CITY OF WESTFIELD, IN

AdvisoryPlanningCommission_Meeting_Agenda_04_17_2017

Monday, April 17, 2017 at 07:00 PM

BOARD OR COMMISSION: Advisory Plan Commission (APC)
MEETING DATE: Monday, April 17, 2017 at 07:00 PM
MEETING PLACE: Westfield City Hall- Assembly Room

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

OPENING OF MEETING

Note the Presence of a Quorum

Approval of Minutes
APC Minutes - April 3, 2017
Documents: APC Minutes - April 3, 2017

Review APC Rules & Procedures

ITEMS OF BUSINESS

1703-ODP-01 & 1703-SPP-01
Chatham Commons
NWC of 191st Street and U.S. 31
Chatham Hills, LLP by American Structurepoint requests approval of an Overall Development Plan and a Primary Plat for 2 commercial lots on 41.04 acres +/- in the proposed Chatham Commons Planned Unit Development (PUD) District.
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Concept Plan | Exhibit 4: Primary Plat & Overall Development Plan

1609-PUD-16
Wood Wind Planned Unit Development (PUD) District
Towne Road; 146th Street / 166th Street
Pulte Homes of Indiana, LLC by Ice Miller LLP requests a change of zoning of 706.6 acres± from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course and single-family residential uses.
Documents: Exhibit 1: Staff Report | Exhibit 2: Location Map | Exhibit 3: Concept Plan Comparison Exhibit | Exhibit 4: Proposed Ordinance 16-27 | Exhibit 5: Proposed

Ordinance 16-27 Exhibits | Exhibit 6: Proposed Ordinance (redline since 03-20-17) | Exhibit 7: Overview of Modifications (since 03-20-17) | Exhibit 8: City's Redline Revisions | Public Comments

CONTINUED ITEMS

1703-DDP-03 [CONTINUED]
Shelby Gravel, Inc.
17710 Mule Barn Road
Shelby Gravel, Inc. by Zentz Consulting, LLC requests review of a Detailed Development Plan for a concrete mixing plant on 10 acres± in the OI: Open Industrial District.

1704-PUD-04 [CONTINUED]
Field Brewing in the Junction Planned Unit Development (PUD) District
Southeast Corner of SR 32 and Cherry Street
Custom Living, Inc. requests a change of zoning of 0.625 acres +/- from LB-H: Local Business / Historical District to the Field Brewing Planned Unit Development (PUD) District to allow for the development of a brewery.

1704-DDP-04 [CONTINUED]
Field Brewing
Southeast Corner of SR 32 and Cherry Street; Lot 13(R2) of Westfield Original Plat (Amendment pending)
Custom Living, Inc. requests Detailed Development Plan review of a new 5,537 square foot brewery on 0.625 acres +/- in the pending Field Brewing in the Junction Planned Unit Development (PUD) District.

1704-ZOA-01 [CONTINUED]
Unified Development Ordinance Amendment
City of Westfield requests various text amendments to the Unified Development Ordinance generally pertaining to Article 6.3(F)(A) Business District Mechanical Screening; Article 6.8 Landscaping Standards; Article 6.17 Sign Standards; Article 7.4(B) Subdivision Plat Certificates; Article 8.3 Easement Standards; Article 8.7(D)(1) Pedestrian Network Standards; Chapter 9 Nonconforming Regulations; Article 10.7 Development Plan Review; Article 12.1 Definitions; and Article 13.2 Use Table.

REPORTS/COMMENTS

Advisory Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Economic and Community Development Department

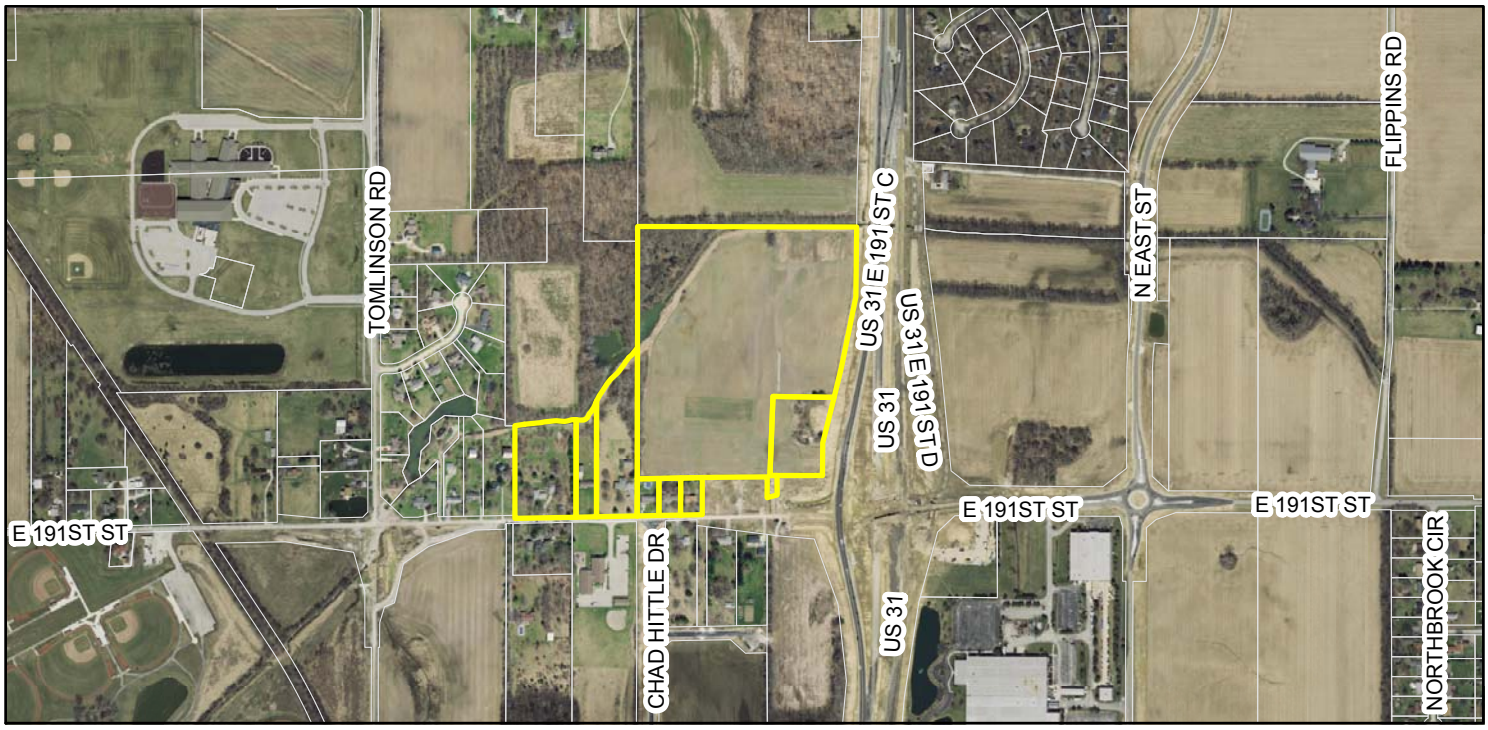
ADJOURNMENT

Property Location Map
1703-SPP-01 & 1703-ODP-01
Chatham Commons

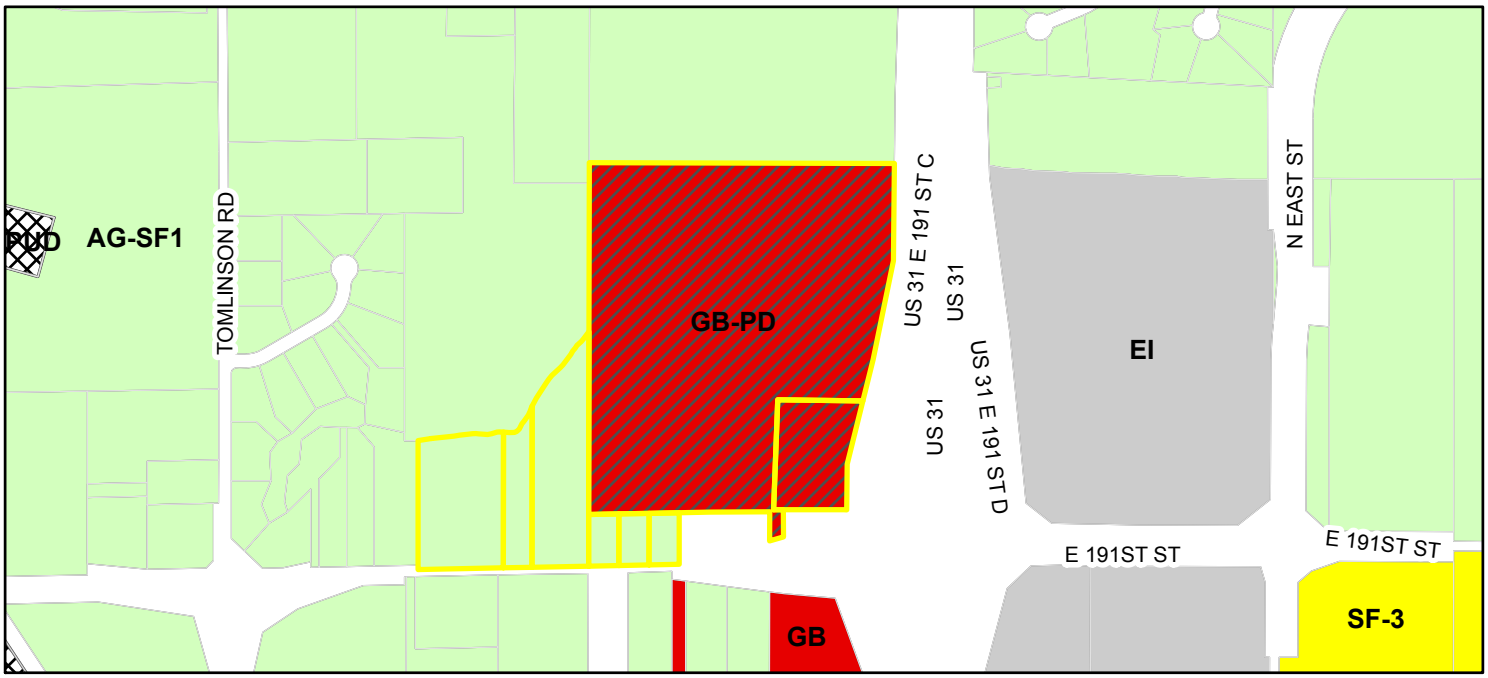
N
W E
S
Not To Scale

Aerial Location Map

Site



Zoning Map



Parcel

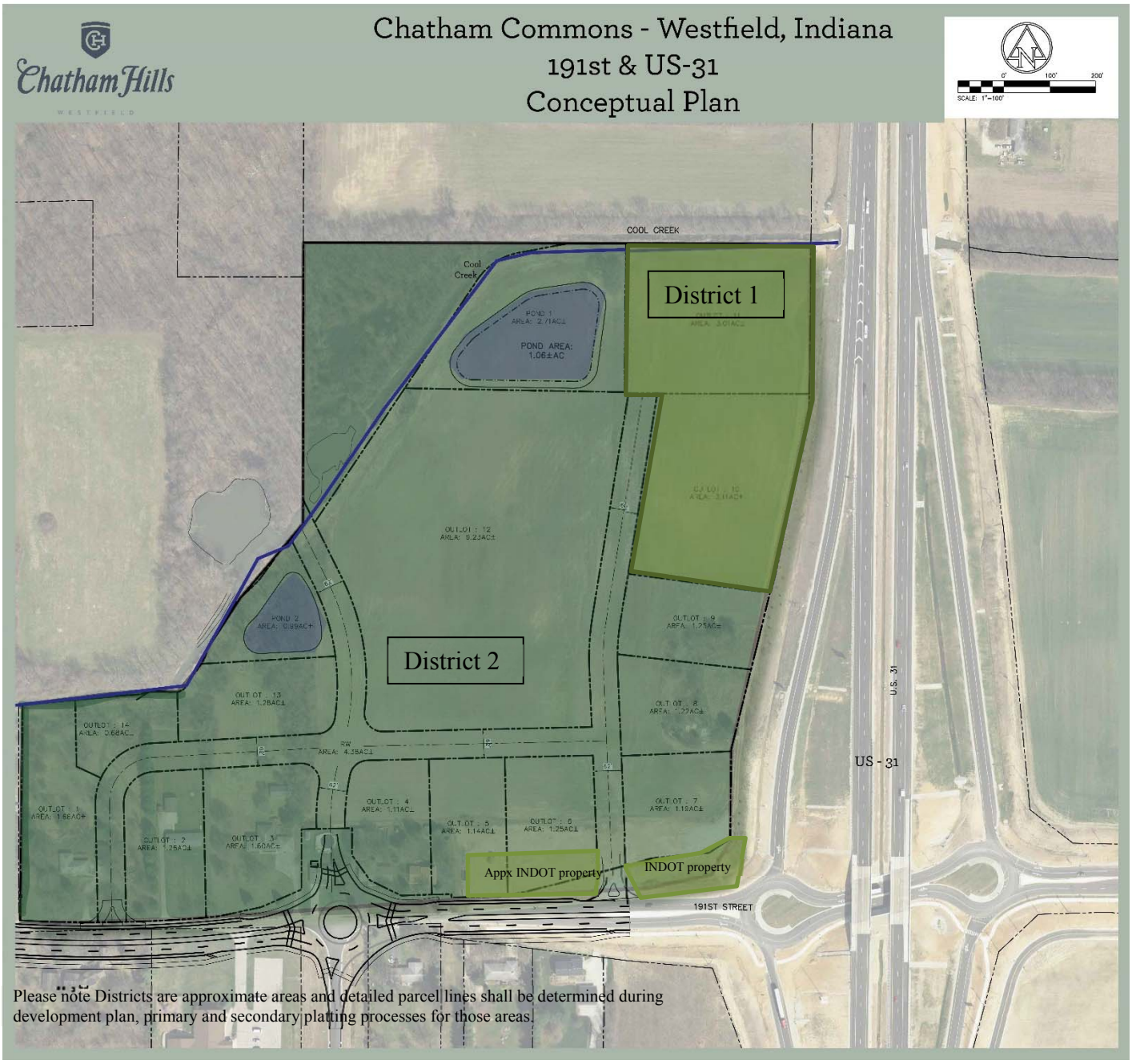
Zoning - All

Zoning

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

Exhibit B

Conceptual Site & Thoroughfare Plan



Petition Number:	1703-ODP-01 & 1703-SPP-01
Subject Site Address:	Northwest corner of 191st Street and US Highway 31
Petitioner:	Chatham Hills, LLC by American Structurepoint, Inc. (the "Petitioner")
Request:	The Petitioner requests Primary Plat and Overall Development Plan review of two (2) commercial lots on approximately 41.04 acres +/- located in the pending Chatham Commons PUD District.
Current Zoning:	Chatham Commons PUD District Ordinance No. 17-03 (pending)
Current Land Use:	Undeveloped / Agriculture
Approximate Acreage:	41.04 acres+/-
Exhibits:	1. Staff Report 2. Location Map 3. Concept Plan 4. Primary Plat / Overall Development Plan
Staff Reviewer:	Amanda Rubadue, Associate Planner

PROCEDURAL

Approval of an Overall Development Plan and Primary Plat must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT OVERVIEW

The 41.04-acre+/- site is located on the northwest corner of 191st Street and US Highway 31 (see **Exhibit 2**). The request is for approval of a Primary Plat and Overall Detailed Development Plan (see **Exhibit 4**). Specific lot and site improvements will require approval of a Detailed Development Plan, which will be subsequently filed and reviewed individually for each lot.

The applicable zoning district is the pending Chatham Commons PUD District Ordinance No. 17-03 (the "PUD Ordinance"). The PUD Ordinance establishes the GB: General Business District as the underlying zoning district for site.

The petition was reviewed by the Technical Advisory Committee at its February 21, 2017, meeting. This petition received a public hearing at the Plan Commission's March 20, 2017.

PRIMARY PLAT STANDARDS (Article 10.12(J) of the UDO)

The plans comply.

6) Proposed name of subdivision.
7) Names and addresses of the owner, owners, land surveyor or land planner.
8) Title, scale, north arrow and date.
9) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
10) Easements (locations, widths and purposes). (Article 8.3)
11) Statement concerning the location and approximate size or capacity of utilities to be installed.
12) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
13) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
14) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
15) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
16) Building setback lines. (Article 4.23 & Article 5.3(G))
17) Legend and notes.
18) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
19) Other features or conditions which would affect the subdivision favorable or adversely.
20) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
21) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
22) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.

23) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.

24) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.

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

The plans comply.

25) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.

26) Address and legal description of the property.

27) Boundary lines of the property including all dimensions.

28) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.

29) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.

30) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.

31) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.

32) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

33) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

34) Location and dimensions of all existing structures and paved areas.

35) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).

36) Location of all Floodplain areas within the boundaries of the property.

37) Names of legal ditches and streams on or adjacent to the site.

38) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

39) Identify buildings proposed for demolition.

40) Areas of the property reserved for Development Amenities, Open Space and other similar uses.

41) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

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

The plans comply.

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

43) Compliance with all applicable provisions of any Overlay District in which the real estate is located.

44) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:

    a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

    b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

    c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

45) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans as applicable to a Primary Plat and Overall Development Plan.

46) Landscaping Standards (Article 6.8)

    a) Street Trees

b) Minimum Lot Landscaping Requirements

<u>Comment</u>: Lot landscaping standards for individual lots will be further reviewed at the time of the building permit.

c) External Street Frontage Landscaping

d) Buffer Yard Requirements

47) Lot Standards (Article 6.10)

48) Setback Standards (Article 6.16)

49) Vision Clearance Standards (Article 6.19)

50) Yard Standards (Article 6.21)

<u>DESIGN STANDARDS (Chapter 8 of UDO)</u>

The plans comply.

51) Block Standards (Article 8.1)

52) Easement Standards (Article 8.3)

53) Monument and Marker Standards (Article 8.5)

54) Open Space and Amenity Standards (Article 8.6, as modified by Ord. 15-37)

55) Pedestrian Network Standards (Article 8.7, as modified by Ord. 15-37)

a) Internal Pedestrian Network Standards

b) Perimeter/External Pedestrian Network Standards

56) Storm Water Standards (Article 8.8)

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

58) Street Light Standards (Article 8.10)

59) Street Sign Standards (Article 8.11)

60) Surety Standards (Article 8.12)

61) Utility Standards (Article 8.13)

DEPARTMENT COMMENTS

1) The Primary Plat and Overall Development Plan comply with the applicable zoning ordinances, subject to the recommended conditions.
2) **Action: Staff recommends approving the petition with the following conditions:**
    - **All necessary approvals be obtained from the Westfield Public Works Department and the County Surveyor's Office prior the approval of a secondary plat.**
    - **The final approval of the landscape plan be delated to the Department.**
3) If any APC member has questions prior to the meeting, then please contact Amanda Rubadue at 317.432.6663 or arubadue@westfield.in.gov.

CHATHAM COMMONS
PRIMARY PLAT AND DEVELOPMENT PLAN
ZONING: PUD

SITE DATA TABLE
TOTAL ACREAGE – 41.04 ACRES
OF LOTS – 2 LOTS
DENSITY – 0.05 LOTS/ACRE
OPEN SPACE – 2.85 ACRES
LAKE AREA – 1.61 ACRES
COMMON AREA – 2.85 ACRES
ZONING – PUD

SURVEYOR:
CHAD L. BROWN, PLS
HAHN SURVEYING GROUP, INC.
2850 E. 96TH ST.
INDIANAPOLIS, IN 46240
317–846–0840

OWNER/SUBDIVIDER:

CHATHAM HILLS, LLP
20298 TOMLINSON ROAD,
WESTFIELD, IN, 46074

ENGINEER:

ANDREW R. TAYLOR
AMERICAN STRUCTUREPOINT, INC.
7260 SHADELAND STATION
INDIANAPOLIS, IN 46256
317–547–5580

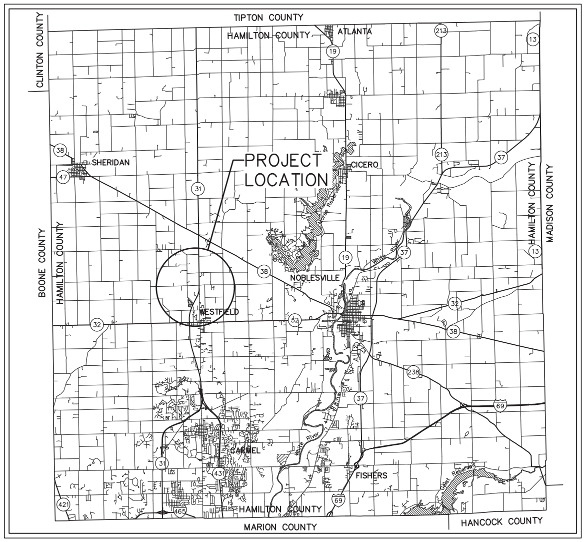
ADJACENT PROPERTY OWNERS AND USE		
	OWNER	USE
1	STURM, DANIEL P & DEBRA J H&W	SINGLE FAMILY RESIDENTIAL
2	GRAY, NORMAN	SINGLE FAMILY RESIDENTIAL
3	BIEGHLER, JACKIE L & KELLEY S	SINGLE FAMILY RESIDENTIAL
4	C F BUTLER INVESTMENTS LP	VACANT LOT
5	DOUGLASS, JEANNETTE L TRUSTEE OF JEANNETTE L DOUGLASS TRUST	CASH GRAIN / GENERAL FARM
6	NORTH WESTFIELD DEVELOPMENTS LLC	VACANT LOT
7	ANTHONY PROPERTIES LP	VACANT LOT
8	PATEL, AJAYKUMAR C & AMIT J NATHU & YASHPAL B MODI & PUNEET BHATIA & MANISHKUMAR P PATEL & RASHMIBEN N PATEL & RAJESHKUMAR R PATEL TC	VACANT LOT
9	PATEL, AJAYKUMAR C, AMIT J NATHU, YASHPAL B MODI, RASHMIBEN PATEL, PUNEET BHATIA, MANISHKUMAR P PATEL & RAJESHKUMAR R PATEL TC	SINGLE FAMILY RESIDENTIAL
10	FMH FAMILY LIMITED PARTNERSHIP	SINGLE FAMILY RESIDENTIAL
11	191ST STREET LAND CO LLC	VACANT LOT
12	FMH FAMILY LIMITED PARTNERSHIP	SINGLE FAMILY RESIDENTIAL
13	TRINITY BAPTIST CHURCH OF WESTFIELD INC	CHURCH
14	CITY OF WESTFIELD	EXEMPT MUNICIPALITY

HENKE DEVELOPMENT GROUP
development · acquisitions · advisory

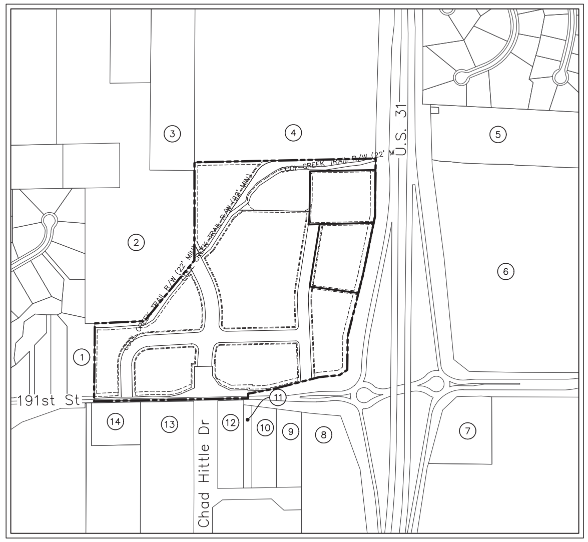
THE CLUB AT Chatham Hills

OWNER: CHATHAM HILLS, LLP
20298 TOMLINSON ROAD,
WESTFIELD, IN, 46074
CONTACT: STEVE HENKE

AMERICAN STRUCTUREPOINT INC.
7260 Shadeland Station | Indianapolis, Indiana 46256
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com



LOCATION MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

INDEX	
DESCRIPTION	SHEET No.
TITLE SHEET	01
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LANDSCAPE PLAN	04

CHATHAM COMMONS
191st Street & U.S. 31
Westfield, Indiana

UTILITY CONTACTS

CITY OF WESTFIELD – PUBLIC WORKS
JEREMY LOLLAR / PHIL SUNDLING
2706 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 804–3100

CITY OF WESTFIELD – STORMWATER
JOHN RANKIN
2706 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 450–0923

CITY OF WESTFIELD – FIRE DEPARTMENT
GARY HARLING
17535 DARTOWN ROAD
WESTFIELD, INDIANA 46074
(317) 804–3307

CITY OF WESTFIELD – PARKS DEPARTMENT
MELODY JONES
2728 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 804–3184

GAS PIPELINES:
INDIANA GAS / VECTREN
RESA GLOVER / CHAD MILLER
P.O. BOX 1700
NOBLESVILLE, INDIANA 46061
(317) 776–5550

AT&T
STEVE KREBS
5858 N. COLLEGE
INDIANAPOLIS, INDIANA 46220
(317) 252–4275

GAS:
INDIANA GAS / VECTREN
RESA GLOVER / CHAD MILLER
P.O. BOX 1700
NOBLESVILLE, INDIANA 46061
(317) 776–5331

BUCKEYE PARTNERS, L.P.
KYLE SMITH
940 BUCKEYE ROAD
LIMA, OHIO 45804
(419) 993–8008

HAMILTON COUNTY SURVEYOR'S OFFICE
GREG HOYES
ONE HAMILTON COUNTY SQUARE, SUITE 188
NOBLESVILLE, INDIANA 46060
(317) 776–8495

HAMILTON COUNTY HIGHWAY DEPARTMENT
DAVE LUCAS
1700 S. 10th STREET
NOBLESVILLE, INDIANA 46060
(317) 773–7770

ELECTRIC:
DUKE ENERGY – NOBLESVILLE OFFICE
BILL OLDHAM
100 SOUTH MILL CREEK ROAD
NOBLESVILLE, INDIANA 46060
(317) 776–5331

COMMUNICATIONS:
COMCAST CABLE
MATT STRINGER
533 E. 65TH STREET
INDIANAPOLIS, INDIANA 46220
(317) 275–6493

CITIZENS GAS OF WESTFIELD
RICHARD MILLER, JR.
2150 DR. MARTIN LUTHER KING DRIVE
INDIANAPOLIS, INDIANA 46202
(317) 927–4684

SANITARY SEWER AND WATER
CITIZENS WATER AND WASTEWATER OF WESTFIELD
BRANDON CARTER
2150 DR. MARTIN LUTHER KING JR. STREET
INDIANAPOLIS, IN 46202
(317) 850–9055

LEGAL DESCRIPTION

MODERNIZED CONSOLIDATED LAND DESCRIPTION (THE FOLLOWING LAND DESCRIPTION HAS BEEN PREPARED IN AN EFFORT TO UPDATE, CONSOLIDATE, AND MODERNIZE THE ABOVE RECORD DESCRIPTIONS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE SOUTH 88 DEGREES 51 MINUTES 33 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 996.01 FEET TO THE SOUTHWEST CORNER OF THE REAL ESTATE DESCRIBED IN A WARRANTY DEED TO THE STATE OF INDIANA RECORDED AS INSTRUMENT NO. 2012072243 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 88 DEGREES 51 MINUTES 33 SECONDS WEST ON AND ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 944.49 FEET TO THE SOUTHWEST CORNER OF THE LAND OF CHATHAM HILLS, LLP AS DESCRIBED IN INSTRUMENT NO. 2015033518 IN SAID RECORDER'S OFFICE; THENCE NORTH 00 DEGREES 34 MINUTES 48 SECONDS EAST ALONG THE WEST LINE OF SAID LAND AND APPROXIMATELY ALONG A FENCE LINE 477.10 FEET TO THE NORTHWEST CORNER OF SAID LAND AT THE APPROXIMATE SOUTH BANK OF THE WHEELER–BEALS OPEN DRAIN, SAID POINT BEING 609.8 FEET WEST OF THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 24 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SAID LAND AND ALONG THE APPROXIMATE SOUTH BANK OF SAID OPEN DRAIN TO A POINT ON THE NORTHWESTERLY LINE OF THE LAND OF CHATHAM HILLS, LLP AS DESCRIBED IN INSTRUMENT NO. 2015052972 IN SAID RECORDER'S OFFICE; THENCE NORTH 39 DEGREES 29 MINUTES 32 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LAND AND ALONG THE NORTHWESTERLY LINE OF THE LAND OF CHATHAM HILLS, LLP AS DESCRIBED IN INSTRUMENT NO. 2014050554 IN SAID RECORDER'S OFFICE, AND APPROXIMATELY ALONG THE SOUTH BANK OF SAID OPEN DRAIN 481.86 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER AND ALONG THE WEST LINE OF SAID LAND 479.06 FEET TO THE NORTHWEST CORNER OF SAID QUARTER QUARTER; THENCE CONTINUING NORTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER 123.02 FEET TO THE NORTHWEST CORNER OF SAID LAND; THENCE NORTH 88 DEGREES 48 MINUTES 10 SECONDS EAST ALONG THE NORTH LINE OF SAID LAND 1110.68 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 31 AS SET OUT IN HAMILTON CIRCUIT COURT CAUSE NO. 29C01–1404–PL–3283 AGREED FINDINGS AND JUDGEMENT OF THE LANDS APPROPRIATED BY THE STATE OF INDIANA RECORDED AS INSTRUMENT NO. 2015006703 IN SAID RECORDER'S OFFICE (THE FOLLOWING FOUR (4) COURSES ARE DESCRIBED ALONG SAID WESTERLY RIGHT OF WAY LINE); 1.) THENCE SOUTH 00 DEGREES 36 MINUTES 54 SECONDS WEST 352.74 FEET; 2.) THENCE SOUTH 11 DEGREES 37 MINUTES 04 SECONDS WEST 366.74 FEET; 3.) THENCE SOUTH 13 DEGREES 56 MINUTES 23 SECONDS WEST 390.51 FEET; 4.) THENCE SOUTH 00 DEGREES 36 MINUTES 54 SECONDS WEST 205.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 191ST STREET AS PER INDIANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS FOR U.S. 31 PROJECT NO. 0600431 (THE FOLLOWING FOUR (4) COURSES ARE DESCRIBED ALONG SAID NORTHERLY RIGHT OF WAY LINE); 1.) THENCE SOUTH 56 DEGREES 07 MINUTES 32 SECONDS WEST 57.53 FEET; 2.) THENCE SOUTH 84 DEGREES 17 MINUTES 24 SECONDS WEST 125.40 FEET; 3.) THENCE SOUTH 75 DEGREES 33 MINUTES 26 SECONDS WEST 282.59 FEET; 4.) THENCE SOUTH 79 DEGREES 09 MINUTES 56 SECONDS WEST 164.86 FEET TO THE WEST LINE OF SAID REAL ESTATE DESCRIBED IN A WARRANTY DEED TO THE STATE OF INDIANA RECORDED AS INSTRUMENT NO. 2012072243 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 09 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE 27.75 FEET TO THE POINT OF BEGINNING, CONTAINING 41.04 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY FOR 191ST STREET.
SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY.

Br	Brookston silty clay loam, 0 to 2 percent slopes
CrA	Crosby Silt Loam, fine–loamy subsoil, 0 to 2 percent slopes
MmB2	Miami silt loam, 2 to 6 percent slopes, eroded
MoC3	Miami clay loam, 6 to 12 percent slopes, severely eroded
OcA	Ockley silt loam, 0 to 2 percent slopes
Pt	Pits
We	Westland silty clay loam, 0 to 2 percent slopes

SOILS MAP
NOT TO SCALE

LANDSCAPE NOTES:

1. ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST
2. STREET TREES SHALL NOT BE WITHIN 4' OF ANY PAVEMENT
3. THERE SHALL BE NO TREES WITHIN 10' OF ANY STORM SEWER

NOTE:

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF WESTFIELD UTILITY AND INFRASTRUCTURE CONSTRUCTION STANDARDS AND SPECIFICATIONS UNLESS WAIVERS HAVE BEEN GRANTED.

GENERAL NOTES:

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

!! CAUTION !!

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

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

SOIL DESCRIPTIONS & LIMITATIONS

The Natural Resources Conservation Service (NRCS) Web Soil Survey of Hamilton County, Indiana, indicates Brookston silty clay loam, Crosby silt loam, Ockley silt loam, Westland silty clay loam, and Pits are located on the site.

The suitability of soils for landscaping, local roads and single family dwellings are considered to be somewhat to very limited due to their ponding properties. The suitability of these soils is considered to be very limited for shallow excavations and buildings due to the depth to the saturated zone and their ponding properties.

The on–site soil will be treated as recommended by the geotechnical engineer if the conditions are unsuitable for the proposed construction. Remedial treatments may include, but are not limited to, removal of unsuitable soil and backfilling with engineered material, installation of a geofabric within or under the pavement system, or treatment of the subgrade with lime stabilization.

ANDREW R. TAYLOR
REGISTERED
No. 11400406
STATE OF INDIANA
PROFESSIONAL ENGINEER

CERTIFIED BY

ISSUANCE INDEX
DATE:
02/03/2017
PROJECT PHASE:
PRIMARY PLAT

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
1	TAC COMMENTS	03/23/17
2	TAC COMMENTS	04/07/17
3	TAC COMMENTS	04/12/17

Project Number 2017.00048

TITLE SHEET

01

PLOT DATE: 4/12/2017 10:15 AM EDIT DATE: 3/28/2017 EDITED BY: PDOTTERY DRAWING FILE: P:\2017\00048\D. Drawings\Civil\Primary Plat\2017.00048.CE.PP.01.TS.dwg
PLOT SCALE: 1:1

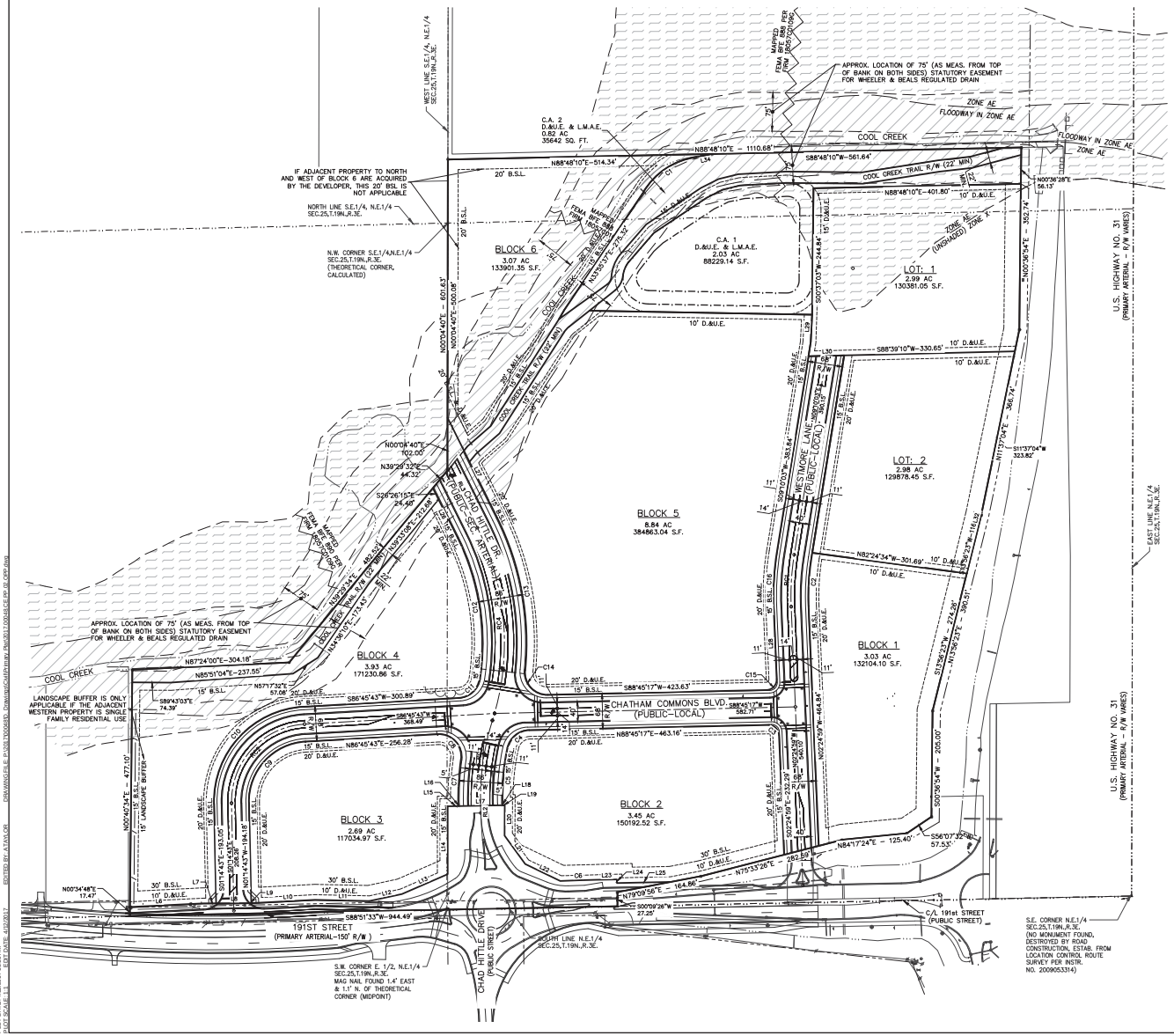
CHATHAM COMMONS
PRIMARY PLAT AND DEVELOPMENT PLAN
ZONING: PUD

SITE DATA TABLE
TOTAL ACREAGE – 41.04 ACRES
OF LOTS – 2 LOTS
DENSITY – 0.05 LOTS/ACRE
OPEN SPACE – 2.85 ACRES
LAKE AREA – 1.61 ACRES
COMMON AREA – 2.85 ACRES
ZONING – PUD

SURVEYOR:
CHAD L. BROWN, PLS
HAHN SURVEYING GROUP, INC.
2850 E. 96TH ST.
INDIANAPOLIS, IN 46240
317-846-0840

ENGINEER:
ANDREW R. TAYLOR
AMERICAN STRUCTUREPOINT, INC.
7260 SHADELAND STATION
INDIANAPOLIS, IN 46256
317-547-5580

OWNER/SUBDIVIDER:
CHATHAM HILLS, LLP
20298 TOMLINSON ROAD,
WESTFIELD, IN, 46074



LEGEND

A.E.	ACCESS EASEMENT
I.E. & D.&U.E.	INGRESS/EGRESS & DRAINAGE & UTILITY EASEMENT
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	100 YR FEMA FLOODWAY PER NOV. 19, 2014 PANEL 18057C0109G
	WETLAND AREA
	PROPOSED R/W DEDICATION

ROAD CL – LINE TABLE		
LINE	BEARING	DISTANCE
RL2	N01° 14' 42.58"W	17.64'
RL3	N26° 26' 15.35"W	126.40'

ROAD CL – CURVE TABLE				
CURVE #	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
RC1	500.00	101.09'	N03°22'32.33"E	100.92'
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RC4	500.00	383.65'	N04°27'20.96"W	374.31'

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L6	S87°12'20"W	142.88'
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L12	N77°58'46"E	64.65'
L13	S66°29'00"W	96.52'
L14	S0°02'48"W	131.37'
L15	N88°51'35"E	20.66'
L16	S1°14'43"E	3.43'
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191st Street & U.S. 31
Westfield, Indiana

ANDREW R. TAYLOR
REGISTERED
No. 11400406
STATE OF Indiana
PROFESSIONAL ENGINEER

CERTIFIED BY

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PROJECT PHASE:
PRIMARY PLAT

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Project Number 2017.00048

PRIMARY PLAT

02

PLOT DATE: 4/12/2017 10:11 AM
PLOT SCALE: 1:1 LAST DATE: 4/12/2017
ENTERED BY: ATAYLOR DRAWING FILE: P:\2017\2017.00048\CE_Drawings\CAD\Primary Plat\2017.00048.CE_PP_02_C002.dwg

CHATHAM COMMONS
PRIMARY PLAT AND DEVELOPMENT PLAN
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AMERICAN STRUCTUREPOINT, INC.
7260 SHADELAND STATION
INDIANAPOLIS, IN 46256
317-547-5580

UTILITY CONTACTS

CITY OF WESTFIELD – PUBLIC WORKS
JEREMY LOLLAR / PHIL SUNDLING
2706 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 804-3100

CITY OF WESTFIELD – STORMWATER
JOHN RANKIN
2706 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 450-0923

CITY OF WESTFIELD – FIRE DEPARTMENT
GARY HARLING
17535 DARTOWN ROAD
WESTFIELD, INDIANA 46074
(317) 804-3307

CITY OF WESTFIELD – PARKS DEPARTMENT
MELODY JONES
2728 EAST 171st STREET
WESTFIELD, INDIANA 46074
(317) 804-3184

GAS PIPELINES:
INDIANA GAS / VECTREN
RESA GLOVER / CHAD MILLER
P.O. BOX 1700
NOBLESVILLE, INDIANA 46061
(317) 776-5550

AT&T
STEVE KREBS
5858 N. COLLEGE
INDIANAPOLIS, INDIANA 46220
(317) 252-4275

GAS:
INDIANA GAS / VECTREN
RESA GLOVER / CHAD MILLER
P.O. BOX 1700
NOBLESVILLE, INDIANA 46061
(317) 776-5331

BUCKEYE PARTNERS, L.P.
KYLE SMITH
940 BUCKEYE ROAD
LIMA, OHIO 45804
(419) 993-8008

HAMILTON COUNTY SURVEYOR'S OFFICE
GREG HOYES
ONE HAMILTON COUNTY SQUARE, SUITE 188
NOBLESVILLE, INDIANA 46060
(317) 776-8495

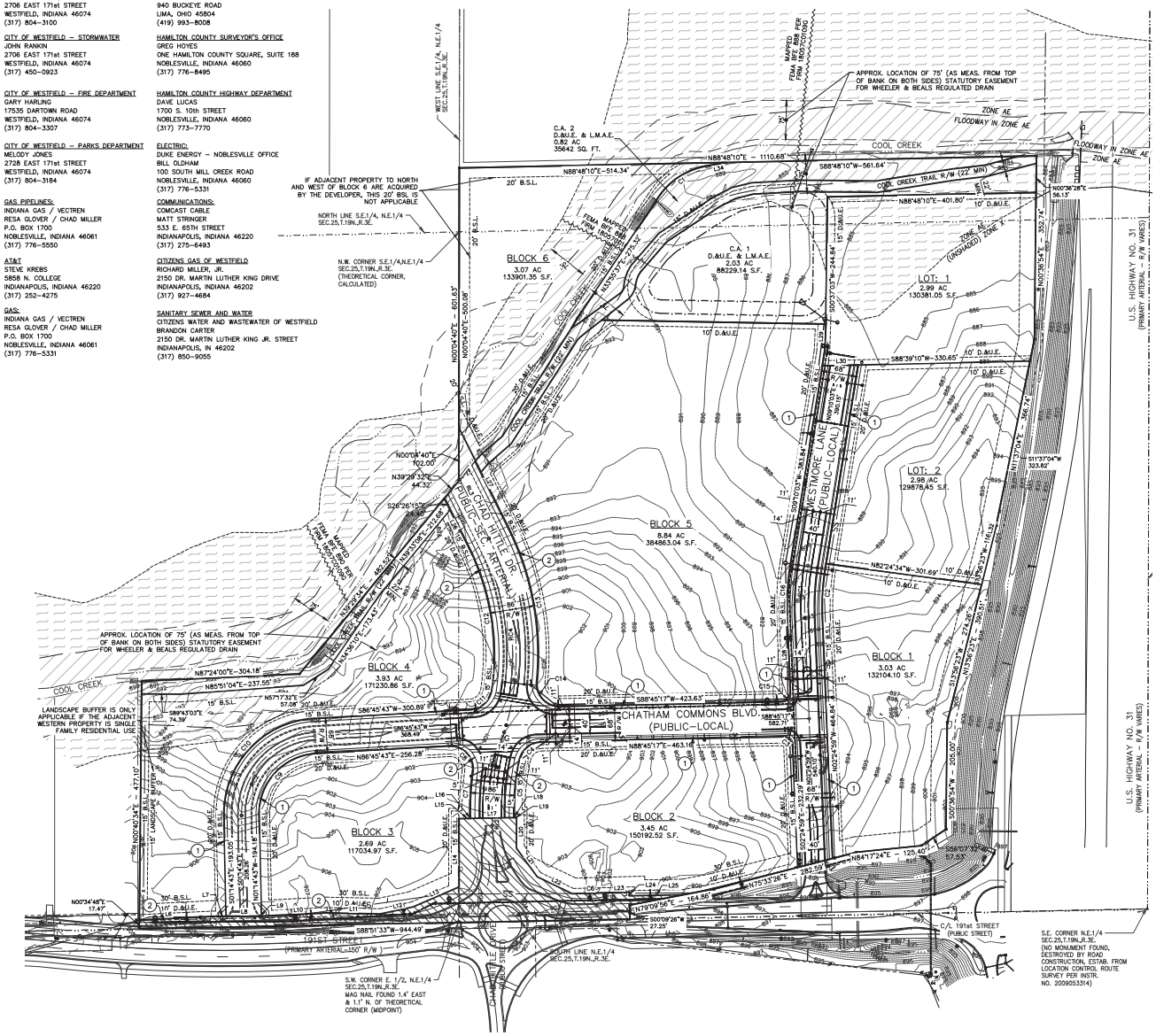
HAMILTON COUNTY HIGHWAY DEPARTMENT
DAVE LUCAS
1700 S. 10th STREET
NOBLESVILLE, INDIANA 46060
(317) 773-7770

ELECTRIC:
DUKE ENERGY – NOBLESVILLE OFFICE
BILL OLDHAM
100 SOUTH MILL CREEK ROAD
NOBLESVILLE, INDIANA 46060
(317) 776-5331

COMMUNICATIONS:
COMCAST CABLE
MATT STRINGER
533 E. 65TH STREET
INDIANAPOLIS, INDIANA 46220
(317) 275-6493

CITIZENS GAS OF WESTFIELD
RICHARD MILLER, JR.
2150 DR. MARTIN LUTHER KING DRIVE
INDIANAPOLIS, INDIANA 46202
(317) 927-4684

SANITARY SEWER AND WATER
CITIZENS WATER AND WASTEWATER OF WESTFIELD
BRANDON CARTER
2150 DR. MARTIN LUTHER KING JR. STREET
INDIANAPOLIS, IN 46202
(317) 850-9055



SCALE: 1"=100'

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PROFESSIONAL ENGINEER

CERTIFIED BY

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Project Number 2017.00048

DEVELOPMENT PLAN

03

PLOT DATE: 4/12/2017 10:16 A.M.
PLOT SCALE: 1:1 LAST SAVE DATE: 4/12/2017
DRAWING FILE: P:\2017\2017.00048\C-Drawings\CAD\Plans\Plat\2017.00048.C-PP-03-DEP.dwg
ENTERED BY: A.TAYLOR

CHATHAM COMMONS
PRIMARY PLAT AND DEVELOPMENT PLAN
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SITE DATA TABLE
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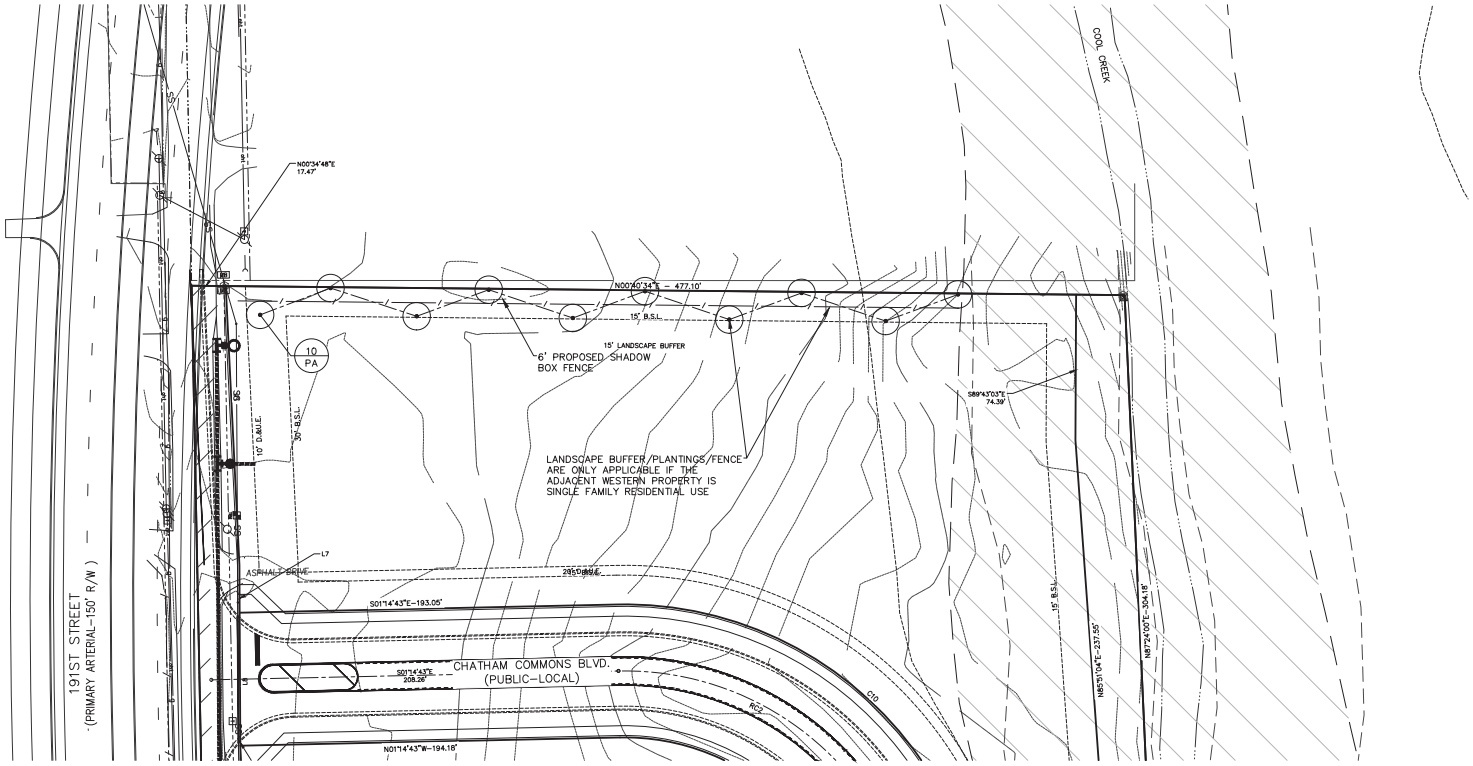
317-547-5580

SCALE: 1"=30'



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	PROPOSED FIRE HYDRANT
	PROPOSED VALVE
	PROPOSED TEE
1	PROPOSED 5' CONCRETE SIDEWALK
2	PROPOSED ASPHALT PATH

LANDSCAPE NOTES:

1. ALL STREET TREES ARE TO MATCH THE CURRENT CITY OF WESTFIELD MASTER TREE LIST
2. STREET TREES SHALL NOT BE WITHIN 4' OF ANY PAVEMENT
3. THERE SHALL BE NO TREES WITHIN 10' OF ANY STORM SEWER

Plant Material Schedule

KEY	BOTANICAL NAME	COMMON NAME	QUAN.	SIZE	REMARKS
PA	PICEA ABIES	NORWAY SPRUCE	10	5' B&B	SINGLE LEADER, HEAVY BRANCHING, MATCHING

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LANDSCAPE PLAN

04

PLOT DATE: 4/12/2017 10:17 AM
PLOT SCALE: 1:1 LAST DATE: 4/12/2017 ENTERED BY: ATAYLOR DRAWING FILE: P:\2017\2017\2017-0048\C-Drawings\CAD\Primary Plat\2017-0048-C-PP-04 LP.dwg

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, April 3, 2017, scheduled for 7:00 p.m. at the Westfield City Hall.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Randy Graham, Robert Horkay, Ginny Kelleher, Andre Maue, Robert Smith, and Tom Smith.

