

Westfield City Council Members

Mark Keen, President (District 1)

Steve Hoover (District 2)

Robert L. Horkay, (District 5)

Chuck Lehman, (District 4)

Joe Edwards (District 3)

Cindy L. Spoljaric (At Large)

Jim Ake Vice President (At Large)



CITY OF WESTFIELD, IN
CityCouncil_Meeting_Agenda_06_11_2018

Monday, June 11, 2018 at 07:00 PM

BOARD OR COMMISSION: City Council Meeting

MEETING DATE: Monday, June 11, 2018 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

***THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF
THE COUNCIL***

AGENDA

Pledge of Allegiance

Invocation by: Pastor Griepentrog with OnSite International Prayer

Opening of Meeting

Note the presence of a quorum

Announce any changes to Agenda

Approval of Minutes:

Documents: [Meeting Minutes 6-4-18](#)

Claims:

Documents: [Docket](#)

Approval of Claims

Miscellaneous Business/Special Recognition:

None

Old Business:

Ordinance 17-52: Davis Planned Unit Development District

Council Introduction: December 11, 2017

APC Public Hearing: January 16, 2018

APC Recommendation: May 7, 2018

Adoption Consideration: June 11, 2018

Documents: [Ordinance 17-52](#) | [Public Comments \(updated 6/11/18 - 5:00pm\)](#) | [Department Report](#) | [Location Map](#) | [Concept Plan and Illustrative Plan](#) | [Architectural Character Exhibits](#) | [Buffer Exhibits](#) | [Amenities Plan and Character Exhibits](#) | [Commitments Concerning Use and Development of Real Estate \(updated 6/8/18\)](#)

Ordinance 18-20: Oak Ridge Pointe PUD District Amendment II

Council Introduction: May 14, 2018

APC Public Hearing: May 21, 2018

APC Recommendation: June 4, 2018

Adoption Consideration: June 11, 2018

Documents: [Ordinance 18-20](#) | [Concept Plan and Landscaping Plan](#) | [Department Report](#) | [Illustrative Character Exhibit](#) | [Location Map](#)

New Business:

Ordinance 17-51: Aurora (Northpoint) PUD Amendment

Council Introduction: June 11, 2018

APC Public Hearing: July 2, 2018

APC Recommendation: August 6, 2018

Adoption Consideration: August 13, 2018

Documents: [Ordinance 17-51](#) | [Ordinance 17-51 Redline Version](#) | [Concept Plan](#) | [Reference Only Existing Concept Plan](#) | [Presentation Slide](#)

Ordinance 18-09: Replacing the Westfield Solicitation Ordinance

Council Introduction: June 11, 2018

Adoption Consideration: June 11, 2018

Documents: [Ordinance 18-09](#)

Ordinance 18-19: Liberty Villas

Council Introduction: June 11, 2018

APC Public Hearing: July 2, 2018

APC Recommendation: August 6, 2018

Adoption Consideration: August 13, 2018

Documents: [Ordinance 18-19](#) | [Character Exhibit](#) | [Concept Plan](#) | [Location Map](#) | [Project Narrative](#) | [Petitioner's Presentation](#)

Ordinance 18-22: 100% Voluntary Annexation (Reserve on South)

Council Introduction: June 11, 2018

Public Hearing: June 11, 2018

Adoption Consideration: July 9, 2018

Documents: [Ordinance 18-22](#) | [Location Map](#)

Ordinance 18-23: Adopting a Water Conservation Ordinance

Council Introduction: June 11, 2018

Adoption Consideration: June 25, 2018

Documents: [Ordinance 18-23](#)

Ordinance 18-24: Grassy Branch Market Place PUD

Council Introduction: June 11, 2018

APC Public Hearing: July 2, 2018

APC Recommendation: August 6, 2018

Adoption Consideration: August 13, 2018

Documents: [Ordinance 18-24](#) | [Location Map](#) | [Site Plan](#) | [Concept Plan](#) | [Play School Elevations](#)

Ordinance 18-25: Spring Mill Station SEC PUD Amendment II

Council Introduction: June 11, 2018

APC Public Hearing: July 2, 2018

APC Recommendation: August 6, 2018

Adoption Consideration: August 13, 2018

Documents: [Ordinance 18-25](#) | [Concept Plan](#) | [Elevation](#) | [Location Map](#) | [Project Narrative](#)

Ordinance 18-26: City of Westfield to Vacate Public Ways

Council Introduction: June 11, 2018

Public Hearing: June 11, 2018

Adoption Consideration: June 25, 2018

Documents: [Ordinance 18-26](#)

Guests:

Residents who wish to address the Council on items not on the agenda may do so at this time.

Council Response to Guest Comments

City Council Comments

Mayor Comments

Adjourn

Executive Session: I.C. 5-14-1.5-6.1 (b) (2) (B): Legal Issues

Working Meeting

ORDINANCE 18-09

ORDINANCE OF THE CITY OF WESTFIELD TO REPLACE THE WESTFIELD SOLICITATION ORDINANCE

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, the Council from time to time may find it necessary to amend previously adopted ordinances to assure that the desired purposes are carried out as contemplated by the Council; and,

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

- Section 1.** The Council now finds that Westfield Solicitation Ordinance 09-15 will be repealed upon the effective date of this Ordinance.
- Section 2.** The Westfield Code of Ordinances shall be updated by the provisions adopted herein by Exhibit "A", attached hereto and incorporated by reference herein..
- Section 3.** The Clerk-Treasurer shall be responsible for the duties outlined in this Ordinance and shall collect all fees, fines and issue all licenses pursuant to this Ordinance
- Section 4.** This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts undertaken or taken pursuant to the adoption of this Ordinance are hereby authorized and/or ratified.

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____ 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 18-09 was delivered to the Mayor of Westfield

on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 18-09

this _____ day of _____, 2018.

I hereby VETO ORDINANCE 18-09

this _____ day of _____, 2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

Chapter 46 – DOOR-TO-DOOR SOLICITATION

General Provisions

No Soliciting Signs and Stickers

The Westfield Police Department is hereby authorized and directed to obtain a supply of "No Soliciting" signs or stickers or other means of notification for free distribution to any resident of the city upon the request of such citizen.

Enforcement

This chapter shall be enforced by the Westfield Police Department and shall provide prompt response to any call for assistance to a resident upon whose private property a trespass has occurred after warning by sign or other notification reasonably intended to advise a person or persons to remove themselves from such private property.

Sec. 46-1 Definitions. Whenever used in this Chapter, the following words and phrases shall be defined as herein stated below:

Door-to-door Solicitation. Shall include all methods and means of soliciting funds and/or of selling commercial products, services or property within the corporate limits of the City of Westfield, Indiana Westfield, Indiana ("City"), by and through the uninvited in-person solicitation of City residents on private property.

Exempt Persons. Shall include the following:

(1) An individual while and to the extent he or she is engaged in protected political speech or activity;

(2) An individual while and to the extent he or she is engaged in protected religious speech or activity;

(3) An individual engaged in the solicitation of funds and/or the sale of cookies, candies, paper products or similar sundries for and on behalf of a not-for-profit or nonprofit organization or association that is exempt from the Indiana Gross Retail Tax.

(4) An individual who, due to applicable federal or state law, is exempt from local licensing requirements. These individuals shall follow the established hours, manner, and restrictions, in which door-to door soliciting may be conducted within the city.

Vendor. A person, partnership, corporation, company, organization or entity who is not an exempt person and who is engaged in the selling, peddling, marketing for future sales, merchandising or brokering of products, services or property to the general public for a commercial purpose and/or who is engaged in the solicitation of funds.

Sec. 46-2. – Licensing required.

It shall be unlawful for any vendor, and vendor's employees and agents to engage in door-to-door soliciting within the city until that person complies with the provisions of this chapter.

Sec. 46-3. – Licensing.

(1) Any vendor who desires to engage in door-to-door solicitation shall first obtain from the Westfield Clerk Treasurer's Office a non-transferable door-to-door solicitation license ("License") permitting such activity by vendor and/or by vendor's employees and agents.

(2) The Westfield Clerk Treasurer's Office shall provide to any person, upon request, a door-to-door vendor application form ("Application") to be completed by a vendor and processed by the Westfield Clerk Treasurer's Office. The application shall seek general information about the vendor, vendor's business and the nature of vendor's proposed door-to-door solicitation. The application shall also require a vendor to list the name of every employee and agent who will be involved in door-to-door solicitation pursuant to a license issued to the vendor under this section, and to obtain from the Indiana State Police Department and attach to the application a copy of the limited criminal history of the vendor and of each employee and agent of same who will be involved in door-to-door solicitation. All completed applications shall be submitted to the Westfield Clerk Treasurer's Office for review.

(3) A license and a non-transferable identification card shall be issued to each employee by the Westfield Clerk Treasurer's Office upon such vendor's completion of an application, confirmation that such vendor and employees have no felony or misdemeanor conviction within 15 years of the application date for a crime of dishonesty, fraud, theft and/or moral turpitude, and such vendor has paid the following license fees for each employee who will be involved in door-to-door soliciting:

1 day license	\$15.00
1 week license	\$25.00
1 month license	\$125.00
1 year license	\$300.00

Upon receipt of a license, a vendor must also purchase from the Westfield Clerk Treasurer's Office, at the cost of \$1 each, non-transferable identification cards for each employee and agent of vendor listed on vendor's application and for whom the Westfield Clerk Treasurer's Office has confirmed has no felony or misdemeanor conviction within 15 years of vendor's application date for a crime of dishonesty, fraud, theft and/or moral turpitude

(4) The decision as to whether an application is approved or denied shall be made by the Westfield Clerk Treasurer's Office within 10 business days from the date the application is submitted to the Westfield Clerk Treasurer's Office for processing.

(5) Vendor, and each of vendor's employees and agents, shall openly display upon his or her person an identification card issued by the Westfield Clerk Treasurer's Office whenever engaging in door-to-door solicitation. When requested, identification cards shall be presented to a police officer of the city or any person.

(6) Subject to earlier revocation, pursuant to this section, a license, as well as any identification card(s) issued therewith, shall be valid for exactly one day, exactly one week, exactly one month, or exactly one year as applicable, from the date the license or identification card was issued, and shall thereafter immediately expire and become null and void.

Sec. 46-4. Restrictions on license/door-to-door solicitation.

- (1) Vendor, and vendor's employees and agents, shall comply with all applicable federal, state and local laws and regulations while engaging in door-to-door solicitation.
- (2) Vendor, and vendor's employees and agents shall not approach any home displaying a No Soliciting or comparable sign.
- (3) Vendor, and vendor's employees and agents shall not conduct door-to-door soliciting within any subdivision or neighborhood if a No Soliciting or comparable sign is clearly posted at entrances to the subdivision or neighborhood.
- (4) Door-to-door solicitation by vendors may be conducted between the hours of 10:00 a.m. and 7:00 p.m. local time only.
- (5) The holder shall not trespass or enter into or on any house, building, or other structure of any land or property, without the prior consent of the owner or occupant thereof.
- (6) The holder of a license shall make no false statement or misrepresentation of fact in the course of carrying on the activity for which the license is granted and shall conduct business at all times in an orderly and lawful manner.
- (7) The holder of a license who takes orders for the future delivery of any type of goods or service shall be required to deliver such goods or service before any payment is made. It is unlawful to require "deposit" money for the expectation of future delivery of goods and services.
- (8) The city reserves the right to restrict the location of operation.

Sec. 46-5 License revocation or denial.

- (1) If the Westfield Clerk Treasurer's Office determines that one or more of the following apply to a vendor and/or to any employee or agent of vendor who applies for a license or who is involved in door-to-door solicitation, then the Westfield Clerk Treasurer's Office shall deny the application and/or revoke an issued license and/or identification card(s) relating thereto, whichever action is applicable under the circumstances:

- a) Vendor submitted an application that contains materially false or misleading information;
- b) Vendor or any of vendor's employees or agents was, within 10 years prior to the date of vendor's application, convicted of a felony or misdemeanor crime of dishonesty, fraud, theft and/or moral turpitude;
- c) Vendor or any of vendor's employees or agents has violated this section or has been charged with or convicted of a felony or misdemeanor crime of dishonesty, fraud, theft and/or moral turpitude after the issuance of but prior to the expiration date of such person's license and/or identification card;
- d) Vendor or any of vendor's employees or agents has failed to properly display his/her identification card while engaged in door-to-door solicitation;
- e) Two or more written and sworn complaints have been delivered to the Westfield Clerk Treasurer's Office regarding allegedly untruthful or illegal conduct concerning vendor or vendor's employees or agents during his/her door-to-door solicitation;

(2) All license and/or identification card denials/revocations shall be in writing, shall state thereon the effective date of the denial/revocation and the reason for same, and shall be served by U.S. certified mail or by personal service on vendor at vendor's address as contained in the application.

(3) Any vendor, within 20 days from the date on which notice of such license and/or identification card denial or revocation notice is served thereon, may by written request made and delivered to the Westfield Clerk Treasurer's Office within such time period, appeal such action to the Westfield Board of Public Works and Safety ("Board"). If a timely appeal is not made, the decision of the Westfield Clerk Treasurer's Office is final. If a timely appeal is made, the Board shall hear the appeal at a public hearing which shall begin no more than 30 days from the date of the receipt of the appeal request by the Westfield Clerk Treasurer's Office. The Board shall issue its written decision on the appeal no more than 10 days from the ending date of the hearing thereon, which Board decision shall be final.

(4) No application, license or identification card fees shall be returned or refunded upon the revocation of a license and/or identification card issued pursuant to this section, all such monies being deemed forfeited.

Sec. 46-6 Penalties.

- (1) Any vendor and/or any employee or agent of vendor who engages in door-to-door solicitation in violation of this section shall be subject to a fine of \$100 for each separate offense during which the same engages in such conduct, with a maximum penalty of \$1000 for each day during which the same engages in such conduct.

- (2) A vendor and/or any employee or agent of vendor who commits a violation under this chapter is subject to the enforcement procedures provided in IC 34-28-5-1.
- (3) The City may seek a temporary and/or permanent restraining order against any vendor and/or any employee or agent thereof in any court of competent jurisdiction.
- (4) The City's remedies hereunder shall be cumulative and pursuit of one remedy shall not preclude the pursuit of others under this section or otherwise.
- (5) Willful or intentional disregard of this section shall, to the full extent permitted by law, entitle the City to collect from the violator the City's attorney fees, court costs, litigation expenses, and all other reasonable costs and expenses incurred in obtaining a restraining order and/or any other enforcement remedies against same.

Sec. 46-7 Severability clause. If any paragraph, sentence or other part of this chapter shall, for any reason, be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this chapter, but shall be confined in its operation to the paragraph, sentence or other part thereof which is directly involved in the controversy in which such judgment is rendered.

Sec. 46-8 Effect and scope. The adoption of this chapter by the City, and the licensing of any vendor hereunder, shall not constitute an endorsement or approval of the cause, goods, property and/or services represented or provided by, nor the product of any person while engaged in door-to-door solicitation.

ORDINANCE NUMBER 18-??

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

This is a Planned Unit Development District Ordinance (to be known as the “**Grassy Branch Commercial PUD District**”) to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Unified Development Ordinance”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended,

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

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

WHEREAS, the Commission forwarded **Petition No. ????-PUD-??** to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a favorable recommendation (??) in accordance with Indiana Code § 36-7-4-608, required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the **“Grassy Branch Commercial PUD District”** (the “District”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

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

Section 4. Underlying Zoning District. The Underlying Zoning District of this District shall be the LB/PD District (the “Underlying Zoning District”).

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

- 5.1 All uses permitted in the Underlying Zoning District shall be permitted.

Section 6. General Regulations. The standards of Chapter 4.23: Zoning Districts – Business/Planned Development, as applicable to the Underlying Zoning District, shall apply to the development of the District.

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

- 7.1 Article 6.1 Accessory Use and Building Standards: Shall apply except the prohibition of trash receptacles in an Established Front Yard, as referenced in Article 6.1.H.2, shall be waived for Lot 1 Grassy Branch Commercial Subdivision.

7.2 Article 6.3 Architectural Standards: Shall apply except as otherwise modified below and as depicted in **Exhibit C**, attached hereto:

- A. Fiber Cement Siding shall be acceptable as a masonry building material.
- B. The Wall Planes standard in Article 6.3.F.5.b, requiring offsets at 40-foot and 60-foot intervals, shall be waived.

7.3 Article 6.8 Landscape Standards: Shall apply, except as otherwise modified below:

- A. The Buffer Yard width standard in Article 6.8.N.4 for Buffer B be reduced to 30 feet.
- B. That fruit-bearing trees be deemed an acceptable substitute for the shade tree standard.

7.4 Article 6.17 Sign Standards: Shall apply, except that the Monument Sign shall be constructed substantially similar to the depiction in **Exhibit D** in terms of design, height and area.

Section 8. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

Section 9. **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the District.

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James Edwards

James Edwards

James Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 18-?? was delivered to the Mayor of Westfield on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk Treasurer

I hereby APPROVE **ORDINANCE 18-??**

this ____ day of _____, 2018.

I hereby VETO **ORDINANCE 18-??**

this ____ day of _____, 2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by:

Eric Douthit, Attorney-At Law, 2 North 9th Street, Noblesville, IN 46060

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: Eric Douthit.

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibit
Exhibit D	Sign Exhibit

EXHIBIT A
REAL ESTATE

Grassy Branch Commercial Subdivision, a subdivision in Hamilton County, Indiana. Recorded May 1, 2015 in Plat Cabinet 5, Slide 342, as Instrument No. 2015020517 in the Office of the Recorder of Hamilton County, Indiana, as amended by a Surveyor's Correction recorded as Instrument No. 2015022258.

EXHIBIT B-1 CONCEPT PLAN

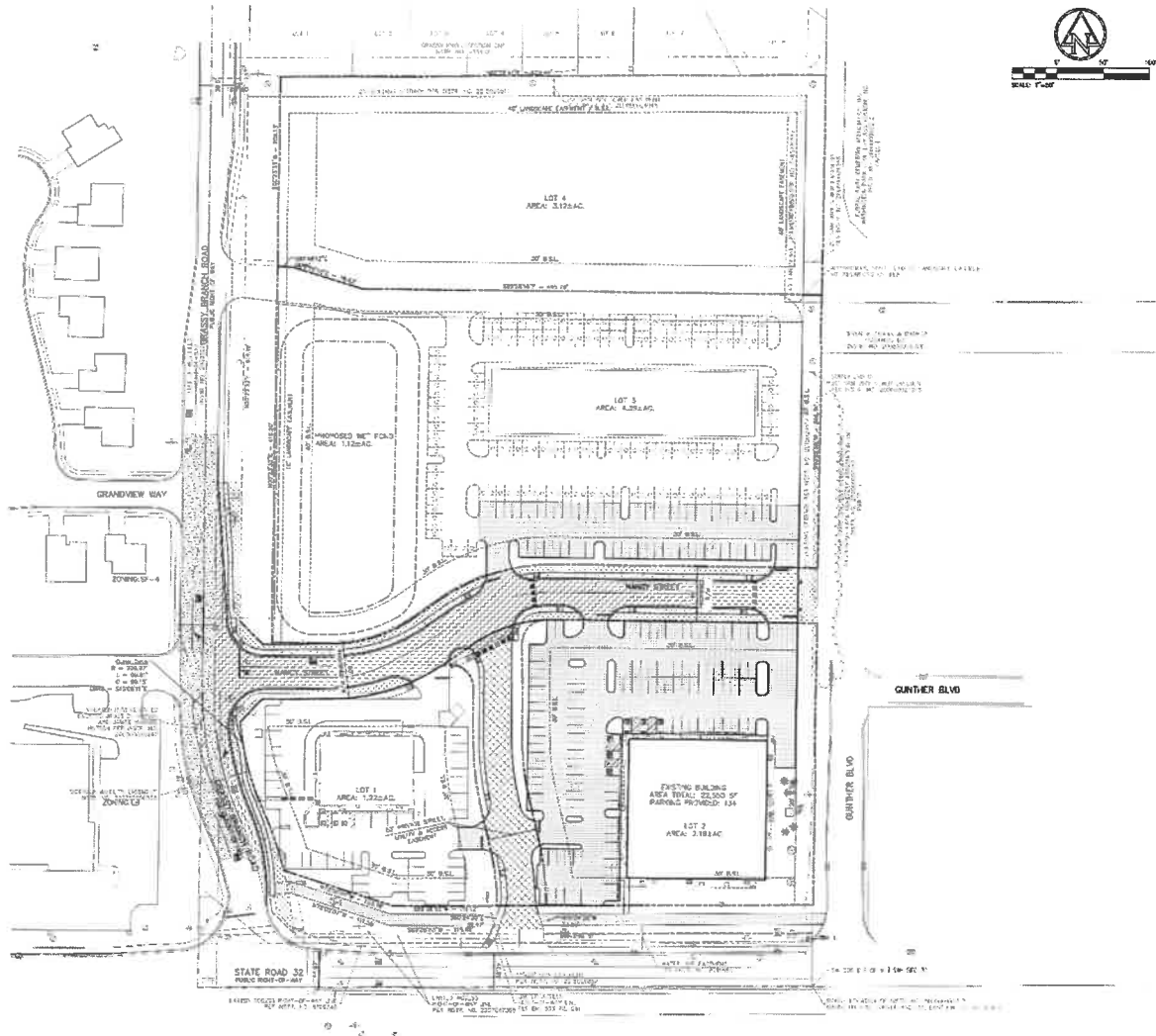


EXHIBIT B-2 CONCEPT PLAN

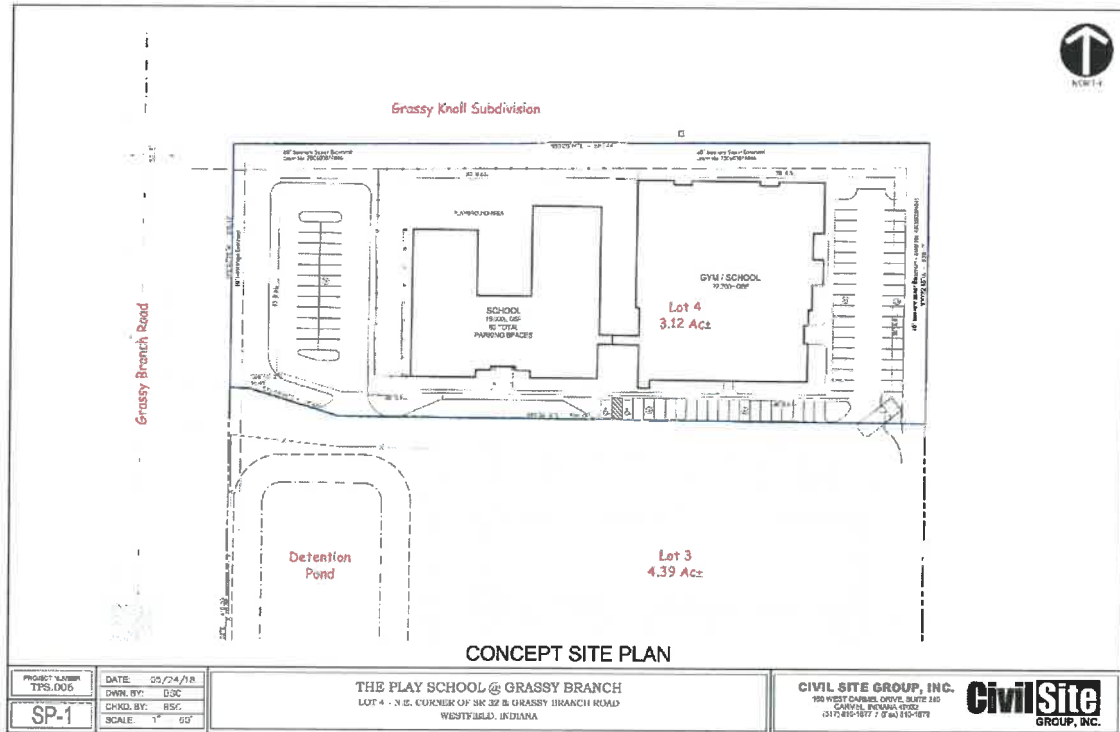


EXHIBIT B-3 **CONCEPT PLAN**

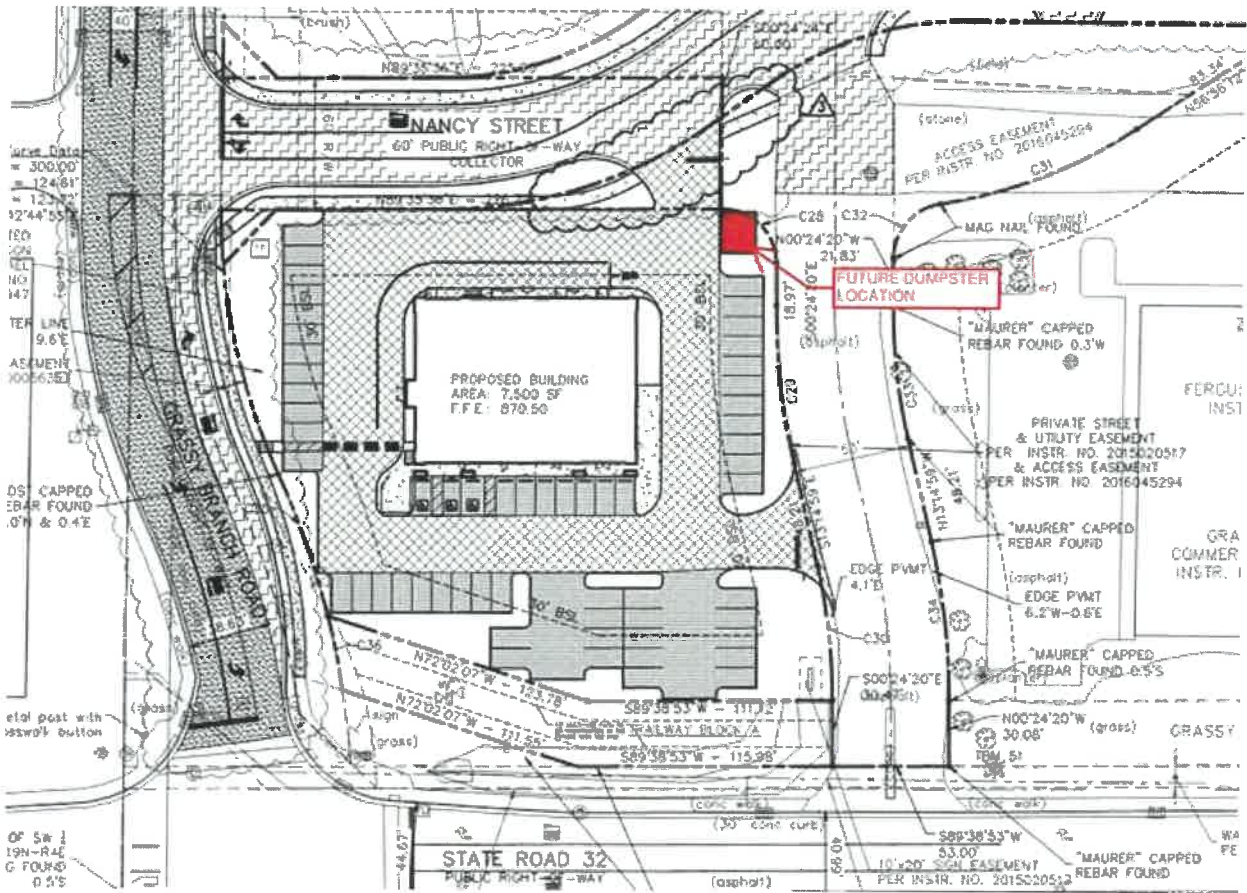
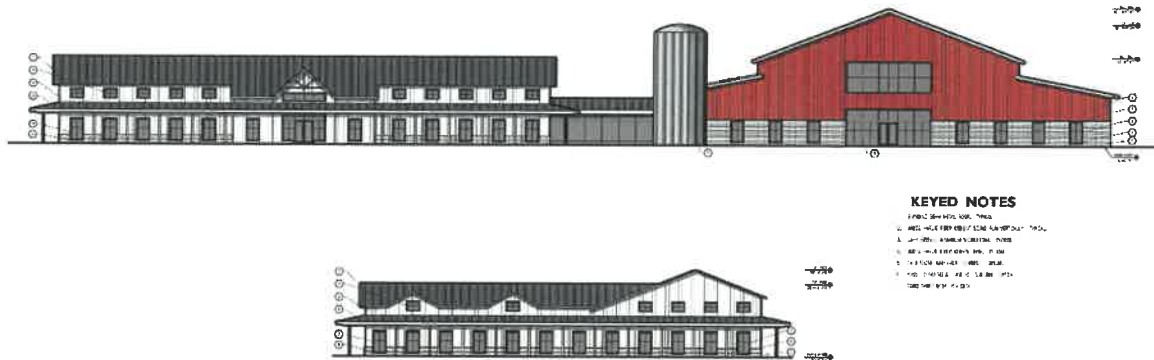


EXHIBIT C-1 CHARACTER EXHIBIT



ELEVATIONS
05/29/18
NOT TO SCALE
PROJECT # 180132
PLAYSCHOOL - WESTFIELD

CURRAN
ARCHITECTURE
317.286.0681
CURRAN-ARCHITECTURE.COM

Property Location Map Grassy Branch Commercial PUD

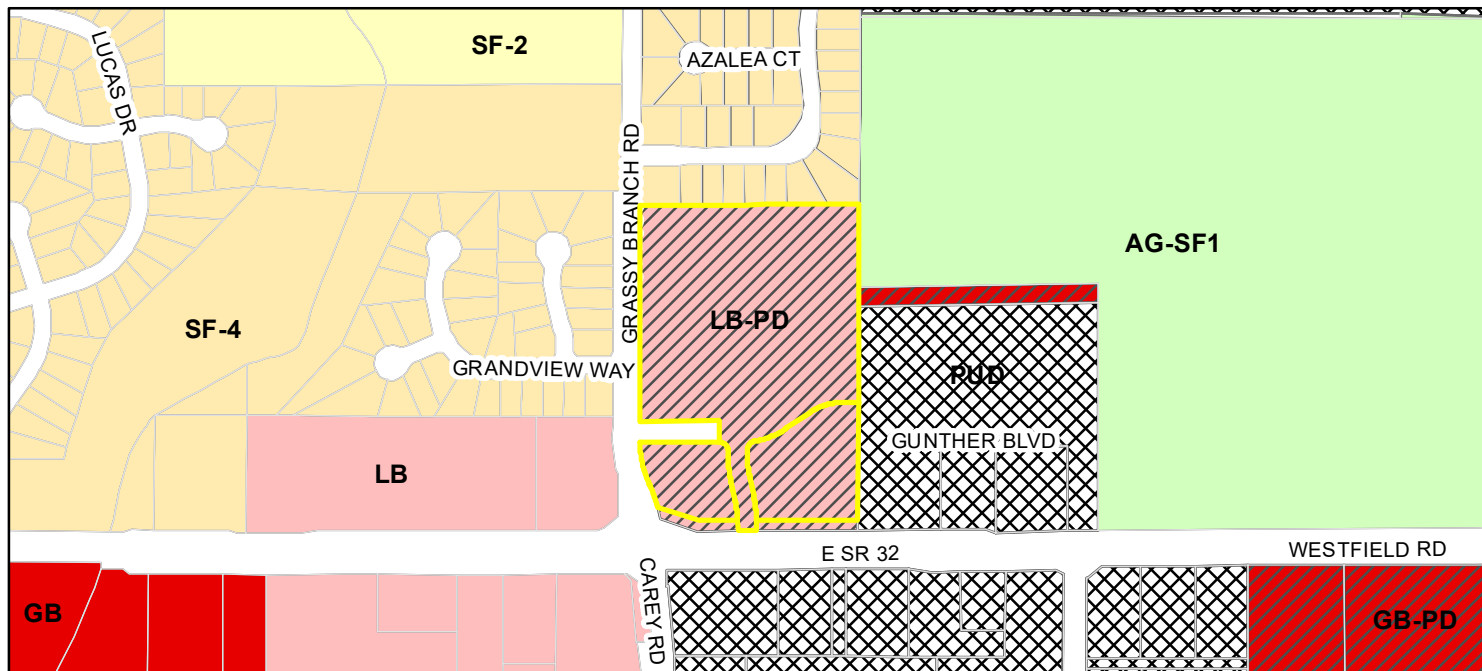
Not To Scale

Aerial Location Map

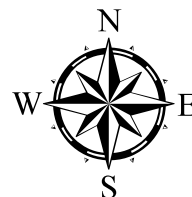
 Site



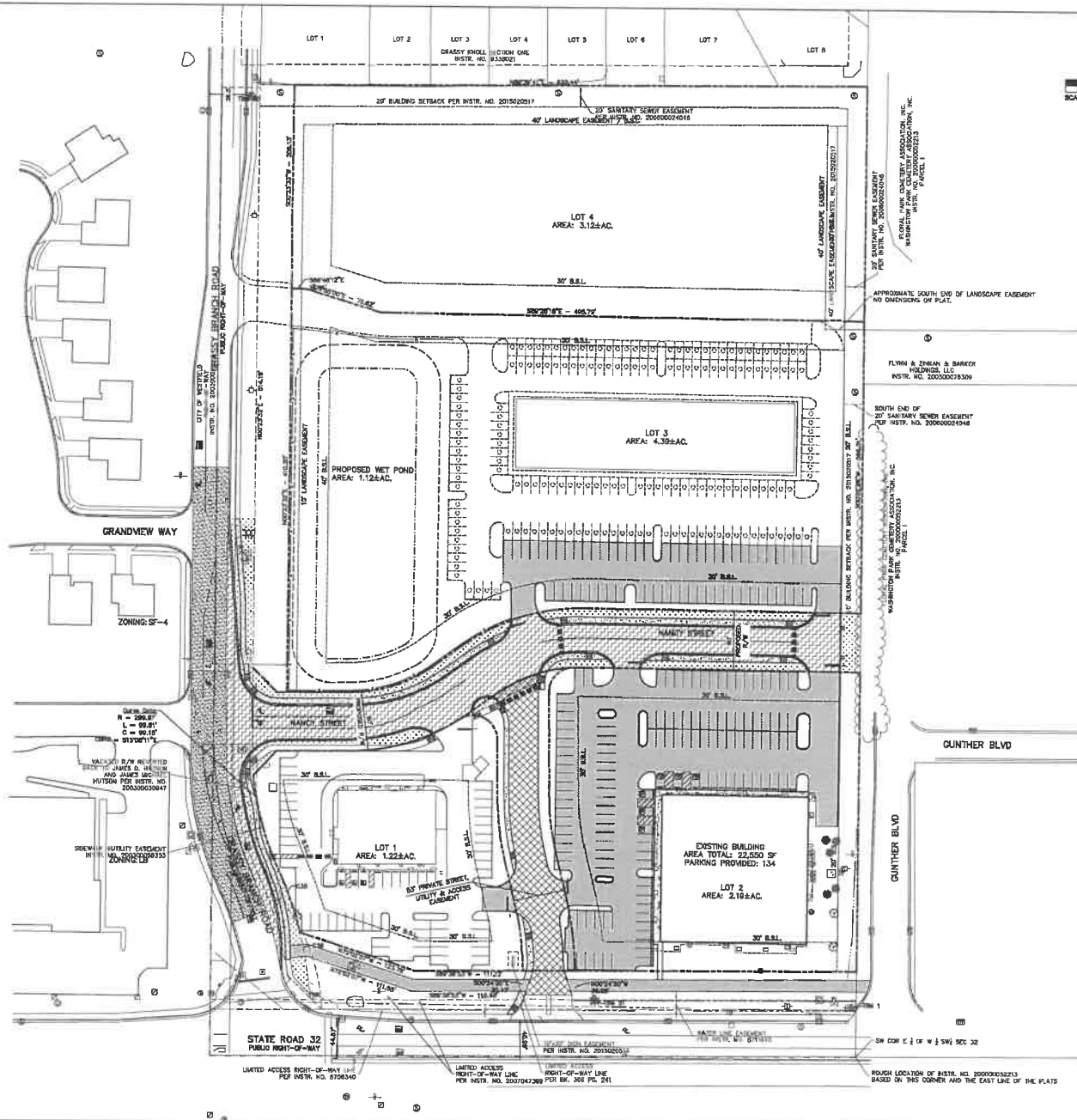
Zoning Map



- Legend**
-  Parcel
 -  AG-SF1 (Agriculture - Single Family - 1)
 -  GB (General Business)
 -  GB-PD (General Business - Planned Development)
 -  LB (Local Business)
 -  LB-PD (Local Business - Planned Development)
 -  PUD (Planned Unit Development)
 -  SF-2 (Single Family - 2)
 -  SF-4 (Single Family - 4)



NOT SCALE TO BE USED FOR CONSTRUCTION. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE PROVIDER. THE PROVIDER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE INFORMATION IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE PROVIDER. THE PROVIDER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS.



EXISTING LEGEND

- | | |
|--------------------|-----------------------|
| • Sanitary Inlet | • Mail Box |
| • Combination Pole | • Power Pole |
| • Core Inlet | • Right of Way Marker |
| • Detector Housing | • Sanitary Inlet |
| • Drainage Inlet | • Sign |
| • Electric Inlet | • Telephone Handset |
| • Electric Handset | • Test Hole |
| • Flow Hydrant | • Traffic Light |
| • Gas Meter | • Traffic Pole |
| • Gas Valve | • Guy Wire |
| • Light Pole | • Tree |
| | • Water Valve |

SITE DATA TABLE

SITE ZONING	LS-PO, SR 32 OVERLAY
PROJECT AREA	11.84± AC
BUILDING AREA	22,550 SF
SITE IMPROVEMENT AREA	1.78± AC
STANDARD PARKING (SPACES)	138
AREA PROVIDED (INCLUDES 1 VAN ACCESSIBLE)	8
TOTAL PROVIDED PARKING	134

SITE LEGEND

- | |
|---------------------------------|
| • LIGHT DUTY ASPHALT PAVEMENT |
| • HEAVY DUTY ASPHALT PAVEMENT |
| • RIGHT OF WAY ASPHALT PAVEMENT |
| • CONCRETE PAVEMENT |
| • MILL AND OVERLAY |



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TEL 317.247.5580 | FAX 317.247.5578
www.structurepoint.com

GRASSY BRANCH COMMERCIAL SUBDIVISION

3440 EAST SR 32
WESTFIELD, IN 46074

CERTIFIED BY

ISSUANCE INDEX

DATE: 04/14/2018
PROJECT PHASE: DETAILED DEVELOPMENT PLAN

NO.	DESCRIPTION	DATE
1	CITY SUBMITTAL	05/04/18

Project Number 2017.00660

OVERALL SITE PLAN

C200

GENERAL NOTES

- CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
- CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
- SEE SHEET C002 GENERAL NOTES FOR MORE INFORMATION.
- LOT 1 DESIGN IS SHOWN AS REFERENCE ONLY.

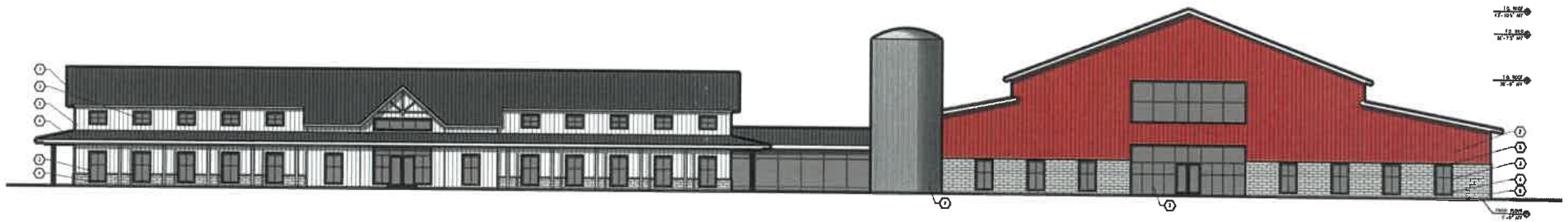
II. CAUTION II

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GRADING EVIDENCE. EXISTING UTILITIES NOT SHOWN ON THIS PLAN ARE NOT TO BE ASSUMED. SOME MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GRADING EVIDENCE OR FOR WHICH NO ABOVE GRADING EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF ANY EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE
811 OR 1-800-382-5864
- INDIANA UNDERGROUND -



CivilSite
GROUP, INC.



KEYED NOTES

1. STANDING SEAM METAL ROOF, TYPICAL.
2. JAMES HARDIE FIBER CEMENT SIDING RUN VERTICALLY, TYPICAL.
3. DARK BRONZE ALUMINUM STONEFRONT, TYPICAL.
4. JAMES HARDIE FIBER CEMENT TRIM, TYPICAL.
5. CAST STONE WATERTABLE COURSE, TYPICAL.
6. STONE DETAILING AT BASE OF BUILDING, TYPICAL.
7. CORRUGATED METAL ON SLO.



ELEVATIONS

05.29.18

NOT TO SCALE

PROJECT # 180132

PLAYSCHOOL - WESTFIELD

Westfield City Council June 4, 2018

The Westfield City Council met in special session on Monday June 4, 2018 at the Westfield City Hall. Members present were Jim Ake, Chuck Lehman, Bob Horkay, Steve Hoover and Cindy Spoljaric. Also present were Mayor Cook, Clerk Treasurer Cindy Gossard and City Attorney Brian Zaiger.

Mayor Cook called the meeting to order at 6:30 p.m.

Approval of Minutes:

Steve Hoover made a motion to approve May 14, 2018 minutes as amended.
Bob Horkay seconded. Vote: Yes-5; No-0. Motion carries.

Claims:

Cindy Spoljaric made a motion to approve the claims as presented. Chuck Lehman seconded.
Vote: Yes-5; No-0. Motion carries.

Miscellaneous Business/Special Presentations:

None

Old Business:

None

New Business:

Resolution 18-103: Fiscal Plan for annexation Ordinance 18-10 (Osborne Trails Phase 1)

Council Introduction- June 4, 2018

Adoption Consideration- June 4, 2018

Pam Howard presented stating this is the Fiscal Plan for approximately 80 acres on the NW corner of 191st and Horton Rd.

Steve Hoover made a motion to approve Resolution 18-103 as presented.
Bob Horkay seconded. Vote: Yes-5; No-0. Motion carries.

Ordinance 18-10: 100% Voluntary Annexation (Osborne Trails Phase 1)

Council Introduction- May 14, 2018

Public Hearing- May 14, 2018

Adoption Consideration- June 4, 2018

Pam Howard presented this item stating the actual Annexation Ordinance that goes with the above Fiscal Plan for Osborne Trails Phase 1.

Bob Horkay made a motion to approve Ordinance 18-10 as written. Chuck Lehman seconded.
Vote: Yes-5; No-0. Motion carries.

Ordinance 18-14: 100% Voluntary Annexation (Osborne Trails Phase 2)

Council Introduction- June 4, 2018

Public Hearing- June 4, 2018

Adoption Consideration- July 9, 2018

Pam Howard introduced this item stating the annexation area covers approximately 67 acres and is adjacent to Phase 1 which was adopted at tonight's meeting.

Public Hearing- open 6:38

None

Public Hearing- closed 6:39

Interlocal Agreement by and Among the City of Fishers, City of Noblesville, City of Carmel, City of Westfield, Town of Arcadia, Town of Sheridan, Town of Cicero, and Hamilton County Regarding Police Services

Council Introduction: June 4, 2018

Adoption Consideration: June 4, 2018

Brian Zaiger presented stating this is the agreement among the departments to provide mutual assistance to each other in various areas and general police services.

Steve Hoover made the motion to approve the Agreement as presented. Bob Horkay seconded.
Vote: Yes-5; No-0. Motion carries.

Guests:

None

Council Responses to Guest Comments:

None

CITY COUNCIL COMMENTS:

Steve Hoover gave APC update

MAYOR COMMENTS:

Without any further business, the meeting adjourned at 6:44 pm

Clerk-Treasurer

President

ORDINANCE 18-26

ORDINANCE OF THE CITY OF WESTFIELD TO VACATE PUBLIC WAYS

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, it is the duty and the responsibility of the Council to maintain for streets, alleys and rights of way for the benefit of the citizens of the City and to vacate those no longer needed for the benefit off the public; and,

WHEREAS, it has come to the attention of the Council that the public way herein described is no longer necessary as a benefit to the general public and should be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

- Section 1.** That pursuant to I.C. 36-9-2-5 the City has the authority to vacate public ways and now finds that the public roadways described on Exhibit "A", attached hereto and incorporated by reference herein are no longer needed for the benefit of the public.
- Section 2.** That after a duly advertised and published public hearing, the Council finds that it is proper to vacate the public ways described in Exhibit "A" and retain those easements also duly identified thereon.
- Section 3.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All Ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed invalid shall not operate to invalidate the remaining portions.

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____ 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 18-26 was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 18-26
this _____ day of _____,
2018.

I hereby VETO ORDINANCE 18-26
this _____ day of _____,
2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard, Clerk Treasurer

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

LEGAL DESCRIPTION

Drainage Easement Vacation

A part of Block "A" of Grassy Branch Commercial Subdivision per the plat thereof recorded in Plat Cabinet 5, Slide 342 as Instrument Number 2015020517 in the Office of the Recorder of Hamilton County, Indiana, being a Variable Drainage Easement in said Block A, more particularly described as follows:

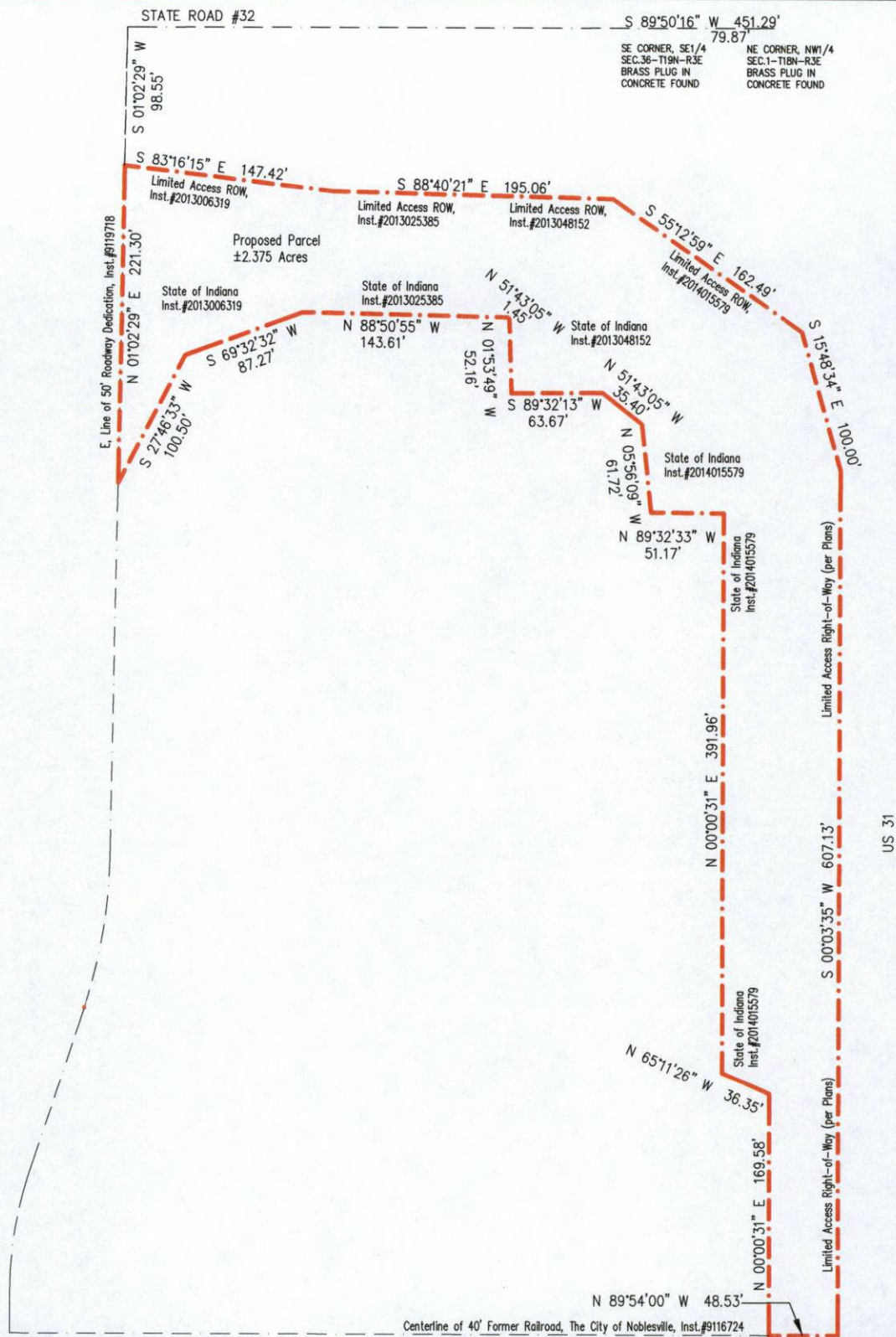
BEGINNING at the northwest corner of said Block A; thence South 13 degrees 15 minutes 20 seconds East 248.17 feet (basis of bearings being said plat); thence North 89 degrees 39 minutes 41 seconds East 33.70 feet; thence South 05 degrees 17 minutes 19 seconds East 336.56 feet; thence South 68 degrees 22 minutes 58 seconds East 98.13 feet to the north boundary of Nancy Street as shown on said plat; thence South 89 degrees 35 minutes 36 seconds West 217.06 feet along said north boundary to the west line of said Block A; thence North 00 degrees 23 minutes 32 seconds East 614.19 feet along said west line to the POINT OF BEGINNING. Containing 1.146 acres, more or less.

LEGAL DESCRIPTION

Nancy Street Vacation

Part of Grassy Branch Commercial Subdivision per the plat thereof recorded in Plat Cabinet 5, Slide 342 as Instrument Number 2015020517 in the Office of the Recorder of Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said plat; thence South 00 degrees 23 minutes 32 seconds West 669.87 feet (basis of bearings being said plat) along the west line of said plat; thence South 6.50 feet along a curve to the left having a radius of 300.00 feet and subtended by a long chord having a bearing of South 00 degrees 13 minutes 42 seconds East and a length of 6.50 feet along the west line of a Sidewalk and Utility Easement as described in Instrument Number 2003-00056353 on file in said Recorder's Office to the northwest corner of Lot 1 of said Grassy Branch Commercial Subdivision; thence North 89 degrees 35 minutes 36 seconds East 100.39 feet along the north line of said Lot 1 to the POINT OF BEGINNING; thence Easterly 119.19 feet along a curve to the left having a radius of 211.00 feet and subtended by a long chord having a bearing of North 73 degrees 24 minutes 39 seconds East and a length of 117.61 feet to a point of reverse curve; thence Easterly 14.12 feet along a curve to the right having a radius of 25.00 feet and subtended by a long chord having a bearing of North 73 degrees 24 minutes 24 seconds East and a length of 13.93 feet to the east boundary of Nancy Street as shown on said plat; thence South 00 degrees 24 minutes 24 seconds East 36.66 feet along said east boundary to the north line of said Lot 1; thence South 89 degrees 35 minutes 36 seconds West 126.33 feet along said north line to the POINT OF BEGINNING. Containing 0.038 acres, more or less.



**The Landing at Monon Marketplace
State of Indiana ROW**

SEA PROJECT NUMBER
C18-3748

DATE: 4/23/18
DWN. BY: JMF
CHKD. BY: JMF
SCALE: NONE

SHEET 1 OF 2

SEA Group
Surveyors
Design Layout
494 Gradle Drive Phone: 317.844.3333
Carmel, IN 46032 Fax: 317.844.3383
www.SEAGroupLLC.com

Right-of-Way Land Description

A part of the Northwest Quarter and Northeast Quarter of Section 1, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, being described as follows: Commencing at the northeast corner of said Northwest Quarter Section; thence South 89 degrees 50 minutes 16 seconds West (State Plane Bearing) along the north line thereof a distance of 451.29 feet (going thru a rebar in concrete distant 79.87 feet West of said northeast corner) to the east line of a 50 foot Roadway Dedication, recorded as Instrument Number 9119718 in the Office of the Hamilton County Recorder; thence South 01 degrees 02 minutes 29 seconds West a distance of 98.55 feet to the Limited Access Right-of-Way per INDOT Right-of-Way Plans, Project No. 0710215 and the Point of Beginning, the following 5 courses are along the southerly and westerly line thereof; (1) thence South 83 degrees 16 minutes 15 seconds East a distance of 147.42 feet; (2) thence South 88 degrees 40 minutes 21 seconds East a distance of 195.06 feet; (3) thence South 55 degrees 12 minutes 59 seconds East a distance of 162.49 feet; (4) thence South 15 degrees 48 minutes 34 seconds East a distance of 100.00 feet; (5) thence South 00 degrees 03 minutes 35 seconds West a distance of 607.13 feet to the centerline of the Central Indiana Railroad (40 feet wide); thence North 89 degrees 54 minutes 00 seconds West along the centerline thereof a distance of 48.53 feet to the East line of said Northwest Quarter Section; thence North 00 degrees 00 minutes 31 seconds East along the East line thereof a distance of 169.58 feet to the south line of a deed to the State of Indiana, recorded as Instrument Number 2014015579, the following 11 courses are along the westerly and southerly lines of said Instrument Number 2014015579 and the following deeds to the State of Indiana recorded as Instrument Numbers 2013048152, 2013025385 and 2013006319; (1) thence North 65 degrees 11 minutes 26 seconds West a distance of 36.35 feet; (2) thence North 00 degrees 00 minutes 31 seconds East a distance of 391.96 feet; (3) thence North 89 degrees 32 minutes 33 seconds West a distance of 51.17 feet; (4) thence North 05 degrees 56 minutes 09 seconds West a distance of 61.72 feet; (5) thence North 51 degrees 43 minutes 05 seconds West a distance of 35.40 feet; (6) thence South 89 degrees 32 minutes 13 seconds West a distance of 63.67 feet; (7) thence North 01 degrees 53 minutes 49 seconds West a distance of 52.16 feet; (8) thence North 51 degrees 43 minutes 05 seconds West a distance of 1.45 feet; (9) thence North 88 degrees 50 minutes 55 seconds West a distance of 143.61 feet; (10) thence South 69 degrees 32 minutes 32 seconds West a distance of 87.27 feet; (11) thence South 27 degrees 46 minutes 33 seconds West a distance of 100.50 feet to the east line of said 50 foot Roadway Dedication; thence North 01 degrees 02 minutes 29 seconds East along the east line thereof a distance of 221.30 feet to the Point of Beginning, containing 2.375 acres, more or less.

The Landing at Monon Marketplace
State of Indiana ROW

SEA PROJECT NUMBER
C18-3748

DATE: **4/23/18**

DWN. BY: **JMF**

CHKD. BY: **JMF**

SCALE: **NONE**

SHEET **2** OF **2**


Surveyors
Design Layout
494 Gradle Drive Phone: 317.844.3333
Carmel, IN 46032 Fax: 317.844.3383
www.SEAGroupLLC.com

ORDINANCE 18-22

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) have filed a petition with the Council; and,

WHEREAS, the Council has conducted a public hearing on June 11, 2018, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 16-126); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area, generally located at 423 East South Street and adjacent to the existing corporate limits along the northern and southern boundaries of the Annexation Area, is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to City Council District 1 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF JULY, 2018.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 18-22** was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 18-22
this _____ day of _____, 2018.

I hereby VETO Ordinance 18-22
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document,
unless required by law: Matt Pleasant

Prepared by: Matt Pleasant, Associate Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 804-3170

EXHIBIT A **ANNEXATION AREA**

Annexation Area



EXHIBIT LEGEND

- | | |
|--|---|
|  ANNEXATION AREA |  PARCELS |
|  EXISTING CITY LIMITS |  STREETS |

Not To Scale

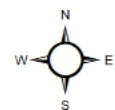


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes a portion of one (1) parcel of land:

Parcel No. 08-10-06-00-00-049.000

Parcel A:

A part of the Northwest Corner of Section 6, Township 18 North; Range 4 East, in Hamilton County, Indiana, more particularly described as follows:

Commencing at Southeast Corner of the Northwest Quarter of said Section 6; thence South 89 degrees 37 minutes 00 seconds West 796.846 feet along south line of said Quarter Section to the Point of Beginning; thence continue South 89 degrees 37 minutes 00 seconds West 426.468 feet; then North 00 degrees 07 minutes 05 seconds West 424.463 feet; thence North 89 degrees 49 minutes 29 seconds East 426.039 feet; thence South 4 degrees 42 minutes 36 seconds East 424.463 feet to point of beginning.

Parcel B:

A part of the Northwest Corner of Section 6, Township 18 North; Range 4 East, in Hamilton County, Indiana, more particularly described as follows:

Commencing at Southeast Corner of the Northwest Quarter of said Section 6; thence South 89 degrees 37 minutes 00 seconds West 404.351 feet along south line of said Quarter Section to the Point of Beginning; thence continue South 89 degrees 37 minutes 00 seconds West 392.495 feet; thence North 04 degrees 42 minutes 36 seconds West 424.463 feet; thence North 89 degrees 49 minutes 29 seconds East 426.039 feet; thence South 00 degrees 10 minutes 37 seconds East 421.711 feet to point of beginning.

Containing in total 8 acres, more or less.

Also including:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code 36-4-3-2.5, including the relevant portions of South Street.

Annexation Area

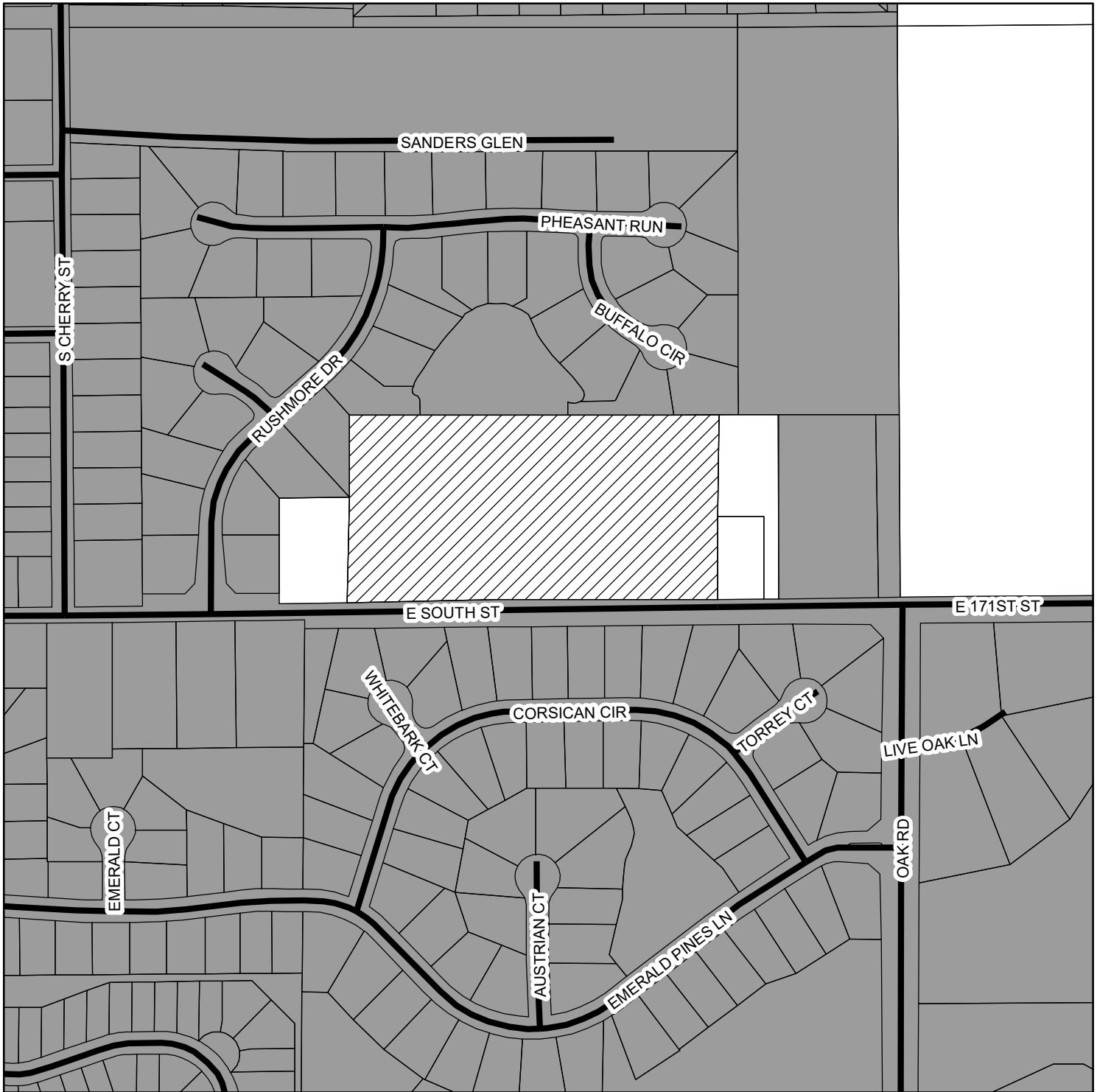


EXHIBIT LEGEND



ANNEXATION AREA



PARCELS

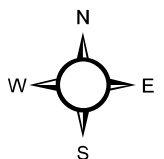


EXISTING CITY LIMITS



STREETS

Not To Scale







2 WEST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

A New Facility for:

Community FIRST
Bank of Indiana
Westfield, IN 46074
Spring Mill Road

Revision No.: Date:

Title

EXTERIOR
BUILDING
ELEVATIONS

Date: Project Number

03-15-2018 18016

Sheet Number

A5.1

All concepts, ideas, plans and details shown are property of StrategicGrowth Advisors and were created, developed, and presented for the use on this project. None of the concepts, ideas, designs, plans and details shall be used by any person, firm or corporation for any purpose whatsoever without the expressed written consent of StrategicGrowth Advisors. The Owner shall be permitted to retain copies for information and reference in connection with this project.

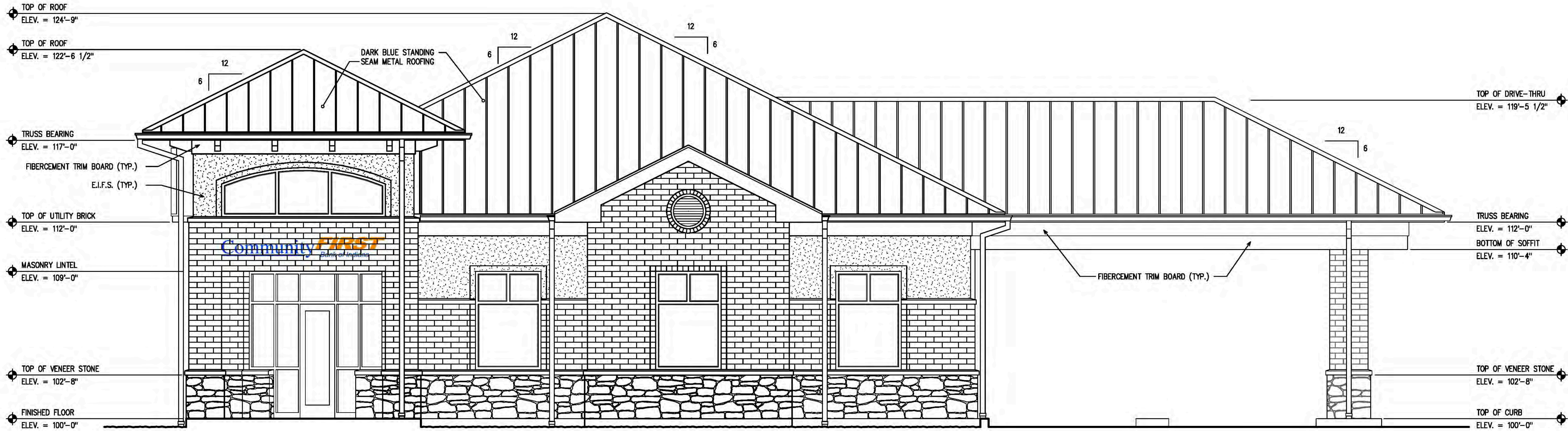
Certification

PRELIMINARY
DOCUMENT
NOT FOR
CONSTRUCTION
PRELIMINARY
DOCUMENT

KELTY TAPPY DESIGN, INC.
ARCHITECTURE ♦ PLANNING ♦ URBAN DESIGN
Lincoln Tower Ste. 700
116 East Berry Street
Fort Wayne Indiana 46802
www.KeltyTappy.com
Fax: 260 . 426 . 7772
Phone: 260 . 426 . 7770

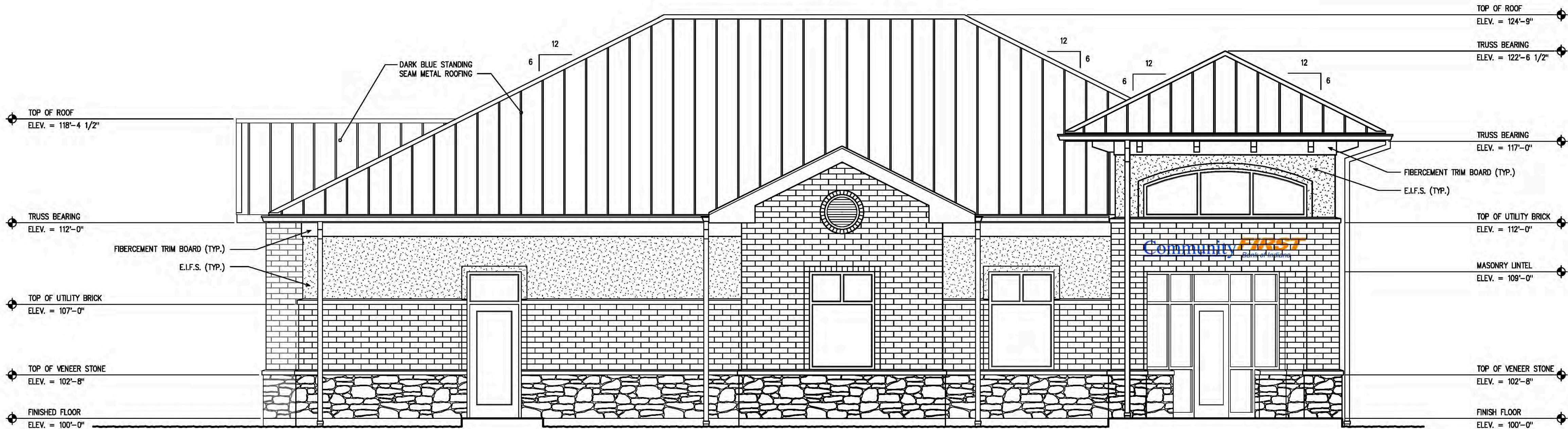
Drawn: DJT

Checked: MGK



2 WEST ELEVATION
1/4" = 1'-0"

Building Elevation Materials Calculations				
	North Elevation	East Elevation	South Elevation	West Elevation
Total Facade	930.62 S.F.	759.52 S.F.	836.84 S.F.	787.64 S.F.
Exclusions	107.22 S.F.	48.00 S.F.	80.48 S.F.	162.29 S.F.
Masonry	520.37 S.F.	489.85 S.F.	594.52 S.F.	428.83 S.F.
GFS	156.12 S.F.	97.87 S.F.	128.54 S.F.	93.71 S.F.
Fiber Cement	42.61 S.F.	68.64 S.F.	72.49 S.F.	73.74 S.F.
Metal	44.30 S.F.	55.36 S.F.	41.00 S.F.	48.97 S.F.
% Masonry	68.16 %	68.85 %	67.51 %	65.39 %
% GFS	20.45 %	12.73 %	17.25 %	14.90 %
% Fiber Cement	5.55 %	9.65 %	9.15 %	11.75 %
% Metal	5.80 %	7.78 %	5.49 %	7.83 %
	100.00 %	100.00 %	100.00 %	100.00 %



1 NORTH ELEVATION
1/4" = 1'-0"

A New Facility for:

Community FIRST
Bank of Indiana
Westfield, IN 46074
Spring Mill Road

Revision No.: Date:

Title

EXTERIOR
BUILDING
ELEVATIONS

Date: Project Number

03-15-2018 18016

Sheet Number

A5.1

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Certification

PRELIMINARY
DOCUMENT
NOT FOR
CONSTRUCTION
PRELIMINARY
DOCUMENT

KELTY TAPPY DESIGN, INC.
ARCHITECTURE ♦ PLANNING ♦ URBAN DESIGN
Lincoln Tower Ste. 700
116 East Berry Street
Fort Wayne Indiana 46802
www.KeltyTappy.com
Fax: 260 . 426 . 7772
Phone: 260 . 426 . 7770

Drawn: DJT Checked: MGK



2 WEST ELEVATION
1/4" = 1'-0"



1 SOUTH ELEVATION
1/4" = 1'-0"

A New Facility for:

FIRST
Bank of Indiana
Westfield, IN 46074
Community
Spring Mill Road

Revision No.: Date:

Title

EXTERIOR
BUILDING
ELEVATIONS

Date: Project Number

03-15-2018 18016

Sheet Number

A5.2

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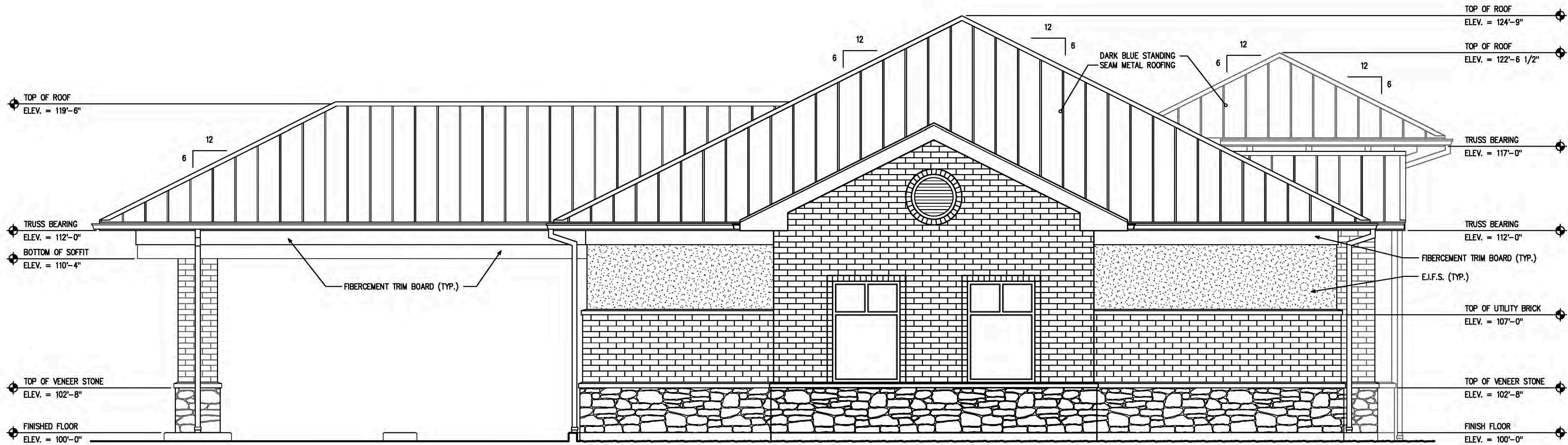
Certification

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116 East Berry Street
Fort Wayne Indiana 46802
www.KeltyTappy.com
fax: 260 . 426 . 7772
Phone: 260 . 426 . 7770

Drawn: DJT

Checked: MGK



2 EAST ELEVATION
1/4" = 1'-0"

Building Elevation Materials Calculations				
	North Elevation	East Elevation	South Elevation	West Elevation
Total Facade	950.92 S.F.	755.92 S.F.	858.84 S.F.	722.84 S.F.
Exclusions	167.22 S.F.	48.00 S.F.	89.48 S.F.	152.29 S.F.
Masonry	500.37 S.F.	485.85 S.F.	504.52 S.F.	408.93 S.F.
EJFS	155.32 S.F.	97.87 S.F.	138.80 S.F.	93.71 S.F.
Fiber Cement	42.61 S.F.	68.64 S.F.	72.38 S.F.	73.74 S.F.
Metal	64.30 S.F.	53.36 S.F.	41.00 S.F.	48.97 S.F.
% Masonry	68.16 %	68.85 %	67.51 %	65.39 %
% EJFS	20.45 %	13.73 %	17.25 %	14.99 %
% Fiber Cement	5.58 %	5.65 %	9.76 %	11.73 %
% Metal	5.80 %	7.08 %	5.40 %	7.83 %
	100.00 %	100.00 %	100.00 %	100.00 %



1 SOUTH ELEVATION
1/4" = 1'-0"

A New Facility for:

FIRST
Community
Bank of Indiana
Westfield, IN 46074
Spring Mill Road

Revision No.: Date:

Title

EXTERIOR
BUILDING
ELEVATIONS

Date: Project Number

03-15-2018 18016

Sheet Number

A5.2



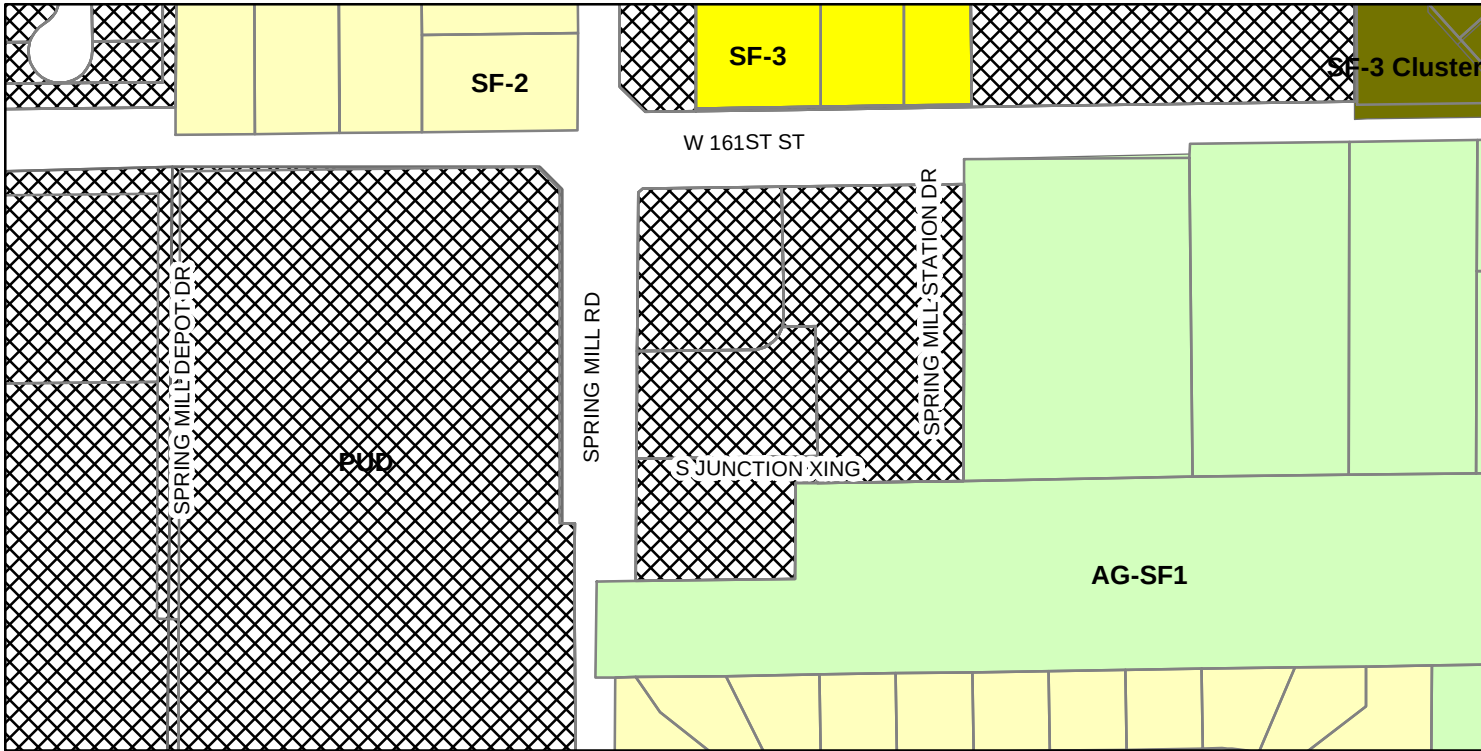
Property Location Map
Spring Mill Station SEC PUD District Amendment II
1807-PUD-19



Aerial Location Map



Zoning Map



- | | | |
|--|--------------------------|--------------|
| AG-SF1 (Agriculture - Single Family - 1) | SF-2 (Single Family - 2) | SF-3 Cluster |
| PUD (Planned Unit Development) | SF-3 (Single Family - 3) | |

Project Narrative

Community First Bank of Indiana (the “Petitioner”) is proposing to construct a new store location within the City of Westfield at this location. Community First Bank would be located at the Southeast corner of South Junction Crossing and Springmill Road on a currently vacant parcel approximately 0.09 miles south of the Springmill Road and 161st Street interchange. The site is currently zoned PUD. The Petitioner is seeking approval to construct their new Bank facility with parking lot. An Overall Development Plan, Detailed Development Plan, and PUD Amendment are being submitted for concurrent review with the City of Westfield. Other site amenities include an existing 8’ walking path around the lot that connects to the adjoining lots and leads to the mini park where the train caboose is on exhibit.

