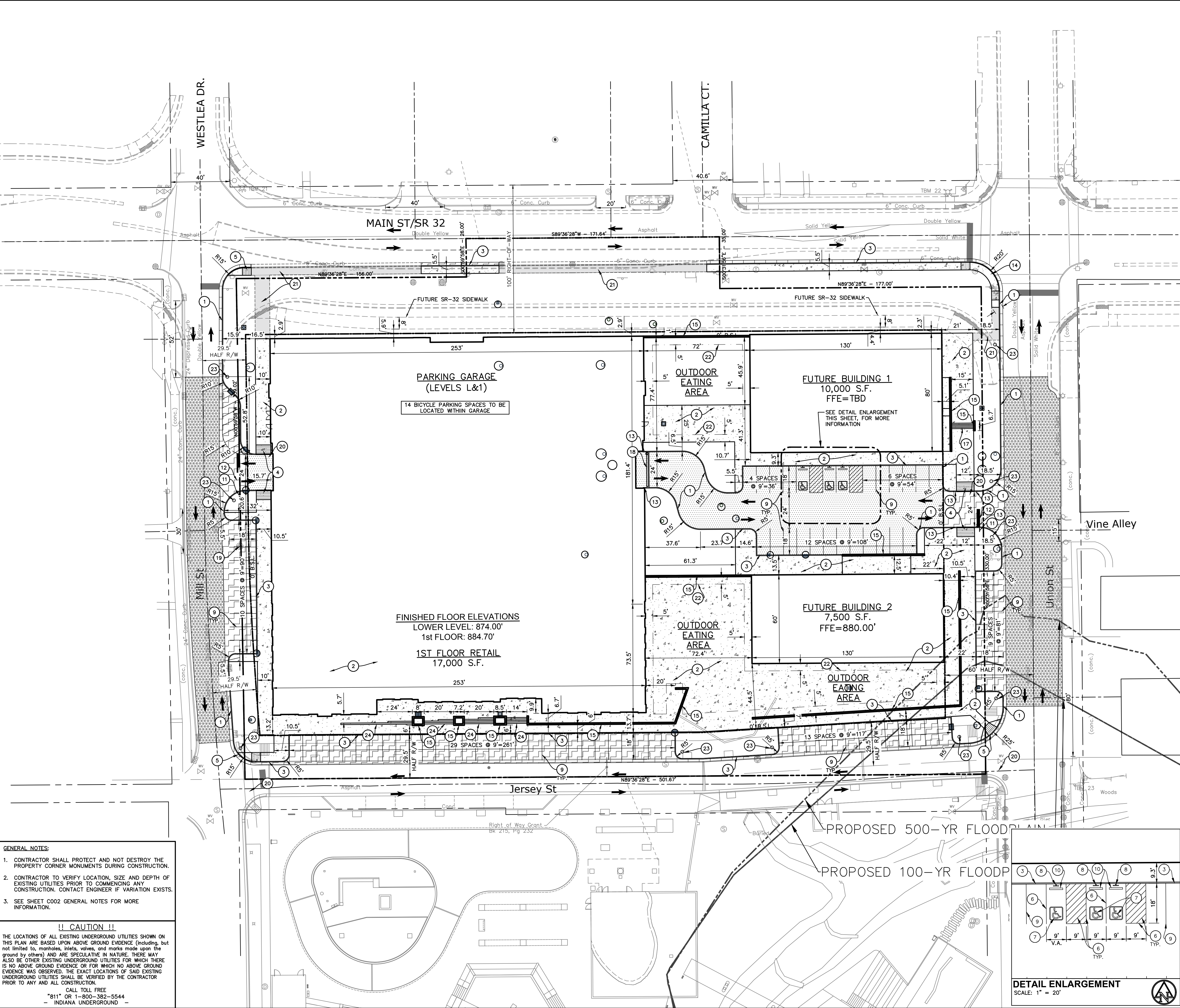
GENERAL NOTES:

- CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
- CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
- SEE SHEET C002 GENERAL NOTES FOR MORE INFORMATION.

!! CAUTION !!

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE
"811" OR 1-800-382-5544
- INDIANA UNDERGROUND -



0' 30' 60'

SCALE: 1"=30'

EXISTING LEGEND

Air Conditioner	Sanitary MH
Brace Pole	Satellite
Buffalo Box	Sign
Bush	Stand Pipe
Clean Out	Stump
Combination Pole	Telephone Box
Curb Inlet	Telephone Handhole
Down Spout	Telephone MH
Drainage Inlet	Telephone Pedestal
Drainage MH	Telephone Pole
Electric Box	Traffic MH
Electric Meter Box	Traffic Pole
Fire Hydrant	Tree
Flag Pole	Vent
Gas Marker	Water Meter
Gas Meter	Water Valve
Gas Valve	Yard Light
Guard Post	
Guy Wire	-w- Buried Water Line
Hose Bib	-t- Buried Telephone Line
Lid	-oh- Overhead Telephone Line
Light Pole	-g- Buried Gas Line
Mail Box	-oh- Overhead Electric Line
Manhole	-obr- Overhead Brace Line
Monitoring Well	-fo- Buried Fiber Optic Line
Pine Tree	-otr- Overhead Traffic Line
Post	
Power Pole	

SITE LEGEND

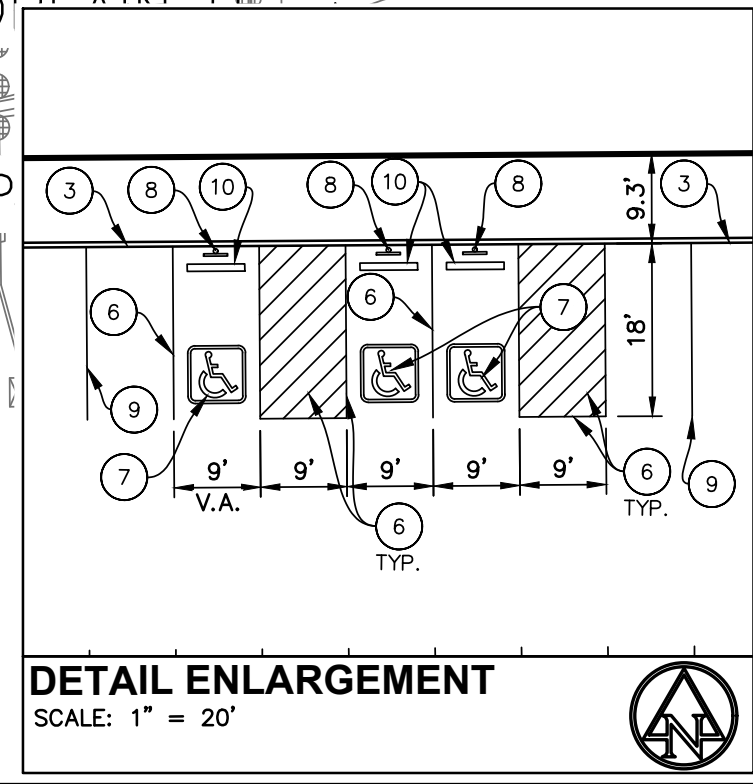
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[Pattern]	HEAVY DUTY ASPHALT PAVEMENT
[Pattern]	RIGHT OF WAY ASPHALT PAVEMENT
[Pattern]	CONCRETE PAVEMENT
[Pattern]	1-1/2" MILL AND HMA RESURFACE
[Pattern]	FUTURE SIDEWALK

SITE DATA TABLE

SITE ZONING:	PUD
PROJECT AREA:	4.10± ACRES
LOT AREA:	178,596± SF
BUILDING AREA:	80,495± SF
SITE IMPERVIOUS AREA:	4.10± ACRES
SURFACE PARKING (9'x18'):	29
GARAGE PARKING (9'x18'):	300
ADA PARKING PROVIDED: (INCLUDES 1 VAN ACCESSIBLE)	3
STREET PARKING (9'x18'):	54
TOTAL PROPOSED SURFACE PARKING:	386

KEYNOTES

- 6" CONCRETE CURB
- CONCRETE SIDEWALK
- COMBINED CONCRETE CURB & WALK
- ADA ACCESSIBLE RAMP TYPE 'G'
- ADA ACCESSIBLE RAMP TYPE 'H'
- ADA PARKING SPACE (4" BLUE PAINT STRIPE)
- ADA PARKING SYMBOL
- ADA ACCESSIBLE PARKING SIGN
- PARKING SPACE (4" WHITE THERMOPLASTIC STRIPE)
- CONCRETE WHEEL STOP
- STOP SIGN
- 24" STOP BAR, WHITE, PAINT
- CURB TAPER
- ADA ACCESSIBLE RAMP TYPE 'B'
- CONCRETE WALL (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- RAMP (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- STAIRS
- TRENCH DRAIN
- UTILITY CONCRETE COLLAR
- PEDESTRIAN CROSSWALK (24" WHITE STRIPE)
- FUTURE SIDEWALK
- 5' PEDESTRIAN ACCESS AREA AT PLAZA
- STREET LIGHT (REFER TO SITE ELECTRICAL PLAN)
- STAIR TREAD TRANSITIONS (REFER TO ARCHITECTURAL PLANS FOR DETAILS)



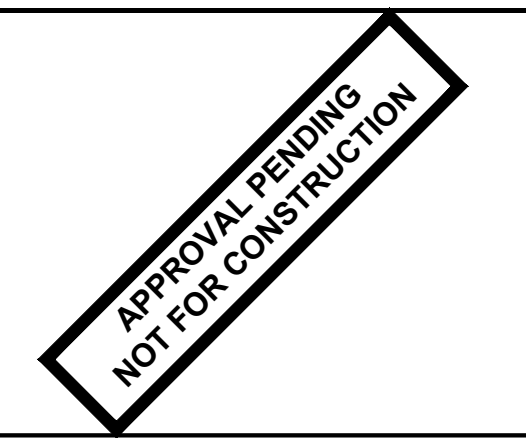
Old Town Companies,
31 1st St SW
Carmel, IN 46032



9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

Old Town
Development - Union
Square at Grand
Junction

WESTFIELD, INDIANA



CERTIFIED BY

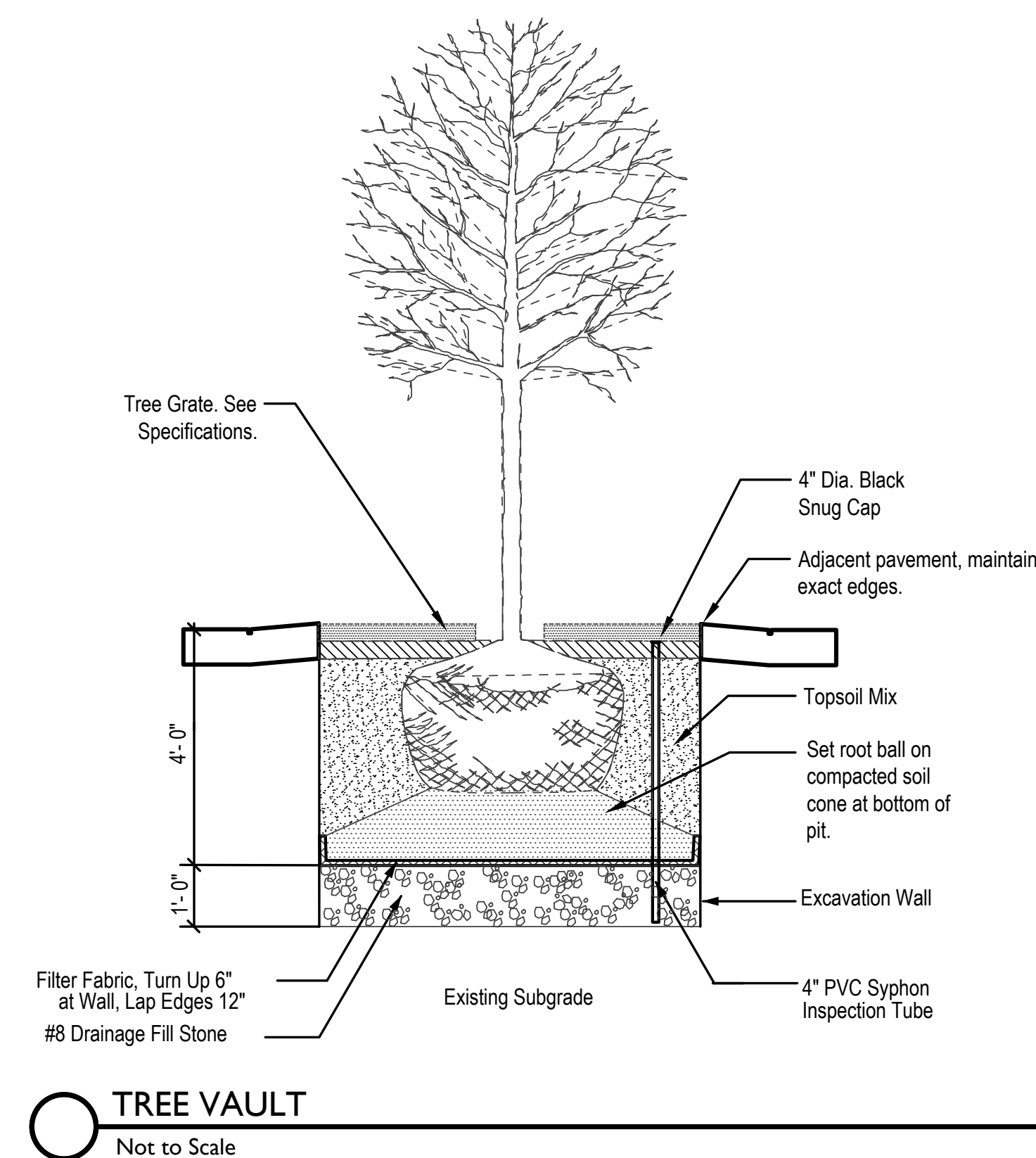
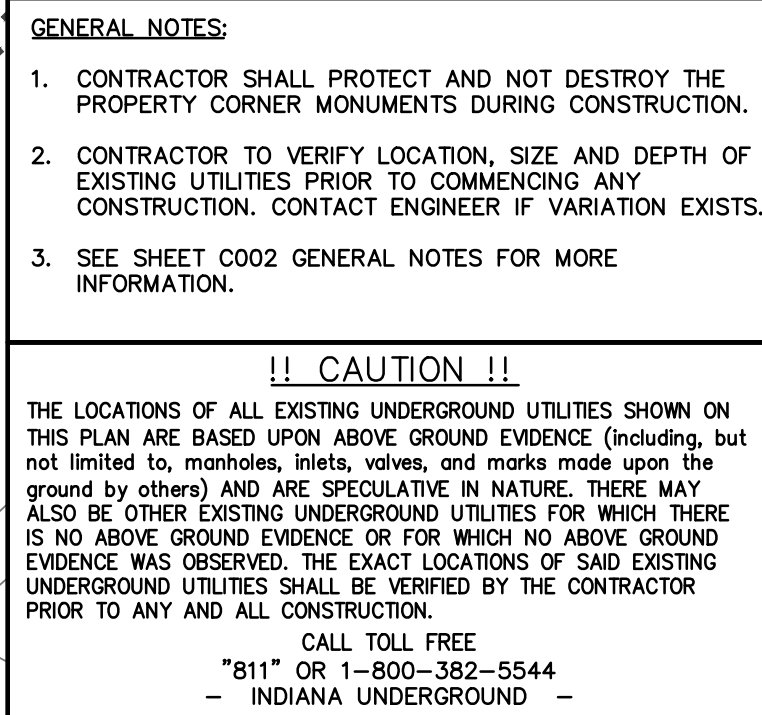
ISSUANCE INDEX	
DATE:	
7/15/2022	
PROJECT PHASE:	
DDP Submittal	

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2018.01276

SITE PLAN

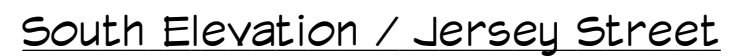
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UNION SQUARE
WESTFIELD, INDIANA

A2.1



Utility meters are to be installed inside lower level garage and will not be visible from any views provided in this submittal. Mechanical equipment will be installed in rooftop mechanical wells, screened from view below.



Utility meters are to be installed inside lower level garage and will not be visible from any views provided in this submittal. Mechanical equipment will be installed in rooftop mechanical wells, screened from view below.



North Elevation / State Road 32

Scale: 1" = 20' 0' 20'



STUDIO M
ARCHITECTURE & PLANNING

7.15.2022



East Elevation

Scale: 1" = 20' 0' 20'

UNION SQUARE
WESTFIELD, INDIANA

A2.2



BIRD'S EYE VIEW LOOKING NORTHEAST



STREET VIEW LOOKING NORTHEAST



STREET VIEW LOOKING SOUTHEAST



STREET VIEW LOOKING SOUTHWEST



STREET VIEW LOOKING NORTHWEST

Gross Square Footage	Office/ Retail	Courtyard	Garage	Amenities	Housing GSF	Total GSF
Total GSF*	15,657	12,219	110,115	6,694	196,594	360,374

*GSF taken from exterior side of exterior stud, includes common areas, balconies and patios *excludes courtyard

Housing Gross Square Footage	Lower Level	First Floor	Second Floor	Third Floor	Fourth Floor	Fifth Floor	Total GSF
Housing GSF*	-	-	44,128	50,822	50,822	50,822	196,594

*GSF taken from exterior side of exterior stud, includes common areas, balconies and patios

Unit Type	Unit NSF*	Total	Beds	Unit NSF*	Balcony	Unit GSF**	%
Unit S1 - Studio	626	40	40	25,040	64	27,600	
Unit S2 - Studio	722	8	8	5,776	92	6,512	
Unit S3 - Studio	680	6	6	4,080	67	4,482	28.7%
Unit A1 - 1 BR	748	46	46	34,408	67	37,490	
Unit A2 - 1 BR	673	20	20	13,460	79	15,040	
Unit A2b - 1 BR	673	8	8	5,384	0	5,384	
Unit A3 - 1 BR w/Den	1,014	16	16	16,224	168	18,912	
Unit A4 - 1 BR	904	8	8	7,232	168	8,576	52.1%
Unit B1 - 2 BR	1,129	8	16	9,032	64	9,544	
Unit B2 - 2 BR	1,092	24	48	26,208	83	28,200	
Unit B3 - 2 BR	988	4	8	3,952	0	3,952	19.1%
Totals	802	188	224	150,796		165,692	100%

*NSF taken from exterior side of exterior stud, corridor side of corridor stud, centerline of demising walls, excludes balconies and patios

**GSF taken from exterior side of exterior stud, corridor side of corridor stud, centerline of demising walls, includes balconies and patios

Apartments	Floor					Unit GSF	Totals
	First	Second	Third	Fourth	Fifth		
Unit S1 - Studio	0	10	10	10	10	27,600	40
Unit S2 - Studio	0	2	2	2	2	6,512	8
Unit S3 - Studio	0	0	2	2	2	4,482	6
Unit A1 - 1 BR	0	10	12	12	12	37,490	46
Unit A2 - 1 BR	0	2	6	6	6	15,040	20
Unit A2b - 1 BR	0	2	2	2	2	5,384	8
Unit A3 - 1 BR w/Den	0	4	4	4	4	18,912	16
Unit A4 - 1 BR	0	2	2	2	2	8,576	8
Unit B1 - 2 BR	0	2	2	2	2	9,544	8
Unit B2 - 2 BR	0	6	6	6	6	28,200	24
Unit B3 - 2 BR	0	1	1	1	1	3,952	4
Totals	0	41	49	49	49	165,692	188



STUDIO M
ARCHITECTURE & PLANNING

04.19.2022

UNION SQUARE
WESTFIELD, INDIANA

Grand Junction Task Group

116 East Main Street, Westfield Indiana 46074-8924

May 10, 2022

Old Town Companies
31 1st Street SW
Carmel, IN 46032
<https://www.oldtowncompanies.com/>

Re: **Union Square Residential Building Endorsement**

Dear Old Town Companies,

This letter is in response to the Grand Junction Task Groups (GJTG) involvement in the Union Square Project, specifically the residential/parking building which is to be built along State Road 32 in Downtown Westfield.

As part of its approval process, the City of Westfield Community Development Office has requested that Old Town Companies engage the GJTG to review your plans and provide your company with any feedback.

We can attest that for the past two years, Old Town Companies has worked closely with the GJTG to solicit feedback, present various design options, and engage in a meaningful exchange of ideas. Most recently, Old Town Companies presented their current residential/parking building design as part of the Union Square project during a face-to-face meeting of GJTG members on Wednesday, May 4. This meeting was held in addition to their public presentation of the designs at the State Road 32 Open House held on Thursday, April 14.

The feedback from the April 14 meeting and the same designs were presented to GJTG for their feedback. The Task Group asked several questions about the building and offered a few cosmetic ideas, but genuinely liked the look and feel and had no input to provide that would require follow-up by Old Town Companies.

The Task Group appreciates the renderings, time, and materials you have provided throughout this process and the flexibility and willingness you have demonstrated to consider its questions to ensure that this new development adds to the downtown experience and corridor.

Therefore, members of the Grand Junction Task Group unanimously **ENDORSE** this project. This investment in downtown Westfield will help increase property values in the neighborhood and contribute to the success of all area businesses.

Questions about the endorsement can be directed to the Grand Junction Task Group administrator Steve Latour at slatour@westfieldchamberindy.com or by calling 317-804-3030.

Sincerely,

Endorsing Task Group Members:

Bob Beauchamp (Grand Junction Properties)

Patrick Chittenden (Patch Development)

Jackie Dikos (Field Brewing)

Keith Dusko (Chiba)

Nolan Hudson (1205 Distillery)

Melody Jones (FC Tucker Agent), Downtown Westfield Resident

Dan Moyer (Moyer Jewelers), Downtown Westfield Association Chairperson

Erin O'Rear (Wandering Peacock Gallery)

John Schaaf (Schaaf CPA)

Teresa Skelton, Downtown Westfield Association Board Member

Chelsey Wetzel (Union Jack Pub)

Curt Whitesell (WKRP Indy), Downtown Westfield Association Secretary

Cc: Caleb Ernest, Senior Planner, Community Development City of Westfield

TOWNS AT UNION WESTFIELD, INDIANA



S. UNION ST.

BIKE
STATION

DOG
PARK

GATHERING
AREA

LAKE #1
N.P. = 855.00
TOP OF BANK = 860.00
TOP OF BANK AREA = 1.02 ACRES

EMERGENCY ACCESS

EXISTING TREES

EXISTING TREES

EXISTING TREES

EXISTING TREES

EXISTING TREES

EXISTING TREES

EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 1 of 2)



EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 2 of 2)

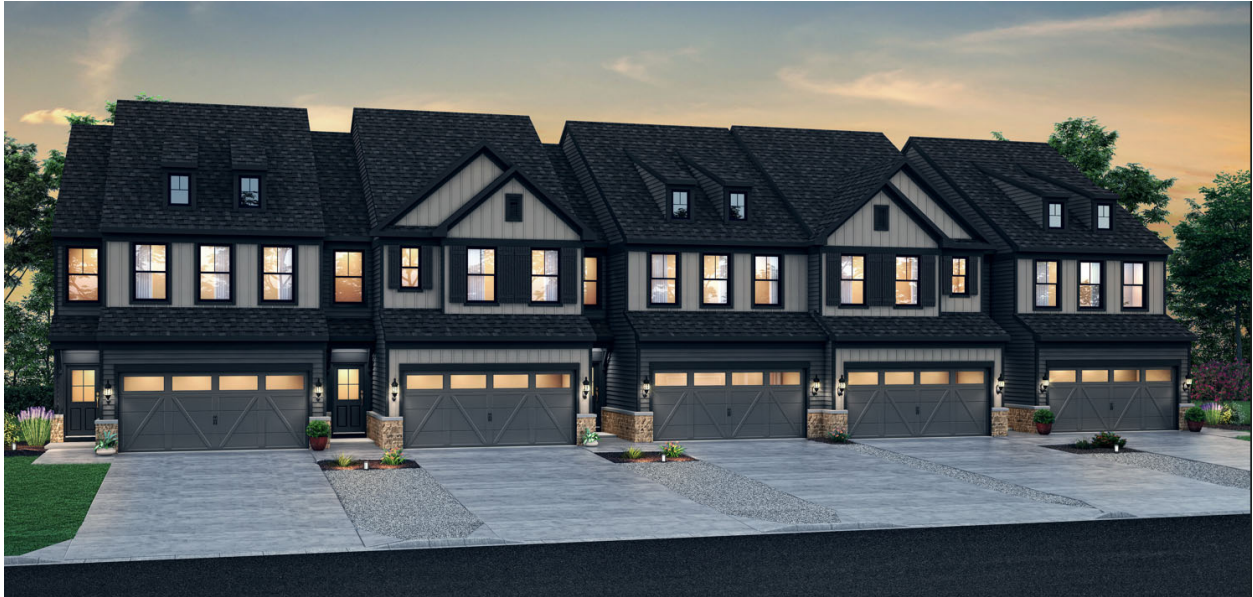


EXHIBIT E
BUFFER YARD EXHIBIT
(Page 1 of 1)





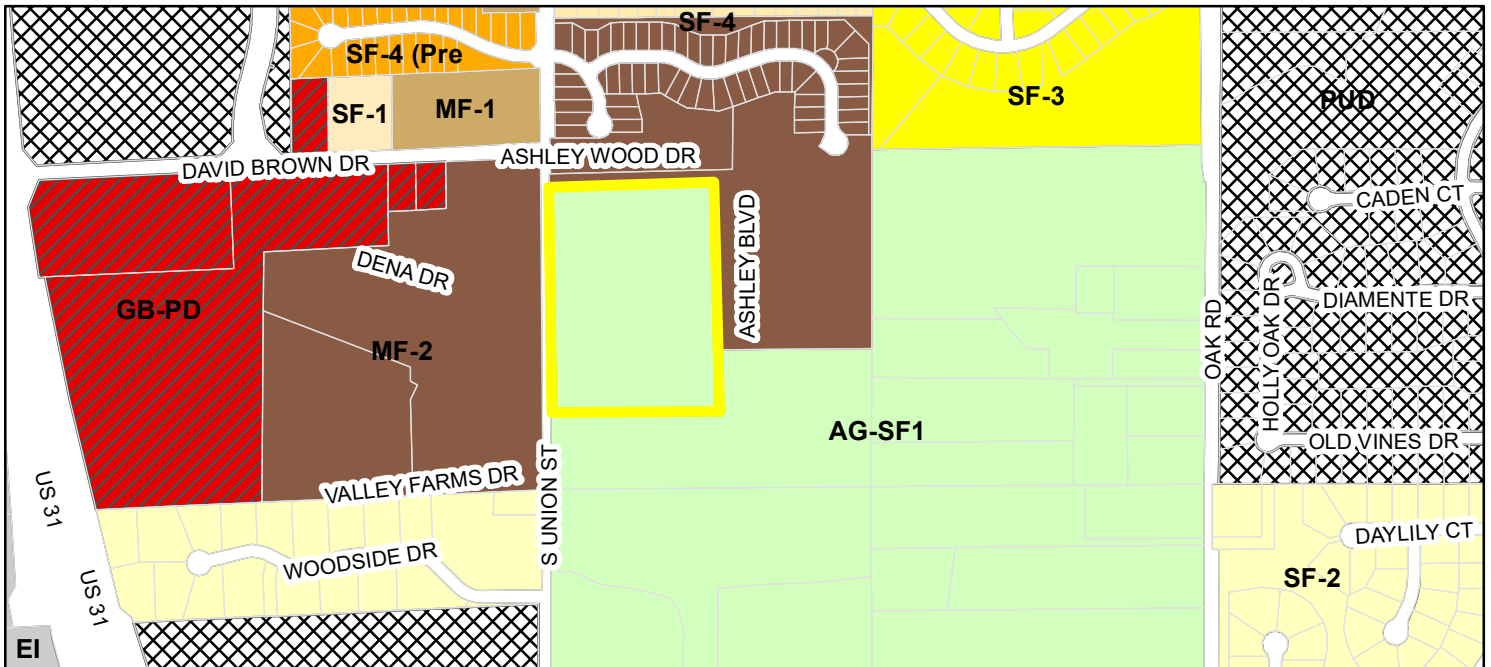
Property Location Map
16703 S. Union Street
Planned Unit Development
2203-PUD-05



Aerial Location Map



Zoning Map



Parcel	MF-2 (Multiple Family - 2)
Zoning - All	PUD (Planned Unit Development)
Zoning	SF-1 (Single Family - 1)
AG-SF1 (Agriculture - Single Family - 1)	SF-2 (Single Family - 2)
EI (Enclosed Industrial)	SF-3 (Single Family - 3)
GB-PD (General Business - Planned Development)	SF-4 (Single Family - 4)
MF-1 (Multiple Family - 1)	SF-4 Pre-1994 (Single Family - 4 Pre-1994)

Issues/Comments in Response to the Proposed
Towns at Union Planned Unit Development (PUD) District

The list below includes issues that were raised in the written and verbal comments submitted to the Community Development Department in advance of the March 7, 2022, Plan Commission public hearing, and issues presented during the public hearing, as compiled by the Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

- 1. Does the building height of the proposed townhomes blend in with the surrounding height of existing developments?**
 - a. Are 2-story townhomes more appropriate than 3-story across the entire site?**
 - b. Is 2-story townhomes along Union Street and the rest of the site 3-story more appropriate?**
- 2. Is the overall density appropriate for the site?**
 - a. How do the proposed units per acre compare to the Springwater PUD?**
 - b. Can reducing the density create an opportunity to:**
 - i. Create more tree preservation;**
 - ii. Create more buffering, and/or;**
 - iii. Achieve a more optimal layout for the orientation of rear and front-load townhomes?**
- 3. Can landscaping be optimized to have more trees on the site?**
 - a. Would decreasing the overall number of units allow more tree preservation?**
 - b. Can the language in the proposed ordinance be precise on how many trees are being preserved and how many are being removed?**
 - c. Please elaborate why a tree inventory is not required when it can help distinguish the health of trees compared to sick or dying trees?**
 - d. Can more detailed buffer yards be explained and shown for this site?**
 - e. Would increasing the buffer yards to 40 feet achieve more trees on the site?**
 - f. How can the design of the proposed pond increase landscaping and/or serve as an active space for residents to use?**

4. **How much traffic would be generated from this project?**
 - a. **Does the construction of the 161st Street roundabout, Lantern Commons and Springwater developments impact the traffic on Union Street?**
 - b. **How much traffic volume can Union Street and David Brown Drive handle?**
 - c. **Would a passing blister be an efficient and safe use for the entry to this site?**
5. **Can the proposed development reflect a more unique design?**
 - a. **Would any of the below design elements help achieve a unique design for this proposal?**
 - i. **A playground;**
 - ii. **Front porches on units;**
 - iii. **Breaking up units into 2 – 3-unit buildings;**
 - iv. **Neighborhood-style design for the townhomes;**
 - v. **Roof lines defined resembling individual units;**
 - vi. **Offsetting units within each building or offset the buildings from each other;**
 - vii. **Side facades including masonry materials?**
6. **How do the number of proposed amenities and open space compare to the City's Unified Development Ordinance and Springwater PUD?**
 - a. **Can bicycle racks be implemented to promote a bicycle-friendly project?**

Issues/Comments in Response to the Proposed
Towns at Union Planned Unit Development (PUD) District

The list below includes issues that were raised in the written and verbal comments submitted to the Community Development Department in advance of the March 7, 2022, Plan Commission public hearing, and issues presented during the public hearing, as compiled by the Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. Does the building height of the proposed townhomes blend in with the surrounding height of existing developments?

The height of the proposed townhomes has been reduced to 2-stories for the entire site. This is now compatible to the adjacent apartment complexes.

- a. Are 2-story townhomes more appropriate than 3-story across the entire site? **See above**
- b. Is 2-story townhomes along Union Street and the rest of the site 3-story more appropriate?
See above

2. Is the overall density appropriate for the site?

Yes, and the density of this site is much lower than the surrounding properties. To the north and east is the Ashley Place Apartments with a density of 11.03 du/ac. To the west is Hamilton Square Apartments (9.9 du/ac) and Valley Farms Apartments (11.5 du/ac). To the south is the cemetery. Our revised concept plan has a density of 5.68 du/ac, nearly HALF of the surrounding properties.

- a. How do the proposed units per acre compare to the Springwater PUD? **Springwater has a net density of approximately 4 du/ac. Furthermore, Springwater is bordered by several single-family detached homes, whereas Towns at Union has ZERO single family detached homes bordering the project.**
- b. Can reducing the density create an opportunity to:
 - i. Create more tree preservation; **Yes, as you see in the revised concept plan, we have eliminated the eastern most units to increase the tree preservation area.**
 - ii. Create more buffering, and/or; **Sufficient buffering exists with more intense uses and higher density developments adjacent to the north, east, and west.**
 - iii. Achieve a more optimal layout for the orientation of rear and front-load townhomes? **We believe the layout is shown is optimal as no garage doors or driveways are oriented toward Union Street, and internal to the site, garage doors and driveway are oriented toward each other. View corridors have been established to see the pond and amenity areas. Also, topography falls 15' +/- from north to south and 26' from west to east. The west/east orientation of townhome buildings allows for units to "step down" unit to unit to work with the topography of the land.**

3. Can landscaping be optimized to have more trees on the site?

We can work with the engineering department to analyze utility easements and street tree areas.

- a. Would decreasing the overall number of units allow more tree preservation? **The bulk of the tree preservation being removed is for drainage purposes. Water naturally wants to flow east, so the location of the pond is correct in the low spot of the property.**
 - b. Can the language in the proposed ordinance be precise on how many trees are being preserved and how many are being removed? **A tree inventory has not been completed, therefore the specific number of trees is not known. We have taken further steps to impact less trees with this revised concept plan.**
 - c. Please elaborate why a tree inventory is not required when it can help distinguish the health of trees compared to sick or dying trees? **Pulte will agree to complete a tree inventory after zoning and plat approval, and further agrees to remove all dead/dying/diseased trees to foster growth of the healthy trees.**
 - d. Can more detailed buffer yards be explained and shown for this site? **The concept plan shows and the preservation of the tree rows along shared property lines. Building setbacks are more important to the design of this site.**
 - e. Would increasing the buffer yards to 40 feet achieve more trees on the site? **No, the north and south perimeter trees are already being preserved.**
 - f. How can the design of the proposed pond increase landscaping and/or serve as an active space for residents to use? **Due to the steep topography, we believe the pond is best suited as an overlook feature from the gathering area/gazebo/fire pit. To the extent permitted after final engineering is complete, Pulte agrees to landscape around the edge of the pond.**
4. How much traffic would be generated from this project?
A total of 11 Entry and 34 Exit trips will be generated in the AM Peak hours, and a total of 33 Entry and 19 Exit trips will be generated in the PM Peak hours.
- a. Does the construction of the 161st Street roundabout, Lantern Commons and Springwater developments impact the traffic on Union Street? **Any new development project or road improvement project designed to facilitate smoother traffic flow will have an impact on the traffic. The Public Works Department has reviewed this proposal and does not have any concerns.**
 - b. How much traffic volume can Union Street and David Brown Drive handle? **The City will need to engage a traffic engineer and provide a detailed scope to analyze this question.**
 - c. Would a passing blister be an efficient and safe use for the entry to this site? **The site's entrance aligns with an existing entrance across the street. We will work with the Public Works Department on any traffic-related requests they may have during the plat/development plan stage.**
5. Can the proposed development reflect a more unique design?
We have incorporated view corridors down toward the pond and provided a mixture of front and rear loaded garages. The site is preserving a substantial amount of existing trees and is designed to limit the view of garages from Union Street.
- a. Would any of the below design elements help achieve a unique design for this proposal?
 - i. A playground; **Townhomes are usually purchased by either young professionals or empty-nesters. We have programmed the amenity spaces accordingly.**
 - ii. Front porches on units; **A defined entry at the front door does enhance the design of the units, and we plan to incorporate that into the design of the rear load townhomes with fronts facing Union Street.**

- iii. Breaking up units into 2 – 3-unit buildings; The revised concept plan shows four (4) buildings along Union Street, each with a different unit count per building than the adjacent building to assist in anti-monotony. Units have been removed from the buildings flanking the entrance to provide for a more open and aesthetically pleasing entrance to the community. Units have been removed from the two (2) buildings south of the entrance to create an open space along Union Street. We believe a bike maintenance station is best for this open space, given the bike-ability to Grand Junction and the Monon.
- iv. Neighborhood-style design for the townhomes; The townhome buildings will incorporate traditional single family architecture to seamlessly blend in to the corridor.
- v. Roof lines defined resembling individual units; Each unit is offset 2', and due to this, each unit typically does have its own roof. In addition, each unit has a different roof feature (gable, dormer, etc.) to differentiate it from the adjacent unit.
- vi. Offsetting units within each building or offset the buildings from each other; Offsetting units within each building is already incorporated into the design.
- vii. Side facades including masonry materials? Side facades facing a common area or street are already required to include masonry.

6. How do the number of proposed amenities and open space compare to the City's Unified Development Ordinance and Springwater PUD?

The UDO does require three (3) amenity features for Single-Family Attached up to 90 homes.

Springwater includes 3 amenity features (playground, gazebo, fire pit) for 90 units. Towns at Union proposes to also have three (3) amenities (covered structure for gathering/gazebo/fire pit, a dog park, and a bike maintenance station) to serve seventy-three (73) homes.

- a. Can bicycle racks be implemented to promote a bicycle-friendly project? Yes, we can include bike parking and will continue to evaluate the best location(s).

EXHIBIT “D”

PROJECT DESCRIPTION

The applicant, Pulte Homes of Indiana, LLC (“Pulte”) is seeking rezone approval to a Planned Unit Development Ordinance (“Request”) for a parcel of real estate that consists of approximately 12.86 acres which is generally located east of and adjacent to Union Street and south of David Brown Drive (“Real Estate”) in order to develop a for-sale townhome community to be known as “Towns at Union”.

The Real Estate is currently zoned AG-SF1 and the Request seeks to rezone the Real Estate to the “Towns at Union Planned Unit Development District Ordinance” which will have SFA – Single- Family Attached District as the underlying zoning classification.

Uses and zoning classifications that surround the Real Estate include: (i) to the immediate north is the Ashley Place apartment community that is zoned MF2 – Multi-Family Medium Density District; (ii) to the west, immediately across Union Street, are the Hamilton Square and Valley Farms apartment communities which are zoned MF2 -Multi-Family Medium Density District ; (iii) to the immediate south is real estate that is ground that is part of the Summit Lawn Cemetery that is zoned AG-SF1; and, (iv) to the immediate east is the Ashley Place apartment community that is zoned MF2 - Multi-Family Medium Density District and ground that will remain part of the Summit Lawn Cemetery.

Regarding the site plan for the Towns on Union, some items of note include: (i) the community will consist of eighty four (84) townhomes; (ii) positioned along Union Street will be rear load townhomes so that the fronts of these townhomes will be facing Union Street with individual sidewalk connections to the path proposed along the street; (iii) positioned internal to the site will be both rear and front load townhomes; and, (iv) tree preservation areas exist along the perimeters of the Real Estate with the largest area of tree preservation incorporated along the eastern portion of the site around the proposed pond and amenity feature. Pedestrian paths are provided in common areas as well as along Union Street with connectivity to the new trail along David Brown Drive which connects to the Monon Trail, the Natalie Wheeler Trail and the sidewalk system along Union Street which provides access to the restaurants along Park Street, Grand Junction Plaza and other downtown amenities including the Midland Trail.

Regarding the townhome architecture, there will be a mix of rear load and front load townhomes and the Towns at Union PUD includes specific architectural standards and requirements for all homes. The type and style of architecture is provided on the Exhibits included in the zoning proposal. Pulte anticipates the townhomes to be range in size from 2,200 to 2,400 square feet and the estimated average sales price range between \$400,000 to \$450,000.

Towns at Union PUD Zoning Request

Neighborhood Meeting Summary

Project: Towns at Union PUD Rezone Request - Docket Number
Pulte Homes of Indiana, LLC

Docket Number: 2203-PUD-05

Date: March 1, 2022 at 6:30 pm

Location: Hampton Inn Westfield located at 17400 Wheeler Road, Westfield, IN. 46074

Presenters: Jon Dobosiewicz and Jim Shinaver – Nelson & Frankenberger
David Compton, Rex Ramage and Tabitha Calvin – Pulte Homes

Attendees: Councilor Cindy Spoljaric
See Ex. A For Sign In Sheet

The Neighborhood Meeting began at 6:30 pm and Jon Dobosiewicz (JD) and Rex Ramage (RR) provided an overview summary of the proposal.

Neighbor Comments and Questions:

1. Mr. and Mrs. Beauchamp asked general questions pertaining to: what trees will be preserved and what trees may be removed; how many townhomes are proposed; will these be for-sale townhomes; general questions regarding width of townhomes and design; and, do you think you will see more golf carts being used along Union Street from this community?
 - a. JD and RR provided responses to the Beauchamp's questions and comments.
2. Mr. Beauchamp commented that it was nice to see a high-quality project proposed for this site.

The meeting ended at approximately 7:15 pm.

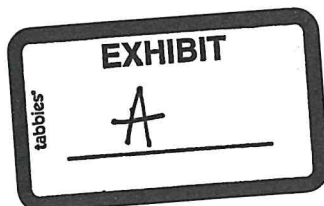
Neighborhood Meeting Sign In-Sheet

RE: Neighborhood Meeting
Pulte Homes of Indiana, LLC
Towns at Union PUD Rezone Request - Docket Number 2203-PUD-05

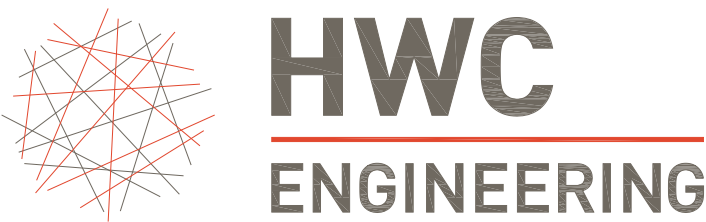
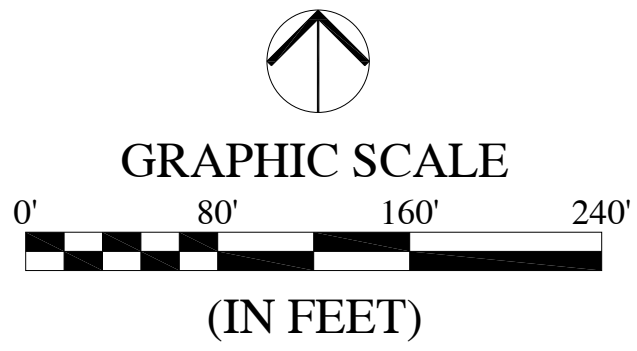
Location:

Tuesday, March 1, 2022, at 6:30 pm
Hampton Inn Westfield located at 17400 Wheeler Road, Westfield, IN. 46074

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1.	Robert Beauchamp		317-445-8275	RCB16400aol.com
2.	Michelle			
3.	Cindy S.			
4.				
5.				
6.				
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TOWNS AT UNION WESTFIELD, INDIANA



TOWNS AT UNION
WESTFIELD, INDIANA
JANUARY 27, 2022

TOWNS AT UNION WESTFIELD, INDIANA



TOWNS AT UNION
RIGHT-OF-WAY CROSS SECTION EXHIBIT
WESTFIELD, INDIANA
JANUARY 27, 2022

NOT TO SCALE



WRITTEN PUBLIC COMMENTS

Docket Number: 2203-PUD-05
Petitioner: Pulte Homes of Indiana, LLC
Request: Petitioner requests a change in zoning from 12.85 acres +/- from the AG-SF1 District to the Towns at Union Planned Unit Development (PUD) District.

Enclosed Attachments:

March 07, 2022 Public Hearing

1. Hinshaw, Elaine

(03/05/2022)

From: [ELAINE Hinshaw](#)
To: [APC](#); [Robert Horkay](#); [Cindy Spoljaric](#); [Mike Johns](#); [Jake Gilbert](#); [Troy Patton](#)
Cc: [kburkman@gmail.com](#); [gkelleher@gmail.com](#)
Subject: Towns at Union PUD
Date: Saturday, March 5, 2022 4:44:57 PM
Importance: High

WARNING: This external email is from e_hinshaw@msn.com.

This PUD should be approached with the **same level** of scrutiny as the Springwater Development! The following issues were ALL addressed and adjusted in the Springwater proposal.

Height- Currently **all** apartment complexes adjacent, across from and nearby residential housing are no more than 2 stories not 3 stories. This proposal should be for 2 stories only.

Density- While I am pleased that single family townhomes are proposed, the overall density of the number of townhomes needs to be adjusted (see comments re: traffic/infrastructure below).

Tree Preservation- While there is *some very limited* tree preservation in the proposal, decreasing the overall number of units would mitigate and allow more tree preservation.

Buffering Summit Lawn Cemetery- This cemetery, which is still frequently used, contains the resting places of many of the children, parents, grandparents of Westfield residents as well as prominent Westfield fore bearers and is considered by many as sacred space. There needs to be a more definite buffer than the proposed 25 feet of what??

Traffic/Infrastructure: Additionally I am very concerned with the volume of traffic that this development would add to Union Street both in the short term and the long term. Short term- the upcoming construction of the 161st roundabout coupled with the construction of the Lantern Commons and Springwater developments will create significant traffic flow problems for Union Street. Tied to that concern is the impact of this development on Union Street and David Brown Drive. The point at which David Brown Drive "T"s into Union Street already presents a challenging situation for pedestrians and drivers. Cars turning onto Union have difficulty visually and often turn in front of oncoming traffic on Union or veer out further into Union than they should. Long term- how much volume can Union Street (and David Brown) realistically handle?

Respectfully subintted,

Elaine Hinshaw

ORDINANCE NUMBER 22-06

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

“Towns at Union”

This is a Planned Unit Development District Ordinance (to be known as the "**Towns at Union PUD**") 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. 2203-PUD-05**), 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. 2203-PUD-05** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (- vote) 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 _____, 2022; and

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

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the 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 "**Towns at Union 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 UDO.

- 2.1 **“Front-Load Townhome”** A dwelling building including individual townhomes which have a garage and entry door on the same elevation facing the street.
- 2.2 **“Rear-Load Townhome”** A dwelling building including individual townhomes which have a garage on the rear elevation of the townhome and an entry door on the elevation facing the street.

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 Real Estate shall be developed in substantial compliance with the Concept Plan.
- 3.3 The Concept Plan includes “Front-Load Townhomes” and “Rear-Load Townhomes” which dwelling orientations are identified on **Exhibit C** and are further regulated under the terms of this Ordinance.

Section 4. **Underlying Zoning District.** The Underlying Zoning District shall be SFA: Single-Family Attached District.

Section 5. **Permitted Uses.** The permitted uses shall be limited to Townhome Dwellings.

- 5.1 **Maximum Dwellings:** The total number of Dwelling Units permitted in the District

shall not exceed seventy-three (73).

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 with the following table which replaces and supersedes the Section 4.9 (A-L) of the UDO:

Standard	
Minimum Lot Area	No Minimum
Minimum Lot Frontage	No Minimum
Maximum Density	See Section 5.1
Maximum Dwelling Units Per Building	6
Maximum Project Size	13 Acres
Minimum Building Setback Lines from perimeter of Real Estate	
Setback from Union Street (stoop and porch may encroach)	10'
Setback from north perimeter of Real Estate	25'
Setback from east perimeter of Real Estate	80'
Setback from south perimeter of Real Estate	80'
Minimum Driveway Length	20'
Minimum Internal Building Setbacks	
Setback from internal street	0'
Side Yard & Rear Yard	0'
Minimum Distance Between Structures	20'
Maximum Lot Coverage	100%
Minimum Lot Width	20'
Maximum Building Height	2 Stories
Minimum Living Area (Total) Per Dwelling Unit	1,800sqft

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

7.1 **Article 6.3 Architectural Standards:** Article 6.3 shall not apply, rather, the following shall apply:

- A. **Character Exhibit:** The Character Exhibit for Townhomes, attached hereto as **Exhibit D**, is hereby incorporated to capture the intended architecture of townhouses to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the

development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

B. Building Materials: Permitted exterior building materials are as follows:

- i. Masonry Material (brick or cultured stone), LP smart trim, composite trim, composite veneer panels, vinyl shutters, aluminum fascia, aluminum soffits, aluminum downspouts/gutters.
- ii. Vinyl siding shall be prohibited.

C. Roof Standards:

- i. The primary/main roof overhang or eaves shall be a minimum of eleven inches (11") on all facades of each Building, as measured prior to the installation of any Masonry Materials.
- ii. Dimensional shingles are required with metal roof accents permitted.
- iii. Roof Pitch: The minimum primary/main and secondary roof pitches of all townhome buildings shall be no less than 6:12.
- iv. Shed roof dormer accents shall be no less than 3:12.

D. Dwelling Design: The following standards shall apply to all Townhomes:

- i. Perimeter Lots Fronting Union Street: Townhomes as shown on the Concept Plan (i) facing Union Street and (ii) the internal sidewalk opposite the entrance off of Union Street, shall require the front door to face the street/sidewalk and the garage shall face an internal street.
- ii. Garages: All Dwellings shall have a two (2) car garage.
- iii. Exterior Materials: Masonry wainscot shall be required at a minimum height of the lower of (i) 36" above grade, or (ii) the bottom of the first floor windows of each dwelling (masonry on all 4-sides of the dwelling).
- iv. Front Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the front building façade (façade including the entry door – see

Exhibit C which identifies the front elevation) unless specifically noted otherwise:

- a) All units shall be offset a minimum two (2) feet, unit to unit.
 - b) All buildings shall have a minimum of three (3) materials, colors, or patterns on the front façade, one of which shall be masonry.
 - c) A minimum of four (4) windows.
 - d) A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.
 - e) Windows installed in a front door, garage door, a service door with a window, and transom windows in bathroom or storage areas shall count as one window for purposes of these requirements as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.
- v. **Side Building Façade Requirements:** At a minimum, the side elevation for each end unit on each Townhome building shall utilize the following architectural elements (exclusive of common firewalls separating units contained in same building structure):
- a) All side facades shall have a minimum of two (2) materials, colors, or patterns.
 - b) A minimum of two (2) windows shall be required .
 - c) A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.
 - d) Windows installed in a garage, a service door with a window, and transom windows in bathroom or storage areas shall count as one window for purposes of this requirement as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.
- vi. **Rear Building Façade Requirements:** At a minimum, each Dwelling shall utilize the following architectural elements on the Rear Façade (façade opposite the façade including the entry door):

- a) All rear facades shall have a minimum of two (2) materials, colors, or patterns.
- b) A minimum of four (4) windows shall be required.
- c) A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.
- d) Windows installed in a patio door, garage door and transom windows in bathroom or storage areas shall count as one window for purposes of this requirement as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.

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

- A. General Design Standards: Landscaping shall be as generally depicted on **Exhibit B**. If a provision of Article 6.8 Landscaping Standards is in conflict with **Exhibit B**, then this Ordinance shall control. Relocation of plant materials shall be permitted as part of the Detailed Development Plan approval.
- B. Tree Preservation: Article 6.8(E) Tree Preservation Standards in UDO shall apply. Trees shall generally be preserved as shown on the Concept Plan as “Existing Trees”.
- C. Easements: Article 6.8(G)(4)(f) Easements, of the UDO shall be modified as follows:
 - i. Landscaping shall be permitted within utility or drainage easements, so long as 10 ft separation from any storm sewer or subsurface drain is maintained.
- D. Ponds: Article 6.8(I)(2), of the UDO, Wetlands/aquatic vegetation planted around the wet perimeter shall not apply.
- E. Street Trees: Article 6.8(J) Street Trees shall not apply.
- F. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall not apply. Rather, the following shall apply, as generally illustrated on the Concept Plan.
 - i. At a minimum, the yard between the entry door of a dwelling and

the street shall be sodded and the remainder of the Lot shall be seeded.

- ii. A minimum of: one (1) Shade Tree and four (4) Shrubs shall be required per Townhome Dwelling.
 - iii. Each Townhome on a Corner Lot shall have a minimum of one (1) Shade Tree required between the side of the dwelling and the street.
- G. Open Space/Common Areas: Five (5) trees per acre shall be required and provided on the Real Estate.
- H. External Street Frontages: Article 6.8(M)(1) External Street Frontage Landscaping Requirements shall not apply.
- I. Buffer Yards: Article 6.8(N) Buffer Yard Requirements shall apply except as otherwise modified below.
- i. The south Buffer Yard shall be Twenty-five (25) feet in depth and a metal fence of the type and style depicted in **Exhibit E** shall be required along the perimeter of the south Buffer Yard.
 - ii. Trees to be preserved shall constitute the required Buffer Yard tree plantings. No shrubs or mounding shall be required.
 - iii. All buffers shall preserve existing trees, supplemental plantings not required.
- J. Vision Clearance: Article 6.19 shall be modified to require a thirty (30) feet maximum at Union Street and internal streets.

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) except as modified below, unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

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

- 9.1 Minimum Open Space: Open Space (green space area on lots, common areas and the area of ponds) shall be a minimum of thirty (30) percent and as generally shown

on the Concept Plan. Pond area shall be included in Open Space.

9.2 Article 8.6(H) Multi-family Districts: Shall not apply, rather site amenities shall include (i) a covered gathering structure, (ii) dog park, and (iii) a bike maintenance station, the character of which is generally illustrated on **Exhibit F**.

9.3 Article 8.7(C): shall not apply, instead the following shall apply: The minimum sidewalk width shall be five (5) feet, regardless of location or design. Five (5) foot sidewalk abutting roll curb shall be permitted and sidewalks shall be provided as generally shown on the Concept Plan.

Section 10. **Duration.** Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2028 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF 1 District.

Section 11. **Severability.** If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

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

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 22-06** was delivered to the Mayor of Westfield

on the _____ day of _____, 2022, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 22-06

this _____ day of _____, 2022.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 22-06

this _____ day of _____, 2022.

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: Jon C. Dobosiewicz

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz; Nelson & Frankenger
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	Dwelling Orientation Exhibits
Exhibit D	Dwelling Character Exhibits
Exhibit E	Fence Exhibit
Exhibit F	Amenity Character Exhibits

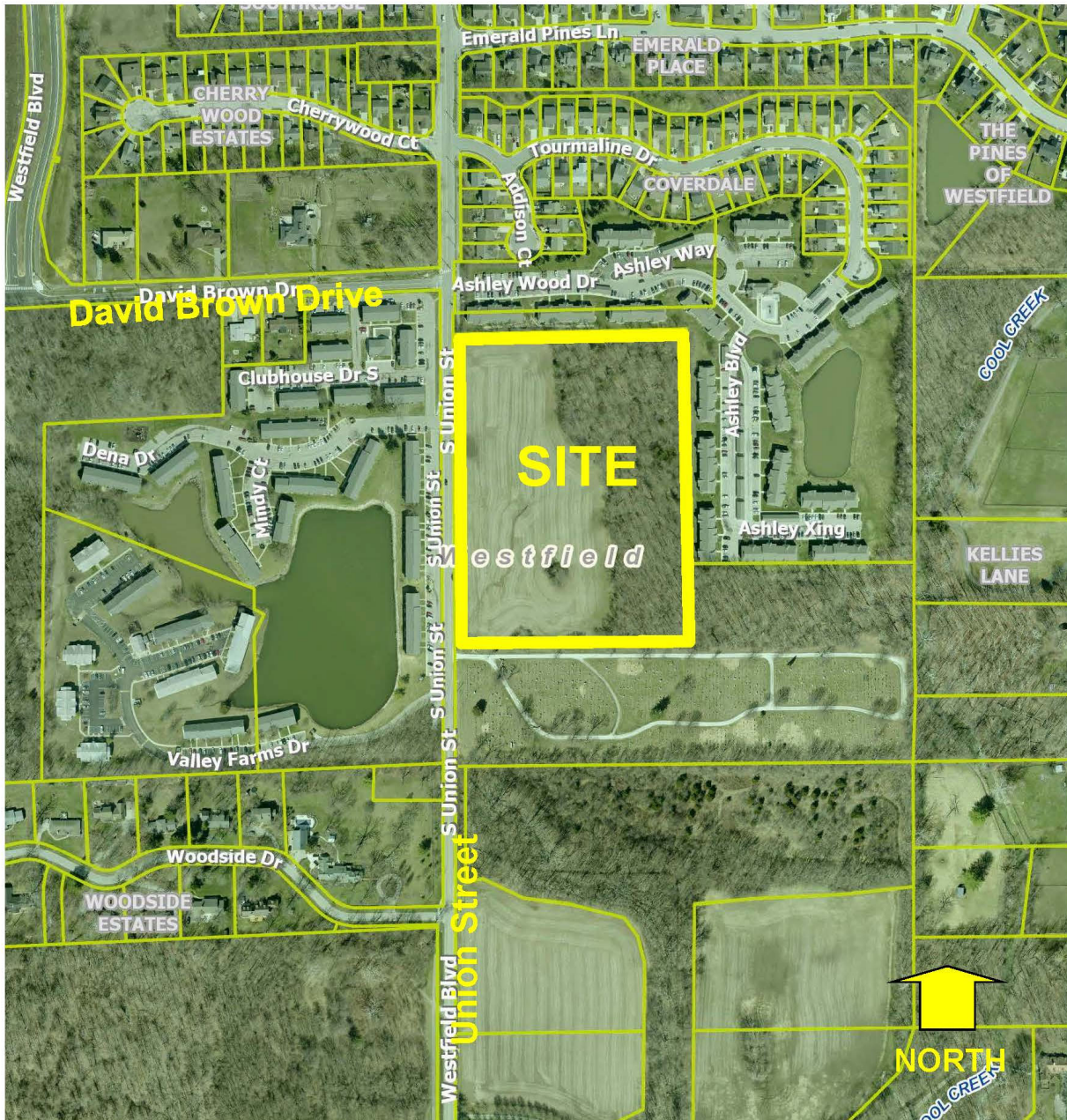
EXHIBIT A
REAL ESTATE
(Page 1 of 2)

Part of the Southwest Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, in the City of Westfield, Washington Township, Hamilton County, Indiana, based on a survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering, Project Number 2019-243-A, more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter, marked by a Harrison Monument found per Hamilton County Surveyor reference ties; thence North 00 degrees 15 minutes 36 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of said Southwest Quarter a distance of 324.72 feet to the POINT OF BEGINNING, marked by a mag nail with washer stamped "HWC ENGINEERING FIRM #0114"; thence continuing North 00 degrees 15 minutes 36 seconds West along said west line a distance of 847.06 feet to a southwest corner of a tract of land described in Instrument Number 200000054546 in the Office of the Recorder of Hamilton County, Indiana, the following two (2) courses being along a south and west line of said tract; (1) thence North 89 degrees 29 minutes 37 seconds East a distance of 660.00 feet; (2) thence South 00 degrees 15 minutes 36 seconds East a distance of 659.86 feet to a southwest corner of said tract; thence continuing South 00 degrees 15 minutes 36 seconds East along the southerly extension of the previous line a distance of 190.45 feet to a 5/8-inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence South 89 degrees 46 minutes 31 seconds West a distance of 659.99 feet to the POINT OF BEGINNING, containing 12.859 acres, more or less.