City Staff Present: Matt Skelton, Director; Pam Howard, Associate Planner; Amanda Rubadue, Associate Planner; and Paul Reis, City Attorney.

Approval of Minutes: March 6, 2017, Meeting Minutes and March 20, 2017, Meeting Minutes

Motion: Approve March 6, 2017, Meeting Minutes and March 20, 2017, Meeting Minutes

Motion: Kelleher; Second: Horkay. Vote: 6-0

Howard reviewed the meeting rules and procedures.

ITEMS OF BUSINESS

1703-PUD-03

Chatham Commons Planned Unit Development (PUD) District
NWC of 191st Street and U.S. 31
Chatham Hills, LLP by Henke Development Group, LLC requests a change of zoning of 41.04 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Chatham Commons Planned Unit Development (PUD) District.

Rubadue presented a brief overview of the change of zoning of 41.04 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Chatham Commons Planned Unit Development (PUD) District. This rezone would accommodate commercial/retail development. The petitioner has made several changes to the PUD that are outlined in the staff report. Petitioner has also agreed to the condition that a new Section 8; 8.1, D be added as follows: "There shall be a twenty (20) foot minimum building setback line from the northern and western property lines, north of Cool Creek. If the adjacent property is acquired by the Developer, this standard shall no longer apply." Staff recommends forwarding this petition to City Council with a favorable recommendation with the aforementioned condition.

Motion: Forward 1703-PUD-03 to City Council with a positive recommendation with staff condition.

Motion: Kelleher; Second: T. Smith. Vote: Approved 6-0

PUBLIC HEARINGS

1704-PUD-04
[PUBLIC HEARING]

Field Brewing in the Junction Planned Unit Development (PUD) District
Southeast Corner of SR 32 and Cherry Street
Custom Living, Inc. requests a change of zoning of 0.625 acres +/- from LB-H: Local Business / Historical District to the Field Brewing Planned

Unit Development (PUD) District to allow for the development of a brewery.

1704-DDP-04
[PUBLIC HEARING]

Field Brewing in the Junction Planned Unit Development (PUD) District
Southeast Corner of SR 32 and Cherry Street
Custom Living, Inc. requests Detailed Development Plan review of a new 5,537 square foot brewery on 0.625 acres +/- in the pending Field Brewing in the Junction Planned Unit Development (PUD) District.

Howard presented and overview of the petitioners request for a change of zoning of 0.625 acres +/- from LB-H: Local Business / Historical District to the Field Brewing Planned Unit Development (PUD) District to allow for the development of a brewery. She stated this project's proposed use is currently permitted. She added that the petitioner presented to the Grand Junction Task Group and received a letter of support from that group.

Jackie and Greg Dikos, petitioners, presented the concept of this project including its design as a family friendly destination that would source locally grown food for the restaurant. J. Dikos explained that the distiller's license would be acquired after three years holding a brewer's license and in the interim, the distillery building would be utilized as an event facility. She stated that they are working with the neighbor to the south to create additional shared parking.

Public Hearing for 1704-PUD-04 and 1704-DDP-4 opened at 7:13 p.m.

Robert Griepentrog, 215 Penn Street; stated that he was highly impressed with the petitioners. He asked why there is a need for another place to sell alcohol. He also asked for crosswalk east of Union Street to assist neighbors on the north side of Main Street to cross the road in a safe manner.

George Wilson/ADS cabinets, 221 East Main Street; expressed concern about parking.

Public Hearing for 1704-DDP-4 closed at 7:17 p.m.

J. Dikos stated that she supports the idea of a new crosswalk and encouraged input about the project from the community.

T. Smith asked if there was any chance of parking added prior to next meeting.

Skelton responded that parking is not required in LB-H district. The downtown area is meant to function like a planned unit development where parking on streets and public parking areas throughout the area. J. Dikos stated they are hoping to encourage customers utilizing bike and foot travel to be a substantial portion of their clientele.

Kelleher mentioned that this project looks like a great idea and what is appropriate for downtown. In addressing parking, she referenced that Zionsville made some streets one-way and added angled parking; that could possibly be on Cherry Street. She inquired if the facility would be child friendly or a bar atmosphere only. Kelleher supports the idea of a crosswalk.

J. Dikos stated that it would be a very family friendly atmosphere with appropriate measures in place to separate the bar area from underage guests.

Skelton will discuss crosswalk possibilities with Westfield Public Works.

J. Dikos asked if speed limit sign could be relocated, creating a safer traffic environment.

Kelleher stated the speed limit questions need to be directed to staff and the Department of Public Works.

Maue stated he would like to see character exhibit of planter boxed put in PUD Ordinance.

B. Smith agreed with Maue regarding the planter boxes and with the issue of reducing speed limit.

1704-ZOA-01 [PUBLIC HEARING]	**Unified Development Ordinance Amendment** City of Westfield requests various text amendments to the Unified Development Ordinance generally pertaining to Article 6.3(F)(A) Business District Mechanical Screening; Article 6.8 Landscaping Standards; Article 6.17 Sign Standards; Article 7.4(B) Subdivision Plat Certificates; Article 8.3 Easement Standards; Article 8.7(D)(1) Pedestrian Network Standards; Chapter 9 Nonconforming Regulations; Article 10.7 Development Plan Review; Article 12.1 Definitions; and Article 13.2 Use Table.

Jesse Pohlman, Onpointe Land Matters, on behalf of the Economic and Community Development Department presented an update on this amendment to the Unified Development Ordinance Amendment. Pohlman Stated when the UDO was originally adopted in September 2014, the department anticipated that annual patch amendments may be warranted in the ongoing maintenance of the UDO**.** This amendment is intended to address issues identified since the last amendment was adopted in May 2015. Most are minor in nature as outlined in the staff report. There are three specific items that were highlighted for the Commission:

1) Removing Public Hearing requirement for the Detailed Development Plan.
2) Addressing more intense agriculture uses with modified definitions.
3) The addition of self-storage facilities as a defined use.

Public Hearing for 1704-ZOA-01 opened at 7:28p.m.

Mic Mead, Oak Road; Stated he worked on the creation of the UDO. He disagrees on two points being that Article 3(D) refers to right-of-ways in regard to small yard signs. Most homeowner's do not know where the right-of-way line is and he thinks it is best to keep it at back of curb. Citing Article 5(B)(1), he does not see a reason to pave nature trails, and he does not support prohibiting lawn mowers. As for trails, he feels if should be Home Owners' Association issue.

Dennis Ells, 18420 Joliet Road; he stated he is in favor of the proposed amendment, and appreciates agricultural use changes.

India Olson, Land Use planner with Faegre Baker Daniels, 600 East 96th Street, Indianapolis; stated she is against self-storage restriction in the State Road 32 overlay. She stated that most permitted districts are in the overlays, and she thinks north side of State Road 32 west of U.S. 31 is good for self-storage as it is not too developed yet. She added that the SR32 corridor's many odd shaped lots are difficult for traditional developments. She discussed need for and benefits of self-storage.

Josh Motsinger, 18681 Joliet Road; He stated that he thinks it is completely appropriate to limit aquaculture to industrial districts and restricting its use in the AG-SF 1 zoning district.

Linda Naas, 1122 East 161st street on behalf of the 161st Street Neighbors; She asked about non-conforming use changes, only mentions ROW not trails and other takings. Asked for definition about Deliberately Damaged or Deliberately Destroyed by more than 50%. Development Plan process/review, can those issues be discussed during PUD or ODP stage if no DDP hearing. Wanted to see more on design and architectural standards, and asked when will those be added.

Public Hearing for 1704-ZOA-01closed at 7:39 p.m.

Pohlman responded to Public Comment:

- Changes to sign section have been made to accommodate Mic Mead's comments.
- Easement certificate can be modified for developers on case-by-case basis.
- Self-storage facilities in the State Road 32 overlay zone is question for APC and Council to decide, design requirements tend to be difficult for overlay.
- Can look at new language for takings, Linda's comments reflect the intent of the proposed change.
- Deliberately damaged verses destroyed can be revisited.
- Goal for the Detailed Development Plan (DDP) change is to reduce the number of hearing for the same project. Approval is a ministerial process in that the APC is obligated to approve if DDP's comply with standards. Overall Development Plan is where comments are most helpful, the DDP review is part of the building permit review process. .

Kelleher wants to look at tree preservation in more detail. She asked if architectural standards would be included in next UDO patch list.

Pohlman said that architectural standards are likely to be addressed later in 2017 and will be a more involved discussion with stakeholders.

B. Smith asked where self-storage will be permitted.

Pohlman responded in GB and industrial districts.

B. Smith also asked how many of those districts do we have.

Pohlman responded that he was not sure, but most self-storage facilities are in PUD's, definition is being added to UDO and to Use Table for clarity.

Kelleher asked about State Road 32 overlay size…600' deep? Self-storage would be permitted past 600'?

Pohlman confirmed both statements and stated that we are looking from input from APC and Council regarding Overlay exclusion, maybe permit but not directly adjacent to SR 32.

B. Smith asked about review without DDP hearing, when will we ask the questions that we are told are not relevant earlier in the process.

Pohlman responded that it take place during the ODP process.

Skelton indicated that this proposed change does not change anything procedurally. It would just eliminate the hearing requirement.

Kelleher asked about Nass' takings question.

Pohlman responded that it is to clarify that government taking causes Legal Nonconforming not Illegal Nonconforming.

CONTINUED ITEMS

1609-PUD-16 [CONTINUED]	**Wood Wind Planned Unit Development (PUD) District** *Towne Road; 146th Street / 166th Street* Pulte Homes of Indiana, LLC by Ice Miller LLP requests a change of zoning of 730 acres± from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course and single-family residential uses.
1703-ODP-01 **1703-SPP-01** [CONTINUED]	**Chatham Commons** *NWC of 191st Street and U.S. 31* Chatham Hills, LLP by American Structurepoint requests approval of an Overall Development Plan and a Primary Plat for 2 commercial lots on 41.04 acres +/- in the proposed Chatham Commons Planned Unit Development (PUD) District.
1703-DDP-03	**Shelby Gravel, Inc.** *17710 Mule Barn Road* Shelby Gravel, Inc. by Zentz Consulting, LLC requests review of a Detailed Development Plan for a concrete mixing plant on 10 acres± in the OI: Open Industrial District.

REPORTS/COMMENTS

Plan Commission Members.

City Council Liaison.

Board of Zoning Appeals Liaison.

Economic and Community Development Department.

Motion: Adjourn meeting.

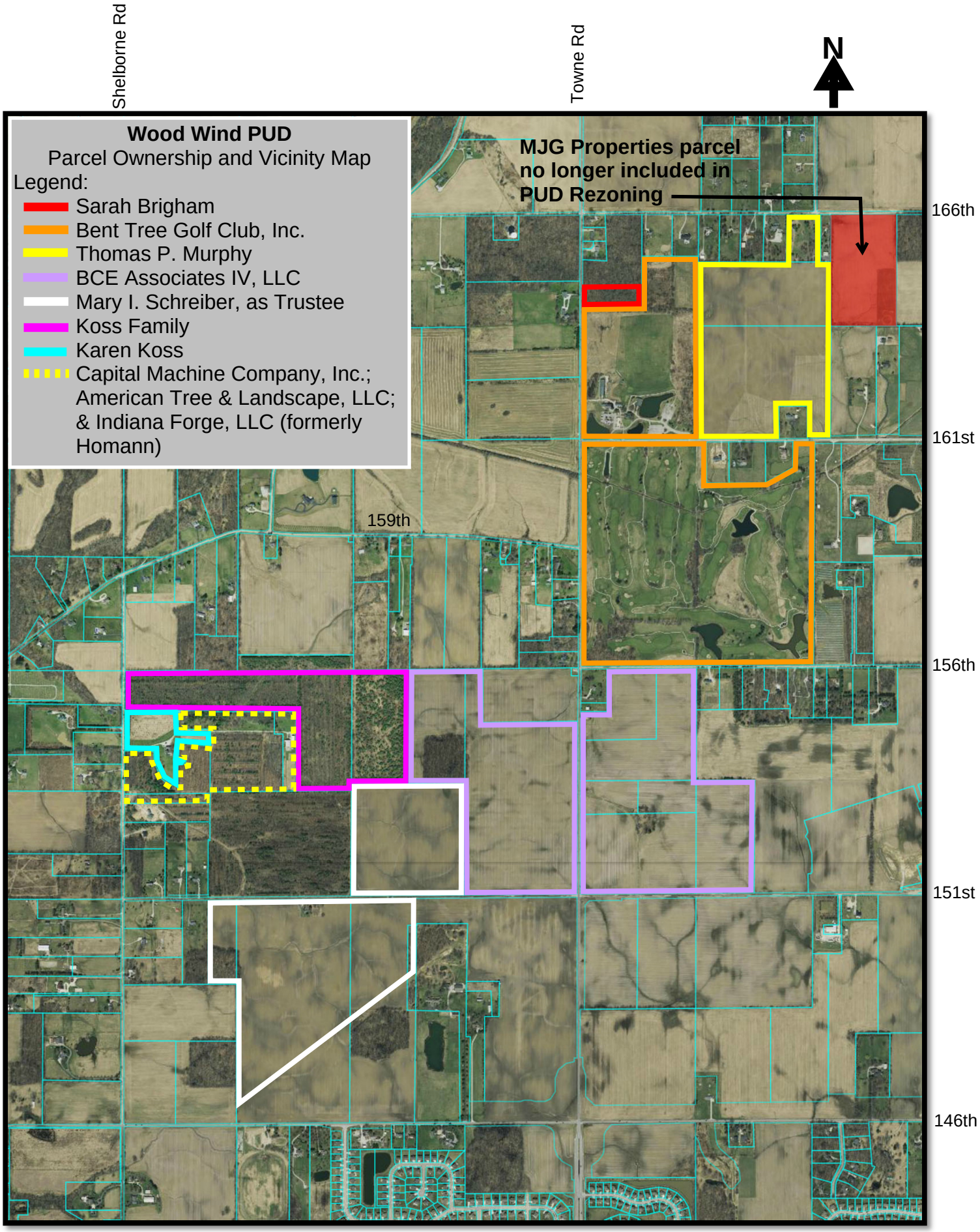
Motion: Kelleher; second, Maue. Vote: 6-0.

The meeting adjourned at 7:57 p.m.

_____
Randell Graham, President

_____
Andre Maue, Vice President

_____
Matthew S. Skelton, Esq., Secretary


Shelborne Rd
Towne Rd
N
Wood Wind PUD
Parcel Ownership and Vicinity Map
Legend:
Sarah Brigham
Bent Tree Golf Club, Inc.
Thomas P. Murphy
BCE Associates IV, LLC
Mary I. Schreiber, as Trustee
Koss Family
Karen Koss
Capital Machine Company, Inc.; American Tree & Landscape, LLC; & Indiana Forge, LLC (formerly Homann)
MJG Properties parcel no longer included in PUD Rezoning
166th
161st
159th
156th
151st
146th

2017-04-04

ORDINANCE NUMBER 16-27

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 "**WOOD WIND 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. 1609-PUD-16**), 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**. **1609-PUD-16** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2017;

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

NOW, THEREFORE, BE IT ORDAINED by the Council 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 "**WOOD WIND 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 Custom Home Lots: Collectively, the Lots within Area 1 and the Lots within Area 4 West.

2.2 Development Amenities: As defined by the Unified Development Ordinance and shall also include the Wood Wind Golf Course.

2.3 Dominant Exterior Material. The Exterior Material that occupies the greatest percentage of surface area (compared to other Exterior Materials) of a Front Building Facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.

2.4 Exterior Material. The separate architectural siding materials or patterns on a Building, such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

2.5 Home Series. The series of home types (e.g., Custom Homes Series One (C-1), Custom Homes Series Two (C-2), Traditional Homes Series One (T-1), Traditional Homes Series Two (T-2), Traditional Homes Series Three (T-3), Empty Nester Homes Series One (E-1) and Empty Nester Homes Series Two (E-2)) to be built within the District, as identified on the Concept Plan, attached hereto at **Exhibit B**, and represented in the Single-Family Character Exhibits, attached hereto at **Exhibit C**. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is

consistent with the established benchmark and complies with the standards of this Ordinance.

2.6 Open Space: As defined by the Unified Development Ordinance and depicted on **Exhibit B-4: Single Family Open Space** and includes the Wood Wind Golf Course.

2.7 Pulte: Pulte Homes of Indiana, LLC, or its affiliates.

2.8 Tree Preservation Areas. Those locations identified on **Exhibit B-2-A: Single Family District Layout – Area 1**, **Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5** as Tree Preservation Areas, and as further regulated herein.

2.9 Wood Wind Golf Course: The eighteen (18) hole golf course and associated facilities as depicted on the Concept Plan within Areas 1 and 2, including all elements of the course (i.e. fairways and surrounding corridors, greens, tee boxes, bunkers, hazards, natural features (i.e. creeks, woods, lakes)), common areas, restrooms or park pavilions, bridges, pathways, practice facility, driving range, short game area, instructional area, cart paths, golf bag storage and drop-off, golf cart parking and golf cart use on cart paths, golf cart-related services (indoor/outdoor storage, rental, service, sales, cleaning, refueling/charging, maintenance), Sit Down Restaurant with bar area and outdoor seating, banquet center, and accessory parking areas.

2.10 Wood Wind Home Owners Association: A corporation, association, or other legal entity created by the Developer for the benefit of the owners of Lots in Areas 1, 2, 3, 4 East, and 5.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B: Concept Plans**, 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. Substantial compliance generally includes, but is not limited to, the location and design of the Wood Wind Golf Course, the buildings, curvilinear streets, frontage streets, and the placement of open space and detention/retention facilities. If the size of detention / retention facilities (including ponds) are decreased or eliminated based upon final engineering of the project, then such areas shall remain Open Space and be maintained as common area by the Wood Wind Home Owners Association.

Section 4. **District Areas**. The District is hereby divided into the following areas as illustrated on the Concept Plan and labeled as: Areas 1, 2, 3, 4 East, 4 West and 5 (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 5. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be as follows (individually or collectively, the "Underlying Zoning District"):

5.1 Area 1: SF2: Single-Family Low Density District.

5.2 Area 2: SF2: Single Family Low Density District.

5.3 Area 3: SF3: Single-Family Medium Density District.

5.4 Area 4 East: SF3: Single-Family Medium Density District.

5.5 Area 4 West: SF1: Single Family Large Lot District.

5.6 Area 5: SF3: Single Family Medium Density District.

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate except as otherwise set forth below.

6.1 Wood Wind Golf Course: In addition to uses permitted in the Underlying Zoning District, the Wood Wind Golf Course shall be permitted within Areas 1 and 2. Deed restrictions shall provide that the Wood Wind Golf Course shall be maintained as a golf course available to the public for regular play or other Open Space in accordance with this Ordinance (the "Deed Restriction"). The Deed Restriction shall terminate upon the fiftieth (50th) anniversary of the adoption of this Ordinance and comply with the following:

A. In addition to the permitted use of the Wood Wind Golf Course as a golf course available to the public for regular play and other Open Space, the Deed Restriction will permit uses which are non-residential and primarily recreational, agricultural or equestrian in nature and operated by or for the benefit of the Wood Wind Home Owners Association if, and only if, all of the following shall occur:

1) an amendment to this Ordinance is adopted or approved by the Council permitting the use of the Wood Wind Golf Course for such additional uses; and

2) a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 1 and 2 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

3) a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 3, 4 East and 5 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

4) The then current owner of the Wood Wind Golf Course approves the use of the Wood Wind Golf Course for such additional uses and consents to or files a petition to amend this Ordinance to permit such additional uses.

B. The Deed Restriction shall be placed of public record prior to the recordation of a secondary plat for any Area and shall provide for the modification of the legal description for the Wood Wind Golf Course once the final boundaries of the Wind Wood Golf Course and configuration of the Lots and common areas within Areas 1 and 2 are determined and approved as part of a secondary plat approval.

Section 7. **General Regulations.** The standards of Chapter 4 Zoning Districts shall not apply to the development of the District; rather, the individual lot standards set forth in **Exhibit B-3: Single Family District Standards** shall apply to each Area as specified therein.

7.1 Maximum Number of Lots: The total number of single family lots in the District shall not exceed eight-hundred and fifty-six (856).

7.2 Building Permit Limits: A maximum of one-hundred and twenty-five (125) Improvement Location Permits ("building permits") may be issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any calendar year beginning with the effective date of this Ordinance, provided, however: (i) the number of annual allotted building permits not issued in any given calendar year (i.e., the positive difference between the annual maximum of one-hundred and twenty-five (125) building permits reduced by the number of building permits actually issued in any given calendar year) may be carried over to the next calendar year or successive calendar years; and, (ii) the maximum number of building permits issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any given calendar year shall not exceed one-hundred and fifty (150) building permits.

7.3 Minimum Perimeter Setback Standards: A minimum perimeter setback for rear or side lot lines shall be provided along all perimeter thoroughfares as depicted on **Exhibits B-2-A through B-2-E: Single Family District Layout**.

Section 8. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

8.1 Article 6. 1 Accessory Buildings or Structures: Shall apply, except as modified below:

A. Maximum Number: There shall be no maximum number of Accessory Buildings for the Wood Wind Golf Course and related operations. New or expanded Accessory Buildings shall be reviewed and approved by the Department as a Development Amenity.

B. Ancillary Structures: Tents, pavilions, patios and related equipment or displays (e.g., leaderboards) which are ancillary uses to the Wood Wind Golf Course and related uses (e.g., weddings, social events, golf demonstration or training tents), shall be deemed permanent as an ongoing ancillary use to existing operations and shall not require a temporary use permit. This does not exempt such structures or uses from obtaining permits otherwise required by the State or Fire Marshal.

8.2 Article 6.3 Architectural Standards: Shall apply, except as modified below:

A. Wood Wind Golf Course and Development Amenity Buildings: Article 6.3 Architectural Standards shall not apply, rather:

1) Except for a Sit Down Restaurant, which shall be governed by Section 8.2(A)(2) of this Ordinance, new and/or expanded Wood Wind Golf Course buildings shall be consistent and compatible with the architectural style and building materials depicted in existing Wood Wind Golf Course buildings as depicted in **Exhibit G: Wood Wind Golf Course Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Wood Wind Golf Course buildings. Loading docks for a Wood Wind Golf Course building shall be screened from view from an External Street or adjacent property zoned or used residentially by landscaping or screen walls.

2) Development Amenity Buildings and a Sit Down Restaurant shall be consistent and compatible with the architectural style and building materials depicted in **Exhibit H: Development Amenities Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Development Amenity buildings.

B. Single-Family Architectural Standards: The following shall apply to Single-family Dwellings within the District:

1) Custom Home Lots Character Exhibit: **Exhibit C-1: Illustrative Front Elevations for Area 1** and **Exhibit C-4-B: Illustrative Front Elevations for Area 4 West** attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed on the Lots in Area 1 and Area 4 West of the District, respectively. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed in Areas 1 and Area 4 West and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

2) Custom Home Variation: The Front Building Facades of any two Dwellings on the Lots in Area 1 of the District shall be substantially different. The Front Building Facades of any two Dwellings on the Lots in Area 4 West of the District shall be

substantially different.

3) Custom Home Lots in Area 1: Pulte shall have the option of being the builder of not more than fifty percent (50%) of the Dwellings in Area 1, provided that all Dwellings constructed by Pulte in Area 1 shall be one of the following home types: (i) 3850, 3900, 3950, 4000, 4150, 4563, 4634, 4741 or 5271 (all being home types currently being offered in the Village of West Clay); (ii) 4500, 4600, 4700, or 5200 (all being home types currently being offered in Hamilton Proper); or, (iii) any updated or comparable version of the foregoing of similar size, quality and character, as determined by the Director. In the event of any conflict or inconsistency between this Section 8.2(B)(3) and Section 8.2(B)(1), this Section 8.2(B)(3) shall control.

4) Custom Home Lots in Area 4 West: Pulte shall not be the builder of Dwellings on Custom Home Lots in Area 4 West.

5) Traditional & Empty Nester Character Exhibits: **Exhibit C: Single-Family Character Exhibits**, attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed in Areas 2, 3, 4 East and 5 of the District, respectively. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

6) Home Series by Area: **Exhibit B: Concept Plans** identifies a specific Home Series, as labeled and depicted in the **Exhibit C: Single Family Character Exhibits**, proposed to be built on specific Lots in each Area. In those Areas which are not specified for Custom Home Lots (i.e., Area 1 and Area 4 West) or for Dwellings from one specific Home Series (i.e., Area 2), the specific Home Series built in such Area may be adjusted from that depicted in the Concept Plan as specified below:

   a) Area 3 and Area 5: Dwellings in Area 3 and Area 5 shall come from the Home Series E-2 and T-3. Dwellings from Home Series E-2 may replace any Dwelling from Home Series T-2 or T-3, provided that any such Home Series E-2 replacement home with a front load garage shall be separated from a

perimeter street by no less than two (2) platted lots, exclusive of common areas.

b) Area 4 East: Dwellings in Area 4 East shall come from the Home Series T-1, T-2 and T-3. Dwellings from Home Series T-1 may replace any dwelling from Home Series T-2 and/or Home Series T-3. Dwellings from Home Series T-2 may replace Dwellings from Home Series T-3.

c) Model Homes: Notwithstanding anything in this Ordinance to the contrary, Developer may establish model homes within any Area. The model home may be a Dwelling from any Home Series permitted in that Area by this Ordinance. Any model home that includes a front load garage shall be separated from a perimeter street by no less than two (2) platted lots, exclusive of common areas.

7) Basements: All Dwellings from Home Series C-1, C-2, T-1, T-2 and E-1 shall include a basement with a minimum Gross Floor Area equal to not less than seventy percent (70%) of the Minimum Living Area of the Ground Floor.

8) Perimeter Lots: Article 6.3(C)(1) Single-family Districts; Perimeter Lots shall be amended to only apply to those Building Facades on those Lots identified in **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**. If the Lot layout and distance from Perimeter Streets on an approved Secondary Plat varies in any material respect from the Concept Plan, then the Director shall determine which Lots and Building Facades, in accordance with Article 6.3(C)(1), apply.

9) Side or Rear Façade Requirements: Lots identified as having a Side or Rear Façade Requirement on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Facade, provided that all such Lots shall count toward the forty percent (40%) of the total number of Lots specified in Sections 8.2 (B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2 (B)(15)(a)(iv), below.

10) Streetscape Diversity. Article 6.3(C)(2) Single-family Districts; Streetscape Diversity shall apply. The extensive use of curvilinear street patterns, substantially as depicted on **Exhibit B-2: Single Family District Layout**, constitutes the use of winding streets throughout the District to eliminate monotonous building placement and, together with the use of

variable building setback lines with a minimum variation of two (2) foot increments from adjacent lots wherever the street is straight for more than one-hundred and eighty (180) feet, hereby satisfies the requirement of Article 6.3(C)(2)(b) regarding varying Building Setback Lines. In addition, the facade variety code identified in **Exhibit I: Facade Variety Code** shall be applicable to Areas 2, 3, 4 East and 5.

11) Corner Lots. Lots identified as corner lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include the following on the side Building Facade oriented towards the street:

a) A minimum of one of the following: (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; or, (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; and

b) A minimum of two (2) windows on a single-story dwelling or three (3) windows on a two-story dwelling.

12) Trail Lots. Lots identified as trail lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include a minimum of one of the following on the side Building Facade oriented towards the trail: (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; or (iv) a landscape package including two (2) trees and ten (10) shrubs.

13) Golf Lots – Rear Facades: In Area 1 and Area 2 on Lots abutting the Wood Wind Golf Course and depicted as Golf Lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** the rear elevation of those Dwellings

shall incorporate either: a full first floor Masonry Material wrap; or, a minimum of two of the following elements:

a) Masonry Material a minimum of thirty-six (36) inches in height;

b) Pergola with a minimum or 100 square feet;

c) A Facade Projection or Recession including a minimum of one (1) twelve-foot (12') deep offset, which is a minimum height equivalent to one-story;

d) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

e) Covered porch or covered patio (minimum of one-hundred and forty (140) square feet).

f) Sunroom (minimum of one-hundred and twenty (120) square feet);

g) A Facade Projection or Recession in the rear Building Facade that contains a minimum of fifty percent (50%) of Masonry Material;

h) Two (2) or more siding materials or material patterns (e.g., board and batten, shake, lap siding) on the Building Facade. Each siding material or material pattern shall be a minimum of ten percent (10%) of the applicable rear Building Facade (exclusive of openings and trim);

i) A Facade Projection a minimum of one (1) foot deep offset, which is a minimum height equivalent to two-stories and spans a minimum of ten (10) feet in length; or

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

No element listed above may be used to meet this requirement on more than fifty percent (50%) of such Lots (excluding those Lots with a full first floor Masonry Material wrap) in either individual Area.

14) Golf Lots – Masonry Materials: A minimum of fifty percent (50%) of the Lots in Area 1 and fifty percent (50%) of the Lots in Area 2 which abut the Wood Wind Golf Course and are identified as Golf Lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade of any Dwelling. Dwellings meeting this requirement shall count

toward the forty percent (40%) of the total number of Dwellings specified in Sections 8.2(B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2(B)(15)(a)(iv), below.

15) Four-Sided Architectural Requirements: In addition to the requirements of Article 6.3(C)(3), all Single-Family Dwellings shall comply with the following:

a) Minimum Masonry Material: The following Masonry Material requirements shall apply to Lots in Areas 1, 2, 3, 4 East, 4 West and 5:

i. A minimum of forty percent (40%) of all Dwellings in Area 1 shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

ii. A minimum of forty percent (40%) of all Dwellings in Area 4 West shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

iii. A minimum of forty percent (40%) of all Dwellings in Areas 2, 3, 4 East and 5 combined shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade; and,

iv. A minimum of ninety percent (90%) of all Dwellings in Areas 1, 2, 3, 4 East and 5 combined shall have a minimum eighteen inch (18") tall Masonry Material wrap along the entire length of each Building Façade. Dwellings with a minimum thirty-six inch (36") Masonry Material wrap shall count toward meeting this ninety percent (90%) standard.

b) Side Building Facades with Gable: All Dwellings with a gable end on the side Building Facade that do not have either: a side loading garage; or, Masonry Material a minimum of thirty-six (36) inches tall on the side Building Façade, shall incorporate a minimum of one of the following elements on the side Building Façade which shall be complimentary to elements found on the Front Building Façade, with a variety of these elements being utilized throughout the District:

i. A change in exterior color separated by trim*;

ii. A change in Exterior Material pattern separated by trim*;

iii. A change in Exterior Material separated by trim;

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

v. A minimum of ten (10) square foot gable window with horizontal trim below the window;

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

vii. A projecting chimney running the full height of the side Building Facade constructed with Masonry Material.

*See **Exhibit J: Gable End Character Exhibit** for depictions of these elements.

d) Exterior Building Materials:

i. Siding: Aluminum and vinyl siding shall be prohibited.

ii. Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials or for windows that include shutters. Required trim shall be a minimum of five and one-half inches (5-1/2") wide.

iii. Fireplaces: Exterior (projects from Building Facade) fireplace chases shall be constructed with Masonry Materials and shall not be cantilevered or shed chimneys. Interior (projects through the roof line) fire place chases shall be constructed of or have a veneer that emulates Masonry Materials.

e) Roof Design:

i. Overhangs: Roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.

ii. Materials: All Dwelling roofs shall use dimensional singles.

f) Side Façade Windows: All one-story Dwellings shall have a minimum of one (1) window per side Building Façade. All two-story Dwellings shall have a minimum of two (2) windows per side Building Façade. The minimum area of any window used to meet this minimum standard shall be fifteen (15) square feet in area.

g) Garages and Driveways:

i. Design Elements: Garage elevations shall include a variety of design elements substantially similar to those elements depicted in **Exhibit D-2: Illustrative Garage Door Treatments** to vary the appearance of the garage facade. 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.

ii. Color: All Dwellings shall have decorative garage doors with windows and be painted a color to match the Dominant Exterior Material or a color to accent the Dominant Exterior Material.

iii. Side Wall Window: The non-door Building Facade of a courtyard-load or side-load garage oriented toward a street shall include a minimum of twenty-five (25) square feet of windows.

iv. Dwellings on Lots in all Areas as labeled and depicted on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** identified as "Non-Front Loading Garages" shall include a courtyard-load or side-load garage. For the purposes of this regulation, an "L" shaped three (3) car garage shall be deemed to comply with this standard provided no more than a one (1) car garage door is oriented toward the street.

v. Dwellings from Home Series C-1, C-2, T-1 and T-2 shall include a minimum three car garage. Dwellings from Home Series E-1, E-2 and T-3 shall include a minimum two car garage.

vi. Base model Dwellings from Home Series E-1 on Lots in Area 2 are designed for a non-front loading garage; however, model options include a front loading three car garage. Dwellings in Area 2 shall be non-front loading garages, except in the event a homebuyer elects to build the front loading three car garage option. If a front loading three car garage option is selected by the buyer, then a three car front loading shall be permitted and shall include three individual and separate garage doors. In no case, however, shall the number of dwellings with front loading three car garages in Area 2 exceed thirty percent (30%) of the total number of Lots in Area 2. In addition, no more than two (2) consecutive Lots on the same side of the street may contain front loading garages, provided, however, when two (2) front located garages are located on two (2) consecutive Lots on the same side of the street, there shall be a minimum of three (3) consecutive Lots on the same side of the street with non-front loading garages in each direction before another front loading garage is allowed on the same side of the street.

vii. An overall combined total of not less than seventy percent (70%) of the Dwellings in the District shall have non-front loading garages.

viii. All driveways shall be concrete. Asphalt driveways shall be prohibited.

16) Rear Building Facade Variation: The rear Building Facade of at least one (1) Dwelling of every three (3) consecutive Dwellings located on the same side of a Street within Areas 2, 3, 4 East and 5 shall incorporate one (1) of the following elements:

a) A Masonry Material wrap a minimum of thirty-six (36) inches in height;

b) A Facade Projection or Recession including a minimum of one (1) ten-foot (10') deep offset, which is a minimum height equivalent to one-story;

c) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

d) A Facade Projection including a minimum of one (1) foot deep offset, which spans a minimum of ten (10) feet in length; or

e) A covered porch or covered patio (minimum of one-hundred and twenty (120) square feet in area).

The inclusion of one (1) of the foregoing elements shall also count toward the requirements specified in Sections 8.2(B)(9), (12), (13) and (15), above.

17) Model Homes: All model homes in Areas 2, 3, 4 East and 5 shall have a minimum thirty-six (36) inch Masonry Material wrap on both side Building Facades and the rear Building Facade. These model homes shall count toward the minimum forty percent (40%) of the total number of Lots specified in Section 8.2(B)(15)(a)(ii) and (iii), above, and the ninety percent (90%) of the total number of Lots specified in Section 8.2(B)(15)(a)(iv), above.

18) Application of Varying Percentage Standards. Percentages specified above in this sub-section which are applicable to an Area individually and separately shall be calculated and applied to those Lots within such Area that have received primary plat approval at the time of the Improvement Location Permit application for the calculation in question.

8.3 Article 6.5 Fence Standard: Shall apply. Open wire mesh or black or green vinyl-coated chain-link fencing surrounding Wood Wind Golf Course uses may be erected to a height that meets national regulations for the sport, or an increased height specified by the Department of Public Works, to protect nearby vehicular and pedestrian traffic or buildings.

8.4 Article 6.8 Landscaping Standards: Shall apply, except as modified below:

A. Article 6.8(I) Detention and Retention Areas: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

B. Article 6.8(K) Minimum Lot Landscaping Requirements: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

1) Area 1, Area 2, Area 4 East and Area 4 West: Lots located in Area 1, Area 2, Area 4 East and Area 4 West shall include a minimum lot landscaping of: two (2) shade trees; two (2) ornamental or evergreen trees; and, twenty (20) shrubs.

2) Area 3 and Area 5: Lots located in Area 3 and Area 5 shall include a minimum lot landscaping of: two (2) shade trees; one (1) ornamental or evergreen tree; and, ten (10) shrubs.

3) Area 4 West Custom Lots – Tree Clearing: Developer may perform grading and tree clearing as reasonably necessary to accommodate the following aspect of the residential development: streets, utilities, drainage facilities which shall include side and rear yard drainage swales between future Dwellings, and for reasonable grade changes for proper pad development to accommodate Dwellings. Developer may clear lots of underbrush, dead or dying trees, trees that are less than two inches (2”) in diameter measured at three feet (3’) from existing grade in order to develop a park-like setting for each lot. Developer shall keep trees outside of these aforementioned development areas that are healthy, pose no unsafe conditions to the nearby streets, utilities, or Dwellings, are reasonably aesthetically pleasing, and have a reasonable chance of flourishing through the development and future neighborhood. Developer shall take reasonable care to save as much of the natural growth and terrain as reasonably possible. Developer shall not conduct mass clearing of trees.

4) Area 4 West Custom Lots – Preservation Credits: Trees preserved on individual lots shall qualify for credit against minimum lot landscaping.

C. Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply; rather, the following shall apply.

1) Wood Wind Golf Course and Development Amenities: No External Street Frontage Landscaping shall be required along Wood Wind Golf Course and Development Amenity parcels abutting an External Street. Existing golf cart paths and fencing on the Wood Wind Golf Course and Development Amenity parcels may encroach into current or future rights-of-way, subject to approval and issuance of applicable permits by the Department of Public Works. All existing fencing along the perimeter of the Wood Wind Golf Course shall be repaired or replaced as necessary.

2) Single-family Areas: A landscaping area shall be required for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise exempted herein for Wood Wind Golf Course and Development Amenity areas) abutting an External Street in accordance with **Exhibit E-1: Road Frontage Landscaping**. A minimum of sixty-five percent (65%) of an individual Area's gross External Street Frontage for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise provided herein for Wood Wind Golf Course and Development Amenity areas) shall incorporate a black four board horse fence into the road frontage landscaping area. If the Front Building Facade of a Dwelling is located on a Frontage Road and oriented toward an External Street, then the External Street Frontage Landscaping Requirements of Article 6.8 Landscaping Standards shall not be required between the Dwelling's Lot or Frontage Road and the External Street; provided, that the area between the Frontage Road and the External Street shall contain a four board black horse fence and at least twenty-five (25) shrubs per one hundred (100) lineal feet of External Street for which the Front Building Facade of a Dwelling is oriented.

D. Article 6.8(N) Buffer Yard Requirements: Shall not apply; rather the following Buffer Yards shall apply, as depicted in **Exhibit E: District Landscape Exhibits**.

1) Location: Buffer Yards shall be required as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity and Exhibit E-4: Parcel-Specific Buffer Yards**.

2) Buffer Yard Types: The following types of Buffer Yards are hereby established.

a) Buffer A: Buffer A is required and depicted in areas where there is Open Space in excess of one hundred feet (100') in depth and contains the Wood Wind Golf Course, detention/retention areas,

and/or existing woodlands.

b) Buffer B: Buffer B shall be planted as a reforestation buffer as depicted on **Exhibit E-3-A: Buffer Yard Type B**, and shall have a minimum depth of fifty (50) feet.

c) Buffer C: Buffer C shall be as depicted in **Exhibit E-3-B: Buffer Yard Type C**, and shall have a minimum depth of thirty feet (30') and shall include a minimum of three (3) Shade Trees, three (3) Evergreen Trees, ten (10) shrubs and a mixture of native plantings per one hundred (100) lineal feet.

d) Buffer D: Buffer D shall be as depicted in **Exhibit E-3-C: Buffer Yard Type D**, and shall have a minimum depth of fifteen feet (15)' and shall include a minimum of two (2) Shade Trees, three (3) Evergreen Trees and ten (10) shrubs per one hundred (100) lineal feet.

3) Parcel-Specific Buffer Yards: In addition to the above Buffer Yard Requirements, the following buffer yards shall be provided, as labeled and depicted on **Exhibit E-4: Parcel-Specific Buffer Yards**. In the event of conflict between the above Buffer Yard Requirements and the following additional requirements, the provision that creates the stricter standard shall control.

a) Buffer 1: Parcel of real estate located at 1816 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-008.101 (the "Baker Parcel"):

i. Developer shall not install a black four board horse fence along the common property line of the Real Estate and Baker Parcel without the prior written consent of the owner of the affected portion of the Baker Parcel.

ii. Developer shall meet with the owner of the Baker Parcel during the engineering design process to review existing drainage patterns and the method of addressing existing drainage patterns in the drainage plans to be submitted to the City of Westfield or the applicable Department of the City of Westfield.

b) Buffer 2: Parcel of real estate located at 1924 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-004.001 (the "Burkman Parcel"): Buffer Yard A shall be required on the Real Estate along the shared property lines of the Real Estate and the Burkman Parcel, which shall also include the following:

i. A five to six foot (5' – 6') tall undulating mound (measured from existing grade) along the northern property line of the

Burkman Parcel. Mound may be less than five feet (5') tall in some areas to accommodate drainage.

ii. A minimum of eight (8) and maximum of twelve (12) trees per 100 lineal feet and planted within twenty feet (20') of the north property line of the Burkman Parcel. The trees shall be a combination of and minimum size at planting of 6'-tall spruce trees and 2.5" caliper shade trees. The trees shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association. The trees will be planted by no later than June 30, 2018.

iii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year from planting.

iv. A white four board vinyl horse fence along the north, west and east property lines of the Burkman Parcel by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

c) <u>Buffer 3: Parcel of real estate located at 1839 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.000 (the "Martin Parcel"):</u>

i. Buffer Yard A shall be required along the southern property line of the Martin Parcel, and shall include a black four board fence and a minimum six foot (6') tall mound planted with Indiana spruce trees, a minimum of seven feet (7') tall at planting, planted at a rate of twelve (12) trees per 100 lineal feet on the upper third of the mound and the trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees will be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the southern property line of the Martin Parcel by no later than June 30, 2018. In addition, a black four board horse fence shall be required on the Real Estate along the east side of the street from 166th Street to Area 1 and west of the Martin Parcel. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

iv. Developer shall meet with the owner of the Martin Parcel and identify any drainage tiles running across the adjacent property that Developer is purchasing from T. Murphy which impact the Martin Parcel and shall tie such tiles into a drainage system that has been approved by the City of Westfield or the applicable Department of the City of Westfield.

d) Buffer 4: Parcel of real estate located at 2001 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.101 (the "Hall Parcel"): Buffer Yard A shall be required along and south of the south property line of the Hall Parcel. The buffer shall include the following:

i. A minimum of six (6) trees per 100 lineal feet, which shall be either spruce trees, a minimum of seven feet (7') tall at planting, or deciduous trees a minimum 2.5" caliper at planting. The trees shall be located on the Real Estate within twenty feet (20') of the Hall Parcel property line. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

e) Buffer 5: Parcel of real estate located at 2045 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.001 (the "Frei Parcel"): Buffer Yard A shall be required o the Real Estate along the south property line of the Frei Parcel, and shall include the following:

i. Twelve (12) spruce trees, a minimum of seven feet (7') tall at planting, and planted within twenty feet (20') of the Frei Parcel property line. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse type fence along the common property line of the Real Estate and the Frie Parcel. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

f) Buffer 6: Parcel of real estate located at 2101 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.002 (the "Brown Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Brown Parcel and shall include a minimum of fifteen (15) spruce trees of a variety native to Indiana, planted within twenty feet (20') of the Brown Parcel. The trees shall be a minimum height of seven feet (7') tall at time of planting and shall be planted no later than June 30, 2018. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Brown Parcel, or, if determined by Developer at the time of the Overall Development Plan to be reasonably feasible, south of the existing tree line in order to minimize the disturbance to the existing trees along the shared property line. In either event, the fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

g) Buffer 7: Parcel of real estate located at 2131 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.003 (the "Gibson Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Gibson Parcel. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Gibson Parcel. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

h) Buffer 8: Parcel of real estate located at 2199 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.101 (the "Watkins Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Watkins Parcel and shall include a minimum of thirty (30) trees planted within fifteen feet (15') of the Watkins Parcel property line.Buffer Yard A along the common property line of the Real Estate

and the Watkins Parcel by no later than June 30, 2018. Treees shall include a combination of Indiana native spruce & deciduous trees a minimum height of seven feet (7') at planting. Developer shall consult with the owner of the Watkins Parcel as to the type, location and layout of such plantings. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Watkins Parcel by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

i) Buffer 9: Parcel of real estate located at 2223 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.111 (the "Severson Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Severson Parcel and shall include a black four board horse fence along that portion of the common property line of the Real Estate and the Severson Parcel which is not prohibited by the location of any pond in this area. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

ii. If it is determined to be feasible by the Developer's civil engineer based upon grading and storage capacity needs, Developer will use reasonable efforts to save the existing willow tree near the proposed pond.

j) Buffer 10: Parcel of real estate located at 3421 W. 151st Street and identified as Hamilton County Tax Parcel No. 08-09-17-00-00-014.001 (the "Spencer Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the east property line of the Spencer Parcel and shall include a minimum of thirty-six (36) Indiana native spruce trees. Trees shall be a minimum height of five feet (5') at planting. The trees shall be planted by November 30, 2020.

k) Buffer 11: Parcel of real estate located at 15410 Shelborne Road and identified as Hamilton County Tax Parcel No. 08-09-18-00-00-013.005 (the "Combs Parcel"):

i. The owner of the Combs Parcel shall have a period of 24 months from the later of: the recording of the plat for Area 4 West; or, the installation of pavement in Area 4 West providing access to the east side of Shelborne Road, to provide written notice to the Developer of Area 4 West that the owner of the Combs Parcel elects to have a minimum or six (6) and a maximum of eight (8) evergreen trees planted on the Combs Parcel to screen exiting car headlights. Once such written notice is given, the Developer shall meet with the owner of the Combs Parcel to determine the appropriate locations for the planting of the evergreen trees. Subject to the owner of the Combs Parcel providing the Developer with appropriate access rights and a right-of-entry, the Developer shall then and have up to six (6) months to install the evergreen trees (a minimum height of seven feet (7') at the time of planting) on the Combs Parcel.

ii. All trees planted by the Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting.

l) Buffer 12: Parcel of real estate located at 1881 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-010.003 (the "VanNatta Parcel"):

i. A six-foot (6') tall black vinyl chain link fence on the Real Estate along the shared property line of the Real Estate and the VanNatta Parcel shall be required commencing at the south property line of the Real Estate along 156th Street and extending north for six-hundred feet (600').

ii. A black four board horse fence shall be required on the Real Estate commencing at the end of the northernmost point of the chain link fence, required above, to the southern edge of the surveyed flood plain of the creek running through the Wood Wind Golf Course. Said fence shall be installed not later than six (6) months after the opening of the four new golf holes of the Wood Wind Golf Course on the north side of 161st Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association

iii. Ten (10) trees per 100' lineal feet shall be required on the Real Estate adjacent to the VanNatta Parcel. A minimum of forty percent (40%) of the trees shall be spruce trees and the remaining trees shall be native Indiana deciduous trees. Spruce trees shall be a minimum height of seven feet (7') at time of planting. Deciduous trees shall be a minimum 2.5" caliper at time of planting. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

iv. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting.

m) Buffer 13: Parcel of real estate located at 1953 W. 156th Street and identified as Hamilton County Tax Parcel No. 08-09-16-00-00-002.005 (the "Essex Parcel"):

i. During the development of Area 3, Developer shall connect the field tile that runs northwest to southeast into the Essex Parcel and connect it into the drainage system which has been approved by the City of Westfield or the applicable Department of the City of Westfield. Developer shall contact the owner of the Essex Parcel in advance of the aforementioned work and arrange a meeting whereby both parties can walk the area in order to fully understand the location of the field tile. This will be done at no expense to owner of the Essex Parcel. The owner of the Essex Parcel will be notified when work on connecting field tile is to be undertaken so that the owner of the Essex Parcel can inspect the cap being placed on their field tile line.

ii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Essex Parcel between the top of bank on the lake and the future right-of-way line of 156th Street. The fence shall be installed within six (6) months of the paving of the entrance from Area 3 to 156th Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

iii. In the event that the City of Westfield requires the installation of a passing blister opposite the entrance to Area 2 along the frontage of the Essex Parcel, Developer shall notify the owner of the Essex Parcel of such occurrence and shall provide the owner of the Essex Parcel with a status report of the design and timing of construction. In addition, Developer (or the City of

Westfield) shall pay all costs normally associated with any right-of-way acquisition, mailbox relocation, driveway repair and culvert reconstruction under the driveway, if applicable and necessary.

iv. The owner of the Essex Parcel shall have a period of 24 months from the later of: the recording of the plat for Section I of Area 2; or, having pavement down in Section I of Area 2 providing access to 156th Street, to provide written notice to Developer, along with appropriate access rights and a right-of-entry, to install a 3' to 4' mound, with 6-8 spruce trees being a minimum of 7' to 8" tall at the time of planting, installed on the Essex Parcel to screen exiting car headlights. Such mound and trees shall be installed within six (6) months of written notice to Developer from the owner of the Essex Parcel and the owner of the Essex Parcel providing the Developer with appropriate access rights and right-of-entry to the Essex Parcel. Developer shall consult with the owner of the Essex Parcel regarding the variety of spruce trees that will be planted before work takes place.

n) Provisions applicable to all Parcels:

i. The owner of the each Parcel shall have the option to be a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association solely for purposes of having access to the Amenity 1 Area at no initiation or upfront cost, but shall be responsible for regular membership fees and assessments charged by the Wood Wind Golf Club or the Wood Wind Home Owners Association. The option to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association shall expire on October 31, 2020. If the owner of a Parcel elects to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association, the owner of the Parcel and the Wood Wind Home Owners Association shall record an instrument that runs with the Parcel and binds future owners of the Parcel to being a social member.

ii. Developer shall develop the Real Estate in accordance with the drainage plans approved by the City of Westfield or the applicable Department of the City of Westfield so as not to unlawfully increase the existing quantity or rate of stormwater runoff from the Real Estate on to any Parcel.

iii. If the development of the Real Estate by the Developer causes a water well located on any Parcel to fail to either

(a) furnish the water well's normal supply of water, or (b) furnish potable water, in either case, as determined by the Director of the Indiana Department of Natural Resources in accordance with Indiana Code 14-25-4 et seq., then the Developer shall provide an adequate supply of potable water to the owner of the such Parcel until such time as the Developer, at Developer's option and at Developer's cost and expense, either (x) connects the residence on such Parcel to a public water system, or (y) restores the existing water well to its former relative capability or provides a replacement well on the such Parcel with the same relative capability.

iv. The Developer shall request the provider of natural gas to the District shall also provide natural gas to the each Parcel identified in this Section 8.4 (D)(3), to the extent feasible and reasonable; provided that the Developer shall not be obligated to incur any additional cost or expense in connection therewith.

v. The time periods for installing any improvement or landscaping shall be extended by the period of any delay caused by weather, governmental permitting and approvals, acts of God and other causes not within the reasonable control of the Developer.

vi. Developer and the owner of any Parcel identified in this Section 8.4 (D)(3), shall have the right to waive or modify any of the foregoing provisions in this Section 8.4 (D)(3), as they pertain to the Parcel of such owner by execution of a written agreement signed by the Developer and such owner. Upon execution of such a written agreement, this ordinance shall be deemed to be amended accordingly.

E. Article 6.8(O), Parking Area Landscaping: Shall apply to the District, except as modified below:

1) Wood Wind Golf Course and Development Amenities: Subsection (1) Interior Parking Area Landscaping shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenities areas on the date of adoption of this Ordinance.

F. Tree Preservation: Tree Preservation shall be applicable to those portions of Areas 1, 3, 4 East and 5 identified as Tree Preservation Areas on **Exhibit B-2-A: Single Family District Layout – Area 1**, **Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5**. Obligations regarding the Tree Preservation Area shall be incorporated into the recorded Conditions, Covenants, and Restrictions established by the Developer of each Area where a Tree Preservation Area is located. The provisions of Article 6.8(E)(5) of the UDO shall not be applicable to the Tree Preservation Areas. Tree Preservation Areas shall be regulated and well maintained in accordance with the following:

1) The following best management practices shall be implemented with respect to Tree Preservation Areas:

   a) Removal of invasive species (e.g. bush honeysuckle) where appropriate, including the use of professionals to apply herbicides or identify and remove such invasive species.

   b) Removal of an overabundance of combustible material (e.g. dead, fallen trees, and leaves).

   c) Removal of vines growing on and up a tree.

   d) Removal of dead, hazardous and at risk trees.

   e) All maintenance activity shall be completed in accordance with industry standards using the latest ANSI Z133.1 and A-300 approved practices and methods.

