



CITY OF WESTFIELD, IN
Advisory Planning Commission Meeting Agenda_03_06_2023

Monday, March 06, 2023 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)

MEETING DATE: Monday, March 06, 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:

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

OPENING OF MEETING

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

Note the Presence of a Quorum

Approval of Minutes

- February 6, 2023 APC Minutes

Documents: [APC Minutes - February 6, 2023](#)

Review APC Rules & Procedures

CONSENT AGENDA

No Consent Agenda Items

ITEMS OF BUSINESS

2301-PUD-01

Westfield Washington Schools PUD

Northeast corner of State Road 32 and Centennial Road

Westfield Washington Schools by Church Church Hittle + Antrim requests a change of zoning for 96.46 acres +/- from the Towne Road Crossing PUD District to the Westfield Washington Schools PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Narrative Statement](#) | [Exhibit 4: Ord. 22-62](#) | [Exhibit 5: Redlined Ord. 22-62](#) | [Exhibit 6: Concept Plan](#) | [Exhibit 7: Neighbor Meeting Summary](#) | [Exhibit 8: Public Comments](#)

PUBLIC HEARING ITEMS

No Public Hearing Items

ITEMS CONTINUED TO A FUTURE MEETING

2108-PUD-21 [CONTINUED]

Grand Millennium Center PUD Amendment I

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

**31/32 Investors by Edgerock Development, LLC requests an Amendment to the Permitted Uses and General Regulations of the Grand Millennium Center PUD District.
(Presenting Planner: Pam Howard - phoward@westfield.in.gov)**

2111-PUD-27 [CONTINUED]

TowneRun PUD

Northwest corner of Towne Road & West 146th Street

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

2209-ZOA-03 [CONTINUED]

Unified Development Ordinance Amendment (Floodplain)

**The City of Westfield requests approval of an ordinance to amend Articles 3.5 & 5.5 of the Westfield-Washington Township Unified Development Ordinance.
(Planner: Pam Howard - phoward@westfield.in.gov)**

2212-PUD-20 [CONTINUED]

Wheeler Landing PUD Amendment VI

Southwest corner of 186th Street and Kinsey

**Leo Brown Development, LLC by Clark Quinn Moses Scott & Grahn, LLP requests an amendment to the Wheeler Landing PUD to add 2.34 acres +/- to Area III of the PUD.
(Planner: Caleb Ernest - cernest@westfield.in.gov)**

REPORTS/COMMENTS

Plan Commission Members

Downtown Update

City Council Liaison

Board of Zoning Appeals Liaison

Plat Committee Liaison

Community Development Department

ADJOURNMENT



Westfield-Washington Township Advisory Plan Commission (APC)

Minutes of the February 6, 2023 APC Meeting

Presented for approval: March 6, 2023

Westfield-Washington Township Advisory Plan Commission
met at 7:00 p.m. on Monday, February 6, 2023 at Westfield City Hall.

Active links for this meeting:

[February 6, 2023 APC Agenda & Exhibits](#)

[February 6, 2023 YouTube Video](#)

OPENING OF MEETING

[You Tube Time: 0:03](#)

Roll Call

Commissioners Members Present In-Person: Matt Deck, Ginny Kelleher, Robert Horkay, Mike Johns, Victor McCarty, Dave Schmitz, and Cindy Spoljaric.

Commissioners Present Virtually: None.

Commissioners Absent: Kristen Burkman and Andre Maue.

City Staff Present In-Person: Kevin Todd, Director; Pam Howard, Assistant Director; Lauren Gillingham, Senior Planner; Caleb Ernest, Senior Planner; Ryan Collingwood, Associate Planner; and Weston Rogers, Associate Planner.

City Staff Present Virtually: None.

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

APPROVAL OF MINUTES

Kelleher motioned to approve the January 24, 2023 APC Minutes as written.

Spoljaric seconded. Motion passed. Vote 6-0. (Deck abstained)

REVIEW RULES AND PROCEDURES

Howard reviewed APC rules and procedures.

CONSENT AGENDA ITEMS

[YouTube Time: 4:00](#)

2210-DDP-35

PetSuites Westfield

17502 Carey Road

National Veterinary Associates by Kimley-Horn and Associates requests Detailed Development Plan approval of a 11,242 SF pet-oriented business on 1.32 acres +/- in the LB: Local Business District.

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

2301-DDP-01

McDonald's Inc, Westfield

15101 Thatcher Lane

McDonald's Corporation by Wilfong Farms, Inc. requests Detailed Development Plan approval of a 5,560 square foot Fast-Food Restaurant on 1.6 acres in the LB-PD: Local Business - Planned Development District.

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

McCarty motioned to approve the Consent Agenda items as presented in staff reports.

Schmitz seconded. Motion passed. Vote 7-0.

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

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

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ITEMS OF BUSINESS

2207-PUD-13

[YouTube Time: 4:39](#)

Woods Robinson Briggs PUD Amendment II

Generally, at 904 East 191st Street

191st Land Acquisition, LLC requests an amendment to the Woods-Robinson-Briggs PUD to add 4.54 acres +/- of additional real estate, modify the General Regulations of District 1, modify the proposed Park/Trail Head District standards, and replace the district map, site plan, and applicable character exhibits with revised versions.

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

Staff presentation / APC comments / Petitioner response.

McCarty motioned to forward 2207-PUD-13 to the City Council with a favorable recommendation.

Deck seconded. Motion passed. Vote 7-0.

2301-PUD-02

[YouTube Time: 25:28](#)

Grand Park Village PUD, Amendment V

South & adjacent to 186th Street, east of Kinsey Avenue

Grand Communities, LLC by Nelson & Frankenberger, LLC requests to amend the Grand Park Village PUD to permit a seventy-seven (77) unit townhome development on 6.6 acres +/-.

(Planner: Daine Crabtree – dcrabtree@westfield.in.gov) (Presented by Kevin Todd – ktodd@westfield.in.gov)

Staff presentation / Petitioner presentation / APC comments.

Deck motioned to forward 2301-PUD-02 to the City Council with a favorable recommendation.

Johns seconded. Motion passed. Vote 6-1. (McCarty voted no.)