.

EXHIBIT A
REAL ESTATE
(Page 2 of 2)



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 2203-PUD-05.

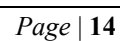


EXHIBIT C
DWELLING ORIENTATION EXHIBIT
(Page 1 of 1)

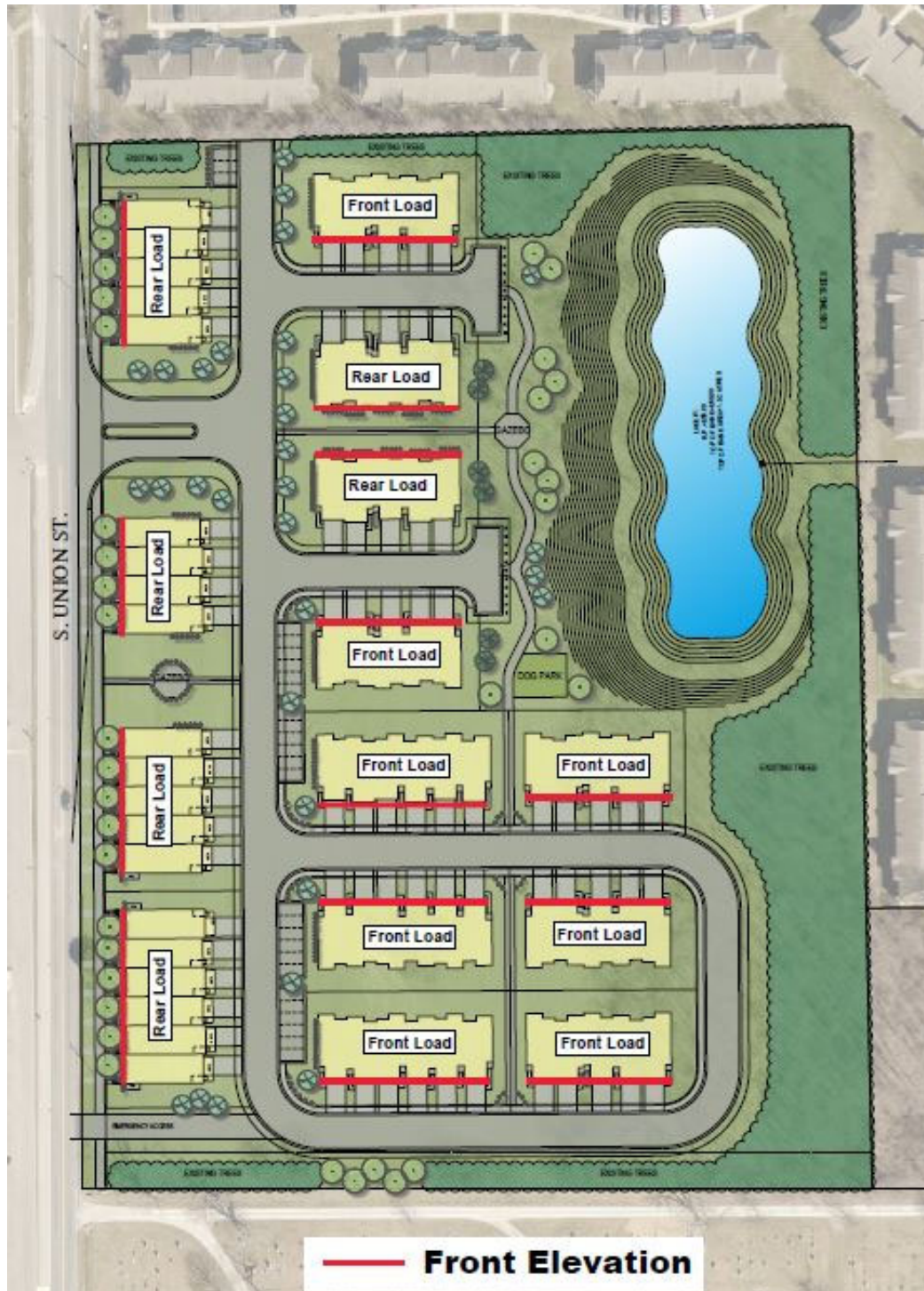


EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 1 of 2)



EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 2 of 2)

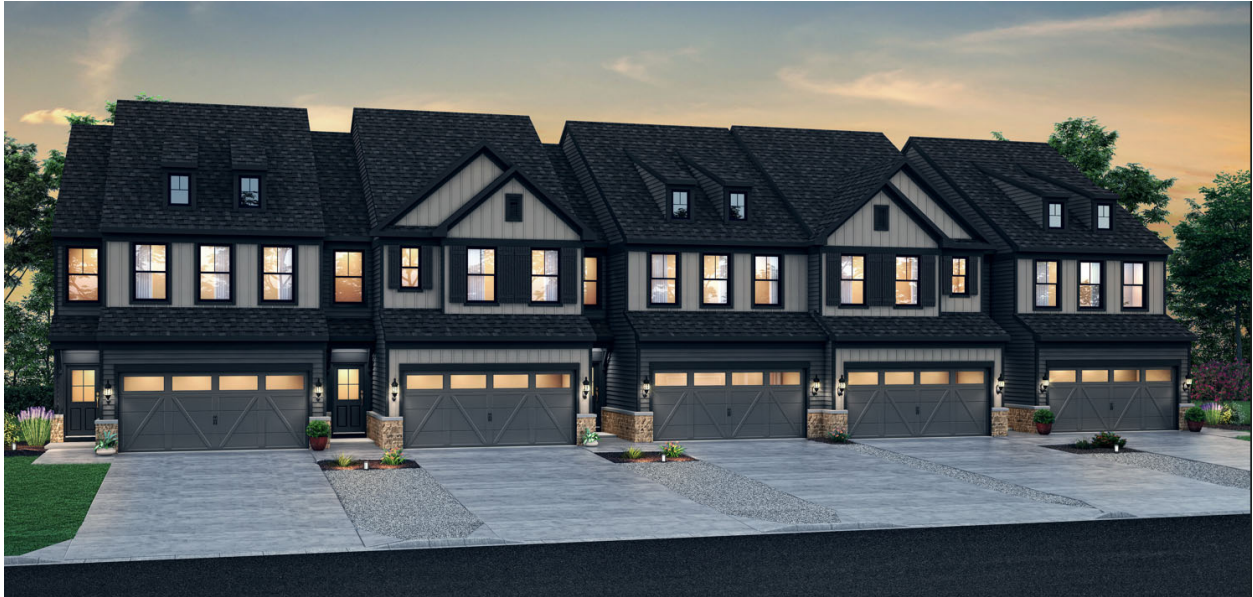


EXHIBIT E
FENCE EXHIBIT
(Page 1 of 1)



EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 1 of 2)



EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 2 of 2)



ORDINANCE NUMBER ~~22-06~~

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

“Towns at Union”

This is a Planned Unit Development District Ordinance (to be known as the "**Towns at Union PUD**") 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. ~~22-2203-PUD-05~~**), 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. ~~22-2203-PUD-05~~** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (- vote) 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 _____, 2022; and

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

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the 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 "**Towns at Union 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 UDO.

- 2.1 **“Front-Load Townhome”** A dwelling building including individual townhomes which have a garage and entry door on the same elevation facing the street.
- 2.2 **“Rear-Load Townhome”** A dwelling building including individual townhomes which have a garage on the rear elevation of the townhome and an entry door on the elevation facing the street.

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 Real Estate shall be developed in substantial compliance with the Concept Plan.
- 3.3 The Concept Plan includes “Front-Load Townhomes” and “Rear-Load Townhomes” which dwelling orientations are identified on **Exhibit C** and are further regulated under the terms of this Ordinance.

Section 4. **Underlying Zoning District.** The Underlying Zoning District shall be SFA: Single-Family Attached District.

Section 5. **Permitted Uses.** The permitted uses shall be limited to Townhome Dwellings.

- 5.1 **Maximum Dwellings:** The total number of Dwelling Units permitted in the District

shall not exceed seventy-three (73).

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 with the following table which replaces and supersedes the Section 4.9 (A-L) of the UDO:

Standard	
Minimum Lot Area	No Minimum
Minimum Lot Frontage	No Minimum
Maximum Density	See Section 5.1
Maximum Dwelling Units Per Building	6
Maximum Project Size	13 Acres
Minimum Building Setback Lines from perimeter of Real Estate	
Setback from Union Street (stoop and porch may encroach)	10'
Setback form north perimeter of Real Estate	25'
Setback form east perimeter of Real Estate	80'
Setback from south perimeter of Real Estate	80'
Minimum Driveway Length	20'
Minimum Internal Building Setbacks	
Setback from internal street	0'
Side Yard & Rear Yard	0'
Minimum Distance Between Structures	20'
Maximum Lot Coverage	100%
Minimum Lot Width	20'
Maximum Building Height	2 Stories
Minimum Living Area (Total) Per Dwelling Unit	1,800sqft

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

7.1 Article 6.3 Architectural Standards: Article 6.3 shall not apply, rather, the following shall apply:

- A. Character Exhibit: The Character Exhibit for Townhomes, attached hereto as **Exhibit D**, is hereby incorporated to capture the intended architecture of townhouses to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the

development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

B. Building Materials: Permitted exterior building materials are as follows:

- i. Masonry Material (brick or cultured stone), LP smart trim, composite trim, composite veneer panels, vinyl shutters, aluminum facia, aluminum soffits, aluminum downspouts/gutters.
- ii. Vinyl siding shall be prohibited.

C. Roof Standards:

- i. The primary/main roof overhang or eaves shall be a minimum of eleven inches (11") on all facades of each Building, as measured prior to the installation of any Masonry Materials.
- ii. Dimensional shingles are required with metal roof accents permitted.
- iii. Roof Pitch: The minimum primary/main and secondary roof pitches of all townhome buildings shall be no less than 6:12.
- iv. Shed roof dormer accents shall be no less than 3:12.

D. Dwelling Design: The following standards shall apply to all ~~Dwellings:~~ Townhomes:

~~D:~~

- i. Perimeter Lots Fronting Union Street: Townhomes as shown on the Concept Plan (i) facing Union Street and (ii) the internal sidewalk opposite the entrance off of Union Street, shall require the front door to face the street/sidewalk and the garage shall face an internal street.

- ii. Garages: All Dwellings shall have a two (2) car garage.

- iii. Exterior Materials: Masonry wainscot shall be required at a minimum height of the lower of (i) 36" above grade, or (ii) the bottom of the first floor windows of each dwelling (masonry on all 4-sides of the dwelling).

- ~~iii.~~ iv. Front Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the ~~Front Building Façade~~ front building façade (façade including the

entry door – see [Exhibit C which identifies the front elevation](#)) unless specifically noted otherwise:

- a) All units shall be offset a minimum two (2) feet, unit to unit.
- b) All buildings shall have a minimum of three (3) materials, colors, or patterns on the front façade, one of which shall be masonry.

~~e) Masonry wainscot shall be required at a minimum height of (i) 36" above grade, or (ii) the bottom of the first floor windows of each dwelling.~~

~~d)c)~~ A minimum of four (4) windows.

~~e)d)~~ A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.

~~f)e)~~ Windows installed in a front door, ~~garage~~, garage door, a service door with a window, and transom windows in bathroom or storage areas shall count as one window for purposes of these requirements as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.

~~iv.v.~~ Side Building Façade Requirements: At a minimum, the side elevation for each end unit on each Townhome building shall utilize the following architectural elements (exclusive of common firewalls separating units contained in same building structure):

- a) All side facades shall have a minimum of two (2) materials, colors, or patterns.

~~b) A side façade facing a public space (common areas or rights-of-way, including an alley, as shown on the Concept Plan) shall provide wainscot a minimum height of the lower of (i) 36" above grade, or (ii) the bottom of the first floor windows of the dwelling.~~

~~e)b)~~ A minimum of two (2) windows shall be required .

~~d)c)~~ A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.

e)d) Windows installed in a garage, ~~garage door~~, a service door with a window, and transom windows in bathroom or storage areas shall count as one window for purposes of this requirement as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.

~~v~~.vi. Rear Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Rear Façade (façade opposite the façade including the entry door):

- a) All rear facades shall have a minimum of two (2) materials, colors, or patterns.
- b) A minimum of four (4) windows shall be required.
- c) A one by 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided.
- d) Windows installed in a ~~garage, garage~~ patio door, ~~a service garage door with a window~~, and transom windows in bathroom or storage areas shall count as one window for purposes of this requirement as long as the window(s) in the garage exceed an aggregate of four (4) square feet in size.

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

A. General Design Standards: Landscaping shall be as generally depicted on **Exhibit B**. If a provision of Article 6.8 Landscaping Standards is in conflict with **Exhibit B**, then this Ordinance shall control. Relocation of plant materials shall be permitted as part of the Detailed Development Plan approval.

B. Tree Preservation: Article 6.8(E) Tree Preservation Standards in UDO shall ~~not~~ apply. ~~Instead, trees~~ Trees shall generally be preserved as shown on the Concept Plan as “Existing Trees”.

i. ~~Trees to be preserved may be removed for required grading, utilities, and drainage needs.~~

ii. ~~Trees to be preserved shall constitute as required buffer and plantings. No tree inventory and/or new plantings are required.~~

iii. ~~Drainage and utility easements may overlap buffer yards.~~

C. Easements: Article 6.8(G)(4)(f) Easements, of the UDO shall be ~~modify~~modified as follows:

i. Landscaping shall be permitted within utility or drainage easements, so long as 10 ft separation from any storm sewer or subsurface drain is maintained.

D. Ponds: Article 6.8(I)(2), of the UDO, Wetlands/aquatic vegetation planted around the wet perimeter shall not apply.

E. Street Trees: Article 6.8(J) Street Trees shall not apply. ~~If Street Trees are provided, they are not required to be located within R-O-W or within a minimum 8' wide planting strip between curb and sidewalk.~~

F. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall not apply. Rather, the following shall apply, as generally illustrated on ~~Exhibit E,~~the Concept Plan.

~~F.~~

i. At a minimum, the yard between the entry door of a dwelling and the street shall be sodded and the remainder of the Lot shall be seeded.

ii. A minimum of: one (1) Shade Tree and four (4) Shrubs shall be required per Townhome Dwelling. ~~If the Shade Tree does not fit in the front yard, then it may be relocated on the lot.~~

~~ii.~~

iii. Each Townhome on a Corner Lot shall have a minimum of one (1) Shade Tree required between the side of the dwelling and the street.

~~G. Foundation Plantings: Article 6.8(L)(1-5): Foundation Plantings shall not apply.~~

H.G. Open Space/Common Areas: Five (5) trees per acre shall be required and provided on the Real Estate.

I.H. External Street Frontages: Article 6.8(M)(1) External Street Frontage Landscaping Requirements shall not apply.

I. Buffer Yards: Article 6.8(N) Buffer Yard Requirements shall apply ~~as~~ except as otherwise modified below.

J.i. The south Buffer Yard shall be Twenty-five (25) feet in depth and a metal fence of the type and style depicted in Exhibit E shall be required below: along the perimeter of the south Buffer Yard.

i. ~~Trees to be preserved shall constitute North Buffer: Five (5) feet (excluding parking area)~~

ii. ~~East Buffer: Fifteen (15) feet~~

iii. ~~South Buffer: Twenty five (25) feet~~

iv. ~~West Buffer: Not Applicable~~

ii. the required Buffer Yard tree plantings. No shrubs or mounding shall be required.

v.iii. All buffers shall preserve existing trees, supplemental plantings not required. Trees to be preserved may be removed for required grading, utilities, and drainage needs.

vi. Vision Clearance ~~A tree inventory shall not be required.~~

K. ~~Parking Area Landscaping: Article 6.8(O) Parking Area Landscaping: shall not apply, instead the following shall apply:~~

i. ~~Parking shall be provided as generally shown on the concept plan.~~

ii. ~~Parking areas 19 shall be screened with shrubs and/or grasses,~~

L. ~~Parking Standards: Article 6.14 Parking Standards shall apply, except as otherwise modified below.~~

i.J. Hammer heads shall not permit parking, modified to require a thirty (30) feet maximum at Union Street and shall have safety bollards as shown on the Concept Plan internal streets.

ii. ~~Article 6.14(H) Parking and Loading Standards—Bicycle Parking shall not apply.~~

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) except as modified below, unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

~~8.1 The minimum street horizontal centerline radii shall be fifty (50) feet.~~

~~8.2 Vision Clearance: Thirty (30) feet maximum at Union Street and internal streets.~~

~~8.3 Driveway Setback from Intersection: Thirty (30) feet from intersecting right of way lines.~~

~~8.4 Internal public street section: Forty one (41) feet total right of way, thirty one (31)~~

~~foot back of curb to back of curb.~~

~~8.5 Five (5) foot sidewalk abutting roll curb permitted as shown on Concept Plan.~~

~~8.6 Street right of way line to be five (5) feet behind back of curb, including Union Streets entrance.~~

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

9.1 Minimum Open Space: Open Space (green space area on lots, common areas and the area of ponds) shall be a minimum of thirty (30) percent and as generally shown on the Concept Plan. Pond area shall be included in Open Space.

9.2 Article 8.6(H) Multi-family Districts: Shall not apply, rather site amenities shall include (i) ~~either a covered gathering structure, community fire pit or similar~~ structure, (ii) dog park, and (iii) a bike maintenance station, the character of which is generally illustrated on **Exhibit F**.

9.3 Article 8.7(C): shall not apply, instead the following shall apply: The minimum sidewalk width shall be five (5) feet, regardless of location or design. ~~Sidewalks~~ Five (5) foot sidewalk abutting roll curb shall be permitted and sidewalks shall be provided as generally shown on the Concept Plan.

~~9.4 Article 8.9(D)(1): Passing Blister shall not apply.~~

~~9.5 Article 8.9(D)(4): Decel taper rate shall be based on 25 MPH. Accel taper lane shall be 100' in length.~~

~~9.6 Article 8.9(G)(3) Improvement Standards, Cul-de-sac Design shall be modified as follows:~~

~~i. Terminus Design: Shall be allowed in form of Hammerhead Turnaround per concept plan~~

~~ii. Dead-end Streets: To be allowed up to 250' with Hammerhead Turnaround as shown on Concept Plan (223' per plan)~~

~~9.7 Article 8.9(G)(6) Improvement Standards, Access Points shall be modified to provide one (1) primary access point to Union Street and (1) emergency access drive to Union Street.~~

~~9.8 Article 8.9(G)(7) Improvement Standards, Curved Streets shall be modified as follows: Street centerline horizontal radius: shall be a min of 50'.~~

Section 10. Maintenance Standards: ~~The following shall be included in the Covenants, Conditions and Restrictions of the Owner's Association for the Real Estate.~~

~~10.1. All lots shall be subject to a required landscape maintenance program including seasonal mulching, hard edging, fertilization, mowing and trimming, weeding of landscape beds, pruning and fall clean up.~~

~~10.2 All lots shall be subject to a required snow removal program for driveways and sidewalks.~~

~~10.3 The above provisions shall be included in the initial Covenants, Conditions and Restrictions of the Owner's Association and all future administration and enforcement of the provisions shall be solely and exclusively the responsibility of the Owner's Association.~~

~~Section 11.~~ **Section 10.** **Duration.** Failure to obtain Secondary Plat / Construction Plan approval for the District by January 1, 2028 (unless otherwise extended by the Director) shall automatically void this Ordinance and cause the zoning classification of the Real Estate to revert to the AG-SF 1 District.

~~Section 12.~~ **Section 11.** **Severability.** If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

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

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 22**~~---~~-06 was delivered to the Mayor of Westfield
on the _____ day of _____, 2022, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 22~~---~~-06
this _____ day of _____, 2022.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 22~~---~~-06
this _____ day of _____, 2022.

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: Jon C. Dobosiewicz

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz; Nelson & Frankenger
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	Dwelling Orientation Exhibits
Exhibit D	Dwelling Character Exhibits
Exhibit E	Buffer Yard Fence Exhibit
Exhibit F	Amenity Character Exhibits

EXHIBIT A
REAL ESTATE
(Page 1 of 2)

Part of the Southwest Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, in the City of Westfield, Washington Township, Hamilton County, Indiana, based on a survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering, Project Number 2019-243-A, more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter, marked by a Harrison Monument found per Hamilton County Surveyor reference ties; thence North 00 degrees 15 minutes 36 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of said Southwest Quarter a distance of 324.72 feet to the POINT OF BEGINNING, marked by a mag nail with washer stamped "HWC ENGINEERING FIRM #0114"; thence continuing North 00 degrees 15 minutes 36 seconds West along said west line a distance of 847.06 feet to a southwest corner of a tract of land described in Instrument Number 200000054546 in the Office of the Recorder of Hamilton County, Indiana, the following two (2) courses being along a south and west line of said tract; (1) thence North 89 degrees 29 minutes 37 seconds East a distance of 660.00 feet; (2) thence South 00 degrees 15 minutes 36 seconds East a distance of 659.86 feet to a southwest corner of said tract; thence continuing South 00 degrees 15 minutes 36 seconds East along the southerly extension of the previous line a distance of 190.45 feet to a 5/8-inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence South 89 degrees 46 minutes 31 seconds West a distance of 659.99 feet to the POINT OF BEGINNING, containing 12.859 acres, more or less.

.

EXHIBIT A
REAL ESTATE
(Page 2 of 2)

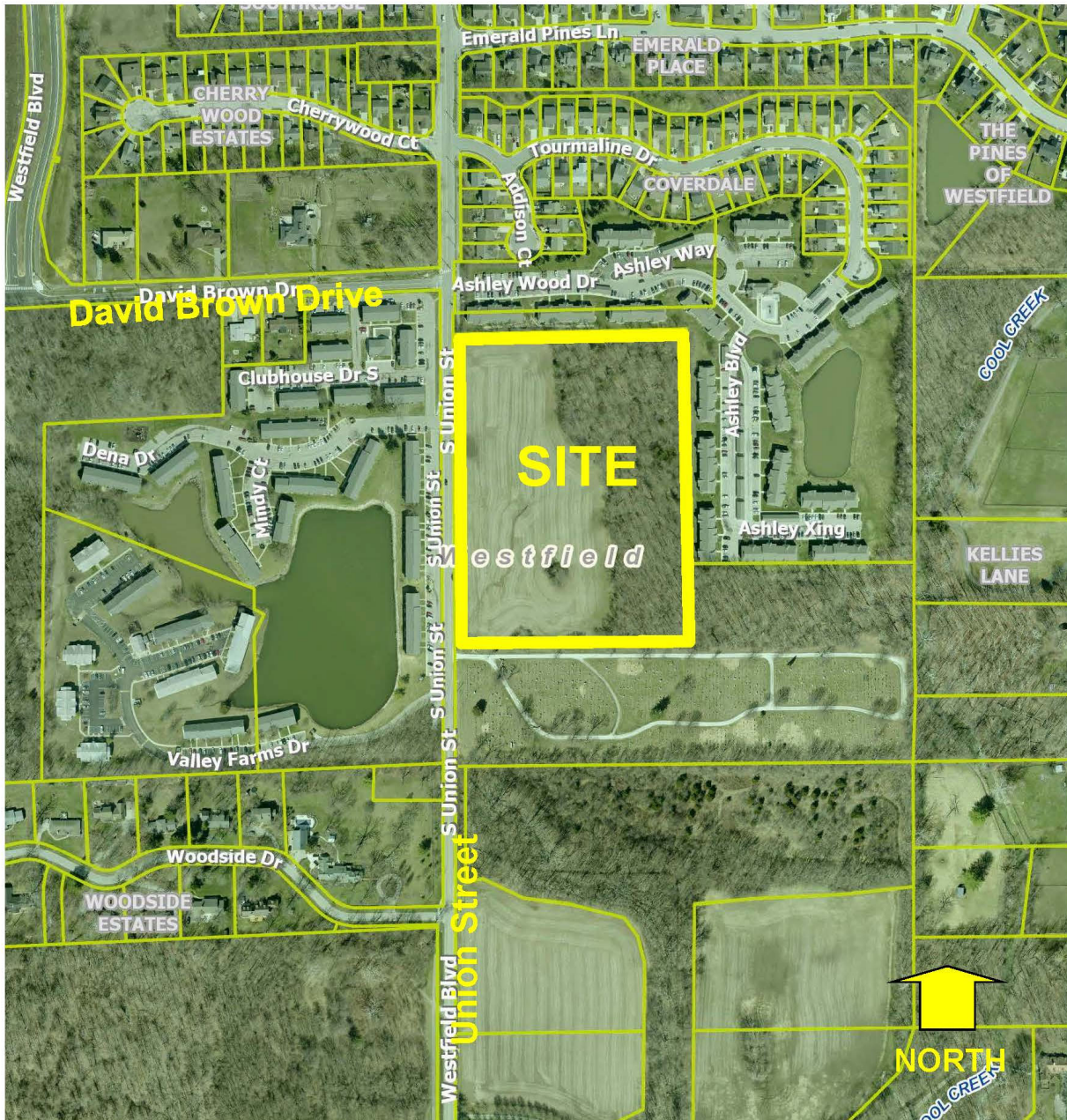
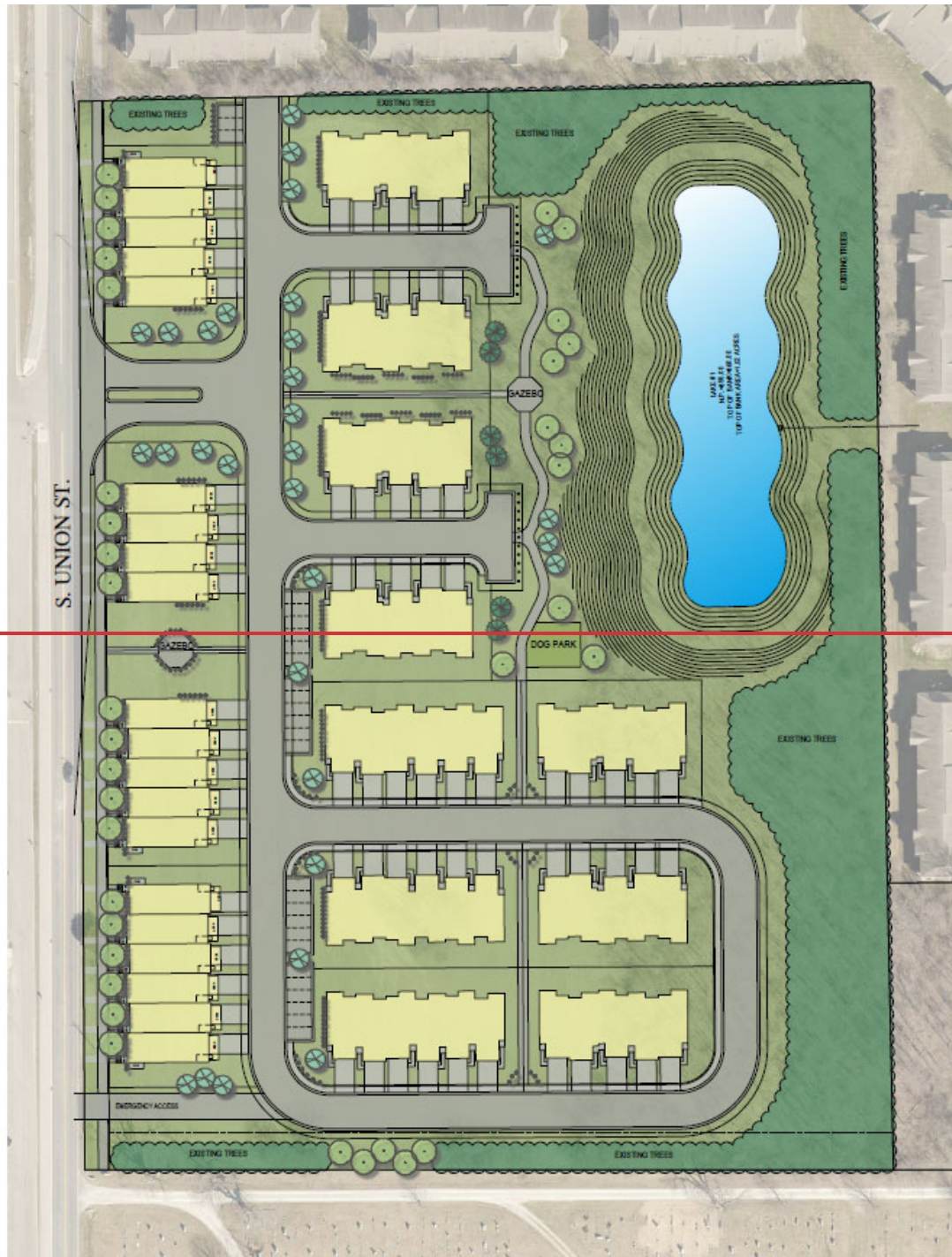


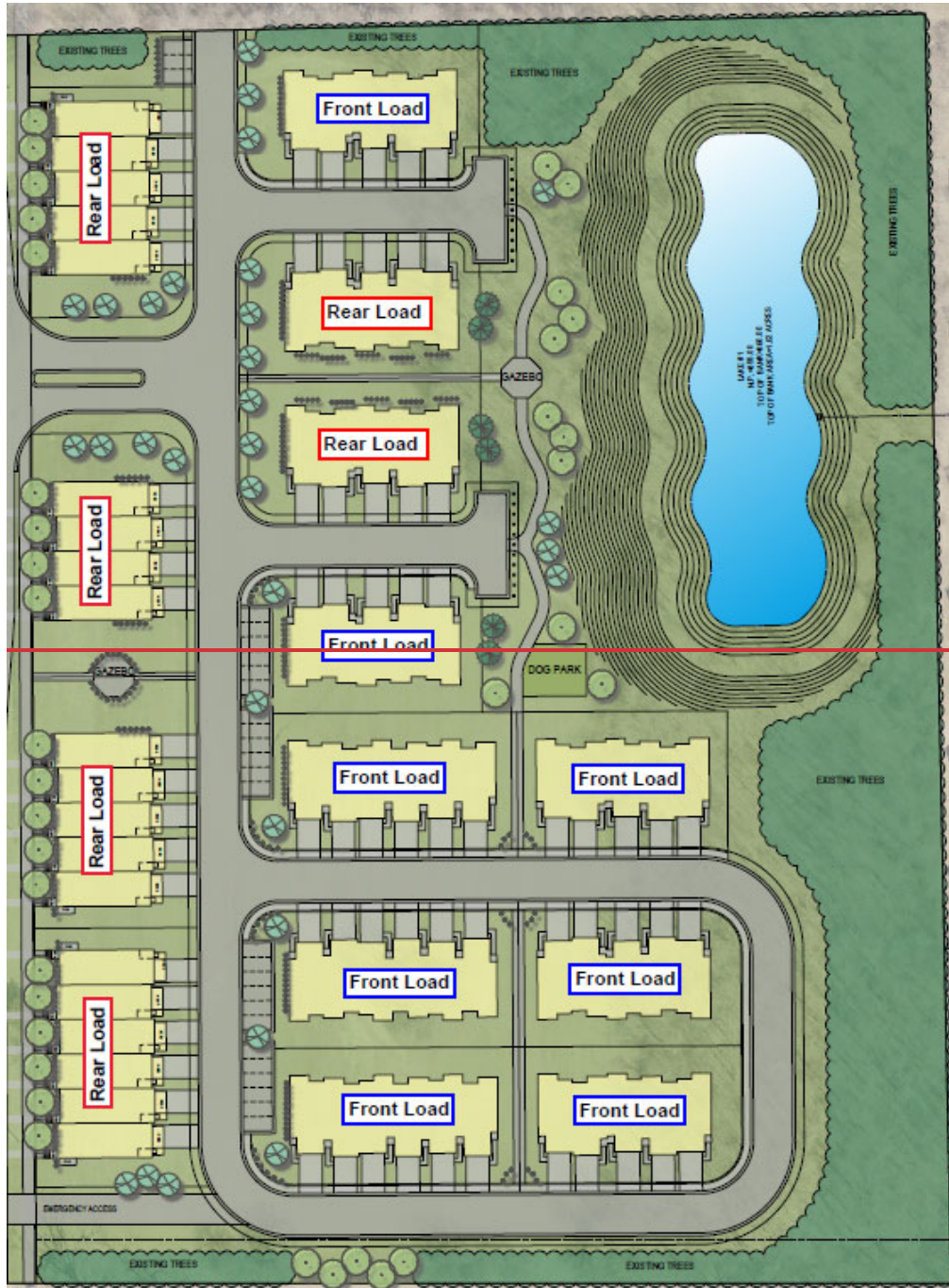
EXHIBIT B
CONCEPT PLAN
(Page 1 of 1)





Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number [21082203-PUD-2305](#).

EXHIBIT C
DWELLING ORIENTATION EXHIBIT
(Page 1 of 1)



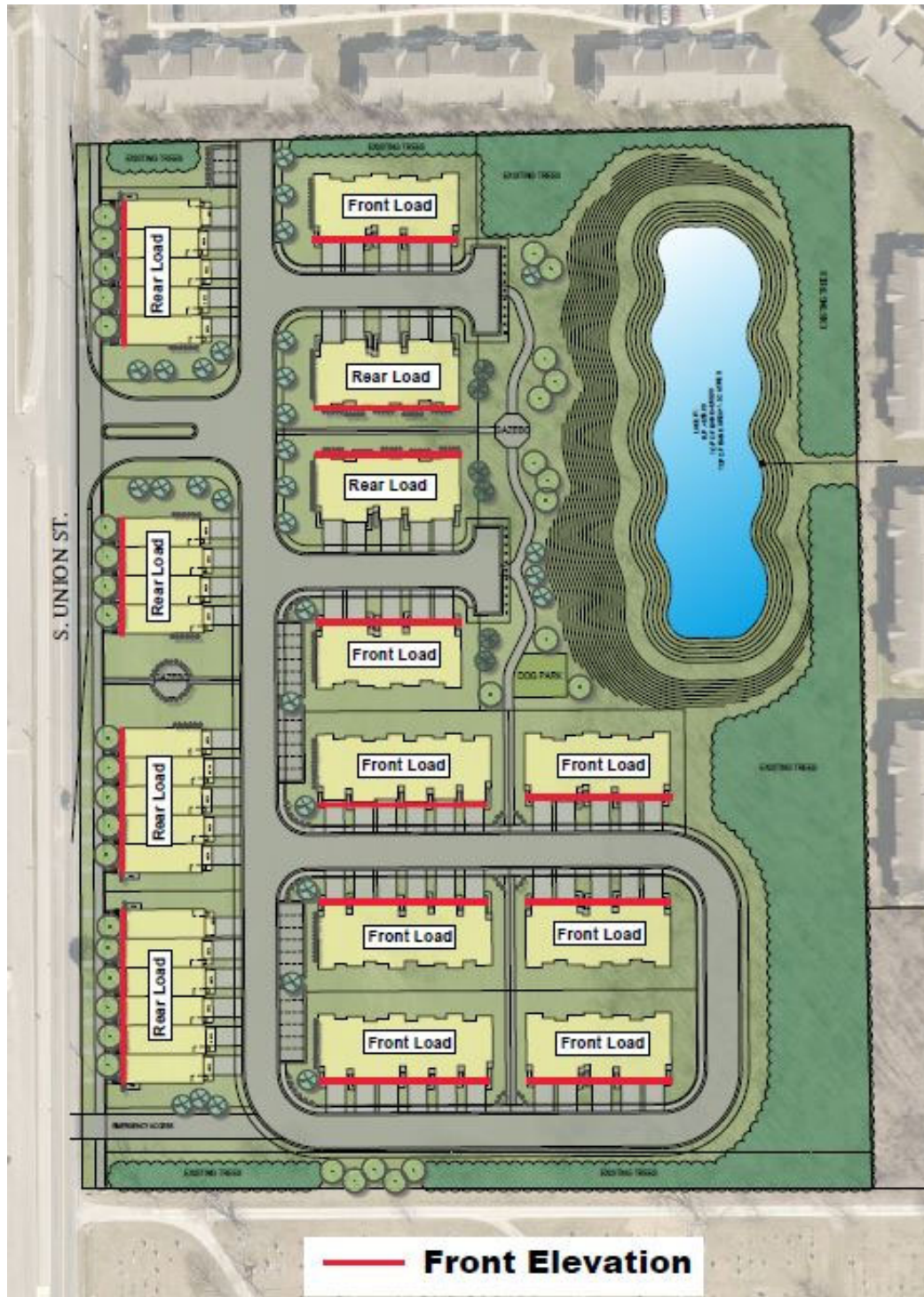


EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 1 of 2)



EXHIBIT D
DWELLING CHARACTER EXHIBITS
(Page 2 of 2)

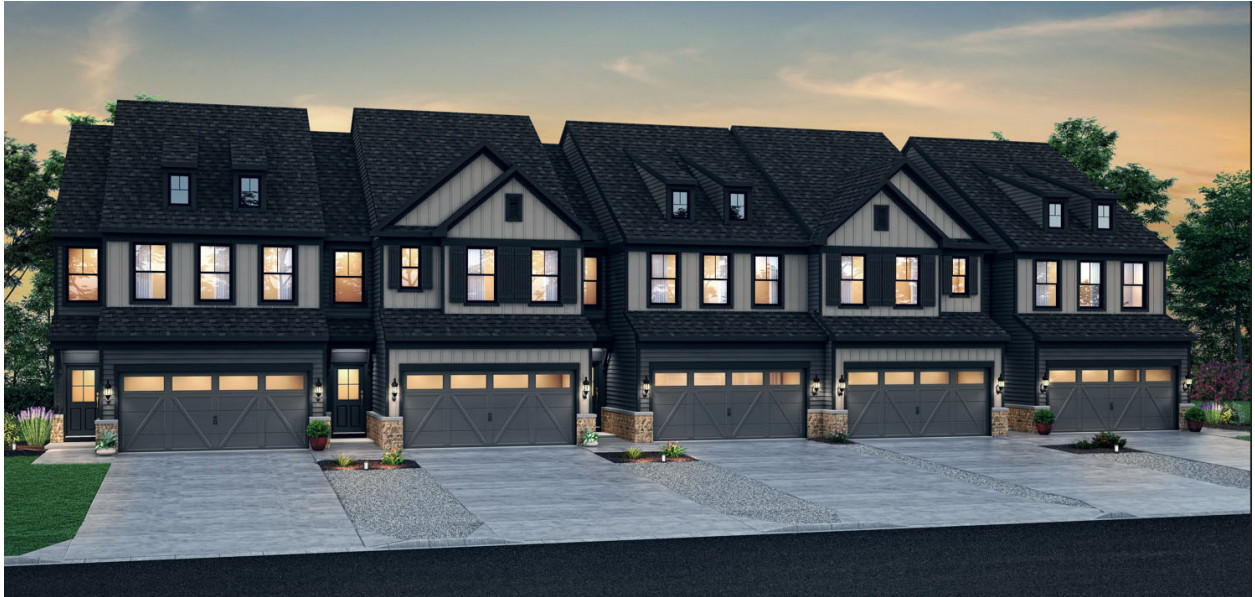
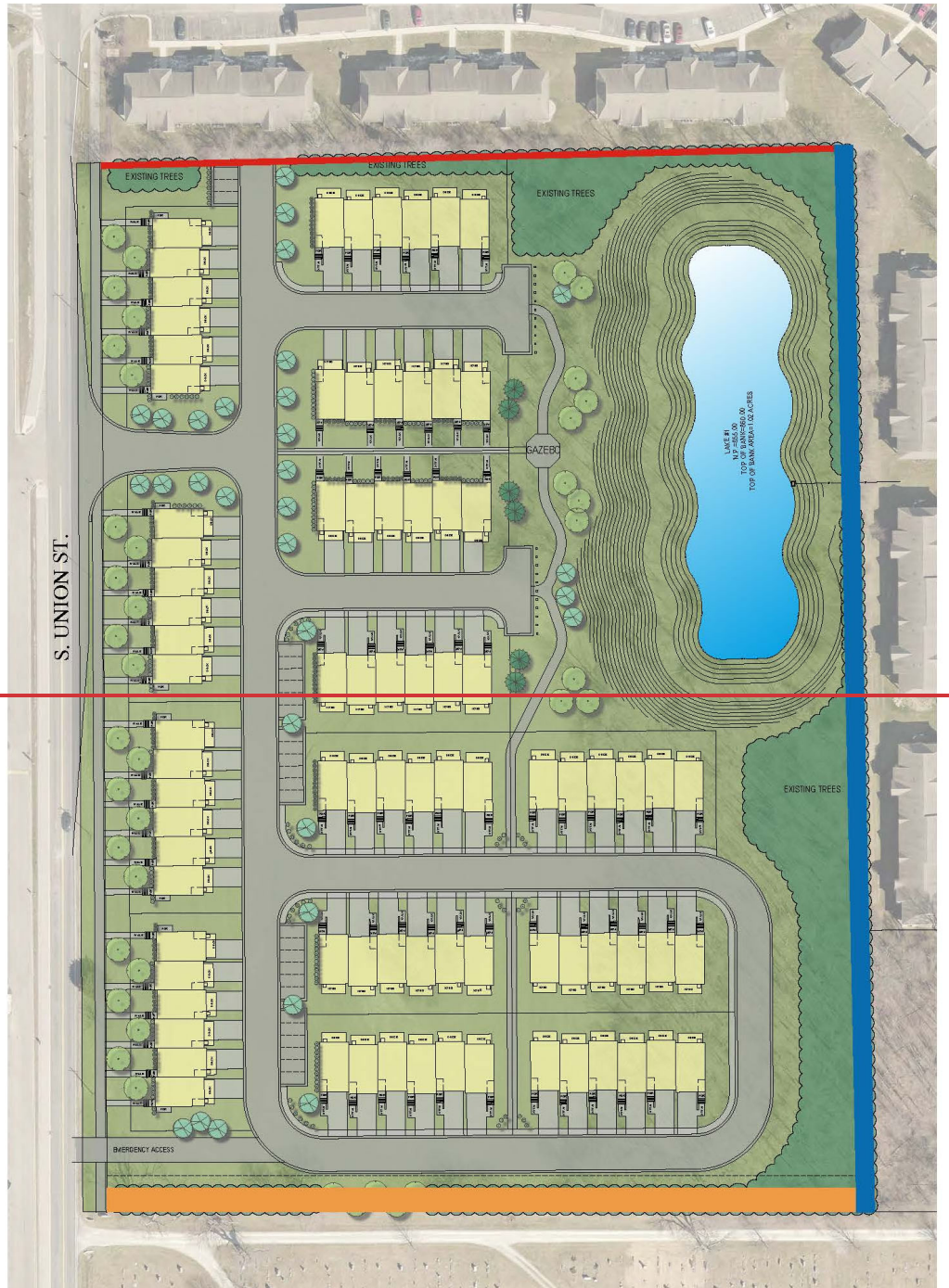


EXHIBIT E
BUFFER YARD FENCE EXHIBIT
 (Page 1 of 1)



- 5' BUFFER YARD
- 15' BUFFER YARD
- 20' BUFFER YARD



EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 1 of 2)





EXHIBIT F
AMENITY CHARACTER EXHIBITS
(Page 2 of 2)





WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 15, 2022
2008-PUD-09
Exhibit 1

Docket Number: 2008-PUD-09 (Ordinance No. 20-25)

Petitioner: Northpoint Owners, LLC by Clark Quinn Moses Scott & Grahn, LLP

Request: A change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Northpoint II PUD District.

Current Zoning: AG-SF1: Agriculture/Single-family Rural District

Current Land Use: Agriculture

Acreage: 183.5 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ord. 20-25 clean
4. Concept Plan
5. Character Exhibit
6. Area 2 Front Façade Character Exhibit
7. Proposed Ord. 20-25 redlined (text only)
8. Updated Narrative Statement
9. Petitioner's Response to Issue List
10. Neighbor Meeting Summaries
11. Remonstrance Packet (February 2022)
12. Remonstrators' Response (March 2022)
13. Public Comments

Staff Reviewer: Pam Howard, Assistant Director

PETITION HISTORY

This petition was introduced at the [July 13, 2020](#), City Council meeting, the discussion for this petition can be viewed [here](#). The petition received a public hearing at the [February 22, 2022](#), Advisory Plan Commission (the "Plan Commission") meeting, the discussion for this petition can be viewed [here](#). Due to the proposed changes, and the amount of time since the first hearing, a second public hearing is being held at the August 15, 2022, Plan Commission meeting.

The petitioner held 4 neighbor meetings on August 13, 2020; August 27, 2020; February 4, 2021; and January 31, 2022. Summaries of these meetings have been provided by the petitioner and included as **Exhibit 10**.

PROJECT OVERVIEW

Location: This subject real estate is approximately 183.5 acres in size and is located on the north side of SR 38 between Anthony Road and Hinkle Road (see **Exhibit 2**). The Property is currently zoned AG-SF1:

Agriculture/Single-family Rural District. Adjacent zoning districts are the Northpoint PUD to the southwest and the AG-SF1 District along all other borders. Adjacent land uses on the north side of SR 38 include Single-Family Residential, Agricultural, and Public Park uses. The south side of SR 38 includes a commercial nursery and a boat storage facility in addition to Single-Family Residential uses.

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to the Northpoint II PUD District to accommodate industrial and Single-Family development, as described in the Petitioner's Updated Narrative Statement (see **Exhibit 8**).

ORDINANCE DETAILS

Definitions: As proposed, the PUD Ordinance includes several definitions that are not present in the UDO. These include: EFIS, Exterior Material, Primary Façade, Secondary Façade, Low Slope Roof, and Real Estate.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see **Exhibit 4**) which divides the Real Estate into 3 areas for development: one Conservation Lot Residential Area (the "Residential Area") and two Commerce Parke areas ("Area 1" and "Area 2"). The approximate size for each area is also outlined in the PUD ordinance. The Residential Area will contain a maximum of 5 lots and also includes a tree preservation area. The PUD requires substantial conformance with this Concept Plan.

Underlying Zoning: As proposed, the PUD Ordinance assigns EI: Enclosed Industrial as the underlying zoning district for the Commerce Parke areas, and SF1 as the underlying zoning district for the Residential Area.

Permitted Uses in Commerce Parke Areas: The proposed ordinance allows most of the uses permitted by the Underlying Zoning District of EI, with a few exceptions. Additionally, the proposed ordinance permits many of the UDO's LB and GB uses. This results in the following uses being permitted (*italicized uses are added uses per the PUD and would not be permitted by underlying zoning*):

- Auction Rooms
- Childcare / daycare centers
- Commissary, food catering service
- Garden and Lawn center
- Health, fitness and exercise center
- Hotel (or Motel)
- Mortuaries
- Office (General, Medical, Professional)
- Restaurant (Sit Down, Specialty, Takeout and Deli-style)
- Retail (High, Medium, Low Intensity)
- School (Fine Arts or Commercial, Professional Trade or Business)
- Amphitheatre / outdoor theater
- Assembly halls / auditoriums
- Civic center
- Education Institution, without dormitory accommodations
- Hospital (major)
- Museum / exhibition hall
- Public Safety and Service Use

- Religious Institution
- Club (Civic, Private)
- Development Amenities
- Commercial Recreational Facility
- Micro-brewery
- Indoor Theater
- Data processing / call centers
- Engineering, research and testing laboratories
- Light Industry
- Construction Trade Office
- Self-Storage Facility
- Trucking Companies
- Warehousing and distribution operations (inside storage)
- Wholesalers (inside storage)
- Temporary Use and Event
- Bus stations / transit stops
- Commercial parking lots and structures, public
- Heliports
- Utilities - not regulated by IURC
- Wireless communication Service Facilities
- *Construction and manufacturing of outdoor advertising signs*
- *manufacturing, engraving and sales of cemetery monuments and tombstones*
- *canneries (e.g. taking fresh fruits and vegetables and canning for distribution)*
- *coffee roasting*
- *food processing (e.g. commercial bakeries, smokehouses)*
- *granaries*
- *grain processing*
- *milk processing plants (without any on-site milking)*
- *warehousing and distribution operations (outdoor storage);*
- *structural steel fabricating (similar to the existing uses of Westfield Steel)*
- *any other business that can be classified as either general business or light industrial in the UDO, with approval of the Director*

Permitted Uses in the Conservation Lot Residential Area: The proposed ordinance permits Single-Family Dwellings, Agricultural Uses, and Private Stables in this area.

General Regulations for the Conservation Lot Residential Area: As proposed, the PUD ordinance defaults to the general regulations for the SF1 District, with some modifications. A comparison of the standards is included in the chart below.

	Proposed in PUD	UDO (SF1)
Min. Lot Area	3 acres	30,000 SF
Min. Lot Frontage	25'	60' for Lots in Subdivisions
Min. Front Yard Setback	40'	50' for Local and Private Streets

Min. Side Yard Setback	Not modified	20'
Min. Rear Yard Setback	Not modified	30'
Min. Lot Width	Not modified	100'
Max. Building Height	Not modified	2 ½ Stories
Min. Living Area of SF Dwelling	2,500 gross SF	Single-story: 2,000 SF Two-Story: 1,200 SF ground floor Tri-level: 1,200 SF (Basement and first level) Story and one-half: 1,200 SF (lower and main levels)
Max. percentage of Lot covered by SF dwelling or accessory buildings	30%	No equivalent standard
Development Plan Review	Not modified	Required for Major Subdivisions

General Regulations for Commerce Parke Areas: As proposed, the PUD ordinance defaults to the general regulations for the EI District, with some modifications. A comparison of the standards is included in the chart below.

	Proposed in PUD	UDO (EI)
Min. Tract Requirement	Not modified	3 acres
Min. Lot Size	3 acres	No equivalent standard
Min. Lot Frontage	70'	70'
Min. Front Yard Setback	30'	100' for Expressways or Arterials, 40' for all other streets
Min. Side Yard Setback	10'	20'
Min. Rear Yard Setback	10'	20'
Min. Parking Lot Setback	20' from the property line abutting any street	No equivalent standard
Min. Lot Width	100'	None
Max. Building Height	45' for Area 1 Not modified for Area 2	60'
Min. Building Size	Not modified	No minimum
Max. gross SF of retail per a single building	65,000 GSF	No equivalent standard

Min. Building Setback along exterior of District	100' from any boundary of the District	No equivalent standard
Performance Standards	Not modified	Shall comply with Article 6.15
Development Plan Review	Not modified	Required

Development Standards: As proposed, the PUD Ordinance establishes alternative development standards from the UDO. The development standards of note are briefly highlighted below:

Accessory Use and Building Standards: As written, the PUD Ordinance proposes increasing the maximum height for Accessory Buildings in the Residential District to 35' or 30% taller than the Principal Building, whichever is less. The UDO restricts the height to 18', and also requires that they be subordinate in size to the Principal Building.

Character Exhibit: The proposed Ordinance incorporates a Character Exhibit, including images for the Commerce Parke Areas (see **Exhibit 5**), and requires the buildings to be constructed substantially similar to the exhibit. Additionally, the PUD Ordinance includes an exhibit specific to west-facing facades in Area 2 (see **Exhibit 6**), and requires substantial conformance with this exhibit.

Architectural Standards for Commerce Parke Areas: The PUD Ordinance proposes alternative standards from those in the UDO. Facades fronting on a public right-of-way (ROW) or visible from adjoining residential uses will comply with the Architectural Requirements of the State Highway 32 Overlay District (UDO Article 5.3(K)), with any referencing to SR 32 being interpreted to apply to the public ROW that the structure fronts on. Facades that do not front on a public ROW and are not visible from an adjoining residential district will comply with the alternative standards set forth in the PUD Ordinance. These standards relate to Roof Design, Façade Materials, and Wall Planes; and are further explained below:

- Permits roofs to be either residential character or Low Slope (defined as no steeper than 2:12, which is also referred to as a Flat Roof). Where pitched roofs are used, the minimum roof pitch for the main roof would be 6:12. The UDO does not contain any requirement for roofs on buildings in Industrial Districts.
- Roof-Mounted Mechanical Equipment would be required to be screened, the color of the screening (and other roof penetrations) would be compatible with the overall building or roof color. This is similar to the UDO requirements that Mechanical Equipment and External Wall Protrusions be visually integrated into the overall design of the building.
- Specific permitted and prohibited materials are outlined in the proposed ordinance for both Primary and Secondary Facades. EFIS and architecturally insulated metal panel systems would be permitted to be used on a maximum of 50% of the façade. EFIS would also be restricted to 8' or higher above grade. The UDO does contain material requirements for facades that are not visible from a street or adjoining residential district.
- Colors used on building facades would be required to be complementary; with natural, muted colors serving as the primary color, and brighter colors being used as accents. The closest UDO standard requires the use of multiple colors and textures when non-masonry materials are used.

- Decorative architectural lighting would be required, the UDO does not contain an equivalent requirement.
- Overhead doors would be permitted on Primary Facades that do not face a Primary Arterial (SR 38). If located on a Secondary Façade, then they would not be permitted to face a public ROW. Overhead doors on buildings within Area 1 would be required to face east. The UDO does not regulate the location of Overhead Doors/Loading Berths outside of the US 31 & SR 32 Overlay Districts.
- Provides alternative options for meeting the facades offset requirements of the UDO, identical to those approved in a PUD amendment for Northpoint I last year. The alternative options proposed are:
 - Allow the separation between the required offsets to be increased up to two times the distance required by the UDO for the applicable building size if a change in either building material or paint colors occurs every sixty (60) feet, with a minimum width of four (4) feet for a material change and six (6) feet for a color change. A change in color would need to be significant enough to provide a meaningful and visually apparent contrast.
 - Allow a mix of horizontal and vertical articulation every sixty (60) feet. The minimum width for the vertical articulation would be eighteen (18) inches and the minimum depth for the horizontal articulation would be thirty-six (36) inches. If using this alternative, then horizontal articulation would need to make up at least fifty (50) percent of the required articulation.
 - Primary Facades would be required to incorporate a change in wall height of at least twenty-four (24) inches on all wall planes, in addition to using either the material or color change option described previously.

Architectural Standards for Conservation Lot Residential Area: The proposed ordinance would require all lots with a side or rear façade facing an External Street or an AG-SF1 zoned property to comply with the UDO's standards for perimeter lots. Additionally, the proposed ordinance prohibits vinyl siding and requires 50% masonry on front facades.

Fence Standards: As proposed, the PUD ordinance defaults to the Fence Standards of the UDO, with an additional requirement that any fencing located along an External Street or separating the Residential Area from Area 1 would be required to be a dark color three-rail fence.

Landscaping Standards: As proposed, the PUD Ordinance defaults to the Landscaping Standards of the UDO, with the two exceptions listed below:

Foundation Plantings: The PUD Ordinance proposes to eliminate the Foundation Planting requirement along facades that are comprised primarily of overhead doors. The UDO does not contain an equivalent exemption, but it is a known issue that may be addressed in a future UDO amendment.

Buffer Yard Requirements: The PUD Ordinance proposes to replace the standards of UDO Article 6.8(N) with those described below:

- Width and Plantings:

	Proposed in PUD around Commerce Parke (UDO would require Buffer A)	UDO Buffer A (proposed between Residential Area and AG-SF1 properties)
Width	50'	30'
Shade Trees	None	3
Evergreen Trees	8 (staggered on alternating sides of mound)	3
Shrubs	5 (evergreen)	10 (any variety)
Mound	6' between Area 1 and Residential Area (excluding the Tree Preservation area)	None
Variety	At least 2 species of trees and shrubs	No equivalent standard

- Allows landscaping to be removed if a trail is constructed within a thirty (30) foot or greater easement that could be dedicated to the City or County Parks Department or to the Township.
- Exempting the Buffer Yard Requirement:
 - o Adjacent to a proposed greenway or park area.
 - o Within easements prohibiting landscaping. The UDO permits buffer plantings to be clustered, which can help to accommodate easements that cross a buffer yard; however, the minimum plantings would still need to be met. The proposed standard would allow the number of planting to be reduced to accommodate easements.
- Tree Preservation: The UDO does address requirements for preservation areas, but does not require any preservation. The proposed ordinance adds the below requirements:
 - o Require any tree larger than 6" DBH and within ten (10) feet of the property line, to be preserved unless required to be removed for utility installation, pedestrian/vehicular access, or installation of the multi-use trail.
 - o Requiring the area shown as "Tree Preservation" on the Concept Plan to be substantially maintained as it exists when the PUD ordinance is adopted and stating that the developer or owner's association will be responsible for the cost to maintain this area.

Outside Storage and Display Standards: The PUD Ordinance would permit Outside Storage and Display in the Commerce Parke area, which the UDO would not permit in the Underlying Zoning District. Outside Storage areas would follow the standards of UDO Article 6.12(D), with two

additions. The first would require the fencing to be an opaque wood privacy fence, with a consistent style throughout the Commerce Parke. The second would prohibit Outside Storage within 200' of:

- the SR 38 right-of-way,
- the northern boundary of Area 1, or
- Area 1's boundary with the residential area.

Performance Standards: The proposed Ordinance defaults to the Performance Standards of the UDO, with the added standard that outdoor speakers not be used, in conjunction with any use, between 11 P.M. and 6 A.M.

Access to surrounding right-of-way: As proposed, the PUD ordinance would restrict access to the property to SR 38 only. The UDO does not contain an equivalent standard.

Annexation: The proposed ordinance would require annexation to be complete prior to approval and recording of a Secondary Plat, with the exception of a Minor Subdivision for annexation purposes. This is consistent with other recent PUDs.

Duration: As proposed, the PUD Ordinance includes a provision stating that the zoning will revert back to AG-SF1 if Secondary Plat / Construction Plan approval has not been obtained by January 1, 2033.

Severability: The proposed ordinance includes a provision stating that if any portion of the ordinance is determined to be illegal or unenforceable, then the remainder of the ordinance will remain valid and enforceable.