2) The following activities shall be permitted within Tree Preservation Areas:

   a) Planting of native trees.

   b) Removal of hazardous, exotic and invasive species.

   c) Removal of trees directed to be removed by municipal, county, state or federal agencies or departments or by a public utility.

   d) Installation of minor improvements such as identification signs; provided such are designed and installed in a manner that does not remove or damage any trees to the greatest extent possible.

   e) Establishment of access easements, paved trails, utility and drainage improvements; provided, however, that any such easements shall be as narrow or small as reasonably possible with no blanket easements.

3) The following activities shall be prohibited within Tree Preservation Areas:

   a) Removal of living vegetation except as otherwise permitted in this Section 8.4 (F).

b) Mowing any portion of existing, naturally vegetated areas.

c) Dumping of leaves or other debris from areas other than the Tree Preservation Area.

d) Seeding, including grass seed, prairie mix seed, sod or the planting of any type of vegetable garden unless otherwise approved by the Director.

e) The construction of pools, sheds, garages, fences, playground equipment, tree houses, fire pits, and other permanent or semi-permanent structures.

f) Active recreational activities that would adversely impact the Tree Preservation Area such as the placement of playground equipment, paving for basketball or tennis courts and swimming pools.

4) The following shall be required for all Tree Preservation Areas:

a) Signs identifying the Tree Preservation Area shall be posted every one-thousand (1,000) feet around the perimeter of all Tree Preservation Areas. Such signs shall state "Natural Preservation Area – No mowing or spraying".

b) Barriers shall be installed prior to site development and earth moving activities, which shall be specified on all landscape, construction, demolition and grading plans. Such barriers shall remain in place during the site's construction activity.

8.5 Article 6.14, G, Off-street Parking: Shall apply to the District, except as modified below:

A) Wood Wind Golf Course and Development Amenities: The requirements of Subsection 7 (b), regarding curbs and gutters for Parking Areas shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenity areas on the date of adoption of this Ordinance.

8.6 Article 6.17 Signs Standards: Shall apply. In addition, the following shall also apply:

A. Wood Wind Golf Course and Development Amenity Signs: Article 6.17 Sign Standards shall apply to the Wood Wind Golf Course and Development Amenities. In addition, the following signs shall be permitted and shall not count against otherwise permitted Signs for the Wood Wind Golf Course and Development Amenities. These signs shall not require a sign permit and shall not be visible from the public right-of-way or adjoining residential properties:

1) Leaderboard Signs: Signs with scoring or leader board information with manual or digital changeable copy area. Outdoor televisions screens shall not be visible from public rights-of-way or adjoining residential properties, and shall not

be considered signs.

2) Message Signs: Message or announcement boards mounted to Wood Wind Golf Course or Development Amenity buildings.

3) Wood Wind Golf Course Hole Signs: All temporary or permanent signs related to tours or layout of the Wood Wind Golf Course or Development Amenities (e.g., hole numbers, description of area or directional signs for tours).

4) Directional / Circulation Signs: Signs two (2) square feet or less in Sign Area and located along internal drives and parking areas within the Wood Wind Golf Course and Development Amenity areas.

B. Single-Family Areas: Article 6.17 Sign Standards shall apply to Areas 1, 2, 3, 4 East, 4 West and 5, except as modified below:

1) Monument Signs: Article 6.17(G)(1) shall not apply; rather, the following shall apply:

a) Column Signs for Individual Entrances: Individual entrances to the various Areas within the District shall be permitted to be identified by "column" signs substantially similar to **Exhibit F: District Monument Sign & Column Entrance Sign Concepts**. The name of the individual Area may also be included on the column as depicted. Columns may be located either on each side of an entrance drive or in a median entrance feature subject to the approval of the Director and the Department of Public Works, if located within the right-of-way. Columns shall not exceed nine (9) feet in height. The total sign surface area of any sign or signs placed on an individual Column shall not exceed thirty-two (32) square feet in area.

b) District Monument Signs: A monument sign shall be permitted at the corner of 161st Street and Towne Road to identify "Wood Wind of Westfield". The sign area shall not exceed sixty (60) square feet in area, six (6) feet in height or twenty-five (25) feet in width.

c) Temporary Signage: The design objectives of Article 6.17 (K)(2)Construction Signs shall apply: however, for the purposes of this section, each Area within the District shall be considered as a separate construction project.

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with Chapter 7 Subdivision Regulations of the Unified Development Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works.

Section 10. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

10.1 Article 8.1 Block Standards: Shall not apply.

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

A. Minimum Open Space: Article 8.6(G) shall not apply; rather the Minimum Open Space shall be provided in the locations and minimum quantities as depicted on **Exhibit B-4: Single Family Open Space.**

B. Development Amenity Center and Playgrounds: A Development Amenity Center and playgrounds shall be located in Areas 1, 3, 4 East and 5 as generally located in **Exhibits B-2-A through B-2-E: Single Family District Layout** and shall include improvements substantially as depicted in **Exhibit B-5: Amenity Area Concepts**.

C. Timing of Installation: Article 8.6(F)(3) Timing of Installation shall not apply to Areas 1 and 2; rather, the following shall apply:

1) Wood Wind Golf Course: The Wood Wind Golf Course shall be partially redesigned, modernized and upgraded. Other than temporary closures required to implement such redesign, modernizing and upgrades, or to accommodate the construction of other Development Amenities, the Wood Wind Golf Course shall remain open and available to the public during renovations.

2) Development Amenity Center: The Development Amenity Center shall be constructed in two (2) phases as follows:

a) Phase One: Phase One shall include three (3) swimming pools (lap pool, resort pool, and a kiddie pool) and associated bath house (restrooms and showers). Construction of this phase shall commence at or prior to the issuance of the 75th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2018, whichever occurs later. Phase One improvements shall be completed within one (1) year of commencement.

b) Phase Two: Phase Two shall include a sport court/multi-purpose room and fitness center and tennis courts and a playground. Construction of this phase shall commence at or prior to issuance of the 160th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2019, whichever occurs later. Phase Two improvements shall be completed within one (1) year of commencement.

D. Barn Preservation: Developer intends to preserve the existing barn located in Area 4 West as identified in **Exhibit B-2-D: Single Family District Layout – Area 4** and incorporate the barn into the project's Development Amenities, provided the barn is determined by licensed structural professionals to be in sound condition and does not present a danger to the public health and safety. If the barn is determined to be in sound condition and does not present a danger to the public health and safety, then the barn shall be preserved and incorporated as a part of a Development Amenity. Alternatively, if the barn is determined not to be in sound condition or presents a danger to the public health or safety, then a written report by a licensed structural professional making such determination shall be required and submitted to the City prior to the demolition of the barn.

E. Ownership of Amenity Areas. All Amenity Areas identified on **Exhibits B-2-A through B-2-E: Single Family District Layout** shall be located within a Common Area.

The Wood Wind Home Owners Association will own the Amenity Area identified as Amenity 1 on **Exhibit B-5: Amenity Area Concepts** ("Amenity 1 Area"), and the balance of the Wood Wind Golf Course will be owned by the master developer or a private golf course operator ("WWGC Owner"). The Wood Wind Home Owners Association will engage the WWGC Owner to manage and operate the Amenity 1 Area through a lease or management agreement. Each owner of a Lot in Areas 1, 2, 3, 4 East and 5 will be required to be a social member of the Wood Wind Golf Course and pay a fee or assessment for their social membership. Each social member will have the right to use the Development Amenities in the Amenity 1 Area. In the event the WWGC ceases to operate the Wood Wind Golf Course as a golf course available to the public for regular play, then (a) the lease or management agreement between WWGC Owner and the Wood Wind Home Owners Association will terminate, (b) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to have the right to use the Development Amenities in the Amenity 1 Area, (c) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to pay a fee or assessment to use the Development Amenities in the Amenity 1 Area, and (d) the Wood Wind Home Owners Association will thereafter maintain and operate the Development Amenities in the Amenity 1 Area. The WWGC Owner will remain responsible for maintaining the Wood Wind Golf Course as Open Space in accordance with this Ordinance even if it ceases to operate a golf course thereon. Westfield Municipal Ordinances require a property owner to maintain its property in a safe manner and in accordance with this Ordinance (Chapter 14 – Westfield Code of Ordinances). The owners of Lots in Areas 1, 2, 3, 4 East and 5 will not have any right to discontinue the operation of the Wood Wind Golf Course as a golf course available to the public for regular play.

10.3 Article 8.7 Pedestrian Network Standards: Shall apply, however, provided however:

A. Article 8.7(C)(2) Internal Pedestrian Network Standards shall be modified to require that sidewalks and trails be installed as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity**.

B. Sidewalks: Along any internal street with a sidewalk on only one side, the minimum sidewalk width shall be six (6) feet.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2017.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Ewards	James J. Ewards	James J. Ewards
_____	_____	_____
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 16-27** was delivered to the Mayor of Westfield

on the _____ day of _____, 2017, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

This document prepared by:

Joseph M. Scimia, Partner, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200; and,

Eugene Valanzano, Senior Land Use Consultant, Faegre Baker Daniels, 600 E. 96th Street, Suite 600, Indianapolis, IN 46240

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: Joseph M. Scimia

SCHEDULE OF EXHIBITS

Exhibit A: Real Estate

Exhibit A-1: Area Map
Exhibit A-2: Parcel Ownership List
Exhibit A-3: Legal Description

All additional Exhibits referred to in this Wood Wind PUD District Ordinance may be found in the **Wood Wind PUD District Exhibit Book** filed with this Ordinance and on file with the City of Westfield Economic and Community Development Department.

Exhibit A: Real Estate

Exhibit A-1: Area Map (Amended 04-04-2017)

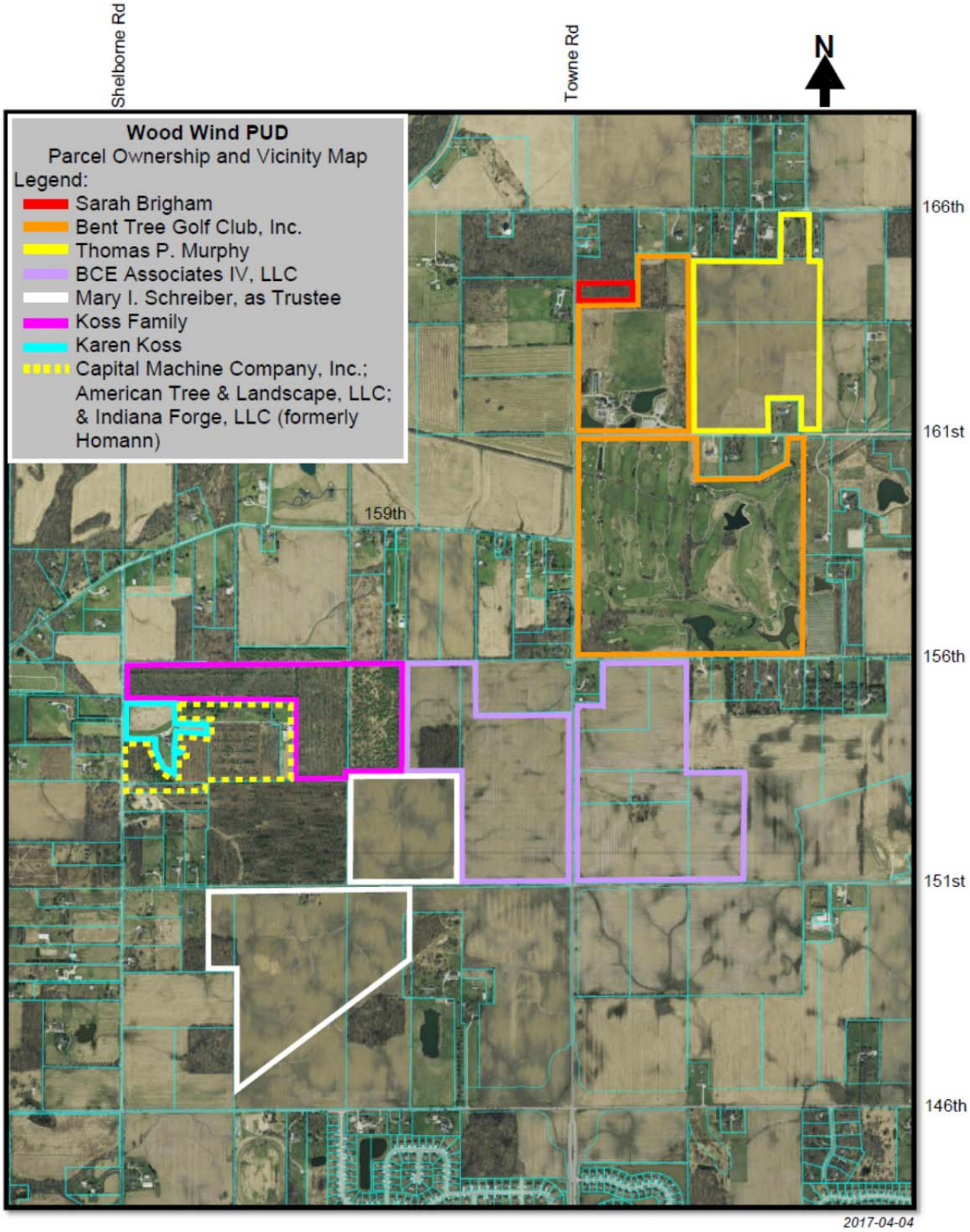


Exhibit A-2: Parcel Ownership List (Amended 04-04-2017)

Ownership Name & Mailing Address	Hamilton County Tax Parcel Number
Bent Tree Golf Club, Inc. 234 S. Franklin Road Indianapolis, IN 46219	08-09-09-00-00-003.001
Sarah Jane Brigham, also known as Jane Brigham 2041 W. 161st Street Westfield, IN 46074	08-09-09-00-00-003.002
Thomas P. Murphy 12618 Winding Creek Lane Fishers, IN 46038	08-09-09-00-00-004.000 08-09-09-00-00-005.000 08-09-09-00-00-006.004
BCE Associates IV, LLC P.O. Box 280 Zionsville, IN 46077	08-09-16-00-00-001.002 08-09-16-00-00-001.003 08-09-16-00-00-020.000 08-09-16-00-00-021.000 08-09-16-00-00-021.001 08-09-16-00-00-022.000 08-09-17-00-00-006.000 08-09-17-00-00-007.000
Mary I. Schreiber, as Trustee of the Timothy J. Murphy Trust 7604 Cider Mill Court Fishers, IN 46038-2695	08-09-17-00-00-004.000 08-09-17-00-00-008.000 08-09-17-00-00-008.001 08-09-17-00-00-009.000 08-09-17-00-00-013.000
William & Karen Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-005.000
William, Karen, Mary, Ruth, and Sarah Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-003.001
Capital Machine Company Inc., American Tree & Landscape LLC & Indiana Forge LLC (formerly Homann parcels) 2801 Roosevelt Avenue Indianapolis, IN 46218	08-09-17-00-00-001.001 08-09-17-00-00-001.101 08-09-17-00-00-002.501 08-09-17-00-00-003.002
Karen J. Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-001.000

Exhibit A-3: Legal Description (Amended 04-04-2017)

Bent Tree Parcel (from Instrument #2011005626):

Part of the west half of the Northwest Quarter and the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, and being more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of Section 9; thence North 00 degrees 00 minutes 00 seconds East (an assumed bearing) along the West line of said Southwest Quarter a distance of 2632.22 feet to the northwest corner of said Southwest Quarter, also being the southwest corner of the west half of the Northwest Quarter of said Section 9; thence North 00 degrees 05 minutes 27 seconds West along the west line of said west half a distance of 1549.77 feet; thence North 89 degrees 41 minutes 48 seconds East 700.59 feet; thence North 00 degrees 10 minutes 40 seconds East 1084.10 feet to the north line of said west half; North 89 degrees 34 minutes 29 seconds East along the north line of said west half a distance of 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 2631.54 feet to the southeast corner of said west half, also being on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 32 minutes 31 seconds East along said north line 101.06 feet; thence South 00 degrees 27 minutes 29 seconds East 495.00 feet; thence North 89 degrees 32 minutes 31 seconds East 685.00 feet; thence North 00 degrees 27 minutes 29 seconds West 495 feet to the north line of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East along said north line 572.87 feet to the northeast corner of said Southwest Quarter; thence South 00 degrees 02 minutes 26 seconds East along the east line of said Southwest Quarter 2627.24 feet to the southeast corner of said Southwest Quarter; thence South 89 degrees 26 minutes 14 seconds West along the south line of said Southwest Quarter a distance of 2719.77 feet to the Point of Beginning.

EXCEPT:

A part of the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and being described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East (an assumed bearing) along the north line of said Southwest Quarter a distance of 2145.00 feet to the Point of Beginning; thence continue North 89 degrees 32 minutes 31 seconds East along said north line 320.47 feet; thence South 00 degrees 02 minutes 24 seconds East parallel with the east line of said Southwest Quarter a distance of 324.21 feet; thence South 61 degrees 18 minutes 36 seconds West 361.06 feet to the southeasterly corner of a tract of land conveyed to Sarah Jane Brigham, recorded as Instrument No. 9609647425 in the Office of the Recorder of Hamilton County; thence North 00 degrees 27 minutes 29 seconds West along the easterly line of said Brigham tract 495.00 feet to the Point of Beginning.

ALSO EXCEPT:

Part of the west half of the Northwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and described as follows:

Commencing at the northwest corner of said west half; thence North 89 degrees 34 minutes 29 seconds East (an assumed bearing) along the north line of said West half a distance of 705.68 feet to the Point of Beginning; thence continue North 89 degrees 34 minutes 29 seconds East along said north line 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 500.00 feet; thence South 89 degrees 34 minutes 29 seconds West parallel with the north line of said west half a distance of 654.33 feet to the easterly line of a Classified Forest as described in Miscellaneous Record Book 157, page 42 as recorded in the Office of the Hamilton County Recorder, thence North 00 degrees 10 minutes 40 seconds East along the east line of said Forest, a distance of 500 feet to the Point of Beginning.

Brigham Parcel (Parcel 2 of Instrument #9609647425):

A part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, being more specifically described as follows:

BEGINNING at a point on the North line of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, said POINT OF BEGINNING being the Northeast corner of a 3.52 acre tract described in Deed Record 132, Page 140 and 278.00 feet East of the Northwest corner of said Northwest Quarter; thence Easterly 442 feet more or less on and along the North line of said Northwest Quarter; thence Southerly 1075 feet more or less; thence Westerly 710 feet more or less to the West line of said Northwest Quarter; thence Northerly 541 feet more or less, on and along the West line of said Northwest Quarter to the Southwest corner of said 3.52 acre tract, said Southwest corner being South 528.8 feet of the Northwest corner of said Northwest Quarter; thence Easterly 294.6 feet on and along the South line of said 3.52 acre tract to its Southeast corner thereof, said Southeast corner being 294.0 feet East of the West line of said Northwest Quarter; thence Northerly 544.6 feet on and along the East line of said 3.52, acre tract to the POINT OF BEGINNING. Containing 14 acres more or less, being subject to all applicable easements and rights-of-way of record.

BCE Parcels (description from survey):

A part of the Northwest Quarter of Section 16 and a part of the Northeast Quarter of Section 17, all in Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southwest corner of the

East Half of said Northeast Quarter; thence North 00 degrees 19 minutes 45 seconds East along the West line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southeast corner of the Northwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the South line thereof a distance of 660.10 feet to the Southwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 00 degrees 22 minutes 24 seconds East along the West line thereof a distance of 1312.48 feet to the Northwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 04 minutes 09 seconds East along the North line thereof a distance of 851.39 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Northwest corner of a tract of land described in Instrument Number 2012070185 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 14 minutes 27 seconds West along the West line thereof a distance of 623.92 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southwest corner of said tract; thence North 89 degrees 04 minutes 09 seconds East along the South line thereof a distance of 1126.00 feet to a "Mag" nail marking the Southeast corner of said tract, said point also being on the East line of said Northeast Quarter; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof a distance of 108.92 feet to the "Mag" nail marking the Southwest corner of a tract of land described in Instrument Number 2015038724 in said Recorder's Office; thence North 89 degrees 43 minutes 41 seconds East along the South line thereof a distance of 315.00 feet to the Southeast corner of said tract; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof and along the East line of a tract of land described in Instrument Number 200200059827 in said Recorder's Office a distance of 515.00 feet to a Railroad spike marking the Northeast corner of said tract, said point also being on the North line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along the North line thereof a distance of 1044.79 feet to the Northeast corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 17 minutes 57 seconds West along the East line thereof a distance of 1316.87 feet to a 5/8 inch rebar marking the Northwest corner of the Southeast Quarter of said Northwest Quarter; thence North 89 degrees 38 minutes 28 seconds East along the North line thereof a distance of 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 19 minutes 43 seconds West along the East line thereof a distance of 1315.85 feet to a Railroad spike marking the Southeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 33 minutes 16 seconds West along the South line of said Northwest Quarter a distance of 2035.71 feet to the POINT OF BEGINNING. Containing 182.550 acres, more or less.

Koss Family (from Quit Claim Deeds #9251631 and #9300783):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East, Hamilton County, Indiana, and being more particularly described as follows: Beginning at the Northwest corner of said quarter section; thence North 89 degrees 28 minutes 08 seconds East along the North line of said quarter section, 2655.27 feet to the Northeast corner thereof; thence South 0 degrees 13 minutes 42 seconds West along the East line of said quarter section 1383.32 feet; thence South 88 degrees 51 minutes 21 seconds West 643.22 feet; thence North 0 degrees 12 minutes 06 seconds West 919.39 feet; thence South 89

degrees 38 minutes 09 seconds West 1360.14 feet; thence North 89 degrees 28 minutes 09 seconds West 643.23 feet to the West line of said quarter section; thence North 0 degrees 00 minutes 00 seconds East along said west line, 454.85 feet to the point of beginning and containing 42.069 acres, more or less. Subject to right of way for Shelbourne Road off the entire West side thereof and all other legal easements and rights of way of record.

Koss Parents (Parcel II of Instrument #9709702004):

The West Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Three (3) East in Hamilton County, Indiana, containing Twenty (20) acres, more or less.

Murphy Parcels (from Instrument #9909901082):

26.5 ACRES OFF AND ALONG THE ENTIRE SOUTH SIDE OF THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE: BEGIN AT A STONE 181 FEET EAST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST AND RUN WEST 1539.4 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID QUARTER SECTION, THENCE SOUTH TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE EAST 1538.46 FEET TO A STONE, THENCE NORTH 1317.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.5 ACRES, MORE OR LESS, IN HAMILTON COUNTY, INDIANA.

ALSO:

PART OF THE SOUTH HALF OF THE NORTH HALF OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, AS FOLLOWS: BEGIN AT A STONE AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9, AND RUN NORTH ON THE WEST LINE OF SAID EAST HALF OF NORTHWEST QUARTER TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, EAST 1538.46 FEET TO A STONE, THENCE SOUTH 1317.5 FEET TO A STONE ON SOUTH LINE OF SAID EAST HALF, THENCE WEST 1537.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.80 ACRES, MORE OR LESS, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA.

EXCEPT:

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 84.51 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE CONTINUE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID

SOUTH LINE, 332.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 393.00 FEET; THENCE NORTH 90 DEGREES 00 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 332.52 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 393.00 FEET TO THE POINT OF BEGINNING.

Schreiber Parcel (description from Schreiber survey revised on 3/3/17):

A part of the Northeast, Southwest and Southeast Quarters of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southeast corner of the Southwest Quarter of said Northeast Quarter, said point also being the POINT OF BEGINNING of this description; thence North 00 degrees 19 minutes 45 seconds East along the East line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" (hereafter referred to as capped rebar) marking the Northeast corner of the Southwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the North line thereof a distance of 1320.21 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter; thence South 00 degrees 25 minutes 05 seconds West along the West line thereof a distance of 1310.34 feet to a stone marking the Northeast corner of the Southwest Quarter of said Section 17; thence South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 1323.12 feet to the Northwest corner of the East Half of said Southwest Quarter; thence continuing South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 330.88 feet to the Northwest corner of a tract of land described in Instrument Number 199909955060 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 984.63 feet to a capped rebar on the North line of a tract of land described in Instrument Number 200400083420 in said Recorder's Office; thence North 89 degrees 35 minutes 51 seconds East along the North line thereof a distance of 334.70 feet to a capped rebar marking the Northeast corner of said tract; thence South 00 degrees 11 minutes 51 seconds West along the East line thereof and along the East line of a tract of land described in Instrument Number 200500074587 in said Recorder's Office a distance of 1360.05 feet to the intersection of the East line of said tract and the West line of the East Half of said Southwest Quarter; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 162.22 feet to a capped rebar on the Northerly line of a 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231 in said Recorder's Office, said point measuring 16.5 feet North and perpendicular to the centerline of an existing gas line; (the next 4 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northerly line of said Easement) thence North 50 degrees 59 minutes 49 seconds East a distance of 1252.01 feet; thence North 53 degrees 27 minutes 51 seconds East a distance of 397.70 feet; thence North 50 degrees 59 minutes 48 seconds East a distance of 865.93 feet; thence North 53 degrees 56 minutes 17 seconds East a distance of 158.93 feet to a capped rebar on the

West line of a tract of land described in Instrument Number 9709730812 in said Recorder's Office; thence North 00 degrees 03 minutes 15 seconds West along the West line and a Northerly extension thereof a distance of 862.20 feet to a "Mag' nail on the North line of said Southeast Quarter; thence North 89 degrees 26 minutes 39 seconds East along the North line thereof a distance of 553.71 to the POINT OF BEGINNING. Containing 127.853 acres, more or less.

Capital Machine Company, Inc., American Tree & Landscape, LLC, and Indiana Forge, LLC (from Instrument #2017002278) (formerly Homann parcels):

PARCEL 1:

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 926.78 feet to a mag nail set at the POINT OF BEGINNING; thence South 88 degrees 30 minutes 33 seconds East 355.80 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 00 degrees 37 minutes 49 seconds East 107.23 feet to a rebar; thence South 20 degrees 36 minutes 32 seconds East 216.78 feet to a rebar; thence South 53 degrees 09 minutes 01 second East 124.95 feet to a rebar; thence South 84 degrees 58 minutes 32 seconds East 95.85 feet to a rebar; thence North 01 degree 29 minutes 53 seconds East 236.92 feet to an existing corner post; thence North 83 degrees 27 minutes 59 seconds East 85.98 feet to a rebar; thence North 09 degrees 55 minutes 50 seconds East 65.30 feet to a rebar; thence North 87 degrees 09 minutes 41 seconds West 89.40 feet to a rebar; thence North 03 degrees 54 minutes 49 seconds East 174.29 feet to a rebar; thence South 83 degrees 43 minutes 11 seconds East 354.47 feet to a rebar; thence North 01 degree 18 minutes 05 seconds East 197.68 feet to a rebar; thence South 89 degrees 22 minutes 02 seconds West 368.24 feet to a rebar; thence North 01 degree 13 minutes 48 seconds East 218.81 feet to a rebar; thence South 89 degrees 50 minutes 31 seconds East 1360.14 feet to a rebar; thence South 00 degrees 19 minutes 30 seconds West 919.69 feet to a rebar; thence South 89 degrees 48 minutes 03 seconds West 998.63 feet to a rebar; thence South 00 degrees 31 minutes 20 seconds West 30.00 feet; thence South 89 degrees 50 minutes 47 seconds West 1008.00 feet to a mag nail on the West line of said Quarter Section, which lies North 00 degrees 31 minutes 20 seconds East 1201.20 feet from the Southwest corner of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along the West line of said Quarter Section, 499.53 feet to the point of beginning and containing 32.694 acres, more or less.

(NOTE: the foregoing Parcel 1 consists of 3 separate presently existing tax parcels and Grantor does not wish to combine these parcels with this deed)

PARCEL 2:

Part of the northwest quarter of Section 17, Township 18 North, Range 3 east of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the southwest corner of said quarter section; thence north 00 degrees 31 minutes 20 seconds east 1121.20 feet to a mag nail set with washer, stamped "firm 0066" at the point of beginning; thence continuing along said west line, north 00 degrees 31 minutes 20 seconds east 80.00 feet; thence north 89 degrees 50 minutes 47 seconds east, parallel with the south line of said quarter section, 1008.00 feet; thence south 00 degrees 31 minutes 20 seconds west, parallel with the west line of said quarter section, 110.00 feet to a 5/8 inch rebar. With red cap stamped "firm 0066"; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 991.50 feet to a 5/8 inch rebar with red cap stamped firm 0066; thence north 00 degrees 31 minutes 20 seconds east, parallel with the west line of said quarter section, 30.00 feet; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 16.50 feet to the point of beginning.

Karen Koss Parcel (from Instrument #2016054888):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 454.85 feet to mag nail at the POINT OF BEGINNING; thence South 88 degrees 56 minutes 49 seconds East 643.23 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 01 degree 13 minutes 48 seconds West 218.81 feet to a rebar; thence North 89 degrees 22 minutes 02 seconds East 368.24 feet to a rebar; thence South 01 degree 18 minutes 05 seconds West 197.68 feet to a rebar; thence North 83 degrees 43 minutes 11 seconds West 354.47 feet to a rebar; thence South 03 degrees 54 minutes 49 seconds West 174.29 feet to a rebar; thence South 87 degrees 09 minutes 41 seconds East 89.40 feet to a rebar; thence South 09 degrees 55 minutes 50 seconds West 65.30 feet to a rebar; thence South 83 degrees 27 minutes 59 seconds West 85.98 feet to an existing corner post; thence South 01 degree 29 minutes 53 seconds West 236.92 feet to a rebar; thence North 84 degrees 58 minutes 32 seconds West 95.85 feet to a rebar; thence North 53 degrees 09 minutes 01 second West 124.95 feet to a rebar; thence North 20 degrees 36 minutes 32 seconds West 216.78 feet to a rebar; thence North 00 degrees 37 minutes 49 seconds West 107.23 feet to a rebar; thence North 88 degrees 30 minutes 33 seconds West 355.80 feet to a mag nail on the West line of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along said West line, 471.93 feet to the point of beginning and containing 10.683 acres, more or less.

(End of Legal Description)

Wood Wind PUD District

Exhibit Book

Submitted By:
Pulte Homes of Indiana, LLC

Petition No.: 1609-PUD-16

4/13/2017 11:05 am

Wood Wind PUD District Exhibit Book

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  - Exhibit B-2-C: Single Family District Layout – Area 3
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Exhibit B: Concept Plans
Exhibit B-1: Single Family District Areas

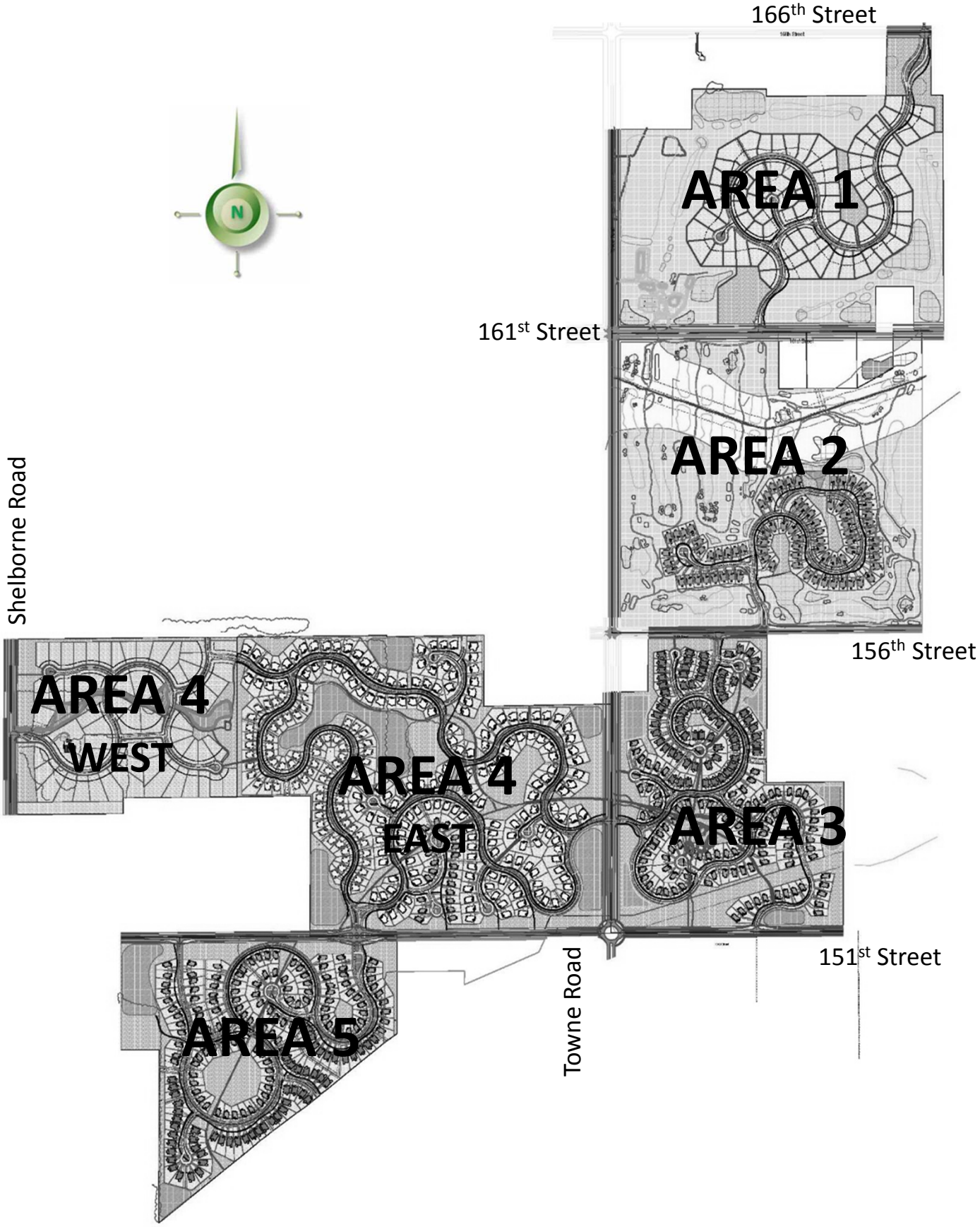


Exhibit B-2: Single Family District Layout

Exhibit B-2-A: Single Family District Layout – Area 1

Exhibit B-2-B: Single Family District Layout – Area 2

Exhibit B-2-C: Single Family District Layout – Area 3

Exhibit B-2-D: Single Family District Layout – Area 4

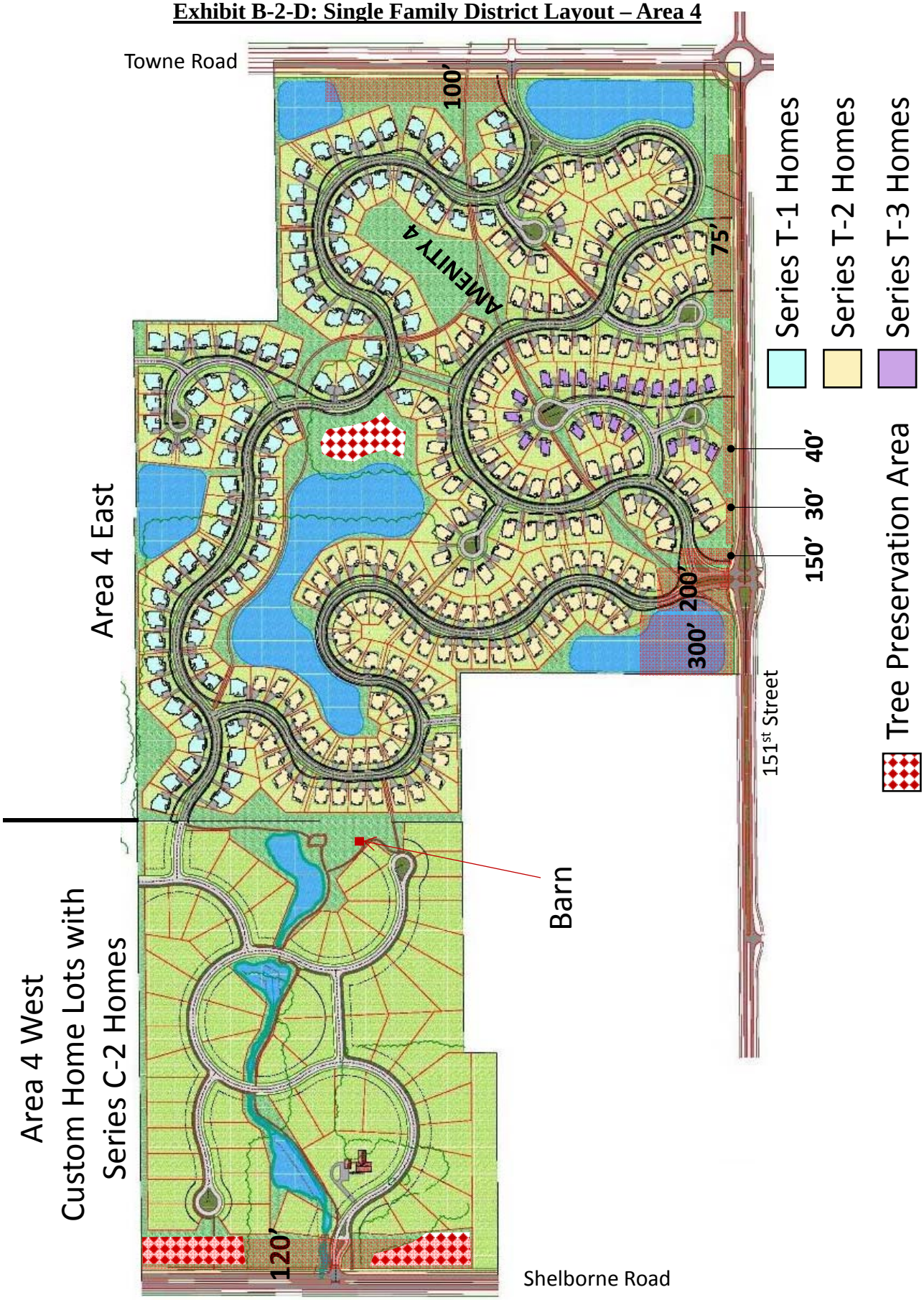


Exhibit B-2-E: Single Family District Layout – Area 5

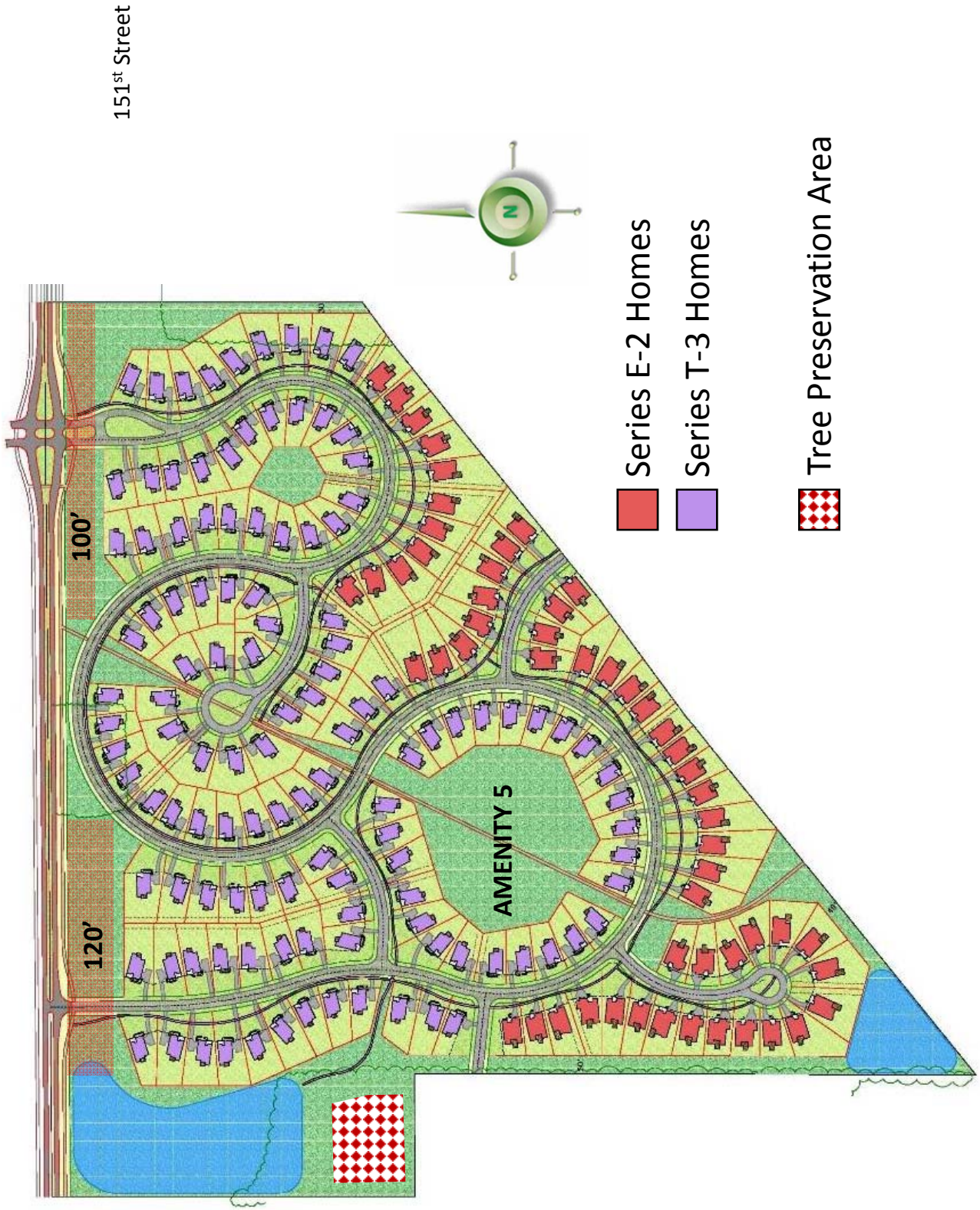


Exhibit B-3: Single Family District Standards

	AREA					
STANDARD	**1**	**2**	**3**	**4 East**	**4 West**	**5**
Minimum Lot Area [1]	20,000 sf	10,750 sf	10,000 sf	11,250 sf	22,000 sf	10,000 sf
Average Lot Area	23,000 sf	13,000 sf	12,000 sf	14,000 sf	30,000 sf	12,250 sf
Minimum Lot Frontage	40’	20’	20’	25’	36’	30’
Minimum Building Setback Lines						
Front Yard	25’	25’	25’	25’	25’	25’
Side Yard	5’	5’	5’	5’	5’	5’
Side Yard (Lot Aggregate)	10’	10’	10’	10’	10’	10’
Rear yard	25’	25’	25’	25’	25’	25’
Minimum Lot Width	100’ [2]	75’	62’	62’	100’	62’
Maximum Building Height [3]	Two and one-half (2 ½) Stories					
Number of Lots by Home Series [4]						
	Series C1: 82	Series E1: 78	Series E2: 72 Series T3: 102	Series T1: 96 Series T2:162 Series T3: 24	Series C2: 66	Series E2: 55 Series T3: 119

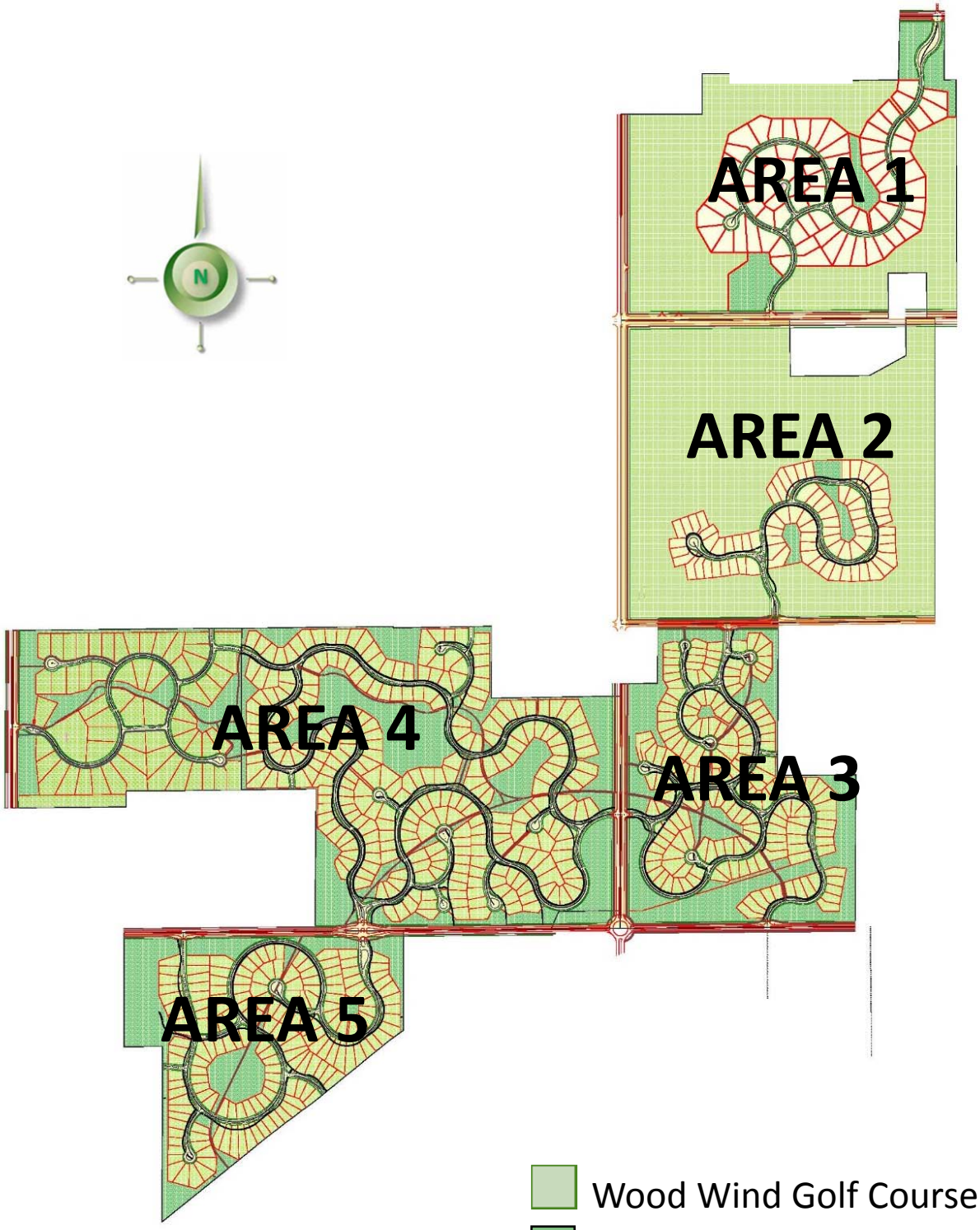
[1] 20% of the lots in each Area may be reduced by up to 20% in lot area, provided that the “Average Lot Area” for the applicable Area, as calculated at the time of the primary plat, shall be met.
[2] 20% of the lots in Area 1 may be reduced in Lot Width by up to 10%.
[3] Wood Wind Golf Course and Development Amenity buildings shall not exceed fifty-five feet (55’).
[4] Number of Lots in each Home Series may vary subject to the provisions of Section 8.2 B 4.

Exhibit B-3: Single Family District Standards (Cont.)

	Custom		Empty Nester		Traditional		
	SERIES C-1	SERIES C-2 [1]	SERIES E-1	SERIES E-2	SERIES T-1	SERIES T-2	SERIES T-3
Minimum Living Area (Ground Floor)							
Single Story	2,400 sf	2,750 sf	2,600 sf	2,000 sf	2,400 sf	2,400 sf	2,300 sf
Two Story	1,700 sf	1,700 sf	2,300 sf	1,300 sf	1,700 sf	1,300 sf	1,100 sf
Minimum Living Area (Total)							
Two Story	3,500 sf	3,600 sf	3,000 sf	2,400 sf	3,500 sf	2,700 sf	2,400 sf

[1] 20% of the Series C-2 Dwellings in Area 4 West may contain a Dwelling with the Minimum Living Area as specified for Series C-1.

Exhibit B-4: Single Family Open Space



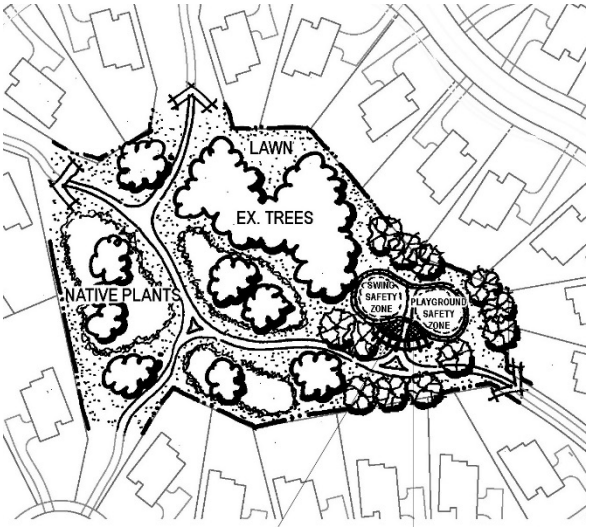
Minimum Open Space (in acres)

Area 1	Area 2	Area 3	Area 4	Area 5	Total
75	110	27	57	21	290

Exhibit B-5: Amenity Area Concepts

AMENITY 1

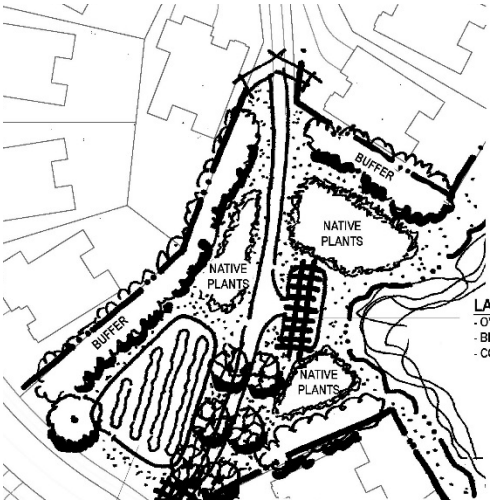
AMENITY 3A



Features:

- Play Structure with Rural or Ag Theme
- 4 Benches

AMENITY 3B



Features:

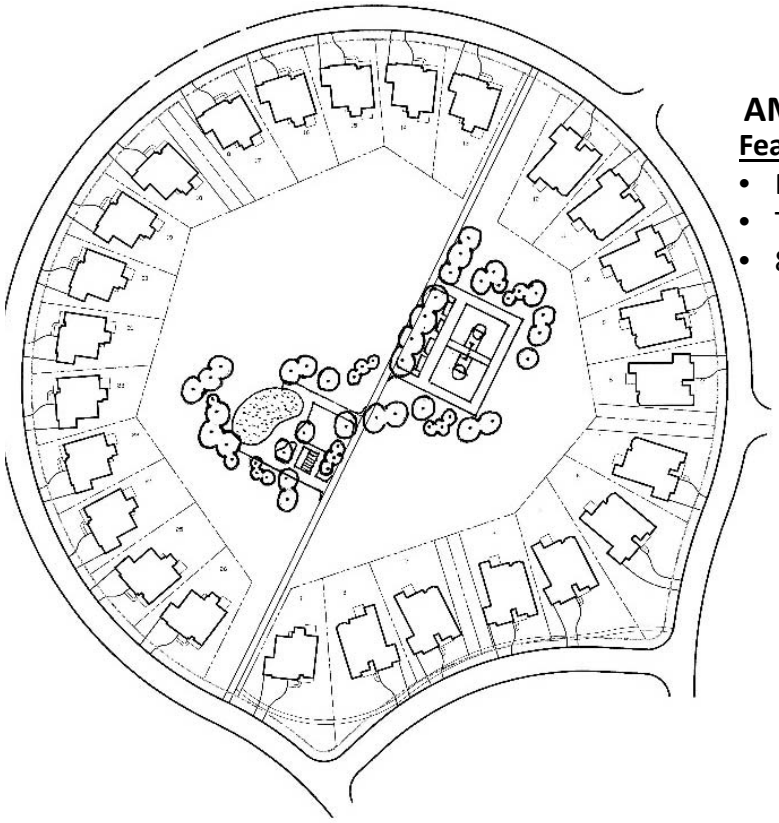
- 4’ Wide Planting Areas
- Overhead Trellis
- 4 Benches

Exhibit B-5: Amenity Area Concepts (Cont.)

