



CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda_08_07_2023

Monday, August 07, 2023 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, August 07, 2023 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

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:

- Submit comments via email to planners@westfield.in.gov (Include petition number in the subject line.)
- Attend the meeting at Westfield City Hall for an opportunity to participate and publicly comment on a public hearing.

OPENING OF MEETING

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

Note the Presence of a Quorum

Announce Any Changes to the Agenda

Approval of Minutes

Documents: [APC Minutes - July 17, 2023](#)

Plat Committee Appointment

Review APC Rules & Procedures

CONSENT AGENDA

2306-DDP-17

Dollar Tree

17659 Gunther Boulevard

OWN, Inc. requests Detailed Development Plan approval of a 9,977 SF commercial retail building on 1.12 acres +/- in the Oak Manor North Planned Unit Development (PUD) District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Building Elevations and Floor Plan](#) | [Exhibit 5: Landscape Plan](#) | [Exhibit 6: Secondary Plat](#)

2308-DDP-22

Raising Cane's

14909 Thatcher Lane

Raising Cane's Restaurants, LLC by Premier Design Group request Detailed Development Plan approval of a 2,800 SF fast food restaurant on 1.17 acres +/- in the Village Park Plaza II Planned Unit Development (PUD) District.

(Planner: Lauren Gillingham - lgillingham@westfield.in.gov)

Documents: [Exhibit 1: Staff Report.pdf](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site/Landscape Plan](#) | [Exhibit 4: Elevations](#)

ITEMS OF BUSINESS

2307-PUD-08

Bonterra PUD Amendment I

Generally, about 500 feet East of the intersection at SR 32 & Shady Nook Road

Hartman Capital LLC requests an amendment to the Bonterra PUD to amend the permitted uses on 2.59 acres +/- of the Real Estate.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Ord. 23-12](#) | [Exhibit 4: Project Narrative](#) | [Exhibit 5: Survey of Site](#)

PUBLIC HEARING ITEMS

No Public Hearing Items.

ITEMS CONTINUED TO A FUTURE MEETING

2306-PUD-07 [CONTINUED]

Claiborne Farms (Kimblewick) - Phase II PUD

Southwest of the intersection at Towne Road & West 156th Street

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC requests a change of zoning for 16 acres +/- from the AG-SF1: Agriculture / Single-family Rural District to the Claiborne Farms (Kimblewick) - Phase II PUD District.

(Planner: Ryan Collingwood - rcollingwood@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)

REPORTS/COMMENTS

Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Plat Committee Liaison

Community Development Department

ADJOURNMENT



Westfield-Washington Township Advisory Plan Commission (APC) Workshop Meeting

Minutes of the July 17, 2023, APC Workshop Meeting
Presented for approval: August 7, 2023

Westfield-Washington Township Advisory Plan Commission
met at 7:00 p.m. on Monday, July 17, 2023, at Westfield City Services Center.

Active links for this meeting:

[July 17, 2023, APC Agenda & Exhibits](#)

[July 17, 2023, YouTube Video](#)

OPENING OF MEETING

[YouTube Time: 0:03](#)

Roll Call

Commissioners Members Present In-Person: Kristen Burkman, Ginny Kelleher (arrived at 7:05 pm), Mike Johns, Robert Horkay, Andre Maue, Victor McCarty, and Cindy Spoljaric.

Commissioners Present Virtually: None.
Mike Johns.

Commissioners Absent: Matt Deck, and Dave Schmitz.

City Staff Present In-Person: Kevin Todd, Director; Ryan Collingwood, Associate Planner, and Weston Rogers, Associate Planner.

City Staff Present Virtually: None.

Legal Counsel Present In-Person: Cam Starnes with Taft Stettinius & Hollister LLP.

APPROVAL OF MINUTES

McCarty motioned to approve the July 5, 2023 Minutes.

Maue seconded. Motion passed. Vote 6-0. (Kelleher not yet present.)

REVIEW RULES AND PROCEDURES

Rogers reviewed APC Workshop rules and procedures.

CONSENT AGENDA ITEMS

No Consent Agenda Items

WORKSHOP ITEMS

2306-PUD-07

[YouTube Time: 2:14](#)

Claiborne Farms (Kimblewick) - Phase II PUD

Southwest of the intersection at Towne Rd. & W 156th St.

Pulte Homes of Indiana, LLC by Nelson & Frankenberger, LLC requests a change of zoning for 16 acres +/- from the AG-SF1: Agriculture / Single-family Rural District to the Claiborne Farms (Kimblewick) - Phase II PUD District.

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

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

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 July 17, 2023 Page 1 of 3

ITEMS CONTINUED TO A FUTURE MEETING

2307-PUD-08 [CONTINUED]

Bonterra PUD Amendment I

Generally, about 500 feet East of the intersection at SR 32 & Shady Nook Rd.

Hartman Capital LLC requests an amendment to the Bonterra PUD to amend the permitted uses on 2.59 acres +/- of the Real Estate.

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

2111-PUD-27 [CONTINUED]

TowneRun PUD

Northwest corner of Towne Road and 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)

REPORTS/COMMENTS:

[YouTube Time: 1:07:55](#)

- Plan Commission Comments
- City Council Liaison
- Board of Zoning Appeals Liaison
- Plat Committee Liaison
- Community Development Department

ADJOURNMENT

Kelleher motioned to adjourn the meeting.

Spoljaric seconded. Motion passed. Vote 7-0.

The meeting adjourned at 8:14 p.m.

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

APC Minutes for July 17, 2023 Page 2 of 3

Signature Page for APC Minutes for July 17, 2023

Robert Horkay, President

Ginny Kelleher, Vice President

Kevin M. Todd, Secretary



Petition Number: 2308-DDP-22

Project Name: Raising Cane's

Subject Site Address: 14909 Thatcher Ln

Petitioner: Raising Cane's Restaurants, LLC

Representative: Deb Stosz – Premier Design Group

Request: Detailed Development Plan review of a +/- 2,800 SF fast food restaurant and related site improvements

Current Zoning: Village Park Plaza II PUD District

Current Land Use: Fast food restaurant (Steak and Shake)

Approximate Acreage: 1.17 acres

Property History: Village Park Plaza II PUD ([Ord. 19-48](#)) – approved by Council 10/29/19
ODP & SPP - Approved by APC 10/21/2019
SFP – Recorded 12/23/2019 (*Inst. 2019065429*)

Staff Reviewer: Lauren Gillingham, AICP, Senior Planner

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan/Landscape Plan
4. Building Elevations

BACKGROUND

The request is for Detailed Development Plan review of a +/- 2,800 SF Raising Cane's restaurant and related site improvements on 1.17 acres in the Village Park Plaza II PUD District (GB underlying zone).

The Village Park Plaza II PUD District is a redevelopment PUD, aimed at gradually bringing Village Park Plaza closer to current UDO standards while simplifying the development process. As a result, the PUD offers a greater degree of flexibility in terms of setbacks, signage, and architectural and landscaping standards to accommodate the existing development pattern.

DEVELOPMENT PLAN REQUIREMENTS (Article 10.7(H) of the UDO):

The plans are complete.

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

The plans comply with all review criteria.

DISTRICT STANDARDS

The plans comply with UDO Article 4.16 (GB District) and the Village Park Plaza II PUD District (Ord. 19-48)

1) Minimum Building Setback:

- | | |
|-----------------------------|----------|
| a) External Streets: | 20 Feet* |
| b) Internal Streets/Drives: | 0 Feet |
| c) All Other | 0 Feet |

*US 31 is the only External Street

DEVELOPMENT STANDARDS (Chapter 6 of UDO & Village Park Plaza II PUD District (Ord. 19-48))

The plans comply with all applicable Development Standards.

2) Architectural Standards (*UDO Article 6.3 & Ord. 19-48, Section 9.2*)

The proposed building meets all requirements of UDO Art. 6.3 Architectural Standards, as required for all new construction within the PUD. The primary material is brick masonry with metal and fiber cement as accent materials. All rooftop equipment is screened with perforated metal parapets matching the color and design of the attached canopies.

3) Landscaping Standards (*UDO Article 6.8 & Ord. 19-48, Section 9.3*)

a) Minimum Lot Landscaping

On-site

Business Use (1.2 acres)	Required	Provided	Difference
Shade Trees (10/acre)	12	12	+0
Orn. or Evergreen Trees (10/acre)	12	12	+0
Shrubs (25/acre)	29	326	+297

b) Foundation Plantings:

In compliance

c) External Street Frontage Landscaping:

Requirement waived by PUD

d) Parking Area Landscaping

i) Interior Parking Area Landscaping:

In compliance – landscaped parking area meets 7.5% minimum required by UDO Art. 6.8.

ii) Perimeter Parking Area Landscaping:

Not required per legal nonconforming standards – as with other developments in Village Park Plaza, the site predates the Perimeter Parking requirements; the provided landscaping otherwise decreases the site's nonconformity.

4) Parking and Loading Standards (*UDO Article 6.14*)

39 Parking spaces are provided with additional parking available east of the site.

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply with all applicable Design Standards

1. Pedestrian Network Standards (*UDO Article 8.7*)

A sidewalk will be added along Thatcher Ln, connecting to the existing stub at the northern property line. A striped path will run through the parking lot, connecting the sidewalk to the front door of the restaurant.

DEPARTMENT COMMENTS

The plans as presented comply with all applicable zoning ordinances and meet the approval criteria outlined in UDO Art. 10.7(E).

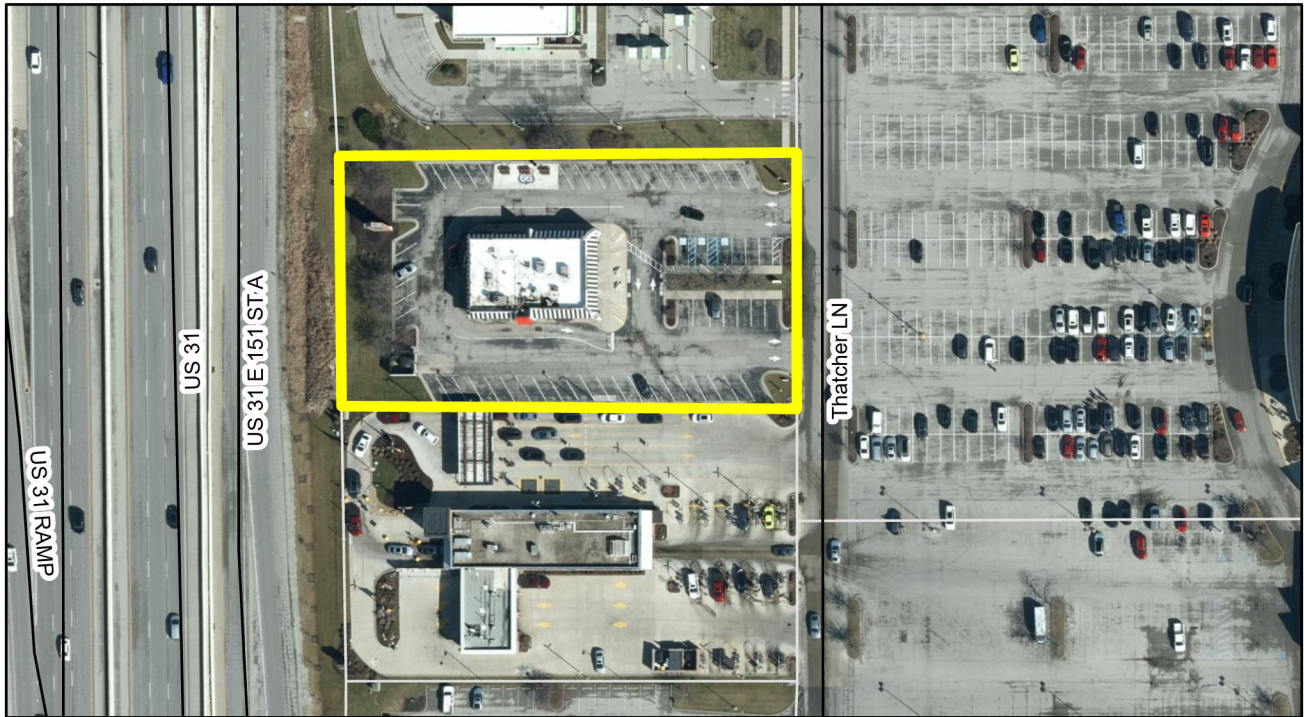
Requested Action: approve 2308-DDP-22 with the following conditions:

- a. That all necessary approvals be obtained from the Westfield Public Works Department prior to any work beginning on the Property.

Please contact Lauren Gillingham, AICP at Lgillingham@westfield.in.gov or (317) 804-3175 with questions prior to the meeting



Aerial Location Map



Zoning Map

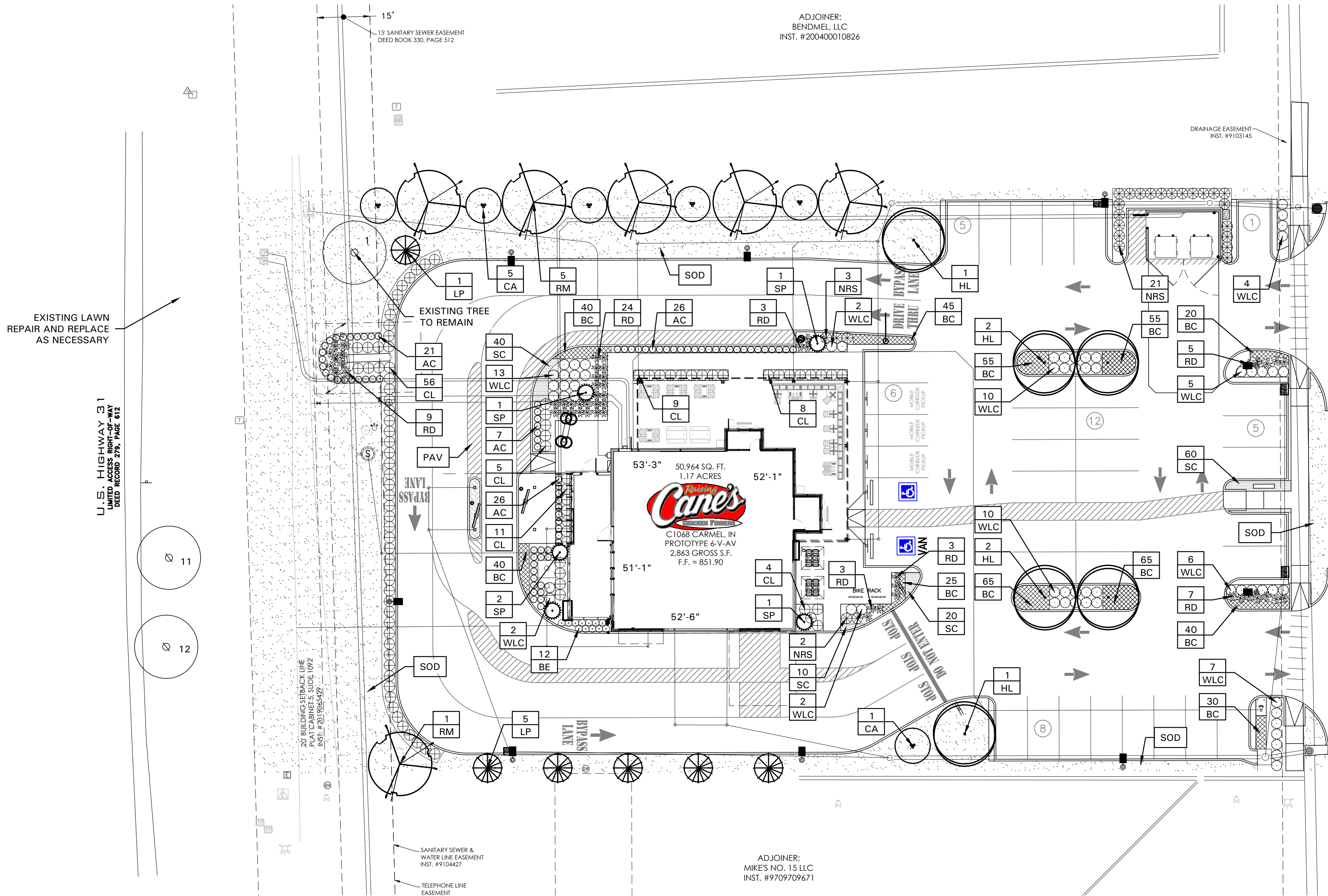


Legend

 Subject Parcel

0 0.01 0.02 0.04 Miles





PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
CA	<i>Malus spp. 'Spring Snow'</i>	'Prairifire' Crabapple	6	2" cal.	container grown, 8' ht., 4' spread min., 4' branching ht.
HL	<i>Gleditsia triacanthos 'Skycole'</i>	Skycole' Honey Locust	6	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
LP	<i>Pinus flexilis 'Vanderwolf's Pyramid'</i>	Vanderwolf's Pyramid Limber Pine	6	6' ht.	B&B or container grown, full to base, 3' spread
RM	<i>Acer rubrum</i>	Red Maple	6	3" cal.	B&B, 12' ht., 4' spread, 4' branching ht., matching
SHRUBS/GROUNDCOVER					
AC	<i>Viburnum trilobum 'Bailey Compact'</i>	Bailey Compact American Cranberry	80	5 gal.	container full, 20" spread, 24" o.c.
BC	<i>Juniperus horizontalis 'Blue chip'</i>	Blue Chip Juniper	480	3 gal.	container full, 24" spread, 12" o.c.
BE	<i>Euonymus japonicus 'Microphyllus'</i>	Boxleaf Euonymus	12	5 gal.	container full, 20" spread, 24" o.c.
CL	<i>Prunus caroliniana</i>	Cherry Laurel	93	5 gal.	container full, 20" spread, 36" o.c.
NRS	<i>Ilex spp. 'Nellie R. Stevens'</i>	Nellie R. Stevens Holly	26	15 gal.	container full to base, 48" ht.
RD	<i>Cornus sericea 'Farrow'</i>	Arctic Fire Dogwood	54	5 gal.	container full, 20" spread, 24" o.c.
SP	<i>Juniperus chinensis 'Spartan'</i>	Spartan Juniper	5	10' ht.	B&B or container grown, full to base, 3' spread
SC		Seasonal Color	130	4" pots	container full, 12" o.c., selection by Owner
WLC	<i>Nepeta x faassenii 'Walker's Low'</i>	Walker's Low Catmint	61	5 gal.	container full, 20" spread, 36" o.c.
MISCELLANEOUS					
PAV		Concrete Pavers			refer to 03/L2.02
RR		Native River Rock			2" - 4" dia., 4" depth rock mulch, typ. at planting adjacent to patio
SOD	<i>Poa pratensis x Festuca arundinacea</i>	Kentucky Bluegrass Fescue Mix			solid sod, refer to Solid Sod Notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD KENTUCKY BLUEGRASS FESCUE MIX, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

SOLID SOD NOTES

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.