CHANGES SINCE THE FEBRUARY 22, 2022, PUBLIC HEARING

The Petitioner has made several changes to the proposed ordinance since the February 22, 2022, Public Hearing. The more substantive changes are summarized below:

- Removing the definition of External Street, as suggested by the Department due to the fact that the proposed definition aligned with the UDO's definition
- Updating the Districts of the PUD as follows:
 - Removing the Dedicated Park Area
 - Adding a Conservation Lot Residential Area, which includes a Tree Preservation Area
 - Renumbering the Commerce Parke Areas
- Updating the Concept Plan to reflect the changes to the District Areas and requiring substantial conformance with the Concept Plan
- Adding standards for the Conservation Lot Residential Area, which include:
 - Permitted Uses
 - Lot Standards
 - Accessory Building Standards
 - Architectural Standards
 - Fence Standards
 - Landscape Buffer Requirements

- Relocating the maximum building height standard to the General Regulations section of the ordinance, and removing the unnecessary language that duplicates a UDO standard.
- Exempting facades containing mostly overhead doors from the Foundation Planting requirements
- Updating the Buffer Requirements to include 2 areas of tree preservation
- Prohibiting Outside Storage near the north and west boundaries of Area 1
- Updating the duration language and adding severability language similar to other recently approved PUDs

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies the “Rural Northwest and Northeast” land use as the appropriate land use for the Property. The Rural Northwest and Northeast section of the Comprehensive Plan proposes the following uses as appropriate: Single-family detached houses on large lots or in a Rural or Conservation Subdivisions, Accessory dwellings, Equestrian Uses, Agriculture (including artisan farms), Institutional uses (such as schools, churches, public safety facilities, and similar uses). Development Policies for Rural Northwest and Northeast are located on p. 32 of the [Comprehensive Plan](#). Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Primary Arterial 1: SR 38, (ii) Proposed Local: other proposed streets internal to the development, and (iii) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. A public hearing was held for this petition at the [February 22, 2022](#), Plan Commission meeting. Due to the proposed changes, and the amount of time since the first hearing, a second public hearing is being held at the August 15, 2022, Plan Commission meeting. Notice of both public hearings 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 [July 13, 2020](#), City Council meeting.

DEPARTMENT COMMENTS

1. **Action:**

- a. Hold a public hearing at the August 15, 2022, Plan Commission meeting.
 - b. Following the public hearing, this item is eligible for Plan Commission action.
 - c. If no action is taken this evening, the petitioner may request an extended continuance, but they were advised that no additional continuances would be approved by the Director. If a continuance is requested and denied by the Director, then, per the Rules of Procedure, the Petition can appeal the denial to the APC, without a Public Hearing, at the next meeting. If the appeal is denied, then the petition is dismissed and removed from future agendas.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at (317) 531-3751 or [phoward@westfield.in.gov](mailto:poward@westfield.in.gov).

NRR Citizens' Response to Northpoint II PUD
Petitioner Rebuttal Presentation
APC Meeting 2/22/22

March 1, 2022

The citizens of the Northeast Rural Residential District (NRR) would like to take this opportunity to respond to the Rebuttal presentation given, after the public comments, by Mr. Brown and Mr. Wilkes at the APC meeting on 2/22/22.

The following packet is broken down into the following sections:

Economics

Westfield Washington Township Comprehensive Plan

Land is Currently Underutilized

Previous Park Proposal

Good Project – Wrong Place

Study of Available Commercial Properties

Other Possibilities

Each section represents the citizens' response to points made by the Northpoint II PUD petitioner.

We appreciate your time and respectfully request that you read our thoughts.

Thank you,

NRR Citizens

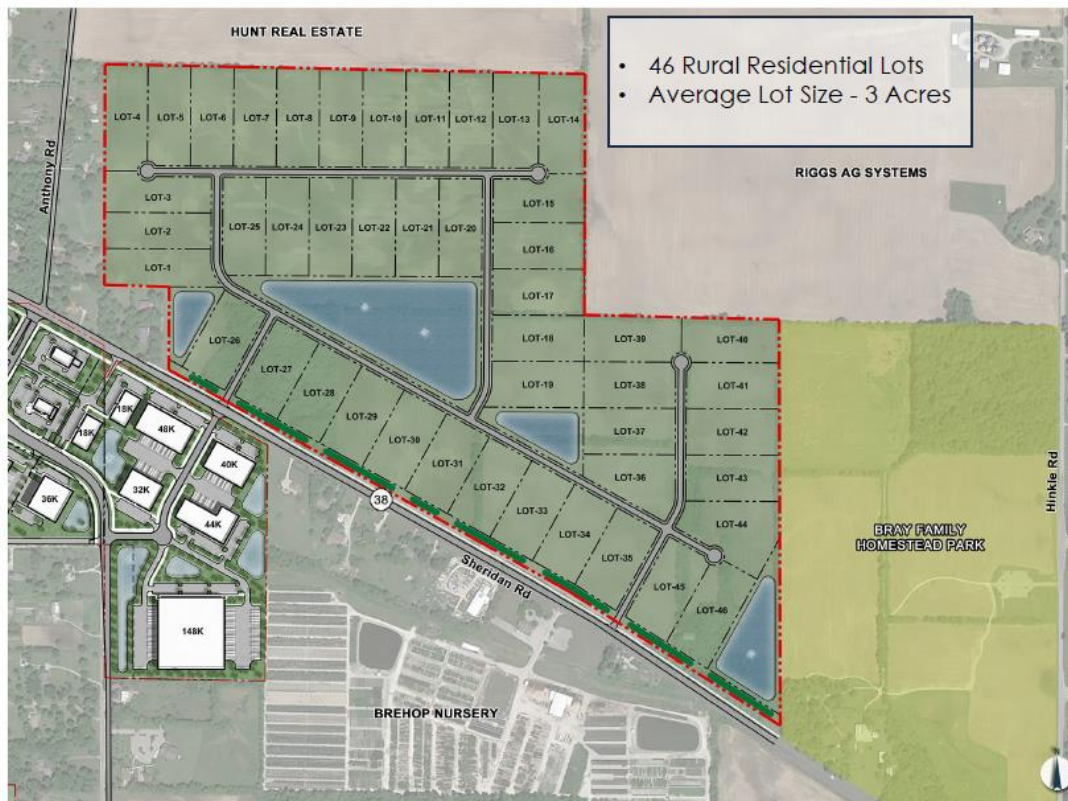
Economics

Petitioner's Slide & Quote:

“...the plan is not just the map the plan is a document that contains both the map and the text...People keep saying that the site has been zoned rural residential, they ignore the text. They ignore the text that says along highway corridors residential should not be permitted.”



RURAL RESIDENTIAL CONCEPT PLAN



Response:

The NRR residents have never been shown this proposal as an option.

The NRR residents have NOT ignored the maps nor the text of the Comp Plan. In fact, if you read the Comp Plan it is not stated in the text or maps that Highway 38 is considered a Highway Corridor. Some Highways are definitely listed as such, so, if the intent was for Highway 38 to be considered a Highway Corridor, wouldn't it have been? Also, as mentioned by an APC member, the north side of Hwy. 38 is all residential – from Hwy. 31 to Hinkle Road.

Petitioner's Slide & Quote:

“...two years – two sales reported”



BLC DATA
BAGI LARGE LOT DEMAND FACTORS PRESENTATION 2021



BLC Data

- **Hamilton County Sales Disclosures 2019 and 2020**
 - Parcel size 1.5-3 acres
 - 249 sales in Hamilton County with 29 sales in Westfield
 - 4,912 new home permits in Hamilton County with 1,839 in Westfield
- **Washington Twp MIBOR BLC 2019 and 2020**
 - Parcel size 1.5-3 acres
 - Only 2 sales reported

Response:

With regard to the bullet point “Only 2 sales reported”, what is not shown is what was for sale during that time. Do the 2 sales reported reflect 100% of what was for sale during that timeframe? Or do they represent a smaller percentage? It is possible that this statement is the result of supply not demand.

Petitioner's Slide & Quote:

“...90% of all residential lot sales in the United States by the way are less than .51 acres”

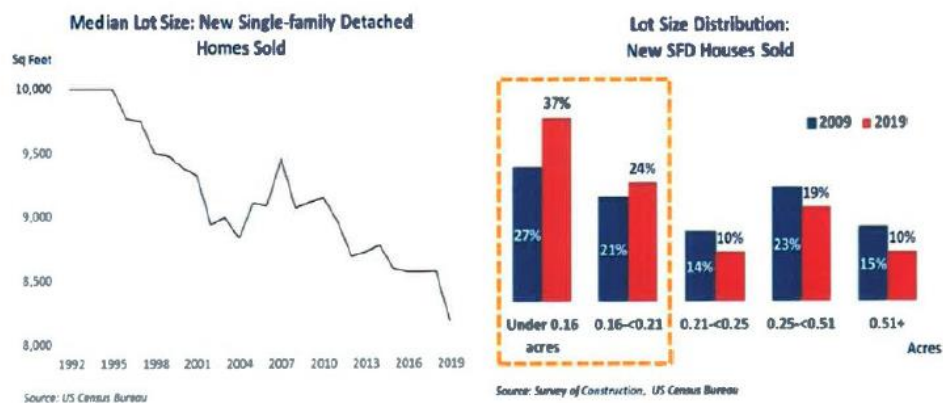


LOT SIZE DEMAND
BAGI LARGE LOT DEMAND FACTORS PRESENTATION 2021



Zonda

Opportunities: Thinking About Lot Size



As with previous slides, it is impossible to know from the data presented, if the downward lot size trend is a result of buyers demand & desire or if it is a function of what has been made available by developers.

Additional quotes around real estate trends were made by the petitioner. Please keep in mind that some of the timeframes referenced were from early 2000's to 2021. We would like to say that the "trends" during these times are not comparative to the current real estate situation in Hamilton County, because during the timeframe Mr. Wilkes is quoting, there was a stock market crash and recession causing people to lose much of their savings. The more recent real estate situation is quite different. And the statement that it would take 46-50 years to sell 46 large acreage lots seems quite unlikely to us.

Petitioner's slide & quotes:

“...perhaps, at some point in time, the economic data should enter into this decision on what to do with this 180 acres”

“...just based on some, if you if you take the 53 acres and the \$66 million and then you just project that over the hundred and...say we're 180 acres gross if you said net there's 150. Those 53 acres those are net actual parcels for this project. You could see it wouldn't be too much of a stretch to get to an assessed value of 200 million dollars, so at a 3% rate it, you're talking 6 million dollars a year – a year.”



ECONOMIC DATA



NorthPoint Projects	Year Completed	Acres	Total Investment
Bastian Phase 1*	2018	12	\$8 M
Browning Chapman	2019	6	\$5 M
Abbott Phase 1*	2021	20	\$37 M
NorthPoint Building 1	2022	15	\$16 M
<i>Subtotal</i>		53	<i>\$66 M</i>
Gordon Food Service**	TBD	80	\$160 M
TOTAL		123	\$226 M

Rural Residential – 46 lots with Total AV of \$50 M (est.) taxed at 1% developed over 50 years

- **Annual taxes at full build out (2072) - \$500,000**

NorthPoint II – 150 net useable acres with Total AV of \$200 M (est.) taxed at 3% developed over 8 years

- **Annual taxes at full build out (2030) - \$6,000,000**

* Both Bastian and Abbott have planned Phase 2 Expansions

** Gordon Food Service has announced plans; not started construction

Response:

The petitioner's numbers shown at 2/22/22 APC meeting are misleading.

Total Investment vs. Form SB-1

The slide showing Total Investment of \$226 M for Northpoint buildings is significantly different than the numbers shown on the Form SB-1, which was filed with the tax abatement resolutions. Some difference might be due to actual building cost being higher than expected, but, what about Gordon Food Service? That building has not even been started, so actual building costs can't be the difference...yet the number shown by the petitioner is almost double what was shown on the Form SB-1. We can't explain the difference, but there is one. (See chart A below)

Total Investment vs. Assessed Value

Also, the implication of the slide is that the Northpoint buildings, with total investment of \$226 M, will bring in a 3% tax...leading people to draw a conclusion that \$6,780,000 will be paid in taxes. Yet, according to the petitioner's own slides presented less than a year ago to the City Council for tax abatement on the Northpoint shell warehouses, his financial assumptions calculated an assessed value at 75% of hard costs...not 100% (see document below). That difference between Total Investment and Assessed Value was not presented on the slide for APC. Which, if applying the same logic, would lead to a conclusion that \$5,085,000 would be paid in taxes....\$1,695,000 less than what was shown.

NORTHPOINT TAX ABATEMENT REQUEST

5.10.2021



NORTHPOINT CAPITAL INVESTMENT



Annual Growth % 2.00%
Annual Abatement % 10.00%

Estimated Real Estate Taxes

		NP ONE	NP TWO	NP THREE	COMBINED
	Building SF	182,500	96,000	55,000	333,500
	Acres	15.41	8.36	5.14	28.91
	Hard Cost \$	12,989,703	7,455,010	4,697,460	25,142,173
75% of Hard Cost	Assessed Value \$	9,742,277	5,591,257	3,523,095	18,856,629
	Tax Rate	3%	3%	3%	3%
	Taxes \$	292,268	167,738	105,693	565,699
	Taxes per SF \$	1.60	1.75	1.92	1.70

	Tax Year	Abatement %	Taxes Paid			
Year 1	2023 P 2024	100%	\$ -	\$ -	\$ -	\$ -
Year 2	2024 P 2025	90%	29,811	17,109	10,781	57,701
Year 3	2025 P 2026	80%	59,623	34,218	21,561	115,403
Year 4	2026 P 2027	70%	89,434	51,328	32,342	173,104
Year 5	2027 P 2028	60%	119,245	68,437	43,123	230,805
Year 6	2028 P 2029	50%	149,057	85,546	53,903	288,506
Year 7	2029 P 2030	40%	178,868	102,655	64,684	346,208
Year 8	2030 P 2031	30%	208,680	119,765	75,465	403,909
Year 9	2031 P 2032	20%	238,491	136,874	86,245	461,610
Year 10	2032 P 2033	10%	268,302	153,983	97,026	519,312
Year 11	2033 P 2034	0%	298,114	171,092	107,807	577,013
Total			\$ 1,639,625	\$ 941,009	\$ 592,937	\$ 3,173,571
2020 P 2021 Current Taxes			\$ 4,445	\$ 38	\$ 262	\$ 4,745

Assumes buildings delivered in 2022 and fully assessed on Jan 1, 2023

Tax Abatements

Further misleading is the fact that tax abatements are not mentioned in the APC slide. Again, if an individual did not understand tax abatements, or was not aware that each building listed in the petitioner's chart had a tax abatement, they could think that the 3% tax was an imminent benefit, rather than the truth...which is that the first full tax payment received will not even begin until 2029 with Browning Chapman. (See Chart A below).

Economic Data - Rebuttal - Chart A						
NorthPoint Projects	Year Completed	Acres	Total Investment Wilkes	Total Investment Form SB-1	Tax Abatement Period	1st possible year full taxes received
Bastian	2018	12	\$8 M	\$6,840,000	10 yrs. (100 down to 10%)	2029 P 2030
Browning Chapman	2019	6	\$5 M	\$4,012,500	8 yrs (100 down to 30%)	2028 P 2029
Abbott	2021	20	\$37 M	\$27,400,000	10 yrs. (100% first 5 then 83% down to 17%)	2032 P 2033
NorthPoint Building 1	2022	15	\$16 M	\$13,000,000	10 yrs. (100 down to 10%)	2033 P 2034
<i>Subtotal</i>		53	\$66 M	\$51,252,500		
Gordon Food Service	TBD		\$160 M	\$83,448,086	10 yrs. 100% all 10 years	TBD
TOTAL			\$226 M	\$134,700,586		
Conclusion: Cannot comment on petitioners data source, but all data in yellow columns (last 3 columns) comes from Westfield Tax Abatement Resolution documents.						
Tax Abatements granted for these developments means full taxes paid to the city is well into the future - whereas, property taxes on homes would be immediate						
Taxes paid to the City/State would be based on the ASSESSED value, not the Total Investment value. This number, according to the petitioner's document, "Northpoint Capital Investment" is 75% of the hard cost						
Assume fully assessed Jan. 1 of year following, which would be Year 1 of Tax Abatement.						
First 4 columns taken directly from petitioner's 2/22/22 APC presentation.						

Total vs. Incremental Tax Received

And lastly, it was not presented on the APC slide, but should be taken into account, that the implied **3% tax is not a fully incremental benefit**. The implication is that the taxes received from Northpoint/Aurora or Northpoint II or even a residential development would be incremental to Westfield. This is not true. Taxes are currently being received on all land, whether it be 1% for residential, or 2% for other residential/farmland, or 3% for all other property. Therefore, saying that "6 million a year" would be brought in from a proposed NP2 development may be true in total, but it is not all incremental.

Rural Residential statement from APC slide (top of this section)

Assuming there would be “46 lots with total AV of \$50 M” (assuming AV means assessed value of the homestead), annual taxes for the homestead would be \$500,000. What has been left out of the equation is the fact that only 1 acre of land plus the assessed value of the home is taxed at 1%. The remaining acreage for the lot is taxed as “other property” at 3%.

Also, property taxes paid on residential are *not subject to tax abatements* and would therefore be realized much sooner than those on an industrial park.

Additionally, as indicated earlier in this document, “full build out (2072)” seems highly unlikely given Hamilton County’s current real estate market. An **updated real estate analysis** has been conducted by a licensed realtor and these were the findings:

The search criteria was made up of only Hamilton County properties - going back 1 year from today, above 300k, between 3 acres and 10 acres (so as to exclude the small properties that don’t match the 184 acre's zoning but also the larger parcels over 10 acres since that's quite different too), and free of distressing characteristics such as requiring flood insurance, being in a foreclosure or short sale situation, etc. This search yielded 94 results and the DOM (Days On Market) average was just 23 days. Also it's important to note, that DOM average is likely a few days less than reported because many agents don't change their listings to PENDING status until they have gotten their earnest money or even longer if they choose to hold off until after inspection negotiations are completed. The DOM's are counted from the day a property is listed until the day it is changed to PENDING. I can confidently say that DOM average is closer to 20.

One more item to consider:

There are currently 8 ACTIVE properties that match the same criteria as those 94 SOLD properties. This translates to an Absorption Rate of just 31 days, meaning that's the expected amount of time it will take for all 8 of those properties to sell and that's an incredibly fast rate.

Conclusion:

There is sustained high demand for 3 acre estate homes in Hamilton County and this would fit the zoning and Comp Plan ordinances of the Northeast Rural Residential area.



Detail of the real estate analysis can be provided upon request.

Northpoint II Statement from APC slide (top of this section)

Assuming there would end up being “150 net useable acres with total AV of \$200 million” (assuming AV means assessed value), annual taxes would be \$6,000,000 in total (not incremental), but not received anywhere close to 2030. Each building in that development would receive a tax abatement of 8-10 years (based on what has already occurred in NorthPoint/Aurora) putting any realized revenue for the City well into the future. There is absolutely no chance of a full tax payment until at least 2036 at the earliest and it could be much later.

Also, the petitioner is assuming a “full build out 2030” of his proposal - 8 years from right now. Northpoint/Aurora started in 2017 with 300 acres. As of right now, only 3 buildings are completed on 38 acres. So that is 13% of acres completely built out in roughly 5 years. Projecting that out at the same rate, Northpoint/Aurora will not be completely built out until 2055. It doesn't seem that an 8 year build out for their new proposal is a likely scenario.

Additionally, all that has been presented on the economics of NP2 shows tax revenue. What about the additional expense to the City? Adding Industrial development to an area where the City planning calls for the exact opposite land use creates a *gap in resource planning*. This would overburden the Fire, Police and EMS resources. The increased expense for resources is not reflected in the petitioner's slide.

A net present value analysis would need to be performed in order to arrive at actual values for both statements in order to provide a better comparison.

And to address the quote, “...perhaps, at some point in time, the economic data should enter into this decision on what to do with this 180 acres”, we would like to say this - If it becomes a battle of dollars and cents, industrial vs. residential/farmland, we may not be able to win. But, do we, as a city, absolutely need those dollars? Some recent City Council meetings indicate that we may not. Have the City and Township had a strategic conversation about the financial needs in order to factually know if another industrial park is needed? And do the dollars really mean more than our way of life – our rural lifestyle?

Westfield Washington Township Comprehensive Plan

Mr. Brown made multiple comments regarding the Comp Plan and what may or may not be a possible conclusion about highway corridors, maps and text. But, there is no need for speculation because both the text and the map, as well as the underlying zoning, for the NRR area are clear and fully support our argument that an Industrial Park was never envisioned for this area and does not fit.

It was mentioned that Westfield wants to be an area where all are welcome...shouldn't those of us who have chosen to live a rural lifestyle, and purposefully chose where to live that lifestyle (based on the guidance the City provides us which is the Comp Plan) be allowed to continue that lifestyle? We are asking for NOTHING...no city water, no wastewater services, no incremental anything. Our only "ask" is that we be allowed to continue living our rural lifestyle in the area we were told we could live it. Putting an Industrial Park into the NRR district which is only approximately 1,350 acres to start with would have the same effect as changing the entire district to Commercial. It's as simple as that. When in a rural, agricultural area, where the only topography is a few houses and trees and fields, there is no way to "buffer" tall, concrete buildings and lights...there is no way to hide that because it is so totally opposite everything around it. It would dominate the landscape and by doing so, completely erase the ruralness of the district. You cannot put a saber tooth tiger in a petting zoo and think that the petting zoo will still be able to maintain the same feel, character and use. The very essence of it will be destroyed with the new addition. So, essentially, a decision to allow any form of an Industrial Park in the Northeast Rural Residential area is a decision to change the land use character of the entire district. It isn't just a decision about 183 acres.

The Comp Plan has so many references to "open space being a valued community amenity" and stating that "every effort should be made to encourage uses that preserve this open character". If those references are true, why is it so strange to think that the 183 acres in question could remain as they are? The exact words of the Comp Plan would indicate that these acres are serving a very valuable purpose...that they are being fully utilized as described in the Comp Plan. Can anyone honestly say that farming is not a perfect use of land in a Rural Residential area? The creators of the Comp Plan stated that areas need to be provided "where residents can live a rural lifestyle" The plan even states, "this plan embraces the importance of that rural lifestyle opportunity". The residents in the NRR area believed the City when they documented these things in our Comp Plan...we built our homes specifically in this area because of the reasonable belief that the Comp Plan was the guide. When the developers purchased land in this area, they did so with the exact opposite intent. They knowingly bought land with the express intent of developing it into something 100% opposite the Comp Plan. Does that make any sense?

It is true that the Comp Plan was created in 2007. Would it be ideal if Comp Plans were re-evaluated every 10 years? Possibly. But the fact remains...the 2007 Comp Plan is **the** plan (and the only plan-there is no alternative) that our community has in place. As a citizen, it is the only source of information. The fact that it is dated 2007 is irrelevant because it is STILL IN PLACE. No one has rescinded it...the citizens haven't been notified that it is expired or has been revoked. In fact, sections of the Comp Plan have been revisited and updated with Addenda (7 in fact).

The fact that these updates/addenda have been made to the 2007 Comp Plan, would lead a reasonable person to conclude that the Comp Plan is very much a living document, and to the extent certain sections have NOT been updated implies that they are still very much valid. *If* things had changed so much that an industrial park made sense to be located in the NRR district, why wasn't the Comp Plan changed to reflect such a drastic change in land use needs?

A developer's attorney, who is paid to try convince us to change A to Z, states that the Comp Plan is "not Holy text" (which is literally true), but the City's own Mayor refers to it as the Holy Bible. Which should a citizen believe?

Land is currently underutilized

Mr. Wilkes Quote: "...I think everybody would like to see this 180 acres put to use in some way, I don't think anybody wants this 180 acres to sit dormant until the end of time. I don't believe that."

Response:

One of the arguments made for the NP2 property proposal is that it sits "dormant" and that this is somehow unacceptable. They say, "If not this, then what". Firstly, that first statement is simply inaccurate. This property is not dormant. It is actively being farmed and that activity has real tangible value and function. Farming is the backbone of America – it feeds us all – how could that be considered dormant or under-utilization? Secondly, why do some so quickly and easily concede that this property has to be something other than what it currently is? That implies that any property which does not contain any improvements or buildings, is underutilized and must be developed. We need to ask ourselves, why does it have to be that way? Imagine if that logic were applied to all of Westfield...that would lead to something other than the Westfield we know and love. This property is but 183 acres of 36,000 acres in the Township. Why is it so important that this particular random plot of ground needs to be developed into something other than farmland. We understand that farmland and farming activity may not generate as much property tax revenue as other development opportunities, but even Mr. Wilkes himself said, it's not all about the money, so we should not judge the current use of the property in that context.

Additionally, the WWT Comprehensive Plan designates the Northeast Rural Residential area to be rural and agricultural in use and it is zoned AG-SF1. The creators of the Comp Plan purposefully PLANNED for the NRR area to be exactly what it is right now (farming and homes on large, 3+ acre lots); therefore, it is being utilized correctly...it is not dormant and it is not underutilized. It is being used exactly as intended and planned for in the Comp Plan.

Previous Park Proposal

It has been mentioned several times that there was an attempt to establish a Washington Township park on the land that is now being proposed for NP2. It has also been mentioned that the citizens filed a remonstrance against a park.

We want to be clear – to our knowledge, ***no one who is involved in the remonstrance against NP2 was involved in fighting against a park.*** In fact, when this was mentioned at a developer/neighborhood call during NP2 conversations, we were surprised and saddened to hear that a park had been considered and then defeated. We did not know this had ever been the case and we (NRR residents against NP2) did not remonstrate against it.

Actual situation - the citizens of NRR would welcome a park! We would love to see the NRR area further enhanced and preserved by turning the land in question into a passive use park. Expanding Bray Family Homestead Park would be a wonderful thing. We even ask that the Westfield City officials help us to find a way to bring the various parks departments, CILTI, Friends of Hamilton County Parks and the developer together to make this a reality.

Good Project – Wrong Place

Mr. Wilkes Quote: “Why do you not see high quality residential...right along highway corridors – maybe because it’s a highway corridor”

Response:

Replace “highway corridors” with Industrial Park, and we agree with Mr. Wilkes. The point being that we all understand when land uses are starkly different and just don’t work together.

There have been comments at previous APC meetings that 191st street is the main corridor for commercial development which then lead to questions about why would the City consider building houses there...the two don’t go together. We have also heard at APC meetings (specifically about the Robinson Briggs Woods PUD) that it is a good project, just the wrong place. And, as recently as 2/22/22, the Bel Canto project was considered good project wrong place. Isn’t the Northpoint II PUD the same as these things...an Industrial Park and Rural Residential don’t go together AND it is a good project, just the wrong place. Please apply the same logic that you have applied before and vote against the NP2 proposal.

Study of Available Commercial Properties

We agree with the APC member who stated that we “need a township-wide look” at commercial areas available for development. The Westfield APC would do well to honor the current Westfield-Washington Township Comprehensive Plan (2007) and consider a study of available property for commercial development that is already zoned for business purposes. The APC might begin with Table 1 from the NRR Remonstrance document listing the more than 1,900 acres available for commercial development. Such a study may assist in avoiding erroneous decisions that lead to future regrettable loss of quality of life for residents, loss of habitat for wildlife, and destruction of environmental resources.

The fact that Northpoint Owners, LLC already owns 183 acres of AG-SF1 zoned land in the NRR district, should have zero bearing on whether or not another industrial park is needed in Westfield.

Fill up the existing industrial parks (including Northpoint/Aurora) and the other land designated (in Comp Plan) as Commercial & Business Park before even considering violating the Comp Plan so drastically.

Just a simple question...why would we, as a community, consider such a drastic violation of the Comp Plan when A) it is not clear that another Industrial Park is needed, and B) if one is needed, there are other places it could go with NO Comp Plan violation?

Other Possibilities

Mr. Wilkes Quote: “we exhausted the mounding, the burning, the single family to no avail”

Response:

The reason the various proposals Mr. Wilkes has shown the residents have been met with resistance is very simple...not one of them shows the land being utilized according to the Comp Plan or the underlying Zoning.

With all due respect, you simply cannot buffer an Industrial Park placed in AG-SF1 land...there is no way to take away, or even significantly minimize, its presence. And the water aquifer which lies beneath this specific land (as this area has been designated by IDEM as both a Wellhead Protection Area and a Source Water Area) cannot be buffered.

While continuing to stand on our commitment to keep the NRR area consistent with the comp plan, and realizing that a land owner has a right to do things to their land (albeit they must develop according to the Zoning of the land which is AG-SF1), we would like to point out that there are options. The petitioner does have options which would be consistent with the Zoning, the Comp Plan, and would, therefore, not meet with resistance from the neighbors. They could use the land for a large acre (3+) subdivision, they could create a Conservation Subdivision, they

could build an Equestrian neighborhood with pastureland for horses and large acre home sights, or, they could sell the land to the parks departments at a reasonable price so the Bray Family Homestead Park could be expanded!

If there is a compromise to be made, let it be the party who purchased land knowing it was not zoned for nor deemed an appropriate land use for what they wanted to do with it - rather than the citizens who bought their land intending to use it exactly as it was planned. Let the NRR district remain as planned – let the developer make a return on their investment in a way that is compatible with what the Comp Plan envisioned. The compromise being that they make money...just perhaps not as much of it. Or, better yet...let the compromise be something every citizen could enjoy.

This happened recently in Zionsville. Wolf Run Golf Club was going to be sold to developers. The citizens opposed it. The Town Council and Plan Commission denied a proposal to rezone the land (which would have transformed the land into a 560 home neighborhood and mixed-use buildings). The town wasn't in the position to buy the property, so it was purchased privately, turned into a Nature Preserve and an agreement was established to sell it to the town at a discounted price in the future. The town will then repurpose it as a public park.

Surely, Mr. Wilkes, who by his own admission is a good community partner in Westfield, and the owners of Northpoint Owners, LLC (whomever they may be) would be willing to sell the land to Hamilton County Park & Rec or the City of Westfield or Washington Township at a reasonable price over time. Similar to what Holladay Properties did with the Grand Park indoor sports arena. That is a creative solution that would be positive for all parties involved.

If the land must change from it's current use of farm fields and wooded wetland, let it be something that is a benefit for the citizens, neighbors, even the current landowners...something that fits with the Comp Plan vision and intent for the NRR area.

Aerial Location Map



Concept Plan – “Before”

Key Design Features:

1. **84 Units**
2. **All 3-Story Units**
3. **1 Amenity Feature**
 - **Seating Area**



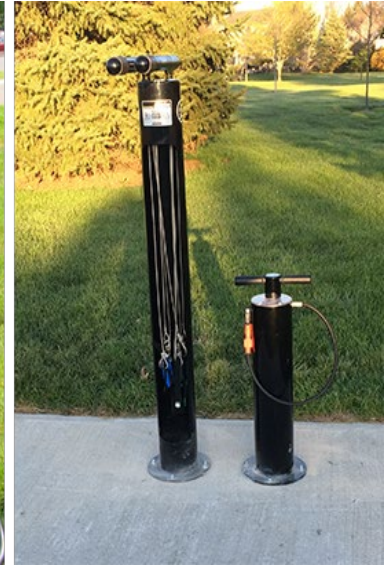
Concept Plan – “After”

Key Design Features:

1. **73 Units**
2. **All 2-Story Units**
3. **3 Amenity Features**
 - **Gathering Area,**
 - **Dog Park,**
 - **Bike Station / Open Space along Union St.**
4. **Boulevard Entrance**
5. **Increased Tree Preservation Area**
6. **Varied Unit Counts in Buildings along Union St.**



Community Amenities



Illustrative Renderings

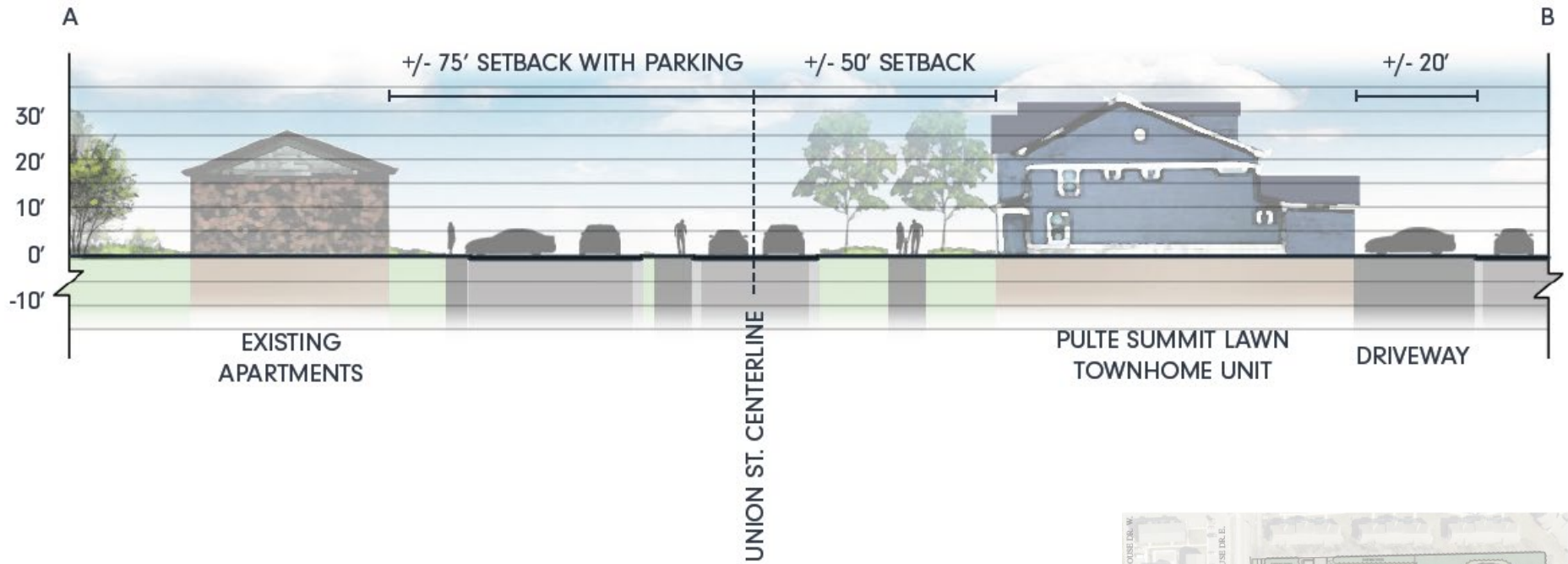


Key Design Features:

- 1. Will design rear load units from scratch***
- 2. Rear Load and Front Load units will have compatible architectural styles/colors/materials***



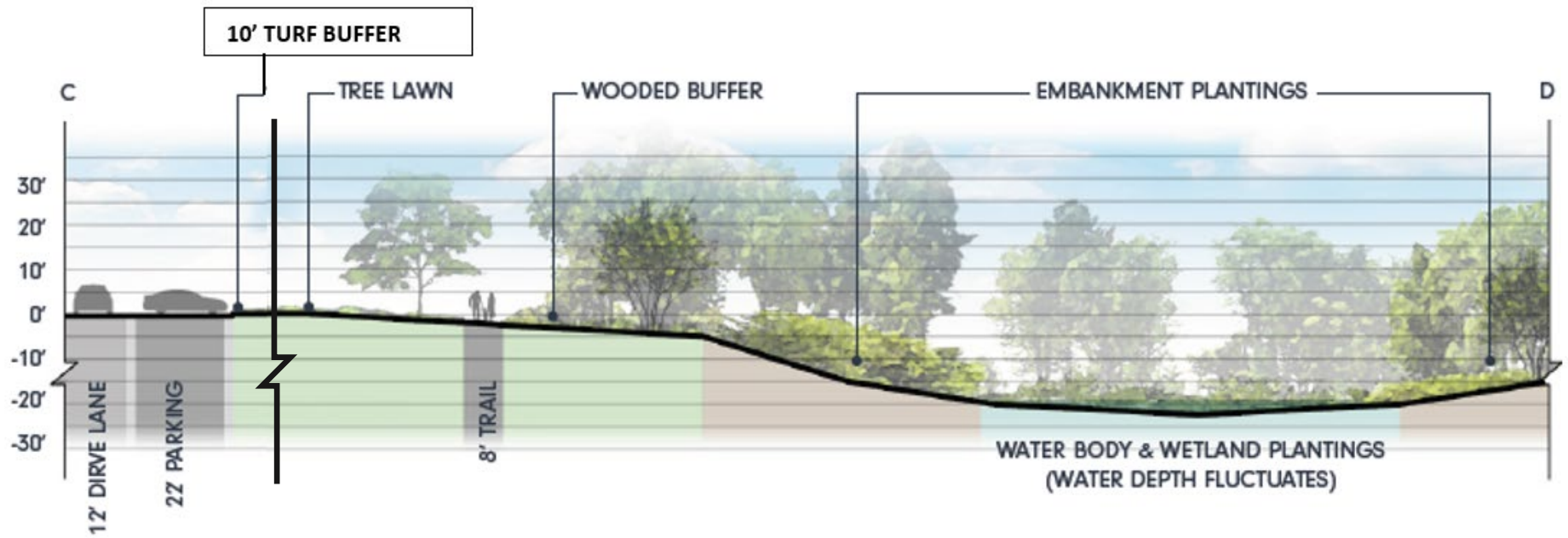
Union Street Corridor



*****2-Story rear load units
upgrade the aesthetics
along Union Street***

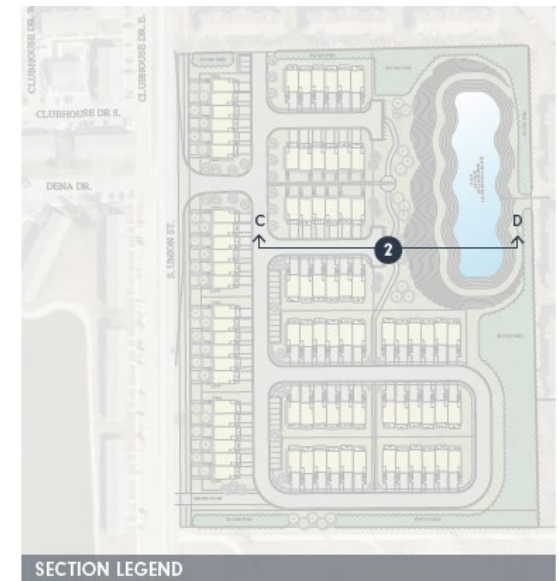


Site Topography / Pond Location



Site has between 20' – 26' of elevation drop from Union Street to east property line.

Pond in the low spot.





WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 15, 2022
2203-PUD-05
Exhibit 1

Petition Number: 2203-PUD-05 (Ordinance No. 22-06)

Petitioner: Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC

Request: A change in zoning for 12.85 acres +/- from the AG-SF1 District to the Towns at Union PUD District.

Current Zoning: AG-SF1: Agriculture / Single-family Rural District

Current Land Use: Cemetery / Vacant

Acreage: 12.85 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ord. 22-06 (Clean)
4. Proposed Ord. 22-06 (Updated Redline)
5. Issue List
6. Issue List with Petitioner Responses
7. Revised Concept Plan
8. Project Description
9. Revised Townhome Examples (Dwelling Character)
10. Neighborhood Meeting Summary
11. Fence Exhibit
12. Single-family Distance Exhibit
13. Union Right-of-way Cross Section Exhibit
14. Public Comment

Staff Reviewer: Caleb Ernest, Senior Planner

PETITION HISTORY

This petition was introduced at the [February 14, 2022](#), City Council meeting. The discussion for this petition can be viewed [here](#). The petition received a public hearing at the [March 7, 2022](#), Advisory Plan Commission (the “Plan Commission”) meeting. The discussion for this public hearing can be viewed [here](#). The petition appeared for an update and discussion at the [July 18, 2022](#), Plan Commission meeting. The discussion for this meeting can be viewed [here](#).

The petitioner held a neighbor meeting on March 1, 2022. A summary of this meeting has been provided by the petitioner and included as [Exhibit 10](#).

PROJECT OVERVIEW

Location: This subject real estate is approximately 12.85 acres in size and is located east of and adjacent to Union Street and south of David Brown Drive (the “Real Estate”, see [Exhibit 2](#)). The

Property is currently zoned the AG-SF1 District. Adjacent zoning districts to the south and east are also zoned the AG-SF1 District. Adjacent zoning districts to the west, north and east are zoned the MF-2: Multi-family Medium Density District.

Project Description: The petitioner is requesting a change in zoning from the AG-SF1 District to accommodate a residential use, as described in the Project Description (see [Exhibit 8](#)).

ORDINANCE DETAILS

Please note: some standards listed in the PUD are contingent on Public Work’s review and standards from the Construction Standards, they are therefore not discussed in this report, the Department has recommended removal of those standards.

Concept Plan: The proposed ordinance incorporates a Concept Plan (see [Exhibit 7](#)) and requires that the Real Estate be developed in substantial compliance with the Concept Plan.

Underlying Zoning: As proposed, the PUD Ordinance assigns SFA: Single-family Attached District as the Underlying Zoning District.

Permitted Uses: The permitted uses shall be limited to Townhome Dwellings. The total number of dwelling units permitted shall not exceed eighty-four (84).

General Regulations: The table below outlines the proposed lot standards as compared to the UDO’s requirements for SFA lots (the proposed Underlying Zoning District).

	PUD	UDO (SFA)
Min. Lot Area	No minimum	No minimum
Min. Lot Frontage	No minimum	No minimum
Max. Density	84 dwelling units	4 dwelling units per acre
Max. Dwelling Units Per Building	6	4
Max. Project Size	See Real Estate	30 acres
Min. Building Setback Lines from perimeter of Real Estate:	-	-
Setback from Union Street (stoop and porch may encroach)	10’	25’
Setback from north perimeter of Real Estate	25’	No structure shall be erected above the projected 1:2 Proximity Slope line from the perimeter of the project.

Setback from east perimeter of Real Estate	80'	No structure shall be erected above the projected 1:2 Proximity Slope line from the perimeter of the project.
Setback from south perimeter of Real Estate	80'	No structure shall be erected above the projected 1:2 Proximity Slope line from the perimeter of the project.
Min. Driveway Length	20'	n/a
Min. Internal Building Setbacks:	-	Buildings with more than one adjacent unit shall stagger the Front Building Setback Line for each unit by at least 4'
Setback from internal street	n/a	20'
Side Yard & Rear Yard	n/a	n/a
Min. Distance Between Structures	20'	No Exterior Vinyl: 25 feet Exterior Vinyl: 30 feet
Max. Lot Coverage	n/a	n/a
Max. Lot Width	20'	n/a
Max. Building Height	3 Stories	35'
Min. Living Area (Total) Per Dwelling Unit	1,900 sq. ft	Single-story: 1,300 sq. ft Story and one-half: 1,600 sq. ft Two-story: 1,800 sq. ft

Development Standards: As proposed, the PUD Ordinance establishes some alternative development standards from the UDO. Below you will find sections of text beginning with the words “In the UDO” which are to show what the current UDO requirement is, compared to the bullet points, which show the proposed PUD standards. The proposed PUD standards of note are briefly highlighted and summarized below, but do not reflect the total text or wording of each standard:

- **Architectural Standards:** The proposed ordinance exempts the Real Estate from the architectural standards of Article 6.3 of the UDO and instead includes a Character Exhibit ([Exhibit 9](#)) to establish a benchmark for quality, vision, and appearance of architecture. Additionally, the proposed ordinance includes standards for Building Materials, Roofing and Dwelling Design which includes front, side and rear façade requirements.
- **Landscaping Standards:** shall apply, except:

- Landscaping shall be depicted on the Concept Plan (Exhibit B of Ordinance);
- Tree Preservation (Article 6.8(E) of UDO) shall not apply, rather:
 - Trees shall generally be preserved as shown on the Concept Plan;
 - Trees preserved may be removed for required grading, utilities, and drainage needs;
 - Trees preserved shall constitute as required buffer and plantings;
 - No tree inventory and/or new plantings are required;
 - Drainage and utility easements may overlap buffer yards.

In the UDO, best practices standards are required for tree preservations in Article 6.8(E)(1) & (2). Article 6.8(E)(3) contains requirements for tree inventories for the purposes of crediting landscaping to meet other landscaping requirements in the Landscaping Standards. Similarly, the remainder of Article 6.8(E) contains standards supplemental to the plans, replacement, incentives, tree protection and tree preservation easements for when trees are being preserved.

- Easements (Article 6.8(G)(4)(f) of UDO) shall apply, except:
 - Landscaping shall be permitted within utility or drainage easements, so long as 10 ft separation from any storm sewer or subsurface drain is maintained.
- Ponds (Article 6.8(I)(2) of UDO) shall not apply.

In the UDO, wetlands/aquatic vegetation is planted around the wet perimeter of such areas to further the design objective of natural appearances around detention and retention areas.

- Street Trees (Article 6.8(J) of UDO) shall not apply.
 - If provided, they are not required to be located within ROW or within min. 8' wide planting strip.

In the UDO, street trees are required within ROW of all new Local Streets in residential Major subdivisions. Street trees shall only be required 1 side of a Residential Frontage Road and shall be located within a min. 8-foot wide planting strip between curb and sidewalk. Street trees shall be spaced an average of every 50 feet with a max. of 60 feet and a min. of 25 feet.

- Lot Landscaping (Article 6.8(K) of UDO) shall apply, except:
 - Yard between entry door of dwelling and street shall be sodded and remainder of lot seeded;
 - Min. 1 shade tree and 4 shrubs required per dwelling (if shade tree does not fit in front yard, it may be relocated on the lot);
 - Each townhome on a Corner Lot shall have min. 1 shade tree between side of dwelling and the street.

In the UDO, a Townhouse dwelling is permitted in the MF1: Multi-family Low Density District and would require lot landscaping per the chart below:

	Proposed in PUD	UDO (Multi-family Residential ((per Dwelling Unit))
Shade trees	1	1

Ornamental or Evergreen Trees	n/a	1
Shrubs	4	4

- Foundation Plantings (Article 6.8(L)(1-5) of UDO) shall not apply.

In the UDO, foundation plantings are required approximately every 40 feet against long expanses (over 80 feet) of Building Facades, fences, and other barriers to create a softening effect. Similarly, 1 shrub or ornamental tree per 12 lineal feet would be required along Front Building Facades.

- Open Space/Common Areas: 5 trees per acre shall be required.

In the UDO, open space/common areas are required 10 trees per acre.

- External Street Frontages (Article 6.8(M)(1) of UDO) shall not apply.

In the UDO, external street landscaping is required abutting external streets along residential development. The plantings required within a min. depth of 30 feet are: 4 evergreen trees, 3 shade trees, 3 ornamental trees and 25 shrubs per 100 lineal feet. In addition, a min. 3-foot tall undulating mound shall be required along the entire external street frontage.

- Buffer Yards (Article 6.8(N) of UDO) shall apply as follows:
 - North Buffer: 5 feet (excluding parking area);
 - East Buffer: 15 feet;
 - South Buffer: 25 feet;
 - West Buffer: N/A;
 - All buffers shall preserve existing trees, supplemental plantings not required. Trees to be preserved may be removed for required grading, utilities, and drainage needs;
 - A tree inventory shall not be required.

In the UDO, no buffer yards are required for proposed SFA underlying zoning districts adjacent to Multi-family districts. A Buffer Yard B is required for proposed SFA underlying zoning districts adjacent to AG-SF1 districts. Buffer Yard B requires a min. width of 40 feet, 4 shade trees, 4 evergreen trees and 10 shrubs per 100 lineal feet. Additionally, a min. 4-foot tall undulating mound for at least 60% of the length of the shared lot line is required.

- Parking Area Landscaping (Article 6.8(O) of UDO) shall not apply, rather:
 - Parking shall be provided as generally shown on the Concept Plan;
 - Parking areas shall be screened with shrubs and/or grasses;
 - Hammer heads shall not permit parking, and shall have safety bollards as shown on the Concept Plan.

In the UDO, parking areas shall be screened with a min. 1 tree per 30 linear feet and 1 shrub per 3 feet of parking area length. Perimeter parking area landscaping is required for parking areas with 10 or more spaces where the parking area is located within: i) an established Front Yard, ii) a required yard, or iii) 20 feet of a Lot Line or ROW line.

- Bike Parking (Article 6.14(H) of UDO) shall not apply.

In the UDO, a min. of 1 bicycle parking space (or position) shall be provided per 30 vehicular parking spaces. No more than 15 bicycle parking spaces shall be required for any Principal Building.

- Design Standards shall apply, except:
 - Min. Open Space: min. of 30% as generally shown on Concept Plan (landscape qualifier for ponds shall not apply);

In the UDO, the min. open space for SFA zoning districts is 35%.

- Article 8.6(H) of UDO (Multi-family District amenities) shall not apply, rather site amenities shall include either a:
 - Covered gathering structure;
 - Community fire pit;
 - Or similar structure the character of which is illustrated on Exhibit E of the Ordinance.

In the UDO, the minimum number of amenities based on the number of dwelling units is shown below on the table. This standard in the UDO only applies to Multi-family Districts.

Number of Dwelling Units	Minimum Number of Amenities Required
1 to 60	2
61 - 90	3
91 - 120	4
121 - 250	5

- Article 8.7(C) of UDO shall not apply, rather min. sidewalk width shall be 5 feet and as generally shown on the Concept Plan.

In the UDO, the min. sidewalk width shall be as indicated in the Thoroughfare Plan or 5 feet (6 feet if immediately abutting the curb), whichever is greater.

MODIFICATIONS SINCE THE MARCH 7TH PUBLIC HEARING

After the [March 7, 2022](#), public hearing, the petitioner has revised the proposed ordinance to incorporate comments as a result of Plan Commission, public and Department comments. These changes can be seen in the redline ordinance exhibit (see [Exhibit 4](#)). The following briefly highlights those revisions, which will be further presented by the petitioner at the [July 18, 2022](#), Plan Commission meeting:

- A Definitions Section was added to the Proposed Ordinance.
- The Concept Plan was revised to include classification of front or rear-load dwelling orientations.
- Maximum Dwellings was reduced from eighty-four (84) to seventy-three (73).
- The General Regulations table was modified, including Maximum Density, Maximum Project Size, Setback from internal street, Side Yard & Rear Yard setbacks, Maximum Lot Coverage, Maximum Building Height, Minimum Living Area (Total) Per Dwelling Unit.

- The Development Standards modified sections, including the Character Exhibit section, Front and Side Building Façade Requirements, Lot Landscaping and Parking Standards.
- The Infrastructure Standards modified the internal public street section standard.
- The Design Standards modified the Minimum Open Space and Multi-family Districts standards.
- A new Exhibit for Dwelling Character Exhibits was included as well as modifying Exhibit C to reflect Dwelling Orientation.
- Addressed **Issue List with Petitioner Responses** (see [Exhibit 6](#)).

MODIFICATIONS SINCE THE JULY 18TH PLAN COMMISSION MEETING

After the [July 18, 2022](#), Plan Commission update and discussion meeting, the petitioner has revised the proposed ordinance to incorporate comments as a result of Plan Commission and Department comments. These changes can be seen in the updated redline ordinance exhibit (see [Exhibit 4](#)). The following briefly highlights those revisions, which will be further presented by the petitioner at the August 15, 2022, Plan Commission meeting:

- The Dwelling Design section (Section 7.1(D)) modified exterior material requirements for front, side and rear facades.
- The Landscaping Standards (Section 7.2) modified sections including Tree Preservation, Easements, Street Trees, Lot Landscaping, Foundation Plantings and Buffer Yards.
- Sections were either removed or edited including Vision Clearance, Parking and Loading, Infrastructure Standards, Design Standards and Maintenance Standards.
- Exhibits B (Concept Plan), C (Dwelling Orientation), D (Dwelling Character), E (Fence) and F (Amenity Character) were all revised.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan (the “[Comprehensive Plan](#)”) identifies the majority of this Property as being within the “Existing Suburban” land use classification. Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zoning map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

The land uses contemplated for “Existing Suburban” are: Detached dwellings, Attached dwellings, Institutional uses and Recreational uses.

Development Policies for “Existing Suburban” include:

- i) Promoting the protection of the existing suburban character of the area.
- ii) Encouraging only compatible infill development on vacant parcels in existing neighborhoods as a means of avoiding sprawl.
- iii) Permitting new development only upon a demonstration that it will not alter the character of the area, and will not generate negative land use impacts.

- iv) Ensuring that infill development is compatible in mass, scale, density, materials, and architectural style to existing development.
- v) Ensuring that new development adjacent to existing suburban is properly buffered.

Thoroughfare Plan: The following corridors are impacted by the development of the Real Estate:

- (i) Secondary Arterial: S. Union Street;
- (ii) Proposed Local: other proposed streets internal to the development, and;
- (iii) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

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 is scheduled for the [March 7, 2022](#), 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 [February 14, 2022](#), City Council meeting.

DEPARTMENT COMMENTS

- 1. **Action:** If the APC is otherwise satisfied with the proposal, then forward a recommendation to the City Council for Docket No. 2203-PUD-05.
- 2. If any Plan Commission member has questions prior to the public hearing, then please contact Caleb Ernest at (317) 519-8630 or cernest@westfield.in.gov.

WRITTEN PUBLIC COMMENTS

Docket Number: 2008-PUD-09

Petitioner: Northpoint Owners, LLC by Clark, Quin, Moses, Scott & Grahn, LLP

Request: Petitioner requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Northpoint II PUD District.

Enclosed Attachments: August 15, 2022, Public Hearing & Recommendation

1. Quisenberry-May, Janet	08/17/2020
2. Squire, Jean and Denice	08/17/2020
3. Savoy, Abby	08/17/2020
4. Schultz, Cheryl	08/17/2020
5. Miler, Ann & Glenn	08/17/2020
6. Beck, Dave	08/20/2020
7. Beck, Lucy	08/20/2020
8. Coy, Vicki	08/24/2020
9. Canada, Brad	08/26/2020
10. Hutchens, Brandon	08/27/2020
11. McCullough, Dale (via mail)	08/25/2020
12. Sommer, Joel & Heather	08/30/2020
13. McCullough, Dale	08/31/2020
14. Pedzinski, James	08/31/2020
15. Mundy, Dennis (via voicemail)	09/01/2020
16. Gudeman, Rebecca	09/02/2020
17. Smith, Amanda	09/08/2020
18. Dunbar, David & Sandy	09/08/2020
19. McCullough, Dale	11/14/2020
20. Dolvin, Steve	12/23/2020
21. Bolinger, Angie	12/29/2020
22. Dolvin, Steve	02/02/2021
23. Canada, Brad	02/02/2021
24. Koehler, Amy	02/02/2021
25. Evans, Kaitalyn & Justin	02/09/2021

26. Hinshaw, Elaine	02/09/2021
27. Santangini, Susannah	02/09/2021
28. May, Jim	02/10/2021
29. Hackman, Paige	02/10/2021
30. Quissenberry-May, Janet	02/10/2021
31. Schultz, Cheryl	02/10/2021
32. Quinlan, Brenda	02/10/2021
33. Kirkwood, Martin	02/11/2021
34. Graber, Jill	02/11/2021
35. Johnson, Ralph	02/11/2021
36. Goodrich, Chuck	02/11/2021
37. Pike, Wayne	02/11/2021
38. Gascho, Timothy	02/11/2021
39. Schillinger, Des	02/11/2021
40. McCullough, Dale	02/11/2021
41. Hogan, Lori	02/11/2021
42. Hogan, James	02/11/2021
43. Pike, Cathy	02/11/2021
44. Armstrong, Tim	02/11/2021
45. Wheeler, Wayne	02/11/2021
46. Lovett, Alyssa	02/11/2021
47. Wheeler, Christy	02/11/2021
48. Sommer, Ted and Carol	02/11/2021
49. Still, Allen	02/12/2021
50. Boyle, Patrick & Wendy	02/12/2021
51. Whitcomb, Sara	02/12/2021
52. Pedzinski, James	02/12/2021
53. Hinshaw, Melissa	02/12/2021
54. Gudeman, Rebecca	02/12/2021
55. Dunbar, David & Sandy	02/12/2021
56. Rusher, Justin	02/12/2021
57. Whaley, Brent	02/16/2021

58. Hunt Hackman, Paige	01/27/2022
59. Squire, Jean & Denice	01/30/2022
60. Christensen, Curt	01/31/2022
61. Gascho, TJ	01/31/2022
62. Mihal, Casey	01/31/2022
63. Canada, Brad	01/31/2022
64. Goodrich, Chuck	02/01/2022
65. Canada, Brad	02/01/2022
66. Quissenberry-May, Janet	02/02/2022
67. Vento, Frank & Sharon	02/02/2022
68. Mihal, Lori-Kate	02/02/2022
69. Still, Cami	02/03/2022
70. Quissenberry-May, Janet	02/03/2022
71. Miller, Kelly	02/03/2022
72. McGrath, Shari	02/03/2022
73. McGrath, Chris	02/03/2022
74. Tinder, Michael	02/03/2022
75. McGrath, Emily	02/03/2022
76. DePew, Andrew	02/03/2022
77. DePew, Patricia	02/03/2022
78. Still, Allen	02/04/2022
79. Still, Keaton	02/04/2022
80. Still, Ainsley	02/04/2022
81. Still, Corinne	02/04/2022
82. Megyese, Todd	02/04/2022
83. Williams, Jenny	02/04/2022
84. Miller, Chad	02/04/2022
85. Pedzinski, James	02/04/2022
86. Quisenberry-May, Janet	02/04/2022
87. May, Jim	02/04/2022
88. Hogan, James	02/07/2022
89. Wheeler, Wayne	02/09/2022

90. Wheeler, Christy	02/09/2022
91. Borshoff, David & Alessia	02/09/2022
92. May, Jim	02/10/2022
93. Pedzinski, Kathy	02/13/2022
94. Weaver, Casey	02/14/2022
95. Johnson, Ralph	02/14/2022
96. Quisenberry-May, Janet	02/14/2022
97. Pedzinski, Jacob	02/15/2022
98. Pike, Cathy	02/16/2022
99. Pike, Barry Wayne	02/16/2022
100. Emerson, JR	02/17/2022
101. Marcus, Edward	02/17/2022
102. Kirkwood, Martin	02/18/2022
103. Sommer, Ted & Carol	02/19/2022
104. Hastings, Jon & Lindsey	02/19/2022
105. Boyle, Patrick & Wendy	02/20/2022
106. Dues, Tony	02/20/2022
107. Elmore, Mitchell & Sammi	02/20/2022
108. Evans, Justin	02/21/2022
109. Sikora, Doug	02/21/2022
110. Bracken-Emerson, Jill	02/21/2022
111. Adams, Jon	02/21/2022
112. Corya, Adam	02/21/2022
113. Armstrong, Tim	02/21/2022
114. Furtado, Lidia & Kate	02/21/2022
115. Schillinger, Des	02/22/2022
116. Dunbar, David	02/22/2022
117. Dunbar, Sandra	02/22/2022
118. Gudeman, Rebecca	02/22/2022
119. Farrell, Eric	02/22/2022
120. Tatum, Susie & Randy	02/22/2022
121. Hogan, James	02/23/2022

122.	Whaley, Jennifer	02/21/2022
123.	Hunt, Keith & Lori	03/01/2022
124.	Canada, Brad	07/18/2022
125.	McGrath, Shari	07/20/2022
126.	Pedzinski, James	08/01/2022
127.	Mihal, Casey	08/08/2022
128.	May, Jim	08/08/2022
129.	Quisenberry-May, Janet	08/08/2022
130.	Still, Allen	08/09/2022
131.	Still, Keaton	08/09/2022
132.	Still, Ainsley	08/09/2022
133.	Still, Rinney	08/09/2022
134.	Love, Bradley	08/10/2022
135.	Goodrich, Chuck	08/10/2022
136.	Wheeler, Wayne	08/10/2022
137.	Tatum, Susie	08/10/2022
138.	Miller, Ann Glenn	08/10/2022
139.	Gascho, Timothy	08/11/2022
140.	Pedzinski, James	08/11/2022
141.	Hogan, James	08/11/2022
142.	Wheeler, Christy	08/12/2022
143.	Gudeman, Rebecca	08/14/2022
144.	Mihal, Casey	08/14/2022
145.	Pike, Cathy	08/15/2022
146.	Evans, Justin	08/15/2022
147.	Garcia, Marco	08/15/2022
148.	Emerson, JR	08/15/2022
149.	Sikora, Doug & Lorie	08/15/2022
150.	Pike, Wayne	08/15/2022
151.	Corya, Adam	08/15/2022
152.	Davis, Sara	08/15/2022
153.	Squire, Jean & Denice	08/15/2022

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Monday, August 17, 2020 10:47 AM
To: APC
Subject: Northpoint II Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Warning: This external email is from bichon2222@gmail.com. Do not click on unexpected or untrusted links and attachments.