PUBLIC HEARING ITEMS

2212-PUD-20 [PUBLIC HEARING]

[YouTube Time: 39:48](#)

Wheeler Landing PUD Amendment VI

Southwest corner of 186th Street and Kinsey

Leo Brown Development, LLC by Clark Quinn Moses Scott & Grahn, LLP requests an amendment to the Wheeler Landing PUD to add 2.34 acres +/- to Area III of the PUD.

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

Staff presentation / Petitioner presentation / APC comments.

Public Hearing for 2212-PUD-20 opened at 7:53 p.m.

- One (1) public comment.

Closed at 8:01 p.m.

Petitioner response / APC Comments / Staff comments.

2301-PUD-01 [PUBLIC HEARING]

[YouTube Time: 1:34:25](#)

Westfield Washington Schools PUD

Northeast corner of State Road 32 and Centennial Road

Westfield Washington Schools by Church Church Hittle + Antrim requests a change of zoning for 96.46 acres +/- from the Towne Road Crossing PUD District to the Westfield Washington Schools PUD District.

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

Staff presentation / Petitioner presentation / APC comment.

Public Hearing for 2301-PUD-01 opened at 8:42 p.m.

- Two (2) public comments.

Closed at 8:51 p.m.

Petitioner responses / APC Comments.

Deck motioned to waive the workshop meeting for 2301-PUD-01.

Kelleher seconded. Motion passed. Vote 7-0.

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ITEMS CONTINUED TO A FUTURE MEETING

2108-PUD-21 [CONTINUED]

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

2111-PUD-27

TowneRun PUD [CONTINUED]

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

2209-ZOA-03 [CONTINUED]

Unified Development Ordinance Amendment (Floodplain)

The City of Westfield requests approval of an ordinance to amend Articles 3.5 & 5.5 of the Westfield-Washington Township Unified Development Ordinance.

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

REPORTS/COMMENTS:

[YouTube Time: 2:13:10](#)

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

Deck motioned to delegate the two (2) February 21, 2023 Consent Agenda items to staff.

Kelleher seconded. Motion passed. Vote 7-0.

The February 21, 2023 APC meeting will be cancelled.

ADJOURNMENT

McCarty motioned to adjourn the meeting. Deck seconded. Motion passed. Vote 7-0.

The meeting adjourned at 7:19 p.m.

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Signature Page for APC Minutes for February 6, 2023