AMENITY 4

Features:

- Play Structure with Rural or Ag Theme
- Two Half Court Basketball Courts,
- 8 benches



AMENITY 5

Features:

- Play Structure with Rural or Ag Theme
- Two Half Court Basketball Courts,
- 8 benches

Exhibit C: Single Family Character Exhibits

Exhibit C-1: Illustrative Front Elevations for Area 1

Series C-1 Homes

Exhibit C-1: Illustrative Front Elevations for Area 1 (Cont.)

Series C-1 Homes

Exhibit C-1: Illustrative Front Elevations for Area 1 (Cont.)

Series C-1 Homes

Exhibit C-1: Illustrative Front Elevations for Area 1 (Cont.)

Series C-1 Homes

Exhibit C-2: Illustrative Front Elevations for Area 2

Series E-1 Homes

Exhibit C-3: Illustrative Front Elevations for Area 3

Series E-2 Homes

Series T-3 Homes

Exhibit C-4-A: Illustrative Front Elevations for Area 4 East

Series T-1 Homes

Series T-2 Homes

Series T-3 Homes

Exhibit C-4-B: Illustrative Front Elevations for Area 4 West

Series C-2 Homes

Exhibit C-4-B: Illustrative Front Elevations for Area 4 West (Cont.)

Series C-2 Homes

Exhibit C-5: Illustrative Front Elevations for Area 5

Series E-2 Homes

Series T-3 Homes

Exhibit D: Perimeter Lots Subject to Architectural Standards
Exhibit D-1-A: Perimeter Lots Subject to Architectural Standards – Area 1

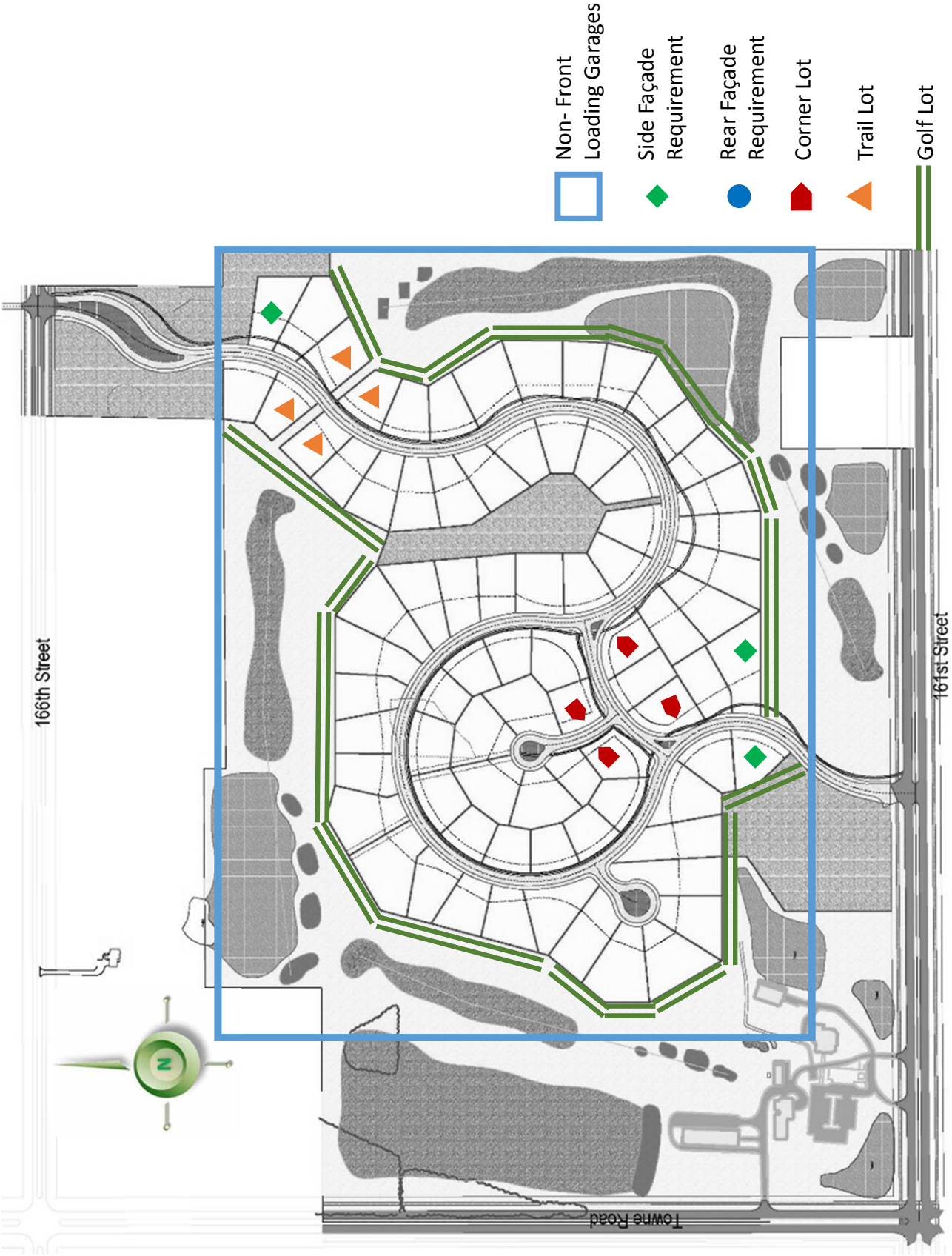


Exhibit D-1-B: Perimeter Lots Subject to Architectural Standards – Area 2

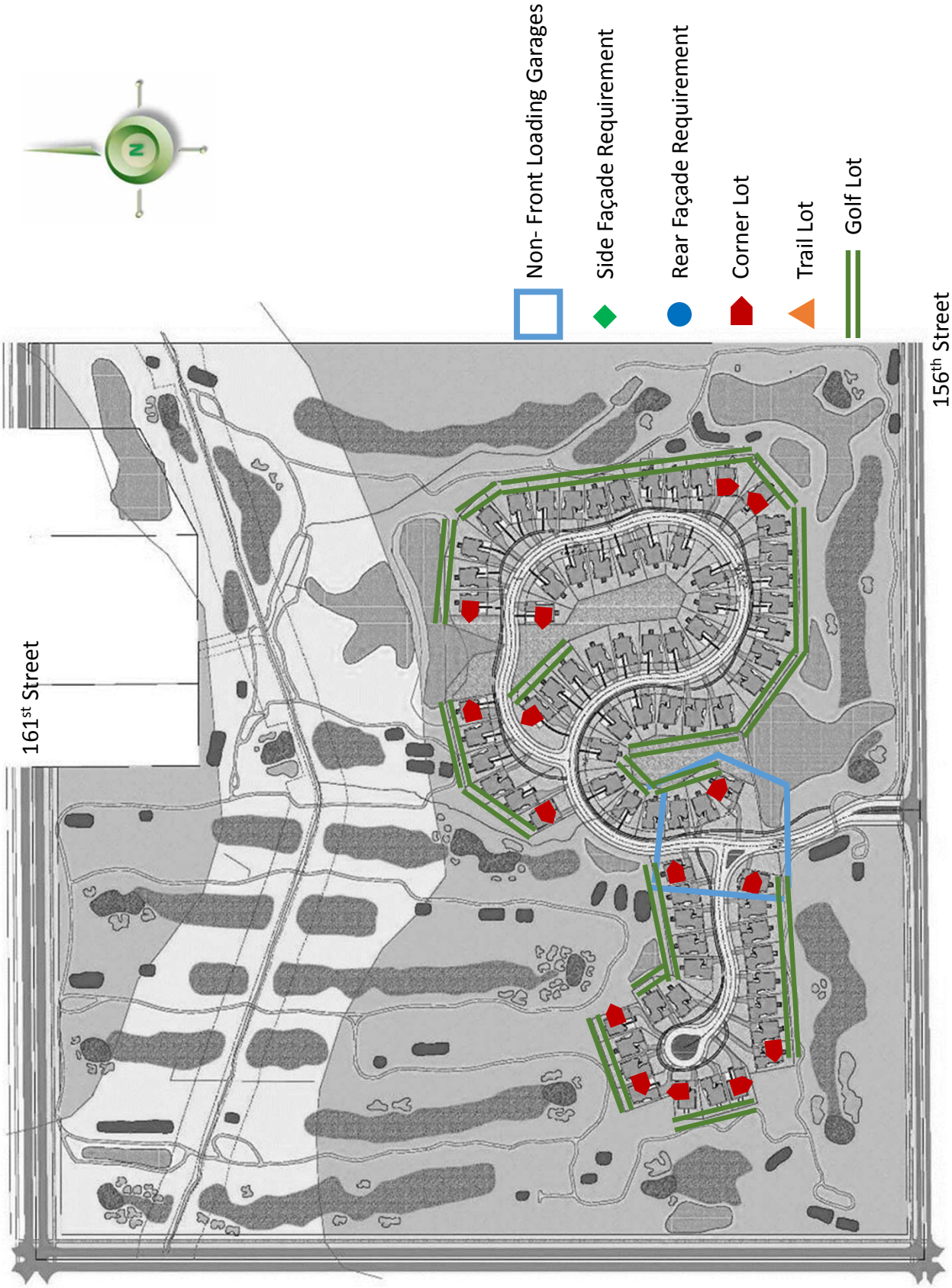


Exhibit D-1-C: Perimeter Lots Subject to Architectural Standards – Area 3

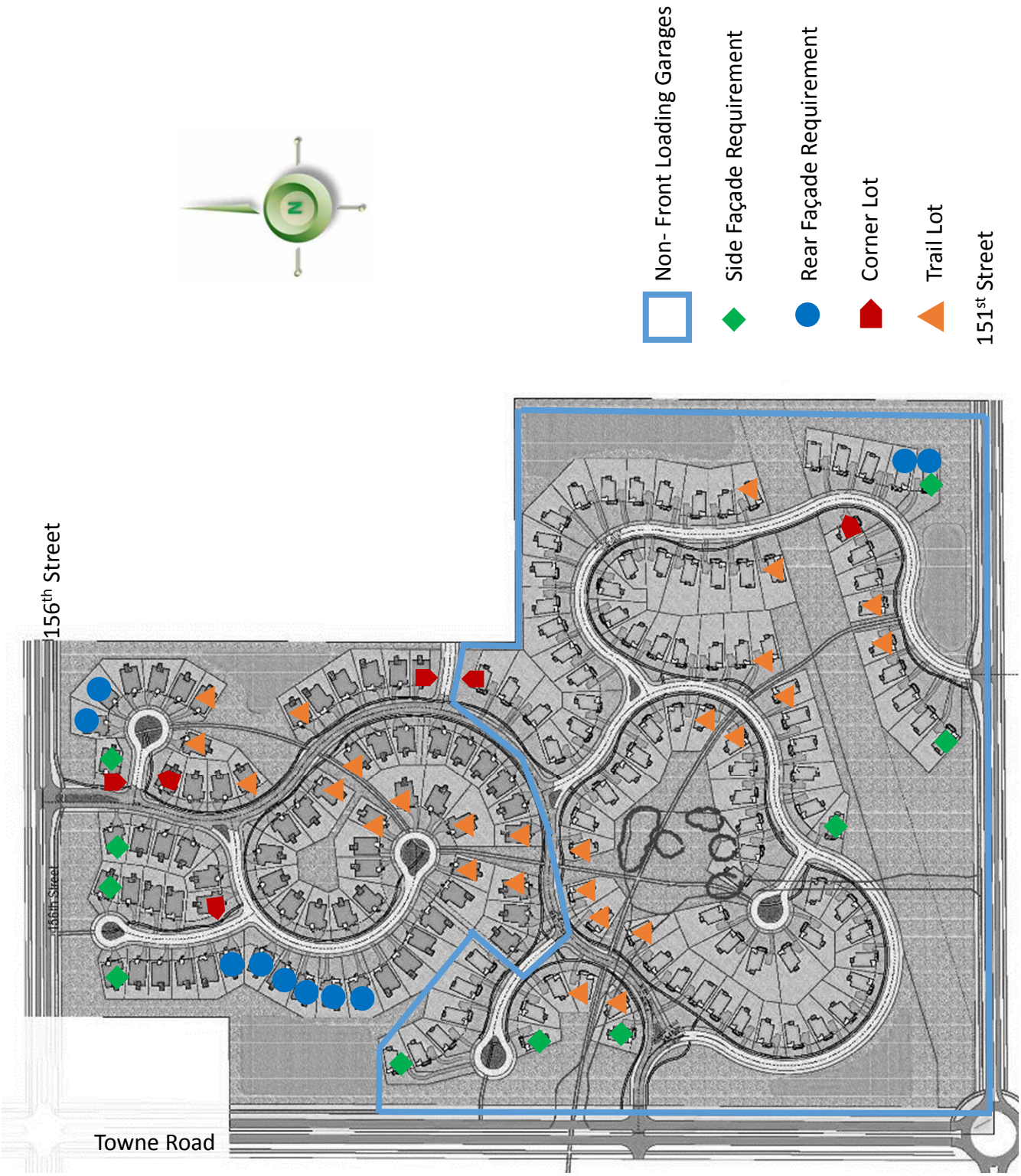


Exhibit D-1-D: Perimeter Lots Subject to Architectural Standards – Area 4

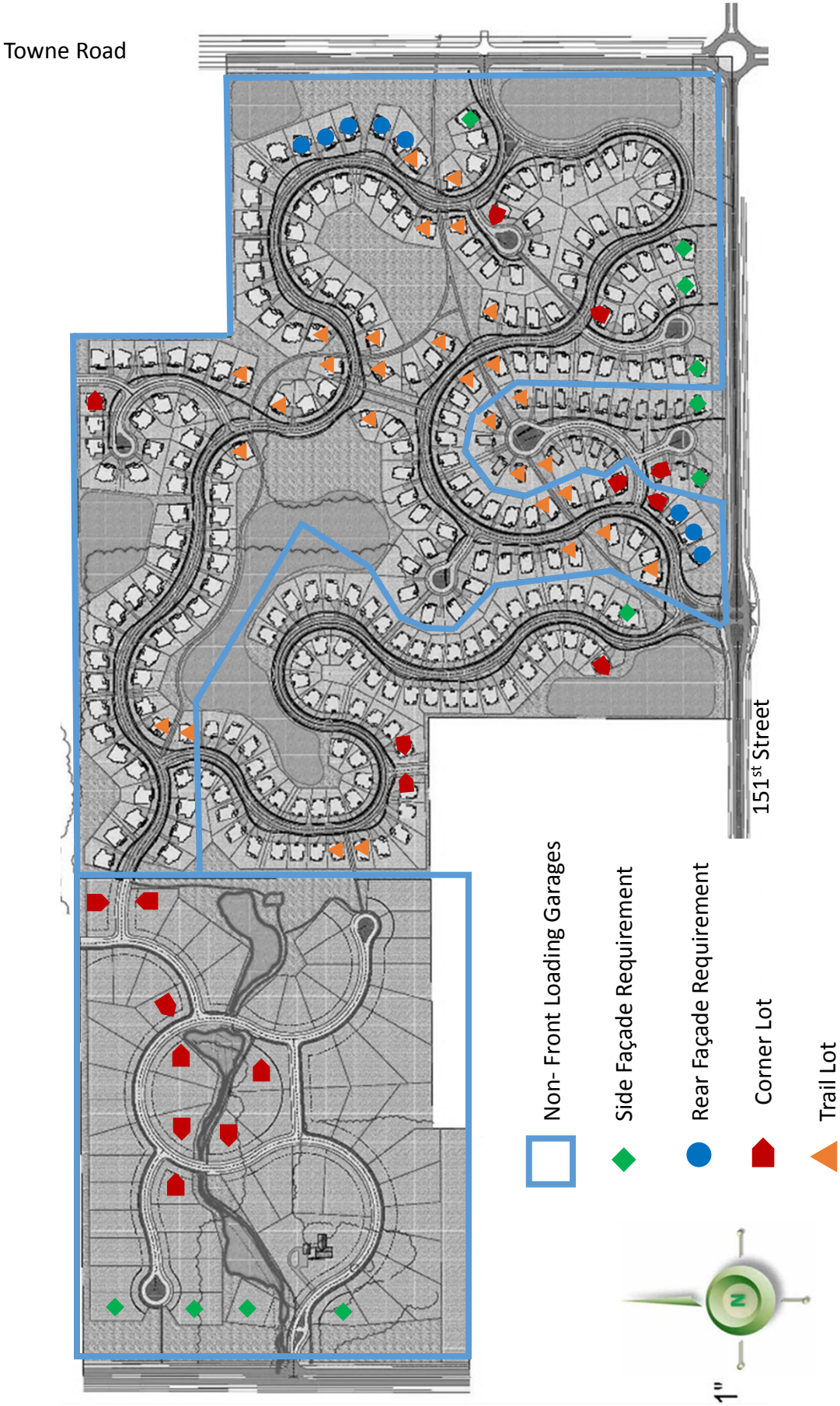


Exhibit D-1-E: Perimeter Lots Subject to Architectural Standards – Area 5

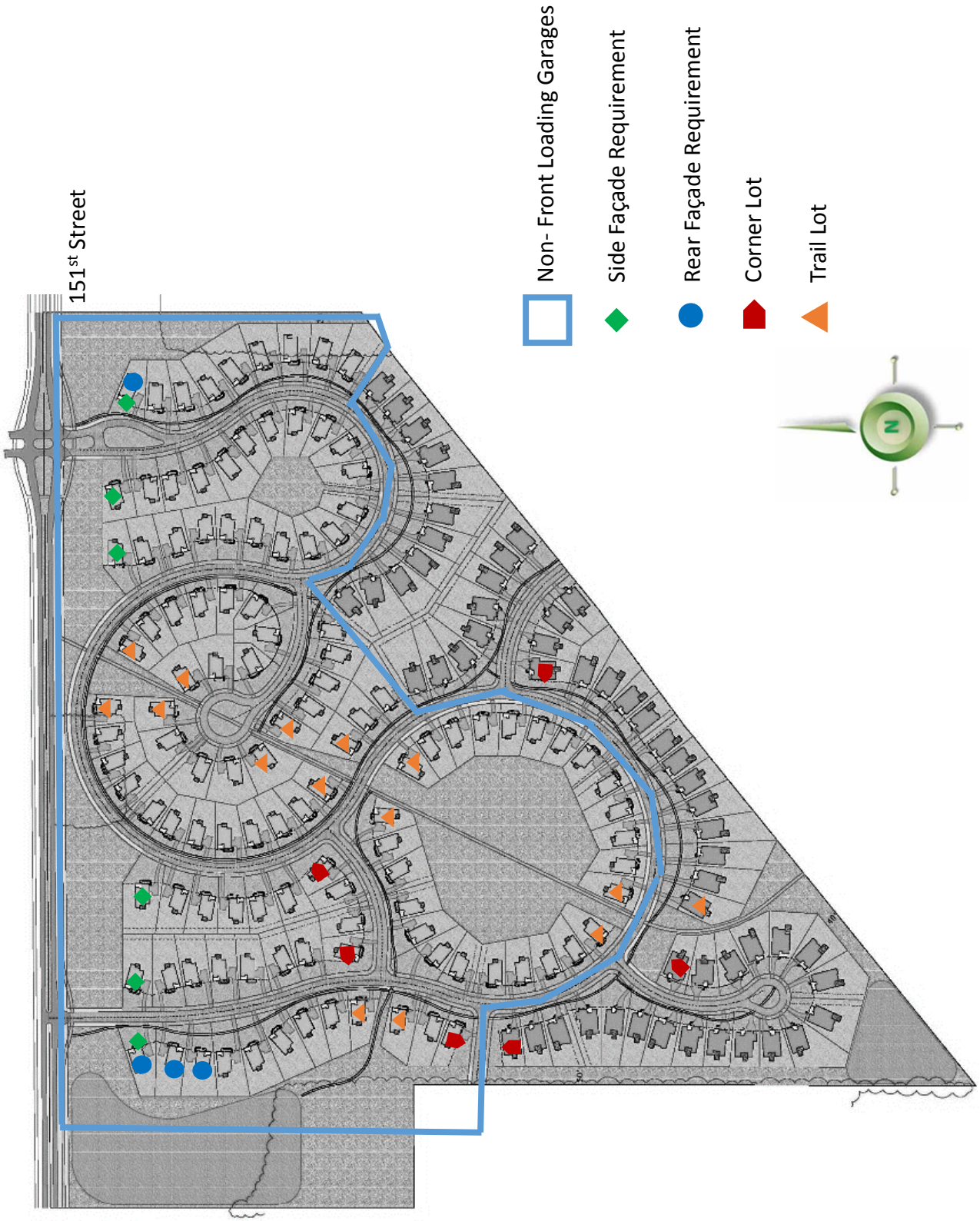


Exhibit D-2: Illustrative Garage Door Treatments

Option 1

Option 2

Option 3

Exhibit D-2: Illustrative Garage Door Treatments (Cont.)

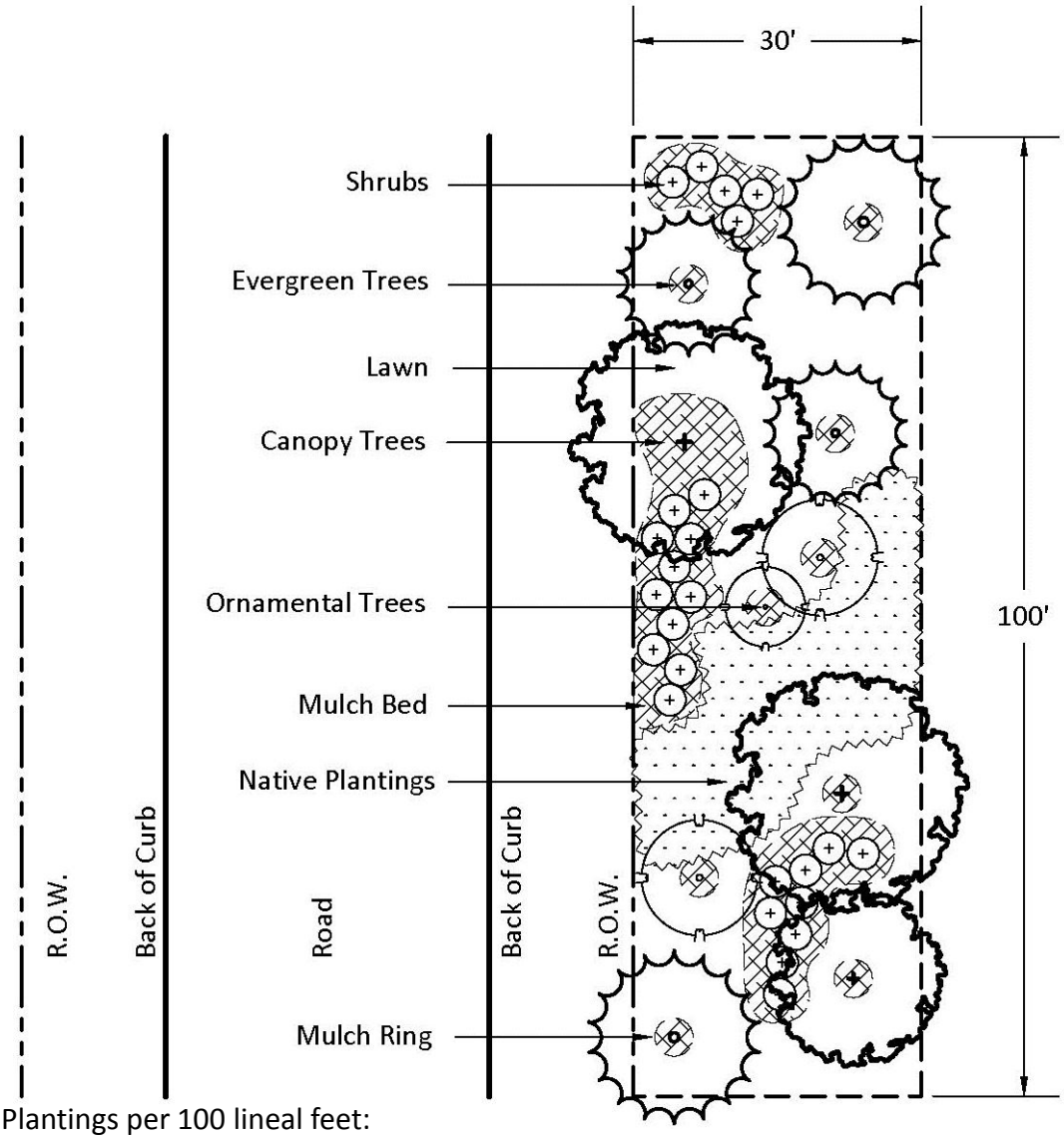
Option 4

Option 5

Option 6

Exhibit E: District Landscape Exhibits

Exhibit E-1: Road Frontage Landscaping



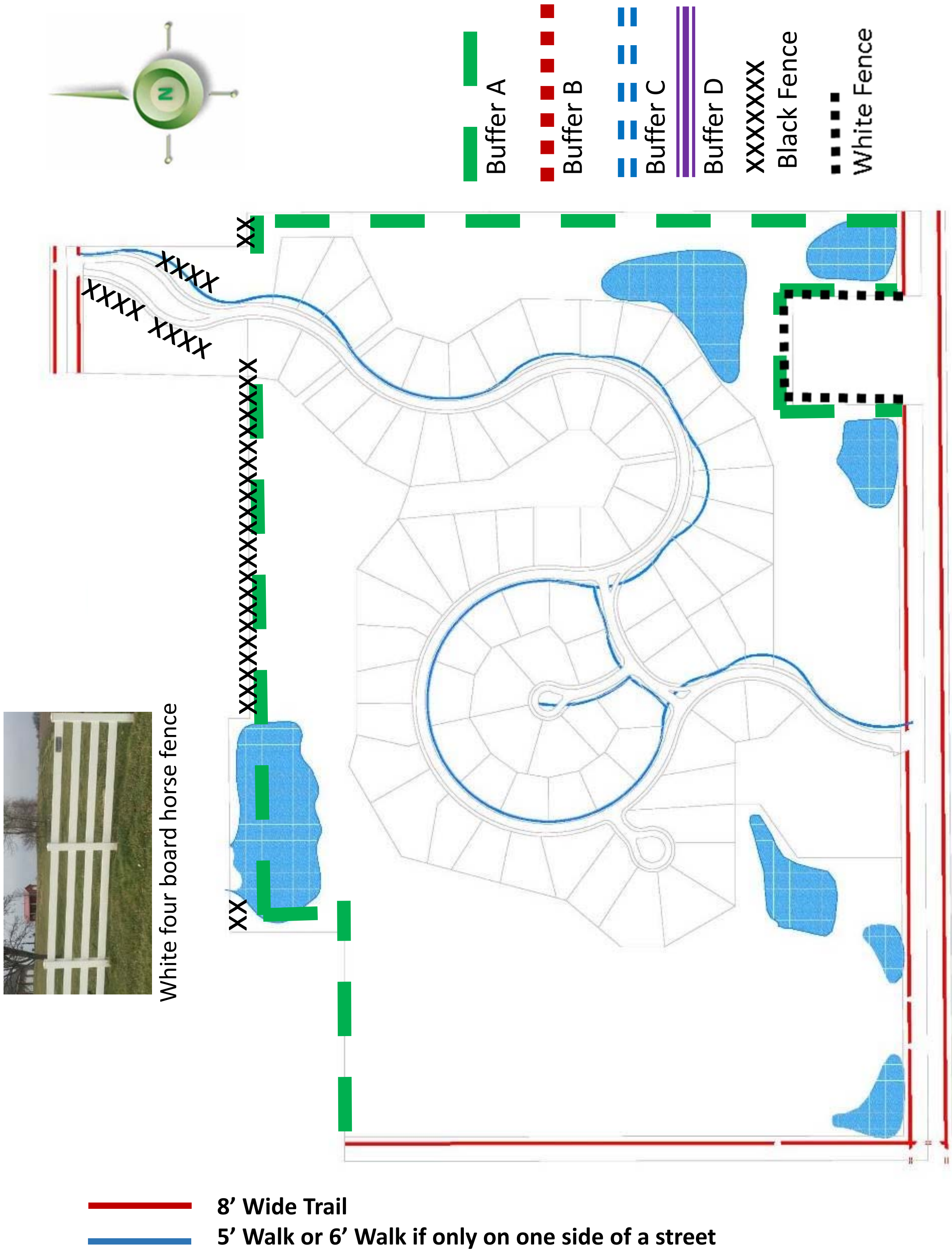
Plantings per 100 lineal feet:

Width	Shade	Ornamental	Evergreen	Shrub
30’	3	3	4	25

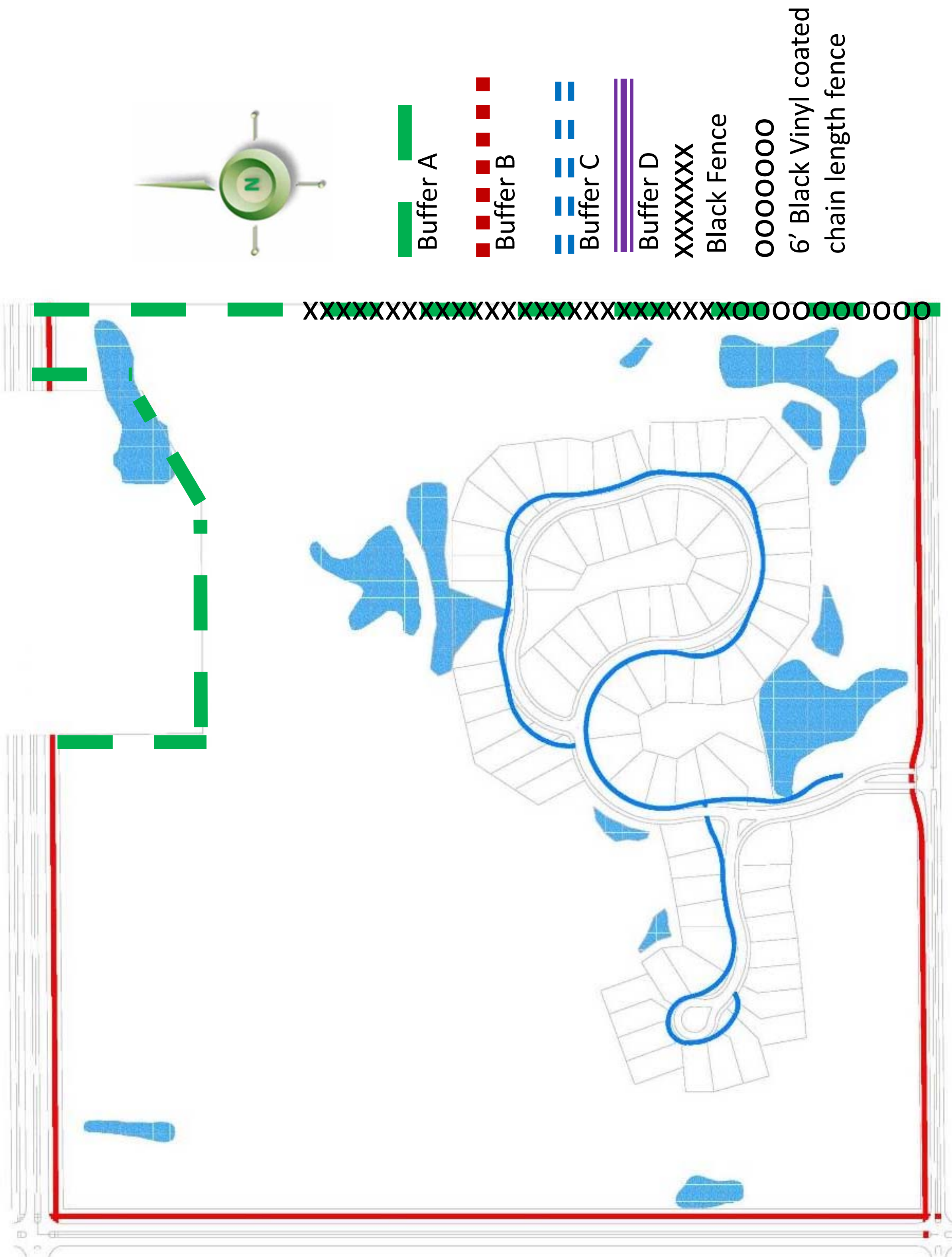
Black four board horse fence

<u>Exhibit E-2: Buffer Yard Locations and Connectivity</u>

<u>Exhibit E-2-A: Buffer Yard Locations & Connectivity – Area 1</u>



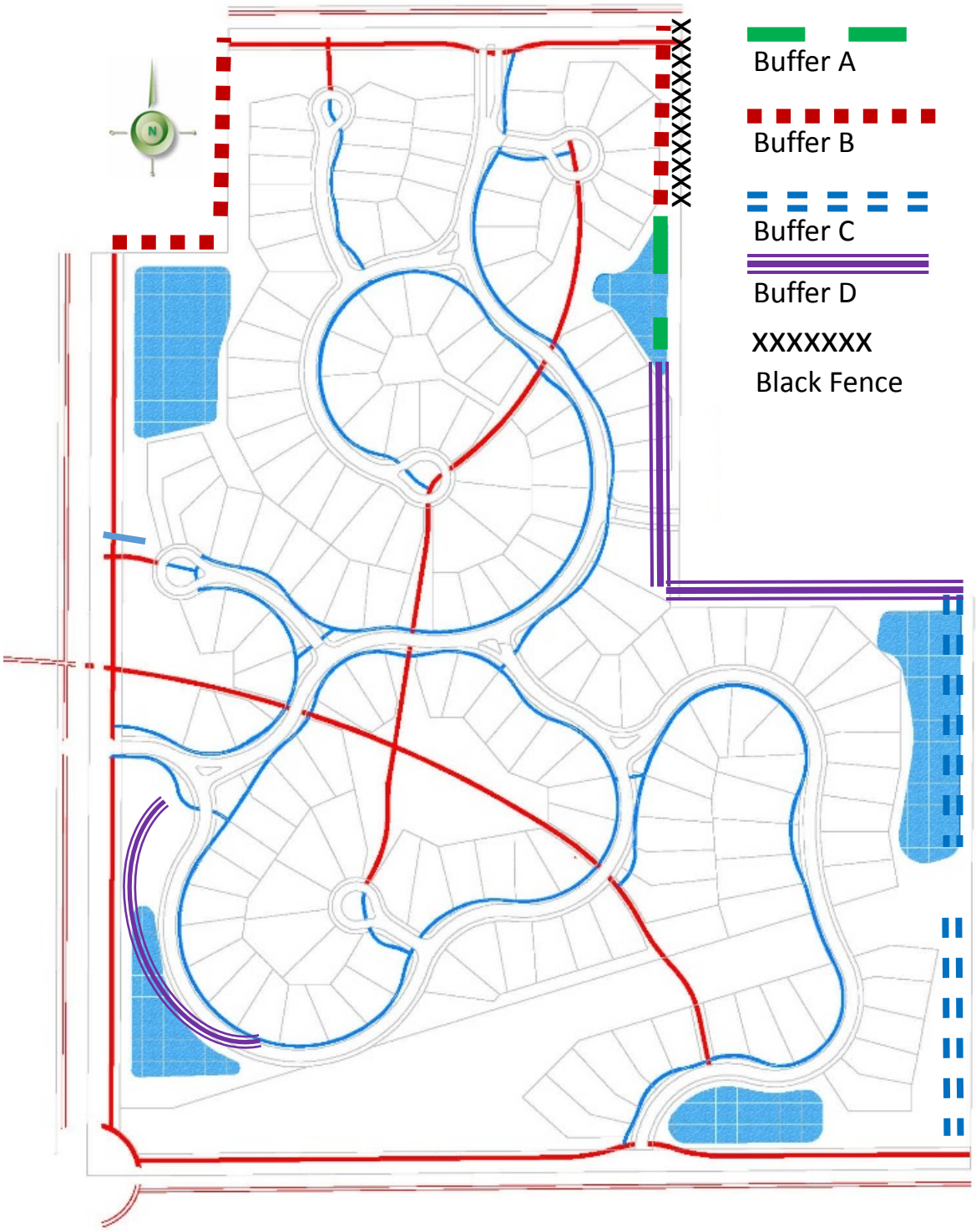
<u>Exhibit E-2-B: Buffer Yard Locations & Connectivity – Area 2</u>



8' Wide Trail

5' Walk or 6' Walk if only on one side of a street

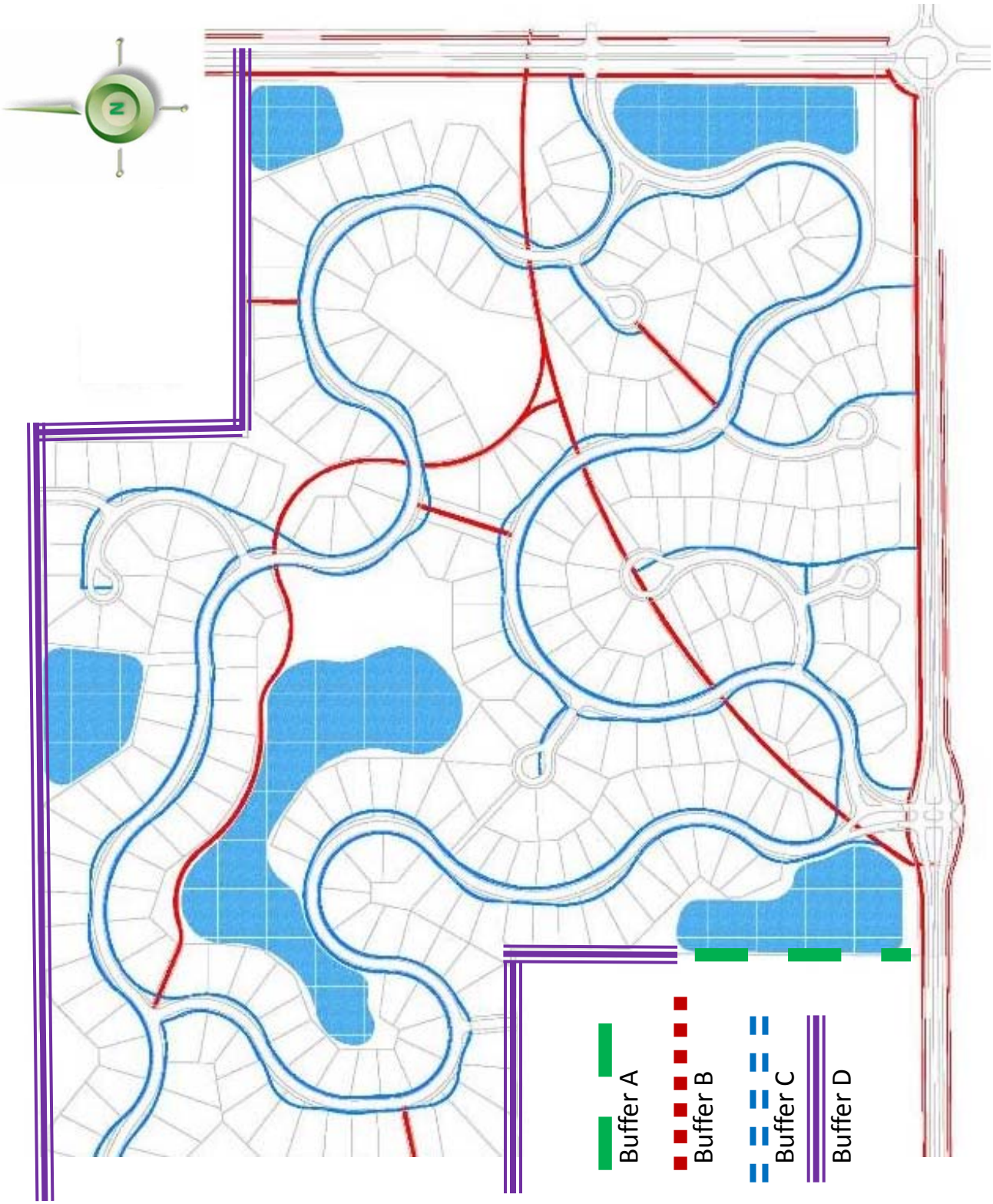
Exhibit E-2-C: Buffer Yard Locations & Connectivity – Area 3



8' Wide Trail

5' Walk or 6' Walk if only on one side of a street

Exhibit E-2-D: Buffer Yard Locations & Connectivity – Area 4 East



8' Wide Trail

5' Walk or 6' Walk if only on one side of a street

Exhibit E-2-E: Buffer Yard Locations & Connectivity – Area 4 West

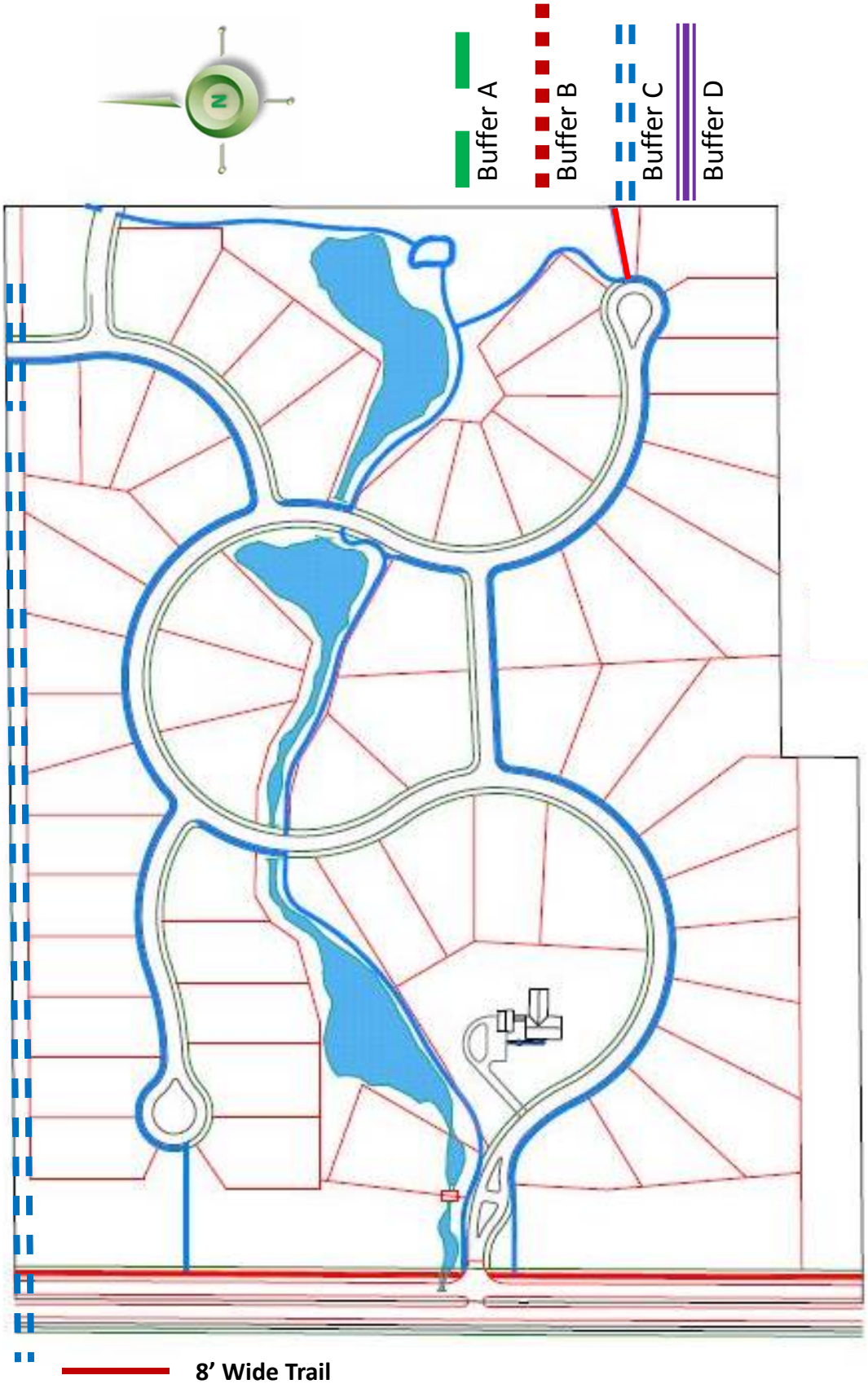
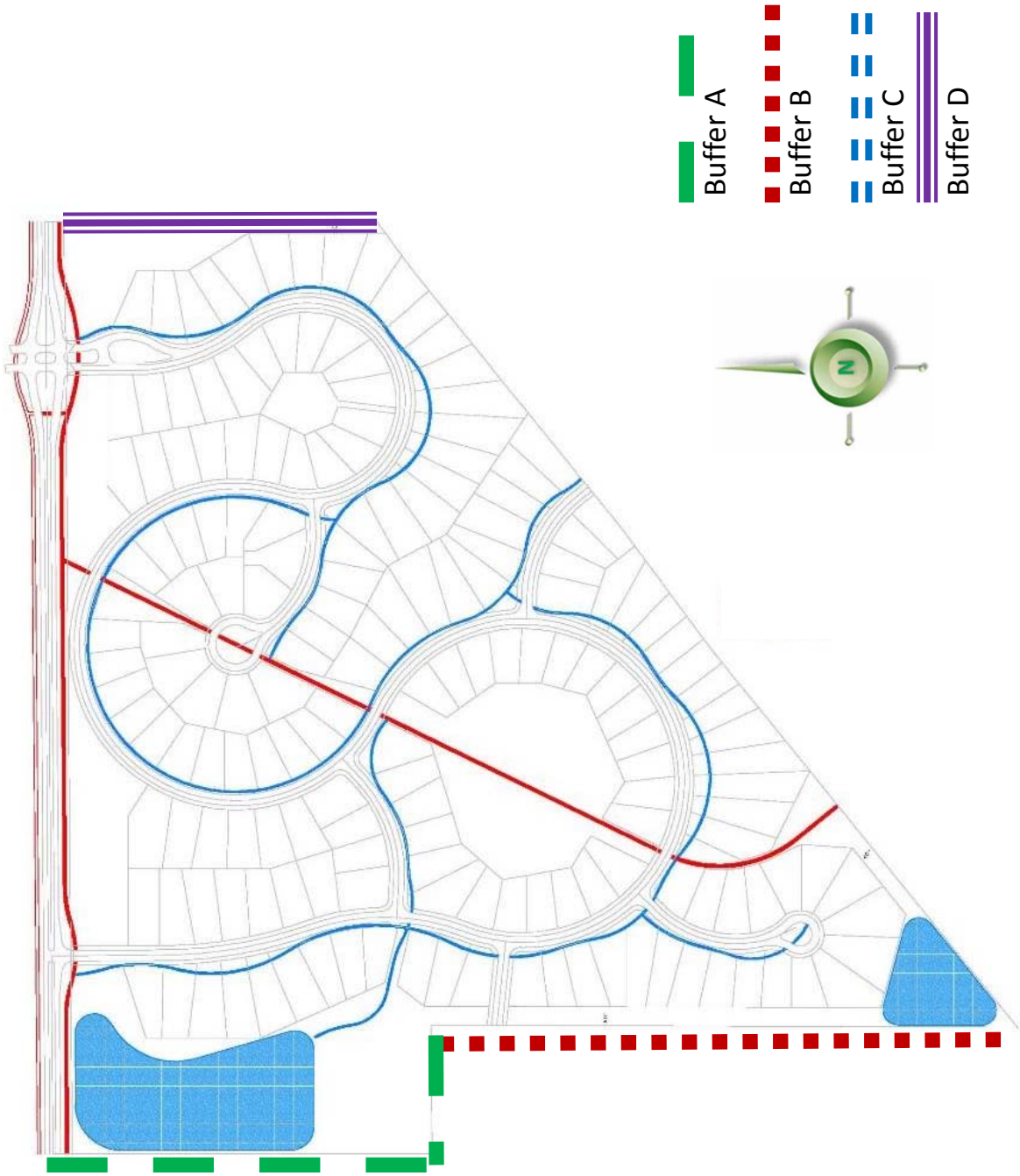


Exhibit E-2-F: Buffer Yard Locations & Connectivity – Area 5



8’ Wide Trail
5’ Walk or 6’ Walk if only on one side of a street

Exhibit E-3: Buffer Yard Types

Exhibit E-3-A: Buffer Yard Type B

Using the 50’ wide buffer width, plant four rows of trees spaced on an alternating grid of 12’ between the rows and 15’ between the trees.

Plant the following species:

- Bur Oak (Quercus muehlenbergii)
- Swamp White Oak (Ouercus bicolor)
- Norway spruce (Picea abies)
- Bald cypress (Taxodium distichum)

Fifty percent of the Norway Spruce will have a minimum height of 6’ at the time of planting, and the balance will be a minimum 5 gallon size container trees.
For the Bur Oak, Swamp White Oak and Bald Cypress trees, fifty percent will be a minimum15 gallon size container trees and the balance will be a minimum 5 gallon size container trees.

Alternate the species within the rows.