LANDSCAPE TABULATIONS

WESTFIELD-WASHINGTON TOWNSHIP, INDIANA

MINIMUM LOT LANDSCAPING

- Ten (10) shade trees per acre.
- Ten (10) ornamental or evergreen trees per acre.
- Twenty-five (25) shrubs per acre.

Lot Area: 50,964 s.f. (1.17 acres)	
Required	Provided
(12) trees, 2" cal.	(12) trees, 3" cal.
(12) ornamental trees	(12) ornamental trees
(29) shrubs	(326) shrubs

PARKING AREA LANDSCAPE

- 7.5% of parking area to be landscape.
- One (1) tree and four (4) shrubs per island.

Parking Area: 14,844 s.f.	
Required	Provided
1,113 s.f.	1,393 s.f.

FACADE PLANTING

- One (1) shrub per 12 l.f. of front facade.

Front Facade: 51 l.f.	
Required	Provided
4 shrubs	104 shrubs

MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

CONCRETE PAVER NOTES

- CONTRACTOR SHALL ADHERE TO THE MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND ANY OTHER REQUIREMENTS OUTLINED BY THE MANUFACTURER FOR ALL PAVER INSTALLATION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO COMMENCING ANY WORK.
- CONCRETE PAVERS SHALL BE:
 - BELGARD® LEGACY SERIES
 - MODEL: HOLLAND STONE
 - PATTERN: HERRINGBONE
 - COLOR: CHARCOAL
- CONTRACTOR SHALL SUBMIT A STANDARD COLOR SAMPLE BOARD TO THE OWNER'S AUTHORIZED REPRESENTATIVE FOR FINAL COLOR SELECTION PRIOR TO PLACING ORDER.
- THE FINAL COLOR SELECTION SHALL BE MADE BY THE OWNER'S AUTHORIZED REPRESENTATIVE ON-SITE.
- CONCRETE PAVERS AVAILABLE FROM:

WWW.BELGARD.COM
- THE CONTRACTOR SHALL CONSTRUCT A SAMPLE PANEL 4'-0" BY 4'-0" ON-SITE, AT NO EXPENSE TO THE OWNER, FOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO COMMENCING WORK.
- THE OWNER'S AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY AND ALL WORK EXECUTED BY THE CONTRACTOR WHICH DOES NOT MEET HIS/HER EXPECTATIONS AND THE MANUFACTURER'S SPECIFICATIONS.
- THE CONTRACTOR SHALL MAKE ANY MODIFICATIONS REQUIRED BY THE OWNER'S AUTHORIZED REPRESENTATIVE AT NO EXPENSE TO THE OWNER.



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tel: 972-769-3100 Fax: 972-769-3101

STORE:
RAISING CANE'S RESTAURANT
14909 THATCHER LANE
CARMEL, IN 46032
PROTOTYPE: P6-V-AV
SCHEME: A
RESTAURANT #RC1068
VERSION: 2022-1.0 RELEASE 8.10.2022

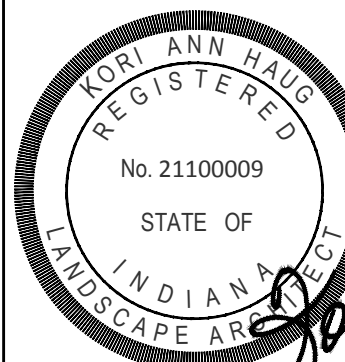
ADA ARCHITECTS

17710 Detroit Avenue - Lakewood, Ohio 44107
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www.adaarchitects.com

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PERMIT SET

ENGINEER INFORMATION:



8/1/23

SHEET REVISIONS

#	DATE	TYPE
1	8/1/23	CITY COMMENTS
2		
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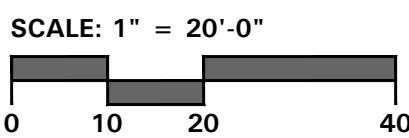
LANDSCAPE PLAN

PERMIT DATE: 07/06/23

JOB NO. 23055

L2.01

SHEET NO.



- 4245 North Central Expy
- Suite 501
- Dallas, Texas 75205
- 214.865.7192 office



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

STORE:
**RAISING CANE'S
RESTAURANT**
14909 THATCHER LANE
CARMEL, IN 46032
PROTOTYPE: P6-V-AV
SCHEME: A
RESTAURANT #RC1068
VERSION: 2022-1.0 RELEASE 8.10.2022



Lakewood, Ohio 44107
Phone (216) 521-5134 Fax (216) 521-4824
www.adaarchitects.com

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SHEET REVISIONS

#	DATE	TYPE
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EXTERIOR
ELEVATIONS

PERMIT DATE: 07/06/23

JOB NO. 23055

A4.20
SHEET NO.

MATERIAL TAKE-OFFS: SIDE (NORTH) ELEVATION		
MATERIALS	SQ FOOTAGE	PERCENT OF TOTAL
METAL SCREEN	162.2	15.9
PARAPET COPING	23.8	2.3
METAL ACCENT PANELS	0.0	0.0
NICHHA PANELS	73.9	7.2
BRICK	780.3	74.5
TOTAL	1020.2	100.0



2 SIDE ENTRY (NORTH) ELEVATION
A4.10 SCALE: 3/16" = 1'-0"

MATERIAL TAKE-OFFS: FRONT (EAST) ELEVATION		
MATERIALS	SQ FOOTAGE	PERCENT OF TOTAL
METAL SCREEN	128.1	17.0
PARAPET COPING	19.3	2.6
METAL ACCENT PANELS	93.5	12.4
NICHHA PANELS	85.1	11.3
BRICK	426.3	56.7
TOTAL	752.3	100.0



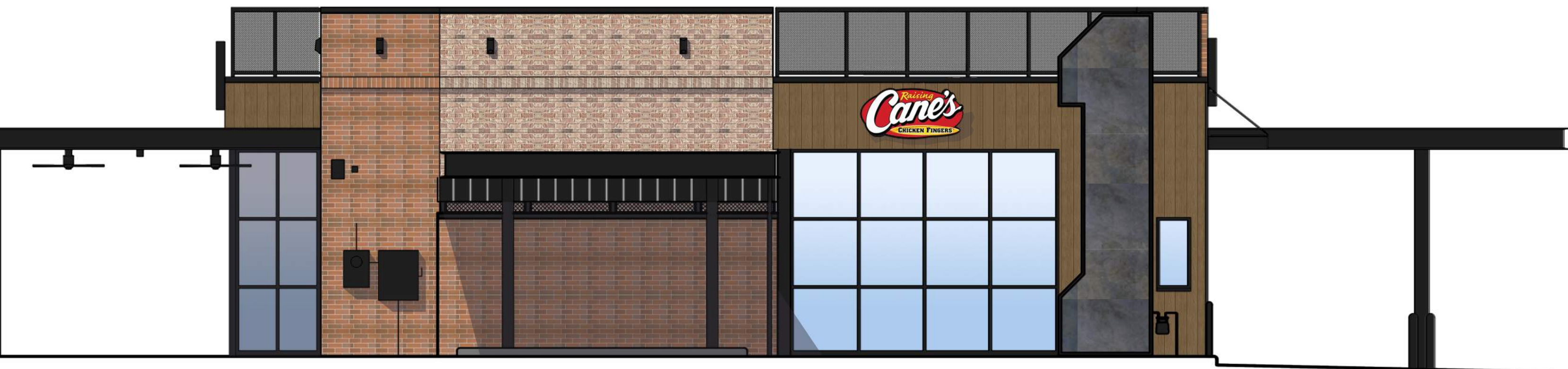
1 FRONT ENTRY (EAST) ELEVATION
A4.10 SCALE: 3/16" = 1'-0"

MATERIAL TAKE-OFFS: DRIVE-THRU (SOUTH) ELEVATION		
MATERIALS	SQ FOOTAGE	PERCENT OF TOTAL
METAL SCREEN	180.9	18.6
PARAPET COPING	23.8	2.4
METAL ACCENT PANELS	0.0	0.0
NICHHA PANELS	240.2	24.7
BRICK	527.1	54.2
TOTAL	972.0	100.0



2 DRIVE-THRU (SOUTH) ELEVATION
A4.20 SCALE: 3/16" = 1'-0"

MATERIAL TAKE-OFFS: REAR (WEST) ELEVATION		
MATERIALS	SQ FOOTAGE	PERCENT OF TOTAL
METAL SCREEN	99.9	11.3
PARAPET COPING	17.4	2.0
METAL ACCENT PANELS	93.5	10.6
NICHHA PANELS	136.4	15.4
BRICK	536.0	60.7
TOTAL	883.2	100.0



1 REAR (WEST) ELEVATION
A4.20 SCALE: 3/16" = 1'-0"

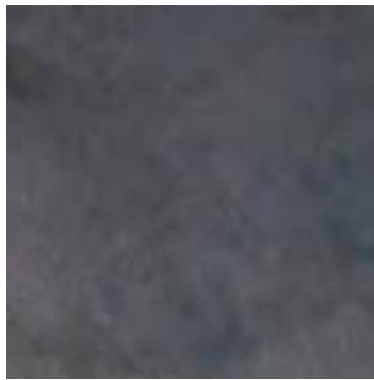
MATERIAL FINISHES



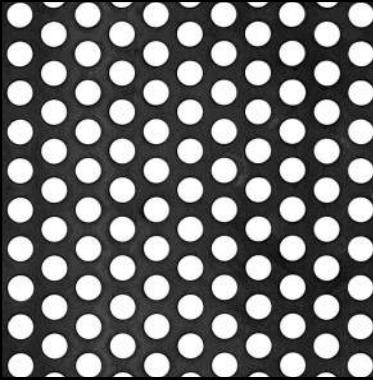
Metal R-Panel
Berridge Clear Acrylic
Coated Galvalume



Architectural Panels
Nichiha: Vintage Cedar
Wood Look Material



Metal Panel, 'Gauntlet
Grey,' High Gloss Finish



McNICHOLS Perforated
Metal Panel
Powder Coat: Black



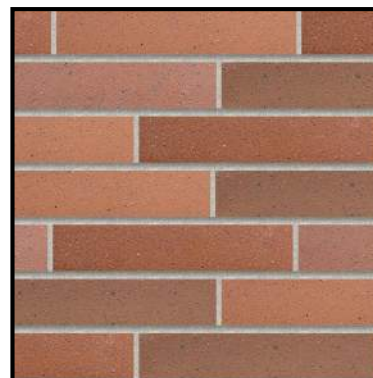
P-10: Super Spec 23
Sherwin Williams Paint



Aluminum storefront
system.
Finish: Anodized Black



Boral: "Alamo" modular
brick, mortar to match
Solomon products, light
buff sack rub finish.



Belden Norman Brick
Masonry Medium range,
smooth, Iron Spot. Mortar to
match Solomon products,
weathered horizontal
strike, vertical joints are flush



Petition Number: 2360-DDP-17

Project Site Address: 17659 Gunther Boulevard (the "Property")

Petitioner: OWN, Inc.

Request: Petitioner requests Detailed Development Plan approval of a 9,977 SF commercial retail building on 1.12 acres +/- in the Oak Manor North Planned Unit Development (PUD) District

Current Zoning: [Oak Manor North PUD \(Ord. 05-04\)](#)

Current Land Use: Undeveloped

Approximate Acreage: 1.12 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Building Elevations and Floor Plan
5. Landscape Plan
6. Secondary Plat

Staff Reviewer: Daine Crabtree, Senior Planner

DEVELOPMENT PLAN (Article 10.7(H) 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).

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

The plans comply.

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

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



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

OAK MANOR NORTH PUD (ORD. 05-04)

The plans comply.

- 22) Uses (Section 2.2)
- 23) Development and Architectural Standards (Section 2.3)
 - a) Maximum Building Height: 60 feet
 - b) Building Setback Requirements
 - i) Side Yard
 - (1) Internal: None
 - (2) East Perimeter: 10 feet
 - ii) Rear Yard: 20 feet
 - iii) External Streets: 40 feet from SR 32 Right of Way
 - c) Parking Standards: 1 space for every 300 gross square feet
 - i) Spaces must be 9 feet wide/20 feet long (18 when against a curb)
 - d) Outdoor Dining
 - e) Outdoor Storage and Sales
 - f) Drive Thru Facilities
 - g) Architectural Standards
 - i) Design
 - (1) All buildings must have compatible architectural designs with those of the commercial development at the SE Corner of State Road 32 & Carey Road



- ii) Materials and Colors
 - A. Predominant exterior building material shall be high quality, including but not limited to: glass, brick, Quik-Brik, EIFS, limestone, other native stone and tinted/textured concrete masonry units.
 - B. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels, except decorative accent metal panels are permissible.
 - C. Façade colors shall be low reflectance, subtle, neutral, or earth tone colors
 - D. Building trim, awnings, canopies, and accent areas may feature brighter colors, including primary colors.
 - iii) Screening
 - iv) Façade Changes: Facades that are greater than two hundred (200) feet in length, measured horizontally, shall incorporate either awnings, wall plane projects or recesses of no less than twelve (12) inches in depth.
Comment: No facades greater than 200 feet in length.
 - v) Repeating Patterns: Facades must include a repeating pattern that includes no less than two (2) of the following elements: color change, texture change, material change, change in plane of no less than twelve (12) inches such as an offset, cornice, awning, canopy, column, reveal, or projecting rib
 - vi) Entryways
 - vii) Anchor User Loading Dock/Other Loading Docks
 - 24) Landscaping (Section 2.4): Exhibit 7 of the PUD is the controlling Landscape Plan for the Property.
 - 25) Signage (Section 2.5)
 - 26) Outdoor Lighting (Section 2.6)
 - 27) Trash Removal & Deliveries/Accessory Structures (Section 2.7)
-



Underlying Zoning District Standards (“GB-PD in force at the time of filing of the Oak Manor North PUD”)

The plans comply.

28) GB-PD in force at the time of filing of the Oak Manor North PUD

- | | |
|--|-------------------------------|
| • <u>Minimum Lot Area:</u> | No Minimum |
| • <u>Minimum Lot Frontage:</u> | No Minimum |
| • <u>Minimum Building Setback Lines:</u> | See District standards herein |
| • <u>Minimum Lot Width at Building Line:</u> | No Minimum |
| • <u>Maximum Building Height:</u> | See District standards herein |
| • <u>Minimum Size of Structures:</u> | None |

STATE HIGHWAY 32 OVERLAY DISTRICT (Article 5.3 of UDO)

Section 1.2 of the Oak Manor North PUD (Ord. 05-04) states, “The development standards created by this Oak Manor North PUD supersede the standards of the Zoning Ordinance.”

“Zoning Ordinance” is defined by the Oak Manor North PUD as, “the Zoning Ordinance of the Town of Westfield and Washington Township, Hamilton County, Indiana enacted by the Town of Westfield.....as amended”.

As such, the State Road 32 Overlay does not apply to the Property.

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply.