To the members of the Advisory Plan Commission,

Please vote **NO** on the Northpoint II proposal.

My name is Janet Quisenberry-May. One and a half years ago, I bought a half acre lot on Anthony Road. I live in a subdivision, but for years have longed to own property in a country a setting. When I bought this lot the couple who owned it were going to build, but Westfield would not allow them to put in a new septic system or hook in to the existing septic. I asked if they wanted to sell the lot. My thinking was it is a beautiful country lot with a beautiful field behind it. I would be able to sit at the lot and watch the seasons come and go. Enjoy the wildlife, birds, deer, and lightning bugs. Also, plant flowers, fruit trees, and a garden. According to the comprehensive plan for Westfield, this area is classified as rural residential; therefore, I thought it would be a safe place to purchase my little piece of heaven.

My neighbor on the south has lived there for 65 years. My neighbor on the north has lived there 35 years. Their properties back up to the same beautiful field as mine. The beauty of Anthony Road is outstanding country fields, nice homes, farmstead homes, and the beautiful tree tunnel. All one of a kind.

The east end of my little country lot is adjacent to the proposed Northpoint II development. The west end of the lot is Anthony Road. I have three huge trees on the west end. A maple, mighty oak, and magnificent sycamore. I love sycamores. They are a symbol to me of rural areas in Indiana. Our arborist looked at the oak and sycamore trees and said they are probably 150 to 200 years old. These two trees were probably there during the Civil War and have withstood the storms of time. I now find my dream lot endangered by the Northpoint II development. My trees are in danger too. They serve the Anthony Road area as air filters and add to the history of this country setting.

On August 13, 2020 I took part in a virtual public meeting with Holladay Properties and their attorney.

Here are some of my concerns:

Noise pollution from construction equipment and truck travel in and out of the site. Increased traffic especially on Anthony Road and SR 38 and US 31 will create noise, congestion, and air pollution.

Light pollution from the Northpoint II development will dramatically affect the night sky.

Buffers will be built right up to my east fence line. This is where I enjoy the lightning bugs and nesting bluebirds.

We have a little fire pit and one evening we roasted marshmallows and had s'mores in the midst of lightning bugs, quiet country sounds, and the bright stars above. It was a dream come true for me as I dreamt of many quiet summer evenings at my little country lot. Please see included photo of the evening sky and moon.

The Northpoint II proposal does not meet the zoning requirements of rural residential. Please vote **NO** on the Northpoint II proposal.

You see I'm in the final stages of very severe COPD. I was never a smoker, but all my life I have been plagued with pneumonia, asthma, and chronic bronchitis. At 36 years old I was diagnosed with emphysema. My husband and I are now in our seventies, and are looking forward to spending quiet hours at our peaceful and beautiful rural lot.

The thought of all the pollution from this commercial development plan makes me realize that I will no longer be able to sit at my quiet lot and enjoy the beautiful country view and peaceful evenings. The exhaust fumes of the additional truck and car traffic will make it very difficult for me to breathe because my lung function is less than 25%. When I bought my peaceful country lot, I never dreamed this would happen because it is zoned rural residential.

Please Vote **NO** concerning the Northpoint II proposal and all the problems it will create for my neighbors and me.

God bless you,

Janet Quisenberry-May
317-877-2146

Janet Quisenberry-May

Lot



Sent from my iPad

Pamela Howard

From: squiredc@gmail.com
Sent: Monday, August 17, 2020 12:19 PM
To: APC
Subject: Stop north point II PUD

Follow Up Flag: Follow up
Flag Status: Flagged

Warning: This external email is from squiredc@gmail.com. Do not click on unexpected or untrusted links and attachments.

Hi,

We are writing to you asking for your support to stop the Northpoint II proposed development.

We recently purchased a house on Anthony Rd. We love our house and we love the scenery Anthony Rd provides. It has the flavor and the visual markings of Brown County. People drive hours and hours to see the beauty of Brown County. Why would the city want to destroy that when there is already plenty of commercial space already set aside for development?

Developers have a alternative motive and it is usually not aligned with those who have invested in the community. We invested in Westfield by choosing to live and purchase property. We trusted that the city would hold true on its development plans. The people who live on Anthony Rd have a lot invested. This plan would definitely decrease the values of everyone's property.

The city of Westfield has a comprehensive plan that specifically states , pages 32-35, thar the city will encourage and maintain the rural country-like atmosphere and allow continuation of the rural patterns that define this area.

Please do not allow this proposal to pass. You are the ultimate decision makers and we desperately need your support in this matter.

Thank you,

Jean and Denice Squire
21035 Anthony Rd
Westfield , IN 46062
317-450-0716

Sent from my iPad

Pamela Howard

From: Abby Savoy <abby.savoy@yahoo.com>
Sent: Monday, August 17, 2020 2:30 PM
To: APC
Subject: Opposing development for Northpoint II PUD Ordinance 20-25

Warning: This external email is from abby.savoy@yahoo.com. Do not click on unexpected or untrusted links and attachments.

Good afternoon,

It has been brought to out attention that there has been some type of request to develop nearby our property.

My family and I oppose this development due to noise, traffic, pollution, and the loss of our "country" feel.

Please feel welcome to contact me at +13306472860.

Sincerely,
Abby Savoy

Sent from my iPhone

Pamela Howard

From: Cheryl Schultz <camcschultz@icloud.com>
Sent: Monday, August 17, 2020 5:05 PM
To: APC
Subject: Northpoint II

Warning: This external email is from camcschultz@icloud.com. Do not click on unexpected or untrusted links and attachments.

As a 30 + year resident on Hinkle Road (on 5 acres of beautiful, peaceful, park-like property), I implore you to VOTE NO TO NORTHPOINT II DEVELOPMENT!

Thank you,

Cheryl Schultz

Sent from my iPhone

Pamela Howard

From: Ann Miller <loveneverfails75@gmail.com>
Sent: Monday, August 17, 2020 9:08 PM
To: APC
Subject: Proposed rezoning

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Warning: This external email is from loveneverfails75@gmail.com. Do not click on unexpected or untrusted links and attachments.

Dear Comitte Members

I am writing you in regards to the upcoming request to re zone the area on the northside of St Rd 38 between Anthony Rd & Moontown Rd.

This area is now zoned Rural and that is the way that myself, my family, neighbors & friends would like to keep it.

We have lived here on Anthony Rd for over 30 yrs. It is one of the most beautiful rural roads here in Hamilton County. Please do Not allow it to be ruined by allowing it to be zoned for commercial use! If I am not mistaken North Point on the South side of 38 still has lots & lots of acreage which has already been zoned for commercial which has not been utilized, Why do you need to rezone our beautiful little rural area further out?

Please Please do Not allow this to happen!

I appreciate your help in hearing my request & pray that you will listen to the home owners hearts regarding this issue.

Sincerely,

Ann & Glenn Miller
21188 Anthony Rd
Westfield, IN 46062

8/19/2020

Lucy and Dave Beck
20821 Anthony Road
Westfield, IN 46062

City of Westfield
APC & City Council Members
130 Penn Street
Westfield, IN 46074

Dear Planning Commission & City Council Members,

I'm concerned about the Northpoint II Development. We have enjoyed our country living for nearly 20 years. It's been a perfect location for us for most of this time. We are very concerned about the Northpoint II Docket No. 2008-PUD-09.

We made a mindful choice to purchase our home in a Rural setting, on a large lot. We expected the setting of our home to remain in an Agricultural and Residential area. Changes occur and growth happens in every city. However, to rezone land that has ALWAYS been designated for housing and farming to Industrial does not protect the us as citizens. This development is the exact opposite of why we chose to purchase a home on Anthony Road.

We have already seen a major increase in the traffic on Anthony Road. Four years ago, when Northpoint I was being proposed, we were told that the roadways would be improved to accommodate traffic. This has not happened. We can hear more road noise than ever before. One of our neighbors was killed in a fatal car accident a few months ago due to hazardous traffic on Anthony Road. She was a beloved resident walking on Anthony with her granddaughter and her dog. We were told that SR38 was a hard stop and Industrial & Commercial businesses would not encroach on our road. This type of business will only make the roadways more dangerous and destroy what we fell in love with and negate why we decided to spend the past 20 year here.

In the event you allow this development to be constructed, you will be consciously deciding not to protect the citizens of Anthony Road, Hinkle Road and SR38. We purchased our home in a rural and agricultural setting. Placing an Industrial Park in our front yards, will negatively impact the largest purchase we have ever made. This is not acceptable.

Please do the right thing and instruct Mr. Wilkes and future developers to build their warehouses in areas that are with like-minded businesses.

Sincerely,

Dave Beck
20821 Anthony
Lucy and Dave Beck

8/19/2020

Lucy and Dave Beck
20821 Anthony Road
Westfield, IN 46062

City of Westfield
APC & City Council Members
130 Penn Street
Westfield, IN 46074

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In the event you allow this development to be constructed, you will be consciously deciding not to protect the citizens of Anthony Road, Hinkle Road and SR38. We purchased our home in a rural and agricultural setting. Placing an Industrial Park in our front yards, will negatively impact the largest purchase we have ever made. This is not acceptable.

Please do the right thing and instruct Mr. Wilkes and future developers to build their warehouses in areas that are with like-minded businesses.

Sincerely,

Lucy Beck

Lucy and Dave Beck

Pamela Howard

From: Vicki Comcast <vickicoy@comcast.net>
Sent: Monday, August 24, 2020 6:50 AM
To: APC
Subject: Stop land development

Warning: This external email is from vickicoy@comcast.net. Do not click on unexpected or untrusted links and attachments.

I want my opinion heard about the proposed development of the land between Anthony and Henkel. We have been residence in South Harbour for over 20 years and the development of farm land to houses and buildings is just getting to be too much. There is already so much more traffic and in my opinion there are plenty of other existing buildings that business can go for their businesses to open. Please leave this property as farm land.

Vicki Coy
1229 Willow Way

Sent from my iPhone

Pamela Howard

From: Canada, Brad <brad.canada@stryker.com>
Sent: Wednesday, August 26, 2020 12:32 PM
To: APC
Subject: SR38 Industrial Development

Warning: This external email is from brad.canada@stryker.com. Do not click on unexpected or untrusted links and attachments.

Good afternoon Westfield Advisory Plan Commission,

My name is Brad Canada and live at 20945 Anthony Road. There has been numerous conversations going on among the neighbors that live on Anthony Road as well as up and down SR38. We know that there is a developer that is aggressively looking to gain approval to rezone a rural "residential" area into a massive industrial park. I wanted to share my perspective and reiterate that I would like your support to not approve this rezoning.

I have only been living in this area for 3 ½ years (grew up in Fishers) but the broader SR38/Anthony/31/Hinkle Creek northeastern part of Westfield is a special place. Driving up through Anthony feels more like Brown County vs Hamilton County. McGregor Park and Bray Family Park makes this area even more special but it's the surrounding areas that add to that. Westfield is a fast growing place and there is so many advantages to that and one that drew us to the area to begin with (schools, people, growth, amenities, etc). Growth in this area is a GOOD thing but there needs to be a balance to protect certain areas to offset the traffic, noise, etc. A HUGE industrial park was just approved south of SR38 that is still being developed so to approve another 180+ acre park + the future progression to then approve another 180+ acre plot on Anthony makes this rural area feel like we are down in Plainfield in the midst of their distribution and industrial areas. Westfield would then be losing a huge chunk of green space that could potentially be a nice residential area that could in theory connect both parks and be a place where the community could get away from the traffic, noise, chaos of what other parts could be.

I plan on raising my 3 young kids in this house and be here forever and part of that decision was giving them an area that was safe. I fear the traffic, I fear the amount of people commuting here daily that is not bought in or involved in this community, I fear the pollution/trash, and most importantly – I fear that this area and this community loses a huge part of what makes this community different that a Fishers, Carmel, or Noblesville. That is the ability to properly plan for future growth by also protecting pockets of the community that make it feel green and enjoy the beautiful scenes of nature and a rural setting in the pockets of heavy residential/commercial areas. I would MUCH more support a residential zoned area to drive population and keep the green area as close to what we can.

We do need industrial growth and areas to bring businesses here (which we have south of SR38 and pockets west on 31) but I strongly encourage you all to please have the voice of your residents and our strong views against turning the most beautiful area in all of central Indiana into a massive concrete industrial zone that would have a huge negative impact on so many people and so many things. Please consider our request to vote "NO" to rezone these areas as industrial north of 38. Please consider keeping the industrial growth and overall focus be on the land and acreage that has already been approved just south of 38. This Anthony Road area between the 2 parks could be an AMAZING area to have green space and parks for generations to come.

Respectfully,

Brad Canada
Brad.canada@stryker.com

703-431-4083

Follow this link to read our [Privacy Statement](#)

Pamela Howard

From: Brandon Hutchens <purduehutch@gmail.com>
Sent: Thursday, August 27, 2020 2:34 PM
To: planners; Council Members
Subject: Northpoint 2 Opposition

Importance: High

Warning: This external email is from purduehutch@gmail.com. Do not click on unexpected or untrusted links and attachments.

To Whom It May Concern:

I live in the Coventry neighborhood off of Grassybranch south of 38 and my biggest concern is there will already be an industrial park to the west of our neighborhood I don't want to be completely surrounded by industrial parks and lose all the beautiful scenery around us!

I am already frustrated about Northpoint 1 but we do not want or need more industry in this area!!!! We will completely lose the feeling of rural North Westfield which helps give it its charm.

Please vote no to Northpoint 2 development.

Please let me know if I can help provide any more detail.

Thank you,
Brandon

Tuesday, August 25, 2020

Economic and Community Development Department
Planning & Zoning Division
Pam Howard, Senior Planner
2728 East 171st Street
Westfield, IN 46074

Re: Northpoint Owners, LLC. Docket No. 2008-PUD-09

Attention: Pam Howard

Enclosed please find my letter of commentary regarding the referenced matter.

Please make timely distribution of same to APC members Mike Johns, Cindy Spoljaric, Jenny Kellerher, Kristen Burkman, Victor McCarty, Randy Graham, Robert Horkay, Andre Maue and Dave Schmitz.

Also, please distribute to Westfield City Council members Scott Willis, Jake Gilbert, Joe Edwards, Scott Frei, Mike Johns, Cindy Spoljaric and Troy Patton.

Thank you for your kind assistance,

A handwritten signature in cursive script, reading "Dale McCullough".

Dale McCullough
21151 Anthony Rd.
Westfield, IN 46062
Phone 317 877 2223
Email daleretta@yahoo.com

Tuesday, August 25, 2020

Advisory Plan Commission (APC)
Westfield, IN

Re: Plan Commission Docket Number 2008-PUD-09

Rezone request of 180 acres at St. Rd. 38 and Anthony Rd. by Northpoint Owners, LLC

I am a long- term resident of Westfield having lived on St. Rd. 38 for 15 years and at my Anthony Rd. home for 45 years. I recently became aware of the above referenced rezone request to change the zone of the above acreage from rural agricultural / residential to commercial / industrial.

First of all, I wish to thank all APC members for your voluntary service to the Westfield community. I understand that you bear a substantial responsibility to review all requests for development within the Westfield and Washington Township. You provide a valuable service to the Westfield City Council by screening the broad variety of proposals that you must see.

I suggest to you APC members that the referenced rezone is a particularly dangerous proposal. Since the introduction of the Planned Unit Development (PUD) to the Westfield area it has become the rezone of choice beginning with the Aurora project also near my property. Developers favor PUD because it basically by-passes Hamilton County zoning adopted 50 to 60 years ago. With the PUD type zoning a parcel may include almost any sort of construction and use with possibly the only exclusion being hog or cattle farming. PUD tramples on the rights of adjacent home owners who have specifically chosen a quiet rural setting to establish their home and raise families. PUD strikes at the heart of the very reason our ancestors risked life and limb to migrate from the old world to America to own property and enjoy it in tranquility.

A further concern is the production of grains. The proposed rezone will result in the lose of 180 acres of fertile farm land currently in production. Recalling the recent experience of all of us in going to our local groceries and finding the bread shelves empty due to Covid-19 should give pause to us all in paving over more productive acres in favor of commerce and industry. It may be a stretch of imagination for us to think of America as becoming dependent on the importation of much of our food supplies from countries such as Communist China, but in time such could happen. We are called upon to be good stewards of our land because God isn't making any more land.

Respectfully submitted,

Dale McCullough
21151 Anthony Road
Westfield, IN 46062
Phone 317 877 2223
Email daleretta@yahoo.com

Tuesday, August 25, 2020

Westfield City Council
Westfield, IN

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Respectfully submitted,

Dale McCullough
21151 Anthony Road
Westfield, IN 46062
Phone 317 877 2223
Email daleretta@yahoo.com

Pamela Howard

From: Heather Sommer <sommer623@hotmail.com>
Sent: Sunday, August 30, 2020 12:51 AM
To: APC; Council Members; Ginny Kelleher; Kristen Burkman; mjohns@c21scheetz.com; Mike Johns; Cindy Spoljaric; swilis@westfield.in.gov; Jake Gilbert; Scott Frei; Troy Patton
Subject: Northpoint proposal

Warning: This external email is from sommer623@hotmail.com. Do not click on unexpected or untrusted links and attachments.

Hello Commission Members and Council Members,

I am writing to you today as a concerned neighbor regarding the modification petition by Northpoint Owners. I have reviewed the proposed industrial and commercial development land use change for this section off of SR 38. We would ask that you please consider a "no" vote in this instance. This is specifically a rural residential area. All of the homeowners have chosen their homes to be in a rural setting. In fact, we purchased a property with log cabin and historic barn to escape the sprawl. This year alone we are investing close to \$50,000 just to protect that historic investment in mainly barn renovation (with some cabin as well). An industrial site seems ill-suited to this idyllic country setting. Additionally, we can only imagine it will decrease the property value as the property's selling point was its history and rural setting. For those of you that are familiar with local history, the Bray family owned much of this land. In fact, our property was also a Bray property as demonstrated by town records and engraving in the barn. There was even a pivotal moment for Hamilton County abolitionists at the very which this area is proposed. It was a defining moment for those taking in active role in abolition and the Underground Railroad and those who wanted to take a less hands on approach. The Hamilton County Parks and Historical Society of Westfield do a wonderful job sharing this story.

We all understand progress but we ask that it be more contained to current areas of Westfield under development or areas closer to other industrial areas. The light, noise, and environmental pollution will have a significant impact on those living in one of the few remaining rural areas of this portion of Hamilton County. The land around Anthony Road and the Bray family has a rich history that seems incongruent with the proposed land uses. When people come down our road (Anthony), they often comment how they feel a world away although just a short drive from modern conveniences. It really is a special part of Hamilton County. We would hate to see it lose that charm for a company whose goals are very different than current land and property owners.

Although it could be perceived as holding back development in this area, SR 38 seems like an appropriate line to separate the suburban sprawl from the rural draw. We kindly ask that you consider the appropriateness of this request by Northpoint.

Thank you for your time, consideration, and service to Westfield. We hope that such a special and historic area of Westfield can be protected for the current and future residents of the area.

Kind regards,
Joel and Heather Sommer
21244 Anthony Road

Pamela Howard

From: dale mccullough <daleshs54@yahoo.com>
Sent: Monday, August 31, 2020 12:25 PM
To: APC
Subject: Re-zone request by Northpoint Owners, LLC, Commission Doc. No. 2008-PUD-09

Warning: This external email is from daleshs54@yahoo.com. Do not click on unexpected or untrusted links and attachments.

I have notice of a hearing before the APC scheduled for September 8th, 2020 regarding a request by Northpoint Owners for development of Northpoint 2. Properties to be re-zoned are in Westfield Washington Twp. consisting of 180 acres at the north-east corner of St. Rd. 38 and Anthony Rd. Two on-line meetings by North Point representatives have occurred for effected residents to ask questions. At the second meeting a number of persons who's homes border the acreage voiced strenuous objections to a re-zone from Ag.1 / Single family to P.U.D. These residents had seen a list of 56 proposed uses that might be deemed appropriate in the P.U.D.. One of the residents has lived in his birth home for more than 70 years. His parents are now deceased. Other residents have owned their homes for a lesser period but have considerable equity invested both in both money and emotional attachment.

At this point I will note that the purchase of a home is usually the greatest investment in the lifetime of a family. Many considerations enter into the decision to buy or to build. There are 3 major factors, it is said, in determining the value of a property. The factors are said to be location, location and location. It is fair and accurate to state that families currently owning homes situated at St. Rd. 38 and Anthony have located there specifically because of the rural and peaceful setting. Now, if a re-zone to P.U.D. was approved it would bring about a major invasion the purposes of these families. More than one person on the phone conferences stated that they would be moving! Even so the selling price of their property would suffer. Who wants to live next to an amusement part, for example, or even office buildings or factories employing perhaps hundreds of workers and the traffic that would be a daily occurrence. It's a hazard to get off of Anthony and onto Rd. 38 now.

Growing cities and developers love the P.U.D. because of it's liberal interpretation of land use. Adjoining home owners suffer the consequences unless we step up to help protect their rights.

Thank you for your consideration.

Dale McCullough
21151 Anthony Rd.
Westfield, IN 46062

Please make distribution to all A.P.C. members

Pamela Howard

From: jpedzinski@comcast.net
Sent: Monday, August 31, 2020 7:40 PM
To: planners
Subject: Northpoint II opposition

Warning: This external email is from jpedzinski@comcast.net. Do not click on unexpected or untrusted links and attachments.

Dear Westfield City Planning Commission,

I am writing to express my opposition to the proposed "Northpoint II PUD" development current under consideration with the Advisory Planning Commission.

From my research the Westfield comprehensive plan has the property zoned as AG-SF1 (Agriculture / Single Family) and the City Planning Commission is entertaining changing the zoning to commercial for the proposed PUD.

Thus, my objections focus the following issues:

A. Westfield Comprehensive Plan

- a. The Comprehensive plan was intentionally designed to minimize this type of disruption. Why deviate from the plan?
- b. Perhaps the Planning Commission propose moving the PUD north of 216th Street providing a real buffer from the noise, traffic, potential safety issues which will follow this type of development.

B. Tax Money vs Tax Incentives

- a. Has Northpoint II PUD requested favorable tax incentives? Where might we find this information?
- b. Has a survey been completed which documents the incremental impact with the residential tax base which the new housing developments bring to Westfield?

C. Residential Impact and New Home Construction

- a. The allure of moving to one of many new residential subdivisions along Moontown or Grassy Branch or St Rd 38 will be diminished, for the same reasons the Comprehensive plan was established to prevent.
- b. I assume the Planning Commission was part of the process for approving the numerous residential subdivisions already in process along Moontown/Hinkle Road, Grassy Branch Road, and Anthony Road, thus already have some understanding of the impact an industrial park, would have on residential property values.
- c. Will potential homeowners looking at the Westfield area, spend \$500,000 to \$900,000 or more to live next to or across the street from the industrial warehouse park?
- d. Most of my neighbors chose to move to this area to get away from this type of congestion, noise, and traffic.
- e. Many of the homeowners living in the county have "wells" for water. Has a study been completed to determine the impact this type of PUD would have on our local aquifer? What happens in the event of spillage of diesel fuel, oil and other chemicals which may be utilized in these warehouses?
- f. Noise Ordinance – will the noise ordinance be updated to stop all semi-truck traffic after 9 pm or before 7 am?

D. Nature Parks & Wildlife areas

- a. What is being proposed to protect the natural habitat in these areas?

- b. Warehouses, such as the proposed “food processing distribution center” illustrate semi-trucks getting loaded/unloaded, most likely around the clock thus noise, traffic, diesel pollution, etc.
- c. I am sure the Council is aware that there are nature preserves and wildlife areas abutting the proposed PUD, which adds to the beauty of the area

E. Roadways, Traffic & Safety

- a. The narrow roadways are built for county traffic, not fully loaded semi-trucks and construction traffic. Thus, consider the amount of road construction which will happen as well.
- b. Traffic accidents have already increased along these intersections due the new subdivisions. Perhaps the Council request the 2018 & 2019 accident files from INDOT.
- c. The fact that INDOT has prioritized the Moontown/Hinkle & St Rd 38 Intersection for the Conflict Warning System - reference the 08/26/2020 bulletin from INDOT - <https://content.govdelivery.com/accounts/INDOT/bulletins/29b8dc7>, should suggest the amount of fatal accidents already documented.
- d. Throughout the day, crossing traffic is challenging and dangerous, I cannot imagine having a line of semi-trucks driving 50 mph or faster through these areas.

Thank you for listening to my objections and considering the impact to our peaceful community!

Sincerely,

James R Pedzinski
Moontown / Hinkle Rd
Email: jpiedzinski@comcast.net

September 2, 2020

Via voicemail

Dennis Mundy
20728 Anthony Road

I been a resident here for 65 years. I'm against the Northpoint for a lot of reasons: safety, traffic, pollution, noise, cars, drainage, more people, more drugs, destruction of the property of those who have lived there for many years. I can't I can't see anything good about it at all; that is my opinion. I would like to know about the upcoming meeting. I'm just expressing my concerns.

Thank you.

Pamela Howard

From: rwgudeman@gmail.com
Sent: Wednesday, September 2, 2020 1:11 PM
To: APC
Cc: 'Melissa Hinshaw'
Subject: Proposed Development - North and East of SR 38 and Anthony Rd

Warning: This external email is from rwgudeman@gmail.com. Do not click on unexpected or untrusted links and attachments.

To whom it may concern –

This is being written to express concern about the proposed development North of 38/East of Anthony Rd. I live at the northwest corner of these two roads. My property is already compromised with the development along the south side of Indiana 38. This second development will further compromise our home as well as all my neighbors with the added noise and traffic; the building structures conflicting with the current rural homes and pastures. It also impacts ALL of Westfield by taking away the rural setting and open spaces we need. Too much industrial growth and reduction of green spaces has already been allowed... my appeal is to consider the big picture for conservation and be responsible for growth in all areas of the lives of the Westfield citizens.

Secondly, my understanding is that the Comp Plan Land Use Classification clearly establishes the area North of 38 to stay rural – and would take an amendment voted on in order to change. What makes Westfield beautiful and unique is the Comprehensive Plan to keep rural areas. With this proposed development, you are violating this plan.

I am asking that the APC vote against this current PUD – at least until further amendments and public voting on such changes be made.

Thank you.

Rebecca Gudeman

R W Gudeman LLC
20649 Anthony Road
Westfield, IN 46062
P: 317-840-1041
E: rwgudeman@gmail.com

Pamela Howard

From: Amanda Smith <asmith@ori.net>
Sent: Tuesday, September 8, 2020 8:01 AM
To: APC; Council Members; Cindy Spoljaric; Ginny Kelleher; Kristen Burkman; Mike Johns; Scott Willis; Jake Gilbert; Joe Edwards; Scott Frei
Subject: Rezoning North of 38. Please read.

Warning: This external email is from asmith@ori.net. Do not click on unexpected or untrusted links and attachments.

Dear Council,

Good morning! My name is Amanda Smith and I am writing on behalf of the rezoning being voted on tonight. My husband, Ryan, and our family purchased acreage on the corner of Anthony and 216th just last June. We currently live in the subdivision of Centennial, which we have enjoyed for many years, but times are changing and everything around us is being developed. Trees and fields are no more. I understand this because of the location in the city. Because of this, however, we chose to purchase property in one of the furthest places to live and still be in Westfield and the school system that we love. To build in the rural setting comes with quite an expense of purchasing the acreage, putting in a septic and a well, a price we were willing to pay in an area zoned as such. Please consider those of us who have chosen to invest in the rural area of Westfield and keep it zoned that way. Thank you for your time.

Respectfully,
Amanda Smith
21575 Anthony Rd.

Sent from my Verizon, Samsung Galaxy smartphone

Pamela Howard

From: Sandra Dunbar <sdunbar213@gmail.com>
Sent: Tuesday, September 8, 2020 1:36 PM
To: APC
Subject: Re-zoning of property North of SR38 east of Anthony Rd and west of Hinkle Rd

Warning: This external email is from sdunbar213@gmail.com. Do not click on unexpected or untrusted links and attachments.

We are residents of our home located at 21344 Anthony Road, Westfield IN 46062. We are writing to express our concerns about the rezoning of the land located at the northeast corner of Anthony Road and State Road 38. Our understanding is that the land is currently zoning for high density residential and that the owner wants to have the zoning changed to industrial.

Although we appreciate the benefits arising from land development we are opposed to this rezoning request. There are numerous locations in the City of Westfield that are currently zoned industrial where the same owner could purchase to accommodate their industrial clients needs. Most of the property owners adjacent to the proposed land have residential properties that would be adversely affected by an industrial building 40 feet tall regardless of a barrier. Additionally, if a commercial strip mall were developed on the land, the residential culture would also be disrupted.

We feel the current zoning is sufficient for the property owner to develop and benefit from the income of lot sales as opposed to sales to commercial and/or industrial clients.

Please consider our opposition not to prevent development built to the type of development. Thank you in advance for your consideration in our cause.

David and Sandy Dunbar

21344 Anthony Road
Westfield, IN 46062
317.696.0228 (David)
317.402.4650 (Sandy)

DISCLAIMER: This message is intended for the sole use of the addressee, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the addressee you are hereby notified that you may not use, copy, disclose, or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete this message.

Sandra B. Dunbar
SBD Design
Space Planning and Interior Design
317.402.4650
sdunbar213@gmail.com

Pamela Howard

From: Dale McCullough <daleretta@yahoo.com>
Sent: Saturday, November 14, 2020 5:14 PM
To: APC
Subject: Northpoint Owners Petition, Northpoint II

Warning: This external email is from daleretta@yahoo.com. Do not click on unexpected or untrusted links and attachments.

Northpoint Owners LLC have petitioned the City of Westfield to re-zone 189 acres north of St. Rd. 38 from AG, SF1 to PUD. The petition lists 56 specific uses for the acreage. All would likely not be employed, but the petition if accepted would permit any combination from Amphitheater/outdoor theater to Wholesalers. Currently the acreage includes 30 plus or minus family homes some of which are on the east side of Anthony Rd. and some on the west side. The open acres are fertile, productive farm ground. Northpoint describes the area as Northpoint II. Northpoint Owners describe their intended use as commercial and industrial.

It's difficult to imagine two uses of land more at polar opposites than commercial / industrial and family homes. Home ownership is the fulfilment of the American dream. Early immigrants risked life and limb to cross oceans to a new land that promised them the opportunity to own land and establish homes. In Europe for example land ownership was reserved for the titled royals. American families work and save to accumulate money for a down payment and then mortgage the home they hope to buy or build. Over time they personalize their homes by decoration and improvements. The home truly becomes their castle. Unless they are by nature city dwellers they choose a location that offers quiet enjoyment of their home, free from the traffic, noise and pollution so common in cities.

Northpoint Owners are in business to make a profit on their investment. They are not in the least concerned with adjacent homeowners. Everyone lives somewhere, but it's a safe bet the petitioners won't be living in the midst of their development. Early plans show two drives into Northpoint II. Both are to be accessed from St. Rd. 38. Imagine the safety hazards of workers coming and leaving Northpoint II daily. Add this to heavy traffic already commonly seen on 38. All other nearby roads are two lane county roads unsuited for the heavy traffic of supply and shipping semi-trailer trucks. St. Rd. 38 is already stopped twice within a mile of U.S. 31 and yet another stop planned at the rerouted East St. and 38.

It seems our first consideration should be for the long established vicinity home owners. They are taxpaying, voting neighbors. Their quality of life should be foremost in our minds.

The only responsible answer to Northpoint's petition should be a resounding "NO".

Thank you for your consideration.

Sincerely,

Dale McCullough
21151 Anthony RD.
Westfield, IN 46062

Please distribute to all APC members.

Pamela Howard

From: steve dolvin <steve.dolvin@gmail.com>
Sent: Wednesday, December 23, 2020 8:55 AM
To: APC
Subject: Northpoint II

Warning: This external email is from steve.dolvin@gmail.com. Do not click on unexpected or untrusted links and attachments.

APC,

This email is intended to express my disapproval of the Northpoint II Proposal. I am a resident at 211th and Hinkle, which is on the northeast side of the proposed development. I have serious concerns regarding the community impact from this development.

Regards,
Steve Dolvin

Pamela Howard

From: Angie Bolinger <angbol2@gmail.com>
Sent: Tuesday, December 29, 2020 1:03 PM
To: APC; Ginny Kelleher; Kristen Burkman; rhorkay@westfield.gov; mjohns@westfield.gov; Cindy Spoljaric; Andy Cook
Subject: Northpoint II Industrial Park

Warning: This external email is from angbol2@gmail.com. Do not click on unexpected or untrusted links and attachments.

Hi all,

This is such a bad idea, I'm disappointed this is even being considered. The area proposed is one of the prettiest sections of nature in our county. I am proud of the growth Westfield has had, however, growing just to be growing without consideration of the beauty of our community is a little disheartening.

Will this affect the Bray Family Homestead Park?

Thanks,
Angie Bolinger

Pamela Howard

From: steve dolvin <steve.dolvin@gmail.com>
Sent: Monday, February 1, 2021 6:43 PM
To: APC
Subject: Northpoint II

Warning: This external email is from steve.dolvin@gmail.com. Do not click on unexpected or untrusted links and attachments.

As a resident affected by the potential development, I am opposed to Northpoint II. As a whole, the development does not seem to comply with the Comprehensive Plan, and I have serious concerns about the geologic and aesthetic impact.

Steven Dolvin
4815 E. 211th St

Pamela Howard

From: Canada, Brad <brad.canada@stryker.com>
Sent: Tuesday, February 2, 2021 8:56 AM
To: APC
Subject: Northpoint II

Warning: This external email is from brad.canada@stryker.com. Do not click on unexpected or untrusted links and attachments.

APC Members,

My name is Brad Canada and live at 20945 Anthony Road. There has been numerous conversations going on among the neighbors that live on Anthony Road as well as up and down SR38. We know that there is a developer that is aggressively looking to gain approval to rezone a rural "residential" area into a massive industrial park. I wanted to share my perspective and reiterate that I would like your support to not approve this rezoning.

I have only been living in this area for 4 years (grew up in Fishers) but the broader SR38/Anthony/31/Hinkle Creek northeastern part of Westfield is a special place. Driving up through Anthony feels more like Brown County vs Hamilton County. McGregor Park and Bray Family Park makes this area even more special but it's the surrounding areas that add to that. Westfield is a fast growing place and there is so many advantages to that and one that drew us to the area to begin with (schools, people, growth, amenities, etc). Growth in this area is a GOOD thing but there needs to be a balance to protect certain areas to offset the traffic, noise, etc. A HUGE industrial park was just approved south of SR38 that is still being developed so to approve another 180+ acre park + the future progression to then approve another 180+ acre plot on Anthony makes this rural area feel like we are down in Plainfield in the midst of their distribution and industrial areas. Westfield would then be losing a huge chunk of green space that could potentially be a nice residential area that could in theory connect both parks and be a place where the community could get away from the traffic, noise, chaos of what other parts could be.

I plan on raising my 3 young kids in this house and be here forever and part of that decision was giving them an area that was safe. I fear the traffic, I fear the amount of people commuting here daily that is not bought in or involved in this community, I fear the pollution/trash, and most importantly – I fear that this area and this community loses a huge part of what makes this community different that a Fishers, Carmel, or Noblesville. That is the ability to properly plan for future growth by also protecting pockets of the community that make it feel green and enjoy the beautiful scenes of nature and a rural setting in the pockets of heavy residential/commercial areas. I would MUCH more support a residential zoned area to drive population and keep the green area as close to what we can and continue to build out south of 38 and other areas that are more suited for industrial growth.

We do need industrial growth and areas to bring businesses here (which we have south of SR38 and pockets west on 31) but I strongly encourage you all to please have the voice of your residents and our strong views against turning the most beautiful area in all of central Indiana into a massive concrete industrial zone that would have a huge negative impact on so many people and so many things. Please consider our request to vote "NO" to rezone these areas as industrial north of 38. Please consider keeping the industrial growth and overall focus be on the land and acreage that has already been approved just south of 38. This Anthony Road area between the 2 parks could be an AMAZING area to have future residential neighborhoods, green space and parks for generations to come.

Respectfully,

Brad Canada

Brad.canada@stryker.com

703-431-4083

Follow this link to read our [Privacy Statement](#)

Pamela Howard

From: Amy Koehler <tdogplus@yahoo.com>
Sent: Tuesday, February 2, 2021 9:39 AM
To: APC
Subject: Northpoint II

Warning: This external email is from tdogplus@yahoo.com. Do not click on unexpected or untrusted links and attachments.

As owners of two homes on the Anthony Road/ SR 38 perimeter we are EXTREMELY opposed to this entire development. Thank you.
M. Tinder (T &A Homes LLC.

Sent from my iPhone

Pamela Howard

From: Kaitalyn Evans <kevans@ccs.k12.in.us>
Sent: Tuesday, February 9, 2021 12:26 PM
To: APC
Cc: justin.a.evans11@gmail.com
Subject: Northpoint II Objection

Warning: This external email is from kevans@ccs.k12.in.us. Do not click on unexpected or untrusted links and attachments.

To Whom It May Concern,

My family and I live at 5376 Sheridan Rd. We moved from our home in downtown Noblesville to our 3-acre property for the serenity, nature, and proximity to so many great local businesses. Our historic property features a large horse barn and carriage house, both original in structure. We feel very strongly about the preservation of the area currently in discussion to be developed by Northpoint II.

We fear that the impending development will bring down our property value, pose a threat to the ecosystem, and endanger the livestock surrounding us. The rural lifestyle that we moved for will be directly threatened by the commercial development plans.

It is our firm request that the land NOT be developed. If it were to be developed, we would strongly request that it would be residential in nature, only. The residential development should preserve our beautiful property line and capitalize on the wide-open land, sky, and animals. Any other option would be a disservice to this beautiful area.

Thanks,

The Evans Family
574-453-8168
kevans@ccs.k12.in.us
justin.a.evans11@gmail.com

Pamela Howard

From: ELAINE Hinshaw <e_hinshaw@msn.com>
Sent: Tuesday, February 9, 2021 5:47 PM
To: APC
Subject: Northpoint II Proposal
Attachments: Northpoint II APC 2-210-21.docx

Warning: This external email is from e_hinshaw@msn.com. Do not click on unexpected or untrusted links and attachments.

Sent from [Mail](#) for Windows 10

I continue to be very concerned about the NorthPoint II project. Didn't Westfield City officials "promise", after the NorthPoint I Project was approved four years ago, that US 38 was a "**hard stop**" for projects such as these? IF governmental bodies, elected and /or appointed (i. e. City Council, Advisory Planning Committee) don't honor the Comp Plan then developers will continue to disregard the Comp Plan and bring forward projects that don't fit within the Comp plan and are extremely objectionable to the residents living next to such proposed developments. Is the City and the APC going to continue to allow these piecemeal petitions for rezones? Furthermore, this petition occurs outside the city limits in the township where affected citizens cannot vote for the Mayor or the City Council members.

Good planning dictates that a city doesn't put a high intensity use next to the types of residences on Anthony Rd. In this area, designated as "rural" by the Comp Plan, there are single family, established estate homes adjoining the proposal. This makes this proposal even more problematic. The now proposed transition of dense housing on less than 1/4 acre lots with 10 feet between houses does not fit within this rural setting. It does not even fit with the types of homes that most Westfield residents currently want to be built in the city.

There would be lights, noise, increased traffic including trucks, and unsightly views. How do these things impact the property values for the existing property owners?

APC members and City Councilors need to ask themselves what their determination would be if their residence was being impacted?

Pamela Howard

From: Susannah Santangini <santanginis@gmail.com>
Sent: Tuesday, February 9, 2021 6:09 PM
To: APC
Subject: Notthpoint 2

Warning: This external email is from santanginis@gmail.com. Do not click on unexpected or untrusted links and attachments.

Please note that better use of this land should be considered than the current proposal in place.

Pamela Howard

From: Jim May <jrmay47@gmail.com>
Sent: Wednesday, February 10, 2021 10:56 AM
To: APC
Subject: Northpoint II PUD

Warning: This external email is from jrmay47@gmail.com. Do not click on unexpected or untrusted links and attachments.

February 10, 2021

To Members of the Westfield Advisory Plan Commission,

I have lived in Hamilton County since 1984 and spent most of my 74 years in Indiana. Yes, Hamilton County is a great place to live. We have top notch schools, nearby amenities for our busy lives, and many job opportunities. All of these have things have drawn people to our county.

Something else that has drawn many to Hamilton County is the rural ambiance. A drive on Anthony Road to the northern parts of the county is one of the most scenic areas in Indiana. Nature is abundant. Wildlife, native trees and plants, streams, and rolling farmland are part of this trip.

As you know this area has been designated to maintain a rural feel in the Westfield Comprehensive Plan. The citizens involved in writing this plan had the insight to realize the importance of keeping the rural areas in the county protected. An industrial development was not what they had in mind for this part of Hamilton County.

I am strongly opposed to this industrial park. Please vote **NO** on the Northpoint II PUD.

"The earth is the LORD's, and the fulness thereof." Psalm 24:1a

Thank you,

Jim May
5620 Pine Hill Drive
Noblesville, IN. 46062

Pamela Howard

From: Paige Hunt <paige.a.hunt@gmail.com>
Sent: Wednesday, February 10, 2021 3:11 PM
To: Council Members; APC
Subject: Object Northpoint II

Warning: This external email is from paige.a.hunt@gmail.com. Do not click on unexpected or untrusted links and attachments.

City of Westfield -

I would like to object to the Northpoint II PUD. It does not comply with the Westfield-Washington Township Comprehensive Plan.

- Rural uses and rural appearance (p. 31)
- Considerable open space and natural-appearing open space (p. 31)
- The last to face development pressure (p. 31)
- Continuation of the historic rural patterns, including homestead farms, artisan farms...(p.32)
- Preserve the night sky by limiting lighting (p. 32)
- Preserve historically significant buildings and resources (barns, houses, etc.) (p. 32)
- Large lots (p. 33)
- No commercial development is noted as acceptable anywhere for the Rural Northeast in the plan

I am getting ready to build off of Anthony Road and 38 and one of the reasons we choose this property was because of the rural environment and high standards in Westfield. To place high density housing and an industrial park completely changes the landscape of what we thought we purchased/were building. Please consider our objection to this proposal.

Thanks!
Paige Hackman

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Wednesday, February 10, 2021 3:41 PM
To: APC
Subject: Northpoint II PUD

Warning: This external email is from bichon2222@gmail.com. Do not click on unexpected or untrusted links and attachments.

February 10, 2021

To Members of the Westfield Advisory Plan Commission

Please stop Northpoint II PUD

The acreage included in this PUD is zoned, according to the Westfield-Washington Township Comprehensive Plan, as rural residential.

This area of Washington Township has a rich history involving the Underground Railroad and historically was the hunting and burial grounds for early Native Americans. There are probably many preservation groups that would provide funding to Westfield to preserve and protect this historic area.

Citizens of Hamilton County and others have been drawn to this beautiful rural residential area in Washington Township. They have built their homes, paid taxes, and cherished these rural acres.

The Westfield and Washington Township Comprehensive Plan states on Page 31 that this Northeast Rural Residential area will continue to have rural uses, and a rural appearance: "natural, open spaces, trees, fields and streams. The predominant land use will be rural residential, including farmsteads, and individual houses on large lots. New development should have a rural feel."

The Northpoint II PUD proposes a 150 acre INDUSTRIAL PARK with approximately 30 acres of crammed together houses. The 270 citizens who wrote this Westfield and Washington Township Comprehensive Plan had a vision for this rural residential area. An INDUSTRIAL PARK with crammed together houses does not fit into this Comprehensive Plan, and should not be forced upon the citizens who live in Washington Township. These citizens have invested heavily, pay taxes, vote, and are located here because they cherish these rural acres.

We simply cannot allow this beautiful rural residential historic area to be crushed by huge construction equipment. As seen in the new 2020 Hamilton County Comprehensive Plan, citizens want to keep the rural areas untouched by development.

Since my letter to you in August, I have been researching a bit about the Underground Railroad activity and our Native American culture which are important factors in voting **NO** on the Northpoint II PUD proposal. In the early 1800's Native Americans had their camps along Anthony Road, and the "Dismal" Swamp which was on the west side of Anthony Road. A Native American body was found buried in a log when Perry Bray's dad, Henry Bray, was clearing this land. I can't help wondering how many of their camps could have been located on this 183 acres that Northpoint II PUD would destroy with an industrial park. Of course, there would be burial grounds, and many artifacts buried here as well. In 1847, Henry Bray killed the last black bear in this same area with a rifle made by local gunsmith, Wyatt Perry. The Native Americans, hunted these bear, the whitetail deer, rabbits, and all the wonderful wildlife from these acres, which sustained their lives. Then came the Underground Railroad in the 1820's. Westfield was an integral part of this system to rescue and protect escaping slaves. In 1837, the famous Rhoads family will forever be documented and cherished in many books and even in court documents, where their case went to court and they were declared free. This same family was protected by these same farm fields and the "Dismal" swamp, and then taken west through the "Swamp" to be sheltered by the Lindley's, another Underground Railroad home. There is a historic marker across the street from the Westfield High School. Thousands of escaping slaves were transported North on Anthony Road in the hope of becoming free people. Their hearts were racing and beating with anticipation while being protected in these very acres that are being threatened. The citizens of Washington Township, now wait with the same anticipation of being free from the threat of an Industrial Park being thrust into the beautiful 183 acres between Anthony Road and Bray Park on Hinkle Road, and North of Highway 38.

We, the citizens in this area have come together. Several of our neighbors went door to door to almost every home with a petition, from SR 38, North on Anthony Rd., along 216th St., and South on Hinkle Rd. Everyone who signed this petition is opposed to this Industrial Park, and many signed a digital petition, all opposing this Industrial Park with its change of 30 acres of cramped housing and 150 acres of industrial park. We received over 400 signatures opposing this Northpoint II Industrial Park. Everyone realizes, if allowed, it will jeopardize our air quality, our underground water beds, our wetlands, and the history of this area. Most of all, the present citizens will face lower property values, noise pollution, light pollution, petroleum fumes poisoning our air quality, and maybe worse, destroying our night sky which the Comprehensive plan states it wants to preserve. Not to mention all the other horrors of this PUD, more traffic, congestion, less safety, and no more rural feel. Northpoint II PUD, does not fit into this rural residential Township. It ruins everything this area stands for. Please preserve this beautiful land, created by God, from being buried under thousands of pounds of asphalt and concrete. The history and the lives of my neighbors will be changed forever in a negative way, if this is allowed to happen.

You, the Westfield Advisory Commission have been appointed to serve in the best interests of this entire areas and its citizens, and I thank you for the countless hours, and many times, thankless hours you all devote to your position. I ask you with the greatest respect to vote **NO** on the Northpoint II PUD and save Westfield Washington Township's historical rural residential area.

God bless you and Thank you

Janet Quisenberry-May

Sent from my iPad

Pamela Howard

From: Cheryl Schultz <camcschultz@icloud.com>
Sent: Wednesday, February 10, 2021 3:46 PM
To: APC
Subject: Northpoint II Industrial Park

Warning: This external email is from camcschultz@icloud.com. Do not click on unexpected or untrusted links and attachments.

To whom it may concern,

I am contacting you to voice my opposition to the Northpoint II Industrial Park. Such a development would forever change this serene land. I have lived on Hinkle Road for 31 years and have witnessed development and the negative changes that result. Please vote NO to this development and preserve this beautiful land full of nature and peace.

Sincerely,

Cheryl Schultz

Sent from my iPhone

Pamela Howard

From: Brenda <ebkpiq@gmail.com>
Sent: Wednesday, February 10, 2021 8:24 PM
To: APC
Subject: against the Northpoint II proposal.

Warning: This external email is from ebkpiq@gmail.com. Do not click on unexpected or untrusted links and attachments.

The Northpoint II PUD is asking Westfield to approve development that does not comply with the Westfield-Washington Township Comprehensive Plan.

We need to stop commercial development and a watering down of standards in the Rural Northeast are of Westfield-Washington Township!

No commercial development is noted as acceptable anywhere for the Rural Northeast in the plan and now with building heights up to 45 feet, now to include dense housing on less than 1/4 acre lots with 10 feet between houses and other reduced-space arrangements taking up 28 acres and especially causing Increased traffic on State Road 38,

Against the Northpoint II Proposal!

Brenda Quinlan

Pamela Howard

From: Martin Kirkwood <mkirkwood@alumni.nd.edu>
Sent: Thursday, February 11, 2021 12:30 AM
To: APC; planners
Subject: Opposition Plea to 2008-PUD-09

Warning: This external email is from mkirkwood@alumni.nd.edu. Do not click on unexpected or untrusted links and attachments.

Dear Advisory Plan Commission and City Planners,

Thank you for the work that you do and the role that you play in the planning and oversight of the development of our community. I witnessed your dedication and seriousness of your work in the last APC meeting on February 1st. During that three plus hour meeting, I heard your compassion, diligence and concern for the role you play and the work you do. I truly appreciate that and trust you will give this letter and all the other citizen concerns about the opposition to the 2008-PUD-09, Northpoint II PUD. To that end, I ask you to read my following plea to you as to why I feel this proposal is totally and unequivocally the wrong way to permit this land to be developed.

My name is Martin Kirkwood and I have been a resident of Westfield, Indiana since 1999 when I moved here to work at Westfield High School as the Director of Guidance. At that time, my wife and I had two young children and one on the way and we were truly excited at the opportunity to take this job and live in this area. We left our families to begin raising our own young family in this wonderful community. I have thoroughly enjoyed my 21 years working, worshiping and raising my family here and would love to eventually retire and live the rest of my life in my current home. We moved here from Muncie, Indiana largely due to the character and aesthetics of this community compared to our previous city and others we had considered.

We purchased our first brand new home in the newly developed Carey Commons neighborhood just south of 32 and Carey Road. Soon thereafter, I remember taking a bus tour of the school district as part of the new hires in the school corporation and was astounded at the vast rural area and limited new development at that time. We enjoyed our time in this neighborhood up to the point when many new developments and commercial expansion began close by. That included the purchase of our neighbors land and rezoning for what became the next Goodwill store and other commercial development on the opposite side of the abandoned Midland railway from our home.

At that time, my wife and I had enjoyed taking Sunday drives around the township to scout out the many rural areas we dreamed of for our forever home to finish raising our children and living our lives. We were beyond excited to find a home on the picturesque Anthony Road that we had driven down numerous times. We purchased our dream home at 21570 Anthony Road in the summer of 2004. At that time, this was a chip and seal, tree lined road that reminded us of Brown County and other peaceful places we had enjoyed visiting on vacations. What a blessing to find this homestead where we sacrificed all we had financially to make this move to what we hoped and thought would remain our peaceful refuge.

After my wife passed away of breast cancer in 2008, I purchased a bench in memory of her to be placed on the creek in MacGregor park. That same creek extends to just south and east of our home on Anthony Road, where we spent hours playing with the kids in what became known as "Our Secret Place." That phrase is what we had inscribed on her bench. What a blessing to have a park and place to spend time reflecting on her life and the peaceful place we lived together for the past four years. As a result of my interest and contact with the folks at MacGregor Park, I was asked and have

willingly served as a member of the Westfield-Washington Township Parks Advisory Committee for the past number of years.

The opportunity to serve on this committee and learn about the operation and role of government entities has been an enlightening and valuable experience. As many of you probably are familiar, our Township participated in a long range plan which included a master plan for the township parks department. In that work, we surveyed and identified one of the key priorities for the residents was to maintain greenspace and expand our parks. As such, from the recommendation of the Parks Advisory Council and Township Trustee the Township Board approved a plan to pursue a bond to begin the process of purchasing nearly 900 additional acres. The plan was to help connect MacGregor and Bray Family Park to what hopefully still will become an additional 100 acre park on the corner of 216th and Hinkle Road. This impressive and forward thinking plan, included an agreement to purchase this exact land that is now being proposed for this Industrial, Commercial uses.

I know this Township's initiative and approval to pursue a \$15 million dollar bond, faced opposition and disapproval by many in the community, including some members of the Westfield City Council and maybe even members of this committee. Unfortunately, due to that pressure and other circumstances the Township Board's approval to pursue this bond was reversed and rescinded, which caused this plan to be thwarted. Now, we see the sad and heartbreaking result of that decision. As much as I understood the residents' concern with the limited increased taxes this bond would have caused, I feared that once we lost this opportunity to preserve this greenspace, the future use of this area would be in jeopardy.

To learn that the city is now considering this proposal to permit an industrial park to be approved in its place is beyond unacceptable. I fear the City and planners are being pressured to find new tax revenue to support other poorly planned and implemented ideas, such as the \$35 million six acre Grand Junction Park that is being built in downtown Westfield. I can't help but feel that my neighbors and I in this area are being prostituted in this situation. To be specific, I believe our beautiful, peaceful area is being put to use for an unworthy and potentially corrupt purpose for the financial gain of others.

I offer this personal and potentially inflammatory perspective not to accuse or blame others, but to hopefully cause you to pause and fully consider the reasons and ramification of this decision before you. I hope and pray that as the primary entity charged with evaluating the future development of our wonderful city and township that you will continue to dutifully and thoughtfully pursue your work. I am not only grateful for your past service and dedication, but at your mercy for the fair and just protection of our future.

Sincerely,

Martin Kirkwood

Pamela Howard

From: Jill Graber <jngraber@yahoo.com>
Sent: Thursday, February 11, 2021 12:09 PM
To: APC; Council Members
Subject: North Point 2

Warning: This external email is from jngraber@yahoo.com. Do not click on unexpected or untrusted links and attachments.

I am writing this letter to object to the development of Northpoint 2.

I implore you to consult the Westfield-Washington Township Comprehensive Plan before casting your vote on February 16th. This development goes against many aspects of that plan. I thought about going through the plan and pointing out all the reasons this development should not be allowed. Then I realized that is your job. It is your job to consult the plan and make sure that any developments that come before you follow what has been put in place.

As a resident of Anthony Road one of the issues that I find most upsetting is the fact that the township has given the city the power to decide what happens to all the land in the township. As a resident of the township and not the city I do not have the privilege to vote for city elected officials. I am okay with this fact except that it is city officials that are going to be making decisions about what will be happening to my neighborhood. If I'm to be honest I'm not that impressed with the development that has been going on in Westfield. When my family and I moved here 14 years ago we chose Westfield because it had a smaller town feel. When we moved here we first lived in a neighborhood off 156th Street. I was saddened to see the land turn into one subdivision after another in that area. Five years ago we decided to look for house that had a bit of land. We were not planning on staying in Westfield but the house we found happened to be Westfield. I have fallen in love with Anthony Road and almost every person that I have had over to my house is in awe of the road. Actually, everyone who has ever driven on this road is in awe of it. I've come across many people who know the road and will take it any chance they get. In the spring, summer, and fall we get many bicyclist and motorcyclist down our road. It is a beautiful tree lined setting. By allowing this development you are taking away a jewel that Westfield has.

These developers that are asking for this have bought land that is not zoned for it. In my opinion that is their problem. There is other land in the township that is zoned commercial, and should be developed first. They haven't even filled Northpoint 1 yet. I know their argument is that they don't have bigger lots available but what they are proposing would sell quickly because of it's access to 38 and 31. The bottom line is they want to make their money from the land that they have purchased. The fact they think adding 20 acres of a neighborhood that has houses stacked on each other as a buffer is a joke. Let's be smart about how we develop Westfield. Let's look at why people move here, what the town wants to look and feel like, and not just let the developers decide how they want to develop it.

Thank you for your time. I would be happy to discuss this further with anyone.

Jill Graber

317-374-1639
21250 Anthony Rd
Westfield, IN 46062

Pamela Howard

From: Ralph <rjohnsonracer76@gmail.com>
Sent: Thursday, February 11, 2021 1:30 PM
To: APC; Council Members
Subject: Northpoint II Objection

Warning: This external email is from rjohnsonracer76@gmail.com. Do not click on unexpected or untrusted links and attachments.

Sent from my iPhone

Begin forwarded message:

From: rjohnsonracer76@gmail.com
Date: February 11, 2021 at 11:15:41 AM EST
To: rjohnsonracer76@gmail.com
Cc: Christy Wheeler <bigskyorbust@gmail.com>
Subject: APC letter

APC and Westfield Council Members,

My name is Ralph Johnson. I live on Sheridan Road directly across from Northpoint II Development. The fact that I first became aware of this was late summer last year. I've lived at my current address for almost 20 years. Why would I have not been notified of such a drastic change in a zoning to my front yard where widening of road would take my real estate?

Allowing an industrial park to be developed in the middle of an area designated by Hamilton County and City of Westfield as Rural Residential is inconsistent land use at best. The main reason I moved here is because it is rural residential. I have lived in Hamilton County since 1996. This is my retirement home, I retired from AT&T in 2011. Nothing I've seen in Northpoint's wish list fits the life style of peace and tranquility I hoped to enjoy. In speaking with my neighbors, who shared with me they too were unaware of this change too, NOT one person favors this.

I have invested a lot of time and money in my property with the intent it would be my last home. If I'm forced to sell to my property to remain safe and have some peace, WHO will make me whole, the City of Westfield, Northpoint Development, Chris Wilkes? If the residents of the area had been made personally aware zoning changes to begin with, would this be where we are today? If I can't get fair market value for my home, which I won't be able to with an industrial park in my front yard, it would be impossible for me to relocate and replicate what I would have to give up.

I wonder if the commission is aware of all the history of the area in regards to Quakers and the Underground Railroad, the Native America Villages? My mother was a Quaker from Fairmount, I have Native American heritage from both sides of my family and the issues are important to me.

Additionally, I have concerns about pollution. Air, noise, drainage, 24hr. Traffic, who will be in my neighborhood while I'm sleeping, I have a widow for neighbor I worry about. The runoff from this

proposal what will it do to aquifer and ground water of my well. All of this is contrary to what currently exists.

If the developer had proposed a development of 5 and 10 acre home sites, I feel like they might have been welcomed as it would have helped OUR home values, that would be in the interest of the greater good of the community. We are not Carmel nor do we want to be buried in their debt which where we headed if we don't wake up. Very few people gain from these type issues. Westfield has been a bedroom community and that is its best asset. I worked in Kokomo and Indy since I've lived in Hamilton county and I would not live in either of those cities.