Robert Horkay, President

Ginny Kelleher, Vice President

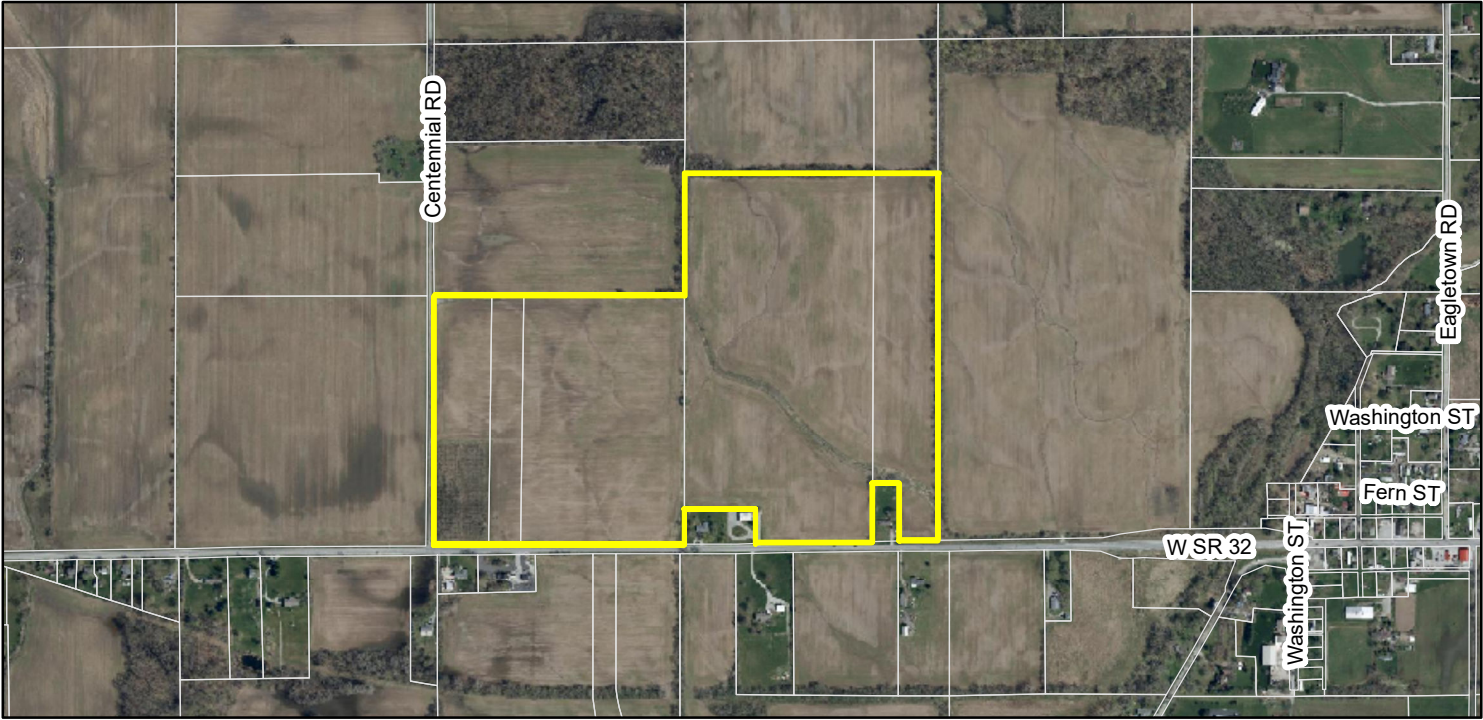
Kevin M. Todd, Secretary



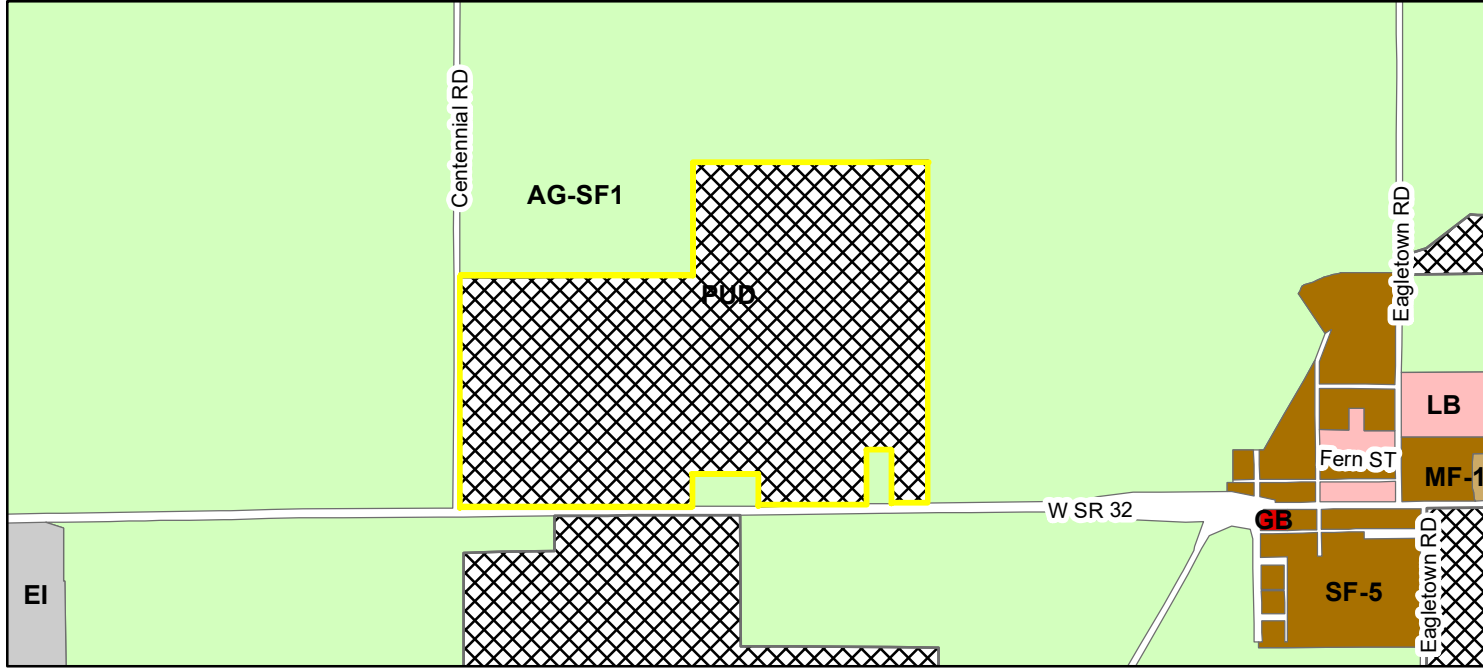
Exhibit 2 - Property Location Map
Westfield-Washington Schools PUD
2301-PUD-01



Aerial Location Map



Zoning Map



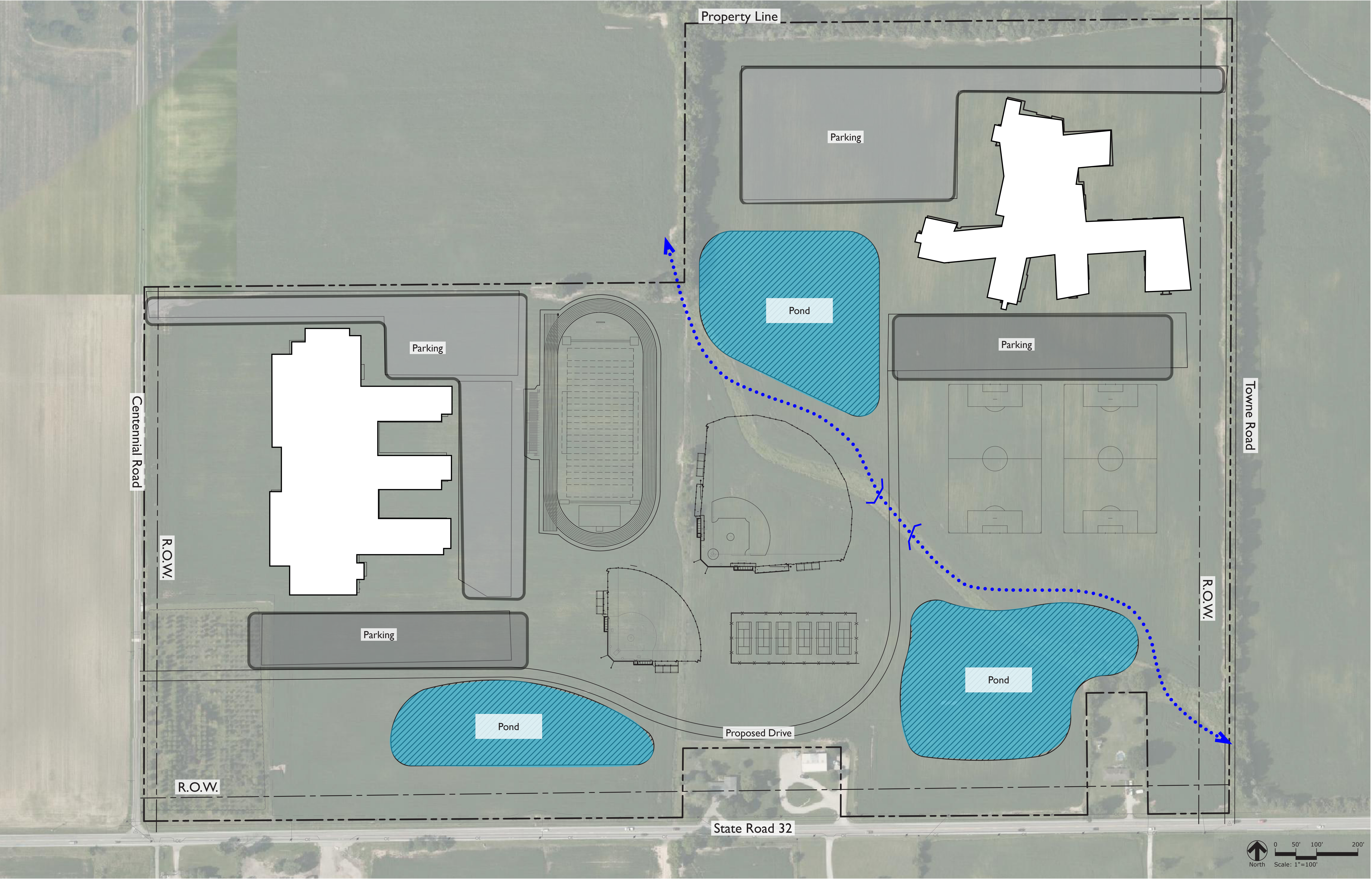
- Zoning**
- | | |
|--|--------------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | LB (Local Business) |
| EI (Enclosed Industrial) | MF-1 (Multiple Family - 1) |
| GB (General Business) | PUD (Planned Unit Development) |
| | SF-5 (Single Family - 5) |