29) Accessory Use and Building Standards (Article 6.1)

30) Architectural Standards (Article 6.3) **Superseded by Section 2.3 of PUD**

31) Height Standards (Article 6.6) **Superseded by Section 2.3 of PUD**

32) Landscaping Standards (Article 6.8): **Superseded by Section 2.4 of PUD**

33) Lighting Standards (Article 6.9): **Superseded by Section 3.6 of PUD**

34) Lot Standards (Article 6.10)

35) Outside Storage and Display (Article 6.12): **Superseded by Section 3.3(E) of PUD**

36) Parking and Loading Standards (Article 6.14): **Superseded by Section 3.3(C) of PUD**

37) Setback Standards (Article 6.16): **Superseded by Section 3.3(B) of PUD**



38) Vision Clearance Standards (Article 6.19)

39) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply.

40) Block Standards (Article 8.1)

41) Easement Standards (Article 8.3)

42) Monument and Marker Standards (Article 8.5)

43) Open Space and Amenity Standards (Article 8.6)

44) Pedestrian Network Standards (Article 8.7)

45) Storm Water Standards (Article 8.8)

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

47) Street Light Standards (Article 8.10)

48) Street Sign Standards (Article 8.11)

49) Surety Standards (Article 8.12)

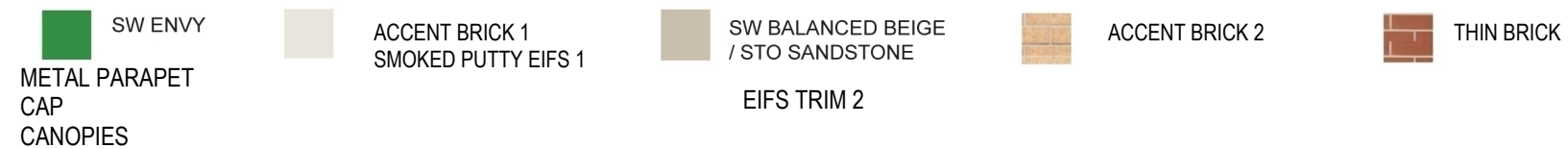
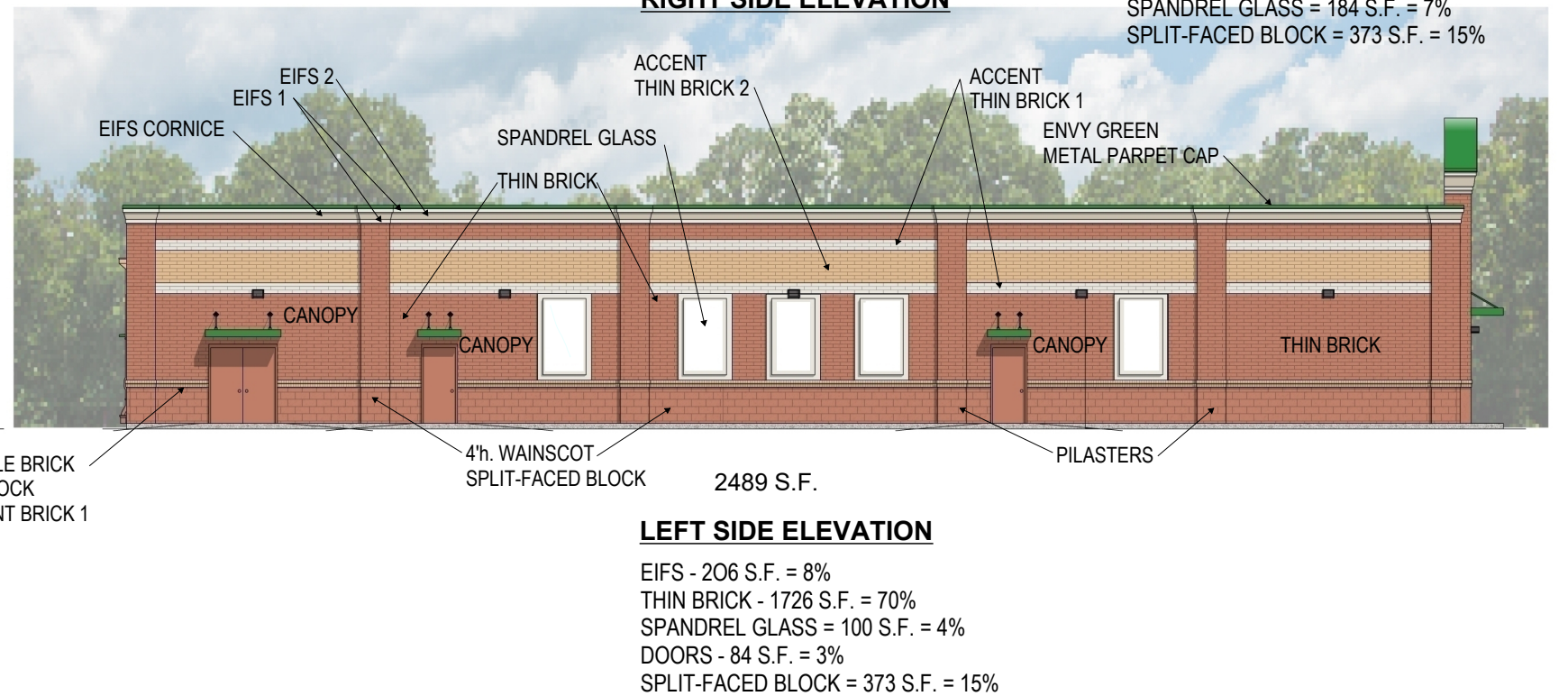
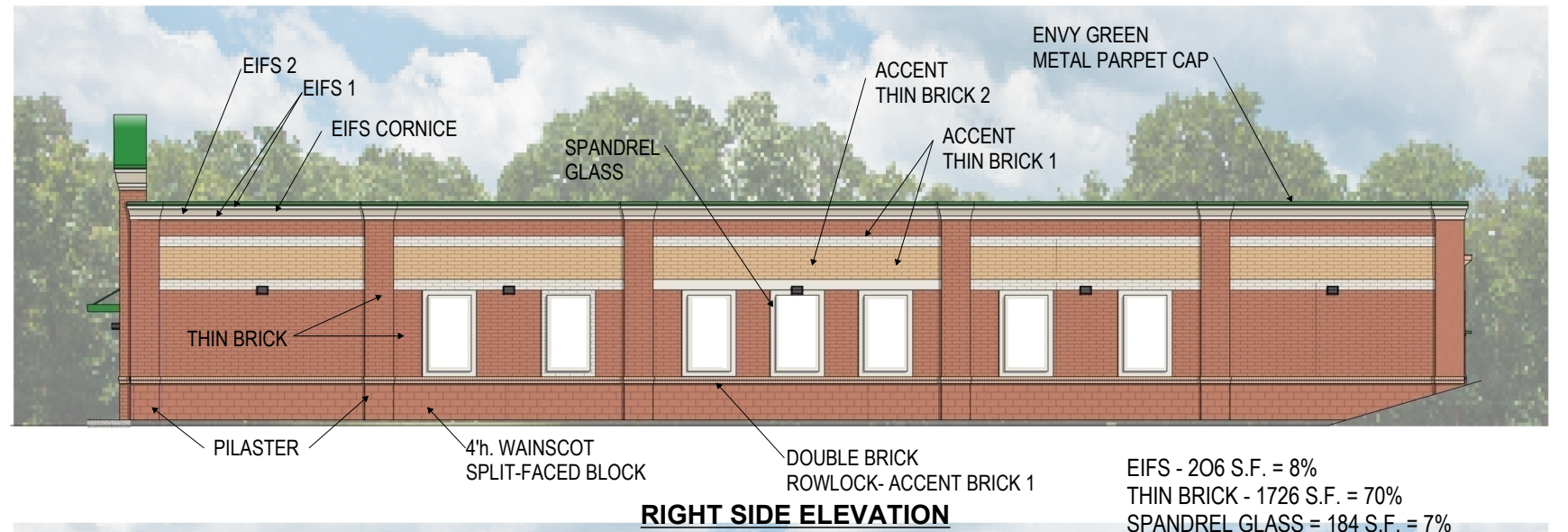
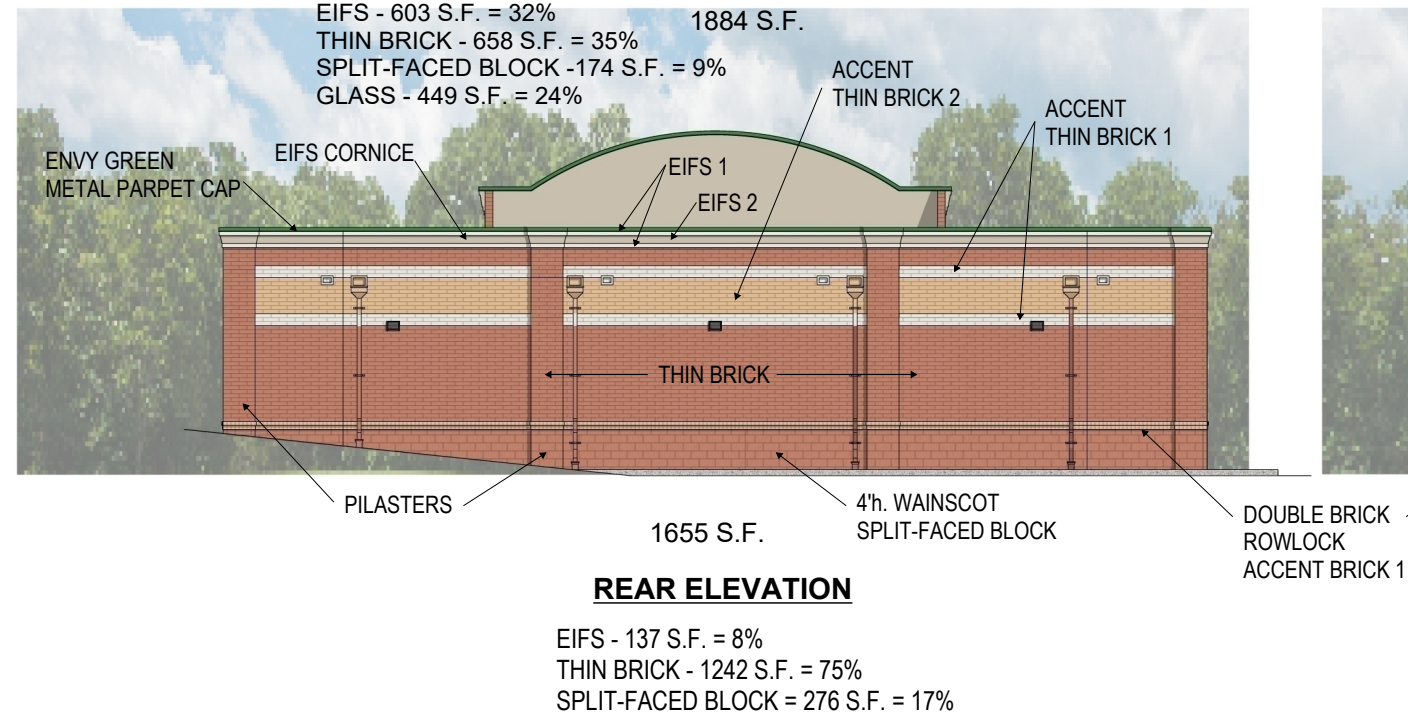
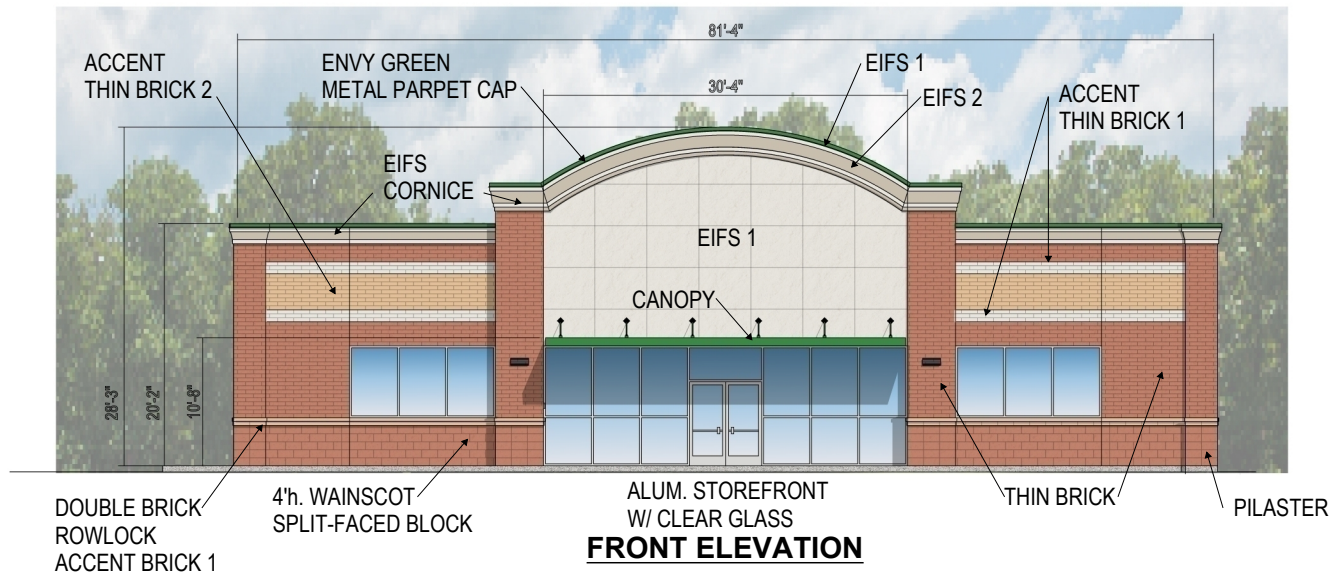
50) Utility Standards (Article 8.13)

DEPARTMENT COMMENTS

1) The plans as presented comply with the applicable zoning ordinances.

2) Action: Approve Detailed Development Plan 2306-DDP-17 with the following condition:

- **Approval of 2306-DDP-17 is contingent upon the recordation of the associated Secondary Plat, docket no. 2307-SFP-25; and**
- **That all necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to any work beginning on the Property.**



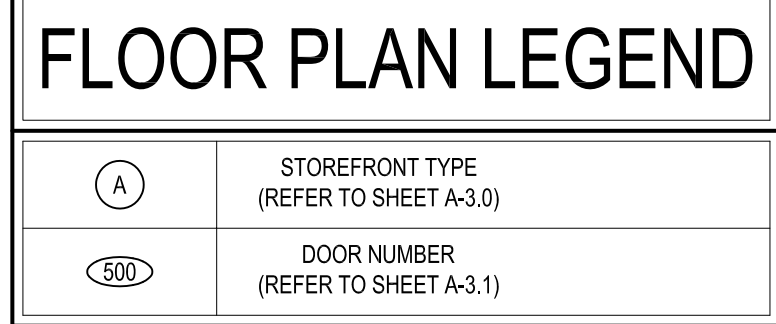
WESTFIELD , IN

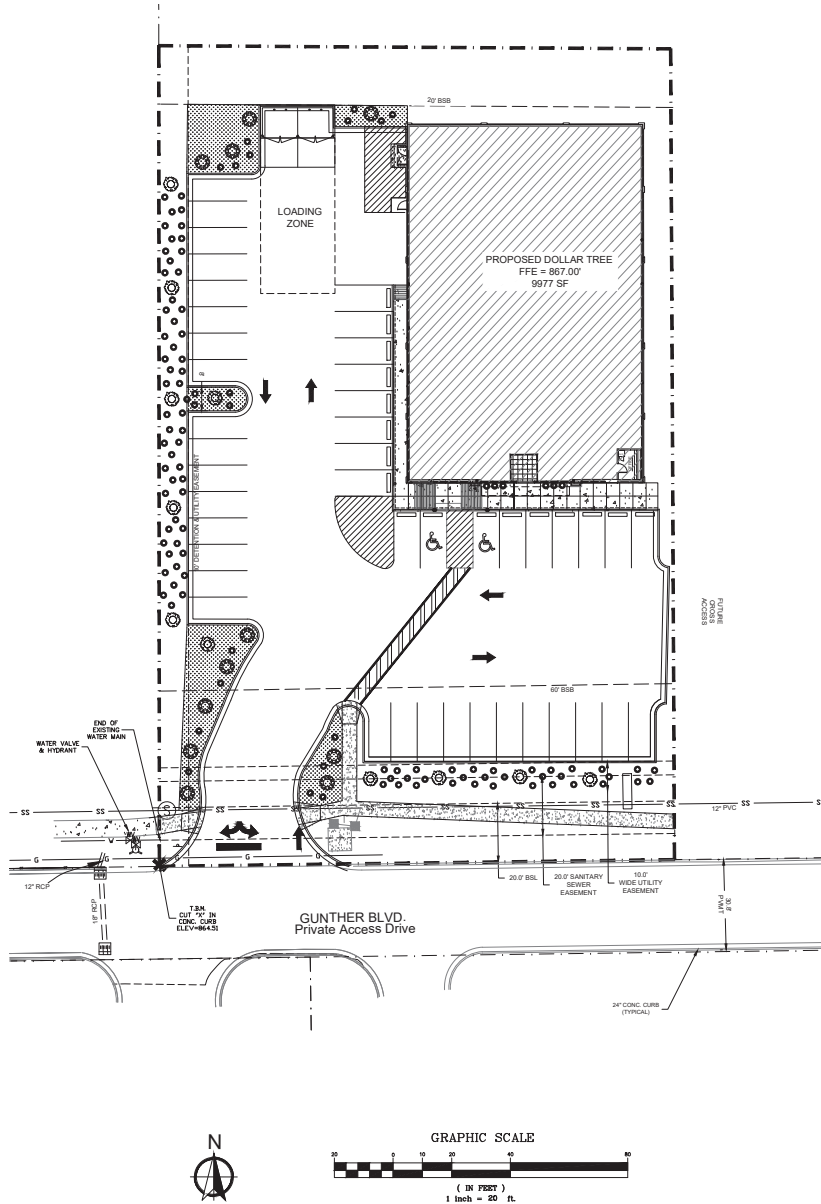
Dollar Tree - Fee Dev



PROJECT NUMBER:	2205-05
DRAWN BY:	LGS
CHECKED BY:	
ISSUE DATE:	ISSUE DATE

SHEET TITLE:	FLOOR PLAN
SHEET NUMBER:	A-1.0





SHEET ADDED TO SET



Know what's below
Call before you dig.