This whole situation is extremely overwhelming. Please deny Northpoint II proposal. Thank you.

Ralph Johnson
5069 Sheridan Rd
Westfield, IN 46062
Sent from my iPad

Pamela Howard

From: Goodrich, Chuck <cgoodrich@gaylor.com>
Sent: Thursday, February 11, 2021 1:41 PM
To: APC; Council Members
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from cgoodrich@gaylor.com. Do not click on unexpected or untrusted links and attachments.

Dear Council,

I am writing to express my strong opposition to The Northpoint II PUD (Planned Unit Development). This project will be quite detrimental to the surrounding area and there is widespread opposition among the nearby property owners, residents, and voters. The addition of a 152 acre commercial/industrial park in this area, with building heights up to 45 feet, will destroy local wildlife habitat, lower the property values of our existing community, increase traffic congestion and replace quiet, calming rural residential serenity with active, hectic commercial chaos.

Property values in the area will undoubtedly decrease if you approve Northpoint II PUD, which includes dense housing on less than 1/4 acre lots with 10 feet between houses, along with other reduced-space arrangements. This project is not consistent with the existing neighborhoods in the area and these neighborhoods will suffer unless you act to stop it.

Traffic is also a major area of concern. Increased traffic on State Road 38 will be terrible since this is the only planned access to the development. While the traffic may be lighter on average, the local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic and safety issues during critical times for the existing neighborhoods. In general, the area traffic is continuing to increase, and heavy traffic is already common at times on State Road 38, which may not have been anticipated.

Another issue that also does not seem to be adequately considered is the noise. Our area was not structured to implement such a park, with houses so close to the proposed site where noise travels freely. The noise would be unacceptable for our rural community.

I urge you to reject the proposed development, and from recent meetings and discussions with my neighbors, everyone is in agreement that this development tears apart the natural beauty of Hamilton County - a quality it holds dear. Not a single surrounding property owner supports this.

Best regards,
Chuck Goodrich
5015 Nightshade Lane
Noblesville, IN 46062
317-716-7117



Representative Chuck Goodrich
Indiana State House, District 29

President & CEO

Gaylor Electric, Inc.
17230 Kraft Court
Noblesville, IN. 46060

O: 317.214.6300 | M: 317.716.7117



Oops – Please forgive spelling & grammar errors.

Pamela Howard

From: Wayne Pike <bwpike2004@yahoo.com>
Sent: Thursday, February 11, 2021 2:25 PM
To: APC; Council Members
Subject: Northpoint II PUD ((2008-PUD-09))

Warning: This external email is from bwpike2004@yahoo.com. Do not click on unexpected or untrusted links and attachments.

Dear APC and Council Members:

We moved to the Westfield-Washington Township almost 20 years ago. To be honest, we didn't intend to stay in Indiana more than a couple of years. But, then we found that we had actually found "home". The neighborhood was rural (we are from rural areas), and the people are friendly.

We invested a lot of money, both buying and improving our property over the past 20 years. Only time will tell how much the property will be devalued if Northpoint II passes. Our current estimate is 30%. Like a lot of people we are not rich and depend on our property to help us fund retirement.

If Northpoint II passes, we would also lose our privacy. Our property would touch on Northpoint II, so there would be no privacy when we are outside. The light will take away our night sky, not to mention ground water pollution that would threaten our well water and cause potential flooding, and noise and air pollution. We have a small sanctuary area for animals on one corner of our property. With their route for food and water cut off by Northpoint II, I have to wonder what will happen to them.

Because I was one of the people knocking on doors to get signatures for our petition, I know that our neighbors feel the same as we do. There was not one person in favor of Northpoint II, and I knocked on every door in the square mile off Anthony Road, 206th Street, Hinkle Road, and State Road 38. Please do not allow the Northpoint II proposal (2008-PUD-09) to move forward.

Sincerely,

Barry Wayne Pike, homeowner

Pamela Howard

From: TJ Gascho <tj.gascho@gmail.com>
Sent: Thursday, February 11, 2021 2:44 PM
To: planners; APC
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)
Importance: High

Warning: This external email is from tj.gascho@gmail.com. Do not click on unexpected or untrusted links and attachments.

To Whom It May Concern:

I'm writing regarding the proposed Northpoint II PUD. My family and I built our home 4 years ago in Hinkle Creek Estates, which is very close in proximity. We decided to build in Hinkle Creek Estates to enjoy the "country" feel with reasonable access to "city" amenities. We invested significant capital in our home to provide a comfortable and safe environment to raise our three children. I'm sure this is top of mind for many of you when you're making decisions for your respective families. I feel strongly that the Northpoint II PUD will not only jeopardize the safe environment we have for our family, but it will also have a serious negative equity impact on our home value (and many others in the area).

Please take a second to imagine someone building a 183.5 acre commercially congested business park in your back yard. Ruining the natural rural character. Adding significant traffic! Introducing noise and air pollution, and threatening environmental resources! Meanwhile, devaluing your home up to 30%!! Please provide a scenario where it's unreasonable to object. Unfortunately, that scenario is very real for us if Northpoint II PUD is approved.

During your vote, I hope you will understand and acknowledge the negative impact NP II PUD will have on the surrounding community. Please be considerate of these negative impacts along with many others, and vote "NO" to Northpoint II PUD.

Thank you for your time.

Regards,

Timothy J Gascho II
5164 Morning Mist Ct
Noblesville, IN 46062
P: 317-289-5555

Objection Basis:

-IC 36-7-4-603 (2) (shall pay reasonable regard to the current conditions and the character of current structures and uses in the NRR district)

-IC 36-7-4-603 (4) (shall pay reasonable regard to the conservation of property values throughout the jurisdiction)

Pamela Howard

From: Des Schillinger <des.schillinger@sai-rep.com>
Sent: Thursday, February 11, 2021 3:44 PM
To: APC; planners
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)
Attachments: Northpoint II.docx

Warning: This external email is from des.schillinger@sai-rep.com. Do not click on unexpected or untrusted links and attachments.

Dear Committee Members,

Good afternoon.

Attached please find my letter regarding the Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

If any questions arise please contact my office.

Thank You and Best Regards,

Des Schillinger
Schillinger Associates, Inc.
17819 Commerce Dr., Suite 100
Westfield IN 46074
PH 765-457-7241
FX 765-457-7732
www.sai-rep.com



Dear Committee Members,

11 February 2021

Good afternoon.

I would like to take a moment to offer up reasons why Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD) should be rejected.

When relocating my business from Kokomo IN a few years back, I was attracted to Westfield for many reasons. To centrally locate my sales office to the center of Indiana, but to also have the office near to where my employees live. I felt that it was prudent for my employees to be in direct proximity to restaurants and hotels for entertaining customers as well as principals during visitations. Therefore, we chose and purchased a building in the Alpha Industrial park. In doing this we are supporting fellow Westfield business and placing our trust and hard-earned monies into the Westfield tax base. This will not happen with the Northpoint II development as the employees will support Noblesville business most of the time.

I made a point at lunch today to drive around the Westfield Industrial complexes which are not full and even have available lots. Northpoint I is not full (779 available acres) and will not be full for quite some time. There is a possibility of an Industrial Park coming in the area around Spring Mill and 32. Also, 191st street still need to be developed. And what do they all have in common? They will support the Westfield businesses.

I reside in Hinkle Estates (20170 Starlight Ct. Noblesville, In.) I can hop on State Road 38 to go to work but I do not. I take the backroads because the trip on 38 is incredibly frustrating because very rarely do you travel at the speed limit. (The State did an analysis on the intersection of 38 and Hinkle which they determined was a very dangerous intersection and they also found that the average speed is below the posted speed limit). In addition, the state added two (2) stoplights to 38 and I am sure Northpoint will require an additional stoplight at Anthony road to allow semi-trucks the opportunity to turn across lanes of traffic to enter and exit Northpoint. In no possible way is this bettering a community or lifestyle.

The beauty of Westfield is the rural nature of the community with the added benefits of business supporting the community through tax revenues. But this all must be planned out over years and kept in balance. If the land at the proposed Northpoint II PUD is to be developed, it should follow the rules that are already in place; agriculture or 3-acre family rural lots.

The people of Westfield have entrusted you to take care of Westfield and its resources. Northpoint II will remove these resources and for what? A half full Industrial park for a decade which reduce the value of the surrounding area.

Please side with the people of Westfield and reject the request.

Thank You and Best Regards,

Des Schillinger
Schillinger Associates, Inc.
17819 Commerce Dr., Suite 100
Westfield IN 46074
CELL 765-457-7241

Pamela Howard

From: Dale McCullough <daleretta@yahoo.com>
Sent: Thursday, February 11, 2021 3:52 PM
To: APC
Subject: Northpoint 2 petition to rezone

Warning: This external email is from daleretta@yahoo.com. Do not click on unexpected or untrusted links and attachments.

A petition to rezone a 180 acre parcel of land located in the northeast quadrant of Westfield Washington Township will be coming before the APC on Tuesday, February 16th. This will be the first presentation by the developers. Concerned neighbors will be allowed to speak in person we understand. The acreage is currently zoned SF-3 and Agricultural. Thirty homes border St. Rd. 38 and Anthony Rd. adjacent to the acreage. Homeowners have relied on the Westfield Comprehensive Plan in buying or building their home places. Families did so with the understanding that the northeast quadrant would remain rural in nature and such was recently confirmed by the Hamilton County 2020 Plan. Instead the developer's petition lists more than 60 potential uses ranging from an amusement park to warehousing under a rezone to P.U.D.

Families currently living within the area will suffer greatly from such a re-designation of uses. Realtors have determined that property values could plummet by as much as 40%. Some owners have a history of 70 years of residence here. The P.U.D, describes intended usage as, "commercial and industrial", within their plan for Northpoint 2. Pollution of light levels, chemicals, noise and escalated traffic are sure to follow. Existing homes are all on fresh water wells. Runoff from concentrated drives and parking lots will cause a danger to to current families. A recent revision of the P.U.D. provides for densely spaced single family homes on the east border as a buffer current residences and does not mitigate previously stated problems.

If the City of Westfield wished to retain it's claim as, "One of the best places to live in America," their their first allegiance should be to those already living here.

The only responsible vote to the Northpoint 2 petition is a firm, **"NO"**.

Pamela Howard

From: Lori Hogan <llmhogan@yahoo.com>
Sent: Thursday, February 11, 2021 4:47 PM
To: APC
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from llmhogan@yahoo.com. Do not click on unexpected or untrusted links and attachments.

Greetings,

I would like to voice my opposition AGAINST Northpoint Owners, LLC's Petition No 2008-PUD-09. This PUD will create a drop in the equity of my home and create more traffic in this area. As I am sure most of you are aware, the area between Hinkle/Moontown and Anthony Roads are extremely dangerous now with traffic. Increasing traffic in these areas is asking for more accidents.

We purchased our home with the anticipation that it was in a rural setting. This PUD will dissolve what we loved about this area. Please seriously consider not passing this PUD.

Sincerely,

Lori Hogan
20275 Dayspring Court
Noblesville, IN 46062
317-219-9555

Pamela Howard

From: James Hogan <james.hogan@elamusa.com>
Sent: Thursday, February 11, 2021 4:54 PM
To: APC; planners
Subject: James Hogan's Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from james.hogan@elamusa.com. Do not click on unexpected or untrusted links and attachments.

Good afternoon and greetings members of the Advisory Plan Commission ("APC") and City Council of the City of Westfield.

I am writing to you today to voice my sincere objection to the above-referenced planned unit development ("PUD") petition. My wife and I, Lori, along with our 4 children, dog and 2 cats, reside in our home at 20275 Dayspring Court in Noblesville, Indiana. The home is the northwesternmost home within the Hinkle Creek Estates subdivision. We are making a significant investment in upgrading our home over the next couple of months and plan to be here a long time.

Our subdivision consists of 2+ acre lots in a rural residential setting complete with well water, septic fields and propane tanks. The neighborhood is on the east side of Hinkle Road. Our neighbor to the west is the *Bray Family Homestead Park*. We have a reassuring feeling knowing that the entire area west of us is in the Northeast Rural Residential district and will therefore never be developed into anything more than Rural Residential homes, agriculture or a Conservation Subdivision. This was a huge factor in us deciding where to live. We love how our rural residential neighborhood meshes so well with that of the Northeast Rural Residential district of Washington Township.

In fact, over the past few years since we moved in, I have praised the responsibility of the City of Westfield/Washington Township in abiding by its Comprehensive Plan. I have trumpeted these praises to my friends and neighbors Dez Schillinger and Rob Hanlon - two significant employers within the City of Westfield. I tell them I wish every community operated like Westfield. Our confidence that the City of Westfield/Washington Township will maintain a governing body that makes politically stable and logical decisions that are empathetic to its residents and neighbors like myself helps me sleep well at night.

On Tuesday, 2/16/21, my faith in your politically stable, logical decision-making abilities will be put to the test. Our entire neighborhood is worried. I am worried.

We want you to vote no to 2008-PUD-09. We offer a logical basis for you to say no. That logic is rooted in a document that Wayne and Christy Wheeler will send you in an emailed attachment, a document entitled *Remonstrance Against Northpoint II PUD*, dated 2/2/21.

Read it and enjoy it. It provides you a basis for rejection.

In the meantime, I will pray.

I pray that your hearts be touched by the 183+ residents who join me in objecting to this 2008-PUD-09 abomination - noting that not one resident we reached supported it. I pray that you uphold your Comprehensive Plan. And, lastly, I pray that you have courage to VOTE NO, in the face of certain political and monetary pressure, to 2008-PUD-09.

Sincerely,

--

James P. Hogan, LPG

161 Lakeview Drive
Suite B
Noblesville, IN 46060



President & CEO
(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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Pamela Howard

From: Pike, Cathy K. <ckpike@iupui.edu>
Sent: Thursday, February 11, 2021 5:20 PM
To: APC; Council Members
Subject: Northpoint II (2008-PUD-09)
Signed By: ckpike@iupui.edu

Dear APC and Council Members:

I am writing to oppose the Northpoint II PUD (2008-PUD-09). My husband and I are “Hoosiers by choice” (to borrow a term recently used by Governor Holcomb). We moved here 20 years ago and have lived in the same home since that time. Our land abuts the proposed Northpoint II PUD. I believe that the Northpoint II PUD should be denied for several reasons. The first of these is its non-compliance with Indiana Code 36-7-603, Chapter 36, zoning ordinance; preparation and consideration of proposals (<http://184.175.130.101/legislative/laws/2020/ic/titles/036#36-7-4-603>). This Code stipulates the following tenets in preparing and considering proposals. They are as follow:

1. The Comprehensive Plan of a given area
2. Current conditions and character of ... structures and uses in each district
3. The most desirable use and adaptation for ... land within a given district
4. Conservation of property values within the jurisdiction, and
5. Responsible methods of development and growth.

The Northpoint II PUD meets none of these stipulations! It is in direct opposition to the Westfield-Washington Township Comprehensive Plan, which deems the Rural Northeast area of the district as rural, single-family, and agricultural. Homes in the Rural Northeast are expected to be built in ways that include protecting historic structures, having considerable open space, protecting open fields, trees, and streams (City of Westfield, 2007, p. 31). In fact, the Comprehensive Plan states that the Rural Northeast “area will be the last to face development pressure” (City of Westfield, 2007, p. 31). There is no mention in the Comprehensive Plan of commercial property or dense housing as acceptable development options for the Rural Northeast area.

Second, the Northpoint II PUD does not take into consideration the character and uses of this district. This district is rural and agricultural, with houses located on multiple acres. It is **not** urban, commercial, or suburban.

Third, the Northpoint II PUD certainly is not a desirable use and adaptation of the Rural Northeast area. The proposal clearly is not a desirable use of the land, and it is not even needed! Currently, there are almost 2,000 acres in the Westfield-Washington Township of available property that are available for development, meet the criteria of the Comprehensive Plan, and would be acceptable uses for the Northpoint II PUD. (Please refer to our “Remonstrations Against Northpoint II PUD” for further information.)

Fourth, should the Northpoint II PUD be approved, property values within the area are expected to plummet by 30% (Please see “Remonstrations Against Northpoint II PUD” for further information). We and all of our neighbors have worked hard to both maintain our homes and improve our properties’ values over time. My husband and I expect the value of our property to be one of our assets available to us during our retirement. We and our neighbors view any approval of the Northpoint II PUD as a **taking of value** and adamantly oppose the proposal.

Fifth, it is obvious that the Northpoint II PUD represents irresponsible methods of development and growth. The Northeast area is a small rural agricultural corner of the Westfield-Washington Township and is designated as the last area of the entire Township to face pressure from development. The Northpoint II PUD seeks to convert 180 acres of beautiful, rural land to a largely commercial and dense housing development. The plan would not enhance the natural resources or the lives of those of us who would be directly affected by its development. In fact, 183 people who would

be directly affected by this development are opposed to its approval! Nearly 200 people have responded to online and in-person canvassing to say that they oppose the Northpoint II PUD. (Please see the "Remonstrance Against Northpoint II PUD" document for detailed information and copies of the petitions.) My husband was the primary canvasser in collecting in-person petition signatures. He knocked on every door within a square mile of the Northpoint II PUD, including Anthony Road, 216th Street, Hinkle Road, and State Road 38. Not one person with whom he spoke approved of the Northpoint II PUD.

We sincerely hope and pray that you will deny the Northpoint II PUD and approve only those proposals that meet the standards of the Westfield-Washington Township Comprehensive Plan for the Rural Northeast district. Thank you for your attention to this urgent matter that will affect families for generations.

Cathy Pike

Cathy King Pike, Ph.D., MSW
Professor Emerita and (former) Director of Education Assessment
Indiana University School of Social Work
902 West New York Street, ES 4138G
Indianapolis, IN 46202-5156
317-903-9522 / ckpike@iupui.edu

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Pamela Howard

From: Armstrong CIV Timothy J <Timothy.J.Armstrong@usmc.mil>
Sent: Thursday, February 11, 2021 8:32 PM
To: APC; Council Members
Cc: Armstrong, Kimberly; Timothyjeb@yahoo.com; Kimberly Armstrong
Subject: Opposition to Northpoint 2 PUD

To: Advisory Plan Commission (APC)
From: Armstrong Family @ 20636 Anthony Road
subject: Northpoint 2 Planned Unit Development (PUD)

Enclosures:

- (1) Our Pasture
- (2) Our back yard
- (3) Our son with the alpacas

In 2016 my family and I made the decision to move from a cramped Westfield neighborhood troubled by teenage vandalism, pestered by loud music, and no privacy to a peaceful semi-secluded beautiful country home perfect for gazing at countryside, enjoying wildlife, raising farm animals, and relaxing with peace and quiet. With the existing Comp plan, we knew everything we came to love about our country home would remain untouched by the City of Westfield. Unfortunately, we were devastated to find out several developers put their own interest in front of respecting us and our surrounding neighbors.

To help put this in perspective for you, I've included pictures of our yard aimed right where Northpoint 2 is threatening to build. My wife has cried herself to sleep for the last week at the thought of houses suffocating our property as though we're right back in a crowded neighborhood. The developers' diagram indicates nine homes would back up against our back yard and our pasture. As one of the primary affected residents of Anthony Road, it's incumbent upon me to share with you our side of this. The side negatively impacted by this careless, thoughtless, idea that takes nothing into consideration except for someone to make some money and then walk away.

Our Animals

Part of the dream to our country life was having animals roam in the pasture. We purchased and rescued several animals including alpacas. We currently have the perfect quiet pasture for alpacas. They don't like noise and are very shy around strangers. They like to keep to themselves and approach people on their terms. The shock of the initial construction with the proposed mayhem alone would be enough to cause catastrophic stress to our alpacas. If they survive that, they will be forced to endure a lifelong discomfort of crowded housing right behind their safe space. I get sick to my stomach just thinking about it.

Lowered Property Value

We moved here a few years ago intending for this to be our 'forever home'. We installed a pool, purchased recreational vehicles, and invested time and money on various home improvement projects. My family and I are dug in.

Encroaching on our countryside would obviously force us to move from Westfield which would be a logistical nightmare alone. The worst part is our property value will nose dive causing us to lose money. That's unacceptable to us.

Scenery Destroyed

Choosing to live here in the aftermath would not be a choice at all. We would be stuck at that point. Instead of sitting on the back porch gazing at the sunrise while we enjoy our coffee. We can stare at the back of nine homes right behind our back yard.

Privacy Lost

With that being said, we can kiss our privacy goodbye. I can't stand the thought of being on display as we use our hot tub, relax in our shelter, and host private family gatherings.

Goes Against The Comprehensive Plan

Above all, this development goes against the Comprehensive Plan which states this type of unattractive condensed housing or industrial zoning will NOT be considered north of State Road 38. These developers don't seem to care. Convincing you to let them infringe on our countryside is just a part of everyday business to them and their lawyer.

These are all just the points that come to mind as I take the time to write. Of course there are countless small inconveniences we will encounter along the way such as our line of site internet being demolished because of ridiculous housing between us and the tower we connect to. Only time will tell how much more we have to be troubled with if you allow this to move forward.

I understand Westfield is a growing community. I see new developments pop up like wildfire wherever I go. I know development is inevitable throughout the city. However, we all made a conscientious decision to move out to an area where we would not be impacted and harmed by it. If you give in to this reckless plan, history will be lost, more habitats will be destroyed, and our home will be shattered.

Please don't let this happen to our home and community. Thank you for listening.

Tim Armstrong
Extremely concerned Anthony Rd. resident

Enclosure 1



Enclosure 2



Enclosure 3



Pamela Howard

From: Wayne Wheeler <wwheeler@REINDERS.com>
Sent: Thursday, February 11, 2021 9:12 PM
To: APC; Council Members
Cc: Pamela Howard
Subject: Letter of Opposition to Northpoint II

Warning: This external email is from wwheeler@REINDERS.com. Do not click on unexpected or untrusted links and attachments.

Dear APC and Council Members,

I am writing in opposition to the Northpoint PUD (2008-PUD-09). When I bought my land 4 years ago on Anthony Rd I used the City of Westfield's Comprehensive plan along with the county's plan as a reference guide as to where to look for land. The spot I chose was largely based on the fact that it was 3 acres in the country, surrounded by agricultural land with little chance of having development around me. After having lived in subdivisions my whole life this was a "bucket list" purchase for me. When I bought the property, I knew what the zoning was and what I could build on it. Unlike Northpoint Owners, I did not buy the land and then try to re-zone it for a hog farm or warehouses, I followed the rules set forth in the Comp Plan.

I understand that the Comp Plan is a Policy and not a law, however any amending of the Comp Plan should be a city led process involving multiple public input sessions and not be dictated by a developers re-zoning request. I think you will agree that what is being proposed (industrial/commercial) is diametrically opposed to what the city has put forth in the Comp Plan. I also want to say that I am not against development at all, we need it as a healthy city, however I am against forcing a square peg into a round hole and that's exactly what is going on in this situation. Put industrial/commercial development where it belongs in existing zoned areas and not out in the country in an area that has been thoughtfully protected by the city visionaries in the Comp Plan.

Currently this land is AG-SF1: Agriculture/Single-Family Rural District. The Comp Plan clearly indicates all land on the North side of HWY 38 to fall under this category. (reference page 31 & 32 in Comp Plan) The Rural Northeast quadrant of the township includes single-family residences; agricultural areas, some smaller artisan farms; and some equestrian uses. There are natural areas, including wetlands, wooded areas, and much open farm ground. Also, the area contains two existing large parks, MacGregor and Bray, and there will be a new county park at 216th and Hinkle. Currently there are NO commercial or Industrial uses in the Comp Plan area North of Hwy 38 and East of US 31. However, south of Hwy 38 there is over 1,900 acres of currently zoned commercial/industrial parcels that are undeveloped and already exist on the Comp Plan in designated "business park" areas. Currently there is approximately 184 acres in Northpoint I that is available for development. Northpoint I only has 3 buildings, we don't know how it's going to affect our area yet, the roads are not in, the connection to Hwy 38 doesn't exist yet, the buildings are not up, we don't know what traffic is going to look like...It's not prudent to approve Northpoint II without even understanding the impact on the area of a completed Northpoint I.

I know somebody is reading this, rolling their eyes and mumbling under their breath something about the city needing to diversify their tax base and add more commercial properties, so let's talk about it. All of us want to

increase the commercial tax base in hopes that someday it will lessen the burden on the residential side. What increases the tax base is buildings that are on the tax rolls and not empty industrial/commercial lots. We can continue to develop ground, but if no one is building on it, then what are we doing? Bringing businesses to existing "shovel ready" ground is what gets buildings built and the taxes rolling in. How about we challenge our commercial developers to bring us businesses that are ready to build? At the pace buildings are going up in Northpoint I we have several years of lot inventory already on hand. Currently there are only 2 buildings completed and 1 more under construction. Of those 3 buildings all of them have either an 8 or 10 year tax abatement attached to them. So, if the city is concerned with wanting to expand the tax base on commercial properties then we need more buildings and shorter tax abatement terms. Adding more empty lots does not increase the city's commercial tax base.

The most appropriate land uses for this area are exactly what is there now, agricultural fields and single-family homes. If Northpoint Owners wants to develop this land, then they need to propose a conservation subdivision or individual 3-acre home sites. My guess is, if they proposed that, they would have never heard from the 400+ people that signed the petition against their current proposal.

Please help us preserve our rural lifestyle and the value of our largest investments, our homes.
Let's do what's best for the masses and not the few...

Thank you in advance for considering my concerns and voting "No" on this proposal.

Wayne Wheeler
20889 Anthony Rd
317.697.1160

Pamela Howard

From: Alyssa Lovett <alyssa.kidpsychinc@gmail.com>
Sent: Thursday, February 11, 2021 10:06 PM
To: APC
Subject: No construction

Warning: This external email is from alyssa.kidpsychinc@gmail.com. Do not click on unexpected or untrusted links and attachments.

We live on Anthony Rd. because we wanted to live in the country and have a little farm. Please don't turn our neighborhood into a construction zone and business park.

Pamela Howard

From: Christy Wheeler <bigskyorbust@gmail.com>
Sent: Thursday, February 11, 2021 9:18 PM
To: APC; Council Members
Cc: Pamela Howard
Subject: Objection to Northpoint II
Attachments: NP2 CSW Objection.docx

Warning: This external email is from bigskyorbust@gmail.com. Do not click on unexpected or untrusted links and attachments.

Please find attached my letter of opposition.

Thank you,
Christy Wheeler

February 11, 2021

Dear APC and City Council,

I am writing to voice my opposition to the Northpoint II PUD. It simply does not belong in an agricultural, rural residential area.

I have nothing against progress, nothing against business, nothing against enhancing the tax base for Westfield, but some things simply must be protected...protected so they stay the same, so we have some remembrance of what this community has been for many years and what makes it unique.

Several years ago, multiple individuals and organizations spent countless hours developing a framework to do just this. They created the Westfield-Washington Township Comprehensive Plan. They did this in order to ensure that as Westfield grew, the growth would be responsible. One can see by reading the Comp Plan that they created a living document, it wasn't created for just a specific point in time. They looked to the future and thoughtfully outlined development policies. For the Northeast Rural Residential (NRR) area, they contemplated the future and the change they saw was potential residential development – NOT commercial/industrial. It was never planned that Industrial and high density housing would be considered for the Northeast area. The NRR area was to be rural for the foreseeable future. I realize that the Comp Plan is not a legally binding document, but it is the official policy of Westfield and the agreed-upon vision for the future of the community. Shouldn't a reasonable person be able to conclude that the Comp Plan is relevant and applicable? Based on the city's own plan, Northpoint II does not belong in the NRR area.

If the city feels that things have changed significantly in terms of land use needs, there is a process to address this – take the time to thoughtfully “redo” the Comp Plan with input from the citizens. Hamilton County just went through this process and they had very interesting and significant citizen input to their process (please see the Remonstrance Packet submitted for more information on this). It would be a travesty to allow a developer to dictate land use...wouldn't that be a bit like the tail wagging the dog?

One might ask, why does this cause such an uproar from the citizens? What's the big deal? This is why it matters to us...

- It matters because this proposal would lead to the degradation of the rural lifestyle of our area...dropping industrial facilities right in the middle of what has been deemed (by Westfield) to be a Rural Residential area. Taking the fields and beautiful night skies and turning them into concrete and parking lots, noise and pollution. There is no amount of buffer or development standards that would protect our area's rural charm from this type of intrusion. The rural character of this area would be completely changed forever.
- It matters because of the types of facilities that would possibly be built on this 180+ acre site. Imagine, a Steel fabricator, an Amphitheater, a Trucking company, a major hospital, even an Amusement Park would be possible with a special exemption approval! Does any of this sound even remotely compatible with Rural Residential?
- It matters because it will decrease our property values. Most of us made a thoughtful choice to live in this area. Many have invested a sizeable amount of money, time, and heart into our

homes. This type of development will significantly decrease the desirableness of this area and thus the value of our homes. Money will be taken away from us so that a developer who doesn't even live here can make money.

- It matters because it sets a precedent. Once something like this is anchored on the north side of Highway 38, it paves the way for industrial creep. Think about it...if this industrial park is built, how long will it be before the fields north or east of it fall victim to the same zoning?
- It matters because it will impact our health and safety. Increased heavy equipment and vehicle traffic, air pollution, noise pollution and light pollution. It is common knowledge that vehicle exhaust increases air pollution and noise pollution. It is common knowledge that air pollution is hazardous to our health. But noise pollution has also been shown to affect health negatively. It can cause a number of short and long term health problems such as sleep disturbance, cardiovascular effects, poor work & school performance, hearing impairment, etc...those most vulnerable to noise pollution are the elderly, chronically ill, and children. Groundwater contamination. How will our wells be affected? Will they be contaminated with chemical runoff? Will the aquifer be impacted? Trucks, businesses operating 24/7, people coming in and out of the area at all hours of the day and night brings serious safety issues.

It seems so clear that Northpoint II does not make sense for this area.

Additionally concerning is the way in which this proposal has come about. The developer chose to purchase the land rather than paying for an option to buy the land (which is the common practice). The developer (by his own admission) purchased the land with full knowledge of how the land was zoned. The developer purchased the land knowing what the Comp Plan envisioned for the area. They purchased the land with their eyes wide open. Now they expect to force this development on the Northeast Rural Residential area citizens when there is NO CRITICAL NEED to do so...it's absurd. How could it possibly make any rational sense to destroy this tiny, 1,320 acre district in order to accommodate the business decision of one developer? Hundreds of families vs. one developer. How could the desire of one developer have more value, carry more weight, than that of several hundred families who call this their home? Is a speculative industrial development really the most responsible use for this land?

In closing, I would like to say that this is very personal. It's about our daily life, our reality. This is where we live, where we come home to at the end of the day, this is where we rejuvenate, where we recharge our proverbial batteries. This is our most personal and private place...it is our refuge...it is our home. As you weigh your decision, please take into consideration the fact that this is much more than words and numbers on a piece of paper...it impacts real people.

Thank you very much for your service and your time,

Christy Wheeler

20889 Anthony Road

In the beginning God created the heaven and the earth...Genesis 1:1

Pamela Howard

From: Ted Sommer <Ted.Sommer@LWGcpa.com>
Sent: Thursday, February 11, 2021 6:32 PM
To: APC
Cc: Council Members
Subject: FW: Proposed Northpoint II development

Warning: This external email is from Ted.Sommer@LWGcpa.com. Do not click on unexpected or untrusted links and attachments.

From: Ted Sommer
Sent: Thursday, February 11, 2021 11:03 AM
To: Carol Sommer <carol.ann.sommer@gmail.com>
Subject: Proposed Northpoint II development

Hello. My name is Ted Sommer. My wife Carol and I live at 21001 Anthony Road. We moved to this property from Carmel in 2008. I grew up on a farm in Missouri, and I wanted to go back to that environment and my wife who is a Master Gardener also cherishes the same more rural environment. We have worked with the Hamilton County Soil and Water District to develop a backyard conservation plan. Over the course of the last decade we have developed a wildlife habitat, improved the water quality of our ponds and planted a great number of plants native to Indiana including those necessary for the propagation of the Monarch butterfly. We would hate to have this threatened by unnecessary increased human activity. If you approve this change to the Master Plan and the PUD Ordinance to include this piece of property, we will see a drop in the value of our home and a reduction in our quality of life. At a minimum I would consider this to be confiscation of my property resulting from the decrease in value of my home.

The owner/developer commented on a call last week with homeowners that the development of this Northpoint II 183 acres would justify the \$7,200,000 investment in East Street and the light at Anthony and Highway 38. Forgive me, but that is nonsense. While I do not particularly like the idea of a stoplight at Anthony Road and East Street, it does have the potential to enhance safety given the increased traffic coming from Northpoint I. It surely does not [support a rationale](#) to further open up land north of Highway 38 to Commercial development and High Density housing when we believe it already has the existing best use of the property as identified in the Master Plan.

Respectfully, we ask that you please not let this development occur in the manner proposed.

Ted and Carol Sommer



Ted Sommer, CPA

LWG CPAs & Advisors

p: (317) 634-4747 ext. 222 f: (317) 632-2727

a: 1776 North Meridian Street, Suite 500, Indianapolis, Indiana 46202

w: LWGcpa.com

e: Ted.Sommer@LWGcpa.com



Pamela Howard

From: Allen Still <allen.still@gmail.com>
Sent: Friday, February 12, 2021 9:08 AM
To: APC; planners
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from allen.still@gmail.com. Do not click on unexpected or untrusted links and attachments.

Good Morning,

As a neighbor to the *Northeast Rural Residential* district and surrounding area, I am extremely concerned with the plans of Northpoint's Petition No. 2008-PUD-09. A similar opposition to this petition was raised when "Northpoint 1" was built and everyone was ensured that this type of irresponsible development would not bleed into the Northeast Rural Residential district. This petition should be voted down in its entirety as the NRR district will be ruined forever if the APC and City Council pass such an abomination. 2008-PUD-09 shows a blatant disregard for the Westfield-Washington Township Comprehensive Plan ("Comp Plan") and, further, violates all 5 elements of Indiana Code IC 36-7-4-603.

As a neighboring home owner to the Northeast Rural Residential district, I am concerned that the development will destroy the rural residential culture and threaten our environmental resources including groundwater supply. Our family has enjoyed the amenities provided to us by Hamilton County Parks and Rec and Westfield Washington Parks in Bray Family Homestead and MacGregor Park. These nature parks will be devastated by the noise, light and air pollution and increased traffic. In addition to disregarding the Comprehensive Plan and ruining the rural aspect of the area, this development will eventually destroy our property values as neighboring residents to this irresponsible industrial development.

Please vote no, it is the right thing to do.

Thank You
Allen Still
317-563-2815
allen.still@gmail.com
4965 Morning Mist Ct
Noblesville, IN 46062

Pamela Howard

From: Pat Boyle <pjboyle@midlandatlantic.us>
Sent: Friday, February 12, 2021 11:28 AM
To: APC; Council Members
Subject: Northpoint II PUD Objection
Attachments: Boyle - Letter to Westfield Council and APC.pdf

Warning: This external email is from pjboyle@midlandatlantic.us. Do not click on unexpected or untrusted links and attachments.

Dear Council and APC members – I am a resident of Westfield and live on Anthony Rd. Please find attached my letter of objection to the proposed Northpoint II PUD.

Thank you for your service and consideration.

Best regards,

PATRICK BOYLE | MIDLAND ATLANTIC PROPERTIES

Office Direct: 317-597-1718 | Office Main: 317.580.9900, Ext. 1800

Mobile: 317.679.6322 | Fax: 317.580.1169

pjboyle@midlandatlantic.us | www.midlandatlantic.com

3801 East 82nd Street, Suite B, Indianapolis, Indiana 46240

February 11, 2021

Westfield City Council &
Westfield Advisory Plan Commission
Westfield, IN

RE: Objection to the Proposed Northpoint II PUD

To the members of the Westfield City Council and the Westfield Advisory Plan Commission:

My name is Patrick Boyle. My wife Wendy and I live at 21312 Anthony Rd in Westfield. I am writing to voice my objection to the proposed Northpoint II PUD.

I have lived on Anthony Rd now for nearly 7 years but have been a resident of Westfield 24 years (since 1998). I love Westfield and purposely chose it for its small town and community feel as well as its excellent school system. All in all a great place to live and raise a family. In 2014 we moved from Setters Run to Anthony Rd specifically to escape the density of a production home community, gain a little elbow room and enjoy county living. Anthony Rd on this northeast corner of the township has become known a jewel, an oasis in Westfield, where larger-lot, estate and county homes abound which in my opinion and the opinions of many, is at the core of the character and roots of Westfield – what makes it a special place to live.

I am a partner at a real estate development company, Midland Atlantic Properties, and consequently am generally supportive of new development and economic growth, when appropriate. However, “appropriate” is the key word here. Westfield’s comprehensive plan specifically calls for this area in question to remain non-dense residential. The comprehensive plan, written in 2010, was a very well-thought-out plan, the collaborative and deliberate effort of hundreds of members of the community, city staff and officials. Why deviate from that plan now and agree to a re-zoning? I understand the need to evolve, adapt and grow as a city but to disregard a recent comprehensive plan and change from agriculture to industrial zoning (regardless of the design and use standard concessions made by the developer) is just not appropriate, not compatible with the area, contrary to the vision of the community, not smart, just plain wrong and quite frankly, offensive. When we (Midland Atlantic) developed Monon Crossing recently (where Chipotle, Denny’s and Burger King are located) at SR 32 & Wheeler Rd, we did seek a rezoning of original parcels containing old homes and also sought minor variances to things like set backs and landscape requirements in our PUD, but all these changes were compatible with the comprehensive plan and very much in the spirit of the city’s and communities’ vision. The Northpoint II PUD is different, a much more drastic and onerous change.

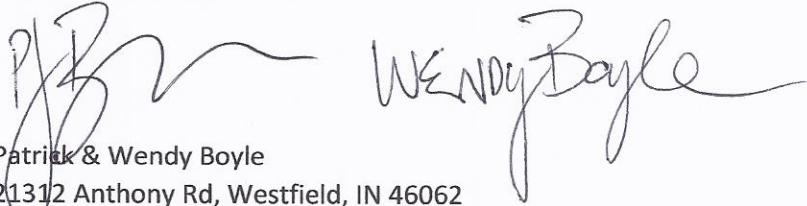
I understand the desire to attract economic growth, jobs and investment, to the area and I am generally supportive of that vision. However, growth must not be at the cost of a well thought-out and established long term comprehensive plan. The Northpoint developer says that he needs larger tracts of

land to attract larger users which cannot be accommodated at the existing Northpointe I development. Please keep in mind that Northpointe I is still not fully leased or committed to so we feel that they do have room in that project to accommodate the growth they seek. More importantly, there are in fact several larger tracts of land south of SR 38 and either adjacent to, contiguous with or nearby North Pointe I and on SR 32 west for US 31, as shown in the official neighborhood objection package we neighbors have submitted to you, most of which are indeed within the appropriate areas and compatible with the comprehensive plan and some already with appropriate zoning and even some with TIF's in place to accomplish what they are looking for. The city constructed the exit off of US 31 at 191st St to make this a gateway into the business park area and more easily accommodate the truck traffic and commercial activity. Let's stay with that plan and keep the commercial and industrial development in these other areas.

Further the neighborhood group and I believe that this re-zoning request does not meet specific legal requirements to qualify for a rezoning (as described in more detail in the neighborhood objection package). If you allow this, it will open the floodgates for industrial development to sprawl further north and east into this corner of the township, eliminating one of Westfield's last non-dense residential and agricultural areas, forever changing the character of the area and consequently changing the complexion of Westfield as a city and community.

We ask that you councilmen and commission members respect the comprehensive plan, preserve the vision of the community and comprehensive plan and vote against the Northpoint II PUD.

Thank you and respectfully yours,

The image shows two handwritten signatures in black ink. The signature on the left is a stylized, cursive 'P' followed by a long horizontal flourish. The signature on the right is written in a more legible, cursive script and reads 'Wendy Boyle'.

Patrick & Wendy Boyle
21312 Anthony Rd, Westfield, IN 46062
317-679-6322
patandwendyboyle@gmail.com
pjboyle@midlandatlantic.us

Pamela Howard

From: Sara Whitcomb <daviskidpsych@icloud.com>
Sent: Friday, February 12, 2021 12:33 PM
To: APC
Subject: Oppose Northpointe Development

Warning: This external email is from daviskidpsych@icloud.com. Do not click on unexpected or untrusted links and attachments.

My name is Dr Sara Davis Whitcomb and I oppose development on the acreage between Hinkle and Anthony Road north of 38. I have an organic farm and Camp Organic which will negatively be impacted by light pollution, traffic, and eventually other environmental pollutants. I have lived in this beautiful rural setting for 15 years and want it to remain the most picturesque road in Hamilton County. Safe for families and wildlife.

Dr. Sara

Sent from my iPhone

Pamela Howard

From: jpedzinski@comcast.net
Sent: Friday, February 12, 2021 12:52 PM
To: APC
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from jpedzinski@comcast.net. Do not click on unexpected or untrusted links and attachments.

February 12, 2021

Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Dear Westfield Advisory Plan Commission,

I am writing to express my concern with the thought that the Planning Commission would even consider reviewing the Petition for No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

As a citizen of the Northeast Rural Residential District (NRR), my family relocated to this area for the quiet and scenic location. As part of our selection process, we researched the surrounding Zoning Ordinances and felt comfortable that projects such as Northport II would not be allowed.

Allow me to summarize my concerns...

- A. Nothing in the Northpoint II PUD supports rural residential development. The proposed PUD is blatantly abusive regarding IC 36-7-4-603 Comprehensive Plan.
- B. Current Conditions and character of the land and structures in NRR district will not be maintained as per IC 36-7-4-603 (reasonable regard to current conditions) Most of the residences in this district are on "well water" thus environmental factors contribute to unacceptable risk to our families and homes. The infrastructure (roadways) is mostly supported by the county. Have you taken into consideration the damage caused by heavily laden trucks and the damage they do to county roads? Have you considered the narrow county streets where our children often ride their bikes and play with their pets? The SAFETY Issues need to be addressed.
- C. Property Values – IC -36-7-4-603 (shall pay reasonable regard to the conservation of property values throughout the jurisdiction). You owe the current homeowners the right to understand how this will impact their property values. From my research, the likeability factor of our rural neighborhoods will be diminished, thus effecting our property values, some are suggesting our property values will be 30% lower because of Northpoint II.

There are many more points which are being made by the NRR Citizens which need to be considered.

I feel the APC has no choice but to reject 2008-PUD-09 and their attempt to reclassify land use to anything other than Rural Residential.

I ask you to consider our views, the citizens of NRR, and consider what you would do if this was being proposed in your neighborhood.

I urge you to reject 2008-PUD—09.

Sincerely,

James R Pedzinski
5250 Nightshade Lane
Noblesville, IN 46062

Pamela Howard

From: Melissa Hinshaw <melissa.hinshaw@cumberlandcg.com>
Sent: Friday, February 12, 2021 1:29 PM
To: APC; Council Members
Subject: Northpoint 2 Objection

Warning: This external email is from melissa.hinshaw@cumberlandcg.com. Do not click on unexpected or untrusted links and attachments.

Dear APC & City Council,

I'm writing to object to the Northpoint 2 Development. My husband, Seth Hinshaw & I purchased our home on Anthony Road nearly 14 years ago. We chose this area of Westfield because of it's location and the fact that the majority of the homes on our street were built on at least 3 acre lots with a great amount of space and privacy. We believed that our area would be the last to feel encroached up due to the City and County's Comprehensive Plans. The facts show that the City, the County and the State agreed that we would be the last homes to experience development pressure.

We reside in a unique area of Westfield. We are sandwiched between two beautiful parks. These Nature Parks were donated by the generous land owners who lived here before us. McGregor & Bray Parks are an area unique to this part of our community. Also, it's been announced that the Hamilton County Parks Department has put down earnest money and intends to purchase 108 acres of land to develop into yet another beautiful Nature Park. In order to make plans to purchase this land, Hamilton County did update their Comprehensive Plan. Why wouldn't the City of Westfield update our Comprehensive Plan prior to allowing some piece-meal development that is the polar opposite of the vision for this part of our community.

Allowing an Industrial Park to be built does not pay reasonable regard to:

- the current Character of our community
- the most desirable use of the area
- our property values
- the City or the County Comprehensive Plans

This project not only devalues our properties and quality of life, but provides the basis for what is acceptable north of 38.

That is nowhere in any plan.

In fact, it is exactly the opposite of what our community plan is and the Comprehensive Plan of the county.

If city wants to see that changed and believes more property is needed in Westfield for these type of uses, they need to develop that plan, publicly vet that plan and how they intend to plan the area surrounding it...not impose it where it was never envisioned.

I plead you to do the right thing and vote NO to a development that does not benefit anyone except the developers. If you feel this is a benefit to our City, let's take the time to update our Vision for this area. And do that in a transparent and thoughtfully planned way.

Kind Regards,
Melissa Hinshaw



Melissa Hinshaw

Recruiter

Cumberland

office & mobile: 317-460-6751

www.cumberlandcg.com

[LinkedIn](#) | [Twitter](#) | [Facebook](#)

Pamela Howard

From: rwgudeman@gmail.com
Sent: Friday, February 12, 2021 2:00 PM
To: APC; Council Members
Subject: Concern! Northpoint II development

Warning: This external email is from rwgudeman@gmail.com. Do not click on unexpected or untrusted links and attachments.

To whom it may concern –

I am writing to express a deep concern over the development of our rural area North of 38 and East of Anthony. The natural features of our area would be completely disrespected in the proposed development. The homestead farms, the equestrian areas, the agricultural life style of us and our neighbors would be compromised with no thought of preservation for the open spaces so needed by the whole community . Please consider development with conservation of rural and open spaces.

I am asking that the APC vote against this Northpoint II Industrial Park PUD.

Thank you.

Rebecca Gudeman

R W Gudeman LLC
20649 Anthony Road
Westfield, IN 46062
P: 317-840-1041
E: rwgudeman@gmail.com

Pamela Howard

From: Sandra Dunbar <sdunbar213@gmail.com>
Sent: Friday, February 12, 2021 2:46 PM
To: APC
Subject: Northpoint II Opposition

Warning: This external email is from sdunbar213@gmail.com. Do not click on unexpected or untrusted links and attachments.

We are residents of the home located at 21344 Anthony Road, Westfield IN 46062. We are writing to further express our concerns about the rezoning of the land at the northeast corner of Anthony Road and SR 38. As stated in a previous email, this proposed rezoning is in total violation of the Westfield-Washington Township Comprehensive Plan. The Westfield-Washington Township Comprehensive Plan allows for development similar to the properties adjacent to the parcel seeking rezoning; low density housing, rural uses including homestead farms, natural appearing open space, limited lighting to preserve night sky, etc. There is no commercial/industrial development noted as acceptable in the comprehensive plan.

There are numerous large acre tracts located and for sale in the Westfield area that are currently zoned for commercial/industrial use. Taking a property surrounded by small farms and low density housing and changing the complexion to be commercial/industrial development park and high density housing, regardless of the income to the city of Westfield, seems ludicrous. By developing the land for its original zoning intent, maintains the culture of the surrounding properties and land.

Thank you in advance for your consideration in our opposition to this rezoning attempt.

David and Sandy Dunbar

David 317-696-0228

Sandy 317-402-4650

Pamela Howard

From: Justin Rusher <justin@hittleconstruction.net>
Sent: Friday, February 12, 2021 5:37 PM
To: Council Members
Cc: APC
Subject: No to Northpoint!

Warning: This external email is from justin@hittleconstruction.net. Do not click on unexpected or untrusted links and attachments.

City of Westfield

As a concerned homeowner that is personally affected by the possibility of adding another section of Northpoint industrial and a new high density subdivision as a buffer please consider what you're doing to the current homeowners, traffic and the plan that was adopted. The area is currently rural ag and was stated to stay rural AG in the plan the city spent millions having prepared. If the industrial area in Northpoint 1 wasn't large enough then why did houses get added into the space. Industrial shouldn't be mixed with Residential especially for what is be allowed on the plan. We currently have 3 businesses that make up northpoint 1 and all the rest of the ground is sitting idle, so why do we need more space already? Keep industrial south of 38! The issue I see with a high density, low price point subdivision is the people it attracts, the affect on current homeowners would have on resale value, theft, vandalism and all you're doing is using them as a buffer!? I would much rather have green space than housing.

The route the city is going it seems there is no plan or the plan they had is thrown out the window and it all just boils down to money and padding pockets. The list of investors on this project shows already that this is the case and I won't go into detail on that matter yet. The way the land was purchased and sold the same day, the amount of money to switch owners on the parcels, the trading of other parcels as favors and the amount of corruption around it all. Look at the current available land currently zoned commercial or industrial and fill it in.

The excuse used for developing it for tax purposes is void because when the city gives 8-10 year tax free to all the existing businesses in northpoint 1 then it's hard to make money when it's all abated.

Please rethink about this plan and turn it down.

This is an agricultural area and needs to remain that way.

Thank you

Justin Rusher

Sent from my iPhone

Pamela Howard

From: Brent Whaley <whaleyb0@yahoo.com>
Sent: Monday, February 15, 2021 5:10 PM
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

Warning: This external email is from whaleyb0@yahoo.com. Do not click on unexpected or untrusted links and attachments.

Hi All

Thanks for taking the time to read my email. I have become very concerned after learning of the 180 degree turn on the plans that include Northpoint II. As a resident of the NRR, my family and I moved to this area for very specific reasons and being next to an industrial park certainly is not one of them. The zoning/state of the proposed land was main reason that we moved into our subdivision. Hinkle Creek Estates is a 60 acre development that gives the country feel that we so desperately desired when we made a significant investment in our home. Even since moving here almost 3 years ago, we have seen a dramatic uptick in accidents on Hinkle and State road 38 and to add an industrial park would increase that traffic exponentially. We use Bray Family Park very regularly and value the quaint spring and summer evenings that this area affords. Our children value the space and relative secretive living in which this area is known. Lastly, the introduction of pollution in many forms (noise, car, water, littering) would directly impact all of us in this area and would be a far cry from farmland in which it was indented. There has to be other options for this to be built. My ask is that you please consider those areas since the future of this site was decided long ago for a park.

This area is one of a kind and introducing this complexity would certainly ruin that for many.

Below is my contact information should you have questions for me.

Brent Whaley
5215 Nightshade Lane
Noblesville IN 46062

317-937-2719 Cell
Hinkle Creek Estates

Thanks,

Brent Whaley
Purdue Alumnus

Pamela Howard

From: Paige Hunt <paige.a.hunt@gmail.com>
Sent: Thursday, January 27, 2022 11:35 PM
To: APC
Subject: Northpoint Opposition

**WARNING: This external email is from
paige.a.hunt@gmail.com.**

Hi there,

I wanted to send an email to oppose the Northpoint industrial park that is being proposed on 1/31/22. My husband and I are building right on the corner of Hunt Real Estate that would bump up to the proposed park and the Industrial park building. One of the reasons that we chose this piece of property was for the rural area. We love that there aren't huge buildings blocking our views and that it's relatively quiet with little to no traffic. Adding this industrial park not only adds a ton more traffic to 38, it will ultimately add a more traffic to our little road, Anthony, making it more dangerous for our kids to play outside hut also taking away the serenity of a rural landscape. Please consider our opposition.

Thanks,
Paige Hunt Hackman

Pamela Howard

From: Jean <squiredc@gmail.com>
Sent: Sunday, January 30, 2022 9:28 AM
To: APC
Subject: North point 2

**WARNING: This external email is from
squiredc@gmail.com.**

Hi,
We live on Anthony Rd in Westfield.
We love the secluded area and the ability to escape the “city” noise and distraction.
Your proposal to bring in more development will completely destroy the atmosphere and the property value of our homes.
Please do not allow this project to continue.
Thank you.
Jean and Denice Squire

Sent from my iPad

Pamela Howard

From: Curt Christensen <curtchristensen93@yahoo.com>
Sent: Monday, January 31, 2022 6:53 AM
To: APC
Subject: NP2

**WARNING: This external email is from
curtchristensen93@yahoo.com.**

I am vehemently opposed to the NP2. This is not the place for industrial development. The people living in this area, including myself, moved, and or built here, because we want a rural living environment. There is plenty of land available west of 31 on 236th street. We are turning Westfield into a 1980's Kokomo. We should learn from the mistakes our neighbors two counties north made.

Our home values will be detrimentally affected, as well as the peacefulness of rural living. The industrial development just west of Grassy Branch is the very reason I did not buy or build in that area. The increase in traffic and road deterioration will just ruin a beautiful rural area. Not to mention the additional trash along the road way and surrounding area which invariably happens.

This is just not a very good idea nor is it right. There are other and more appropriate places where an industrial development can be established. Including west on 38. I can only take an educated guess why you are not trying to establish an industrial park that direction.

This is just flat out not the right place and it will never be a good time.

Curt Christensen

Pamela Howard

From: TJ Gascho <tj.gascho@gmail.com>
Sent: Monday, January 31, 2022 7:44 AM
To: APC; planners
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

**WARNING: This external email is from
tj.gascho@gmail.com.**

To Whom It May Concern:

I'm writing regarding the proposed Northpoint II PUD. My family and I built our home 5 years ago in Hinkle Creek Estates, which is very close in proximity. We decided to build in Hinkle Creek Estates to enjoy the "country" feel with reasonable access to "city" amenities. We invested significant capital in our home to provide a comfortable and safe environment to raise our three children. I'm sure this is top of mind for many of you when you're making decisions for your respective families. I feel strongly that the Northpoint II PUD will not only jeopardize the safe environment we have for our family, but it will also have a serious negative equity impact on our home value (and many others in the area).

Please take a second to imagine someone building a 170 acre commercially congested business park in your back yard. Ruining the natural rural character. Adding significant traffic! Introducing noise and air pollution, and threatening environmental resources! Meanwhile, devaluing your home up to 30%!! Please provide a scenario where it's unreasonable to object. Unfortunately, this scenario is very real for us if Northpoint II PUD is approved.

During your vote, I hope you will understand and acknowledge the negative impact NP II PUD will have on the surrounding community. Please be considerate of these negative impacts along with many others, and vote "NO" to Northpoint II PUD.

Thank you for your time.

Regards,

Timothy J Gascho II
5164 Morning Mist Ct
Noblesville, IN 46062
P: 317-289-5555

Objection Basis:

-IC 36-7-4-603 (2) (shall pay reasonable regard to the current conditions and the character of current structures and uses in the NRR district)

-IC 36-7-4-603 (4) (shall pay reasonable regard to the conservation of property values throughout the jurisdiction)

Pamela Howard

From: Casey Mihal <casey.mihal@gmail.com>
Sent: Monday, January 31, 2022 12:29 PM
To: APC
Subject: Protest of Northpoint II Industrial Park

**WARNING: This external email is from
casey.mihal@gmail.com.**

Dear Westfield APC,

I am a new resident to the area, writing to you in protest of the Northpoint II Industrial Park that is being proposed once again. While I am a newer resident to this area, I was initially drawn to it due to the rural charm. The area is peaceful, quiet, and beautiful. This is in-line with the Westfield Washington Comprehensive Plan. I have reviewed this plan, and it explicitly states the following regarding the land that Northpoint Owners, LLC wishes to develop:

"The policy of this plan is that these areas will be designated as rural for the foreseeable future. In particular, the development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy set out in the general policies."

The plan also describes the following appropriate land uses in the Rural Northeast area:

- Single-family detached houses on large lots or in a Rural or Conservation Subdivision.**
- Accessory dwellings**
- Equestrian uses**
- Agriculture, including artisan farms**
- Institutional uses, such as schools, churches, public safety facilities, and similar uses**

There is no mention of an industrial park being appropriate or allowed in the Rural Northeast area. I currently see no addendum to this comprehensive plan that would change the status of this land to anything other than the rural definition stated in the original plan drafted in 2007. Therefore, I fail to see how an industrial park could possibly be appropriate, nor how it could represent the interests and well being of the residents surrounding this land. Let me also add here that the new proposal from Northpoint Owners, LLC is a pathetic attempt at including a 10 acre park to make up for the destructive 170 acre industrial park. In accordance with this comprehensive plan, I think a 180 acre park with 0 acres of industrial park would be much more appropriate, and much desired by the residents of the area.

Development of this rural land into an industrial park would send one very clear message: corporate interests are far more important than the interests of your constituents. If this land is to be converted into an industrial park, then it would seem the appropriate progression would be to first call for revision the comprehensive plan with input from the community. Proceeding with development of the land into an industrial park without revision of the plan would surely be a way to lose the trust and support of your constituents.

I will close this letter with a quick reflection of the land in question. I drove around the area today to better understand the physical impact that the industrial park could have. A large majority of this land is occupied by agriculture. The remainder of the land seemed to be wooded and grassland area. Agriculture is already shrinking in the United States (Indiana included) because corporate interests and money are taking over the land. The current supply chain issues our country is facing should offer a stark reminder that we cannot rely 100% on the global distribution network for our food supply. Localized food production should always have a place in Indiana. It would seem that the City of Westfield has already done away with the majority of it's

agricultural land for industrial or commercial purposes. It would be quite upsetting, and frankly detrimental to continue this trend in the Rural Northeast area.

I look forward to speaking my opinions at the upcoming hearings, so that the APC can know without a doubt that I am fully against the Northpoint II Industrial Park.

Best Regards,

Casey Mihal

Pamela Howard

From: Canada, Brad <brad.canada@stryker.com>
Sent: Monday, January 31, 2022 1:32 PM
To: APC
Subject: Northpoint II

**WARNING: This external email is from
brad.canada@stryker.com.**

APC Members,

I have sent emails in the past but wanted to re-voice my position on continued development north of SR38 as I see this is coming back up stemming from a hard push in 2021 from the Developer.

My name is Brad Canada and live at 20945 Anthony Road. There has been numerous conversations going on among the neighbors that live on Anthony Road as well as up and down SR38. We know that there is a developer that is aggressively looking to gain approval to rezone a rural "residential" area into a massive industrial park. I wanted to share my perspective and reiterate that I would like your support to not approve this rezoning.

I have only been living in this area for 5 years (grew up in Fishers) but the broader SR38/Anthony/31/Hinkle Creek northeastern part of Westfield is a special place. Driving up through Anthony feels more like Brown County vs Hamilton County. McGregor Park and Bray Family Park makes this area even more special but it's the surrounding areas that add to that. Westfield is a fast growing place and there is so many advantages to that and one that drew us to the area to begin with (schools, people, growth, amenities, etc). Growth in this area is a GOOD thing but there needs to be a balance to protect certain areas to offset the traffic, noise, etc. A HUGE industrial park was just approved south of SR38 that is still being developed so to approve another 180+ acre park + the future progression to then approve another 180+ acre plot on Anthony makes this rural area feel like we are down in Plainfield in the midst of their distribution and industrial areas. Westfield would then be losing a huge chunk of green space that could potentially be a nice residential area that could in theory connect both parks and be a place where the community could get away from the traffic, noise, chaos of what other parts could be.