ORDINANCE NUMBER 18-__

LIBERTY VILLAS PUD

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

This is a Planned Unit Development District Ordinance (to be known as the "**LIBERTY VILLAS PUD DISTRICT**") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. ____-PUD-__**), requesting an amendment to the Unified Development Ordinance and the Zoning Map real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

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

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Liberty Villas PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development

Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

- 1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 **Structure:** A Duplex Dwelling building consisting of a total of two (2) living units.
- 2.2 **Underlying Zoning District:** The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

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

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District shall be the SFA: Single Family Attached District.

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

- 5.1 The only permitted Dwelling type shall be a Duplex Dwelling as identified in the Underlying Zoning District, as set forth in Chapter 4 of the UDO.
- 5.2 **Maximum Dwellings.** The total number of Dwellings permitted in the District shall not exceed eighty-four (84).

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

Standard	
Maximum Dwellings	Two (2) per building
Minimum Building Setback Lines	
Front Yard	20’
Side Yard	5’

Rear Yard	20'
Minimum Distance Between Structures	10'

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

7.1 Article 6.3 Architectural Standards: Section 6.3(C) shall apply to all dwellings, except as modified below:

- A. Character Exhibit: The Character Exhibits, attached hereto as **Exhibit C**, are hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. The Director shall determine whether a Dwelling is consistent with the Character Exhibit and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.
- B. Minimum Roof Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
- C. Garages:
 - i. All Dwellings shall have a minimum two (2) car attached garage.
 - ii. Each Structure shall contain one (1) front load garage and one (1) courtyard load garage. Front load garages shall be permitted to be off set from the street by less than thirty (30) degrees.
- D. Building Materials: Vinyl and aluminum siding shall be prohibited.

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

- A. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified and enhanced below;
 - i. Each Structure shall be landscaped with a minimum of one (1) shade tree, one (1) ornamental of evergreen tree, and twelve (12) shrubs.
 - ii. At a minimum, the Lot's Established Front Yard shall be sodded and the remainder of the Lot shall be seeded.

Section 8. **Infrastructure Standards.** The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration of the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

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

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

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

B. The minimum Open Space required shall be 15%.

C. Amenities: The following amenities shall be provided:

- i. **Passive Amenities:** Open space including trails shall be provided for passive recreation opportunities, as generally depicted on the Concept Plan.

Section 10. **Additional Standards.** The following additional standards shall apply to the development of the District and the regulation of such standards shall be included in the Declaration of Covenants and Restriction that will be applicable to the Real Estate.

10.1 All Lots and common areas shall be subject to a required landscape maintenance program including mulching, edging, fertilizations, mowing, weeding of beds, and fall clean up.

10.2 All Lots shall be subject to a required snow removal program.

10.3 Jungle gyms, trampolines, sandboxes and storage sheds shall be prohibited.

10.4 All fences shall be (i) black metal, (ii) of a consistent style and height and (iii) a maximum of 48” in height.

10.5 Enclosures or screens (i) surrounding air conditioning units and (ii) which screen outdoor patios and living spaces within 16’ of a dwelling shall not be subject to the fence standards of this Section 10. Each type of enclosure or screen permitted under this section shall be of a consistent style. In addition, the screen for outdoor patios and living spaces shall individual design characteristics similar to those represented in the character examples illustrated in Exhibit D as determined by the Director. If

the screen design is determined to be substantially different than the character examples shown in Exhibit D the design shall be subject to review and approval by the Plan Commission.

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

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 18-__** was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 18-__**
this _____ day of _____, 2018.

I hereby VETO **ORDINANCE 18-__**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

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

Liberty Villas - PUD District Ordinance 2 050218

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibits
Exhibit D	Outdoor Screen Character Examples

EXHIBIT A
REAL ESTATE
(Page 1 of 2)

A part of the West Half of the Southeast Quarter of Section 16, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the West half of the Southeast Quarter of said Section 16; thence North 89 degrees 49 minutes 06 seconds East (assumed bearing) 757.01 feet along the North line of said West Half to the POINT OF BEGINNING of this description; thence continuing North 89 degrees 49 minutes 06 seconds East along said North line, a distance of 600.08 feet to the Northeast corner of said West Half; thence South 00 degrees 13 minutes 12 seconds West 1,613.02 feet along the East line of said West Half to the Northeast corner of the real estate owned by SAS Land, LLC as recorded in Instrument Number 2013-014442 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 51 minutes 15 seconds West 600.12 feet along the North line of said SAS Land, LLC and the prolonged North line of said real estate to a rebar with a Benchmark cap; thence North 00 degrees 13 minutes 17 seconds East 1,612.65 feet to the North line of said West Half and the place of beginning, containing 22.218 acres, more or less.

EXHIBIT A
REAL ESTATE
(Page 2 of 2)



EXHIBIT B
CONCEPT PLAN



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 18__-PUD-__.

EXHIBIT C
CHARACTER EXHIBITS
(Page 1 of 4)

Villa Collection
Auburn



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 2 of 4)

Villa Collection
Balsam



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 3 of 4)

Villa Collection
Cascade



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 4 of 4)

Villa Collection
Dunbar



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT D
OUTDOOR SCREEN CHARACTER EXAMPLES
(Page 1 of 1)



EXHIBIT C
CHARACTER EXHIBITS
(Page 1 of 4)

Villa Collection
Auburn



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 2 of 4)

Villa Collection
Balsam



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 3 of 4)

Villa Collection
Cascade



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT C
CHARACTER EXHIBITS
(Page 4 of 4)

Villa Collection
Dunbar



Elevation C



Elevation A



Elevation B



Elevation D

EXHIBIT D
OUTDOOR SCREEN CHARACTER EXAMPLES
(Page 1 of 1)



EXHIBIT B
CONCEPT PLAN



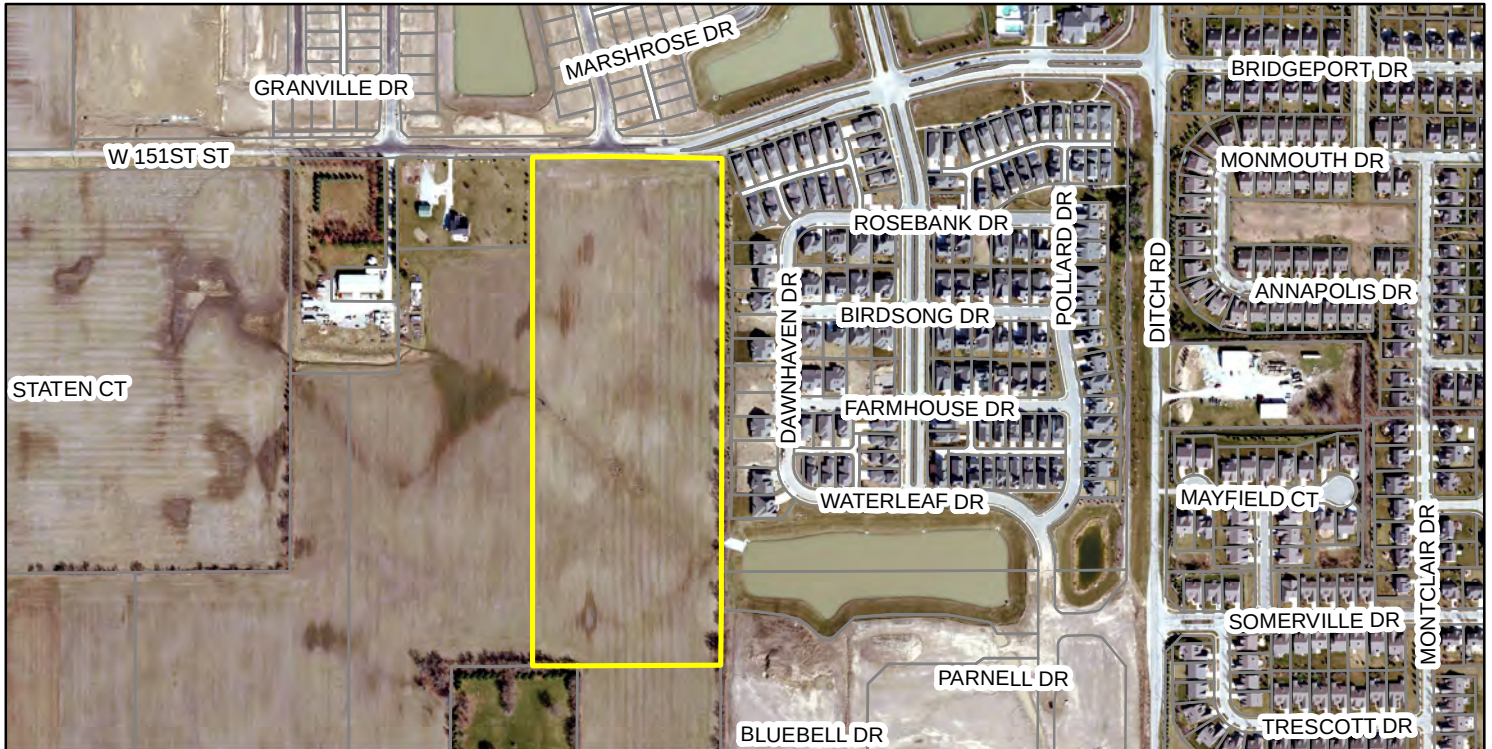
Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 18__-PUD-__.



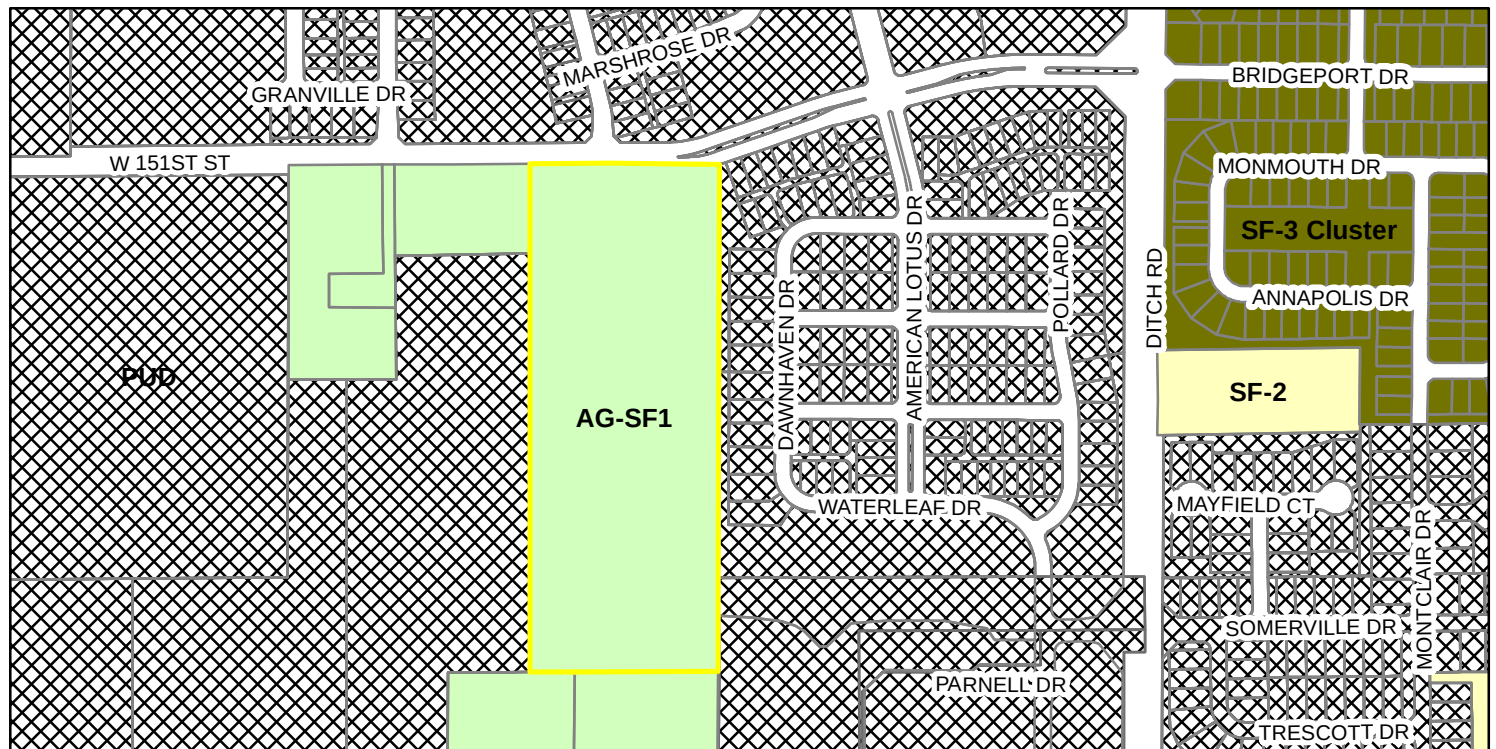
Property Location Map
Liberty Villas PUD
1806-PUD-15
1806-ODP-12 & 1806-SPP-12



Aerial Location Map



Zoning Map



- | | |
|--|--------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | SF-2 (Single Family - 2) |
| PUD (Planned Unit Development) | SF-3 Cluster |

LIBERTY VILLAS
PUD ORDINANCE PROJECT NARRATIVE

The Liberty Villas Planned Unit Development District (the “Liberty Villas PUD”) pertains to real estate that is generally located south and adjacent to 151st Street, east of Towne Road and west of Ditch Road and consists of approximately 22.2 acres (the “Real Estate”). Included in this change of zoning/rezone application is a site location map which outlines the location of the Real Estate.

The Real Estate is currently zoned AG-SF1 pursuant to the City of Westfield’s Unified Development Ordinance. The applicant, CalAtlantic Homes of Indiana, Inc., (“CalAtlantic”), desires to develop a residential community on the Real Estate consisting of approximately 84 “for-sale” paired villas targeted to the active, empty nester demographic. If approved, the Liberty Villas PUD would establish as the underlying zoning district for the Real Estate the SFA - Single Family Attached classification to permit the development of the residential community to be known as “Liberty Villas”.

The Liberty Villas PUD provides for specific development requirements including landscape open space and architectural standards, along with character home imagery examples depicting the intended home design and a required lot maintenance program to be provided for by the Homeowner’s Association for Liberty Villas.

In addition to seeking rezone approval to the Liberty Villas PUD, CalAtlantic has also filed applications for Development Plan and Primary Plat approval.

ORDINANCE NUMBER 18-20

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

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

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

WHEREAS, the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) enacted Ordinance No. 07-34 (the “Oak Ridge PUD Ordinance”), on December 10, 2007; and

WHEREAS, the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) enacted Ordinance No. 08-48 (the “Oak Ridge Pointe PUD Ordinance”), on December 8, 2008, which amended and restated the Oak Ridge PUD Ordinance; and

WHEREAS, the Common Council enacted Ordinance No. 11-09 (the “Restated ORP PUD Ordinance”), on May 23, 2011, which amended and restated the Oak Ridge Pointe PUD Ordinance; and

WHEREAS, the Common Council enacted Ordinance No. 17-14 (the “First Amendment”), on May 22, 2017, the OR-Commercial 3 District of the Restated ORP PUD Ordinance; and

WHEREAS, the Common Council enacted Ordinance No. 18-01 (the “ORP PUD Amendment: Lot 1”), on March 12, 2018, amending certain real estate within the OR-Commercial 1 District of the Restated ORP PUD Ordinance; and

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (**Petition No. 1806-PUD-##**), requesting an amendment to the Restated ORP PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded **Petition No. 1806-PUD-12** to the Common Council with a **favorable** recommendation (9-0) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on June 5, 2018;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance, which shall be referred to as the “Oak Ridge Shoppes Amendment”, shall amend the Restated ORP PUD Ordinance, as applicable to the Real Estate generally described as Lot 2 within the OR-Commercial 1 District of the Restated ORP District.
- 1.2 All other provisions of the Restated ORP PUD Ordinance, as amended, shall remain in effect with the adoption of this Ordinance.
- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance or the Restated ORP PUD Ordinance, as amended, that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Concept Plan. The “Concept Plan”, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Concept Plan provides one possible site layout for parking, internal drives and building locations of new improvements. The final layout and site plan shall be subject to the terms and conditions of this Ordinance and may vary from the Concept Plan.

Section 3. State Highway 32 Overlay District. The standards of Article 5.3 State Highway 32 Overlay District shall apply to the development of the Real Estate, except as otherwise modified by the Restated ORP Ordinance and below.

- 3.1 Article 5.3(K)(5) State Highway 32 Overlay District; Trail Corridor Requirement; Trail Corridor Plantings shall not apply; rather, landscaping shall be installed in

substantial compliance with the “Landscaping Plan”, attached hereto as **Exhibit D**.

Section 4. Development Standards. The standards of Chapter 6 Development Standards shall apply to the development of the Real Estate, except as otherwise modified by the Restated ORP Ordinance and below.

- 4.1 Section 2.6 Architectural Standards of the Restated ORP and Article 5.3(J) State Highway 32 Overlay District; Architectural Design Requirements of the UDO shall apply, except as otherwise modified by the “Illustrative Character Exhibit”, attached hereto as **Exhibit C**. Building(s) on the Real Estate shall be in substantial compliance with the Illustrative Character Exhibit.
- 4.2 Article 6.1 Accessory Buildings of the UDO and Article 5.3(H) State Highway 32 Overlay District; Accessory Buildings of the UDO shall apply; however, shall be modified to permit enclosures to be located within the Established Front Yard of 175th Street, as generally depicted on the Concept Plan.
- 4.3 Section 4.3(C) and (D) Bicycle Parking; Enclosed Bicycle Parking of the Restated ORP Ordinance shall not apply to the Real Estate.
- 4.4 Article 6.8 Landscaping Standards of the UDO, as modified by Article 6 Landscaping Standards of the Restated ORP Ordinance, shall apply, except as otherwise modified by the Landscaping Plan. Landscaping shall be installed in substantial compliance with the Landscaping Plan.
- 4.5 Article 6.17 Sign Standards of the UDO, as modified by Article 7 Sign Standards of the Restated ORP Ordinance, shall apply; except as otherwise modified below:
 - A. Article 6.17(J)(5) Nonresidential Center Signs; Center In-Line Tenant Signage shall apply to the Real Estate. The total permitted Sign Area Allocation per façade may be divided between Wall, Under Canopy, Awning Signs, and Projecting Signs. Projecting Signs shall be substantially similar in quality and character as depicted in the Illustrative Character Exhibit.

**[Remainder of page intentionally left blank;
signature pages follow.]**

ALL OF WHICH IS ORDAINED/RESOLVED THIS 11TH DAY OF JUNE, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 18-20** was delivered to the Mayor of Westfield

on the _____ day of June, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 18-20**

this _____ day of June, 2018.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 18-20**

this _____ day of June, 2018.

J. Andrew Cook, Mayor

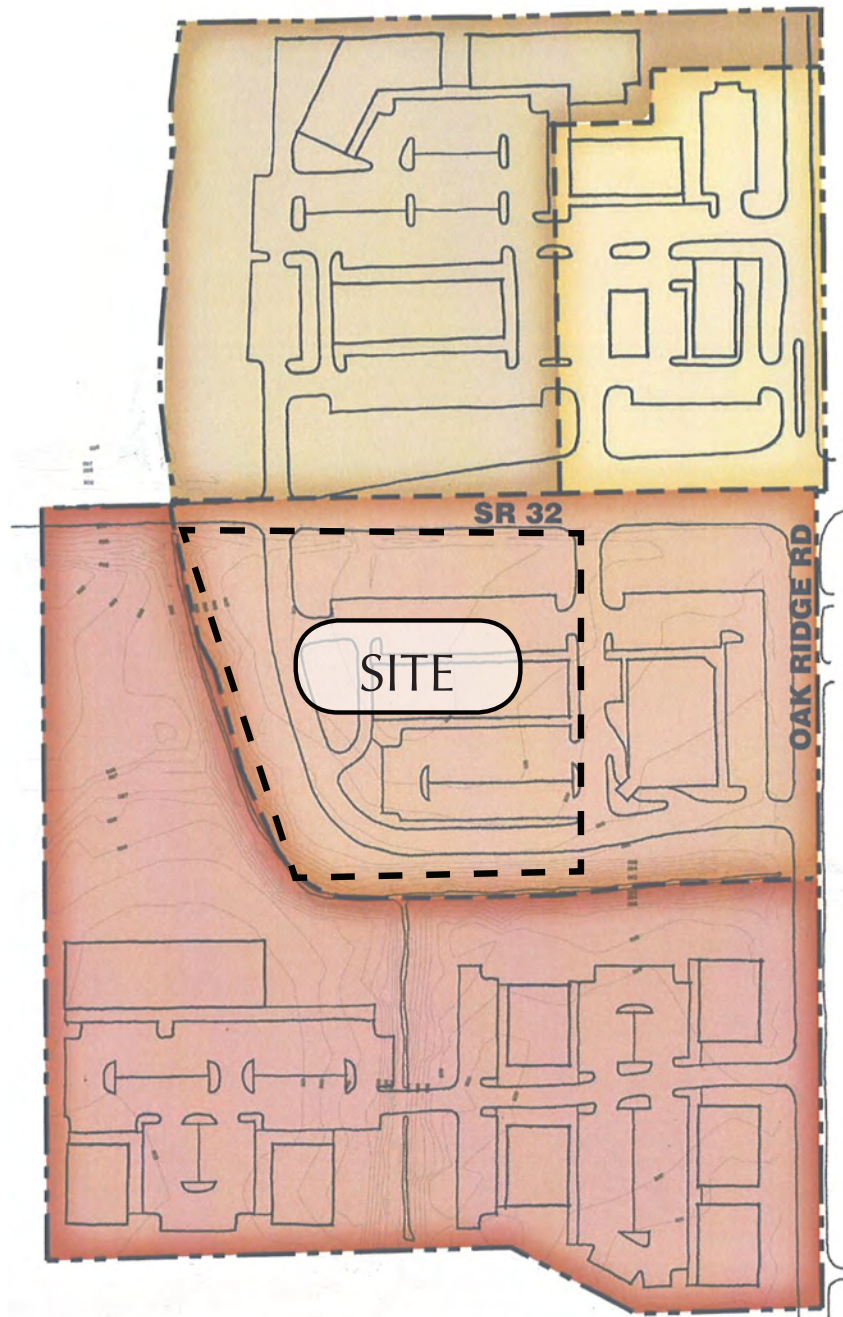
This document prepared by: Jesse M. Pohlman, Onpointe Land Matters, LLC
Travis May, William Eric Group, LLC
238 N Main Street, Maxwell, Indiana 46154

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jesse M. Pohlman

EXHIBIT A
REAL ESTATE

PART OF BLOCK "B" IN OAK RIDGE POINTE PER PLAT THEREOF RECORDED _____, 2018, AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY.

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE SOUTH 00 DEGREES 24 MINUTES 13 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER, 874.95 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 13 SECONDS EAST, 578.27 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 31 SECONDS WEST, 147.80 FEET; THENCE 42.44 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 220.00 FEET AND A CHORD BEARING SOUTH 84 DEGREES 44 MINUTES 56 SECONDS WEST, 42.37 FEET TO THE POINT OF BEGINNING; THENCE 73.81 FEET ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 220.00 FEET, AND A CHORD BEARING SOUTH 69 DEGREES 36 MINUTES 41 SECONDS WEST, 73.47 FEET; THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 213.93 FEET; THENCE NORTH 64 DEGREES 13 MINUTES 54 SECONDS WEST, 35.79 FEET; THENCE NORTH 45 DEGREES 51 MINUTES 39 SECONDS WEST, 40.20 FEET; THENCE NORTH 26 DEGREES 34 MINUTES 35 SECONDS WEST, 40.20 FEET; THENCE NORTH 16 DEGREES 56 MINUTES 03 SECONDS WEST, 243.06 FEET; THENCE NORTH 85 DEGREES 34 MINUTES 38 SECONDS EAST, 465.96 FEET; SOUTH 00 DEGREES 23 MINUTES 45 SECONDS WEST, 210.83 FEET TO THE POINT OF BEGINNING, CONTAINING 2.25 ACRES, MORE OR LESS.



LEGEND

- OR- OFFICE 1
- OR- COMMERCIAL 1
- OR- COMMERCIAL 2
- OR- COMMERCIAL 3



NOT TO SCALE

OAK RIDGE POINTE PUD DISTRICT
EXHIBIT B: ZONING DISTRICT MAP

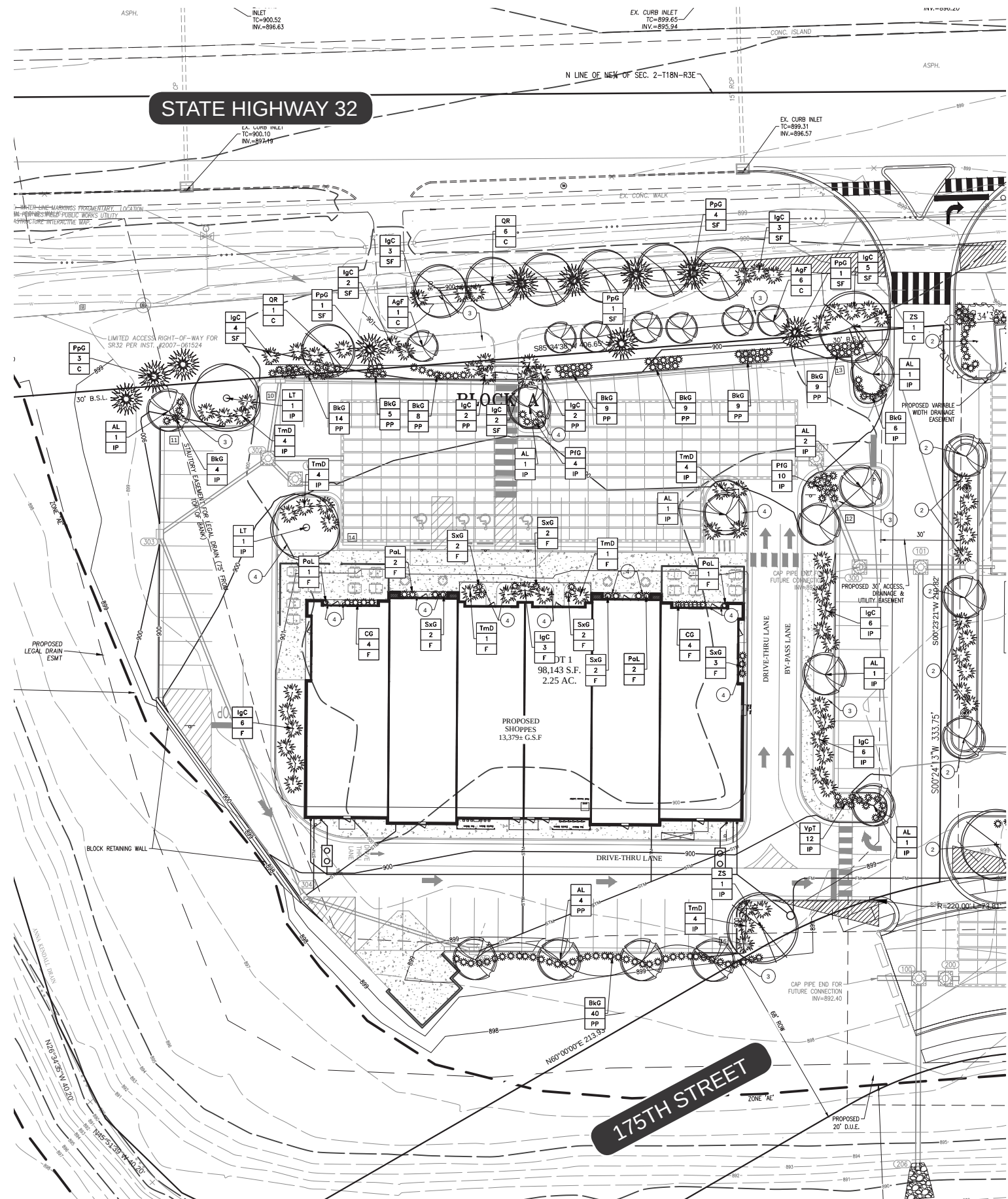


EXHIBIT B: CONCEPT PLAN OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT PLANNED UNIT DEVELOPMENT DISTRICT



1 Front Elevation
D1 SCALE: N/A



2 Rear Elevation
D1 SCALE: N/A



1 Side Elevation
D2 SCALE: N/A



Side Elevation

EXHIBIT C-2: ILLUSTRATIVE CHARACTER EXHIBIT
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT



1 Exterior View
D3 SCALE: N/A



2 Exterior View
D3 SCALE: N/A

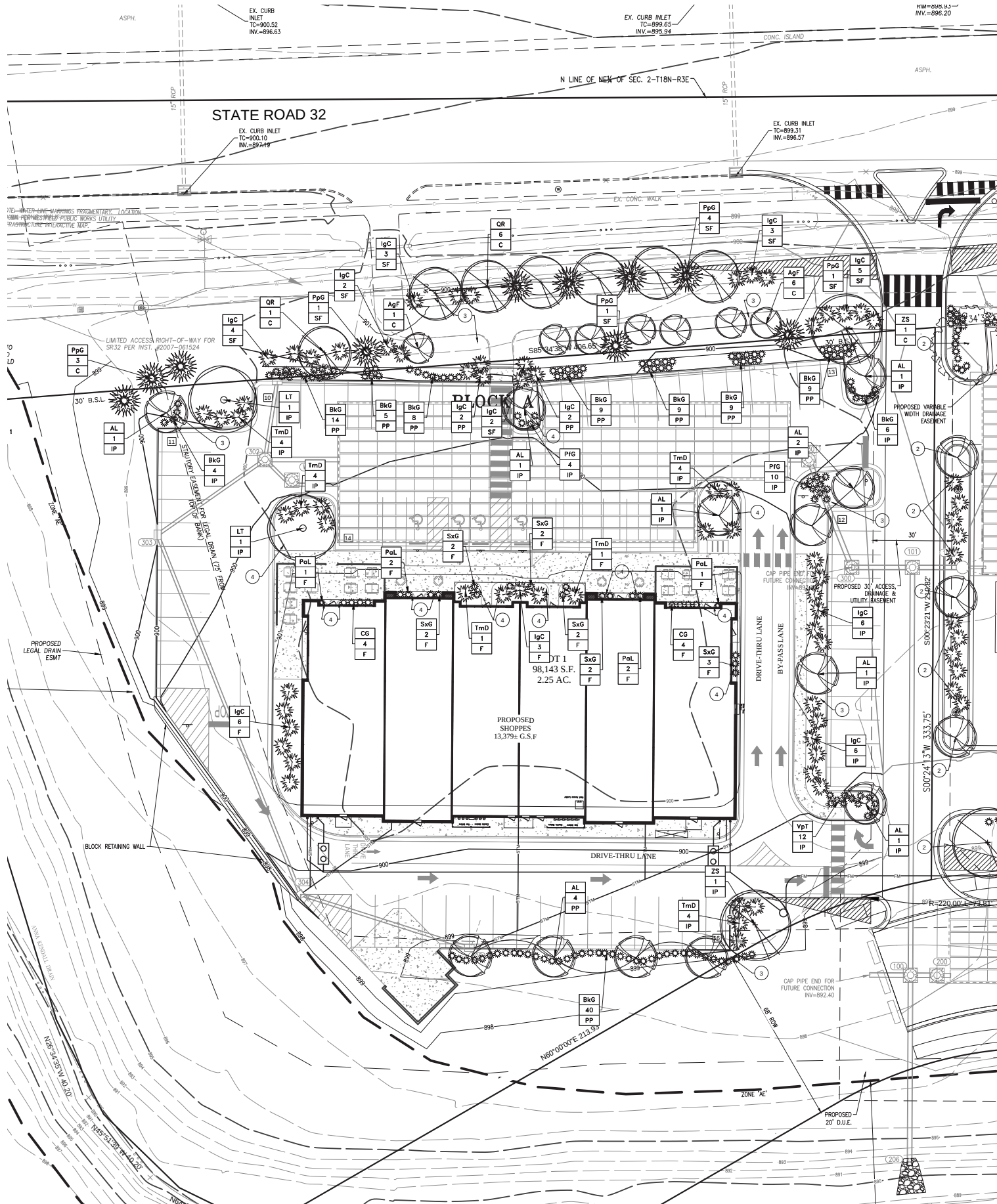


3 Exterior View
D3 SCALE: N/A



4 Exterior View
D3 SCALE: N/A

EXHIBIT C-3: ILLUSTRATIVE CHARACTER EXHIBIT
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT



GENERAL NOTES

- IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE. IF IN QUESTION, CONTACT THE LANDSCAPE DESIGNER.
- ANY EXISTING TREES THAT MAY REQUIRE REMOVAL, BUT ARE NOT SHOWN ON THE PLAN AS BEING REMOVED SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. TREES MAY BE RELOCATED (OR REPLACED) TO AN APPROVED ALTERNATE LOCATION ON SITE FOLLOWING LANDSCAPE ARCHITECT APPROVAL.
- ALL SHRUBS PLANTING AREAS TO BE COVERED WITH 3\"/>
- AN APPROVED PRE-EMERGENT HERBICIDE SHALL BE APPLIED IN ALL PLANTING AND GROUND COVER BEDS AT RATES SPECIFIED BY MANUFACTURER FOR EACH VARIETY OF PLANT.
- FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE DESIGNER BEFORE PLANTING OPERATIONS ARE TO PROCEED. ALL TREE LOCATIONS SHALL BE MARKED WITH A WOODED STAKE INDICATING VARIETY AND SIZE OF TREE. ALL GROUND COVER AND MULCH BED LINES SHALL BE MARKED BY A HIGHLY VISIBLE PAINT LINE WITH OCCASIONAL WOOD STAKES FOR REFERENCE. ALL STAKES SHALL BE REMOVED FOLLOWING PLANTING OPERATIONS. LANDSCAPE DESIGNER RESERVES THE RIGHT TO ADJUST PLANT LOCATIONS ON SITE.
- NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER PRIOR TO BID DATE IN WRITING. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTORS OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
- ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSEYMEN.
- PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT CONFLICT WITH CONSTRUCTION OPERATIONS AND AS DIRECTED BY THE LANDSCAPE DESIGNER.
- ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE DESIGNER. AT THE END OF THIS PERIOD, PLANT MATERIAL TERMED DEAD OR UNSATISFACTORY BY LANDSCAPE DESIGNER SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.

LANDSCAPE REQUIREMENTS

REQUIREMENT PER ORDINANCE:	REQUIRED: PER ORDINANCE	PROVIDED: PER PUD AMENDMENT
TRAIL CORRIDOR PLANTINGS ALONG SR 32 - 30' WIDE WITH MINIMUM 8' WIDE ASPHALT TRAIL - 3 SHADE TREES AND 1 ORNAMENTAL TREE PER 100 LINEAR FEET	SR 32 = 345' - 11 SHADE TREES - 4 ORNAMENTAL TREES	SR 32 = 345' - 6 SHADE TREES - COVERED BY PERIMETER REQ.
LOT LANDSCAPING - 10 SHADE TREES, 10 ORNAMENTAL OR EVERGREEN TREES, AND 25 SHRUBS PER ACRE	(2.66 ACRES ±) - 27 SHADE TREES - 27 ORNAMENTAL OR EVERGREEN TREES - 67 SHRUBS	(2.66 ACRES ±) - 27 SHADE TREES - 27 ORNAMENTAL OR EVERGREEN TREES - 67 SHRUBS
FOUNDATION PLANTINGS - FOR SPACES LONGER THAN 80', PLANT MATERIALS ARE REQUIRED APPROXIMATELY EVERY 40' - FRONT BUILDING FACADE OF ALL BUILDINGS MUST PLANT 1 SHRUB OR ORNAMENTAL TREE PER 12' LINEAR FEET - PLANTINGS BEDS MUST BE AT LEAST 5' WIDE.	STRIP MALL FRONT (NORTH) = 166' - 14 SHRUBS OR ORNAMENTAL TREES STRIP MALL EAST = 70' - 3 PLANTINGS STRIP MALL FRONT (WEST) = 70' - 6 SHRUBS OR ORNAMENTAL TREES	STRIP MALL FRONT (NORTH) = 166' - 15 SHRUBS OR ORNAMENTAL TREES STRIP MALL EAST = 70' - 3 PLANTINGS STRIP MALL FRONT (WEST) = 70' - 6 SHRUBS OR ORNAMENTAL TREES
EXTERNAL STREET FRONTAGE - 10' WIDE - 3 SHADE OR EVERGREEN TREES, 2 ORNAMENTAL TREES, AND 25 SHRUBS PER 100 LINEAL FEET	SR 32 = 345' - 11 SHADE OR EVERGREEN TREES - 7 ORNAMENTAL TREES - 66 SHRUBS	SR 32 = 345' - 2 SHADE AND 3 EVERGREEN TREES - 7 ORNAMENTAL TREES - 66 SHRUBS
INTERIOR PARKING AREA - 10% OF THE PARKING AREA MUST BE RESERVED FOR INTERIOR ISLANDS - 1 TREE AND 4 SHRUBS PER ISLAND	AREA = 32,490 SF - 3,249 SF ISLANDS - 1 TREE AND 4 SHRUBS PER ISLAND	AREA = 32,490 SF - 3,382 SF ISLANDS - 1 TREE AND 4 SHRUBS PER ISLAND
PERIMETER PARKING AREA - 5' WIDTH - 1 TREE PER 30' - 1 SHRUB PER 3'	SR 32 = 200' - 7 TREES - 67 SHRUBS 175TH ST. = 120' - 4 TREES - 40 SHRUBS	SR 32 = 200' - 8 TREES - 67 SHRUBS 175TH ST. = 120' - 4 TREES - 40 SHRUBS

PLANT SCHEDULE									
PLAN KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	ROOT CONDITION	CENTER SPACING	SPECIAL INSTRUCTIONS	MATURE SIZE	
CANOPY DECIDUOUS TREES									
LT	LIRIODENDRON TULIPIFERA	TULIP TREE	2 1/2"	2	X		SEE PLAN	X	80' x 80'W
QR	QUERCUS RUBRA	RED OAK	2 1/2"	7	X		SEE PLAN	X	75' x 75'W
ZS	ZELKOYA SERRATA	JAPANESE ZELKOVA	2 1/2"	2	X		SEE PLAN	X	80' x 80'W
EVERGREEN TREES									
PpG	PICEA PUNGENS 'GLAUCO'	COLORADO BLUE SPRUCE	8"	10	X		SEE PLAN	X	60' x 25'W
ORNAMENTAL UNDERSTORY TREES									
AgF	ACER GINNALA 'FLAME'	AMUR MAPLE	1 1/2"	7	X		SEE PLAN	X	25' x 15'W
AL	AMELANCHIER LAEVIS	ALLEGHENY SERVICEBERRY	1 1/2"	12	X		SEE PLAN	X	25' x 15'W
EVERGREEN SHRUBS									
BkG	BUXUS X KOREANA 'GREEN VELVET'	GREEN VELVET BOXWOOD	#3	113		X	SEE PLAN	MIN 18"	3' x 3'W
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VpT	VIBURNUM PULCATUM 'TOMENTOSUM' NEWZAM	NEWPORT VIBURNUM	18"	12		X	SEE PLAN	MIN 18"	3' x 3'W
ORNAMENTAL GRASSES									
CG	CAREX GLAUCA	BLUE SEDGE	#1	8		X	SEE PLAN	MIN 12"	3' x 3'W
PaL	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	DWARF FOUNTAIN GRASS	#1	6		X	SEE PLAN	MIN 18"	3' x 3'W

LANDSCAPE PLAN NOTES

- SEED / SOD (ALTERNATE) - FOR SEED, REFER TO PERMANENT SEEDING CHART ON SHEET 2000 LANDSCAPE DETAIL SHEET. SOD SHALL BE CERTIFIED GRADE CULTIVATED GRASS SOD; OF "ADVENTURE BLEND" TURF TYPE TALL FESCUE (BY GENERAL CONTRACTOR).
- LANDSCAPING TO BE INSTALLED FOR COMMUNITY FIRST BANK.
- MULCH ALL LANDSCAPE MATERIAL UNLESS OTHERWISE NOTED.
- RIVER ROCK

LEGEND

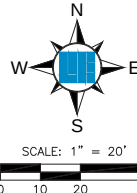
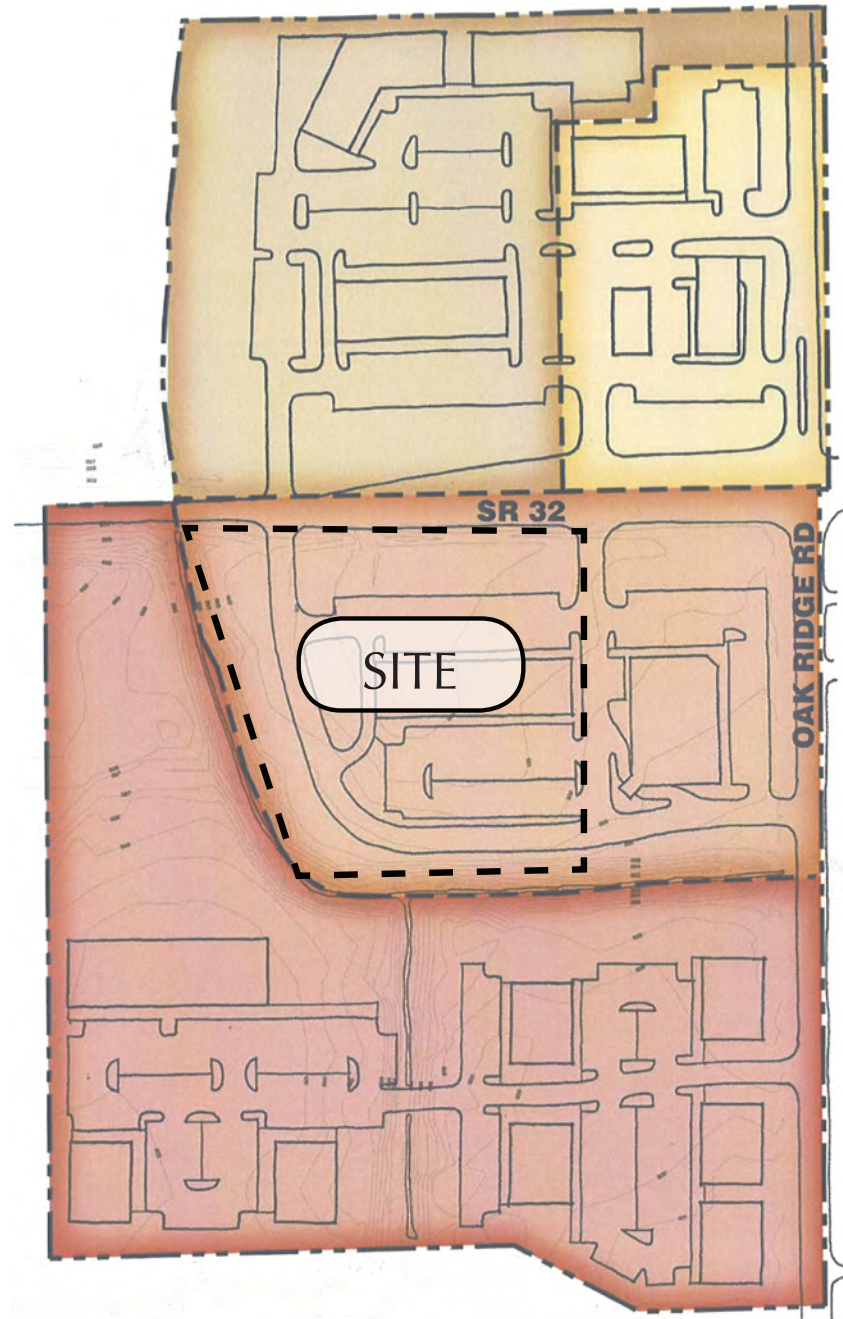


EXHIBIT D: LANDSCAPING PLAN OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT PLANNED UNIT DEVELOPMENT DISTRICT



- LEGEND**
- OR- OFFICE 1
 - OR- COMMERCIAL 1
 - OR- COMMERCIAL 2
 - OR- COMMERCIAL 3



OAK RIDGE POINTE PUD DISTRICT
EXHIBIT B: ZONING DISTRICT MAP

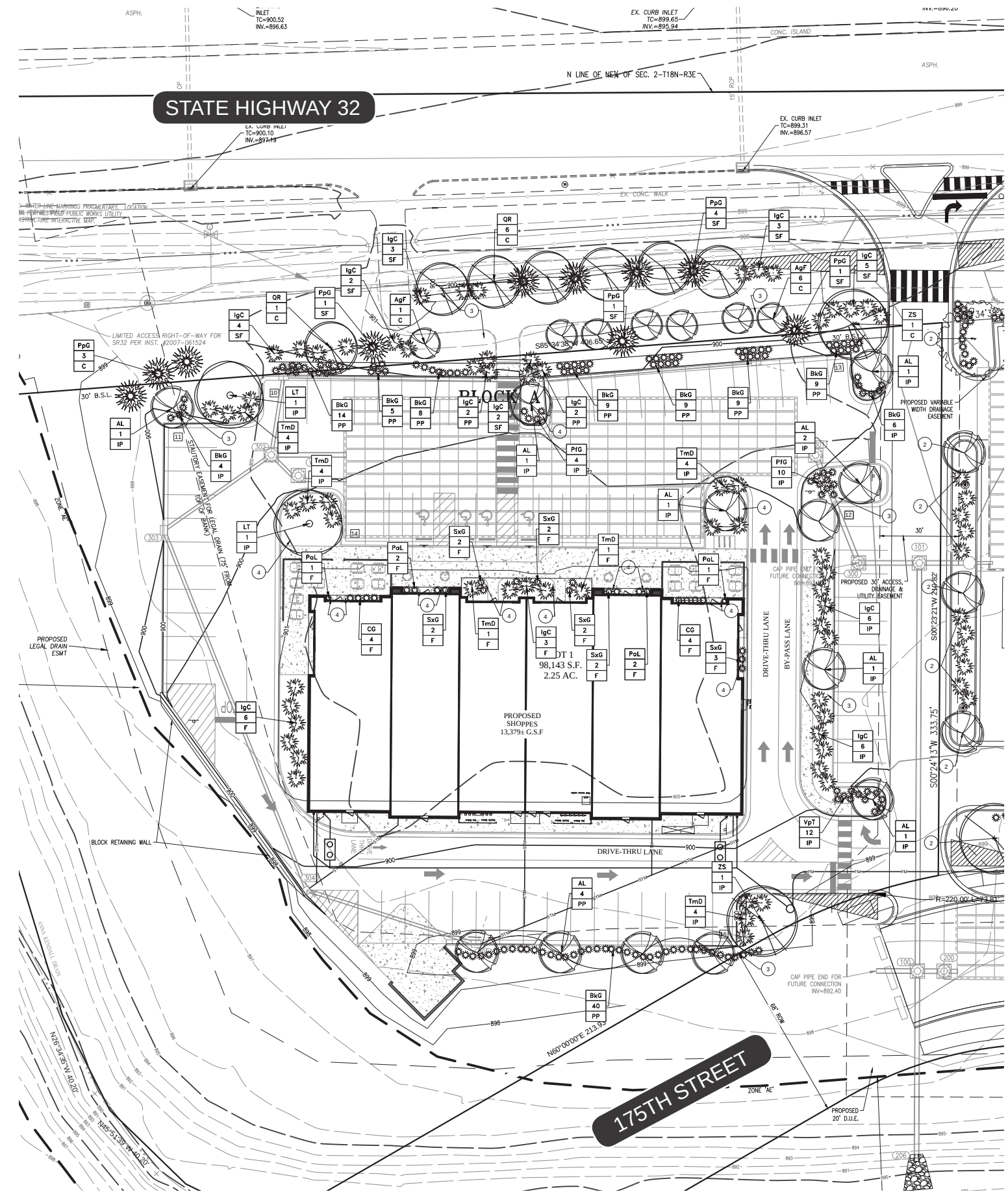
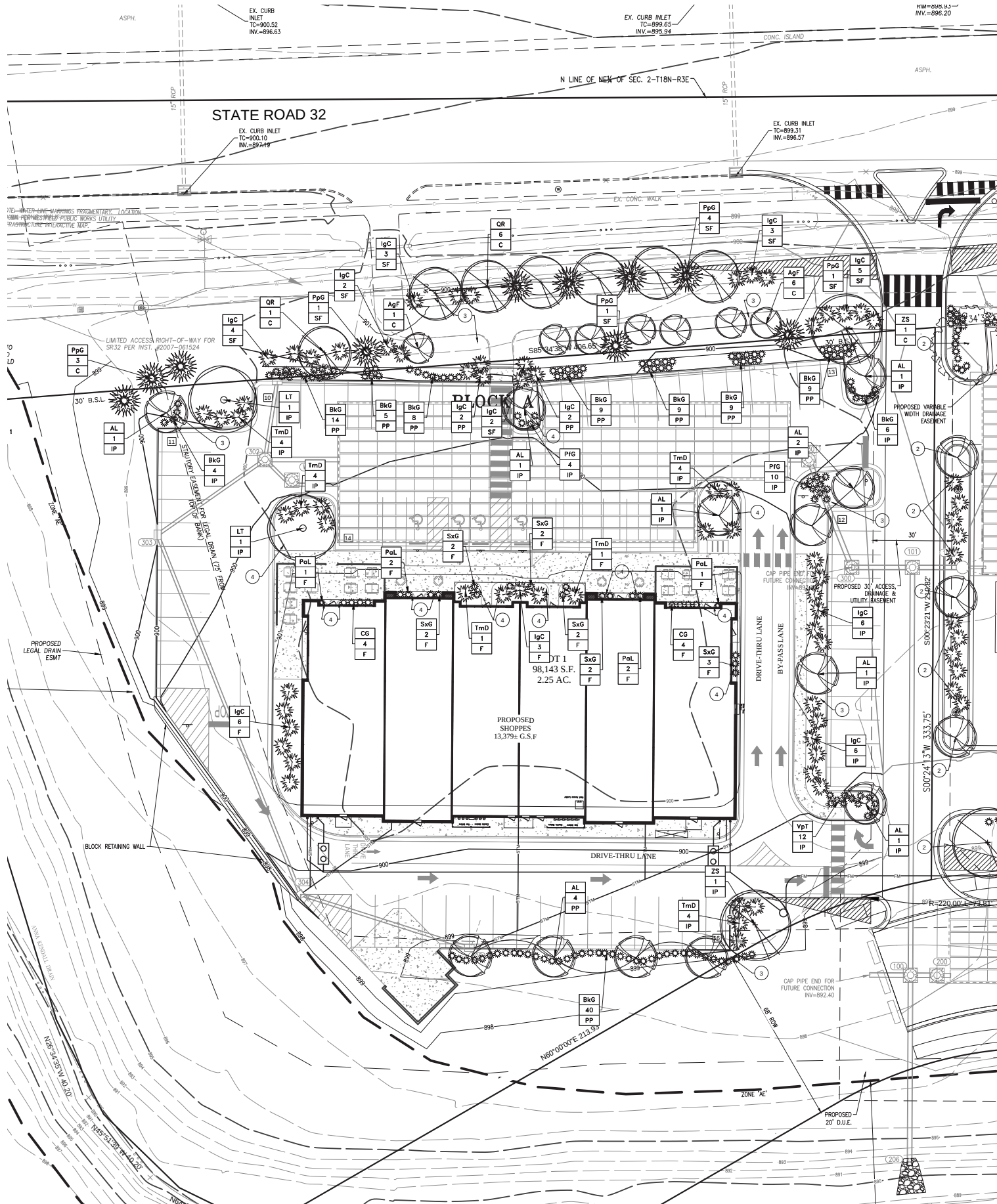


EXHIBIT B: CONCEPT PLAN
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT





GENERAL NOTES

- IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE. IF IN QUESTION, CONTACT THE LANDSCAPE DESIGNER.
- ANY EXISTING TREES THAT MAY REQUIRE REMOVAL, BUT ARE NOT SHOWN ON THE PLAN AS BEING REMOVED SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. TREES MAY BE RELOCATED (OR REPLACED) TO AN APPROVED ALTERNATE LOCATION ON SITE FOLLOWING LANDSCAPE ARCHITECT APPROVAL.
- ALL SHRUBS PLANTING AREAS TO BE COVERED WITH 3" THICK LAYER OF SHREDDED HARDWOOD BARK MULCH. ALL GROUND COVER BEDS SHALL BE COVERED WITH 1" SHREDDED HARDWOOD BARK MULCH. BARK MULCH SHALL BE APPROVED BY LANDSCAPE DESIGNER AND SHALL BE UNIFORM IN TEXTURE AND COLOR AND SHALL BE OBTAINED FROM SAWMILL OR LUMBERING OPERATIONS. NO UTILITY MULCH OR PROCESSED TREE TRIMMINGS WILL BE ALLOWED.
- AN APPROVED PRE-EMERGENT HERBICIDE SHALL BE APPLIED IN ALL PLANTING AND GROUND COVER BEDS AT RATES SPECIFIED BY MANUFACTURER FOR EACH VARIETY OF PLANT.
- FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE DESIGNER BEFORE PLANTING OPERATIONS ARE TO PROCEED. ALL TREE LOCATIONS SHALL BE MARKED WITH A WOODED STAKE INDICATING VARIETY AND SIZE OF TREE. ALL GROUND COVER AND MULCH BED LINES SHALL BE MARKED BY A HIGHLY VISIBLE PAINT LINE WITH OCCASIONAL WOOD STAKES FOR REFERENCE. ALL STAKES SHALL BE REMOVED FOLLOWING PLANTING OPERATIONS. LANDSCAPE DESIGNER RESERVES THE RIGHT TO ADJUST PLANT LOCATIONS ON SITE.
- NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER PRIOR TO BID DATE IN WRITING. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTORS OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
- ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSEYMEN.
- PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT CONFLICT WITH CONSTRUCTION OPERATIONS AND AS DIRECTED BY THE LANDSCAPE DESIGNER.
- ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE DESIGNER. AT THE END OF THIS PERIOD, PLANT MATERIAL TERMED DEAD OR UNSATISFACTORY BY LANDSCAPE DESIGNER SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.

LANDSCAPE REQUIREMENTS

REQUIREMENT PER ORDINANCE:	REQUIRED: PER ORDINANCE	PROVIDED: PER PUD AMENDMENT
TRAIL CORRIDOR PLANTINGS ALONG SR 32 - 30' WIDE WITH MINIMUM 8' WIDE ASPHALT TRAIL - 3 SHADE TREES AND 1 ORNAMENTAL TREE PER 100 LINEAR FEET	SR 32 = 345' - 11 SHADE TREES - 4 ORNAMENTAL TREES	SR 32 = 345' - 6 SHADE TREES - COVERED BY PERIMETER REQ.
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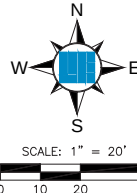


EXHIBIT D: LANDSCAPING PLAN
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT



Westfield City Council Report

Ordinance Number:	18-20
APC Petition Number:	1806-PUD-12
Petitioner:	William Eric Group (the "Petitioner")
Representative:	OnPointe Land Matters, LLC
Requested Action:	An amendment to the Oak Ridge Pointe Planned Unit Development (PUD) District to allow for commercial development.
Current Zoning:	Oak Ridge Pointe PUD District Underlying Zoning, LB: Local / Neighborhood Business District
Current Land Use:	Undeveloped
Exhibits:	1. Department Report 2. Location Map 3. Concept Plan and Landscaping Plan 4. Illustrative Character Exhibit 5. Proposed Ord. 18-20 6. Ordinance 11-09 (Oak Ridge Pointe PUD) 7. Petitioner's Narrative 8. Petitioner's Summary of Changes 9. APC Certification
Prepared by:	Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the May 14, 2018, City Council meeting. The petition received a public hearing at the May 21, 2018, Advisory Plan Commission (the "Plan Commission") meeting.

PROJECT OVERVIEW

Location: This subject property is approximately 2.2 acres in size and is located on the southwest corner of SR 32 and Oak Ridge Road (see **Exhibit 2**). The Property is currently zoned the Oak Ridge Pointe PUD District (Ordinance 11-09, adopted May, 23, 2011). All surrounding properties are also zoned the Oak Ridge Pointe PUD District.

Project Description: The petitioner is requesting an amendment to the Oak Ridge Pointe PUD District (see **Exhibit 6**) to allow for development of a new inline tenant building, as generally illustrated on the Concept Plan (see **Exhibit 3**) and Illustrative Character Exhibit (see **Exhibit 4**).

Concept Plan: The proposed amendment incorporates a Concept Plan as one possible layout of the site, but states that the final layout will be subject to the terms and conditions of the PUD and could vary from the Concept Plan.

State Highway 32 Overlay District: The proposed amendment includes a Landscaping Plan and requires substantial compliance with that plan in lieu of the Trail Corridor Planting requirements of this Overlay District.

Development Standards: As proposed, the PUD Ordinance establishes alternative development standards from the Oak Ridge Pointe PUD and Unified Development Ordinance. The development standards of note are briefly highlighted below:

Architectural Standards: In lieu of Architectural Standards found in the Oak Ridge Pointe PUD and the State Highway 32 Overlay District of the UDO, the proposed amendment incorporates an Illustrative Character Exhibit, and requires buildings to be developed in substantial compliance with that exhibit.

Accessory Buildings: The proposed amendment permits dumpster enclosures within the Established Front Yard of 175th Street.

Bicycle Parking: As proposed, the amendment removes the requirements for shower facilities and enclosed bicycle parking, contained in the Oak Ridge Pointe PUD.

Landscaping Standards: In lieu of Landscaping Standards found in the Oak Ridge Pointe PUD and the UDO, the proposed amendment incorporates a Landscaping Plan and requires substantial compliance with said plan.

Sign Standards: The proposed amendment adds Projecting Signs as a permitted sign type for the Property.

CHANGES SINCE THE PUBLIC HEARING

The petitioner has made changes to the text and exhibits of the proposed ordinance since the public hearing in response to Plan Commission, City Council, and department comments. First, the request for a second right-in / right-out curb cut on SR 32 has been removed; the Concept Plan and Landscaping Plan have been updated to reflect this change. This change allowed the petitioner to increase the size of the proposed building from 11,640 square feet to 13,379 square feet. The increase in building size would require that shower facilities be provided for employees as part of the Bicycle Parking requirements of the Oak Ridge Pointe PUD, the Proposed Amendment now removes that standard. Additionally, awnings were added above the rear doors of the building to enhance to four-sided architecture compliance. Lastly, the parapets on the rear façade have been raised to ensure complete screening of the roof mounted mechanicals and the utility meters have been clustered in the center of the rear façade with screen added to better blend with the architecture of the building.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies the “Employment Corridor” land use as the appropriate land use for the Property; the Employment Corridor land use is described in detail in the Highway Corridors section. The Highway Corridors section proposes office and service uses, research and development, and retail and institutional uses that are subordinate to and supportive of the office and service uses.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Primary Arterial 1: SR 32, (ii) Proposed Local: 175th Street, and (iii) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the May 21, 2018, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the May 14, 2018, City Council meeting.

RECOMMENDATIONS / ACTIONS

Plan Commission Recommendation

At its June 4, 2018, meeting, the Plan Commission forwarded a favorable recommendation of this petition to the Council (Vote: 9 in favor, 0 opposed) (see **Exhibit 9**).

City Council

Introduction: May 14, 2018

Eligible for Adoption: June 11, 2018

Submitted by: Pam Howard, Senior Planner
Economic and Community Development Department

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY
PLAN COMMISSION CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission held a public hearing on Monday, May 21, 2018, to consider an amendment to the Zoning Map and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

Docket No.	1806-PUD-12
Ordinance No.	18-20
Petitioner	William Eric Group, LLC
Description	An amendment to the Oak Ridge Pointe Planned Unit Development (PUD) District to allow for commercial development.

On June 4, 2018, the Plan commission forwarded a favorable recommendation to the City Council regarding this petition (Vote: 9 in favor, 0 opposed).

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.



Matthew S. Skelton, Secretary

June 5, 2018

Date



1 Front Elevation
D1 SCALE: N/A



2 Rear Elevation
D1 SCALE: N/A



1 Side Elevation
D2 SCALE: N/A



Side Elevation

EXHIBIT C-2: ILLUSTRATIVE CHARACTER EXHIBIT
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT



1 Exterior View
D3 SCALE: N/A



2 Exterior View
D3 SCALE: N/A



3 Exterior View
D3 SCALE: N/A

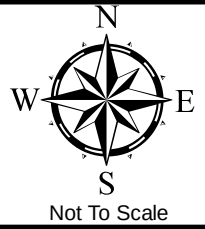


4 Exterior View
D3 SCALE: N/A

EXHIBIT C-3: ILLUSTRATIVE CHARACTER EXHIBIT
OAK RIDGE POINTE: OAK RIDGE SHOPPES AMENDMENT
PLANNED UNIT DEVELOPMENT DISTRICT



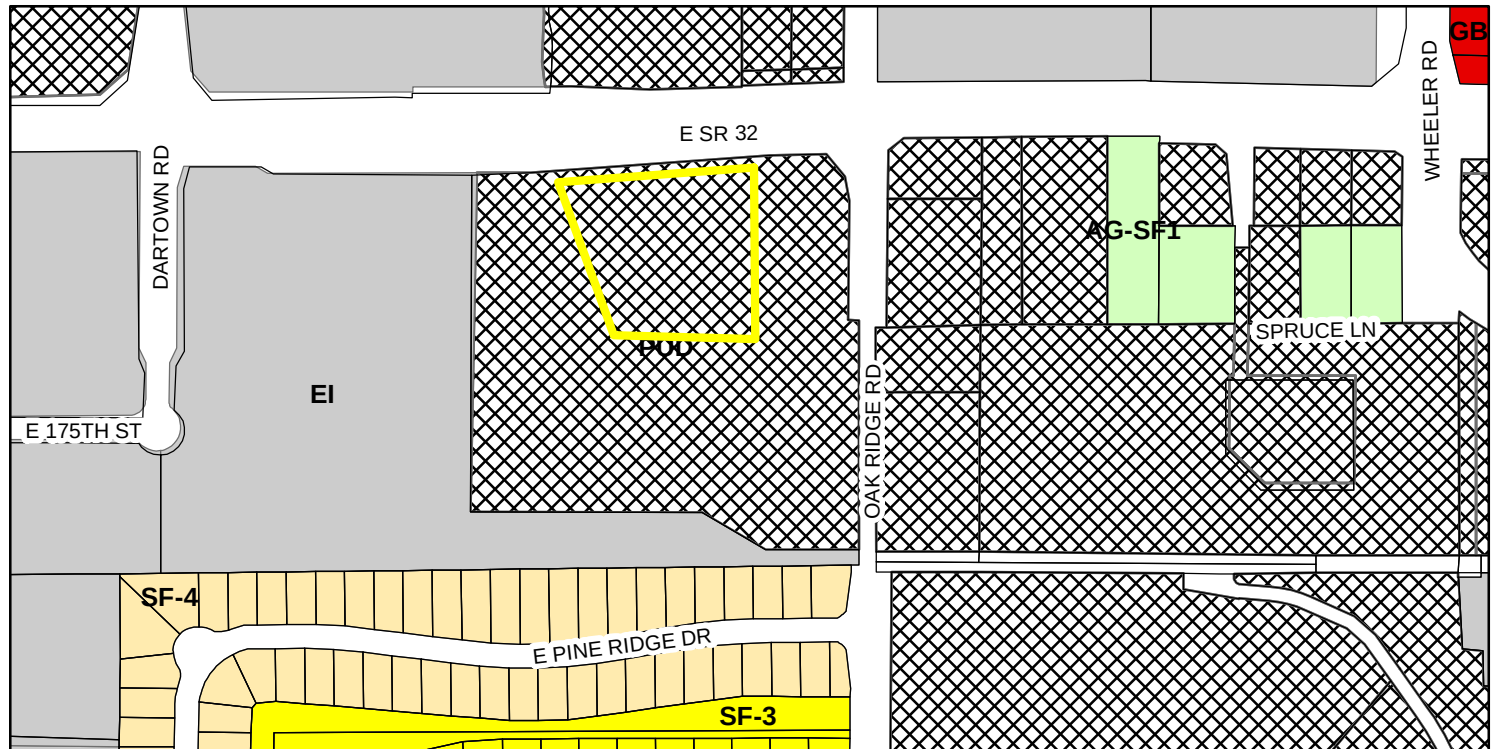
Property Location Map
Oak Ridge Pointe PUD District Amendment II
1806-PUD-12



Aerial Location Map



Zoning Map



- | | | |
|--|--------------------------------|--------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | GB (General Business) | SF-3 (Single Family - 3) |
| EI (Enclosed Industrial) | PUD (Planned Unit Development) | SF-4 (Single Family - 4) |

ORDINANCE NUMBER 17-52

Davis PUD Ordinance

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

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

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance.

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Petition No. 1801-PUD-01), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1801-PUD-01** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a positive recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on May 8, 2018;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the Real Estate as a Planned Unit Development District to be known as the “**Davis PUD District**” (the “District”).

- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented, or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Underlying Zoning District. The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.
- 2.2 Trail. Any pedestrian or nature trail internal to the District this is used by pedestrians or pets. A trail shall be paved with asphalt or concrete.
- 2.3 Average Lot Area. A numerical value representing the mean area of a group of lots that vary in size. The Average Lot Area shall be calculated using all lots within an Area as illustrated on the District Plan. Compliance with the Average Lot Area requirement shall be determined at the Primary Plat. Secondary Plats shall be in substantial conformance with the lot sizes shown on the Primary Plat.

Section 3. **Concept Plan and Illustrative Plan.** The Concept Plan and Illustrative Plan, attached hereto as Exhibit B, are hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements: Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan and Illustrative Plan.

Section 4. **Underlying Zoning District.** The Underlying Zoning District:

- Within Area A shall be the SF3 Single-Family Medium Density District,
- Within Area B shall be the SF3 Single-Family Medium Density District,
- Within Area C shall be the SF2 Single-Family Low Density District,
- Within Area D shall be the SF 2 Single-Family Low Density District, and
- Within Area E shall be AG-SF1-I: Agriculture/Single-Family Westfield District.

Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

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

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted.
- 5.2 **Maximum Dwellings.** The total number of Dwellings permitted in the District shall not exceed one hundred twenty-five (125). The maximum number of Dwellings permitted by Area is noted in the table below.

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

Standard	Area A Lots	Area B Lots	Area C Lots	Area D Lots	Area E Lots
Minimum Lot Area	7,150 SF	10,500 SF	13,300 SF	14,700 SF ⁽²⁾	43,560 SF
Average Lot Area	8,100 SF	12,400 SF	14,000 SF	20,000 SF	43,560 SF
Minimum Lot Width	55'	75'	95'	105'	200'
Minimum Lot Frontage	30'	40'	50'	50'	100'
Min. Building Setback Lines					
Front Yard	10'	20'	20'	20'	45'
Side Yard	5'	5'	5'	10'	20'
Rear Yard	20'	20'	20'	20'	40'
Maximum Building Height	2 stories	2 stories	2 stories	2 stories	2 stories
Min. Living Area (Total)					
One-Story Dwellings	2,000 SF ⁽¹⁾	2,000 SF	2,400 SF	2,600 SF	3,000 SF
Two-Story Dwellings	2,200 SF	2,400 SF	2,800 SF	3,000 SF	3,500 SF
Maximum Number of Dwellings Permitted	42	36	23	21	3

(1) Up to 11 lots within Area A may contain a One-Story Dwelling with a Total Minimum Living Area of 1,800 SF.

(2) Area D lots abutting the western property line of the Real Estate shall have a Minimum Lot Area of 20,000 SF.

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

- 7.1 **Article 6.3 Architectural Standards:** Shall apply, except as modified below:
- A. **Streetscape Diversity:** The Architectural Character Exhibits, as attached hereto as **Exhibit C**, are hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed in the District. It is not the intent to limit the architecture shown in the Character Exhibits, but to

encourage a diversity in architecture of Dwellings within the District.

- B. **Garage Composition and Orientation:** All Dwellings shall have a minimum two (2) car attached garage. No more than 25 Dwellings within the District may have only front-load garages.
- i. Within Area A, garages shall be rear-load garages accessed by an alley.
 - ii. Within Area B, a minimum of 11 Dwellings shall have side-load or courtyard-load garages. Front-load garages shall be recessed a minimum of two (2) feet behind the front plane of the Dwelling closest to and approximately parallel with the front property line. Covered porches shall be included when determining the front plane of the Dwelling. If a third-car garage is utilized, it shall be recessed a minimum of two (2) feet behind the plane of the other garage doors.
 - iii. Within Area C, Area D, and Area E, all Dwellings shall have a minimum two-car side-load attached garage. Additional garage bays may be front-loaded if the garage door is recessed a minimum of ten (10) feet behind the front plane of the Dwelling closest to and approximately parallel with the front property line. Covered porches shall be included when determining the front plane of the Dwelling.
 - iv. Front-load garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements include the garage door, garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows, and gable decorative louver. A minimum of 50% of homes with front load garages shall have decorative garage doors and be painted to match the dominant exterior material or a color to accent the dominant exterior material.
- C. **Additional Architectural Standards:** The following shall apply to all Dwellings unless otherwise noted:
- i. **Minimum Overhang:** The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
 - ii. **Roof Requirements:**
 - a) **Roof Pitch:** The primary roof of the Dwelling shall have a minimum pitch of 6/12. Side-to-side gables on Front Building Facades shall have a minimum pitch of 10/12. Side-to-side gables on Rear Building Facades shall have a minimum pitch of 8/12. Ancillary roof pitches for shed-roof dormers, porches, bays, walkways, lanais, verandas, etc. may utilize a

lower roof pitch.

- b) Ridgelines: Within Area A and Area B, all Dwellings shall have a minimum of three (3) ridgelines. Within Area C, Area D, and Area E, all Dwellings shall have a minimum of four (4) ridgelines. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches with gables shall count as a ridgeline.
- iii. Building Materials: In addition to Article 6.3(C)(3) Building Materials, vinyl and aluminum siding shall be prohibited. When located on an exterior wall, chimneys shall be constructed with a brick or stone finish.
- iv. Windows:
 - a) All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum (e.g. a brick rowlock or soldier course). For windows in a non-masonry façade, the treatment shall be of natural materials and be applied to the sill, header, and jams. The width of the architectural treatment shall be a minimum of five and one half (5 ½”) inches in width.
 - b) Windows shall each be a minimum size of eight (8) square feet. However, smaller-sized windows less than eight (8) square feet in size may be incorporated to satisfy this requirement if the collective size of the smaller windows meets or exceeds the collective total square footage of the windows otherwise required.
 - c) Window grills shall be required on all windows.
 - d) A door shall meet the requirements of one window. A double window (a single window unit a minimum of four (4) feet in width with two windows side-by-side) shall count as two windows.
- v. Basements: Basements shall not be required in Area A and Area B. Basements shall be required on a minimum of 12 Dwellings within Area C. Basements shall be required for all Dwellings in Area, D and Area E.
- vi. Front Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - a) Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as a transitional material between two different exterior materials.

- b) Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
 - c) Roof design featuring a hip roof; dormers; a reverse gable; a shed roof accent; or two (2) or more roof planes.
 - d) All one-story Dwellings shall have a minimum of two (2) windows on the Front Façade and all two-story Dwellings shall have a minimum of five (5) windows on the Front Façade.
- vii. Side Building Façade Requirements: Side Building Façades shall contain the following architectural elements on the Side Building Façade.
- a) A one-story Dwelling shall have a minimum of two (2) windows.
 - b) A two-story Dwelling shall have a minimum of three (3) windows.
 - c) Brick, stone, or cedar shake on the Front Building Façade at the corner shall wrap the corner and extend on the Side Building Façade a minimum of four (4) feet beyond the corner.
 - d) If masonry materials are used on the Front Building Façade, masonry materials a minimum of 36 inches in height the entire length of the Side Building Façade shall be required. To allow greater architectural diversity, as an alternative to this requirement up to 50 Dwellings within the District may have masonry materials a minimum of 18 inches in height.
 - e) Architectural detailing on the Side Building Façade shall be similar in character to the Front Building Elevation. Architectural detailing includes, but is not limited to, gable treatments, gable brackets, window mullions, trim details (such as a trim band between the first and second-floor levels), and dormers consistent with their application on the Front Building Elevation.
- viii. Rear Building Façade Requirements: Rear Building Façades shall contain the following architectural elements on the Rear Building Façade. Alley-load homes shall be exempt from these requirements.
- a) Each Dwelling shall have a minimum of three (3) windows on the Rear Building Façade.