Planting Layout: SWO-Swamp white oak NSP-Norway spruce BUO-Bur oak BCY-Bald cypress

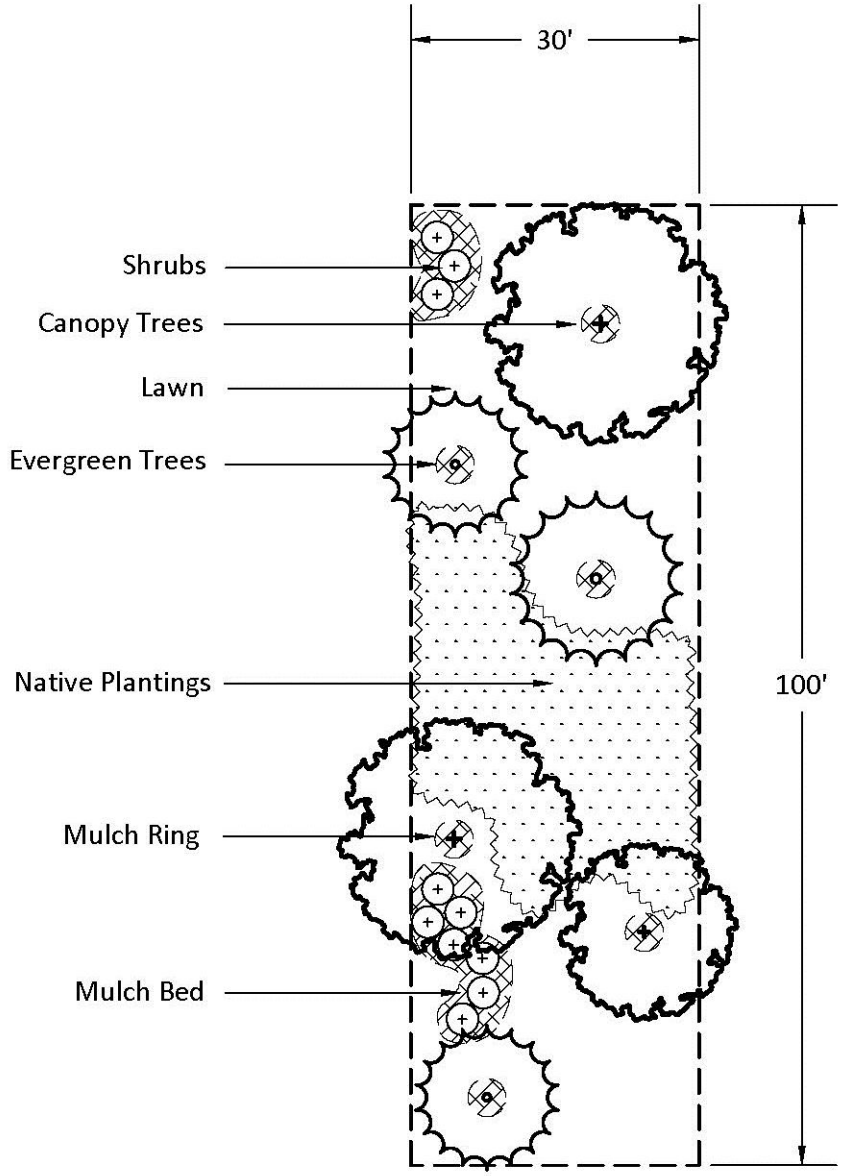
SWO NSP BUO BCY SWO NSP BUO BCY

SWO NSP BUO BCY SWO NSP BUO BCY

BCY SWO NSP BUO BCY SWO NSP BUO

BCY SWO NSP BUO BCY SWO NSP BUO

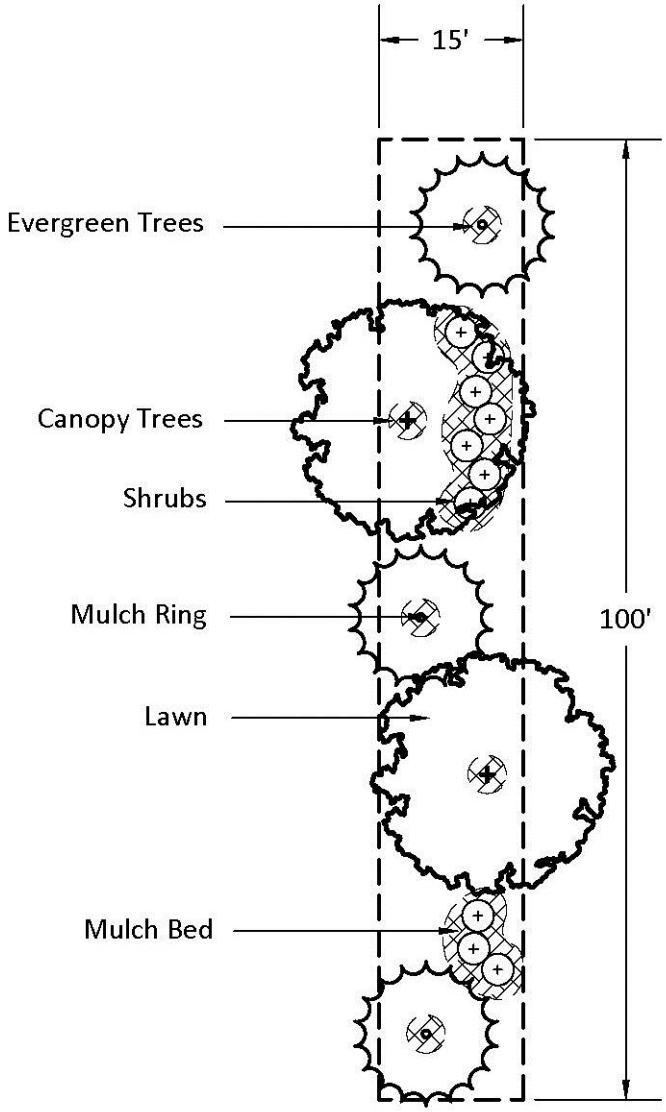
Exhibit E-3-B: Buffer Yard Type C



Plantings per 100 lineal feet:

Width	Canopy	Evergreen	Shrub
30’	3	3	10

Exhibit E-3-C: Buffer Yard Type D



Width	Shade	Evergreen	Shrub
15’	2	3	10

Exhibit E-4: Parcel Specific Buffer Yards

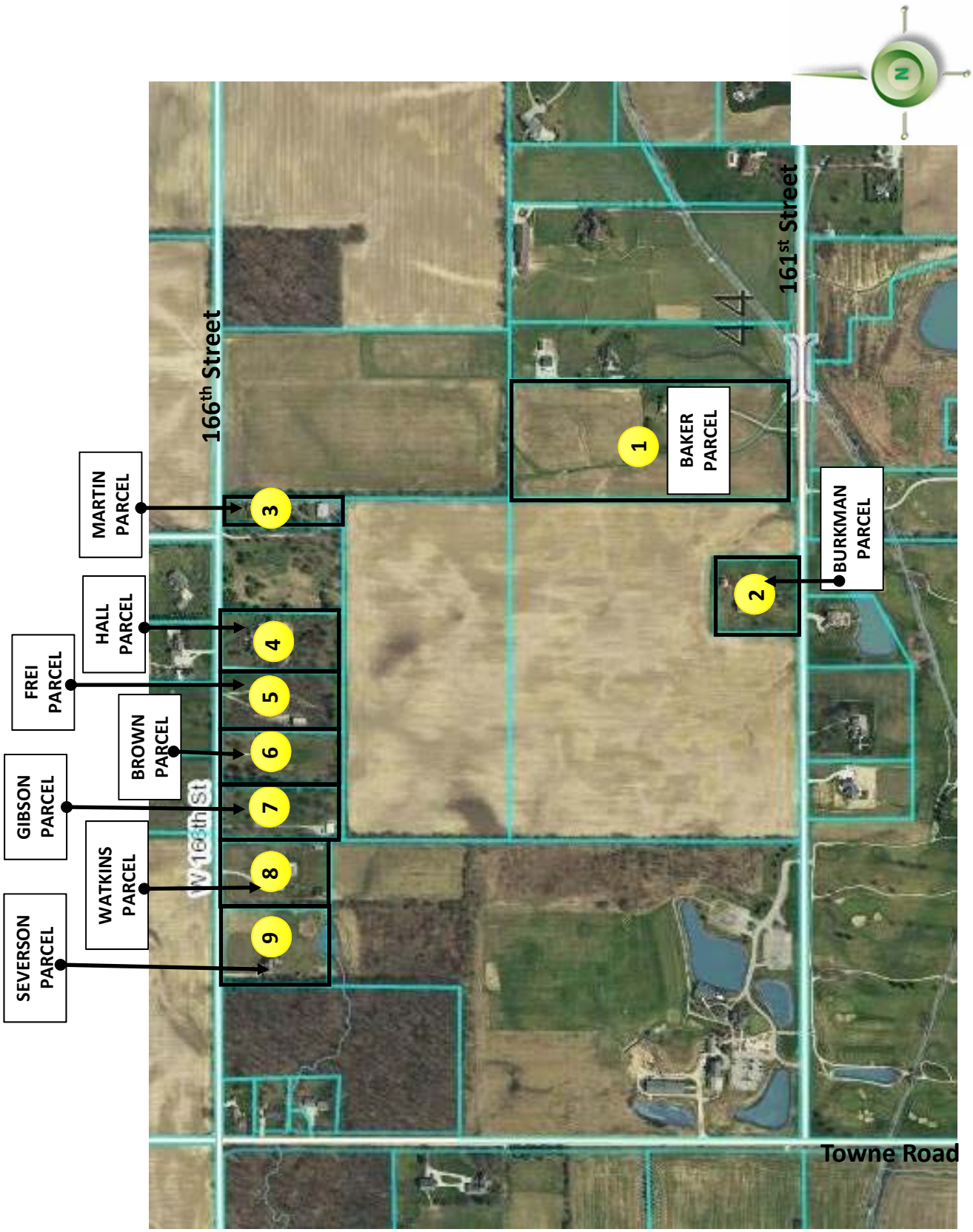


Exhibit E-4: Parcel Specific Buffer Yards

Exhibit E-4: Parcel Specific Buffer Yards

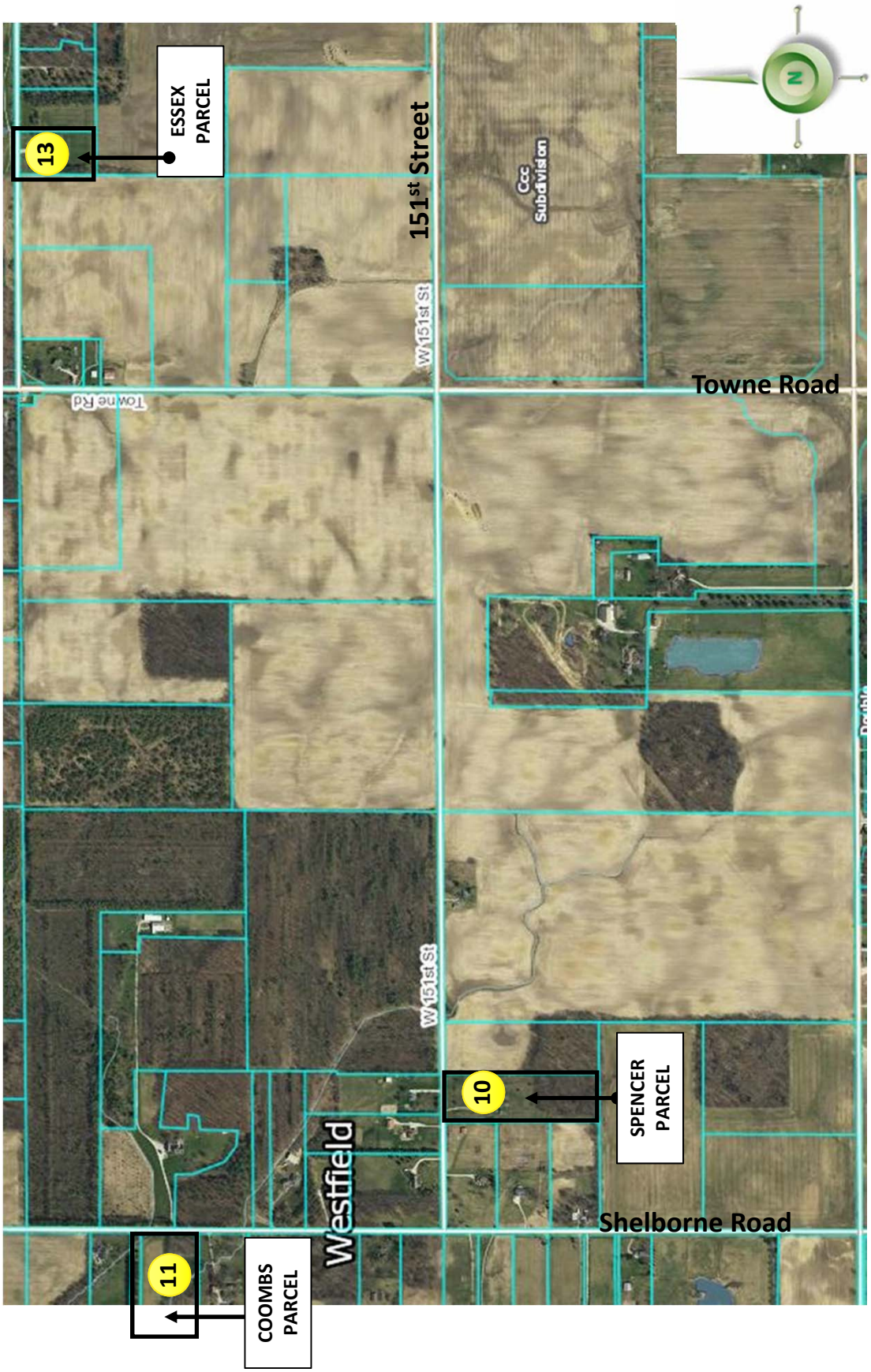
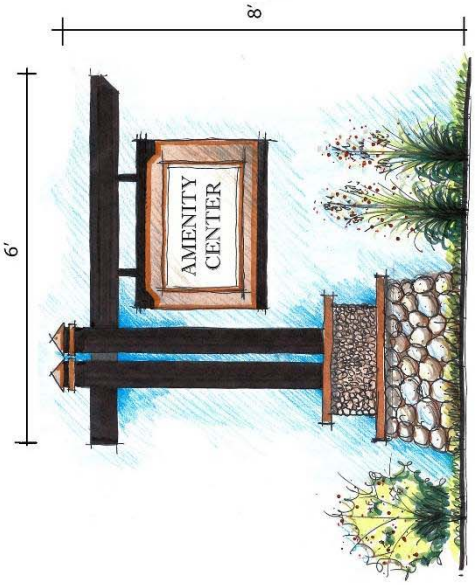
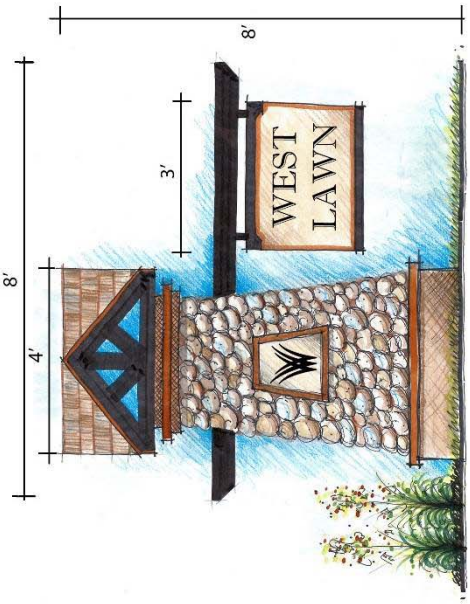


Exhibit F: District Monument Sign & Column Entrance Sign Concepts





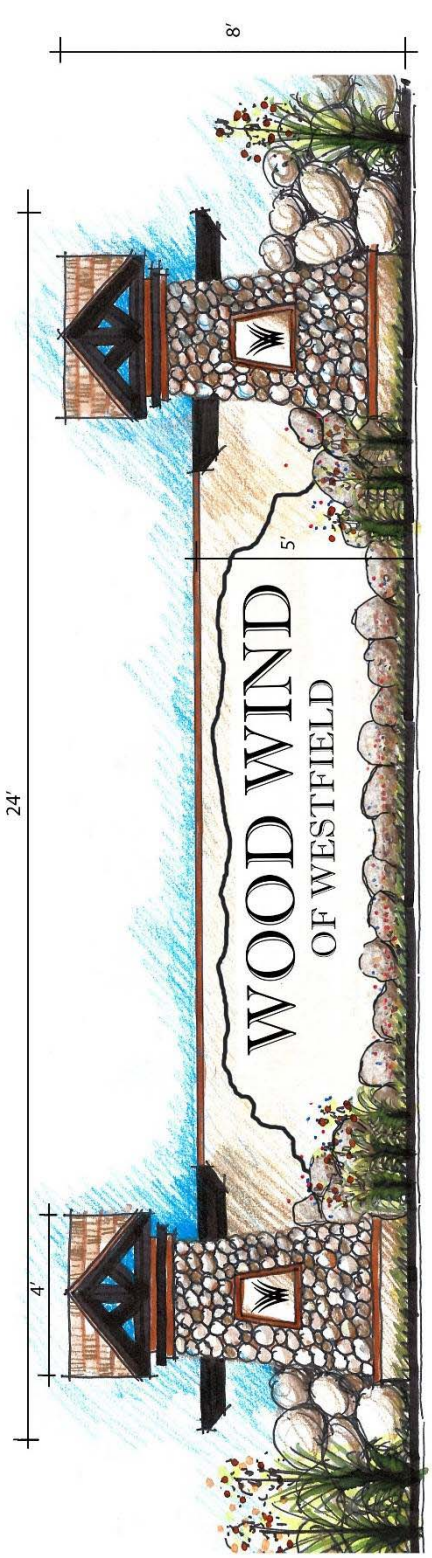


Exhibit G: Wood Wind Golf Course Buildings Character Exhibit

Exhibit H: Development Amenities Buildings Character Exhibit

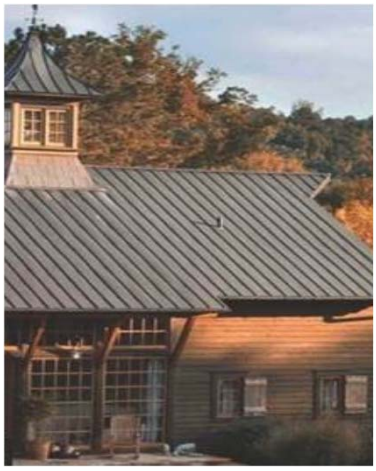
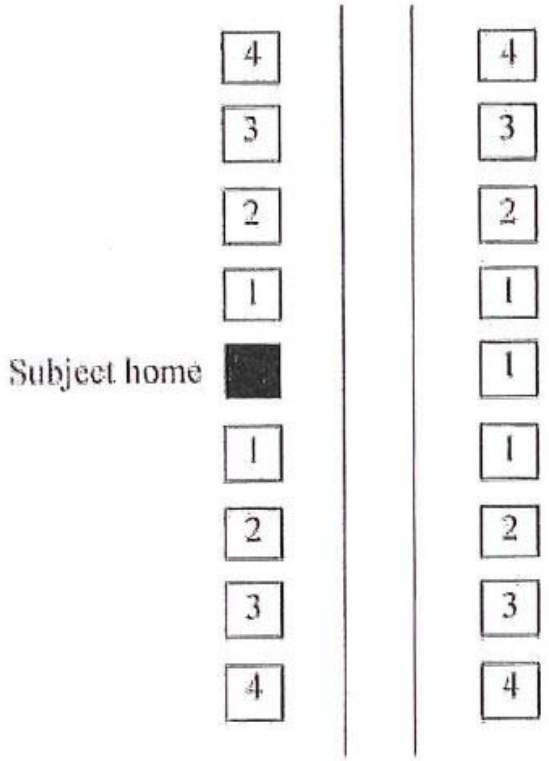


Exhibit I: Façade Variety Code



Home #	Requirement
1	Subject Home must have a Different Elevation and a Different Color Package than the Existing Home.
2	Subject Home must have a Different Elevation than the Existing Home. If an Existing Home's Dominant Exterior Material is brick or stone, then the Subject Home's brick or stone color may be the same color. If an Existing Home's Dominant Exterior Material is not brick or stone, then the Subject Home must have a Different Color Package than the Existing Home.
3	Subject Home may have the same elevation as the Existing Home as long as the Subject Home has a Different Color Package.
4	Subject Home may be identical to the Existing Home.

Exhibit J: Gable End Character Exhibit

Change in Material Pattern

Gable Peak change in Material

Change in Color w/ Trim

Change in Material

Architectural Detailing

Change in Pattern

ORDINANCE NUMBER 16-27

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 "**WOOD WIND 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. 1609-PUD-16**), 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**. **1609-PUD-16** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2017;

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

NOW, THEREFORE, BE IT ORDAINED by the Council 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 "**WOOD WIND 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 Custom Home Lots: Collectively, the Lots~~three (3) lots with frontage along 166th Street~~ within Area -1~~, as labeled and depicted on **Exhibit B-2-A: Single Family District Layout – Area 1**,~~ and the Lots~~sixty-six (66) lots~~ within Area 4 West.~~, as labeled and depicted on **Exhibit B-2-D: Single Family District Layout – Area 4**.~~

2.2 Development Amenities: As defined by the Unified Development Ordinance and shall also include the Wood Wind Golf Course.

2.3 Dominant Exterior Material. The Exterior Material that occupies the greatest percentage of surface area (compared to other Exterior Materials) of a Front Building Facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.

2.4 Exterior Material. The separate architectural siding materials or~~and~~ patterns on a Building, such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

2.5 Home Series. The series of home types (e.g., Custom Homes Series One (C-1), Custom Homes~~A,~~ Series Two (C-2), Traditional Homes ~~B,~~ Series One (T-1), Traditional Homes~~C,~~ Series Two (T-2), Traditional Homes ~~D,~~ Series Three (T-3), Empty Nester Homes Series One (E-1) and Empty Nester~~Custom~~ Homes Series Two (E-2))~~)~~ to be built within the District, as identified on the Concept Plan, attached hereto at **Exhibit B**, and represented in the Single-Family Character Exhibits, attached hereto at **Exhibit C**. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they

do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance.

2.6 Open Space: As defined by the Unified Development Ordinance and depicted on **Exhibit B-4: Single Family Open Space** and includes the Wood Wind Golf Course.

2.7 Pulte: Pulte Homes of Indiana, LLC, or its affiliates.

2.8 Tree Preservation Areas. Those locations identified on **Exhibit B-2-A: Single Family District Layout – Area 1**, **Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5** as Tree Preservation Areas, and as further regulated herein.

2.9~~8~~ Wood Wind Golf Course: The eighteen (18) hole golf course and associated facilities as depicted on the Concept Plan within Areas 1 and 2, including all elements of the course (i.e. fairways and surrounding corridors, greens, tee boxes, bunkers, hazards, natural features (i.e. creeks, woods, lakes)), common areas, restrooms or park pavilions, bridges, pathways, practice facility, driving range, short game area, instructional area, cart paths, golf bag storage and drop-off, golf cart parking and golf cart use on cart paths, golf cart-related services (indoor/outdoor storage, rental, service, sales, cleaning, refueling/charging, maintenance), Sit Down Restaurant with bar area and outdoor seating, banquet center, and accessory parking areas.

2.10 Wood Wind Home Owners Association: A corporation, association, or other legal entity created by the Developer for the benefit of the owners of Lots in Areas 1, 2, 3, 4 East, and 5.

Section 3. Concept Plan. The Concept Plan, attached hereto as **Exhibit B: Concept Plans**, 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. Substantial compliance generally includes, but is not limited to, the location and design of the Wood Wind Golf Course, the buildings, curvilinear streets, frontage streets, and the placement of open space and detention/retention facilities. If the size of detention / retention facilities (including ponds) are decreased or eliminated based upon final engineering of the project, then such areas shall remain Open Space and be maintained as common area by the Wood Wind Home Owners Association.

Section 4. District Areas. The District is hereby divided into the following areas as illustrated on the Concept Plan and labeled as: Areas 1, 2, 3, 4 East, 4 West and 5 (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 5. Underlying Zoning District(s). The Underlying Zoning District of this

District shall be as follows (individually or collectively, the "Underlying Zoning District"):

5.1 Area 1: SF2: Single-Family Low Density District.

5.2 Area 2: SF2: Single Family Low Density District.

5.3 Area 3: SF3~~SF4~~: Single-Family Medium~~High~~ Density District.

5.4 Area 4 East: SF3: Single-Family Medium Density District.

5.5 Area 4 West: SF1: Single Family Large Lot District.

5.6 Area 5: SF3: Single Family Medium Density District.

Section 6. Permitted Uses. All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate except as otherwise set forth below.

6.1 Wood Wind Golf Course: In addition to uses permitted in the Underlying Zoning District, the Wood Wind Golf Course shall be permitted within Areas 1 and 2. Deed restrictions shall provide that the Wood Wind Golf Course shall be maintained as a golf course available to the public for regular play or other Open Space in accordance with this Ordinance (the "Deed Restriction"). The Deed Restriction shall terminate upon the fiftieth (50th) anniversary of the adoption of this Ordinance and comply with the following:~~.~~

A. In addition to the permitted use of the Wood Wind Golf Course as a golf course available to the public for regular play and other Open Space, the Deed Restriction will permit uses which are non-residential and primarily recreational, agricultural or equestrian in nature and operated by or for the benefit of the Wood Wind Home Owners Association if, and only if, all of the following shall occur:

1~~(a)~~ an amendment to this Ordinance is adopted or approved by the Council permitting the use of the Wood Wind Golf Course for such additional uses; and

2~~(b)~~ a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 1 and 2 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

3~~(c)~~ a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 3, 4 East and 5 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

4~~(d)~~ The then current owner of the Wood Wind Golf Course approves the use of the Wood Wind Golf Course for such additional uses and consents to or files a petition to amend this Ordinance to permit such additional uses.

B. The Deed Restriction shall be placed of public record prior to the

recordation of a secondary plat for any Area and shall provide for the modification of the legal description for the Wood Wind Golf Course once the final boundaries of the Wind Wood Golf Course and configuration of the Lots and common areas within Areas 1 and 2 are determined and approved as part of a secondary plat approval.

Section 7. General Regulations. The standards of Chapter 4 Zoning Districts~~, as applicable to the Underlying Zoning District,~~ shall not apply to the development of the District~~, except as otherwise modified below.~~

~~7.1 Area 1 through Area 5: Chapter 4 Zoning Districts shall not apply~~; rather, the individual lot standards set forth in **Exhibit B-3: Single Family District Standards** shall apply to each Area as specified therein.

7.1~~A.~~ Maximum Number of Lots: The total number of single family lots in the District shall not exceed eight~~nine~~-hundred and fifty-six (856~~thirty-seven (937~~).

7.2 Building Permit Limits: A maximum of one-hundred and twenty-five (125) Improvement Location Permits ("building permits") may be issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any calendar year beginning with the effective date of this Ordinance, provided, however: (i) the number of annual allotted building permits not issued in any given calendar year (i.e., the positive difference between the annual maximum of one-hundred and twenty-five (125) building permits reduced by the number of building permits actually issued in any given calendar year) may be carried over to the next calendar year or successive calendar years; and, (ii) the maximum number of building permits issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any given calendar year shall not exceed one-hundred and fifty (150) building permits.

7.3 Minimum Perimeter Setback Standards: A minimum perimeter setback for rear or side lot lines shall be provided along all perimeter thoroughfares as depicted on **Exhibits B-2-A through B-2-E: Single Family District Layout**.

~~B. Custom Home Lots: Pulte Homes of Indiana, LLC, or its affiliates, shall not be the builder of dwellings on Custom Home Lots.~~

Section 8. Development Standards. The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

8.1 Article 6. 1 Accessory Buildings or Structures: Shall apply, except as modified below:

A. Maximum Number: There shall be no maximum number of Accessory Buildings for the Wood Wind Golf Course and related operations. New or expanded Accessory Buildings shall be reviewed and approved by the Department as a Development Amenity.

B. Ancillary Structures: Tents, pavilions, patios and related equipment or displays (e.g., leaderboards) which are ancillary uses to the Wood Wind Golf Course and related uses (e.g., weddings, social events, golf demonstration or training tents), shall be deemed permanent as an ongoing ancillary use to existing operations and shall not require a temporary use permit. This does not exempt such structures or uses from obtaining permits otherwise required by the State or Fire Marshal.

8.2 Article 6.3 Architectural Standards: Shall apply, except as modified below:

A. Wood Wind Golf Course and Development Amenity Buildings: Article 6.3 Architectural Standards shall not apply, rather:

1) Except for a Sit Down Restaurant, which shall be governed by Section 8.2(A)(2) of this Ordinance, new~~1) New~~ and/or expanded Wood Wind Golf Course buildings shall be consistent and compatible with the architectural style and building materials depicted in existing Wood Wind Golf Course buildings as depicted in **Exhibit G: Wood Wind Golf Course Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Wood Wind Golf Course buildings. Loading docks for a Wood Wind Golf Course building shall be screened from view from an External Street or adjacent property zoned or used residentially by landscaping or screen walls.

2) Development Amenity Buildings and a Sit Down Restaurant shall be consistent and compatible with the architectural style and building materials depicted in **Exhibit H: Development Amenities Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Development Amenity buildings.

B. Single-Family Architectural Standards: The following shall apply to Single-family Dwellings within the District:

1) Custom Home Lots Character Exhibit: **Exhibit C-1: Illustrative Front Elevations for Area 1**~~1) Application of Varying Percentage Standards. Percentages specified below in this sub-section which are applicable to an Area individually~~ and **Exhibit C-4-B: Illustrative Front Elevations for Area 4 West**~~separately shall be calculated and applied to those Lots within such Area that have received primary plat approval at the time of the building permit application for the calculation in question.~~

~~2) Character Exhibit: **Exhibit C: Single-Family Character Exhibits**,~~ attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed on the Lots in Area~~Areas~~ 1~~, 2, 3, 4 East~~ and Area 4 West~~5~~ of the District~~. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision.~~, respectively~~ The Director shall determine whether a~~

~~Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.~~

~~3) Home Series by Area: The Concept Plan identifies a specific Home Series, as labeled and depicted in the Single Family Character Exhibits, proposed to be built on specific Lots in each Area. The specific Home Series built in each Area may be adjusted from that depicted in the Concept Plan as specified below:~~

~~a) Area 1: Dwellings in Area 1 shall come from the Home Series A and Home Series B. Dwellings from Home Series A may replace any Dwelling from Home Series B.~~

~~b) Area 2: Dwellings in Area 2 shall come from the Home Series C.~~

~~c) Area 3: Dwellings in Area 3 shall come from the Home Series B, Home Series D and Home Series E. Dwellings from Home Series B may replace any Dwelling from Home Series D and/or Home Series E. Home Series D and Home Series E shall be interchangeable with each other.~~

~~d) Area 4 East: Dwellings in Area 4 East shall come from the Home Series A, Home Series B and Home Series D. Dwellings from Home Series A may replace any dwelling from Home Series B and/or Home Series D. Dwellings from Home Series B may replace Dwellings from Home Series D.~~

~~e) Area 5: Dwellings in Area 5 shall come from the Home Series B, Home Series D and Home Series E. Dwellings from Home Series B may replace any Dwelling from Home Series D and/or Home Series E. Home Series D and Home Series E shall be interchangeable with each other.~~

~~4) Basements: All Dwellings from Home Series A, B and C shall include a basement with a minimum square foot area equal to not less than seventy percent (70%) of the first floor area.~~

~~5) Custom Home Lots Character Exhibit: **Exhibit C: Single Family Character Exhibits**, attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed on the Custom Home Lots in Area 4 West of the District~~. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed in Areas 1 and Area 4 West and that contribute to the District's

intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

2~~6~~) Custom Home Variation: The Front Building Facades~~front facades~~ of any two Dwellings on the Lots in Area 1 of the District shall be substantially different. The Front Building Facades of any two Dwellings on the Lots in Area ~~Custom Home Lots in Area~~ 4 West of the District shall be substantially different.

3) Custom Home Lots in Area 1: Pulte shall have the option of being the builder of not more than fifty percent (50%) of the Dwellings in Area 1, provided that all Dwellings constructed by Pulte in Area 1 shall be one of the following home types: (i) 3850, 3900, 3950, 4000, 4150, 4563, 4634, 4741 or 5271 (all being home types currently being offered in the Village of West Clay); (ii) 4500, 4600, 4700, or 5200 (all being home types currently being offered in Hamilton Proper); or, (iii) any updated or comparable version of the foregoing of similar size, quality and character, as determined by the Director. In the event of any conflict or inconsistency between this Section 8.2(B)(3) and Section 8.2(B)(1), this Section 8.2(B)(3) shall control.

4) Custom Home Lots in Area 4 West: Pulte shall not be the builder of Dwellings on Custom Home Lots in Area 4 West.

5) Traditional & Empty Nester Character Exhibits: **Exhibit C: Single-Family Character Exhibits**, attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed in Areas 2, 3, 4 East and 5 of the District, respectively. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

6) Home Series by Area: **Exhibit B: Concept Plans** identifies a specific Home Series, as labeled and depicted in the **Exhibit C: Single Family Character Exhibits**, proposed to be built on specific Lots in each Area. In those Areas which are not specified for Custom Home Lots (i.e., Area 1 and Area 4 West) or for Dwellings from one specific Home Series (i.e., Area 2), the specific Home Series built in such Area may be adjusted from that depicted in the Concept Plan as specified below:

a) Area 3 and Area 5: Dwellings in Area 3 and Area 5 shall come from the Home Series E-2 and T-3. Dwellings from Home Series E-2 may replace any Dwelling from Home Series T-2 or T-3, provided that any such Home Series E-2 replacement home with a front load garage shall be separated from a perimeter street by no less than two (2) platted lots, exclusive of common areas.

b) Area 4 East: Dwellings in Area 4 East shall come from the Home Series T-1, T-2 and T-3. Dwellings from Home Series T-1 may replace any dwelling from Home Series T-2 and/or Home Series T-3. Dwellings from Home Series T-2 may replace Dwellings from Home Series T-3.

c) Model Homes: Notwithstanding anything in this Ordinance to the contrary, Developer may establish model homes within any Area. The model home may be a Dwelling from any Home Series permitted in that Area by this Ordinance. Any model home that includes a front load garage shall be separated from a perimeter street by no less than two (2) platted lots, exclusive of common areas.

7) Basements: All Dwellings from Home Series C-1, C-2, T-1, T-2 and E-1 shall include a basement with a minimum Gross Floor Area equal to not less than seventy percent (70%) of the Minimum Living Area of the Ground Floor.

8~~7~~) Perimeter Lots: Article 6.3(C)(1) Single-family Districts; Perimeter Lots shall be amended to only apply to those Building Facades on those Lots identified in **Exhibits~~Exhibit~~ D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**. If the Lot layout and distance from Perimeter Streets on an approved Secondary Plat varies in any material respect from the Concept Plan, then the Director shall determine which Lots and Building Facades, in accordance with Article 6.3(C)(1), apply.

9) Side or Rear Façade Requirements: Lots identified as having a Side or Rear Façade Requirement on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**,

shall include a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Facade, provided that all such Lots shall count toward the forty percent (40%) of the total number of Lots specified in Sections 8.2 (B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2 (B)(15)(a)(iv), below.

10~~8~~) Streetscape Diversity. Article 6.3(C)(2) Single-family Districts; Streetscape Diversity shall apply. The extensive use of curvilinear street patterns, substantially as depicted on **Exhibit B-2: Single Family District Layout**, constitutes the use of winding streets throughout the District to eliminate monotonous building placement and, together with the use of variable building setback lines with a minimum variation of two (2) foot increments from adjacent lots wherever the street is straight for more than one-hundred and eighty (180) feet, hereby satisfies the requirement of Article 6.3(C)(2)(b) regarding varying Building Setback Lines. In addition, the facade variety code identified in **Exhibit I: Facade Variety Code** shall be applicable to Areas ~~1,~~ 2, 3, 4 East and 5.

11~~9~~) Corner Lots. Lots identified as corner lots on **Exhibits~~Exhibit~~ D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include the following on the side Building Facade oriented towards the street:

a) A minimum of one of the following: (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; or, (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; and

b) A minimum of two (2) windows on a single-story dwelling or three (3) windows on a two-story dwelling.

12~~10~~) Trail Lots. Lots identified as trail lots on **Exhibits~~Exhibit~~ D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include a minimum of one of the following on the side Building Facade oriented towards the trail:

~~a) A minimum of one of the following:~~ (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; or (iv) a landscape package including two (2) trees and ten (10) shrubs.

13~~11~~) Golf Lots – Rear Facades: In Area 1 and Area 2 on Lots abutting the Wood Wind Golf Course and depicted as Golf Lots on **Exhibits~~Exhibit~~ D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** the rear elevation of those Dwellings shall incorporate either: a full first floor Masonry Material wrap; or, a minimum of two of the following elements:

a) Masonry Material a minimum of thirty-six (36) inches in height;

b) Pergola with a minimum or 100 square feet;

c) A Facade Projection or Recession including a minimum of one (1) twelve-foot (12') deep offset, which is a minimum height equivalent to one-story;

d) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

e) Covered porch or covered patio (minimum of one-hundred and forty (140) square feet).

f) Sunroom (minimum of one-hundred and twenty (120) square feet);

g) A Facade Projection or Recession in the rear Building Facade that contains a minimum of fifty percent (50%) of Masonry Material;

h) Two (2) or more siding materials or material patterns (e.g., board and batten, shake, lap siding) on the Building Facade. Each siding material or material pattern shall be a minimum of ten~~10~~ percent (10%) of the applicable rear Building Facade (exclusive of openings and trim);

i) A Facade Projection a minimum of one (1) foot deep offset, which is a minimum height equivalent to two-stories and spans a minimum of ten (10) feet in length; or

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

No element listed above may be used to meet this requirement on more than fifty percent (50%) of such Lots (excluding those Lots with a full first floor Masonry Material wrap) in either individual Area.

14) Golf~~12) Side or Rear Façade Requirements:~~ Lots ~~– identified as having a Side or Rear Façade Requirement on **Exhibit D-1: Perimeter Lots Subject to Architectural Standards**, shall include a minimum thirty-six inch (36") tall~~ Masonry Materials: ~~Material wrap along the entire length of each facade, provided that all such Lots shall count toward the forty percent (40%) of the total number of Lots specified in Section 8.2 B. 13., below.~~

~~13) Architectural Requirements: In addition to the requirements of Article 6.3(C)(3), all Single-Family Dwellings shall comply with the following:~~

~~a) Four-Sided Masonry:~~ A minimum ~~thirty-six inch (36") tall Masonry Material wrap shall be provided along the entire length of each facade of any Dwelling located on:~~

~~i. A minimum of forty percent (40%) of the total number of Lots in Areas 1, 2, 3, 4 East and 5 combined; and,~~

~~ii. A minimum of twenty percent (20%) of the Lots in each of the Areas 1, 2, 3, 4 East and 5.~~

~~In addition, a minimum~~ of fifty percent (50%) of the Lots in Area 1 and fifty percent (50%) of the Lots in Area 2 which abut the Wood Wind Golf Course and are identified as Golf Lots on **Exhibits D-1-A through~~Exhibit~~ D-1-E: Perimeter Lots Subject to Architectural Standards** shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade~~façade~~ of any Dwelling. Dwellings meeting this requirement~~, provided that all such Lots~~ shall count toward the forty percent (40%) of the total number of Dwellings~~Lots~~ specified in Sections 8.2(B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2(B)(15)(a)(iv), below~~above~~.

15) Four-Sided Architectural Requirements: In addition to the requirements of Article 6.3(C)(3), all Single-Family Dwellings shall comply with the following:

a) Minimum Masonry Material: The following Masonry Material requirements shall apply to Lots in Areas 1, 2, 3, 4 East, 4 West and 5:

i. A minimum of forty percent (40%) of all Dwellings in Area 1 shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

ii. A minimum of forty percent (40%) of all Dwellings in Area 4 West shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

iii. A minimum of forty percent (40%) of all Dwellings in Areas 2, 3, 4 East and 5 combined shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade; and,

iv. A minimum of ninety percent (90%) of all Dwellings in Areas 1, 2, 3, 4 East and 5 combined shall have a minimum eighteen inch (18") tall Masonry Material wrap along the entire length of each Building Façade. Dwellings with a minimum thirty-six inch (36") Masonry Material wrap shall count toward meeting this ninety percent (90%) standard.

b) Side Building Facades with Gable: All Dwellings with a gable end on the side Building Facade that do not have either: a side loading garage; or, Masonry Material a minimum of thirty-~~-~~six (36) inches tall on the side Building Façade, shall incorporate a minimum of one of the following elements on the side Building Façade which shall be complimentary to elements found on the

Front Building Façade, with a variety of these elements being utilized throughout the District:

i. A change in exterior color separated by trim*;

ii. A change in Exterior Material pattern separated by trim*;

iii. A change in Exterior Material separated by trim;

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

v. A minimum of ten (10) square foot gable window with horizontal trim below the window;~~;~~

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

vii. A projecting chimney running the full height of the side Building Facade constructed with Masonry Material.

*See **Exhibit J: Gable End Character Exhibit** for depictions of these elements.

d) Exterior Building Materials:

i. Siding: Aluminum and vinyl siding shall be prohibited.

ii. Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials or for windows that include shutters. Required trim shall be a minimum of five and one-half inches (5-1/2") wide.

iii. Fireplaces: Exterior (projects from Building Facade) fireplace chases shall be constructed with Masonry Materials and shall not be cantilevered or shed chimneys. Interior (projects through the roof line) fire place chases shall be constructed of or have a veneer that emulates Masonry Materials.

e) Roof Design:

i. Overhangs: Roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.

ii. Materials: All Dwelling roofs shall use dimensional singles.

f) Side Façade Windows: All one-story Dwellings shall have a minimum of one (1) window per side Building Façade. All two-story Dwellings shall have a minimum of two (2) windows per

side Building Façade. The minimum area of any window used to meet this minimum standard shall be fifteen (15) square feet in area.

g~~e~~) Garages and Driveways:

i. Design Elements: Garage elevations shall include a variety of design elements substantially similar to those elements depicted in **Exhibit D-2: Illustrative Garage Door Treatments** to vary the appearance of the garage facade. 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.

ii. Color: All Dwellings~~dwellings~~ shall have decorative garage doors with windows and be painted a color to match the Dominant Exterior Material or a color to accent the Dominant Exterior Material.

iii. Side Wall Window: The non-door Building Facade~~Front load garage doors shall include the use of decorative elements substantially similar to those elements depicted in **Exhibit D-2: Illustrative Garage Door Treatments**. The non-door facade~~ of a courtyard-load or side-load garage oriented toward a street shall include a minimum of twenty-five (25) square feet of windows.

iv~~ii~~. Dwellings on Lots in all Areas as labeled and depicted on **Exhibits~~Exhibit~~ D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** identified as "Non-Front Loading Garages" shall include a ~~side or~~ courtyard-load or side-load ~~loading~~ garage. For the purposes of this regulation, an "L" shaped three (3) car garage shall be deemed to comply with this standard provided no more than a one (1) car garage door is oriented toward the street.

v~~iii~~. Dwellings from Home Series C-1, C-2, T-1~~A, Home Series B~~ and T-2~~all Dwellings on Lots in Area 4 West~~ shall include a minimum three car garage. Dwellings from Home Series E-1, E-2~~ C, Home Series D~~ and T-3~~Home Series E~~ shall include a minimum two car garage.

vi~~iv~~. Base model Dwellings from Home Series E-1~~C~~ on Lots in Area 2 are designed for a non-front loading garage; however, model options include a front loading three car garage. Dwellings in Area 2 shall be non-front loading garages, except in the event a homebuyer elects to build the front loading three car garage option. If a front loading

three car garage option is selected by the buyer, then a three car front loading shall be permitted and shall include three individual and separate garage doors. In no case, however, shall the number of dwellings with front loading three car garages in Area 2 exceed thirty percent (30%) of the total number of Lots in Area 2. In addition, no more than two (2) consecutive Lots on the same side of the street may contain front loading garages, provided, however, when two (2) front located garages are located on two (2) consecutive Lots on the same side of the street, there shall be a minimum of three (3) consecutive Lots on the same side of the street with non-front loading garages in each direction before another front loading garage is allowed on the same side of the street.

vii~~v~~. An overall combined total of not less than seventy~~fifty~~ percent (70~~50~~%) of the Dwellings in the District shall have non-front loading garages.

viii.~~vi.~~ All driveways shall be concrete. Asphalt driveways shall be prohibited.

~~d) Exterior Building Materials:~~

~~i. Siding: Aluminum and vinyl siding shall be prohibited.~~

~~ii. Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials or for windows that include shutters. Required trim shall be a minimum of five and one-half inches (5-1/2") wide.~~

~~iii. Fireplaces: Exterior (projects from Building Facade) fireplace chases shall be constructed with Masonry Materials and shall not be cantilevered or shed chimneys. Interior (projects through the roof line) fire place chases shall be constructed of or have a veneer that emulates Masonry Materials.~~

~~e) Roof Design:~~

~~i. Overhangs: Roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.~~

16) Rear Building Facade Variation: The rear Building Facade of at least one (1) Dwelling of every three (3) consecutive Dwellings located on the same side of a Street within Areas 2, 3, 4 East

and 5 shall incorporate one (1) of the following elements:

a) A Masonry Material wrap a minimum of thirty-six (36) inches in height;

b) A Facade Projection or Recession including a minimum of one (1) ten-foot (10') deep offset, which is a minimum height equivalent to one-story;

c) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

d) A Facade Projection including a minimum of one (1) foot deep offset, which spans a minimum of ten (10) feet in length; or

e) A covered porch or covered patio (minimum of one-hundred and twenty (120) square feet in area).

The inclusion of one (1) of the foregoing elements shall also count toward the requirements specified in Sections 8.2(B)(9), (12), (13) and (15), above.

17~~14~~) Model Homes: All model homes in Areas~~ 1,~~ 2, 3, 4 East and 5 shall have a minimum thirty-six (36) inch Masonry Material wrap on both side Building Facades and the rear Building Facade. These model homes ~~, provided that all such Lots~~ shall count toward the minimum forty percent (40%) of the total number of Lots specified in Section 8.2(~~-~~B)(15)(a)(ii) and (iii), above, and the ninety percent (90%) of the total number of Lots specified in Section 8.2(B) (15)(a)(iv),~~. 13.,~~ above.

18) Application of Varying Percentage Standards. Percentages specified above in this sub-section which are applicable to an Area individually and separately shall be calculated and applied to those Lots within such Area that have received primary plat approval at the time of the Improvement Location Permit application for the calculation in question.

8.3 Article 6.5 Fence Standard: Shall apply. Open wire mesh or black or green vinyl-coated chain-link fencing surrounding Wood Wind Golf Course uses may be erected to a height that meets national regulations for the sport, or an increased height specified by the Department of Public Works, to protect nearby vehicular and pedestrian traffic or buildings.

8.4 Article 6.8 Landscaping Standards: Shall apply, except as modified below:

A. Article 6.8(I) Detention and Retention Areas: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

B. Article 6.8(K) Minimum Lot Landscaping Requirements: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

1) Area 1, Area 2, Area 4 East and Area 4 West: Lots located in Area 1, Area 2, Area 4 East and Area 4 West shall include a minimum lot landscaping of: two (2) shade trees; two (2) ornamental or evergreen trees; and, twenty (20) shrubs.

2) Area 3 and Area 5: Lots located in Area 3 and Area 5 shall include a minimum lot landscaping of: two (2) shade trees; one (1) ornamental or evergreen tree; and, ten (10) shrubs.

3) Area 4 West Custom Lots – Tree Clearing: Developer may perform grading and tree clearing as reasonably necessary to accommodate the following aspect of the residential development: streets, utilities, drainage facilities which shall include side and rear yard drainage swales between future Dwellings, and for reasonable grade changes for proper pad development to accommodate Dwellings. Developer may clear lots of underbrush, dead or dying trees, trees that are less than two inches (2”) in diameter measured at three feet (3’) from existing grade in order to develop a park-like setting for each lot. Developer shall keep trees outside of these aforementioned development areas that are healthy, pose no unsafe conditions to the nearby streets, utilities, or Dwellings, are reasonably aesthetically pleasing, and have a reasonable chance of flourishing through the development and future neighborhood. Developer shall take reasonable care to save as much of the natural growth and terrain as reasonably possible. Developer shall not conduct mass clearing of trees.

4) Area 4 West Custom Lots – Preservation Credits: Trees preserved on individual lots shall qualify for credit against minimum lot landscaping.

C. Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply; rather, the following shall apply.

1) Wood Wind Golf Course and Development Amenities: No External Street Frontage Landscaping shall be required along Wood Wind Golf Course and Development Amenity parcels abutting an External Street. Existing golf cart paths and fencing on the Wood Wind Golf Course and Development Amenity parcels may encroach into current or future rights-of-way, subject to approval and issuance of applicable permits by the Department of Public Works. All existing fencing along the perimeter of the Wood Wind Golf Course shall be repaired or replaced as necessary.

2) Single-family Areas: A landscaping area shall be required for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise exempted herein for Wood Wind Golf Course and Development Amenity areas) abutting an External Street in accordance with **Exhibit E-1: Road Frontage Landscaping**. A minimum of sixty-five percent (65%) of an individual Area's gross External Street Frontage for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise provided herein for Wood Wind Golf Course and Development Amenity areas) shall incorporate a black four board horse fence into the road frontage landscaping area. If the Front Building Facade of a Dwelling is located on a Frontage Road and oriented toward an External Street, then the External Street Frontage Landscaping Requirements of Article 6.8 Landscaping Standards shall not be required between the Dwelling's Lot or Frontage Road and the External Street; provided, that the area between the Frontage Road and the External Street shall contain a four board black horse fence and at least twenty-five (25) shrubs per one hundred (100) lineal feet of External Street for which the Front Building Facade of a Dwelling is oriented.

D. Article 6.8(N) Buffer Yard Requirements: Shall not apply; rather the following Buffer Yards shall apply, as depicted in **Exhibit E: District Landscape Exhibits**.

1) Location: Buffer Yards shall be required ~~in those locations of Areas 1, 2, 3, 4 East, 4 West and 5~~ as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity and Exhibit E-4: Parcel-Specific Buffer Yards**.

2) Buffer Yard Types: The following types of Buffer Yards are hereby established.

a) Buffer A: Buffer A is required and depicted in areas where there is Open Space in excess of one hundred feet (100') in depth and contains the Wood Wind Golf Course, detention/retention areas, and/or existing woodlands.

b) Buffer B: Buffer B shall be planted as a reforestation buffer as depicted on **Exhibit E-3-A: Buffer Yard Type B**, and shall have a minimum depth of fifty (50) feet.

c) Buffer C: Buffer C shall be as depicted in **Exhibit E-3-B: Buffer Yard Type C**, and shall have a minimum depth of thirty feet (30') and shall include a minimum of three (3) Shade Trees, three (3) Evergreen Trees, ten (10) shrubs and a mixture of native plantings per one hundred (100) lineal feet.

d) Buffer D: Buffer D shall be as depicted in **Exhibit E-3-C: Buffer Yard Type D**, and shall have a minimum depth of fifteen feet (15)' and shall include a minimum of two (2) Shade Trees, three (3) Evergreen Trees and ten (10) shrubs per one hundred (100) lineal feet.