I plan on raising my 3 young kids in this house and be here forever and part of that decision was giving them an area that was safe. I fear the traffic, I fear the amount of people commuting here daily that is not bought in or involved in this community, I fear the pollution/trash, and most importantly – I fear that this area and this community loses a huge part of what makes this community different that a Fishers, Carmel, or Noblesville. That is the ability to properly plan for future growth by also protecting pockets of the community that make it feel green and enjoy the beautiful scenes of nature and a rural setting in the pockets of heavy residential/commercial areas. I would MUCH more support a residential zoned area to drive population and keep the green area as close to what we can and continue to build out south of 38 and other areas that are more suited for industrial growth.

We do need industrial growth and areas to bring businesses here (which we have south of SR38 and pockets west on 31) but I strongly encourage you all to please have the voice of your residents and our strong views against turning the most beautiful area in all of central Indiana into a massive concrete industrial zone that would have a huge negative impact on so many people and so many things. Please consider our request to vote "NO" to rezone these areas as industrial north of 38. Please consider keeping the industrial growth and overall focus be on the land and acreage that has already been approved just south of 38 and other areas that have been designated already as "industrial" for further expansion. This

Anthony Road area between the 2 parks could be an AMAZING area to have future residential neighborhoods (as it is currently zoned), green space and parks for generations to come.

Respectfully,

Brad Canada

Brad.canada@stryker.com

703-431-4083

Follow this link to read our [Privacy Statement](#)

Pamela Howard

From: Goodrich, Chuck <cgoodrich@gaylor.com>
Sent: Tuesday, February 1, 2022 12:26 PM
To: APC
Cc: Capozzi, Rafael
Subject: IN STRONG OPPOSITION to Northpoint II Proposal (petition Docket #2008-PUD-09)

**WARNING: This external email is from
cgoodrich@gaylor.com.**

Dear Council,

I am writing to express my strong opposition to The Northpoint II PUD (Planned Unit Development). This project will be quite detrimental to the surrounding area and there is widespread opposition among the nearby property owners, residents, and voters. The addition of a 152 acre commercial/industrial park in this area, with building heights up to 45 feet, will destroy local wildlife habitat, lower the property values of our existing community, increase traffic congestion and replace quiet, calming rural residential serenity with active, hectic commercial chaos.

Property values in the area will undoubtedly decrease if you approve Northpoint II PUD, which includes dense housing on less than 1/4 acre lots with 10 feet between houses, along with other reduced-space arrangements. This project is not consistent with the existing neighborhoods in the area and these neighborhoods will suffer unless you act to stop it. Traffic is also a major area of concern. Increased traffic on State Road 38 will be terrible since this is the only planned access to the development. While the traffic may be lighter on average, the local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic and safety issues during critical times for the existing neighborhoods. In general, the area traffic is continuing to increase, and heavy traffic is already common at times on State Road 38, which may not have been anticipated.

Another issue that also does not seem to be adequately considered is the noise. Our area was not structured to implement such a park, with houses so close to the proposed site where noise travels freely. The noise would be unacceptable for our rural community.

I urge you to reject the proposed development, and from recent meetings and discussions with my neighbors, everyone is in agreement that this development tears apart the natural beauty of Hamilton County - a quality it holds dear. Not a single surrounding property owner supports this.

Best regards,

Chuck Goodrich

5015 Nightshade Lane

Noblesville, IN 46062

317-716-7117



Representative Chuck Goodrich
Indiana State House, District 29

President & CEO

Gaylor Electric, Inc.

17230 Kraft Court

Noblesville, IN. 46060

O: 317.214.6300 | M: 317.716.7117



Oops – Please forgive spelling & grammar errors.

Pamela Howard

From: Canada, Brad <brad.canada@stryker.com>
Sent: Tuesday, February 1, 2022 1:27 PM
To: APC
Subject: RE: Northpoint II

**WARNING: This external email is from
brad.canada@stryker.com.**

APC Members,

I also want to add to my email below. After our meeting last night, I want to more directly say regardless of the park, the easement acreage, whatever the developers come back with – I WILL NOT ever approve or support this re-zone project.

There is way too much land already zoned industrial in Westfield and opportunities south of SR38 to develop before we should ever assess or even look at flipping the plan and script for this land SOLELY because a well known developer with a well known personal relationship with the city owns the land.

It would be so disappointing for the city to approve this given there are 3 beautiful parks in that same area that potentially could have a concrete jungle right in the middle of it all with an insane amount of industrial traffic, commuters and numerous stop lights off SR38.

I want to please urge the city to develop the other areas that are zoned industrial. If anything, be flexible with taking 3 acre home lots down to 1 acre to generate more tax revenue. I would much rather see residential and parks vs industrial.

From: Canada, Brad
Sent: Monday, January 31, 2022 1:32 PM
To: 'APC@westfield.in.gov' <APC@westfield.in.gov>
Subject: Northpoint II

APC Members,

I have sent emails in the past but wanted to re-voice my position on continued development north of SR38 as I see this is coming back up stemming from a hard push in 2021 from the Developer.

My name is Brad Canada and live at 20945 Anthony Road. There has been numerous conversations going on among the neighbors that live on Anthony Road as well as up and down SR38. We know that there is a developer that is aggressively looking to gain approval to rezone a rural “residential” area into a massive industrial park. I wanted to share my perspective and reiterate that I would like your support to not approve this rezoning.

I have only been living in this area for 5 years (grew up in Fishers) but the broader SR38/Anthony/31/Hinkle Creek northeastern part of Westfield is a special place. Driving up through Anthony feels more like Brown County vs Hamilton County. McGregor Park and Bray Family Park makes this area even more special but it's the surrounding areas that add to that. Westfield is a fast growing place and there is so many advantages to that and one that drew us to the area to

begin with (schools, people, growth, amenities, etc). Growth in this area is a GOOD thing but there needs to be a balance to protect certain areas to offset the traffic, noise, etc. A HUGE industrial park was just approved south of SR38 that is still being developed so to approve another 180+ acre park + the future progression to then approve another 180+ acre plot on Anthony makes this rural area feel like we are down in Plainfield in the midst of their distribution and industrial areas. Westfield would then be losing a huge chunk of green space that could potentially be a nice residential area that could in theory connect both parks and be a place where the community could get away from the traffic, noise, chaos of what other parts could be.

I plan on raising my 3 young kids in this house and be here forever and part of that decision was giving them an area that was safe. I fear the traffic, I fear the amount of people commuting here daily that is not bought in or involved in this community, I fear the pollution/trash, and most importantly – I fear that this area and this community loses a huge part of what makes this community different that a Fishers, Carmel, or Noblesville. That is the ability to properly plan for future growth by also protecting pockets of the community that make it feel green and enjoy the beautiful scenes of nature and a rural setting in the pockets of heavy residential/commercial areas. I would MUCH more support a residential zoned area to drive population and keep the green area as close to what we can and continue to build out south of 38 and other areas that are more suited for industrial growth.

We do need industrial growth and areas to bring businesses here (which we have south of SR38 and pockets west on 31) but I strongly encourage you all to please have the voice of your residents and our strong views against turning the most beautiful area in all of central Indiana into a massive concrete industrial zone that would have a huge negative impact on so many people and so many things. Please consider our request to vote “NO” to rezone these areas as industrial north of 38. Please consider keeping the industrial growth and overall focus be on the land and acreage that has already been approved just south of 38 and other areas that have been designated already as “industrial” for further expansion. This Anthony Road area between the 2 parks could be an AMAZING area to have future residential neighborhoods (as it is currently zoned), green space and parks for generations to come.

Respectfully,

Brad Canada
Brad.canada@stryker.com
703-431-4083

Follow this link to read our [Privacy Statement](#)

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Wednesday, February 2, 2022 12:52 PM
To: APC
Subject: Opposition to NP II PUD

**WARNING: This external email is from
bichon2222@gmail.com.**

February 2, 2022

To the members of the Westfield APC

Thank you for devoting your time to Westfield, Indiana.

The Northpoint II PUD will be coming up before you on February 22. My name is Janet Quisenberry-May and I am asking again that you please vote NO on this PUD. It goes against the citizens of this rural residential area in Washington Township, which is spelled out in the Westfield, Washington Comprehensive Plan.

Please keep this area east of highway 31, highway 38 and North , Anthony Road including 216th street, and including Hinkle Rd. where Bray Park is located, rural residential, NO industrial park.

The Department of Natural Resources and the Hamilton County Parks Department have declared Hamilton County with an alarming scarcity of green space.

Please vote NO on this PUD and thank you for reading my opposition letter to this industrial park, it just doesn't fit into a rural residential township.

God bless you
Janet Quisenberry-May

Pamela Howard

From: Sharon Vento <skvento56@gmail.com>
Sent: Wednesday, February 2, 2022 3:33 PM
To: APC
Subject: Fwd: Northpoint II Proposal (Petition Docket #2008-PUD-09)

**WARNING: This external email is from
skvento56@gmail.com.**

----- Forwarded message -----

From: **Sharon Vento** <skvento56@gmail.com>
Date: Tuesday, February 1, 2022
Subject: Northpoint II Proposal (Petition Docket #2008-PUD-09)
To: ginnykelleher@gmail.com, rkburkman@gmail.com, rhorkay@westfield.in.gov, mjohns@westfield.in.gov,
cspoljaric@westfield.in.gov, apc@westfield.in.gov
Cc: Sharon Vento <skvento56@gmail.com>

We are writing to you to express our total opposition to Subject Docket regarding the proposed Northpoint II Industrial Park. We are residents of the Hinkle Creek Estates Subdivision and our address is 5245 Nightshade Lane in Noblesville, IN 46062.

If the Northpoint II Industrial Park proposal is approved, the potential effect to our property includes:

Significantly increased traffic

Increased noise near our neighborhood

Air pollution

Home property value loss ranging from 15% to 30%

Contaminated ground water feeding neighborhood wells

Drainage problems

Loss of natural habitats for wildlife

Devastation of our rural atmosphere

We plead with you to not approve this docket #2008-PUD-09 for the building of the Northpoint II Industrial Park..

Thank you,

Frank and Sharon Vento

Pamela Howard

From: Lori-Kate Mihal <lorikate.mihal@gmail.com>
Sent: Wednesday, February 2, 2022 8:06 PM
To: ginnykelleher@gmail.com; Kristen Burkman; Robert Horkay; Mike Johns; Cindy Spoljaric
Cc: APC
Subject: Against Northpoint 2 Industrial Park

**WARNING: This external email is from
lorikate.mihal@gmail.com.**

Hello Westfield APC,

I am writing to you in protest of the Northpoint 2 Industrial park proposal that is being heard by the APC on February 22nd. This proposal goes directly against the Westfield Washington Township Comprehensive plan, which states that the land in question is rural residential. If the zoning of this land is to change, it should be done properly with input from the city (especially the residents of this area). Allowing a wealthy business owner to change zoning laws is quite an offensive practice.

Should this proposal be approved, it would cause irreversible and detrimental harm to the surrounding area. The wildlife and natural beauty of the area would be destroyed. There would also be an unbearable amount of noise, light, and air pollution coming from this industrial park that would make the surrounding area unlivable for homeowners. I fail to see how this is just for anyone who has lived in the area.

I would implore you to vote against this rezoning proposal when it is heard. Remember that you represent your constituents, the people, not big businesses.

Best Regards,

Lori-Kate Mihal

Pamela Howard

From: Cami Still <cami.still@gmail.com>
Sent: Thursday, February 3, 2022 2:02 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
cami.still@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 4965 Morning Mist Court, Noblesville 46062 on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,

Cami Still

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Thursday, February 3, 2022 2:06 PM
To: APC; Council Members
Subject: Opposition to Northpoint II PUD

**WARNING: This external email is from
bichon2222@gmail.com.**

To the Westfield APC and the Westfield City Council,

Thank you so much for your dedication to the betterment and protection of the Westfield area.

My name is Janet Quisenberry-May, I am again writing to oppose the Northpoint II PUD. This has constantly been in my mind and prayers for about a year and a half. These are the things that I can do for this beautiful rural residential area of Westfield, Washington Township, which those who put their time and vision into the Comprehensive Plan, knew should be preserved as AG-SF1, a rural district. Many great citizens in this section East of highway 31, highway 38 and North on Anthony Road to 216th street, then South on Hinkle Road back to 38, have based their faith in this, remaining rural residential, and oppose an industrial park on the 183 acres, that Northpoint II is wanting to commercialize.

As you can see from our remonstrance package submitted in Feb. 2021, there were 183 signatures obtained opposing this Industrial Park, and 56 letters from concerned citizens around this entire area.

Anyone who enjoys Bray Park does not want an Industrial Park jammed right up to the boundaries. No one who invested in their futures in this area want to possibly lose their water supply, have their nights turned into bright lights have their lungs contaminated by the constant dust and dirt generated by huge earth moving equipment, shoveling the earth up, the dirt and dust is not breathable, and it saturates the trees, gardens, houses all the time, not to mention the noise, and the earth shaking. This is not a one day event, look at Northpoint one, that has been a dirt heap for years and will be for years to come. Also with this, now being the "Great Resignation" period of time, who knows if commercial buildings and industrial parks will be a valid source of tax dollars for Westfield, especially with all the tax abatements that some businesses can receive. Right now Westfield gets regular property tax dollars on these homes in this area and the farm land.

Nobody knows what the future holds in these uncertain times, but God almighty. Please keep these citizens in this area safe and in their rural residentially zoned area, please don't turn it into a place of rezoned commercial uses. This PUD does not fit, put it into some of the 1000 acres or more that Westfield already has zoned for commercial. Please protect your rural residential area from commercial use and this horrible Industrial Park, please vote to protect the citizens that already live, move and have their being in this beautiful rural area. Thank you, and may God bless you.

Janet Quisenberry-May

Sent from my iPad

Pamela Howard

From: Kelly Miller <ckmiller5466@gmail.com>
Sent: Thursday, February 3, 2022 2:29 PM
To: APC
Subject: Northpoint

**WARNING: This external email is from
ckmiller5466@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5019 Morning mist ct noblesville on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,"
Kelly Miller

Pamela Howard

From: shari mcgrath <sharimcgrath@yahoo.com>
Sent: Thursday, February 3, 2022 3:14 PM
To: APC
Subject: I Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
sharimcgrath@yahoo.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5244 Morning Mist Ct, Noblesville, on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Shari McGrath

Pamela Howard

From: Chris McGrath <rchrismcgrath@gmail.com>
Sent: Thursday, February 3, 2022 3:18 PM
To: APC
Subject: OBJECTION!

**WARNING: This external email is from
rchrismcgrath@gmail.com.**

My family lives at 5244 Morning Mist Ct, Noblesville, on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Thank you -

--

Chris

Pamela Howard

From: Amy Koehler <tdogplus@yahoo.com>
Sent: Thursday, February 3, 2022 3:35 PM
To: APC
Subject: Northpoint Industrial Park II

**WARNING: This external email is from
tdogplus@yahoo.com.**

I am a homeowner of two properties effected by the proposed development on SE 38. Northpoint Park II I feel will not only devalue my houses at 21500 Anthony Rd. and 5091 SR 38 but those of my neighbors. It goes without saying the traffic, noise and associated changes it brings will also be unacceptable. Please include my wife and I as two more people AGAINST the approval of this plan.
Michael Tinder.

Pamela Howard

From: Emily McGrath <emcgrath1999@yahoo.com>
Sent: Thursday, February 3, 2022 3:58 PM
To: APC
Subject: I Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
emcgrath1999@yahoo.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5244 Morning Mist Ct, Noblesville, on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Emily McGrath

[Sent from Yahoo Mail for iPhone](#)

Pamela Howard

From: Gmail - Family <atdepew@gmail.com>
Sent: Thursday, February 3, 2022 4:11 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09"

**WARNING: This external email is from
atdepew@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 20185 Starlight court, Noblesville, IN 46062 on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Andrew DePew

Sent from my iPhone

Pamela Howard

From: Trish DePew <trish.depew89@gmail.com>
Sent: Thursday, February 3, 2022 4:14 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09"

**WARNING: This external email is from
trish.depew89@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 20185 starlight court, Noblesville, In 46062
on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Patricia DePew

Sent from my iPhone

Sent from my iPhone

Pamela Howard

From: Allen Still <allen.still@gmail.com>
Sent: Thursday, February 3, 2022 5:22 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
allen.still@gmail.com.**

Members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 4965 Morning Mist Ct (Hinkle Creek Estates) on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Allen Still

Pamela Howard

From: Keaton Still <keaton.still@yahoo.com>
Sent: Thursday, February 3, 2022 5:24 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
keaton.still@yahoo.com.**

Members of the City of Westfield's Advisory Plan Commission ("APC"),

I live in Hinkle Creek Estates on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Keaton M Still

Pamela Howard

From: Ainsley Still <ainsley.still@yahoo.com>
Sent: Thursday, February 3, 2022 5:25 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
ainsley.still@yahoo.com.**

Members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 4965 Morning Mist Ct (Hinkle Creek Estates) on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Ainsley

Pamela Howard

From: Corinne Still <corinne.still@yahoo.com>
Sent: Thursday, February 3, 2022 5:26 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
corinne.still@yahoo.com.**

Members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 4965 Morning Mist Ct (Hinkle Creek Estates) on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Corinne Still

Pamela Howard

From: Todd Megyese <toddmegyese@gmail.com>
Sent: Thursday, February 3, 2022 5:48 PM
To: APC
Subject: Northpoint 2

**WARNING: This external email is from
toddmegyese@gmail.com.**

Hi, my name is Todd Megyese. I recently moved in to the neighborhood Havenwood on Hinkle Rd. My family and I moved here from the city. We absolutely love being a little in the country with no businesses around and only neighborhoods. I'm asking you please to not go through with the plans of Northpoint 2! If I would have known this would happen, I would have never moved here. We love the neighborhood and beautiful parks, and would hate to see a business park this close. We don't want the traffic, the noise, the light pollution, or any of it! I along with many others ask you to keep this a residential area/ farm area!

Pamela Howard

From: Jenny Williams <jennyjowalter@gmail.com>
Sent: Friday, February 4, 2022 9:03 AM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
jennyjowalter@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5095 Nightshade Lane on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that its petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High-Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the Northeast Rural Residential District as rural residential and agricultural only.

Sincerely,
Jenny Williams

Pamela Howard

From: chad.miller midstatelc.com <chad.miller@midstatelc.com>
Sent: Friday, February 4, 2022 9:10 AM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
chad.miller@midstatelc.com.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5019 Morning Mist Court, Noblesville, IN on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,

Thanks,
Chad Miller
President
Mid-State Engineering LLC
986 Industrial Dr
Tipton, IN 46072

317-660-6454 ph
317-245-2540 fax
765-437-1550 cell



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Pamela Howard

From: jpedzinski@comcast.net
Sent: Friday, February 4, 2022 1:36 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09
Importance: High

**WARNING: This external email is from
jpedzinski@comcast.net.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5250 Nightshade Lane, on the east side of the proposed Northpoint II Industrial Park.

I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09.

I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use.

My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
James R Pedzinski

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Friday, February 4, 2022 3:09 PM
To: APC; Council Members
Subject: NorthpointII PUD

**WARNING: This external email is from
bichon2222@gmail.com.**

This is Janet Quisenberry—May, I am opposed to this PUD/, Industrial Park. The citizens of this rural residential area should be protected, not thrown under thousands of lbs. of mud, concrete, and asphalt. Please vote NO to NorthpointII PUD,

Thank you and God bless, Janet

Sent from my iPad

Pamela Howard

From: Jim May <jrmay47@gmail.com>
Sent: Friday, February 4, 2022 4:16 PM
To: APC; Council Members
Subject: Opposition Northpoint II PUD

**WARNING: This external email is from
jrmay47@gmail.com.**

I strongly oppose the Northpoint II PUD. The area in question is zoned rural residential. As Hamilton County grows green space needs to be preserved. Families located to this area of Hamilton County to enjoy the beautiful and peaceful ambiance of the natural landscape.

God bless,

Jim May

Pamela Howard

From: James Hogan <james.hogan@elamusa.com>
Sent: Monday, February 7, 2022 9:00 PM
To: APC; planners
Subject: Re: James Hogan's Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)
Attachments: 20210202_NRRCitizens_RmnstrtnAgnst2008-PUD-09(Cert).pdf

**WARNING: This external email is from
james.hogan@elamusa.com.**

Good evening members of the APC,

I am writing to renew my objection to the petition for 2008-PUD-09 filed nearly one year ago today and outlined further below. In short, nothing has changed.

The tweaks to the petitioner's plan presented on Monday (1/31/22) fails to address our demand from the public meetings over 1 year ago. Our demand back then was to simply follow the rules and develop the land in a manner that respects the intended land use of the Northeast Rural Residential ("NRR") District - just as every other land owner in the NRR District has done. It's not asking much at all.

What the petitioners presented last Monday was lipstick on a pig. They chose to ignore the attached *Remonstrance Against Northpoint II PUD*, dated 2/2/21, but we the people surrounding the land of 2008-PUD-09 find the document even more relevant today than when it was first produced.

Please end this sordid tale, and end it emphatically. VOTE AGAINST 2008-PUD-09 UNANIMOUSLY.

Sincerely,

--

James P. Hogan, LPG



The **ELAM** Group

[161 Lakeview Drive](#)
[Suite B](#)
[Noblesville, IN 46060](#)

President & CEO
(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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attachments from your computer system. We do not waive the confidentiality of this e-mail message and any attachments by the transmission of this e-mail message.

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On Thu, Feb 11, 2021 at 4:53 PM James Hogan <james.hogan@elamusa.com> wrote:

Good afternoon and greetings members of the Advisory Plan Commission ("APC") and City Council of the City of Westfield.

I am writing to you today to voice my sincere objection to the above-referenced planned unit development ("PUD") petition. My wife and I, Lori, along with our 4 children, dog and 2 cats, reside in our home at 20275 Dayspring Court in Noblesville, Indiana. The home is the northwesternmost home within the Hinkle Creek Estates subdivision. We are making a significant investment in upgrading our home over the next couple of months and plan to be here a long time.

Our subdivision consists of 2+ acre lots in a rural residential setting complete with well water, septic fields and propane tanks. The neighborhood is on the east side of Hinkle Road. Our neighbor to the west is the *Bray Family Homestead Park*. We have a reassuring feeling knowing that the entire area west of us is in the Northeast Rural Residential district and will therefore never be developed into anything more than Rural Residential homes, agriculture or a Conservation Subdivision. This was a huge factor in us deciding where to live. We love how our rural residential neighborhood meshes so well with that of the Northeast Rural Residential district of Washington Township.

In fact, over the past few years since we moved in, I have praised the responsibility of the City of Westfield/Washington Township in abiding by its Comprehensive Plan. I have trumpeted these praises to my friends and neighbors Dez Schillinger and Rob Hanlon - two significant employers within the City of Westfield. I tell them I wish every community operated like Westfield. Our confidence that the City of Westfield/Washington Township will maintain a governing body that makes politically stable and logical decisions that are empathetic to its residents and neighbors like myself helps me sleep well at night.

On Tuesday, 2/16/21, my faith in your politically stable, logical decision-making abilities will be put to the test. Our entire neighborhood is worried. I am worried.

We want you to vote no to 2008-PUD-09. We offer a logical basis for you to say no. That logic is rooted in a document that Wayne and Christy Wheeler will send you in an emailed attachment, a document entitled *Remonstrance Against Northpoint II PUD*, dated 2/2/21.

Read it and enjoy it. It provides you a basis for rejection.

In the meantime, I will pray.

I pray that your hearts be touched by the 183+ residents who join me in objecting to this 2008-PUD-09 abomination - noting that not one resident we reached supported it. I pray that you uphold your Comprehensive Plan. And, lastly, I pray that you have courage to VOTE NO, in the face of certain political and monetary pressure, to 2008-PUD-09.

Sincerely,

--

James P. Hogan, LPG

[161 Lakeview Drive](#)
[Suite B](#)
[Noblesville, IN 46060](#)



President & CEO

(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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--

Pamela Howard

From: Wayne Wheeler <wwheeler@REINDERS.com>
Sent: Wednesday, February 9, 2022 10:57 AM
To: APC; Council Members
Subject: Letter of Opposition to Northpoint II PUD

**WARNING: This external email is from
wwheeler@REINDERS.com.**

Dear APC and Council Members,

I am writing in opposition to the Northpoint PUD (2008-PUD-09). When I bought my land 4 years ago on Anthony Rd I used the City of Westfield's Comprehensive plan along with the county's plan as a reference guide as to where to look for land. The spot I chose was largely based on the fact that it was 3 acres in the country, surrounded by agricultural land with little chance of having development around me. After having lived in subdivisions my whole life this was a "bucket list" purchase for me. When I bought the property, I knew what the zoning was and what I could build on it. Unlike Northpoint Owners, I did not buy the land and then try to re-zone it for a hog farm or warehouses, I followed the rules set forth in the Comp Plan.

I understand that the Comp Plan is a Policy and not a law, however any amending of the Comp Plan should be a city led process involving multiple public input sessions and not be dictated by a developers re-zoning request. I think you will agree that what is being proposed (industrial/commercial) is diametrically opposed to what the city has put forth in the Comp Plan. I also want to say that I am not against development at all, we need it as a healthy city, however I am against forcing a square peg into a round hole and that's exactly what is going on in this situation. Put industrial/commercial development where it belongs in existing zoned areas and not out in the country in an area that has been thoughtfully protected by the city visionaries in the Comp Plan.

Currently this land is AG-SF1: Agriculture/Single-Family Rural District. The Comp Plan clearly indicates all land on the North side of HWY 38 to fall under this category. (reference page 31 & 32 in Comp Plan) The Rural Northeast quadrant of the township includes single-family residences; agricultural areas, some smaller artisan farms; and some equestrian uses. There are natural areas, including wetlands, wooded areas, and much open farm ground. Also, the area contains two existing large parks, MacGregor and Bray, and there will be a new county park at 216th and Hinkle. Currently there are NO commercial or Industrial uses in the Comp Plan area North of Hwy 38 and East of US 31. However, south of Hwy 38 there is over 1,000 acres of currently zoned commercial/industrial parcels that are undeveloped and already exist on the Comp Plan in designated "business park" areas. Currently there is approximately over 100 acres in Northpoint I that is still available for development. Northpoint I only has 3 buildings, we don't know how it's going to affect our area yet, It's not prudent to approve Northpoint II without even understanding the impact on the area of a completed Northpoint I.

I know somebody is reading this, rolling their eyes and mumbling under their breath something about the city needing to diversify their tax base and add more commercial properties, so let's talk about it. All of us want to

increase the commercial tax base in hopes that someday it will lessen the burden on the residential side. What increases the tax base is buildings that are on the tax rolls and not empty industrial/commercial lots. We can continue to develop ground, but if no one is building on it, then what are we doing? How about we challenge our commercial developers to bring us businesses that are ready to build? At the pace buildings are going up in Northpoint I we have several years of lot inventory already on hand. Currently there are only 3 buildings completed and all of them have either an 8 or 10 year tax abatement attached to them. So, if the city is concerned with wanting to expand the tax base with commercial properties then we need more buildings and shorter tax abatement terms. Adding more empty lots does not increase the city's commercial tax base.

The most appropriate land uses for this area are exactly what is there now, agricultural fields and single-family homes. If Northpoint Owners wants to develop this land, then they need to propose a conservation subdivision or individual 3-acre home sites. My guess is, if they proposed that, they would have never heard from the 200+ people that signed the petitions against their current proposal.

Please help us preserve our rural lifestyle and the value of our largest investments, our homes. Let's do what's best for the existing tax paying citizens and not for the developers...

Thank you in advance for considering my concerns and voting "No" on this proposal.

Wayne Wheeler
20889 Anthony Rd
317.697.1160

Pamela Howard

From: Christy Wheeler <bigskyorbust@gmail.com>
Sent: Wednesday, February 9, 2022 2:53 PM
To: APC; Council Members
Subject: Opposition to Northpoint II PUD, Ordinance Number 20-25
Attachments: CSW Objection 2022.docx

**WARNING: This external email is from
bigskyorbust@gmail.com.**

Good afternoon,
Please find attached my letter stating my opposition to Ordinance Number 20-25.
Thank you for taking the time to read it.
Christy Wheeler
20889 Anthony Road

February 9, 2022

Dear APC and City Council,

I am writing to voice my opposition to the Northpoint II PUD. It simply does not belong in an agricultural, rural residential area.

I have nothing against progress, nothing against business, nothing against enhancing the tax base for Westfield, but some things simply must be protected...protected so they stay the same, so we have some remembrance of what this community has been for many years and what makes it unique.

Several years ago, multiple individuals and organizations spent countless hours developing a framework to do just this. They created the Westfield-Washington Township Comprehensive Plan. They did this in order to ensure that as Westfield grew, the growth would be responsible. One can see by reading the Comp Plan that they created a living document, it wasn't created for just a specific point in time. They looked to the future and thoughtfully outlined development policies. For the Northeast Rural Residential (NRR) area, they contemplated the future and the change they saw was potential residential development – NOT commercial/industrial. It was never planned that Industrial development would be considered for the Northeast area. The NRR area was to be "rural for the foreseeable future". I realize that the Comp Plan is not a legally binding document, but it is the official policy of Westfield and the agreed-upon vision for the future of the community. Shouldn't a reasonable person be able to conclude that the Comp Plan is relevant and applicable? Based on the city's own plan, Northpoint II does not belong in the NRR area.

If the city feels that things have changed significantly in terms of land use needs, there is a process to address this – take the time to thoughtfully "redo" the Comp Plan with input from the citizens. Hamilton County just went through this process and they had very interesting and significant citizen input to their process (please see the Remonstrance Packet submitted for more information on this). It would be a travesty to allow a developer to dictate land use...wouldn't that be a bit like the tail wagging the dog?

One might ask, why does this cause such an uproar from the citizens? What's the big deal? This is why it matters to us...

- It matters because this proposal would lead to the degradation of the rural lifestyle of our area...dropping industrial facilities right in the middle of what has been deemed (by Westfield) to be a Rural Residential area. Taking the fields and beautiful night skies and turning them into concrete and parking lots, noise and pollution. There is no amount of buffer or development standards that would protect our area's rural charm from this type of intrusion. The rural character of this area would be completely changed forever.
- It matters because of the types of facilities that could be built on this 180+ acre site. A Steel fabricator, a Trucking company, High Intensity Retail, Bus station...does any of this sound even remotely compatible with Rural Residential?
- It matters because it will decrease our property values. Most of us made a thoughtful choice to live in this area. Many have invested a sizeable amount of money, time, and heart into our homes. This type of development will significantly decrease the desirableness of this area and

thus the value of our homes. Money will be taken away from us so that a developer who doesn't even live in this district can make money.

- It matters because it sets a precedent. Once something like this is anchored on the north side of Highway 38, it paves the way for industrial creep. Think about it...if this industrial park is built, how long will it be before the fields north or east of it fall victim to the same zoning?
- It matters because it will impact our health and safety. Increased heavy equipment and vehicle traffic, air pollution, noise pollution and light pollution. It is common knowledge that vehicle exhaust increases air pollution and noise pollution. It is common knowledge that air pollution is hazardous to our health. But noise pollution has also been shown to affect health negatively. It can cause a number of short and long term health problems such as sleep disturbance, cardiovascular effects, poor work & school performance, hearing impairment, etc...those most vulnerable to noise pollution are the elderly, chronically ill, and children. Groundwater contamination. How will our wells be affected? Will they be contaminated with chemical runoff? Will the aquifer be impacted? Trucks and businesses operating 24/7, people coming in and out of the area at all hours of the day and night brings serious safety issues.

It seems so clear that Northpoint II does not make sense for this area.

Additionally concerning is the way in which this proposal has come about. The developer chose to purchase the land rather than paying for an option to buy the land (which is the common practice). The developer (by his own admission) purchased the land with full knowledge of how the land was zoned. The developer purchased the land knowing what the Comp Plan envisioned for the area. They purchased the land with their eyes wide open. Now they expect to force this development on the Northeast Rural Residential area citizens when there is NO CRITICAL NEED to do so...it's absurd. How could it possibly make any rational sense to destroy this tiny, 1,320 acre district in order to accommodate the business decision of one developer? Hundreds of families vs. one developer. How could the desire of one developer have more value, carry more weight, than that of several hundred families who call this their home? Is a speculative industrial development really the most responsible use for this land?

In closing, I would like to say that this is very personal. It's about our daily life, our reality. This is where we live, where we come home to at the end of the day, this is where we rejuvenate, where we recharge our proverbial batteries. This is our most personal and private place...it is our refuge...it is our home. As you weigh your decision, please take into consideration the fact that this is much more than words and numbers on a piece of paper...it impacts real people.

Thank you very much for your service to Westfield and your time,

Christy Wheeler

20889 Anthony Road

In the beginning God created the heaven and the earth...Genesis 1:1

Pamela Howard

From: aborshoff@gmail.com
Sent: Wednesday, February 9, 2022 4:23 PM
To: APC
Subject: Northpoint 2

**WARNING: This external email is from
aborshoff@gmail.com.**

I am writing to you in protest of the Northpoint 2 development proposal in the Rural Northeast area of Westfield. The area is peaceful, quiet, and beautiful. This is in-line with the Westfield Washington Comprehensive Plan. I have reviewed this plan, and it explicitly states the following regarding the land that Northpoint Owners, LLC wishes to develop:

"The policy of this plan is that these areas will be designated as rural for the foreseeable future. In particular, the development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy set out in the general policies."

The plan also describes the following appropriate land uses in the Rural Northeast area:

- Single-family detached houses on large lots or in a Rural or Conservation Subdivision.**
- Accessory dwellings**
- Equestrian uses**
- Agriculture, including artisan farms**
- Institutional uses, such as schools, churches, public safety facilities, and similar uses**

There is no mention of an industrial park being appropriate or allowed in the Rural Northeast area. I currently see no addendum to this comprehensive plan that would change the status of this land to anything other than the rural definition stated in the original plan drafted in 2007. Therefore, I fail to see how an industrial park could possibly be appropriate, nor how it could represent the interests and well being of the residents surrounding this land. Let me also add here that the new proposal from Northpoint Owners, LLC is a pathetic attempt at including a 10 acre park to make up for the destructive 170 acre industrial park. In accordance with this comprehensive plan, I think a 180 acre park with 0 acres of industrial park would be much more appropriate, and much desired by the residents of the area.

Development of this rural land into an industrial park would send one very clear message: corporate interests are far more important than the interests of your constituents. If this land is to be converted into an industrial park, then it would seem the appropriate progression would be to first call for revision the comprehensive plan with input from the community. Proceeding with development of the land into an industrial park without revision of the plan would surely be a way to lose the trust and support of your constituents.

Kind Regards,

David & Alessia Borshoff

Sent from my iPhone

Pamela Howard

From: Jim May <jrmay47@gmail.com>
Sent: Thursday, February 10, 2022 2:26 PM
To: APC
Subject: Northpoint II Opposition

**WARNING: This external email is from
jrmay47@gmail.com.**

Members of the APC:

I live at 5620 Pine Hill Drive on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the Northeast Rural Residential District as rural residential and agricultural only.

Sincerely,

Jim May

Pamela Howard

From: Kathy Pedzinski <krpedzinski@comcast.net>
Sent: Sunday, February 13, 2022 4:24 PM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
krpedzinski@comcast.net.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5250 Nightshade Lane, Noblesville on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09. I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Do we really want an industrial park to be the first thing visitors see when entering the Noblesville area on the west side from Hwy 38? Please don't agree to this change in zoning.

Sincerely,
Kathy Pedzinski
5250 Nightshade Lane
Noblesville, IN 46062

krpedzinski@comcast.net

Pamela Howard

From: casey@just-install.com
Sent: Monday, February 14, 2022 8:51 AM
To: APC
Subject: Northpoint 2

**WARNING: This external email is from
casey@just-install.com.**

Dear APC,

We moved here 7 years ago from the southwest side of Indy (Decatur Township) to get away from the industrial area. We paid a premium and moved as far from that environment as we could. All the noise, traffic, long waits at traffic signals due to all oversized vehicles, pollution, ambient light, etc. I could go on and on because that's exactly why we moved away, For rural living. It was our dream and we have invested everything we have into it.

Our home is on Hinkle Rd in 103 year old farm house that happens to be 30' feet off of a 50 MPH road. One of our big concerns is the guaranteed increased oversized vehicles. Some of these Roads and old historic homes placement were not designed for industrial use. For our particular family and home, It's a serious safety concern. For all the people in the area like ourselves who have invested everything into the rural lifestyle. We absolutely do **not** want a industrial building, parking lot, parking lot lights and semis in our rural neighborhood.

Thanks you,
Casey Weaver

Pamela Howard

From: Ralph <rjohnsonracer76@gmail.com>
Sent: Monday, February 14, 2022 12:26 PM
To: APC
Subject: Fwd: Northpoint II Objection

**WARNING: This external email is from
rjohnsonracer76@gmail.com.**

Sent from my iPhone

Begin forwarded message:

From: Ralph <rjohnsonracer76@gmail.com>
Date: February 14, 2022 at 12:23:30 PM EST
To: Ralph Johnson <rjohnsonracer76@gmail.com>
Subject: Fwd: Northpoint II Objection

Sent from my iPhone

Begin forwarded message:

From: rjohnsonracer76@gmail.com
Date: February 11, 2021 at 2:47:40 PM EST
To: Christy Wheeler <bigskyorbust@gmail.com>
Subject: Fwd: Northpoint II Objection

Sent from my iPad

Begin forwarded message:

From: Ralph <rjohnsonracer76@gmail.com>
Date: February 11, 2021 at 2:30:47 PM EST
To: Cindy Spoljaric <cspoljaric@westfield.in.gov>
Subject: Re: Northpoint II Objection

Thx for responding to my letter. You and met and had a conversation outside of the gov. Bldg. several years ago. I believe it was when they put the phone tower in behind AMF boat storage. I still have your card somewhere.

I tried be calm and respectful in my letter, but make no mistake this absolutely the very last thing I want to see happen. If its so great let them put it their front yard.

Ralph Johnson
Sent from my iPhone

On Feb 11, 2021, at 1:58 PM, Cindy Spoljaric
<cspoljaric@westfield.in.gov> wrote:

Thank you for your comments Ralph. I agree with your assessment. I am very aware of the history of this area too...I've been an active member of our WWHS for 15 years. The comp plan did not designate this area for anything but rural uses. I will not vote for such a departure from our plan, with the negative externalities it will bring to your area.

Cindy

Cindy Spoljaric
Westfield City Council, At Large
317-695-6673
Cspoljaric@westfield.in.gov

On Feb 11, 2021, at 1:29 PM, Ralph
<rjohnsonracer76@gmail.com> wrote:

Warning: This external email is from rjohnsonracer76@gmail.com. Do not click on unexpected or untrusted links and attachments.

Sent from my iPhone

Begin forwarded message:

From:
rjohnsonracer76@gmail.com
Date: February 11,
2021 at 11:15:41 AM
EST

To:
rjohnsonracer76@gmail.com
Cc: Christy Wheeler
<bigskyorbust@gmail.com>
Subject: APC letter

APC and Westfield
Council Members,

My name is Ralph Johnson. I live on Sheridan Road directly across from Northpoint II Development. The fact that I first became aware of this was late summer last year. I've lived at my current address for almost 20 years. Why would I have not been notified of such a drastic change in a zoning to my front yard where widening of road would take my real estate?

Allowing an industrial park to be developed in the middle of an area designated by Hamilton County and City of Westfield as Rural Residential is inconsistent land use at best. The main reason I moved here is because it is rural residential. I have lived in Hamilton County since 1996. This is my retirement home, I retired from AT&T in 2011. Nothing I've seen in Northpoint's wish list fits the life style of peace and tranquility I hoped to enjoy. In speaking with my neighbors, who shared with me they too were

unaware of this change
too, NOT one person
favors this.

I have invested a lot of
time and money in my
property with the
intent it would be my
last home. If I'm forced
to sell to my property
to remain safe and have
some peace, WHO will
make me whole, the
City of Westfield,
Northpoint
Developement, Chris
Wilkes? If the residents
of the area had been
made personally aware
zoning changes to begin
with, would this be
where we are today? If
I can't get fair market
value for my home,
which I won't be able to
with an industrial park
in my front yard, it
would be impossible for
me to relocate and
replicate what I would
have to give up.

I wonder if the
commission is aware of
all the history of the
area in regards to
Quakers and the
Underground
Railroad, the Native
America Villages? My
mother was a Quaker
from Fairmount, I have
Native American
heritage from both
sides of my family and
the issues are
important to me.

Additionally, I have
concerns about
pollution. Air, noise,
drainage, 24hr. Traffic,

who will be in my neighborhood while I'm sleeping, I have a widow for neighbor I worry about. The runoff from this proposal what will it do to aquifer and ground water of my well. All of this is contrary to what currently exists.

If the developer had proposed a development of 5 and 10 acre home sites, I feel like they might have been welcomed as it would have helped OUR home values, that would be in the interest of the greater good of the community. We are not Carmel nor do we want to be buried in their debt which where we headed if we don't wake up. Very few people gain from these type issues. Westfield has been a bedroom community and that is its best asset. I worked in Kokomo and Indy since I've lived in Hamilton county and I would not live in either of those cities.

This whole situation is extremely overwhelming. Please deny Northpoint II proposal. Thank you.

Ralph Johnson
5069 Sheridan Rd
Westfield, IN 46062
Sent from my iPad

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Monday, February 14, 2022 12:30 PM
To: APC; Council Members
Subject: Opposition Northpoint II

**WARNING: This external email is from
bichon2222@gmail.com.**

February 14, 2022

To the members of Westfield APC and the Westfield City Council,

Please stop this Northpoint II PUD

The acreage included in this PUD is zoned according to the Westfield-Washington Township Comprehensive Plan as rural residential. This is on Page 31 of this plan, which was compiled by over 200 citizens, one of the themes of this carefully thought plan was to "preserve the community's rural and small town atmosphere, even as it accommodates new growth." On page 19, it states this large body of citizens desires through this Plan, open fields, farms, parks etc. all important to the character of Westfield. Also it states "preserve natural features such as stands of trees water bodies, and wetlands".

Please don't allow this 183 acres to be destroyed by an Industrial Park, crushing the history and the current citizens' dreams, homes and way of life. Protect what we have. While preparing for these letters I have sent to you, I did a bit of research on that special area of Anthony Rd. Highway 38, N. On Hinkle rd. And 216th street. There is much history in the book "Our Westfield". 1834-1984 and "A history of Westfield Indiana". For example, in the early 1800's Native Americans had their huts along Anthony Road and the Dismal Swamp which is now part of MacGregor Park, these Native Americans lived all over this area, hunting black bear, rabbits, foxes, muskrats, river otters and the list goes on. I can't help but wonder how many of their camps could have been located right here on this same 183 acres now being threatened, by Northpoint II development. Of course, there would be burial grounds and many artifacts buried here as well, along with this rich history of the Great Miami tribes living, hunting, farming and sustaining the lives of their families. Then came the Underground Railroad in the 1820's. Westfield and highway 38, and Anthony Road all played an integral part of this system, rescuing and protecting slave families. In 1837, the famous John and Rhuann Maria Rhoads Family will forever be documented and cherished in many books and even in the court documents where they were declared a free family after gallant efforts of neighbors protecting them after being sought after by their "owner", and hidden in a haystack about where this 183 acreage is located, and then taken in for protection in Westfield, Indiana. There is a marker for them across from the new high school near Ada Bales park, one of the founders of Westfield.

We, the citizens of this rural-residential, historical area, have come together and in February of 2021, submitted a petition carried by hand door to door and got over 180 signatures, and there was digital petition with over 400 signatures opposing this Northpoint II PUD.

Citizens who live in and around this area in peril, realize this Industrial Park will jeopardize our air quality, our underground aquifers, our wetlands, trees, and the air pollution will be thick from dust, fumes etc. Also, it will destroy the beautiful night sky which the Westfield-Washington Township Comprehensive plan mentions over and over protecting this rural quality for all to enjoy.

You all have been selected or elected to serve in the best interests of this entire area, and it's citizens and I thank you for the countless hours and many times thankless hours you all devote to your positions I ask you respectfully to vote NO on the NorthpointII PUD and save Westfield-Washington Township's rural-residential. Please preserve this beautiful area and the history and these citizens who live here or their lives will be changed forever in a negative way.

Good bless you and Thank you,

Janet Quisenberry-May

Pamela Howard

From: jpedzinski@comcast.net
Sent: Tuesday, February 15, 2022 1:52 PM
To: APC
Subject: Object to 2008-PUD-09

Importance: High

**WARNING: This external email is from
jpedzinski@comcast.net.**

Dear members of the City of Westfield's Advisory Plan Commission ("APC"),

I live at 5250 Nightshade Lane, on the east side of the proposed Northpoint II Industrial Park.

I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09.

I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High-Density use.

My sincere hope is that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the *Northeast Rural Residential District* as rural residential and agricultural only.

Sincerely,
Jacob Pedzinski

Pamela Howard

From: Pike, Cathy K. <ckpike@iupui.edu>
Sent: Wednesday, February 16, 2022 2:40 PM
To: APC
Subject: North Point II Proposal Opposition (2008-PUD-09)

Dear APC and Council Members:

I am writing to oppose the Northpoint II PUD (2008-PUD-09). My husband and I are “Hoosiers by choice” (to borrow a term used not so long ago by Governor Holcomb). We moved here 20 years ago and have lived in the same home since that time. Our land abuts the proposed Northpoint II PUD. I believe that the Northpoint II PUD should be denied for several reasons. The first of these is its non-compliance with Indiana Code 36-7-603 zoning ordinance; preparation and consideration of proposals (<http://184.175.130.101/legislative/laws/2020/ic/titles/036#36-7-4-603>). This Code stipulates the following tenets in preparing and considering proposals. They are as follow:

1. The Comprehensive Plan of a given area
2. Current conditions and character of ... structures and uses in each district
3. The most desirable use and adaptation for ... land within a given district
4. Conservation of property values within the jurisdiction, and
5. Responsible methods of development and growth.

The Northpoint II PUD meets none of these stipulations! It is in direct opposition to the Westfield-Washington Township Comprehensive Plan, which deems the Rural Northeast area of the district as rural, single-family, and agricultural. Homes in the Rural Northeast are expected to be built in ways that include protecting historic structures, having considerable open space, protecting open fields, trees, and streams (City of Westfield, 2007, p. 31). In fact, the Comprehensive Plan states that the Rural Northeast “area will be the last to face development pressure” (City of Westfield, 2007, p. 31). There is no mention in the Comprehensive Plan of commercial property or dense housing as acceptable development options for the Rural Northeast area.

Second, the Northpoint II PUD does not take into consideration the character and uses of this district. This district is rural and agricultural, with houses located on multiple acres. It is **not** urban, commercial, or suburban.

Third, the Northpoint II PUD certainly is not a desirable use and adaptation of the Rural Northeast area. The proposal clearly is not a desirable use of the land, and it is not even needed! Currently, there are almost 2,000 acres in the Westfield-Washington Township of available property that are available for development, meet the criteria of the Comprehensive Plan, and would be acceptable uses for the Northpoint II PUD. (Please refer to our “Remonstrance Against Northpoint II PUD” for further information.)

Fourth, should the Northpoint II PUD be approved, property values within the area are expected to plummet by 30% (Please see “Remonstrance Against Northpoint II PUD” for further information). We and all of our neighbors have worked hard to both maintain our homes and improve our properties’ values over time. My husband and I expect the value of our property to be one of our assets available to us during our retirement. We and our neighbors view any approval of the Northpoint II PUD as a **taking of value** and therefore adamantly oppose the proposal.

Fifth, it is obvious that the Northpoint II PUD represents irresponsible methods of development and growth. The Northeast area is a small rural agricultural corner of the Westfield-Washington Township and is designated as the last area of the entire Township to face pressure from development. The Northpoint II PUD seeks to convert 180 acres of beautiful rural land to a commercial development that allows virtually unfettered commercial endeavors. The North Point II proposal includes fully 73 possible types of commercial development, including an array of all-encompassing types of commercial properties. The proposed North Point II industrial development would abut a recently acquired

Hamilton County park and the Bray Family Farm. There is no place for industrial development in this entirely rural-agricultural area that has no commercial development of any kind.

The plan would not enhance the natural resources or the lives of those of us who would be directly affected by its development. In fact, 183 people who would be directly affected by this development are opposed to its approval! These nearly 200 people have responded to online and in-person canvassing to say that they oppose the Northpoint II PUD. (Please see the "Remonstrance Against Northpoint II PUD" document for detailed information and copies of the petitions.) My husband was the primary canvasser in collecting in-person petition signatures. He knocked on every door within a square mile of the Northpoint II PUD, including Anthony Road, 216th Street, Hinkle Road, and State Road 38. Not one person with whom he spoke approved of the Northpoint II PUD.

We sincerely hope and pray that you will deny the Northpoint II PUD and approve only those proposals that meet the standards of the Westfield-Washington Township Comprehensive Plan for the Rural Northeast district. Thank you for your attention to this urgent matter that will affect families for generations to come.

Cathy Pike

Cathy King Pike, Ph.D., MSW
Professor Emerita
Indiana University School of Social Work
902 West New York Street, ES 4138G
Indianapolis, IN 46202-5156
317-903-9522 / ckpike@iupui.edu

Celebrating more than 100 Years of Giving Hope and Changing Lives

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Pamela Howard

From: Wayne Pike <bwpike2004@yahoo.com>
Sent: Wednesday, February 16, 2022 3:22 PM
To: APC
Subject: Northpoint II (2008-PUD-09)

**WARNING: This external email is from
bwpike2004@yahoo.com.**

Dear APC and Council Members:

We moved to the Westfield-Washington Township almost 20 years ago. To be honest, we didn't intend to stay in Indiana more than a couple of years. But, then we found that we had actually found "home". The neighborhood was rural (we are from rural areas), and the people are friendly.

We invested a lot of money, both buying and improving our property over the past 20 years. Only time will tell how much the property will be devalued if Northpoint II passes. Our current estimate is 30%. Like a lot of people we are not rich and depend on our property to help us fund retirement.

If Northpoint II passes, we would also lose our privacy. Our property would touch on Northpoint II, so there would be no privacy when we are outside. The light will take away our night sky, not to mention ground water pollution that would threaten our well water and cause potential flooding, and noise and air pollution. We have a small sanctuary area for animals on one corner of our property. With their route for food and water cut off by Northpoint II, I have to wonder what will happen to them.

Because I was one of the people knocking on doors to get signatures for our petition, I know that our neighbors feel the same as we do. There was not one person in favor of Northpoint II, and I knocked on every door in the square mile off Anthony Road, 206th Street, Hinkle Road, and State Road 38. Please do not allow the Northpoint II proposal (2008-PUD-09) to move forward.

Sincerely,

Barry Wayne Pike, homeowner

Pamela Howard

From: James R Emerson <JR@EmersonLawLLC.com>
Sent: Thursday, February 17, 2022 3:12 PM
To: APC; Council Members
Subject: Northpoint 2 Industrial Park

**WARNING: This external email is from
JR@EmersonLawLLC.com.**

Committee and Council Members:

I live at 20803 Anthony Road.

I vehemently oppose any rezoning of the property at 32 and Anthony Road, aka Northpoint 2 Industrial Park.

We moved to this area in order to have a rural experience in Hamilton County. We purchased nearly 7 acres of land with a home and two out buildings.

When we purchased our property it was our understanding that this area was and would continue to be zoned as rural/agricultural.

I believe there are other areas already zoned for this proposed project. Those would be a more appropriate location.

If this project goes through we will be forced to view the 45 foot tall buildings (3.2 stories) from my front yard. I don't think that anyone would find that acceptable. Approval would cause the market price of our nearly 7 acres to drop significantly in value.

In addition, I believe the increased traffic and semi-trucks will lead to other unforeseen issues. Likely some form of tax abatement would be made, which in my opinion negates the argument that taxes revenue would increase.

I can assure you that this it was your home that was affected you would not even consider rezoning this property. Again, there are other parcels of land that are already zoned appropriately for this project. So there is no need to rezone this parcel.

I plan to fight this proposal with all of my time and energy.

Thank you for your time and consideration.

JR Emerson

JR Emerson, Partner
EMERSON DIVORCE AND
ACCIDENT INJURY ATTORNEYS, LLC
1 S. Rangeline Road, Suite 400
Carmel, IN 46032
P: 317-969-8000

Pamela Howard

From: Christy Wheeler <bigskyorbust@gmail.com>
Sent: Thursday, February 17, 2022 3:30 PM
To: Pamela Howard
Subject: Fwd: Opposing NorthPoint 2 Industrial Park!!

**WARNING: This external email is from
bigskyorbust@gmail.com.**

Hi, Pam!

I think this was accidentally sent to me and should have gone to APC...just passing it along.

Thanks,
Christy

Begin forwarded message:

From: Edward Marcus <esmarcus@ameritech.net>
Date: February 17, 2022 at 3:24:31 PM EST
To: councilmembers@westfield.in.gov, Christy Wheeler <bigskyorbust@gmail.com>
Subject: Opposing NorthPoint 2 Industrial Park!!

Please say NO to this development. We do not want our neighborhoods adversely affected such that we no longer have a residential setting that is the opposite of what we looked forward to when moving to our current locations.

Edward S. Marcus, DDS
5192 Aegis Drive
Noblesville, IN

Pamela Howard

From: Martin Kirkwood <mkirkwood@alumni.nd.edu>
Sent: Friday, February 18, 2022 10:08 PM
To: APC
Cc: Pamela Howard
Subject: 2nd Letter Opposing Northpoint II

**WARNING: This external email is from
mkirkwood@alumni.nd.edu.**

Dear Advisory Plan Commission,

My name is Martin Kirkwood and I have lived at 21570 Anthony Road in Westfield, Indiana since 2004. I previously lived in the Carey Commons neighborhood from 1999-2004. Also, I traveled through the town on my way back and forth to college back in the late 1980's. So, for nearly 40 years, I have witnessed firsthand the transformation that this area has undergone.

I can only imagine the number of conversations and discussions that have happened to help our town/city get where we are today. I very much appreciate and understand the important role you now play in helping plan and direct the development of our community for the future. It is with that perspective and my own service to the community as a member of the Westfield Washington Township Parks Advisory Council that I offer you the following plea.

Please emphatically reject the Northpoint II proposal and help us find a way to preserve this land as was envisioned both in the comprehensive plan and the bold vision of our Township Trustee and Parks Advisory Council.

To that end, I hope you hear the voices of the many residents of this area as we rely on you to fulfill your role to help lead responsible development with the guidance of our comprehensive plan. In addition to the many letters included in this packet, there are over 200 signatures of individuals who oppose this proposal. There was also much work and documentation in the Township and Parks plans for the need and desire to preserve this land for more greenspace for our community.

Additionally, during the three different neighborhood meetings I attended with the developers, there has been adamant objection to this project. Please do not take any of the comments and questions about the details of the plans to be any type of endorsement or acceptance of their proposals and adjustments as it appears some of the report may suggest. Recently, there were over 40 residents in attendance at this last meeting where we voiced our united opposition. It was stated repeatedly that this area being proposed for a zoning change is not appropriate for this purpose and does not fit within the comprehensive plan. Therefore, it is clear that this proposal should be unanimously rejected by your commission.

I recognize and have seen firsthand the significant role each of you serve in planning for our city/township. I know from listening in on a number of your meetings these past couple years the dedication and seriousness with which you take your duties. I want you to know how much your time and effort is appreciated. My fear with seeing this project continuing to be on your agendas is that the process is unfairly in favor of the developers and not the local residents. My hope and prayer are that you will be our voice and help put an end to what I view is not only an inappropriate and irresponsible proposal, but also an unnecessary and disrespectful use of your time.

I know that there are a number of us neighbors who have worked tirelessly to try to express our concerns and reasons for this not being an appropriate use of this land. We put tremendous effort and time into planning our opposition and writing a detailed remonstrance. We have sacrificed significant time and much worry over this project as we truly appreciate and have been drawn to this area for its natural beauty. It seems to me the most appropriate thing you could do would be to not only reject this proposal, but let the City Council and developers know this land deserves to be protected and somehow preserved in its beautiful and natural state.

Sincerely,

Martin Kirkwood

Pamela Howard

From: Ted Sommer <Ted.Sommer@LWGcpa.com>
Sent: Saturday, February 19, 2022 7:02 AM
To: Pamela Howard
Cc: APC
Subject: Ted and Carol Sommer input concerning proposed NP II land use
Attachments: Letter from Ted and Carol Sommer dated February 17 2022 concerning Northpoint II proposal.pdf

**WARNING: This external email is from
Ted.Sommer@LWGcpa.com.**

Pam: Please see that the attached gets to the appropriate decision makers. Any follow up questions can be addressed to me. My cell phone number is 317-509-4228.

Thank You

Ted Sommer



Ted Sommer, CPA

LWG CPAs & Advisors

p: (317) 634-4747 ext. 222 f: (317) 632-2727

a: 1776 North Meridian Street, Suite 500, Indianapolis, Indiana 46202

w: LWGcpa.com

e: Ted.Sommer@LWGcpa.com



Westfield Advisory Planning Commission

February 17, 2022

Town Council Members City of Westfield

Subject: Proposed Northpoint II Industrial Park

From: Ted and Carol Sommer
21001 Anthony Road

My wife Carol and I moved into our house in December of 2008. In the intervening years we have rebuilt and refurbished 3 ponds that flow into each other, and with the help of the Hamilton County Conservation District and my wife (A Master Gardener) we have turned our property into a designated natural habitat. Now, is not a good time to visit, but please come over in May.

We love the relative isolation of our four acres. Allowing this proposed Industrial Park will remove the peace we find in the evenings and will devalue our property. We are in our late 60's and are beginning to contemplate moving and if you allow this use of the 183 acres north of Highway 38 as proposed I will need to disclose that to any potential buyers, and it will result in the confiscation of the value of our property by the City.

Please do not allow this proposed project to go through. It is:

- Contrary to the Westfield Comprehensive Plan
- Incongruent with the 2020 Hamilton County Comprehensive Plan
- When we last checked, there are 1,950 acres of land in the City which is undeveloped and is already zoned in a manner consistent with the proposed use of Northpoint II.
- There are no sidewalks or streetlights along Anthony Road. We are not asking anyone to put them there, but there will be increased traffic along Hwy 38 and Anthony and if this is approved that will be inevitable.

Finally, I grew up on a family farm in Missouri. We like to guess what crop the farmer across the road will plant this next year. We also have seen the sky darken when the Indiana Sand Cranes are on the move. If you approve this Industrial Park, when we look across the road, we will see buildings and crops. If the Industrial Park proves profitable to Holladay and to the city, the Industrial Park will move further north. We will certainly no longer see the Sand Cranes.