- b) Each Rear Building Façade shall have an architectural plane breaks of at least two (2) feet of relief at two (2) or more points. Cantilevered offsets shall meet the requirements for an architectural plane break if they provide at least 18 inches of relief.
 - c) If masonry materials are used on the Side Building Façade, masonry materials a minimum of thirty-six (36) inches in height the entire length of the Rear Building Façade shall be required. To allow greater architectural diversity, as an alternative to this requirement up to 50 Dwellings within the District may have masonry materials a minimum of 18 inches in height.
 - d) Architectural detailing on the Rear Building Façade shall be similar in character to the Front Building Elevation. Architectural detailing includes, but is not limited to, gable treatments, gable brackets, window mullions, trim details (such as a trim band between the first and second floor levels), and dormers consistent with their application on the Front Building Elevation.
 - e) If masonry materials are used on the Rear Building Façade, masonry materials shall be used on the exposed basement walls of Dwellings with look-out basements and walk-out basements. A look-out basement is defined as a basement where the finish grade of the lot meets the Dwelling below the bottom elevation of a basement window. Basement windows utilizing window wells do not qualify as look-out basements.
- ix. **Corner Breaks:** Within Area A and Area B, all Dwellings shall have a minimum of three (3) corner breaks on the Front Building Facade and the Rear Building Facade. Within Area C, Area D, and Area E, all Dwellings shall have a minimum of four (4) corner breaks on the Front Building Facade and the Rear Building Facade. The exterior corners of a covered porch, the outermost corners of the Dwelling, and a projection with a height of no less than six (6) feet shall count toward this requirement.
- x. **Driveways:** All driveways shall be concrete.

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

- A. Restricted Open Space Buffer: Along the western property line of the Real Estate where indicated on **Exhibit E** a Restricted Open Space Buffer (ROSB) shall be provided.
- i. The ROSB shall be a minimum of 60 feet wide and planted as detailed in Section 7.2(D) Buffer Yard Requirements, below.

- ii. The ROSB may be located within private Lots.
 - iii. No outside storage nor structures shall be permitted within the 45-foot wide reforestation planting area within the ROSB.
 - iv. Outside of the reforestation planting area no structures taller than 18 inches shall be permitted within the ROSB, except for fences which may be permitted to a maximum height of six (6) feet.
 - v. Lot owners may add additional landscaping within the ROSB.
- B. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified and enhanced below.
- i. All lots shall be landscaped with a minimum of two (2) shade trees, one (1) ornamental or evergreen tree, and ten (10) shrubs.
 - ii. At a minimum, the Lot's Established Front Yard shall be sodded and the remainder of the Lot shall be seeded.
- C. External Street Frontage Landscaping Requirements: Article 6.8(M) shall apply except that no mound shall be required along 161st Street where the elevation difference between the centerline of 161st Street and the finish grade 90 feet south of the centerline of 161st Street is ten (10) feet or greater.
- D. Buffer Yard Requirements: Article 6.8(N) Buffer Yard Requirements shall apply except as modified and enhanced below.
- i. Along the western property line of the Real Estate landscape buffers shall be provided where indicated on **Exhibit F**. The portion of the buffer depicted as Buffer A shall be a minimum of 40 feet wide and planted at a minimum rate of eight (8) shade trees and eight (8) evergreen trees per 100 linear feet. The plantings may be distributed throughout the buffer. The portion of the buffer depicted as Buffer B shall be a reforestation area a minimum of 45 feet wide and planted with a variety of native deciduous trees as follows:
 - a) Trees Sizes at Installation: At the time of installation, 25% of the trees shall be a minimum of 1½" in caliper, 50% of the trees shall be whips a minimum of five (5) feet tall, and 25% of the trees shall be three (3) gallon container stock, or equal.
 - b) Tree Spacing: Trees shall be spaced an average of nine (9) feet on center with an average of nine (9) feet between rows. Tree locations may be adjusted slightly to soften the triangular spaced grid to create a more naturalistic appearing tree spacing.

- c) Trees shall be installed with tree protectors.
- d) Signs denoting “Reforestation Easement” shall be installed at approximately 200-foot intervals.
- ii. No berm nor mounding shall be required within the perimeter buffer yard.
- iii. The perimeter buffer yard may be located within private Lots.
- iv. Lot owners may add additional landscaping within the perimeter buffer yard. However, in no instance shall the amount of landscaping be reduced below the planting required by this ordinance. Approval of any modifications within the perimeter buffer yard shall be approved by the Homeowners Association prior to installation.

Section 8. **Infrastructure Standards.** The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works, except utility poles shall be permitted within the dedicated rights-of-way as long as they are (i) located outside of the Obstruction Free Zone defined within the City of Westfield Construction Standards and Specifications, and (ii) located as to not interfere with any proposed sidewalk or trail.

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

9.1 Article 8.6 Open Space and Amenity Standards: Shall apply, except as modified below:

- A. Common Areas shall not be subject to the Minimum Lot Frontage provisions of the Underlying Zoning District; however, Article 8.6(C) shall apply.
- B. Passive Amenities: Open Space including trails shall be provided for passive recreation opportunities, as generally depicted on the Amenities Plan in **Exhibit D**. Trails shall be installed in substantial compliance with the location depicted on the Amenities Plan. The final locations are subject to existing easements and final engineering design. If trails are prevented from being installed as generally shown, then the Director may approve alternative trail locations that still provide access and connectivity to the open space.
- C. Amenity Elements: Community gathering point amenities, including but not limited to a picnic area, playground, fire pit, and trellises with swings, are generally depicted on **Exhibit D**. The Amenity Elements shall be provided within the area depicted on the Amenities Plan. Alternative locations within the Open Space area may be approved by the Director.

D. Minimum Open Space Requirement: A minimum of 27% of the gross acreage of the site shall be protected as Open Space.

9.2 Article 8.9 Street and Right-of-Way Standards: Shall apply, except as modified below:

A. Article 8.9(F)(3) Connectivity Standards: Shall apply, except that the street stub shown connecting the property to the west is not required to be constructed until such time as the connecting property develops.

B. Article 8.9(G)(3)(a) Maximum Cul-de-sac Length Standards: Shall apply, except the maximum length permitted shall be 700 feet.

C. Article 8.9(G)(6) Access Point Standards: Shall apply, except more than one (1) point of vehicular access shall be permitted from the development onto 161st Street. Within Area E indicated on **Exhibit B**, each Lot shall be permitted to have one (1) direct access point by driveway to 161st Street. If there is a Corner Lot within Area E that abuts an Internal Street, vehicular access for said Corner Lot shall be derived from the Internal Street.

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ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Bryan D. Stumpf

I hereby certify that **ORDINANCE 17-52** was delivered to the Mayor of Westfield

on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 17-52**
this _____ day of _____, 2018.

I hereby VETO **ORDINANCE 17-52**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Bryan D. Stumpf, 11th Street Development
7378 N 550 E, Lebanon, IN 46052 (317) 721-8279

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan and Illustrative Plan
Exhibit C	Architectural Character Exhibits
Exhibit D	Amenities Plan and Character Exhibits
Exhibit E	Restricted Open Space Buffer
Exhibit F	Landscape Buffer Yard Planting

EXHIBIT A
REAL ESTATE

The East Half of the Southeast Quarter of Section Nine (9) Township Eighteen (18) North,
Range Three (3) East, Hamilton County, Indiana, containing eighty (80) acres, more or less.

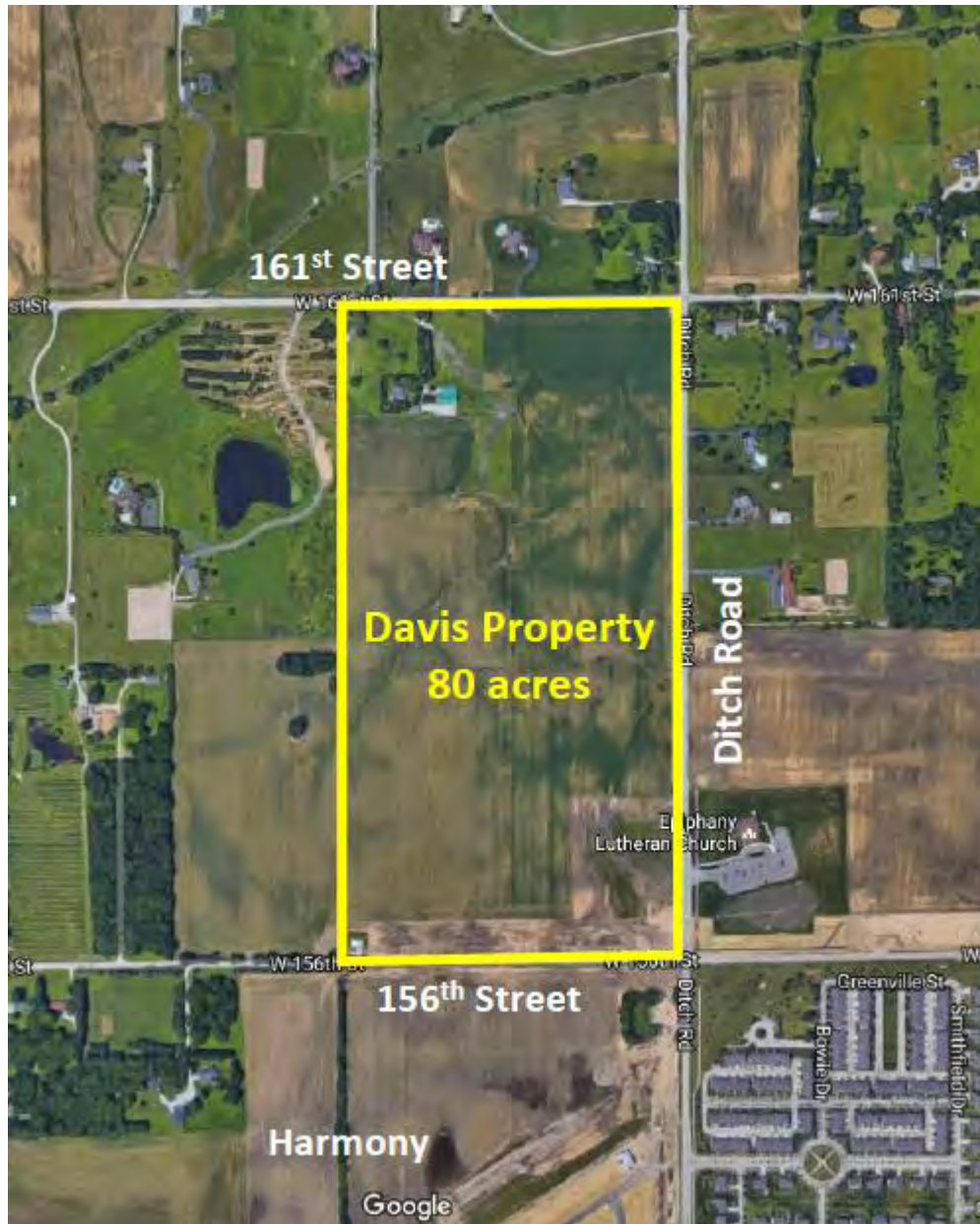


EXHIBIT B
CONCEPT PLAN

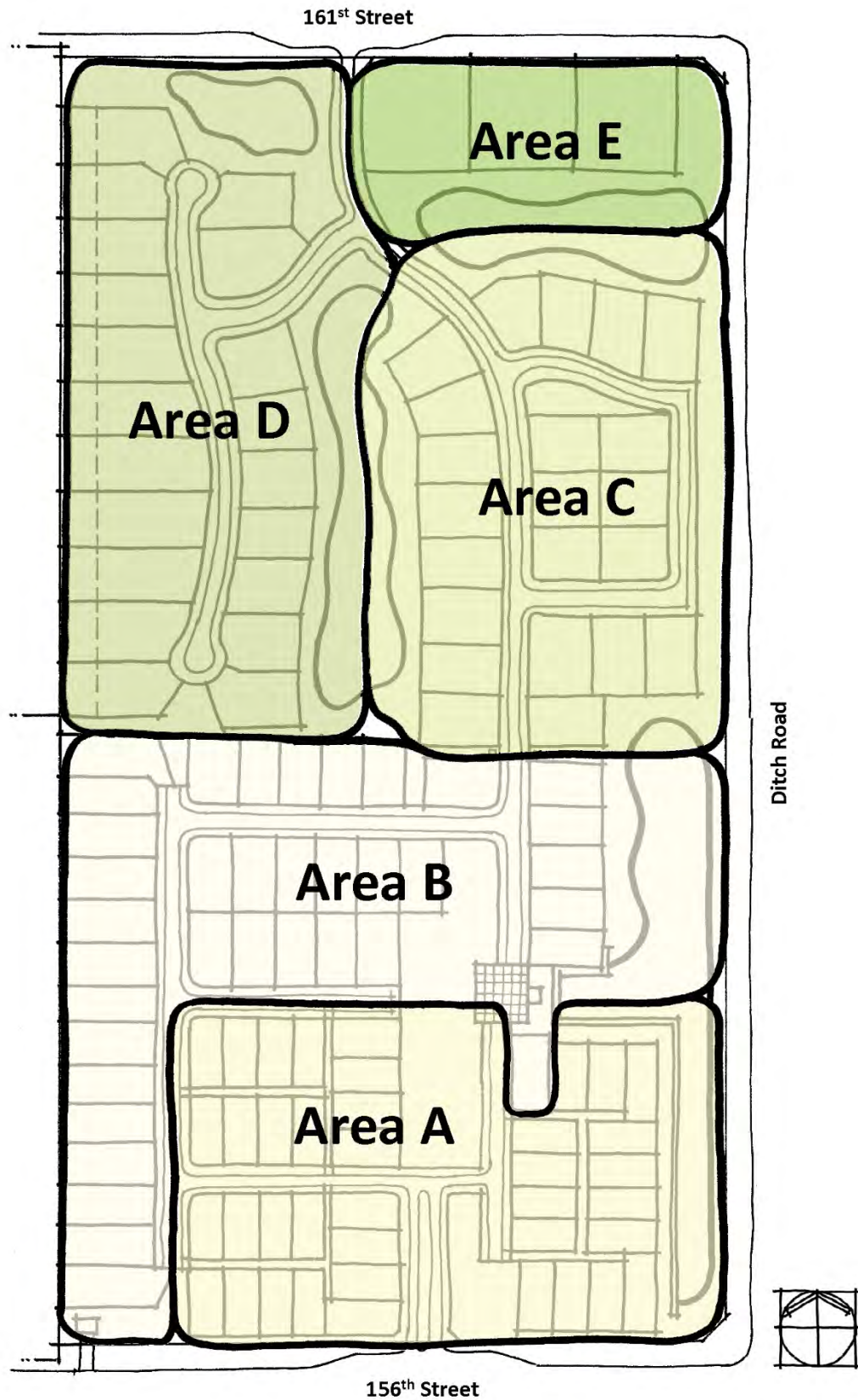


EXHIBIT B
ILLUSTRATIVE PLAN

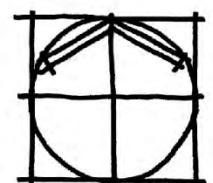


EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – SIDE ELEVATION DETAIL



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – ENHANCED REAR ELEVATIONS



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – ENHANCED REAR ELEVATIONS



EXHIBIT D **AMENITIES PLAN AND CHARACTER EXHIBITS**

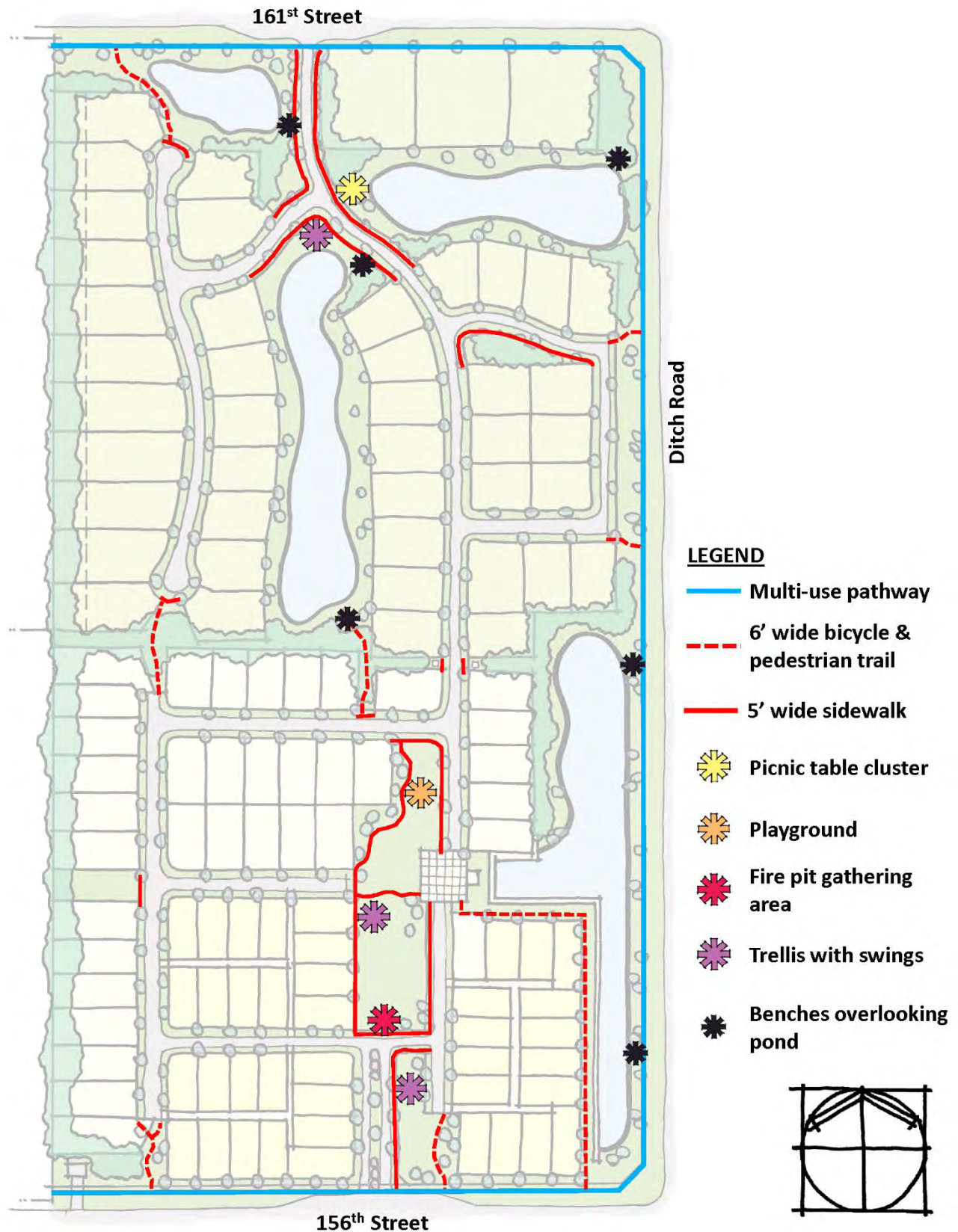


EXHIBIT D
AMENITIES PLAN AND CHARACTER EXHIBITS



EXHIBIT D
AMENITIES PLAN AND CHARACTER EXHIBITS



EXHIBIT E
RESTRICTED OPEN SPACE BUFFER



The red shaded area along western property line indicates the location of the Restricted Open Space Buffer.

EXHIBIT F
LANDSCAPE BUFFER YARD MAP

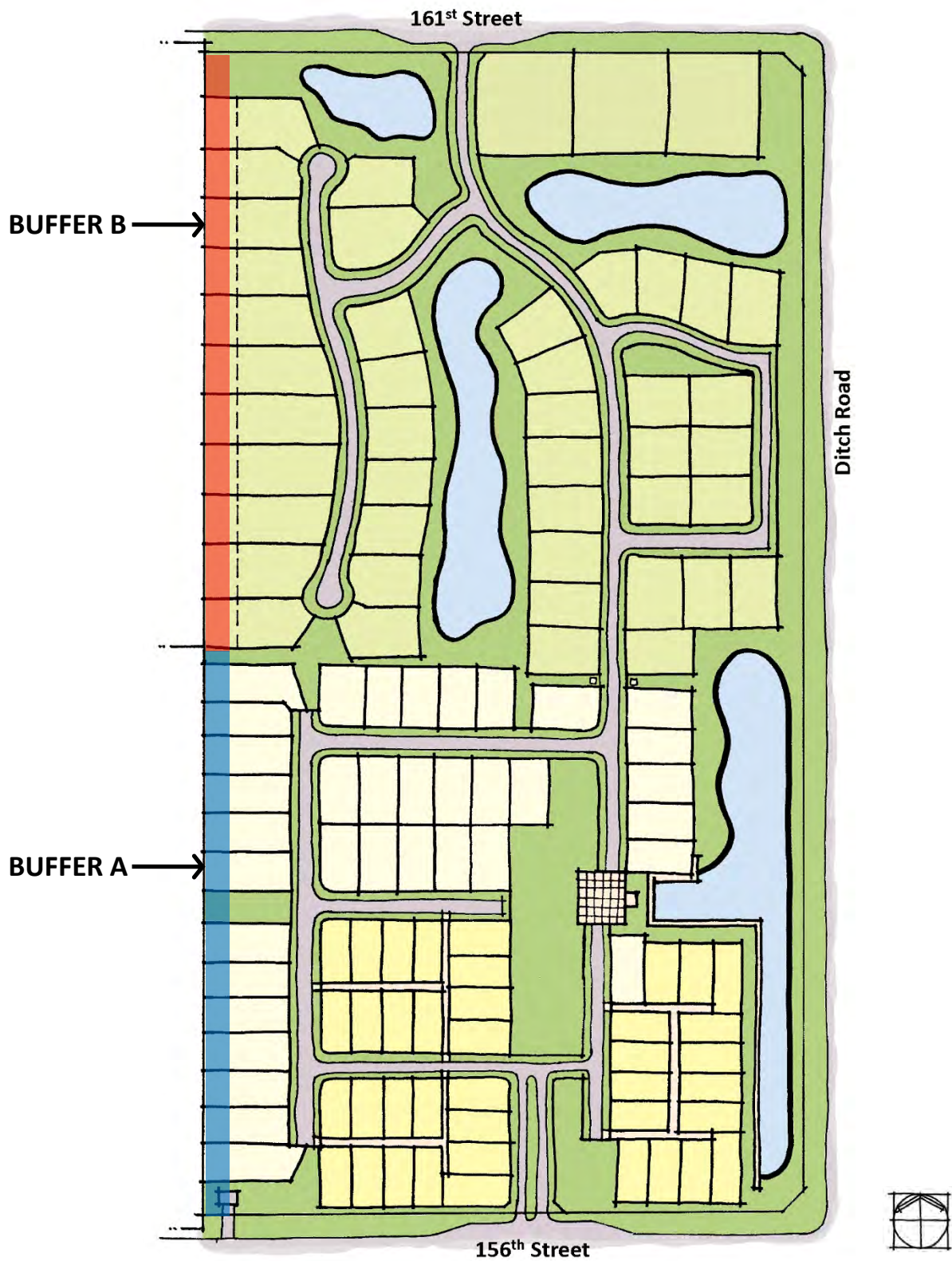
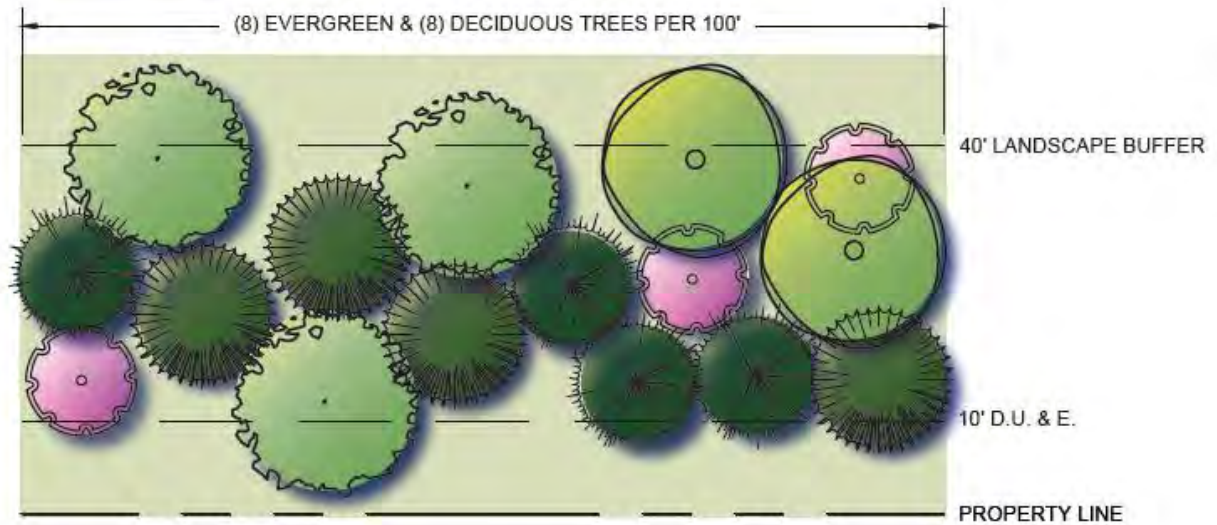
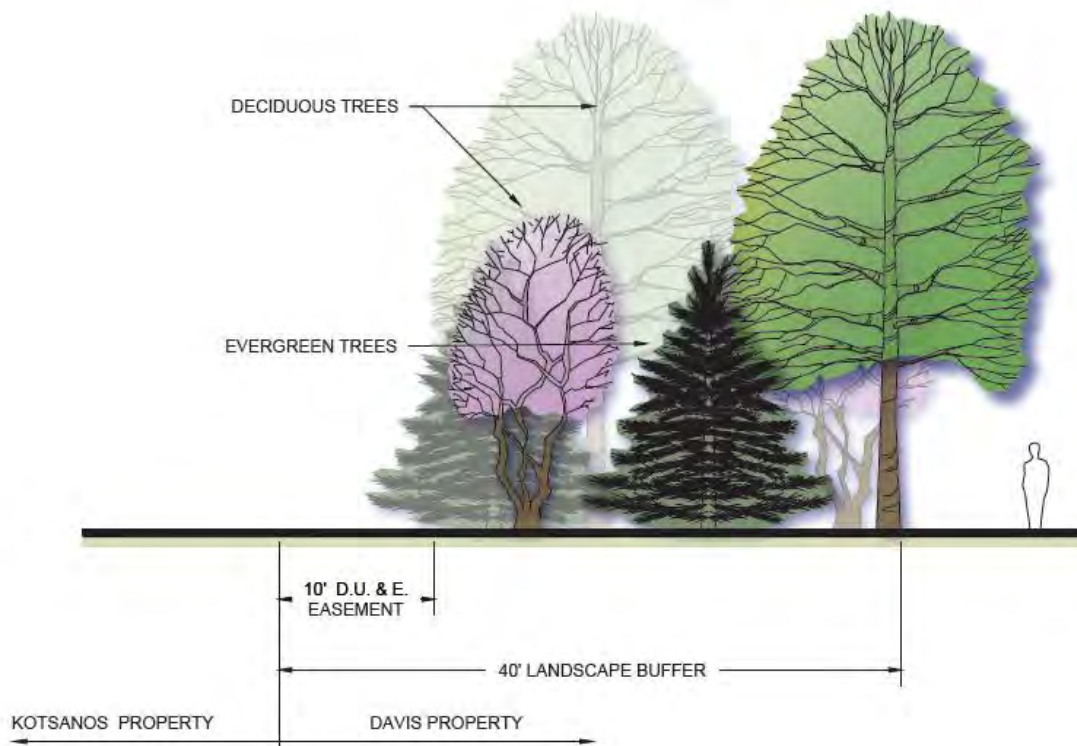


EXHIBIT F
LANDSCAPE BUFFER YARD PLANTING – BUFFER A

DAVIS PROPERTY



KOTSANOS PROPERTY





Westfield City Council Report

Ordinance Number:	17-52
APC Petition Number:	1801-PUD-01
Petitioner:	Estridge Homes (the “Petitioner”)
Representative:	11 th Street Development
Requested Action:	A change in zoning of approximately 80 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Davis PUD District.
Current Zoning:	AG-SF1: Agriculture / Single-Family Rural District
Current Land Use:	Undeveloped / Residential / Agriculture
Exhibits:	1. Department Report 2. Location Map 3. Concept Plan and Illustrative Plan 4. Architectural Character Exhibit 5. Amenities Plan and Character Exhibits 6. Buffer Exhibits 7. Proposed Ordinance 17-52 (Davis PUD) 8. Side-by-side Concept Plan Comparison Exhibit 9. Petitioner’s Narrative 10. Neighbor Meeting Summary 11. Petitioner’s Response to Issue List 12. Petitioner’s Comprehensive Plan Analysis 13. Public Comments 14. APC Certification
Prepared by:	Pam Howard, Senior Planner

PETITION HISTORY

This petition was introduced at the December 11, 2017, City Council meeting. The public hearing for this petition was held at the January 16, 2018, Advisory Plan Commission (the “Plan Commission”) meeting.

The Petitioner held a neighborhood meeting on January 10, 2017, for neighbors and other interested parties. A summary of that meeting was provided by the Petitioner and is included as **Exhibit 11.**

PROJECT OVERVIEW

Location: This subject property is approximately eighty (80) acres in size and is located on the west side of Ditch Road between 156th Street and 161st Street (see **Exhibit 2**). The Property is currently zoned the AG-SF1: Agriculture / Single-Family Rural District. The surrounding properties include the Harmony PUD to the south, West Rail PUD to the east, as well as large lot residential and agricultural properties to the east, north, and west.

Project Description: The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as the “Davis PUD” that would allow for single-family residential development. The proposed PUD Ordinance establishes five (5) areas for the development of the Property, as generally illustrated on the Concept Plan (see **Exhibit 3**). A maximum of 125 dwellings would be permitted.

Bulk and Density Standards: As stated in the Project Description section above, the proposed PUD Ordinance establishes five (5) areas for the development of the Property, and includes a unique set of standards for each area. Those standards are further described below in tables that are grouped by the proposed underlying zoning district.

Underlying Zoning SF3: The table below outlines the lot standards for Areas A and B, as compared to the UDO’s requirements for the SF3: Single-Family Medium Density District.

	AREA A	AREA B	UDO (SF3)
Min. Lot Area	7,150 SF	10,500 SF	12,000 SF
Average Lot Area	8,100 SF	12,400 SF	No equivalent standard
Min. Lot Width	55’	75’	80’
Min. Lot Frontage	30’	40’	50’
Min. Front Yard Setback	10’	20’	20’
Min. Side Yard Setback	5’	5’	10’
Min. Rear Yard Setback	20’	20’	30’
Max. Building Height	2 stories	2 stories	25’
Min. Living Area (Total)			
One Story	2,000 SF*	2,000 SF	1,200 SF
Two Story	2,200 SF	2,400 SF	800 SF (ground floor)
Max. Number of Dwellings	42	36	No equivalent standard
* Up to 11 of the lots within Area A may contain a One-Story Dwelling with a Total Minimum Living Area of 1,800 SF			

Underlying Zoning SF2: The table below outlines the lot standards for Areas C and D, as compared to the UDO's requirements for lots in subdivision within the SF2: Single-Family Low Density District (the proposed underlying zoning district for those areas).

	AREA C	AREA D	UDO (SF2)
Min. Lot Area	13,300 SF	14,700 SF	15,000 SF
Average Lot Area	14,000 SF	20,000 SF	No equivalent standard
Min. Lot Width	95'	105'	100'
Min. Lot Frontage	50'	50'	50'
Min. Front Yard Setback	20'	20'	30'
Min. Side Yard Setback	5'	10'	12'
Min. Rear Yard Setback	20'	20'	30'
Max. Building Height	2 stories	2 stories	2 ½ stories
Min. Living Area (Total)			
One Story	2,400 SF	2,600 SF	1,200 SF
Two Story	2,800 SF	3,000 SF	800 SF (ground floor)
Max. Number of Dwellings	23	21	No equivalent standard

Underlying Zoning AG-SF1: The table below outlines the lot standards for Area E, as compared to the UDO's requirements for the AG-SF1: Agriculture / Single-Family Rural District (the proposed underlying zoning district for the area).

	AREA E	UDO (AG-SF1)
Min. Lot Area	43,560 SF (1 acre)	3 acres
Average Lot Area	43,560 SF (1 acre)	No equivalent standard
Min. Lot Width	200'	100'
Min. Lot Frontage	100'	250'
Min. Front Yard Setback	45'	100'
Min. Side Yard Setback	20'	30'
Min. Rear Yard Setback	40'	30'
Max. Building Height	2 stories	2 ½ stories
Min. Living Area (Total)		
One Story	3,000 SF	1,350 SF
Two Story	3,500 SF	800 SF (ground floor)
Max. Number of Dwellings	3	No equivalent standard

Development Standards: As proposed, the PUD Ordinance establishes alternative development standards from the Underlying Zoning District. The development standards of note are briefly highlighted below:

Architectural Standards: The proposed PUD Ordinance defaults to the UDO's single-family architectural standards (Article 6.3(C)) and includes additional architectural requirements for single-family homes. The additional requirements address garages; roof pitches and overhangs; prohibited building materials; windows; basements; additional architectural requirements for individual elevations; corner breaks; and driveways. The PUD Ordinance also incorporates an Architectural Character Exhibit (see **Exhibit 4**) that is "designed to capture the intended architecture of Dwellings to be constructed..."

Landscaping Standards: The proposed PUD Ordinance defaults to the UDO's landscaping standards, with the following exceptions:

Restricted Open Space Buffer: The proposed PUD Ordinance establishes a Restricted Open Space Buffer (ROSB) 60' in width, along the west property line; and restricts the height of any structures built within that area. The ROSB would be permitted to be located on private lots, and landscaping requirements are outlined in the Buffer Yard Standards of the proposed PUD Ordinance, further described below.

Minimum Lot Landscaping: Alternative minimum lot landscaping standards are proposed as outlined in the chart below:

	Proposed in PUD	UDO requirement (Lots over 8,000 SF)
Shade Trees	2	4
Ornamental/Evergreen Trees	1	2
Shrubs	10	4

External Street Frontage Landscaping: Would apply, except along 161st Street where the elevation difference between the centerline of 161st Street and the finish grade 90 feet south of the centerline of 161st Street is ten (10) feet or greater.

Buffer Yard Requirements: As proposed, the Buffer Yard along the western property line will be divided into two (2) sections. The southern half of the buffer, labeled as "Buffer A" on the second page of **Exhibit 6**, is proposed to be 40' in width and contain eight (8) shade trees and eight (8) evergreen trees per 100 linear feet. The northern half of the buffer, labeled as "Buffer B" on the same exhibit, is proposed as a reforestation area a minimum of 45' in width and includes additional size and spacing requirements for the plantings placed in that area. Additionally, the Buffer Yard would be permitted to be located on private lots and no mound or berm is proposed.

Design Standards: As proposed, the PUD Ordinance establishes alternative Design Standards from those contained in the UDO. These standards are briefly highlighted below.

Open Space/Amenities: As proposed, the UDO standards for open space would apply. Additionally, the proposed PUD Ordinance includes a minimum open space requirement of 27%, and requires the open space and amenities to be developed as generally depicted in the Amenities Plan and Character Exhibits (see **Exhibit 5**).

Street and Right-of-Way Standards: The proposed PUD Ordinance would require a street to be stubbed to the west; however, it would not require the stub to be constructed until the property to the west is developed. Additionally, the proposed PUD Ordinance increases the Maximum Cul-de-sac Length to 700 feet, and allows the lots in Area E to be accessed directly off of 161st Street.

Changes since the Public Hearing

Since the public hearing, the Petitioner has made several changes to the proposed ordinance. First, the number of areas in the district was increased from two (2) to five (5), with three (3) underlying zoning districts; and Average Lot Area and Maximum Number of Dwellings Permitted were added for each of the areas. Second, additional architectural standards were added. These standards are related to garages, roofs, chimneys, windows, basements, and additional architectural requirements for individual elevations. Third, Buffer Yard requirements were added to the proposed PUD Ordinance including the language regarding the Restricted Open Space Buffer. Lastly, some Street and Right-of-Way Standards were added to the Proposed PUD Ordinance. These standards include delaying the construction of the street stub to the west, increasing the minimum cul-de-sac length, and permitting additional access point along 161st Street to serve the lots in Area E.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as New Suburban. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions; however, below is a general summary of the goals and objectives of the Comprehensive Plan for this Property:

The development policies for “New Suburban” include: (i) ensure development occurs in a way that is contiguous with existing development; (ii) design developments such that back yards are not adjacent to collector or arterial streets unless uniform attractive screening is provided; (iii) prevent monotony of design and color that applies to the collective impact of an entire development; (iv) encourage compatible and high quality “life span” housing; (v) emphasize connectivity between subdivisions, and avoid creating isolated islands of development; (vi) permit new development only where the transportation network is sufficient to the added traffic volume, based on traffic studies developers should make appropriate improvements to mitigate traffic impacts resulting from the new development; (vii) encourage quality and useable open space; (viii) encourage development of bicycle and pedestrian facilities in new development to improve connectivity; (ix) land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities; (x) locate roadways and house lots to respect natural features and to maximize exposure of lots to open space, and (xi) encourage attractive streetscapes that minimize front-loading garages,

provide garage setbacks from front facades of houses, minimize design and material repetition a, and avoid house orientations where the back sides face the public right of way.

The development policies for “residential design standards” include: (i) encourage neighborhoods that do not have the appearance of “production” housing; (ii) evaluate new residential development on the basis of overall density and the relationship that density to effective and usable open space preservation, rather than on lot sizes; and (iii) encourage variety and diversity in housing while maintaining a distinct style or character and avoiding the appearance of “cookie cutter” subdivisions.

The development policies for “open space and recreation” include: (i) design open space to form an interconnected network, with provisions or linkages to existing or potential open space; (ii) maintain and preserve stream corridors, woodlands, hedge rows, or other valuable natural and historic resources; (iii) provide parks and recreational facilities in new development to accommodate the needs of the community as it grows; and (iv) recognize that in addition to the amount of open space, that the location and configuration of open space is of importance and should not be an afterthought based on a determination of unusable land.

Thoroughfare Plan: The following corridors are impacted by the development of the Property: (i) Collector Road: 156th Street, (ii) Secondary Arterial: Ditch Road, (iii) Primary Arterial: 161st Street, and (iv) Alternative Transportation Plan: perimeter pathways along perimeter streets and sidewalks along internal streets.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the January 16, 2018, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

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

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

Council Introduction: The petition was introduced at the December 11, 2017, City Council meeting.

RECOMMENDATIONS / ACTIONS

Plan Commission Recommendation

At its May 7, 2018, meeting, the Plan Commission forwarded a favorable recommendation of this petition to the Council (Vote: 6 in favor, 1 opposed, 1 abstention) (see **Exhibit 14**).

City Council

Introduction: December 11, 2017

Eligible for Adoption: June 11, 2018

Submitted by: Pam Howard, Senior Planner
Economic and Community Development Department

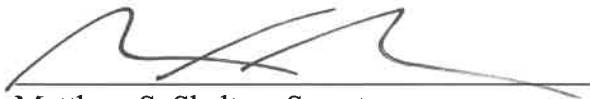
**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY
PLAN COMMISSION CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission (APC) held a public hearing on Tuesday, January 16, 2018, to consider an amendment to the Zoning Map and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

Docket No.	1801-PUD-01
Ordinance No.	17-52
Petitioner	Estridge Homes
Description	A change in zoning of approximately 80 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Davis PUD District.

On May 7, 2018, the Plan Commission forwarded a favorable recommendation to the City Council regarding this petition (Vote: 6 in favor, 1 opposed, 1 abstention) with commitments made at the May 7, 2018, APC meeting.

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.


Matthew S. Skelton, Secretary

May 8, 2018

Date

EXHIBIT E
RESTRICTED OPEN SPACE BUFFER



The red shaded area along western property line indicates the location of the Restricted Open Space Buffer.

EXHIBIT F
LANDSCAPE BUFFER YARD MAP

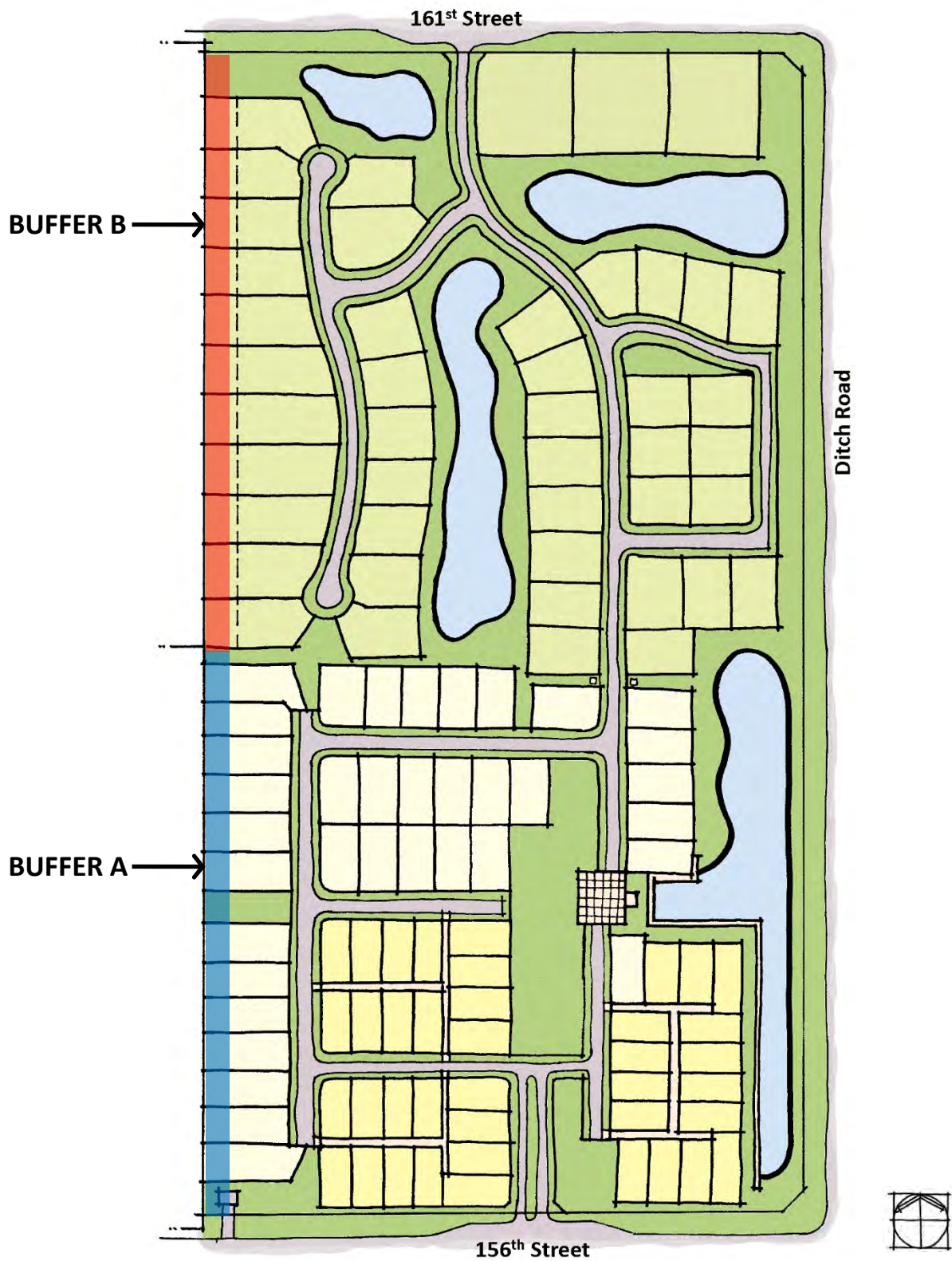
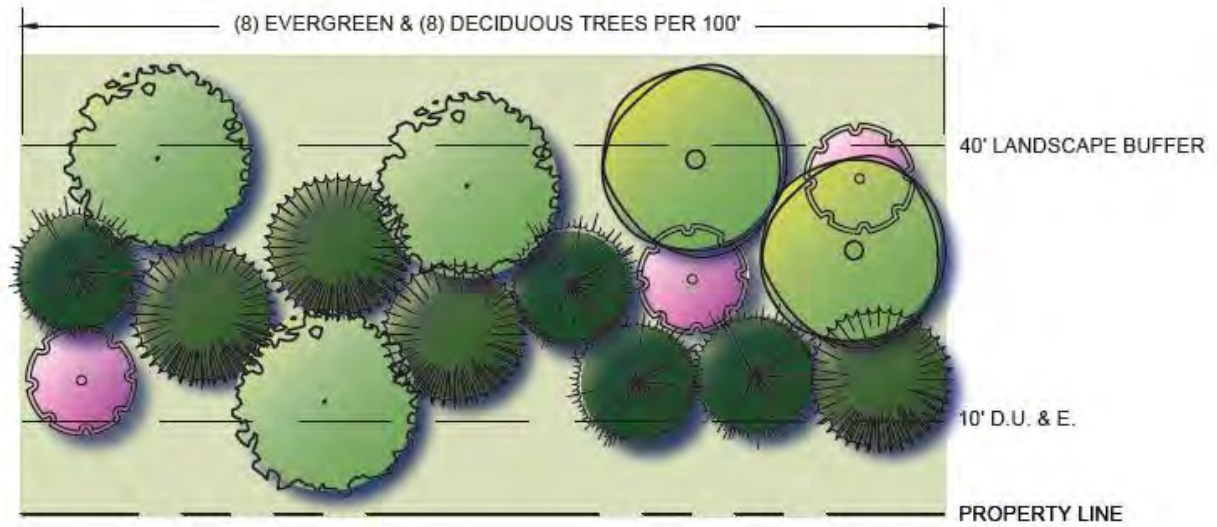


EXHIBIT F
LANDSCAPE BUFFER YARD PLANTING – BUFFER A

DAVIS PROPERTY



KOTSANOS PROPERTY

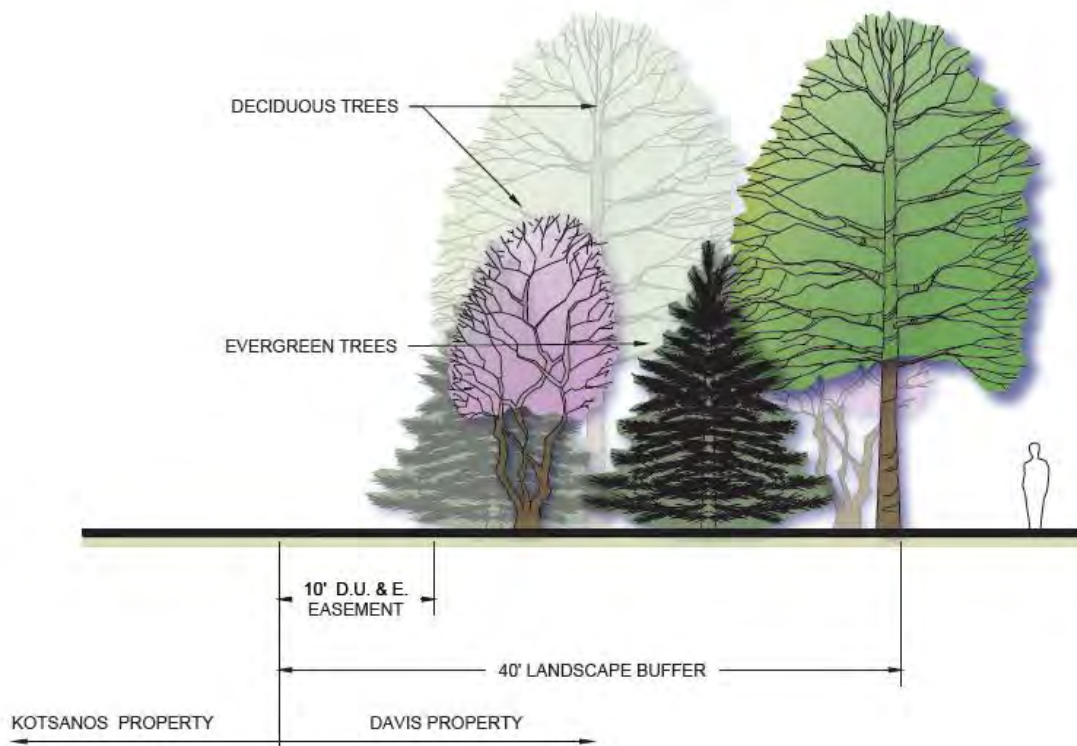


EXHIBIT D **AMENITIES PLAN AND CHARACTER EXHIBITS**

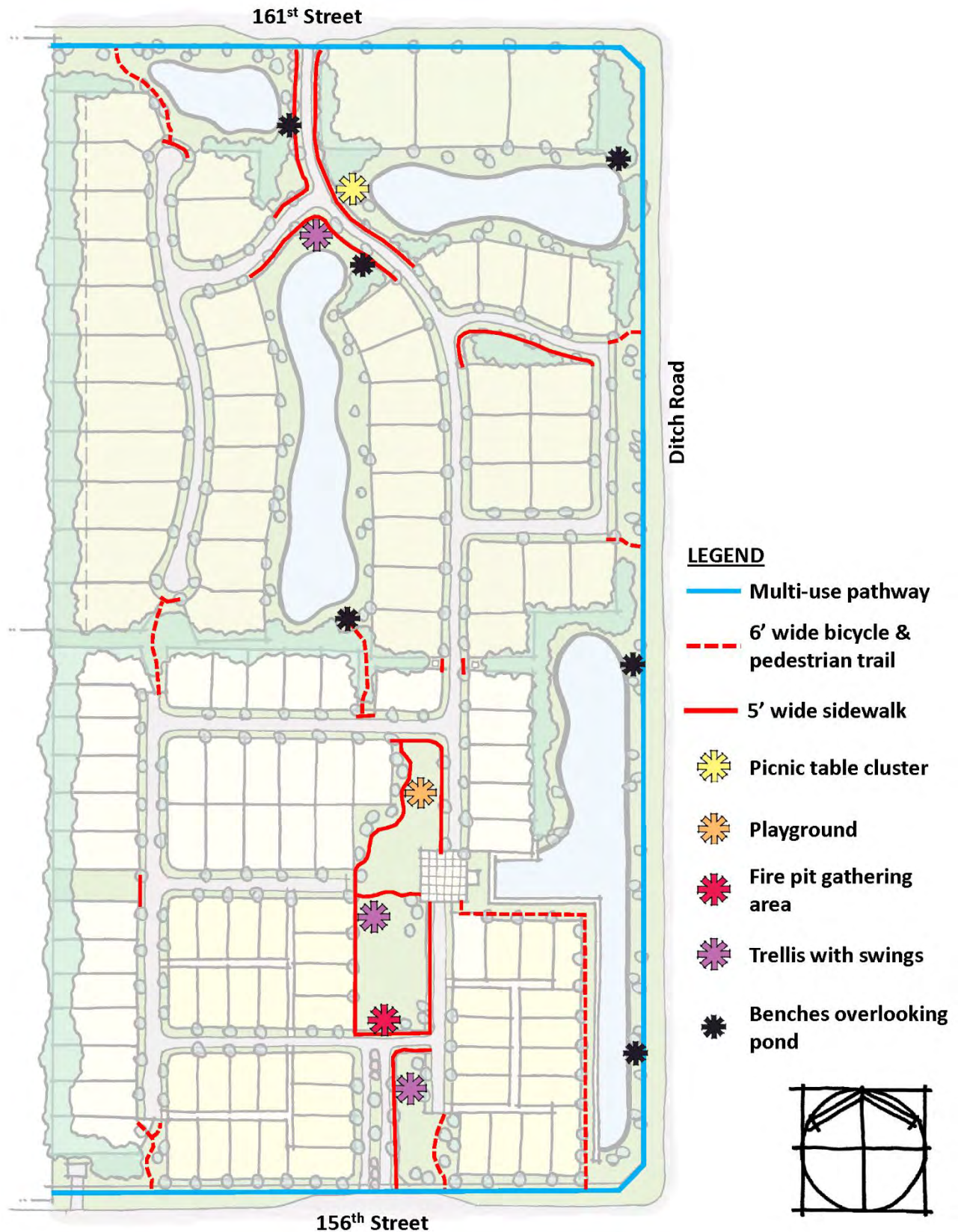


EXHIBIT D
AMENITIES PLAN AND CHARACTER EXHIBITS



EXHIBIT D
AMENITIES PLAN AND CHARACTER EXHIBITS



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA A



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA B



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – AREA C, AREA D, AND AREA E



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – SIDE ELEVATION DETAIL



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – ENHANCED REAR ELEVATIONS



EXHIBIT C
ARCHITECTURAL CHARACTER EXHIBITS – ENHANCED REAR ELEVATIONS



EXHIBIT B
CONCEPT PLAN

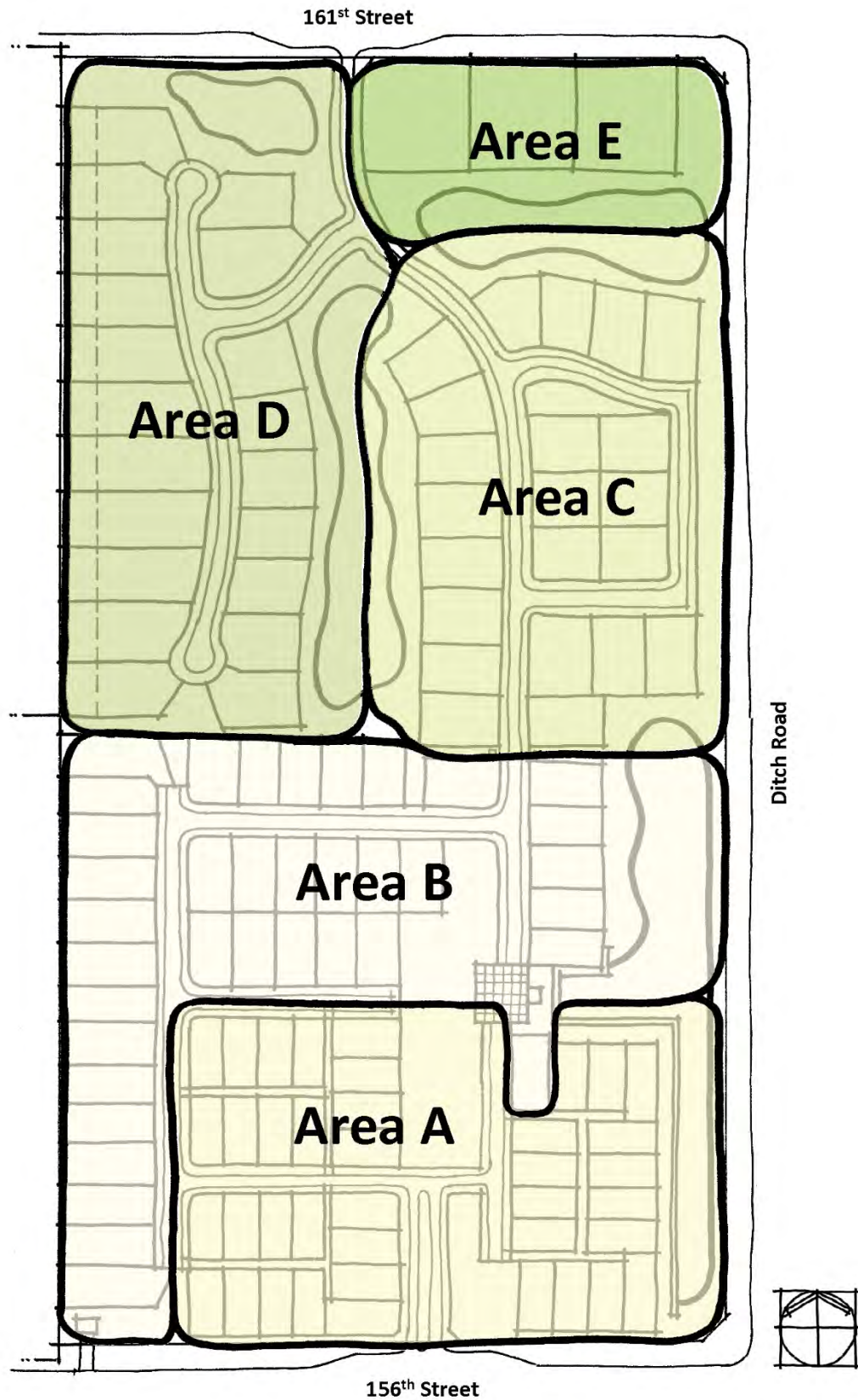
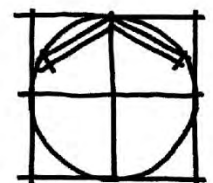


EXHIBIT B
ILLUSTRATIVE PLAN





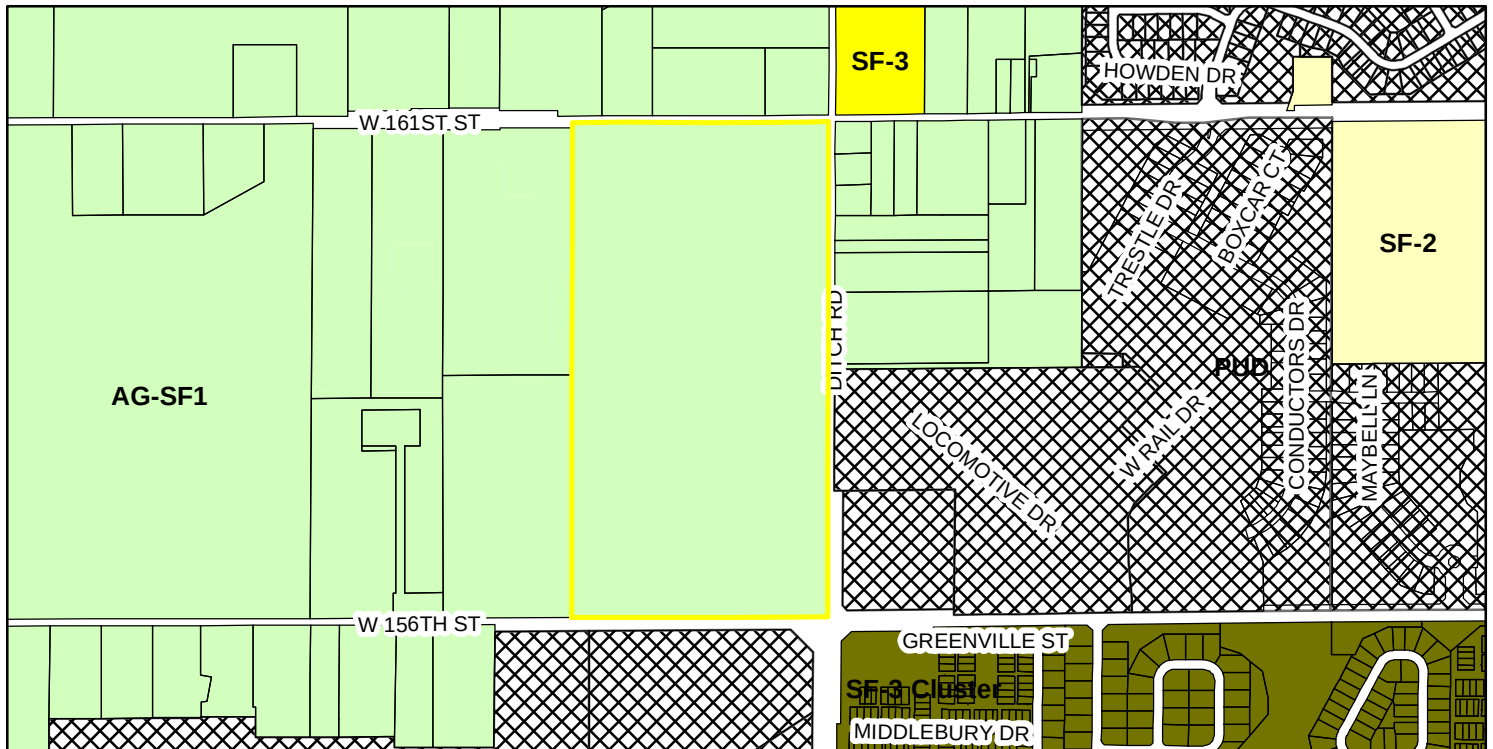
Property Location Map
Davis Planned Unit Development (PUD) District
1801-PUD-01



Aerial Location Map



Zoning Map



- | | | |
|--|--------------------------|--------------|
| AG-SF1 (Agriculture - Single Family - 1) | SF-2 (Single Family - 2) | SF-3 Cluster |
| PUD (Planned Unit Development) | SF-3 (Single Family - 3) | |

ORDINANCE NUMBER 17-51

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING
THE AURORA PLANNED UNIT DEVELOPMENT DISTRICT (n/k/a NORTHPOINT)
BEING THAT OF ORDINANCE 06-55 and THE UNIFIED DEVELOPMENT
ORDINANCE**

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

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

WHEREAS, the Common Council enacted Ordinance No. 06-55, Aurora Planned Unit Development District on December 11, 2006, recorded as Instrument No. 2007002778 in the Office of the Recorder of Hamilton County, Indiana (the "Original PUD Ordinance");

WHEREAS, the Council subsequently adopted Ordinance No. 16-35, the Aurora Planned Unit Development Ordinance on January 9, 2017 (the "First Amendment"), which repealed and superseded the Original Ordinance;

WHEREAS, the Council also subsequently adopted Ordinance No. 17-30, an amendment to the First Amendment (the "Second Amendment")

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (**Petition No. 1801-PUD-03**) filed with the Commission requesting an amendment to the Unified Development Ordinance, the First Amendment, Second Amendment and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** ("Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1801-PUD-03** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (____ in favor ____ against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance hereby repeals and supersedes in its entirety the Original PUD Ordinance, the First Amendment and Second Amendment.
- 1.2 This Planned Unit Development shall hereinafter be referred to as Northpoint PUD.
- 1.3 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.4 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.5 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance. The following words and terms, not defined elsewhere in this Ordinance or its Exhibits, shall have the following meanings:

- 2.1 Association. A home owners association, property owners association or other organization formed order to govern and maintain the various Districts as established by Declaration.
- 2.2 Build-To Line. A designated line at which construction of a building facade is to occur.
- 2.3 Corner Break. An exterior corner along the facade of a structure.
- 2.4 Declaration. A Declaration of Covenants, Conditions and Restrictions for one (1) or more areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.
- 2.5 Developer. The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.
- 2.6 District. Any of the Residential Districts, the Commercial District, and/or the Business Districts as identified in this Ordinance.
- 2.7 District, Residential. The Townes and The Villas.
- 2.8 Dormer. Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.
- 2.9 EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base

- coat, and an attractive and durable finish coat.
- 2.10 Exterior Material. The separate architectural siding materials and patterns on a Building Facade such as Masonry materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- 2.11 External Street. Grassy Branch Road, U.S. 31 and State Highway 38.
- 2.12 Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
- 2.13 Facade, Secondary. Any building elevation not having commercial or retail public entrances and does not contain tenant signs. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
- 2.14 Gable. That part of the end wall of a building between the eaves and a pitched or gambrel roof.
- 2.15 Internal Street. Any public street, private street, or shared drive other than an External Street.
- 2.16 Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
- 2.17 Natural Materials. Brick, wood, limestone, fiber cement siding, cultured stone, or natural stone.
- 2.18 Real Estate. The real estate, as described in **Exhibit A** to the Ordinance.

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

3.1 The Concept Plan hereby allocates the Real Estate into the following Districts:

- Business Parke;
- Commerce Parke;
- The Shoppes;
- The Townes; and
- The Villas.

3.2 The approximate size of each District is as follows. The size of the Commerce Parke or The Shoppes may be increased or decreased by up to 15%. The size of the Business Parke may be increased by up to 15%, but may not be decreased. The total acreage comprising The Townes and The Villas may not decrease below ninety one (91) acres total. The total acreage comprising The Townes and the Villas may increase, so long as the number of residences or the ratio of Single-family Dwellings to acres does not exceed the provisions of Section 3.3 hereof.

<u>District</u>	<u>Area</u>
Business Parke	20 Acres
Commerce Parke	300 Acres
The Shoppes	17 Acres

The Townes	68 Acres
The Villas	23 Acres
Total acreage	428 Acres

- 3.3 The total of residential units on the Real Estate shall not exceed two hundred fifty (250).

The actual number of detached Single-family Dwellings shall be governed by the number of acres dedicated to detached Single-family Dwellings as governed by the following charts:

<u>Minimum Acreage</u>	<u>Maximum Units</u>
61 Acres	180 units
71 Acres	205 units
81 Acres	225 units
91 Acres	250 units

- 3.4 It is anticipated that the development of The Townes and The Villas will commence prior to the construction of the East Street extension. In this event, 203rd Street shall remain open and as access to the residential uses which are located west of Grassy Branch and which currently access their residential uses via 203rd Street. Upon completion of East Street to a point north or south of the current location of 203rd Street, any and all access from 203rd Street to East Street from Grassy Branch shall be eliminated and the internal streets servicing The Townes and The Villas shall be constructed in substantial accordance with the Concept Plan as amended.

- 3.5 Any drive entry for the Commerce Parke district located east of Grassy Branch Road shall be located at or north of 203rd Street.

Section 4. Underlying Zoning District(s).

- 4.1 The Underlying Zoning District of each District shall be:

Business Parke	GB;
Commerce Parke	EI;
The Shoppes	LB;
The Townes	SF-4 (as to Single-family Dwellings) and MF2 (for attached multifamily); and
The Villas	SF-4 (as to Single-family Dwellings) and SFA (for Duplex or Quadraplex Dwellings)

(the “Underlying Zoning District”).

- 4.2 Article 5.2 (U.S. Highway 31 Overlay Zone) of the UDO shall not apply to the Real Estate.

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

- 5.1 Only the uses identified below shall be permitted in the various Districts.

Uses which are designated as permitted by a Special Exception in the Use Table of Chapter 13 of the UDO are only permitted in a District if specifically provided as a permitted use herein.

A. Permitted Uses for Business Parke.

1. Offices
2. Hotels
3. Retail and Services
 - a. May be included in one or more buildings within a Development Plan (DP), subject to the following:
 - i. May comprise up to fifteen percent (15%) of the Gross Floor Area (GFA) of any building; or
 - ii. Up to thirty percent (30%) of GFA of one building may be retail uses, provided that:
 - Total square footage of retail uses designated in the development plan does not exceed fifteen percent (15%) of the GFA of all buildings combined; or,
 - Retail uses over fifteen percent (15%) of the GFA of any one building be located on the ground floor or below grade.
4. General Business and Enclosed Industrial Uses.
5. Accessory buildings and uses customarily incidental to any of the permitted uses. Any attached or detached Accessory building shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

B. Permitted Uses for Commerce Parke:

1. Commercial Businesses: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category except the uses of Restaurant, Fast Food; and Tavern or Nightclub (excluding a microbrewery which shall be permitted) shall be permitted in District 2 of Commerce Parke. All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB category shall be permitted in Districts 1 and 3 of Commerce Parke except a Tavern or Nightclub (excluding a microbrewery which shall be permitted). The use of a Hotel (or Motel) shall also be permitted in District 3 west of the East Street extension.
2. Industrial Businesses: All uses listed as a permitted use in the Use Table of Chapter 13 of the UDO in the EI category and the uses of construction and manufacturing of outdoor advertising signs; manufacturing, engraving and sales of cemetery monuments and tombstones; laundry and dry cleaning plants; canneries (e.g. taking fresh fruits and vegetables and canning for distribution) coffee roasting; food processing (e.g. commercial bakeries, smokehouses); granaries; grain processing; milk processing plants (without any on-site milking); warehousing and distribution operations (outdoor storage); and structural steel fabricating (similar to the existing uses of Westfield Steel); shall also be a permitted use in District 2

- of the Commerce Parke. Only EI uses shall be permitted in Districts 1 and 3 of the Commerce Parke.
3. Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the Director. In District 2, the Director shall favorably consider uses which are substantially similar to a permitted use if the impacts on surrounding properties is no greater than uses specifically permitted by Section 5.1(B)(2).
 4. Accessory buildings and uses customarily incidental to any of the permitted uses.
- C. Permitted Uses for The Shoppes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or the use of Hotel (or Motel) shall be permitted in The Shoppes. A Hotel (or Motel) use shall only be permitted west of the East Street extension.
- D. Permitted Uses for The Townes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Townes.
1. Townhomes.
 2. Multi-story condominium;
 3. Public Parks.
 4. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
 5. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
 6. Child care home - in accordance with IC 36-7-4-1108, so long as the home is not located within seven hundred (700') feet of Grassy Branch.
- E. Permitted Uses for The Villas: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Villas.
1. Two-unit thru four-unit single family attached dwellings (n/k/a Duplex or Quadraplex Dwellings).
 2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
 3. Single-family Dwellings. Maintenance of outside lawn and landscaping areas by the homeowner's association shall be offered as an option to buyers.

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

- A. Lot Standards for Business Parke:
1. Minimum Lot Size.

- a. Lots abutting U.S. Highway 31 - 5 acres
 - b. All other lots - 2 acres
2. Maximum Building Setback Line:
 - a. Lots abutting U.S. Highway 31 - 105 feet
3. Minimum Front Yard - 60 feet
4. Minimum Side Yard.
 - a. Adjacent to any residential use or zone 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
5. Minimum Aggregate Side Yard.
 - a. Adjacent to any residential use or zone - 90 feet
 - b. Adjacent to any non-residential use or zone - 30 feet
6. Minimum Rear Yard.
 - a. Adjacent to any residential use or zone - 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
7. Minimum Lot Width. Shall equal or exceed that amount which is one-half (1/2) the depth of the lot.
8. Minimum Gross Floor Area.
 - a. 15,000 square feet per building (exclusive of parking garages, basements or accessory buildings).
 - b. Permitted accessory buildings need not meet this minimum floor area requirement. The intent of this minimum gross floor area requirement is to preclude small, freestanding buildings and uses not in character with the Business Parke.
9. Maximum Lot Coverage. - 65%
10. Minimum Lot Frontage on Road. - 50 feet
11. Minimum Lot Width at Building Line. – No Minimum

B. Lot Standards for Commerce Parke:

Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet
Maximum gross square feet of retail per a single building in District 3:	65,000 gross square feet
Minimum Building Setback from Grassy Branch Road south of 203 rd Street (East of Grassy Branch))	100 feet

C. Lot Standards for The Shoppes:

1. No single occupancy may exceed 65,000 gross square feet.
2. Bulk and Density Standards.
 - a. Setbacks.
 - i. Front - 50 feet
 - ii. Side - 10 feet
 - iii. Rear - 20 feet
 - b. Lot coverage. Lot coverage shall not exceed seventy five (75) percent and is inclusive of buildings, parking areas and all other impervious surfaces which results in a minimum open space requirement of twenty five (25) percent of the land area.

D. Lot Standards for The Townes:

1. Minimum lot area for Attached Multi-Family Dwellings. - None
2. Minimum lot frontage on road for Attached Multi-Family Dwellings. - None
3. Minimum setback lines - for Attached Multi-Family Dwellings.
 - a. Front yard -(corner lots are required two front yard setbacks)
 - i. 10 feet alley load
 - ii. 22 feet front load
 - b. Side yard - minimum 15' between buildings
 - c. Rear yard - None
4. Minimum lot width at building line for Attached Multi-Family Dwellings. - None
5. Minimum total square footage per dwelling unit, exclusive of porches, terraces, and garages) for Attached Multi-Family Dwellings. – 1,200 square feet per dwelling unit
6. Maximum parcel coverage for Attached Multi-Family Dwellings. – None
7. Minimum Open Space for Attached Multi-Family Dwellings. - 15% of the District
8. Minimum lot area for permitted Single-family dwellings – 6,000 square feet
9. Minimum lot frontage on road for permitted Single-family dwellings – 40'
10. Minimum setback lines for permitted Single-family dwellings
 - a. Front Yard – 20'
 - b. Side Yard – 5'
 - c. Rear Yard – 20'
11. Minimum Lot Width for permitted Single-family dwellings – 50'
12. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family dwellings:
 - a. One story dwelling – 1,400 square feet
 - b. Two story dwelling – 1,800 square feet

- E. Lot Standards for The Villas:
1. Minimum lot area for Duplex or Quadraplex Dwellings. - None
 2. Minimum lot frontage on road for Duplex or Quadraplex Dwellings. - None
 3. Minimum setback lines for Duplex or Quadraplex Dwellings.
 - a. 30 feet from arterials
 - b. 20 feet from collectors and local streets
 4. Minimum distance between structures for Duplex or Quadraplex Dwellings.
 - a. Two-unit single family attached - 15'
 - b. Four-unit single family attached - 25'
 5. Minimum square footage per dwelling unit, exclusive of porches, terraces, and garages for Duplex or Quadraplex Dwellings.
 - a. Single story - 1,300 square feet
 - b. Two story - 1,600 square feet
 6. Minimum Open Space for Duplex or Quadraplex Dwellings. - 15% of the District
 7. Minimum lot area for permitted Single-family Dwellings – 7,200 square feet.
 8. Minimum lot frontage on road for permitted Single-family Dwellings – 40’.
 9. Minimum setback lines for permitted Single-family Dwellings
 - a. Front Yard – 20’
 - b. Side Yard – 5’
 - c. Rear Yard – 20’
 10. Minimum Lot Width for permitted Single-family Dwellings – 60’
 11. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family Dwellings:
 - a. One story single-family dwelling – 1,400 square feet
 - b. One and one half store single family dwelling – 1,500 square feet.

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

7.1 Article 6.3 Architectural Standards:

- A. Character Exhibit. The Character Exhibits, attached hereto as **Exhibit E** (As to the Townes), **Exhibit F** (as to Quadraplex Dwellings in the Villas) **Exhibit G** (as to the Villas), **Exhibit H** (as to the Business Parke), **Exhibit I** (as to the Commerce Parke) and **Exhibit J** (as to The Shoppes), are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Buildings shall be constructed substantially similar to those in the Character Exhibit.

B. Architectural Standards for Business Parke.

1. A minimum of three (3) materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, or ornamental metal. One (1) of the materials shall be either stone, brick or architectural pre-cast (panels or detailing).

C. Architectural Standards for Commerce Parke:

1. District 3 Architecture for Primary and Secondary Facades fronting on a public right of way, or which are visible from adjoining residential uses, shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to the public right of way upon which the structure fronts. The facades of structures within District 3 which do not front on a public right of way, or which are not visible from adjoining residential uses, shall comply with the requirements provided below.

2. Roof Design.

- a. Roofs may be either residential character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
- b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
- c. Rooftop equipment screens and rooftop penetrations (i.e., vents) shall be of a color compatible with the overall building or roof color (not an accent color).
- d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:12.

3. Facade Rule. - All building elevations shall either be considered a Primary or Secondary Facade. All Facades facing Grassy Branch Road, East Street or State Road 38 shall meet the Primary Façade requirements contained herein.

4. Facade Materials.

a. Primary Façade Materials.

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

concrete panels, plastics, reflective glass, vinyl siding.

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

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

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

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

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

b. Secondary Facades Materials.

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

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

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

D. Architectural Standards for The Shoppes:

1. General Architectural Standards The Shoppes shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to State Road 38 for this Ordinance.

E. Architectural Standards for The Townes:

1. Architectural Standards for Attached Multi-Family Dwellings.

a. Elevations.

i. The front elevation of a building shall be the facade containing a front door to the building.

ii. Fifty percent (50%) of the front facade of each building, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.

iii. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material. A masonry water table shall be located on all elevations except the front facade.