3) Parcel-Specific Buffer Yards: In addition to the above Buffer Yard Requirements, the following buffer yards shall be provided, as labeled and depicted on **Exhibit E-4: Parcel-Specific Buffer Yards**. In the event of conflict between the above Buffer Yard Requirements and the following additional requirements, the provision that creates the stricter standard shall control.

a) Buffer 1: Parcel of real estate located at 1816 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-008.101 (the "Baker Parcel"):

i. Developer shall not install a black four board horse fence along the common property line of the Real Estate and Baker Parcel without the prior written consent of the owner of the affected portion of the Baker Parcel.

ii. Developer shall meet with the owner of the Baker Parcel during the engineering design process to review existing drainage patterns and the method of addressing existing drainage patterns in the drainage plans to be submitted to the City of Westfield or the applicable Department of the City of Westfield.

b) Buffer 2: Parcel of real estate located at 1924 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-004.001 (the "Burkman Parcel"): Buffer Yard A shall be required on the Real Estate along the shared property lines of the Real Estate and the Burkman Parcel, which shall also include the following:

i. A five to six foot (5' – 6') tall undulating mound (measured from existing grade) along the northern property line of the Burkman Parcel. Mound may be less than five feet (5') tall in some areas to accommodate drainage.

ii. A minimum of eight (8) and maximum of twelve (12) trees per 100 lineal feet and planted within twenty feet (20') of the north property line of the Burkman Parcel. The trees shall be a combination of and minimum size at planting of 6'-tall spruce trees and 2.5" caliper shade trees. The trees shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association. The trees will be planted by no later than June 30, 2018.

iii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year from planting.

iv. A white four board vinyl horse fence along the north, west and east property lines of the Burkman Parcel by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

c) Buffer 3: Parcel of real estate located at 1839 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.000 (the "Martin Parcel"):

i. Buffer Yard A shall be required along the southern property line of the Martin Parcel, and shall include a black four board fence and a minimum six foot (6') tall mound planted with Indiana spruce trees, a minimum of seven feet (7') tall at planting, planted at a rate of twelve (12) trees per 100 lineal feet on the upper third of the mound and the trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees will be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the southern property line of the Martin Parcel by no later than June 30, 2018. In addition, a black four board horse fence shall be required on the Real Estate along the east side of the street from 166th Street to Area 1 and west of the Martin Parcel. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

iv. Developer shall meet with the owner of the Martin Parcel and identify any drainage tiles running across the adjacent property that Developer is purchasing from T. Murphy which impact the Martin Parcel and shall tie such tiles into a drainage system that has been approved by the City of Westfield or the applicable Department of the City of Westfield.

d) Buffer 4: Parcel of real estate located at 2001 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.101 (the "Hall Parcel"): Buffer Yard A shall be required along and south of the south property line of the Hall Parcel. The buffer shall include the following:

i. A minimum of six (6) trees per 100 lineal feet, which shall be either spruce trees, a minimum of seven feet (7') tall at planting, or deciduous trees a minimum 2.5" caliper at planting. The trees shall be located on the Real Estate within twenty feet (20') of the Hall Parcel property line. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

e) Buffer 5: Parcel of real estate located at 2045 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.001 (the "Frei Parcel"): Buffer Yard A shall be required o the Real Estate along the south property line of the Frei Parcel, and shall include the following:

i. Twelve (12) spruce trees, a minimum of seven feet (7') tall at planting, and planted within twenty feet (20') of the Frei Parcel property line. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse type fence along the common property line of the Real Estate and the Frie Parcel. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

f) Buffer 6: Parcel of real estate located at 2101 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.002 (the "Brown Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Brown Parcel and shall include a minimum of fifteen (15) spruce trees of a variety native to Indiana, planted within twenty feet (20') of the Brown Parcel. The trees shall be a minimum height of seven feet (7') tall at time of planting and shall be planted no later than June 30, 2018. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Brown Parcel, or, if determined by Developer at the time of the Overall Development Plan to be reasonably feasible, south of the existing tree line in order to minimize the disturbance to the existing trees along the shared property line. In either event, the fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

g) Buffer 7: Parcel of real estate located at 2131 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.003 (the "Gibson Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Gibson Parcel. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Gibson Parcel. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

h) Buffer 8: Parcel of real estate located at 2199 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.101 (the "Watkins Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Watkins Parcel and shall include a minimum of thirty (30) trees planted within fifteen feet (15') of the Watkins Parcel property line.Buffer Yard A along the common property line of the Real Estate and the Watkins Parcel by no later than June 30, 2018. Treees shall include a combination of Indiana native spruce & deciduous trees a minimum height of seven feet (7') at

planting. Developer shall consult with the owner of the Watkins Parcel as to the type, location and layout of such plantings. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.

ii. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Watkins Parcel by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

i) Buffer 9: Parcel of real estate located at 2223 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.111 (the "Severson Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Severson Parcel and shall include a black four board horse fence along that portion of the common property line of the Real Estate and the Severson Parcel which is not prohibited by the location of any pond in this area. The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

ii. If it is determined to be feasible by the Developer's civil engineer based upon grading and storage capacity needs, Developer will use reasonable efforts to save the existing willow tree near the proposed pond.

j) Buffer 10: Parcel of real estate located at 3421 W. 151st Street and identified as Hamilton County Tax Parcel No. 08-09-17-00-00-014.001 (the "Spencer Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the east property line of the Spencer Parcel and shall include a minimum of thirty-six (36) Indiana native spruce trees. Trees shall be a minimum height of five feet (5') at planting. The trees shall be planted by November 30, 2020.

k) Buffer 11: Parcel of real estate located at 15410 Shelborne Road and identified as Hamilton County Tax Parcel No. 08-09-18-00-00-013.005 (the "Combs Parcel"):

i. The owner of the Combs Parcel shall have a period of 24 months from the later of: the recording of the plat for Area 4 West; or, the installation of pavement in Area 4

West providing access to the east side of Shelborne Road, to provide written notice to the Developer of Area 4 West that the owner of the Combs Parcel elects to have a minimum or six (6) and a maximum of eight (8) evergreen trees planted on the Combs Parcel to screen exiting car headlights. Once such written notice is given, the Developer shall meet with the owner of the Combs Parcel to determine the appropriate locations for the planting of the evergreen trees. Subject to the owner of the Combs Parcel providing the Developer with appropriate access rights and a right-of-entry, the Developer shall then and have up to six (6) months to install the evergreen trees (a minimum height of seven feet (7') at the time of planting) on the Combs Parcel.

ii. All trees planted by the Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting.

l) Buffer 12: Parcel of real estate located at 1881 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-010.003 (the "VanNatta Parcel"):

i. A six-foot (6') tall black vinyl chain link fence on the Real Estate along the shared property line of the Real Estate and the VanNatta Parcel shall be required commencing at the south property line of the Real Estate along 156th Street and extending north for six-hundred feet (600').

ii. A black four board horse fence shall be required on the Real Estate commencing at the end of the northernmost point of the chain link fence, required above, to the southern edge of the surveyed flood plain of the creek running through the Wood Wind Golf Course. Said fence shall be installed not later than six (6) months after the opening of the four new golf holes of the Wood Wind Golf Course on the north side of 161st Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association

iii. Ten (10) trees per 100' lineal feet shall be required on the Real Estate adjacent to the VanNatta Parcel. A minimum of forty percent (40%) of the trees shall be spruce trees and the remaining trees shall be native Indiana deciduous trees. Spruce trees shall be a minimum height of seven feet (7') at time of planting. Deciduous trees shall be a minimum 2.5" caliper at time of planting. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.

iv. All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting.

m) Buffer 13: Parcel of real estate located at 1953 W. 156th Street and identified as Hamilton County Tax Parcel No. 08-09-16-00-00-002.005 (the "Essex Parcel"):

i. During the development of Area 3, Developer shall connect the field tile that runs northwest to southeast into the Essex Parcel and connect it into the drainage system which has been approved by the City of Westfield or the applicable Department of the City of Westfield. Developer shall contact the owner of the Essex Parcel in advance of the aforementioned work and arrange a meeting whereby both parties can walk the area in order to fully understand the location of the field tile. This will be done at no expense to owner of the Essex Parcel. The owner of the Essex Parcel will be notified when work on connecting field tile is to be undertaken so that the owner of the Essex Parcel can inspect the cap being placed on their field tile line.

ii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Essex Parcel between the top of bank on the lake and the future right-of-way line of 156th Street. The fence shall be installed within six (6) months of the paving of the entrance from Area 3 to 156th Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.

iii. In the event that the City of Westfield requires the installation of a passing blister opposite the entrance to Area 2 along the frontage of the Essex Parcel, Developer shall notify the owner of the Essex Parcel of such occurrence and shall provide the owner of the Essex Parcel with a status report of the design and timing of construction. In addition, Developer (or the City of

Westfield) shall pay all costs normally associated with any right-of-way acquisition, mailbox relocation, driveway repair and culvert reconstruction under the driveway, if applicable and necessary.

iv. The owner of the Essex Parcel shall have a period of 24 months from the later of: the recording of the plat for Section I of Area 2; or, having pavement down in Section I of Area 2 providing access to 156th Street, to provide written notice to Developer, along with appropriate access rights and a right-of-entry, to install a 3' to 4' mound, with 6-8 spruce trees being a minimum of 7' to 8" tall at the time of planting, installed on the Essex Parcel to screen exiting car headlights. Such mound and trees shall be installed within six (6) months of written notice to Developer from the owner of the Essex Parcel and the owner of the Essex Parcel providing the Developer with appropriate access rights and right-of-entry to the Essex Parcel. Developer shall consult with the owner of the Essex Parcel regarding the variety of spruce trees that will be planted before work takes place.

n) Provisions applicable to all Parcels:

i. The owner of the each Parcel shall have the option to be a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association solely for purposes of having access to the Amenity 1 Area at no initiation or upfront cost, but shall be responsible for regular membership fees and assessments charged by the Wood Wind Golf Club or the Wood Wind Home Owners Association. The option to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association shall expire on October 31, 2020. If the owner of a Parcel elects to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association, the owner of the Parcel and the Wood Wind Home Owners Association shall record an instrument that runs with the Parcel and binds future owners of the Parcel to being a social member.

ii. Developer shall develop the Real Estate in accordance with the drainage plans approved by the City of Westfield or the applicable Department of the City of Westfield so as not to unlawfully increase the existing quantity or rate of stormwater runoff from the Real Estate on to any Parcel.

iii. If the development of the Real Estate by the Developer causes a water well located on any Parcel to fail to either

(a) furnish the water well's normal supply of water, or (b) furnish potable water, in either case, as determined by the Director of the Indiana Department of Natural Resources in accordance with Indiana Code 14-25-4 et seq., then the Developer shall provide an adequate supply of potable water to the owner of the such Parcel until such time as the Developer, at Developer's option and at Developer's cost and expense, either (x) connects the residence on such Parcel to a public water system, or (y) restores the existing water well to its former relative capability or provides a replacement well on the such Parcel with the same relative capability.

iv. The Developer shall request the provider of natural gas to the District shall also provide natural gas to the each Parcel identified in this Section 8.4 (D)(3), to the extent feasible and reasonable; provided that the Developer shall not be obligated to incur any additional cost or expense in connection therewith.

v. The time periods for installing any improvement or landscaping shall be extended by the period of any delay caused by weather, governmental permitting and approvals, acts of God and other causes not within the reasonable control of the Developer.

vi. Developer and the owner of any Parcel identified in this Section 8.4 (D)(3), shall have the right to waive or modify any of the foregoing provisions in this Section 8.4 (D)(3), as they pertain to the Parcel of such owner by execution of a written agreement signed by the Developer and such owner. Upon execution of such a written agreement, this ordinance shall be deemed to be amended accordingly.

E. Article 6.8(O), Parking Area Landscaping: Shall apply to the District, except as modified below:

1) Wood Wind Golf Course and Development Amenities: Subsection (1) Interior Parking Area Landscaping shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenities areas on the date of adoption of this Ordinance.

F. Tree Preservation: Tree Preservation shall be applicable to those portions of Areas 1, 3, 4 East and 5 identified as Tree Preservation Areas on **Exhibit B-2-A: Single Family District Layout – Area 1, Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5**. Obligations regarding the Tree Preservation Area shall be incorporated into the recorded Conditions, Covenants, and Restrictions established by the Developer of each Area where a Tree Preservation Area is located. The provisions of Article 6.8(E)(5) of the UDO shall not be applicable to the Tree Preservation Areas. Tree Preservation Areas shall be regulated and well maintained in accordance with the following:

1) The following best management practices shall be implemented with respect to Tree Preservation Areas:

   a) Removal of invasive species (e.g. bush honeysuckle) where appropriate, including the use of professionals to apply herbicides or identify and remove such invasive species.

   b) Removal of an overabundance of combustible material (e.g. dead, fallen trees, and leaves).

   c) Removal of vines growing on and up a tree.

   d) Removal of dead, hazardous and at risk trees.

   e) All maintenance activity shall be completed in accordance with industry standards using the latest ANSI Z133.1 and A-300 approved practices and methods.

2) The following activities shall be permitted within Tree Preservation Areas:

   a) Planting of native trees.

   b) Removal of hazardous, exotic and invasive species.

   c) Removal of trees directed to be removed by municipal, county, state or federal agencies or departments or by a public utility.

   d) Installation of minor improvements such as identification signs; provided such are designed and installed in a manner that does not remove or damage any trees to the greatest extent possible.

   e) Establishment of access easements, paved trails, utility and drainage improvements; provided, however, that any such easements shall be as narrow or small as reasonably possible with no blanket easements.

3) The following activities shall be prohibited within Tree Preservation Areas:

   a) Removal of living vegetation except as otherwise permitted in this Section 8.4 (F).

b) Mowing any portion of existing, naturally vegetated areas.

c) Dumping of leaves or other debris from areas other than the Tree Preservation Area.

d) Seeding, including grass seed, prairie mix seed, sod or the planting of any type of vegetable garden unless otherwise approved by the Director.

e) The construction of pools, sheds, garages, fences, playground equipment, tree houses, fire pits, and other permanent or semi-permanent structures.

f) Active recreational activities that would adversely impact the Tree Preservation Area such as the placement of playground equipment, paving for basketball or tennis courts and swimming pools.

4) The following shall be required for all Tree Preservation Areas:

a) Signs identifying the Tree Preservation Area shall be posted every one-thousand (1,000) feet around the perimeter of all Tree Preservation Areas. Such signs shall state "Natural Preservation Area – No mowing or spraying".

b) Barriers shall be installed prior to site development and earth moving activities, which shall be specified on all landscape, construction, demolition and grading plans. Such barriers shall remain in place during the site's construction activity.

8.5 Article 6.14, G, Off-street Parking: Shall apply to the District, except as modified below:

A) Wood Wind Golf Course and Development Amenities: The requirements of Subsection 7 (b), regarding curbs and gutters for Parking Areas shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenity areas on the date of adoption of this Ordinance.

8.6 Article 6.17 Signs Standards: Shall apply. In addition, the following shall also apply:

A. Wood Wind Golf Course and Development Amenity Signs: Article 6.17 Sign Standards shall apply to the Wood Wind Golf Course and Development Amenities. In addition, the following signs shall be permitted and shall not count against otherwise permitted Signs for the Wood Wind Golf Course and Development Amenities. These signs shall not require a sign permit and shall not be visible from the public right-of-way or adjoining residential properties:

1) Leaderboard Signs: Signs with scoring or leader board information with manual or digital changeable copy area. Outdoor televisions screens shall not be visible from public rights-of-way or adjoining residential properties, and shall not

be considered signs.

2) Message Signs: Message or announcement boards mounted to Wood Wind Golf Course or Development Amenity buildings.

3) Wood Wind Golf Course Hole Signs: All temporary or permanent signs related to tours or layout of the Wood Wind Golf Course or Development Amenities (e.g., hole numbers, description of area or directional signs for tours).

4) Directional / Circulation Signs: Signs two (2) square feet or less in Sign Area and located along internal drives and parking areas within the Wood Wind Golf Course and Development Amenity areas.

B. Single-Family Areas: Article 6.17 Sign Standards shall apply to Areas 1, 2, 3, 4 East, 4 West and 5, except as modified below:

1) Monument Signs: Article 6.17(G)(1) shall not apply; rather, the following shall apply:

a) Column Signs for Individual Entrances: Individual entrances to the various Areas within the District shall be permitted to be identified by "column" signs substantially similar to **Exhibit F: District Monument Sign & Column Entrance Sign Concepts**. The name of the individual Area may also be included on the column as depicted. Columns may be located either on each side of an entrance drive or in a median entrance feature subject to the approval of the Director and the Department of Public Works, if located within the right-of-way. Columns shall not exceed nine (9) feet in height. The total sign surface area of any sign or signs placed on an individual Column shall not exceed thirty-two (32) square feet in area.

b) District Monument Signs: A monument sign shall be permitted at the corner of 161st Street and Towne Road to identify "Wood Wind of Westfield". The sign area shall not exceed sixty (60) square feet in area, six (6) feet in height or twenty-five (25) feet in width.

c) Temporary Signage: The design objectives of Article 6.17 (K)(2)Construction Signs shall apply: however, for the purposes of this section, each Area within the District shall be considered as a separate construction project.

Section 9. Infrastructure Standards. The District's infrastructure shall comply with Chapter 7 Subdivision Regulations of the Unified Development Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works.

Section 10. Design Standards. The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

10.1 Article 8.1 Block Standards: Shall not apply.

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

A. Minimum Open Space: Article 8.6(G) shall not apply; rather the Minimum Open Space shall be provided in the locations and minimum quantities as depicted on **Exhibit B-4: Single Family Open Space.**

B. Development Amenity Center and Playgrounds: A Development Amenity Center and playgrounds shall be located in Areas 1, 3, 4 East and 5 as generally located in **Exhibits~~Exhibit~~ B-2-A through B-2-E: Single Family District Layout** and shall include improvements substantially as depicted in **Exhibit B-5: Amenity Area Concepts**.

C. Timing of Installation: Article 8.6(F)(3) Timing of Installation shall not apply to Areas 1 and 2; rather, the following shall apply:

1) Wood Wind Golf Course: The Wood Wind Golf Course shall be partially redesigned, modernized and upgraded. Other than temporary closures required to implement such redesign, modernizing and upgrades, or to accommodate the construction of other Development Amenities, the Wood Wind Golf Course shall remain open and available to the public during renovations.

2) Development Amenity Center: The Development Amenity Center shall be constructed in two (2) phases as follows:

a) Phase One: Phase One shall include three (3) swimming pools (lap pool, resort pool, and a kiddie pool) and associated bath house (restrooms and showers). Construction of this phase shall commence at or prior to the issuance of the 75th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2018, whichever occurs later. Phase One improvements shall be completed within one (1) year of commencement.

b) Phase Two: Phase Two shall include a sport court/multi-purpose room and fitness center and tennis courts and a playground. Construction of this phase shall commence at or prior to issuance of the 160th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2019, whichever occurs later. Phase Two improvements shall be completed within one (1) year of commencement.

D. Barn Preservation: Developer intends to preserve the existing barn located in Area 4 West as identified in **Exhibit B-2-D: Single Family District Layout – Area 4** and incorporate the barn into the project's Development Amenities, provided the barn is determined by licensed structural professionals to be in sound condition and does not present a danger to the public health and safety. If the barn is determined to be in sound condition and does not present a danger to the public health and safety, then the barn shall be preserved and incorporated as a part of a Development Amenity. Alternatively, if the barn is determined not to be in sound condition or presents a danger to the public health or safety, then a written report by a licensed structural professional making such determination shall be required and submitted to the City prior to the demolition of the barn.

E. Ownership of Amenity Areas. All Amenity Areas identified on **Exhibits ~~Exhibit~~ B-~~-~~2-A through B-2-E: Single Family District Layout** shall be located within a Common Area~~owned by the Wood Wind Home Owners Association~~.

The Wood Wind Home Owners Association will own the Amenity Area identified as Amenity 1 on **Exhibit B-5: Amenity Area Concepts** ("Amenity 1 Area"), and the balance of the Wood Wind Golf Course will be owned by the master developer or a private golf course operator ("WWGC Owner"). The Wood Wind Home Owners Association will engage the WWGC Owner to manage and operate the Amenity 1 Area through a lease or management agreement. Each owner of a Lot in Areas 1, 2, 3, 4 East and 5 will be required to be a social member of the Wood Wind Golf Course and pay a fee or assessment for their social membership. Each social member will have the right to use the Development Amenities in the Amenity 1 Area. In the event the WWGC ceases to operate the Wood Wind Golf Course as a golf course available to the public for regular play, then (a) the lease or management agreement between WWGC Owner and the Wood Wind Home Owners Association will terminate, (b) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to have the right to use the Development Amenities in the Amenity 1 Area, (c) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to pay a fee or assessment to use the Development Amenities in the Amenity 1 Area, and (d) the Wood Wind Home Owners Association will thereafter maintain and operate the Development Amenities in the Amenity 1 Area. The WWGC Owner will remain responsible for maintaining the Wood Wind Golf Course as Open Space in accordance with this Ordinance even if it ceases to operate a golf course thereon. Westfield Municipal Ordinances require a property owner to maintain its property in a safe manner and in accordance with this Ordinance (Chapter 14 – Westfield Code of Ordinances). The owners of Lots in Areas 1, 2, 3, 4 East and 5 will not have any right to discontinue the operation of the Wood Wind Golf Course as a golf course available to the public for regular play.

10.3 Article 8.7 Pedestrian Network Standards: Shall apply, however, provided however:

A. Article 8.7(C)(2) Internal Pedestrian Network Standards shall be modified to require that sidewalks and trails be installed as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity**.

B. Sidewalks: Along any internal street with a sidewalk on only one side, the minimum sidewalk width shall be six (6) feet.

~~10.4 Minimum Perimeter Setback Standards: A minimum perimeter setback for rear or side lot lines shall be provided along all perimeter thoroughfares as depicted on **Exhibit B-2: Single Family District Layout**.~~

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2017.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Ewards	James J. Ewards	James J. Ewards
_____	_____	_____
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 16-27** was delivered to the Mayor of Westfield

on the _____ day of _____, 2017, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

This document prepared by:

Joseph M. Scimia, Partner, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200; and,

Eugene Valanzano, Senior Land Use Consultant, Faegre Baker Daniels, 600 E. 96th Street, Suite 600, Indianapolis, IN 46240

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: Joseph M. Scimia

SCHEDULE OF EXHIBITS

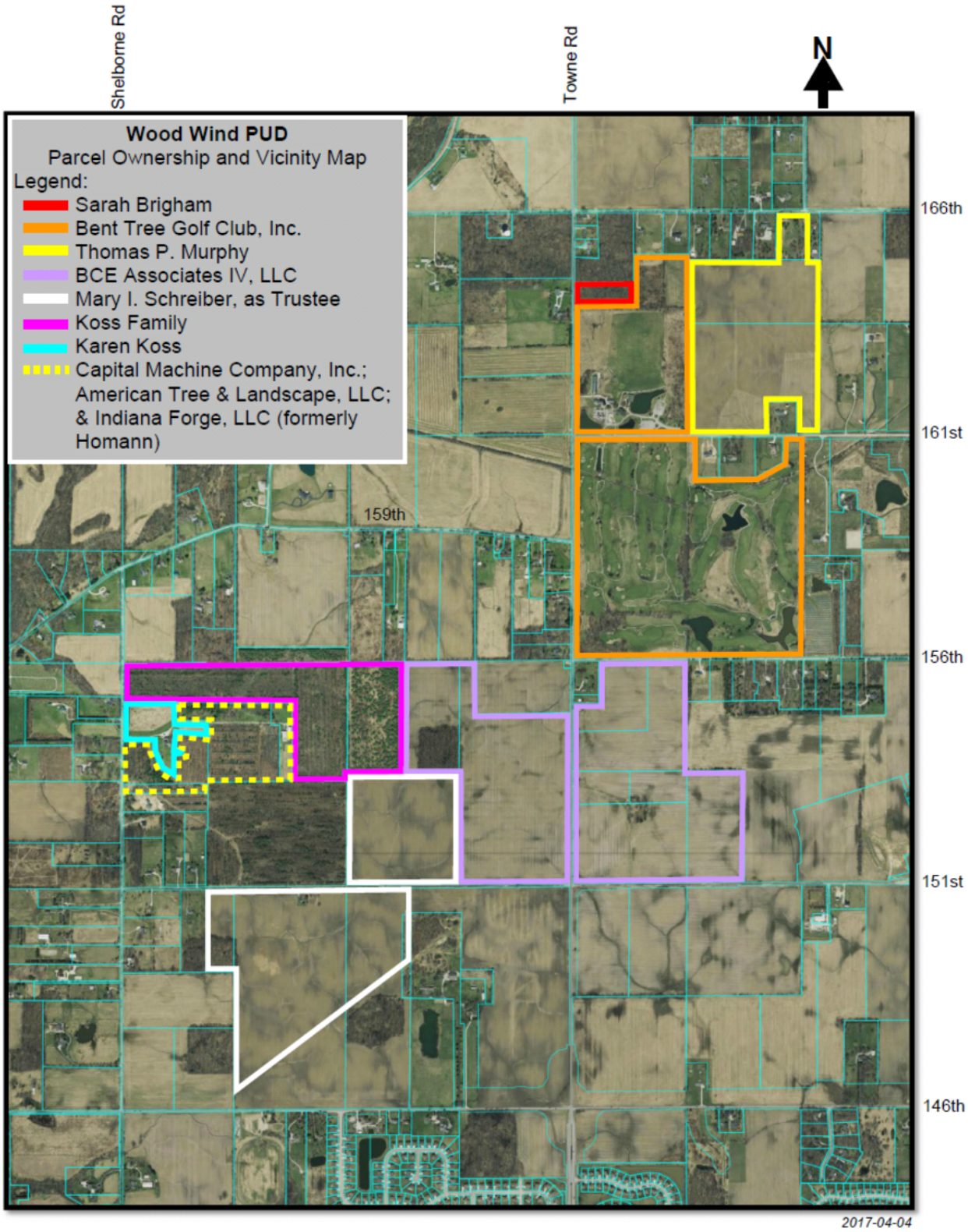
Exhibit A: Real Estate

Exhibit A-1: Area Map
Exhibit A-2: Parcel Ownership List
Exhibit A-3: Legal Description

All additional Exhibits referred to in this Wood Wind PUD District Ordinance may be found in the **Wood Wind PUD District Exhibit Book** filed with this Ordinance and on file with the City of Westfield Economic and Community Development Department.

Exhibit A: Real Estate

Exhibit A-1: Area Map (Amended 04-04~~03-06~~-2017)



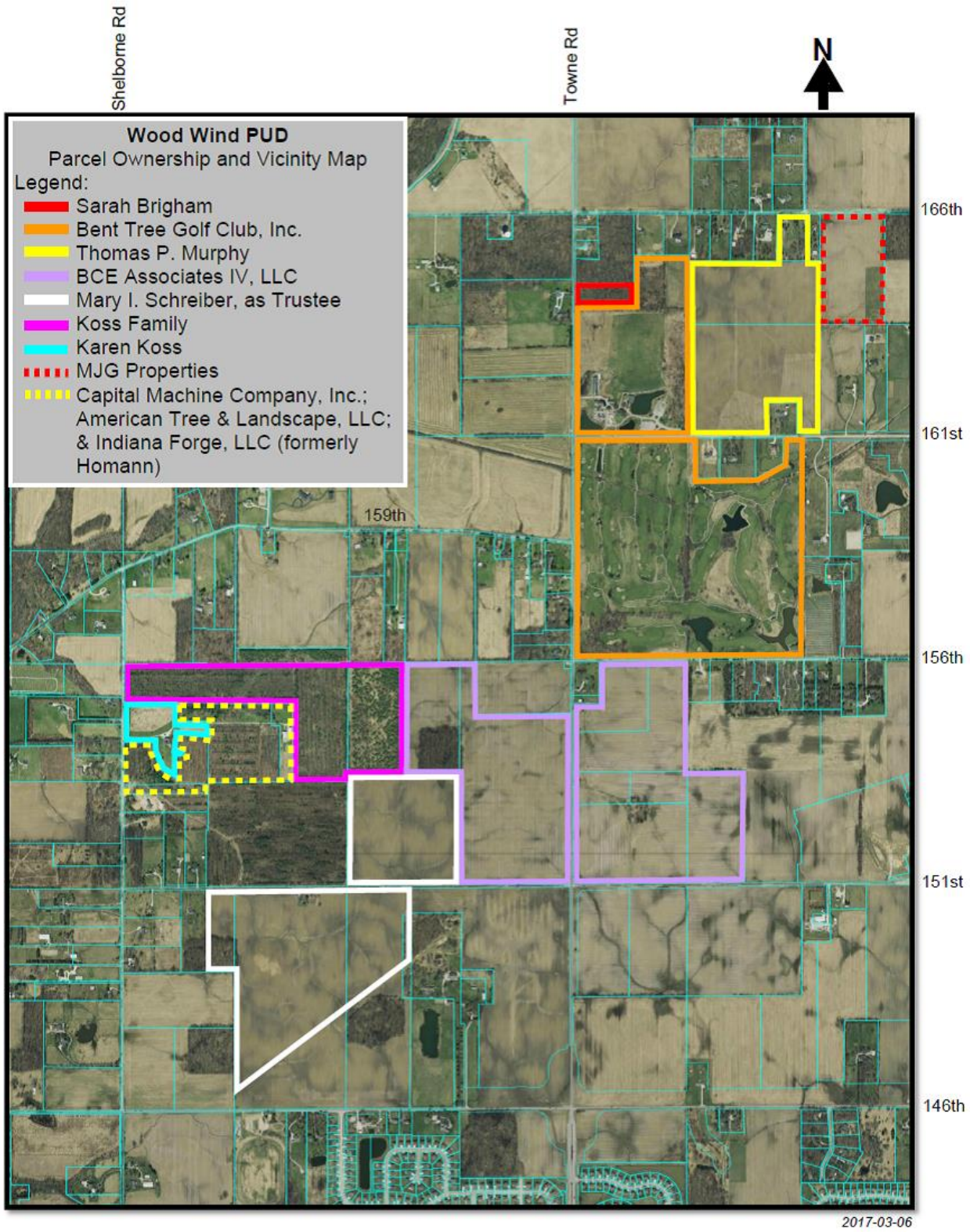

Shelborne Rd
Towne Rd
N
Wood Wind PUD
Parcel Ownership and Vicinity Map
Legend:
Sarah Brigham
Bent Tree Golf Club, Inc.
Thomas P. Murphy
BCE Associates IV, LLC
Mary I. Schreiber, as Trustee
Koss Family
Karen Koss
MJG Properties
Capital Machine Company, Inc.; American Tree & Landscape, LLC; & Indiana Forge, LLC (formerly Homann)
166th
161st
159th
156th
151st
146th
2017-03-06

Exhibit A-2: Parcel Ownership List (Amended 04-04~~03-06~~-2017)

Ownership Name & Mailing Address	Hamilton County Tax Parcel Number
Bent Tree Golf Club, Inc. 234 S. Franklin Road Indianapolis, IN 46219	08-09-09-00-00-003.001
Sarah Jane Brigham, also known as Jane Brigham 2041 W. 161st Street Westfield, IN 46074	08-09-09-00-00-003.002
Thomas P. Murphy 12618 Winding Creek Lane Fishers, IN 46038	08-09-09-00-00-004.000 08-09-09-00-00-005.000 08-09-09-00-00-006.004
BCE Associates IV, LLC P.O. Box 280 Zionsville, IN 46077	08-09-16-00-00-001.002 08-09-16-00-00-001.003 08-09-16-00-00-020.000 08-09-16-00-00-021.000 08-09-16-00-00-021.001 08-09-16-00-00-022.000 08-09-17-00-00-006.000 08-09-17-00-00-007.000
Mary I. Schreiber, as Trustee of the Timothy J. Murphy Trust 7604 Cider Mill Court Fishers, IN 46038-2695	08-09-17-00-00-004.000 08-09-17-00-00-008.000 08-09-17-00-00-008.001 08-09-17-00-00-009.000 08-09-17-00-00-013.000
William & Karen Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-005.000
William, Karen, Mary, Ruth, and Sarah Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-003.001
~~MJG Properties LLC~~ ~~P.O. Box 6~~ ~~Cora, WY 82925~~	~~08-09-09-00-00-007.001~~
Capital Machine Company Inc., American Tree & Landscape LLC & Indiana Forge LLC (formerly Homann parcels) 2801 Roosevelt Avenue Indianapolis, IN 46218	08-09-17-00-00-001.001 08-09-17-00-00-001.101 08-09-17-00-00-002.501 08-09-17-00-00-003.002
Karen J. Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-001.000

Exhibit A-3: Legal Description (Amended 04-04~~03-06~~-2017)

Bent Tree Parcel (from Instrument #2011005626):

Part of the west half of the Northwest Quarter and the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, and being more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of Section 9; thence North 00 degrees 00 minutes 00 seconds East (an assumed bearing) along the West line of said Southwest Quarter a distance of 2632.22 feet to the northwest corner of said Southwest Quarter, also being the southwest corner of the west half of the Northwest Quarter of said Section 9; thence North 00 degrees 05 minutes 27 seconds West along the west line of said west half a distance of 1549.77 feet; thence North 89 degrees 41 minutes 48 seconds East 700.59 feet; thence North 00 degrees 10 minutes 40 seconds East 1084.10 feet to the north line of said west half; North 89 degrees 34 minutes 29 seconds East along the north line of said west half a distance of 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 2631.54 feet to the southeast corner of said west half, also being on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 32 minutes 31 seconds East along said north line 101.06 feet; thence South 00 degrees 27 minutes 29 seconds East 495.00 feet; thence North 89 degrees 32 minutes 31 seconds East 685.00 feet; thence North 00 degrees 27 minutes 29 seconds West 495 feet to the north line of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East along said north line 572.87 feet to the northeast corner of said Southwest Quarter; thence South 00 degrees 02 minutes 26 seconds East along the east line of said Southwest Quarter 2627.24 feet to the southeast corner of said Southwest Quarter; thence South 89 degrees 26 minutes 14 seconds West along the south line of said Southwest Quarter a distance of 2719.77 feet to the Point of Beginning.

EXCEPT:

A part of the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and being described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East (an assumed bearing) along the north line of said Southwest Quarter a distance of 2145.00 feet to the Point of Beginning; thence continue North 89 degrees 32 minutes 31 seconds East along said north line 320.47 feet; thence South 00 degrees 02 minutes 24 seconds East parallel with the east line of said Southwest Quarter a distance of 324.21 feet; thence South 61 degrees 18 minutes 36 seconds West 361.06 feet to the southeasterly corner of a tract of land conveyed to Sarah Jane Brigham, recorded as Instrument No. 9609647425 in the Office of the Recorder of Hamilton County; thence North 00 degrees 27 minutes 29 seconds West along the easterly line of said Brigham tract 495.00 feet to the Point of Beginning.

ALSO EXCEPT:

Part of the west half of the Northwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and described as follows:

Commencing at the northwest corner of said west half; thence North 89 degrees 34 minutes 29 seconds East (an assumed bearing) along the north line of said West half a distance of 705.68 feet to the Point of Beginning; thence continue North 89 degrees 34 minutes 29 seconds East along said north line 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 500.00 feet; thence South 89 degrees 34 minutes 29 seconds West parallel with the north line of said west half a distance of 654.33 feet to the easterly line of a Classified Forest as described in Miscellaneous Record Book 157, page 42 as recorded in the Office of the Hamilton County Recorder, thence North 00 degrees 10 minutes 40 seconds East along the east line of said Forest, a distance of 500 feet to the Point of Beginning.

Brigham Parcel (Parcel 2 of Instrument #9609647425):

A part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, being more specifically described as follows:

BEGINNING at a point on the North line of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, said POINT OF BEGINNING being the Northeast corner of a 3.52 acre tract described in Deed Record 132, Page 140 and 278.00 feet East of the Northwest corner of said Northwest Quarter; thence Easterly 442 feet more or less on and along the North line of said Northwest Quarter; thence Southerly 1075 feet more or less; thence Westerly 710 feet more or less to the West line of said Northwest Quarter; thence Northerly 541 feet more or less, on and along the West line of said Northwest Quarter to the Southwest corner of said 3.52 acre tract, said Southwest corner being South 528.8 feet of the Northwest corner of said Northwest Quarter; thence Easterly 294.6 feet on and along the South line of said 3.52 acre tract to its Southeast corner thereof, said Southeast corner being 294.0 feet East of the West line of said Northwest Quarter; thence Northerly 544.6 feet on and along the East line of said 3.52, acre tract to the POINT OF BEGINNING. Containing 14 acres more or less, being subject to all applicable easements and rights-of-way of record.

BCE Parcels (description from survey):

A part of the Northwest Quarter of Section 16 and a part of the Northeast Quarter of Section 17, all in Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southwest corner of the

East Half of said Northeast Quarter; thence North 00 degrees 19 minutes 45 seconds East along the West line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southeast corner of the Northwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the South line thereof a distance of 660.10 feet to the Southwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 00 degrees 22 minutes 24 seconds East along the West line thereof a distance of 1312.48 feet to the Northwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 04 minutes 09 seconds East along the North line thereof a distance of 851.39 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Northwest corner of a tract of land described in Instrument Number 2012070185 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 14 minutes 27 seconds West along the West line thereof a distance of 623.92 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southwest corner of said tract; thence North 89 degrees 04 minutes 09 seconds East along the South line thereof a distance of 1126.00 feet to a "Mag" nail marking the Southeast corner of said tract, said point also being on the East line of said Northeast Quarter; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof a distance of 108.92 feet to the "Mag" nail marking the Southwest corner of a tract of land described in Instrument Number 2015038724 in said Recorder's Office; thence North 89 degrees 43 minutes 41 seconds East along the South line thereof a distance of 315.00 feet to the Southeast corner of said tract; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof and along the East line of a tract of land described in Instrument Number 200200059827 in said Recorder's Office a distance of 515.00 feet to a Railroad spike marking the Northeast corner of said tract, said point also being on the North line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along the North line thereof a distance of 1044.79 feet to the Northeast corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 17 minutes 57 seconds West along the East line thereof a distance of 1316.87 feet to a 5/8 inch rebar marking the Northwest corner of the Southeast Quarter of said Northwest Quarter; thence North 89 degrees 38 minutes 28 seconds East along the North line thereof a distance of 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 19 minutes 43 seconds West along the East line thereof a distance of 1315.85 feet to a Railroad spike marking the Southeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 33 minutes 16 seconds West along the South line of said Northwest Quarter a distance of 2035.71 feet to the POINT OF BEGINNING. Containing 182.550 acres, more or less.

Koss Family (from Quit Claim Deeds #9251631 and #9300783):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East, Hamilton County, Indiana, and being more particularly described as follows: Beginning at the Northwest corner of said quarter section; thence North 89 degrees 28 minutes 08 seconds East along the North line of said quarter section, 2655.27 feet to the Northeast corner thereof; thence South 0 degrees 13 minutes 42 seconds West along the East line of said quarter section 1383.32 feet; thence South 88 degrees 51 minutes 21 seconds West 643.22 feet; thence North 0 degrees 12 minutes 06 seconds West 919.39 feet; thence South 89

degrees 38 minutes 09 seconds West 1360.14 feet; thence North 89 degrees 28 minutes 09 seconds West 643.23 feet to the West line of said quarter section; thence North 0 degrees 00 minutes 00 seconds East along said west line, 454.85 feet to the point of beginning and containing 42.069 acres, more or less. Subject to right of way for Shelbourne Road off the entire West side thereof and all other legal easements and rights of way of record.

Koss Parents (Parcel II of Instrument #9709702004):

The West Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Three (3) East in Hamilton County, Indiana, containing Twenty (20) acres, more or less.

Murphy Parcels (from Instrument #9909901082):

26.5 ACRES OFF AND ALONG THE ENTIRE SOUTH SIDE OF THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE: BEGIN AT A STONE 181 FEET EAST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST AND RUN WEST 1539.4 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID QUARTER SECTION, THENCE SOUTH TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE EAST 1538.46 FEET TO A STONE, THENCE NORTH 1317.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.5 ACRES, MORE OR LESS, IN HAMILTON COUNTY, INDIANA.

ALSO:

PART OF THE SOUTH HALF OF THE NORTH HALF OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, AS FOLLOWS: BEGIN AT A STONE AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9, AND RUN NORTH ON THE WEST LINE OF SAID EAST HALF OF NORTHWEST QUARTER TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, EAST 1538.46 FEET TO A STONE, THENCE SOUTH 1317.5 FEET TO A STONE ON SOUTH LINE OF SAID EAST HALF, THENCE WEST 1537.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.80 ACRES, MORE OR LESS, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA.

EXCEPT:

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 84.51 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE CONTINUE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID

SOUTH LINE, 332.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 393.00 FEET; THENCE NORTH 90 DEGREES 00 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 332.52 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 393.00 FEET TO THE POINT OF BEGINNING.

Schreiber Parcel (description from Schreiber survey revised on 3/3/17):

A part of the Northeast, Southwest and Southeast Quarters of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southeast corner of the Southwest Quarter of said Northeast Quarter, said point also being the POINT OF BEGINNING of this description; thence North 00 degrees 19 minutes 45 seconds East along the East line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" (hereafter referred to as capped rebar) marking the Northeast corner of the Southwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the North line thereof a distance of 1320.21 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter; thence South 00 degrees 25 minutes 05 seconds West along the West line thereof a distance of 1310.34 feet to a stone marking the Northeast corner of the Southwest Quarter of said Section 17; thence South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 1323.12 feet to the Northwest corner of the East Half of said Southwest Quarter; thence continuing South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 330.88 feet to the Northwest corner of a tract of land described in Instrument Number 199909955060 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 984.63 feet to a capped rebar on the North line of a tract of land described in Instrument Number 200400083420 in said Recorder's Office; thence North 89 degrees 35 minutes 51 seconds East along the North line thereof a distance of 334.70 feet to a capped rebar marking the Northeast corner of said tract; thence South 00 degrees 11 minutes 51 seconds West along the East line thereof and along the East line of a tract of land described in Instrument Number 200500074587 in said Recorder's Office a distance of 1360.05 feet to the intersection of the East line of said tract and the West line of the East Half of said Southwest Quarter; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 162.22 feet to a capped rebar on the Northerly line of a 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231 in said Recorder's Office, said point measuring 16.5 feet North and perpendicular to the centerline of an existing gas line; (the next 4 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northerly line of said Easement) thence North 50 degrees 59 minutes 49 seconds East a distance of 1252.01 feet; thence North 53 degrees 27 minutes 51 seconds East a distance of 397.70 feet; thence North 50 degrees 59 minutes 48 seconds East a distance of 865.93 feet; thence North 53 degrees 56 minutes 17 seconds East a distance of 158.93 feet to a capped rebar on the

West line of a tract of land described in Instrument Number 9709730812 in said Recorder's Office; thence North 00 degrees 03 minutes 15 seconds West along the West line and a Northerly extension thereof a distance of 862.20 feet to a "Mag' nail on the North line of said Southeast Quarter; thence North 89 degrees 26 minutes 39 seconds East along the North line thereof a distance of 553.71 to the POINT OF BEGINNING. Containing 127.853 acres, more or less.

~~**MJG Properties, LLC (from Instrument No. 200500014560):**~~

~~Part of the Northeast Quarter of Section 9, Township 18 North, Range 3 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:~~

~~Commencing at the northwest corner of the Northeast Quarter of Section 9, Township 18 North, Range 3 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence North 89 degrees 58 minutes 41 seconds East (Indiana State Plane Coordinate System East Zone NAD83) a distance of 181.00 feet on the north line of said Northeast Quarter to the northeast corner of the real estate described in Deed Book 305 Page 665, in the Office of the Recorder, Hamilton County, Indiana, said corner being the point of beginning of the herein described parcel; thence South 00 degrees 08 minutes 09 seconds West 1314.99 feet on the east line of the real estate described in said Deed Book 305 page 665, and the southerly prolongation thereof to a 5/8 inch diameter rebar with cap marked Weihe Engineers 0012 ("capped rebar") on the south line of the North Half of said Northeast Quarter; thence North 89 degrees 54 minutes 49 seconds East 762.15 feet on the south line of the North Half of said Northeast Quarter to a "capped rebar"; thence North 00 degrees 08 minutes 09 seconds East 1314.06 feet to a pk nail on the north line of said Northeast Quarter; thence South 89 degrees 58 minutes 41 seconds West 762.15 feet on the north line of said Northeast Quarter to the point of beginning, containing 23.00 acres, more or less.~~

Capital Machine Company, Inc., American Tree & Landscape, LLC, and Indiana Forge, LLC (from Instrument #2017002278) (formerly Homann parcels):

PARCEL 1:

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 926.78 feet to a mag nail set at the POINT OF BEGINNING; thence South 88 degrees 30 minutes 33 seconds East 355.80 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 00 degrees 37 minutes 49 seconds East 107.23 feet to a rebar; thence South 20 degrees 36 minutes 32 seconds East 216.78 feet to a rebar; thence South 53 degrees 09 minutes 01 second East 124.95 feet to a rebar; thence South 84 degrees 58 minutes 32 seconds East 95.85 feet to a rebar; thence North 01 degree 29 minutes 53 seconds East 236.92 feet to an existing corner post; thence North 83 degrees 27 minutes 59 seconds East 85.98 feet to a rebar; thence North 09 degrees 55 minutes 50 seconds East 65.30 feet to a rebar; thence North 87 degrees 09 minutes 41 seconds West 89.40 feet to a

rebar; thence North 03 degrees 54 minutes 49 seconds East 174.29 feet to a rebar; thence South 83 degrees 43 minutes 11 seconds East 354.47 feet to a rebar; thence North 01 degree 18 minutes 05 seconds East 197.68 feet to a rebar; thence South 89 degrees 22 minutes 02 seconds West 368.24 feet to a rebar; thence North 01 degree 13 minutes 48 seconds East 218.81 feet to a rebar; thence South 89 degrees 50 minutes 31 seconds East 1360.14 feet to a rebar; thence South 00 degrees 19 minutes 30 seconds West 919.69 feet to a rebar; thence South 89 degrees 48 minutes 03 seconds West 998.63 feet to a rebar; thence South 00 degrees 31 minutes 20 seconds West 30.00 feet; thence South 89 degrees 50 minutes 47 seconds West 1008.00 feet to a mag nail on the West line of said Quarter Section, which lies North 00 degrees 31 minutes 20 seconds East 1201.20 feet from the Southwest corner of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along the West line of said Quarter Section, 499.53 feet to the point of beginning and containing 32.694 acres, more or less.

(NOTE: the foregoing Parcel 1 consists of 3 separate presently existing tax parcels and Grantor does not wish to combine these parcels with this deed)

PARCEL 2:

Part of the northwest quarter of Section 17, Township 18 North, Range 3 east of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the southwest corner of said quarter section; thence north 00 degrees 31 minutes 20 seconds east 1121.20 feet to a mag nail set with washer, stamped "firm 0066" at the point of beginning; thence continuing along said west line, north 00 degrees 31 minutes 20 seconds east 80.00 feet; thence north 89 degrees 50 minutes 47 seconds east, parallel with the south line of said quarter section, 1008.00 feet; thence south 00 degrees 31 minutes 20 seconds west, parallel with the west line of said quarter section, 110.00 feet to a 5/8 inch rebar. With red cap stamped "firm 0066"; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 991.50 feet to a 5/8 inch rebar with red cap stamped firm 0066; thence north 00 degrees 31 minutes 20 seconds east, parallel with the west line of said quarter section, 30.00 feet; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 16.50 feet to the point of beginning.

Karen Koss Parcel (from Instrument #2016054888):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 454.85 feet to mag nail at the POINT OF BEGINNING; thence South 88 degrees 56 minutes 49 seconds East 643.23 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 01 degree 13 minutes 48 seconds West 218.81 feet to a rebar; thence North 89 degrees 22 minutes 02 seconds East 368.24 feet to a rebar; thence South 01 degree 18 minutes 05 seconds West 197.68 feet to a rebar; thence North 83 degrees 43 minutes 11

seconds West 354.47 feet to a rebar; thence South 03 degrees 54 minutes 49 seconds West 174.29 feet to a rebar; thence South 87 degrees 09 minutes 41 seconds East 89.40 feet to a rebar; thence South 09 degrees 55 minutes 50 seconds West 65.30 feet to a rebar; thence South 83 degrees 27 minutes 59 seconds West 85.98 feet to an existing corner post; thence South 01 degree 29 minutes 53 seconds West 236.92 feet to a rebar; thence North 84 degrees 58 minutes 32 seconds West 95.85 feet to a rebar; thence North 53 degrees 09 minutes 01 second West 124.95 feet to a rebar; thence North 20 degrees 36 minutes 32 seconds West 216.78 feet to a rebar; thence North 00 degrees 37 minutes 49 seconds West 107.23 feet to a rebar; thence North 88 degrees 30 minutes 33 seconds West 355.80 feet to a mag nail on the West line of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along said West line, 471.93 feet to the point of beginning and containing 10.683 acres, more or less.

(End of Legal Description)

Wood Wind PUD – Significant Modification Overview since March 2017

Product/Layout

AREA 1:

- Restricted Area 1 to Custom Lots with increased lot size, homes size, and character of homes.
- Reduced size of Area 1 by 23 acres and removed 60 lots.
- Minimum Lot Width increased from 75' to 100'
- Minimum Lot Area increased from 12,000 SF to 20,000 SF.
- Two story dwellings now have a Minimum Living Area of 3,500 SF.
- The front facades of any two dwellings in Area 1 must be substantially different. The lots in this area will be offered to Custom Builders. Pulte Homes may only build on up to 50% of the lots within Area 1 and may only build the plans that are currently offered at Village of West Clay and Hamilton Proper. Revised Character Exhibits to reflect the new C-1 Home Series.
- Added additional landscaping, fencing and buffering requirements specific to each adjoining residence.

AREA 2:

- Modified name of Home Series from Series C to Series E-1. Layout, standards and character of homes did not change.
- Added additional landscaping and fencing requirements specific to adjoining property.

AREA 3:

- Increased lot size, home size, quantity of side load garages, and character of homes.
- Removed 10 lots.
- Removed Series D and Series E from the project.
- Reduced Underlying Zoning District designation from SF4 to SF3.
- Introduced Series E-2 Dwellings (currently offered at Lantern Park in Westfield and will be offered at Shadow Wood in Carmel). The Minimum Living Area for Series E-2 single story homes is 25% higher than the Minimum Living Area was for Series E. Introduced Series T-3 Dwellings, which are not currently offered in the Indianapolis market. All T-3 Dwellings will have a side load garage. The Minimum Living Area for Series T-3 is 200 SF larger than Series D.
- Added additional landscaping and fencing requirements specific to adjoining property

AREA 4:

- Modified name of Home Series A to Series T-1 and of Home Series B to Series T-2. Replaced Series D homes within Area 4 with Series T-3 homes.
- Additional open space along Towne Road was created.
- Added additional landscaping requirements specific to neighboring residence.

AREA 5:

- Similar changes as to Area 3 including increased home size, quantity of side load garages and character of homes.
- Removed 11 lots.

- Removed Series D and Series E from the project.
- Introduced Series E-2 Dwellings (currently offered at Lantern Park in Westfield and will be offered at Shadow Wood in Carmel).
- Introduced Series T-3 Dwellings, which are not currently offered in the Indianapolis market. All T-3 Dwellings will have a side load garage.
- Added additional landscaping requirements specific to adjoining residence.

Density/Diversity

- The community now contains 856 lots (a reduction of 81 lots) and an overall density of 1.21 dwelling units per acre.
- The Home Series modifications noted above result in a higher average sales price (approximately $500,000 per home) for the community.
- Over 75% of the community will have floor plans that are not currently offered in Westfield.

Masonry/Four Sided Architecture/Rear Building Facade Variation

- Increased masonry requirements throughout the community and added a requirement that 90% of all Dwellings in Areas 1,2,3, 4 East and 5 combined must have a masonry wrap on all four sides, in addition to existing specific architectural enhancements for Trail Lots, Golf Lots, Perimeter Lots (Rear and Side Facades), and Corner Lots.
- Added requirement for rear building façade variation and enhancement for at least one of every three consecutive Dwellings.

Wood Wind Home Owners Association/Golf Course Ownership

- Provided explanation of Development Amenity Center (pool, fitness, tennis, etc.) ownership and operational structure (10.2.E).

Buffering/Open Space

- Included landscaping, fencing and buffer requirements for thirteen adjacent properties within the PUD.
- Increased Open Space by five acres for a total of 290 acres, or over 40% of the project area.

Permit Restriction

- Introduced restriction that no more than 125 building permits may be issued in a calendar year for Areas 2, 3, 4 East and 5. Allotted permits that were not used may carry over with a maximum of 150 permits being issued in a single year.

Garages

- Added requirement that at least seventy percent (70%) of all Dwellings will not have-front loading garages.

Wood Wind PUD – Significant Modification Overview since March 2017

Comparison to Previous Submittals

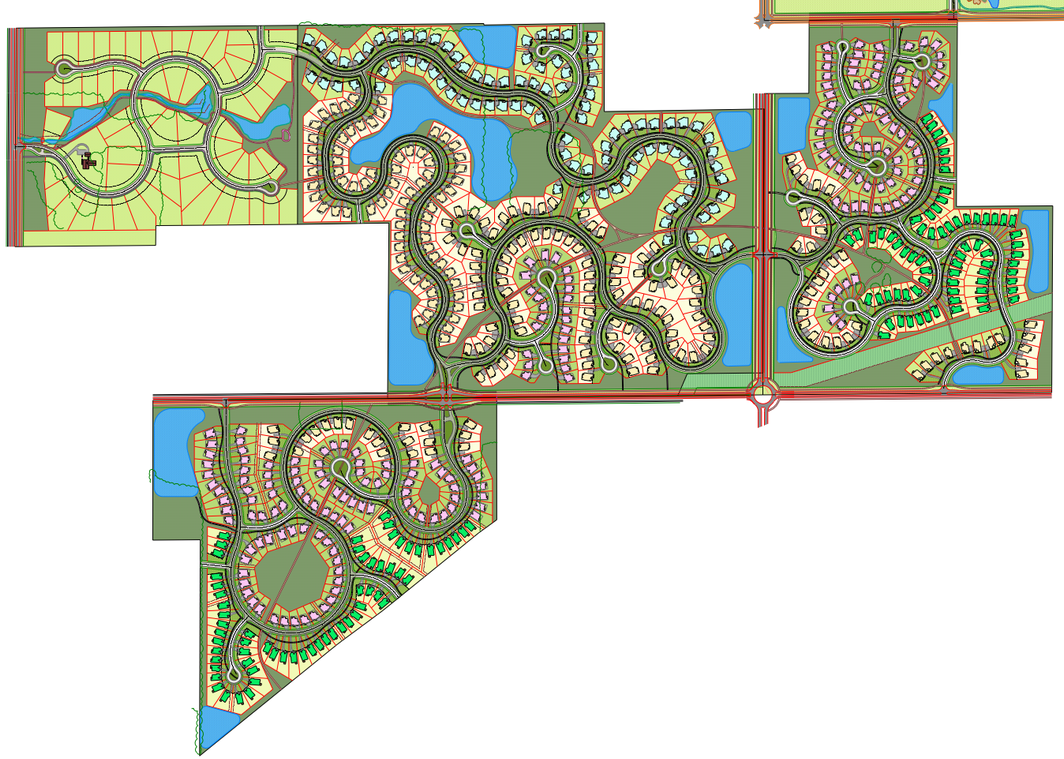
LOT COUNT						
	Area 1	Area 2	Area 3	Area 4	Area 5	Total
Initial Filing	139	78	207	485	196	1105
March 2017	142	78	184	348	185	937
April 2017	82	78	174	348	174	856

NON FRONT LOADING GARAGES						
	Area 1	Area 2	Area 3	Area 4	Area 5	Total
Initial Filing	35%	0%	0%	17%	0	12%
March 2017	100%	70%	20%	73%	11%	54%
April 2017	100%	70%	58%	78%	68%	76%

CONCEPT PLAN COMPARISON EXHIBIT

(COMPARING MARCH 20, 2017
VERSION TO CURRENT VERSION)

**MARCH 20, 2017,
PLAN COMMISSION VERSION**



**APRIL 17, 2017,
CURRENT VERSION**

Docket Number: 1609-PUD-16 (Ordinance No. 16-27)

Petitioner: Pulte Homes of Indiana, LLC by Ice Miller, LLP

Request: A change of zoning of 706.6 acres± from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course and single-family residential uses.