Narrative Statement

WWS Planned Unit Development

Northeast Corner of Centennial Road and State Highway 32

Westfield Washington Schools plans to acquire approximately 96.5 +/- acres of real estate located on the northeast corner of Centennial Road and State Highway 32 for future development of school facilities. The real estate includes the northern half of what was originally included in the Towne Road Crossing PUD. This proposal will replace the existing zoning of the property to permit school facilities.



WESTFIELD WASHINGTON SCHOOLS | CONCEPT PLAN

November 2022

Memorandum

Date: January 23, 2023

To: Ryan Collingwood, Associate Planner
Community Development Department

From: Matthew Skelton, AICP
Church Church Hittle + Antrim
116 N. Union Street, Westfield, IN 46074

Re: Westfield Washington Schools, PUD amendment (2301-PUD-01)
Summary of Neighbor Meeting

In accordance with Article 10.9(C)(1)(f) Planned Unit Development Districts; PUD District Ordinance; Application Procedures; Neighbor Meeting, Westfield Washington Schools hosted a neighbor meeting on Monday, January 23, 2023. Invitations were provided to all property owners listed on the adjoiner list for public hearing as well as Westfield planning staff and Westfield Council persons. Below is a brief written report of the meeting.

The Neighborhood Meeting was held in person at Maple Glen Elementary School, 17171 Ditch Road at 6:30 p.m.

Petitioner representatives included Westfield Washington School Superintendent Paul Kaiser, Assistant Superintendent Brian Tomamichel, and attorney Matthew Skelton of Church Church Hittle + Antrim.

Attendees included Lauren Gillingham and Ryan Collingwood of the Westfield planning staff and interested neighbors. A summary of the meeting follows.

Mr. Skelton provided a brief summary of the proposed project to attendees. The concept plan illustrates a planned Middle School, which would likely be the first building constructed, and an Elementary School to be constructed at some point in the future. The Middle School would likely accommodate approximately 1100 students. Right-of-way for the extension of Towne Road will be dedicated to the City in accordance with the City's Thoroughfare Plan. There will likely be a traffic light installed at State Road 32 and Centennial Road at some point in the future. Citizens water will be extended to the site.

Among the concerns expressed by neighbors were the vehicular safety of the Centennial Road residents during the construction phase, the effect of the project on property values, possible noise and light pollution, increased traffic, and the possible effects on existing wells in the area. It was stated that there are existing flooding issues with the properties in the vicinity.

Mr. Skelton and Dr. Kaiser responded to neighbor questions. Lighting installations will be directed downwards with modern lighting control technology. Lighting of the property will comply with applicable standards regarding. School representatives explained the reason for selecting this site is due to the service area location, agreeable purchase terms, and limited options for other large sites with water and sanitary sewer nearby and good access to a major transportation corridor.

There being no further questions or comments from attendees, the meeting concluded around 7:30 p.m.



Two North Ninth Street, Noblesville, IN 46060 P 317.773.2190 F 317.773.5320

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WRITTEN PUBLIC COMMENTS

Docket Number: 2301-PUD-01

Petitioner: Westfield-Washington Schools by Church Church Hittle + Antrim

Request: Westfield Washington Schools by Church Church Hittle + Antrim requests a change of zoning for 96.46 acres +/- from the Towne Road Crossing PUD District to the Westfield Washington Schools PUD District.

Enclosed Attachments (as of 5:00pm., Monday, March 6, 2023:

March 6, 2023 Advisory Plan Commission Meeting

1. Rick & Tricia Davis

18010 Eagletown Rd

(01/09/23)

LETTER OF OPPOSITION to Petition 2301-PUD-01
the Proposed Rezoning and Development at Centennial Rd and SR 32

To Whom It May Concern:

My name is Tricia Davis, and I am a Westfield resident living on Eagletown Rd.

I am writing to express my opposition to the proposed rezoning and development of property at Centennial Rd and State Rd 32 as requested in petition 2301-PUD-01. I protest any change which would rezone the property to any classification other than AG. This property directly adjoins agricultural property and the proposed zoning will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes.

My opposition is based on these potential/probable negative effects:

- **Incompatible Zoning:** The proposed development will use the land in a completely different fashion than the surrounding land at the disadvantage of nearby landowners. The proposed zoning is not compatible with the way in which the other land in that area is being used. Such a rezoning could be perceived as spot zoning if it is done without regard to its surrounding designations, particularly because it is another division of the city government, Westfield Washington Schools, that is requesting the rezoning. I sincerely trust/hope that Community Development Department planners will make a decision that is not intimidated or influenced in any way by who is requesting the zoning change.
- **The land proposed for rezoning is in an area known for flooding and standing water.** Much of the land just South and East of the parcel are designated by FEMA as flood plain. With the construction of residential areas East of Eagletown Rd, the Eagletown floodway has seen a dramatic increase in flooding and standing water covering the roads as well as affecting properties in and surrounding the flood plain. The proposed rezoning would change the grade and topography of the land, and deforesting the area and replacing it with hardscape would only exacerbate the flooding problem, creating additional hardship on nearby properties. This development threatens the soil stability and erosion protection are critical to the orchards and farms in the vicinity of the proposed development.
- **Increased traffic congestion on SR 32,** adding to an already dangerous situation in which it has become increasingly difficult to turn onto 32 from intersecting roads. 32 is a highway used by many semi's. Adding school buses and school traffic poses an increased safety hazard to residents in the area as well as potential students.
- **Wildlife is active in the area,** including many deer, coyote, foxes, owls and bald eagles. Many have been displaced and driven further West because of the quick development along SR 32. The proposed development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat.
- **This type of development does not fit within the surrounding rural homesteads and farms.** The proposed parcel of land sits on the outskirts of Hamilton County in a