- b. A townhome building shall have a minimum of five (5) ridge lines.
- c. Windows.
 - i. A building shall have a minimum of three (3) windows on the front facade of the structure per unit.
 - ii. A building shall have two (2) windows on each of the two (2) side facades.
 - iii. Building shall have three (3) windows per unit on the rear facade of the structure.
 - iv. A double window will count as two (2) windows.
 - v. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.
- d. Garages shall be attached to the primary structure.
- e. Garage doors shall not be oriented towards East Street.
- f. Carports shall be prohibited.
- g. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
- h. The minimum roof pitch of the main roof of the residence shall be 6:12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
- i. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
- j. Roof vents shall be located to the rear half of the home/structure when possible. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
- k. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Townes, and The Townes Character Exhibit, attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Townes

Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

3. Additional Architectural Standards for permitted Single-family dwellings

- a. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
- b. Garage Composition and Orientation:
 - i. All Dwellings shall have a minimum two (2) car attached garage.
 - ii. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.
- c. Building Materials: In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.
- d. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.
 - ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
 - iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.
- e. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:
 - i. A minimum of three (3) windows with an aggregate minimum of forty (40) square feet in size.
 - ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a

minimum of half ($\frac{1}{2}$) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

f. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(E)(3)(e) of this Ordinance.

F. Architectural Standards for The Villas:

1. Architectural Standards for Duplex or Quadraplex Dwellings.

a. Elevations.

i. Masonry shall be the exterior building material on at least thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.

ii. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any facade area within a dormer projecting from a roof.

b. Windows.

i. Each unit shall have a minimum of three (3) windows on each facade.

ii. A double window will count as two (2) windows.

iii. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of one half ($\frac{1}{2}$) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

c. Garage doors shall not be oriented towards East Street

d. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.

e. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.

f. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.

g. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.

h. Each four-unit single family attached building shall be substantially similar in quality and character to the illustrative elevations found in **Exhibit F**.

i. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Villas, and The Villas Character Exhibit, attached hereto as **Exhibit G**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Villas Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

3. Additional Architectural Standards for permitted Single-family Dwellings

a. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.

b. Garage Composition and Orientation:

i. All Dwellings shall have a minimum two (2) car attached garage.

c. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.

d. Building Materials: In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.

e. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.

ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).

iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.

f. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:

i. A minimum of three (3) windows with an aggregate minimum of forty (40) feet in size.

ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

g. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-Family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(F)(3)(f) of this Ordinance.

7.2 Article 6.6 Height Standards: Shall apply unless otherwise amended hereby for each of the following shall apply to the various Districts:

A. Business Parke:

1. Minimum Building Height.

- a. Lots abutting U.S. Highway 31
 - i. Primary Façade: Thirty-eight (38) feet
 - ii. All other Facades: Thirty (30) feet
- b. All other lots - Thirty (30) feet

2. Maximum Building Height.

- a. One Hundred Fifty (150) feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or structure.

B. Commerce Parke:

1. Maximum Building Height:

- a. District 1 and 2: Forty five (45) feet.
- b. District 3: Thirty five (35) feet.

2. The limitations herein shall not apply to steeples, silos, chimneys, antennas or appurtenances which are located on structures within the district.
 3. Any new structure within two hundred fifty (250) feet of the residential structure/home at 2429 E. 202nd Street, 2502 E. 202nd Street, 1910 E. 202nd Street, shall be limited to a height of thirty five (35) feet so long as those properties are utilized residentially.
- C. The Shoppes:
1. Maximum Building Height. Buildings are restricted to 35 feet maximum height or a maximum of two stories
- D. The Townes:
1. Maximum building height for Attached Multi-Family Dwellings. - 45 feet.
 2. Lots marked with a star on **Exhibit D** shall be subject to restrictions included in Section 7.1(E)(3)(f) hereof.
- E. The Villas:
1. Detached Single-family Dwellings in The Villas shall be no taller than one and one half story.

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

- A. Article 6.8 N of the UDO shall be replaced by this section.
- B. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants (inclusive of bushes/shrubs) used for screening must be at least eighteen (18) to twenty four (24) inches tall when planted. Evergreen trees required for screening must be between six (6) and eight (8) feet in height at the time of planting. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.
- C. A twenty foot (20') buffer yard shall be required around the perimeter of each District except as follows:
 1. No buffer yards shall be required:
 - a. internal to the Northpoint PUD, except as provided in Subsections C(2)(c)) and C(3) below;
 - b. adjacent to proposed greenways and park areas; and
 - c. within easements prohibiting landscaping.
 2. A fifty foot (50') buffer yard shall be required along the existing home sites on Grassy Branch Road (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall be improved as follows:
 - a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard (in addition to the mounding, the existing trees along the north side of 203rd street shall maintain fifty percent (50%) of the existing treeline, and no additional plantings shall be required in this area). The mound shall be designed in order to protect the root system and drip lines of existing trees on adjacent properties.

- b. The buffer yard shall be landscaped per this Ordinance.
 - c. A fifty foot (50') buffer yard shall be required along the existing homestead parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). If any portion of the Real Estate is added to the Heitman property, it shall be buffered in accordance with this provision. If the Heitman property is no longer utilized as a residential use, the requirements of this section 7.3 (C)(2)(c) shall no longer apply to the Heitman property:
 - d. A thirty foot (30') buffer yard shall be required along the eastern and western borders of the driveway parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard. If the Heitman property is no longer utilized as a residential use, the requirements of this Section 7.3(C)(2)(d) shall no longer apply to the Heitman property.
 - e. The buffer yard shall be landscaped per this Ordinance.
 - 3. Buffer between The Shoppes and adjoining Residential District (to the west) (as shown on the Buffer Exhibit, **Exhibit D**)
 - a. A thirty foot (30') buffer yard shall be required and shall be landscaped per this Ordinance:
 - 4. Buffer along the northern, western southern and eastern borders of the Commerce Parke
 - a. A forty foot (40') buffer yard shall be required and shall be improved as follows:
 - i. The buffer yard shall have a six foot (6') mound.
 - ii. Shall be landscaped per this Ordinance.
 - iii. Evergreen trees shall be planted on or near the top of the mound.
 - b. Buffer yard planting requirements shall be included with the Development Plan Review of each parcel.
 - c. Where a detention pond of 50' or more in width acts as part of a buffer yard, no mounding shall be required.
 - 5. Buffer yards that are not additionally road frontage shall be landscaped per this subsection, with the exception of areas encompassed by easements prohibiting landscaping, where no landscaping shall be required. Buffer yards that are additionally road frontage shall be landscaped per the buffer yard requirements and not per this Ordinance's Road Frontage landscaping requirements.
- D. Within buffer yards at least eight (8) evergreen trees per one hundred (100) linear feet and five (5) evergreen shrubs per one (100) hundred linear feet shall be planted. Such plantings should be arranged in a manner that creates a

visual barrier between uses without precluding connectivity between uses. Staggering evergreen trees on alternating sides of the mound shall be utilized when feasible.

- E. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards with the requirement for mounding/fencing eliminated. In the NW corner of the property located north of the 203rd Street extension (as shown on the Concept Plan) a forty (40) foot tree preservation area shall be utilized as the buffering requirement without any mounding or fencing. Prior to development adjacent to this tree preservation area, a tree preservation plan prepared in accordance with Article 6.8(E)(4) of the UDO shall be approved by the Director.
- F. In residential districts, plantings required to be placed in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
- G. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
- H. Buffer yards shall not be required between uses within the same districts or within subdivisions.

7.4 Article 6.12 Outdoor Storage and Display shall apply except as specifically modified to the various Districts:

A. Commerce Parke:

- 1. Uses in the Commerce Parke shall be permitted to have outside storage subject to the screening/buffering requirements as set forth in this Ordinance.
- 2. Outside storage shall be permitted in District 2 in accordance with Article 6.12(D) of the UDO.
- 3. No outside storage shall be permitted within District 1 or District 3, or within one hundred feet (100') of the right-of-way of the new East Street extension, Grassy Branch Road, or US 31 within District 2.
- 4. Service/Material Yard and Storage Areas.
 - a. Article 6.12(D)(2) of the UDO shall apply with the following addition: Must be completely screened as follows:
 - i. The fence required under Article 6.12(D)(2)(b) of the UDO shall be an opaque wood privacy fence, the style of which shall be consistent throughout the Commerce Parke.

B. The Shoppes:

- 1. No outdoor sales areas or permanent outdoor display areas are permitted unless surrounded by a permanent structure consistent with material of the building.

7.5 Article 6.14 Parking and Loading Standards shall apply except as specifically modified to the various Districts:

A. Business District:

1. Loading and Unloading Areas.

- a. Loading and Unloading Berth shall not be oriented to or visible from U.S. Highway 31.
- b. Loading and Unloading Berths oriented toward any other public right-of-way, shall be landscaped/screened using Masonry wall(s), plant material, or a combination thereof.

2. For buildings fronting on US Highway 31, no more than two (2) rows of parking shall be located between the building's Primary Façade and the right of way for US Highway 31.

B. Commerce Parke:

1. Loading Docks. Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, a screening wall, topography, vegetation and/or landscaping.

7.6 Article 6.15 Performance Standards shall apply except as specifically modified to the various districts:

A. Commerce Parke:

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

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

7.7 Article 6.17 Sign Standards shall apply except as specifically modified to the various districts:

A. The Shoppes:

So long as the uses abutting State Road 38 immediately north of the Shoppes remain residentially utilized, the following restrictions shall apply to signage immediately adjacent to State Road 38:

All sign materials shall be architecturally complimentary to the materials utilized in The Shoppes.

No Pole Signs shall be permitted.

No Electronic Signage shall be permitted.

Reverse channel lighting shall be utilized for all Wall Signs on the facades of buildings facing and visible from State Road 38.

The lighting of all signs in The Shoppes shall comply with Article 6.9(G)(3) of the UDO, regardless of the source of the signs lighting.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(i) shall be reduced to six (6) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(ii) shall be reduced to nine (9) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(iii) shall be reduced to twelve (12) feet.

Section 8. **Infrastructure Standards.** The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7 Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

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

9.1 Article 8.7, Pedestrian Network Standards, shall apply except as follows:

A. **The Shoppes:**

1. **Pedestrian Circulation.**

a. Continuous internal pedestrian walkways, no less than eight (8) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all structures on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.

b. Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet from the facade of the building to provide planting facade.

d. Internal pedestrian walkways provided in conformance with part b above shall provide weather protection features such as awnings or arcades within 30 feet of customer entrances.

c. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

Section 10. **Amenities.** In accordance with Article 10.9(F)(4) of the UDO, the following Amenities will be distributed throughout the Residential Districts, for use by residents of districts designated by the Developer within the Real Estate:

A. A minimum of two (2) small parks. One small park shall be installed with the first section of The Townes and one small park shall be installed with the first section of The Villas.

B. A minimum of one (1) swimming pool and swimming pool area and a

Bathhouse. This shall be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and the Villas.

C. A minimum of one (1) 3,000 square foot playground o be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and Villas.

D. Integrated trail system of a minimum eight (8') foot asphalt path connecting all districts as shown on the Pedestrian Network Exhibit (**Exhibit C**).

E. The swimming pool and playground amenities shall not be located adjacent to the perimeter buffer yard for the existing home sites on Grassy Branch Road.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 17-51** was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 17-51**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 17-51**
this _____ day of _____, 2018.

J. Andrew Cook, Mayor

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

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

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Pedestrian Network
Exhibit D	Buffer Plan
Exhibit E	Townes Character Exhibit
Exhibit F	Four Family Attached Illustrative Elevations
Exhibit G	Villas Character Exhibit
Exhibit H	Business Parke Character Exhibit
Exhibit I	Commerce Parke Character Exhibit
Exhibit J	The Shoppes Character Exhibit

EXHIBIT A
REAL ESTATE

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER'S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF IF E SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA;

THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD 83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY , INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 1101.42 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER

OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 50 MINUTES 20 SECONDS WEST 2671.16 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 35 SECONDS WEST 825.00 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19 TO THE SOUTHWEST CORNER OF TRACT “C” AS RECORDED IN DEED BOOK 345, PAGE 360 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THE FOLLOWING TWELVE (12) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 635.25 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 35 SECONDS EAST 734.25 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 417.56 FEET; 4) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 5) THENCE NORTH 00 DEGREES (10 MINUTES 29 SECONDS EAST 284.87 FEET; 6) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 7) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 8) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 9) THENCE SOUTH 01 DEGREES 28 MINUTES SECONDS WEST 1336.02 FEET; 10) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 11) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 12) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 154.55 ACRES, MORE OR LESS.

EXCEPT:

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER’S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 2,8.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS

WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 2 82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED "WEIHE ENGR 0012" AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4, EAST, 2ND P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19, NORTH, RANGE 4 EAST, 2ND P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (INDIANA STATE PLANE COORDINATES-EAST ZONE NAD 83) A DISTANCE OF 2248.54 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE CENTERLINE OF STATE HIGHWAY 38; THENCE SOUTH 60 DEGREES 52 MINUTES 07 SECONDS EAST 481.49 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER, THENCE SOUTH 00 DEGREES 02 MINUTES 34 SECONDS EAST 1102.19 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 2669.90 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER, THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 80.70 ACRES, MORE OR LESS.

EXCEPT:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED “WEIHE ENGR 0012” AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON SOUTH LINE OF SAID SOUTHEAST QUARTER 409.0 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, THENCE NORTH PARALLEL WITH WEST LINE OF SAID EAST 242.0 FEET TO A POINT R/W OF STATE ROAD #38. THENCE SOUTHEASTERLY R/W OF SAID STATE ROAD WHERE IT INTERSECTS THE SOUTH LINE OF SAID QUARTER SECTION 858.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID EAST HALF. THENCE WEST ON SAID SOUTH LINE 449.0 FEET TO IRON STAKE OR PLACE OF BEGINNING, IN HAMILTON COUNTY, INDIANA, EXCEPT: A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, STATE OF INDIANA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER 409.00 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN SAID COUNTY AND STATE, THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID EAST HALF 242.6 FEET TO A POINT IN THE RIGHT OF WAY OF STATE ROAD NUMBER 38, THENCE SOUTHEASTERLY IN SAID RIGHT OF WAY 66.0 FEET TO A POINT, THENCE DIVERT TO THE RIGHT OF SOUTHWESTERLY 223.0 FEET TO THE PLACE OF BEGINNING.

AND ALSO:

FORTY-SEVEN AND THREE-FOURTHS (47%) ACRES OFF THE SOUTH SIDE OF THE NORTHWEST QUARTER OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE FOUR (4) EAST. ALSO, THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19, CONTAINING 74.3 ACRES, MORE OR LESS, EXCEPT BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTH HALF OF SAID SOUTHWEST QUARTER AND RUN NORTH 659 FEET, THENCE EAST 148.75 RODS, THENCE SOUTH 38 1/2 RODS, THENCE WEST 148.62 RODS TO THE PLACE OF BEGINNING, CONTAINING 36.74 ACRES,

MORE OR LESS. ALSO, EXCEPT A STRIP OF LAND FIVE AND ONE-HALF (5½) RODS WIDE OFF THE ENTIRE EAST END OF THE ABOVE TWO TRACTS, REMAINING AFTER THE AFORESAID EXCEPTION, CONTAINING 3.2 ACRES, MORE OR LESS. ALSO, EXCEPT A CEMETERY LOT DESCRIBED AS FOLLOWS: BEGINNING 78 RODS EAST OF THE NORTHWEST CORNER OF THE FIRST DESCRIBED TRACT AND RUN SOUTH 9 3/4 RODS; EAST 10 RODS; NORTH 9 3/4 RODS; WEST 10 RODS TO THE PLACE OF BEGINNING, CONTAINING 0.61 ACRES, MORE OR LESS. CONTAINING AFTER SAID EXCEPTIONS EIGHTY-ONE AND ONE-HALF (81 ½) ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST (ASSUMED BEARING) 406.68 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 59 MINUTES 06 SECONDS EAST 16.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF GRASSY BRANCH ROAD AND THE EAST LINE OF THE 0.072 ACRE PROPERTY (PARCEL 14A, CODE 4162) OWNED BY STATE OF INDIANA AS RECORDED IN, INST. No. 2006-041657, DATED: JULY 20, 2006 IN SAID RECORDERS OFFICE; THENCE NORTH 29 DEGREES 40 MINUTES 08 SECONDS EAST 101.82 FEET ALONG SAID EAST LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE FOR STATE ROAD 38; THENCE ALONG THE LINES OF SAID SOUTHWESTERLY RIGHT-OF-WAY, BY THE NEXT TWO (2) COURSES: (1) THENCE SOUTH 60 DEGREES 41 MINUTES 09 SECONDS EAST 615.03 FEET; (2) SOUTH 60 DEGREES 52 MINUTES 35 SECONDS EAST 345.98 FEET TO THE EAST LINE OF THE 3.040 ACRE PROPERTY OWNED BY ALICE E. DREXLER ET AL, AS RECORDED IN INST. No. 2007-063319, DATED: NOVEMBER 9, 2007 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 34 MINUTES 59 SECONDS WEST 1,306.76 FEET TO THE EAST PROLONGATION OF THE NORTH LINE OF THE 9.15 ACRE PROPERTY OWNED BY THE FIRST BAPTIST CHURCH OF WESTFIELD, INC., AS RECORDED IN INST. No. 2005-068167, DATED: OCTOBER 17, 2005 IN SAID RECORDERS OFFICE; THENCE NORTH 88 DEGREES 51 MINUTES 00 SECONDS WEST 289.89 FEET ALONG THE EAST PROLONGATION OF SAID NORTH LINE, THE NORTH LINE AND THE WEST PROLONGATION OF SAID NORTH LINE TO THE NORTH PROLONGATION OF THE EAST LINE OF THE THREE (3) ACRE PROPERTY OWNED BY WILLIAM R. STUBBS AS RECORDED IN, INST. No. 2003-028318, DATED: MARCH 24, 2003 IN SAID RECORDERS OFFICE; THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS EAST 0.75 FEET ALONG SAID NORTH PROLONGATION OF THE EAST LINE TO THE NORTH LINE OF SAID THREE (3) ACRE PROPERTY; THENCE NORTH 88 DEGREES 50 MINUTES 42 SECONDS WEST 240.38 FEET ALONG SAID NORTH LINE TO THE SOUTH LINE OF SAID 3.040 ACRE PROPERTY; THENCE NORTH 88 DEGREES 37 MINUTES 02 SECONDS WEST 361.62 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST 1,669.09 FEET TO THE PLACE OF BEGINNING, CONTAINING 31.920 ACRES, MORE OR LESS.

AND ALSO

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANG 4 EAST, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 48 MINUTES 08 SECONDS WEST (ASSUMED BEARING) 2,671.48 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 01 MINUTES 23 SECONDS EAST 1,338.82 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTH 89 DEGREES 48 MINUTES 08 SECONDS EAST 2,671.17 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 00 DEGREES 00 MINUTES 35 SECONDS EAST 1,338.82 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE PLACE OF BEGINNING, CONTAINING 82.102 ACRES, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN

EXHIBIT B-1 ZONING BUBBLE PLAN



STOEPPELWERTH
 416 East 100th Street
 Suite 200
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 Tel: 402.441.2508
 Fax: 402.441.2509
 www.stoeppelwerth.com

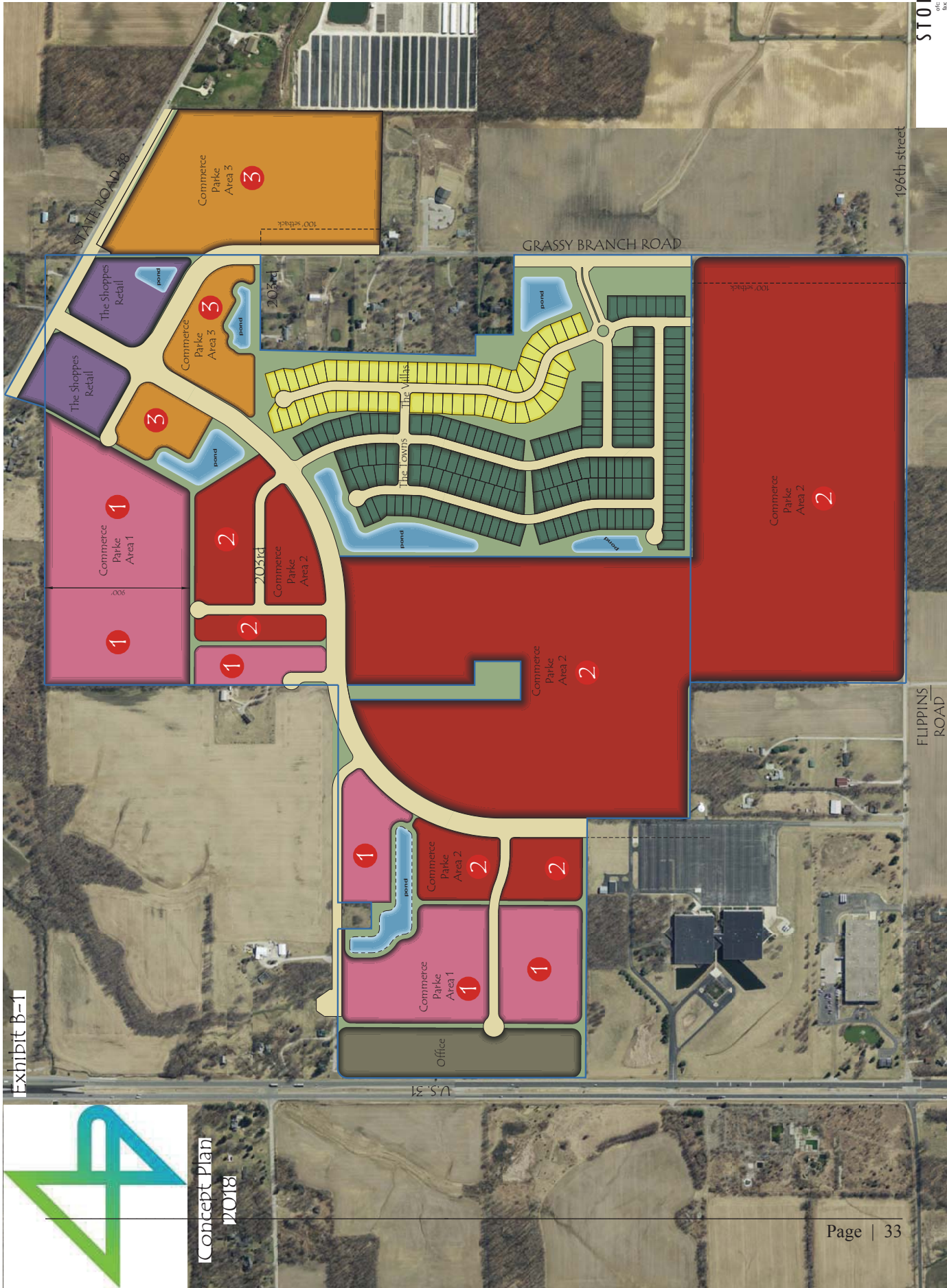
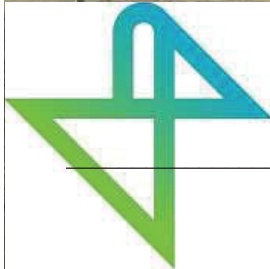


Exhibit B-1



Concept Plan
 2018

EXHIBIT B-2 CONCEPT PLAN



STOEPPELWERTH
P.L.L.C.
7760 East 3500 South
Suite 200
Salt Lake City, UT 84120
Tel: 313.869.9343
www.stoeppelwerth.com

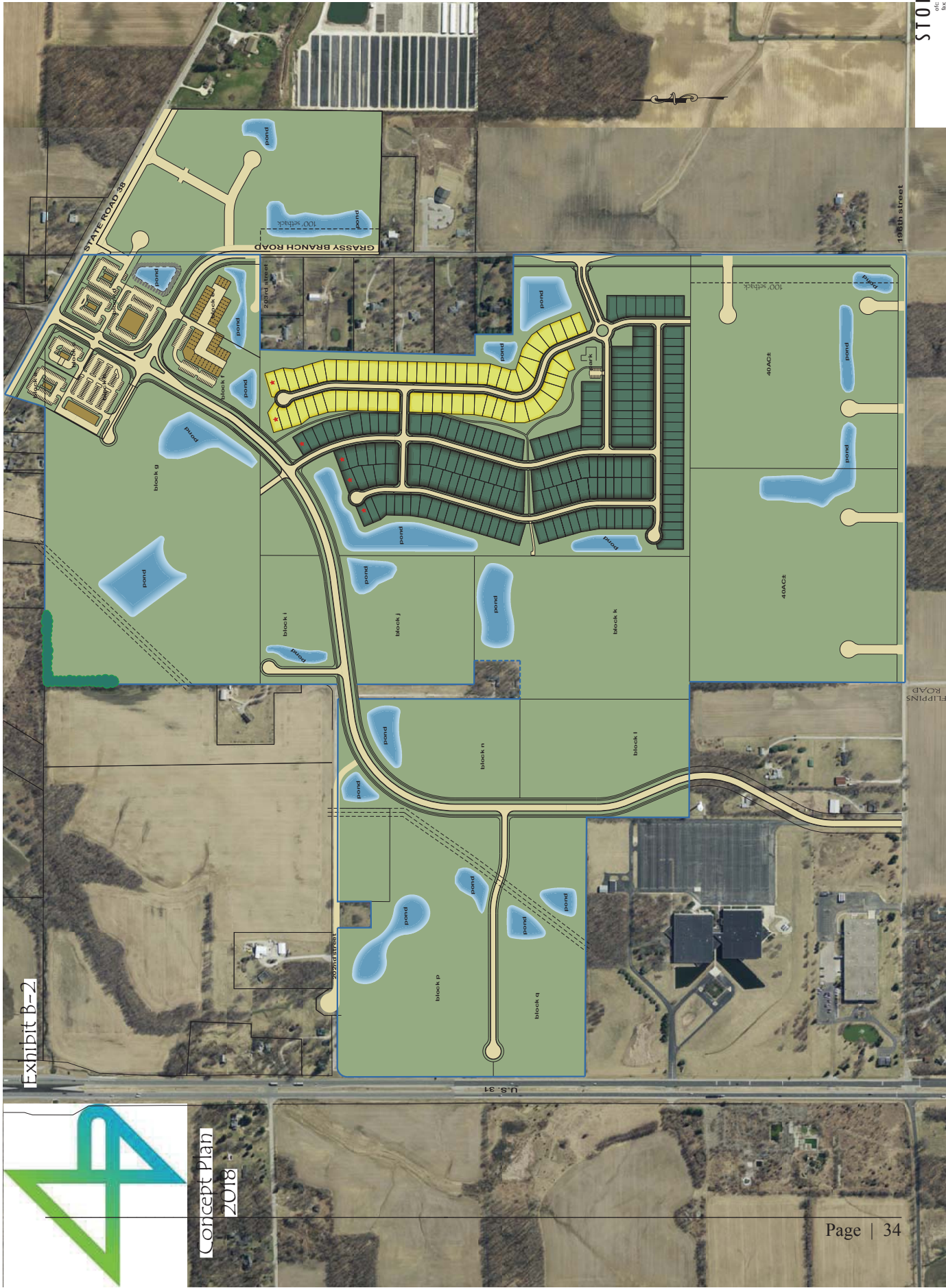


Exhibit B-2

Concept Plan
2018

EXHIBIT C
PEDESTRIAN NETWORK

EXHIBIT C PEDESTRIAN NETWORK



STOEPPELWERTH
 610 East 100th Street
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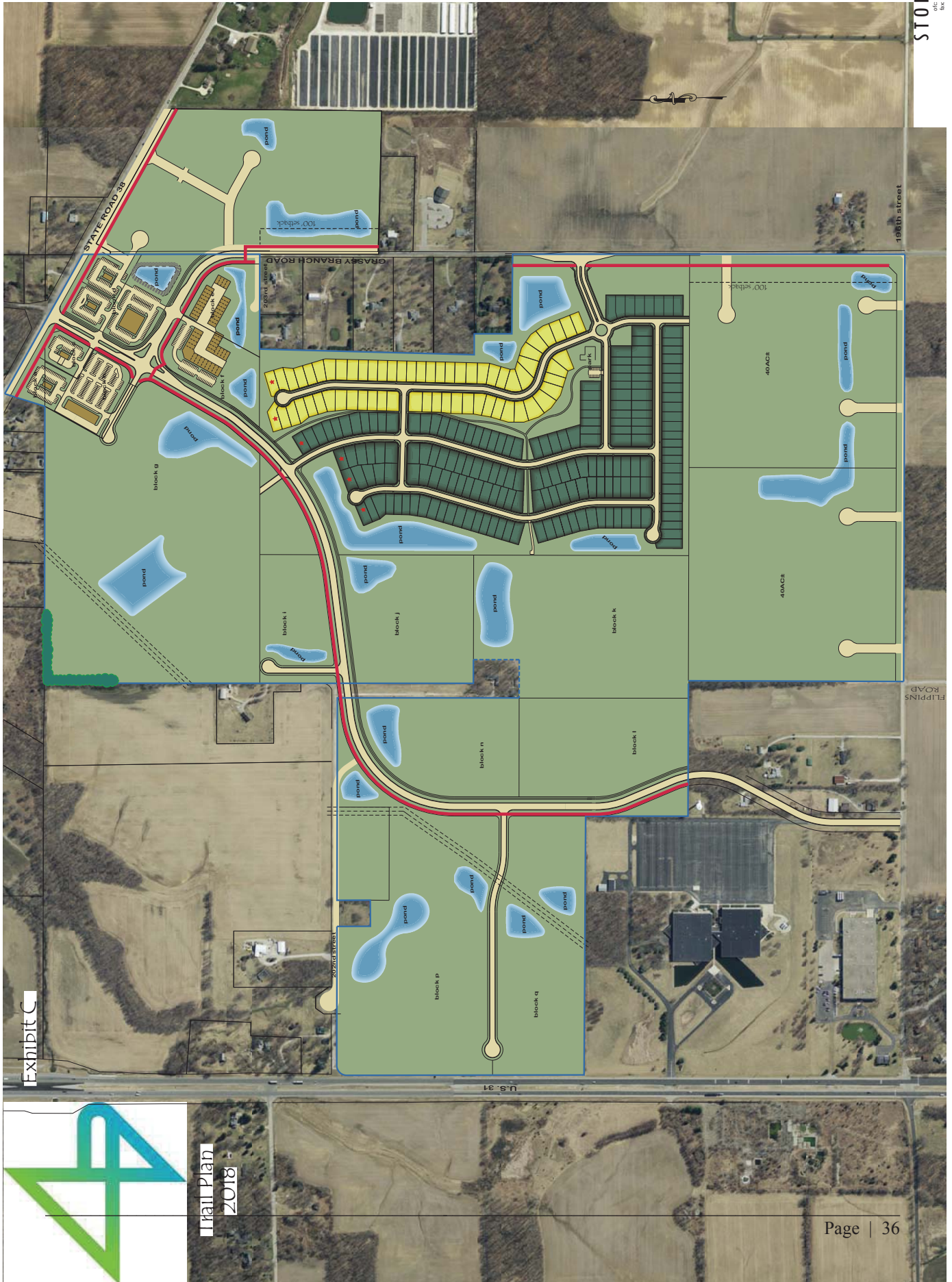
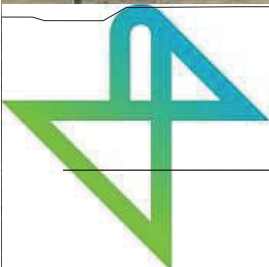


Exhibit C



Trail Plan
2018

EXHIBIT D
BUFFER PLAN

EXHIBIT D BUFFER PLAN



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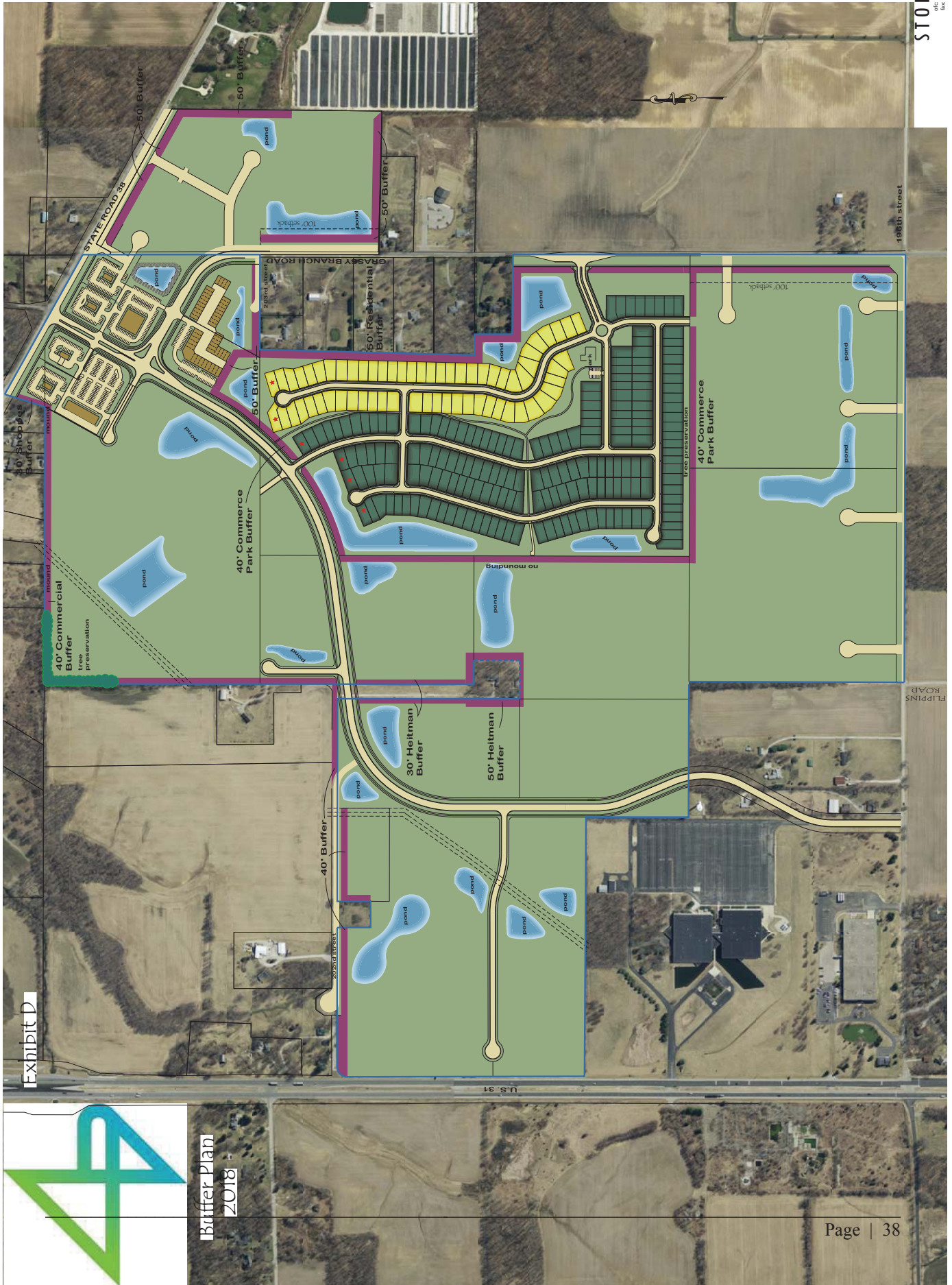
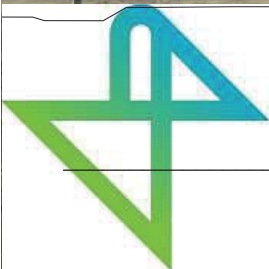


Exhibit D



Buffer Plan
2018

EXHIBIT E
TOWNES CHARACTER EXHIBIT

CALATLANTIC HOMESSM
Stratford



CALATLANTIC HOMESSM
McKinley



CALATLANTIC HOMESSM
Providence



CALATLANTIC HOMESSM
Jackson



CALATLANTIC HOMESSM
Wilmington



CALATLANTIC HOMESSM
McHenry



EXHIBIT F
FOUR FAMILY ATTACHED ILLUSTRATIVE ELEVATIONS

EXHIBIT F
FOUR FAMILY ATTACHED ILLUSTRATIVE ELEVATIONS



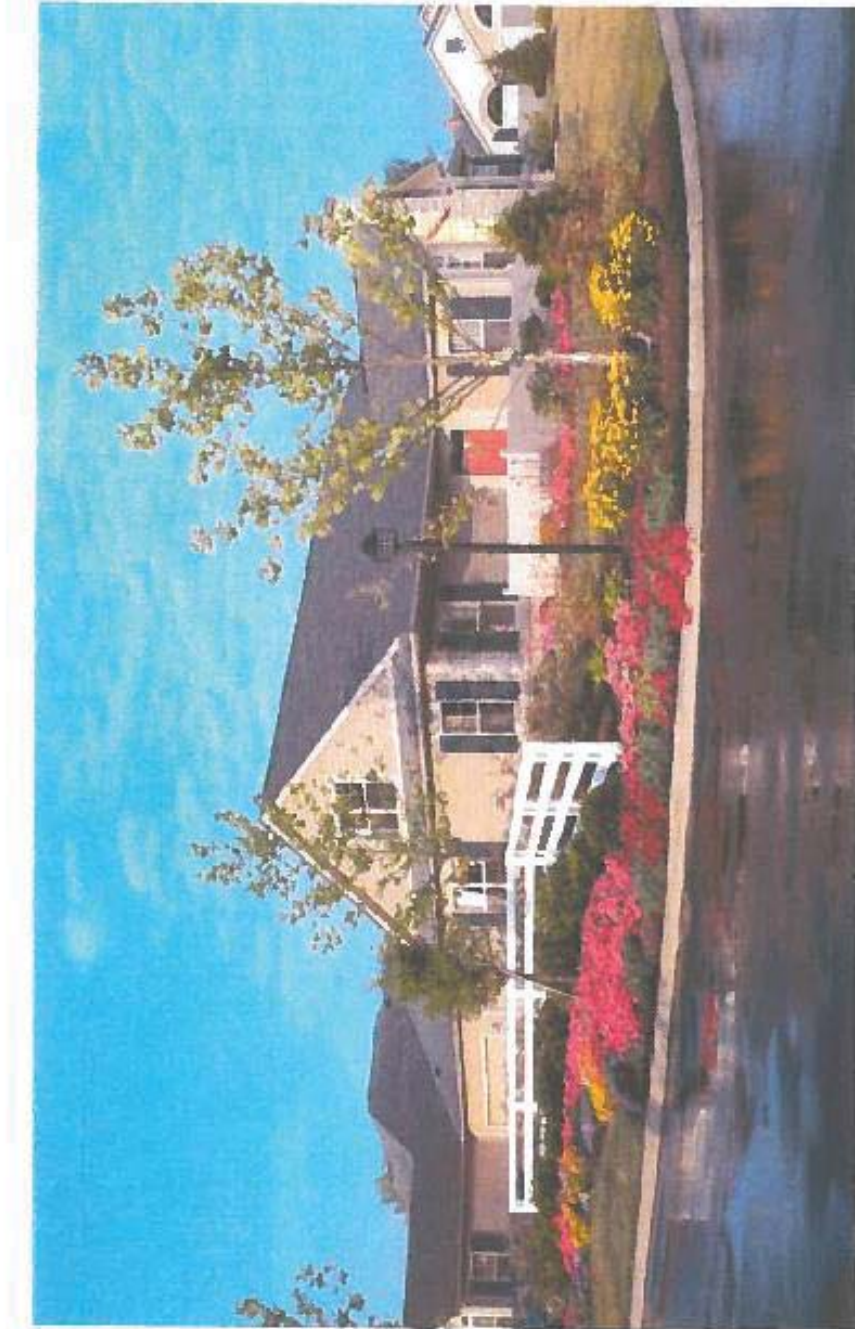
**Four Family Attached
Illustrative Elevations**



**Four Family Attached
Illustrative Elevations**



**Four Family Attached
Illustrative Elevations**



**Four Family Attached
Illustrative Elevations**



**Four Family Attached
Illustrative Elevations**

EXHIBIT G
VILLAS CHARACTER EXHIBIT

Wilmington



CLASSIC



CRAFTSMAN



TRADITIONAL

Chesapeake



CLASSIC



CRAFTSMAN



TRADITIONAL

McHenry

"Americana Collection"



CLASSIC



CRAFTSMAN



TRADITIONAL

Potomac

"Americana Collection"



CLASSIC



CRAFTSMAN



TRADITIONAL

Hatteras



CLASSIC



CRAFTSMAN



TRADITIONAL

EXHIBIT H

BUSINESS PARKE CHARACTER EXHIBIT

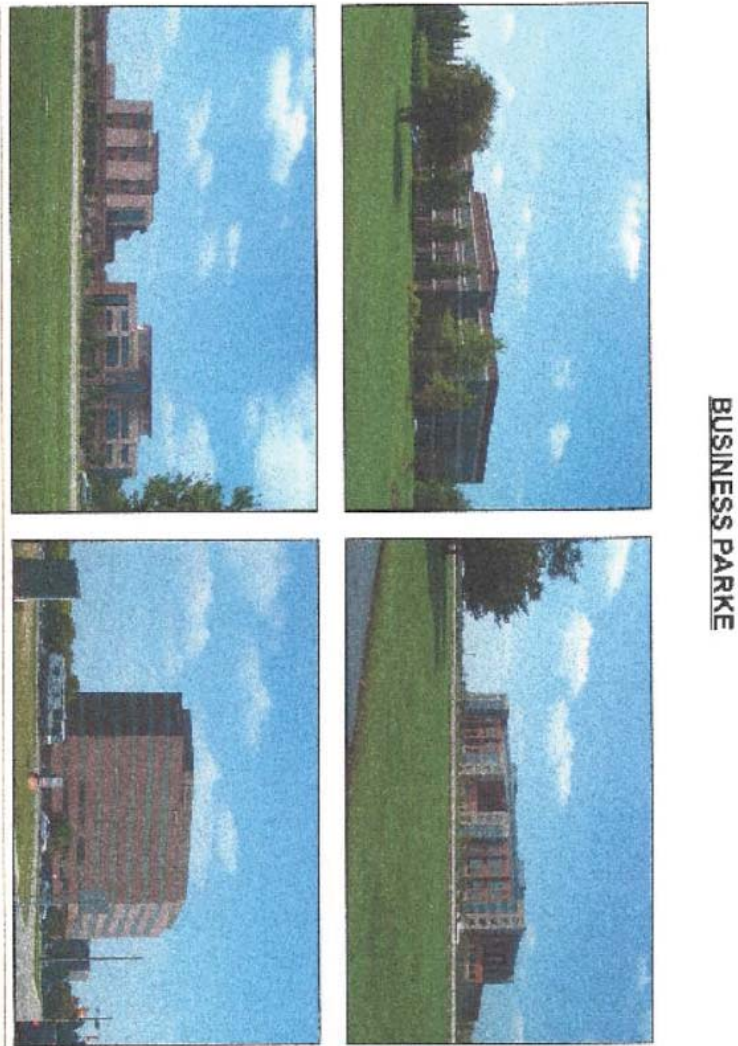


EXHIBIT I

COMMERCE PARKE CHARACTER EXHIBIT





DESIGN



COMMERCE PARKE



AREA 2



GENERAL CONTRACTORS
SCREENED OUTSIDE STORAGE BEHIND



COMMERCE PARKE



AREA 2



FOOD PROCESSING DISTRIBUTION AMERIPLEX



COMMERCE PARKE

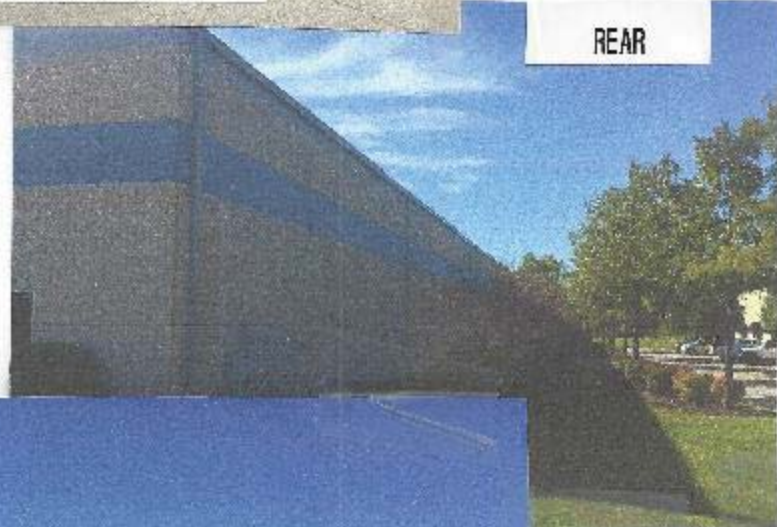
Aurora

AREA 3



MULTIPLE USER OFFICE FRONT

REAR



DOORS TO INSIDE

EXHIBIT J

THE SHOPPES CHARACTER EXHIBIT



ORDINANCE NUMBER 17-51

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING
THE AURORA PLANNED UNIT DEVELOPMENT DISTRICT (n/k/a NORTHPOINT)
BEING THAT OF ORDINANCE 06-55 and THE UNIFIED DEVELOPMENT
ORDINANCE**

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

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

WHEREAS, the Common Council enacted Ordinance No. 06-55, Aurora Planned Unit Development District on December 11, 2006, recorded as Instrument No. 2007002778 in the Office of the Recorder of Hamilton County, Indiana (the "Original PUD Ordinance");

WHEREAS, the Council subsequently adopted Ordinance No. 16-35, the Aurora Planned Unit Development Ordinance on January 9, 2017 (the "First Amendment"), which repealed and superseded the Original Ordinance;

WHEREAS, the Council also subsequently adopted Ordinance No. 17-30, an amendment to the First Amendment (the "Second Amendment")

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (**Petition No. 1801-PUD-03**) filed with the Commission requesting an amendment to the Unified Development Ordinance, the First Amendment, Second Amendment and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** ("Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1801-PUD-03** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a recommendation (_____ in favor _____ against) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

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

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

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance hereby repeals and supersedes in its entirety the Original PUD Ordinance, the First Amendment and Second Amendment.
- ~~1.1.2~~ This Planned Unit Development shall hereinafter be referred to as Northpoint PUD.
- ~~1.2.1.3~~ Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- ~~1.3.1.4~~ Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- ~~1.4.1.5~~ All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance. The following words and terms, not defined elsewhere in this Ordinance or its Exhibits, shall have the following meanings:

- 2.1 Association. A home owners association, property owners association or other organization formed order to govern and maintain the various Districts as established by Declaration.
- 2.2 Build-To Line. A designated line at which construction of a building facade is to occur.
- 2.3 Corner Break. An exterior corner along the facade of a structure.
- 2.4 Declaration. A Declaration of Covenants, Conditions and Restrictions for one (1) or more areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.
- 2.5 Developer. The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.
- 2.6 District. Any of the Residential Districts, the Commercial District, and/or the Business Districts as identified in this Ordinance.
- 2.7 District, Residential. The Townes and The Villas.
- 2.8 Dormer. Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.
- 2.9 EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base

- coat, and an attractive and durable finish coat.
- 2.10 Exterior Material. The separate architectural siding materials and patterns on a Building Facade such as Masonry materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
- 2.11 External Street. Grassy Branch Road, U.S. 31 and State Highway 38.
- 2.12 Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
- 2.13 Facade, Secondary. Any building elevation not having commercial or retail public entrances and does not contain tenant signs. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
- 2.14 Gable. That part of the end wall of a building between the eaves and a pitched or gambrel roof.
- 2.15 Internal Street. Any public street, private street, or shared drive other than an External Street.
- 2.16 Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
- 2.17 Natural Materials. Brick, wood, limestone, fiber cement siding, cultured stone, or natural stone.
- 2.18 Real Estate. The real estate, as described in **Exhibit A** to the Ordinance.

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

3.1 The Concept Plan hereby allocates the Real Estate into the following Districts:

- Business Parke;
- Commerce Parke;
- The Shoppes;
- The Townes; and
- The Villas.

3.2 The approximate size of each District is as follows. The size of the Commerce Parke or The Shoppes may be increased or decreased by up to 15%. The size of the Business Parke may be increased by up to 15%, but may not be decreased. The total acreage comprising The Townes and The Villas may not decrease below ~~sixty (61)~~ninety one (91) acres total. The total acreage comprising The Townes and the Villas may increase, so long as the number of residences or the ratio of Single-family Dwellings to acres does not exceed the provisions of Section 3.3 hereof.

<u>District</u>	<u>Area</u>
Business Parke	20 Acres
Commerce Parke	300 <u>246</u> Acres
The Shoppes	17 Acres

The Townes	63 8 Acres
The Villas	23 Acres
Total acreage	314 <u>428</u> Acres

- 3.3 The total of residential units on the Real Estate shall not exceed two hundred fifty (250).

The actual number of detached Single-family Dwellings shall be governed by the number of acres dedicated to detached Single-family Dwellings as governed by the following charts:

<u>Minimum Acreage</u>	<u>Maximum Units</u>
61 Acres	180 units
71 Acres	205 units
81 Acres	225 units
91 Acres	250 units

- 3.4 It is anticipated that the development of The Townes and The Villas will commence prior to the construction of the East Street extension. In this event, 203rd Street shall remain open and as access to the residential uses which are located west of Grassy Branch and which currently access their residential uses via 203rd Street. Upon completion of East Street to a point north or south of the current location of 203rd Street, any and all access from 203rd Street to East Street from Grassy Branch shall be eliminated and the internal streets servicing The Townes and The Villas shall be constructed in substantial accordance with the Concept Plan as amended.

3.5 Any drive entry for the Commerce Parke district located east of Grassy Branch Road shall be located at or north of 203rd Street.

Section 4. Underlying Zoning District(s).

- 4.1 The Underlying Zoning District of each District shall be:

Business Parke	GB;
Commerce Parke	EI;
The Shoppes	LB;
The Townes	SF-4 (as to Single-family Dwellings) and MF2 (for attached multifamily); and
The Villas	SF-4 (as to Single-family Dwellings) and SFA (for Duplex or Quadraplex Dwellings)

(the “Underlying Zoning District”).

- 4.2 Article 5.2 (U.S. Highway 31 Overlay Zone) of the UDO shall not apply to the Real Estate.

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

- 5.1 Only the uses identified below shall be permitted in the various Districts.

Uses which are designated as permitted by a Special Exception in the Use Table of Chapter 13 of the UDO are only permitted in a District if specifically provided as a permitted use herein.

A. Permitted Uses for Business Parke.

1. Offices
2. Hotels
3. Retail and Services
 - a. May be included in one or more buildings within a Development Plan (DP), subject to the following:
 - i. May comprise up to fifteen percent (15%) of the Gross Floor Area (GFA) of any building; or
 - ii. Up to thirty percent (30%) of GFA of one building may be retail uses, provided that:
 - Total square footage of retail uses designated in the development plan does not exceed fifteen percent (15%) of the GFA of all buildings combined; or,
 - Retail uses over fifteen percent (15%) of the GFA of any one building be located on the ground floor or below grade.

4. General Business and Enclosed Industrial Uses.

- ~~4-5.~~ Accessory buildings and uses customarily incidental to any of the permitted uses. Any attached or detached Accessory building shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

B. Permitted Uses for Commerce Parke:

1. Commercial Businesses: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category except the uses of Restaurant, Fast Food; and Tavern or Nightclub (excluding a microbrewery which shall be permitted) shall be permitted in District 2 of Commerce Parke. All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB category shall be permitted in Districts 1 and 3 of Commerce Parke except a Tavern or Nightclub (excluding a microbrewery which shall be permitted). The use of a Hotel (or Motel) shall also be permitted in District 3 west of the East Street extension.
2. Industrial Businesses: All uses listed as a permitted use in the Use Table of Chapter 13 of the UDO in the EI category and the uses of construction and manufacturing of outdoor advertising signs; manufacturing, engraving and sales of cemetery monuments and tombstones; laundry and dry cleaning plants; canneries (e.g. taking fresh fruits and vegetables and canning for distribution) coffee roasting; food processing (e.g. commercial bakeries, smokehouses); granaries; grain processing; milk processing plants (without any on-site milking); warehousing and distribution operations (outdoor storage); and structural steel fabricating (similar to the existing uses of Westfield Steel); shall also be a permitted use in District 2

- of the Commerce Parke. Only EI uses shall be permitted in Districts 1 and 3 of the Commerce Parke.
3. Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the Director. In District 2, the Director shall favorably consider uses which are substantially similar to a permitted use if the impacts on surrounding properties is no greater than uses specifically permitted by Section 5.1(B)(2).
 4. Accessory buildings and uses customarily incidental to any of the permitted uses.
- C. Permitted Uses for The Shoppes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or the use of Hotel (or Motel) shall be permitted in The Shoppes. A Hotel (or Motel) use shall only be permitted west of the East Street extension.
- D. Permitted Uses for The Townes: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Townes.
1. Townhomes.
 2. Multi-story condominium;
 3. Public Parks.
 4. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
 5. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
 6. Child care home - in accordance with IC 36-7-4-1108, so long as the home is not located within seven hundred (700') feet of Grassy Branch.
- E. Permitted Uses for The Villas: All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the SF-4 category and those specifically provided below shall be permitted in The Villas.
1. Two-unit thru four-unit single family attached dwellings (n/k/a Duplex or Quadraplex Dwellings).
 2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
 3. Single-family Dwellings. Maintenance of outside lawn and landscaping areas by the homeowner's association shall be offered as an option to buyers.

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

- A. Lot Standards for Business Parke:
1. Minimum Lot Size.

- a. Lots abutting U.S. Highway 31 - 5 acres
- b. All other lots - 2 acres
2. ~~Build To Lines~~Maximum Building Setback Line:-
 - a. Lots abutting U.S. Highway 31 - ~~105~~90 feet
 - ~~b. All other lots - None~~
 - ~~c. All principal buildings on lots with Meridian Corridor frontage shall be located on the Build To Line.~~
 - ~~d. Dimensional requirements for the Build To Line shall be measured from the road right-of-way line.~~
3. Minimum Front Yard - 60 feet
4. Minimum Side Yard.
 - a. Adjacent to any residential use or zone 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
5. Minimum Aggregate Side Yard.
 - a. Adjacent to any residential use or zone - 90 feet
 - b. Adjacent to any non-residential use or zone - 30 feet
6. Minimum Rear Yard.
 - a. Adjacent to any residential use or zone - 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
7. Minimum Lot Width. Shall equal or exceed that amount which is one-half (1/2) the depth of the lot.
8. Minimum Gross Floor Area.
 - a. 15,000 square feet per building (exclusive of parking garages, basements or accessory buildings).
 - b. Permitted accessory buildings need not meet this minimum floor area requirement. The intent of this minimum gross floor area requirement is to preclude small, freestanding buildings and uses not in character with the Business Parke.
9. Maximum Lot Coverage. - 65%
10. Minimum Lot Frontage on Road. - 50 feet
11. Minimum Lot Width at Building Line. – No Minimum

B. Lot Standards for Commerce Parke:

Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet

Maximum gross square feet <u>of retail</u> per a single building in District 3:	65,000 gross square feet
<u>Minimum Building Setback from Grassy Branch Road south of 203rd Street (East of Grassy Branch))</u>	<u>100 feet</u>

- C. Lot Standards for The Shoppes:
1. No single occupancy may exceed 65,000 gross square feet.
 2. Bulk and Density Standards.
 - a. Setbacks.
 - i. Front - 50 feet
 - ii. Side - 10 feet
 - iii. Rear - 20 feet
 - b. Lot coverage. Lot coverage shall not exceed seventy five (75) percent and is inclusive of buildings, parking areas and all other impervious surfaces which results in a minimum open space requirement of twenty five (25) percent of the land area.
- D. Lot Standards for The Townes:
1. Minimum lot area for Attached Multi-Family Dwellings. - None
 2. Minimum lot frontage on road for Attached Multi-Family Dwellings. - None
 3. Minimum setback lines - for Attached Multi-Family Dwellings.
 - a. Front yard -(corner lots are required two front yard setbacks)
 - i. 10 feet alley load
 - ii. 22 feet front load
 - b. Side yard - minimum 15' between buildings
 - c. Rear yard - None
 4. Minimum lot width at building line for Attached Multi-Family Dwellings. - None
 5. Minimum total square footage per dwelling unit, exclusive of porches, terraces, and garages) for Attached Multi-Family Dwellings. – 1,200 square feet per dwelling unit
 6. Maximum parcel coverage for Attached Multi-Family Dwellings. – None
 7. Minimum Open Space for Attached Multi-Family Dwellings. - 15% of the District
 8. Minimum lot area for permitted Single-family dwellings – 6,000 square feet
 9. Minimum lot frontage on road for permitted Single-family dwellings – 40'
 10. Minimum setback lines for permitted Single-family dwellings
 - a. Front Yard – 20'
 - b. Side Yard – 5'
 - c. Rear Yard – 20'

11. Minimum Lot Width for permitted Single-family dwellings – 50’
12. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family dwellings:
 - a. One story dwelling – 1,400 square feet
 - b. Two story dwelling – 1,800 square feet

E. Lot Standards for The Villas:

1. Minimum lot area for Duplex or Quadraplex Dwellings. - None
2. Minimum lot frontage on road for Duplex or Quadraplex Dwellings. - None
3. Minimum setback lines for Duplex or Quadraplex Dwellings.
 - a. 30 feet from arterials
 - b. 20 feet from collectors and local streets
4. Minimum distance between structures for Duplex or Quadraplex Dwellings.
 - a. Two-unit single family attached - 15'
 - b. Four-unit single family attached - 25'
5. Minimum square footage per dwelling unit, exclusive of porches, terraces, and garages for Duplex or Quadraplex Dwellings.
 - a. Single story - 1,300 square feet
 - b. Two story - 1,600 square feet
6. Minimum Open Space for Duplex or Quadraplex Dwellings. - 15% of the District
7. Minimum lot area for permitted Single-family Dwellings – 7,200 square feet.
8. Minimum lot frontage on road for permitted Single-family Dwellings – 40’.
9. Minimum setback lines for permitted Single-family Dwellings
 - a. Front Yard – 20’
 - b. Side Yard – 5’
 - c. Rear Yard – 20’
10. Minimum Lot Width for permitted Single-family Dwellings – 60’
11. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family Dwellings:
 - a. One story single-family dwelling – 1,400 square feet
 - b. One and one half store single family dwelling – 1,500 square feet.

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

7.1 Article 6.3 Architectural Standards:

- A. Character Exhibit. The Character Exhibits, attached hereto as **Exhibit E** (As to the Townes), **Exhibit F** (as to Quadraplex Dwellings in the Villas) **Exhibit G** (as to the Villas), **Exhibit H** (as to the Business Parke),

Exhibit I (as to the Commerce Parke) and **Exhibit J** (as to The Shoppes), are hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Buildings shall be constructed substantially similar to those in the Character Exhibit.

B. Architectural Standards for Business Parke.

~~1. All buildings shall be designed with respect to the general character of the Business Parke, and particularly, with due consideration to buildings located on lots that abut the project site.~~

1. A minimum of three (3) materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, or ornamental metal. One (1) of the materials shall be either stone, ~~or~~ brick or architectural pre-cast (panels or detailing).

~~2. Large expanses of glass are allowed, up to seventy percent (70%) of the facade area.~~

~~3. The building shall not be constructed entirely of a metal and glass curtain wall.~~

~~5. Concrete block is not allowed as an exterior finish material.~~

~~6. All front and side facades visible from U.S. Highway 31 shall comply with the architecture requirements of Article 5.3(K)(2)(a) (i) and (M)(2) of the UDO with references to State Road 32 therein interpreted to apply to the right of way of U.S. Highway 31.~~

C. Architectural Standards for Commerce Parke:

1. District 3 Architecture for Primary and Secondary Facades fronting on a public right of way, or which are visible from adjoining residential uses, shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to apply to the public right of way upon which the structure fronts. The facades of structures within District 3 which do not front on a public right of way, or which are not visible from adjoining residential uses, shall comply with the requirements provided below.

2. Roof Design.

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

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

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

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

3. Facade Rule. - All building elevations shall either be considered a

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Primary or Secondary Façade. All Facades facing Grassy Branch Road~~2~~^{or} East Street or State Road 38 shall meet the Primary Façade requirements contained herein.

4. Façade Materials.

a. Primary Façade Materials.

- i. Permitted building finish materials for the Primary Façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain) architectural block (textured) and EFIS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or architecturally insulated metal panel systems (if used for a maximum of 50% of the façade).
- ii. Prohibited building finish materials on the Primary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass, vinyl siding.
- iii. Primary Facades may have window glazing or glass storefronts.
- iv. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Drive).
- v. Colors used on building facades must be complementary. Natural, muted colors should serve as the Primary Façade color, with brighter colors used as limited accents.
- vi. Decorative architectural lighting is required at a minimum of one fixture every 40 feet on primary facades.
- vii. On Primary Facades which do not face a primary arterial, overhead doors may be permitted on the Primary Façade elevations.

b. Secondary Façades Materials.

- i. In addition to those materials permitted for the Primary Façade, the Secondary Façade may include architectural metal wall panels.
- ii. Prohibited building finish materials on the Secondary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.
- iii. Overhead doors are permitted on Secondary Façade elevations, but shall not be orientated towards a public right-of-way.

D. Architectural Standards for The Shoppes:

1. General Architectural Standards The Shoppes shall comply with the Architectural Requirements of Article 5.3(K) of the UDO. Any references in Article 5.3(K) to State Road 32 shall be interpreted to

apply to State Road 38 for this Ordinance.

E. Architectural Standards for The Townes:

1. Architectural Standards for Attached Multi-Family Dwellings.

a. Elevations.

i. The front elevation of a building shall be the facade containing a front door to the building.

ii. Fifty percent (50%) of the front facade of each building, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.

iii. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material. A masonry water table shall be located on all elevations except the front façade.

b. A townhome building shall have a minimum of five (5) ridge lines.

c. Windows.

i. A building shall have a minimum of three (3) windows on the front facade of the structure per unit.

ii. A building shall have two (2) windows on each of the two (2) side facades.

iii. Building shall have three (3) windows per unit on the rear facade of the structure.

iv. A double window will count as two (2) windows.

v. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

d. Garages shall be attached to the primary structure.

e. Garage doors shall not be oriented towards East Street.

f. Carports shall be prohibited.

g. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.

h. The minimum roof pitch of the main roof of the residence shall be 6:12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.

i. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.

- j. Roof vents shall be located to the rear half of the home/structure when possible. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
- k. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Townes, and The Townes Character Exhibit, attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Townes Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

3. Additional Architectural Standards for permitted Single-family dwellings

- a. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
- b. Garage Composition and Orientation:
 - i. All Dwellings shall have a minimum two (2) car attached garage.
 - ii. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.
- c. Building Materials: In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.
- d. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.
 - ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).

- iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.
 - e. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:
 - i. A minimum of three (3) windows with an aggregate minimum of forty (40) square feet in size.
 - ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of half (½) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.
 - f. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(E)(3)(e) of this Ordinance.
- F. Architectural Standards for The Villas:
- 1. Architectural Standards for Duplex or Quadraplex Dwellings.
 - a. Elevations.
 - i. Masonry shall be the exterior building material on at least thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
 - ii. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any facade area within a dormer projecting from a roof.
 - b. Windows.
 - i. Each unit shall have a minimum of three (3) windows on each facade.
 - ii. A double window will count as two (2) windows.
 - iii. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural

materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of one half (1/2) the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

- c. Garage doors shall not be oriented towards East Street
- d. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
- e. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
- f. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
- g. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
- h. Each four-unit single family attached building shall be substantially similar in quality and character to the illustrative elevations found in **Exhibit F**.
- i. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

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- 2. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Villas, and The Villas Character Exhibit, attached hereto as **Exhibit G**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Villas Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.
- 3. Additional Architectural Standards for permitted Single-family Dwellings
 - a. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
 - b. Garage Composition and Orientation:
 - i. All Dwellings shall have a minimum two (2) car attached garage.
 - c. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets,

multiple building materials, gable accent windows and gable decorative louver.

d. Building Materials: In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.

e. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

i. Wood, Fiber Cement Siding, or equivalent trim at corners (at least five (5) inches in width), frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.

ii. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).

iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.

f. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:

i. A minimum of three (3) windows with an aggregate minimum of forty (40) feet in size.

ii. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material in no cases no less than five (5) inches in width.

g. Article 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-Family Dwelling denoted with a star on **Exhibit D** hereto shall only be constructed as a one story or one and one half story dwelling. The Side Building Façade nearest the public right of way on these lots shall also comply with Section 7.1(F)(3)(f) of this Ordinance.

7.2 Article 6.6 Height Standards: Shall apply unless otherwise amended hereby for each of the following shall apply to the various Districts:

A. Business Parke:

1. Minimum Building Height.

- a. Lots abutting U.S. Highway 31 ~~—Thirty-eight (38) feet and~~
i. Primary Façade: Thirty-eight (38) feet
ii. All other Facades: Thirty (30) feet~~three (3) occupiable floors~~
~~a.b. All other lots - Fourteen (14)~~Thirty (30) feet

2. Maximum Building Height.

- a. One Hundred Fifty (150) feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or structure.

B. Commerce Parke:

1. Maximum Building Height:

- a. District 1 and 2: Forty five (45) feet.
b. District 3: Thirty five (35) feet.
2. The limitations herein shall not apply to steeples, silos, chimneys, antennas or appurtenances which are located on structures within the district.
3. Any new structure within two hundred fifty (250) feet of the residential structure/home at 2429 E. 202nd Street, 2502 E. 202nd Street, 1910 E. 202nd Street, shall be limited to a height of thirty five (35) feet so long as those properties are utilized residentially.

C. The Shoppes:

1. Maximum Building Height. Buildings are restricted to 35 feet maximum height or a maximum of two stories

D. The Townes:

1. Maximum building height for Attached Multi-Family Dwellings. - 45 feet.
2. Lots marked with a star on **Exhibit D** shall be subject to restrictions included in Section 7.1(E)(3)(f) hereof.

E. The Villas:

1. Detached Single-family Dwellings in The Villas shall be no taller than one and one half story.

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

- A. Article 6.8 N of the UDO shall be replaced by this section.
B. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants (inclusive of bushes/shrubs) used for screening must be at least eighteen (18) to twenty four (24) inches tall when planted. Evergreen trees required for screening must be between six (6) and eight (8) feet in height at the time of planting. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.
C. A twenty foot (20') buffer yard shall be required around the perimeter of each District except as follows:

1. No buffer yards shall be required:
 - a. internal to the Aurora–Northpoint PUD, except as provided in Subsections C(2)(c)) and C(3) below;
 - b. adjacent to proposed greenways and park areas; and
 - c. within easements prohibiting landscaping.
2. A fifty foot (50') buffer yard shall be required along the existing home sites on Grassy Branch Road (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall be improved as follows:
 - a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard (in addition to the mounding, the existing trees along the north side median of 203rd street shall maintain fifty percent (50%) of the existing treeline, and no additional plantings shall be required in this median area). The mound shall be designed in order to protect the root system and drip lines of existing trees on adjacent properties.
 - b. The buffer yard shall be landscaped per this Ordinance.
 - c. A fifty foot (50') buffer yard shall be required along the existing homestead parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). If any portion of the Real Estate is added to the Heitman property, it shall be buffered in accordance with this provision. If the Heitman property is no longer utilized as a residential use, the requirements of this section 7.3 (C)(2)(c) shall no longer apply to the Heitman property:
 - d. A thirty foot (30') buffer yard shall be required along the eastern and western borders of the driveway parcel of the Heitman property (as shown on the Buffer Exhibit, **Exhibit D**). The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard. If the Heitman property is no longer utilized as a residential use, the requirements of this Section 7.3(C)(2)(d) shall no longer apply to the Heitman property.
 - e. The buffer yard shall be landscaped per this Ordinance.
3. Buffer between The Shoppes and adjoining Residential District (to the west) (as shown on the Buffer Exhibit, **Exhibit D**)
 - a. A thirty foot (30') buffer yard shall be required and shall be landscaped per this Ordinance:
4. Buffer along the northern, western southern and eastern borders of the Commerce Parke
 - a. A forty foot (40') buffer yard shall be required and shall be improved as follows:
 - i. The buffer yard shall have a six foot (6') mound.
 - ii. Shall be landscaped per this Ordinance.

iii. Evergreen trees shall be planted on or near the top of the mound.

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

b.c. Where a detention pond of 50' or more in width acts as part of a buffer yard, no mounding shall be required.

5. Buffer yards that are not additionally road frontage shall be landscaped per this subsection, with the exception of areas encompassed by easements prohibiting landscaping, where no landscaping shall be required. Buffer yards that are additionally road frontage shall be landscaped per the buffer yard requirements and not per this Ordinance's Road Frontage landscaping requirements.

D. Within buffer yards at least eight (8) evergreen trees per one hundred (100) linear feet and five (5) evergreen shrubs per one (100) hundred linear feet shall be planted. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses. Staggering evergreen trees on alternating sides of the mound shall be utilized when feasible.

E. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards with the requirement for mounding/fencing eliminated. In the NW corner of the property located north of the 203rd Street extension (as shown on the Concept Plan) a forty (40) foot tree preservation area shall be utilized as the buffering requirement without any mounding or fencing. Prior to development adjacent to this tree preservation area, a tree preservation plan prepared in accordance with Article 6.8(E)(4) of the UDO shall be approved by the Director.

F. In residential districts, plantings required to be placed in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.

G. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.

H. Buffer yards shall not be required between uses within the same districts or within subdivisions.

7.4 Article 6.12 Outdoor Storage and Display shall apply except as specifically modified to the various Districts:

A. Commerce Parke:

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

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

3. No outside storage shall be permitted within District 1 or District 3, or within one hundred feet (100') of the right-of-way of the new East

Street extension, Grassy Branch Road, or US 31 within District 2.

4. Service/Material Yard and Storage Areas.

- a. Article 6.12(D)(2) of the UDO shall apply with the following addition: Must be completely screened as follows:
 - i. The fence required under Article 6.12(D)(2)(b) of the UDO shall be an opaque wood privacy fence, the style of which shall be consistent throughout the Commerce Parke.

B. The Shoppes:

1. No outdoor sales areas or permanent outdoor display areas are permitted unless surrounded by a permanent structure consistent with material of the building.

7.5 Article 6.14 Parking and Loading Standards shall apply except as specifically modified to the various Districts:

A. Business District:

1. Loading and Unloading Areas.
 - a. Loading and Unloading Berth shall not be oriented to or visible from U.S. Highway 31.
 - b. Loading and Unloading Berths oriented toward any other public right-of-way, shall be landscaped/screened using Masonry wall(s), plant material, or a combination thereof.
2. For buildings fronting on US Highway 31, no more than ~~one~~ (1)two (2) rows of parking shall be located between the building's Primary Façade and the right of way for US Highway 31.

B. Commerce Parke:

1. Loading Docks. Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, a screening wall, topography, vegetation and/or landscaping.

7.6 Article 6.15 Performance Standards shall apply except as specifically modified to the various districts:

A. Commerce Parke:

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

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

7.7 Article 6.17 Sign Standards shall apply except as specifically modified to the various districts:

A. The Shoppes:

So long as the uses abutting State Road 38 immediately north of the

Shoppes remain residentially utilized, the following restrictions shall apply to signage immediately adjacent to State Road 38:

All sign materials shall be architecturally complimentary to the materials utilized in The Shoppes.

No Pole Signs shall be permitted.

No Electronic Signage shall be permitted.

Reverse channel lighting shall be utilized for all Wall Signs on the facades of buildings facing and visible from State Road 38.

The lighting of all signs in The Shoppes shall comply with Article 6.9(G)(3) of the UDO, regardless of the source of the signs lighting.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(i) shall be reduced to six (6) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(ii) shall be reduced to nine (9) feet.

The maximum allowable Sign Height in Article 6.17(J)(2)(a)(iii) shall be reduced to twelve (12) feet.

Section 8. Infrastructure Standards. The District’s infrastructure shall comply with the Unified Development Ordinance and the City’s Construction Standards (see Chapter 7 Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

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

9.1 Article 8.7, Pedestrian Network Standards, shall apply except as follows:

A. The Shoppes:

1. Pedestrian Circulation.

a. Continuous internal pedestrian walkways, no less than eight (8) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all structures on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.

b. Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet from the facade of the building to provide planting facade.

d. Internal pedestrian walkways provided in conformance

with part b above shall provide weather protection features such as awnings or arcades within 30 feet of customer entrances.

e-c. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

Section 10. Amenities. In accordance with Article 10.9(F)(4) of the UDO, the following Amenities will be distributed throughout the Residential Districts, for use by residents of districts designated by the Developer within the Real Estate:

A. A minimum of two (2) small parks. One small park shall be installed with the first section of The Townes and one small park shall be installed with the first section of The Villas.

B. A minimum of one (1) swimming pool and swimming pool area and a Bathhouse. This shall be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and the Villas.

C. A minimum of one (1) 3,000 square foot playground to be installed no later than the completion of seventy (70%) percent of the total lots comprising the Townes and Villas.

D. Integrated trail system of a minimum eight (8') foot asphalt path connecting all districts as shown on the Pedestrian Network Exhibit (**Exhibit C**).

E. The swimming pool and playground amenities shall not be located adjacent to the perimeter buffer yard for the existing home sites on Grassy Branch Road.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2018~~7~~.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

Nortphoint PUD District (f/k/a Aurora)– Replacement Ordinance

I hereby certify that **ORDINANCE** [17-51](#) was delivered to the Mayor of Westfield
on the _____ day of _____, 2018~~7~~, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE** [17-51](#) I hereby VETO **ORDINANCE** [17-51](#)
this _____ day of _____, 2018~~7~~. this _____ day of _____, 2018~~7~~.