LANDSCAPE NOTES:

1. CANOPY TREES ARE TO BE 3" CALIPER AT THE TIME OF PLANTING.
2. SHRUBS SHALL MEASURE 12" IN HEIGHT AT THE TIME OF PLANTING.
3. PLANT MATERIALS ARE TO BE IN ACCORDANCE WITH "GRADES AND STANDARDS FOR NURSERY PLANTS", 1963, PARTS I AND II, STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.
4. ALL INTERIOR PLANTING AREAS SHALL INCLUDE ONE (1) SHADE TREE IN ACCORDANCE WITH SECTION 5.01.02.C.2 OF THE WCLDC.
5. ALL LANDSCAPING SHALL BE SALT AND DROUGHT TOLERANT AND SHALL UTILIZE WATER SAVING IRRIGATION SYSTEM.
6. ALL LANDSCAPING SHALL BE INDIGENOUS NATIVE VEGETATION.
7. DIVERSITY OF PLANTINGS SHOULD BE STRIVED FOR IN ALL REQUIRED LANDSCAPE PLANTING, AND IN NO CASE SHOULD ONE SPECIES CONSTITUTE MORE THAN 50 PERCENT OF A PLANTING.

TURF REINFORCEMENT NOTE:

TURF REINFORCEMENT SHALL BE INSTALLED ON ALL SLOPES EXCEED 3H:1V. TURF REINFORCEMENT MATS SHALL BE VMAX3-SC250 AS MANUFACTURED BY NORTH AMERICAN GREEN OR AN APPROVED EQUAL. THE TURF REINFORCEMENT MAT SHALL BE INSTALLED AND STAPLED AS PER THE MANUFACTURER'S SPECIFICATIONS.

MAINTENANCE SCHEDULE:

1. TURF TO BE MOWED WEEKLY.
2. SHRUBS TO BE PRUNED QUARTERLY AS NEEDED.
3. TREES PRUNED TO ALLOW COMPLIANCE WITH THE VISION TRIANGLE.
4. GROUND COVER TO BE CUT BACK IN LATE FEBRUARY.
5. PINE STRAW TO BE APPLIED IN LATE FALL AND AT SUMMERS END.
6. TURF GRASS TO BE AERATED IN LATE FALL.
7. BEDS SHOULD BE WEEDED WEEKLY.

SYMBOLS LEGEND

REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND.

---	EXISTING GRADE LINES
---	PROPOSED NEW GRADE LINES
	PARKING AREA LANDSCAPING
TREE TYPE	QUANTITY
	SHADE TREES 11
	ORNAMENTAL OR EVERGREEN TREES 11
	SHRUBS 114

LANDSCAPE SUMMARY:

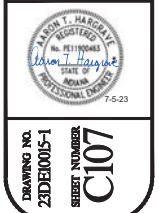
1. MINIMUM LOT LANDSCAPING
 - 1.1. REQUIRED: 10 SHADE TREES, 10 ORNAMENTAL OR EVERGREEN TREES PER ACRE @ 1.12 ACRES
 - 1.1.1. 11 SHADE TREES
 - 1.1.2. 11 ORNAMENTAL OR EVERGREEN
 - 1.1.3. 28 SHRUBS
 - 1.2. PROPOSED:
 - 1.2.1. 11 SHADE TREES
 - 1.2.2. 11 ORNAMENTAL OR EVERGREEN TREES
 - 1.2.3. 110 SHRUBS
2. FOUNDATION PLANTINGS
 - 2.1. REQUIRED: PLANT MATERIALS REQUIRED EVERY 40' (1 SHRUB PER 12') = 6 SHRUBS REQUIRED
 - 2.2. PROPOSED: 6 SHRUBS IN 8' WIDE PLANTER
3. PARKING AREA PLANTING
 - 3.1. REQUIRED: 7.5% OF THE PARKING AREA SHALL BE LANDSCAPED ISLANDS, ISLANDS SHALL BE A MINIMUM OF 120 SF AND 7' WIDE
 - 3.1.1. 7.5% OF PARKING AREA = 2381' 7.5% = 1776 SF
 - 3.2. PROPOSED: 1895 SF OF LANDSCAPED ISLANDS
4. PERIMETER PARKING LANDSCAPING
 - 4.1. REQUIRED: 1 TREE PER 30 LF AND 1 SHRUB PER 3 LF.
 - 4.1.1. SOUTH REQUIREMENT: 100 LF, 4 TREES, 34 SHRUBS
 - 4.1.2. WEST REQUIREMENT: 154 LF, 5 TREES, 52 SHRUBS
 - 4.2. PROPOSED:
 - 4.2.1. SOUTH: 4 TREES, 34 SHRUBS
 - 4.2.2. WEST: 5 TREES, 52 SHRUBS

APPROVAL PENDING - NOT FOR CONSTRUCTION



DRAWING INFO			
NO.	DESCRIPTION	BY	DATE
1	CITY OF WESTFIELD COMMENTS	CAM	5/15
DRAWN BY		CHECKED BY	DATE
CAM		AM	4/20/2023
L1900463		L1900463	4/20/2023
FIELD NOOK		FIELD NOOK	230210015
JOB NUMBER		JOB NUMBER	230210015

CLARK, GERR, LATRAN AND ASSOCIATES
1769 GUNTHER BOULEVARD
WESTFIELD, IN
PLANTING PLAN
HAMILTON COUNTY, INDIANA



DRAWING NO.
23DB0015-1
SHEET NUMBER
C107

THIS INSTRUMENT PREPARED BY:
CHRISTOPHER M. COOPER
COOR CONSULTING & LAND SERVICES, CORP.
303 W. MAIN STREET
KNIGHTSTOWN, IN 46148-0012
PHONE: (765) 345-5943

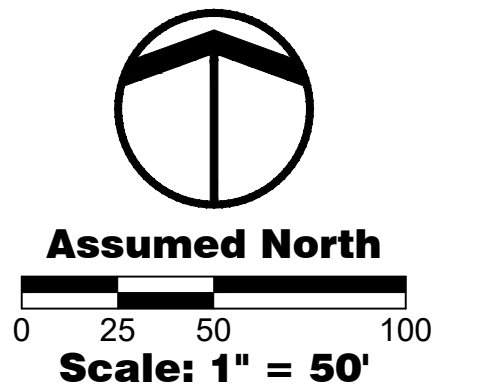
DEVELOPED BY:
FLYNN & ZINKAN & BARKER, LLC
5332 NORTH TEMPLE STREET
INDIANAPOLIS, INDIANA 46220
(317) 396-1600

OAK MANOR NORTH RE-PLAT BLOCK "D"

WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA
(SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST)

LOT I
±53.269 Ac.

HAMILTON MEMORIAL
SECONDARY PLAT
P.C. 6, SLIDE 5
INSTR. #2002071813
[4180 WESTFIELD ROAD]



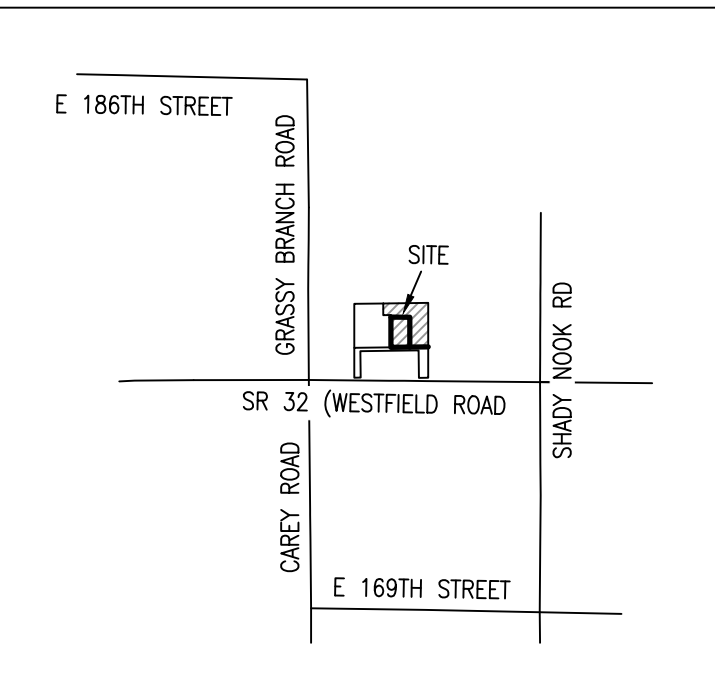
SOURCE OF TITLE:
FLYNN & ZINKAN & BARKER HOLDINGS, LLC
INSTR. #2004006559
INSTR. #2005076309

SUBDIVISION ZONING:
OAK MANOR NORTH PUD - ORD #05-04
AMENDED BY ORD #19-04 AND #19-19

LOT I
±53.269 Ac.

BUILDING SETBACK REQUIREMENTS:

SIDE YARD:
- INTERNAL: 0'
- EAST PERIMETER: 10'
REAR YARD: 20'
EXTERNAL STREETS: 40' FROM
S.R. 32 R/W



VICINITY MAP

OAK MANOR NORTH EASEMENT NOTE:

SUBJECT TO EASEMENTS (BLANKET IN NATURE) FOR
INGRESS, EGRESS, UTILITIES (INCLUDING BUT NOT LIMITED
TO DRAINAGE AND DETENTION) VIA THE RECIPROCAL,
EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS
AGREEMENT (AND SUBSEQUENT EDITIONS) AS RECORDED IN
INSTRUMENT NUMBERS 200600003056, 2019017867 AND
2019065349.

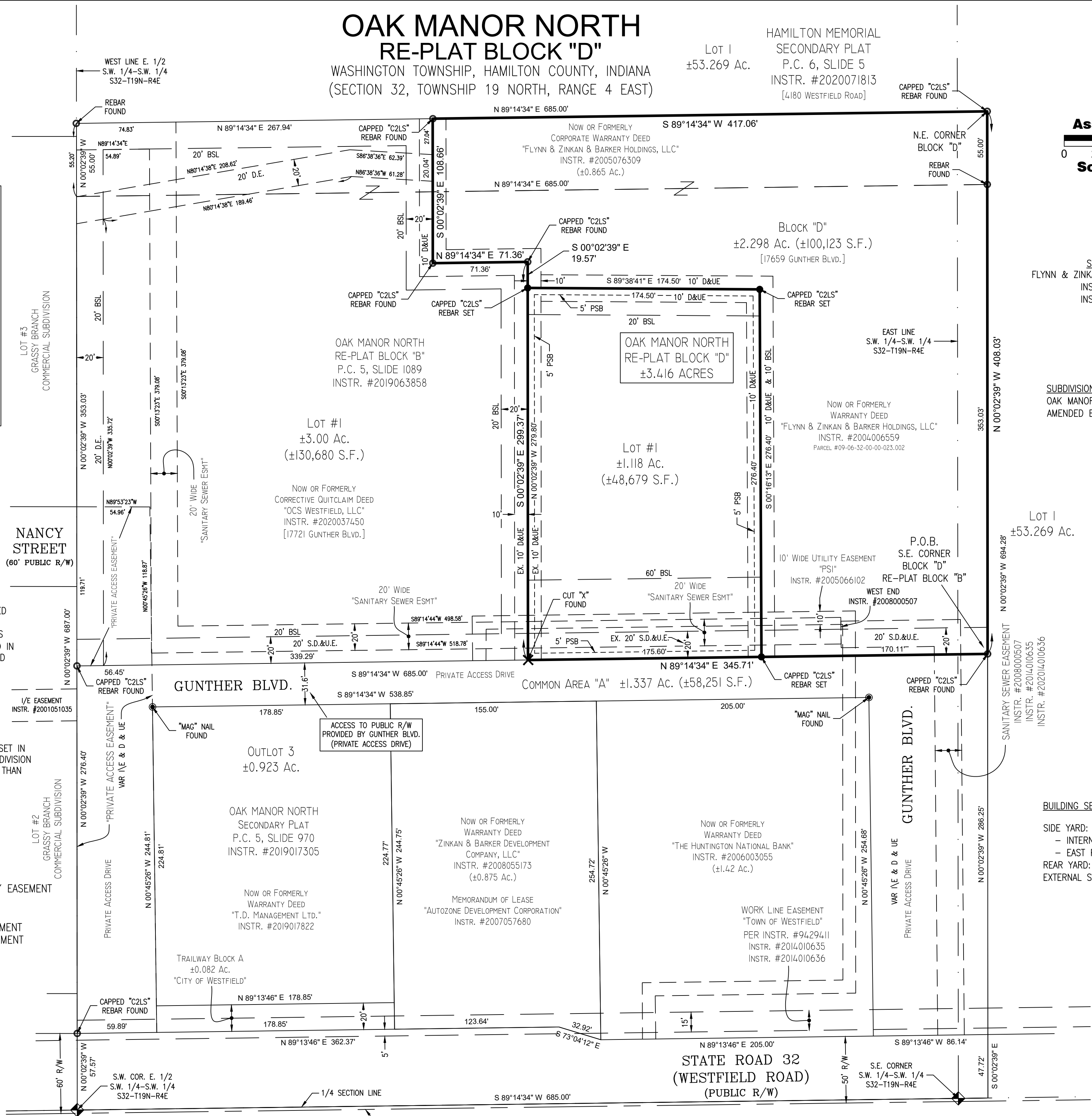
SUBDIVISION MONUMENTATION

MONUMENTS THAT ARE SHOWN ON THIS PLAT WILL BE SET IN
PLACE AFTER THE RECORDATION OF THIS PLAT. THE SUBDIVISION
MONUMENTATION WILL HAVE BEEN COMPLETED NO LATER THAN
TWO (2) YEARS AFTER RECORDATION OF THIS PLAT.

PLAT LEGEND:

SD & UE = SANITARY, DRAINAGE, UTILITY EASEMENT
BSL = BUILDING SETBACK LINE
VAR I/E & D & UE = VARIABLE INGRESS/EGRESS
DRAINAGE AND UTILITY EASEMENT
D & UE = DRAINAGE AND UTILITY EASEMENT
PSB = PARKING SETBACK LINE

- - "MAG" NAIL
- ✕ - CUT "X" FOUND
- - 5/8" CAPPED REBAR SET
MARKED "C2LS FIRM# 0035"
- - REBAR/PIPE FOUND
- ◊ - INDICATES 1/4 SECTION
CORNER



File Name: Z:\COOR JOBS\Jobs2003\2003-176\2003-176_Plot.dwg, Layout: 2 By: Standard Plot Time: 9:55am Plot Date: Jun 30, 2023

THIS INSTRUMENT PREPARED BY:
CHRISTOPHER M. COOPER
COOR CONSULTING & LAND SERVICES, CORP.
303 W. MAIN STREET
KNIGHTSTOWN, IN 46148-0012
PHONE: (765) 345-5943

DEVELOPED BY:
FLYNN & ZINKAN & BARKER, LLC
5332 NORTH TEMPLE STREET
INDIANAPOLIS, INDIANA 46220
(317) 396-1600

Land Description:

A part of the Southwest Quarter of Section 32, Township 19 North, Range 4 East, in Washington Township, Hamilton County, Indiana, also being a part of Oak Manor North Replat Block "B", as recorded in Plat Cabinet 5, Slide 1089, Instrument Number 2019063858, in the Office of the Recorder for Hamilton County, Indiana. Being described as follows:

BEGINNING at the Southeast corner of Block "D" in said Plat for Oak Manor North Replat Block "B"; thence North 00 degrees 02 minutes 39 seconds West (bearing system based on said plat) along the East line thereof a distance of 408.03 feet to the Northeast corner of a tract of land described in Instrument Number 2005076309 in said Recorder's Office; thence South 89 degrees 14 minutes 34 seconds West along the North line thereof a distance of 417.06 feet; thence South 00 degrees 02 minuets 39 seconds East a distance of 108.66 feet; thence North 89 degrees 14 minutes 34 seconds East a distance of 71.36 feet; thence South 00 degrees 02 minutes 39 seconds East a distance of 299.37 feet; thence North 89 degrees 14 minutes 34 seconds East a distance of 345.71 feet to the POINT OF BEGINNING. Containing 3.416 acres, more or less.