rural area with active farms. Any development should seek to protect and enhance existing surrounding Ag zoned properties by insuring that development is compatible with the surrounding environment and maintains the integrity of the Agriculture zoning of surrounding farms. The proposed development creates a hardship for surrounding farms in ways that include, but are not limited to: excess noise that startles and disrupts farm animals, increased flooding affecting crop production and harvest and potential chemical runoff from school ground grass treated with herbicide and fertilizer. A development such as a large school in the middle of a rural area renders the surrounding Ag-zoned land unprotected.

- **Noise and light concerns:** Section 34-40 and Sec. 34-51 of the Westfield, Indiana Code of Ordinances are intended to reduce nuisances emitted from a private property, including nuisances/disturbances caused by lights as well as noise: Sec 34-40 prohibits emissions of a significant amount of noise which renders ordinary use and enjoyment of property in the vicinity uncomfortable or impossible. The proposed athletic fields, as well as other school activities, would be such a nuisance in this rural area where light and noise are limited and both carry further due to the open fields. While the adjacent properties are subject to these ordinances, rezoning this parcel and ownership by Westfield schools would no longer make this a private property. In addition, Sec 34-53 excludes noise emitted from athletic events. The school would be able to create, without penalty, undue noise and light disturbances that render the enjoyment of nearby farms uncomfortable.

I urge you to NOT rezone this site, but to preserve and protect the integrity of Westfield's agriculture and rural community.

Respectfully,

Rick and Tricia Davis
18010 Eagletown Rd
Westfield, IN 46074
317-374-7466



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

March 6, 2023
2301-PUD-01
Exhibit 1

Petition Number: 2301-PUD-01 (Ordinance No. 22-62)

Petitioner: Westfield Washington Schools, represented by Church, Church, Hittle + Antrim

Request: Creation of a new Planned Development District for 96.5 acres +/- currently in the Towne Road Crossing PUD District.

Current Zoning: Towne Road Crossing PUD District ([Ord. 07-26](#))

Current Land Use: Vacant

Acreage: 96.5 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Narrative Statement
4. Ord. 22-62
5. Redlined Ord. 22-62
6. Concept Plan
7. Neighbor Meeting Summary
8. Public Comments

Staff Reviewers: Lauren Gillingham, AICP, Senior Planner & Ryan Collingwood, Associate Planner

PETITION HISTORY

This petition was introduced at the [December 12, 2022](#), City Council meeting. The discussion for this petition can be viewed [here](#). The petitioner held a neighborhood meeting on January 23, 2023, and a summary is provided as **Exhibit 7**. The petition received a public hearing at the [February 6, 2023](#), Advisory Plan Commission meeting, and the discussion from the public hearing can be viewed [here](#). The petition is slated for a recommendation to the City Council at the March 6, 2023, Advisory Plan Commission (“the Plan Commission”) meeting.

PROJECT OVERVIEW

Location: The subject real estate is approximately 96.5 acres in size and is located at the northeast corner of State Road 32 and Centennial Road (**Exhibit 2**). The Property is currently zoned the Towne Road Crossing PUD District. The adjacent properties to the west, east, and north are zoned the AG-SF1 District. The adjacent property to the south across SR 32 is also zoned the Towne Road Crossing PUD District but is not included in this new PUD ordinance.

History: Approved December 2007, the Towne Road Crossing PUD (Ord. 07-26) is a master planned, mixed-use development containing a mix of commercial and residential uses. The area

south of SR 32 is separated into Neighborhood Commercial, Single-family Attached, and Rural Southwest (large lot single-family detached) districts. The area north of SR 32 contains the more intensive uses, containing the Airport Hospitality (multifamily, office, and 24-hour retail uses) and Mixed-use (office and assisted living facility uses) districts. In June 2022, the Plan Commission was presented a request to amend the PUD to allow an equestrian-oriented, single-family detached development in the Rural Southwest section of the site. This request was ultimately withdrawn in late 2022.

Project Description: The petitioner is requesting a change of zoning for about 96.5 acres in the existing Towne Road Crossing PUD to the newly formed Westfield-Washington Schools PUD. Additionally, the petitioner is requesting to modify specific development standards as outlined below.

ORDINANCE DETAILS

Definitions:

- The proposed Ord. 22-62 includes language about adding a definition for “Educational Institution” to clarify the activities permitted within the use. The “Educational Facility” definition found in the UDO specifically excludes facilities primarily serving pre-kindergarten-aged children, presumably to separate “Education Facility” from a daycare or childcare use. WWS currently offers pre-k in every elementary and operates an early learning center at Monon Trail Elementary. Staff believes that modifying the definition to include the instruction of pre-k-aged children offers the greatest flexibility while making it clear that pre-k programs are permitted.

- The revised definition reads:

*For the purposes of this Ordinance, “**Educational Institution**” shall mean public pre-kindergarten, kindergarten, primary school, grade school, junior high school, middle school, high school, preparatory school, academy, junior college, college, university and ancillary use facilities, including but not limited to, athletic and recreational facilities used by employees, students, attendees, guests, invitees, licensees and lessees of the Educational Institution.*

General Zoning Regulations:

- AG-SF1: Agriculture/Single Family Rural District will be the underlying zoning district of the development.
- UDO Chapter 4.2: AG-SF1 Agriculture/Single Family Rural District applies to the development, except...
 - UDO Section 4.2(G) - Maximum Building Height of 2 ½ stories shall not apply.
 - Rather, a Maximum Building Height of sixty (60) feet shall be permitted for Educational Institution facilities.