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Undeveloped / Residential / Agriculture / Golf Course

Acreage: 706.6 acres±

Exhibits:

1. Department Report
2. Location Map (revised)
3. Concept Plan Comparison Exhibit
4. Proposed Ordinance 16-27 (revised)
5. Proposed Ordinance 16-27 Exhibits (revised)
6. Proposed Ordinance (redlined since 03/20/17)
7. Overview of Modifications (since 03/20/17)
8. City's Redline Revisions

Staff Reviewer: Jesse M. Pohlman
Kevin Todd, Senior Planner

PETITION HISTORY

August Council Introduction: This petition was introduced at the August 8, 2016, City Council meeting.

August Neighbor Meetings: The petitioner hosted two informational meetings on August 11, 2016, and August 23, 2016, at the Wood Wind Golf Course Pavilion for neighbors and other interested parties (in accordance with Article 10.9(C)(1)(f)).

September Plan Commission Public Hearing: The petition received a public hearing at the September 6, 2016, Advisory Plan Commission (the "Plan Commission") meeting. At the October 17, 2016, Plan Commission meeting, the Department distributed a summary of the list of issues and comments that were raised as part of the initial public hearing, and the Department's analysis of the petition in review of the Comprehensive Plan.

October Amended Petition: After the initial public hearing, the petitioner amended its application to include additional real estate (731 acres± to 799 acres±). As a result, the amended application required a new public hearing.

November Plan Commission Meeting: The petitioner presented its amended application and revisions at the November 9, 2016, Plan Commission meeting, in advance of the additional public hearing. The information presented included:

- Revised PUD District Ordinance 16-27 and Concept Plans
- Petitioner's Response to Issues and Comments
- Petitioner's Response to Comprehensive Plan Review
- Financial Analysis by O.W. Krohn & Associates
- Woodland Analysis by Judd Scott Consulting Arborist
- Traffic Impact Study by A&F Engineering
- Market Information

November Plan Commission Public Hearing: The amended petition received a public hearing at November 21, 2016, meeting, Plan Commission meeting. The written comments that were submitted in response to the November 21, 2016, public hearing, are included with the November 21, 2016, Plan Commission meeting agenda (link here) and public comments presented at the public hearing are summarized in the Plan Commission's minutes (link here).

January Plan Commission Meeting: Following the November 21, 2016, public hearing, and in working with the Department, the petitioner further revised the ordinance and corresponding exhibits, and presented those revisions to the Plan Commission at its January 17, 2017, meeting (link here). Plan Commission members provided additional comments regarding the revised ordinance and submitted those comments to the Department following the meeting. A summary of those comments, as well as the petitioner's responses, are included with the February 6, 2017, Plan Commission meeting agenda (link here). The written comments from the public were updated with additional public comment received leading up to February 6, 2017, Plan Commission meeting (link here).

The Department reviewed the revised petition and updated the Department's analysis of the petition in review of the Comprehensive Plan, which was distributed at this meeting.

February Plan Commission Meeting: As a result of the additional Plan Commission comments, the petitioner further revised the proposed ordinance. At the February 6, 2017, Plan Commission meeting:

> A motion was made to send a favorable recommendation of the petition to the Council with the incorporation of recommended changes. The motion failed (Vote: 4 in favor, 4 opposed (G. Kelleher, T. Smith, D. Schmitz, C. Woodard)).
>
> A subsequent motion was made to send an unfavorable recommendation of the petition to the Council. The motion failed (Vote: 3 in favor, 5 opposed (R. Graham, S. Hoover, R. Horkay, A. Maue, D. Schmitz)).

The failure of the Advisory Plan Commission to adopt a recommendation resulted in the certification of no recommendation.

February Council Meeting: At the February 27, 2017, Council meeting, the petitioner presented revisions to the Council and requested that the Council send the ordinance back to the Plan Commission for consideration of those revisions. At the request of the petitioner, the Council took action to send the ordinance back to the Plan Commission for the Plan Commission's consideration and recommendation of the petitioner's proposed revisions.

March Plan Commission Meeting: At the March 20, 2017, Plan Commission meeting, the petitioner briefly presented revisions, including removing the originally proposed multi-family and commercial areas, and requested a continuance to the April 17, 2017, Plan Commission meeting, which was granted by the Plan Commission.

April Plan Commission: The petitioner submitted a revised ordinance, attached at **Exhibit 4**. This ordinance is on the April 17, 2017, Plan Commission agenda for the Plan Commission's consideration and recommendation to the Council.

PETITION UPDATE

The petitioner submitted a revised ordinance for the City's review on April 7, 2017. The City reviewed the revised ordinance and requested changes, some of which were incorporated into the petitioner's revised ordinance and corresponding exhibits included as **Exhibit 4** and **Exhibit 5**, respectively; however, many revisions requested by the City were not incorporated (see **Exhibit 8**). As a result, the City does not recommend the Plan Commission's action on the ordinance until these revisions are addressed. Most, if not all, of the City's revisions include removing provisions that are inappropriate (some unenforceable either practically or legally) to be included in the PUD Ordinance. If interested parties desire for this language to be memorialized in writing, then the appropriate instrument would be a private commitment.

A summary by the petitioner of the revisions since March 20, 2017, are included at **Exhibit 7**, and a redline of the revisions at **Exhibit 6**.

Among other revisions, twenty-three (23) acres has been removed from the northeast corner of the proposed Area 1, along 166th Street. As a result, the overall acreage has been further reduced from 730 acres± to 706 acres±. An exhibit comparing the Concept Plan presented at the March 20, 2017, Plan Commission meeting to the current version is included at **Exhibit 3**.

PROJECT OVERVIEW

Project Location: The subject properties (collectively, the "property") encompass approximately seven hundred and six (706) acres and includes real estate extending from 146th Street north to 166th Street, and from Shelborne Road to east of Towne Road (see **Exhibit 2**). The property is currently zoned the AG-SF1: Agriculture / Single-Family Rural District and currently includes the existing Wood Wind Golf Club, as well as property currently and primarily

being used for agricultural purposes. The surrounding properties include a number of recently developed and/or proposed developments (e.g., Liberty Ridge, Central Christian Church, Bent Creek, Harmony, Towne West), as well as large lot residential and agricultural properties.

Project Description: The petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as "Wood Wind", that would allow for a mixed-use golf course development. The proposed ordinance, as revised, establishes six (6) subareas for the development of the property (see Figure 1), which allows for detached single-family residential uses, golf course uses (the existing Wood Wind golf course, including the relocation of four (4) golf holes) and development amenity areas.

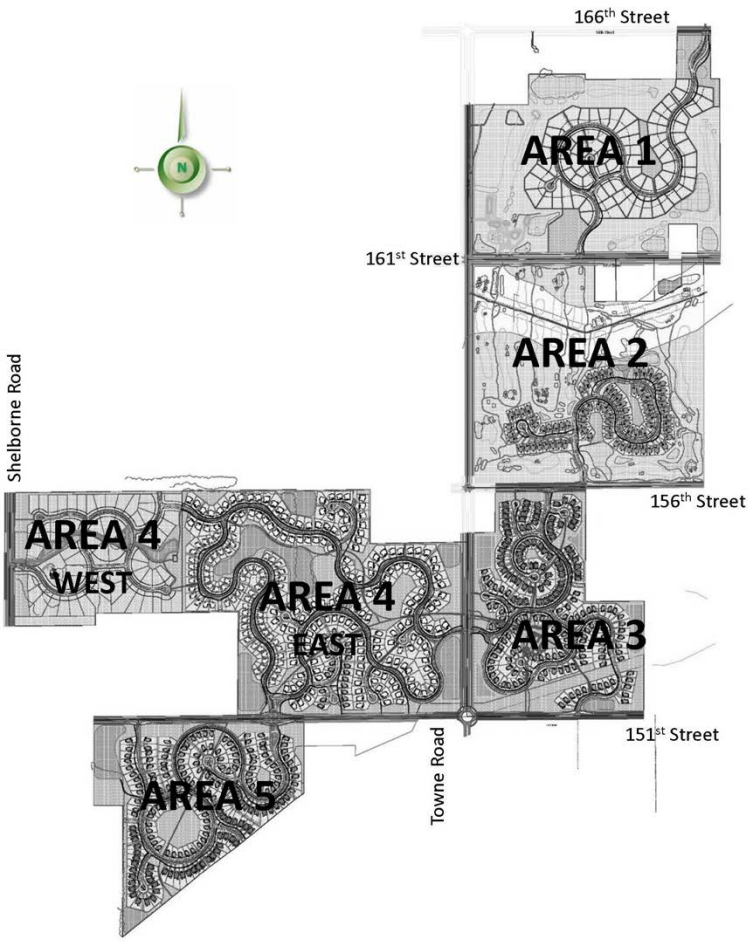


Figure 1: District Areas

The proposed ordinance defaults to the following underlying zoning district for these areas: Area 1 (SF2: Single-Family Low Density District); Area 2 (SF2: Single-Family Low Density District); Area 3 (SF3: Single-Family Medium Density District); Area 4 East (SF3: Single-Family Medium Density District); Area 4 West (SF1: Single-Family Large Lot District); Area 5 (SF3: Single-Family Medium Density District).

Bulk and Density Standards:

Single-Family Residential: The proposed ordinance establishes a maximum number of 856 (reduced from 937) single-family lots. The proposed development consists of 706 acres±, which results in a proposed density of 1.21 (reduced from 1.38) du/acre± (see Figure 2).

The single-family areas include lot standards that range from 60' wide (9,500 sq. ft.) to 100' wide (22,000 sq. ft.). Since originally introduced to the Council, the minimum lot standards have been increased, and the overall density decreased.

Architectural Standards: The proposed ordinance generally defaults to the UDO's architectural standards for the base architectural standards, and incorporates additional requirements as briefly highlighted below.

Golf Course and Development Amenities: The proposed ordinance incorporates various modifications to accommodate the petitioner's vision for new improvements to complement the existing golf course structures and design theme of the development (e.g., architecture, accessory buildings, landscaping, signs).

Single-Family Residential: The UDO's architectural standards for single-family homes includes rear and side façade requirements when facing a perimeter street, and it includes streetscape diversity requirements. The proposed ordinance defaults to these standards, and proposes increased standards to the UDO's streetscape diversity requirements, and increased façade standards for corner lots, lots abutting the internal trail system, and for lots abutting the golf course.

In addition, the proposed ordinance incorporates: (1) character images of front elevations "intended to capture the intended quality"; (2) minimum requirements for Masonry Materials throughout the development; (3) restrictions on front loading garages throughout the development; (4) enhancements for garage door treatment; and (5) prohibitions on aluminum and vinyl siding.

Landscaping Standards: The proposed ordinance generally defaults to the UDO's landscaping standards. A brief summary of the proposed modifications is highlighted below. A woodlands analysis has been submitted by Jud Scott (as noted herein) identifying that there are areas with woodland portions that are candidates for preserving. In general, the revised layout appears to incorporate those identified woodlands into proposed open space areas, buffer yards, or wooded lots.

External Street Frontage: The proposed ordinance provides that the golf course and amenity areas are exempt from the external street frontage requirement. The curvilinear design of the proposed development results in fewer rear or side residential facades abutting an external street (compared to the typical suburban design). The proposed landscaping within the ordinance for frontages along the residential areas, that the UDO would otherwise require landscaping, are consistent with the UDO's requirements (with the exception of not requiring a mound (as recommended by the Comprehensive Plan to accommodate the "rural" character) and requiring the incorporation of a black four-board horse fence).

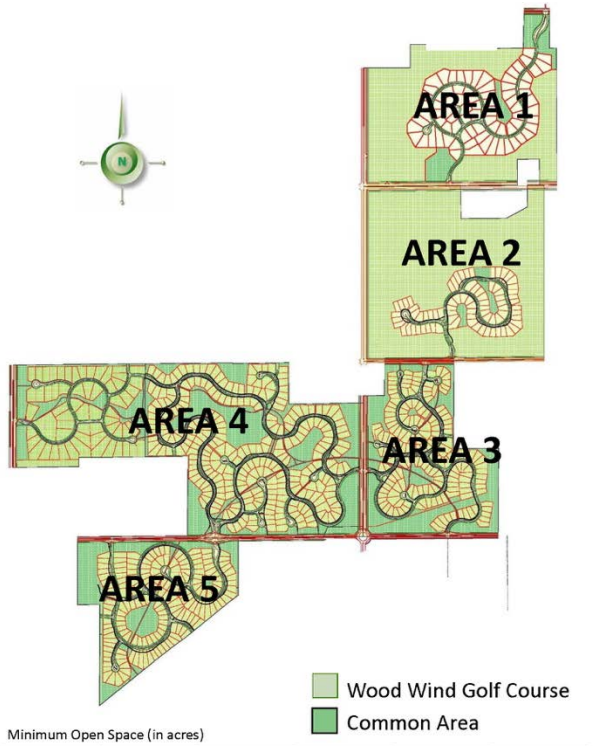
Buffer Yards: The proposed ordinance includes a variety of buffer yard types and parcel-specific buffers for individual neighbors. The specific design and location of each buffer yard type are intended to provide a buffer sensitive to the varying contexts of the perimeters of the proposed development. The proposed buffers exceed the requirements of the UDO, and are consistent with the objectives of the Comprehensive Plan, including reforestation requirements.

Tree Preservation: The proposed ordinance incorporates specific requirements for tree preservation within Area 3, Area 4 East and Area 5.

Open Space Standards: The open space is proposed as shown on Exhibit B-4 of the proposed ordinance, as revised (see Figure 3).

Since originally proposed, the proposed ordinance has been revised to increase the minimum open space from 215 acres to 290 acres, an increase of 65 acres.

The minimum open space represents about 41% of the proposed development (290 acres of the 706 acres±). The proposed open space exceeds the minimum ordinance requirements of other recently approved ordinances, which for comparison include: Chatham Hills = 20%; Wilshire = 15%; Scofield Farms = 30%; Liberty Ridge = 29%; West Rail = 30%; Mapleridge = 16%; and Lantern Park = 27%.



Minimum Open Space (in acres)

Area 1	Area 2	Area 3	Area 4	Area 5	Total
75	110	27	57	21	290

Figure 2: Open Space Exhibit

The proposed ordinance incorporates specific amenity standards for the primary amenity center, and the corresponding timing to install them. As a result of the public process, additional open space was incorporated that does not include the golf course (Area 3, Area 4, and Area 5). Each single-family area now proposes a minimum range between 24% and 72% of open space.

Infrastructure Standards: The proposed ordinance generally defaults to the City's construction and design standards.

Pedestrian Network Standards: The proposed ordinance incorporates a pedestrian network plan that identifies both the perimeter (consistent with the UDO) and internal pedestrian network system. The proposed pedestrian network includes a combination of eight-foot wide asphalt trails, five-foot wide concrete sidewalks, and six-foot wide concrete sidewalks (for when sidewalks are only on one side of the street).

Traffic Impact Study: A Traffic Impact Study was required by the City to be conducted as part of the Technical Advisory Committee's review of this petition. In addition to those improvements that would otherwise be required in accordance with the City's Construction Standards as part of a development plan approval, the developer will also be required to

make road and intersection improvements in accordance with the recommendations of the Traffic Impact Study.

COMPREHENSIVE PLAN

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the property as primarily New Suburban, with areas along the western end as Existing Rural Southwest and areas at the northwest corner of 146th Street and Towne Road as Local Commercial.

The Department performed an analysis of the proposed petition in review of the 2007 Westfield-Washington Township Comprehensive Plan. The initial review was done in review of the petition presented at the first public hearing in September, and then subsequently updated pursuant to the revised petition presented at the January 17, 2017, Plan Commission meeting (link of review).

This purpose of the analysis is not to be a rigid checklist; rather, the analysis is a broad policy evaluation for the benefit of the Plan Commission and Council. It is not expected that a proposed development will necessarily meet all of the policies of the Comprehensive Plan, and it is expected that there may be practical or other reasonable justifications that a proposed development may not meet a policy. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

In accordance with Article 10.9 of the UDO, a petition for a Planned Unit Development (PUD) District is required to include the following:

Concept Plan Article 10.9(F)(2): The Concept Plan is required to show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; recreation facilities; and other details to indicate the character of the proposed development. In addition, the Concept Plan is required to show in detailed terms the following:

1) A site location map showing the project location and other development projects in the vicinity.
2) The name of the development, with the words "Concept Plan".
3) Boundary lines and acreage of each land use component.
4) Existing easements, including location, width and purpose.
5) Existing land use on abutting properties.
6) Other conditions on the site and adjoining land: topography (at 10-foot contours) including any embankments or retaining walls; use and location of buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.

7) Existing Streets on and adjacent to the tract, including Street name, Right-of-way width, walks, pathways and bridges and other drainage structures.
8) Proposed public improvements: collector and arterial Streets and other major improvements planned by the public for future construction on or adjacent to the tract.
9) Existing utilities on the tract.
10) Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
11) Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
12) Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
13) Map data such as north point, graphic scale and date of preparation.

Written Character Statement (Article 10.9(F)(3): A written statement of character of the PUD District shall provide an explanation of the character of the PUD District and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:

1) A specific explanation of how the proposed PUD District meets the objectives of all adopted land use policies which affect the land in question.
2) Development phasing indicating:
    a. Phases in which the project will be built, including the area, density, use, public facilities, and Open Space to be developed with each phase. Each phase shall be described and mapped.
    b. Projected dates for beginning and completion of each phase.
    c. General details of the proposed uses:
3) Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units for each residential component; ii. Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and Building Heights.
4) Preliminary feasibility reports for the infrastructure and facilities, including:
    a. Streets
    b. Street lighting
    c. Sidewalks and pathways
    d. Sanitary sewers
    e. Water supply system
    f. Other utilities
    g. Storm water management
    h. Schools

Development Amenities and Open Space (Article 10.9(F)(4): The PUD District Ordinance must include a statement of recreational amenities and open space. Such statements shall designate and convey active and/or passive recreational areas in accordance with the following:

1) Recreational amenities and open space shall be allocated to the property in proportion to the uses assigned in the PUD District and shall be located within reasonable walking distance to those uses; however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
2) If the PUD District Ordinance provides for development in stages, then amenities and open space shall be provided in each stage of the PUD District in proportion to that stage, unless otherwise indicated and approved in the PUD District Ordinance.
3) Amenities shall be conveyed in one of the following forms:
    a. To a municipal or public corporation;
    b. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD District. All conveyances hereunder shall be structured to ensure that the grantee has the obligation and the right to effect maintenance and improvement of the amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD District; or
    c. To owners other than those specified in subsections (i) and (ii) above, and subject to restrictive covenants describing and guaranteeing the amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD District or adjoining property owners or the community, or any combination of these.

Traffic Impact Study (Article 10.9(F)(5): A Traffic Impact Study may be required to be conducted at the discretion of the Director, the Department of Public Works Director, or the Plan Commission. If a Traffic Impact Study is required, then it shall be prepared by a registered professional engineer and shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an Applicant shall meet with the Department to determine the appropriate scope for the study.

Comment: **A traffic impact study was prepared and submitted to the City.**

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT REVIEW CRITERIA

In accordance with Article 5.6 of the Unified Development Ordinance:

Purpose and Intent (Article 5.6(C)): The PUD District is intended to:

1) Encourage flexibility and innovation in the development of land in order to promote its most appropriate use.
2) Improve the design, character and quality of new developments.
3) Encourage a harmonious and appropriate mix of uses.
4) Facilitate the adequate and economic provision of streets, utilities and municipal services.
5) Preserve the natural environmental and scenic features of the site.
6) Encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features.

7) Mitigate problems which may be presented by specific site conditions.

Standard Criteria (Article 5.6(D)): A PUD District shall comply with the provisions of the UDO. In addition, a proposed PUD District should include concepts and development and design standards that generally offer the following advantages over a standard Zoning District:

1) Address the policies included in the Comprehensive Plan specific to the neighborhood so as to encourage consistency with the community's vision as presented in the Comprehensive Plan.
2) Use design to provide compatibility between areas of different land uses and development intensities within the PUD District.
3) Buffer different types of land uses and development intensities outside of the PUD District from those within the PUD District so as to increase compatibility or minimize any adverse impact which new development may have on existing or zoned development.
4) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces and provide enhance amenities and open space.
5) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.
6) Promote architecture that complements the surroundings.
7) Counteract urban monotony and congestion on streets.

Review Criteria (Article 5.6(J)): In their consideration of a PUD District, the Department in its report to the Plan Commission, the Plan Commission in its recommendation, and the Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:

1) The extent to which the proposed PUD District meets this Ordinance's purposes and intent of a PUD District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.
2) The extent to which the proposed PUD District departs from the underlying Zoning District(s) and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
3) The proposal will not be injurious to the public health, safety, and general welfare.
4) The physical design proposed by the PUD District and the extent to which it makes adequate provision for:
    a) Public services;
    b) Adequate control over vehicular traffic;
    c) Protection of designated permanent Open Space; and
    d) Furthering the amenities of light, air, recreation and visual appeal.
5) The relationship and compatibility of the proposed PUD District to the adjacent properties and neighborhood.

6) The desirability of the proposed PUD District in relation to the community's physical development, tax base and economic well-being.
7) The development proposed by the PUD District will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
8) The development proposed by the PUD District preserves significant ecological, natural, historical, and architectural resources to the extent possible.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The initial public hearing for this petition was held at the September 6, 2016, Plan Commission meeting, and an additional public hearing was held at the November 21, 2016, Plan Commission meeting for the amended application that incorporated additional real estate. 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 August 8, 2016, Council meeting.

DEPARTMENT COMMENTS

Action:

1. **Consider the revised ordinance (1609-PUD-16 / Ord. 16-27).**
2. **As proposed, the ordinance is not in a form that is ready for a recommendation to the Council.**
3. **To the extent that the Plan Commission desires to make a recommendation to the Council, then it should do so with the condition that the City's revisions, as set forth in Exhibit 8, be incorporated prior to Council's consideration.**

If any Plan Commission member has questions prior to the meeting, then please contact Kevin Todd at (317) 379-6467 or ktodd@westfield.in.gov, or Jesse Pohlman at (317) 696-9254 or jpohlman@onpointeland.com.

ORDINANCE NUMBER 16-27

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 "**WOOD WIND 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. 1609-PUD-16**), 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**. **1609-PUD-16** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on _____, 2017;

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

NOW, THEREFORE, BE IT ORDAINED by the Council 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 "**WOOD WIND 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 Custom Home Lots: Collectively, the Lots within Area 1 and the Lots within Area 4 West.

2.2 Development Amenities: As defined by the Unified Development Ordinance and shall also include the Wood Wind Golf Course.

2.3 Dominant Exterior Material. The Exterior Material that occupies the greatest percentage of surface area (compared to other Exterior Materials) of a Front Building Facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.

2.4 Exterior Material. The separate architectural siding materials or patterns on a Building, such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

2.5 Home Series. The series of home types (e.g., Custom Homes Series One (C-1), Custom Homes Series Two (C-2), Traditional Homes Series One (T-1), Traditional Homes Series Two (T-2), Traditional Homes Series Three (T-3), Empty Nester Homes Series One (E-1) and Empty Nester Homes Series Two (E-2)) to be built within the District, as identified on the Concept Plan, attached hereto at **Exhibit B**, and represented in the Single-Family Character Exhibits, attached hereto at **Exhibit C**. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is

consistent with the established benchmark and complies with the standards of this Ordinance.

2.6 Open Space: As defined by the Unified Development Ordinance and depicted on **Exhibit B-4: Single Family Open Space** and includes the Wood Wind Golf Course.

2.7 Pulte: Pulte Homes of Indiana, LLC, or its affiliates.

2.8 Tree Preservation Areas. Those locations identified on **Exhibit B-2-A: Single Family District Layout – Area 1**, **Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5** as Tree Preservation Areas, and as further regulated herein.

2.9 Wood Wind Golf Course: The eighteen (18) hole golf course and associated facilities as depicted on the Concept Plan within Areas 1 and 2, including all elements of the course (i.e. fairways and surrounding corridors, greens, tee boxes, bunkers, hazards, natural features (i.e. creeks, woods, lakes)), common areas, restrooms or park pavilions, bridges, pathways, practice facility, driving range, short game area, instructional area, cart paths, golf bag storage and drop-off, golf cart parking and golf cart use on cart paths, golf cart-related services (indoor/outdoor storage, rental, service, sales, cleaning, refueling/charging, maintenance), Sit Down Restaurant with bar area and outdoor seating, banquet center, and accessory parking areas.

2.10 Wood Wind Home Owners Association: A corporation, association, or other legal entity created by the Developer for the benefit of the owners of Lots in Areas 1, 2, 3, 4 East, and 5.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B: Concept Plans**, 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. Substantial compliance generally includes, but is not limited to, the location and design of the Wood Wind Golf Course, the buildings, curvilinear streets, frontage streets, and the placement of open space and detention/retention facilities. If the size of detention / retention facilities (including ponds) are decreased or eliminated based upon final engineering of the project, then such areas shall remain Open Space and be maintained as common area by the Wood Wind Home Owners Association.

Section 4. **District Areas**. The District is hereby divided into the following areas as illustrated on the Concept Plan and labeled as: Areas 1, 2, 3, 4 East, 4 West and 5 (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 5. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be as follows (individually or collectively, the "Underlying Zoning District"):

5.1 Area 1: SF2: Single-Family Low Density District.

5.2 Area 2: SF2: Single Family Low Density District.

5.3 Area 3: SF3: Single-Family Medium Density District.

5.4 Area 4 East: SF3: Single-Family Medium Density District.

5.5 Area 4 West: SF1: Single Family Large Lot District.

5.6 Area 5: SF3: Single Family Medium Density District.

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate except as otherwise set forth below.

6.1 Wood Wind Golf Course: In addition to uses permitted in the Underlying Zoning District, the Wood Wind Golf Course shall be permitted within Areas 1 and 2. Deed restrictions shall provide that the Wood Wind Golf Course shall be maintained as a golf course available to the public for regular play or other Open Space in accordance with this Ordinance (the "Deed Restriction"). The Deed Restriction shall terminate upon the fiftieth (50th) anniversary of the adoption of this Ordinance and comply with the following:

A. In addition to the permitted use of the Wood Wind Golf Course as a golf course available to the public for regular play and other Open Space, the Deed Restriction will permit uses which are non-residential and primarily recreational, agricultural or equestrian in nature and operated by or for the benefit of the Wood Wind Home Owners Association if, and only if, all of the following shall occur:

1) an amendment to this Ordinance is adopted or approved by the Council permitting the use of the Wood Wind Golf Course for such additional uses; and

2) a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 1 and 2 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

3) a majority of the owners of Lots (excluding Lots owned by Pulte Homes of Indiana, LLC, or its affiliates) within the then secondary platted Lots in Areas 3, 4 East and 5 voting as a group approve the use of the Wood Wind Golf Course for such additional uses; and

4) The then current owner of the Wood Wind Golf Course approves the use of the Wood Wind Golf Course for such additional uses and consents to or files a petition to amend this Ordinance to permit such additional uses.

B. The Deed Restriction shall be placed of public record prior to the recordation of a secondary plat for any Area and shall provide for the modification of the legal description for the Wood Wind Golf Course once the final boundaries of the Wind Wood Golf Course and configuration of the Lots and common areas within Areas 1 and 2 are determined and approved as part of a secondary plat approval.

Section 7. **General Regulations.** The standards of Chapter 4 Zoning Districts shall not apply to the development of the District; rather, the individual lot standards set forth in **Exhibit B-3: Single Family District Standards** shall apply to each Area as specified therein.

7.1 Maximum Number of Lots: The total number of single family lots in the District shall not exceed eight-hundred and fifty-six (856).

7.2 Building Permit Limits: A maximum of one-hundred and twenty-five (125) Improvement Location Permits ("building permits") may be issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any calendar year beginning with the effective date of this Ordinance, provided, however: (i) the number of annual allotted building permits not issued in any given calendar year (i.e., the positive difference between the annual maximum of one-hundred and twenty-five (125) building permits reduced by the number of building permits actually issued in any given calendar year) may be carried over to the next calendar year or successive calendar years; and, (ii) the maximum number of building permits issued for Dwellings to be constructed in Areas 2, 3, 4 East and 5 in any given calendar year shall not exceed one-hundred and fifty (150) building permits.

7.3 Minimum Perimeter Setback Standards: A minimum perimeter setback for rear or side lot lines shall be provided along all perimeter thoroughfares as depicted on **Exhibits B-2-A through B-2-E: Single Family District Layout**.

Section 8. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

8.1 Article 6. 1 Accessory Buildings or Structures: Shall apply, except as modified below:

A. Maximum Number: There shall be no maximum number of Accessory Buildings for the Wood Wind Golf Course and related operations. New or expanded Accessory Buildings shall be reviewed and approved by the Department as a Development Amenity.

B. Ancillary Structures: Tents, pavilions, patios and related equipment or displays (e.g., leaderboards) which are ancillary uses to the Wood Wind Golf Course and related uses (e.g., weddings, social events, golf demonstration or training tents), shall be deemed permanent as an ongoing ancillary use to existing operations and shall not require a temporary use permit. This does not exempt such structures or uses from obtaining permits otherwise required by the State or Fire Marshal.

8.2 Article 6.3 Architectural Standards: Shall apply, except as modified below:

A. Wood Wind Golf Course and Development Amenity Buildings: Article 6.3 Architectural Standards shall not apply, rather:

1) Except for a Sit Down Restaurant, which shall be governed by Section 8.2(A)(2) of this Ordinance, new and/or expanded Wood Wind Golf Course buildings shall be consistent and compatible with the architectural style and building materials depicted in existing Wood Wind Golf Course buildings as depicted in **Exhibit G: Wood Wind Golf Course Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Wood Wind Golf Course buildings. Loading docks for a Wood Wind Golf Course building shall be screened from view from an External Street or adjacent property zoned or used residentially by landscaping or screen walls.

2) Development Amenity Buildings and a Sit Down Restaurant shall be consistent and compatible with the architectural style and building materials depicted in **Exhibit H: Development Amenities Buildings Character Exhibit**, attached hereto. Vinyl or aluminum siding shall not be permitted on any new Development Amenity buildings.

B. Single-Family Architectural Standards: The following shall apply to Single-family Dwellings within the District:

1) Custom Home Lots Character Exhibit: **Exhibit C-1: Illustrative Front Elevations for Area 1** and **Exhibit C-4-B: Illustrative Front Elevations for Area 4 West** attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed on the Lots in Area 1 and Area 4 West of the District, respectively. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed in Areas 1 and Area 4 West and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

2) Custom Home Variation: The Front Building Facades of any two Dwellings on the Lots in Area 1 of the District shall be substantially different. The Front Building Facades of any two Dwellings on the Lots in Area 4 West of the District shall be

substantially different.

3) Custom Home Lots in Area 1: Pulte shall have the option of being the builder of not more than fifty percent (50%) of the Dwellings in Area 1, provided that all Dwellings constructed by Pulte in Area 1 shall be one of the following home types, as depicted in **Exhibit C-6: Area 1 Pulte Models**: (i) 3850, 3900, 3950, 4000, 4150, 4563, 4634, 4741 or 5271 ~~(all being home types currently being offered in the Village of West Clay)~~; (ii) 4500, 4600, 4700, or 5200 ~~(all being home types currently being offered in Hamilton Proper)~~; or, (iii) any updated or comparable version of the foregoing of similar size, quality and character, as determined by the Director. In the event of any conflict or inconsistency between this Section 8.2(B)(3) and Section 8.2(B)(1), this Section 8.2(B)(3) shall control.

4) Custom Home Lots in Area 4 West: Pulte shall not be the builder of Dwellings on Custom Home Lots in Area 4 West.

5) Traditional & Empty Nester Character Exhibits: **Exhibit C: Single-Family Character Exhibits**, attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed in Areas 2, 3, 4 East and 5 of the District, respectively. Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

6) Home Series by Area: **Exhibit B: Concept Plans** identifies a specific Home Series, as labeled and depicted in the **Exhibit C: Single Family Character Exhibits**, proposed to be built on specific Lots in each Area. In those Areas which are not specified for Custom Home Lots (i.e., Area 1 and Area 4 West) or for Dwellings from one specific Home Series (i.e., Area 2), the specific Home Series built in such Area may be adjusted from that depicted in the Concept Plan as specified below:

   a) Area 3 and Area 5: Dwellings in Area 3 and Area 5 shall come from the Home Series E-2 and T-3. Dwellings from Home Series E-2 may replace any Dwelling from Home Series T-2 or T-3, provided that any such Home Series E-2 replacement home with a front load garage shall be separated from a

perimeter street by no less than two (2) platted lots, exclusive of common areas.

b) Area 4 East: Dwellings in Area 4 East shall come from the Home Series T-1, T-2 and T-3. Dwellings from Home Series T-1 may replace any dwelling from Home Series T-2 and/or Home Series T-3. Dwellings from Home Series T-2 may replace Dwellings from Home Series T-3.

c) Model Homes: Notwithstanding anything in this Ordinance to the contrary, Developer may establish model homes within any Area. The model home may be a Dwelling from any Home Series permitted in that Area by this Ordinance. Any model home that includes a front load garage shall be separated from a perimeter street by no less than two (2) platted lots, exclusive of common areas.

7) Basements: All Dwellings from Home Series C-1, C-2, T-1, T-2 and E-1 shall include a basement with a minimum Gross Floor Area equal to not less than seventy percent (70%) of the Minimum Living Area of the Ground Floor.

8) Perimeter Lots: Article 6.3(C)(1) Single-family Districts; Perimeter Lots shall be amended to only apply to those Building Facades on those Lots identified in **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**. If the Lot layout and distance from Perimeter Streets on an approved Secondary Plat varies in any material respect from the Concept Plan, then the Director shall determine which Lots and Building Facades, in accordance with Article 6.3(C)(1), apply.

9) Side or Rear Façade Requirements: Lots identified as having a Side or Rear Façade Requirement on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Facade, provided that all such Lots shall count toward the forty percent (40%) of the total number of Lots specified in Sections 8.2 (B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2 (B)(15)(a)(iv), below.

10) Streetscape Diversity. Article 6.3(C)(2) Single-family Districts; Streetscape Diversity shall apply. The extensive use of curvilinear street patterns, substantially as depicted on **Exhibit B-2: Single Family District Layout**, constitutes the use of winding streets throughout the District to eliminate monotonous building placement and, together with the use of

variable building setback lines with a minimum variation of two (2) foot increments from adjacent lots wherever the street is straight for more than one-hundred and eighty (180) feet, hereby satisfies the requirement of Article 6.3(C)(2)(b) regarding varying Building Setback Lines. In addition, the facade variety code identified in **Exhibit I: Facade Variety Code** shall be applicable to Areas 2, 3, 4 East and 5.

11) Corner Lots. Lots identified as corner lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include the following on the side Building Facade oriented towards the street:

a) A minimum of one of the following: (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; or, (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; and

b) A minimum of two (2) windows on a single-story dwelling or three (3) windows on a two-story dwelling.

12) Trail Lots. Lots identified as trail lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards**, shall include a minimum of one of the following on the side Building Facade oriented towards the trail: (i) a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of all Building Facades; (ii) a Masonry Material wrap extending not less than four feet (4') in length along both side Building Facades from the corner of the Front Building Façade (or such shorter length as appropriate to accommodate doors and windows), of which is equal in height to the Masonry Material treatment on the Front Building Facade at the corner; (iii) an architectural treatment (e.g., brackets, louvers, change in material pattern, change in color with trim separation, etc.) on gable ends; or (iv) a landscape package including two (2) trees and ten (10) shrubs.

13) Golf Lots – Rear Facades: In Area 1 and Area 2 on Lots abutting the Wood Wind Golf Course and depicted as Golf Lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** the rear elevation of those Dwellings

shall incorporate either: a full first floor Masonry Material wrap; or, a minimum of two of the following elements:

a) Masonry Material a minimum of thirty-six (36) inches in height;

b) Pergola with a minimum or 100 square feet;

c) A Facade Projection or Recession including a minimum of one (1) twelve-foot (12') deep offset, which is a minimum height equivalent to one-story;

d) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

e) Covered porch or covered patio (minimum of one-hundred and forty (140) square feet).

f) Sunroom (minimum of one-hundred and twenty (120) square feet);

g) A Facade Projection or Recession in the rear Building Facade that contains a minimum of fifty percent (50%) of Masonry Material;

h) Two (2) or more siding materials or material patterns (e.g., board and batten, shake, lap siding) on the Building Facade. Each siding material or material pattern shall be a minimum of ten percent (10%) of the applicable rear Building Facade (exclusive of openings and trim);

i) A Facade Projection a minimum of one (1) foot deep offset, which is a minimum height equivalent to two-stories and spans a minimum of ten (10) feet in length; or

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

No element listed above may be used to meet this requirement on more than fifty percent (50%) of such Lots (excluding those Lots with a full first floor Masonry Material wrap) in either individual Area.

14) Golf Lots – Masonry Materials: A minimum of fifty percent (50%) of the Lots in Area 1 and fifty percent (50%) of the Lots in Area 2 which abut the Wood Wind Golf Course and are identified as Golf Lots on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade of any Dwelling. Dwellings meeting this requirement shall count

toward the forty percent (40%) of the total number of Dwellings specified in Sections 8.2(B)(15)(a)(i), (ii), and (iii), below, and the ninety percent (90%) of the total number of Dwellings specified in Section 8.2(B)(15)(a)(iv), below.

15) Four-Sided Architectural Requirements: In addition to the requirements of Article 6.3(C)(3), all Single-Family Dwellings shall comply with the following:

a) Minimum Masonry Material: The following Masonry Material requirements shall apply to Lots in Areas 1, 2, 3, 4 East, 4 West and 5:

i. A minimum of forty percent (40%) of all Dwellings in Area 1 shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

ii. A minimum of forty percent (40%) of all Dwellings in Area 4 West shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade;

iii. A minimum of forty percent (40%) of all Dwellings in Areas 2, 3, 4 East and 5 combined shall have a minimum thirty-six inch (36") tall Masonry Material wrap along the entire length of each Building Façade; and,

iv. A minimum of ninety percent (90%) of all Dwellings in Areas 1, 2, 3, 4 East and 5 combined shall have a minimum eighteen inch (18") tall Masonry Material wrap along the entire length of each Building Façade. Dwellings with a minimum thirty-six inch (36") Masonry Material wrap shall count toward meeting this ninety percent (90%) standard.

b) Side Building Facades with Gable: All Dwellings with a gable end on the side Building Facade that do not have either: a side loading garage; or, Masonry Material a minimum of thirty-six (36) inches tall on the side Building Façade, shall incorporate a minimum of one of the following elements on the side Building Façade which shall be complimentary to elements found on the Front Building Façade, with a variety of these elements being utilized throughout the District:

i. A change in exterior color separated by trim*;

ii. A change in Exterior Material pattern separated by trim*;

iii. A change in Exterior Material separated by trim;

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

v. A minimum of ten (10) square foot gable window with horizontal trim below the window;

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

vii. A projecting chimney running the full height of the side Building Facade constructed with Masonry Material.

*See **Exhibit J: Gable End Character Exhibit** for depictions of these elements.

d) Exterior Building Materials:

i. Siding: Aluminum and vinyl siding shall be prohibited.

ii. Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials or for windows that include shutters. Required trim shall be a minimum of five and one-half inches (5-1/2") wide.

iii. Fireplaces: Exterior (projects from Building Facade) fireplace chases shall be constructed with Masonry Materials and shall not be cantilevered or shed chimneys. Interior (projects through the roof line) fire place chases shall be constructed of or have a veneer that emulates Masonry Materials.

e) Roof Design:

i. Overhangs: Roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.

ii. Materials: All Dwelling roofs shall use dimensional singles.

f) Side Façade Windows: All one-story Dwellings shall have a minimum of one (1) window per side Building Façade. All two-story Dwellings shall have a minimum of two (2) windows per side Building Façade. The minimum area of any window used to meet this minimum standard shall be fifteen (15) square feet in area.

g) Garages and Driveways:

i. Design Elements: Garage elevations shall include a variety of design elements substantially similar to those elements depicted in **Exhibit D-2: Illustrative Garage Door Treatments** to vary the appearance of the garage facade. 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.

ii. Color: All Dwellings shall have decorative garage doors with windows and be painted a color to match the Dominant Exterior Material or a color to accent the Dominant Exterior Material.

iii. Side Wall Window: The non-door Building Facade of a courtyard-load or side-load garage oriented toward a street shall include a minimum of twenty-five (25) square feet of windows.

iv. Dwellings on Lots in all Areas as labeled and depicted on **Exhibits D-1-A through D-1-E: Perimeter Lots Subject to Architectural Standards** identified as "Non-Front Loading Garages" shall include a courtyard-load or side-load garage. For the purposes of this regulation, an "L" shaped three (3) car garage shall be deemed to comply with this standard provided no more than a one (1) car garage door is oriented toward the street.

v. Dwellings from Home Series C-1, C-2, T-1 and T-2 shall include a minimum three car garage. Dwellings from Home Series E-1, E-2 and T-3 shall include a minimum two car garage.

vi. Base model Dwellings from Home Series E-1 on Lots in Area 2 are designed for a non-front loading garage; however, model options include a front loading three car garage. Dwellings in Area 2 shall be non-front loading garages, except in the event a homebuyer elects to build the front loading three car garage option. If a front loading three car garage option is selected by the buyer, then a three car front loading shall be permitted and shall include three individual and separate garage doors. In no case, however, shall the number of dwellings with front loading three car garages in Area 2 exceed thirty percent (30%) of the total number of Lots in Area 2. In addition, no more than two (2) consecutive Lots on the same side of the street may contain front loading garages, provided, however, when two (2) front located garages are located on two (2) consecutive Lots on the same side of the street, there shall be a minimum of three (3) consecutive Lots on the same side of the street with non-front loading garages in each direction before another front loading garage is allowed on the same side of the street.

vii. An overall combined total of not less than seventy percent (70%) of the Dwellings in the District shall have non-front loading garages.

viii. All driveways shall be concrete. Asphalt driveways shall be prohibited.

16) Rear Building Facade Variation: The rear Building Facade of at least one (1) Dwelling of every three (3) consecutive Dwellings located on the same side of a Street within Areas 2, 3, 4 East and 5 shall incorporate one (1) of the following elements:

a) A Masonry Material wrap a minimum of thirty-six (36) inches in height;

b) A Facade Projection or Recession including a minimum of one (1) ten-foot (10') deep offset, which is a minimum height equivalent to one-story;

c) A Facade Projection or Recession including a minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to a one-story;

d) A Facade Projection including a minimum of one (1) foot deep offset, which spans a minimum of ten (10) feet in length; or

e) A covered porch or covered patio (minimum of one-hundred and twenty (120) square feet in area).

The inclusion of one (1) of the foregoing elements shall also count toward the requirements specified in Sections 8.2(B)(9), (12), (13) and (15), above.

17) Model Homes: All model homes in Areas 2, 3, 4 East and 5 shall have a minimum thirty-six (36) inch Masonry Material wrap on both side Building Facades and the rear Building Facade. These model homes shall count toward the minimum forty percent (40%) of the total number of Lots specified in Section 8.2(B)(15)(a)(ii) and (iii), above, and the ninety percent (90%) of the total number of Lots specified in Section 8.2(B)(15)(a)(iv), above.

18) Application of Varying Percentage Standards. Percentages specified above in this sub-section which are applicable to an Area individually and separately shall be calculated and applied to those Lots within such Area that have received primary plat approval at the time of the Improvement Location Permit application for the calculation in question.

8.3 Article 6.5 Fence Standard: Shall apply. Open wire mesh or black or green vinyl-coated chain-link fencing surrounding Wood Wind Golf Course uses may be erected to a height that meets national regulations for the sport, or an increased height specified by the Department of Public Works, to protect nearby vehicular and pedestrian traffic or buildings.

8.4 Article 6.8 Landscaping Standards: Shall apply, except as modified below:

A. Article 6.8(I) Detention and Retention Areas: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

B. Article 6.8(K) Minimum Lot Landscaping Requirements: Shall not apply to the Wood Wind Golf Course and Development Amenities areas.

1) Area 1, Area 2, Area 4 East and Area 4 West: Lots located in Area 1, Area 2, Area 4 East and Area 4 West shall include a minimum lot landscaping of: two (2) shade trees; two (2) ornamental or evergreen trees; and, twenty (20) shrubs.

2) Area 3 and Area 5: Lots located in Area 3 and Area 5 shall include a minimum lot landscaping of: two (2) shade trees; one (1) ornamental or evergreen tree; and, ten (10) shrubs.

3) Area 4 West Custom Lots – Tree Clearing: Developer may perform grading and tree clearing as reasonably necessary to accommodate the following aspect of the residential development: streets, utilities, drainage facilities which shall include side and rear yard drainage swales between future Dwellings, and for reasonable grade changes for proper pad development to accommodate Dwellings. Developer may clear lots of underbrush, dead or dying trees, trees that are less than two inches (2”) in diameter measured at three feet (3’) from existing grade in order to develop a park-like setting for each lot. Developer shall keep trees outside of these aforementioned development areas that are healthy, pose no unsafe conditions to the nearby streets, utilities, or Dwellings, are reasonably aesthetically pleasing, and have a reasonable chance of flourishing through the development and future neighborhood. Developer shall take reasonable care to save as much of the natural growth and terrain as reasonably possible. Developer shall not conduct mass clearing of trees.

4) Area 4 West Custom Lots – Preservation Credits: Trees preserved on individual lots shall qualify for credit against minimum lot landscaping.

C. Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply; rather, the following shall apply.

1) Wood Wind Golf Course and Development Amenities: No External Street Frontage Landscaping shall be required along Wood Wind Golf Course and Development Amenity parcels abutting an External Street. Existing golf cart paths and fencing on the Wood Wind Golf Course and Development Amenity parcels may encroach into current or future rights-of-way, subject to approval and issuance of applicable permits by the Department of Public Works. All existing fencing along the perimeter of the Wood Wind Golf Course shall be repaired or replaced as necessary.

2) Single-family Areas: A landscaping area shall be required for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise exempted herein for Wood Wind Golf Course and Development Amenity areas) abutting an External Street in accordance with **Exhibit E-1: Road Frontage Landscaping**. A minimum of sixty-five percent (65%) of an individual Area's gross External Street Frontage for Areas 1, 2, 3, 4 East, 4 West and 5 (except as otherwise provided herein for Wood Wind Golf Course and Development Amenity areas) shall incorporate a black four board horse fence into the road frontage landscaping area. If the Front Building Facade of a Dwelling is located on a Frontage Road and oriented toward an External Street, then the External Street Frontage Landscaping Requirements of Article 6.8 Landscaping Standards shall not be required between the Dwelling's Lot or Frontage Road and the External Street; provided, that the area between the Frontage Road and the External Street shall contain a four board black horse fence and at least twenty-five (25) shrubs per one hundred (100) lineal feet of External Street for which the Front Building Facade of a Dwelling is oriented.

D. Article 6.8(N) Buffer Yard Requirements: Shall not apply; rather the following Buffer Yards shall apply, as depicted in **Exhibit E: District Landscape Exhibits**.

1) Location: Buffer Yards shall be required as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity and Exhibit E-4: Parcel-Specific Buffer Yards**.

2) Buffer Yard Types: The following types of Buffer Yards are hereby established.

a) Buffer A: Buffer A is required and depicted in areas where there is Open Space in excess of one hundred feet (100') in depth and contains the Wood Wind Golf Course, detention/retention areas,

and/or existing woodlands.

b) Buffer B: Buffer B shall be planted as a reforestation buffer as depicted on **Exhibit E-3-A: Buffer Yard Type B**, and shall have a minimum depth of fifty (50) feet.

c) Buffer C: Buffer C shall be as depicted in **Exhibit E-3-B: Buffer Yard Type C**, and shall have a minimum depth of thirty feet (30') and shall include a minimum of three (3) Shade Trees, three (3) Evergreen Trees, ten (10) shrubs and a mixture of native plantings per one hundred (100) lineal feet.

d) Buffer D: Buffer D shall be as depicted in **Exhibit E-3-C: Buffer Yard Type D**, and shall have a minimum depth of fifteen feet (15)' and shall include a minimum of two (2) Shade Trees, three (3) Evergreen Trees and ten (10) shrubs per one hundred (100) lineal feet.

3) Parcel-Specific Buffer Yards: In addition to the above Buffer Yard Requirements, the following buffer yards shall be provided, as labeled and depicted on **Exhibit E-4: Parcel-Specific Buffer Yards**. In the event of conflict between the above Buffer Yard Requirements and the following additional requirements, the provision that creates the stricter standard shall control.