J. Andrew Cook, Mayor

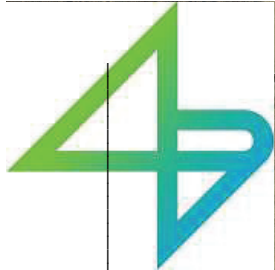
J. Andrew Cook, Mayor

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

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

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Pedestrian Network
Exhibit D	Buffer Plan
Exhibit E	Townes Character Exhibit
Exhibit F	Four Family Attached Illustrative Elevations
Exhibit G	Villas Character Exhibit
Exhibit H	Business Parke Character Exhibit
Exhibit I	Commerce Parke Character Exhibit
Exhibit J	The Shoppes Character Exhibit



Concept Plan
2018

Exhibit B-1

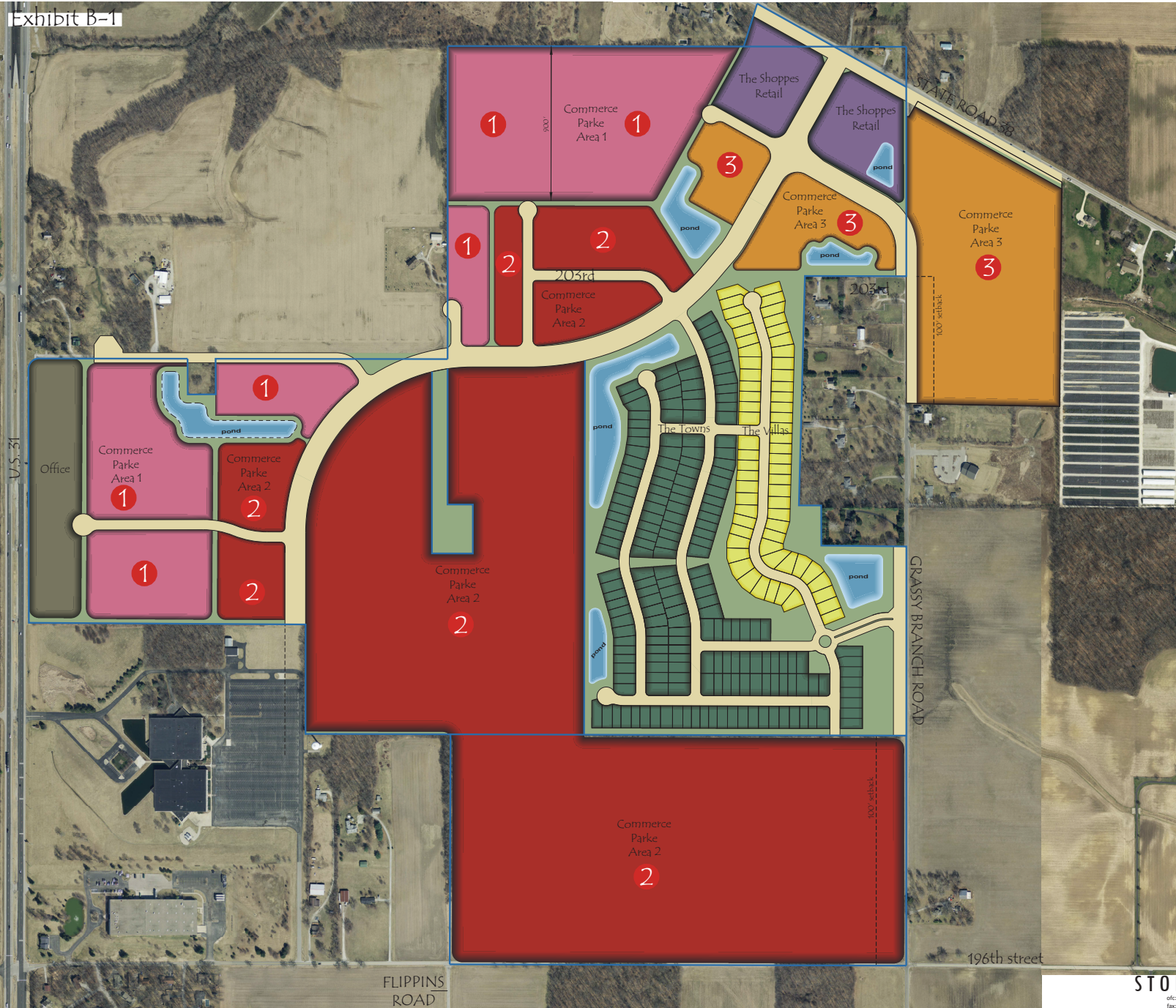
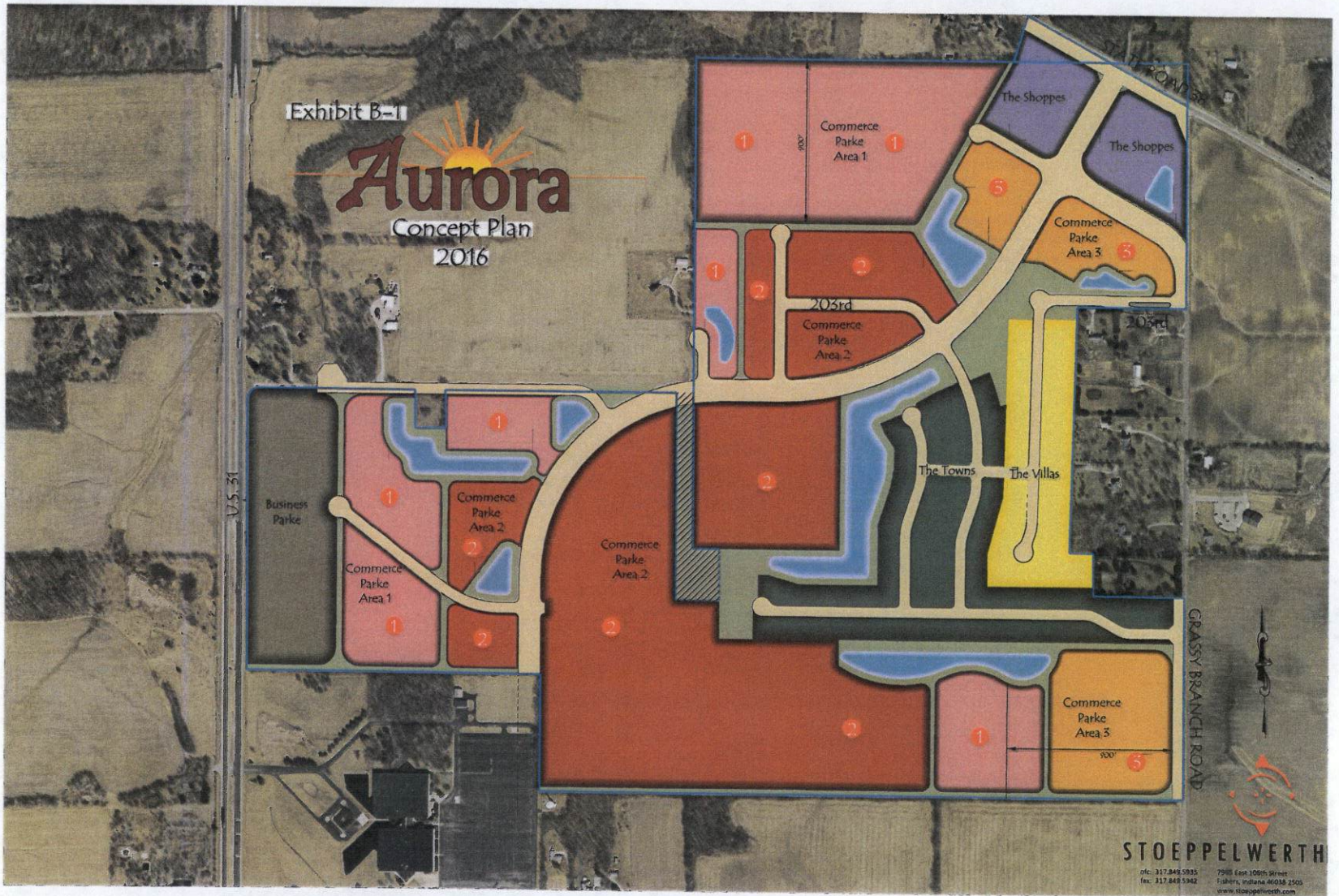


EXHIBIT B-1 ZONING BUBBLE PLAN



EXHIBIT B-1 ZONING BUBBLE PLAN



I hereby certify that each of the above listed vouchers and invoices, or bills attached there to, are true and correct and I have audited same in accordance with IC5-11-10-1.6.

June 11, 2018

Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

CITY OF WESTFIELD

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 9 pages and except for accounts payables not allowed as shown on the Register such account payables are hereby allowed in the total amount of \$0 and pending director approval such accounts payables are hereby allowed in the total amount of \$0.

Dated this 11 day of June, 2018

_____	_____	_____
_____	_____	_____
_____	_____	_____

Signatures of Governing Board

Approved by State Board of Accounts for the City of Westfield, 2013

Purchase Invoice Register

City of Westfield

Report Date Range: 06/01/18..06/07/18

6/7/2018 11:23 AM

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WESTFIELD\mfarrar

Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No.	Fund Name								
101	General								
	Administration								
VEN000589	Duke Energy	APP052560	6/5/2018	101001341	ADM-ELECTRICITY	City Hall Summer Market	10.16		
VEN000589	Duke Energy	APP052560	6/5/2018	101001341	ADM-ELECTRICITY	Red Man parking lot	9.40		
VEN000589	Duke Energy	APP052560	6/5/2018	101001341	ADM-ELECTRICITY	Clinic House	30.85		
VEN000589	Duke Energy	APP052560	6/5/2018	101001341	ADM-ELECTRICITY	DWA	169.78		
VEN003729	Metronet	APP052563	6/5/2018	101001343	ADM-BUILDING	City Hall alarm	62.69		
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101001119	ADM-HEALTH AND DENTAL	Life Ins Prem	6.50	64802	6/6/2018
	Subtotal for Administration						289.38		
	Police								
VEN000345	Cave and Company Printing	APP052490	6/5/2018	101002337	POLICE-PRINTING	Business Cards - Gambrel	44.70		
VEN002035	US Uniform and Supply	APP052491	6/5/2018	101002229	POLICE-UNIFORMS	Uniforms - Mitchell	119.98		
VEN000385	Chief Supply	APP052492	6/5/2018	101002345	POLICE-EQUIP REPAIR	Motorola Radio Batteries	499.50		
VEN001178	Kiesler's Police Supply	APP052493	6/5/2018	101002345	POLICE-EQUIP REPAIR	Aimpoint Patrol Rifle Optics	850.00		
VEN000747	Galls	APP052494	6/5/2018	101002229	POLICE-UNIFORMS	5.11 pants - Rushforth	54.76		
VEN000747	Galls	APP052494	6/5/2018	101002229	POLICE-UNIFORMS	Narco pouch, nightstick safety	164.89		
VEN000314	C.A.R. Clinic	APP052495	6/5/2018	101002360	POLICE-VEHICLE REPAIR	Vehicle Repairs	2,658.85		
VEN003729	Metronet	APP052525	6/5/2018	101002335	POLICE-TELEPHONE	PSB	61.57		
VEN000434	Comcast Cable	APP052548	6/1/2018	101002349	POLICE-SERVICES	Monthly Statement	132.39		
VEN001570	PIC Inc	APP052549	6/1/2018	101002360	POLICE-VEHICLE REPAIR	Starter Lug, Wire terminal	37.98		
VEN000136	Applied Concepts Inc.	APP052550	6/1/2018	101002345	POLICE-EQUIP REPAIR	Radar Remotes	1,164.00		
VEN000480	CSI Signs	APP052551	6/1/2018	101002224	POLICE-OPERATING SUPPLI	Plastic A Frames Signboard,	324.69		
VEN002035	US Uniform and Supply	APP052552	6/1/2018	101002229	POLICE-UNIFORMS	Uniforms - Anuar	74.95		
VEN005785	Cardiac Science Corp	APP052554	6/1/2018	101002472	POLICE-EQUIPMENT	Defibrillation AED Pads	340.00		
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101002119	POLICE-HEALTH AND DENT	Life Ins Prem	169.00	64802	6/6/2018
	Subtotal for Police						6,697.26		
	Economic and Community Development								
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101003119	ECD-HEALTH AND DENTAL	Life Ins Prem	45.50	64802	6/6/2018
	Subtotal for Economic and Community Development						45.50		
	Parks								
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101005119	PARKS-HEALTH AND DENT	Life Ins Prem	9.75	64802	6/6/2018
	Subtotal for Parks						9.75		

Purchase Invoice Register

City of Westfield

Report Date Range: 06/01/18..06/07/18

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WESTFIELD\mfarrar

Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No.	Fund Name								
101	General								
	Informatics								
VEN005146	Konica Minolta Business	APP052519	6/4/2018	101007337	IT-PRINTING	click charges	722.03		
VEN005996	Konica Minolta Premier Fin	APP052520	6/1/2018	101007337	IT-PRINTING	Copy machine rental	1,053.89		
VEN003729	Metronet	APP052556	6/1/2018	101007335	IT-TELEPHONE	Land lines and long distance	2,186.51		
VEN000203	BD Managed Services LLC	APP052559	6/6/2018	101007331	IT-CONSULTING	50% Colts Additional Cable Dr	6,138.00		
VEN000203	BD Managed Services LLC	APP052559	6/6/2018	101007451	IT-COMPUTER/EQUIP	50% Colts Additional Cable Dr	6,137.99		
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101007119	IT-HEALTH AND DENTAL	Life Ins Prem	19.50	64802	6/6/2018
VEN000660	ESRI	APP052637	6/6/2018	101007389	IT-SOFTWARE LICENSING	Renewal	25,000.00		
VEN002050	Verizon Wireless	APP052657	6/7/2018	101007332	IT-CELLULAR/PAGERS/MOBI	Cell phones	1,893.90		
	Subtotal for Informatics						43,151.82		
	Clerk Treasurer								
VEN004297	ADP-Payroll	APP052439	6/4/2018	101008331	CT-CONSULTING	Processing charges	880.09		
VEN005897	Hamilton County Reporter	APP052528	6/5/2018	101008338	CT-LEGAL NOTICES	Notice of Hearing	6.71		
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101008119	CT-HEALTH AND DENTAL	Life Ins Prem	19.50	64802	6/6/2018
	Subtotal for Clerk Treasurer						906.30		
	Mayor								
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101009119	MAYOR-HEALTH AND DENT	Life Ins Prem	2.21	64802	6/6/2018
	Subtotal for Mayor						2.21		
	Public Works								
VEN000589	Duke Energy	APP052441	6/4/2018	101013341	PW-ELECTRIC	4568 151st and 201 Jersey	47.01	64723	6/4/2018
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101013119	PW-HEALTH AND DENTAL	Life Ins Prem	101.60	64802	6/6/2018
VEN000660	ESRI	APP052637	6/6/2018	101013389	PW-SOFTWARE LICENSING	Renewal	10,000.00		
VEN005403	BrightView Landscapes LLC	APP052640	6/4/2018	101013349	PW-CONTRACTUAL SERVIC	Janitorial for May	11,562.78		
VEN005403	BrightView Landscapes LLC	APP052641	6/4/2018	101013349	PW-CONTRACTUAL SERVIC	City of Westfield for May	49,527.78		
VEN005403	BrightView Landscapes LLC	APP052642	6/4/2018	101013349	PW-CONTRACTUAL SERVIC	US 31 for May	11,460.00		
	Subtotal for Public Works						82,699.17		
	Communications								
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101020119	COMM-INSURANCE	Life Ins Prem	9.75	64802	6/6/2018
	Subtotal for Communications						9.75		
	Customer Service								
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101021119	CUSTOMER SERV- INSURAN	Life Ins Prem	13.00	64802	6/6/2018
	Subtotal for Customer Service						13.00		

Purchase Invoice Register

City of Westfield

Report Date Range: 06/01/18..06/07/18

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WESTFIELD\mfarrar

Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
101	General								
Human Resources									
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	101022119	HR-HEALTH & DENTAL	Life Ins Prem	6.50	64802	6/6/2018
Subtotal for Human Resources							6.50		
Subtotal for Fund 101 General							133,830.64		
Fund No. Fund Name									
201	Motor Vehicle Highway (MVH)								
Public Works									
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	201013119	MVH-HEALTH AND DENTAL	Life Ins Prem	13.00	64802	6/6/2018
VEN006285	Ceres Solutions Cooperative	APP052644	6/4/2018	201013226	MVH-VEHICLE GAS/ SUPPLI	Fuel	1,156.00		
VEN001384	Milestone Contractors LLP	APP052645	6/4/2018	201013349	MVH-SERVICES	Surface	191.00		
VEN002706	KJM Trucking Inc	APP052646	6/4/2018	201013231	MVH-SUBGRADE MATERIAL	Maint	6,861.18		
VEN001044	Irving Materials	APP052647	6/4/2018	201013231	MVH-SUBGRADE MATERIAL	Riprap	325.52		
VEN001678	Road Solutions Inc	APP052648	6/4/2018	201013360	MVH-VEHICLE REPAIR	Super wash and wax	968.64		
VEN000682	Fastenal	APP052649	6/4/2018	201013360	MVH-VEHICLE REPAIR	Kendall Ct	7.07		
VEN001778	Shelby Materials	APP052650	6/4/2018	201013231	MVH-SUBGRADE MATERIAL	Barrier Cube	1,050.00		
VEN001277	Macallister Machinery Co Inc	APP052654	6/4/2018	201013360	MVH-VEHICLE REPAIR	Hydraulic hoses	1,016.33		
Subtotal for Public Works							11,588.74		
Subtotal for Fund 201 Motor Vehicle Highway (MVH)							11,588.74		

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
203 Fire Operating									
Fire									
VEN002046	Vans Electrical Systems	APP052522	6/5/2018	203012360	FIRE-VEHICLE MAINT	inverter repair	36.00		
VEN001464	Northside Garage Door System	APP052523	6/5/2018	203012343	FIRE-BUILDING MAINTENAN	repair to garage door	96.00		
VEN005980	Fire Services Inc	APP052524	6/5/2018	203012360	FIRE-VEHICLE MAINT	A81 and L81 repairs	869.24		
VEN003729	Metronet	APP052525	6/5/2018	203012343	FIRE-BUILDING MAINTENAN	PSB	61.56		
VEN001417	Napa Auto Parts	APP052529	6/4/2018	203012360	FIRE-VEHICLE MAINT	Vehicle maintenance	924.18		
VEN001942	The Uniform House, Inc	APP052530	6/4/2018	203012229	FIRE-UNIFORMS	Oxfords	65.88		
VEN001942	The Uniform House, Inc	APP052531	6/4/2018	203012229	FIRE-UNIFORMS	Tactical sport shoes	89.02		
VEN001942	The Uniform House, Inc	APP052532	6/4/2018	203012229	FIRE-UNIFORMS	Tactical sport shoes	89.02		
VEN001615	Public Safety Medical Services	APP052535	6/4/2018	203012354	FIRE-MEDICAL EXAMS/TEST	medical testing	1,640.97		
VEN004663	Mendenhall consulting	APP052538	6/4/2018	203012334	FIRE-TRAVEL/TRAINING/SE	WPE training	3,250.00		
VEN005587	Kronos Inc	APP052539	6/4/2018	203012349	FIRE-SERVICES	Telestaff services	1,962.56		
VEN000682	Fastenal	APP052542	6/4/2018	203012360	FIRE-VEHICLE MAINT	vehicle supplies	5.91		
VEN000644	Enviro-max Inc	APP052543	6/4/2018	203012349	FIRE-SERVICES	preventative HVAC servicing	528.00		
VEN000633	Embroidery Plus	APP052544	6/4/2018	203012229	FIRE-UNIFORMS	unifrom alterations	359.75		
VEN004479	Symetra Life Insurance	APP052594	6/5/2018	203012119	FIRE-HEALTH AND DENTAL	Life Ins Prem	234.00	64802	6/6/2018
VEN001029	International Assoc of Fire Chiefs	APP052624	6/6/2018	203012350	FIRE-SUBSCRIPTIONS/DUE	Chief Reed Membership	209.00		
VEN001029	International Assoc of Fire Chiefs	APP052625	6/6/2018	203012350	FIRE-SUBSCRIPTIONS/DUE	Chief Lyons membership	259.00		
Subtotal for Fire							10,680.09		
Subtotal for Fund 203 Fire Operating							10,680.09		
Fund No. Fund Name									
206 Parks Programming/Events									
Parks									
VEN005709	Service Sanitation Inc	APP052518	6/6/2018	206005347	PARKS PROGRAM-PROMOT	Voices from the Past	223.00		
VEN005709	Service Sanitation Inc	APP052518	6/6/2018	206005347	PARKS PROGRAM-PROMOT	Grand Junction	203.00		
VEN006804	Creating Brand Legacy Worldwide	APP052527	6/4/2018	206005347	PARKS PROGRAM-PROMOT	Grand Run	1,595.00		
VEN003961	One Point	APP052621	6/6/2018	206005347	PARKS PROGRAM-PROMOT	Sponsorship Booklet	1,053.00		
Subtotal for Parks							3,074.00		
Subtotal for Fund 206 Parks Programming/Events							3,074.00		

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
239	Law Enforcement								
	Police								
VEN006803	City of Noblesville	APP052473	6/1/2018	239002334	LAW ENFORCE-TRAVEL/TR	Over payment for court fines	2,460.00		
VEN001178	Kiesler's Police Supply	APP052547	6/1/2018	239002334	LAW ENFORCE-TRAVEL/TR	Ammunition 12 GA Slugs	718.74		
VEN001993	Treasurer Of State of Indiana	APP052555	6/1/2018	239002334	LAW ENFORCE-TRAVEL/TR	Breath Test Recert. - Adams	40.00		
	Subtotal for Police						3,218.74		
	Subtotal for Fund 239 Law Enforcement						3,218.74		
Fund No. Fund Name									
264	Road and Street Improvement (Road Impact)								
	Public Works								
VEN005929	WSP USA Inc	APP052557	6/4/2018	264013349	ROAD IMPACT-SERVICES	Supplemental No. 1 for Additi	13,470.78		
	Subtotal for Public Works						13,470.78		
	Subtotal for Fund 264 Road and Street Improvement (Road Impact)						13,470.78		
Fund No. Fund Name									
268	Emergency Medical and Equip								
	Fire								
VEN000266	Bound Tree Medical	APP052533	6/4/2018	268012224	EMS-OPERATING SUPPLIES	EMS supplies	942.72		
VEN000266	Bound Tree Medical	APP052534	6/4/2018	268012224	EMS-OPERATING SUPPLIES	Heart pads	175.00		
VEN005584	The Accumed Group	APP052536	6/4/2018	268012349	EMS-SERVICES	EMS billing fee	3,721.36		
VEN000065	Airgas Mid America	APP052537	6/4/2018	268012224	EMS-OPERATING SUPPLIES	oxygen	12.90		
VEN000065	Airgas Mid America	APP052541	6/4/2018	268012224	EMS-OPERATING SUPPLIES	oxygen	14.64		
VEN006805	Xianbu Peng	APP052545	6/4/2018	268012349	EMS-SERVICES	patient refund	621.00		
	Subtotal for Fire						5,487.62		
	Subtotal for Fund 268 Emergency Medical and Equip						5,487.62		
Fund No. Fund Name									
269	Training Facility Center								
	Public Safety (Police and Fire)								
VEN000589	Duke Energy	APP052440	6/4/2018	269014341	TRAINING FAC-ELECTRIC	Training Facility	318.17	64722	6/4/2018
VEN002191	City of Noblesville Utilities	APP052526	6/5/2018	269014342	TRAINING FAC-WATER/SEW	Training Facility	18.91		
VEN000905	Hoosier Portable Restroom	APP052540	6/4/2018	269014349	TRAINING FAC-SERVICES	porto-potty service 3/24/18-5/	160.00		
	Subtotal for Public Safety (Police and Fire)						497.08		
	Subtotal for Fund 269 Training Facility Center						497.08		

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
640	Sports Campus Operating								
Grand Park									
VEN000589	Duke Energy	APP052561	6/5/2018	640015341	SPORTS CAMPUS-ELECTRI	General	3,907.25		
VEN000589	Duke Energy	APP052561	6/5/2018	640015341	SPORTS CAMPUS-ELECTRI	Diam	5,367.17		
VEN000589	Duke Energy	APP052561	6/5/2018	640015341	SPORTS CAMPUS-ELECTRI	Field	2,601.63		
VEN003729	Metronet	APP052605	6/5/2018	640015224	SPORTS CAMPUS-OPERATI	Diam	62.69		
VEN003729	Metronet	APP052605	6/5/2018	640015224	SPORTS CAMPUS-OPERATI	Field	62.69		
VEN000060	Agency One Security Group	APP052614	6/4/2018	640015343	SPORTS CAMPUS-BLDG MAI	Door repair	200.00		
VEN000676	Fabulously Fun Co	APP052617	6/5/2018	640015337	SPORTS CAMPUS-PRINTIN	Grand Summer Kick Off	1,000.00		
VEN000480	CSI Signs	APP052619	6/6/2018	640015343	SPORTS CAMPUS-BLDG MAI	No Fumar	240.00		
VEN006808	USSC	APP052620	6/6/2018	640015349	SPORTS CAMPUS-SERVICE	Paint	5,794.65		
VEN000266	Bound Tree Medical	APP052622	6/6/2018	640015345	SPORTS CAMPUS-EQUIP RE	Heartstart smart pads	140.00		
VEN000266	Bound Tree Medical	APP052622	6/6/2018	640015345	SPORTS CAMPUS-EQUIP RE	Heartstart smart pads	175.00		
VEN000905	Hoosler Portable Restroom	APP052623	6/6/2018	640015347	SPORTS CAMPUS-PROMOTI	Portables	625.00		
Subtotal for Grand Park							20,176.08		
Sport Campus Indoor Event Ctr									
VEN000589	Duke Energy	APP052562	6/5/2018	640023341	GP INDOOR-ELECTRIC	GP Indoor	18,466.55		
VEN003729	Metronet	APP052606	6/1/2018	640023349	GP INDOOR-SERVICES	GP Indoor	242.36		
VEN005590	Filter Services of Indiana	APP052618	6/6/2018	640023343	GP INDOOR-BLDG MAINT	Filters	1,421.06		
VEN000266	Bound Tree Medical	APP052622	6/6/2018	640023343	GP INDOOR-BLDG MAINT	Heartstart smart pads	210.00		
VEN002123	Westfield-Washington Schools	APP052653	6/6/2018	640023223	GP INDOOR-OFFICE SUPPL	Paper	42.30		
VEN006426	DISA Inc	APP052656	6/4/2018	640023349	GP INDOOR-SERVICES	Drug testing	154.50		
Subtotal for Sport Campus Indoor Event Ctr							20,536.77		
Subtotal for Fund 640 Sports Campus Operating							40,712.85		
Fund No. Fund Name									
900	Stormwater								
Stormwater									
VEN002139	Williams Creek Management	APP052558	6/4/2018	900016474	STORM-CONSTRUCTION C	Grassy Branch Stream Restor	144,823.56		
VEN002139	Williams Creek Management	APP052558	6/4/2018	900016474	STORM-CONSTRUCTION C	Change Order 1 Addl design p	38,077.35		
VEN004479	Symetra Life Insurance	APP052593	6/5/2018	900016119	STORM-HEALTHDENTAL	Life Ins prem	22.75	38322	6/6/2018
VEN000608	Eco-Infrastruicture Solution	APP052655	6/5/2018	900016473	STORM-VEHICLE LEASES	Culvert Pipe	352.50		
Subtotal for Stormwater							183,276.16		
Subtotal for Fund 900 Stormwater							183,276.16		

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No.	Fund Name								
950	Trash								
	Trash								
VEN003986	Accela Inc	APP052613	6/4/2018	950017349	TRASH-ADM SERVICES	Online web pmts	154.00		
VEN001637	Ray's Trash Service	APP052638	6/7/2018	950017851	TRASH-RES QRTLTY FEE CO	Quarterly charges	6,313.02		
VEN001637	Ray's Trash Service	APP052639	6/7/2018	950017349	TRASH-ADM SERVICES	Heavy Trash Day	5,548.07		
VEN003986	Accela Inc	APP052643	6/6/2018	950017389	TRASH-SOFTWARE LICENS	Utility Billing maint and suppo	13,574.32		
	Subtotal for Trash						25,589.41		
	Subtotal for Fund 950 Trash						25,589.41		
	Posted Invoices Total						431,426.11		

Un-Posted Invoices

Vendor No.	Vendor Name	Invoice No.	Date	GL Account	GL Account Description	Description	Amount	Status
Fund No.	Fund Name							
101	General							
	Administration							
VEN000678	Faegre Baker Daniels	API0003520	5/7/2018	101001330	Adm-Attorney/Consultant	Adm-Attorney/Consultant	4,066.50	Approval Pending
VEN000595	DWA	API0003521	5/7/2018	101001349	Adm-Services	Adm-Services	10,855.89	Approval Pending
VEN000763	General Alarm Inc	API0003521	5/7/2018	101001343	Adm-Building	Adm-Building	89.85	Approval Pending
VEN001264	Love At First Sight	API0003522	5/9/2018	101001347	Adm-Promotions	Adm-Promotions	100.00	Approval Pending
VEN001988	Travelers	API0003525	5/15/2018	101001349	Adm-Services	Adm-Services	15,000.00	Approval Pending
VEN000263	Bose Public Affairs Group LLC	API0003529	5/16/2018	101001331	Adm-Consulting	Adm-Consulting	3,500.00	Approval Pending
VEN000263	Bose Public Affairs Group LLC	API0003529	5/16/2018	101001331	Adm-Consulting	Adm-Consulting	5,000.00	Approval Pending
VEN000931	Ice Miller LLP	API0003530	5/16/2018	101001331	Adm-Consulting	Adm-Consulting	5,000.00	Approval Pending
VEN002097	Westfield Chamber Of Commerce	API0003530	5/16/2018	101001347	Adm-Promotions	Adm-Promotions	25.00	Approval Pending
VEN001953	Thomson West	API0003530	5/16/2018	101001330	Adm-Attorney/Consultant	Adm-Attorney/Consultant	170.41	Approval Pending
VEN002017	Unifirst Corporation	API0003530	5/16/2018	101001343	Adm-Building	Adm-Building	103.30	Approval Pending
VEN000103	American Structurepoint Inc	API0003532	5/17/2018	101001349	Adm-Services	Adm-Services	2,040.00	Approval Pending
VEN000763	General Alarm Inc	API0003537	5/21/2018	101001343	Adm-Building	Adm-Building	100.00	Approval Pending
VEN001826	Staples	API0003547	5/29/2018	101001223	Adm-Office Supplies	Adm-Office Supplies	6.93	Approval Pending
VEN002123	Westfield-Washington Schools	API0003557	6/6/2018	101001223	Adm-Office Supplies	Adm-Office Supplies	10.20	Approval Pending
	Subtotal for Administration						46,068.08	

Report Date Range:

Un-Posted Invoices

Vendor No.	Vendor Name	Invoice No.	Date	GL Account	GL Account Description	Description	Amount	Status
Fund No.	Fund Name							
101	General							
Police								
VEN006426	DISA Inc	API0003553	6/4/2018	101002349	Police-Services	Police-Services	131.00	Approved
VEN002123	Westfield-Washington Schools	API0003557	6/6/2018	101002223	Police-Office Supplies	Police-Office Supplies	42.30	Approval Pending
Subtotal for Police							173.30	
Economic and Community Development								
VEN001826	Staples	API0003547	5/29/2018	101003223	ECD-Office Supplies	ECD-Office Supplies	13.86	Approved
VEN002123	Westfield-Washington Schools	API0003557	6/6/2018	101003223	ECD-Office Supplies	ECD-Office Supplies	21.15	Approved
Subtotal for Economic and Community Development							35.01	
Parks								
VEN006426	DISA Inc	API0003553	6/4/2018	101005349	Parks-Services	Parks-Services	103.00	Approved
Subtotal for Parks							103.00	
Clerk Treasurer								
VEN001826	Staples	API0003547	5/29/2018	101008223	CT-Office Supplies	CT-Office Supplies	40.81	Approved
VEN002123	Westfield-Washington Schools	API0003557	6/6/2018	101008223	CT-Office Supplies	CT-Office Supplies	21.15	Approved
Subtotal for Clerk Treasurer							61.96	
Public Works								
VEN006426	DISA Inc	API0003553	6/4/2018	101013349	PW-Contractual Services	PW-Services	51.50	Approved
Subtotal for Public Works							51.50	
Communications								
VEN002097	Westfield Chamber Of Commerce	API0003530	5/16/2018	101020347	Comm-Promotions	Comm-Promotions	25.00	Approved
VEN006426	DISA Inc	API0003553	6/4/2018	101020349	Comm-Services	Comm-Services	51.50	Approval Pending
Subtotal for Communications							76.50	
Customer Service								
VEN002123	Westfield-Washington Schools	API0003557	6/6/2018	101021223	Customer serv- office supp	Customer serv-office suppl	21.15	Approved
Subtotal for Customer Service							21.15	
Subtotal by Fund 101 General							46,590.50	

Fund No. Fund Name

401 Cum. Capital Improvement								
Administration								
VEN005640	CC and T Construction	API0003535	5/21/2018	401001474	CumCap Imp-Adm Con Cost	CCI -Adm Constr Cost	35,074.00	Approval Pending
Subtotal for Administration							35,074.00	
Subtotal by Fund 401 Cum. Capital Improvement							35,074.00	

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Vendor No.	Vendor Name	Invoice No.	Date	GL Account	GL Account Description	Description	Amount	Status
Fund No.	Fund Name							
640	Sports Campus Operating							
	Grand Park							
VEN004832	GS Sports Ventures	API0003495	4/27/2018	640015331	Sport Campus-consulting	Sports Campus-Service Cons	32,800.00	Approval Pending
	Subtotal for Grand Park						32,800.00	
	Subtotal by Fund 640 Sports Campus Operating						32,800.00	
	Un-Posted Invoices Total						114,464.50	

Vendor No.	Vendor Name	Cr. Memo No.	Date	GL Acct.	GL Account Name	Description	Amount
Credit Memo Total							

COMMITMENTS CONCERNING USE AND DEVELOPMENT OF REAL ESTATE

Document Cross Reference Instrument Nos. _____ and _____.

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

WHEREAS, the Developer filed a petition under Docket Number 1801-PUD-01 with the Plan Commission and City Council to rezone the property described in Exhibit A which is attached hereto and incorporated herein by reference (the “Real Estate”) from AG-SF1: Agriculture / Single Family Rural District to the Davis Planned Unit Development Ordinance (the “Davis PUD”);

WHEREAS, the Developer is requesting the Council to consider approval of the Davis PUD subject to the following commitments (“Commitments”);

NOW THEREFORE, the Developer makes the following Commitments to the Council regarding the use and development of the Real Estate:

Section 1. Commitments. The Real Estate is subject to, and the Developer shall enforce, the following Commitments:

1. Developer: Estridge Development Management and its investment partners in a to-be-named entity shall be the sole Developer of the Real Estate.
2. Conditions, Covenants, and Restrictions. The Developer shall prepare Conditions, Covenants, and Restrictions (“CCR’s”), applicable and binding to the Real Estate. The CCR’s shall include the following provisions:
 - a. Developer Consent: A written consent by the Developer shall accompany any permit or approval request pertaining to the Real Estate by a homebuilder, user, owner, or tenant. Permits or approvals may include, but are not limited to:
 - i. Improvement Location Permit for any improvements within the Real Estate;
 - ii. Sign permit for any signs within the Real Estate;
 - iii. Building permits for any Buildings within the Real Estate;
 - iv. Development Plan, or Primary or Secondary Plat approvals for any part of the Real Estate; and
 - v. Any amendment or other requests for variations to the terms and conditions of the Davis PUD.

- b. Architectural Review Board Approval: A letter of support for construction or modification of a structure from the Homeowners Association Architectural Review Board shall accompany any building permit or development plan application to the City for the construction or modification of a structure. Such letter shall also specify its approval for compliance with any standard set forth by the Davis PUD that requires Architectural Review Board approval.
 - c. Architectural Standards Board Approval: Changes to the architectural standards contained within the Davis PUD shall be approved in writing by a vote of a majority of the members of the Architectural Standards Board prior to the Developer submitting a PUD district ordinance amendment application to the City.
 - d. Restricted Open Space Buffer Standards: No outside storage nor structures shall be permitted within the 45-foot wide reforestation planting area. Outside of the reforestation planting area but within the Restricted Open Space Buffer (the “ROSB”), No structures taller than 18 inches shall be permitted within the Restricted Open Space Buffer (the “ROSB”), except for fences which may be permitted to a maximum height of six (6) feet.
 - e. Additional Planting within the Restricted Open Space Buffer: Lot owners may add additional landscaping within the ROSB. Approval of any modifications within the ROSB shall be approved by the Architectural Review Board prior to installation. Under no circumstances shall the landscaping within the ROSB be less than required in the Davis PUD.
 - f. Restricted Open Space Buffer Maintenance: The ROSB may be located within private lots. When located on private lots, the lot owner shall be responsible for maintaining the landscaping in the portion of the ROSB within their lot. This includes irrigation, weeding, fertilizing, pruning, mowing and other required maintenance to keep the plant material in healthy growing condition. When present, dead or dying plant material shall be replaced with specimens in good, healthy, growing condition. Should the lot owner not maintain the ROSB landscaping as required, the Homeowners Association shall have the right to enter the property and take corrective measures to restore the landscaping to the condition required by the Davis PUD.
 - g. The HOA shall have the power and authority to maintain all landscape buffers.
- 3. Homes within Areas A, B, and C: Estridge Homes shall be the only builder of the homes constructed on the lots within Areas A, B, and C as illustrated on the attached District Plan (see Exhibit B).
 - 4. Homes within Areas D and E: Custom homes shall be constructed on the lots within Area D and Area E as illustrated on the attached District Plan (see Exhibit B). At its

discretion, the Developer may sell lots within these areas to Custom Home Builders other than Estridge Homes.

5. Homes shall be \$550,000 to \$750,000 in value and shall include a diversity of home types.
6. Tree Sizes at Installation: The Developer will make a good faith effort to find and install whips a minimum of ten (10) feet tall and complying with the standards of the American Standard for Nursery Stock for the whip planting of the reforestation area specified in Section 7.2.D.i.2 of the Davis PUD Ordinance.
7. Reforestation Area Maintenance: The Developer shall create and follow a professional maintenance plan for the establishment and long-term health of the plantings within the reforestation area.

Section 2. Definitions.

1. Architectural Standards Board. An architectural review board consisting of a three (3) members to be comprised of: (i) the Developer; (ii) a resident of Washington Township, as appointed by the Trustee of Washington Township, and (iii) a member of the Plan Commission, as appointed by the Council.
2. Council. The Common Council of the City of Westfield, Hamilton County, Indiana.
3. Custom Home Builder. A builder who designs and builds a unique home for each client they do business with; as opposed to a production builder who builds homes based on a library of floor plans, each with limited personalization options.
4. Department. The Economic and Community Development Department of the City of Westfield.
5. Developer. Estridge Development Management Company, LLC.
6. Plan Commission. The Westfield-Washington Township Advisory Plan Commission.
7. Restricted Open Space Buffer. An open space buffer along a portion of the western property line of the Real Estate as defined in the Davis PUD.
8. Trustee of Washington Township. The Trustee of Washington Township, Hamilton County, Indiana.
9. Washington Township. Washington Township, Hamilton County, Indiana.

Section 3. Modification of Commitments. These Commitments shall continue in effect until modified or terminated. These Commitments shall only be modified or terminated by the Council in accordance with the Section 10.6 (F) of the UDO.

Section 4. Effective Date. These Commitments shall be effective upon the Council's approval of the Davis PUD.

Section 5. Recording. These Commitments shall be recorded with the Office of the Recorder of Hamilton County, Indiana by the Developer within thirty (30) days of the Council's approval of the Davis PUD. Within fifteen (15) days after the recording of these Commitments, the Developer shall provide to the Department a recorded copy of these Commitments. The Developer shall provide the City a recorded set of the CCR's which include the terms required in Section 1.

Section 6. Enforcement. These Commitments may be enforced by the Department and/or the Council.

Section 7. Binding on Successors. These Commitments are binding upon (i) each owner of the Real Estate and (ii) upon each owner's successors, assigns and grantees with respect to the portion of the Real Estate owned by such successor, assign and grantee and during such successor's, assign's and grantee's ownership, unless modified or terminated by the Council pursuant to the requirements herein. Notwithstanding the provisions of this Section 7, these Commitments shall terminate as to any part or parts of the Real Estate for which the zoning district or classification is later changed after the Effective Date.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, Estridge Development Management Company, LLC
has caused these Commitments to be executed as of the dates identified below.

“Developer”

Estridge Development Management Company, LLC

By: _____

Name: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared
_____ (name), as _____ (title) of Estridge Development
Management, LLC, who acknowledged the execution and the foregoing Commitments
Concerning Use and Development of Real Estate this ____ day of _____, 2018 for and
on behalf of said entity.

My Commission Expires: _____
_____ Notary Public

Residing in _____
County of _____ Printed Name

This instrument prepared by Bryan D. Stumpf, 11th Street Development, LLC, 7378 N 550 E, Lebanon,
IN 46052.

Return to: Estridge Development Management, LLC, 12965 Old Meridian Street, Carmel, IN 46032.

I affirm under the penalties of perjury that I have taken reasonable care to redact each social security
number in this document, unless required by law. Bryan D Stumpf.

Exhibit A

(LEGAL DESCRIPTION)

The East Half of the Southeast Quarter of Section Nine (9) Township Eighteen (18) North, Range Three (3) East, Hamilton County, Indiana, containing eighty (80) acres, more or less.

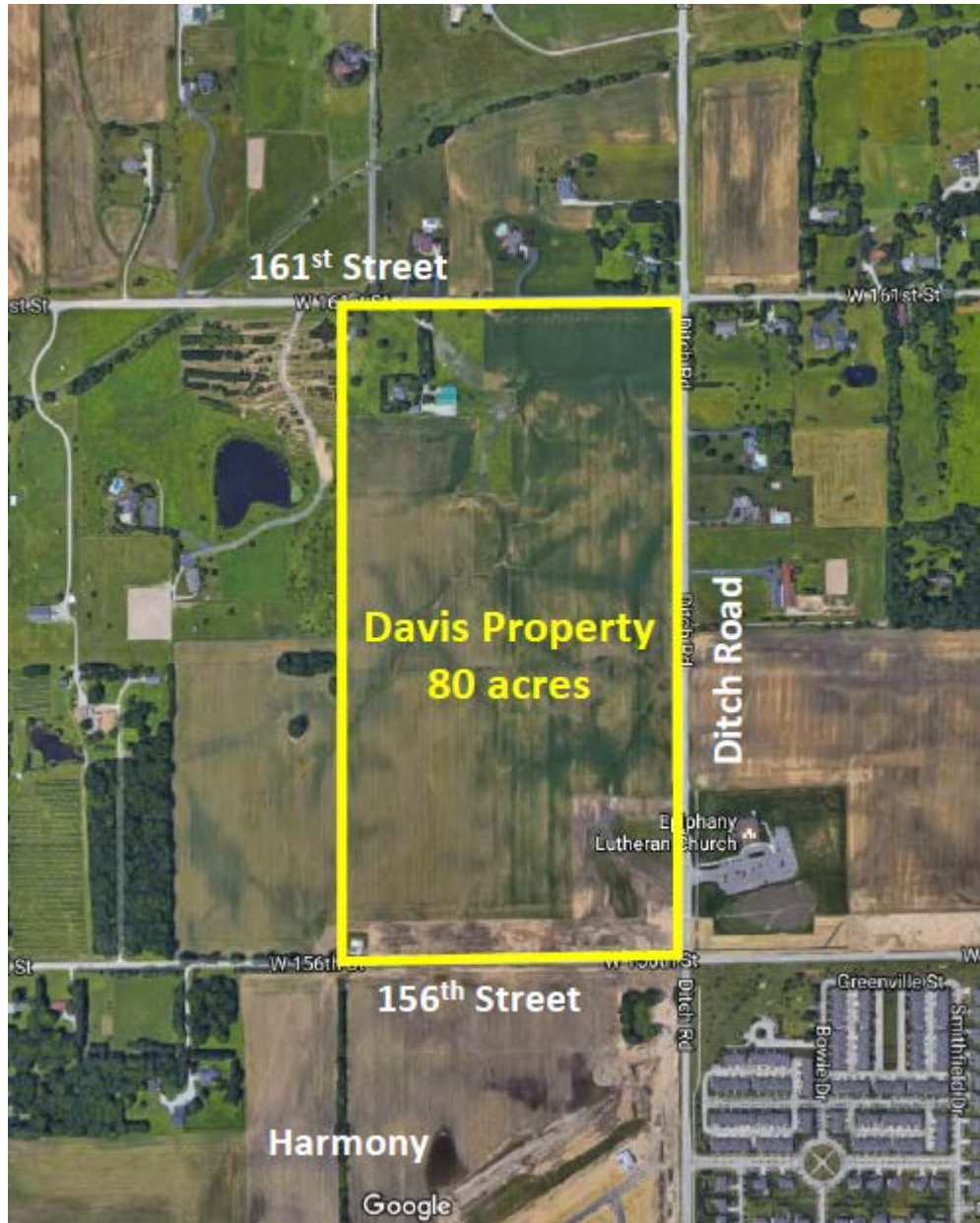
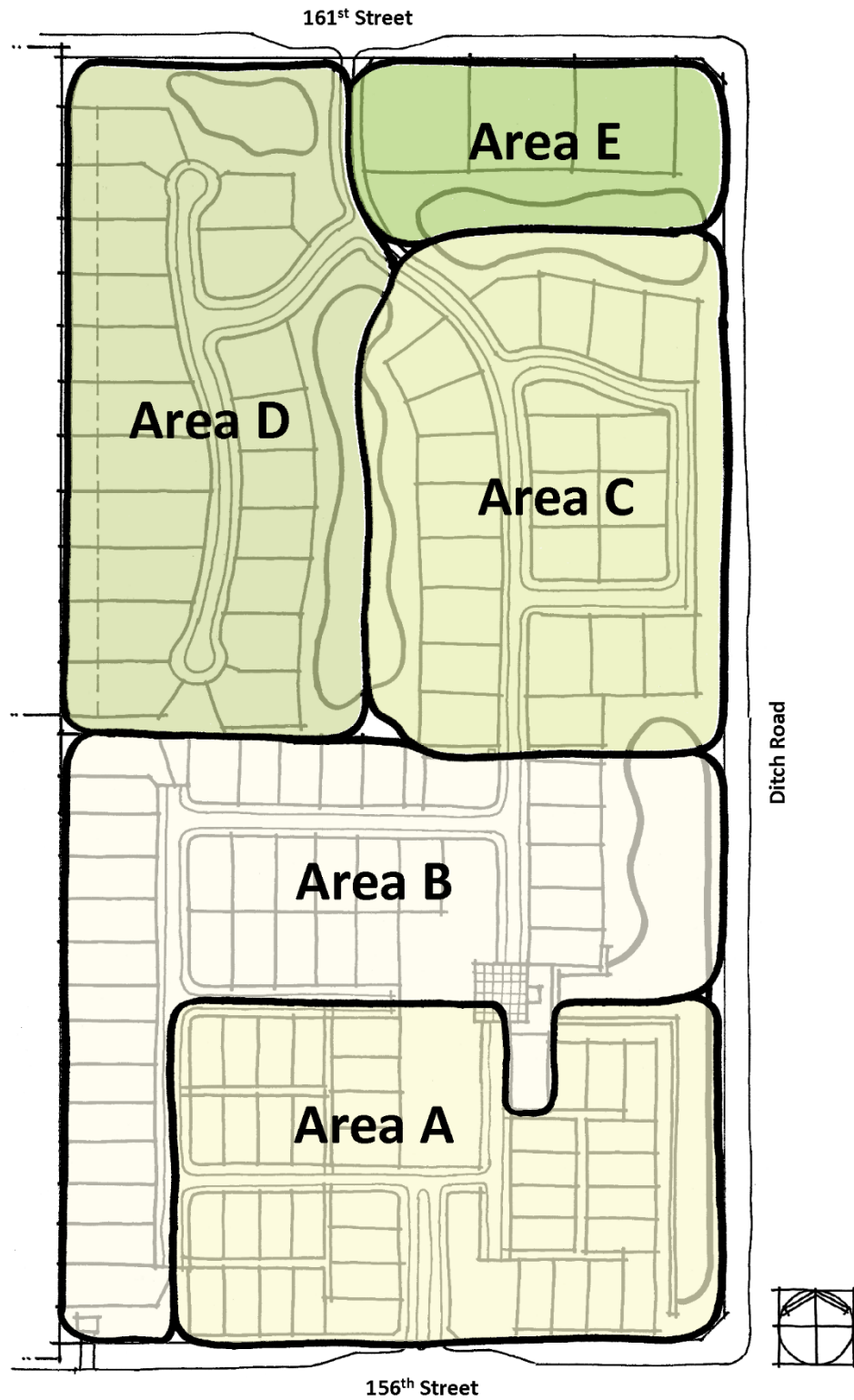


Exhibit B

(DISTRICT PLAN)



ORDINANCE 18-23

ORDINANCE OF THE CITY OF WESTFIELD ADOPTING A WATER CONSERVATION ORDINANCE

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, the Council has the duty and responsibility to address issues that can impact the general welfare and act upon long range planning of resources to best address the citizens of Westfield now and in the future; and,

WHEREAS, the Council has been advised of the issues regarding the water distribution system and the needs for addressing reasonable measures for water conservation; and,

WHEREAS, the Council is aware of the need to enable the ability to authorize more strict water conservation methods should the need arise for the benefit of all citizens.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

Section 1. The Council now finds that water conservation policies are prudent to adopt and necessary for the benefit of all citizens.

Section 2. The Council now adopts the provisions contained in Exhibit "A", attached hereto and incorporated by reference herein.

Section 3. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts undertaken or taken pursuant to the adoption of this Ordinance are hereby authorized and/or ratified.

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____ 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 18-23 was delivered to the Mayor of Westfield
on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 18-23

this _____ day of _____,
2018.

I hereby VETO ORDINANCE 18-23

this _____ day of _____,
2018.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

Chapter 62

DIVISION 3. – WATER CONSERVATION

Sec. 62-63. – Application.

This chapter applies to the use of water from the water system.

(Ord. No. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-64. – Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Advisory conditions means conditions under which voluntary conservation measures are appropriate due to decreased supplies in the reservoirs, or other circumstances have reduced the amount of treated water available to customers, as determined by Citizens Energy Group.

Customer means an individual, firm, corporation, government agency or other entity being supplied with water utility service by Citizens Energy Group at a location within the Westfield Service Area, which includes Westfield, Washington Township, Noblesville, or Noblesville Township.

Flower garden means a garden where substantially all of the plants are suitable and maintained primarily for decorative purposes or are ornamental shrubbery regardless of the age of the plant, tree, bush or shrub.

Mandatory conservation means compliance with Citizens Energy Group's imposition of requirements that are designed to reduce certain kinds and types of water use.

Normal conditions means conditions under which water supply and treatment capacity are adequate to meet all demands.

Reservoirs means Geist Reservoir and Morse Reservoir.

Treated water means water treated in a manner that it is suitable for human consumption or for another designated use.

Vegetable garden means a garden where substantially all of the plants are suitable and grown primarily for human consumption.

Voluntary conservation means compliance with Citizens Energy Group's request to reduce water use.

Water alert means an occurrence wherein mandatory conservation measures are appropriate due to actual or projected levels in either of the reservoirs being reduced to less than their designed drawdown curves, groundwater wells not functioning properly due to reduced groundwater levels, or the existence of other circumstances that have reduced the amount of treated water available to customers, as determined by Citizens Energy Group.

Water emergency means an occurrence wherein mandatory conservation measures are appropriate due to the levels in either of the reservoirs having been reduced to less than their designed drawdown curves or less than an estimated twenty-five (25) percent of their annual drawdown design capacities, groundwater wells not functioning properly due to reduced groundwater levels, or the existence of other circumstances that have reduced the amount of treated water available to customers, as determined by Citizens Energy Group.

Water system means the water system owned by Citizens Water of Westfield, LLC and operated by Citizens Energy Group.

Water user means a customer or other individual, firm, corporation, government agency, or other entity using water within the Westfield Service Area from the water system.

Water warming means an occurrence wherein mandatory conservation measures are appropriate due to the levels in either of the reservoirs having been reduced to less than their designed drawdown curves or less than an estimated fifty (50) percent of their annual drawdown design capacities, groundwater wells not functioning properly due to reduced groundwater levels, or the existence of other circumstances that have reduced the amount of treated water available to customers, as determined by Citizens Energy Group.

(Ord. N. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-65. – Voluntary conservation.

During normal conditions and advisory conditions, water users should follow the voluntary conservation measures as found in the water conservation policy adopted by Citizens Energy Group.

(Ord. No. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-66. – Declaration of need; notice.

(a) Without disclosing trade secrets or information vital to the security of its water system, Citizens Energy Group shall certify to the mayor of Westfield a detailed description of the findings, conditions, and other circumstances that support Citizens Energy Group's determination that a water alert, water warning, or water emergency should be declared and the estimated impact of a failure to declare a water alert, water warning, or water emergency and that the certification be posted in Citizens Energy Group and the City of Westfield websites.

(b) Upon being notified by Citizens Energy Group that the water system is in a condition of water shortage, the mayor of Westfield may declare the existence of a water alert, water warning or water emergency, whereupon the respective water conservation measures described in section 62-67 shall apply until the water alert, warning or emergency is terminated. Whenever the mayor of Westfield finds that some or all of the conditions that gave rise to the declaration of a water alert, water warning or water emergency no longer exist, the mayor of Westfield may declare the water alert, water warning or water emergency terminated.

(c) Notice of the declaration or termination of a water alert, water warning or water emergency shall be made by publication in a newspaper of general circulation. Notice shall be deemed effective upon publication.

(Ord. N. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-67. – Mandatory water conservation; exemptions.

(a) During a water alert it shall be unlawful for a water user to cause, permit, allow, or engage in the sprinkling, watering, or irrigating of grass more than two (2) days per week. Water users with odd number property addresses may sprinkle, water, or irrigate grass on Monday and Thursday. Water users with even number property addresses may sprinkle, water, or irrigate grass on Tuesday and Friday. No sprinkling, water or irrigating of grass shall be permitted by any water user on Sunday, Wednesday or Saturday.

(b) During a water warning, it shall be unlawful for a water user to cause, permit, allow, or engage in the sprinkling, water, or irrigating of grass; provided, however, that vegetable gardens, flower gardens and trees less than three (3) years old may be watered every other day by container, hand held hose equipped with a shut-off nozzle, or drip irrigation system.

(c) During a water emergency, it shall be unlawful for a water user to cause, permit, allow, or engage in any of the following actions:

(1) Outdoor watering, including but not limited to the sprinkling, watering, or irrigating of grass; provided, however, that vegetable gardens, flower gardens, and trees less than three (3) years old may be watered every other day by container, hand held hose equipped with a shut off nozzle, or drip irrigation system;

(2) Washing cars, trucks, trailers, mobile homes, railroad cars or any other type of mobile equipment, except as required by applicable local, state, or federal law for health or safety reasons;

(3) Using water to clean sidewalks, driveways, paved areas, structures, buildings, or other outdoor surfaces;

(4) filling empty swimming pools with water from Citizens Energy Group;

(5) Using hydrants except for fire suppression or as otherwise directed by Citizens Energy Group; and

(6) Operating water fountains that are non-recycling.

(d) The following water users and water uses shall be exempt from the prohibitions contained in subsections (a), (b), and (c) of this section:

(1) Nurseries, provided water use is limited to the amount essential to preserve inventories; and

(2) Any activity associated with the installation, repair, testing, or maintenance of an irrigation system.

(e) The following water users and water uses may be exempted by the mayor of Westfield from the prohibitions contained in subsections (a), (b), and (c) of this section:

(1) Automatic commercial car washes, including but not limited to automatic car washes operating within car dealerships, provided a majority of the water used is recycled;

(2) Manual commercial car washes, including but not limited to manual car washes operating within car dealerships, provided only a handheld hose equipped with a shut-off nozzle is utilized;

(3) Golf courses, provided that documented measures are taken to preserve the use of water, only watering tee boxes, greens, and fairways in the manner most efficient for the course;

(4) Any watering of property owned or controlled by the department of parks and recreation or the department of public works as directed by the mayor of Westfield where such watering is necessary or appropriate for asset preservation;

(5) Limited watering of in-season athletic fields for public safety, health, or welfare purposes;

(6) Limited watering of new lawns or landscaping for construction projects with building permits issued by the City of Westfield prior to the declaration of such water alert, warning, or emergency; and

(7) Limited use of splash pad recreational watering systems or small temporary pools that have been filled by hand.

(f) The City of Westfield shall have the authority to promulgate regulations related to the operation of the exceptions listed above.

(Ord. No. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-68. – Violations.

(a) Each property owner and/or person within the Westfield Service Territory shall be responsible for compliance with section 62-67 with respect to the premises where the customer receives water service. If the identity of the water user cannot be ascertained, the customer shall be prima facie liable for violations that occur on such premises.

(b) A person's first and second violations admitted in any 12-month period shall be subject to a fine of \$20.00 for the first violation and \$40.00 for the second violation, if paid within ten days of issuance.

(c) If:

(1) Payment is not made within ten days of issuance.

(2) The alleged violation will be filed in the Noblesville City Court pursuant to the Interlocal Agreement between the Cities of Westfield and Noblesville.

(3) The alleged violation shall be docketed in the Noblesville City Court and a notice of hearing issued to the alleged offender. Penalties under this division shall include but not be limited to no more than \$500.00 per day, costs and attorney fees.

(d) For purposes of this section, each day of a violation shall be deemed a separate offense.

(e) All fines collected from violation of this chapter shall be deposited in **[INSERT FUND]**.

(Ord. No. 12-23, § 1(Exh. A), 7-3-12)

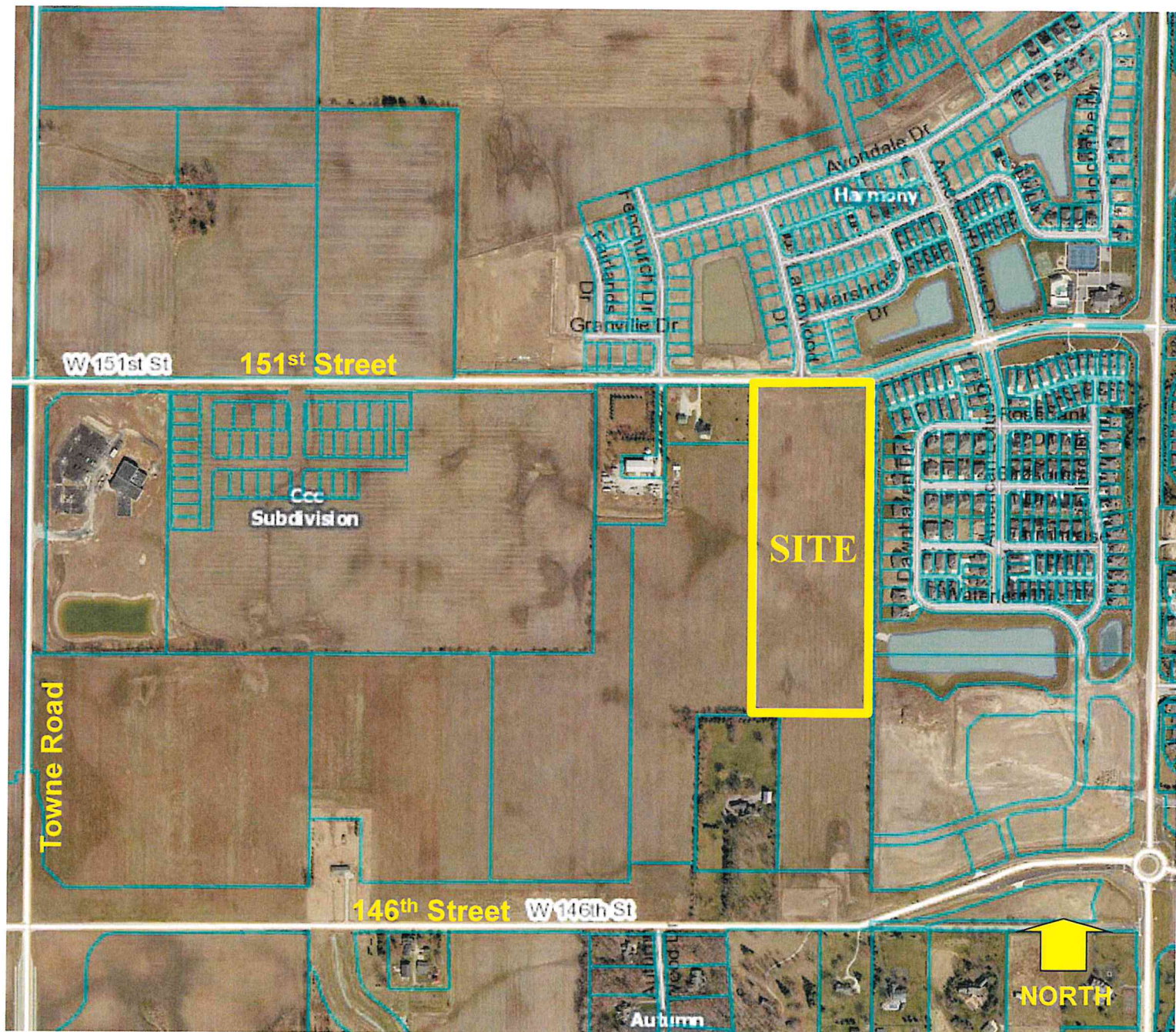
Sec. 62-69. – Enforcement.

This division shall be enforced by the mayor of Westfield, or the mayor's designee, which may be but not limited to law enforcement, the department of code enforcement, director of public works, director of economic and community development, fire chief, or their designees.

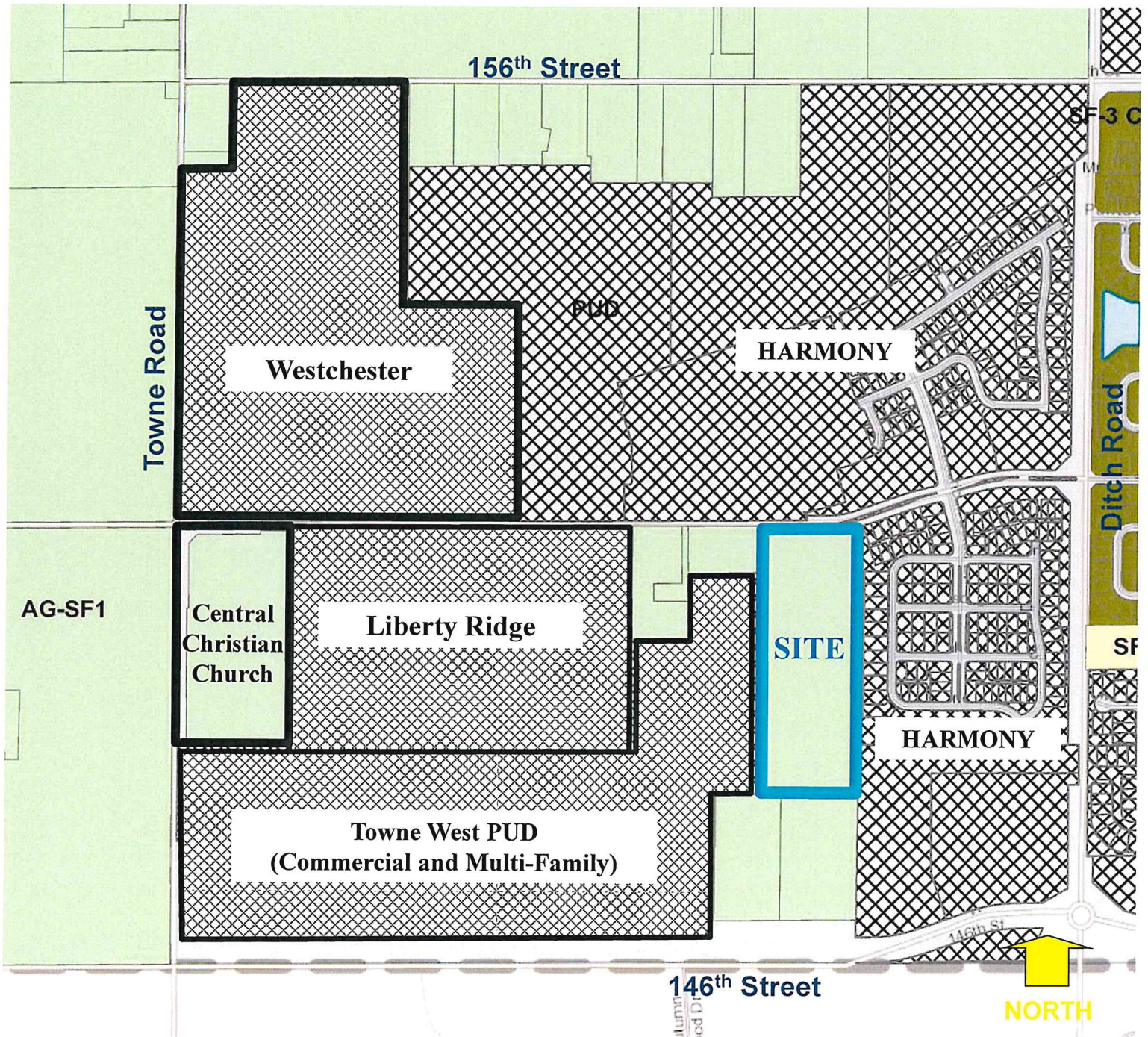
(Ord. No. 12-23, § 1(Exh. A), 7-3-12)

Sec. 62-70. – Nonexclusive.

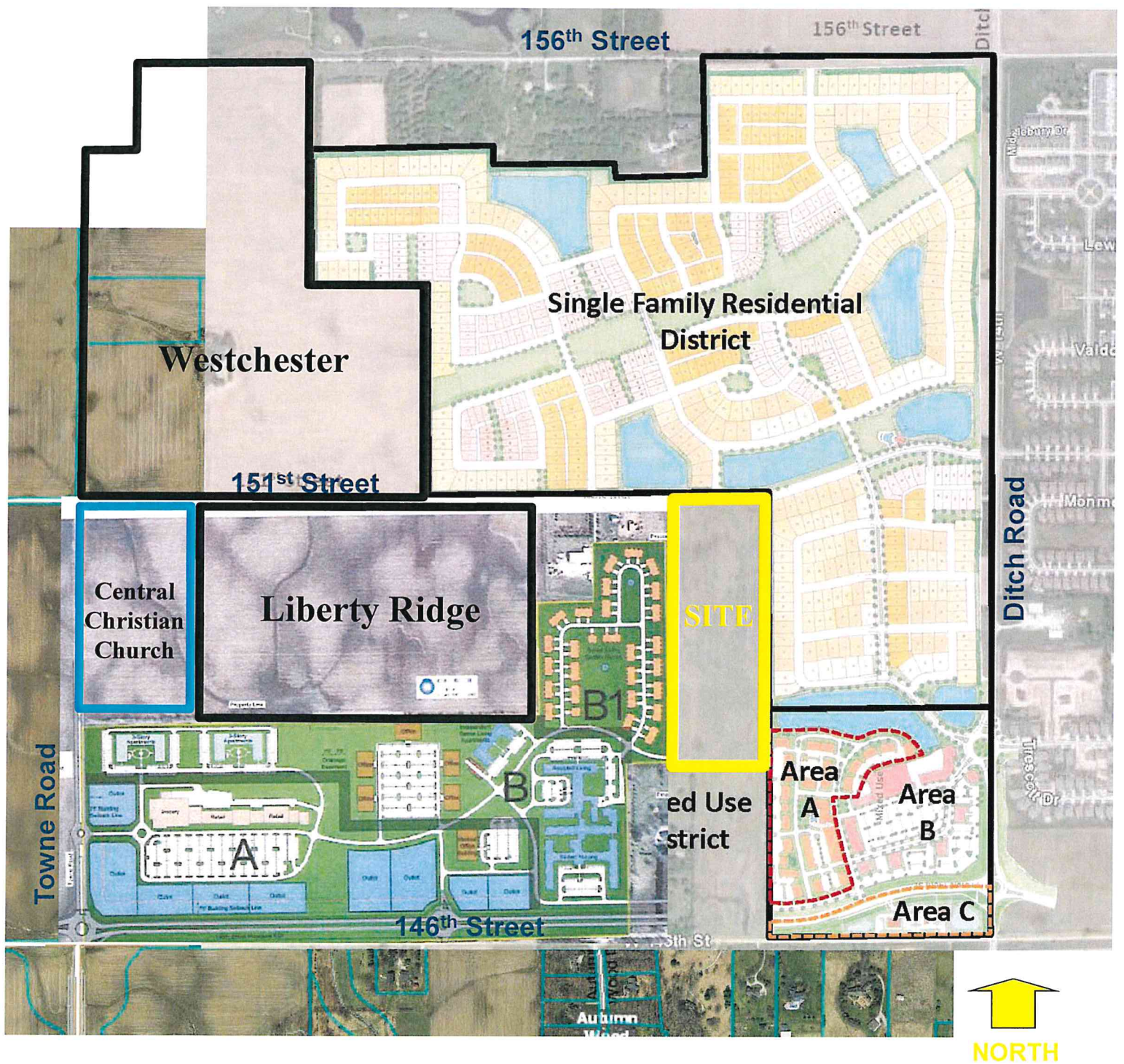
This chapter is not intended to be, and shall not be, exclusive with respect to any further water conservation measures or the enforcement thereof, as may be adopted by Citizens Energy Group.



**Liberty Villas
Site Location Map**



**Liberty Villas
Zoning Map**



Liberty Villas
Surrounding Land Use Map

Liberty Villas

Westfield, Indiana







Auburn



ELEVATION C



ELEVATION A



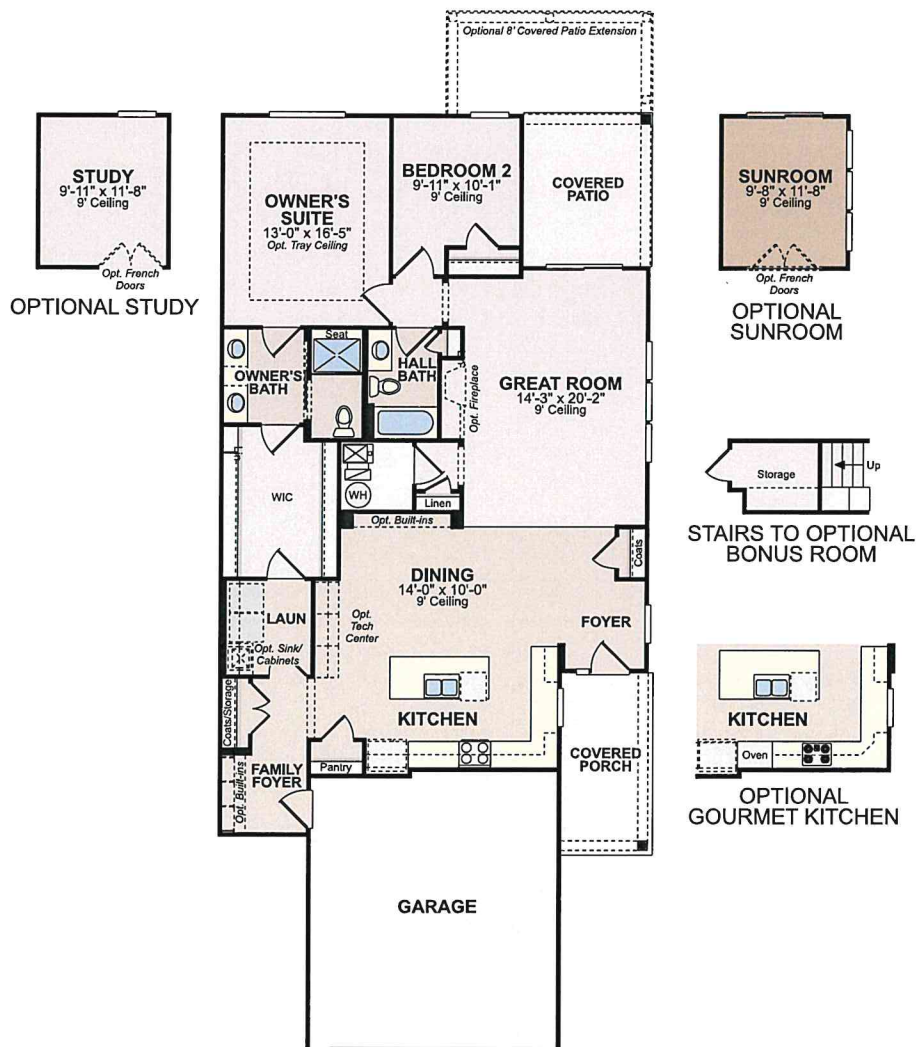
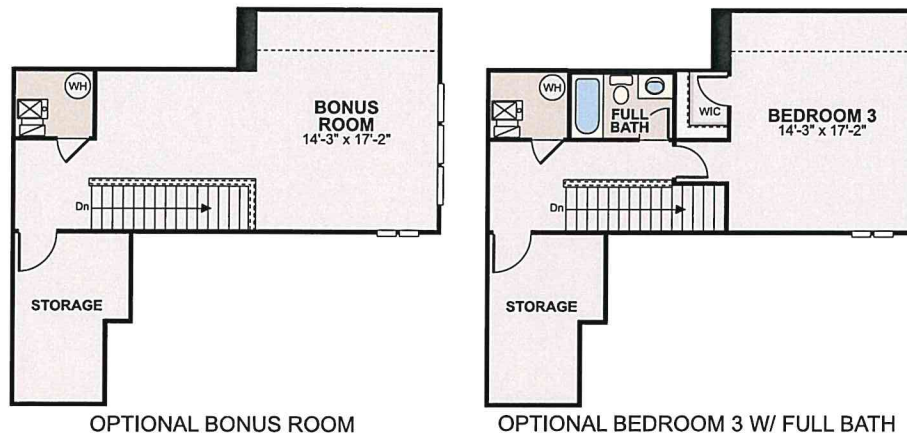
ELEVATION B

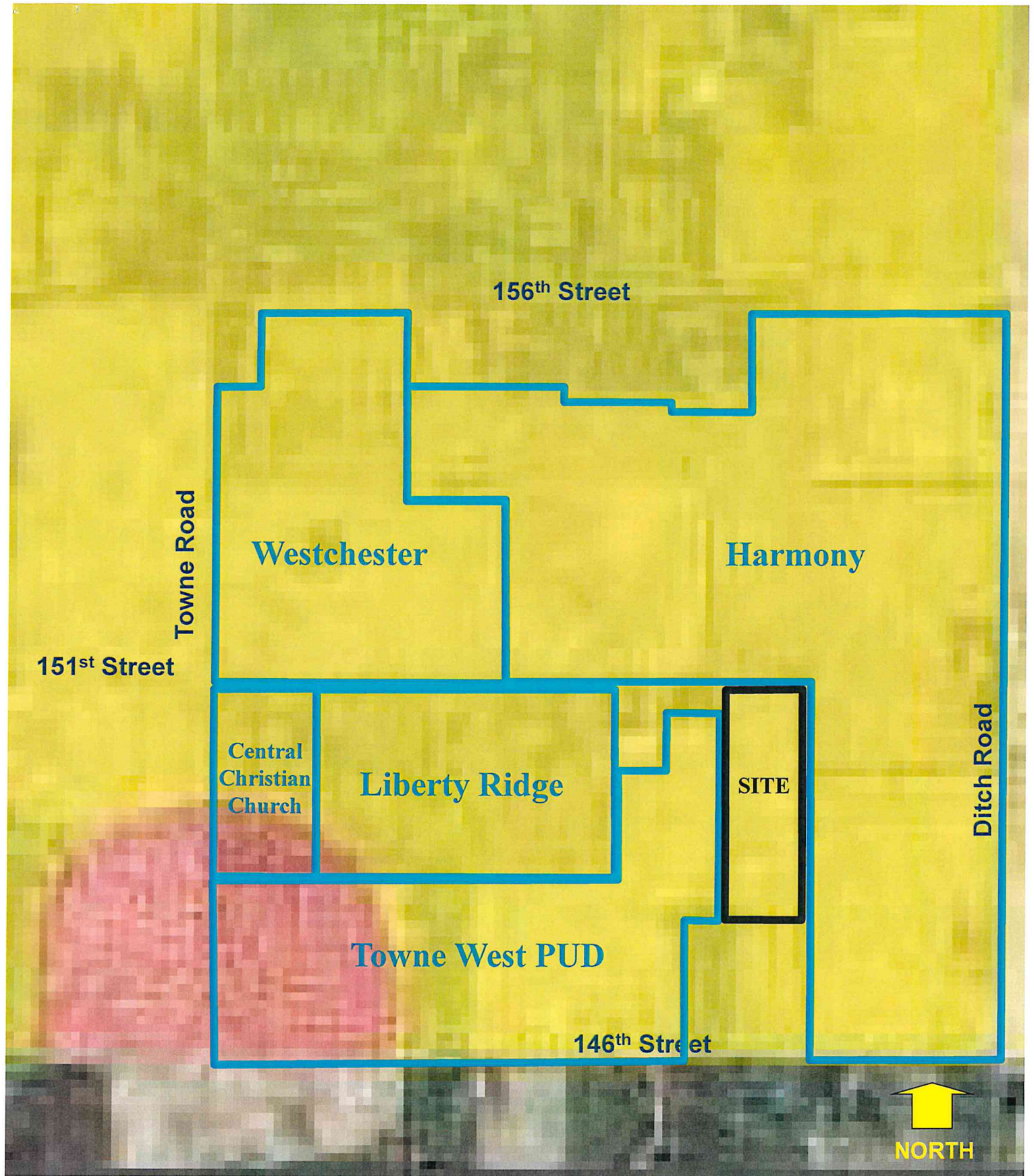


ELEVATION D

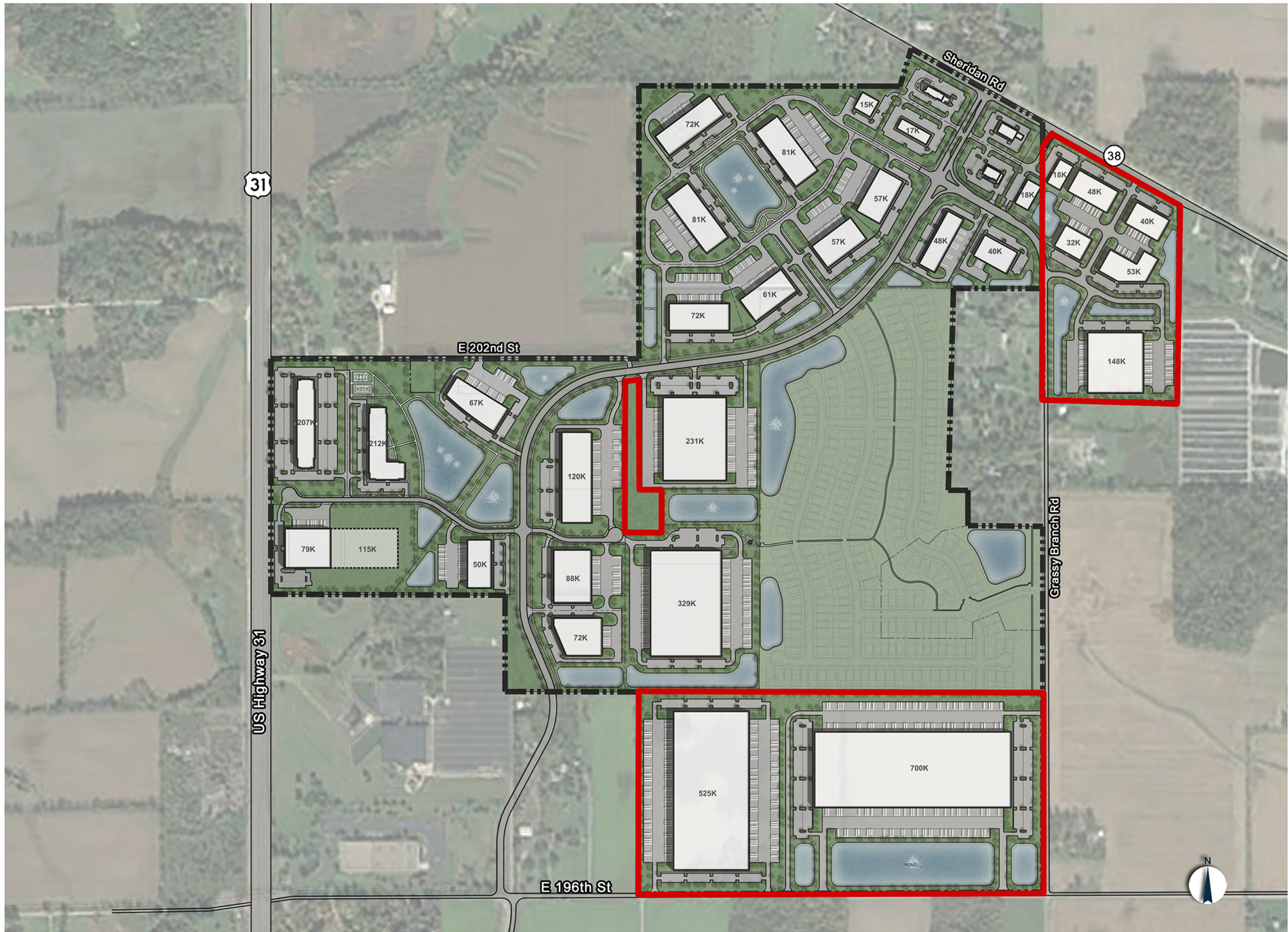
RYLAND HOMES®
ryland.com

Auburn





Liberty Villas
Westfield Comprehensive Plan



NORTHPOINT

WESTFIELD, INDIANA

DATE: 06.08.2018

MASTER PLAN

Pamela Howard

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Monday, June 11, 2018 12:26 PM
To: Council Members; Andy Cook
Cc: APC; Pamela Howard; Danielle Tolan; Bruce Van Natta; T.M.T., Incorporated; Dave Sochar; Sandra Wilds
Subject: VOTE NO or Remove from Agenda Tonight

Dear City Council and Mr. Mayor,

As we again face another new development vote in our community this evening, I'm reminded of a piece of our history that happened over 30 years ago, the decision to launch the Space Shuttle Challenger on that frigid January morning. I'm in no way comparing building another 125 homes to losing human life. It's the process of the decision to launch that day where I find similarities. A group of people wanted the launch so others involved in the decision making process were encouraged to report in favor of a safe launch and got others to agree it would be OK by looking at only the most optimistic results. As we all know, the opposite was the reality.