This subdivision consists of one Lot and one Block labeled Lot #1 and Block "D". The size of the lots and width of streets are shown in feet and decimal parts thereof.

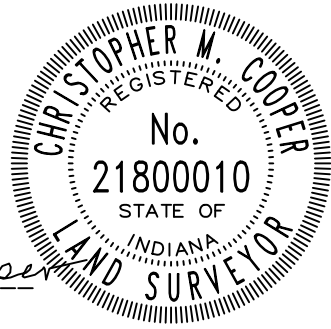
SURVEYORS CERTIFICATE

I Christopher M. Cooper, hereby certify that I am a Professional Surveyor, licensed in compliance with the laws of the State of Indiana: There has been no change from the matters of survey revealed by the cross-referenced survey, or any prior subdivision plats contained therein, on any lines that are common with the new subdivision.

That this plat correctly represents a survey completed by Stephen M. Cooper, PS #S0557 (Coor Consulting, Job Number 2003-176) certified on September 4, 2003, last revised June 7, 2005, and July 12, 2019, and recorded as Instrument No. 20046559 and 2019017305. That all the monuments shown thereon actually exist or will be set and that the location, size, type and material are accurately shown.

Witness my signature this 21st day of June, 2023.


Christopher M. Cooper
Professional Surveyor #21800010
Email: ccooper@coorconsulting.com



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. CHRISTOPHER M. COOPER

OAK MANOR NORTH
RE-PLAT BLOCK "D"

WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA
(SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST)

Deed of Dedication:

The internal streets (including Gunther Boulevard as shown), sidewalks, drainage utility, parking, and access easements shown hereon shall be privately owned and maintained via the reciprocal Easements, Covenants, Conditions, and Restriction Agreement (and subsequent editions) as recorded in Instrument Number 200600003056, 2019017867 and 2019065349.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

There are strips of ground shown on this plat and marked "easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

"Drainage Easements" are created for the use of the Developer and any governmental agency having jurisdiction over drainage and storm sewer systems to provide paths and courses and a system for natural area and local storm drainage, either overland or in appropriate underground installations to serve the needs of this and adjoining grounds and the public drainage system. Drainage Easements shall be used to grade, construct, operate, inspect, maintain, reconstruct, and remove mains, ducts, or other related structures of storm sewers that are part of said system, and for ingress and egress thereto. The owners of all lots are and shall be required to keep any areas of their lots designed for the natural flow of water unimpeded, and any improvements made on or under any such easements by the owner are and shall be at the risk of the property owner. Each property owner, as it pertains to their lot or lots, shall maintain surface drainage systems and open swales, as well as all basement sump drains and swale sub-surface drains (SSD).

All of the foregoing easements shall be deemed to include the necessary rights of ingress and egress, in, along, across and through the same to permit the construction, maintenance, beneficial use and enjoyment thereof for their intended purposes. The owners of all lots in this subdivision shall take and hold title to their lots subject to all of the foregoing easements, and to the rights of any entity entitled to use of said easements for this intended purpose.

"Private Access Drive" is shown herein as Common Ared "A" for the use of the Developer and the owners of the outlots and blocks in Oak Manor North for access within the development by the Reciprocal Easements, Covenants, Conditions and Restriction Agreements (and subsequent editions) as recorded in Instrument Numbers 200600003056, 2019017867 and 2019065349.

The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming through them without expiration unless amended as set forth in said document. Invalidation of any of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witnessed our hands and seals this _____ day of _____, 2023.

Flynn & Zinkan & Barker Holdings LLC
Owner/Developer:

(Signature)

(Printed Name)

(Title)

Plan Commission Certificate:

Under authority provided by I.C. 36-7, enacted by the general assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the City Council of the City of Westfield, Hamilton County, Indiana, this plat was given approval by the Westfield-Washington Township Advisory Plan Commission, as follows:

Approved by the Director of the Economic and Community Development Department of the City of Westfield, Hamilton County, Indiana, pursuant to the Westfield-Washington Township Unified Development Ordinance, on

the _____ day of _____, 2023.

Westfield-Washington Township Plan Commission

By: _____
Kevin M. Todd, AICP
Community Development Director

Board of Public Works and Safety Certificate:

This plat and the acceptance of any public rights-of-way dedicated herein is hereby approved on the _____ day of _____, 2023, by the Director of the Public Works Department of the City of Westfield, Indiana, on behalf of the Board of Public Works and Safety, pursuant to Resolution 15-120 enacted by the Board of Public Works and Safety on August 26, 2015, and Article 7.4(B) of the Unified Development Ordinance.

Johnathon Nail
Public Works Director

OWNERS CERTIFICATE

We the undersigned, Flynn & Zinkan & Barker Holdings LLC, being the owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as Oak Manor North Replat Block "D", an addition to the City of Westfield, Hamilton County, Indiana. All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public.

Witnessed our hands and seals this _____ day of _____, 2023.

Owner/Developer:
Flynn & Zinkan & Barker Holdings LLC
5332 North Temple Avenue
Indianapolis, Indiana 46220

(Signature)

(Printed Name)

(Title)

State of Indiana)
County of _____) SS

Before me, the undersigned, a Notary Public in for said County and State, personally appeared _____, _____, of Flynn & Zinkan & Barker Holdings LLC
(Printed Name) (Title)

and acknowledged the execution of the forgoing secondary plat, for and on behalf of Flynn & Zinkan & Barker Holdings LLC

this _____ day of _____, 2023.

Witness my signature and seal this day of _____ day of _____, 2023.

Notary Public,

Printed Name

My Commission Expires

County of Residence



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

August 7, 2023
2307-PUD-08
Exhibit 1

Petition Number: 2307-PUD-08 (Ord. 23-12)

Petitioner: Hartman Capital LLC

Request: An amendment proposal to the Bonterra PUD to amend the permitted uses on 2.59 acres +/- in the Bonterra PUD District.

Location: Generally, about 500 feet East of the SR 32 & Shady Nook Rd. intersection ("the Property")

Current Zoning: Bonterra PUD District ([Ord. 21-16](#))

Current Land Use: Vacant

Acreage: 2.59 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Ord. 23-12
4. Project Narrative
5. Survey of Site

Staff Reviewer: Ryan Collingwood, Associate Planner

PETITION HISTORY

This petition was introduced at the [June 12, 2023](#), City Council meeting. The discussion for this petition can be viewed [here](#). The petition received a public hearing at the [July 5, 2023](#), Advisory Plan Commission ("Plan Commission") meeting. The discussion from the public hearing can be viewed [here](#). The petition is slated for a recommendation to the City Council at the August 7, 2023, Plan Commission meeting.

PROJECT OVERVIEW

Location: The Property is approximately 2.59 acres in size and is generally located about 500 feet east of the SR 32 & Shady Nook Rd. intersection (**Exhibit 2**). The Property is currently zoned in the Bonterra PUD District, and only concerns the northwest parcel of the commercial piece of the Bonterra development. Adjacent properties are zoned General Business to the west, General Office across SR 32 to the north, and surrounded by the Bonterra PUD District in all other directions.

Zoning History: Approved June 2021, the Bonterra PUD (Ord. 21-16) was established to be a planned, mixed-use development containing a mix of commercial and residential uses. The Bonterra PUD, Amendment I proposal only refers the northwest parcel of the commercial piece of the Bonterra PUD.

Project Description: The petitioner is requesting an amendment to the Bonterra PUD to modify the permitted uses on 2.59 acres +/- of the Property. The development of the Real Estate will remain in conjunction with the Original Ordinance (Ord. 21-16) and UDO, when applicable.

AMENDMENT REQUEST

The Petitioner requests this amendment to the Bonterra PUD to modify the permitted uses in which may be developed on the Property. The Bonterra PUD (Ord. 21-16) initially established the permitted uses in the commercial aspect of the PUD to be geared towards General Office uses, but the desires of the Petitioner have resulted a shift in the permitted uses, mostly geared towards general retail and commercial uses. The additions to the permitted land uses of the Property are outlined as follows:

- Health, Fitness, and Exercise Center
- Sit Down Restaurant
- Specialty Restaurant
- Takeout and Deli-Style Restaurant
- Low and Medium-Intensity Retail
- Grocery (maximum 16,000 square feet in size)

Lastly, a Concept Plan has been included within the proposed Ordinance. The Concept Plan is meant to provide a model for the development in regards to the size of the building footprint in which would be developed on site.

CHANGES SINCE PUBLIC HEARING

An additional exhibit has been included since the public hearing on July 5th. The petitioner has provided a survey of the subject site (**Exhibit 5**), as a result of the public hearing discussion. The survey provided confirms an access easement on the north/south drive directly west-adjacent to the site. This access easement shown on the survey confirms access rights via the north/south drive, and removes suspicions of illegal access to and from the Property.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies this Property within the “Local Commercial” land use classification. 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.

Development Policies for “Local Commercial” include: (i) locate local commercial development only in planned centers and only on streets classified as arterials or on frontage roads as depicted

on the Land Use Concept Map; (ii) require the size, materials, color, and design of buildings to be unique to Westfield; (iii) Parking areas should be broken up by landscaping or by being located on more than one side of the buildings; (iv) encourage signs that are easy to locate and read, sized and designed in relation to the buildings and the traffic conditions in which they are viewed; and (v) encourage pedestrian connections between local commercial areas and adjacent residential areas.

PROCEDURAL

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 [June 12, 2023](#), City Council meeting. Video footage of the introduction can be viewed [here](#).

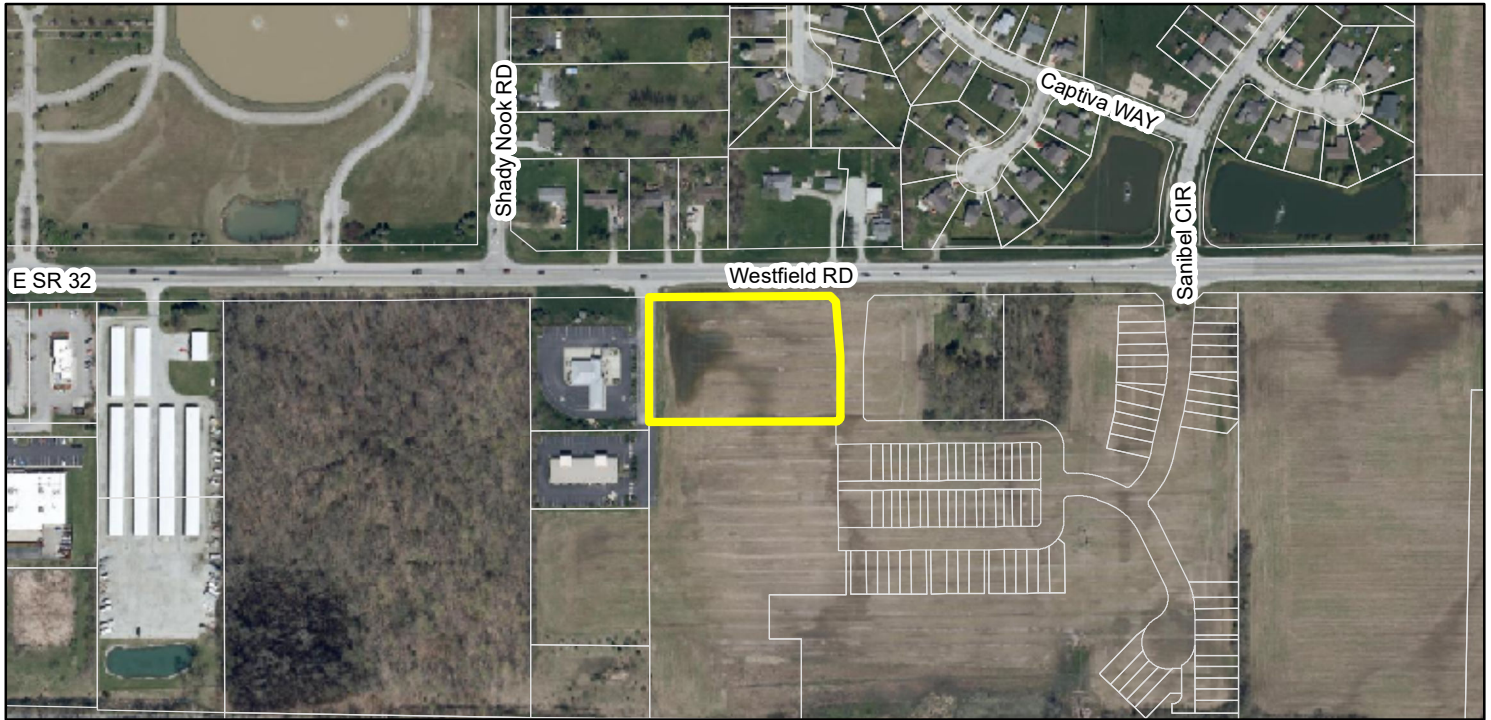
Public Hearing: The petition was publicly heard at the [July 5, 2023](#), Plan Commission meeting. Video footage of the public hearing can be viewed [here](#).

DEPARTMENT COMMENTS

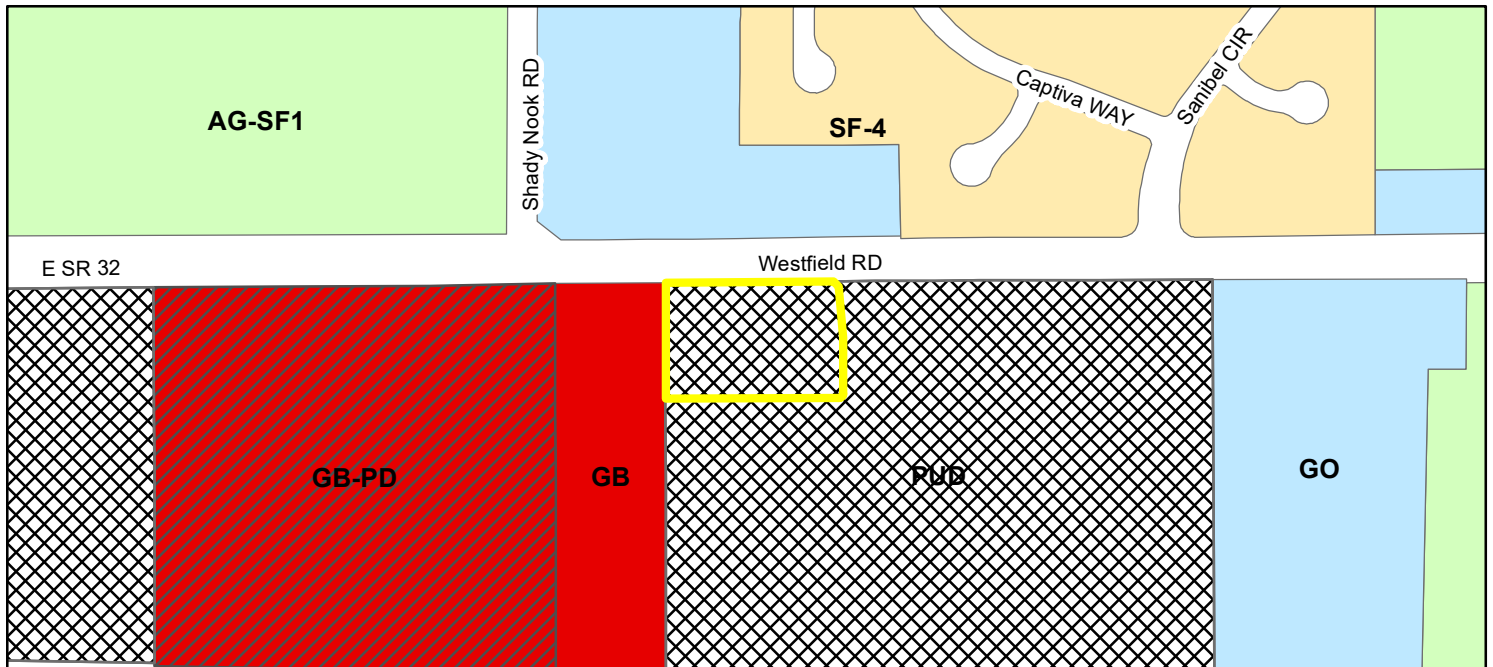
1. **Action:** Forward a recommendation to the City Council at the August 7, 2023, Plan Commission meeting.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Ryan Collingwood at (317) 741-8857 or rcollingwood@westfield.in.gov.