- o *UDO Section 4.2(H) – Minimum Living Area (Ground Floor) shall not apply.*
- o *UDO Section 4.2(I) – Subdivisions shall not apply.*

Overlay Districts:

- The State Highway 32 Overlay District and the Economic Development District Overlay, respectively, shall not apply.

Development Standards:

- UDO Chapter 6.1: Accessory Use and Building Standards applies to the development, except...
 - o *UDO Section 6.1(B)(2) & (3) – General Standards shall not apply.*
 - o *UDO Section 6.1(D) – Building Location shall not apply.*
 - o *UDO Section 6.1(E) – Timing shall not apply.*
 - o *UDO Section 6.1(F) – Maximum Accessory Building Height shall not apply.*
- UDO Chapter 6.3: Architectural Standards applies to the development, except...
 - o *UDO Section 6.3(D)(2) – Building Materials shall not apply.*
- UDO Chapter 6.4: Building Standards applies to the development, except...
 - o Development of the Real Estate will instead be governed by *UDO Section 6.4(D) – Industrial and Business Uses.*
- UDO Chapter 6.14: Parking and Loading Standards applies to the development, except...
 - o *UDO Section 6.14(C) – Loading Berths shall not apply.*

CHANGES SINCE PUBLIC HEARING

The following modifications to Ordinance 22-62 have been included since the public hearing for this item, which occurred on February 6, 2023:

1. Ord. 22-62, Section 9.1 – Building Materials

- A. Language has been added to provide exhibits portraying architectural desire of Principal Buildings on site, identified as Exhibit C in the ordinance. The Principal Buildings developed on site will be comparable to the quality of exhibits shown in Exhibit C of Ord. 22-62, which are existing school facilities in Westfield.

2. Ord. 22-62, Section 11 – Lighting Standards

- A. Language has been added to have UDO Article 6.9(F) – Multi-family Residential, Business and Industrial Standards apply to the development of the site, due to mitigation of lighting-related nuisances.

3. Ord. 22-62, Section 14 – Effective Date

- A. Language has been added to tie the applicability of Ord. 22-62 to the Westfield-Washington Schools Corporation (the “Schools”) or a Schools-related subsidiary, once and only if ownership has been obtained by the Schools or a Schools-related entity.

COMPREHENSIVE PLAN

Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zoning map changes, however, the Comprehensive Plan is not law. It is simply intended to serve as a guide in making land use decisions.

The Westfield-Washington Township Comprehensive Plan (the “[Comprehensive Plan](#)”) identifies the majority of this Property as being within the “Highway Corridors” land use classification (labeled “Employment Corridor” on the Land Use Concept Plan) .

The land uses contemplated for “Highway Corridors” are:

- office and service uses,
- research and development,
- retail and institutional uses that are subordinate to and supportive of office and service uses

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 [December 12, 2022](#), City Council meeting. Video footage of the introduction can be viewed [here](#).

Public Hearing: The petition was publicly heard at the [February 6, 2023](#), Advisory 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 March 6, 2023, Advisory Plan Commission meeting.
2. If any Plan Commission member has questions prior to the meeting, then please contact Lauren Gillingham at (317) 804-3175 / lgillingham@westfield.in.gov, or Ryan Collingwood at (317) 741-8857 / rcollingwood@westfield.in.gov.

ORDINANCE NUMBER 22-62

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT OF THE
TOWNE ROAD CROSSING PLANNED UNIT DEVELOPMENT BEING THAT OF
ORDINANCE 07-26 AND TITLE 16 – LAND USE CONTROLS**

“WWS PUD”

This is a Planned Unit Development District Ordinance (the “**Ordinance**”) for the WWS PUD District (the “**District**”), 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 Unified Development Ordinance;

WHEREAS, the Common Council of the City (the “**Council**”) enacted Ordinance No. 07-26 (the “**Towne Road Crossing PUD Ordinance**”) on December 10, 2007;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered Petition No. 2301-PUD-01 (the “**Petition**”), requesting an amendment to the City’s zoning map (“**Zoning Map**”) with regard to the subject real estate more particularly described in Exhibit A attached hereto (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. 2301-PUD-01 to the Council with a favorable 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 This Ordinance shall amend and replace the Towne Road Crossing PUD Ordinance, all amendments thereto and any related zoning commitments, if any, as applicable to Real Estate. The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the WWS PUD District. To the extent that the provisions of the UDO conflict with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment and any exhibits attached hereto, and (ii) 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 Ordinance 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 Ordinance 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 this Ordinance shall have the meanings ascribed to them in the UDO.

- 2.1 For the purposes of this Ordinance, “**Educational Institution**” shall mean public pre-kindergarten, kindergarten, primary school, grade school, junior high school, middle school, high school, preparatory school, academy, junior college, college, university and ancillary use facilities, including but not limited to, athletic and recreational facilities used by employees, students, attendees, guests, invitees, licensees and lessees of the Educational Institution.

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

- 3.1 Development of the District shall be regulated as set forth in this Ordinance.
- 3.2 The final layouts and site plans within the District shall be subject to the terms of this Ordinance and may vary from the depictions shown in the Concept Plan.

Section 4. Underlying Zoning District. The Underlying Zoning District of this District shall be the AG-SF1: Agriculture/Single-family Rural District.

Section 5. General Regulations. The standards of Section 4.2 of the UDO shall apply to the development of the District, except as otherwise modified below.