In this case, it appears that we have a couple of City Councilors trying desperately to get another development approved and they hope they've got enough documented to get their peer group comfortable enough to vote for the launch.

I want to respectfully ask the 5 Council Members who have not been working with Estridge on this PUD to really look at the details and see the reality of this situation.

1. The commitments read all homes will be between \$550,000 - \$750,000 in home value. However, the **PUD states 101 ranch style homes between 1,800 - 2,400 square feet are permissible.** On Estridge's website, the homes in sections A & B look very similar to the Lockerbie homes they are currently selling in Fishers. They are priced between \$387,000 - \$410,000 NOT \$550,000.

Here's the link to these homes: <https://estridge.com/collection.php?name=Lockerbie>



Character Exhibit Billiter \$394,900 - Source Estridge Website

Here's the question - which of these gets held to accountability? Is it the commitment or the Zoning District Table in Section 6? Additionally, I still do not see a link between character exhibits and this PUD. Why aren't builders able to say "I'm building these homes in your community." If new styles come along that's fine and can be added.

2. The use of backyards to buffer an AGSF1 resident cannot be permissible. People within the city government developed ordinances as a minimum requirement for participation in this community. This area is unlike any

other in the city with the number of AGSF1 residents (90) living near the large acre parcels. The Comprehensive Plan clearly states transitions and buffers will be used to protect these citizens. The UDO states 30 feet of buffer is the minimum. Other buffers in this area vary from 65 feet to 200 feet. Why would any PUD be at this point in the process without a dedicated buffer? Is this a personal attack on a Westfield citizen?

However, here's the perspective from the other side of the fence. Let's for a moment imagine we are buying a half acre lot to build a \$750,000 custom home. Next, we discover that we can't do what we want on the lot. In fact, 6,000 square feet (30%) of the land I own and pay taxes on is restricted. What??

The southwest neighborhood would love to see a reforestation buffer. Here's an opportunity to actually have one but this PUD doesn't have it. It has residents' backyards that they will maintain, own and let's face it, do what they want in their own backyards. This idea that a homeowner will maintain a reforestation buffer is preposterous.

3. The density is still too high for this parcel and the amenities are severely lacking.

The amenities are a few trails on an undefined surface, 6 benches, 3 swings, 1 fire pit, an undefined playground and 1 picnic table cluster. This is incredibly below the amenities at Liberty Ridge and Westchester. The plan states 27% open space. Where is it?

4. There's been excitement about the custom component. Yes, we desperately need custom home options on the west side. This entire parcel should be custom. Reality, you are getting 24 custom homes out of 125 homes.

5. This parcel has beautiful mature trees. Are they being preserved? It's not in the PUD. Obviously based on an editorial in the Current last week and a citizen group recently formed, more and more citizens are seeing the reckless treatment of our mature trees when new development is approved. These trees should be saved.

In summary, this PUD either needs to be pulled from the agenda this evening because there are way too many open issues unresolved or it's a NO VOTE. Checking a few boxes and "hoping" for the best isn't good enough. It wasn't good enough 30 years ago and it's not good enough today. In the end, this document is what is legally enforceable. Please represent your citizens and community and demand the very best.

Thank you once again for taking your time to listen to citizens! It is greatly appreciated!

Respectfully Submitted,

Kristen Burkman

Pamela Howard

From: Cook Family <cookhouse3841@comcast.net>
Sent: Monday, June 11, 2018 9:37 AM
To: Council Members; APC; Andy Cook
Subject: Davis PUD

We are writing again to voice our concerns on the Davis PUD:

1. **Density** - The density is unacceptable for the area. The golf course density is .75, Davis PUD is 1.6 while 75% of the long term rural residents are .33 or less.
2. **Buffers** - Backyard buffers should not be permitted. UDO states a minimum of 30 feet. Liberty Ridge and Westchester have given 65-200 feet of dedicated buffer. This plan states a 45 foot reforestation buffer which is part resident's yard and will be the homeowner's responsibility to maintain. Ridiculous!
3. **Verbal price point** - While we welcome the \$550,000 - \$750,000 price range, the character exhibits are not tied to the PUD. These are attractive houses but based on information obtained directly from the Estridge website, the homes do not fall within the range promised by Mr. Estridge.
4. **Open Space** - Open Space is inadequate - PUD states 27% open space but looking at the concept plan, where is 27% open space?
5. **Amenities** - Amenities are still severely lacking. Grass trails, 6 benches, 3 swings, 1 fire pit, an undefined playground and 1 picnic table cluster. This is so far below the amenities at Liberty Ridge and Westchester.
6. **Mature trees** - Nothing is in writing to preserve the existing mature trees on the northwest corner of the Davis property.

Thank you for time!

Derek & Cherie Cook

Pamela Howard

From: Karen H <khymbaugh@yahoo.com>
Sent: Monday, June 11, 2018 3:31 PM
To: Andy Cook; Council Members; APC; Jesse Pohlman; Ginny Kelleher; Steve Hoover; Matthew S. Skelton, Esq., AICP; Cindy Spoljaric; Kevin M. Todd, AICP
Subject: Once again, AGAINST the Davis PUD

Dear Honorable Mayor and Council Members,

I realize there is a vote on the Davis PUD tonight and that it was moved forward with a favorable vote from the APC. So, I have no doubt that the voices of Westfield Citizens against this PUD will again be ignored or there will be behind closed doors negotiations going on, but I need to speak up and tell you I am continuing to be against this PUD. I don't think that I need to go through all the details. I have seen the emails of others who have articulated the issues so eloquently. You know that the verbal agreements made by the developer is only good for that moment. If you agree to or support this PUD, you know that they will do what they want and there is no one to hold them accountable. The lack of buffers is so worrisome as this can now be a precedent for all PUDs. .

I have seen firsthand that there aren't enough resources to inspect the houses or hold these big shot developers with lots of money accountable for their actions. This is your legacy, please make it a good one and stop this irresponsible PUD and other irresponsible development. Stop making it just about money. Think about the quality of life of the people who are paying outrageous taxes now.

Do the right thing.

With best regards,
Karen Hymbaugh
Red Wing Farm
159th Street

Pamela Howard

From: Ross Laufert <rosslaufert@hotmail.com>
Sent: Monday, June 11, 2018 2:07 PM
To: APC; Council Members; Andy Cook; tinalaufert@sbcglobal.net
Subject: DAVIS PUD Vote at Council - Monday Night at 7:00 p.m.

Please protect the existing neighbors and correct the buffer to the Dubois residence in the Davis PUD to comply with our comprehensive plan and UDO.

Also, please be sure to get it in writing before the PUD is passed.

Best Regards,
Ross and Tina Laufert

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Thursday, June 7, 2018 1:41 PM
Subject: DAVIS PUD Vote at Council - Monday Night at 7:00 p.m.

Dear Neighbors,

The DAVIS PUD is going to Council for a vote Monday night at 7:00 p.m. Unfortunately, the final document does not support all the verbal commitments given by Mr. Estridge at the APC Meeting which garnered him a positive recommendation. I'll denote these below along with lingering concerns regarding this PUD.

This development outlines a precedent that is extremely dangerous for every resident in this area which is to not give an AGSF1 resident a dedicated buffer. They are using the term Restricted Open Space Buffer which is residents' backyards. The city's Unified Development Ordinance states a minimum of 30 feet. The prior approved developments - Liberty Ridge and Westchester - have given 65 - 200 feet of dedicated buffer. This plan has ZERO! They want to plant a 65 foot reforestation buffer that is in the resident's yard that the resident will maintain. This is ludicrous. Who is going to tell a homeowner what they can do in their backyard on a property that they own and pay taxes on? Please SAY NO TO BACKYARD BUFFERS in your letters.

The city continues to burden this area to remonstrate against proposals that don't meet the comprehensive plan, are negatively impacting property values and lifestyles. **So once again, we need your support and letters.** It's unbearable to think of what this area would look like if it wasn't for your continued activism. I can't thank you enough for continuing this battle!

Please write or call your Council members and Mayor before Monday. You can review the PUD tomorrow attached to the Council's agenda.

Thanks so much!
Kristen

Emails:

councilmembers@westfield.in.gov
acook@westfield.in.gov
apc@westfield.in.gov

Components in Estridge's Verbal Commitments Not in Final Document

1. All houses would be between \$550,000 - \$750,000.

There are 101 homes that can be ranch homes ranging between 1,800 - 2,400 square feet. Below are examples from the Estridge Website that these homes are not \$550,000. The builder is never held to verbal price points in a PUD so they can say anything. However, the evidence below coupled with the written standards and square footage of homes would indicate this statement is highly questionable. Only 23 homes are guaranteed to be custom.

Character Exhibit



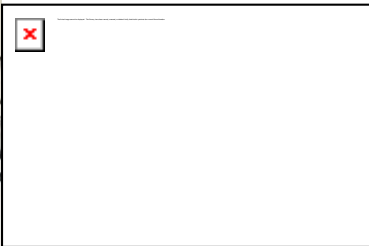
Character
Exhibit



Billiter \$394,900 starting price (estimated sales price \$454,135)
Estridge Website - Lockerbie Collection



Character
Exhibit



Annandale \$386,900 starting price (estimated sales price \$444,935)
on Estridge Website - Lockerbie Collection

2. Estridge will be the only builder in this development except for custom builders on the custom lots in sections D & E.

In Writing in Commitments:

Estridge Development Management and it's investment partners in a to-be-named entity shall be the sole Developer of the Real Estate.

My assumption based on this language is if a production builder is the "investment partner in a to be named entity", they could build homes in sections A, B & C. It later states that anyone outside of the LLC would be reviewed by an Architectural Review Board but if Pulte, Lennar, Beazer, etc. are the investment partners (notice it's plural), it appears they could build in these areas.

3. Estridge would put 10 foot whips in the reforestation buffer.

In Writing in Commitments:

The Developer will make a good faith effort to find and install whips a minimum of 10 feet tall . . .

What is a good faith effort and who judges that? If Mr. Estridge stated 10 foot whips, this should be written in the PUD (5 feet is in the PUD) and enforced by the city.

Areas of Overall Concern:

1. I've covered the buffering issue above but **backyard buffers cannot be permitted**. It cannot be tolerated that city leaders, elected to represent Westfield citizens, would allow this disrespectful treatment to tax paying citizens who live here.

2. The amenities are still severely lacking. The few trails can be made of grass. The other amenities are 6 benches, 3 swings, 1 fire pit, an undefined playground and 1 picnic table cluster. This is so far below the amenities at Liberty Ridge and Westchester.

3. The density is still wrong here. The golf course density is .75 and the Davis PUD is 1.6. Parcel is surrounded by 75% long term rural residents with density of .33 and less.

4. The character exhibits are not tied to the PUD. These are attractive houses in the character exhibits but there's no written guarantee this is what is being built. We've repeatedly requested this given it was done for Westchester but it's still not done.

5. They state 27% open space but looking at the concept plan, where is 27% open space? Mr. Estridge does state on the APC transcript that this will not count residents' yards so all the buffers don't count toward this number.

6. There is a concern based on a conversation with surveyors that many of the big, mature trees on the northwest corner of the Davis property will be cut down. Nothing is in writing to preserve those trees.

7. As stated previously, there are 6 neighborhoods under construction within 1 mile of this parcel and 1,500 lots available to build upon.

Pamela Howard

From: Ross Laufert <rosslaufert@hotmail.com>
Sent: Monday, June 11, 2018 2:16 PM
To: Andy Cook; APC; Council Members; tinalaufert@sbcglobal.net
Subject: Fw: City Council to Vote on Estridge Development Tonight at 7:00 pm

Please protect the existing residents by adding a proper buffer to this PUD.
Thanks.

Ross & Tina Laufert

From: Lisabeth Armstrong via Change.org <change@mail.change.org>
Sent: Monday, June 11, 2018 1:05 PM
To: rosslaufert@hotmail.com
Subject: City Council to Vote on Estridge Development Tonight at 7:00 pm



Lisabeth Armstrong shared an update on ***Westfield City Council & Mayor: Stop Rampant Residential Development in Westfield, IN***
Check it out and leave a comment:

PETITION UPDATE

City Council to Vote on Estridge Development Tonight at 7:00 pm

Tonight, the DAVIS PUD submitted by Estridge is scheduled for a vote at the City Council Meeting at 7:00 p.m. at City Hall. If you have sent a letter, THANK YOU! If you haven't, please take a moment to do so. This development, as submitted, sets a devastating precedent of not protecting existing residents with proper buffering. The city's comprehensive plan clearly states that current...

[Read full update](#)

You signed Lisabeth Armstrong's petition, "[Westfield City Council & Mayor: Stop Rampant Residential Development in Westfield, IN](#)", on Nov 10, 2016

The person (or organization) who started this petition is not affiliated with Change.org. Change.org did not create this petition and is not responsible for the petition content. [Click here](#) to stop receiving updates about this petition.

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This email was sent by Change.org to rosslaft@hotmail.com, because you registered as a Change.org user on 11/10/2016. We'd love to hear from you! [Send us feedback](#) or [contact us](#) through our help center.

Change.org · 548 Market St #29993, San Francisco, CA 94104-5401, USA

Pamela Howard

From: Greg Moyer <moyer43@gmail.com>
Sent: Monday, June 11, 2018 2:22 PM
To: Council Members; Andy Cook; APC
Subject: Davis PUD

Dear City Council members,

I strongly object to the lack of adequate buffering in the Davis PUD. Our comprehensive plan for this area calls for reforestation buffers ***intended to achieve natural conditions*** to mitigate the negative land use impacts on existing and stable rural uses. The proposed buffer is "reforestation" in name only and does not include a management plan that will create a natural looking buffer. The commitments included with the PUD require lot owners to weed, prune, and mow the buffer plantings --- these activities run counter to idea of reforestation and will limit much of the buffer's screening potential. Mowing is an activity that is specifically excluded under the UDO's tree preservation easement standards. Why would it be allowed for an area designated for reforestation? Furthermore, allowing the buffer to be owned and maintained by a number of individuals (rather than in common) will likely result in a buffer that lacks uniformity in appearance and effectiveness.

At a minimum, the PUD and the commitments should be modified to 1) provide for a period of maintenance while plantings are established, 2) require a tree preservation easement once plantings are established, and 3) allow for the buffer to mature into natural-looking native woodlands.

Sincerely,

Greg Moyer
15001 Shelborne Rd

Pamela Howard

From: Administrator <davesochar@gmail.com>
Sent: Monday, June 11, 2018 10:32 AM
To: APC
Subject: Ruberstamps
Attachments: Davis & CC 6.10.18.pdf

I was asked to send this to you folks also.

I would like to add that your irresponsible actions leads to division amongst neighbors. A great project will unify the community. Anything else divides. Pits neighbor against neighbor. I want the best. I demand the best. But I am lucky if we get mediocre.

Angry Paul and his actions were beyond laughable. His unmeasured response to his distribution of his funds hardly disguises the fact he is always trying to buy this City. He knows it sells pretty cheap.

Those of you that voted for the Davis/Estridge project should be ashamed of yourselves.



David R Sochar
Acorn Woodworks
acornw@frontier.com
317-867-4377

Pamela Howard

From: Pj <padams8217@aol.com>
Sent: Sunday, June 10, 2018 3:48 PM
To: APC
Subject: Shame on you

It's really sad that you would approve incomplete plans for a developer who has bilked many out of money when they went bankrupt. Now you give them the green light to go forward without having all the paperwork filled out. What a crooked Business you all are in.

Sent from my iPhone

Pamela Howard

From: Tracy P <netherfield101@gmail.com>
Sent: Saturday, June 9, 2018 3:28 PM
To: Tracy P; APC; Council Members; Andy Cook
Subject: Davis PUD

Dear APC members and City Council, Mayor Cook:

The Davis PUD is on your agenda for Monday night, and I want to make sure you hear how shocked I am with how this process unfolded. I was incredibly surprised and saddened that Mr. Randy Graham allowed a procedural vote on the PUD, when (as so correctly stated by Bob Smith), changes had been rolling in from petitioner over that weekend! It was painfully clear that staff was even uncomfortable that they hadn't even had time to get all the changes into writing for commissioners to review. And there were verbal promises flowing freely, which no one could possibly keep accurate track of!

So the recommendation was allowed, even though not one of the plan commissioners had seen the proposal accurately, in its entirety!

The Petitioner did not follow the rules, and is doing the exact same thing again with the City Council; making changes after hours, over the weekend while the public and those most closely affected will be unable to review or comment on such changes prior to a vote!

If I was the petitioner on this, would it be allowed for me to not have all my paperwork done and turned in on time? Would I be allowed to agree to things, BIG things, as I stood before you? I doubt it. We barely get 3 minutes. Once when a remonstrant went over the 3 minutes and Mr. Graham tried to shush him, Mr. Graham shut down the whole meeting for 10 minutes because of failure to follow the rules. No such worries for Mr. Estridge.

This giant misstep in procedure alone should be enough to boot this proposal back to the APC so they can actually read through and understand what it is they recommended. At that meeting, I heard Mr. Estridge say that EVERY SINGLE HOME in the Davis PUD would begin in the \$500K range. That is awesome for the area...but somehow I really doubt that will happen. Who knows what has been changed since then?!

And again, the public only gets to comment on Version A, presented months ago. City Council will get to see Version G, and hopefully the public will be worn out and busy on a summer night, and will never know the difference....is that it?

I should discuss the ridiculous buffer problem...since when do developers get to include backyards in their buffers? And who will police the residents buffer maintenance or lack thereof? How will that work?? This is a new low for proposals, and cannot be permitted. Ms. DuBois' buffer on the east side of her tree farm should have the same buffer that Dr. VanNatta has on the west side of his berry farm. One developer cannot be allowed to do far less than the other.

The only open space I saw was a couple retention ponds, I even suggested it be called "blue space" rather than green space and I am reading that any walkways could be grass?? These are standards below Liberty Ridge and West Chester. Is the new plan to just continue to reduce standards so we can get it all built out as fast as absolutely possible??

Once again, no neighborhood amenity--let me guess--the residents can use the Bent Creek pool?? Good grief, could you please send this back to APC and get a real written proposal, available for viewing and get the procedure under control??

Mr. Estridge gets all offended that people are anxious about his proposal, and yet he has 6 weeks to be ready for city council after getting a "gimme" from the APC, and he is still sending changes OVER THE WEEKEND??? FOR GOODNESS SAKES, stick to your policies and procedures. Then stick to the UDO and then stick to what is best for the residents that are currently bearing the load.

This is what elected officials are in line to do, get things done correctly and well. WE NEED YOUR HELP. Please send this back to APC; tell him to get it together...I know I heard everyone at APC say they didn't want to go back and forth for 9 months, and he replied that he would not do that. He would have it done properly for them....HOLD HIM TO IT.

Tracy Pielemeier

Pamela Howard

From: Roadrunner <bvannatta@indy.rr.com>
Sent: Sunday, June 10, 2018 10:20 PM
To: Council Members
Cc: Andy Cook; Pamela Howard; Matthew S. Skelton, Esq., AICP
Subject: Davis PUD

Dear Westfield Councilors,

This will be a relatively brief note re: the Davis PUD which comes before you tomorrow evening. I, along with many others that you have heard from, am concerned that the commitments that were made by Mr. Estridge at the APC hearing be accurately and completely incorporated. He flatly stated that Estridge would be the builder for entire project with the exception of the small portion of custom on the north side of the property. He also stated that Estridge would not flip this to another builder and that Estridge had never done so (although Centennial North is now a Drees development...).

My biggest concern re: this PUD is the buffer to the DuBois and Kotsantos properties on the western border. I believe it is critically important to demand clear and unambiguous language for this buffer. The Comp Plan clearly states that there should be significant transition buffering between large parcels and denser developments. This buffer, as it stands is a mere 60 feet. Liberty Ridge to the south has 100 foot buffers. I would question why this buffer should not be at least that size. The reforestation buffer of 45 feet is a good start but needs appropriate language including being developed by a forestry professional. I believe that allowing this to be part of privately owned lots is a dangerous precedent. This reforestation buffer will be a selling point for people buying the adjoining lots but why do they need to own it? Once this cat is out of the bag other developers will point to this and ask why they can't have this as well. Please protect the property value of the large parcel owners and do not approve this without clear cut language and at least a 100 foot dedicated buffer.

Thank you for your consideration.

Sincerely,

Bruce Van Natta

Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074

317-442-4181

Pamela Howard

From: Sandy Wilds <skw6852@yahoo.com>
Sent: Thursday, June 7, 2018 10:54 PM
To: Andy Cook; Council Members; APC
Cc: Sandy Wilds; Terry Wilds
Subject: Davis PUD Concerns

Per our previous correspondence with you we are requesting that the verbal commitments made by Paul Estridge during his presentations to the Planning Commission be included in the final PUD as you have indicated would happen in your emails.

We want to be clear that our concerns are based upon the previous approvals for developments (Viking Meadows, West Rail among others) that when given final approval did not include the language supporting the verbal commitments made by these developers during their presentations at public hearings. As a result we now have developments that have no variation in roof materials - they are all the same color and there is little if any brick or stone facade on any sides except the front of homes. Likewise, the original developers may not even be the ones building in these developments.

As concerned citizens and effected home owners we have have taken time away from our work and personal lives to attend both the public and special meetings with the developer of the Davis PUD to share our concerns. We have done this in good faith that our concerns and suggestions would be taken seriously. We ask that as our elected and appointed officials you too will be diligent and insure that the developer is held accountable and that the verbal commitments that were made and which resulted in the favorable recommendation to approve this PUD have been included in the PUD that is going to City Council for a vote next week. Below are some of our concerns as well as a few of the components that were verbally made and which were to be included as a condition of the Planning Commission's favorable recommendation.

Components in Estridge's Verbal Commitments for Inclusion in Final Document

1. *All houses would be between \$550,000 - \$750,000.*

There are 101 homes that can be ranch homes ranging between 1,800 - 2,400 square feet. Below are examples from the Estridge Website that these homes are not \$550,000. The builder is never held to verbal price points in a PUD so they can say anything. However, the evidence below coupled with the written standards and square footage of homes would indicate this statement is highly questionable. Only 23 homes are guaranteed to be custom.

Character Exhibit



Character
Exhibit

Billiter \$394,900 starting price (estimated sales price \$454,135)
Estridge Website - Lockerbie Collection



Character
Exhibit

Annandale \$386,900 starting price (estimated sales price \$444,935)
on Estridge Website - Lockerbie Collection

2. Estridge will be the only builder in this development except for custom builders on the custom lots in sections D & E.

In Writing in Commitments:

Estridge Development Management and its investment partners in a to-be-named entity shall be the sole Developer of the Real Estate.

We would like clarification of who/what is meant by "investment partner in a to be named entity", that could build homes in sections A, B & C.

3. Estridge would put 10 foot whips in the reforestation buffer.

In Writing in Commitments:

The Developer will make a good faith effort to find and install whips a minimum of 10 feet tall . What is promised by "good faith" and shouldn't accurate wording be in the PUD (5 feet is in the PUD)?

Areas of Overall Concern:

1. Backyard buffers

2. Amenities are still severely lacking. The few trails can be made of grass. The other amenities are 6 benches, 3 swings, 1 fire pit, an undefined playground and 1 picnic table cluster. This is so far below the amenities at Liberty Ridge and Westchester.

3. The density is unacceptable - The golf course density is .75 and the Davis PUD is 1.6. Parcel is surrounded by 75% long term rural residents with density of .33 and less.

4. The character exhibits are not tied to the PUD. These are attractive houses in the character exhibits but there's no written guarantee this is what is being built.

5. Open Space is inadequate - PUD states 27% open space but looking at the concept plan, where is 27% open space? Mr. Estridge does state on the APC transcript that this will not count residents' yards so all the buffers don't count toward this number.

6. Loss of existing mature trees - There is a concern based on a conversation with surveyors that many of the big, mature trees on the northwest corner of the Davis property will be cut down. Nothing is in writing to preserve those trees.

As stated above, the reality of what has been presented to the APC and City Council in past years and approved is not what was verbally presented and many of the homes in newer developments are priced below what was promised nor do the architectural standards correlate with what was verbally stated during the approval process.

Mr. Estridge made a lot of promises during the APC meetings but have those been incorporated into the final PUD???

We are effected by the Davis PUD and are again asking for reassurance that you will insure that the verbal commitments made by Mr. Estridge during the APC meeting will be included in the final PUD for the Davis property.

Please do not hesitate to contact us if you have any questions or need further clarification of our concerns.

Thank you,

Sandy and Terry Wilds
15919 Ditch Rd.
317-714-3069

Pamela Howard

From: Melissa Noparstak <mnoparstak@yahoo.com>
Sent: Thursday, June 7, 2018 2:31 PM
To: Council Members; Andy Cook; APC
Subject: new development

Council members and city leadership,

I am writing to strongly encourage you to respect the new development agreement that we have in place. From what I understand there are great discrepancies between what the community has asked for and what Estridge is proposing as well as some gaping holes in his proposal.

I have said this before and I will likely say it again...I moved to Westfield primarily for the schools, but it won me over because of its small town charm. We are destroying the small town charm on a daily basis with all of these housing developments. I travel quite a bit and Westfield is starting to look just the same as every community in middle America - housing development after housing development after housing development with chain restaurants surrounding busy intersections in between.

Please make decisions that keep Westfield charming and unique.

Thank you.
Melissa Williams

Pamela Howard

From: Judy Crandall <hoosier824jc@gmail.com>
Sent: Monday, May 7, 2018 6:03 PM
To: APC; Council Members

Dear Mayor, APC Members and City Council Members,

Thank you and I greatly appreciate the significant amount of time and effort the members are spending on this proposal for the Davis PUD (Waterford).

My name is Judy Davis Crandall and part owner in this property. Our family has been part of this community for over 80 years and we continue to pay taxes and be a part of this community. Due to the growth in this area which is part of the New Suburban Southwest as per the Comprehensive Plan it is become increasing difficult to farm this property. We would like the opportunity as farmers and landowners to sell our property as everyone else has had up until this point. I hope everyone understands that if you have purchased property in this area you have purchased it from farmers such as us and you would not be here without this opportunity.

I believe Paul Estridge is a man of great integrity, character, capability, reputation and a respected developer. He has made every effort to comply with the Comprehensive Plan, APC members, City Council and neighbors of this community **(especially the neighbors)**. This project is not a cookie cutter project; it is a semi custom home project. It is one that has been well thought through in the design and architecture, buffer space and has utilities on site. It is our understanding that the Comprehensive Plan is not law but rather it is intended to serve as a guide in making land use decisions on residential development. It is there to ensure that development occurs in a way that is contiguous with residential development in the area. Our property is bordered on all sides with Harmony, Centennial, West Rail, and Derby Ridge. It is in close proximity is Liberty Ridge, Bent Creek, Central Christian Church and Westchester.

Other things to consider is the fact that overcrowding in schools keep coming up. The school system has provided input through TAC meetings and it has raised no issues. Also, the fact is that a little under half of these homes proposed in this area are "empty nesters". So there will no children going into the school system.

Please keep in mind, where are all the teachers, firemen, police officers and other residents going to find affordable housing?

I would like to enforce the fact that the people who are complaining about this project are the same ones that had put together the Conservancy Project. The Conservancy has been dissolved some time ago and should not enter into this decision. This is not a Conservancy area!!!! We want to get the same respect, so we can do with our property what we want because it is following the Comprehensive plan. Do not deny us this right as landowners. Others have been afforded the same opportunity.

Please send this proposal on to the City Council with a positive recommendation.

Thank you for your time.

Judy Crandall 15124 Kampen Circle, Carmel, In 46033 our address is Carmel but we are in the Westfield area where we pay taxes to Westfield, utilities, etc

Sent from [Mail](#) for Windows 10

Pamela Howard

From: Joe Davis <ejcrdavis@gmail.com>
Sent: Monday, May 7, 2018 6:49 PM
To: APC; Council Members
Subject: 1801-PUD-01 Davis PUD

Honorable Advisory Plan Commission,

I am writing in support of the above development on the agenda May 7, 2018.

My name is Joe Davis and I am part owner of V John Davis Family Farms, 80 acres, at 161st and Ditch Road. Also part owner of two other properties in Hamilton county. Our family has been in the area for over 80 years. I am a proud graduate of Westfield High School as well as my father and my 5 siblings. We have seen significant changes in that time-frame and have benefited through access to shopping, improved schools, roads, healthcare, recreation, and general quality of life. I am the third generation to own the property in our family and benefit from changes in the area. All of these changes are from increased population and increased development that brings people to the community that we enjoy and all want to see prosper.

I am in support for many reasons and would like to see the area continue to grow in an organized, planned way that continues the positive trend improving the quality of life for area residents and visitors. A few reasons are:

1. The developer has made effort to listen to neighbors and others to and make changes to the original plan.
2. This is a high quality development that delivers homes at the upper end of area home prices and positively impacts property values in the area.
2. The same home values positively impact property tax income to the community to enable further investment in schools, and infrastructure
4. Ample buffer space between existing properties.
5. The architecture standards are in full display and submitted as part of the PUD.
6. This development has a wonderful landscapes perimeter proposed.
7. The golf course will have more local residents
8. The Davis family has been here longer than any remonstrance resident. In fact, the family has welcomed change, development and new neighbors to the community respecting their right to develop their property as they wish.

Thank you for the opportunity to communicate my support.

Respectfully

Joe Davis
ejcrdavis@gmail.com

Pamela Howard

From: dub164@aol.com
Sent: Thursday, June 7, 2018 8:02 AM
To: Council Members; APC; Andy Cook; danielle@washingtontownship-hc.us; Pamela Howard
Cc: rkburkman@gmail.com; bvannatta@indy.rr.com; acornw@frontier.com; leah.severson@gmail.com; sarahwatkins99@gmail.com; moyer43@gmail.com
Subject: Davis PUD Issues

Ladies and Gentlemen,

I am writing once again in response to the Davis PUD. Estridge has had weeks to ensure that his verbal grandstanding at the APC was documented and included in an updated PUD. There are critical items that were verbally committed to that garnered a positive recommendation from the APC that are absent from the PUD. The mayor had sent a note to the neighbors that all verbal commitments would be included in final documentation and it is not there. Once again, days prior to a vote changes are made over and over again. When are we going to follow, implement and enforce a process. This is no way to operate and creates a burden on all involved.

Estridge communicated he was the only developer and the only builder except in sections D and E that would be open to other custom home builders only. He mentioned the homes in sections A, B and C would have values between \$550,000-\$750,000. The PUD language, character exhibits, and architectural commitments does not support this. The minimum square footage for homes in section A and B is 2,000 square feet. How many 2,000 square foot ranch homes in Westfield are selling for \$550,000? That would be construction costs of \$275 per square foot which is well above high end custom home square footage prices. Not realistic...

Buffer as restricted open space: This is incredible that we consider residential backyards as a buffer and sets a dangerous precedent for the future. Our UDO calls for a minimum of 30 feet of buffer between rural residents and new subdivisions. Where is my buffer? I have been a tax paying citizen in this community for over 20 years. Where is my representation? Others in the area have been provided buffers ranging from 65 feet up to 200 feet. I know there has been little consideration to the future operation of my tree nursery, heavy equipment, and large holes on my property even though the issue is real and a legitimate concern. The liability is present and at the very least requires careful thought.

The PUD states that homeowners can add landscaping within the ROSB, (restricted use buffer). What does that mean? Can they install hardscapes within the "buffer". The only stipulation I interpret is no structures or storage units. Can they install fire pits, patios, or other items? Once again, the residents will interpret they can use the space defined as their back yard and it will not operate as a "real" buffer.

A reforestation buffer is suggested along my eastern border. We would be delighted with a successful and well done implementation of a significant and meaningful reforestation buffer. In order to achieve a successful reforestation a professional urban forester should be required to install and maintain the establishment(at least five years) to ensure consistency and proper maintenance. To place this responsibility in the hands of unqualified homeowners will likely lead to failure. There will be no consistency in the maintenance as it will vary by homeowner and it is

currently coded as their back yard. This area should be placed in a common buffer that can easily be accessed from 161st Street or from the southern section of the western border. The argument that maintenance is difficult is null and void as the intent of the reforestation buffer is little to no long term maintenance. Please also note that the size of the material included in the buffer has been down graded to smaller material ie: 1 1/2" stock. This is going on the cheap and is disrespectful to me. Buffers along Westchester were provided 12' spruce trees that cost hundreds to procure and install where they can get a 1 1/2" tree for a fraction of the cost.

I have pointed out to few of you that as per a conversation with the survey contractor, (who Paul Estridge already had conduct survey work prior to a vote), they indicated as a result of a drainage and utility easement requirement along the new subdivision's western border that the large trees would have to be removed. What is our community tree preservation or replacement practice when large material is cut down and removed?

Please note the definition of trails. He previously deleted that the trails could be grass and now it is back in the document. This bait and switch practice is deceptive and disrespectful. When did we start allowing grass paths as amenities? Come on let's raise the bar not lower it.

Where is the 27% of meaningful open space. Remember Paul stated the yards, ROSB, was not included in the open space calculation. Where is it? This is a significant requirement in our comprehensive plan and appears to be missing with the housing density proposed. I will make a prediction that they will come back with an amendment that will not have 27% open space without the yards. Please prove me wrong and make sure that we only approve something with 27% open space or greater. This is less than surrounding neighborhoods ie: Centennial, 33% and West Rail 37%. Density is to decrease and open space is to increase as we move west of Ditch. This is the opposite of the plan.

Suzy DuBois
T.M.T., Inc.
317-867-3691

Pamela Howard

From: Tracy P <netherfield101@gmail.com>
Sent: Monday, May 7, 2018 8:29 PM
To: APC
Subject: Estridge proposal, confirmation

So I just want to confirm what I heard tonight, and what you all voted on...

The smallest homes, on the smallest lots at the southern end of the development will START in the \$500,000 price point....correct? Every single one of them. That's what he said. And the only discussion was about the northern half, with the larger lots.

Also want to say that Bob Smith was absolutely correct, that all of this COULD go much more smoothly if the developers followed the rules and actually submitted all these changes according to the time schedule guidelines. It helps no one, to be making verbal commitments at a public meeting.

There were definitely improvements to the proposal, I will grant. But I cannot believe that there is 27% greenspace....maybe "blue space" for all the lakes, and no neighborhood amenity that I could see.

But glad that he committed to not selling the PUD.

Tracy Pielemeier

Pamela Howard

From: Sandra Wilds <swilds@wildshc.com>
Sent: Tuesday, May 8, 2018 8:57 AM
To: Andy Cook
Cc: Council Members; APC; Pamela Howard; rkburkman@gmail.com; dub164@aol.com; Terry Wilds
Subject: Re: Estridge PUD Davis Property

Mayor Cook, et al,

I would like to ask following last nights recommendation to forward the Davis PUD to the Council, who is charged with insuring that the verbal commitments made by Mr. Estridge and his company are added into the PUD? In good faith we have attended the committee meetings and neighborhood meetings during which verbal commitments were made that to date have not been incorporated into the Davis PUD. In my long executive career I have never been afforded the leeway to present for approval documents or request for approval without having the written supporting documents submitted at the time of request. The meeting last night was at least the third incident in which the Estridge Development team came in prepared with final documents for review but yet they received a favorable recommendation. Those of us who will be affected with not only lifestyle changes but also potential financial impacts to our home and land investments are as indignant as Mr. Estridge was last evening to think that his verbal commitments are worth more than our concerns as residents.

So we ask, who is representing our interests and will insure that these most resent “promises” will be incorporated into the PUD when past verbal commitments were not added to this PUD?

We are more than willing and available to meet with Council members.

On May 5, 2018, at 8:36 AM, Andy Cook <acook@westfield.in.gov> wrote:

Comments so noted.

Mayor Andy Cook

Andy Cook | Mayor

Administration | 2728 East 171st Street | Westfield, IN 46074
acook@westfield.in.gov | 317-804-1003





> On May 4, 2018, at 9:39 PM, Sandra Wilds <swilds@wildshc.com> wrote:

>

> To those serving Westfield residents:

>

> We are once again sending you our concerns regarding the Estridge PUD for the Davis property. As with other PUDs that have come before this one the current residents of Westfield and especially those of us being surrounded by new subdivisions request that you honor your verbal commitments to retain the quality of life and support the recommendations of the Westfield Comprehensive Plan.

>

> We are aware of the donations made by the Estridge corporation and Estridge office personal from the top to the bottom of the Estridge office to support several of our elected officials and we commend Mr. and Mrs. Estridge's donation to the Westfield Foundation. We are also mindful that these actions can and may sometimes sway our leaders' to support Mr. Estridge regardless if his PUD does not meet the goals for development in this area of Westfield.

>

> It is unfortunate that we "lay" members of our city have become the ones to insist that developers are held to their verbal commitments and to support maintaining the characteristics that make Westfield an attractive place to live.

>

> Likewise, it is unfortunate that as concerned residents and non-elected officials it is we who must consistently take time from our careers and home life to meet with our City leaders and to repeatedly petition you to be conscientious and hold developers to the published standards in the past you supported.

>

> We don't need to once again list for you all of the ways the Eastridge's Davis PUD does not support the Comprehensive Plan or does not match what Mr. Estridge stated publicly in multiple meetings with residents. No, we just need to remind you that you too are residents of this City and your actions speak volumes about how you value Westfield's way of life and those of us who are long term residents.

>

> Terry and Sandy Wilds

> 15919 Ditch Rd.

> Westfield, IN

> Homeowners since 1981

>

Kevin M. Todd, AICP

From: cdavis83@indy.rr.com
Sent: Monday, May 7, 2018 5:29 PM
To: APC; Council Members
Subject: Davis PUD

My name is Charles Davis and I'm part owner of this property along with my siblings. Our family has been part of this community for 80 years and I still farm this area. The Davis family have been in the area longer than any remonstrance residence. We have be good corporate citizens all these years and why are we being denied the right to do with our land what we want.

This development by Estridge has been well thought out and within the guidelines of the Comprehensive Plan. This is a high quality development and multiple changes have been made to this PUD from the community feedback and architecture is represented in full display and submitted as part of it. There will be utilities on site. Many Westfield companies and small business will benefit from this.

Development has been marching to the north since the mid 80's one parcel after another.

If the city does nothing we become stagnant with no growth, which means no advancement for water and sewage, no road improvements, no opportunities for schools to grow. At meetings that we go to, the landowners continually say that they want water and sewage to their homes but what they don't realize that in order to pay for that they also need communities such as this to accommodate it.

Why can't we have development in this area? Does this area have a special zip code? We get tax statements twice a year from Hamilton County and we don't see anything marked on those statements indicating that this area is special, restricted, or endangered in any way. We don't like paying taxes but have done so for 80 years. Taxes is what supports the schools, city, roads improvements, etc.

Change is inevitable unless you live in the past, time moves on. This is no longer a sleepy community wake up and let's move forward.

The emails that you are getting from the remonstrators lack many of the items noted in most of their communication. This is not an AV issue, this is not an architectural issue, this is not a density issue. This is just a group of people that are fighting to deny the right of a land owner and a Home builder of doing what the comprehensive plans call for.

This is not a conservancy district. This is an area in which the comprehensive plan calls for residential growth.

I ask that the APC and City Council approve this.

Charles Davis

Kevin M. Todd, AICP

From: Nancy Davis <davisn137@gmail.com>
Sent: Monday, May 7, 2018 5:26 PM
To: APC; Council Members
Subject: Davis PUD

My name is Nancy Davis and I own this property on Ditch Road between 161st and 156st Streets along with family members. Our family didn't just buy this property 5, 10 or 15 years ago like many of the other people who live in this area. Our family has been here for 80 years so we've seen a tremendous amount of change during our lifetime. My Brother actively farms this property and has since my Father passed away. Would we like to continue to farm this property? Absolutely, but with all of the building going on in the area around us it's becoming a safety hazard for us when we move equipment on Springmill, Ditch, 156th, 161st, and Towne just to mention a few roads that he has to travel. Yes, change is hard but we've learned that it happens. If you want to grow you have to have change.

There are individuals in this area who are trying to stop development because they don't want it. I will be honest, when these Individuals started buying acreage for their homes, we, the farmers that remained weren't thrilled for them to start building in the area but, this was their property and they should be able to do whatever they wanted to do as it was the farmers who sold it. No one told them that they could or couldn't build or what type of house to build. Now we are asking for the respect to do the same. This isn't their land so why are they trying to direct what is done to it and what it looks like. Also some of these individuals are the same people who complain about my brother farming the area. They don't like the noise and the dust and are once again trying to dictate what can be done on this land. What they don't understand is that a farmer doesn't punch a clock to start at 8am and quit at 5pm. Sometimes they don't quit until 2 or 3 in the morning because of an oncoming rain. You've heard the saying "Make hay while the sun shines". That is farmers do. They work day and night sometimes to get the job done.

We have been working with Estridge for over a year on this project. Everything that they have done with this semi-custom home project has been well thought out and designed to meet the Comp Plan. The density decreases going north of 146th and east of Ditch, which is less dense than the subdivisions to the south, southeast and east. This is a high quality development with ample buffering. Along with this, the golf course will have more local residents to play golf.

With this will also come a new tax base to help support the city, schools, and road improvements, etc. This is not a conservancy district. The comprehensive plan calls for residential.

I would ask that you send this through to the City Council with a positive recommendation and that the City Council approve this.

Nancy Davis

Kevin M. Todd, AICP

From: Beverly Emmert <craftiemom1@yahoo.com>
Sent: Monday, May 7, 2018 5:07 PM
To: APC
Subject: DAVIS PDU

Good afternoon. My name is Beverly Davis Emmert and i and my siblings own this property and it has been in the family for 80 or so years. With still trying to farm, which has become harder to get equipment from one place to another. The family has decided to sell to The Estridge group. They are a well known builder around this area. They are a high quality development , providing ample buffer space which has been changed multiple times per feedback from neighbors. It follows the Comprehensive Plan also. There is a group that are tying to deny us, the land owners, of our right as land owners to move forward with this plan. Please vote YES to allow the DAVIS PDU to move forward.

Thank you.

Beverly Davis Emmert

Kevin M. Todd, AICP

From: Carol Whitson <carol.j.whitson@gmail.com>
Sent: Monday, May 7, 2018 5:01 PM
To: APC; Council Members
Cc: Carol Whitson
Subject: Davis PUD

Mr. Mayor, APC Members, Westfield City Council members,

I am one of the co-owners of the 80-acre Davis property. Our family has owned this property since the 1930's.

I support all the changes that Paul Estridge and his group have made since the original proposal in January of this year, changes that resulted from community feedback. The homes that Mr. Estridge is proposing are higher priced homes with beautiful landscape buffers on the perimeter of the property. The value of the homes proposed in this PUD are of much greater value than several of the surrounding PUD's that are currently being built and PUD's that have been approved like the golf course. It will even help the golf course in bring more residents to the area to support it.

This proposed PUD is in an area that the comprehensive plan has reserved for residential homes. This is not a conservancy issue that some opponents are suggesting.

I urge you to approve the Davis PUD.

Thank you.

Carol Davis Whitson

Kevin M. Todd, AICP

From: craftiemom1 <craftiemom1@yahoo.com>
Sent: Monday, May 7, 2018 4:39 PM
To: APC
Subject: Davis PDU

Good afternoon. My name is Beverly Davis Emmert and I want to express how much we need for this UPD to pass tonight. We have owned this property for 80 years as you may already know. With everything around the area in construction it has become very hard to move farm machinery through traffic to another area to farm. I really wait for a farming accident to happen. PLEASE PLEASE vote Yes to pass the DAVIS PDU..

THANK YOU

BEVERLY EMMERT

Sent from my Verizon, Samsung Galaxy smartphone

Kevin M. Todd, AICP

From: Stacy Hall <smhall729@gmail.com>
Sent: Monday, May 7, 2018 4:39 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Subject: davis PUD

To Whom it May Concern,

I will keep this short. I am writing today against this PUD. There are many reasons but I will just name a couple. There are **6 developments** within a mile already being built and around **1,500 lots** under construction just on the west side of the city. The written standards in the PUD do not support what the community is being told to expect.

I know you all have heard many more in emails from other concerned citizens so I will not continue with more. I hope that you will take into consideration the number of developments already in the works in this city and just stop approving more neighborhoods.

Thanks

Stacy Hall

Kevin M. Todd, AICP

From: Nicky McConnell <nickymcc3@gmail.com>
Sent: Monday, May 7, 2018 4:23 PM
To: APC
Subject: New Estridge Development-Please vote yes

Dear Planning Commission Members,

I am a 10 year resident of Westfield, and have lived in an Estridge home. I have had a chance to learn more about the community they are planning to build, and I welcome it to our city. I would urge you to forward this PUD to our city council with a positive recommendation. Thank you for all that you do to improve our city!

Respectively,

Nicky McConnell

Kevin M. Todd, AICP

From: justin kottkamp <jakottkamp@yahoo.com>
Sent: Monday, May 7, 2018 4:19 PM
To: APC
Subject: Estridge Homes New Development - Please Forward a Positive Recommendation to Council

Dear Commission Members,

Good afternoon. My wife and I are current Westfield residence, and greatly appreciate all the hard work that our planning commission does for our community. The Davis PUD is clearly a great choice for Westfield, why in the world would we not allow \$500,000-\$700,000 homes? Please do not allow a small minority local neighbors to influence you. The utilities are on site. The infrastructure is ample and this will be a great community for Westfield.

Respectfully,

Justin and Lacey Kottkamp

Kevin M. Todd, AICP

From: Nick Davis <nadavis14@yahoo.com>
Sent: Monday, May 7, 2018 4:03 PM
To: APC
Subject: [SPAM] Vote Yes for Estridge Neighborhood

To Whom it May Concern:

I have been made aware of another outstanding development proposed for the land in the northwest corner of 161st and Ditch Road. As a Westfield resident (within 1 mile) and small business owner I would urge you to vote to approve the development proposed by Paul Estridge and his team. You have probably received another email from my brother and business partner, Dan Davis, and I would like to reiterate what he mentioned in his email, that we have no relation or connection to the Davis family that currently owns this ground. Thank you for your time and diligence in making Westfield such a great place to live.

Best Regards,

Nick Davis

Kevin M. Todd, AICP

From: Daniel Davis <dedavis7@gmail.com>
Sent: Monday, May 7, 2018 3:43 PM
To: APC
Subject: To whom it may concern - Please vote yes!

To whom it may concern, I am a local business owner in Westfield and am very excited about the great new projects that have been approved in Westfield. I would like to ask you to please forward the Davis PUD to the city council with a positive recommendation. Unfortunately, I am sure you will hear from several residents who will distort the facts and tell you this plan is not a quality development. On the contrary, if Westfield does not have room for half million dollar houses something is wrong! I am not a member of the Davis family who owns this ground. I am just a local businessman that appreciates good quality development and responsible growth.

Respectfully,

Daniel E Davis

Kevin M. Todd, AICP

From: Greg Moyer <moyer43@gmail.com>
Sent: Monday, May 7, 2018 3:42 PM
To: Andy Cook
Cc: Council Members; APC; Pamela Howard
Subject: Re: Davis PUD

Mr. Cook,

The neighborhood has several areas of concern with this development. First and foremost, I believe the neighborhood is concerned by the lack of appropriate buffering. Our comprehensive plan stresses the importance of properly buffering existing uses from new development of a different character. In this particular situation, where new suburban development meets existing rural uses, the comp plan encourages the use of natural buffers involving "reforestation" of natural vegetation. The comp plan defines reforestation buffers as follows (emphasis mine): "A buffer, **typically 100 feet or more in width**, that is planted in native trees, shrubs, and grasses that provide privacy and serve as animal habitats. Reforestation buffers typically are **low- or no-maintenance areas** containing a mix of species **providing a natural look to the landscape**." Maintaining the rural look and feel of the area is an important piece of protecting the adjoining property values and the enjoyment of current neighborhood residents.

The proposed "restricted open space buffer" in the Davis PUD compares unfavorably to the standards captioned above and those recently approved nearby. The buffer is not tailored to creating a natural-looking landscape and does not preserve the rural look and feel of the neighborhood. Consider the following:

- The proposed buffer width is 60' rather than 100'. This is narrower than the 100' average width provided at Liberty Ridge and the 65' width provided to golf course adjoiners at Westchester.
- The included commitments require landowners to maintain the buffer by "weeding, fertilizing, pruning, mowing", which will prevent the buffer from maturing into a natural looking woodland and reduce its screening potential.
- The proposed buffer may reside on private lots rather than dedicated land, which is a very unusual arrangement for housing developments in Westfield. The HOA will own & maintain the buffer lots at Centennial, Harmony, West Rail, Liberty Ridge, Bent Creek, etc...
- The portion of the buffer residing on private lots is also counted towards open space standards. As discussed in my original email, this violates the UDO and has not been permitted for any other development that I'm aware of.

Adding to the concerns about buffering are the limited amount of useable open space being provided, architectural standards that seem to sell the neighborhood & taxpayers short, and a density that far exceeds the adjoining lots along Ditch & 161st. In short, the community does not understand why the standards are so low for this development. We should be managing growth to maximize its positive impacts and minimize its negative impacts. That doesn't seem to be happening here.

Sincerely,

Greg Moyer

On Sun, May 6, 2018 at 11:13 AM, Andy Cook <acook@westfield.in.gov> wrote:

I am trying to discern what has been promised but not delivered and what is plainly not desired.

Mayor Andy Cook

Andy Cook | Mayor

Administration | [2728 East 171st Street | Westfield, IN 46074](#)
acook@westfield.in.gov | 317-804-1003



On May 5, 2018, at 10:27 PM, Greg <moyer43@gmail.com> wrote:

Dear Advisory Plan Commission,

My comments on the Davis PUD are found below. This PUD is not yet up to Westfield's standards, although improvements have been made. Please give this development an unfavorable recommendation if the following deficiencies cannot be worked out.

Violates the UDO --- The UDO's definition of open space says that open space does not include "any area of land included on a Lot used for another primary use such as residential or commercial." The "restricted open space buffer" resides on lots with a residential primary use. Thus, no portion of these lots can be counted as open space. The HOA will not own this land. Nor will other residents be able to freely access this land. The buffer yard is not an amenity for the community as a whole. Allowing the portion of the "restricted open space buffer" that resides on residential lots to count as open space would violate the UDO and ignore the intent of the comprehensive plan's open space policy.

Lack of Usable Open Space --- Usable open space should be increased. Too much of the open space consists of either narrow strips of land required for buffers & easements or retention ponds required for drainage. These areas provide only limited opportunity for active or passive recreation. Furthermore, the neighborhood agreed to the removal of the pool amenity proposed in the original plan with the understanding that it would be replaced by a large open space with reforestation, trails, etc. The pool was removed but no viable open space with similar recreational value was added to replace it. This leaves a development with similar homes and lots as those found in Harmony or Liberty Ridge but without access to comparable amenities. If open space is going to be the primary amenity offered by this development, then the location and configuration of the open space should be a primary design consideration; not an afterthought based on land unusable for residential lots.

Reforestation Buffers Lack Long-Term Management Goals --- Reforestation buffers are an important part of the comprehensive plan's design objectives for the southwest. Let's get them right and establish a strong benchmark. The developer should be recognized for including a reforestation buffer. However, the PUD fails to commit to managing the buffer towards the natural conditions called for by the comprehensive plan. The buffer should be managed towards a dense treeline with undergrowth allowed to develop over time for visual screening and wildlife habitat. At a minimum, an easement that meets the UDO's standards for tree preservation easements should be placed on the buffer once the required trees are established. As currently written, the PUD appears to leave it to the individual lot owners to decide what the character of the "reforestation" will be.

Thank you for reading.

Sincerely,

Greg Moyer
[15001 Shelborne Rd](#)

Kevin M. Todd, AICP

From: Matt Lutz <matt@mattsoldme.com>
Sent: Monday, May 7, 2018 2:59 PM
To: APC
Subject: Davis PUD proposal

To Whom It May Concern,

I have lived in Westfield since 1999 and have practiced real estate in Westfield and surrounding areas since 2001.

Over the years, I have watched as our community has blossomed into the flourishing community it is today.

I recall the years when nobody wanted to come to Westfield.

I could not get my clients to come north of 146th for the life of me.

The years when at any given time my neighborhood had 8,10,12 homes on the market at any given time.
But thankfully times have changed.

Now, the clients don't want to look at Carmel in many cases.

Today, in my subdivision? ZERO available!

**I went to show a home a few days ago and there 4 appointments at the same time.
People are lining up to invest in and live in Westfield!**

Why?

Grand Park.

Schools.

Sense of community.

Diversity in housing opportunities

The decisions the APC makes has a lot to do with the latter.

Westfield continues to grow and I appreciate your keen eyes on responsible growth.

I also appreciate your eye on the details of the growth in tonight's and future applications.

I ask you to keep the following in mind with today's and future applications.

Like the Davis family, these families have owned these larger tracts for 40,50, 80,100 years, and had the belief and understanding that one day development would come.

That one day, they would be fools not to sell to the developers when urban growth finally reached in to the cornfields north of the Marion/Hamilton County lines.

For those who moved out to those barren parts 15-20 years ago wanting to get away from it all and today are wanting to stop progress...we must ask, who are they to try to stop the plans these families put in place decades up decades ago for their future generations. Simply because they underestimated how long it would take until growth caught up to where they chose to build.

I tell my clients, if you don't want homes behind you or a recycling center, shopping center, airport or cemetery within a mile of your home, don't buy where there is vacant land nearby.

As for tonight's vote. Earlier I mentioned people investing in Westfield.

It continues everyday and today we have one of our own wanting to invest heavily in Westfield - again!

Tonight I ask that you invest in Westfield's own.

Paul Estridge and Estridge Development who wish to bring another beautiful Estridge development to Westfield.

Please VOTE YES on the Davis PUD proposal before you tonight.

Thank you for your time and consideration.

Respectfully,

Matt

Matt Lutz

REALTOR/Broker

ERA Real Estate Links

Cell/Direct: 317-439-5444

E-Mail: matt@mattsoldme.com

Indiana Real Estate Broker License # RB14027047

ERA Real Estate Links

4630 Lisborn Drive

Carmel, IN 46033

Main Office: 317-805-7360

Kevin M. Todd, AICP

From: Michael DiMascio <michaeldimascio@frontier.com>
Sent: Monday, May 7, 2018 2:42 PM
To: APC
Subject: No to the Davis PUD proposal

APC board,

We believe that the Davis PUD is not acceptable in this area. It's DENSITY IS HIGHER and the PRICE POINTS MUCH LOWER compared to the current area homes. The architectural plans are vague, should be clearly defined and meet the quality agreed to with local homeowners. The written standards do not support the visual renderings of the homes. This PUD will hurt local home values and that is NOT acceptable. The home builder should be specified and guaranteed with a contract. The COMPREHENSIVE PLAN is completely DISREGARDED for this PUD and that is unacceptable.

There are so many more items of issue and it all indicates that Davis PUD is trying to push through a cheap product to maximize profit in this beautiful area of Westfield. Not acceptable.

Please VOTE NO to this plan.

Regards,
Mike DiMascio
Brandee Easterday
Samara Thornburg
17028 Towne Rd
Westfield

Kevin M. Todd, AICP

From: Julie Jones <julie.jones@talktotucker.com>
Sent: Monday, May 7, 2018 1:18 PM
To: Andy Cook; APC; Council Members; Pamela Howard
Subject: Proposed Pud at 161st st

My concern with this project outside of the obvious fact that these homes will probably be at a lower price point. It has come to my attention as Someone that lives in Estridge an community and as a realtor that, Estridge is starting to have some money issues again. I'm worried this would be a neighborhood project that would get approved and then Estridge sell it to someone like Davis homes which are of lower quality an lower price point compared to most of the homes in the area This would significantly affect our property values.

I think the question before the city allows Estridge who is not a member of the builders Association of greater Indianapolis, to get involved in any more neighborhoods that they show proof of cash flow and funding for these projects and get a guarantee that these are not just sold off to pay off previous debts. This would significantly affect our property values. I think the question before the city allows Estridge who is not a member of the builders Association of greater Indianapolis, to get involved in any more neighborhoods that they show proof of cash flow and funding for these projects and get a guarantee that these are not just to pay off previous debts.

There have been numerous complaints against the contractors that have been used in these neighborhoods including my own. We have lived in our home for two years and know that there are still people struggling to get issues taken care of. Instead of taking care of the home owners of the existing homes, Paul has chosen to just start one new neighborhood after another stranding homeowners to fend for themselves with defects and deficiencies.

I think that the contribution to the community is just a bribe. I do not consider Estridge to be a valuable partner to this community.

--

Julie Jones
FC Tucker Company Inc.
10 N. First St.
Zionsville,IN 46077
317-414-2099

I do not send wiring instructions for real estate transactions via email. Please contact the title company handling your transaction by telephone or in person for the correct wiring instructions. Please do not convey your financial information via email to me, and contact me via telephone regarding any suspicious or inconsistent communications.

Kevin M. Todd, AICP

From: Sarah Watkins <sarahwatkins99@gmail.com>
Sent: Monday, May 7, 2018 12:33 PM
To: APC
Subject: Against Davis PUD

Sarah and Gary Watkins
2191 W 166th Street

We are against the Davis PUD, for many reasons.

We are in favor of the comprehensive plan and do not feel this PUD is even close to what is in the comprehensive plan. Below are a few items that are extremely bothersome to us and feel they can be worked out and should be if this is to move forward. We recently worked out many concerns we had with Westchester Development as we were adjoiners to that neighborhood. The developer was willing to work with us, so it can be done.

- Buffering for Dubois residence is the new home owners' backyards. **No dedicated buffer to this residence.** This doesn't even meet the AGSF1 unified development ordinance.
- No custom homes. This area is surrounded by custom homes of all types and we should stop dropping in production housing in corn fields.
- Already 1,500 lots under construction on west side and 6 neighborhoods under construction within 1 mile of this parcel
- Very vague four sided architecture
- The written standards DO NOT support the pictures of the homes
- There are no viable amenities on this plan. The pool has been taken out
- Much too dense for this parcel.
- The "trails" can be grass. This sounds very questionable
- Virtually zero useable open space - they state 27% in PUD because they are counting all the water and people's backyards--Why are we still allowing developers to do this?!

Finally, Our schools are full. How many times do residents need to express this? People want you to slow it down! Please, listen to the community.

Thank you for your time and service,
Sarah and Gary Watkins

Kevin M. Todd, AICP

From: Kelly House <kelly2.house@gmail.com>
Sent: Monday, May 7, 2018 12:21 PM
To: APC
Subject: Please Vote Yes for Davis PUD

The Davis PUD is clearly a great Choice for the City of Westfield! After reviewing the PUD I can see that it far exceeds the Comprehensive plans and brings homes to the community that will be between \$500,000 to \$700,000 in total price. Why would we not want these homes in our community. As a resident I ask that you please vote yes for the Davis PUD.

Thanks,
Kelly

Kevin M. Todd, AICP

From: Richard Passman <rpasman@indy.rr.com>
Sent: Monday, May 7, 2018 12:08 PM
To: APC; Andy Cook; Council Members; Pamela Howard
Subject: Please read in prep for tonight's APC meeting re: Davis PUD

Subject:

1801-PUD-01 [CONTINUED]

Davis PUD

West side of Ditch Road between 156th Street and 161st Street

Estridge Homes by 11th Street Development requests a change of zoning of 80 acres

Advisory Plan Commission,

I attended the public meeting hosted by the developer, at least one of the public APC meetings where this PUD was presented for public comment, reviewed the revised plan, and have read many of the comments from my neighbors.

I ask that you vote not to recommend approval of the PUD as proposed. The developer's public presentation and the written standards (requirements) don't match. The written standards and the revised plan view may meet minimum legal requirements but should not be approved for this location based on the guidance in the Comprehensive Plan for this transition area to rural. The buffering is not acceptable, and there is insignificant useable open space – this is very important in developments that are built in this the transition from residential (high housing density and less open space) to rural (lots of open space).

- Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the lots already available on west side)
- Already 1,500 lots under construction on west side
- Already 6 neighborhoods under construction within 1 mile of this parcel
- Same architectural standards on Davis PUD available in all other neighborhoods
- Density of homes is too high for this transition area to rural – the parcel is surrounded by many existing homes on large properties – this PUD should have fewer homes, more usable open space and larger lots

A better proposal could improve property values for existing residents and make the area even more appealing; this one does just the opposite.

Rather than quickly destroying the rural appeal of this unique area of Westfield by letting developers create a random patchwork of dense housing on every parcel that becomes available, please insist on a higher level of creativity that results in an area that Westfield will still be proud of 20 – 30 years from now.

This specific proposal should not be approved. We can do much better for Westfield.

Richard Passman

151st St & Shelborne Rd

Kevin M. Todd, AICP

From: dub164@aol.com
Sent: Monday, May 7, 2018 11:37 AM
To: APC; Andy Cook; Council Members
Cc: rkburkman@gmail.com; bvannatta@indy.rr.com; leah.severson@gmail.com; sarahwatkins99@gmail.com; khymbaugh@yahoo.com; cookhouse3841@comcast.net; denny.kemmer@cit.com; rosslaft@hotmail.com; acornw@frontier.com
Subject: Fwd: 5 APC Criteria

Five criteria that should be considered for the vote on the Davis PUD and why it fails to meet these...

5 Factors:

The zoning ordinance items that require consideration says in sec. 603 that in preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) the comprehensive plan;

- Open Space should increase and density decrease. (Total Green Space that is owned by the HOA? - Total open space owned by the HOA including green space, retention ponds and road buffering?) The properties in this area have over 95% green space, West Rail has approx. 30%, Centennial has approx. 30%, Liberty Ridge has 29%) Harmony is low but let's not keep repeating the same mistakes.
- Everyone out here is .33 units per acre or lower. Density is way too high
- Strongly encourage majority side load garages - How many of homes in PUD have front load garages
- No cookie cutter neighborhoods repeating the same designs - architecture standards can be met by most production builders with 60% of homes possibly 1800-2000 square foot ranch homes similar to Pulte's Enclave. Please look up average price point for these, \$206,990-\$309,000 as validated by MIBOR. This devalues the homes our neighbors have invested in. Each neighborhood should have it's own unique feel and designs. This PUD fails miserably here.
- Homes should be in context with area. Most property values of properties with line of sight to this development are valued between \$700,000 - \$2,000,000. PUD average starting price ?. This development is not in context with this area.
- Buffering-non-existent!!

(2) current conditions and the character of current structures and uses in each district;

- This area currently has over 90 residents **ON** large acre properties. 19 of these properties have horses or livestock. All residents enjoy the rural lifestyle that they wanted and invested in having in this part of Westfield.
- Where do people go in Westfield for a rural lifestyle that is proudly featured on the city calendar this year? If the comprehensive plan isn't followed, where is it safe to invest in this city for those wanting a rural lifestyle?

(3) the most desirable use for which the land in each district is adapted;

- This area is in close proximity Carmel to the south and Zionsville to the west. Both cities are commanding higher home prices. Westfield is the next in line but this PUD squanders the potential for high AV that this area could demand.
- Additionally, this is a new suburban area that was supposed to feature conservation subdivisions **and rural subdivisions**. This is a lost opportunity if this PUD is approved.

(4) the conservation of property values throughout the jurisdiction; and

- Homes should be in context with area. Most property values of properties with line of sight to this development are valued between \$700,000 - \$2,000,000. PUD average starting price ?. This development is not in context with this area.
- Obviously, if people have invested in large properties, having 1.8 homes per acre next to them, devalues their property. It's out of context.
- Additionally, all homes in this area are designed with 4 sided architecture. The homes in this PUD have minimal architectural diversity and many flat sides.

(5) responsible development and growth.

- 1,500 lots are currently under construction west of US31 between 146th Street and SR32. These 1,300 are at the same price point as this proposed PUD based upon architecture and square footage requirements and is estimated from market research to be a 9 year supply.
- 1,350 more lots are rezoned and available for a developer to start a neighborhood
- Yes, that's 2,650 lots already rezoned and half of those for sale right now just on the west side..
- This PUD does not demonstrate responsible development and growth. The average starting price could be \$206,990 which is below the \$375,000 target given by the schools as needed to support the school needs.
- Our Intermediate, Middle and High Schools are at capacity. Adding more students only makes the current problems worse.
- Mayor Cook has stated recently in the Current that Westfield needs quality development, not quantity. This PUD is obviously quantity not quality for Westfield. The APC and City Council need to say no thank you. We'll wait for a QUALITY development for this extremely desirable location.

Kevin M. Todd, AICP

From: mindy martin <mindy.martin@att.net>
Sent: Monday, May 7, 2018 11:32 AM
To: APC; Andy Cook
Subject: Davis PUD

Westfield Officials,

I am not for the Davis PUD. This is still not a plan that fits into what is already existing in the country (New Suburban Area). I don't think any citizen of Westfield is happy about having to waste their time with a housing plan that clearly isn't acceptable. When are the developers going to get this??

Mindy Martin

Kevin M. Todd, AICP

From: Ross Laufert <rosslaufert@hotmail.com>
Sent: Monday, May 7, 2018 11:08 AM
To: Council Members; APC; Andy Cook; Pamela Howard; Kristen Burkman; tinalaufert@sbcglobal.net
Subject: Fw: NEED LETTERS AGAINST Davis PUD - Monday Night Vote at 7:00 p.m.

Please vote against any proposal that does not meet Westfield's , our UDO or our comprehensive plan standards. Please do not give preferential treatment to Estridge because he gave money to Westfield's Legacy Fund.

Please vote **not in favor of the Davis PUD**.

Best Regards,
Ross and Tina Laufter

MAY 5, 2018 — On Monday night May 7th at 7:00 p.m., the APC will be giving a recommendation regarding another irresponsible development proposed at 161st Street and Ditch Road. Why is this so irresponsible? It doesn't meet the base financial requirements stated by the mayor to support our infrastructure and public safety. It doesn't meet base financial requirements as stated by the school. So who ends up paying for these homes? You do! It also doesn't meet many of the requirements of the Unified Development Ordinance (the city's baseline standards for new homes) and fails almost all criteria of the city's comprehensive plan for the southwest portion of the city. Why is this even being considered?

The Estridge Company is the petitioner and has a history of development in the city. Some of you may have seen the donation from the Estridge Foundation to the Legacy Fund to help Westfield organizations. We assume everyone agrees that it is extremely thoughtful and generous of the Estridge Foundation to help Westfield, but this donation should have NO bearing on this new neighborhood proposal that would reap millions in profit for the Estridge Company. With these facts in mind, we also assume that this donation will have no bearing on the city's ability to separate the generosity of a family foundation and campaign contributions from the decision making process of a rezone that must be made in the best interest of Westfield tax payers and children.

We need your support and voice once again! Please tell your city leaders that you are against this Irresponsible Development titled Davis PUD. They were elected by you to represent your voice. It's our community and we live here! Your letters DO make a huge difference. Please email your thoughts by Monday, May 7th. Thank you so much for your continued support!!

From: Kristen Burkman
Sent: Friday, May 4, 2018 10:35 AM
Subject: NEED LETTERS AGAINST Davis PUD - Monday Night Vote at 7:00 p.m.
Here is the link to the PUD and agenda.

<http://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=5851>

Dear Neighbors,

The Davis PUD is going to vote Monday night, May 7th at 7:00 p.m. during the APC meeting. WE NEED LETTERS PLEASE! The bottom line, they've changed very little. It still has a multitude of problems which are listed below. This is not a viable development for our neighborhood.

You may have seen in the Current last week that Paul Estridge's Family Foundation made a large donation to Westfield Endowment fund through the Legacy Fund. The Estridge Foundation was set up in 2007. Here's the link to the article.

<http://youarecurrent.com/2018/04/22/city-estridge-family-announce-westfield-endowment-fund/>

We assume everyone agrees that it is extremely thoughtful of the Estridge Foundation to help Westfield, and that it should have no bearing on this development proposal that would reap millions in profit for the Estridge Company. The facts regarding this development proposal are as follows: it violates the city's Unified Development Ordinance on many levels (this should be the baseline for entry in many instances), violates the city's comprehensive plan for the Southwest New Suburban on almost all levels and doesn't hit the city's reported assessed value needs of \$350,000 per home average given the written standards. With these facts in mind, we also assume that this donation will have no bearing on the city's ability to separate the generosity of a family foundation from the decision making process of a rezone that must be made in the best interest of Westfield tax payers and children.

Please email your letters by Sunday if possible so they can be read. Also, please put me on copy or just send a quick email letting me know that you sent a letter. We had an instance where letters were not reaching the APC and we want to make sure this is not happening again. The letters are EXTREMELY IMPORTANT. Even a quick email stating you don't support this is enough.

As always, your dedication to saving this part of Westfield is greatly appreciated!! I can't thank you enough.

Thanks,
Kristen

councilmembers@westfield.in.gov
apc@westfield.in.gov
acook@westfield.in.gov
phoward@westfield.in.gov

Here's a quick summary of the problems you can use for your letter:

- Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the lots already available on west side)
- 62% can be 1800-2000 square foot ranch homes - we have enough inventory of this on the west side.
- No custom homes
- Only 60% of homes face the road and we've requested 100%
- Already 1,500 lots under construction on west side
- Already 6 neighborhoods under construction within 1 mile of this parcel
- Very similar architectural standards on Davis PUD available in all other neighborhoods
- Buffering for Dubois residence is the new home owners' backyards. **No dedicated buffer to this residence.** This doesn't even meet the AGSF1 unified development ordinance for buffering which is 30 feet. Other neighbors are receiving 65-100 feet of dedicated buffer.
- Density 1.6 units per acre - Parcel is surrounded by 75% long term rural residents with density of .33 and less. Much too dense for this parcel. (Golf course is at .75)
- Very vague four sided architecture - they are willing to wrap some brick around the corner and put 18" or 36" brick around on the homes with brick but NOTHING says any home has to have brick. Also, if front has stone or siding, there are NO solid requirements for how the rest of the house will look. It's written vaguely for a reason.
- PUD is written to be highly likely to be flipped to a production builder. No where is the developer or builder stated.
- No written guarantee of builders - very likely this is being flipped to other builders
- The written standards DO NOT support the pictures of the homes - don't be fooled - remember the written standards are all that matter
- Virtually zero useable open space - they state 27% in PUD because they are counting all the water and people's backyards. This is not permissible and is ludicrous.
- They took out the pool which we said was fine if they instead developed a large open space with Frisbee golf, reforestation, fire pit gathering areas, picnic tables, bike trails so they took out the pool and scattered a few benches in people's backyards. It's so unbelievable. Basically there are no viable amenities on this plan.
- The "trails" can be grass. This sounds very questionable.