Aerial Location Map

 Site



Zoning Map



 SITE Zoning

 AG-SF1 (Agriculture - Single Family - 1)

 GB (General Business)

 GB-PD (General Business - Planned Development)

 GO (General Office)

 PUD (Planned Unit Development)

 SF-4 (Single Family - 4)

ORDINANCE NUMBER 23-12

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE
TEXT OF THE BONTERRA PLANNED UNIT DEVELOPMENT BEING THAT OF
ORDINANCE 21-16 AND TITLE 16 – LAND USE CONTROLS**

“Bonterra PUD, Amendment I”

This amendment to a Planned Unit Development District Ordinance (the “**Amendment**”), known as the BONTERRA PUD DISTRICT (Ordinance 21-16, the “**Original Ordinance**”), to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “**UDO**”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code§ 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the “**City**”) and the Township of Washington, both of Hamilton County, Indiana are subject to the UDO;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. 2307-PUD-08), filed with the Commission requesting an amendment to Ordinance 21-34, enacted by the Common Council of the City of Westfield (the “**Council**”) on June 14, 2021;

WHEREAS, the Amendment pertains to the subject real estate identified Block A, Section 1 of Bonterra subdivision, a plat of which is recorded in the Office of the Recorder of Hamilton County, Indiana as Instrument No. 2022053442 (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. 2307-PUD-08 to the Council with a _____ recommendation (Vote: ____ in favor, ____ opposed) 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 Council on _____, 2023;

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

NOW, THEREFORE, BE IT ORDAINED by the Council, meeting in regular session, that the UDO and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Original Ordinance is hereby amended by the provisions of this Amendment. In all other respects, the Original Ordinance shall remain in effect and unchanged. To the extent that the provisions of the UDO or the Original Ordinance conflict with the provisions of this Amendment, the provisions of this Amendment shall prevail.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment, (ii) the Original Ordinance, and (iii) the provisions of the UDO, as amended and applicable to the Real Estate, except as modified, revised, supplemented or expressly made inapplicable by this Amendment.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Amendment shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Amendment are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Amendment.

Section 2. Definitions. Capitalized terms not otherwise defined in the Original Ordinance or this Amendment shall have the meanings ascribed to them in the UDO.

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

Any building developed on the Real Estate shall be substantially similar in size to the building footprint shown on the Concept Plan as determined by the Director of the Community Development Department

Section 4. Permitted Uses. The standards of Section 5 of the Original Ordinance shall apply to the development of the Real Estate except as supplemented in this Section 4.

The following additional land uses shall be permitted on the Real Estate:

- Health, Fitness, and Exercise Center
- Sit Down Restaurant
- Specialty Restaurant
- Takeout and Deli-Style Restaurant
- Low and Medium-Intensity Retail
- Grocery
 - o Maximum 16,000 square feet in size

Section 4. Severability. If any term or provision of this Amendment is held to be illegal or unenforceable, the validity or enforceability of the remainder of this Amendment will not be affected.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2023.

WESTFIELD CITY COUNCIL

Voting For	Voting Against	Abstain
James Edwards	James Edwards	James 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 23-12** was delivered to the Mayor of Westfield on the ____ day of _____, 2023, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 23-12**

this _____ day of _____, 2023.

I hereby VETO **ORDINANCE 23-12**

this _____ day of _____, 2023.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074, (317) 773-2190.

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: Matthew S. Skelton.

EXHIBIT A

A part of Block "A" in the Secondary Plat of Bonterra Section 1, a subdivision in the City of Westfield, Hamilton County, Indiana, as per plat thereof recorded November 7, 2022, in [Plat Cabinet 6, Slide 320, as Instrument No. 2022053442](#), in the Office of the Recorder of Hamilton County, Indiana, being more particularly described as follows, to-wit: A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 9700013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 2068.12 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 50.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL; THENCE SOUTH 45 DEGREES 24 MINUTES 44 SECONDS EAST 17.76 FEET; THENCE SOUTH 04 DEGREES 49 MINUTES 36 SECONDS EAST 120.45 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 129.86 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 10.50 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 44 DEGREES 45 MINUTES 32 SECONDS WEST AND A CHORD DISTANCE OF 14.80; THENCE AN ARC DISTANCE OF 16.43 FEET ALONG SAID CURVE; THENCE SOUTH 89 DEGREES 43 MINUTES 06 SECONDS WEST 406.26 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 46 SECONDS WEST 272.01 FEET TO THE APPARENT RIGHT OF WAY OF STATE ROAD 32; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST ON AND ALONG SAID RIGHT OF WAY LINE 394.23 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, CONTAINING 2.588 ACRES MORE OR LESS.

EXHIBIT B
CONCEPT PLAN



Site Plan
1" = 20'-0"

15,800 GROSS S.F.
15,305 RENTABLE S.F.
122 PARKING SPACES
(1 space/ 129sf)

Bonterra PUD District; Ordinance # 21-16

Proposed Amendment to PUD District

Narrative Background

Hartman Capital LLC, ("Applicant") has entered into a purchase agreement for a 2.58+/- acre parcel on the south side of State Route 32 approximately 500 feet east of the intersection of Shady Nook Road and SR32. The subject parcel is at the northwest corner of the Bonterra PUD District approved through Ordinance # 21-16. Applicant desires to construct a single-story multi-tenant retail building encompassing approximately 15,000 to 16,000 square feet.

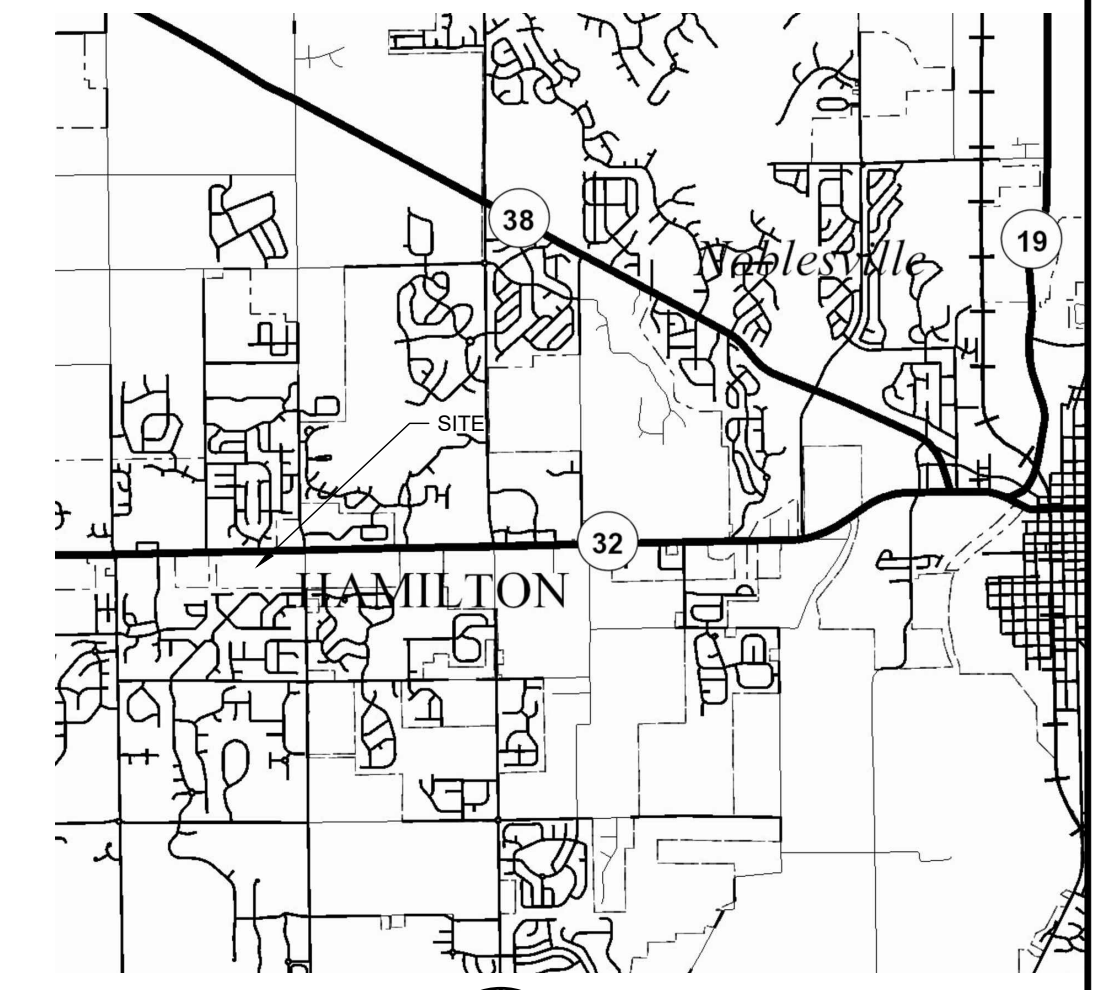
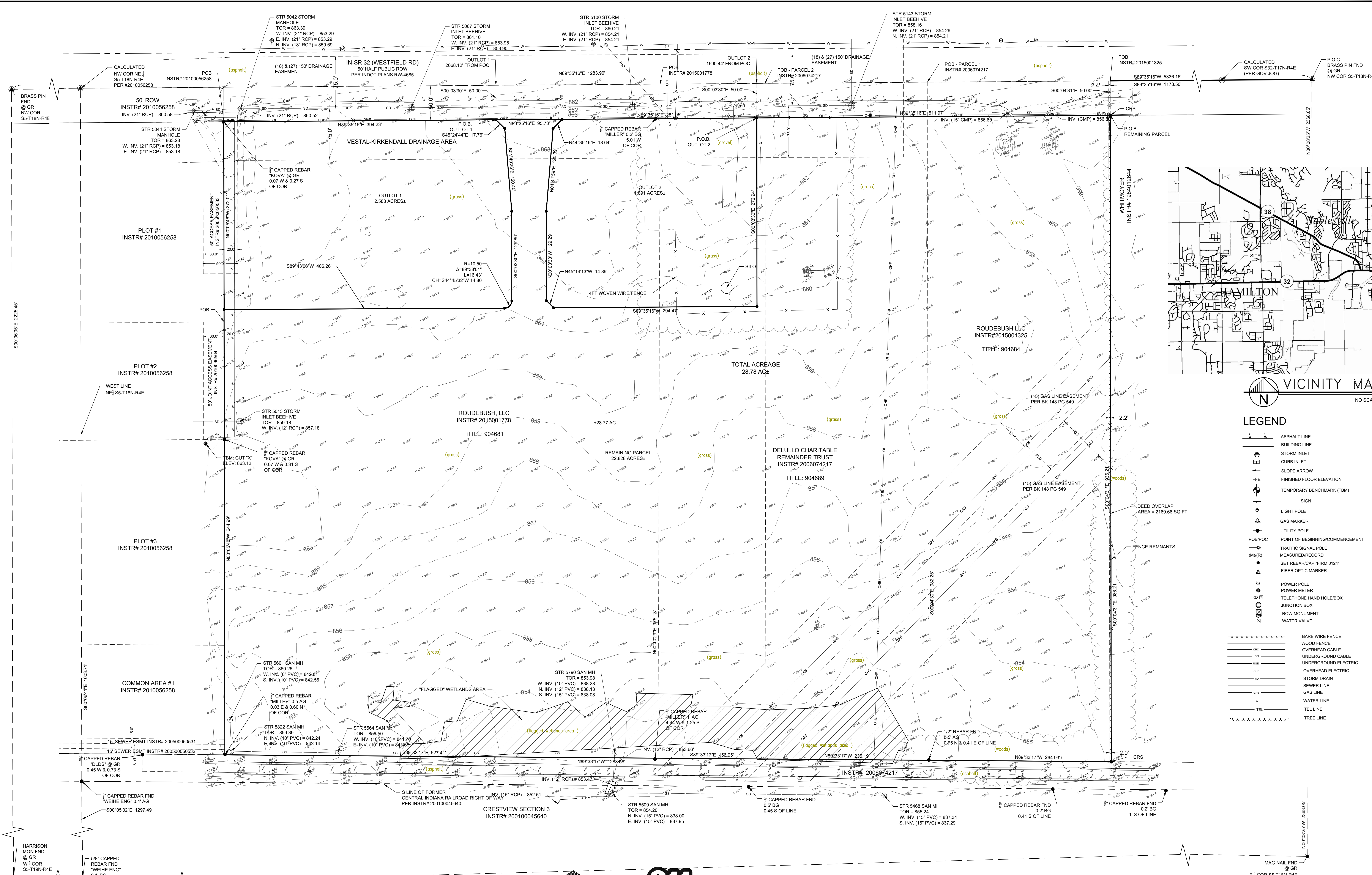
The current Bonterra PUD District allows for General Office and Single Family Attached uses but does not include General Retail uses. Broad industry consensus, backed up by Applicant's experience within the Westfield submarket and the lack of activity to date, suggests the appetite for new office space is lacking and this trend is not expected to reverse in the foreseeable future. This finding is the likely result of foundational changes in the office workplace model though explosive growth in full and/or hybrid remote work arrangements, accelerated by the Covid pandemic restrictions and subsequent advancement in technologies supporting remote interaction and collaboration.

This fundamental change in the workplace model not only reduces the market size for new office space, but also introduced growing vacancies within existing office space inventories. This provides additional options for entities seeking office space with the corresponding negative impact on the viability of new office construction. Financing sources are acknowledging these challenges as a growing number of office centric properties throughout the United States are transitioning into troubled debt categorization. The resulting lack of confidence hinders lending sources from readily extending funding to new office development.

Conversely, the demand for retail space along the State Route 32 corridor is robust. Applicant currently owns and manages a multi-tenant retail center approximately 1 mile west of the subject parcel. This retail center is fully leased, and Applicant routinely receives unsolicited contacts from high quality tenant leads inquiring about available space along this corridor in Westfield. Additionally, Applicant recently completed a similarly scaled retail development in the north Indy Metro market (Fishers) and is already 50% leased within 1 month of project completion.

Applicant's proposed amendment is tightly written to allow a subset of uses from the General Business District consistent with existing uses already flourishing along the SR 32 corridor and responsive to the demand Applicant is observing from prospective tenants. Applicant has extensive experience with this style of development with over 400,000 square feet of commercial space owned and managed in multiple markets.

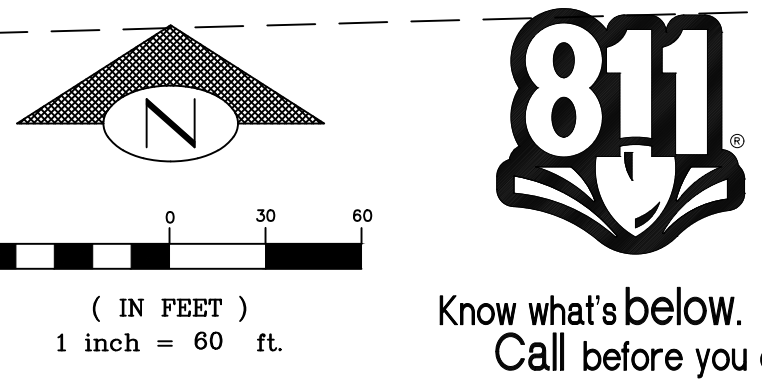
Apart from the proposed amendment, Applicant intends to fully adhere to all requirements of Westfield Unified Development Ordinance, the State Route 32 Overlay district, and all remaining Bonterra PUD District requirements.



VICINITY MAP
NO SCALE

- LEGEND**
- ASPHALT LINE
 - BUILDING LINE
 - STORM INLET
 - CURB INLET
 - SLOPE ARROW
 - FFE
 - FINISHED FLOOR ELEVATION
 - TEMPORARY BENCHMARK (TBM)
 - SIGN
 - LIGHT POLE
 - GAS MARKER
 - UTILITY POLE
 - POB/POC
 - POINT OF BEGINNING/COMMENCEMENT
 - TRAFFIC SIGNAL POLE
 - MEASURED/RECORD
 - SET REBAR/CAP "FIRM 0124"
 - FIBER OPTIC MARKER
 - POWER POLE
 - POWER METER
 - TELEPHONE HAND HOLE/BOX
 - JUNCTION BOX
 - ROW MONUMENT
 - WATER VALVE

- BARB WIRE FENCE
- WOOD FENCE
- OVERHEAD CABLE
- UNDERGROUND CABLE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- STORM DRAIN
- SEWER LINE
- GAS LINE
- WATER LINE
- TEL LINE
- TREE LINE



811
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Kimley»Horn
250 E 96TH ST, SUITE 500
INDIANAPOLIS, IN 46240
Tel. No. (317) 218-9560

ALTA/TOPO SURVEY
ROUDEBUSH/DELULLO
NE 1/4 SEC 5, T18N, R4E
HAMILTON COUNTY, IN

No.	DATE	REVISION DESCRIPTION

HAMILTON DESIGNS			
A LIMITED LIABILITY COMPANY 11988 Fishers Crossing Drive, Suite 154 Fishers, Indiana 46038 P. (317) 570-8800 www.hamilton-designs.com			
Checked	Drawn by	Project No.	Sheet No.
TDW	JTL	2020-0331	1 OF 2

LAND DESCRIPTION (PER TITLE REPORT NO. 904684)
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HAMILTON, STATE OF INDIANA, AND IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE WEST 130.02 FEET (GOVERNMENT RECORD FOR JOG) TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 89 DEGREES 38 MINUTES 18 SECONDS WEST (ASSUMED BEARING) 1048.48 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; SAID POINT OF BEGINNING BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED RECORD 117, PAGE 562 AND SAID POINT OF BEGINNING ALSO BEING 1178.50 FEET WEST OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST 887.94 FEET ON AND ALONG THE EAST LINE OF SAID TRACT DESCRIBED IN DEED RECORD 117, PAGE 562 TO THE NORTH RIGHT-OF-WAY LINE OF THE CENTRAL INDIANA RAILROAD; THENCE NORTH 89 DEGREES 25 MINUTES 24 SECONDS WEST 284.95 FEET ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED RECORD 340, PAGE 263; THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 983.60 FEET TO THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN DEED RECORD 340, PAGE 263 AND THE NORTH LINE OF SAID NORTHEAST QUARTER, THENCE NORTH 89 DEGREES 38 MINUTES 18 SECONDS EAST 264.92 FEET TO THE POINT OF BEGINNING, CONTAINING 6.00 ACRES, MORE OR LESS.