Sincerely,


Ted and Carol Sommer

Pamela Howard

From: Jon Hastings <jhaste31@gmail.com>
Sent: Saturday, February 19, 2022 6:35 PM
To: APC; Council Members
Subject: Industrial Park Northpoint 2 Proposal

**WARNING: This external email is from
jhaste31@gmail.com.**

I am writing to you in protest of the Northpoint 2 development proposal in the Rural Northeast area of Westfield. The area is peaceful, quiet, and beautiful. This is in-line with the Westfield Washington Comprehensive Plan. I have reviewed this plan, and it explicitly states the following regarding the land that Northpoint Owners, LLC wishes to develop:

“The policy of this plan is that these areas will be designated as rural for the foreseeable future. In particular, the development for these areas as anything other than rural or agricultural uses in the near future would violate the contiguity policy set out in the general policies.”

The plan also describes the following appropriate land uses in the Rural Northeast area:

Single-family detached houses on large lots or in a Rural or Conservation Subdivision.
Accessory dwellings
Equestrian uses
Agriculture, including artisan farms
Institutional uses, such as schools, churches, public safety facilities, and similar uses

There is no mention of an industrial park being appropriate or allowed in the Rural Northeast area. I currently see no addendum to this comprehensive plan that would change the status of this land to anything other than the rural definition stated in the original plan drafted in 2007. Therefore, I fail to see how an industrial park could possibly be appropriate, nor how it could represent the interests and well being of the residents surrounding this land. Let me also add here that the new proposal from Northpoint Owners, LLC is a pathetic attempt at including a 10 acre park to make up for the destructive 170 acre industrial park. In accordance with this comprehensive plan, I think a 180 acre park with 0 acres of industrial park would be much more appropriate, and much desired by the residents of the area.

Development of this rural land into an industrial park would send one very clear message: corporate interests are far more important than the interests of your constituents. If this land is to be converted into an industrial park, then it would seem the appropriate progression would be to first call for revision the comprehensive plan with input from the community. Proceeding with development of the land into an industrial park without revision of the plan would surely be a way to lose the trust and support of your constituents.

Jon and Lindsey Hastings

Sent from my iPhone

Pamela Howard

From: Pat Boyle <pjboyle@midlandatlantic.us>
Sent: Sunday, February 20, 2022 9:36 AM
To: APC
Subject: Northpoint II Objection
Attachments: Northpoint II Objection Letter - Boyle 022022.pdf; MAP and List of Other Large Parcels Available in Westfield 022022.pdf

**WARNING: This external email is from
pjboyle@midlandatlantic.us.**

Dear Council and APC members – I am a resident of Westfield and live on Anthony Rd. Please find attached my letter of objection to the proposed Northpoint II PUD as well as some supporting documentation.

Thank you for your service and consideration.

Best regards,



PATRICK BOYLE |
MIDLAND ATLANTIC PROPERTIES

Direct: 317.597.1718 | Mobile: 317.679.6322
pjboyle@midlandatlantic.us | www.midlandatlantic.com
3801 East 82nd Street, Suite B, Indianapolis, Indiana 46240



February 20, 2022

Westfield City Council &
Westfield Advisory Plan Commission
Westfield, IN

RE: Objection to the Proposed Northpoint II PUD

To the members of the Westfield City Council and the Westfield Advisory Plan Commission:

My name is Patrick Boyle. My wife Wendy and I live at 21312 Anthony Rd in Westfield. I am writing to voice my objection to the proposed Northpoint II PUD.

I have lived on Anthony Rd now for nearly 8 years but have been a resident of Westfield 25 years. I love Westfield and purposely chose it for its small town and community feel as well as its excellent school system. All in all a great place to live and raise a family. In 2014 we moved from Setters Run to Anthony Rd specifically to escape the density of a production home community, gain a little elbow room and enjoy country living. Anthony Rd on this northeast corner of the township has become known a little jewel, an oasis in Westfield, where larger-lot, estate and country homes abound which in my opinion and the opinions of many, is at the core of the character and roots of Westfield – what makes it a special place to live.

I am a partner at a real estate development company, Midland Atlantic Properties, and consequently am generally supportive of new development and economic growth, when appropriate. However, “appropriate” is the key word here. Westfield’s comprehensive plan specifically calls for the area proposed for Northpoint II to remain non-dense residential. The comprehensive plan, written in 2010, was a very well-thought-out plan, the collaborative and deliberate effort of hundreds of members of the community, city staff and officials. Why deviate from that plan now and agree to a re-zoning? I understand the need to evolve, adapt and grow as a city but to disregard a recent comprehensive plan and change from agriculture to industrial zoning (regardless of the design and use standard concessions made by the developer) is just not appropriate, not compatible with the area, contrary to the vision of the community and not smart planning. When we (Midland Atlantic) developed Monon Crossing recently (where Chipotle, Denny’s and Burger King are located) at SR 32 & Wheeler Rd, we did seek a rezoning of some of our original parcels containing old homes and also sought minor variances to things like set-backs and landscape requirements in our PUD, but all these changes were compatible with the comprehensive plan and very much in the spirit of the city’s and communities’ vision. The Northpoint II PUD is different, a much more drastic and onerous change.

I understand the desire to attract economic growth, jobs and investment, to the area and I am generally supportive of that vision. However, growth must not be at the cost of a well thought-out and established long term comprehensive plan. The Northpoint developer says that he needs larger tracts of

land to attract larger users which cannot be accommodated at the existing Northpointe I development. Please keep in mind that Northpointe I is still not fully leased or committed to so we feel that they do have room in that project to accommodate the growth they seek. More importantly, there are in fact several larger tracts of land (over 1,900 acres) south of SR 38 and either adjacent to, contiguous with or nearby North Pointe I and on SR 32 west for US 31, as shown in the neighborhood objection package we neighbors have submitted to you previously (and also attached to this letter), most of which are indeed within the appropriate areas and compatible with the comprehensive plan and some already with appropriate zoning and even some with TIF's in place to accomplish what they are looking for. The city constructed the exit off of US 31 at 191st St presumably to make this a gateway into the business park area and more easily accommodate the truck traffic and commercial activity. Let's stay with that plan and keep the commercial and industrial development in these other areas.

Furthermore, the neighborhood group and I believe that this re-zoning request does not meet specific legal requirements to qualify for a rezoning (as described in more detail in the neighborhood objection package). If you allow this, it will open the floodgates for industrial development to sprawl further north and east into this corner of the township, eliminating one of Westfield's last non-dense residential and agricultural areas, forever changing the character of the area and consequently changing the complexion of Westfield as a city and community.

We ask that you councilmen and commission members respect the comprehensive plan, preserve the vision of the community and comprehensive plan and vote against the Northpoint II PUD.

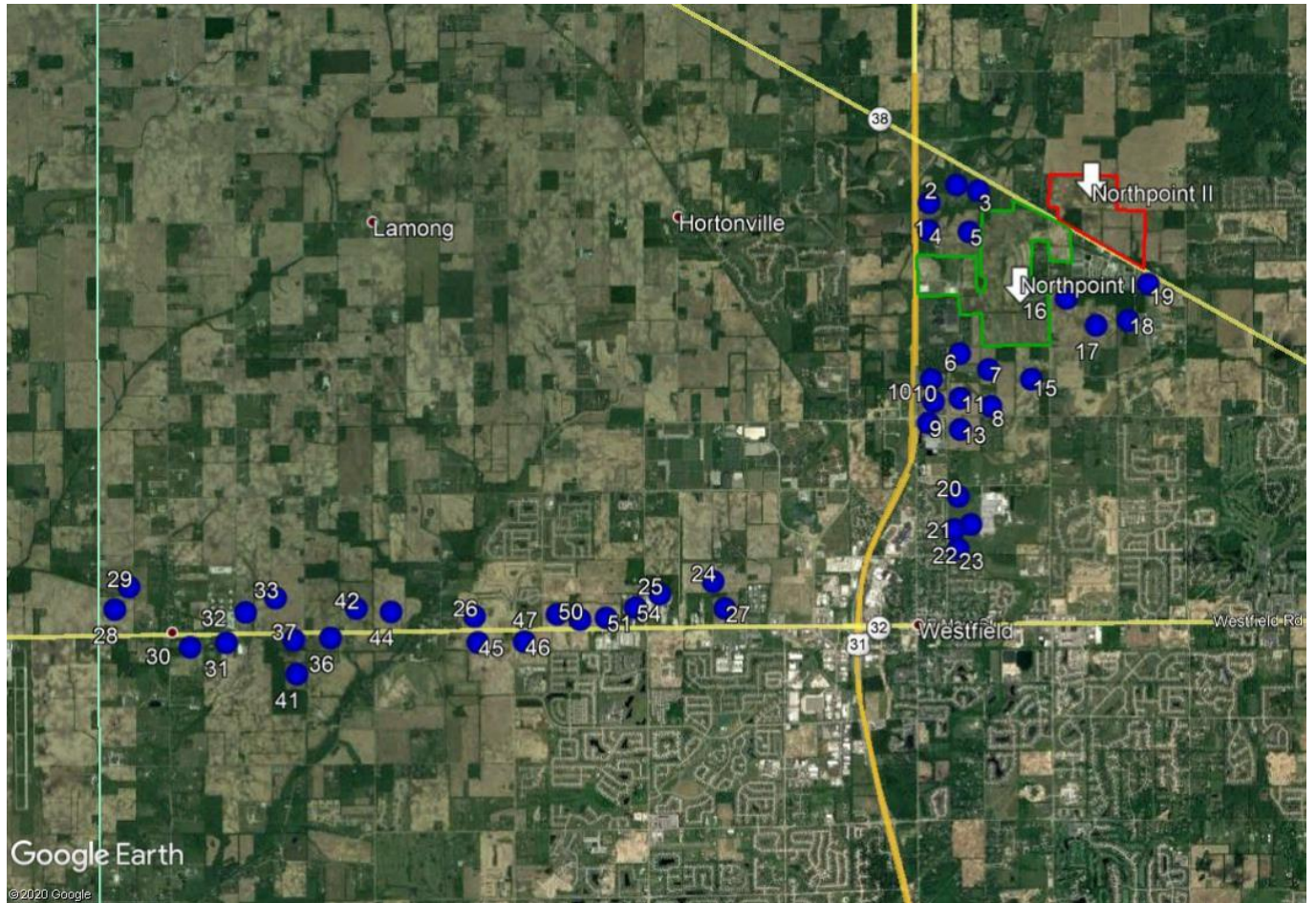
Thank you and respectfully yours,



Patrick & Wendy Boyle
21312 Anthony Rd, Westfield, IN 46062
317-679-6322
patandwendyboyle@gmail.com
pjboyle@midlandatlantic.us

MAP OF LARGE UNDEVELOPED PARCELS IN WESTFIELD

LOCATED WITHIN A LAND USE AREA APPROPRAITE FOR NORTHPOINT II PER THE COMP PLAN



Subject Parcels (proposed Northpoint II):

<u>Owner</u>	<u>Acreage</u>	<u>Comp Plan</u> <u>Land Use Category</u>	<u>Zoning</u>
Bryant 1	14.71	Rural Northeast	AG-SF1
Bryant 2	46.42	Rural Northeast	AG-SF1
Wiehe 1	22.16	Rural Northeast	AG-SF1
Wiehe 2	38.73	Rural Northeast	AG-SF1
Green TAT Farms 1	19.25	Rural Northeast	AG-SF1
Green TAT Farms 2	48.51	Rural Northeast	AG-SF1
Acreage Total		189.78	

Large Undeveloped Parcels Adjacent to Northpoint I:

<u>Map #</u>	<u>Owner</u>	<u>Acreage</u>	<u>Comp Plan</u> <u>Land Use Category</u>	<u>Zoning</u>
			Business Park/Employment Corridor/Regional	
1	Roudebush (SR 31 & SR 38)	44.11	Commercial	AG-SF1
2	DeLullo (SR 31 & SR 38)	37.92	Business Park	AG-SF1
3	Burton/Bishop (SR 31 & SR 38)	7.55	Business Park	AG-SF1
4	Wilkins (SR 31 & E 202nd St)	77.08	Employment Corridor	AG-SF1
5	Stepheson (202nd St & N East Rd)	16.89	Business Park	AG-SF1
6	Chance (196th & N East Rd)	16.19	Employment Corridor	AG-SF1
7	Chance (191st St & Flippines Rd)	70	Business Park	SF-2
8	Chance (191st St & Flippines Rd)	6.68	Business Park	SF-2
9	North Westfield Developments LLC	5.14	Employment Corridor	PUD
10	North Westfield Developments LLC	29.39	Employment Corridor	PUD
10	North Westfield Developments LLC	8.39	Employment Corridor	PUD
11	North Westfield Developments LLC	13.28	Employment Corridor	PUD
11	North Westfield Developments LLC	19.26	Employment Corridor	PUD
13	North Westfield Developments LLC	18.51	Employment Corridor	PUD
13	North Westfield Developments LLC	20.5	Employment Corridor	PUD
15	Roberts (196th & Grassy Branch Rd)	79.74	Business Park	SF-2
16	Roberts (196th & Grassy Branch Rd)	77.9	New Suburban	AG-SF1 PUD
17	Roberts (196th & Grassy Branch Rd)	80	New Suburban	AG-SF1 PUD
18	Reasen (E 196th St)	17.53	New Suburban	AG-SF1
19	Bray (SR 38 & Moontown Rd)	54	New Suburban	AG-SF1
20	Freedom Associates of Indiana LLC (N East St & 186th St)	30	Employment Corridor	SF-3
21	Freedom Associates of Indiana LLC (N East St & 186th St)	30	Employment Corridor	SF-3
22	Gapinski (N East St)	10	Employment Corridor	SF-3
23	317 Capital LLC	9	Employment Corridor	SF-3
Acreage Sub Total		779.06		

Other Large Undeveloped Parcels in Westfield within an appropriate Comp Plan Land Use Area:

<u>Map #</u>	<u>Owner</u>	<u>Acreage</u>	<u>Comp Plan Land Use Category</u>	<u>Zoning</u>
24	Wheeler Landing	181	Employment Corridor	PUD
25	Springmill Center	57	Employment Corridor	PUD
26	Gristmill Crossing	14.7	Regional Commercial	PUD
27	Dartown Crossing	33.93	Employment Corridor	PUD
28	Wood Farms LLC (SR 32)	43.05	Business Park	AG-SF1
29	Wood Farms LLC (just north of 32 & County Line Rd)	43.55	Business Park	AG-SF1
30	Nuckols, Billy S (SR 32)	17.57	Employment Corridor & Villages	AG-SF1
31	HJW Holdings II LLC (Just off the South side of 32)	54.66	Existing Rural Southwest	AG-SF1
32	HJW Holdings V LLC (SR 32 & Mule Barn Rd)	80.25	Employment Corridor	AG-SF1
33	Chance (SR 32 & Centennial Rd)	40	Employment Corridor	AG-SF1
33	Chance (SR 32 & Centennial Rd)	20	Employment Corridor	AG-SF1
33	Chance (SR 32 & Centennial Rd)	20.5	Employment Corridor	AG-SF1
36	Cardinal Real Estate Holdings LLC (SR 32 & near Towne	86.64	Employment Corridor	PUD
37	HJW Holdings III LLC (Just off the South side of 32)	24.05	Employment Corridor	AG-SF1
36	Cardinal Real Estate Holdings LLC (SR 32)	3.25	Employment Corridor	PUD
36	Cardinal Real Estate Holdings LLC (SR 32)	19.99	Employment Corridor	PUD
36	Cardinal Real Estate Holdings LLC (SR 32)	7.97	Employment Corridor	PUD
41	Tyler Eifert (Just off the south side of SR 32)	40	Employment Corridor	AG-SF1
42	Towne Road Crossing North LLC (just north of 32)	14.31	Local Commercial	PUD
42	Towne Road Crossing North LLC (just north of 32)	42.25	Employment Corridor	PUD
44	Saxton (SR 32 & just West of Little Eagle Creek Ave)	78.85	Local Commercial	AG-SF1
45	Ackerson Family Farms LLC (SR 32 & Ditch Rd)	114.87	New Suburban and Regional Commercial	PUD
46	Ackerson Family Farms LLC (SR 32 & Ditch Rd)	41.75	Regional Commercial & Suburban Residential	PUD
47	FHM Family Limited Partnership (SR 32 & Casey Rd)	18.74	Regional Commercial	PUD
47	FHM Family Limited Partnership (SR 32)	4.1	Regional Commercial	PUD
47	FHM Family Limited Partnership (SR 32)	2.21	Regional Commercial	PUD
50	191st Street Land Co LLC (SR 32)	15	Regional Commercial	PUD
51	Mansoori (SR 32)	22.51	Regional Commercial	PUD
51	Mansoori (SR 32)	7.54	Regional Commercial	PUD
51	Mansoori (SR 32)	7.12	Regional Commercial	PUD
54	Mink Investments LLC (SR 32 & Springmill Rd)	13.34	Regional Commercial	EI
Acreage Sub Total		1,170.70		
Acreage Grand Total		1,949.76		

Pamela Howard

From: Tony Dues <TDues@midmark.com>
Sent: Sunday, February 20, 2022 12:53 PM
To: APC
Subject: North Point 3

**WARNING: This external email is from
TDues@midmark.com.**

Hello Planning Commission!
Thank you for taking a minute here!

In regards to the proposed North Point 3 development north of hwy 38 (between Anthony Rd & Hinkle Rd), I have studied this proposal along with the area around it and simply put it does not make any sense. The Westfield & Washtington Township Comphrensize Plan deems this area north of 38 to be rural & agricultural.

There are three parks in this quadrant of land (between 31 & Hinkle Rd), why on earth would an industrial park be a good idea here?!

There is not pressure on our area to have more industrial space. We currently have over 1,000 acres of available industrial sites (one being North Point 2).

I am all for growth but certainly in the right areas. We have seen the negative result of towns with poor planning and putting this industrial park in the middle of a rural setting will do so much to diminish this area of Hamilton County.

A recent assessment by the Indiana DNR deemed Hamilton County as desperately needing green space. Let's do a really great thing for our area and preserve this land either a) into a humongous park/conservation land (w/ the 3 current parks anchoring) or b) if development is needed, keep it rural w/ 3-5 acre homesites. These keep the integrity of this land, the current homes around it, and stays consistent with the Comp Plan.

Thank you again for taking the time and your service to keep Hamilton County great!

Tony

Designing better care.™

Tony Dues

Territory Portfolio Manager
Medical Products

C: 317-431-8884
tdues@midmark.com
Service: 844-856-1230
www.midmark.com



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Pamela Howard

From: Mitchell Elmore <mdelmore22@gmail.com>
Sent: Sunday, February 20, 2022 1:03 PM
To: APC; Council Members
Subject: Northpoint 2 PUD

**WARNING: This external email is from
mdelmore22@gmail.com.**

This message is in regards to the Northpoint 2 PUD proposal.

Please vote NO in regards to this proposal. In addition to everything that has been discussed and mentioned by other members of the community, I would like to bring up the current Northpoint 1 construction going on just outside of my backyard. I live on the west side of Edwick Drive in Coventry and my backyard and all of my rear windows face the current eyesore called Northpoint 1. While it is fact I built my house and moved in after Northpoint 1 was already agreed upon and in process of construction, it is also fact that it is an eyesore, loud, an increase in traffic, and stands to decrease home prices to those closest to it. The current building under construction on East Street has been nothing short of a disturbance to our house and community. The pure loudness of the construction equipment, loads literally being dropped off and shaking our house, the noise pollution from the equipment and people yelling, the dirtiness of East Street, the already deterioration of East Street, and the steady stream of trash and debris that has ended up in our yard during their construction has been a complete headache for my family. One has to assume that as the construction gets closer to Coventry, the problems will only worsen exponentially. And once businesses take over, the noise, congestion, and lights of the business and semi trucks will become a daily headache for nearby residents.

I find it peculiar that the owners and developers of this proposed project don't live and relax in the immediate area they are actively trying to develop. If that doesn't speak volumes to the drastic decline it is expected to bring to surrounding community, I don't know what does.

There is absolutely no benefit to this project except to the developer. As representatives of the community, it is plainly evident by the community's response that this project is completely unwanted and should be voted on accordingly - which is NO.

Please consider the large amount of citizens that will be directly and indirectly impacted by this project when voting.

Thank you,

Mitchell and Sammi Elmore
20002 Edwick Drive
Westfield, IN 46074

--

Mitchell Elmore
mdelmore22@gmail.com
(317) 910-7215

Pamela Howard

From: Justin Evans <justin.a.evans11@gmail.com>
Sent: Monday, February 21, 2022 8:30 AM
To: APC
Cc: Kaitalyn Smith
Subject: Opposition to Northpoint II - Objection

**WARNING: This external email is from
justin.a.evans11@gmail.com.**

To Whom It May Concern,

My family and I live at 5376 Sheridan Rd. We moved from our home in downtown Noblesville to our 3-acre property for the serenity, nature, and proximity to so many great local businesses. Our historic 100+ year old property features a large horse barn and carriage house, both original in structure. We feel very strongly about the preservation of the area currently in discussion to be developed by Northpoint II.

We fear that the impending development will bring down our property value, pose a threat to the ecosystem, and endanger the livestock surrounding us. The rural lifestyle that we moved for will be directly threatened by the commercial development plans.

It is our firm request that the land NOT be developed. If it were to be developed, we would strongly request that it would be residential in nature, only. The residential development should preserve our beautiful property line and capitalize on the wide-open land, sky, and animals. Any other option would be a disservice to this beautiful area.

Thanks,

The Evans Family
574-453-8168

Pamela Howard

From: Doug Sikora <ds7969@yahoo.com>
Sent: Monday, February 21, 2022 11:48 AM
To: APC
Subject: Objection to North Point II

**WARNING: This external email is from
ds7969@yahoo.com.**

My name is Doug Sikora, resident of 20280 Dayspring Court, Noblesville. This email represents our strong objection to North Point II for all the reasons mentioned in "neighbor meeting summary". ie., the well documented traffic dangers on 38 and Hickle Creek Rd., light and noise pollution, negative impact to wildlife using the area and neighboring park, water quality, negative impact on home values, and deviation from the planning/zoning.

Thank you,

Doug Sikora
1-317-379-2399

Pamela Howard

From: Jill Bracken-Emerson <Jill@EmersonLawLLC.com>
Sent: Monday, February 21, 2022 11:50 AM
To: APC
Cc: Christy Wheeler; Wayne Wheeler
Subject: Objection to NorthPoint II

**WARNING: This external email is from
Jill@EmersonLawLLC.com.**

Dear APC and Council Members,

I am writing in opposition to the development of NorthPoint II on land north of State Road 38 and east of Anthony Road. My family and I live on the west side of Anthony Road just north of State Road 38 at 20803 Anthony Road. We purchased 7 acres on Anthony Road in 2020 to develop a family farm, a use for which the area is zoned.

Since purchasing in 2020, we have installed fencing, upgraded an existing barn, upgraded the drainage system, and completely renovated the home. We have purchased cattle seedstock and farming equipment. In the spring of 2021, we began raising cattle, and in the fall sold our first calves to local 4-Hers who intend to show them. Soon cows and their calves will be arriving at our farm for spring and summer grazing. The calves will be sold in the fall.

Purchasing the 7 acres that we own in rural Westfield is the fulfillment of my dream to return to Hamilton County and own a farm and raise cattle. For some background, both of my parents grew up as farmers in Hamilton County. My father in Strawtown and my mother in Westfield. On my father's side, my roots in Hamilton County go back to the late 1800s when my grandmother's family (the McClintock's) owned a large amount of farmland near the Conner homestead, where Conner Prairie now sits. On my mother's side, my mother grew up on a farm on Mule Barn Road near 186th St. Her father Max Harvey raised dairy cattle and drove a school bus for Westfield Washington Schools. She is a 1964 graduate of Westfield High School. Her mother, my grandmother Edith Harvey, was an elementary teacher in Sheridan and Noblesville. Her brother, my uncle, Steve Harvey, has owned Harvey's Collision Center in Westfield since the 1960s. I was born at Riverview in Noblesville and lived in Strawtown until first grade. I started school at Walnut Grove Elementary. In the mid-70s when land prices began to soar in Hamilton County, my parents whose dream it was to farm moved us to Montgomery County, near Crawfordsville, where land prices were still affordable. I was raised on a farm near Crawfordsville and showed livestock in 4-H for 10 years.

It has been my dream to return to a farm and raise cattle with my family in Hamilton County. Purchasing the 7 acres that we own on Anthony Road is the fulfillment of 25 years of work as a lawyer so that we could afford to get back to a farm in Hamilton County. I want my kids, their kids, and the community to learn about agriculture and share in family farm life in rural Hamilton County.

Given the financial investment to purchase and renovate the property that we own, my family's financial nestegg is tied to the land on Anthony Road. Our purchase was based on reliance upon the zoning and

Comprehensive Plan established by Westfield. The development of NorthPoint II with large industrial buildings will destroy the value, character, and purpose of the property that we purchased.

It is my understanding that other areas of Westfield are already zoned for this type of development. NorthPoint II does not belong on land north of State Road 38, an area zoned as and used for family farms. It belongs in an area that is already properly zoned for industrial buildings. Please deny the request for re-zoning.

Best regards,

Jill Bracken-Emerson
Partner
**Emerson Divorce and
Accident Injury Attorneys, LLC**
1 South Rangeline Road, Suite 400
Carmel, Indiana 46032
P: 317-969-8000
F: 317-663-2116

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Pamela Howard

From: J Adams <jmausgp@gmail.com>
Sent: Monday, February 21, 2022 3:28 PM
To: APC
Subject: Northpoint 2

**WARNING: This external email is from
jmausgp@gmail.com.**

Dear Planners, Commissioners, and Council Members,

My name is Joe Adams and I live at 5059 E. 211th Street which is less than a half mile from the Northpoint 2 property line. My property reaches all the way to Morse Reservoir and has over 1,400 feet of shoreline on Morse Reservoir. The Northpoint 2 fields have drainage tiles and surface water drainage that flows directly into my property and through my property to Morse Reservoir. I know this because in 1997 a large diesel fuel spill in these same fields caused major ecological damage to my property. One of the creeks that run through my property and into Morse sustained significant damage. We had a 100% fish kill of all species. We had as much as 90% of the frogs, toads, salamanders and other amphibians die as a result of this spill. I have worked for more than 20 years to repair that damage.

If an industrial park were to be built on Northpoint 2 land, not only would industrial pollution rise and threaten ground water for miles around but given enough time we would most likely face another industrial accident that would eventually flow into my property and on into Morse Reservoir. Depending on the toxicity of the spill this could not only wipe out wildlife and domestic animals but in the end it could threaten the water supply of everyone that uses Morse Reservoir. And this doesn't even take into account groundwater use by a large industrial park, which could threaten all of us that live around the area and are dependent on the aquifer for our water. And where would wastewater go, and how would it be treated. Frankly there are too many questions and not enough good answers here.

It is also very clear that the decision to have industrial parks below State Road 38 has already been made and there is no reason that Northpoint 2 could not build south of St. Road 38 and away from Morse Reservoir and the Morse watershed.

With parkland becoming increasingly precious and irreplaceable we simply can't put an industrial park on either side of two of our current parks and potentially one of our future parks that could exist in one of the few remaining corridors of undeveloped open space. Afterall, a nature park with no or very limited wildlife isn't a park at all. A nature park tends to draw people from both inside and outside the county. In my experience industrial parks are to be avoided because of truck traffic and pollution and for many other obvious reasons.

For these and the many other reasons already stated, I implore the planners, commissioners and council members to vote NO on North point 2 request of a change of land use.

Sincerely,

Joe Adams

Pamela Howard

From: Adam Corya <adamcorya@callcarpenter.com>
Sent: Monday, February 21, 2022 3:57 PM
To: APC
Cc: Pamela Howard; Caleb Ernest; Daine Crabtree
Subject: Objection To Northpoint II

**WARNING: This external email is from
adamcorya@callcarpenter.com.**

Good Afternoon Members of the City Of Westfield Advisory Plan Commission,

After a thorough review and consideration of the proposed Northpoint II PUD Ordinance Number 20-25, I want to express, in writing, my ardent objection.

My wife and I moved our family from our last neighborhood home within Westfield Washington School District to our current home on Anthony Road specifically to escape the ever-increasing commercial atmosphere within Westfield. We sought an area that we could trust would remain free from the myriad of issues that are unfortunately a given with any commercial real estate setting including major light & noise pollution.

As a real estate professional, I wasn't naive to the potential of some of the surrounding farmland in our area changing hands and for homes to be built on the land. In fact, new neighbors have just completed a gorgeous new home on Anthony Road. This home complies with all of the zoning / ordinances in place as it should. Residential development among an existing residential area is most often a net positive for the existing homeowners in the area. In contrast, there is nothing more damaging to a residential area's value than having industrial buildings erected nearby.

What I couldn't have ever logically foreseen is that a group of commercial investors would actually *close* on land that didn't, at all, comply with the well-established zoning in place. For reasons unknown to me, they must have felt sure it was a slam dunk that they would get their way. With that said, their confidence for a bad idea doesn't justify the support of the stewards of Westfield's well-being. The Northeast Rural Residential district would be ruined forever with an Industrial Park that no one who lives even remotely close to it wants. The current zoning is sound for the area and shouldn't be changed.

Kind Regards,
Adam Corya



6101 N College Ave
Indianapolis, IN 46220
317.460.6514

Email: adamcorya@callcarpenter.com

Website: adamcorya.callcarpenter.com

Facebook: facebook.com/adamcoryarealtor

Pamela Howard

From: Armstrong CIV Timothy J <Timothy.J.Armstrong@usmc.mil>
Sent: Monday, February 21, 2022 7:56 PM
To: APC; Council Members
Cc: Armstrong CIV Timothy J; Kimberly Armstrong
Subject: Opposition to Northpoint 2 PUD

To: Advisory Plan Commission (APC)
From: Armstrong Family @ 20636 Anthony Road
subject: Northpoint 2 Planned Unit Development (PUD)

Enclosures:

- (1) Our Pasture
- (2) Our back yard
- (3) Our son with the alpacas

In 2016 my family and I made the decision to move from a cramped Westfield neighborhood troubled by teenage vandalism, pestered by loud music, and no privacy to a peaceful semi-secluded beautiful country home perfect for gazing at countryside, enjoying wildlife, raising farm animals, and relaxing with peace and quiet. With the existing Comp plan, we knew everything we came to love about our country home would remain untouched by the City of Westfield. Unfortunately, we were devastated to find out several developers put their own interest in front of respecting us and our surrounding neighbors.

To help put this in perspective for you, I've included pictures of our yard aimed right where Northpoint 2 is threatening to build. My wife has cried herself to sleep several times at the thought of hideous buildings suffocating our property as though we never moved to 'the country'. The developers' diagram indicates a large industrial building just to the East of our property along with several plots which would be sold off and potentially rezoned yet again to match someone else's agenda. As one of the primary affected residents of Anthony Road, it's incumbent upon me to share with you our side of this. The side negatively impacted by this careless, thoughtless, idea that takes nothing into consideration except for someone to make some money and then walk away.

Our Animals

Part of the dream to our country life was having animals roam in the pasture. We purchased and rescued several animals including alpacas. We currently have the perfect quiet pasture for alpacas. They don't like noise and are very shy around strangers. They like to keep to themselves and approach people on their terms. The shock of the initial construction with the proposed mayhem alone would be enough to cause catastrophic stress to our alpacas. If they survive that, they will be forced to endure a lifelong discomfort of crowded housing or industrial park right behind their safe space. I get sick to my stomach just thinking about it.

Lowered Property Value

We moved here a few years ago intending for this to be our 'forever home'. We installed a pool, purchased recreational vehicles, and invested time and money on various home improvement projects. My family and I are dug in.

Encroaching on our countryside would obviously force us to move from Westfield which would be a logistical nightmare alone. The worst part is our property value will nose dive causing us to lose money. That's unacceptable to us.

Scenery Destroyed

Choosing to live here in the aftermath would not be a choice at all. We would be stuck at that point. Instead of sitting on the back porch gazing at the sunrise while we enjoy our coffee, we would be staring at overwhelmingly large, ugly buildings and the industrial traffic right behind our yard.

Privacy Lost

With that being said, we can kiss our privacy goodbye. I can't stand the thought of being on display as we use our hot tub, relax in our shelter, and host private family gatherings.

Goes Against The Comprehensive Plan

Above all, this development goes against the Comprehensive Plan which states this type of unattractive condensed housing or industrial zoning will NOT be considered north of State Road 38. These developers don't seem to care. Convincing you to let them infringe on our countryside is just a part of everyday business to them and their lawyer.

These are all just the points that come to mind as I take the time to write. Of course there are countless small inconveniences we will encounter along the way such as our line of site internet being demolished because of ridiculous [buildings](#) between us and the tower we connect to. Only time will tell how much more we have to be troubled with if you allow this to move forward.

I understand Westfield is a growing community. I see new developments pop up like wildfire wherever I go. I know development is inevitable throughout the city. However, we all made a conscientious decision to move out to an area where we would not be impacted and harmed by it.

If you give in to this reckless plan, history will be lost, more habitats will be destroyed, and our home will be shattered.

Please don't let this happen to our home and community. Thank you for listening.

Tim Armstrong
Extremely concerned Anthony Rd. resident

Enclosure 1



Enclosure 2



Enclosure 3



Pamela Howard

From: Lidia Furtado <lidia.furtado82@gmail.com>
Sent: Monday, February 21, 2022 8:07 PM
To: APC
Subject: 2008-PUD-09 (Northpoint 2)

**WARNING: This external email is from
lidia.furtado82@gmail.com.**

To whom it may concern:

We are writing this email in opposition to the development of Northpoint 2 on the north side of SR 38 between Anthony Road and Hinkle Road. We moved to the area in October 2019 for the specific purpose of raising our family in a quiet and rural location. We have a significant concern that the establishment of the Northpoint 2 development will greatly diminish the quality of life in the area. There will be an increase of traffic, noise, and pollution. There is also an anticipation of a drop in property values for homes in the area. The area should remain as rural residential. It is inappropriate that an industrial park would be located right next to the Bray Family Homestead. Working with Hamilton County to establish a passive use nature park would be much more appropriate to the area.

Again, our family is completely opposed to Northpoint 2 development.

Regards,

Lidia and Kate Furtado
4803 E. 216th St. Noblesville, IN 46062

Pamela Howard

From: Des Schillinger <des.schillinger@sai-rep.com>
Sent: Tuesday, February 22, 2022 9:09 AM
To: APC
Subject: Northpoint II Industrial Park

**WARNING: This external email is from
des.schillinger@sai-rep.com.**

To Whom it Concerns,

Good morning. I would like to thank you for taking the time to read this email regarding the proposed Northpoint II Industrial Park.

I hope before you vote on the above zoning change request for Northpoint II Industrial Park you have taken the opportunity to drive up and down Anthony north of State Road 38 and taken in the beauty. Anthony Road may be the prettiest road in all of Hamilton County. It would be a shame to go against IC36-7-4-603 and ruin this natural setting. This request by Northpoint II **Fails to meet IC 36-7-4-603:** and to meet ANY of the 5 criteria which are to be reasonably considered. As a former resident of Hinkle Creek for 15 years it would be a shame for this area to be changed into an Industrial Park with 40 foot concrete walls all around. This Land should remain as zoned "Farm and 3 acre residential lots".

Economic Reasons

I presently am a business and property owner in the Alpha Industrial Park in Westfield which still has available lots after 30 years. The Northpoint I Industrial Park is not completely built out so why in the world would we open another Industrial Park until what we have is built out. By waiting for these Industrial Parks to build out you are protecting the previous investors in Westfield who believed in Westfield first.

Please vote NO to the request to rezone this area.

If you have any questions or wish to discuss, please contact me.

Thank You and Best Regards,

Des Schillinger
Schillinger Associates, Inc.
17819 Commerce Dr., Suite 100
Westfield, In. 46074
765/457-7241
765/457-7732 Fax
www.sai-rep.com

Pamela Howard

From: David Dunbar <david.b.dunbar56@gmail.com>
Sent: Tuesday, February 22, 2022 9:29 AM
To: APC
Subject: North Point II

**WARNING: This external email is from
david.b.dunbar56@gmail.com.**

We are residents of our home located at 21344 Anthony Road, Westfield IN 46062. We are writing to express our concerns about the rezoning of the land located at the northeast corner of Anthony Road and State Road 38. Our understanding is that the land is currently zoning for low density residential/agricultural and that the owner wants to have the zoning changed to industrial.

Although we appreciate the benefits arising from land development we are opposed to this rezoning request. The City of Westfield currently has over 1900 acres of undeveloped land zoned industrial where the same owner could purchase to accommodate their industrial clients needs. Most of the property owners adjacent to the proposed land have residential properties that would be adversely affected by an industrial building 40 feet tall regardless of a barrier. Additionally, if a commercial strip mall were developed on the land, the residential culture would also be disrupted.

We feel the current zoning is sufficient for the property owner to develop and benefit from the income of lot sales as opposed to sales to commercial and/or industrial clients.

Please consider our opposition not to prevent development but to the type of development proposed. Thank you in advance for your consideration in our cause.

David and Sandy Dunbar

21344 Anthony Road
Westfield, IN 46062
317.696.0228 (David)
317.402.4650 (Sandy)

Pamela Howard

From: Sandra Dunbar <sdunbar213@gmail.com>
Sent: Tuesday, February 22, 2022 10:37 AM
To: APC
Subject: Opposition/Northpoint 2 Industrial Park

**WARNING: This external email is from
sdunbar213@gmail.com.**

I am a resident at our home located at 21344 Anthony Road, Westfield IN 46062. I am writing to express my concerns about the rezoning of the land located at the northeast corner of Anthony Road and State Road 38. My understanding initially was the land was to be rezoned as high density residential and/or a nature park but now the owner wants to have the zoning changed to industrial.

Although I appreciate the benefits arising from land development I am opposed to this rezoning request. There are numerous locations in the City of Westfield that are currently zoned industrial where the same owner could purchase to accommodate their industrial clients needs. Most of the property owners adjacent to the proposed land have residential properties that would be adversely affected by an industrial building 40 feet tall regardless of a barrier. Additionally, if a commercial strip mall were developed on the land, the residential culture would also be disrupted. Property and land values will be negatively affected.

I feel a high density residential is sufficient for the property owner to develop and benefit from the income of lot sales as opposed to sales to commercial and/or industrial clients. Ideally developing a community center and park for all to enjoy at this location would be great utilization of the land in question north of SR 38.

Please consider our opposition not to prevent development built to the type of development. Thank you in advance for your consideration.

Sandra B. Dunbar
SBD Design
Space Planning and Interior Design
21344 Anthony Rd, Noblesville, IN 46062
317.402.4650
sdunbar213@gmail.com

Pamela Howard

From: rwgudeman@gmail.com
Sent: Tuesday, February 22, 2022 2:08 PM
To: APC
Subject: Northpoint II Objection

**WARNING: This external email is from
rwgudeman@gmail.com.**

APC – planning commission for Westfield

This is being written to express concern about the proposed development north of 38/east of Anthony Rd. I live at the northwest corner of these two roads. My property is already compromised with the development along the south side of Indiana 38.

There are many reasons to oppose this Northpoint II industrial development; keeping the area rural, land value, overburden Westfield resources, to name a few; in addition, my understanding is there are other developments available for this purpose, already with the correct zoning.

In addition to keeping the Rural area, I would fully support a Parks department acquisition for nature parks to further enhance the preservation of the area.

Thank you for your consideration and taking time to review this in detail.

Rebecca Gudeman

R W Gudeman LLC
20649 Anthony Road
Westfield, IN 46062
P: 317-840-1041
E: rwgudeman@gmail.com

Pamela Howard

From: Eric Ferrell <ericferrell33@gmail.com>
Sent: Tuesday, February 22, 2022 2:17 PM
To: APC
Subject: NorthPoint II OBJECTION

**WARNING: This external email is from
ericferrell33@gmail.com.**

Hello,

First of all, I hope this email finds you well and I appreciate the role you play for our community.

I am reaching out to voice my objection towards the NorthPoint II development that is proposed near SR 38 & Anthony Road. I am a nearby resident, in the Hinkle Creek Estates neighborhood, and I am strongly against what this land is being currently proposed for development of. This proposal is in stark contrast to the surrounding area and would be a disservice to the landscape and current residents in the area. While the obvious potential downfalls to this include increased traffic, noise & light pollution, decreased property values; one major thing stands above all, the impact to the citizens of our community. The people that live near this proposed “developmental” area have worked hard to obtain the land to build their homes and to call this area their own slice of heaven. We all chose to live in this area for the peace and quiet this residential & agricultural area provides; and to have this ripped away from us by having commercial and/or dense residential area created would be a travesty. The ideal situation would be to leave this land as is, however a wonderful alternative would be for a park or other green space to be developed in its place. In this part of Hamilton County, there isn’t a community park filled with playgrounds, basketball/tennis/pickleball courts/disc golf/etc that the nearby residents can enjoy. With the increased home building on Grassy Branch, Moontown/Hinkle & 191st, this would offer a wonderful alternative for the local residents to enjoy for years to come. All while maintaining our property values and eliminating all the negative socioeconomic and environmental impacts that NorthPoint II will bring to this area.

I urge you to please stop this land from being changed from its original zoning and turned in to something that can forever change the lives and landscape for the good people of this area.

Thank you,

Eric Ferrell
5114 Morning Mist Ct
Noblesville, IN 46062

Pamela Howard

From: Susie Tatum <susie.tatum@alsac.stjude.org>
Sent: Tuesday, February 22, 2022 4:35 PM
To: APC; Council Members
Subject: Northfield II Development

**WARNING: This external email is from
susie.tatum@alsac.stjude.org.**

Hello,

I am writing to you about the Northfield II industrial development, which will be on the docket for this evening's meeting.

Please vote **NO** for the following reasons:

- **Opposite the Westfield Comp Plan:** What Northpoint II is proposing doesn't fit in anything the community has planned-in fact, it is exactly the opposite of what the Westfield Comprehensive Plan outlined. If Westfield believes more property is needed for this type of land use, they need to develop a plan, publicly vet the plan, and outline how they intend to plan for the area surrounding such a development...not just allow a developer to dictate placement of an Industrial Park where it was never envisioned!
- **Incongruent with the 2020 Hamilton County Comp Plan:** The public input surveys for this plan (respondents from all townships in the county) showed a clear theme-Maintain what is left of our rural/undeveloped areas! Over 70% of the respondents said their future land use vision was for Agriculture...and nearly 50% said they wanted no more development. A few of the Key Take-Aways from the survey: *"They live in Hamilton County Townships because of community rural character"* and *"There is a strong preference to preserve existing farmland across all townships"*.
- **Devalues surrounding property:** The citizens have invested a sizeable amount of money in their homes. A sampling of just 55 homes in the immediate area shows a combined market value of \$29,267,053. Studies show that placing industrial development in the middle of residential devalues properties by up to 30%. For just this sampling of homes, that equates to a loss of \$8,780,115...that is real money for real families. Real impact to real citizens.
- **Other Land Available:** Westfield currently has an inventory of 1,950 acres of land which is undeveloped and already has the correct zoning for a Northpoint-type development. Additionally, the existing Northpoint development is largely vacant with only 3 operating buildings in existence. The pressure to put Industrial into AG/Rural Residential is completely unnecessary.
- **Sets a precedent:** This project would, if approved, reset the basis for what is acceptable land use north of Highway 38. It would open the flood gates for more Industrial and Commercial development north of Hwy. 38. Once something like this is anchored on the north side of 38, it paves the way for industrial creep...opening up the remainder of the area to the same type of land use and development.

- **This is a Parks Area:** Hamilton County is investing in this area for a new park, the Bray family provided their personal land for a park in this area, and Washington Township has established MacGregor Park here ...even if the development was consistent with the zoning, it wouldn't make sense to drop an Industrial park with 24/7 shifts of activity in the middle of a rural parks quadrant.
- **Unanimous Opposition:** Every land owner in the 1 mile area is OPPOSED to this development. Not one person approached was in favor of it! In a time when no one agrees on anything we have 100% agreement that NP2 must be stopped.
- **Overburdens Westfield Resources (Fire, Police, EMS, Schools):** Adding an Industrial development to an area where the city planning calls for the exact opposite land use creates a gap in resource planning. Many resources needed...few resources planned. WHO PAYS for the gap?
- **Endangers the Water Supply:** The land for the proposed NP2 development is designated as **BOTH** a Wellhead Protection Area and a Source Water Area. Hundreds of families count on the aquifer beneath for their drinking water. There is significant concern about contamination from things like: steel fabrication, chemical spills and manufacturing.
- **Negative Quality of Life Impact:** Pollution/safety/traffic. Dangerous traffic, disruptive noise pollution, and unwanted light pollution. Environmental contamination of industrial activity is part and parcel with air, soil, and groundwater pollution.
- **Fails to meet IC 36-7-4-603:** Fails to meet ANY of the 5 criteria which are to be reasonably considered
- **Alternatives are available:** The owners could develop the land with something that is compatible with the Comp Plan and still make money – a Conservation Subdivision or large parcel home sites. Or, they could work with Hamilton County Park and Rec to convert the entire area into a passive use nature park.

Susie and Randy Tatum
 317-701-5867
 Westfield, IN.

Pamela Howard

From: James Hogan <james.hogan@elamusa.com>
Sent: Wednesday, February 23, 2022 7:48 AM
To: APC; planners
Subject: Re: James Hogan's Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

**WARNING: This external email is from
james.hogan@elamusa.com.**

Good morning members of the APC,

I want to first thank you for being so attentive to each of us as we voiced our objection to the Northpoint II PUD. I do also owe an apology to Ginny for not making clear that I was representing Hinkle Creek Estates' ("HCE") homeowners association which is why Pam gave me 5 minutes rather than 3 minutes. But I also want to take this opportunity to reiterate our strong opposition to the petitioners' plan. I take particular exception to a few things from their rebuttal:

1. Chris Wilkes concluded there is a lack of interest in large acre lots based on his data from LIBOR. This is simply not the case. True, it takes money to afford one, but, just as true, there is money in Hamilton County. Speaking from experience of living in a "large acre lot" community, I have found the lot size to be the single biggest draw. Our neighborhood has 36 lots. All are developed. The demand is so high that not one, not two, but three houses went on the market. All three sold - two at \$1,000,000.00 and one at \$2,000,000.00. The two \$1 MM homes sold before or within 30 days of hitting the market. The owners who sold the \$2 MM house can't find lots anywhere else and so a neighbor was kind enough to parse off 2 of their 8 acres so that this former homeowner can build a NEW home in our neighborhood. That would be #37 - and it never hit the market! The homeowner can't find neighborhood land anywhere else. Wilkes' statement is simply untrue. The demand is there for 2+ acre lots in this part of Hamilton County. The testimonials from two of you further supports this.
2. I come from Akron, Ohio. I grew up in Bath, Ohio. Bath has a restriction for large acre lots - all 1.5+ minimum in the entire township. Bath is the single most sought-after area in the Akron-Cleveland area. LeBron James' home is in Bath. This lack of demand that Chris Wilkes points out is not only untrue here, but its untrue anywhere else where wealth exists.
3. A truer statement is that there is a lack of 2+ acre offerings in Hamilton County and so the data are so limited as to be rendered meaningless. Offer more large acre lots and they will come, particularly in Hamilton County. See my personal observations of our neighborhood, above.
4. Chris spoke of the economics of his development. This issue is well beyond the almighty dollar. There are places for making money and there are places for resting and relaxing. They are separate. Think about Central Park. What is that worth to a developer? Billions! Maybe a Trillion! But does it beat the priceless serenity? Of course not. Don't let the almighty dollar weigh on your decision on this one.
5. Any development penetrating the north side of State Route 38 that is incongruent with the Comprehensive Plan will forever ruin the Northeast Rural Residential landscape. Several of you alluded to that last night and I applaud your efforts for saying so. My feeling on the Comp Plan is that its lack of "update" doesn't change the NRR District at all as we will fight extremely hard to preserve this NRR District with any update in the future.
6. The one speaker spoke of exasperation for the lack of interest in a park. Those Township Board members that voted it down (there are only 2 of them from what I understand) must listen to us. Times have changed. The overwhelming majority of us who objected to Northpoint II didn't even know those discussions were ongoing. The fact that 3 people can vote on such a big issue and turn our world upside down is absurd. This issue must be

revisited, and several of us are willing to take up that torch. Those two Board members must listen. There is more than one way to slice the onion on funding, as you all know so well.

7. Lastly, please note what the petitioners did not do: they did not argue my points about how the development must pay reasonable regard to Indiana Code IC 36-7-4-603. The Remonstrance Package makes it clear that Northpoint II does not. Please review that exhibit closely.

In close, one thing that kept coming to me is the sign that reads "In God We Trust" behind all of your heads. I am so delighted to see such a wonderful display of reverence. I do trust in God in all of my decisions and statements and do feel as though the Holy Spirit can work through all of us individually and as a group. I pray that God works through all of you as a group to follow Indiana Code and resist the temptation of a developer trying to make crooked that straight path.

Let this be a place of relaxation and enjoyment. Let the developer sell the land. That is an option. Please do what is right for us, those most affected by this monstrosity. Vote this down 9-0.

Sincerely,

--

James P. Hogan, LPG



The **ELAM** Group

[161 Lakeview Drive](#)

[Suite B](#)

[Noblesville, IN 46060](#)

President & CEO

(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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On Mon, Feb 7, 2022 at 8:59 PM James Hogan <james.hogan@elamusa.com> wrote:

Good evening members of the APC,

I am writing to renew my objection to the petition for 2008-PUD-09 filed nearly one year ago today and outlined further below. In short, nothing has changed.

The tweaks to the petitioner's plan presented on Monday (1/31/22) fails to address our demand from the public meetings over 1 year ago. Our demand back then was to simply follow the rules and develop the land in a manner that respects the intended land use of the Northeast Rural Residential ("NRR") District - just as every other land owner in the NRR District has done. It's not asking much at all.

What the petitioners presented last Monday was lipstick on a pig. They chose to ignore the attached *Remonstrance Against Northpoint II PUD*, dated 2/2/21, but we the people surrounding the land of 2008-PUD-09 find the document even more relevant today than when it was first produced.

Please end this sordid tale, and end it emphatically. VOTE AGAINST 2008-PUD-09 UNANIMOUSLY.

Sincerely,

--

James P. Hogan, LPG



The **ELAM** Group

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President & CEO

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On Thu, Feb 11, 2021 at 4:53 PM James Hogan <james.hogan@elamusa.com> wrote:

Good afternoon and greetings members of the Advisory Plan Commission ("APC") and City Council of the City of Westfield.

I am writing to you today to voice my sincere objection to the above-referenced planned unit development ("PUD") petition. My wife and I, Lori, along with our 4 children, dog and 2 cats, reside in our home at 20275 Dayspring Court in Noblesville, Indiana. The home is the northwesternmost home within the Hinkle Creek Estates subdivision. We are making a significant investment in upgrading our home over the next couple of months and plan to be here a long time.

Our subdivision consists of 2+ acre lots in a rural residential setting complete with well water, septic fields and propane tanks. The neighborhood is on the east side of Hinkle Road. Our neighbor to the west is the *Bray Family Homestead Park*. We have a reassuring feeling knowing that the entire area west of us is in the Northeast Rural Residential district and will therefore never be developed into anything more than Rural Residential homes, agriculture or a Conservation Subdivision. This was a huge factor in us deciding where to live. We love how our rural residential neighborhood meshes so well with that of the Northeast Rural Residential district of Washington Township.

In fact, over the past few years since we moved in, I have praised the responsibility of the City of Westfield/Washington Township in abiding by its Comprehensive Plan. I have trumpeted these praises to my friends and neighbors Dez Schillinger and Rob Hanlon - two significant employers within the City of Westfield. I tell them I wish every community operated like Westfield. Our confidence that the City of Westfield/Washington Township will maintain a governing body that makes politically stable and logical decisions that are empathetic to its residents and neighbors like myself helps me sleep well at night.

On Tuesday, 2/16/21, my faith in your politically stable, logical decision-making abilities will be put to the test. Our entire neighborhood is worried. I am worried.

We want you to vote no to 2008-PUD-09. We offer a logical basis for you to say no. That logic is rooted in a document that Wayne and Christy Wheeler will send you in an emailed attachment, a document entitled Remonstrance Against Northpoint II PUD, dated 2/2/21.

Read it and enjoy it. It provides you a basis for rejection.

In the meantime, I will pray.

I pray that your hearts be touched by the 183+ residents who join me in objecting to this 2008-PUD-09 abomination - noting that not one resident we reached supported it. I pray that you uphold your Comprehensive Plan. And, lastly, I pray that you have courage to VOTE NO, in the face of certain political and monetary pressure, to 2008-PUD-09.

Sincerely,

--

James P. Hogan, LPG

161 Lakeview Drive
Suite B
Noblesville, IN 46060



President & CEO

(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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Pamela Howard

From: Jen Whaley <jenwhaley3@gmail.com>
Sent: Monday, February 21, 2022 11:45 AM
To: APC
Subject: Neighbor Writing to Object to Northpoint Owners' petition PUD 2008-PUD-09

**WARNING: This external email is from
jenwhaley3@gmail.com.**

Dear members of the City of Westfield's Advisory Plan Commission-

I live at 5215 Nightshade Lane on the east side of the proposed Northpoint II Industrial Park. I firmly object to the Northpoint Owners, LLC Petition 2008-PUD-09.

I understand that it petitions to change the land use from an existing agriculture/single-family rural use to an Industrial, Commercial and Single-Family High Density use. I hope that the APC will unanimously reject 2008-PUD-09 in order to preserve and honor the Westfield-Washington Township Comprehensive Plan as we all have and to protect the acceptable use and development of the property in the Northeast Rural Residential District as rural residential and agricultural only.

Sincerely,
Jennifer Whaley

Pamela Howard

From: Lori Hunt <lahunt1961@gmail.com>
Sent: Tuesday, March 1, 2022 5:18 PM
To: APC
Cc: bigskyorbust@gmail.com
Subject: Hunt Family Statement

**WARNING: This external email is from
lahunt1961@gmail.com.**

To whom it may concern,

On Tuesday, February 22, 2022 during the Advisory Plan Commission Meeting there were several comments made by the petitioner, as well as an APC member, that stated the land in question could not just “sit dormant until the end of time” This was further supported by remarks that implied that land is not considered developed and/or utilized without a building or structure on it. I would like to believe these comments were not meant to disparage or belittle the very backbone of our state, however the very concept of Northpoint 2 would suggest otherwise. As a lifelong citizen of Westfield and proud landowner of many buildingless, structureless acres in the NRR area, I would like to state my concerns and objection to the development of Northpoint 2.

While the fields that sit next to the proposed land for Northpoint 2 might appear to be stagnant, they have annually harvested corn and soybeans for over 30 years.. The obvious facts are simple. Not only do these crops find their way from field to fork, but they also play a critical role in the overall agriculture industry. Soybean products serve as the leading source of protein for livestock and poultry. The corn and soybeans grown in our city are also made into biofuels and fiber materials such as ethanol and carpet. This area is zoned AG-SF1:Agriculture/Single-Family Rural District. This agricultural land is not only active and productive, but it is clearly serving the function that the Westfield Comprehension Plan envisioned. So I have to ask myself, why would these comments be made?

The Northpoint 2 proposal makes it evidently clear that development is spurred by positive economic growth, which is desired in Westfield. It also highlights the fact that it is perfectly fine if this growth comes at the expense of the city's prime farmland and well-being of its neighboring citizens. After reading “Exhibit 10: Public Comments” from the 2/22 meeting it is not only my belief, but the overwhelming belief of many that the NRR farmland remains a precious asset that benefits all neighboring residents. This well-managed land protects soil fertility, water quality, and biodiversity. It also creates a beautiful, healthful setting for outdoor recreation and makes durable contributions to the local economy. Most importantly, this land is irreplaceable: once this natural area is turned into Northpoint 2, it can never be restored to its former condition. Land use has a much wider context of responsibility than the creation of economic growth. While the public meetings have highlighted economic growth, little communication has been made of the negative effects that the Northpoint 2 would have on the area such as air and water pollution, soil degradation, and traffic congestion. The current proposed plan of Northpoint 2 does not prove that the benefits of economic growth will be worth the risks taken. It is a gamble that does not acknowledge the full cost of its implementation, nor have the support of it's community members.

To borrow an old farming term, It appears that the developers at Northpoint 2 put the “cart ahead of the horse” by acquiring land zoned AG-SF1 with the sole intent to have it rezoned without the support of it's neighboring citizens. I do understand the Comp Plan is not a legally binding document, but I also understand it is the official policy of Westfield and the agreed-upon vision for the future of the community. It would be a misrepresentation of our great city, its people and its rich history to allow a developer to domineer the decisions of how we use our land. There is a process to address rezoning changes, and this is clearly

not it. I sincerely hope that the city of Westfield, as well as the APC recognize that economic development is not the unmindful, careless pursuit of luring businesses with tall structures to the NRR area. I Instead hope they recognize that investments should not be considered economic development unless they improve the quality of life of the nearby area residents.

A recent facebook post from a member of the APC stated “we have to understand that land sitting dormant is unrealistic”. I can assure you that the land owned by the Hunts will not sit Dormant, but will proudly continue to remain active and productive farmland.

Sincerely,

Keith & Lori Hunt , Ray & Becky Hunt, Dennis Hunt

Sent from my iPhone

Pamela Howard

From: Canada, Brad <brad.canada@stryker.com>
Sent: Monday, July 18, 2022 6:17 PM
To: APC
Subject: RE: Northpoint II

Follow Up Flag: Follow up
Flag Status: Flagged

**WARNING: This external email is from
brad.canada@stryker.com.**

APC Members,

It has come to my attention that these plans will be going back to you all for review. My stance has not changed on my flexibility to support any industrial development in this area.

I have spoken to a few people within the WYSI leadership team and would like to recommend you all partner with WYSI to develop this land as a multi sport baseball/softball/soccer complex as Westfield looks to support these programs in our growing city.

Based on feedback, it needs to be located in Westfield, relatively flat ground to minimize cost of construction, big enough to support the complex and be easy to get in/out of. I know they are actively looking for land to purchase and start plans.

This would be an ideal spot and better use of our community and the growing programs. Grand Park is located in our backyard but capacity is an issue and as you all know – change of ownership could DRASTICALLY impact our WYSI rec and travel sports. Noblesville and Carmel both have their dedicated parks for the community and we are behind. I would be in full support to develop this area and keep it associated with a park vs dramatically change the dynamic of this space in the rural northeast. I would ask you please consider his request and coordinate efforts with WYSI and our community leadership.

From: Canada, Brad
Sent: Tuesday, February 1, 2022 1:27 PM
To: 'APC@westfield.in.gov' <APC@westfield.in.gov>
Subject: RE: Northpoint II

APC Members,

I also want to add to my email below. After our meeting last night, I want to more directly say regardless of the park, the easement acreage, whatever the developers come back with – I WILL NOT ever approve or support this re-zone project.