- Many, many comprehensive plan violations - buffering, lifestyle degradation, devaluing of adjoining properties, not in context, density concerns, etc.
- These PUD standards do not meet the \$375,000 minimum home price for the infrastructure/school target to support the police/fire and schools.
- PUBLIC SAFETY CONCERN: City has sold the land at 156th and Ditch that was earmarked for a fire station to serve all these homes on the west side. Now, there is no land to build a new fire station and only one fire station west of 31.
- The schools are still overflowing and approving something like this would say this city administration does not care about the kids in this community. They need a chance to catch up.
- Ditch Road is a mess and is deteriorating given all the traffic and construction equipment.
- Doesn't make financial sense - this PUD with the written standards and 125 homes could net \$33,000,000 in AV while a custom home plan with about 70 homes could net over \$55,000,000 in AV for the city per year. Less homes, more AV - let's wait for a MUCH BETTER plan!

Comparing Westchester and Liberty Ridge to Davis PUD. Davis PUD has none of these!!

Liberty Ridge: (keep in mind this adjoins commercial and multi-family and helped finance a church)

*29% open space with open grass to play and run and 40% when combined with the church open space.

*Dedicated playground not to be confused with residents' backyards

*Pool

*Interesting bike trails around a wetland

*Black fence and rural landscape

*Average 100 feet buffer to rural neighbor (ranges from 30-240 feet)

Westchester: (is helping stabilize and maintain Westfield's only public golf course)

*Custom Home Presence

*Variety of 3 builders with no one builder building more than 50%

*Nice open space park with playground not in residents' backyards

*30% open space with open grass to play on southern parcel

*First ever conservation subdivision on golf course with estimated 65% open space

*Density on golf course .75

* 65 feet buffer for golf course direct adjoiners

*Pool access

*4 sided architecture on all homes

*Architectural Board to guarantee home designs and builders

Kevin M. Todd, AICP

From: Kate Snedeker <kate@katesnedcomm.com>
Sent: Monday, May 7, 2018 10:22 AM
To: APC
Subject: In Support - Davis PUD

Monday, May 7, 2018

To the Members of Westfield's Advisory Plan Commission,
My name is Kate Snedeker, and my husband and I have lived in Village Farms for 14 years. I'm a member of Westfield's Board of Public Works & Safety. I'm disappointed that yet again, a project has come under attack that clearly fits the requirements of the City's comprehensive plan. The Davis Property proposal is a high-quality development with high-end homes and beautiful landscaping. Estridge is a local company, that employs local people, and few have done more to benefit Westfield than Paul Estridge. He is an outstanding and reliable corporate citizen, whose employees and family have donated their time and talent to community causes, along with gifting millions of dollars to organizations in our area.

Further, you need look only as far as across Ditch Road at Centennial, or south to Harmony, to see the quality of the properties and the value in having Estridge communities in Westfield.

I'm also disappointed that once again, developers have taken great strides to meet and accommodate remonstrators with changes to their plan, only to be met with an unending list of increasing demands. Accommodations are made, yet it is never enough to appease. If we turn down projects by solid and reputable business people, projects that check all the boxes of the City's comprehensive plan, then why would developers continue to come to Westfield? If we want to turn down such projects then we should re-visit the comprehensive plan and not unduly penalize developers who are bringing worthwhile projects that fit what we have laid out.

I ask you to honor the rights of the landowner, who has likewise been a long-time area resident with deep roots. I urge you to support the Davis Property Development.

Sincerely,

Kate Snedeker
121 Amkey Way
Kate Healey Snedeker, APR
Kate Snedeker Communications
kate@katesnedcomm.com
317.258.3748

Kevin M. Todd, AICP

From: John & Laura Donaldson <jolapher@aol.com>
Sent: Monday, May 7, 2018 10:21 AM
To: Council Members; APC; Andy Cook
Subject: Davis PUD

The is the exactly the example of irresponsible development that everyone is against! It doesn't come close to supporting our infrastructure, schools, or public safety. It also fails most of the criteria for the comp. plan for this area. STOP approving plans that not only cost ME money bust also devalue my home!

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Kevin M. Todd, AICP

From: Karen H <khymbaugh@yahoo.com>
Sent: Monday, May 7, 2018 10:08 AM
To: APC; Andy Cook; Council Members
Cc: Jesse Pohlman; Steve Hoover; Ginny Kelleher; Matthew S. Skelton, Esq., AICP
Subject: Strongly Against the Davis PUD

Dear Honorable Mayor, City Council Members, and Planning Commission,

I will tell you to begin with that I am angry; so I am sorry if this email is not in the best taste. I mean no disrespect to anyone and this email is not directed to everyone. You know who you are. I was so proud to be a resident of Westfield last year when Mayor Cook came out and said that the Pulte PUD was not right for Westfield at this time. Yes, I was proud of the Mayor and the members that voted against that PUD and who had listened to the local residents. **YOU ALL MADE ME PROUD TO LIVE HERE.** I really felt, Westfield was moving in the right direction.

But today, I am wondering why I have to spend my time to beg you not to support another irresponsible development PUD. You all know that the Davis PUD is wrong and doesn't fit at all with the Comprehensive Plan and the Westfield environment. Why would it even be on the agenda? Send them back. Please, enough is enough. I will not go into all the details about what is wrong with this PUD, there are many more people who have done an excellent job on that and I support them 100%. If you all read it, you also know what is wrong, so I won't reiterate.

Instead, I will again just tell you about how this irresponsible development is affecting me as a taxpayer (more and more tax dollars). All day long, I hear the banging of the huge construction trucks dumping their loads and banging their tailgates. Beep, beep, beep all day long as I try to work outside in the peace and quiet. But peace and quiet doesn't exist over here anymore. The huge construction trucks speed down this small street and someday soon, **someone is going to get hurt by their ignoring traffic limits.** My cows, dogs, and chickens are constantly in a state of fear with all the loud noises and speeding traffic.

Another issue from my recent experience with the **Westfield Building Inspectors**, I am not sure they can keep with up all of the construction going on and may be missing important building violations. I had 3/4 of my house rebuilt in 2016 and now I am dealing with a leaking roof, water pouring in through windows, not enough insulation in the attic, and poor construction everywhere. This was a custom home, that was inspected by Westfield Building Inspectors (whom I trusted to make sure I would have a livable home) but now I have had to hire a lawyer because of all the problems and the builder out of Zionsville wouldn't respond. The Westfield inspectors never caught all this stuff that wasn't right. I had to hire my own inspector to inspect a house that is just over 1 1/2 years old.

Yes, I am angry and wondering why, **WHY**, is Westfield in such a hurry to tear down trees, take away open space, and build substandard homes on some of the last remaining open areas in the city? This is absurd. History will not be kind to those in charge during this time of irresponsible development and catering to the developers and not the families and school children who already live here and pay taxes. I am not sure I understand the urgency to move against what the majority of tax paying citizens in this area want. We do not want this dense development and how many times do we have to stand up and say it. As I said in previous messages, there is a market for mini-farms in this area. That could

be a source of revenue, if your bottom line is just \$\$\$\$\$. Why can't we ask these developers to build on minimum of 5 - 10 acre lots in this area?

I also have heard that because owners of the property may have made some hefty donations to the City of Westfield, it may be hard for our leaders to say no to this PUD. But, you know that you must vote against this PUD. In the words of Mayor Cook, "it is not right for Westfield at this time".

Sorry that I can't be at the meeting tonight as I would like to really know who votes for or against the citizens of Westfield and who would rather vote for the big builders/developers. Remember, my anger is not directed to all of you but those that are putting the developers before the majority of tax paying citizens.

Thanks for your time.

Karen Hymbaugh
2929 W 159th St.

Kevin M. Todd, AICP

From: lisabeth armstrong <lisabetharmstrong84@gmail.com>
Sent: Monday, May 7, 2018 9:13 AM
To: Andy Cook; APC; Council Members; Pamela Howard
Subject: Re: Davis PUD

On Sat, May 5, 2018 at 12:53 PM lisabeth armstrong <lisabetharmstrong84@gmail.com> wrote:
Dear Council members, Mayor,

My interest in writing to you today to ask for a “no” vote for the Davis PUD is simple: I am dedicated to saving Westfield. While that may sound dramatic, it is, unfortunately, because of irresponsible developments, like this one, that Westfield needs to be saved. Our city officials are responsible for doing what is good for the city, not individuals.

This PUD is just another example on a grand scale, of a developer wanting to push a plan through that is good for them, but not good for the city. There are a host of violations, most importantly the City’s UDO and the Comprehensive Plan for SW New Suburban, not to mention the written home value standards.

On a personal level (and because potentially it’s what will happen to the Davis PUD), Bent Creek was supposed to be a beautiful custom home development when it surprisingly, in a hushed deal, became a Pulte/Drees development. That was my Grandfather’s land, then my father’s, who sold it to Carriger and Caito in 2005. In September of 2017 they sold it to Pulte. What were to be \$750,000 custom homes are now starting at \$350,000, none of them custom. What a missed opportunity! On top of that, Pulte’s contractors, with reckless abandon, destroyed the tile system that is linked to our property, so now we have flooding, and trespassed onto our property and demolished fencing and trees, all of which have yet to be replaced. This is the reality of irresponsible development!

The Davis PUD has all of the makings for another fraudulent plan. What you see is not what you get. Other examples of this duplicity are Viking Meadows and West Rail. Bent Creek is a spoiler for what could have been a beautiful development.

It is discouraging, honestly, that as a citizen of Westfield since 1980, I now, for the past three years, have to spend so much valuable time fighting this irresponsible development and the deception, and trickery and corrupt practices, amongst officials and developers, that have emerged along the way. SAD!

Respectfully,

Lisabeth Armstrong

Kevin M. Todd, AICP

From: Brent Thompson <teamthompson6@gmail.com>
Sent: Monday, May 7, 2018 8:38 AM
To: APC
Subject: Estridge proposal for David PUD

I would like to pass along my concern as a Westfield citizen.

If the following are actually legitimate I would request the proposal be denied.

1. It doesn't meet the base financial requirements stated by the mayor to support our infrastructure and public safety.
2. It doesn't meet base financial requirements as stated by the school.
3. It also doesn't meet many of the requirements of the Unified Development Ordinance UDO (the city's baseline standards for new homes) and fails almost all criteria of the city's comprehensive plan for the southwest portion of the city

Thank you for your time and consideration.

Brent Thompson

Kevin M. Todd, AICP

From: Bruce O <osborne.bruce@gmail.com>
Sent: Monday, May 7, 2018 8:07 AM
To: Council Members; APC
Subject: Davis PUD - Against as it is written

Hello,

Please record my comments AGAINST the Davis PUD that will be presented tonight as it is written.

I am a resident of this area of Westfield and believe the council is erring on the side of expediency to approve some of the developments that have been entertained that are not in line with the Comprehensive Plan--both in letter or intent. The mix of rural and dense housing is inevitable, but to do so without the buffering, written architectural commitments, and regard for the balance with existing residents (schools, services, density) is inappropriate.

Please let me encourage you as you fulfill your charge of office. We are grateful for your service.

Bruce Osborne.

Kevin M. Todd, AICP

From: Cook Family <cookhouse3841@comcast.net>
Sent: Monday, May 7, 2018 7:57 AM
To: APC; Council Members; Pamela Howard; Andy Cook
Subject: Davis PUD

Good morning,

After reviewing the minimal changes to the Davis PUD our original concerns remain the same:

- Per the Comprehensive Plan: "The Southwest New Suburban area includes a diverse mix of uses: a town park, a golf course, open farmland, residential development, and a central core of large-lot residential and rural properities, equestrian uses and artisan farms. While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should context-sensitive." 125 lots on 80 acres is not in context to the large-lot residential that is surrounding this on 3 of the 4 sides.
- Architectural minimums need to be increased in order to hit the \$520,000-\$700,000 price range Paul Estridge quoted at the neighbor meeting and the last APC meeting. Based on his revised square footage minimums (potential for 62% of these homes to be 2000 square foot ranch homes), the math still doesn't make sense. While we welcome a higher price point on the west side, the character exhibits seem to be the same product they are already building in Harmony with a few new elevations. One just needs to look to Viking Meadows or Bent Creek, the PUD detail did not support the conceptual for the area and the lowest standard is built. While the pictures look pretty, the details of the PUD are all that matter and the 2 don't match up!
- Buffering still needs to be enhanced on the east, west and north sides.
- 27% open space, which includes the back yards of the homes along Ditch. West Rail has 37% not including residential back yards. This should be the absolute minimum for this parcel.
- Schools are already at capacity, with improvements/additions not complete until 2020.

Thank you for your time,

Derek and Cherie Cook

5/7/2018

Advisory Plan Commission

Westfield IN 46074

Davis PUD

I must say we are very disappointed again in this revised proposed PUD. I attended a neighborhood meeting which Estridge held and where they indicated all the fine homes and amenities which would be incorporated into this development, instead we have more of the cookie cutter homes that are being built East of Ditch Road.

Small lots, very little if any buffering to protect neighbors from these new developments, no custom homes, high density, The homes are small, with few amenities. We need more housing options with more amenities. We would like to see homes in the \$750,000 range with larger lots and more buffering. These homes won't even cover the cost to our schools, police and fire. Westfield already has enough of this type of homes being built.

This development as now planned does not meet the comprehensive plan for Westfield, has inadequate buffering, has high density, and few amenities.

We support our rural life lifestyle and landscape and want to maintain it.

Sincerely

Richard & Sandy Levins

Kevin M. Todd, AICP

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Monday, May 7, 2018 5:14 AM
To: APC; Council Members; Andy Cook; Pamela Howard; Danielle Tolan
Subject: DAVIS PUD - Please Vote No

Dear APC, Council and Mr. Mayor,

It's hard to imagine that a PUD can be this far off from meeting our city's UDO, Comprehensive Plan and the city's infrastructure/public safety home value targets but that's what you have before you this evening for a recommendation.

The Facts:

1. Not one Westfield citizen (except those benefitting financially) has supported this development.
2. Over 60% of the homes can be 1800-2000 sq. feet ranch homes with siding on all sides
3. The buffer for the long term rural property owners is resident's back yards. In other words, there is no buffer. (this doesn't meet the UDO or the Comprehensive Plan)
4. NO CUSTOM HOMES
5. No Viable Amenities - Virtually no useable open space and the amenities are benches and fire pits located in people's backyards - look at the plan
6. Density of 1.6 per acre - Parcel is surrounded by 75% long term rural residents with density of .33 and less. Much too dense for this parcel. (Golf course is at .75)
7. Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the 1,500 lots already available on west side)
8. 6 Neighborhoods are under construction within 2 miles of this parcel
9. The written standards DO NOT support the pictures of the homes
10. The language of Estridge being the developer until such time when they sell it is very concerning.
 11. Architecture standards are vague and will be easily manipulated to the lowest common factor
 - o Doesn't make financial sense - this PUD with the written standards and 125 homes could net \$33,000,000 in AV while a custom home plan with about 70 homes could net over \$55,000,000 in AV for the city per year. Less homes, more AV - let's wait for a MUCH BETTER plan!
12. Many, many comprehensive plan violations -buffering (there is no buffering), lifestyle degradation (yes, for adjoining and everyone in this neighborhood), devaluing of adjoining properties (a neighbor on 161st Street just sold her home and her realtor estimated they lost \$100,000 on the sale of the home due to the development problems in this area - this is a real family and a real outcome for them financially) , not in context (current homeowners all have custom homes in this area, density too high (1.6 is much too dense)

Any of the above facts could stand alone as a reason to give this a negative recommendation but the fact that it is a plethora of reasons, brings us to the fact that once again, Westfield is being disrespected by the development community. Why would any developer present something with standards this low in this area?

This is a gateway parcel that should reap very high AV dollars for this city. People are very disappointed about what has happened at Bent Creek and they should be. Everyone thought this parcel would get \$121,500,000 (162 homes times \$750,000) in AV with Langston doing custom homes. Now it's Pulte and it's probably half of that at \$64,800,000.

The homes in this area are custom homes and there are NO OTHER CUSTOM HOME OPTIONS on the west side. Anything but custom homes on the parcels in this core area including the Davis parcel is irresponsible development.

We (defined as the entire community) believe this is a special area. Even people that don't live out here see the value in having an area like this. No one wants it destroyed. Approving this PUD will destroy the area - there is no doubt and people don't forget.

Thank you for your time and consideration.

Respectfully Submitted,
Kristen Burkman

Just for reference:

Comparing Westchester and Liberty Ridge to Davis PUD. Davis PUD has none of these!!

- Liberty Ridge: (keep in mind this adjoins commercial and multi-family and helped finance a church)
- *29% open space with open grass to play and run and 40% when combined with the church open space.
 - *Dedicated playground not to be confused with residents' backyards
 - *Pool
 - *Interesting bike trails around a wetland
 - *Black fence and rural landscape
 - *Average 100 feet buffer to rural neighbor (ranges from 30-240 feet)

Westchester: (is helping stabilize and maintain Westfield's only public golf course)

- *Custom Home Presence
- *Variety of 3 builders with no one builder building more than 50%
- *Nice open space park with playground not in residents' backyards
- *30% open space with open grass to play on southern parcel
- *First ever conservation subdivision on golf course with estimated 65% open space
- *Density on golf course .75
- * 65 feet buffer for golf course direct adjoiners
- *Pool access
- *4 sided architecture on all homes
- *Architectural Board to guarantee home designs and builders

Kevin M. Todd, AICP

From: Woodard, Jennifer B <JBWoodar@ascension.org>
Sent: Sunday, May 6, 2018 7:48 PM
To: APC
Subject: Please Vote Yes for Davis PUD

All,

Thank you for all that each of you do for this city! I would like to ask you to please vote Yes for this new community in Westfield. I have looked at the PUD that has been submitted and believe this will be a great addition to the area. The homes will be valued over \$500,000. Please do not let a handful of Anti-development people prevent you from allowing a beautiful community to be built in an area that the comprehensive plan calls for.

Jenny Woodard

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Kevin M. Todd, AICP

From: Tracy P <netherfield101@gmail.com>
Sent: Sunday, May 6, 2018 3:58 PM
To: APC; Council Members; Andy Cook
Subject: Estridge Proposal for Davis PUD
Attachments: 0503182022.jpg

Dear Elected Officials:

Here we are AGAIN.

The Estridge proposal for the Davis PUD does not meet the UDO. It doesn't satisfy the Comp Plan, AND it does not meet the level of AV necessary for infrastructure support which was clearly state by the MAYOR. It's a non-starter. Done. We asked for more. We have plenty of this going on already in this immediate area.

I am aware of the donation from the Estridge Foundation to the Legacy Fund to help Westfield organization. Of course, that is extremely thoughtful and generous of the Estridge Foundation to help Westfield, but this donation should have NO bearing on this new neighborhood proposal. And of course, this donation should have no bearing on the city's ability to separate the generosity of a family foundation (and campaign contributions) from the decision making process of a rezone that **must be made in the best interest of Westfield tax payers and children, who trust and rely on their elected officials to stand for those who are already invested in and supporting Westfield.**

In all these years of writing letters about these matters, it never ceases to amaze me that we have to struggle so consistently for something so crucial to a successful city, as strong development standards, consideration of existing residents, and HIGH standards. It seems like any city official would want these things...why do we need to beg for it??

The Mayor himself said we need \$375,000 AV, not market price or listing price, to support the overflowing schools. I just got the AV on my own property. It is far below what I would list it at for sale. SO, if we need \$375,000 as AV, we need market prices in the \$500s. I am including a lovely picture of the new Pulte model home, at Bent Creek. The models are always the show places, right? Well, here's one:

I especially LOVE that one little window in that acre of siding, on the east side...in the model home. :(We went through the PUD process with Jim Langston. He was great. We were so relieved to be getting a development like Oak Manor. Well, we didn't. The prices on the signs out front of Bent Creek are far below what was promised to us at the hearings. NOTHING stops Estridge from selling this PUD to the highest bidder.

I have begged. I have pleaded. I have used logic. I have written to you many, many times, always asking for the same thing. The same thing that you should already be asking for without provocation--HIGH STANDARDS. Any new development has to counter-balance what is already happening!

If that is the best that Estridge can come up with for that property, then say, "Next!" There will be no shortage of developers. Everyone knows that the for sale sign is out in Westfield

DO THE RIGHT THING FOR THE CITIZENS WHO ARE ALREADY HERE---not the ones yet to come.

As always,

TRACY Pielemeier

Kevin M. Todd, AICP

From: Roadrunner <bvannatta@indy.rr.com>
Sent: Sunday, May 6, 2018 3:11 PM
To: APC
Cc: Council Members; Matthew S. Skelton, Esq., AICP; Pamela Howard; Andy Cook
Subject: Davis PUD

Members of the APC,

I am writing after reviewing the latest version of this PUD. I will attempt to be brief and highlight the issues of concern.

Despite repeated statements that the homes in this development would be in the \$600-\$800,000 range, the language of the PUD still says emphatically otherwise. Most of the lot sizes and square footage in the southern half are way too small to get near this price point. Architectural standards don't get there either. If a portion or all of this gets flipped to say, Pulte, or another production builder, literally 60% of this development could be the same as Enclave in Viking Meadows. The only thing that protects Westfield in these PUD's is the language— if it isn't there, we are once again vulnerable ala Viking Meadows and Bent Creek. Westfield has suffered this before and there is no excuse to let it happen again. The issue of the language and the risk it poses to Westfield alone demands a NO vote.

As pointed out in Pam Howard's report, this PUD fails to meet the standards of the UDO on several points. It clearly violates the Comprehensive Plan in terms of having more green space, significant buffering to long term large parcel owners and being context sensitive. Fails on all counts. Retention ponds count as green space— really?? The utter nonsense of the Restricted Open Space Buffers is insulting and laughable— counting it as green space is deceitful. The lot owners can put in fire pits, swimming pools and a six foot fence. No one else has access or use— that's not green space and it sure as hell isn't a buffer to the parcels to the west. This project severely degrades the property values of the DuBois and Kotsanos' properties. Liberty Ridge had 100 foot buffers and Westridge 65 ft with significant planting. Fails again.

Paul Estridge is capable of building high end neighborhoods. Oak Park and Oxford Homes on Michigan Road are two current examples. If the language of the PUD supported a development like Oxford Homes this proposal would be a slam dunk. Despite having multiple opportunities to change the language to meet the promises and the picture exhibits, Estridge has failed to make meaningful changes. He has sent a message of what the real intent is with this project. Westfield needs to send him a message. The Davis PUD deserves a resounding NO vote.

Sincerely,

Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074

317-442-4181

Kevin M. Todd, AICP

From: s Gillim <bufogil@gmail.com>
Sent: Sunday, May 6, 2018 1:11 PM
To: Council Members; APC; Andy Cook
Subject: Re: Davis PUD

Thank you Mayor Cook, Mr Lehman and Mr Ake for your response to my email. When I drive by the area on 156th and Ditch I see the Centennial neighborhood on the southeast side. . The land on the northeast side is a church and the land on the south west side is another PUD where houses are currently under construction. The northwest is the proposed Davis PUD. Does the City of Westfield still own a portion of one of those parcels? I think one of the reasons citizens of Westfield worry when they see so much construction so fast is that taxpayers are faced with continuing referendums to increase property taxes to help pay for growth in schools. We all want good schools and generally taxpayers will vote to approve such things. But when citizens perceive city leaders are doing little to manage growth, they begin to think the requests for increases are irresponsible. Thank you, Mr Lehman for your commitment to advocate for current citizens when deciding to approve PUDs. People who live in rural areas and on farms have a much greater need for buffering when subdivisions are planned adjacent to their property. Maximizing natural open space near these neighbors would help demonstrate that commitment.

Thanks again for your quick responses and consideration.

Sincerely
Sarah Gillim

On Sat, May 5, 2018 at 7:24 AM, s Gillim <bufogil@gmail.com> wrote:

Dear City Council, Planning Commission and Mayor Cook

I am writing to voice my concern about the Davis PUD which is soon to come before Council. This PUD is adding more homes to an area of Westfield already bursting with construction. I am concerned because I don't think we have the infrastructure on the west side of town to support all this development. I was told that Westfield at one point planned to build another fire station around 156th and Ditch but this land was sold. With the 1500 homes currently under construction in this area I am worried the city will struggle to provide fire and police services as well as accommodate the children that must enter our already overflowing public schools.

This is a traditionally rural portion of Westfield so building density should be lower. Buffer zones next to adjacent property owners should be extensive since the proposed development abuts farms. It appears from the concept map that the buffer zones for some areas include yards rather than true open space. Natural open space, not lawns, is very important for water quality, noise reduction, aesthetic appeal and peace and safety among neighbors especially in areas that are rural.

Please do not approve the Davis PUD as it is currently written. It is not in the best interests of Westfield and its current residents.

Thank you

Sincerely

Sarah Gillim
16505 Little Eagle Creek Ave
Westfield, IN 46074

Kevin M. Todd, AICP

From: Greg <moyer43@gmail.com>
Sent: Saturday, May 5, 2018 10:27 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Subject: Davis PUD

Dear Advisory Plan Commission,

My comments on the Davis PUD are found below. This PUD is not yet up to Westfield's standards, although improvements have been made. Please give this development an unfavorable recommendation if the following deficiencies cannot be worked out.

Violates the UDO --- The UDO's definition of open space says that open space does not include "any area of land included on a Lot used for another primary use such as residential or commercial." The "restricted open space buffer" resides on lots with a residential primary use. Thus, no portion of these lots can be counted as open space. The HOA will not own this land. Nor will other residents be able to freely access this land. The buffer yard is not an amenity for the community as a whole. Allowing the portion of the "restricted open space buffer" that resides on residential lots to count as open space would violate the UDO and ignore the intent of the comprehensive plan's open space policy.

Lack of Usable Open Space --- Usable open space should be increased. Too much of the open space consists of either narrow strips of land required for buffers & easements or retention ponds required for drainage. These areas provide only limited opportunity for active or passive recreation. Furthermore, the neighborhood agreed to the removal of the pool amenity proposed in the original plan with the understanding that it would be replaced by a large open space with reforestation, trails, etc. The pool was removed but no viable open space with similar recreational value was added to replace it. This leaves a development with similar homes and lots as those found in Harmony or Liberty Ridge but without access to comparable amenities. If open space is going to be the primary amenity offered by this development, then the location and configuration of the open space should be a primary design consideration; not an afterthought based on land unusable for residential lots.

Reforestation Buffers Lack Long-Term Management Goals --- Reforestation buffers are an important part of the comprehensive plan's design objectives for the southwest. Let's get them right and establish a strong benchmark. The developer should be recognized for including a reforestation buffer. However, the PUD fails to commit to managing the buffer towards the natural conditions called for by the comprehensive plan. The buffer should be managed towards a dense treeline with undergrowth allowed to develop over time for visual screening and wildlife habitat. At a minimum, an easement that meets the UDO's standards for tree preservation easements should be placed on the buffer once the required trees are established. As currently written, the PUD appears to leave it to the individual lot owners to decide what the character of the "reforestation" will be.

Thank you for reading.

Sincerely,

Greg Moyer
15001 Shelborne Rd

Kevin M. Todd, AICP

From: Leah Severson <leah.severson@gmail.com>
Sent: Saturday, May 5, 2018 3:41 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Subject: Davis PUD

Hello,

I wanted to go on record as stating that my husband and I are opposed to the Davis PUD. We need to make responsible decisions about the growth of our community and it is our belief that the current council is not considering the long-term impact of these developments, especially on our school system.

Sincerely,

Leah Severson

Kevin M. Todd, AICP

From: dub164@aol.com
Sent: Saturday, May 5, 2018 10:09 AM
To: APC; Andy Cook; councilmembers@westfield.in.gov
Cc: rkburkman@gmail.com; bvannatta@indy.rr.com; sarahwatkins99@gmail.com; leah.severson@gmail.com; cookhouse3841@comcast.net; denny.kemmer@cit.com; lisabetharmstrong84@gmail.com; khymbaugh@yahoo.com; jd@aol.com
Subject: Davis PUD

Lady and Gentlemen,

Thank you for your commitment to our community and your valuable time. Once again we have a situation where changes, even minor, are being made to this PUD today, the Friday before the meeting as a result of a citizen from the community identifying a potential issue. I asked about grass trails and Pam reached out to the developer who knew this was a potential issue, (but was hoping no one would notice) so they changed it to "make it better". We allow such a level of sloppiness!! This can't be made better enough!! This is no way to run a planning organization and creates an undue burden on staff, yourselves, and the community with the last minute band-aids. Recently the Estridge family made some large donations to various community foundations. As the community is grateful for their generosity it appears they receive special treatment as a result.

The Davis PUD is not acceptable... again. Minimal changes have been made to the ordinance and the concept plan. The plan does not meet our UDO standards, (please refer to table developed by Pam Howard where almost every line item fails to meet our standards), does not meet the Comprehensive Plan for the area, (fails in buffering, transition, density, architectural standards, open space, etc.), and the language does not support the pretty pictures. The proposed development allows for the potential for 62% 1800-2000 square foot ranch homes. The Pulte Enclave product could likely meet the standards included in writing. There is no commitment that Paul Estridge will build in this neighborhood just as there was no commitment that he would build in West Rail, (previously Centennial North) which is now Beazer. Example after example of not getting what we thought was going to be constructed proliferates this area, Viking Meadows, (character exhibits show custom product but this is Pulte), Bent Creek, (character exhibits show custom but this is Pulte and Drees), West Rail, (Beazer). Stop the madness!!!

The comprehensive plan states that buffers and transitions will be critical so as to not negatively impact the long term residents. I have lived here for nearly twenty years and I am getting no guaranteed buffer. The lots that border my eastern property line abut my property with no common area buffering outside of their lots. This does not even meet the 30 feet requirement for AGSF-1. They can construct patios and fire pits nearly up to my fence line. There is also a drainage/utility easement that may be placed along my border that would not permit the planting of any trees within the easement making the reforestation buffer unavailable should drainage be required, (highly likely to prevent flooding into our tree nursery). The specifications for the reforestation buffer are an absolute joke and allow the developer to spend minimal dollars, three gallon trees and five foot whips run about \$10 to \$15 each.

As a reminder we are operating a tree nursery with large equipment and require the buffer for safety reasons as well as lifestyle protection not to mention the devaluing of my property that will occur. I have heard Paul mention how far off current structures are located in proximity to our eastern border. However, remember my property is not static and I may wish to build on our eastern border. I should receive the same consideration as the developer for the value of my parcel and future potential.

The location of the open space is a question for the developer. Our UDO definition of Open Space states "Open Space does not include medians in Rights-of-way or any area of land included on a Lot used for another primary use such as residential or commercial." In review of the concept plan the only green space appears to be lots and retention ponds. They are claiming 27% open space but there is no validation. If they do not comply with the 27% standard they are setting then they will need to revise the plan to create additional open space, or apply for a PUD amendment to reduce the amount of open space required. Given our history they will likely apply for an amendment and we will discover something less than 27% open space outside of people's yards and retention ponds.

Many, many comprehensive plan violations - buffering, lifestyle degradation, devaluing of adjoining properties, not in context, density concerns, etc. This parcel is surrounded by rural residents that have density of .33 or less. This is no transition to the "core equestrian and hobby farms" noted in our comprehensive plan as a long term vision for the area. The homes proposed are not in context to what surrounds the area as well with limited creativity with the architecture. Simply more of the same cookie cutter details we have everywhere in this quadrant. We have such an opportunity for our community to gain a higher AV from this parcel with a product that we don't already have ample supply of in this area.

Very vague four sided architecture - they are willing to wrap some brick around the corner and put 18" or 36" brick around on the homes with brick but NOTHING says any home has to have brick. Also, if front has stone or siding, there are NO solid requirements for how the rest of the house will look. It's written vaguely for a reason. PUD is written to be highly likely to be flipped to a production builder. No where is the developer or builder stated. No written guarantee of builders - very likely this is being flipped to other builders. The written standards DO NOT support the pictures of the homes - don't be fooled - remember the written standards are all that matter. Also, at one point the developer agreed to an architectural review board similar to the recently approved Westchester but this is no longer included, why?

This proposed PUD doesn't make financial sense - this PUD with the written standards and 125 homes could net \$33,000,000 in AV while a custom home plan with about 70 homes could net over \$55,000,000 in AV for the city per year. Less homes, more AV - let's wait for a MUCH BETTER plan! Please vote NO for our community.

Thank you for your consideration,

Suzy DuBois
T.M.T., Inc.
317-867-3691

Kevin M. Todd, AICP

From: s Gillim <bufogil@gmail.com>
Sent: Saturday, May 5, 2018 7:24 AM
To: Council Members; APC; Andy Cook
Subject: Davis PUD

Dear City Council, Planning Commission and Mayor Cook

I am writing to voice my concern about the Davis PUD which is soon to come before Council. This PUD is adding more homes to an area of Westfield already bursting with construction. I am concerned because I don't think we have the infrastructure on the west side of town to support all this development. I was told that Westfield at one point planned to build another fire station around 156th and Ditch but this land was sold. With the 1500 homes currently under construction in this area I am worried the city will struggle to provide fire and police services as well as accommodate the children that must enter our already overflowing public schools.

This is a traditionally rural portion of Westfield so building density should be lower. Buffer zones next to adjacent property owners should be extensive since the proposed development abuts farms. It appears from the concept map that the buffer zones for some areas include yards rather than true open space. Natural open space, not lawns, is very important for water quality, noise reduction, aesthetic appeal and peace and safety among neighbors especially in areas that are rural.

Please do not approve the Davis PUD as it is currently written. It is not in the best interests of Westfield and its current residents.

Thank you

Sincerely

Sarah Gillim
16505 Little Eagle Creek Ave
Westfield, IN 46074

Kevin M. Todd, AICP

From: Sandra Wilds <swilds@wildshc.com>
Sent: Friday, May 4, 2018 9:38 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Cc: rkburkman@gmail.com; dub164@aol.com; Terry Wilds
Subject: Estridge PUD Davis Property

To those serving Westfield residents:

We are once again sending you our concerns regarding the Estridge PUD for the Davis property. As with other PUDs that have come before this one the current residents of Westfield and especially those of us being surrounded by new subdivisions request that you honor your verbal commitments to retain the quality of life and support the recommendations of the Westfield Comprehensive Plan.

We are aware of the donations made by the Estridge corporation and Estridge office personal from the top to the bottom of the Estridge office to support several of our elected officials and we commend Mr. and Mrs. Estridge's donation to the Westfield Foundation. We are also mindful that these actions can and may sometimes sway our leaders' to support Mr. Estridge regardless if his PUD does not meet the goals for development in this area of Westfield.

It is unfortunate that we "lay" members of our city have become the ones to insist that developers are held to their verbal commitments and to support maintaining the characteristics that make Westfield an attractive place to live.

Likewise, it is unfortunate that as concerned residents and non-elected officials it is we who must consistently take time from our careers and home life to meet with our City leaders and to repeatedly petition you to be conscientious and hold developers to the published standards in the past you supported.

We don't need to once again list for you all of the ways the Estridge's Davis PUD does not support the Comprehensive Plan or does not match what Mr. Estridge stated publicly in multiple meetings with residents. No, we just need to remind you that you too are residents of this City and your actions speak volumes about how you value Westfield's way of life and those of us who are long term residents.

Terry and Sandy Wilds
15919 Ditch Rd.
Westfield, IN
Homeowners since 1981

Pamela Howard

From: dub164@aol.com
Sent: Tuesday, April 10, 2018 8:07 AM
To: Andy Cook; Council Members; APC; danielle@washingtontownship-hc.us; Pamela Howard
Cc: rkburkman@gmail.com; bvannatta@indy.rr.com; longlane@frontier.com; sarahwatkins99@gmail.com; swilds@wildshc.com; acornw@frontier.com; leah.severson@gmail.com
Subject: Fwd:Davis PUD

To All,

I want to touch base with you regarding the Estridge/Davis PUD. It's become obvious that this PUD process is becoming strikingly similar to the Pulte/Woodwind process. This has me gravely concerned for not only my property but for all Westfield citizens.

It is clear that Estridge probably didn't have enough votes for a favorable recommendation so they were advised by someone to delay the APC meeting. Why?

Let's go back to the introduction of this PUD when it was the exact same as the Chance PUD. No one thought the Chance PUD was worthy of review so it was withdrawn. However, given the deceptive pictures and verbal presentation, the Estridge PUD was kept alive. As reasonable neighbors, we worked with Estridge and Kristen even did a land plan. In return, we (you as a City Council and us as neighbors/citizens) have been treated disrespectfully with a PUD that fails both the UDO and Comprehensive Plan on so many levels. Pam Howard should be commended for her analysis that provides a table with the shortfalls with the UDO. Why do we entertain anything that does not meet or exceed the UDO. This should be game over.

The reason I'm contacting you is that information has come to us from multiple sources that 2 members of the City Council are sponsoring this PUD, Jim Ake and Steve Hoover. They are "helping" Estridge make changes with what appears to be a goal of getting this PUD approved. This is not only disrespectful to all citizens in this community who have pleaded with this administration to STOP APPROVING DEVELOPMENTS, but in my opinion, this behavior has reached the point of being unethical. Why would elected officials who are elected to represent the people's voice be abetting a developer and a flawed PUD that not one tax paying, non financially benefitting citizen has supported? I'd like to have answers.

Also, please advise if there is an ethics review board within the city that this can be elevated to for review? I will look forward to your response because what is happening here is inexplicable and we have many people asking for answers.

Suzy DuBois

Pamela Howard

From: Adam Bristol <abristol04@yahoo.com>
Sent: Friday, March 30, 2018 7:35 PM
To: APC
Subject: Irresponsible Development

To whom this may concern,

The city of Westfield is beautiful and has grown into an awesome place to live, but we need to be careful.

We are at a crossroads as a city. We can either preserve what we have and make it even better by upgrading our current infrastructure or we take the path to becoming more like Fishers through irresponsible development.

Fishers is a great place to visit and is a nice town, but I would never live there. It has become a congested, over developed, and over populated city. They have developed every nook and cranny of that city. Please take a few minutes of your time to look at a development grid map of fishers. It is truly depressing. I do not envy those residents, nor do I want to become like them.

I am not completely opposed to development, but please be better about picking and choosing development sites that are already saturated with neighborhoods like the areas surrounding, Ditch and 161st/156th. Zionsville is very aware of irresponsible development, and does a good job keeping the status quo. We should be taking a page out of their book on this issue. Thank you for your time.

Regards,

Adam Bristol

Pamela Howard

From: G B <mbrown.slb@gmail.com>
Sent: Friday, March 30, 2018 7:12 PM
To: APC

Monday night, April 2nd, the APC will be voting on another neighborhood called the DAVIS PUD on the west side of Westfield, to add to the 1500 lots already available to build upon. (Additionally, 6 neighborhoods are under construction within 1 mile of this proposed development.)

We are against this project. Your group should not continue to approve new developments that are overcrowding the schools, impacting the roads and straining our public safety. They want to do this while everyone is out of town on Spring Break. Unbelievable!!

There have been several neighborhood meetings with Paul Estridge, Jr. regarding this PUD where he has made quite a few promises, that are not supported in the written details of this proposal. More than likely, this PUD will be flipped to a production builder once it is approved.

I was kind of hopeful that Mr. Estridge would bring some real creativity to this project and plan some higher end homes, since they are not being built on the SW side--only on the north and east. BUT, it looks like this is just another mid-level, boring plan with only front side detail, no neighborhood pool, and using backyards to count as buffers with the existing rural neighbors. BLECH!

Pamela Howard

From: John & Laura Donaldson <jolapher@aol.com>
Sent: Friday, March 30, 2018 6:50 AM
To: APC
Subject: Davis PUD 4/2

There is nothing about this proposal that is right for the west side of Westfield. There are already SIX neighborhoods under construction within a mile of this proposal. This mid level, cookie cutter proposal is an insult to our city and only adds burden to our schools, roads, and public safety. These types of developments are destroying the west side country charm and our property values. This is the wrong direction. We need to start thinking about increasing property values to support the basic city operations.

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Pamela Howard

From: dub164@aol.com
Sent: Friday, March 30, 2018 10:25 AM
To: APC; Pamela Howard; Council Members
Cc: bvannatta@indy.rr.com; rkburkman@gmail.com
Subject: Davis PUD

To All,

Here we go again. The Monday of spring break and the day after Easter, Happy holidays. This is incredible!! Not only has Estridge made no effort to address the issues with the Davis PUD but he actually has made it worse. The overall assessment of the PUD is that it fails to meet the UDO and the Comp plan on any level. Pam has done a nice job pointing out the shortfalls at in her table showing the short falls with the UDO.

The PUD reads that the developer can put in duplexes in this area. What happen to a decrease in density as you move north of 146th and west of Ditch?

As you review the PUD please note that in section 7 (B) all garages will be alley load and homes in 2/3 of area B will have front load garages. I feel like a broken record but our comp plan discourages front load garages.

In section 7 (C) they have roof pitches of 6/12 and yet the pictures show higher pitches. However, once again ignore the pretty pictures because they can build what is in the PUD.

On pages 8 and 9 they continue to show the buffer yard as someone's back yard and they count this in their open space numbers. Are we really going to allow this? I have been given no considerate buffer!!!! Where is the protection for your long term residents and tax paying citizens?

There is no commitment to high architecture standards. This PUD is written in such a way as to flip this to a low end production builder and just put more of the same in this area!!! Don't let this happen. Don't devalue my property and my lifestyle!!

I do not have any additional time to spend on this review as I am trying to plan for the Easter holiday for my family. This is not an appropriate development for the area, nor is it in support of our UDO or Comp Plan. Please do not send this through with a favorable review.

Suzy DuBois
T.M.T., Inc.
317-867-3691

Pamela Howard

From: Robert Goodlett <isobassbike@gmail.com>
Sent: Friday, March 30, 2018 12:24 PM
To: Council Members; APC; Andy Cook
Subject: DAVIS PUD

Enough is enough. We cannot continue to approve new developments that are overcrowding the schools, impacting the roads and straining our public safety. There are 1500 lots already available to build upon.

There have been several neighborhood meetings with Paul Estridge, Jr. regarding this PUD where he has made quite a few promises, that are not supported in the written details of this proposal. More than likely, this PUD will be flipped to a production builder once it is approved.

--

Robert Goodlett
Assistant Principal Contrabassist
Indianapolis Symphony Orchestra
QUATTRO STRING ACADEMY
Mobile Phone - 317.414.8190
SKYPE - isobassbike

"Never mistake activity for achievement" - John Wooden

3/31/2018

Advisory Plan Commission

Westfield IN 46074

Davis PUD

I must say we are very disappointed in this proposed PUD. I attended a neighborhood meeting which Estridge held and where they indicated all the fine homes and amenities which would be incorporated into this development, instead we have more of the cookie cutter homes that are being built East of Ditch Road.

We continue to see building plans with homes being built on small lots, and very little if any buffering to protect neighbors from these new developments. The homes are small, with few amenities. We need more housing options with more amenities. We would like to see homes in the \$750,000 range with larger lots and more buffering. These homes won't even cover the cost to our schools, police and fire. Westfield already has enough of this type of homes being built.

This development as now planned does not meet the comprehensive plan for Westfield, has inadequate buffering, has high density, and few amenities.

We support our rural life lifestyle and landscape and want to maintain it.

Sincerely

Richard & Sandy Levins

Pamela Howard

From: mindy martin <mindy.martin@att.net>
Sent: Friday, March 30, 2018 8:21 PM
To: Council Members; APC; Andy Cook; phoward@westfieldin.gov
Subject: Davis PUD

Westfield Officials,

I am against the Davis PUD for obvious reasons. This parcel of property is suppose to be a transitioning point with the unwanted and unneeded housing developments in this already saturated town. Of course the developers are going to try to get the most for their money and write the PUD's in a way that benefits themselves. Just the same as how they request the meeting dates to be at a holiday or like this meeting, holiday and spring break so that the most of the citizens of this town are unable to attend. The Westfield officials should not OK this to happen if they had the peoples best interest in mind.

As stated before this property and the other properties along Ditch Rd. are suppose to be a transitioning point to go from very dense housing on the East side of Ditch Rd. to less dense on the West side and gradually have larger lots as it moves farther North and West. This is one thing that I think has been agreed upon out of the Comprehensive Plan. I'm not really sure why the officials don't make it more clear to the developers that making their lots a miniscule of a fraction bigger than the neighboring housing additions isn't really what everyone is talking about. Why are the developers even let to submit a plan that is so far off from what it should be for this area? I have been to the meetings and have heard certain officials say the lots need to be bigger because they need to be more in context with what is already established in this country setting area. Also that the buffering needs to be adequate so as to try to separate the additions from the country properties. Especially when the lots are adjacent to the already established larger country properties. It doesn't seem as though these developers want to listen and just try to wear you down to get you to just 'ok' it to get it off your desk. I realize this area is labeled "The New Suburban Area" and there is going to be growth but that doesn't mean it isn't the country at this moment in time and I along with many, many other citizens of this town would like for everyone to realize that. Whatever the officials approve to happen on this parcel is going to end up being the standard for this area. Lets please keep our standards high! Once YOU town officials approve all of the additions that want to flood into this country area,

#1 It won't be the country any more- that will be destroyed.

#2 Everyone who lives in this area will have to completely change their way of life or be pushed to move because they didn't move to this area to be in or next to a housing addition unless the developers are forced to provide the right type of plan that will actually fit into the country and properly buffer the neighbors.

#3 I hate to see what the deteriorating roads and already overcrowded schools will look like then.

Speaking of schools. . . the children are the ones that are suffering from this growth. The schools are already overcrowded the way it is and I don't see a solution to that by rapidly adding dense housing additions. The Davis PUD standards do not meet the \$375,000.00 minimum home price to support the schools/ infrastructure/ police and fire, unlike what Mr. Estridge had proposed to begin with. There are many other additions that are already approved that haven't even been built yet on the west side of 31. Shouldn't the schools/ infrastructure/ police and fire have a chance to catch up?

The way this PUD is written the builder could hand this property to someone else and it could end up not being anything what the developer proposed in the first place. What they have proposed is completely ridiculous. They are not standing up to what they had said at their neighbor meetings or at the APC meeting. The lots all need to be bigger. . .not just three of them. There isn't adequate buffering for the already established country properties. There isn't enough open space and I'm not so sure that they haven't used back yards and ponds to come up with the figure they have for open space as well as their figure for buffering. Pretty sure that's not aloud. They have shared pictures of the amenities that may be used, fire pits and benches. Although we know there will not be the nice open space and trees in the background like these pictures show with this too dense housing plan.

The Davis PUD is not a PUD that will benefit any aspect of the town or the neighboring properties. It should not be considered for approval with all of the many problems that exist in the PUD. It should also not be considered for approval because of the complete disrespect for this beautiful country area, neighbors and the citizens of this town.

Mindy Martin
1839 West 166th St.
Westfield, IN. 46074

Pamela Howard

From: Greg Moyer <moyer43@gmail.com>
Sent: Friday, March 30, 2018 7:39 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Subject: Davis PUD

Dear Advisory Plan Commission,

My comments on the Davis PUD are found below. Please give this development an unfavorable recommendation if the following deficiencies cannot be worked out.

Buffering --- The proposed buffers remain inadequate. The proposed buffers lack the tree density required for reforestation, do not commit to managing towards natural conditions, and do not commit to trees with a minimum height and/or caliper sufficient to provide screening at the time of installation.

The comprehensive plan for this area clearly states a preference for reforestation buffers intended to achieve natural conditions. For a reasonable definition of reforestation buffers, please refer to the text of the [Towne Road Crossing](#) and [Westgate](#) PUD districts. Both were approved around the same time as the comprehensive plan. Both districts specify that reforestation buffers include plantings on a grid with 10' between trees in a row and 11' between rows. For a 40' wide buffer, this would correspond to at least 30 trees per 100' of buffer (3 rows x 10 trees per row). The proposed buffer, with only 8 trees per 100 feet, is obviously far short of this standard.

Not compatible with UDO --- The PUD attempts to use the rear of lots within area D to meet the buffering standards, the minimum lot standards, *and* the open space standards. The petitioner would like to have their cake and eat it too. Unfortunately, the UDO's definition of open space says that open space does not include "any area of land included on a Lot used for another primary use such as residential or commercial." The "restricted open space buffer" use is clearly subordinate to the primary residential use of these lots and it cannot be counted as open space. The HOA will not own this land. Nor will other residents be able to freely access this land. This buffer yard is not an amenity for the community as a whole. Allowing the portion of the "restricted open space buffer" that resides on individual lots to count as both open space and part of a private residential lot would pervert the UDO and violate the intent of the comprehensive plan's open space policy. There is no compelling reason to do so.

Lack of Usable Open Space / Amenities --- There is a considerable lack of *usable* open space throughout the plan. Usable open space and/or lot sizes should be increased. Too much of the open space consists of either narrow strips of land required for buffers & easements or retention ponds required for drainage. If open space is going to be the primary amenity offered by this development, then the location and configuration of the open space should be a primary design consideration and not an afterthought based on land unusable for residential lots. Furthermore, the neighborhood agreed to the removal of the pool amenity with the understanding that it would be replaced by a large open space with reforestation, trails, etc. The pool was removed but no viable open space with similar recreational value was added to replace it. The amenities near areas A & B are particularly lacking. Consider the following:

- These are small lots similar to what we see in Harmony & Liberty Ridge, yet they will have not have similar pool or community center access.
- There is no description of the playground in the PUD. No commitment to either a minimum square footage or an equipment list.
- These lots are located at the southern end of the parcel while the majority of the open space is concentrated within the northern portion.
- While lots at the northern end of the development may be large enough to support backyard play structures or in-ground pools, the lots within areas A & B are too small to provide recreational value.
- While a fire pit is a great amenity and would otherwise be in context with the neighborhood, it should not be located in the midst of the densest portion of the development. The smoke from fires will need room to dissipate before it drifts through the yards and windows of nearby residents. Fire pits are typically used after dark by groups of people. The noise generated will be a nuisance those who own homes bordering on this common area.

Sincerely,

Greg Moyer
15001 Shelborne Rd

Pamela Howard

From: Richard Passman <rpasman@indy.rr.com>
Sent: Monday, April 2, 2018 12:54 PM
To: APC; Andy Cook; Council Members; Pamela Howard
Subject: Please read in prep for tonight's APC meeting re: Davis PUD

Subject:

1801-PUD-01 [CONTINUED]

Davis PUD

West side of Ditch Road between 156th Street and 161st Street

Estridge Homes by 11th Street Development requests a change of zoning of 80 acres

Advisory Plan Commission,

I attended the public meeting hosted by the developer, at least one of the public APC meetings where this PUD was presented for public comment, reviewed the revised plan, and have read many of the comments from my neighbors.

I ask that you vote not to recommend approval of the PUD as proposed. It is far from acceptable, based on the guidance in the Comprehensive Plan for this transition area to rural. The proposal appears to provide a variety of lot sizes, but also to pack as many homes on the parcel as possible. If we agree to this developer's approach, this treasured area will become a patchwork of "get rich quick scheme" housing developments, ruining the character and appeal of this unique area.

The developer's public presentation and the written standards (requirements) don't match. The written standards and the revised plan view may meet minimum legal requirements but should not be approved for this location.

- Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the lots already available on west side)
- Already 1,500 lots under construction on west side
- Already 6 neighborhoods under construction within 1 mile of this parcel
- Same architectural standards on Davis PUD available in all other neighborhoods
- Density of homes is too high for this transition area to rural – the parcel is surrounded by many existing homes on large properties – this PUD should have fewer homes, more usable open space and larger lots

A better proposal could improve property values for existing residents and make the area even more appealing; this one does just the opposite.

Rather than quickly destroying the rural appeal of this unique area of Westfield by letting developers create a random patchwork of dense housing on every parcel that becomes available, please insist on a higher level of creativity that results in an area that Westfield will still be proud of 20 – 30 years from now.

This specific proposal should not be approved. We can do much better for Westfield.

Richard Passman

151st St & Shelborne Rd

Pamela Howard

From: Patty Smith <pattyano881@icloud.com>
Sent: Friday, March 30, 2018 4:01 PM
To: APC
Subject: No more PUD

We are already too crowed now and you want to start another one I say no Thank you Patty Smith

Sent from my iPhone

Pamela Howard

From: Team Thompson <teamthompson6@icloud.com>
Sent: Thursday, March 29, 2018 5:04 PM
To: APC
Subject: Davis PUD

Please consider not approving additional development for the David PUD.

As a citizen of Westfield, I am all for growing and developing, but not the way it is being done now.

Respectfully,

Brent Thompson

Pamela Howard

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Monday, February 5, 2018 12:22 PM
To: Council Members; APC; Andy Cook; Danielle Tolan
Cc: T.M.T., Incorporated; Bruce Van Natta
Subject: Update on Davis Parcel Discussions
Attachments: IMG_2223.JPG; SWAmenityideas.docx; Estridge.pptx

Dear APC, City Council, Mayor Cook and Township Trustee Tolan -

As you know, there is a current PUD proposal on the Davis property at 161st/156th and Ditch Road. I wanted to take a moment to update everyone on the discussions between Estridge and the neighbors. Two weeks ago, a few of the adjoiners/neighbors were invited by Estridge to meet and discuss this project. We very much appreciated the conversation and the willingness to work together.

The meeting was an exchange of updates to the PUD and to hear the desires of the neighbors. The neighbors desire is to have 2-4 acre parcels with custom homes much like Woodshire on the east side. Our understanding is the Woodshire neighborhood is highly desirable when homes go on the market and would be a perfect fit for this area. The developer desires smaller lots and smaller square footage housing per the PUD. However, Estridge listened to the concerns and we know they are very capable of larger lot/custom developments as is currently available at Oxford Woods in Zionsville - 5 miles to the west of this parcel and Oak Park Estates - five miles to the east of this parcel. Please find attached a PowerPoint of the homes already built in these neighborhoods. Additionally, the IBJ published an article today that highlights the historically high demand right now for these types of homes. Here is the link to this article.

https://www.ibj.com/articles/67334-high-end-homes-enjoy-golden-sales-year?utm_source=eight-at-8&utm_medium=newsletter&utm_campaign=2018-02-05

During the original Wood Wind review, I worked on parcel neighborhood layouts that combined the vision of the group statements to show how the parcels could look. Many felt this was a useful tool so I've done this for the Davis parcel. This layout which is attached was given to Estridge during this meeting and also given to adjoiners to review. While I can't speak for all the adjoiners, after thoroughly reading the comprehensive plan, working with many of you, and understanding the vision of the neighbors, this layout combines many of these elements in an attempt to reach common ground between 3 acre lots and .20 acre lots. The layout I've presented is a good faith effort by the neighborhood to work with this developer and would introduce housing and lot sizes not available anywhere else on the west side. It also introduces an amenity offering and open space usage not seen elsewhere in the community. Just to be perfectly transparent, this is not a low ball. I find that to be a waste of resources for all involved. My intention is to try to be fair to everyone.

Summary of Neighbor's Good Faith Effort:





1. All Homes face the roads: 156th Street, 161st Street, Ditch Road
2. Topography and Trees are preserved as much as possible
3. All side load garages
4. The Meridian and Architectural Gallery Homes (shown above) - 100% Custom - (4-sided architecture) <https://estridge.com/page.php?title=Custom%20Homes>
5. Thoughtful buffering to adjoiner – doesn't include backyards
6. See Included Layout for lot sizes and density – this shows a transition from .38 acre lots to 1.2 acre lots as you move north and west
7. Architectural Board – approves any new builder or home designs
 - a. Members: Developer, APC Member and Appointee by Township Trustee
8. Rural Lifestyle Amenities (ideas shown on attached document)
9. Density .9 per acre with 72 total homes on 80 acres
10. Keeps the 120 feet setback from the roads with trees

Summary of this Parcel:

- 75% of this parcel is surrounded by long term rural neighbors and a church
- These homes sites range in size from 3 acres to 30 acres
- Most properties have values ranging from \$650,000 - \$2,000,000.
- All of the rural neighbors have CUSTOM homes.
- 5 properties either adjoining or within line of sight are horse farms
- 1 property within line of sight has alpacas
- 3 properties adjoining or within line of sight have businesses that are contributing financially to the city beyond their property taxes.
- 25% of this parcel is across the street from Harmony
- The owners of this land are 5 Davis siblings who own 16 acres each and do not live on the property that they've inherited nor do they have children attending our schools.

We sincerely appreciate the Estridge Company reaching out to neighbors to work with us. It is critical in this juncture of the city's history that any land under consideration for rezone must have a land plan that is incredibly special. **This Davis parcel is the gateway to the New Suburban Southwest and nothing short of exceptional should be considered.** With over 1,500 lots now approved/under construction within 2 miles of

this parcel, if this plan doesn't bring something not already available to the community while following the comprehensive plan for this area, it's the definition of irresponsible development.

There are thousands of acres of land already rezoned that can be purchased by Pulte and others to build upon. This is going to become very apparent tonight at the APC when the citizens in Oak Manor are educated on the many, many potential apartments/homes that can be built on parcels already rezoned and could grow the population to an estimated 60,000 people without rezoning another parcel. (This number is an estimate based on the housing inventory.) For this reason, I'm sure we all agree that new rezones need careful and thoughtful consideration.

One other concern has emerged for the New Southwest Suburban area where I would appreciate clarification. Based on comments at the Estridge meeting, it appears that the land owned by the city for a new fire station seems to be part of the Harmony neighborhood now. If this is true, can someone please follow-up with me on where the new proposed fire station location to service all these homes on the west side is? Thanks so much!

We sincerely appreciate the opportunity given to the Westfield citizens to share our voices regarding decisions that directly impact our property values and rural lifestyles. I was helping my son study for a test about the Constitution over the weekend and was reminded of Popular Sovereignty: The principle that the people are the only source for all governmental power. The government rules through leaders elected by the people to represent the people.

The neighbors will be meeting with Estridge on Wednesday to see the revisions that they've made to the plan. It is our very desired hope, that the plan follows the comprehensive plan and is a special, unique neighborhood concept. We feel they could be an outstanding partner for this parcel and look forward to seeing their revisions.

However, if the revisions reflect a plan that looks like what is already available on the 1,500 lots currently under construction on the west side, we'll be engaging the entire community in this conversation. It will be important for them to have the opportunity to share how the residential development strategy in this community is impacting their lives, the lives of their children, their property values and their personal safety.

If anyone has questions regarding the layout, I'm more than happy to discuss. Please just let me know. Thank you again for all the time and energy that's been invested in preserving the beauty, uniqueness and rural lifestyles of the southwest corridor!

Best Regards,
Kristen Burkman

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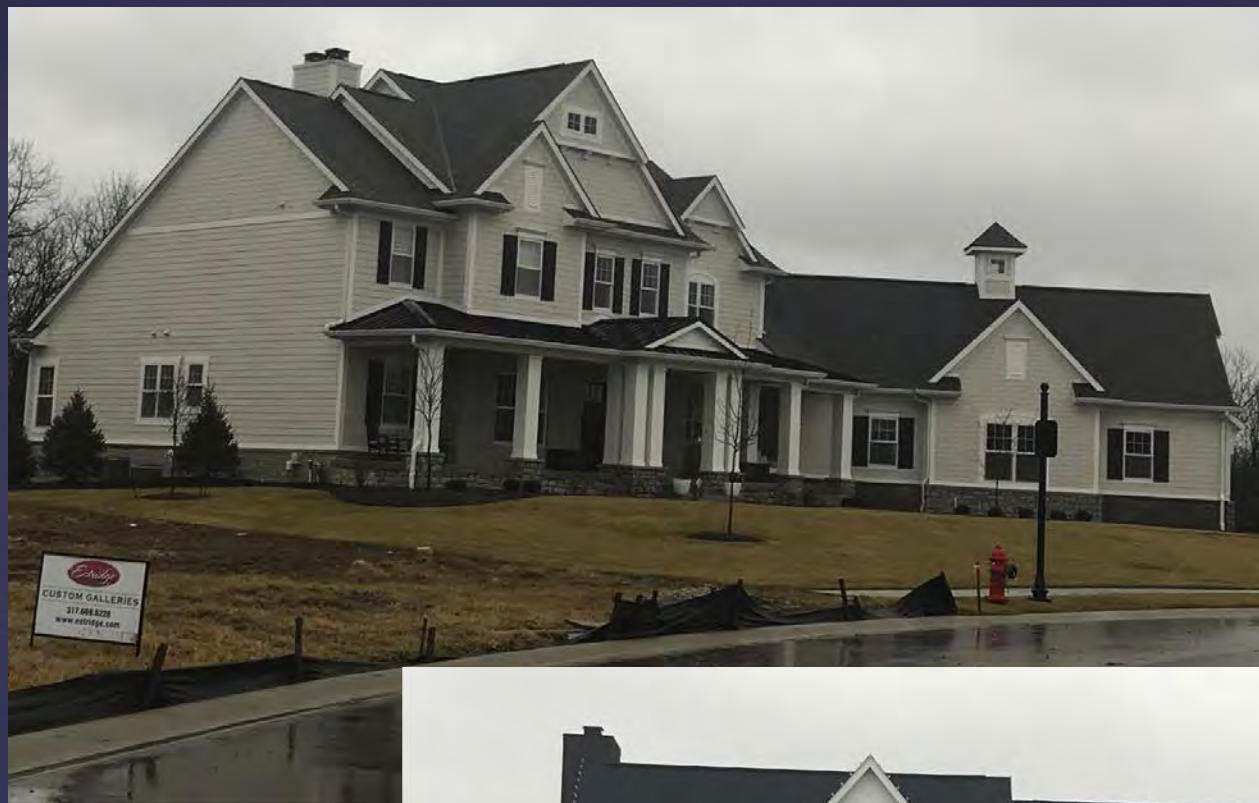
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Oxford Woods

Davis Property

of Lots

Color

Size

18



.9-1.2 acres

25



.6-.8

29



.38-.45



Vision for Davis Parcel:

1. All Homes face the roads: 156th Street, 161st Street, Ditch Road
2. Topography and Trees are preserved as much as possible
3. All side load garages
4. The Meridian and Architectural Gallery Homes (4-sided architecture)
5. Thoughtful buffering to adjoiner – doesn't include backyards
6. See Included Layout for lot sizes and density – this shows a transition from .38 acre lots to 1.2 acre lots
7. Architectural Board – approves any new builder or home designs
 - a. Members: Developer, APC Member and Appointee by Township Trustee
8. Rural Lifestyle Amenities (ideas shown below)

Amenities:

Nature Playscape Area



Fire Pits and Frisbee Golf in open space



Integrated Bike Trails, Benches, Picnic Tables around feature pond and throughout open space



Pamela Howard

From: dub164@aol.com
Sent: Friday, February 9, 2018 11:29 AM
To: APC; Council Members; Andy Cook
Subject: Re: Follow-up Notes from Davis Parcel Meeting

To all,

I wanted to keep you posted as to the recent output from the Estridge neighbor meeting. Below are the notes that were provided to the developer. Please let me know if any questions or comments.

-
Hi Roger -

Thank you again for organizing the meeting on Wednesday and engaging us in the process regarding the proposal for the Davis Parcel. We sincerely appreciate your efforts!

We wanted to summarize the positives we saw in the revisions and also highlight the areas that we believe still need improvement. We verbalized these during the meeting but wanted to get it recorded so we are all on the same page.

Great Progress:

- 161st Street with 3 - 1 acre lots and water/landscape treatments
- Creative use to remedy the water problem at 156th & Ditch with the retaining wall and walkway
- Front facing most homes along 156th Street and 161st Street
- It looks like some homes are front facing along Ditch but would like clarification on how many
- Doubling the landscape tree planting in the 30 feet buffer & eliminating shrubs along western border
- Adding additional 10 feet of reforestation buffer beyond the 30 feet buffer along Dubois residence
- All custom homes in northern section

Still Needs Attention:

- Density/Number of Homes needs to decrease more. As I mentioned the golf course is at .75 density and this is the core of this area. I believe you were at 1.5. We'd like to see bigger lots (.8 - 1.2 acre) along the entire western border and across from the rural residences on Ditch. These are large rural properties that need that type of transition and context treatment.
- Buffer treatment along the western border (Dubois Residence) - would like to see additional 20 feet of reforestation in resident's yards for a total 30 feet reforestation along with the 30 feet already committed as a spruce tree buffer. This not only protects the integrity of the Dubois residence and business but would be a selling feature on those lots. Just FYI - the precedent was set for 100 feet of buffer treatment at Liberty Ridge and that parcel also operates a business.
- Open space does not appear to be 30% on land plan - could someone send us the analysis on this? More "useable" open space appears to be needed. There is a block of 6 - 10 homes in the middle of the southern portion that could be removed to create more open space.
- Amenities/Rural Lifestyle - this appears no where on the current plan. Bike trails/walking paths (except for the walkway around pond at 156th and Ditch) are not present in this plan. Other amenities such as wooded areas with fire pits, picnic tables, etc. are not shown. Would appreciate seeing connectivity throughout the parcel to the walkway around the retention area at 156th & Ditch.
- In general, seeing character exhibits of all homes and the documentation to substantiate these homes in the PUD is needed.
- Lastly, we'd like to understand who the builders are in this development on all sections and the strategy to separate into two neighborhoods.

We are passionate about the preservation of this area and appropriate development being a part of the overall vision. Many people have worked on this vision for the southwest corridor and feel that any new development out here needs to be within the

vision and filling a market void in the area. From the beginning, we invested time with the Estridge company because we feel you could be an outstanding partner in this endeavor.

However, in the spirit of transparency, I will share with you that many citizens in this area and in this community do not want to see another parcel rezoned right now because of the crisis at our schools and the burden on the roads and public safety. There are 1500 lots available or soon to be available within 2 miles of this parcel.

Right now, while there are items that we are thrilled about - custom to the north, larger lots to the north, the creative walkway at 156th and Ditch - the southern portion of this plan looks like the same old thing available on the other 1,500 lots.

We would appreciate another meeting before you file to discuss these items. We'd like to include Dr. Van Natta, Mrs. DuBois and myself with your key players. Our neighborhood and community would love to have something innovative, unique, and market driven in this area. We all feel your company is up to the task.

Please reach out if you have any questions and if another meeting is possible.

Thanks,
Kristen Burkman

Pamela Howard

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Thursday, March 29, 2018 10:12 AM
To: Andy Cook; APC; Council Members; Pamela Howard; Danielle Tolan
Subject: Davis PUD - A Definite NO - Let's Think VISION

Dear APC, City Council and Mr. Mayor,

There are a number of reasons the submitted Estridge PUD for the Davis parcel is incredibly below the comprehensive plan requirements, market potential, contextual architectural standards, and UDO requirements. I'll list those below for your reference which will clearly demonstrate that this PUD is clearly a NO.

There are times when it is helpful to retrace history in order to move forward in the right direction for a city. I believe Westfield is at a critical juncture and decisions being made right now will have long term impacts for many years to come.

Three years ago, a group came together when it became apparent that developers were hungry to optimize their profits in the south west corridor of Westfield. This group included: Chuck Lehman, Cindy Spoljaric, Steve Hoover, Danielle Tolan, Ken Kingshill, Ginny Kelleher, Bruce VanNatta, Suzy DuBois and Kristen Burkman. Mr. Skelton was very generous to add support from the Planning and Development Department. This group drafted an addendum to the comprehensive plan for this area to further define the already approved context of the comprehensive plan. This document was not new ideas, just deeper explanations of the approved text. I'm attaching a link to this document because I believe, it's really important to look at this VISION. This document is about vision. Mayor Cook recently said he wanted the city to consider progressive development.

Definition of Progressive: favoring or advocating [progress](#), change, improvement, or reform, as opposed to wishing to maintain things as they are.

This Conservancy Addendum is the definition of progressive development. The Davis PUD is maintaining things as they are and quite frankly even worse. Please take a moment to look at this document.

http://www.westfield.in.gov/egov/documents/1454017196_36598.pdf

People in this community understand what this area should be. That's why the remonstrance on these substandard PUDs is so strong. Citizens like Noah Herron starting a wildly successful winery, Bruce and Alison VanNatta starting an incredible blackberry farm, Karen Hymbaugh hosting senior citizen therapy field trips on her farm, Tracy Pielemeier producing champion honey, and many more understand the vision for the area. These people are living it and Westfield citizens are benefitting because of it. This isn't just about the people living here, it's about the entire community.

The reason I've chosen to write my letter as a reminder of the VISION is because THE TIME IS NOW. I believe everyone from the citizens to the Mayor to the Council to the APC were blindsided three years ago by the vengeance deployed from the development community and land investors regarding this area of Westfield. It is extremely clear that this is a coveted area across the border from Carmel and Zionsville. What happens here will impact the legacy of the city. It's so unique from any other part of Westfield. We are all much wiser now so it's time to embrace and enforce the vision of the Comprehensive Plan.

I truly believe how every parcel in the SW New Suburban and SW Rural is developed from here on out in this area determines the legacy. It determines if in 20 years people drive through here and think that a forward thinking group of government officials had a vision for an area that optimized the city's AV while maintaining the rural charm or does it look like a mess of high density housing shoved among the horse farms leaving people to wonder who was in charge when this happened. Trust me the shadows of Viking Meadows loom still today and will continue to do so.

The voters of this community do not want another "maintaining the same or worse" development approved. If this isn't incredibly clear, please talk to families in this community like I do. It's the main topic everywhere I go.

Below are the multitude of problems with this PUD but I do want to highlight just a few that should immediately bring a NO vote:

1. We have no idea who the builders will be for this project (extremely concerning)
2. Language is written to flip this PUD
3. Buffer for DuBois residence doesn't meet UDO of 30 feet which as previously stated 30 feet isn't enough for this parcel (This is how I interpret the illustration they reference in addition to the language that it can be a part of residents' backyards)
4. They did add an Architectural Board as requested by neighbors but want the City Council to appoint the APC member. This is a conflict of interest given the Council has ultimate voting power. The Township Trustee should appoint the APC member given that this office doesn't have a vote.
5. Underlying zoning of SF3 that includes all approved uses could mean half the parcel is duplexes.
6. Underlying zoning of SF2 and the lots are not a minimum of 15,000. Is this permissible?
7. No Custom Homes
8. How did they figure 31% open space on this PUD?

As always, our neighborhood thanks you for the time and energy you've all dedicated to keeping this area of Westfield special. This is a gateway parcel and this PUD isn't close to being progressive, financially optimizing or within the parameters of the comprehensive plan.

Happy Easter to you and your families!

Thanks,
Kristen Burkman

- Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the lots already available on west side)
- No custom homes
- Already 1,500 lots under construction on west side
- Already 6 neighborhoods under construction within 1 mile of this parcel
- Same architectural standards on Davis PUD available in all other neighborhoods
- Underlying zoning is SF3 which would allow DUPLEXES with an amendment. Look at southeast corner on the layout and you can easily see this happening.
- Buffering for Dubois residence is 60 feet of neighbors' backyards. No dedicated buffer to this residence. This doesn't even meet the AGSF1 ordinance for buffering.
- Density 1.6 units per acre - Parcel is surrounded by 75% long term rural residents with density of .33 and less. Much too dense for this parcel.
- No four sided architecture - standards are the façade on front with plain sides and backs except for a few that border roads
- PUD is written to be highly likely to be flipped to a production builder. In section 2.3 Master Developer: Estridge Development Management LLC until such time as it transfers, or assigns, in writing its rights as Master Development. . .

- No written guarantee of builders - very likely this is being flipped to other builders
- Character exhibits are not supported in writing - remember the written standards are all that matter
- Virtually zero useable open space - they state 31% in PUD because they are counting all the water and people's backyards. This is not permissible and is ludicrous.
- They took out the pool which we said was fine if they instead developed a large open space with Frisbee golf, reforestation, fire pit gathering areas, picnic tables, bike trails so they took out the pool and scattered a few benches in people's backyards. It's so unbelievable. Basically there are no viable amenities on this plan.
- Many, many comprehensive plan violations - buffering, lifestyle degradation, devaluing of adjoining properties, not in context, density concerns, etc.
- These PUD standards do not meet the \$375,000 minimum home price for the infrastructure/school target to support the police/fire and schools.
- PUBLIC SAFETY CONCERN: City has sold the land at 156th and Ditch that was earmarked for a fire station to serve all these homes on the west side. Now, there is no land to build a new fire station and only one fire station west of 31.
- The schools are still overflowing and approving something like this would say this city administration does not care about the kids in this community. They need a chance to catch up.
- Ditch Road is a mess and is deteriorating given all the traffic and construction equipment.

Comparing Westchester and Liberty Ridge to Davis PUD. Davis PUD has none of these!!

Liberty Ridge: (keep in mind this adjoins commercial and multi-family and helped finance a church)

- *29% open space with open grass to play and run and 40% when combined with the church open space.
- *Dedicated playground not to be confused with residents' backyards
- *Pool
- *Interesting bike trails around a wetland
- *Black fence and rural landscape
- *Average 100 feet buffer to rural neighbor (ranges from 30-240 feet)

Westchester: (is helping stabilize and maintain Westfield's only public golf course)

- *Custom Home Presence
- *Variety of 3 builders with no one builder building more than 50%
- *Nice open space park with playground not in residents' backyards
- *30% open space with open grass to play on southern parcel
- *First ever conservation subdivision on golf course with estimated 65% open space
- *Density on golf course .75
- *Projected 65 feet buffer for golf course direct joiners
- *Pool access
- *4 sided architecture on all homes
- *Architectural Board to guarantee home designs and builders

Pamela Howard

From: cdavis83@indy.rr.com
Sent: Wednesday, January 17, 2018 3:54 PM
To: APC; Cindy Spoljaric; Jim Ake; Joe Edwards; Chuck Lehman; Steve Hoover; Robert Horkay; Mark Keen
Subject: Davis PUD

APC & Council Members

My name is Charles Davis and I'm part owner of this property along with my siblings. Our family has been part of this community for 80 years and I still farm this area.

Development has been marching to the north since the mid 80's one parcel after another.

If the city does nothing we become stagnant with no growth, which means no advancement for water and sewage, no road improvements, no opportunities for schools to grow, and no public golf. At meetings that we go to, the landowners continually say that they want water and sewage to their homes but what they don't realize that in order to pay for that they also need communities such as this to accommodate it.

Why can't we have development in this area? Does this area have a special zip code? We get tax statements twice a year from Hamilton County and we don't see anything marked on those statements indicating that this area is special, restricted, or endangered in any way. We don't like paying taxes but have done so for 80 years. Taxes is what supports the schools, city, roads improvements, etc.

This development by Estridge has been well thought out and within the guidelines of the Comprehensive Plan.

Change is inevitable unless you live in the past, time moves on. This is no longer a sleepy community wake up and let's move forward.