LAND DESCRIPTION (PER TITLE REPORT NO. 904681)
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HAMILTON, STATE OF INDIANA, AND IS DESCRIBED AS FOLLOWS: PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, SAID CORNER BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, IN SAID WASHINGTON TOWNSHIP, THENCE SOUTH 89 DEGREES 34 MINUTES 03 SECONDS WEST (BEARING BASED UPON RECORD DESCRIPTION) ON THE NORTH LINE OF SAID NORTH LINE 1700.36 FEET TO THE NORTHWEST CORNER OF THE REAL ESTATE DESCRIBED IN INSTRUMENT 2006-74271 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY AND THE POINT OF BEGINNING FOR THE TRACT HEREIN DESCRIBED, THENCE SOUTH 00 DEGREES 03 MINUTES 02 SECONDS WEST ON THE WEST LINE OF SAID REAL ESTATE 977.21 FEET TO THE NORTH LINE OF THE CENTRAL INDIANA RAILROAD RIGHT-OF-WAY; THENCE NORTH 89 DEGREES 25 MINUTES 47 SECONDS WEST ON NORTH RIGHT-OF-WAY LINE 821.61 FEET TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN INSTRUMENT 2010-56281 IN SAID OFFICE; THENCE NORTH 00 DEGREES 06 MINUTES 00 SECONDS WEST ON THE EAST LINE OF THE REAL ESTATE DESCRIBED IN SAID INSTRUMENT 2005-50530 AND ITS NORTHERLY EXTENSION A DISTANCE OF 985.12 FEET TO THE NORTHEAST CORNER OF REAL ESTATE DESCRIBED IN INSTRUMENT 2005-50530 AND RECORDED IN SAID RECORDER'S OFFICE, SAID POINT BEING ON THE NORTH LINE OF SAID NORTHEAST QUARTER, THENCE NORTH 89 DEGREES 34 MINUTES 03 SECONDS EAST ON THE NORTH LINE OF SAID NORTHEAST QUARTER 624.42 FEET TO THE POINT OF BEGINNING, CONTAINING 13.42 ACRES, MORE OR LESS.

LAND DESCRIPTION (PER TITLE REPORT NO. 904689)
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HAMILTON, STATE OF INDIANA, AND IS DESCRIBED AS FOLLOWS:
PARCEL 1:
A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, THENCE WEST 130.02 FEET (GOVERNMENT RECORD FOR JOG) TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 89 DEGREES 38 MINUTES 18 SECONDS WEST (ASSUMED BEARING) 1548.58 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST 979.75 FEET PARALLEL WITH THE EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED RECORD 117, PAGE 562, TO THE NORTH RIGHT OF WAY LINE OF THE CENTRAL INDIANA RAILROAD; THENCE NORTH 89 DEGREES 25 MINUTES 24 SECONDS WEST 156.06 FEET ON AND ALONG THE NORTH RIGHT OF WAY LINE OF THE CENTRAL INDIANA RAILROAD; THENCE NORTH 00 DEGREES 01 MINUTES 13 SECONDS WEST 977.21 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 38 MINUTES 18 SECONDS EAST 151.78 FEET TO THE POINT OF BEGINNING.

PARCEL 2:
A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, THENCE WEST 130.02 FEET (GOVERNMENT RECORD FOR JOG) TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 89 DEGREES 38 MINUTES 18 SECONDS WEST (ASSUMED BEARING) 1513.40 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST 983.80 FEET PARALLEL WITH THE EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED RECORD 117, PAGE 562, TO THE NORTH RIGHT OF WAY LINE OF THE CENTRAL INDIANA RAILROAD; THENCE NORTH 89 DEGREES 25 MINUTES 24 SECONDS WEST 235.20 FEET ON AND ALONG THE NORTH RIGHT OF WAY LINE OF THE CENTRAL INDIANA RAILROAD; THENCE NORTH 00 DEGREES 16 MINUTES 12 SECONDS WEST 979.75 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 38 MINUTES 18 SECONDS EAST 235.18 FEET TO THE POINT OF BEGINNING.

TITLE REPORT REFERENCE:
THIS SURVEY WAS CONDUCTED ACCORDING TO THE DESCRIPTIONS SHOWN, FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 904689, 904681, & 904684 DATED SEPTEMBER 25, 2020, AND SEPTEMBER 25, 2020. EASEMENTS CREATED OR RELINQUISHED AFTER THIS DATE ARE NOT SHOWN HEREON.

TITLE REPORT NO. 904684 SCHEDULE B EXCEPTIONS: (ITEMS CIRCLED ARE SHOWN HEREON)

15. RIGHTS OF THE PUBLIC, THE STATE OF INDIANA AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES, INCLUDING UTILITY RIGHT OF WAY, -SHOWN HEREON

18. 75 FOOT RIGHT OF ENTRY; SETBACK AND USE RESTRICTIONS; POSSIBLE ASSESSMENTS FOR MAINTENANCE AND/OR RECONSTRUCTION, AND ALL RIGHTS OF OTHERS ENTITLED TO THE CONTINUED UNINTERRUPTED FLOW OF WATER THROUGH THE VESTAL/KIRKENDALL DRAIN, A LEGAL DRAIN ESTABLISHED IN ACCORDANCE WITH I.C. 36-9-27-33.
- DOES NOT FALL IN SUBJECT PARCEL

ITEMS NO. 1-14, 16, 17, & 19-21 WERE FOUND TO CURRENTLY NOT BE SURVEY RELATED

TITLE REPORT NO. 904689 SCHEDULE B EXCEPTIONS: (ITEMS CIRCLED ARE SHOWN HEREON)

21. 75 FOOT RIGHT OF ENTRY; SETBACK AND USE RESTRICTIONS; POSSIBLE ASSESSMENTS FOR MAINTENANCE AND/OR RECONSTRUCTION, AND ALL RIGHTS OF OTHERS ENTITLED TO THE CONTINUED UNINTERRUPTED FLOW OF WATER THROUGH THE VESTAL/KIRKENDALL DRAIN, A LEGAL DRAIN ESTABLISHED IN ACCORDANCE WITH I.C. 36-9-27-33.
- SHOWN HEREON

ITEMS NO. 1-20, 22, & 23 WERE FOUND TO CURRENTLY NOT BE SURVEY RELATED

TITLE REPORT NO. 904681 SCHEDULE B EXCEPTIONS: (ITEMS CIRCLED ARE SHOWN HEREON)

14. EASEMENT IN FAVOR OF: INDIANA GAS TRANSMISSION CORPORATION; TYPE OF EASEMENT: GAS PIPE LINE, RECORDED: OCTOBER 25, 1935; IN BOOK 32 PAGE 219. SUBJECT TO THE TERMS AND CONDITIONS THEREOF.
-BLANKET IN NATURE

15. EASEMENT IN FAVOR OF: PANHANDLE EASTERN PIPE LINE COMPANY; TYPE OF EASEMENT: PIPE LINE, RECORDED: JANUARY 10, 1951; IN BOOK 40 PAGE 162 AND AMENDED IN BOOK 148 PAGE 549. SUBJECT TO THE TERMS AND CONDITIONS THEREOF.
- SHOWN HEREON

16. EASEMENT IN FAVOR OF: INDIANA MEMBERS CREDIT UNION; TYPE OF EASEMENT: SANITARY SEWER, RECORDED: AUGUST 8, 2005; INSTRUMENT NO.: 200500050531. SUBJECT TO THE TERMS AND CONDITIONS THEREOF.
- DOES NOT FALL ON SUBJECT PARCEL

17. EASEMENT IN FAVOR OF: INDIANA MEMBERS CREDIT UNION; TYPE OF EASEMENT: STORMWATER DRAINAGE, RECORDED: AUGUST 8, 2005; INSTRUMENT NO.: 200500050532. SUBJECT TO THE TERMS AND CONDITIONS THEREOF.
- DOES NOT FALL ON SUBJECT PARCEL

18. JOINT EASEMENT AGREEMENT BETWEEN CHARLES S ROUBEUSH AND INDIANA MEMBERS CREDIT UNION FOR ROADWAY, RECORDED: AUGUST 8, 2005; INSTRUMENT NO.: 200500050533 AND THE PROVISIONS CONTAINED THEREIN.
- SHOWN HEREON

20. JOINT ACCESS EASEMENT FOR INGRESS AND EGRESS TO AND FROM THE FRIEDMAN PROPERTY AND THE ROUBEUSH PROPERTY, RECORDED DECEMBER 10, 2010 AS INSTRUMENT 2010066564 AND THE PROVISIONS CONTAINED THEREIN.
- SHOWN HEREON

22. AFFIDAVIT OF C. STEPHEN ROUBEUSH REGARDING THE ABANDONMENT OF THE EASEMENT OF CONRAIL IN THE SOUTHERN BOUNDARY OF THE REAL ESTATE DESCRIBED HEREIN AND THE USE THEREOF RECORDED DECEMBER 14, 2016 AS INSTRUMENT 2016066296 AND THE TERMS AND PROVISIONS CONTAINED THEREIN.

24. RIGHTS OF THE PUBLIC, THE STATE OF INDIANA AND THE MUNICIPALITY IN AND TO THE PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES, INCLUDING UTILITY RIGHT OF WAY, -SHOWN HEREON

27. 75 FOOT RIGHT OF ENTRY; SETBACK AND USE RESTRICTIONS; POSSIBLE ASSESSMENTS FOR MAINTENANCE AND/OR RECONSTRUCTION, AND ALL RIGHTS OF OTHERS ENTITLED TO THE CONTINUED UNINTERRUPTED FLOW OF WATER THROUGH THE VESTAL/KIRKENDALL, A LEGAL DRAIN ESTABLISHED IN ACCORDANCE WITH I.C. 36-9-27-33.
- SHOWN HEREON

ITEMS NO. 1-13, 19, 21, 23, 25, 26, & 28 WERE FOUND TO CURRENTLY NOT BE SURVEY RELATED

TABLE "A" ITEMS:

- ITEM #1 MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER.
COMMENT: AS SHOWN HEREON
- ITEM #2 ADDRESSES(OF THE SURVEYED PROPERTY IF DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR, OR OBSERVED WHILE CONDUCTING THE FIELDWORK.
COMMENT: 4005, 3955, 0, AND 3707 WESTFIELD RD, WESTFIELD, INDIANA.
- ITEM #3 FLOOD ZONE CLASSIFICATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT) DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.
COMMENT: FLOOD ZONE CLASSIFICATION DEPICTED BY: FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 18109CD044E 10/21/10. ZONE X (AREAS OF MINIMAL FLOODING)
- ITEM #4 GROSS LAND AREA (AND OTHER AREAS IF SPECIFIED BY THE CLIENT).
COMMENT: ±28.00 ACRES
- ITEM #5 VERTICAL RELIEF WITH THE SOURCE OF INFORMATION (E.G., GROUND SURVEY, AERIAL MAP), CONTOUR INTERVAL, DATUM, AND ORIGINATING BENCHMARK IDENTIFIED.
COMMENT: NAVD 88 DATUM AS OBSERVED WITH GPS OCCUPATION USING THE INDOT INCORS VRS NETWORK.
- ITEM #6(A) IF SET NORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, LIST THE CURRENT ZONING CLASSIFICATION, SETBACK REQUIREMENTS, THE HEIGHT AND FLOOR SPACE AREA RESTRICTIONS, AND PARKING REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER.
COMMENT: NONE FOUND

ITEM #7(A) EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL.
COMMENT: AS SHOWN HEREON

ITEM #7(B) SQUARE FOOTAGE OF:

(1) EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL.
COMMENT: AS SHOWN HEREON

ITEM #7(C) MEASURED HEIGHT OF ALL BUILDINGS ABOVE GRADE AT A LOCATION SPECIFIED BY THE CLIENT; IF NO LOCATION IS SPECIFIED, THE POINT OF MEASUREMENT SHALL BE IDENTIFIED.
COMMENT: AS SHOWN HEREON

ITEM #8 SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (IN ADDITION TO THE IMPROVEMENTS AND FEATURES REQUIRED PURSUANT TO SECTION 5 ABOVE) (E.G., PARKING LOTS, BILLBOARDS, SIGNS, SWIMMING POOLS, LANDSCAPED AREAS, SUBSTANTIAL AREAS OF REFUSE).
COMMENT: NONE OBSERVED AT TIME OF SURVEY

ITEM #9 NUMBER AND TYPE (E.G., DISABLED, MOTORCYCLE, REGULAR AND OTHER MARKED SPECIALIZED TYPES) OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS, LOTS AND IN PARKING STRUCTURES, STRIPING OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS AND LOTS.
COMMENT: NONE OBSERVED AT TIME OF SURVEY

ITEM #13 NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS. IF MORE THAN ONE OWNER, IDENTIFY THE FIRST OWNER'S NAME LISTED IN THE TAX RECORDS FOLLOWED BY "ET AL."
COMMENT: AS SHOWN HEREON

ITEM #14 AS SPECIFIED BY THE CLIENT, DISTANCE TO THE NEAREST INTERSECTING STREET
COMMENT: 1214.27 FEET

ITEM #15 RECTIFIED ORTHOPHOTOGRAHY, PHOTOGRAMMETRIC MAPPING, REMOTE SENSING, AIRBORNE/MOBILE LASER SCANNING AND OTHER SIMILAR PRODUCTS, TOOLS OR TECHNOLOGIES AS THE BASIS FOR THE SHOWING THE LOCATION OF CERTAIN FEATURES (EXCLUDING BOUNDARIES) WHERE GROUND MEASUREMENTS ARE NOT OTHERWISE NECESSARY TO LOCATE THOSE FEATURES TO AN APPROPRIATE AND ACCEPTABLE ACCURACY RELATIVE TO A NEARBY BOUNDARY. THE SURVEYOR SHALL (A) DISCUSS THE RAMIFICATIONS OF SUCH METHODOLOGIES (E.G., THE POTENTIAL PRECISION AND COMPLETENESS OF THE DATA GATHERED THEREBY) WITH THE INSURER, LENDER, AND CLIENT PRIOR TO THE PERFORMANCE OF THE SURVEY, AND (B) PLACE A NOTE ON THE FACE OF THE SURVEY EXPLAINING THE SOURCE, DATE, PRECISION, AND OTHER RELEVANT QUALIFICATIONS OF ANY SUCH DATA.
COMMENT: NONE USED

ITEM #16 EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
COMMENT: NONE OBSERVED AT TIME OF SURVEY

ITEM #17 PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, IF SUCH INFORMATION IS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION, EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
COMMENT: NONE OBSERVED AT TIME OF SURVEY

ITEM #18 IF THERE HAS BEEN A FIELD DELINEATION OF WETLANDS CONDUCTED BY A QUALIFIED SPECIALIST HIRED BY THE CLIENT, THE SURVEYOR SHALL LOCATE ANY DELINEATION MARKERS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK AND SHOW THEM ON THE FACE OF THE PLAT OR MAP. IF NO MARKERS WERE OBSERVED, THE SURVEYOR SHALL SO STATE.
COMMENT: AS SHOWN HEREON

ITEM #19 INCLUDE ANY PLOTTABLE OFFSITE (I.E., APPURTENANT) EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR AS A PART OF THE SURVEY PURSUANT TO SECTIONS 5 AND 6 (AND APPLICABLE SELECTED TABLE A ITEMS) (CLIENT TO OBTAIN NECESSARY PERMISSIONS).
COMMENT: AS SHOWN HEREON

ITEM #20 PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$ _____ TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM, CERTIFICATE OF INSURANCE TO BE FURNISHED UPON REQUEST, BUT THIS ITEM SHALL NOT BE ADRESSED ON THE FACE OF THE PLAT OR MAP.

GENERAL NOTES:

SITE ADDRESS: 3707 WESTFIELD RD, WESTFIELD, INDIANA
AREA ±28 ACRES
PARKING SPACE COUNT: NONE
FLOOD ZONE: THE PROPERTY DESCRIBED HEREON IS LOCATED IN FLOOD ZONE "X" (AREA DETERMINED TO BE OUTSIDE THE ANNUAL 0.2% ANNUAL CHANCE FLOODPLAIN) PER FEMA FLOOD INSURANCE MAP NO. 18057C0136G, DATED NOVEMBER 19, 2014.