There is way too much land already zoned industrial in Westfield and opportunities south of SR38 to develop before we should ever assess or even look at flipping the plan and script for this land SOLELY because a well known developer with a well known personal relationship with the city owns the land.

It would be so disappointing for the city to approve this given there are 3 beautiful parks in that same area that potentially could have a concrete jungle right in the middle of it all with an insane amount of industrial traffic, commuters and numerous stop lights off SR38.

I want to please urge the city to develop the other areas that are zoned industrial. If anything, be flexible with taking 3 acre home lots down to 1 acre to generate more tax revenue. I would much rather see residential and parks vs industrial.

From: Canada, Brad
Sent: Monday, January 31, 2022 1:32 PM
To: 'APC@westfield.in.gov' <APC@westfield.in.gov>
Subject: Northpoint II

APC Members,

I have sent emails in the past but wanted to re-voice my position on continued development north of SR38 as I see this is coming back up stemming from a hard push in 2021 from the Developer.

My name is Brad Canada and live at 20945 Anthony Road. There has been numerous conversations going on among the neighbors that live on Anthony Road as well as up and down SR38. We know that there is a developer that is aggressively looking to gain approval to rezone a rural "residential" area into a massive industrial park. I wanted to share my perspective and reiterate that I would like your support to not approve this rezoning.

I have only been living in this area for 5 years (grew up in Fishers) but the broader SR38/Anthony/31/Hinkle Creek northeastern part of Westfield is a special place. Driving up through Anthony feels more like Brown County vs Hamilton County. McGregor Park and Bray Family Park makes this area even more special but it's the surrounding areas that add to that. Westfield is a fast growing place and there is so many advantages to that and one that drew us to the area to begin with (schools, people, growth, amenities, etc). Growth in this area is a GOOD thing but there needs to be a balance to protect certain areas to offset the traffic, noise, etc. A HUGE industrial park was just approved south of SR38 that is still being developed so to approve another 180+ acre park + the future progression to then approve another 180+ acre plot on Anthony makes this rural area feel like we are down in Plainfield in the midst of their distribution and industrial areas. Westfield would then be losing a huge chunk of green space that could potentially be a nice residential area that could in theory connect both parks and be a place where the community could get away from the traffic, noise, chaos of what other parts could be.

I plan on raising my 3 young kids in this house and be here forever and part of that decision was giving them an area that was safe. I fear the traffic, I fear the amount of people commuting here daily that is not bought in or involved in this community, I fear the pollution/trash, and most importantly – I fear that this area and this community loses a huge part of what makes this community different that a Fishers, Carmel, or Noblesville. That is the ability to properly plan for future growth by also protecting pockets of the community that make it feel green and enjoy the beautiful scenes of nature and a rural setting in the pockets of heavy residential/commercial areas. I would MUCH more support a residential zoned area to drive population and keep the green area as close to what we can and continue to build out south of 38 and other areas that are more suited for industrial growth.

We do need industrial growth and areas to bring businesses here (which we have south of SR38 and pockets west on 31) but I strongly encourage you all to please have the voice of your residents and our strong views against turning the most beautiful area in all of central Indiana into a massive concrete industrial zone that would have a huge negative impact on so many people and so many things. Please consider our request to vote "NO" to rezone these areas as industrial north of 38. Please consider keeping the industrial growth and overall focus be on the land and acreage that has already been approved just south of 38 and other areas that have been designated already as "industrial" for further expansion. This

Anthony Road area between the 2 parks could be an AMAZING area to have future residential neighborhoods (as it is currently zoned), green space and parks for generations to come.

Respectfully,

Brad Canada

Brad.canada@stryker.com

703-431-4083

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Pamela Howard

From: shari mcgrath <sharimcgrath@yahoo.com>
Sent: Wednesday, July 20, 2022 9:29 AM
To: APC; Council Members
Subject: NorthPoint II

Follow Up Flag: Follow up
Flag Status: Flagged

**WARNING: This external email is from
sharimcgrath@yahoo.com.**

Good morning,

As a resident of Hinkle Creek Estates, I have many concerns about building Northpoint II off SR 38 and do not want it to be built.

I believe it will negatively effect

- my property value
- the serene/country-like atmosphere of our quaint neighborhood
- noise, traffic and pollution
- safety of my children and pets

I urge you to listen to this community and ask that this not be built.

Thank you,
Shari McGrath

Pamela Howard

From: jpedzinski@comcast.net
Sent: Monday, August 1, 2022 11:59 AM
To: APC
Cc: jpedzinski@comcast.net
Subject: Objection to Northpoint II PUD changes

**WARNING: This external email is from
jpedzinski@comcast.net.**

Dear APC,

I am writing to express my objection to the proposed development currently referred to **Northpoint II PUD (docket #2008-PUD-09)**. ***Please vote "NO" to the proposed revisions and future developments in our rural residential setting.***

The only plan to which I will not object to is developing the land responsibly in accordance with Comprehensive Plan.

For us, that means Rural Residential developments. In the last meeting, Northpoint countered that nobody builds along St Rd 38 and SR 32. I found their response to be self-serving and very misleading and not based on facts.

Hopefully, you will drive along St Rd 38 and St Rd 32 and see for yourself that there are numerous residential developments underway. I am sure there are many more in the early planning stages. All of which will be affected should the requested zoning changes.

I urge you to listen to your gut, do you honestly believe that Northpoint Group is being 100% open & honest with the APC & local community. Would you want your expensive home and new schools backing up to an industrial park & warehouses? Would you want your children riding their bicycles and sharing the streets with the large semitrucks?

Have you asked Northpoint Owners about their plans for Northpoint III & Northpoint IV developments?

Perhaps you should require that Northpoint Owners disclose their long-term plans, in writing, before being bullied by their legal maneuvering and twisting of reality.

Sincerely,

James R. Pedzinski
5250 Nightshade Ln, Noblesville, IN 46062

Pamela Howard

From: Casey Mihal <casey.mihal@gmail.com>
Sent: Sunday, August 7, 2022 11:07 AM
To: APC
Subject: NO to NorthPoint 2!

**WARNING: This external email is from
casey.mihal@gmail.com.**

Hello Westfield APC,

I am writing to you again to repeat what I said a few months ago. It has come to my attention that the Holiday Properties is once again asking for a zoning change so that they can develop their proposed NorthPoint II Industrial park on an area that is currently zoned as rural residential.

Let me be clear here, approval of this rezoning and development of the industrial park would be a slap in the face to Westfield citizens. This would very quickly send the message that businesses are more important than the residents of this city.

This proposed industrial park DOES NOT BELONG on the lot. This area should remain rural residential, as described in the Westfield Comp Plan. The small changes to the proposal do not bring it anywhere near compliance with the Westfield Comp plan, nor what the residents local to the area desire.

This development would also bring harm to the community around the lot. There are many people living in the area that would be harmed due to increased noise, pollution, traffic, decreased safety, decreased property values, and more.

There are plenty of available spaces for Holiday Properties to develop and industrial park, where the correct zoning already exists. I am not against their industrial park, I am against it being in a rural residential area.

I strongly urge all of you to reject the proposal from Holiday Properties for their NorthPoint II industrial park and associated rezoning.

Best Regards,
Casey Mihal
(219) 688-0712

Pamela Howard

From: Jim May <jrmay47@gmail.com>
Sent: Monday, August 8, 2022 1:41 PM
To: APC
Subject: Northpoint II PUD

**WARNING: This external email is from
jrmay47@gmail.com.**

To Members of the Westfield Advisory Plan Commission:

I have lived in Hamilton County since 1984 and spent most of my 74 years in Indiana. Yes, Hamilton County is a great place to live. We have top notch schools, nearby amenities for our busy lives, and many job opportunities. All of these have things have drawn people to our county.

Something else that has drawn many to Hamilton County is the rural ambiance. A drive on Anthony Road to the northern parts of the county is one of the most scenic areas in Indiana. Nature is abundant. Wildlife, native trees and plants, streams, and rolling farmland are part of this trip.

As you know this area has been designated to maintain a rural feel in the Westfield Comprehensive Plan. The citizens involved in writing this plan had the insight to realize the importance of keeping the rural areas in the county protected. An industrial development was not what they had in mind for this part of Hamilton County.

I am strongly opposed to this industrial park. Please vote **NO** on the Northpoint II PUD.

"The earth is the LORD's, and the fulness thereof." Psalm 24:1a

Thank you,

Jim May
5620 Pine Hill Drive
Noblesville, IN. 46062

Pamela Howard

From: JANET QUISENBERRY <bichon2222@gmail.com>
Sent: Monday, August 8, 2022 3:13 PM
To: APC; Council Members
Subject: Northpoint II PUD

**WARNING: This external email is from
bichon2222@gmail.com.**

August 8, 2022

To the members of the Westfield APC and Westfield City Council:

Thank you for your countless hours of devotion to Westfield. I humbly ask you to vote **NO** on the Northpoint II PUD, coming up on August 15, 2022, before the APC.

We the citizens of this area have been dealing with this threat of an Industrial Park, since August of 2020. This area between Anthony Rd., Hinkle Rd., 216th St., and Highway 38, is about a thousand acres. Now, it is zoned Rural Agriculture and this is very plainly spelled out in the Westfield Washington Twp. Comprehensive Plan. Many of us used this plan to guide us in the purchase of our properties. This Comprehensive plan is a valid living document.

Should this Industrial Park, of almost 200 acres, be allowed, it will cover this entire area with more dust and debris, than our lungs can handle. Our water supply will be threatened and the wildlife and plant life will slowly be strangled by the dust, toxins, concrete and asphalt this Industrial Park will create. Not to mention what it will do to our tax paying citizens, no more night sky, contaminated water supply and the overall health and quality of life will be destroyed.

We have been over this again and again. We all should protect and use this land wisely. It was created by God. This area is zoned rural residential, not commercial. These investors, and Chris Wilkes of Holladay Properties knew this zoning before they started this procedure. They also knew about the Westfield-Washington Comprehensive Plan.

It is statistically proven that crime rates rise considerably around Industrial development. Look what happened to Anderson, still struggling with all the contaminated land from the Automobile industries abandoned facilities, land that is useless, unless it is decontaminated, and costs are staggering. Not only does it contaminate the land, it spoils our waterways, killing water life and all kinds of wildlife, and ruining the quality of life for the land owners who have to live around it. It will also cover up the rich history of the Native Americans who lived on this land and also the history of the Underground Railroad. It will devastate this entire area. We do not yet know what the health affects will be from Northpoint 1. Traffic on Anthony Rd. including semis, has increased since the completion of the new intersection of Anthony Rd. and highway 38.

There are many acres available in Westfield which would be a better fit for an industrial park. A map of these areas was included in our Remonstrance Package. It just does not fit at all in this rural residential area. An industrial park is not a correct use of this beautiful green space, and it is certainly not correct to ruin citizens safety, health, and way of life, not to mention that it will devastate the wildlife in this area which the parks are trying to preserve. It is an irresponsible, destructive development.

Please vote **NO** on Northpoint II PUD.

Thank you and God bless you
Janet Quisenberry-May

Pamela Howard

From: Allen Still <allen.still@gmail.com>
Sent: Tuesday, August 9, 2022 12:29 PM
To: planners
Subject: Northpoint II - Revised Proposal for 8/15/22

**WARNING: This external email is from
allen.still@gmail.com.**

Good Morning,

After reviewing the new proposal for Northpoint II, it still makes no sense and feels like putting a square peg in a round hole.

- The developer calls the residential space "Conservation Lots" - **please note**; the fact that they use the term "conservation" does not mean this is the same as a Conservation Subdivision. What they are proposing **DOES NOT MATCH** the criteria outlined in the Westfield Comprehensive Plan for a Conservation Subdivision (for more information, please see the Conservation Subdivision Process Tool Box, in Chapter 2 of the Comprehensive Plan, p.30 & pgs. 34-37).
- Also, they are requesting that the proposed residential area be zoned SF1. This is **NOT** the same zoning that the land currently has. Currently, the entire area is zoned AG-SF1. These are 2 different categorizations, with different permitted uses, per the Unified Development Ordinance (UDO) Chapter 4.
- Lastly, they state "Permitted Uses for the Conservation Lot Residential Area" are: Dwelling-Single family, Agricultural Use, and Stable-Private. Once again, they are being **misleading**, as the last two uses they list are, in fact, **NOT** permitted uses for the zoning they are requesting (SF1) according to the UDO.

Whether it's a park or 5 residential lots, there is still no way to buffer an Industrial Park! The lots do nothing to decrease the traffic - nothing to decrease the noise, the dust, the light pollution...nothing to increase our safety...nothing to protect our groundwater from contamination...nothing to protect our property values or our quiet rural lifestyle. This proposal continues to be an egregious VIOLATION of the Comprehensive Plan and a direct threat to our way of life, Please give this proposal a no vote - an unfavorable recommendation.

Thank You
Allen Still

Pamela Howard

From: Keaton Still <keaton.still@yahoo.com>
Sent: Tuesday, August 9, 2022 2:02 PM
To: APC
Subject: Northpoint II - Revised Proposal for 8/15/22

**WARNING: This external email is from
keaton.still@yahoo.com.**

Good Afternoon,

After reviewing the new proposal for Northpoint II, it still makes no sense and feels like putting a square peg in a round hole.

- The developer calls the residential space "Conservation Lots" - **please note**; the fact that they use the term "conservation" does not mean this is the same as a Conservation Subdivision. What they are proposing **DOES NOT MATCH** the criteria outlined in the Westfield Comprehensive Plan for a Conservation Subdivision (for more information, please see the Conservation Subdivision Process Tool Box, in Chapter 2 of the Comprehensive Plan, p.30 & pgs. 34-37).
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Thank You
Keaton Still

Pamela Howard

From: Ainsley Still <ainsley.still@yahoo.com>
Sent: Tuesday, August 9, 2022 2:04 PM
To: planners
Subject: Northpoint II - Revised Proposal for 8/15/22

**WARNING: This external email is from
ainsley.still@yahoo.com.**

Good Afternoon,

After reviewing the new proposal for Northpoint II, it still makes no sense and feels like putting a square peg in a round hole.

- The developer calls the residential space "Conservation Lots" - **please note**; the fact that they use the term "conservation" does not mean this is the same as a Conservation Subdivision. What they are proposing **DOES NOT MATCH** the criteria outlined in the Westfield Comprehensive Plan for a Conservation Subdivision (for more information, please see the Conservation Subdivision Process Tool Box, in Chapter 2 of the Comprehensive Plan, p.30 & pgs. 34-37).
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Thank You
Ainsley

Pamela Howard

From: Corinne Still <corinne.still@yahoo.com>
Sent: Tuesday, August 9, 2022 2:07 PM
To: APC
Subject: Northpoint II - Revised Proposal for 8/15/22

**WARNING: This external email is from
corinne.still@yahoo.com.**

Good Afternoon,

After reviewing the new proposal for Northpoint II, it still makes no sense and feels like putting a square peg in a round hole.

- The developer calls the residential space "Conservation Lots" - **please note**; the fact that they use the term "conservation" does not mean this is the same as a Conservation Subdivision. What they are proposing **DOES NOT MATCH** the criteria outlined in the Westfield Comprehensive Plan for a Conservation Subdivision (for more information, please see the Conservation Subdivision Process Tool Box, in Chapter 2 of the Comprehensive Plan, p.30 & pgs. 34-37).
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Whether it's a park or 5 residential lots, there is still no way to buffer an Industrial Park! The lots do nothing to decrease the traffic - nothing to decrease the noise, the dust, the light pollution...nothing to increase our safety...nothing to protect our groundwater from contamination...nothing to protect our property values or our quiet rural lifestyle. This proposal continues to be an egregious VIOLATION of the Comprehensive Plan and a direct threat to our way of life, Please give this proposal a no vote - an unfavorable recommendation.

Thank You
Rinney Still

Pamela Howard

From: Bradley Love <bmrdude1@frontier.com>
Sent: Tuesday, August 9, 2022 7:10 PM
To: APC
Subject: Northpoint II

**WARNING: This external email is from
bmrdude1@frontier.com.**

I would like to express my opposition to the Northpoint II development. I understand the wishes to increase the city's tax base, but encroachment into more rural farmland is enough!

Bradley Love
20690 Hinkle Rd.
Noblesville, IN 46062

bmrdude1@frontier.com

SENT VIA EMAIL TO:

APC@WESTFIELD.IN.GOV

PLANNERS@WESTFIELD.IN.GOV

RE: Docket No #2008-PUD-09

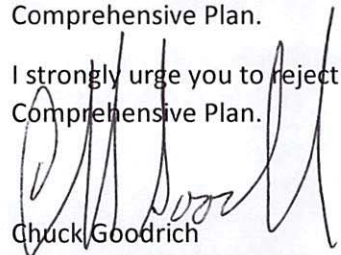
Dear Council Members:

I am writing once again to express my vehement opposition to the proposed Northpoint II PUD. The developer has previously failed to gain approval for its proposed development but is again attempting to gain this council's approval for the project, even though it would undoubtedly damage wildlife habitat, increase traffic congestion, and lower the value of surrounding properties.

The intrusion of this commercial/industrial park into a serene rural residential setting will undoubtedly have a negative impact on the quality of life for residents in this area. Bringing more traffic to the area, particularly on State Road 38, is just one major concern. Increased traffic congestion will create safety issues, particularly during rush hour, and increase pollution and noise in the area.

This development is not in the best interest of the community and there is widespread opposition to this project among the surrounding property owners, residents, and voters. This project is completely out of place in the proposed location and is wholly inconsistent with the Westfield-Washington Township Comprehensive Plan.

I strongly urge you to reject the proposed development and to protect this area as contemplated in the Comprehensive Plan.



Chuck Goodrich
5015 Nightshade Lane
Noblesville, IN 46062
317-716-7117

Pamela Howard

From: Wayne Wheeler <wwheeler@REINDERS.com>
Sent: Wednesday, August 10, 2022 2:22 PM
To: APC; Council Members
Subject: NorthPoint II development 2008-PUD-09

**WARNING: This external email is from
wwheeler@REINDERS.com.**

Dear Council Members,

I am writing again to voice my objection to the NorthPoint II PUD. At the February meeting the council asked the Petitioner (Mr. Wilkes – Holladay Properties) to be more creative and engage the citizens before he returned with his next proposal...neither one of those things happened.

This new proposal has replaced the park with 5 residential building lots that the Petitioner describes as “conservation lots”. Please don’t let that fool you, they DO NOT meet the criteria of a Conservation Subdivision as laid out in the Comp Plan workbook. Adding 5 residential lots still does not buffer an Industrial Park from the neighboring AG-SF1 areas. It is absolutely impossible to hide an industrial park behind the depth of just 2 residential lots. Also keep in mind that he has not provided ANY transitional buffering on the North, South or East side of the project.

No matter what he proposes, this area was never contemplated for Industrial, the Comp Plan hasn’t been updated to include this area for any future Industrial development and its completely irresponsible to “spot zone” an industrial park in the middle of AG-SF1 without considering the impact of everyone and everything surrounding it. A holistic approach must be taken when looking at such an egregious violation of the Comp Plan and how it would affect all neighboring properties and any future development around it. You cannot drop an industrial park in the middle of rural residential and just expect it to blend in and not have a huge impact on the existing residents, who by the way, bought and invested in that area because they referenced the Comp Plan and trusted it.

Please put the citizens first and vote NO on this proposal.

Thank you,
Wayne Wheeler
20889 Anthony Rd

From: Susie Tatum <susie.tatum@alsac.stjude.org>
Sent: Wednesday, August 10, 2022 2:28 PM
To: APC; Council Members
Subject: Northpoint II Industrial Park - Vote No!

**WARNING: This external email is from
susie.tatum@alsac.stjude.org.**

I request that you vote against the proposed Northpoint II Industrial Park for the following reasons:

Why NorthPoint II Doesn't Work

- **Opposite the [Westfield Comp Plan](#)**
 - The NorthPoint II proposal does not fit anything the community has planned, and is exactly the opposite of what the Westfield Comprehensive Plan outlined. This proposal would allow a developer to directly contract policy drafted from the community.
- **Devalues Surrounding Properties**
 - Development of an industrial park in the middle of a residential area would have detrimental effects on property values for those residents.
- **Overburdens Westfield Resources**
 - Adding an industrial development to an area where the city planning calls for the exact opposite use creates a gap in resource planning, including Fire, police, EMS, etc.
- **Fails to meet [IC 36-7-4-603](#)**
 - The NorthPoint II proposal fails to meet ANY of the 5 criteria detailed in this state code, which are to be reasonably considered by the plan commission and legislative body.
- **Alternatives are Available**
 - The owners of the land could develop something compatible with the Comp Plan and still economically viable - a conservation subdivision or large parcel home sites for example.
- **Incongruent with the [2020 Hamilton County Comp Plan](#)**

- o The public input surveys for this plan (from all townships in the county) showed a clear theme - Maintain what is left of our rural/undeveloped areas. Over 70% of respondents said their future land use vision was for agriculture. Over 50% said they wanted no more development.
- **Other Land Available**
 - o Westfield current has an inventory of over 1,500 acres of land that is undeveloped and has the correct zoning for a NorthPoint style development. Additionally, the existing NorthPoint development is largely vacant, making the pressure for an additional industrial park unnecessary.
- **Endangers the Water Supply**
 - o The land for the proposed NorthPoint II development is designated as both a Wellhead Protection Area and a Source Water Area. Many families count on the aquifer beneath for drinking water. There is significant concern about contamination from the proposed land uses.
- **Negative Quality of Life Impact**
 - o An industrial park in this area would add dangerous traffic, disruptive noise pollution, unwanted light pollution, vile air pollution, and soil/groundwater pollution.

Susie Tatum

16250 Oak Road

Westfield, In. 46074

Pamela Howard

From: Ann <loveneverfails75@hotmail.com>
Sent: Wednesday, August 10, 2022 8:35 PM
To: APC
Subject: Reject NorthPoint II!

**WARNING: This external email is from
loveneverfails75@hotmail.com.**

Dear Sirs

I am asking that you vote NO No No to the re-zoning of land sor North Point II.

We do Not want commercial buildings in our area...Please!

We have worked our whole lives to finally have a nice quiet country life. Please do Not ruin everything by allowing this pass.

Thank you so much for your time & consideration. Please vote as if you lived here.. & say No to rezoning.

Sincerely,

Ann Glenn Miller

21188 Anthony Rd

Westfield, IN 46062

Sent from my Galaxy

Pamela Howard

From: TJ Gascho <tj.gascho@gmail.com>
Sent: Thursday, August 11, 2022 8:36 AM
To: APC; Council Members; planners
Subject: Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

**WARNING: This external email is from
tj.gascho@gmail.com.**

To Whom It May Concern:

I'm writing regarding the proposed Northpoint II PUD. I've reviewed the revised proposal submitted by the Northpoint Owners and it does not offer anything remotely close to "conservation" use of land.

My family and I built our home almost 6 years ago in Hinkle Creek Estates, which is very close in proximity. We decided to build in Hinkle Creek Estates to enjoy the "country" feel with reasonable access to "city" amenities. We invested significant capital in our home to provide a comfortable and safe environment to raise our three children. I'm sure this is top of mind for many of you when you're making decisions for your respective families. I feel strongly that the Northpoint II PUD will not only jeopardize the safe environment we have for our family, but it will also have a serious negative equity impact on our home value (and many others in the area).

Please take a second to imagine someone building a 170 acre commercially congested business park in your back yard. Ruining the natural rural character. Adding significant traffic! Introducing noise and air pollution, and threatening environmental resources! Meanwhile, devaluing your home up to 30%!! Please provide a scenario where it's unreasonable to object. Unfortunately, this scenario is very real for us if Northpoint II PUD is approved.

I must also mention that I, along with my neighbors, rely on the health and safety of underground well water for our residential needs. There is serious concern that adding a commercially congested park so close in proximity will compromise the integrity of our water source.

Also, while I've noticed significant changes in the infrastructure near Anthony Rd, the surrounding infrastructure is not capable of handling the additional traffic anticipated when adding Northpoint II. The Hinkle/Moontown & 38 intersection continues to be a vulnerable intersection. There was another accident this past weekend. Busses encounter this intersection on a daily basis. We've had bus drivers express concerns in the past. Adding Northpoint II will only increase traffic, which statistically makes this a more volatile intersection.

It's my understanding Northpoint I remains largely vacant, which brings up the questions "why add additional pressure to the area?" and "why move forward with unnecessary rezoning?" During your vote, I hope you will understand and acknowledge the unnecessary negative impact NP II PUD will have on the surrounding community. Please be considerate of these negative impacts along with many others, and **continue** to vote "NO" to Northpoint II PUD.

Thank you for your time.

Regards,

Timothy J Gascho II

5164 Morning Mist Ct
Noblesville, IN 46062
P: 317-289-5555

Objection Basis:

-IC 36-7-4-603 (2) (shall pay reasonable regard to the current conditions and the character of current structures and uses in the NRR district)

-IC 36-7-4-603 (4) (shall pay reasonable regard to the conservation of property values throughout the jurisdiction)

Pamela Howard

From: jpedzinski@comcast.net
Sent: Thursday, August 11, 2022 2:41 PM
To: APC
Subject: Objection to Northpoint II development
Importance: High

**WARNING: This external email is from
jpedzinski@comcast.net.**

August 11, 2022

Dear APC

I am writing to express my objection to the Northpoint II proposal.

My issues are the lack of clarification and misleading suggestions in their new proposal.

- a. The developer calls the residential space "Conservation Lots" -***what does that mean?*** Conservation Subdivision is not the same as Conservation Lots. This is very misleading, and I ask that you obtain some clarification.
- b. The developer is requesting proposed residential area be zoned SF1. The entire area is already zoned AG-SF-1. My understanding is that SF-1 and AG-SF-1 are two different categorizations with vastly different permitted uses per the UDO, Chapter 4. I urge you to get some clarification on this issue and enforce AG-SF-1 zoning.
- c. Northpoint states "Permitted Uses for Conservation Lot Residential Area" are Dwelling – Single family Agricultural Use and Stable-Private. Once again, Northpoint is being misleading! Please verify if the last two uses they list are in fact, NOT permitted uses for the zoning they are requesting (SF1) according to the UDO.

Whether it's a park or 5 residential lots, there is still no way to buffer an Industrial Park. The lots do nothing to decrease the noise, the pollution, the safety of our children riding bikes on the county roads & sharing with semi-trucks along with our property values.

This proposal is a direct threat to the reasons we built our retirement home in Hamilton County. We enjoy the wildlife and quiet country living.

This proposal continues to be in VIOLATION of the Comprehensive Plan.
I urge you to vote 'NO', an unfavorable recommendation.

Sincerely,
James R Pedzinski
5250 Nightshade Ln

Noblesville, IN 46062

Pamela Howard

From: James Hogan <james.hogan@elamusa.com>
Sent: Thursday, August 11, 2022 3:40 PM
To: APC; planners; Council Members
Subject: Re: James Hogan's Objection to Petition No. 2008-PUD-09, Ordinance No. 20-25 (Northpoint II PUD)

**WARNING: This external email is from
james.hogan@elamusa.com.**

Good afternoon members of the APC, City Planners and City Council members!

For the numerous objections outlined below in this email string and as laid out by all adjoining and nearby property owners unified and unanimously against the above-referenced Petition, I urge all of you members of the APC to vote UNFAVORABLE and further urge the City Council to vote NO to Petition No. 2008-PUD-09 ("Petition"). I as an affected property and we as a community, many of us ignorant to the process of how these petitions and PUDs come to fruition, have since become enlightened by the process by which developers apply for land use changes incongruent with a Comprehensive Plan. We have educated ourselves on the tweaks, trickery and other tactics used in attempting to deviate from a carefully considered Comprehensive Plan meant for the welfare of the entire community and not that of a single developer.

To be crystal clear, we applaud those developers who develop according to the Comprehensive Plan, but we denounce those that don't. Accordingly, Holladay Properties and the entire petition group is roundly denounced as it relates to this Petition.

The Northeast Rural Residential district has accepted this Comprehensive Plan as its guiding principle and I submit that the Petitioner, the APC and City Council do as well in the absence of any other document. At the end of the day, we know that the Petitioner cannot move forward with its plans without the APC and City Council accepting of these unwarranted property use changes in the form of an Ordinance.

In educating ourselves on the process of deviating from the Comprehensive Plan through the form of an Ordinance, the community is now moving forward with its public outcry with a website to help fight this plan. It is Say No To NP2 and can be found here: <https://www.saynotonp2.com>. Say No To Northpoint II is meant to bring transparency to the intentions of the Petitioner. I am sure it will soon be on Social Media if it isn't already.

With such a groundswell of objections, and also politically through our State Representative, what left is there to say?

The tweaks of the new petition are meaningless. The only meaningful tweak would be a rural residential development. An extension to Bray Park would likely be accepted, I'm sure. But not commercial. Not Industrial. Not high-density housing. None fit with the Rural Residential/Agricultural zoning.

Consequently, it is my feeling (and I'm sure that of virtually all other objecters) that a vote favorable from the APC or a yes from City Council would carry with it a public outcry over how such a vote could be made in the face of knowing that the development would permanently damage a rural landscape badly in need of preservation, anger an entire community of people and disrupt the entire culture of the Northeast Rural Residential district - and for what - all in the name of more "big box" industrial and commercial buildings hell-bent on tax abatements?

The Comprehensive Plan sets out to preserve our rural culture.

Petition 2008-PUD-09 sets out to destroy it.

Please vote UNFAVORABLE and NO to give us a voice and assurance that our political leaders can divorce themselves from developer temptations in setting out to preserve what is right with the Comprehensive Plan norms that all others have accepted without reservation.

Sincerely,

--

James P. Hogan, LPG



The ELAM Group

161 Lakeview Drive

Suite B

Noblesville, IN 46060

President & CEO

(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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On Wed, Feb 23, 2022 at 7:48 AM James Hogan <james.hogan@elamusa.com> wrote:

Good morning members of the APC,

I want to first thank you for being so attentive to each of us as we voiced our objection to the Northpoint II PUD. I do also owe an apology to Ginny for not making clear that I was representing Hinkle Creek Estates' ("HCE") homeowners association which is why Pam gave me 5 minutes rather than 3 minutes. But I also want to take this opportunity to reiterate our strong opposition to the petitioners' plan. I take particular exception to a few things from their rebuttal:

1. Chris Wilkes concluded there is a lack of interest in large acre lots based on his data from LIBOR. This is simply not the case. True, it takes money to afford one, but, just as true, there is money in Hamilton County. Speaking from experience of living in a "large acre lot" community, I have found the lot size to be the single biggest draw. Our neighborhood has 36 lots. All are developed. The demand is so high that not one, not two, but three houses went on the market. All three sold - two at \$1,000,000.00 and one at \$2,000,000.00. The two \$1 MM homes sold before or within 30 days of hitting the market. The owners who sold the \$2 MM house can't find lots anywhere else and so a neighbor was kind enough to parse off 2 of their 8 acres so that this former homeowner can build a NEW home in our neighborhood. That would be #37 - and it never hit the market! The homeowner can't find neighborhood land anywhere else. Wilkes' statement is simply untrue. The demand is there for 2+ acre lots in this part of Hamilton County. The testimonials from two of you further supports this.
2. I come from Akron, Ohio. I grew up in Bath, Ohio. Bath has a restriction for large acre lots - all 1.5+ minimum in the entire township. Bath is the single most sought-after area in the Akron-Cleveland area. LeBron James' home

is in Bath. This lack of demand that Chris Wilkes points out is not only untrue here, but its untrue anywhere else where wealth exists.

3. A truer statement is that there is a lack of 2+ acre offerings in Hamilton County and so the data are so limited as to be rendered meaningless. Offer more large acre lots and they will come, particularly in Hamilton County. See my personal observations of our neighborhood, above.
4. Chris spoke of the economics of his development. This issue is well beyond the almighty dollar. There are places for making money and there are places for resting and relaxing. They are separate. Think about Central Park. What is that worth to a developer? Billions! Maybe a Trillion! But does it beat the priceless serenity? Of course not. Don't let the almighty dollar weigh on your decision on this one.
5. Any development penetrating the north side of State Route 38 that is incongruent with the Comprehensive Plan will forever ruin the Northeast Rural Residential landscape. Several of you alluded to that last night and I applaud your efforts for saying so. My feeling on the Comp Plan is that its lack of "update" doesn't change the NRR District at all as we will fight extremely hard to preserve this NRR District with any update in the future.
6. The one speaker spoke of exasperation for the lack of interest in a park. Those Township Board members that voted it down (there are only 2 of them from what I understand) must listen to us. Times have changed. The overwhelming majority of us who objected to Northpoint II didn't even know those discussions were ongoing. The fact that 3 people can vote on such a big issue and turn our world upside down is absurd. This issue must be revisited, and several of us are willing to take up that torch. Those two Board members must listen. There is more than one way to slice the onion on funding, as you all know so well.
7. Lastly, please note what the petitioners did not do: they did not argue my points about how the development must pay reasonable regard to Indiana Code IC 36-7-4-603. The Remonstrance Package makes it clear that Northpoint II does not. Please review that exhibit closely.

In close, one thing that kept coming to me is the sign that reads "In God We Trust" behind all of your heads. I am so delighted to see such a wonderful display of reverence. I do trust in God in all of my decisions and statements and do feel as though the Holy Spirit can work through all of us individually and as a group. I pray that God works through all of you as a group to follow Indiana Code and resist the temptation of a developer trying to make crooked that straight path.

Let this be a place of relaxation and enjoyment. Let the developer sell the land. That is an option. Please do what is right for us, those most affected by this monstrosity. Vote this down 9-0.

Sincerely,

--

James P. Hogan, LPG



The **ELAM** Group

161 Lakeview Drive
Suite B
Noblesville, IN 46060

President & CEO

(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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On Mon, Feb 7, 2022 at 8:59 PM James Hogan <james.hogan@elamusa.com> wrote:

Good evening members of the APC,

I am writing to renew my objection to the petition for 2008-PUD-09 filed nearly one year ago today and outlined further below. In short, nothing has changed.

The tweaks to the petitioner's plan presented on Monday (1/31/22) fails to address our demand from the public meetings over 1 year ago. Our demand back then was to simply follow the rules and develop the land in a manner that respects the intended land use of the Northeast Rural Residential ("NRR") District - just as every other land owner in the NRR District has done. It's not asking much at all.

What the petitioners presented last Monday was lipstick on a pig. They chose to ignore the attached Remonstrance Against Northpoint II PUD, dated 2/2/21, but we the people surrounding the land of 2008-PUD-09 find the document even more relevant today than when it was first produced.

Please end this sordid tale, and end it emphatically. VOTE AGAINST 2008-PUD-09 UNANIMOUSLY.

Sincerely,

--

James P. Hogan, LPG



The **ELAM** Group

[161 Lakeview Drive](#)

[Suite B](#)

[Noblesville, IN 46060](#)

President & CEO

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On Thu, Feb 11, 2021 at 4:53 PM James Hogan <james.hogan@elamusa.com> wrote:

Good afternoon and greetings members of the Advisory Plan Commission ("APC") and City Council of the City of Westfield.

I am writing to you today to voice my sincere objection to the above-referenced planned unit development ("PUD") petition. My wife and I, Lori, along with our 4 children, dog and 2 cats, reside in our home at 20275 Dayspring Court in Noblesville, Indiana. The home is the northwesternmost home within the Hinkle Creek Estates subdivision. We are

making a significant investment in upgrading our home over the next couple of months and plan to be here a long time.

Our subdivision consists of 2+ acre lots in a rural residential setting complete with well water, septic fields and propane tanks. The neighborhood is on the east side of Hinkle Road. Our neighbor to the west is the *Bray Family Homestead Park*. We have a reassuring feeling knowing that the entire area west of us is in the Northeast Rural Residential district and will therefore never be developed into anything more than Rural Residential homes, agriculture or a Conservation Subdivision. This was a huge factor in us deciding where to live. We love how our rural residential neighborhood meshes so well with that of the Northeast Rural Residential district of Washington Township.

In fact, over the past few years since we moved in, I have praised the responsibility of the City of Westfield/Washington Township in abiding by its Comprehensive Plan. I have trumpeted these praises to my friends and neighbors Dez Schillinger and Rob Hanlon - two significant employers within the City of Westfield. I tell them I wish every community operated like Westfield. Our confidence that the City of Westfield/Washington Township will maintain a governing body that makes politically stable and logical decisions that are empathetic to its residents and neighbors like myself helps me sleep well at night.

On Tuesday, 2/16/21, my faith in your politically stable, logical decision-making abilities will be put to the test. Our entire neighborhood is worried. I am worried.

We want you to vote no to 2008-PUD-09. We offer a logical basis for you to say no. That logic is rooted in a document that Wayne and Christy Wheeler will send you in an emailed attachment, a document entitled *Remonstrance Against Northpoint II PUD*, dated 2/2/21.

Read it and enjoy it. It provides you a basis for rejection.

In the meantime, I will pray.

I pray that your hearts be touched by the 183+ residents who join me in objecting to this 2008-PUD-09 abomination - noting that not one resident we reached supported it. I pray that you uphold your Comprehensive Plan. And, lastly, I pray that you have courage to VOTE NO, in the face of certain political and monetary pressure, to 2008-PUD-09.

Sincerely,

--

James P. Hogan, LPG

[161 Lakeview Drive](#)
[Suite B](#)
[Noblesville, IN 46060](#)



President & CEO
(888) 510-3526 x102 · Cell: (317) 316-2437 · elamusa.com

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attachments from your computer system. We do not waive the confidentiality of this e-mail message and any attachments by the transmission of this e-mail message.

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8/12/22

Dear Westfield City Officials,

Please deny Northpoint Owners, LLC's request to turn AG-SF1 land into an Industrial Park. (By the way, do you realize that the petitioner is requesting 73 different land uses – EI, LB, & GB?)

You have already heard so much about why NP11 doesn't make sense – I would like to mention a few items that may not have yet been discussed thoroughly:

- The developer's utter disregard for the City Officials, the Comprehensive Plan, and the Citizens
- The opportunity to stop a mistake before it happens

Utter disregard

When Chris White (Equicor) was asked if he was aware, before he purchased the land, that it was zoned AG-SF1...his answer was an arrogant "100% aware". They were so confident that they would meet no resistance that they didn't even take an option on the land but instead flat out bought it. The zoning was of no consequence to the group when they made a decision to purchase...simply a minor inconvenience which would be easily overcome. They saw land that was priced right and they confidently bought it assuming they had enough 'power/influence' to make something happen that should never even be considered. They had no respect for zoning, the comp plan, the purpose of the area (rural), the health & safety of the citizens who live here, or even for the APC/City Council processes. They just saw an opportunity and confidently moved forward thinking none of the aforementioned things would be any sort of hinderance to their ability to get their project done.

Contrast this to the citizens of this area. The majority of whom based a decision to invest their money and their lives here on the only thing available to them – the Westfield Washington Township Comp Plan. And, these same citizens are crying out to you, over and over again, to please listen and reject this proposal.

What the petitioner is proposing continues to be starkly different than the Comp Plan and the land uses around it. Since the February meeting, the petitioner has done nothing to remove the violations to plan...nothing to include the community...has made no changes to the proposal that would be in agreement with the Comp Plan. They understand what a true Conservation Subdivision is...they understand that they could sell large acre homesites...they understand that they could sell the land to the parks at a reasonable price...why haven't they come back to the table with something that is compliant with the Comp Plan??? Because of greed. Even though there is a substantial amount of money to be made with large acre homesites/Conservation Subdivision, there is more to be made with an Industrial Park. No one forced them to buy AG/SF1 land and no one changed the rules on them – they knew what they were getting when they bought it.

Everyone involved in this situation knew how the land was zoned and what the Comp Plan said BEFORE they purchased their land-but there is one huge difference...one group purchased BECAUSE the land was zoned AG-SF1 and the other purchased presuming they could simply ignore it.

Stop a Mistake

I have heard comments at previous APC meetings that it is unfortunate that more couldn't be done because a PUD had already been approved. Because some PUDs had been approved in the past, the APC's hands are pretty much tied and they can't do much to make the PUD better. With Northpoint II PUD, it's not too late! There is something that can be done. We can deny this request in order to preserve what we already have –

preserve the ruralness of the NRR district. Preserve the intent of the Comp Plan. Preserve the water aquifer, the trees, the environment. Preserve our health & safety. Preserve our property values! Once these things are gone, you cannot get them back. Don't let us get into another situation like ones that have already proven to be a regret.

Please, enforce the vision that was set forth for this NRR area – protect our rural lifestyle-support your citizens and vote NO to the Northpoint II PUD proposal.

As always, thank you for your service to Westfield,

Christy Wheeler

20889 Anthony Road

Pamela Howard

From: rwgudeman@gmail.com
Sent: Sunday, August 14, 2022 4:05 PM
To: APC; Council Members
Subject: Northpoint II - Objection to Proposed Land Use

**WARNING: This external email is from
rwgudeman@gmail.com.**

To the Westfield City Council Members and APC Members at Westfield:

Keep our land rural. There are so many reasons to keep our land rural – and I strongly oppose the industrial development. Devaluing the surrounding properties of course – but that is only one reason. Westfield’s zoning, resources, water... Please consider **all** of Westfield and put this to a vote for all to voice their opinion.

Thank you for your consideration.

Rebecca Gudeman

R W Gudeman LLC
20649 Anthony Road
Westfield, IN 46062
P: 317-840-1041
E: rwgudeman@gmail.com

Pamela Howard

From: Casey Mihal <casey.mihal@gmail.com>
Sent: Sunday, August 14, 2022 7:32 PM
To: APC
Subject: APC Meeting on Northpoint II Proposal

**WARNING: This external email is from
casey.mihal@gmail.com.**

Hello Westfield APC,

I'm emailing you again regarding the Northpoint II Proposal, which you will be discussing tomorrow at your meeting. I was hoping to speak in person to you tomorrow, but I am very sick and contagious, so it would be a bit irresponsible for me to come in person. That said, I wanted to give you my thoughts via email.

First, the majority of my issues with this proposal can be found here: <https://www.saynotonp2.com/>

Second, I want to make it abundantly clear: no version of any proposal that puts an industrial park on the land in question will work. It does not matter which shade of lipstick you put on this pig, it is still the complete wrong use of the land.

The Westfield Washington Comprehensive plan has already captured the community's thoughts on how this land should be used (rural residential). Indiana Code IC 36-7-4-603 clearly states that the plan commission should pay reasonable regard to the comprehensive plan; an industrial park does the complete opposite. Additionally, the other 4 points in IC 36-7-4-603 would be violated with the approval of this industrial park.

Westfield currently had many acres of land available that has the correct zoning for Holladay Property's Industrial Park proposal. I am not against their industrial park, but I am 100% against where they are trying to put it. The developer should seek to develop the industrial park on land that is appropriate for such a use.

If Holladay Properties still seeks to develop the land in question, they should follow the current zoning and the land uses described in the Westfield Washington Comp Plan. They could develop a conservation subdivision or large parcel home sites. These are economically viable options (and would actually suite Westfield quite well given the population growth in recent years).

Nearly every person in the area who I have spoken to about this issue sees that the Northpoint II Proposal is clearly wrong and does not belong. These are your constituents, the ones who will cast votes come election time. Approval of this proposal sends a clear message to those constituents: big businesses matter more than citizens. I highly doubt you would want that message sent to all of these people.

I could keep writing out more and more issues with this proposal, but at the end of the day I want one thing to be clear: I will never agree to any proposal that puts an industrial park on this land, and I highly encourage you to reject it with me. Holladay Properties may continue to make very small changes to this proposal, but at its core it will not work because an industrial park does not belong on this land.

Best Regards,
Casey Mihal

Pamela Howard

From: Pike, Cathy K. <ckpike@iupui.edu>
Sent: Monday, August 15, 2022 8:30 AM
To: APC; Council Members
Subject: Northpoint II (2008-PUD-09)

Dear APC and Council Members:

I again write to oppose the Northpoint II PUD (2008-PUD-09). My husband and I moved here 20 years ago and have lived in the same home since that time. Our land abuts the proposed Northpoint II PUD. I believe that the Northpoint II PUD should be denied for several reasons. The first of these is its non-compliance with Indiana Code 36-7-603 zoning ordinance; preparation and consideration of proposals (<http://184.175.130.101/legislative/laws/2020/ic/titles/036#36-7-4-603>). This Code stipulates the following tenets in preparing and considering proposals. They are as follow:

1. The Comprehensive Plan of a given area
2. Current conditions and character of ... structures and uses in each district
3. The most desirable use and adaptation for ... land within a given district
4. Conservation of property values within the jurisdiction, and
5. Responsible methods of development and growth.

The Northpoint II PUD meets none of these stipulations! It is in direct opposition to the Westfield-Washington Township Comprehensive Plan, which deems the Rural Northeast area of the district as rural, single-family, and agricultural. Homes in the Rural Northeast are expected to be built in ways that include protecting historic structures, having considerable open space, protecting open fields, trees, and streams (City of Westfield, 2007, p. 31). In fact, the Comprehensive Plan states that the Rural Northeast “area will be the last to face development pressure” (City of Westfield, 2007, p. 31). There is no mention in the Comprehensive Plan of commercial property or dense housing as acceptable development options for the Rural Northeast area.

My second point is that the Northpoint II PUD does not take into consideration the character and uses of this district. This district is rural and agricultural, with houses located on multiple acres. It is **not** urban, commercial, or suburban. The Northpoint II PUD responses to issues raised at the APC meeting, in February fail to acknowledge the many statements in the Comp Plan that emphasize the importance of protecting and maintaining the rural character of the Rural Northeast area of the Westfield Washington Township. The Northpoint II developers state that Westfield Washington Township “has changed in the last 15 years, yet no update has occurred in the Comp Plan (See “Issues Raised” document, p.1). Their statement actually lends support for why the current A-SF1 designation **should** remain in place for the Rural Northeast area. There are precious few areas left in the area that have maintained their rural character and beauty.

Third, the Northpoint II PUD certainly is not a desirable use and adaptation of the Rural Northeast area. The proposal clearly is not a desirable use of the land, and it is not even needed! Currently, there are almost 2,000 acres in the Westfield-Washington Township of available property that are available for development, meet the criteria of the Comprehensive Plan, and would be acceptable uses for the Northpoint II PUD. (Please refer to our “Remonstrations Against Northpoint II PUD” for further information.)

Fourth, should the Northpoint II PUD be approved, property values within the area are expected to plummet by 30% (Please see “Remonstrations Against Northpoint II PUD” for further information). We and all of our neighbors have worked hard to both maintain our homes and improve our properties’ values over time. My husband and I expect the value of our property to be one of our assets available to us during our retirement. We and our neighbors view any approval of the Northpoint II PUD as a **taking of value** and therefore adamantly oppose the proposal. The statement in

their responses to issues by Northpoint II developers that buffering will prevent substantial loss of value to the current properties is hogwash.

Fifth, it is obvious that the Northpoint II PUD represents irresponsible methods of development and growth. The Northeast area is a small rural agricultural corner of the Westfield-Washington Township and is designated as the last area of the entire Township to face pressure from development. The Northpoint II PUD seeks to convert 183 acres of beautiful rural land to a commercial development that allows virtually unfettered commercial endeavors. The North Point II proposal continues to include **fully 73 possible types of commercial development**, including an array of all-encompassing types of commercial properties. The proposed North Point II industrial development would abut a recently acquired Hamilton County park and the Bray Family Farm. There is no place for industrial development in this entirely rural-agricultural area that has no commercial development.

The developers' statements about how industry developed in this pristine area would ensure the continued quality of life in the Rural Northeast is just simply more hogwash. Potential pollution of air, water, light, and debris are not addressed adequately in the developers responses to the issues raised at the February APC meeting. For instance, line of sight issues would not be mitigated by empty "conservation lots" (not to be confused with *conservation subdivisions* as defined and described in the Comp. Plan). Let's be real. Who would want to buy property and build a home in the middle of an industrial complex, especially when the industrial developers plan for environmental impacts and spillage to be mitigated by the "proposed buffer yards and landscaping" within their so-called 'conservation lots' (See "Issues Raised", p. 1)?

The developers also gloss over the impact of traffic on SR 38, should their proposal be approved. It is almost certain that a second stoplight would be required to manage vehicular flow at the entrance to the property. That would put 2 stoplights within a half-mile of each other. Literally, that would be a nightmare for drivers and the two residential properties between these two stoplights.

The plan would not enhance the natural resources or the lives of those of us who would be directly affected by its development. In fact, 180 people who would be directly affected by this development are opposed to its approval! These nearly 200 people have responded to online and in-person canvassing to say that they oppose the Northpoint II PUD. (Please see the "Remonstrance Against Northpoint II PUD" document for detailed information and copies of the petitions.) My husband was the primary canvasser in collecting in-person petition signatures. He knocked on every door within a square mile of the Northpoint II PUD, including Anthony Road, 216th Street, Hinkle Road, and State Road 38. **Not one person with whom he spoke approved of the Northpoint II PUD!**

A review of these and other of Northpoint II developers' responses to the issues raised in the February APC meeting brought to mind the vision of a spoiled child stomping their foot and saying, "I want it, so I must have it!" I see no real effort to address the issues that have been raised with the Northpoint II proposal and no consideration of the current or potential residents of the area, should the Northpoint II PUD be approved.

We sincerely hope and pray that you will **vote 'NO'** to the Northpoint II PUD and approve only those proposals that meet the standards of the Westfield-Washington Township Comprehensive Plan for the Rural Northeast district. Thank you for your attention to this urgent matter that will affect families and the community for generations to come.

Cathy

Cathy King Pike, Ph.D., MSW
Professor Emerita
Indiana University School of Social Work
902 West New York Street, ES 4138G
Indianapolis, IN 46202-5156
317-903-9522 / ckpike@iupui.edu

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Pamela Howard

From: Justin Evans <justin.a.evans11@gmail.com>
Sent: Monday, August 15, 2022 9:07 AM
To: APC; Council Members
Cc: Kaitalyn Smith
Subject: Opposition to Northpoint II (Yet Again)

**WARNING: This external email is from
justin.a.evans11@gmail.com.**

To Whom It May Concern,

My family and I live at 5376 Sheridan Rd. We moved from our home in downtown Noblesville to our 3-acre property for the serenity, nature, and proximity to so many great local businesses. Our historic 100+ year old property features a large horse barn and carriage house, both original in structure. We feel very strongly about the preservation of the area currently in discussion to be developed by Northpoint II.

We fear that the impending development will bring down our property value, pose a threat to the ecosystem, and endanger the livestock surrounding us. The rural lifestyle that we moved for will be directly threatened by the commercial development plans.

It is our firm request that the land NOT be developed. If it were to be developed, we would strongly request that it would be residential in nature, only. The residential development should preserve our beautiful property line and capitalize on the wide-open land, sky, and animals. Any other option would be a disservice to this beautiful area.

Finally, with the latest adjustments to the plan; this proposal still goes against the already established and agreed Comprehensive plan for our area. Therefore, we strongly believe this proposal should be immediately denied and only future options considered that follow and adhere to the already developed Comprehensive plan for the Westfield area.

Best Regards,
Justin Evans

Pamela Howard

From: Marco Garcia <sr.garcia08@icloud.com>
Sent: Monday, August 15, 2022 1:33 PM
To: APC
Subject: Reject NorthPoint II!

**WARNING: This external email is from
sr.garcia08@icloud.com.**

We live at Coventry development and me and my wife said no to this development. Please let us know what else to do to oppose.

Thank you,

Marco Garcia

Pamela Howard

From: James R Emerson <JR@EmersonLawLLC.com>
Sent: Monday, August 15, 2022 1:35 PM
To: APC; Council Members
Subject: Northpoint 2 Industrial Park
Attachments: 20210318_193935.jpg; 20210318_193940.jpg

**WARNING: This external email is from
JR@EmersonLawLLC.com.**

Committee and Council Members:

I live at 20803 Anthony Road.

I vehemently oppose any rezoning of the property at 32 and Anthony Road, aka Northpoint 2 Industrial Park.

We sold our home on a golf course and moved to this area in order to have a rural experience in Hamilton County. We purchased nearly 7 acres of land with a home and two out buildings.

When we purchased our property it was our understanding that this area was and would continue to be zoned as rural/agricultural.

I believe there are other areas already zoned for this proposed project. Those would be a more appropriate location.

If this project goes through we will be forced to view the 45 foot tall buildings (3.2 stories) from my front yard. I don't think that anyone would find that acceptable. Approval would cause the market price of our nearly 7 acres to drop significantly in value.

I believe the increased traffic and semi-trucks will lead to other unforeseen issues. Likely some form of tax abatement would be made, which in my opinion negates the argument that taxes revenue would increase.

Finally, our property and several of our neighbors floods. No one in government has been willing to help. A new home was recently built across the street. This year the flooding was worse than the year before. This issue will only be exacerbated with additional construction. With large paved areas water will be forced to lower areas. I fear that additional new construction will only make the flooding issue worse.

I can assure you that this it was your home that was affected you would not even consider rezoning this property. Again, there are other parcels of land that are already zoned appropriately for this project. So there is no need to rezone this parcel.

I plan to fight this proposal with all of my time and energy.

Thank you for your time and consideration.

JR Emerson

JR Emerson, Partner
EMERSON DIVORCE AND
ACCIDENT INJURY ATTORNEYS, LLC
1 S. Rangeline Road, Suite 400
Carmel, IN 46032
P: 317-969-8000
F: 317-663-2116





Pamela Howard

From: Doug Sikora <ds7969@yahoo.com>
Sent: Monday, August 15, 2022 1:55 PM
To: APC
Subject: Northpoint II Objection

**WARNING: This external email is from
ds7969@yahoo.com.**

My name is Doug Sikora, resident of 20280 Dayspring Court, Noblesville. This email represents my wife and I's STRONG objection to North Point II for all the reasons mentioned in the "neighbor meeting summary". ie., the well documented traffic dangers on 38 and Hickle Creek Rd., light and noise pollution, negative impact to wildlife using the area and neighboring park, water quality, negative impact on home values, and deviation from the planning/zoning.

Nothing in the new proposal merits true consideration to the citizens bordering this project that have so much to lose.

Thank you for hearing our concerns.

Doug and Lorie Sikora
1-317-379-2399

Pamela Howard

From: Wayne Pike <bwpike2004@yahoo.com>
Sent: Monday, August 15, 2022 2:06 PM
To: APC
Subject: Northpoint II

**WARNING: This external email is from
bwpike2004@yahoo.com.**

I have read the new proposal for Northpoint II. It seems very similar to the old proposal. I hope that you vote no. This would be very harmful to our community. Barry Wayne Pike

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

Pamela Howard

From: Adam Corya <adamcorya@callcarpenter.com>
Sent: Monday, August 15, 2022 2:39 PM
To: APC
Cc: Pamela Howard; Caleb Ernest; Daine Crabtree
Subject: Re: Objection To Northpoint II

**WARNING: This external email is from
adamcorya@callcarpenter.com.**

Good Afternoon Members of the City Of Westfield Advisory Plan Commission,

My feelings expressed in my email below, dated February 21, are unchanged. I am still unaware of a single resident in our area that thinks any commercial development on this land is reasonable. These industrial developers actually *closing* on farmland *before* having secured their *severe* zoning wishes is perplexing. They must have simply miscalculated back then that they could bull over the residents and the city to just go along with what they wanted. I know we residents have made it abundantly clear that we are opposed. And now, my sincere hope is that this dreadful industrial park proposal, in all of its forms, is defeated.

I appreciate your time and consideration.

Kind Regards,
Adam Corya
21247 Anthony Road

On Mon, Feb 21, 2022 at 3:56 PM Adam Corya <adamcorya@callcarpenter.com> wrote:
Good Afternoon Members of the City Of Westfield Advisory Plan Commission,

After a thorough review and consideration of the proposed Northpoint II PUD Ordinance Number 20-25, I want to express, in writing, my ardent objection.

My wife and I moved our family from our last neighborhood home within Westfield Washington School District to our current home on Anthony Road specifically to escape the ever-increasing commercial atmosphere within Westfield. We sought an area that we could trust would remain free from the myriad of issues that are unfortunately a given with any commercial real estate setting including major light & noise pollution.

As a real estate professional, I wasn't naive to the potential of some of the surrounding farmland in our area changing hands and for homes to be built on the land. In fact, new neighbors have just completed a gorgeous new home on Anthony Road. This home complies with all of the zoning / ordinances in place as it should. Residential development among an existing residential area is most often a net positive for the existing homeowners in the area. In contrast, there is nothing more damaging to a residential area's value than having industrial buildings erected nearby.

What I couldn't have ever logically foreseen is that a group of commercial investors would actually *close* on land that didn't, at all, comply with the well-established zoning in place. For reasons unknown to me, they must have felt sure it was a slam dunk that they would get their way. With that said, their confidence for a bad idea doesn't justify the support of the stewards of Westfield's well-being. The Northeast Rural Residential district would be ruined forever with an Industrial Park that no one who lives even remotely close to it wants. The current zoning is sound for the area and shouldn't be changed.

Kind Regards,
Adam Corya



6101 N College Ave
Indianapolis, IN 46220
317.460.6514
Email: adamcorya@calccarpenter.com
Website: adamcorya.calccarpenter.com
Facebook: facebook.com/adamcoryarealtor

Pamela Howard

From: Sara Davis Whitcomb <daviskidpsych@yahoo.com>
Sent: Monday, August 15, 2022 2:51 PM
To: APC
Subject: Objection to NorthPointe 2 development

**WARNING: This external email is from
daviskidpsych@yahoo.com.**

I live at 21444 Anthony Road and have a small organic farm and a home based psychology practice that serves over 200 individuals with mental health issues in our community. They regularly report how grateful they are to get services in a rural, home setting that is easily accessed without traffic, surrounded by beautiful trees, offers gardening opportunities, and is home to animals that help them feel connected to the environment. It is critical that we preserve the natural habitat of Anthony Road for the well being of all in Westfield, not just the residents of Anthony Road. Few roads have the mature tree canopy, no light pollution, and the diversity of habitat of this area.

Please preserve this unique, therapeutic, and relaxing environment for all to enjoy for decades to come.

Dr. Sara

Sara Davis, Ph.D. HSPP
CEO/Psychologist, Kidpsych, Inc.
Office: 317-758-5125
Kidpsychoffice@gmail.com

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Pamela Howard

From: Jean <squiredc@gmail.com>
Sent: Monday, August 15, 2022 3:32 PM
To: APC
Subject: NP2 Meeting

**WARNING: This external email is from
squiredc@gmail.com.**

To Whom It May Concern:

We are requesting a vote of NO for the NP2 development .

We are homeowners who do not want any more development north of State Rd 38.

It has been zoned rural/ agriculture and would prefer it stay that way.

There are plenty of other land sites available for industrial development that would not impact the personal investments of the community directly north and east of Anthony Rd.

Thanks for your support.

Jean and Denice Squire

21035 Anthony Rd

Westfield, IN

317-450-0716

Sent from my iPad