Charles Davis

Pamela Howard

From: Nancy Davis <davisn137@gmail.com>
Sent: Wednesday, January 17, 2018 4:11 PM
To: APC; Jim Ake; Chuck Lehman; Steve Hoover; Robert Horkay; Mark Keen; Cindy Spoljaric; Joe Edwards
Subject: Davis PUD

APC and City Council Members

My name is Nancy Davis and I own this property on Ditch Road between 161st and 156st Streets along with family members. Our family didn't just buy this property 5, 10 or 15 years ago like many of the other people here who have spoken today. Our family has been in this area for 80 years so we've seen a tremendous amount of change during our lifetime. My Brother actively farms this property and has since my Father passed away. Would we like to continue to farm this property? Absolutely, but with all of the building going on in the area around us it's becoming a safety hazard for us when we move equipment on Springmill, Ditch, 156th, 161st, and Towne just to mention a few roads that he has to travel. Yes, change is hard but we've learned that it happens. If you want to grow you have to have change.

There are individuals in this area who are trying to stop development in this area because they don't want it. I will be honest, when these Individuals started buying acreage for their homes, we, the farmers that remained weren't thrilled for them to start building in the area but, this was their property and they should be able to do whatever they wanted to do as it was the farmers who sold it. No one told them that they could or couldn't build or what type of house to build. Now we are asking the same respect to do the same. This isn't their land so why are they trying to direct what is done to it and what it looks like.

We have been working with Estridge for over a year on this project. Everything that they have done with this semi-custom home project has been well thought out and designed to meet the Comp Plan. The density decreases going north of 146th and east of Ditch, 1.8 units per acre which is less dense than the subdivisions to the south, southeast and east. The open space provided is twice that is required in the base zoning district. The homes in this area will be priced between 550K and 750K with a diversity of architecture. The north part of this PUD will be family homes and the south part will be empty nesters so the empty nesters will have no children to send to school.

With this will also come a new tax base to help support the city, schools, and road improvements, etc.

I would ask that you send this through to the City Council with a positive recommendation.

Nancy Davis

Pamela Howard

From: John & Laura Donaldson <jolapher@aol.com>
Sent: Tuesday, February 27, 2018 5:10 PM
To: APC; Andy Cook; Pamela Howard
Subject: next APC meeting

I see the Estridge proposal for Ditch and 156th street is on the agenda for the next APC meeting. First of all, how can an appropriate vote be done when 2 or 3 members won't be present? This is not proper constituent representation. Secondly, this proposal has absolutely NOTHING that should be approved! ... Homes not in the range to support schools or public safety, sub par architectural standards, too high density, no protection for sale to a high production builder, buffering issues, no usable open space, no amenities, and many other concerns. This is detrimental to the value of the adjoining and nearby properties! There are already SIX neighborhoods within 1 mile of this proposal and at least 1500 lots under construction. Everything about this proposal is detrimental to our schools, public safety, and infrastructure. Take a breath and stop letting developers decide the direction of this city!

Concerned Constituent,
Laura Donaldson

Pamela Howard

From: Mary Ann Hale <maryannhale@yahoo.com>
Sent: Tuesday, February 27, 2018 9:20 PM
To: Council Members; APC; Andy Cook; Pamela Howard
Subject: Stop Estridge Davis PUD at Ditch & 156th

Westfield needs high value homes to fund schools and public safety expenses. NOT \$300K or less cookie cutter developments! We need business, not more residential density to support.

The below summary is from a neighbor and I agree.

Mary Ann Hale
15767 Viking Lair Rd.
Westfield, IN 46074

Here's a quick summary of what Estridge would like to jam through... PUD allows 100% front load garages Proposed standards would allow \$200,000-\$300,000 homes to be built (because we don't have enough of those being built already!) And of course, the Developer can sell the PUD to another developer at any time, without any approval by anyone...see below: DID YOU KNOW THAT BENT CREEK is going to be building homes at \$200K LESS than was proposed at all the city meetings?? DID YOU KNOW THERE ARE already 1,500 lots under construction on west side? And that there are already 6 neighborhoods under construction with 1 mile of this parcel? Nothing new is being proposed...same architectural standards on Davis PUD as is already available in all other neighborhoods Here's an item of interest: Underlying zoning is SF3 which would allow DUPLEXES with an amendment. Look at southeast corner on the layout and you can easily this happening. Even after much discussion and meetings...the proposed buffering for Dubois tree-farm/residence uses 10 feet of back yards of residents plus 30 feet of substandard tree plantings (!) Density 1.56 units per acre - Parcel is surrounded by 75% long term rural residents with density of .33 and less. Much too dense for this parcel. No four sided architecture - standards are the façade on front with plain sides and backs except for a few that border roads (Isn't that great??!) PUD is written to be highly likely to be flipped to a production builder No written guarantee of builders No architectural board to guarantee builders or character exhibits Character exhibits are not supported in writing - remember the written standards are all that matter Virtually zero useable open space - they state 31% in PUD because they are counting all the water and people's backyards--not sure how that works. This is not permissible and is ludicrous. They took out the pool which we said was fine if they instead developed a large open space with Frisbee golf, reforestation, fire pit gathering areas, picnic tables, bike trails so they took out the pool and scattered a few benches in people's back yards. It's so unbelievable. Basically there are no viable amenities on this plan. They did put in 3 - 1 acre lots along 161st Street but given the standards and the fact that they pictured 122 lots but want approval for 125 lots, it is highly likely these will become smaller. Many, many comprehensive plan violations - buffering, lifestyle degradation, devaluing of adjoining properties, not in context, density concerns, etc. These PUD standards do not meet the \$375,000 minimum home price for the infrastructure/school target to support the police/fire and schools. Oh, and by the way: PUBLIC SAFETY CONCERN: Westfield has sold the land at 156th and Ditch that was earmarked for a fire station to serve all these homes on the west side. Now, there is no land to build a new fire station and only one fire station west of 31. And of course, the schools are still overflowing and approving something like this would say this city

administration does not care about the kids in this community. They need a chance to catch up. Ditch Road is a mess with pot holes and is deteriorating given all the traffic and construction equipment. So, I'm not sure there is an upside here. It is financially much better for the city to get some custom homes built. Tax revenue is higher, better for schools, AND there is a demand for such a product. But it will take some restraint by city government to hold out for a much better proposal.

Pamela Howard

From: Karen H <khymbaugh@yahoo.com>
Sent: Thursday, March 29, 2018 3:20 PM
To: APC; Andy Cook; Jesse Pohlman; Council Members; Ginny Kelleher; Matthew S. Skelton, Esq., AICP; Steve Hoover; Cari Hahn; Cindy Spoljaric; Kevin M. Todd, AICP; Pamela Howard
Cc: Karen Hymbaugh
Subject: Against the current Estridge DAVIS PUD

Dear Mayor Cook, City Council Member, and Planning Committee,

It looks like I am again stumped as to why the Westfield City leaders are again entertaining a PUD that is not right for Westfield. I continue to wonder why you are not holding out for what Westfield deserves, which is much better than the current Davis PUD. There is a tremendous market for 5 - 10 acre mini-farms in central Indiana and you are ignoring how this could be so beneficial for our city.

There are so many neighborhoods under construction within just a mile of this parcel. Also, there are already more than 1500 lots under construction. How many more do you need? How can our current infrastructure support this? I can't believe how horrible the drive from Town Road to the Kroger on 161st looks. Not to mention, everything is so blah. Look at the cruddy homes going up next to the school. Who would want to live in those and now this developer just wants more of the same?

I understand that Estridge Development Company has made some promises but please, we have all heard this before. Promises, promises, and then let's make a change here and there and everything looks like a production line. Also, the zoning of SF3 would allow multiple family homes and this is just not right for this area. Put those down town but not out in the country. I won't even get into the lack of this PUD meeting architectural standards. It seems like it is all hit and miss these days, some PUDs are creative and try to at least pretend they might do something nice for the building standards, and then you have this one which is just like every postage stamp neighborhood in the new construction areas.

Where is the open space? Where are the out door, community amenities? Please, please, let us at least have some of the high quality standards for building that Carmel, Zionsville, and even Fishers is having now. Westfield is starting to look like the dumping ground for the poor quality builders. This area of town should have at least 5 acre minimum lots. What is proposed is too dense with close to 2 units per acre.

What about the schools and other public safety concerns? Wasn't there supposed to be a fire station in this area to serve the West side? Have you noticed how the roads on this side of town are deteriorating from all the heavy construction traffic?

Please, why can't we start entertaining some PUDs that Westfield deserves? More 5 - 10 acre lots, with beautiful landscaping and mini-farms and horse farms.

Please help keep Westfield a nice place to live and not just back to back houses so that the developers get rich.

Thanks again for letting me voice my opinion. And, as always, I invite any and all of you out to my little Red Wing Farm so that you can see what we could be promoting in this area. I will give you a dozen fresh eggs too.

All the best,
Karen Hymbaugh
2929 W 159th Street

To: Westfield Plan Commission Members

Cc: Westfield Mayor, Andy Cook

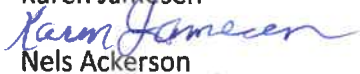
Westfield City Council Members

This letter is in support of the Davis/Estridge development project. The Davis family, owners of this property, are lifelong residents of this Westfield community. Their farm is no longer in a location conducive to traditional farming and they have depended on the Comprehensive Plan approved by Westfield to develop their land. Their proposal is consistent with this plan. We urge the city to support the plan which they approved and landowners depend on.

As long term owners of over 200 acres of nearby land in a community that we care about, we believe the quality of this proposal will be an asset to the community and to nearby residents and land owners. This proposal has exceeded requirements in providing high quality residential homes with limited density, a high percentage of open space, and buffering.

We appreciate your serious consideration for approval of this proposal.

Karen Jamesen



Nels Ackerson



Pamela Howard

From: Ross Laufert <rosslaufert@hotmail.com>
Sent: Wednesday, March 28, 2018 3:06 PM
To: APC; Andy Cook; Council Members; Pamela Howard
Cc: Kristen Burkman; tinalaufert@sbcglobal.net
Subject: DAVIS PUD Going to APC Monday Night

We are against development that does not meet our Westfield UDO and comprehensive plan We are also against developers that disrespect our people and our standards.

Please vote no for this plan.

Best Regards,
Ross and Tina Laufert

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Wednesday, March 28, 2018 10:46 AM
Subject: DAVIS PUD Going to APC Monday Night - NEED LETTERS

Dear Neighbors -

The Davis PUD is going for a recommendation next Monday, April 2nd at 7:00 pm. I apologize for the timing of this but of course have no control over it. It is purposeful and disrespectful to our neighborhood and the entire Westfield community to allow a developer to come forward for a vote on more new construction the day after Easter and during Spring Break. However, that's the hand we are dealt once again. The PUD will be posted later in the week with the APC agenda if you want to wait and view it before sending your letter.

I know many of you will be out of town and are very busy but please take 5 minutes, use the bullets below and **SEND AN EMAIL to the APC, Council and Mayor against this proposal.**

There is not a public hearing - all we need are letters and lots of them. It's a long email but it's broken into three components:

1. Problems with the PUD when considering the comprehensive plan, UDO, and market conditions
2. Summary of verbal commitments that Estridge made during meetings vs. reality of what's written in PUD
3. Summary of attributes at Liberty Ridge and Westchester - this PUD has none of these

Please use whatever you find most impactful. Send letters by Sunday.

Happy Easter to you all and as always thanks so much for your time and efforts!!!!

Kristen

councilmembers@westfield.in.gov

Here's a quick summary of the problems you can use for your letter:

- Standards would allow \$200,000-\$300,000 homes to be built (same price point as many of the lots already available on west side)
- No custom homes
- Already 1,500 lots under construction on west side
- Already 6 neighborhoods under construction within 1 mile of this parcel
- Same architectural standards on Davis PUD available in all other neighborhoods
- Underlying zoning is SF3 which would allow DUPLEXES with an amendment. Look at southeast corner on the layout and you can easily see this happening.
- Buffering for Dubois residence is 60 feet of neighbors' backyards. No dedicated buffer to this residence. This doesn't even meet the AGSF1 ordinance for buffering.
- Density 1.6 units per acre - Parcel is surrounded by 75% long term rural residents with density of .33 and less. Much too dense for this parcel.
- No four sided architecture - standards are the façade on front with plain sides and backs except for a few that border roads
- PUD is written to be highly likely to be flipped to a production builder. In section 2.3 Master Developer: Estridge Development Management LLC until such time as it transfers, or assigns, in writing its rights as Master Development. . .
- No written guarantee of builders - very likely this is being flipped to other builders
- Character exhibits are not supported in writing - remember the written standards are all that matter
- Virtually zero useable open space - they state 31% in PUD because they are counting all the water and people's backyards. This is not permissible and is ludicrous.
- They took out the pool which we said was fine if they instead developed a large open space with Frisbee golf, reforestation, fire pit gathering areas, picnic tables, bike trails so they took out the pool and scattered a few benches in people's back yards. It's so unbelievable. Basically there are no viable amenities on this plan.
- Many, many comprehensive plan violations - buffering, lifestyle degradation, devaluing of adjoining properties, not in context, density concerns, etc.
- These PUD standards do not meet the \$375,000 minimum home price for the infrastructure/school target to support the police/fire and schools.
- PUBLIC SAFETY CONCERN: City has sold the land at 156th and Ditch that was earmarked for a fire station to serve all these homes on the west side. Now, there is no land to build a new fire station and only one fire station west of 31.
- The schools are still overflowing and approving something like this would say this city administration does not care about the kids in this community. They need a chance to catch up.
- Ditch Road is a mess and is deteriorating given all the traffic and construction equipment. You may know of other problems as well.

Summary of Meetings with Estridge:

Verbal Commitments made by Estridge at Neighbor Meetings that are not in PUD

- **Estridge:** All architecture will be four-sided like is committed in the Westchester PUD. We understand the concern. Also said this at the Public Hearing to APC and showed pictures. **Reality:** No commitments are made for 100% 4-sided architecture. There are a few side/rear architecture commitments for homes with road views.
- **Estridge:** Every home will be side load garages. **Reality:** 100 of the 125 have rear or sideload.
- **Estridge:** They see a market void in the \$600,000 - \$800,000 home prices for this area so that's what they'd like to target. Stated this at public hearing as well. **Reality:** Written standards would allow \$200,000 - \$300,000 homes to be built on every lot.
- **Estridge:** They had a pool amenity on the plan and the neighbors said they could remove this and replace it with rural/outdoor amenities. The neighbor recommendation was a large open space with reforestation and bike trails, Frisbee golf, fire pit gathering areas, picnic tables, and benches. Estridge said they loved these ideas and the pool would cost \$600,000 to put in so they could reallocate the money to these ideas. **Reality:** They took out the pool, didn't add any open space, the sparse bike trails are an afterthought with no connectivity and they put some benches and a fire pit gathering literally in people's back yards. They put the \$600,000 back in their pocket.
- **Estridge:** They offered the DuBois residence 60 feet of buffer of the residents' backyards - doesn't even meet the UDO of 30 dedicated feet. Liberty Ridge averages 100 feet and the neighbors at Westchester have agreed to 65 feet of buffer, mounding, a fence and heavy landscaping.. **Reality:** This is incredibly disrespectful. We all know that you can't guarantee a back yard as a buffer.

- **Neighbors:** The density is too high. 75% of the parcel is surrounded by neighbors on 3 - 30 acres. A total of 125 homes at 1.6 density is the current PUD. As a comparison, Wood Wind is at .75 density. **Reality:** Estridge hasn't given on this at all. All developers know they have to take out a few houses which is what they did.
- **Neighbors:** Requested all rural adjoiners have 1 acre lots across the street or adjoining. **Reality:** Estridge put in 3 - 1 acre lots along 161st Street. First major concern: the Ditch Road adjoiners and the Dubois residence did not receive this. Second major concern is the standards don't support that these 1 acre lots will stay. One amendment will change this when Estridge says no one wants to build on those one acre lots because what is around it isn't in context.

Comparing Westchester and Liberty Ridge to Davis PUD. Davis PUD has none of these!!

Liberty Ridge: (keep in mind this adjoins commercial and multi-family and helped finance a church)

*29% open space with open grass to play and run and 40% when combined with the church open space.

*Dedicated playground not to be confused with residents' backyards

*Pool

*Interesting bike trails around a wetland

*Black fence and rural landscape

*Average 100 feet buffer to rural neighbor (ranges from 30-240 feet)

Westchester: (is helping stabilize and maintain Westfield's only public golf course)

*Custom Home Presence

*Variety of 3 builders with no one builder building more than 50%

*Nice open space park with playground not in residents' backyards

*30% open space with open grass to play on southern parcel

*First ever conservation subdivision on golf course with estimated 65% open space

*Density on golf course .75

*Projected 65 feet buffer for golf course direct adjoiners

*Pool access

*4 sided architecture on all homes

*Architectural Board to guarantee home designs and builders

Pamela Howard

From: Tracy P <netherfield101@gmail.com>
Sent: Saturday, January 20, 2018 10:39 AM
To: APC; Council Members; Andy Cook
Subject: Davis and Chance PUD's

APC Members:

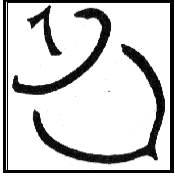
I wanted to let you know how much I appreciate the atmosphere at last week's APC meeting. I really felt like there has been a change in how developers are approaching and in how the commission is viewing things. In the past, I have always felt completely hopeless, really--like the public hearings are just an annoyance that you have to endure. And perhaps the mass of remonstrants have finally made the point that this City needs to make very wise choices and pay close attention...but I felt like there was a different attitude coming back from your board, and I appreciate it.

I want to also say that anyone who thinks "the schools are doing fine," must not have a child in the school system anytime recently. I do not speak for the school system, obviously, but I am a schoolbus driver. WWS bought 8 new buses last year, and they aren't enough. I drive through several unfinished neighborhoods, and we continue to add stops all the time. All these developers like to say "Empty Nester" and "Active Adult" homes, implying that there won't be an added child load to the school system....that is a load of horse hockey. Those code words for small house, will not stop small families from coming north to what they hear are great schools. And flooded schools are not going to stay great. Real "empty nesters" are all moving south--don't kid yourself! :)

I also noticed that Mr. David Compton came in to listen as the Chance proposal was being given....interesting. Perhaps the new plan is for Pulte to snap up PUD's once they are approved, rather than put themselves out there for the process. In that case, do us all a favor and make those PUD's airtight. If the north side of Westfield can have gorgeous custom homes, why can't the west side?? Let me reiterate: The Bent Creek homes are now listing for \$200K LESS than was proposed and promised with Langston....and they are being built by PULTE.

PLEASE keep up the good fight.

Tom and Tracy Pielemeier



Acorn Woodworks

David R. Sochar

P.O. Box 468
Westfield, IN 46074
317-867-4377
acornw@frontier.com

Advance Planning Council Members
Mayor Cook

3.28.18

I have just discovered that Estridge Corp wishes to propose the Davis property development Monday night. Once again, short notice disrespects us all. This is what I have come to expect from Estridge and other developers.

So I will, once again, attempt to convey my convictions that this development is not good for Westfield. My neighbors and I met with Estridge and others on two occasions to work out changes and help find common ground. We came away from those meetings thinking it might be the best we can get, as long as the changes proposed were implemented. Since the Councils do not seem to recognize their constituent's desire for a rural district that will retain its (relatively) large parcel character, one cannot be sure how these things will go. But the development as discussed was probably worthy of our collective support.

Apparently, the recent submittals to the APC have absolutely none of the details that were agreed upon at these meetings. The meetings were a complete hoax, used by Estridge for whatever sad purpose, I do not know. A complete waste of time and effort. Extremely disrespectful and proves his ongoing untrustworthiness. He even went so far as to chide my apparent distrust of the "poor developer" with some remarks feigning injury. Now we see why the distrust, and why it runs deeply. This is not a man to trust. Not a man to partner with in a progressive community. We are not desperate.

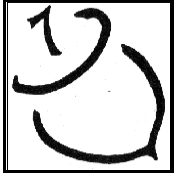
If you wish a description of the items he agreed to, I would be happy to furnish one. You will not recognize it, if you have looked at what he is proposing for Monday night.

So, we are, once again, faced with another lackluster, cookie cutter, repetitive neighborhood that does nothing but enrich Estridge (or other developer since he can dump this one another if he wishes). It will not contribute to the schools or tax base, but instead will burden all taxpayers in the form of increases as requested frequently by the schools. It is unfair to transfer this responsibility to the schools, win or lose. To make them the 'bad' guy.

Once again, I will explain that there are already so many houses, neighborhoods under the blade to come online, that this will certainly only add to the glut. To the sprawl. To the further mediocrity of development occurring under the tenure of City officials.

Anything on the Davis property needs to be 4 sided architecture. The houses need to face their neighbors – not turn their back to the community at large – on both 161st and Ditch Road.

We need a guarantee of builders, preferably custom builders, as Junior had agreed to.



Acorn Woodworks

David R. Sochar

P.O. Box 468
Westfield, IN 46074
317-867-4377
acornw@frontier.com

We need to have development that will easily support the schools and other community assets.

The entire proposal needs to be brought up to comprehensive plan standards, especially including the context of the area surrounding Davis.

I am angry. I met with the man with an open mind, cynicism and prejudice set aside. I was lied to. Not just a little bit, but in an organized and very deliberate manner. We were all lied to. I matter little in the larger picture, but this is not a person to be dealt with, other than dismissed.

I have spent a good part of my 35 years in Westfield arguing that we are in the catbird seat. We can set a high bar and meet the standards we want as a community. The development will come, that we can prepare and reap the benefits of that preparation.

However, none of that was done, and the bar was set low, development is rampant and functionally completely unplanned. This community will struggle in the near future to understand why the island neighborhoods, walled off to everyone else. Why the Downtown is ignored and wallowing while fast food joints clutter the new roads - built for the citizens or the restaurants? Why the school standards are going to drop. Why there are as many as 30 dump trucks per hour rumbling thru the center of the City. Why the roads are so poor, and will never be adequate, always behind, never ahead of the curve of this pace of development.

So again, I ask that Mr Estridge be declined on many counts. I would also ask that he is asked to stop wasting your time and mine with these types of ridiculous proposals. We are better than this, are we not?

Sincerely,

David R Sochar
Cynthia R Sochar

Pamela Howard

From: Roadrunner <bvannatta@indy.rr.com>
Sent: Sunday, February 25, 2018 7:18 PM
To: APC; Council Members; Andy Cook; Matt Skelton
Subject: Davis PUD
Attachments: PastedGraphic-1.pdf; Untitled attachment 00048.html

Dear Westfield Officials,

I am writing in regards to the Davis PUD. I truly believe that Ditch Road north of 156th is a line in the sand. You all are aware that there has been essentially no custom development in the western part of Westfield. This parcel could be ideal, given its location/proximity to the larger properties and to the golf course, for some type of custom development. Something really special could be done with this. Instead, with the language of this PUD, it is at best Harmony North--and looking closely at the language, the southern part could easily become The Enclave by Pulte.

I met with Paul and his team three weeks ago. I want to share with you that Paul and his team all complained that they get absolutely no direction out of Westfield. They said they and other developers would like nothing better than to have a rule book from Westfield for guidance--but instead they get nothing. They say they get this direction from Carmel ("they tell us what screws to use"), Zionsville and even Noblesville— but get no guidance from Westfield.

Paul has repeatedly said that he wants to build houses in the \$600-800K range for this, but the language in the PUD isn't even close. The lots are too small— should be 20,000 sq ft minimum, and increase in size as they move north and west. Also, the square footage requirements for the homes are way too small. Paul is building custom homes in Zionsville that are 4000-5000 sq ft.(see below) Why isn't he offering these for this parcel?? Many of the exhibits he uses in the Davis PUD are from his Springmill Collection which are in the \$400K range. The PUD states that the master developer can sell all or part of this(2.3). This PUD is ripe to be sold-- most likely to Pulte—who's been on a tear buying up PUDs— and who can be counted on to build to the lowest standard of the language— just as they are doing in Bent Creek, Tamarack and elsewhere.

There are so many problems with the language of this PUD that it is hard to know where to start. The original version was the exact same language as the recently pulled Chance parcel— identical. Subsequently, some typical window dressing language was added—none of it substantive. Clearly there is no 360 degree architecture which was promised at the neighborhood meetings. The buffer to the DuBois property is a joke. The density up against the Konsantos property is way too high as well, with inadequate buffering, which will clearly devalue their 20 acre parcel. The use of Restricted Open Space Buffers (ROSB)(7.2A) is insulting and a con game. First of all, Liberty Ridge had 100 foot buffers; Westchester has 65 ft— both without involving any private lots. High density going against these larger properties must have this at a minimum. The PUD says: ROSB's "may be located within private Lots"!! Estridge is double dipping here. He uses private lots for buffer and counts it as green space as well! Lot owners can put a fire pit and patio on these ROSBs. Have a party and be able to throw beer cans across the fence onto the adjoining properties. Completely unacceptable. The language for landscaping within the "buffer" is ridiculously minimal(7.2E). In the reforestation language up to 75% of the required evergreen trees may be substituted with shade trees?!? A casual glance at the site plan reveals virtually no true green space— mostly retention ponds and ROSB's. Pathetic and unacceptable.

This proposal flies in the face of the intentions of the Comp Plan for this area. It should be no more than SF2 as are Bent Creek and Maple Ridge. The Comp Plan calls for decreasing density, better transitions and buffers to

protect existing stable rural uses and to maintain property values. This plan grossly devalues the area and the adjoining properties' value. It opens the barn door for future developers to claim: he did it, why can't we? I have heard that there is sympathy for Paul that he can't make money without this density. Not our problem. Let someone else figure it out. Estridge's development business is just that— a business. Westfield has absolutely no fiduciary responsibility to facilitate an unacceptable development in his interest. Similarly I have heard sympathy for the Davis family to receive top dollar for their property. We must realize that real estate is an investment, just like the stock market. There are no guarantees of value or liquidity. No one guarantees my 401K and Westfield has no fiduciary responsibility to assure the sale of the Davis parcel. The majority of that clan has bailed out of Westfield. They have no interest in the community. They simply want to cash out at top dollar. Not our problem. They will ultimately sell the parcel at a significant return. They need a developer with vision to do what is called for in this area and offer something that meets the needs of the community. We— Westfield-- need the balance of adding custom development on the west side that is context sensitive.

Paul wanted direction. I think its time we gave him some. My suggestion is to advise him to withdraw this. Then, lay out guidelines of what minimal requirements are expected to assure the promised home size/price points are achieved, larger lot sizes--significantly larger, better landscaped buffers, more true green space, etc. In essence we need to tell him he needs to build Oxford Woods on this parcel. He's doing it in Zionsville, he can do it here. If this goes through as currently configured I'm afraid the proverbial fecal matter is about to hit the fan.

In the end, its all about the language of the PUD. The submitted language makes the community extremely vulnerable. If approved this development will significantly devalue existing long term residents property values— the very people who are committed to this community for the long haul. Furthermore it will squander an opportunity to create something special in this area— something that can serve as another attraction for major businesses looking to relocate. Lets not screw this up.

Thank you for your attention.

Sincerely,

Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074

317-442-4181



Oxford Woods
\$500K-\$1M



Pamela Howard

From: Sandra Wilds <swilds@wildshc.com>
Sent: Wednesday, February 28, 2018 9:24 PM
To: Council Members; Andy Cook; Pamela Howard; APC
Cc: Terry Wilds
Subject: - Davis PUD

Re: Concerns regarding the Davis PUD

We are once again hoping to convey in writing our deep concerns and disappointment with the PUD submitted by Estridge for the property located on the SW corner of 161st and Ditch Roads. Our family has lived at 15919 Ditch Rd. for 37 years, choosing to build in “rural” Westfield because we wanted a lifestyle unavailable in Carmel, Zionsville or Noblesville. We have been proud citizens watching the growth of our community as other families like ours made the choice to live in what Westfield offered versus what the surrounding cities could offer.

In good faith and diligence we have attended the public hearings to voice our concerns and we have also taken time from our workdays to meet with Estridge Developers. Unfortunately while Mr. Estridge has verbalized his understanding of our and our neighbors concerns about the density and style of the homes proposed the PUD that is submitted does not reflect his verbal agreement with our concerns. After reviewing the PUD which Mr. Estridge is submitting for approval it is very apparent that what he stated in the neighborhood meetings was merely said to appease the attendees with no honest or sincere intent to incorporate any changes to the PUD.

The proposed PUD is unacceptable and we are requesting that the PUD be rejected. Westfield deserves to have developers acknowledge the desirability of our City and we need to expect them to not only listen to our concerns but agree to build housing that is highly desirable and offers something more than what is readily available.

We understand that the Davis family can rightfully sell their property and we have long believed the time would come for their farm to be developed into homesites but, we have also continued to believe that this area would be developed with consideration to the current residents input and the guidelines proposed in the Comprehensive Plan. May I also note that members of the Davis family were involved in the drafting of the Comprehensive Plan and are well aware of the views of their neighboring homeowners with regard to density and types of homesteads desired in this area.

We are hopeful that as the leaders of Westfield you will listen to our concerns and understand why we are alarmed and fearful that “Westfield” may continue to permit unchecked growth in the form of mass produced homes versus choosing to save the limited acreage left in Westfield to offer a quality of life that cannot be replaced once it is gone. We are more than willing to meet to further discuss our concerns with City leaders and hope you take our concerns seriously.

Sincerely,

Terry and Sandy Wilds

Pamela Howard

From: Kristen Burkman <rkburkman@gmail.com>
Sent: Tuesday, January 16, 2018 2:54 PM
To: APC; Council Members; Andy Cook; Pamela Howard
Subject: Davis and Chance/Chapman PUDs

Dear APC, City Councilors and Mr. Mayor,

Tonight, two more developments have begun through the city's development process in the southwest corridor of Westfield. These two parcels, Davis and Chance/Chapman, are gateway parcels into the New Suburban Southwest. They both border Ditch Road which is the beginning of this area. When people drive down 161st Street at Ditch Road, they note the horse farms, alpacas, orchards, nursery, and open space due to long term stable rural residents.

This is why these parcels must be viewed strategically by the city. They are surrounded by large home sites and custom homes. The assessed value opportunity on these parcels is sky high and the opportunity to offer custom homes, which is a desperate market void on the west side, is the best use of this land. The homes need to be on larger acre lots or in a conservation neighborhood format. Westchester will have the first example in the city of a conservation neighborhood on the main golf course section. A conservation neighborhood clusters homes on smaller lots with vast open space around them.

These two PUDs exhibit the following problems:

- Don't meet the comprehensive plan
- Lack adequate open space
- Have insulting buffers against horse farms
- Lack architecture standards that support character exhibits and don't guarantee 4-sided architecture
- Add to the 1,500 lots under construction within 2 miles of these parcels
- Chance/Chapman doesn't have any amenities for residents
- Davis amenities are not guaranteed and can be changed with Director's approval
- They don't optimize this location or create interesting neighborhoods not already happening two miles away

We now have 1,500 lots under construction or soon to be within 2 miles of these parcels. These proposals are basically the same thing as Harmony, Viking Meadows, Wilshire, and West Rail.

The precedent has been set in this area for homes to face the roadways. Neither of these plans do this. The open space near 146th Street in Liberty Ridge and Section A of Westchester have 30%. This is supposed to increase as it moves to the core which is 161st Street. The open space on the golf course is approximately 65% so that happened. The architecture standards in these PUDs do not include taking the predominant feature (brick, stone, etc.) and carrying it to all 4 sides as was just approved at Westchester.

The buffering in this area is of an utmost critical nature because there are three horse farms abutting these parcels. These long term rural residents cannot have children wandering over to the horses and causing them a liability problem. The buffering in both plans is inadequate.

I'm confused when it became the norm to propose neighborhoods with tiny lots, basically no open space for active play and no amenities. If this is what people want, I'd appreciate seeing the market data to support this.

Westfield does not need more of the same and that's exactly what is before you tonight. A fresh, interesting and unique approach to development is needed and this area of Westfield literally rolls out the red carpet for this to happen. Let's not squander a high assessed value guarantee. Let's be the leaders of a new and dynamic approach that elevates and optimizes a strategic opportunity for the city of Westfield.

Best Regards,
Kristen Burkman

*Ms. Howard - Please place this letter as a remonstrance against both the Davis and Chance PUDs. Many thanks!

Pamela Howard

From: Judy Crandall <hoosier824jc@gmail.com>
Sent: Tuesday, January 16, 2018 11:00 AM
To: APC
Subject: Davis PUD (Waterford)

Dear Mayor, APC Members and City Council Members,

Thank you and I greatly appreciate the significant amount of time and effort the members are spending on this proposal for the Davis PUD (Waterford).

My name is Judy Davis Crandall and part owner in this property. Our family has been part of this community for over 80 years and we continue farm, pay taxes and be a part of this community. Due to the growth in this area which is part of the New Suburban Southwest as per the Comprehensive Plan it is become increasing difficult to farm this property. We would like the opportunity as farmers and landowners to sell our property as everyone else has had up until this point. I hope everyone understands that if you have purchased property in this area you have purchased it from farmers such as us and you would not be here without this opportunity.

I believe Paul Estridge is a man of great integrity, character, capability, reputation and a respected developer. He has made every effort to comply with the Comprehensive Plan, APC members, City Council and neighbors of this community. This project is not a cookie cutter project; it is a semi custom home project. It is one that has been well thought through in the design and architecture. It is our understanding that the Comprehensive Plan is not law but rather it is intended to serve as a guide in making land use decisions. It is there to ensure that development occurs in a way that is contiguous with development in the area. Our property is bordered on all sides with Harmony, Centennial, West Rail, and Derby Ridge. In close proximity is Liberty Ridge, Bent Creek, Central Christian Church and now with the approval of Westchester and the introduction with the Chance PUD. We understand as per the Comprehensive Plan that density is supposed to get less dense the farther west of Ditch, North of 146th and south of state road 32.

Other things to consider is the fact that overcrowding in schools keep coming up. The school system has provided input through TAC meetings and it has raised no issues. Also, the fact is that a little under half of these homes proposed in this area are "empty nesters". So there will no children going into the school system.

Please keep in mind, where are all the teachers, firemen, police officers and other residents going to find affordable housing? We don't need million dollar homes in this area; there is nothing to support it as some people want you to believe.

People are also talking about traffic on 161st street. There is no entrance to this neighborhood on 161st. If anything they will use Ditch or 156th mostly.

Please send this proposal on to the City Council with a positive recommendation.

Thank you for your time.

Judy Crandall

15124 Kampen Circle

Carmel, In 46033
the Westfield area where we pay taxes to Westfield, utilities, etc

(our address is Carmel but we are in

Pamela Howard

From: Ken Kingshill <kenkingshill@gmail.com>
Sent: Tuesday, January 16, 2018 12:21 PM
To: APC
Subject: Davis PUD

Dear APC Members:

I oppose the Davis PUD for the same reasons that the Tamarack PUD was rejected two years ago. Extending Harmony to the north simply is not a good fit for the area. This land is surrounded on three sides by large estate lots with custom homes. The Comprehensive Plan clearly states that as we move west from Ditch Road and north from 146th Street, density should decrease and lot sizes should increase. This was to preserve the character of the area. Harmony is appropriate between 146th Street and 156th Street, but it needs to stop there. It does not complement the character of the area between 156th and 166th Streets.

If you are inclined to move this PUD forward, please require larger lot sizes and that lots on Ditch Road and 161st street face the streets rather than back up to them. This will have the additional beneficial effect of reducing the number of lots that can be located on the parcel, thereby reducing density.

Thank you for your consideration.

Ken Kingshill

Pamela Howard

From: mindy martin <mindy.martin@att.net>
Sent: Tuesday, January 16, 2018 11:14 AM
To: Council Members; Andy Cook; APC; phoward@westfieldin.gov
Subject: Waterford PUD

Officials of Westfield,

I am not for the Waterford PUD on the Davis's land. It does not in any way fit into the properties that are already in this area. It shows no sign of the housing becoming less dense or being in context with what is already in this area as the Comprehensive Plan states. The Comp. Plan does state that. This PUD also does not have adequate buffering to the RURAL neighbors that it would impact. There is suppose to be a transition from the city to the country and this plan does not at all meet those standards. This plan has many faults besides what I've just stated and should not be considered for approval to ruin the country.

Mindy Martin
1839 W 166 St.
Westfield IN. 46074
mindy.martin@att.net

Pamela Howard

From: mindy martin <mindy.martin@att.net>
Sent: Tuesday, January 16, 2018 12:07 PM
To: Council Members; Andy Cook; APC
Subject: Waterford PUD

Town officials,

I am not for the Waterford PUD. It is not in any way a plan that needs to be put in the country. Especially with how the Comprehensive Plan states that it is completely wrong for this area.

Nate Martin
1839 W 166 St
Westfield IN 46074

Pamela Howard

From: Becky Moyer <rebeccalynnreese@gmail.com>
Sent: Tuesday, January 16, 2018 10:30 AM
To: APC; Pamela Howard; Andy Cook; Council Members
Subject: Chance & Davis PUD

Advisory Plan Commission,

Our neighborhood is tired of developers submitting the same recipes to cook up bland "cookie cutter" subdivisions over and over. The Chance & Davis PUDs are not context-sensitive with the neighborhood. Development in this area should be designed around protected greenspace rather than aim for the bare minimum needed to bargain for approval.

Please work with the developers to reduce the density, increase open space, and preserve the natural areas that make this area of Westfield unique.

Sincerely,

Rebecca Moyer
Rural Southwest Resident

Pamela Howard

From: Richard Passman <rpasman@indy.rr.com>
Sent: Tuesday, January 16, 2018 11:09 AM
To: Council Members; APC; Pamela Howard; Andy Cook
Subject: Comments that apply to 2 Agenda items for APC meeting tonight

Westfield-Washington Advisory Plan Commission Members

I live at 151st & Shelborne Road.

I recently attended the public meeting where the plans for Waterford were presented (at 161 & Ditch road). I understand there is another PUD for 166 and Ditch. The Waterford plan appeared to have very nice homes, but it put as many of these homes as possible onto the site. It was designed to look great when you were inside the development, but it was not clear what it would look like from the outside looking in, because we only saw a plan view. All the homes faced the inside; backs of all homes facing out. It appeared to me that every possible square foot was either retention ponds or lots. Buffer areas were planned, but not detailed at that time. **Please delay approval of these two proposals. The pattern that I have seen, is that the first proposal is one that is best for the developer, and that they improve the proposal only after the APC and the public insist on changes / improvements.**

I am very concerned by the rapid pace of development in the this area (SW quadrant). There are already developments under construction or planned seemingly everywhere, as I drive NE toward Westfield. I believe this area is attractive because it has a rural atmosphere, but that rural atmosphere will be lost forever if we don't enforce the transition from dense housing developments to rural farms. Developments in this area (where these two are proposed) really should embody a noticeable transition to lower density. The developer compares his development to Centennial to show that it is lower density, but being slightly lower density than Centennial I not enough. Refer to Autumn Woods Drive, south of 146th st, just west of Ditch as an example. That lower density type of development would make a reasonable transition to the existing small rural farms and 3 plus acre home sites that currently define this area. We were told that if they increase open area, then the lot size reduces – that is because they want to keep the same large number of homes per site. These “transition” developments must have a significantly reduced home density, otherwise, they simply continue the typical home development pattern right through the rural area.

Thank you,

Richard Passman

Pamela Howard

From: Carol Whitson <carol.j.whitson@gmail.com>
Sent: Tuesday, January 16, 2018 10:02 AM
To: APC; Jim Ake; Chuck Lehman; Robert Horkay; Steve Hoover; Joe Edwards; Mark Keen; Cindy Spoljaric
Subject: Davis PUD, APC meeting January 16, 2018

APC members, Mayor Cook, Westfield City Council Members,

My name is Carol Davis Whitson and I am one of the co-owners of the 80 acre Davis PUD which is west of Ditch Road, between 156th and 161st Streets. Our family has been in the area over 80 years.

1. Paul Estridge and his team have carefully planned this development to meet the guidelines of the Westfield Comprehensive Plan.
2. In this PUD, the lot square footage is greater than those of the existing and planned PUD's to the east, west, north and south of the 80 acres.
3. The density is also less than the surrounding neighborhood PUD's.
4. The city of Westfield will be receiving tax money from the homes that will be sold and occupied in this PUD over the next several years which the city will use for roads, schools, utilities, etc. for Westfield's benefit.

Please approve this PUD.

Thank you.

Carol Davis Whitson

Pamela Howard

From: Terry Wilds <terry@tpcmech.com>
Sent: Tuesday, January 16, 2018 10:59 AM
To: acook@iwestfield.in.gov
Cc: Pamela Howard; gkelleher@westfield.in.gov; cwoodard@westfiels.in.gov; Bob Smith; swillis@westfield.in.gov; amaue@westfield.in.gov
Subject: FW: David PUD - Chapman Parcels
Attachments: IMG_2994.jpg; IMG_2995.jpg; IMG_2964.jpg; IMG_2962.jpg

See attached and below, thank you, having email issues this a.m.
Thank you.

Terry L. Wilds
President
Tank and Piping Contractors, Inc.
P.O. Box 3160
Carmel, Ind. 46082
Mobile (317)-590-5565
Office (317)-846-4768
Fax (317)-846-4788
Email terry@tpcmech.com
Web www.tpcmech.com



From: Terry Wilds
Sent: Tuesday, January 16, 2018 10:26 AM
To: councilmembers@westfield.in.gov
Cc: acook@westfield.in.gov
Subject: David PUD - Chapman Parcels

First of all, thank you for your time .

Building at 15919 Ditch Road in 1981 was a great decision for my family. The school system was not in great shape , my oldest daughter who entered the 1st grade in 1983 had more than ½ her class mates on the Federal / State school lunch program.

We didn't see or hear a snow plow till about 1985. That night in 85, we heard a terrible noise coming down the chip and tar road. It was actually a large grader plowing the road , the drifts were 2-4 feet high. It was like seeing Santa for the first time.

If it wouldn't have been for the Davis family clearing the ALL roads in order to feed and tend to their livestock, I'm not sure exactly what everyone would have done then, and after that.

Last night we heard a snow plow go up and down Ditch Road about 4 times. I thought he may have been lost. But times have changed and certainly for the better.

The Davis family have a great piece of property and there can be a much better development built. The so called high end Estridge development lacks many of the requirements as previously set forth in the Comprehensive Plan for the area.

I have attached several pictures that are from the Harmony project, the backs of the homes are facing Ditch Road about 120 foot of the roadway. Is this what you what to see in our area ? Our area along with every piece of dirt left in Westfield is worth more than fabricated housing.

Why is the East side of U.S. 31 , held to a higher standard. You chosen people along with the Mayor, need to DEMAND more and not less.

Estridge is backed by finical investors whom do not live in our area. They live in Carmel or Zionsville and they want nothing built in their areas that look like the proposed homes. **This is about a return on THEIR investment..**

Paul Estridge spoke about having 4 sided stone and architure, but the proposed PUD calls for nothing. We/ us/you are only going to get what you stick them with. I'm a contractor as well, it's the mentality of most contractors, push, push, and promise. Then, do what you want when passed.

When I showed Paul Estridge the pictures of these homes that face Ditch and what they look like. His comment was, where are these taken from, they don't look good at all. EXACTLY my point.

That's what I'm saying, hold them accountable, there's only so much dirt and water left. It's worth a lot, and it demands quality built projects that want to keep families in the area.

We have lived there when there was nothing, why should I toy with the idea of moving ? Because I don't want to look at substandard houses . Cheap construction that's looks great for the first couple years, but not for the LONG haul.

In 1981 we were a small town. You had to drive to do anything or to get to a mall. I hate the Carmel attitude, but let's act like were them some what and demand more not less. We have a lot to be proud of.

In closing I'm a poor typist and writer, But there's something I tell people each week at least 2-3 times in conversations. Building in Westfield and sending my 3 children to Westfield schools, was a blessing and the best thing that could have ever happened to my family, and we believe that.

There was a day when Westfield couldn't beat any school at ANY sport, girls or boys. Look how far we have come... Please don't go backwards. Strive for the best.

Thank you.

Terry L.Wilds
President
Tank and Piping Contractors, Inc.
P.O.Box 3160
Carmel, Ind. 46082
Mobile (317)-590-5565
Office (317)-846-4768
Fax (317)-846-4788
Email terry@tpcmech.com
Web www.tpcmech.com











Pamela Howard

From: tracey.aiken@gmail.com
Sent: Tuesday, January 16, 2018 6:39 AM
To: APC
Subject: Stop irresponsible developments

Please vote NO to these two new developments, Davis and Chance tonight.
Thank you,
Tracey Aiken

Sent from my iPhone

Pamela Howard

From: lisabeth armstrong <lisabetharmstrong84@gmail.com>
Sent: Monday, January 15, 2018 4:37 PM
To: APC
Cc: Jim Ake; Chuck Lehman
Subject: Davis and Chapman parcels proposed PUDs

Dear Council members,

I attended the neighborhood meeting at Harmony last Wednesday. I am opposed to the PUDs being proposed, on the Davis and Chapman parcels, because they are developments that are not context-sensitive to adjoining long term residential properties. These PUDs do not reflect guidelines of the Comprehensive Plan as it is described for the Southwest New Suburban area. Concerns are density is too high, open space is negligible, little to no transition with minimal buffers, landscape and architectural standards are well below average pricepoints and natural buffers are not reflected, just to name a few.

This developer needs to be held to a much higher standard, using more of the Conserancy approach that embraces the Comprehensive Plan. The architectural standards described by the developer at the meeting are not even reflected in the PUDs, so-called green space in the plan shown actually overlapped the back yards of lots and at the meeting there was no mention of the Chapman parcel PUD, yet we see that it's also on your agenda for Tuesday.

Seriously, there is SO much development going on right now and SO much more being proposed, it's being shoved down our throats! All in the same area! Someone said at the meeting, "could you just take your developments north of 32 where there's all kinds of room and leave us alone?!" It's like a massive land grab, one which is quickly changing the landscape from farms and rural settings to lit up parking lots and crowded neighborhoods that have taken away our "sense of place".

The APC and the Town Council need to agree to communicate better and remember who they're serving and why. Last week's debacle was so stinging of disrespect and manipulation no one can trust the "process" anymore. I can keep on writing these letters, but I don't trust the process. SAD

Sincerely,
Lisabeth Armstrong

Pamela Howard

From: Cook Family <cookhouse3841@comcast.net>
Sent: Monday, January 15, 2018 8:52 PM
To: APC; Council Members; Pamela Howard; Andy Cook
Subject: Davis PUD

Good evening,

We have the following concerns after attending the neighbor meeting and reviewing the PUD online:

- Per the Comprehensive Plan: "The Southwest New Suburban area includes a diverse mix of uses: a town park, a golf course, open farmland, residential development, and a central core of large-lot residential and rural properities, equestrian uses and artisan farms. While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should context-sensitive." 145 lots on 80 acres is not in context to the large-lot residential that is surrounding this on 3 of the 4 sides.
- Architectural minimums need to be increased in order to hit the \$520,000-\$700,000 price range Paul Estridge quoted. 1800-2000 square minimums would mean \$375 plus/square foot based on his quoted home prices. The math doesn't make sense. While we welcome a higher price point on the west side, the character exhibits seem to be the same product they are already building in Harmony with a few new elevations. One just needs to look to Viking Meadows or Bent Creek, the PUD detail did not support the conceptual for the area and the lowest standard is built.
- Buffering needs to be enhanced on the east, west and north sides.
- 25% open space, which includes the back yards of the homes along Ditch. West Rail has 37% not including residential back yards. This should be the absolute minimum for this parcel.
- Schools are already at capacity, with improvements/additions not complete until 2020.

Thank you for your time,

Derek and Cherie Cook

Pamela Howard

From: John Daly <john@golitkodaly.com>
Sent: Monday, January 15, 2018 2:19 PM
To: APC
Subject: Davis & Chapman

Dear Board Members:

Sorry to have to keep objecting but it seems like the developers always submit an awful plan in the hopes that making it less awful means that it will be acceptable. Here are a few of our least favorite things as noted by Conservancy members:

***Comprehensive Plan Issues:**

- Little to no recognition that the large lot residential uses were recognized as a long term way of life in this core area.

- Not context sensitive to long term residential properties.

- Design developments such that back yards are not adjacent to collector or arterial streets-these houses back right up to Ditch in the same manner as Centennial and Harmony. This also is in direct violation of request in Comp plan to avoid house orientations where the back sides face the public right of way.

- Encourage high quality and life span housing-most of the character exhibits are currently built in Harmony. Although much of the architecture is enhanced it's more of the same.

- Encourage quality and useable open space- The open space provided is negligible at 25% which includes the back yards of the homes along Ditch. Open space should increase and density should decrease as you move west of Ditch. West Rail, immediately to the east has an open space percentage of 37% not including residential back yards. This should be the absolute minimum for this parcel.

- Land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities- Little to no consideration has been given to the topography of the parcel. The development plan lacks creativity and strives simply to place as many lots as possible on the property.

- Encourage variety and diversity in housing while maintaining a distinct style or character-this is Harmony north with a few new elevations. This builder is capable of much better and higher end product than what is defined in the PUD or depicted in the character exhibits. Please take a tour of the neighborhood surrounding his home that is currently under construction. That would be more appropriate for the area.

- Encourage diversity in lot sizes and lot layout-more of the same...

***Buffering:** (major issue on east, west and north sides of project)

- creating appropriate transitions between adjacent dissimilar residential areas-DOES NOT ADDRESS

-To ensure proper buffering between existing residences and new development of a dissimilar character-DOES NOT ADDRESS

-encourage the uses of natural buffers involving “reforestation” of natural vegetation, particularly when buffering between suburban and rural uses and between existing uses and new development-IS NOT REFLECTED IN PLAN.

***Architecture:** It should be noted that Paul Estridge indicated in the January 10th Neighbor Meeting that the home prices would average in the \$700,000 range and this would be a step up from the existing Harmony neighborhood. Most of the character exhibits provided are currently houses built in Harmony. This looks like Harmony north without the details for higher end architecture that were included in the original Harmony PUD. There is nothing in the Davis PUD to support the claim that these houses will be different, will have 360 degree architecture, or will be at a higher average price point. The minimum square footage for section A is 2000 and the minimum for section B is 1800. This would equate to a square footage charge well above average high end custom homes prices, \$375 plus per square foot, (must have gold plaited toilets planned?). The numbers don't work!!

***The Bulk and Density Standards** are below those identified in the UDO for SF3 in many areas.

***The Landscaping Standards** are below the UDO standards for SF3 for shade trees and evergreen trees.

We have examples such as Bent Creek and Viking Meadows where the PUD detail did not support the conceptual for the areas and the lowest standard is built to.

Really not much land left in Westfield. Please get it right.

Thank You.

John P. Daly

15936 Little Eagle Creek Avenue

Westfield Indiana, 46074

JOHN PATRICK DALY, JR.
BOARD CERTIFIED
TRIAL LAWYER
OSHA CONSTRUCTION SAFETY INSTRUCTOR

GOLITKO & DALY
9450 N. MERIDIAN ST.
INDIANAPOLIS, IN 46260
PH: (317) 566-9600

WORK INJURY LAWYERS

Pamela Howard

From: Joe Davis <ejcrdavis@gmail.com>
Sent: Monday, January 15, 2018 10:31 PM
To: APC
Cc: Mark Keen; Chuck Lehman; Robert Horkay; Steve Hoover; Cspolijaric@westfield.in.gov; Joe Edwards; Jim Ake
Subject: 1801-PUD-01 [PUBLIC HEARING] Davis PUD - Letter of Support - January 16 APC meeting

Honorable Advisory Plan Commission,

I am writing in support of the above development on the agenda January 16, 2018.

My name is Joe Davis and I am part owner of V John Davis Family Farms, 80 acres, at 161st and Ditch Road. Also part owner of two other properties in Hamilton county. Our family has been in the area for over 80 years. We have seen significant changes in that time-frame and have benefited through access to shopping, improved schools, roads, healthcare, recreation, and general quality of life. I am the third generation to own the property in our family and benefit from the land and these changes. All of these changes are from increased population and increased development that brings people to the community that we enjoy and all want to see prosper.

I am in support for many reasons and would like to see the area continue to grow in an organized, planned way that continues the positive trend improving the quality of life for area residents and visitors. A few reasons are:

1. The proposed development is planning homes at the upper end of area home prices and positively impacts property values in the area.
2. The same home values positively impact property tax income to the community to enable further investment in schools, and infrastructure. I am a proud graduate of Westfield High School as is my father and my 5 siblings
3. Density for the project is less than other development either planned or already in the area now.

Thank you for the opportunity to communicate my support.

Respectfully



Joe Davis

Pamela Howard

From: John Davis <johnjdavis52@gmail.com>
Sent: Monday, January 15, 2018 5:56 PM
To: APC; Jim Ake; Chuck Lehman; Robert Horkay; Steve Hoover; Joe Edwards; Cindy Spoljaric; Mark Keen
Subject: Davis PUD - in support

To all the APC members and City council members.

I'm in support of the Davis PUD that's up for review this date 1/16/2018. I hope this (Davis) PUD has a favorable conclusion like the Westchester PUD did last week.

John Davis

15515 Towne Road

Westfield, IN 4074-9678

Pamela Howard

From: dub164@aol.com
Sent: Sunday, January 14, 2018 9:59 AM
To: APC; Council Members; Andy Cook; Pamela Howard
Subject: Fwd: Davis Farms PUD/Waterford

To all,

Thank you once again for your continued support and consideration. I apologize for the length of my e-mail but it is important to be as thorough as possible with this process. After my initial review of the Davis PUD, (located at 161st and Ditch) also known as Waterford I wanted to communicate several issues I have identified.

First and foremost I think it is important to refer to the Comprehensive Plan for the area. It says the following:

The Southwest New Suburban area includes a diverse mix of uses: a town park, a golf course, open farmland, residential development, and **a central core of large-lot residential and rural properties, equestrian uses and artisan farms**. While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should be **context-sensitive**.

As development moves south from SR 32, north from 146th Street, and west from Ditch Road, the density should decrease and open space should increase. Within the Southwest New Suburban area, there is land that is not suitable for dense development because of steep slopes or other natural features. **These lands should be developed according to rural standards.**

The key for this area will be land use transitions and buffers that accommodate suburban development in such a way that negative land use impacts on existing and stable rural uses are mitigated so as not to negatively affect the quality of life of long term rural residents.

***Comprehensive Plan Issues:**

- Little to no recognition that the large lot residential uses were recognized as a long term way of life in this core area.
- Not context sensitive to long term residential properties.
- Design developments such that back yards are not adjacent to collector or arterial streets-these houses back right up to Ditch in the same manner as Centennial and Harmony. This also is in direct violation of request in Comp plan to avoid house orientations where the back sides face the public right of way.
- Encourage high quality and life span housing-most of the character exhibits are currently built in Harmony. Although much of the architecture is enhanced it's more of the same and there is little to no language to support the higher end architecture.
- Encourage quality and usable open space- The open space provided is negligible at 25% which includes the back yards of the homes along Ditch. Open space should increase and density should decrease as you move

west of Ditch. West Rail, immediately to the east has an open space percentage of 37% not including residential back yards. This should be the absolute minimum for this parcel.

-Land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities- Little to no consideration has been given to the topography of the parcel. The development plan lacks creativity and strives simply to place as many lots as possible on the property.

-Encourage variety and diversity in housing while maintaining a distinct style or character-this is Harmony north with a few new elevations. This builder is capable of much better and higher end product than what is defined in the PUD or depicted in the character exhibits. Please take a tour of the neighborhood surrounding his home that is currently under construction. That would be more appropriate for the area.

-Encourage diversity in lot sizes and lot layout-more of the same...

-Rural subdivisions and conservation subdivisions are encouraged in this area-NO EFFORT HAS BEEN MADE IN THIS PLAN TO PURSUE THIS REQUIREMENT.

***Buffering:** (major issue on east, west and north sides of project)

-creating appropriate transitions between adjacent dissimilar residential areas-DOES NOT ADDRESS, there is no transition to the large rural residences that surround this parcel.

-To ensure proper buffering between existing residences and new development of a dissimilar character-DOES NOT ADDRESS

-encourage the uses of natural buffers involving "reforestation" of natural vegetation, particularly when buffering between suburban and rural uses and between existing uses and new development-IS NOT REFLECTED IN PLAN.

Please recognize that we own the majority of the western border of this project. We are running a tree nursery business on our property which is our livelihood. Large dangerous equipment is frequently in the nursery involved with the care, planting, and digging activities with the trees. As a result there are also large open holes throughout the property from the removal of nursery stock. We have livestock on our property which requires special buffer considerations as well. We have a two acre pond which is an attractive nuisance and creates additional liability with neighboring properties. This must all be thought through prior to any development plan being approved for the area. These items create a dangerous situation with the adjoining neighborhood and require a more significant and thoughtful buffer than the proposed 30 foot buffer along the backs of homes.

***Architecture:** It should be noted that Paul Estridge indicated in the January 10th Neighbor Meeting that the home prices would average in the \$700,000 range and this would be a step up from the existing Harmony neighborhood. He indicated that there was a recognized market for the higher priced homes on this side of Westfield. Most of the character exhibits provided are currently houses built in Harmony which have an average sale price well below \$700,000. This looks like Harmony north without the details for higher end architecture that were included in the original Harmony PUD. There is nothing in the Davis PUD to support the claim that these houses will be different, will have 360 degree architecture, or will be at a higher average price point. The minimum square footage for section A is 2000 and the minimum for section B is 1800. This would equate to a square footage charge well above average high end custom homes prices, \$375 plus per square foot, (must have gold plaited toilets planned?). The numbers don't work and the detail does not support the verbal commitments. We have examples such as Bent Creek and Viking Meadows where the PUD detail did not support the conceptual for the areas and the lowest standard is built to. The same could potentially occur with this PUD in its current state.

***The Bulk and Density Standards:**

-are below those identified in the UDO for SF3 in many areas.

-The proposed density is not transitional and does not meet the open space standards in the area. West Rail to the east has 37% open space. The open space number needs to increase as you move west as per the comprehensive plan.

-This density does not fit this area. The plan has too many lots included at 145 and simply offers more of the same product in the area with the current detail.

***The Landscaping Standards** are below the UDO standards for SF3 for shade trees and evergreen trees.

This builder/developer is capable of much better. We need to start holding these folks to a higher standard for the benefit of our community and for the protection of our property values. Thank you for your ongoing support. We are Westfield and we are worth it! Let's raise the bar.

Thank you for your consideration,

Suzy DuBois
T.M.T., Inc.
317-867-3691

Pamela Howard

From: Beverly Emmert <craftiemom1@yahoo.com>
Sent: Monday, January 15, 2018 3:33 PM
To: APC; Jim Ake; Chuck Lehman; Robert Horkay; Steve Hoover; Joe Edwards; Cindy Spoljaric; Mark Keen
Subject: Davis PUD -01

First let me start off by saying that I hope everyone had a blessed Christmas and a great start to the new year.

My name is Bevrly Davis Emmert and I was born and raised her in Westfield Indiana. I have seen Westfield change a lot over the 59 years .

I have seen the old Library close and a new one takes its place. One stop light town to several stop lights. A new High School and I can go on and

on. I was raised on Springmill road, this used to be hardly ever used. An out of the way road with houses counting maybe 10 to hundreds around

there now. And the shopping Center on 161st and Springill that turned out to be the best thing now for that area.

It has all been progress right and mind blowing now. I believe that this is really inevitable , but people now days have heard of Westfild Indiana, with

out having to say just north of Carmel. I am proud to be called a Westfield resident, this city is fibrant and full of life around on all sides of Westfield.

I ask you to please vote yes for this Davis PUD -01.

I bellieve that this will is a good combination of still being in the country to a city life with all emineties , shopping, school ,gas station very close to

everyone and very useful with a great priceline to many individuals.

And to conclude I want to thank each and everyone of you for taking your time to read this letter and serve on the city council.

Thank you

Beverly Davis Emmert

Pamela Howard

From: Adam Goodnight <agoodnig@umail.iu.edu>
Sent: Tuesday, January 16, 2018 9:19 AM
To: Andy Cook; APC; Council Members
Subject: Chance and Davis Developments

All,

I personally do not think Westfield needs anymore residential development at this time in this particular area. The should remain fairly rural to not impact the quality of life of those who moved here years ago. However, I would like to make the following comments on the two proposed neighborhoods being reviewed tonight. For the Davis PUD, I believe all of the lots should be required to be larger as those noted in lots 69-145 to decrease density. Ideally, they would be as large as possible to encourage open space and decrease density significantly as noted by "new suburban." I think they could increase them significantly while still allowing it to make financial sense. Again, set the bar higher as you move further west, not more of the same. As for the Chance PUD, again, lot sizes should be increased to minimize density according to the plan, especially since they will likely acquire the property west of this parcel at some point and add even more housing. I would also like to see all of the trees on the northwest corner remain untouched, which could be done without changing the plan too much (it would also decrease homes by about 12-15 as well while still providing some wooded lots. This would also help the transition to the current "rural" setting.

Thank you,

1801-PUD-01 [PUBLIC HEARING]

Davis PUD

West side of Ditch Road between 156th Street and 161st Street

Estridge Homes by 11th Street Development requests a change of zoning of 80 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Davis PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibit](#) | [Exhibit 5: Ordinance 17-52](#) | [Exhibit 6: Petitioner's Narrative](#) | [Exhibit 7: Neighbor Meeting Summary](#)

1801-PUD-02 [PUBLIC HEARING]

Chance PUD

Southwest Corner of Ditch Road and 166th Street

Applewood Homes by 11th Street Development requests a change of zoning of 53.5 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Chance PUD District.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Concept Plan](#) | [Exhibit 4: Character Exhibit](#) | [Exhibit 5: Ordinance 17-53](#) | [Exhibit 6: Petitioner's Narrative](#) | [Exhibit 7: Neighbor Meeting Summary](#)

Pamela Howard

From: Stacy Hall <smhall729@gmail.com>
Sent: Monday, January 15, 2018 11:53 PM
To: APC; Council Members; Andy Cook; Pamela Howard
Subject: Davis PUD

To Whom it May Concern,

I am writing opposed to this PUD. Although I appreciate the higher level of architecture, there needs to be better buffering with the rural neighbors and larger lot sizes. This is just an extension of the harmony neighborhood to the south.

Thank you,
Stacy Hall

1/16/2018

Advisory Plan Commission

Westfield IN 46074

Davis PUD

My wife and I, Sandy have lived at 15630 Towne Rd. since 1980. Since that time we have seen many changes. Some are good, others not.

We continue to see building plans like Davis which are built on small lots, cookie cutter style homes, and very little if any buffering to protect us from these new developments. The homes are small with few amenities. We need more housing options with more amenities. We would like to see homes in the \$750,000 range with larger lots and more buffering. Who is going to pay that price for a home on a 14,000 sq. ft. lot. Westfield already has enough of this type of homes being built.

What will be the effect on the local schools and roads? I can hardly get out of my drive at the busy times now.

This development as now planned does not meet the comprehensive plan for Westfield and certainly not of us neighbors.

We support our rural life lifestyle and landscape and want to maintain it.

Sincerely

Richard & Sandy Levins

Pamela Howard

From: Greg Moyer <moyer43@gmail.com>
Sent: Monday, January 15, 2018 11:47 AM
To: Council Members; APC; Pamela Howard; Andy Cook
Subject: Davis PUD

Dear Advisory Plan Commission,

My comments on the Davis PUD are found below. As stated on page 8 in the comprehensive plan, there is a desire that Westfield retain its unique sense of identity and not become indistinguishable from any of the other communities in the metropolitan area. While it is difficult to precisely define what makes the Westfield area unique, there are positive elements of that character that can be identified for the purpose of planning. Chief among these elements are the significant natural areas and open space found in Westfield – Washington Township. As you review new development proposal, please keep in mind the importance of preserving the natural areas and open space found in Westfield.

Buffering

The width and content of the buffers currently in the PUD fail to preserve the property values of the adjoining large lot residences. Buffer width should be increased to at least 50 feet. Reforestation buffers should be used to achieve a natural looking environment and preserve the neighborhood's character. Consider the following:

- The comprehensive plan emphasizes the importance of buffers and states a preference for reforestation buffers in this area. Refer to the following:
 - o Page 42 --- "Require appropriate transitions and buffers between neighborhoods, particularly those of differing character or density. At interfaces between large lot residential property and new suburban development, baseline buffering requirements should be used to preserve the rural environment of those larger parcels (preferably through the use of reforestation to achieve natural conditions)."
 - o Page 41 --- "Ensure proper land use transitions between dissimilar types of residential development."
 - o Page 11 --- "It is important that existing uses, especially residences, be properly buffered from new development that has a different character."
 - o Page 12 --- "Encourage the uses of natural buffers involving "reforestation" of natural vegetation, particularly when buffering between suburban and rural uses, and between existing uses and new development."
- Note that Bent Creek provides a 50' buffer with the existing residence to the north and locates substantial open space along the property line shared with the residence to the west. Derby Ridge includes a minimum rear yard setback of 50' along the northern property line and commits to tree preservation easements along shared property lines. Westchester includes commitments to considerably increase buffering beyond what is required by the UDO, Liberty Ridge provides a substantial reforestation buffer with the adjacent residence (100' ?).
- Beyond helping preserve the neighborhood's character, reforestation buffers are essential for maintaining the diversity & abundance of wildlife that the current residents value. Scientific studies ([example](#)) have found that "Abundance and richness of development-sensitive species were lowest in greenway segments containing more managed area." Planners can facilitate conservation of development-sensitive species by limiting the mowed and landscaped surfaces adjacent to new development. Please encourage buffers and open space that promote a natural habitat.

Density

The current PUD proposes a density of 1.8 DUA. Given that the comprehensive plan calls for density to be reduced as development moves west of Ditch Road, the density of the Davis PUD should fall below the the 1.7 DUA approved for the West Rail PUD located immediately east. Density should be reduced with the intent of blending towards the lower densities recently approved to the west (Westchester @ 1.1 DUA and Bent Creek @ 1.2 DUA).

Open Space

Open space and/or lot sizes should be increased. Much of the 25% open space provided in the current proposal consists of right-of-ways located along external streets. This type of open space offers no recreational value and is not usable by the residents. The comprehensive plan calls for open space to consist of "usable areas or valuable natural areas. Open space should not consist only of land that is left over in the site plan review process." Furthermore, the proposed 25% benchmarks poorly against nearby developments: West Rail 30% and Westchester 30% + golf course. Open space should increase as development moves west of Ditch Road.

Architecture

The character exhibits included with the PUD shows 13 homes. Only 2 of the homes show front-load garages. Is the developer committing to no more than 15% front-load garages? If not, what % of front-load garages is the developer committing to? In addition, the character exhibits show a number of architectural features. What aspects of the character exhibits does the Director feel are essential to the designs? Would non-masonry homes *without* a change in dominant exterior material be consistent with the intended architecture to be constructed in the District? Would garage entries without additional enhancements such as the windows and pergolas shown on the concept plan be consistent with the intended architecture? Only 2 of the homes in the exhibit are single-story --- does this represent a commitment to no more than 15% single story residences? Too often we have found that we only get what is committed to in writing. Please encourage the developer to provide more precise language to ensure that the character exhibits are an accurate depiction of what will be built.

Lack of Context with Existing Neighborhood

The existing residences that adjoin the PUD are rural in character. These clusters of large lot residences provide a more open, natural feel than the typical suburban setting. The comprehensive plan stresses that new development should work within this context --- not try to change it. As stated on page 40, "While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should be context-sensitive." The proposed PUD fails to adapt the development to the setting. Multiple neighborhood meetings, several rounds of public comment, and months of APC meetings have made it clear that development in this area should provide for the transition between residential and rural environments in a way that does not adversely affect the surrounding landscape's character. There are a number of opportunities for improvement:

- Commit to a landscaping plan that is natural looking and in context with area.
 - For example, West Rail provides wildflower meadows and prairie plantings for passive recreation opportunities.
- Commit to completing any compensatory mitigation for wetland impacts within the PUD (on-site rather than off-site compensation).
 - Comprehensive Plan, page 19 --- "Maintain stream corridors, woodlands, hedge rows, and other valuable natural and historic resources as part of the dedicated open space." & "Preserve natural features such as stands of trees, water bodies, and wetlands when land is developed."
- Create connections between open spaces to preserve views and provide wildlife corridors.
 - Comprehensive Plan, page 19 --- "Design open space to form an interconnected network, with provisions for linkages to existing or potential open space on adjoining properties."
- Utilize undisturbed open space as buffering.
- Create vegetated buffers along existing streams and proposed drainage swales.
- Require Dark Sky friendly lighting, meaning lighting standards that minimize glare while reducing light trespass.

Failure to Preserve Natural Features

On page 19, the Comprehensive Plan calls for new development to "Preserve natural features such as stands of trees, water bodies, and wetlands when land is developed." Note that the current proposal fails to preserve the stream located at the northwestern corner of the Davis parcel. This stream is visible on-site and identified on [Westfield's flex map](#). The USGS National Map and Hydrography data set show this stream continuing into the uncropped area that extends to the south.

In conclusion, please encourage the petitioner to introduce reforestation buffers, reduce density, increase open space, and preserve the natural features found on the parcel.

Thank you,

Greg Moyer

15001 Shelborne Rd

Pamela Howard

From: Stephen Stafford <staffordhouse92@att.net>
Sent: Monday, January 15, 2018 3:29 PM
To: Council Members; Andy Cook; APC; Kevin M. Todd, AICP; Jesse Pohlman
Subject: Davis and Chapman Parcels

Dear Mayor, council members, & APC board members:

There is documented evidence that Westfield's Comprehensive Plan was to address the unique, rural Southwest New Suburban area. The agreed on notion was keep the area open and rural. Those planned intentions focus on a diverse **MIX** of residential properties, open space, equestrian uses, and special niche farms. That MIX is fast becoming a word only.

Our neighborhood is like the earth in Stephen King's story, *Langoliers*. The story is about the earth being eaten up by some kind of alien, insatiable force that cannot be controlled. The result is complete destruction of the land as people know it.

Westfield is actually living the story. Developers are set on destroying what we thought Westfield would be when we moved here. Worse than that, many of our elected officials seem too weak to live by the standards we, the people who elected them, want to maintain. While there are several councilors and board members who are not afraid to stand up and demand better developments, there are those who cannot (or is it will not) see the result of having limits put on development.

We encourage you to ensure, by holding to high standards and comprehensive planning, that Westfield does not become overbuilt and ugly. We do believe you are aware of the problems posed by the currently proposed northward expansion along Ditch Road. If you don't, then that's even more of a problem. Residents look to you for wise consideration of all PUDs. If you are aware, then the problem is one of motivation. Are you willing to stick your community's need for high standards?

We urge you to vote against the proposed plan for the Davis PUD. More than likely, the developer expects to continue chewing up land and use the Chapman parcel for an equally dense, poorly buffered development.

If Westfield is to continue to be a great place to live, you must keep the development the bar high. Otherwise, present and future residents will be running from the *Langoliers*.

Thank you,
Cynthia & Steve Stafford

Pamela Howard

From: Roadrunner <bvannatta@indy.rr.com>
Sent: Monday, January 15, 2018 9:15 PM
To: APC
Cc: Council Members; Andy Cook; Matt Skelton; Kevin M. Todd, AICP; Pamela Howard
Subject: Davis and Chance PUDs

Dear APC members,

I am writing to express my views on the Davis and Chance PUD's coming before you Tuesday, January 16, 2018.

The Comp Plan gets cited by developers to justify what they are presenting. I believe the actual language regarding the Southwest New Suburban area is pretty clear:

"While it is expected that over time, the few remaining large agricultural tracts in this area will be converted to residential development or other uses, this development should be **context-sensitive**."

"As development moves south from SR 32, north from 146th Street, and west from Ditch Road, **the density should decrease and open space should increase**."

"The key for this area will be land use transitions and buffers that accommodate suburban development in such a way that negative land use impacts on existing and stable rural uses are mitigated so as not to negatively affect the quality of life of long term rural residents."

Both the Davis PUD and Chance PUD have insufficient green space and are overly dense. The developer attempts to count "landscape easements" on the back of lots as green space and buffer. This is ridiculously unfair and is flat out cheating. Additionally, while the developer claims the homes in the Davis PUD will be \$700K, the architectural language in the PUD in no way supports this. Same with Chance. Fronts of homes should face the roads as was just done in the Westchester and Liberty Ridge PUD's.

Mr. Estridge was prepared to build million plus dollar homes on the Simon golf course property. Why can't he offer an innovative custom product on the Davis parcel? There are no custom neighborhoods west of 31. Why not offer something novel for Westfield— perhaps a custom neighborhood with a central equestrian center? Estridge is clearly capable of this. Estridge claimed at the neighbor meeting that the market was "soft" for \$750K to \$1 Million homes, but he was ready to build them in Carmel. Chatham has to keep holding lotteries for their lots, the demand is so high. His marketing claims seem to change with his desired product.

Finally, the buffering for the DuBois property is woefully inadequate. A reforestation buffer of a minimum of 100 feet should be required. Anything less will seriously impact the DuBois property value. Additionally a lesser buffer would violate the Comp Plan and common sense transition from high density to low density, rural properties.

Westfield can't simply can't approve each and every development request for every parcel in this area— especially if they continue to be so dense, with minimal green space and improper context. The bar needs to be very high to receive approval. These proposals don't come close. Please reject these proposed PUD's.

Sincerely,

**Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074**

317-442-4181

ORDINANCE NUMBER 18-##

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

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

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") adopted **Ordinance No. 14-46** (Petition No. 1209-PUD-11), known as the Spring Mill Station SEC Planned Unit Development District Ordinance (the "Spring Mill Station SEC PUD Ordinance"), on October 13, 2014;

WHEREAS, the Common Council adopted **Ordinance No. 17-18** (Petition No. 1706-PUD-11), an amendment to the Spring Mill Station SEC Planned Unit Development District Ordinance (the "Amendment"), on July 24, 2017;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. ####-PUD-##**), requesting an amendment to the Spring Mill Station SEC PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. ####-PUD-##** to the Common Council with a _____ recommendation (##) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018;

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

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

Section 1. **Applicability of Ordinance.**

- 1.1 The Unified Development Ordinance (the “UDO”) and Zoning Map are hereby amended specific to the Real Estate and shall be known as the "**Spring Mill Station PUD District Amendment: Lot 4**" (the “Lot 4 Amendment”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance, the Amendment or the Spring Mill Station SEC PUD Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

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

Section 4. **Architectural and Design Standards.** The standards of the Spring Mill Station SEC PUD and the Amendment shall apply to the development of the Real Estate, except as otherwise modified below.

- 4.1 **Drive-Thru Regulations:** A drive-thru facility shall be permitted on the Real Estate for the following use and developed in accordance with the provision below:
 - A. A bank associated with the development of the Real Estate in compliance with the UDO and in substantial compliance with the Concept Plan (incorporated herein as **Exhibit B**).

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2018.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 18-##** was delivered to the Mayor of Westfield

on the _____ day of _____, 2018, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 18-##**

this _____ day of _____, 2018.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 18-##**

this _____ day of _____, 2018.

J. Andrew Cook, Mayor

This document prepared by:

Jeffery M Lauer
Polis Collaborative, LLC
PO Box 841
Carmel, IN 46082

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: Jeffrey M Lauer

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

EXHIBIT A
REAL ESTATE

LOT 4 IN SPRINGMILL STATION SE CORNER, THE PLAT OF WHICH IS RECORDED AS INSTRUMENT NUMBER 2016030541 IN PLAT CABINET 5, SLIDE 507, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

EXHIBIT B
CONCEPT PLAN

[See following page]