FLOOD PLAT CERTIFICATION IS RESTRICTED TO A REVIEW OF THE FLOOD INSURANCE RATE MAPS, AND SHALL NOT BE CONSTRUED AS A CONFIRMATION OR DENIAL OF FLOODING POTENTIAL. NOTE: ALL FLOOD MAPPINGS IS SUBJECT TO MAP SCALE UNCERTAINTY.

UTILITY DISCLAIMER: THE LOCATION OF BURIED UTILITIES ARE SHOWN PER RECORD MAPS OR DESIGNATIONS FURNISHED BY OTHERS. THERE MAY EXIST UNDERGROUND UTILITY LINES WHICH ARE NOT MADE PUBLIC RECORD. THE UNDERSIGNED ASSUMES NO LIABILITY FOR THE ACCURACY OR AVAILABILITY OF THOSE RECORDS.

FOR THE FINAL LOCATION OF EXISTING UTILITIES, CONTACT THE UTILITY OWNER AND AS ALWAYS, CALL 811 BEFORE CONSTRUCTION.

WARRANTY DISCLAIMER: THIS SURVEY WAS PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED SURVEY PRACTICE. NO WARRANTY, EITHER EXPRESS OR IMPLIED, IS MADE AS TO THE ACCURACY OR COMPLETENESS OF INFORMATION PROVIDED HEREON.

CERTIFICATION: TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH TITLE 86S, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE.

TO: FIRST AMERICAN TITLE INSURANCE COMPANY, CHARLES ROUBEUSH & DELULLO CHARITABLE TRUST; MI HOMES, L.P., AN INDIANA LIMITED PARTNERSHIP.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS/LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDING ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B1, 7C, 8, 9, 13, 14, 15, 16, 17, 18, 19 AND 20 OF TABLE A, THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 30, 2020 AND OCTOBER 5, 2021.

DATE OF SURVEY: 10/27/2021

PROFORMA SUBJECT TO CHANGE

TERRY D. WRIGHT, PS
INDIANA REGISTRATION # 9700013

OVERALL DESCRIPTION: (PER SURVEY)

A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 970013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTIONS, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 1178.50 FEET (DEED AND CALCULATED) TO POINT OF BEGINNING SAID POINT BEING THE NORTHWEST CORNER OF DEED BOOK 117 PAGE 362; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS EAST ALONG THE REMNANTS OF AN OLD WIRE FENCE AS CALLED OUT IN DEED RECORD 117 PAGE 362 986.21 FEET (DEED DISTANCE: 987.94 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF THE ABANDONED CENTRAL INDIANA RAILROAD; THENCE NORTH 89 DEGREES 33 MINUTES 17 SECONDS WEST 1283.58 FEET ON AND ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF COMMON AREA 1 PER INSTR 2010066268 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE NORTH 00 DEGREES 05 MINUTES 45 SECONDS WEST 967.00 FEET (DEED DISTANCE: 965.12 FEET) ON AND ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 89 DEGREES 35 SECONDS 18 SECONDS EAST 1283.90 FEET CALCULATED ON AND ALONG SAID SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 28.77 ACRES MORE OR LESS.

OUTLOT #1
A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 970013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 2068.12 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 50.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, THENCE SOUTH 45 DEGREES 24 MINUTES 44 SECONDS EAST 17.76 FEET; THENCE SOUTH 04 DEGREES 49 MINUTES 36 SECONDS EAST 120.45 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 129.86 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 10.50 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 44 DEGREES 45 MINUTES 32 SECONDS WEST AND A CHORD DISTANCE OF 14.80; THENCE AN ARC DISTANCE OF 16.43 FEET ALONG SAID CURVE; THENCE SOUTH 89 DEGREES 43 MINUTES 06 SECONDS WEST 408.26 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 46 SECONDS WEST 272.01 FEET TO THE APPARENT RIGHT OF WAY OF STATE ROAD 32; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST ON AND ALONG SAID RIGHT OF WAY LINE 384.23 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, CONTAINING 2.988 ACRES MORE OR LESS.

OUTLOT #2
A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 970013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 1690.44 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 50.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST 59.21 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST 294.47 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 13 SECONDS WEST 14.89 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 30 SECONDS WEST 129.29 FEET; THENCE NORTH 04 DEGREES 41 MINUTES 59 SECONDS EAST 120.39 FEET; THENCE NORTH 44 DEGREES 35 MINUTES 16 SECONDS EAST 18.64 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 32; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 291.95 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, CONTAINING 1.891 ACRES MORE OR LESS.

REMAINING PARCEL
A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 970013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 1178.50 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST 50.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST 59.21 FEET TO THE NORTH LINE OF THE FORMER INDIANA CENTRAL RAILROAD; THENCE NORTH 89 DEGREES 33 MINUTES 17 SECONDS WEST ON AND ALONG THE SAID NORTH LINE 1283.58 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 45 SECONDS WEST 644.99 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 06 SECONDS EAST 120.45 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS WEST 129.29 FEET; THENCE NORTH 44 DEGREES 45 MINUTES 32 SECONDS EAST AND A CHORD DISTANCE OF 14.80; THENCE AN ARC DISTANCE OF 16.43 FEET ALONG SAID CURVE; THENCE NORTH 00 DEGREES 03 MINUTES 30 SECONDS WEST 129.86 FEET; THENCE NORTH 04 DEGREES 49 MINUTES 36 SECONDS WEST 120.45 FEET; THENCE NORTH 45 DEGREES 14 SECONDS WEST 17.76 FEET TO THE APPARENT SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 32; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 95.73 FEET; THENCE SOUTH 04 DEGREES 41 MINUTES 59 SECONDS WEST 120.39 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST 129.29 FEET; THENCE SOUTH 45 DEGREES 14 MINUTES 13 SECONDS EAST 14.89 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST 294.47 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 30 SECONDS WEST 272.94 FEET TO THE SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 89 DEGREES 35 MINUTES 16 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 511.97 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, CONTAINING 22.828 ACRES MORE OR LESS.

SURVEYOR'S REPORT:

PURPOSE OF THIS SURVEY: TO PERFORM AN ALTA/TOPOGRAPHIC SURVEY ON 3707 WESTFIELD ROAD, INDIANA.

IN ACCORDANCE WITH TITLE 86S, ARTICLE 1.1, CHAPTER 12, SECTION 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- VARIANCE IN THE REFERENCE MONUMENTS;
- DISCREPANCIES IN RECORD DESCRIPTION AND PLATS;
- INCONSISTENCIES IN LINE OF OCCUPATION AND;
- ACCEPTABLE RELATIVE POSITIONAL ACCURACY

THIS SURVEY IS A RETRACEMENT SURVEY AS DEFINED IN IAC 86S, ARTICLE 1.1, CHAPTER 12 SECTIONS 6-18.

FINDING OF FACTS:
WITHOUT ADDITIONAL PROOF, THE FACT THAT SURVEYORS ACCEPT A MONUMENT DOES NOT MAKE IT CORRECT. THE MONUMENT MUST HAVE BEEN INITIALLY CORRECT. COMMON REPORT AND REPUTATION EVIDENCE DOES NOT OVERCOME CONTRARY PROOF. THEREFORE, THE LOCATION OF ANY OF THE ABOVE-DISCUSSED MONUMENTS MAY YET BE CONTRADICTED AND OVERCOME BY UNDISCOVERED EVIDENCE. AS A RESULT, ANY PROPERTY BOUNDARY, WHOSE LOCATION IS DEPENDENT ON THESE CORNER MONUMENTS, IS SUBJECT TO UNDISCOVERED EVIDENCE, WHICH MIGHT RESULT IN A DIFFERENT LOCATION FOR THE CORNERS. THIS IS A DIMENSIONAL VALUE TO THE UNCERTAINTY OF THESE CORNERS IS SUBJECTIVE, AND FOR THESE REASONS CITED ABOVE, THE UNCERTAINTY OF THESE CORNERS IS UNKNOWN.

OF THE CORNERS SHOWN ON THIS SURVEY, SOME ARE REFERENCED AS TITLE CORNERS AND OTHERS AS RECORD CORNERS. A RECORD CORNER BEING A MONUMENT IN ITS PROPER LOCATION ACCORDING TO THE RULES OF THE SUBDIVISION OF SECTIONS. A TITLE CORNER IS AN EXISTING MONUMENT ESTABLISHED AND HAVING BEEN ACCEPTED OVER A PERIOD OF TIME AS THE PROPER CORNER. A TITLE CORNER IS SUBJECT TO UNDISCOVERED EVIDENCE.

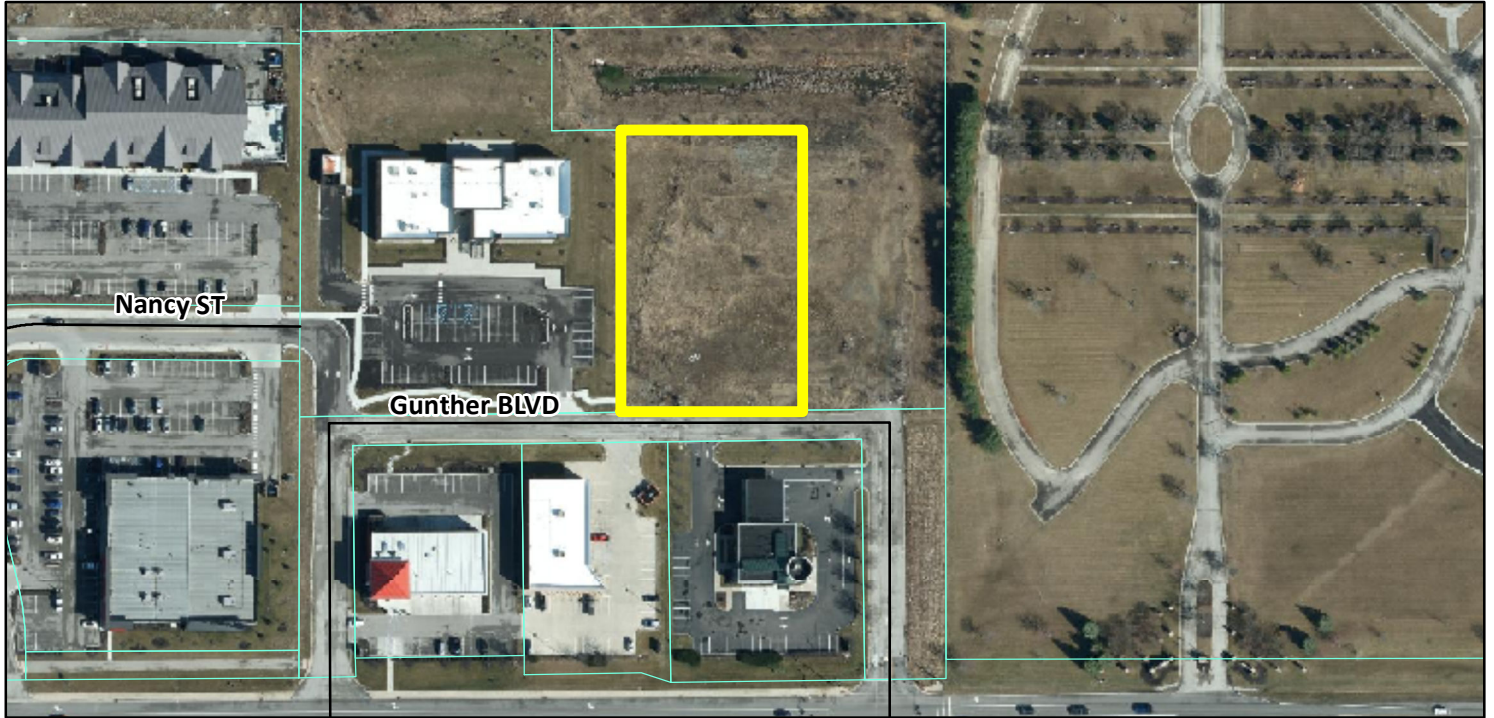
AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AREA AS FOLLOWS:

THEORY OF LOCATION:
THE EAST LINE OF THE SUBJECT PARCEL WAS DETERMINED BY THE LOCATION OF THE LEAD IN CALL FROM THE NORTHEAST CORNER OF THE QUARTER SECTION AS RECITED IN AN ANCIENT DEED OF RECORD BEING LOCATED IN DEED RECORD 117, PAGE 362 (PARENT DEED OF ALL SUBJECT PARCELS). THIS DEED HAS TWO IMPORTANT CALLS TO DETERMINE THE LOCATION OF THE EAST LINE OF THE OVERALL TRACT. THE FIRST ONE IS THE LEAD IN CALL OF 71 RODS AND 7 FEET FROM THE SAID NORTHEAST CORNER OF THE QUARTER SECTION. THIS CALL I BELIEVE IS WELL ESTABLISHED IN MY OPINION. THE SECOND CALL IS THE DIRECTION OF THE LINE ITSELF. THE ANCIENT DEED SAYS "RUN THENCE SOUTH ALONG A WIRE FENCE 837 FEET TO THE RIGHT OF WAY LINE OF THE CENTRAL INDIANA RAILROAD COMPANY". A VERY OLD WIRE FENCE WAS FOUND MIDWAY DOWN THE SURVEYED LINE AND IS WITHIN 9.9 FEET OF THE SURVEYED LINE AND IS ON THE LINE AT THE NORTH END AND IS PREDOMINATELY ON THE LINE EXCEPT AT THE SOUTH END WHERE IT FLARES OUT. IN MY OPINION THIS IS THE BEST AVAILABLE EVIDENCE OF THE WRITTEN INTENTION OF THE LOCATION OF THE LINE. THE SOUTH LINE OF THE SUBJECT PARCELS WERE DETERMINED TO BE THE NORTH RIGHT OF WAY LINE OF THE RAILROAD, NOW A WALKING TRAIL. THE LINE WAS DETERMINED FROM THE DEED DIMENSIONS AS A BEST FIT LINE. NO VALUATION COULD BE FOUND ON THE RAILROAD IN THE LOCAL COUNTY RECORDS. THE WEST LINE OF THE WEST SUBJECT PARCEL CALLED OUT TO THE EAST LINE OF INSTRUMENT # 20100506261 AND INSTRUMENT # 2005050530. THIS LINE WAS HELD AND AND IS SHOWN ON A SURVEY COMPLETED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS # 970013 ON 12/30/20 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2020-0331 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION, THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING - EAST ZONE) ON AND ALONG THE NORTH LINE OF THE SAID QUARTER SECTION 1178.50 FEET (DEED AND CALCULATED) TO POINT OF BEGINNING SAID POINT BEING THE NORTHWEST CORNER OF DEED BOOK 117 PAGE 362; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS EAST ALONG THE REMNANTS OF AN OLD WIRE FENCE AS CALLED OUT IN DEED RECORD 117 PAGE 362 986.21 FEET (DEED DISTANCE: 987.94 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF THE ABANDONED CENTRAL INDIANA RAILROAD; THENCE NORTH 89 DEGREES 33 MINUTES 17 SECONDS WEST 1283.58 FEET ON AND ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF COMMON AREA 1 PER INSTR 2010066268 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE NORTH 00 DEGREES 05 MINUTES 45 SECONDS WEST 967.00 FEET (DEED DISTANCE: 965.12 FEET) ON AND ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 89 DEGREES 35 SECONDS 18 SECONDS EAST 1283.90 FEET CALCULATED ON AND ALONG SAID SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 28.77 ACRES MORE OR LESS.

DUE TO VARIANCES IN REFERENCE MONUMENTS:
THE NORTHEAST CORNER OF THE QUARTER SECTION WAS DETERMINED FROM THE LOCATION OF A BRASS PIN FOUND IN CONCRETE. THIS MONUMENT IS IN THE CENTER LINE OF STATE ROAD 32 AND MOONTOWN ROAD. THIS CORNER WAS HELD FOR BASIS OF BEARINGS. THE THE NORTHWEST CORNER OF THE NORTHWEST QUARTER WAS SET BY INDOT PER THE COUNTY SURVEYOR'S TIES SHEET. NO CORNER WAS FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SECTION. THE LOCATION OF THIS WAS DETERMINED FROM THE SURVEYORS MENTIONED ABOVE. THE TIE SHEET FOR THIS CORNER IS OLD AND ACTUALLY SHOWS THE CORNER FOR THE SOUTH QUARTER CORNER FOR SECTION 32, TOWNSHIP 19 NORTH RANGE 4 EAST. THERE IS A JOG AT THIS CORNER AND THE CORNER APPEARS TO BE 114.51 FEET EAST BASED ON THE DEBOY SURVEY. NO TIES EXIST FOR THIS CORNER. THE SOUTHEAST CORNER OF THE QUARTER SECTION IS A MAG NAIL FOUND. THE COUNTY SURVEYOR CALLS FOR A HARRISON MONUMENT A MAG NAIL WAS FOUND THAT MEASURES WITHIN 0.10' OF THE PUBLISHED COORDINATES OF THIS CORNER. THE SOUTHWEST CORNER OF THE QUARTER SECTION

Aerial Location Map

 Site



Zoning Map