- 5.1 Maximum Building Height: Section 4.2(G) of the UDO is hereby modified to permit a Maximum Building Height of sixty (60) feet for Educational Institution facilities.
- 5.2 Minimum Living Area (Ground Floor): Section 4.2(H) of the UDO shall not apply to Educational Institution facilities.
- 5.3 Subdivision: Section 4.2(I) of the UDO shall not apply to Educational Institution facilities.
- Section 6. State Highway 32 Overlay District. The standards of the State Highway 32 Overlay District, Section 5.3 of the UDO, shall not apply to Educational Institution facilities.
- Section 7. Economic Development District Overlay. The standards of the Economic Development District Overlay, Section 5.4 of the UDO, shall not apply to Educational Institution facilities.
- Section 8. Accessory Use and Building Standards. The standards of Section 6.1 of the UDO shall apply to the development of the District, except as otherwise modified below.
- 8.1 General Sandards: Sections 6.1(B)(2) and (3) of the UDO shall not apply to Educational Institution facilities.
- 8.2 Building Location: Section 6.1(D) of the UDO shall not apply to Educational Institution facilities.
- 8.3 Timing: Section 6.1(E) of the UDO shall not apply to Educational Institution facilities.
- 8.2 Maximum Accessory Building Height: Section 6.1(F) of the UDO shall not apply to Educational Institution facilities.
- Section 9. Architectural Standards. The standards of Section 6.3 of the UDO shall apply to the development of the District, except as otherwise modified below.
- 9.1 Building Materials: Section 6.3(D)(2) of the UDO shall not apply to Educational Institution facilities. Instead, Principal Buildings shall be comparable in quality to the existing Westfield-Washington School Corporation facilities included in Exhibit C.
- Section 10. Building Standards. The standards of Section 6.4 of the UDO shall apply to the development of the District, except as otherwise modified below.
- 10.1 Educational Institution uses shall be governed by the standards set forth in Section 6.4(D) of the UDO.
- Section 11. Lighting Standards. The standards of Section 6.9(F) of the UDO shall apply to Educational Institutions in the District.

Section 12. Parking and Loading Standards. The standards of Section 6.14 of the UDO shall apply to the development of the District, except as otherwise modified below.

12.1 Loading Berths: The standards of Section 6.14(C) of the UDO shall not apply to Educational Institution facilities.

Section 13. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

Section 14. Effective Date. This Ordinance shall only become effective upon the transfer of the Real Estate title to the Westfield-Washington School Corporation or a subsidiary thereof.

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 22-62** was delivered to the Mayor of Westfield on the ____ day of _____, 2023, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby **APPROVE ORDINANCE 22-62**

this _____ day of _____, 2023.

J. Andrew Cook, Mayor

I hereby **VETO ORDINANCE 22-62**

this _____ day of _____, 2023.

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

“Real Estate”

The southwest quarter of the southeast quarter of Section 32, Township 19 North, Range 3 East, in Hamilton County, Indiana, containing 40 acres, more or less.

ALSO:

A part of the East Half of the southeast quarter of Section 32, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana, described as follows:

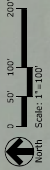
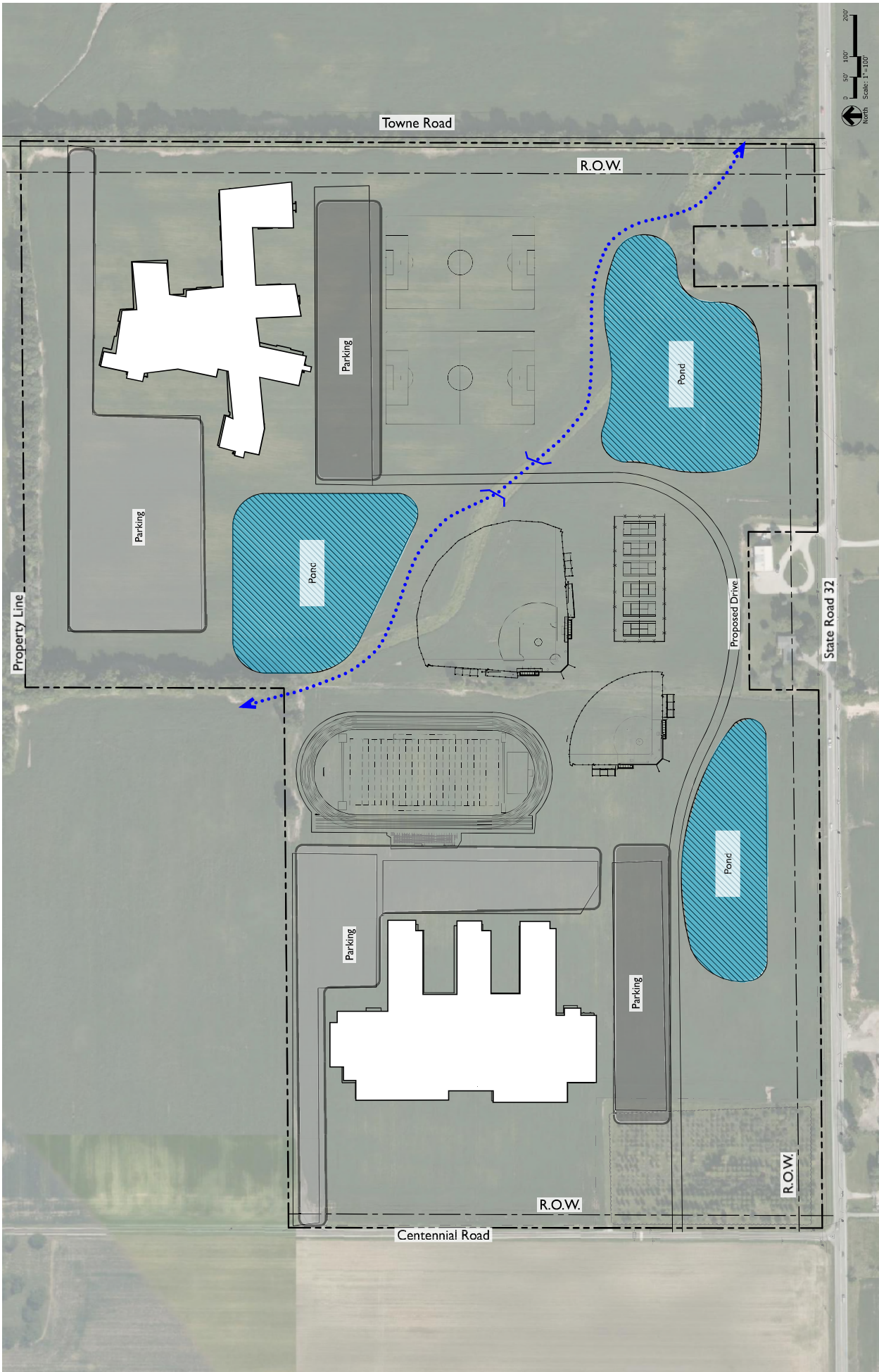
Beginning at the Harrison marker at the southeast corner of the southeast quarter of Section 32, Township 19 North, Range 3 East; thence North 00 degrees 44 minutes 57 seconds East (assumed bearing), 1950.57 feet more or less, along the East line of said southeast quarter to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the southeast corner of a 5.22 acre tract of real estate described in deed record 215, page 137, said 5/8 inch iron rod with yellow cap stamped Miller Surveying being South 00 degrees 44 minutes 57 seconds West 694.4 feet from the stone at the northeast corner of said southeast quarter; thence North 89 degrees 44 minutes 15 seconds West 329.99 feet along the South line of said 5.22 acre tract and said South line extended westerly to a 5/8 inch iron rod with yellow cap stamped Miller Surveying on the West line of a 20 acre tract of real estate described in Instrument #9616898; thence South 00 degrees 44 minutes 58 seconds West 4.01 feet along the West line of said 20 acre tract to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the point of intersection of the West line of said 20 acre tract and the easterly extension of the North line of a 44.5 acre tract of real estate described in Instrument #9616898; thence North 89 degrees 48 minutes 48 seconds West 992.69 feet along said easterly extension of said North line and along said North line to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the northwest corner of said 44.5 acre tract; thence South 00 degrees 45 minutes 27 seconds West 1754.00 feet along the West line of the East half of said southeast quarter to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the northwest corner of a 1.69 acre tract of real estate described in Instrument #200400007520, said 5/8 inch iron rod with yellow cap stamped Miller Surveying being North 00 degrees 45 minutes 27 seconds East 193.00 feet from the southwest corner of the East half of said southeast quarter; thence South 89 degrees 48 minutes 48 seconds East 382.00 feet parallel with the South line of said southeast quarter to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the northeast corner of said 1.69 acre tract; thence South 00 degrees 45 minutes 27 seconds West 193.00 feet parallel with the West line of the East half of said southeast quarter to the southeast corner of said 1.69 acre tract; thence South 89 degrees 48 minutes 48 seconds East 597.27 feet along the South line of said southeast quarter to the southwest corner of a 1.07 acre tract of real estate described in Instrument #9734736; said southwest corner being North 89 degrees 48 minutes 48 seconds West 343.69 feet from the Harrison marker at the southeast corner of said southeast quarter, thence North 00 degrees 01 minute 12 seconds East 320.00 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the northwest corner of said 1.07 acre tract; thence South 89 degrees 48 minutes 48 seconds East 146.00 feet parallel with the South line of said southeast quarter to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the northeast corner of said 1.07 acre tract; thence South 00 degrees 01 minute 12 seconds West 320.00 feet to the southeast corner of

said 1.07 acre tract; thence South 89 degrees 48 minutes 48 seconds East 197.69 feet along the South line of the southeast quarter to the point of beginning. containing 56.387 acres, more or less.

EXHIBIT B

“Concept Plan”

The Concept Plan appears on the following page of this exhibit.



WESTFIELD WASHINGTON SCHOOLS | CONCEPT PLAN

November 2022

EXHIBIT C



ORDINANCE NUMBER 22-62

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT OF THE
TOWNE ROAD CROSSING PLANNED UNIT DEVELOPMENT BEING THAT OF
ORDINANCE 07-26 AND TITLE 16 – LAND USE CONTROLS**

“WWS PUD”

This is a Planned Unit Development District Ordinance (the “**Ordinance**”) for the WWS PUD District (the “**District**”), 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 Unified Development Ordinance;

WHEREAS, the Common Council of the City (the “**Council**”) enacted Ordinance No. 07-26 (the “**Towne Road Crossing PUD Ordinance**”) on December 10, 2007;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered Petition No. 2301-PUD-01 (the “**Petition**”), requesting an amendment to the City’s zoning map (“**Zoning Map**”) with regard to the subject real estate more particularly described in Exhibit A attached hereto (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. 2301-PUD-01 to the Council with a favorable 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 This Ordinance shall amend and replace the Towne Road Crossing PUD Ordinance, all amendments thereto and any related zoning commitments, if any, as applicable to Real Estate. The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the WWS PUD District. To the extent that the provisions of the UDO conflict with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Amendment and any exhibits attached hereto, and (ii) 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 Ordinance 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 Ordinance 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 this Ordinance shall have the meanings ascribed to them in the UDO.

- 2.1 For the purposes of this Ordinance, “**Educational Institution**” shall mean public pre-kindergarten, kindergarten, primary school, grade school, junior high school, middle school, high school, preparatory school, academy, junior college, college, university and ancillary use facilities, including but not limited to, athletic and recreational facilities used by employees, students, attendees, guests, invitees, licensees and lessees of the Educational Institution.

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

- 3.1 Development of the District shall be regulated as set forth in this Ordinance.
- 3.2 The final layouts and site plans within the District shall be subject to the terms of this Ordinance and may vary from the depictions shown in the Concept Plan.

Section 4. Underlying Zoning District. The Underlying Zoning District of this District shall be the AG-SF1: Agriculture/Single-family Rural District.

Section 5. General Regulations. The standards of Section 4.2 of the UDO shall apply to the development of the District, except as otherwise modified below.

- 5.1 Maximum Building Height: Section 4.2(G) of the UDO is hereby modified to permit a Maximum Building Height of sixty (60) feet for Educational Institution facilities.
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~~4112~~.1 Loading Berths: The standards of Section 6.14(C) of the UDO shall not apply to Educational Institution facilities.

Section ~~4213~~. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

Section 14. Effective Date. This Ordinance shall only become effective upon the transfer of the Real Estate title to the Westfield-Washington School Corporation or a subsidiary thereof.

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 22-62** was delivered to the Mayor of Westfield on the ____ day of _____, 2023, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby **APPROVE ORDINANCE 22-62**

this _____ day of _____, 2023.

J. Andrew Cook, Mayor

I hereby **VETO ORDINANCE 22-62**

this _____ day of _____, 2023.

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.

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said 1.07 acre tract; thence South 89 degrees 48 minutes 48 seconds East 197.69 feet along the South line of the southeast quarter to the point of beginning. containing 56.387 acres, more or less.

EXHIBIT B
“Concept Plan”

The Concept Plan appears on the following page of this exhibit.

|

EXHIBIT C