~~a) Buffer 1: Parcel of real estate located at 1816 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-008.101 (the "Baker Parcel"):~~

~~i. Developer shall not install a black four board horse fence along the common property line of the Real Estate and Baker Parcel without the prior written consent of the owner of the affected portion of the Baker Parcel.~~

~~ii. Developer shall meet with the owner of the Baker Parcel during the engineering design process to review existing drainage patterns and the method of addressing existing drainage patterns in the drainage plans to be submitted to the City of Westfield or the applicable Department of the City of Westfield.~~

b) Buffer 2: Parcel of real estate located at 1924 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-004.001 (the "Burkman Parcel"): Buffer Yard A shall be required on the Real Estate along the shared property lines of the Real Estate and the Burkman Parcel, which shall also include the following:

i. A five to six foot (5' – 6') tall undulating mound (measured from existing grade) along the northern property line of the

Burkman Parcel. Mound may be less than five feet (5') tall in some areas to accommodate drainage.

ii. A minimum of eight (8) and maximum of twelve (12) trees per 100 lineal feet and planted within twenty feet (20') of the north property line of the Burkman Parcel. The trees shall be a combination of and minimum size at planting of 6'-tall spruce trees and 2.5" caliper shade trees. ~~The trees shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association. The trees will be planted by no later than June 30, 2018.~~

iii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year from planting.~~

iv. A white four board vinyl horse fence along the north, west and east property lines of the Burkman Parcel ~~by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association~~.

c) <u>Buffer 3: Parcel of real estate located at 1839 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.000 (the "Martin Parcel"):</u>

i. Buffer Yard A shall be required along the southern property line of the Martin Parcel, and shall include a black four board fence and a minimum six foot (6') tall mound planted with Indiana spruce trees, a minimum of seven feet (7') tall at planting, planted at a rate of twelve (12) trees per 100 lineal feet on the upper third of the mound ~~and the trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees will be planted by no later than June 30, 2018~~.

ii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting~~.

iii. A black four board horse fence shall be required on the Real Estate along the southern property line of the Martin Parcel ~~by no later than June 30, 2018~~. In addition, a black four board horse fence shall be required on the Real Estate along the east side of the street from 166th Street to Area 1 and west of the Martin Parcel. ~~The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association~~.

iv. ~~Developer shall meet with the owner of the Martin Parcel and identify any drainage tiles running across the adjacent property that Developer is purchasing from T. Murphy which impact the Martin Parcel and shall tie such tiles into a drainage system that has been approved by the City of Westfield or the applicable Department of the City of Westfield.~~

d) Buffer 4: Parcel of real estate located at 2001 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.101 (the "Hall Parcel"): Buffer Yard A shall be required along and south of the south property line of the Hall Parcel. The buffer shall include the following:

i. A minimum of six (6) trees per 100 lineal feet, which shall be either spruce trees, a minimum of seven feet (7') tall at planting, or deciduous trees a minimum 2.5" caliper at planting. The trees shall be located on the Real Estate within twenty feet (20') of the Hall Parcel property line. ~~The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.~~

ii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.~~

e) Buffer 5: Parcel of real estate located at 2045 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.001 (the "Frei Parcel"): Buffer Yard A shall be required o the Real Estate along the south property line of the Frei Parcel, and shall include the following:

i. Twelve (12) spruce trees, a minimum of seven feet (7') tall at planting, and planted within twenty feet (20') of the Frei Parcel property line. ~~The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.~~

ii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.~~

iii. A black four board horse type fence along the common property line of the Real Estate and the Frie Parcel. ~~The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.~~

f) Buffer 6: Parcel of real estate located at 2101 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.002 (the "Brown Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Brown Parcel and shall include a minimum of fifteen (15) spruce trees of a variety native to Indiana, planted within twenty feet (20') of the Brown Parcel. The trees shall be a minimum height of seven feet (7') tall at time of planting ~~and shall be planted no later than June 30, 2018. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association~~.

ii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.~~

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Brown Parcel, or, if determined by Developer at the time of the Overall Development Plan to be reasonably feasible, south of the existing tree line in order to minimize the disturbance to the existing trees along the shared property line. ~~In either event, the fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.~~

g) Buffer 7: Parcel of real estate located at 2131 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-006.003 (the "Gibson Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Gibson Parcel. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Gibson Parcel. ~~The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.~~

h) Buffer 8: Parcel of real estate located at 2199 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.101 (the "Watkins Parcel"):

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Watkins Parcel and shall include a minimum of thirty (30) trees planted within fifteen feet (15') of the Watkins Parcel property line. ~~Buffer Yard A along the common property line of the Real Estate~~

~~and the Watkins Parcel by no later than June 30, 2018.~~ Trees shall include a combination of Indiana native spruce & deciduous trees a minimum height of seven feet (7') at planting. ~~Developer shall consult with the owner of the Watkins Parcel as to the type, location and layout of such plantings. The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association.~~

ii. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year after planting.~~

iii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate ~~and the Watkins Parcel by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association~~.

i) <u>Buffer 9: Parcel of real estate located at 2223 W. 166th Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-003.111 (the "Severson Parcel”):</u>

i. Buffer Yard A shall be required on the Real Estate along the south property line of the Severson Parcel and shall include a black four board horse fence along that portion of the common property line of the Real Estate and the Severson Parcel which is not prohibited by the location of any pond in this area. ~~The fence shall be installed by no later than June 30, 2018. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.~~

ii. ~~If it is determined to be feasible by the Developer’s civil engineer based upon grading and storage capacity needs, Developer will use reasonable efforts to save the existing willow tree near the proposed pond.~~

j) <u>Buffer 10: Parcel of real estate located at 3421 W. 151st Street and identified as Hamilton County Tax Parcel No. 08-09-17-00-00-014.001 (the "Spencer Parcel”)</u>:

i. Buffer Yard A shall be required on the Real Estate along the east property line of the Spencer Parcel and shall include a minimum of thirty-six (36) Indiana native spruce trees. Trees shall be a minimum height of five feet (5’) at planting. ~~The trees shall be planted by November 30, 2020.~~

~~k) Buffer 11: Parcel of real estate located at 15410 Shelborne Road and identified as Hamilton County Tax Parcel No. 08-09-18-00-00-013.005 (the "Combs Parcel"):~~

~~i. The owner of the Combs Parcel shall have a period of 24 months from the later of: the recording of the plat for Area 4 West; or, the installation of pavement in Area 4 West providing access to the east side of Shelborne Road, to provide written notice to the Developer of Area 4 West that the owner of the Combs Parcel elects to have a minimum or six (6) and a maximum of eight (8) evergreen trees planted on the Combs Parcel to screen exiting car headlights. Once such written notice is given, the Developer shall meet with the owner of the Combs Parcel to determine the appropriate locations for the planting of the evergreen trees. Subject to the owner of the Combs Parcel providing the Developer with appropriate access rights and a right-of-entry, the Developer shall then and have up to six (6) months to install the evergreen trees (a minimum height of seven feet (7') at the time of planting) on the Combs Parcel.~~

~~ii. All trees planted by the Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting~~.

l) Buffer 12: Parcel of real estate located at 1881 W. 161st Street and identified as Hamilton County Tax Parcel No. 08-09-09-00-00-010.003 (the "VanNatta Parcel"):

i. A six-foot (6') tall black vinyl chain link fence on the Real Estate along the shared property line of the Real Estate and the VanNatta Parcel shall be required commencing at the south property line of the Real Estate along 156th Street and extending north for six-hundred feet (600').

ii. A black four board horse fence shall be required on the Real Estate commencing at the end of the northernmost point of the chain link fence, required above, to the southern edge of the surveyed flood plain of the creek running through the Wood Wind Golf Course. ~~Said fence shall be installed not later than six (6) months after the opening of the four new golf holes of the Wood Wind Golf Course on the north side of 161st Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association~~

iii. Ten (10) trees per 100' lineal feet shall be required on the Real Estate adjacent to the VanNatta Parcel. A minimum of forty percent (40%) of the trees shall be spruce trees and the remaining` trees shall be native Indiana deciduous trees. Spruce trees shall be a minimum height of seven feet (7') at time of planting. Deciduous trees shall be a minimum 2.5" caliper at time of planting. ~~The trees shall be maintained by the WWGC Owner or the Wood Wind Homeowners Association. The trees shall be planted by no later than June 30, 2018.~~

iv. ~~All trees planted by Developer shall be guaranteed for one (1) year and shall be replaced if dead within one (1) year of planting.~~

m) Buffer 13: Parcel of real estate located at 1953 W. 156th Street and identified as Hamilton County Tax Parcel No. 08-09-16-00-00-002.005 (the "Essex Parcel"):

i. ~~During the development of Area 3, Developer shall connect the field tile that runs northwest to southeast into the Essex Parcel and connect it into the drainage system which has been approved by the City of Westfield or the applicable Department of the City of Westfield. Developer shall contact the owner of the Essex Parcel in advance of the aforementioned work and arrange a meeting whereby both parties can walk the area in order to fully understand the location of the field tile. This will be done at no expense to owner of the Essex Parcel. The owner of the Essex Parcel will be notified when work on connecting field tile is to be undertaken so that the owner of the Essex Parcel can inspect the cap being placed on their field tile line~~.

ii. A black four board horse fence shall be required on the Real Estate along the shared property line of the Real Estate and the Essex Parcel between the top of bank on the lake and the future right-of-way line of 156th Street. ~~The fence shall be installed within six (6) months of the paving of the entrance from Area 3 to 156th Street. The fence shall be maintained by the WWGC Owner or the Wood Wind Home Owners Association.~~

iii. ~~In the event that the City of Westfield requires the installation of a passing blister opposite the entrance to Area 2 along the frontage of the Essex Parcel, Developer shall notify the owner of the Essex Parcel of such occurrence and shall provide the owner of the Essex Parcel with a status report of the design and timing of construction. In addition, Developer (or the City of~~

~~Westfield) shall pay all costs normally associated with any right-of-way acquisition, mailbox relocation, driveway repair and culvert reconstruction under the driveway, if applicable and necessary.~~

iv. ~~The owner of the Essex Parcel shall have a period of 24 months from the later of: the recording of the plat for Section I of Area 2; or, having pavement down in Section I of Area 2 providing access to 156th Street, to provide written notice to Developer, along with appropriate access rights and a right-of-entry, to install a 3' to 4' mound, with 6-8 spruce trees being a minimum of 7' to 8" tall at the time of planting, installed on the Essex Parcel to screen exiting car headlights. Such mound and trees shall be installed within six (6) months of written notice to Developer from the owner of the Essex Parcel and the owner of the Essex Parcel providing the Developer with appropriate access rights and right-of-entry to the Essex Parcel. Developer shall consult with the owner of the Essex Parcel regarding the variety of spruce trees that will be planted before work takes place.~~

~~n)~~ ~~Provisions applicable to all Parcels:~~

~~i. The owner of the each Parcel shall have the option to be a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association solely for purposes of having access to the Amenity 1 Area at no initiation or upfront cost, but shall be responsible for regular membership fees and assessments charged by the Wood Wind Golf Club or the Wood Wind Home Owners Association. The option to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association shall expire on October 31, 2020. If the owner of a Parcel elects to become a social member of the Wood Wind Golf Club or the Wood Wind Home Owners Association, the owner of the Parcel and the Wood Wind Home Owners Association shall record an instrument that runs with the Parcel and binds future owners of the Parcel to being a social member.~~

~~ii. Developer shall develop the Real Estate in accordance with the drainage plans approved by the City of Westfield or the applicable Department of the City of Westfield so as not to unlawfully increase the existing quantity or rate of stormwater runoff from the Real Estate on to any Parcel.~~

~~iii. If the development of the Real Estate by the Developer causes a water well located on any Parcel to fail to either~~

~~(a) furnish the water well's normal supply of water, or (b) furnish potable water, in either case, as determined by the Director of the Indiana Department of Natural Resources in accordance with Indiana Code 14-25-4 et seq., then the Developer shall provide an adequate supply of potable water to the owner of the such Parcel until such time as the Developer, at Developer's option and at Developer's cost and expense, either (x) connects the residence on such Parcel to a public water system, or (y) restores the existing water well to its former relative capability or provides a replacement well on the such Parcel with the same relative capability.~~

~~iv. The Developer shall request the provider of natural gas to the District shall also provide natural gas to the each Parcel identified in this Section 8.4 (D)(3), to the extent feasible and reasonable; provided that the Developer shall not be obligated to incur any additional cost or expense in connection therewith.~~

~~v. The time periods for installing any improvement or landscaping shall be extended by the period of any delay caused by weather, governmental permitting and approvals, acts of God and other causes not within the reasonable control of the Developer.~~

~~vi. Developer and the owner of any Parcel identified in this Section 8.4 (D)(3), shall have the right to waive or modify any of the foregoing provisions in this Section 8.4 (D)(3), as they pertain to the Parcel of such owner by execution of a written agreement signed by the Developer and such owner. Upon execution of such a written agreement, this ordinance shall be deemed to be amended accordingly~~.

E. Article 6.8(O), Parking Area Landscaping: Shall apply to the District, except as modified below:

1) Wood Wind Golf Course and Development Amenities: Subsection (1) Interior Parking Area Landscaping shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenities areas on the date of adoption of this Ordinance.

F. Tree Preservation: Tree Preservation shall be applicable to those portions of Areas 1, 3, 4 East and 5 identified as Tree Preservation Areas on **Exhibit B-2-A: Single Family District Layout – Area 1**, **Exhibit B-2-C: Single Family District Layout – Area 3**, **Exhibit B-2-D: Single Family District Layout – Area 4**, and **Exhibit B-2-E: Single Family District Layout – Area 5**. Obligations regarding the Tree Preservation Area shall be incorporated into the recorded Conditions, Covenants, and Restrictions established by the Developer of each Area where a Tree Preservation Area is located. The provisions of Article 6.8(E)(5) of the UDO shall not be applicable to the Tree Preservation Areas. Tree Preservation Areas shall be regulated and well maintained in accordance with the following:

1) The following best management practices shall be implemented with respect to Tree Preservation Areas:

   a) Removal of invasive species (e.g. bush honeysuckle) where appropriate, including the use of professionals to apply herbicides or identify and remove such invasive species.

   b) Removal of an overabundance of combustible material (e.g. dead, fallen trees, and leaves).

   c) Removal of vines growing on and up a tree.

   d) Removal of dead, hazardous and at risk trees.

   e) All maintenance activity shall be completed in accordance with industry standards using the latest ANSI Z133.1 and A-300 approved practices and methods.

2) The following activities shall be permitted within Tree Preservation Areas:

   a) Planting of native trees.

   b) Removal of hazardous, exotic and invasive species.

   c) Removal of trees directed to be removed by municipal, county, state or federal agencies or departments or by a public utility.

   d) Installation of minor improvements such as identification signs; provided such are designed and installed in a manner that does not remove or damage any trees to the greatest extent possible.

   e) Establishment of access easements, paved trails, utility and drainage improvements; provided, however, that any such easements shall be as narrow or small as reasonably possible with no blanket easements.

3) The following activities shall be prohibited within Tree Preservation Areas:

   a) Removal of living vegetation except as otherwise permitted in this Section 8.4 (F).

b) Mowing any portion of existing, naturally vegetated areas.

c) Dumping of leaves or other debris from areas other than the Tree Preservation Area.

d) Seeding, including grass seed, prairie mix seed, sod or the planting of any type of vegetable garden unless otherwise approved by the Director.

e) The construction of pools, sheds, garages, fences, playground equipment, tree houses, fire pits, and other permanent or semi-permanent structures.

f) Active recreational activities that would adversely impact the Tree Preservation Area such as the placement of playground equipment, paving for basketball or tennis courts and swimming pools.

4) The following shall be required for all Tree Preservation Areas:

a) Signs identifying the Tree Preservation Area shall be posted every one-thousand (1,000) feet around the perimeter of all Tree Preservation Areas. Such signs shall state "Natural Preservation Area – No mowing or spraying".

b) Barriers shall be installed prior to site development and earth moving activities, which shall be specified on all landscape, construction, demolition and grading plans. Such barriers shall remain in place during the site's construction activity.

8.5 Article 6.14, G, Off-street Parking: Shall apply to the District, except as modified below:

A) Wood Wind Golf Course and Development Amenities: The requirements of Subsection 7 (b), regarding curbs and gutters for Parking Areas shall not apply to any parking areas existing on the Wood Wind Golf Course and Development Amenity areas on the date of adoption of this Ordinance.

8.6 Article 6.17 Signs Standards: Shall apply. In addition, the following shall also apply:

A. Wood Wind Golf Course and Development Amenity Signs: Article 6.17 Sign Standards shall apply to the Wood Wind Golf Course and Development Amenities. In addition, the following signs shall be permitted and shall not count against otherwise permitted Signs for the Wood Wind Golf Course and Development Amenities. These signs shall not require a sign permit and shall not be visible from the public right-of-way or adjoining residential properties:

1) Leaderboard Signs: Signs with scoring or leader board information with manual or digital changeable copy area. Outdoor televisions screens shall not be visible from public rights-of-way or adjoining residential properties, and shall not

be considered signs.

2) Message Signs: Message or announcement boards mounted to Wood Wind Golf Course or Development Amenity buildings.

3) Wood Wind Golf Course Hole Signs: All temporary or permanent signs related to tours or layout of the Wood Wind Golf Course or Development Amenities (e.g., hole numbers, description of area or directional signs for tours).

4) Directional / Circulation Signs: Signs two (2) square feet or less in Sign Area and located along internal drives and parking areas within the Wood Wind Golf Course and Development Amenity areas.

B. Single-Family Areas: Article 6.17 Sign Standards shall apply to Areas 1, 2, 3, 4 East, 4 West and 5, except as modified below:

1) Monument Signs: Article 6.17(G)(1) shall not apply; rather, the following shall apply:

a) Column Signs for Individual Entrances: Individual entrances to the various Areas within the District shall be permitted to be identified by "column" signs substantially similar to **Exhibit F: District Monument Sign & Column Entrance Sign Concepts**. The name of the individual Area may also be included on the column as depicted. Columns may be located either on each side of an entrance drive or in a median entrance feature subject to the approval of the Director and the Department of Public Works, if located within the right-of-way. Columns shall not exceed nine (9) feet in height. The total sign surface area of any sign or signs placed on an individual Column shall not exceed thirty-two (32) square feet in area.

b) District Monument Signs: A monument sign shall be permitted at the corner of 161st Street and Towne Road to identify "Wood Wind of Westfield". The sign area shall not exceed sixty (60) square feet in area, six (6) feet in height or twenty-five (25) feet in width.

c) Temporary Signage: The design objectives of Article 6.17 (K)(2)Construction Signs shall apply: however, for the purposes of this section, each Area within the District shall be considered as a separate construction project.

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with Chapter 7 Subdivision Regulations of the Unified Development Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works.

Section 10. **Design Standards.** The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

10.1 Article 8.1 Block Standards: Shall not apply.

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

A. Minimum Open Space: Article 8.6(G) shall not apply; rather the Minimum Open Space shall be provided in the locations and minimum quantities as depicted on **Exhibit B-4: Single Family Open Space.**

B. Development Amenity Center and Playgrounds: A Development Amenity Center and playgrounds shall be located in Areas 1, 3, 4 East and 5 as generally located in **Exhibits B-2-A through B-2-E: Single Family District Layout** and shall include improvements substantially as depicted in **Exhibit B-5: Amenity Area Concepts**.

C. Timing of Installation: Article 8.6(F)(3) Timing of Installation shall not apply to Areas 1 and 2; rather, the following shall apply:

1) Wood Wind Golf Course: The Wood Wind Golf Course shall be partially redesigned, modernized and upgraded. Other than temporary closures required to implement such redesign, modernizing and upgrades, or to accommodate the construction of other Development Amenities, the Wood Wind Golf Course shall remain open and available to the public during renovations.

2) Development Amenity Center: The Development Amenity Center shall be constructed in two (2) phases as follows:

a) Phase One: Phase One shall include three (3) swimming pools (lap pool, resort pool, and a kiddie pool) and associated bath house (restrooms and showers). Construction of this phase shall commence at or prior to the issuance of the 75th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2018, whichever occurs later. Phase One improvements shall be completed within one (1) year of commencement.

b) Phase Two: Phase Two shall include a sport court/multi-purpose room and fitness center and tennis courts and a playground. Construction of this phase shall commence at or prior to issuance of the 160th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2019, whichever occurs later. Phase Two improvements shall be completed within one (1) year of commencement.

D. Barn Preservation: Developer intends to preserve the existing barn located in Area 4 West as identified in **Exhibit B-2-D: Single Family District Layout – Area 4** and incorporate the barn into the project's Development Amenities, provided the barn is determined by licensed structural professionals to be in sound condition and does not present a danger to the public health and safety. If the barn is determined to be in sound condition and does not present a danger to the public health and safety, then the barn shall be preserved and incorporated as a part of a Development Amenity. Alternatively, if the barn is determined not to be in sound condition or presents a danger to the public health or safety, then a written report by a licensed structural professional making such determination shall be required and submitted to the City prior to the demolition of the barn.

E. Ownership of Amenity Areas. All Amenity Areas identified on **Exhibits B-2-A through B-2-E: Single Family District Layout** shall be located within a Common Area.

~~The Wood Wind Home Owners Association will own the Amenity Area identified as Amenity 1 on **Exhibit B-5: Amenity Area Concepts** ("Amenity 1 Area"), and the balance of the Wood Wind Golf Course will be owned by the master developer or a private golf course operator ("WWGC Owner"). The Wood Wind Home Owners Association will engage the WWGC Owner to manage and operate the Amenity 1 Area through a lease or management agreement. Each owner of a Lot in Areas 1, 2, 3, 4 East and 5 will be required to be a social member of the Wood Wind Golf Course and pay a fee or assessment for their social membership. Each social member will have the right to use the Development Amenities in the Amenity 1 Area. In the event the WWGC ceases to operate the Wood Wind Golf Course as a golf course available to the public for regular play, then (a) the lease or management agreement between WWGC Owner and the Wood Wind Home Owners Association will terminate, (b) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to have the right to use the Development Amenities in the Amenity 1 Area, (c) all owners of a Lot in Areas 1, 2, 3, 4 East and 5 will continue to pay a fee or assessment to use the Development Amenities in the Amenity 1 Area, and (d) the Wood Wind Home Owners Association will thereafter maintain and operate the Development Amenities in the Amenity 1 Area. The WWGC Owner will remain responsible for maintaining the Wood Wind Golf Course as Open Space in accordance with this Ordinance even if it ceases to operate a golf course thereon. Westfield Municipal Ordinances require a property owner to maintain its property in a safe manner and in accordance with this Ordinance (Chapter 14 – Westfield Code of Ordinances). The owners of Lots in Areas 1, 2, 3, 4 East and 5 will not have any right to discontinue the operation of the Wood Wind Golf Course as a golf course available to the public for regular play.~~

10.3 Article 8.7 Pedestrian Network Standards: Shall apply, however, provided however:

A. Article 8.7(C)(2) Internal Pedestrian Network Standards shall be modified to require that sidewalks and trails be installed as depicted on **Exhibit E-2: Buffer Yard Locations & Connectivity**.

B. Sidewalks: Along any internal street with a sidewalk on only one side, the minimum sidewalk width shall be six (6) feet.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2017.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Ewards	James J. Ewards	James J. Ewards
_____	_____	_____
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 16-27** was delivered to the Mayor of Westfield

on the _____ day of _____, 2017, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-27**
this _____ day of _____, 2017.

_____
J. Andrew Cook, Mayor

This document prepared by:

Joseph M. Scimia, Partner, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200; and,

Eugene Valanzano, Senior Land Use Consultant, Faegre Baker Daniels, 600 E. 96th Street, Suite 600, Indianapolis, IN 46240

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: Joseph M. Scimia

SCHEDULE OF EXHIBITS

Exhibit A: Real Estate

Exhibit A-1: Area Map
Exhibit A-2: Parcel Ownership List
Exhibit A-3: Legal Description

All additional Exhibits referred to in this Wood Wind PUD District Ordinance may be found in the **Wood Wind PUD District Exhibit Book** filed with this Ordinance and on file with the City of Westfield Economic and Community Development Department.

Exhibit A: Real Estate

Exhibit A-1: Area Map (Amended 04-04-2017)

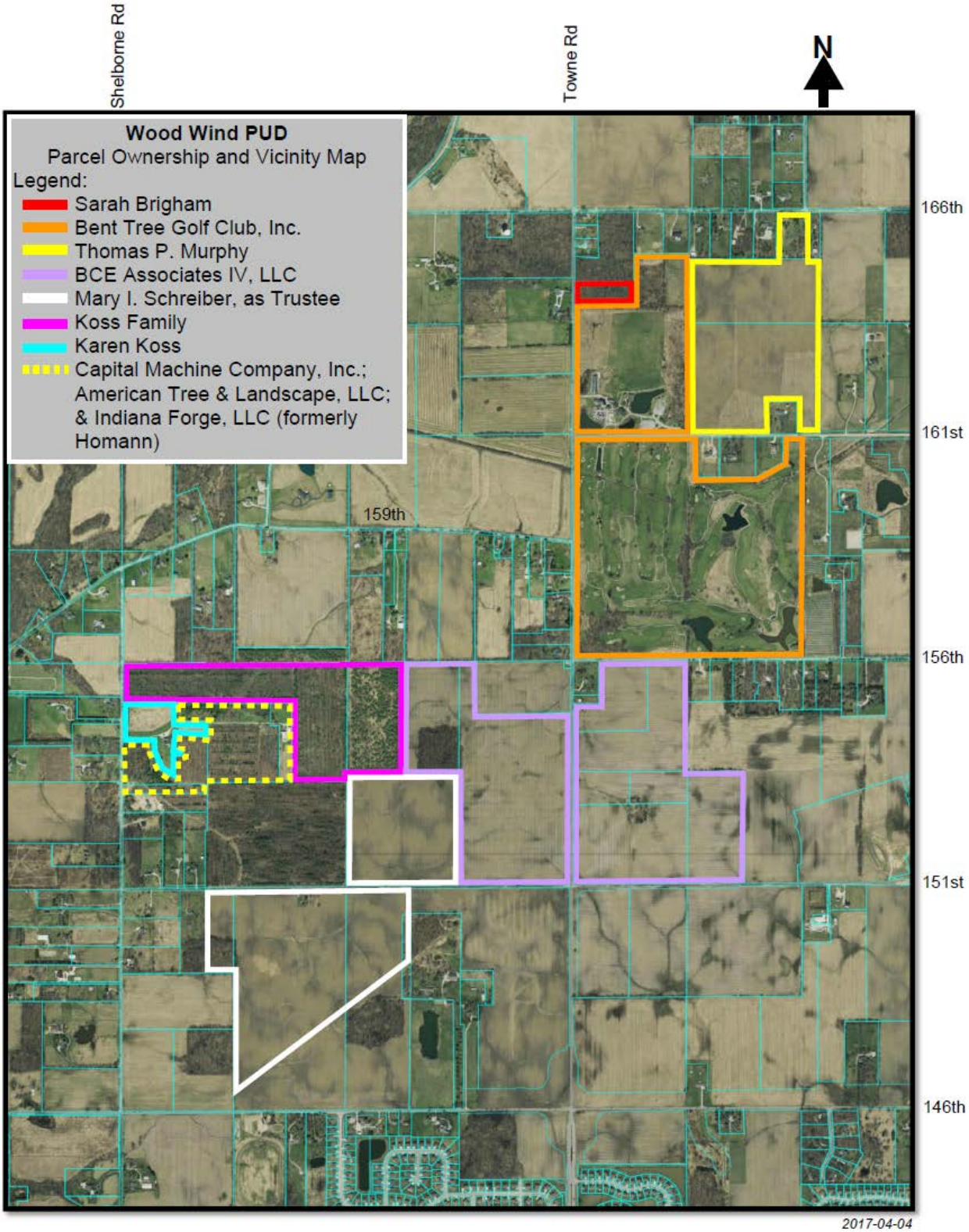


Exhibit A-2: Parcel Ownership List (Amended 04-04-2017)

Ownership Name & Mailing Address	Hamilton County Tax Parcel Number
Bent Tree Golf Club, Inc. 234 S. Franklin Road Indianapolis, IN 46219	08-09-09-00-00-003.001
Sarah Jane Brigham, also known as Jane Brigham 2041 W. 161st Street Westfield, IN 46074	08-09-09-00-00-003.002
Thomas P. Murphy 12618 Winding Creek Lane Fishers, IN 46038	08-09-09-00-00-004.000 08-09-09-00-00-005.000 08-09-09-00-00-006.004
BCE Associates IV, LLC P.O. Box 280 Zionsville, IN 46077	08-09-16-00-00-001.002 08-09-16-00-00-001.003 08-09-16-00-00-020.000 08-09-16-00-00-021.000 08-09-16-00-00-021.001 08-09-16-00-00-022.000 08-09-17-00-00-006.000 08-09-17-00-00-007.000
Mary I. Schreiber, as Trustee of the Timothy J. Murphy Trust 7604 Cider Mill Court Fishers, IN 46038-2695	08-09-17-00-00-004.000 08-09-17-00-00-008.000 08-09-17-00-00-008.001 08-09-17-00-00-009.000 08-09-17-00-00-013.000
William & Karen Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-005.000
William, Karen, Mary, Ruth, and Sarah Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-003.001
Capital Machine Company Inc., American Tree & Landscape LLC & Indiana Forge LLC (formerly Homann parcels) 2801 Roosevelt Avenue Indianapolis, IN 46218	08-09-17-00-00-001.001 08-09-17-00-00-001.101 08-09-17-00-00-002.501 08-09-17-00-00-003.002
Karen J. Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-001.000

Exhibit A-3: Legal Description (Amended 04-04-2017)

Bent Tree Parcel (from Instrument #2011005626):

Part of the west half of the Northwest Quarter and the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, and being more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of Section 9; thence North 00 degrees 00 minutes 00 seconds East (an assumed bearing) along the West line of said Southwest Quarter a distance of 2632.22 feet to the northwest corner of said Southwest Quarter, also being the southwest corner of the west half of the Northwest Quarter of said Section 9; thence North 00 degrees 05 minutes 27 seconds West along the west line of said west half a distance of 1549.77 feet; thence North 89 degrees 41 minutes 48 seconds East 700.59 feet; thence North 00 degrees 10 minutes 40 seconds East 1084.10 feet to the north line of said west half; North 89 degrees 34 minutes 29 seconds East along the north line of said west half a distance of 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 2631.54 feet to the southeast corner of said west half, also being on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 32 minutes 31 seconds East along said north line 101.06 feet; thence South 00 degrees 27 minutes 29 seconds East 495.00 feet; thence North 89 degrees 32 minutes 31 seconds East 685.00 feet; thence North 00 degrees 27 minutes 29 seconds West 495 feet to the north line of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East along said north line 572.87 feet to the northeast corner of said Southwest Quarter; thence South 00 degrees 02 minutes 26 seconds East along the east line of said Southwest Quarter 2627.24 feet to the southeast corner of said Southwest Quarter; thence South 89 degrees 26 minutes 14 seconds West along the south line of said Southwest Quarter a distance of 2719.77 feet to the Point of Beginning.

EXCEPT:

A part of the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and being described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East (an assumed bearing) along the north line of said Southwest Quarter a distance of 2145.00 feet to the Point of Beginning; thence continue North 89 degrees 32 minutes 31 seconds East along said north line 320.47 feet; thence South 00 degrees 02 minutes 24 seconds East parallel with the east line of said Southwest Quarter a distance of 324.21 feet; thence South 61 degrees 18 minutes 36 seconds West 361.06 feet to the southeasterly corner of a tract of land conveyed to Sarah Jane Brigham, recorded as Instrument No. 9609647425 in the Office of the Recorder of Hamilton County; thence North 00 degrees 27 minutes 29 seconds West along the easterly line of said Brigham tract 495.00 feet to the Point of Beginning.

ALSO EXCEPT:

Part of the west half of the Northwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and described as follows:

Commencing at the northwest corner of said west half; thence North 89 degrees 34 minutes 29 seconds East (an assumed bearing) along the north line of said West half a distance of 705.68 feet to the Point of Beginning; thence continue North 89 degrees 34 minutes 29 seconds East along said north line 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 500.00 feet; thence South 89 degrees 34 minutes 29 seconds West parallel with the north line of said west half a distance of 654.33 feet to the easterly line of a Classified Forest as described in Miscellaneous Record Book 157, page 42 as recorded in the Office of the Hamilton County Recorder, thence North 00 degrees 10 minutes 40 seconds East along the east line of said Forest, a distance of 500 feet to the Point of Beginning.

Brigham Parcel (Parcel 2 of Instrument #9609647425):

A part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, being more specifically described as follows:

BEGINNING at a point on the North line of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, said POINT OF BEGINNING being the Northeast corner of a 3.52 acre tract described in Deed Record 132, Page 140 and 278.00 feet East of the Northwest corner of said Northwest Quarter; thence Easterly 442 feet more or less on and along the North line of said Northwest Quarter; thence Southerly 1075 feet more or less; thence Westerly 710 feet more or less to the West line of said Northwest Quarter; thence Northerly 541 feet more or less, on and along the West line of said Northwest Quarter to the Southwest corner of said 3.52 acre tract, said Southwest corner being South 528.8 feet of the Northwest corner of said Northwest Quarter; thence Easterly 294.6 feet on and along the South line of said 3.52 acre tract to its Southeast corner thereof, said Southeast corner being 294.0 feet East of the West line of said Northwest Quarter; thence Northerly 544.6 feet on and along the East line of said 3.52, acre tract to the POINT OF BEGINNING. Containing 14 acres more or less, being subject to all applicable easements and rights-of-way of record.

BCE Parcels (description from survey):

A part of the Northwest Quarter of Section 16 and a part of the Northeast Quarter of Section 17, all in Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southwest corner of the

East Half of said Northeast Quarter; thence North 00 degrees 19 minutes 45 seconds East along the West line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southeast corner of the Northwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the South line thereof a distance of 660.10 feet to the Southwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 00 degrees 22 minutes 24 seconds East along the West line thereof a distance of 1312.48 feet to the Northwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 04 minutes 09 seconds East along the North line thereof a distance of 851.39 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Northwest corner of a tract of land described in Instrument Number 2012070185 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 14 minutes 27 seconds West along the West line thereof a distance of 623.92 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southwest corner of said tract; thence North 89 degrees 04 minutes 09 seconds East along the South line thereof a distance of 1126.00 feet to a "Mag" nail marking the Southeast corner of said tract, said point also being on the East line of said Northeast Quarter; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof a distance of 108.92 feet to the "Mag" nail marking the Southwest corner of a tract of land described in Instrument Number 2015038724 in said Recorder's Office; thence North 89 degrees 43 minutes 41 seconds East along the South line thereof a distance of 315.00 feet to the Southeast corner of said tract; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof and along the East line of a tract of land described in Instrument Number 200200059827 in said Recorder's Office a distance of 515.00 feet to a Railroad spike marking the Northeast corner of said tract, said point also being on the North line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along the North line thereof a distance of 1044.79 feet to the Northeast corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 17 minutes 57 seconds West along the East line thereof a distance of 1316.87 feet to a 5/8 inch rebar marking the Northwest corner of the Southeast Quarter of said Northwest Quarter; thence North 89 degrees 38 minutes 28 seconds East along the North line thereof a distance of 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 19 minutes 43 seconds West along the East line thereof a distance of 1315.85 feet to a Railroad spike marking the Southeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 33 minutes 16 seconds West along the South line of said Northwest Quarter a distance of 2035.71 feet to the POINT OF BEGINNING. Containing 182.550 acres, more or less.

Koss Family (from Quit Claim Deeds #9251631 and #9300783):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East, Hamilton County, Indiana, and being more particularly described as follows: Beginning at the Northwest corner of said quarter section; thence North 89 degrees 28 minutes 08 seconds East along the North line of said quarter section, 2655.27 feet to the Northeast corner thereof; thence South 0 degrees 13 minutes 42 seconds West along the East line of said quarter section 1383.32 feet; thence South 88 degrees 51 minutes 21 seconds West 643.22 feet; thence North 0 degrees 12 minutes 06 seconds West 919.39 feet; thence South 89

degrees 38 minutes 09 seconds West 1360.14 feet; thence North 89 degrees 28 minutes 09 seconds West 643.23 feet to the West line of said quarter section; thence North 0 degrees 00 minutes 00 seconds East along said west line, 454.85 feet to the point of beginning and containing 42.069 acres, more or less. Subject to right of way for Shelbourne Road off the entire West side thereof and all other legal easements and rights of way of record.

Koss Parents (Parcel II of Instrument #9709702004):

The West Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Three (3) East in Hamilton County, Indiana, containing Twenty (20) acres, more or less.

Murphy Parcels (from Instrument #9909901082):

26.5 ACRES OFF AND ALONG THE ENTIRE SOUTH SIDE OF THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE: BEGIN AT A STONE 181 FEET EAST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST AND RUN WEST 1539.4 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID QUARTER SECTION, THENCE SOUTH TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE EAST 1538.46 FEET TO A STONE, THENCE NORTH 1317.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.5 ACRES, MORE OR LESS, IN HAMILTON COUNTY, INDIANA.

ALSO:

PART OF THE SOUTH HALF OF THE NORTH HALF OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, AS FOLLOWS: BEGIN AT A STONE AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9, AND RUN NORTH ON THE WEST LINE OF SAID EAST HALF OF NORTHWEST QUARTER TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, EAST 1538.46 FEET TO A STONE, THENCE SOUTH 1317.5 FEET TO A STONE ON SOUTH LINE OF SAID EAST HALF, THENCE WEST 1537.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.80 ACRES, MORE OR LESS, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA.

EXCEPT:

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 84.51 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE CONTINUE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID

SOUTH LINE, 332.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 393.00 FEET; THENCE NORTH 90 DEGREES 00 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 332.52 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 393.00 FEET TO THE POINT OF BEGINNING.

Schreiber Parcel (description from Schreiber survey revised on 3/3/17):

A part of the Northeast, Southwest and Southeast Quarters of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southeast corner of the Southwest Quarter of said Northeast Quarter, said point also being the POINT OF BEGINNING of this description; thence North 00 degrees 19 minutes 45 seconds East along the East line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" (hereafter referred to as capped rebar) marking the Northeast corner of the Southwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the North line thereof a distance of 1320.21 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter; thence South 00 degrees 25 minutes 05 seconds West along the West line thereof a distance of 1310.34 feet to a stone marking the Northeast corner of the Southwest Quarter of said Section 17; thence South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 1323.12 feet to the Northwest corner of the East Half of said Southwest Quarter; thence continuing South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 330.88 feet to the Northwest corner of a tract of land described in Instrument Number 199909955060 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 984.63 feet to a capped rebar on the North line of a tract of land described in Instrument Number 200400083420 in said Recorder's Office; thence North 89 degrees 35 minutes 51 seconds East along the North line thereof a distance of 334.70 feet to a capped rebar marking the Northeast corner of said tract; thence South 00 degrees 11 minutes 51 seconds West along the East line thereof and along the East line of a tract of land described in Instrument Number 200500074587 in said Recorder's Office a distance of 1360.05 feet to the intersection of the East line of said tract and the West line of the East Half of said Southwest Quarter; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 162.22 feet to a capped rebar on the Northerly line of a 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231 in said Recorder's Office, said point measuring 16.5 feet North and perpendicular to the centerline of an existing gas line; (the next 4 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northerly line of said Easement) thence North 50 degrees 59 minutes 49 seconds East a distance of 1252.01 feet; thence North 53 degrees 27 minutes 51 seconds East a distance of 397.70 feet; thence North 50 degrees 59 minutes 48 seconds East a distance of 865.93 feet; thence North 53 degrees 56 minutes 17 seconds East a distance of 158.93 feet to a capped rebar on the

West line of a tract of land described in Instrument Number 9709730812 in said Recorder's Office; thence North 00 degrees 03 minutes 15 seconds West along the West line and a Northerly extension thereof a distance of 862.20 feet to a "Mag' nail on the North line of said Southeast Quarter; thence North 89 degrees 26 minutes 39 seconds East along the North line thereof a distance of 553.71 to the POINT OF BEGINNING. Containing 127.853 acres, more or less.

Capital Machine Company, Inc., American Tree & Landscape, LLC, and Indiana Forge, LLC (from Instrument #2017002278) (formerly Homann parcels):

PARCEL 1:

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 926.78 feet to a mag nail set at the POINT OF BEGINNING; thence South 88 degrees 30 minutes 33 seconds East 355.80 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 00 degrees 37 minutes 49 seconds East 107.23 feet to a rebar; thence South 20 degrees 36 minutes 32 seconds East 216.78 feet to a rebar; thence South 53 degrees 09 minutes 01 second East 124.95 feet to a rebar; thence South 84 degrees 58 minutes 32 seconds East 95.85 feet to a rebar; thence North 01 degree 29 minutes 53 seconds East 236.92 feet to an existing corner post; thence North 83 degrees 27 minutes 59 seconds East 85.98 feet to a rebar; thence North 09 degrees 55 minutes 50 seconds East 65.30 feet to a rebar; thence North 87 degrees 09 minutes 41 seconds West 89.40 feet to a rebar; thence North 03 degrees 54 minutes 49 seconds East 174.29 feet to a rebar; thence South 83 degrees 43 minutes 11 seconds East 354.47 feet to a rebar; thence North 01 degree 18 minutes 05 seconds East 197.68 feet to a rebar; thence South 89 degrees 22 minutes 02 seconds West 368.24 feet to a rebar; thence North 01 degree 13 minutes 48 seconds East 218.81 feet to a rebar; thence South 89 degrees 50 minutes 31 seconds East 1360.14 feet to a rebar; thence South 00 degrees 19 minutes 30 seconds West 919.69 feet to a rebar; thence South 89 degrees 48 minutes 03 seconds West 998.63 feet to a rebar; thence South 00 degrees 31 minutes 20 seconds West 30.00 feet; thence South 89 degrees 50 minutes 47 seconds West 1008.00 feet to a mag nail on the West line of said Quarter Section, which lies North 00 degrees 31 minutes 20 seconds East 1201.20 feet from the Southwest corner of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along the West line of said Quarter Section, 499.53 feet to the point of beginning and containing 32.694 acres, more or less.

(NOTE: the foregoing Parcel 1 consists of 3 separate presently existing tax parcels and Grantor does not wish to combine these parcels with this deed)

PARCEL 2:

Part of the northwest quarter of Section 17, Township 18 North, Range 3 east of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the southwest corner of said quarter section; thence north 00 degrees 31 minutes 20 seconds east 1121.20 feet to a mag nail set with washer, stamped "firm 0066" at the point of beginning; thence continuing along said west line, north 00 degrees 31 minutes 20 seconds east 80.00 feet; thence north 89 degrees 50 minutes 47 seconds east, parallel with the south line of said quarter section, 1008.00 feet; thence south 00 degrees 31 minutes 20 seconds west, parallel with the west line of said quarter section, 110.00 feet to a 5/8 inch rebar. With red cap stamped "firm 0066"; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 991.50 feet to a 5/8 inch rebar with red cap stamped firm 0066; thence north 00 degrees 31 minutes 20 seconds east, parallel with the west line of said quarter section, 30.00 feet; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 16.50 feet to the point of beginning.

Karen Koss Parcel (from Instrument #2016054888):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 454.85 feet to mag nail at the POINT OF BEGINNING; thence South 88 degrees 56 minutes 49 seconds East 643.23 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 01 degree 13 minutes 48 seconds West 218.81 feet to a rebar; thence North 89 degrees 22 minutes 02 seconds East 368.24 feet to a rebar; thence South 01 degree 18 minutes 05 seconds West 197.68 feet to a rebar; thence North 83 degrees 43 minutes 11 seconds West 354.47 feet to a rebar; thence South 03 degrees 54 minutes 49 seconds West 174.29 feet to a rebar; thence South 87 degrees 09 minutes 41 seconds East 89.40 feet to a rebar; thence South 09 degrees 55 minutes 50 seconds West 65.30 feet to a rebar; thence South 83 degrees 27 minutes 59 seconds West 85.98 feet to an existing corner post; thence South 01 degree 29 minutes 53 seconds West 236.92 feet to a rebar; thence North 84 degrees 58 minutes 32 seconds West 95.85 feet to a rebar; thence North 53 degrees 09 minutes 01 second West 124.95 feet to a rebar; thence North 20 degrees 36 minutes 32 seconds West 216.78 feet to a rebar; thence North 00 degrees 37 minutes 49 seconds West 107.23 feet to a rebar; thence North 88 degrees 30 minutes 33 seconds West 355.80 feet to a mag nail on the West line of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along said West line, 471.93 feet to the point of beginning and containing 10.683 acres, more or less.

(End of Legal Description)

WRITTEN PUBLIC COMMENTS

Docket Number: 1609-PUD-16

Petitioner: Pulte Homes of Indiana, LLC by Ice Miller, LLP

Request: A change of zoning of 706.6 acres± from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course and single-family residential uses.

(Link to September 6, 2016, Public Comments)

(Link to November 21, 2016, Public Comments)

(Link to January 17, 2017, Public Comments)

(Link to March 20, 2017, Public Comments)

Public Comments:

NOTE – Items denoted with an asterisk (*) were submitted on the date of the last appearance before the APC (March 20, 2017), but were received after the final update to the public comment exhibit was made at the end of the day.

1.	Murphy, Tom		(03/20/17)*
2.	Baker, Karna & Mike	1816 W 161st St.	(03/20/17)*
3.	Burkman, Kristen	1924 W 161st St.	(03/20/17)*
4.	Holleman, Leslie		(03/20/17)*
5.	Crandall, Judy		(03/20/17)*
6.	Fish, Ashley		(03/21/17)
7.	Van Natta, Bruce	1812 W 156th St.	(03/23/17)
8.	Home, Rachel		(03/24/17)
9.	Polizzi, Steve	NEC Towne Road/146th Street	(04/14/17)
10.	Connor, Mark		(04/14/17)
11.	Humphrey, Kurt	15729 Byrding Drive	(04/14/17)
12.	Brown, Rex	2167 Finchley Road	(04/15/17)
13.	Sochar, David		(04/15/17)
14.	Hittle, Jeremy	Hittle Landscaping	(04/16/17)
15.	Davis, Nancy		(04/16/17)
16.	Davis, Charles		(04/16/17)
17.	Koss, Karen		(04/16/17)
18.	Koss, Bill		(04/16/17)
19.	Van Natta, Bruce	1812 W 156th St.	(04/16/17)

20.	O'Neal, Doc	Cohoat and O'Neal Management Corp.	(04/17/17)
21.	Cook, Dave & Cherie		(04/17/17)
22.	Dubois, Susan		(04/17/17)
23.	Moyer, Greg		(04/17/17)
24.	Daly, John		(04/17/17)
25.	Stafford, Cynthia & Steve	15736 Towne Road	(04/17/17)
26.	Levinsohn, John		(04/17/17)
27.	Moyer, Becky	15001 Shelborne Road	(04/17/17)
28.	White, Gloria		(04/17/17)
29.	Strong, Lisabeth		(04/17/17)
30.	Schreiber, Mary		(04/17/17)
31.	Hall, Stacy	2001 W 166th St.	(04/17/17)
32.	Burkman, Kristen		(04/17/17)
33.	Hymbaugh, Karen	2929 W 159th St.	(04/17/17)
34.	Card, Andy	Jonathon Byrd Fieldhouse	(04/17/17)
35.	Martin, Mindy		(04/17/17)
36.	DiMascio, Michael	17028 Towne Rd.	(04/17/17)
37.	Pielemeier, Tom & Tracy		(04/17/17)
38.	Foster, Aimee		(04/17/17)
39.	Laufter, Ross & Tina	2702 W. 146th St.	(04/17/17)
40.	Watkins, Sarah & Gary	2191 W. 166th St.	(04/17/17)
41.	Cohoat, Matt	Cohoat and O'Neal Management Corp.	(04/17/17)
42.	O'Connor, J. Andrew	15201 Shelborne Rd.	(04/17/17)

From:	Tom Murphy
To:	APC
Subject:	Pulte/ Woodwind
Date:	Monday, March 20, 2017 3:37:11 PM

Gentlemen, A sincere thank you for all the time and thought you all have invested in this proposed development.
Please vote yes and approve Pulte' s request.
Sincerely,
Tom Murphy

Sent from my iPad

From:	bakesmk@aol.com
To:	Kevin M. Todd, AICP
Cc:	APC
Subject:	Pulte PUD Wood Wind
Date:	Monday, March 20, 2017 3:47:31 PM

Dear Advisory Members and Councilors:
March 18th 2017

This note toy you all is to give our support to this Pulte PUD at the Wood Wind Golf course and 161st Street Area.

This PUD borders the total western length and north property line of our parcel @1816 West 161st Street Area. We moved here 20 years ago to be in the "country" (sort of). We knew eventually land would sell, likely to development. Conservatively and Vocally, we were very much against their initial proposed neighborhood development.

I hope to convey to you all, that we feel very strongly that Pulte has considered, and talked with us about our concerns. Pulte has most definitely had done a considerable amount of adjusting, (at their expense) to make this PUD a better neighborhood...and better neighbor.

We now have buffer zones, green space, less density, and substantial set backs (300' vs standard 45"). After all of the efforts to help and please (as best as possible) those of us that border this PUD--We sincerely hope that you vote in favor of this development.
I also believe that Pulte should be a valuable example to future developments in the Westfield Area: RESPONSIBLE and RESPECTFUL, the "CONSERVANCY"... this makes better neighborhoods.

PLEASE, Respect this land we all share! We leave our IMPACT to those that follow...Give value and
Respect to our Children and Grand Children..all Future Generations...Protect the waters and land we all need!

Respectfully submitted,
Karna & Mike Baker
1816 West 161 ST Westfield IN

From:	Kristen Burkman
To:	APC; Council Members; Andy Cook; Matt Skelton
Subject:	Wood Wind PUD
Date:	Monday, March 20, 2017 4:48:49 PM

March 20, 2017

Dear APC Members:

First, let me thank all of you for reading the comments from the Westfield citizens regarding the Wood Wind PUD. Given the passionate viewpoints of many, you are all to be commended for your time and commitment to this project.

This evening, Pulte will again present to you all the changes that they've made to make this PUD better. It will be a sales presentation because that's what professional developers get paid to do. You can quickly summarize that their approach is a sales technique called "Door in the Face."

Definition of Door in the Face: This is a technique used to get compliance from others (to get them to behave in a way you want) in which a large request is made knowing it will probably be refused so that the person will agree to a much smaller request. The real objective is to get the person to agree to the small request, which is made to seem very reasonable because it is compared to such a large, seemingly unreasonable request.

Let's take a moment and get back to the facts regarding this PUD. While it is improved, it is not where the CITY needs it to be. I believe this project can arrive at a destination where it is responsible development for a number of reasons. However, it is not there yet.

Please take your vote and the future of the city very seriously. This PUD is so many acres in an incredibly desirable location. Don't let fatigue guide your moral obligation to the children and citizens of the Westfield community.

As a participant in the Discussion group and a neighbor to the development, these are the main areas of concern that still exist

Finances:

- 1,300 homes are under construction currently on the west side. 72% of the Wood Wind PUD has similar home designs and pricing to the 1,300 under construction.
- The schools need around $375,000 net AV per home at this point. The overall average sales price in this PUD is approximately $395,000. However, 80% of the 1,300 homes already under construction are under the $375,000. The Wood Wind PUD must deliver higher AV to make sense for the community. $395,000 isn't enough.
- Homes in the Village of West Clay (Carmel), Hamilton Proper (Fishers) and Hidden Pines (Zionsville) have been requested many times but are still not being offered in the Wood Wind PUD. These homes would be higher AV and a different design not currently offered in Westfield.

Architecture:

- 4-sided architecture has been requested throughout the process. Pulte is committing to 20% in each section/ 40% overall. Carmel requires 100%. Why doesn't Westfield deserve better. If this is approved at these standards, it will look very similar to Viking Meadows from the roadways.
- Almost 40% of this PUD can be the Enclave starter ranch series from Pulte. With 500 Enclave products likely being built at the newly approved Osborne Trails, this PUD doesn't need another 336. Like products are currently being constructed at 4 Pulte neighborhoods in Westfield right now. These products should be those designs offered at Lantern Park or the C Series in this PUD. The Comprehensive Plan states the need for differing designs in different neighborhoods. Don't miss the opportunity to do this.
- Throughout the process, we've asked for homes facing the roads. Still only about 50% face the roads. Facing the homes is in context.

Neighbor Buffering:

- This is much improved and appreciated! (Some neighbors still need to be contacted)

- However, this much improved buffering would never have happened without the “NO” votes at the last APC. Thank you to Chris Woodard, Tom Smith, Dave Schmitz, Ginny Kelleher and Bob Smith.

Density:

- Density is still too high for this area especially the southwest rural.

Roadways:

- The fencing plan is unclear stating 65% of the borders will have the fence. This needs to be depicted in an exhibit. Also, the initial vision was to have landscaping with trees all along the fences. It looks like they've mentioned shrubs not trees. Trees definitely are needed along the roads.
- Setbacks are much improved but some are at 30’ and need increasing.

On a personal note, my husband and I sincerely appreciate Pulte’s buffering plan around our property. For this type of project, it is a very nice buffer and we thank them. However, we never dreamed this type of density of homes would be behind us. If this parcel behind us followed the rules everyone else has followed in this area, they could build 7 homes. If they did a rural neighborhood, it would be 23 homes. If they got a density bonus for a Conservation Neighborhood, it would be around 50 homes. This plan has 142.

We chose to move to the rural area to raise our family. The Comprehensive plan said this was an area for that. Now a traditional density neighborhood is at our back door. This will forever change the way we live at this home. I’ve heard many people within Westfield’s city government say we want everyone to live here. Given the two years of my time invested in the preservation of this rural area of Westfield, if this is approved, I don’t see the evidence supporting the statement for those wanting a rural lifestyle.

Thank you all for the tremendous amount of time you’ve all invested in this PUD and for continuing to persevere so that Westfield gets the best possible developments.

Best Regards,

Kristen Burkman

From:	Holleman6
To:	APC
Subject:	Irresponsible growth needs stopped
Date:	Monday, March 20, 2017 6:57:42 PM

I am a Westfield taxpayer and parent of 4 children that attend Westfield Schools. My husband and I have lived here for 20 years.

I urge you to oppose the growth in Westfield. I am very concerned about the quality of our schools and keeping our community a special place.

If you would like to speak personally, please let me know.

Leslie Holleman

"Be the change you want to see in the world."~Gandhi

Sent from my iPhone

From:	Judy Crandall
To:	APC
Subject:	Wood Wind of Westfield
Date:	Monday, March 20, 2017 6:04:47 PM

To all APC members:

My name is Judy Crandall and along with my family own the 80 acres between 156st and 161st streets and Ditch road. As you will remember we have owned this property for 80 years and my brother stills farms this to date.

I am in support of the Wood Wind of Westfield PUD and Pulte has gone well beyond what the Comprehensive Plan has indicated by once again removing the commercial portion of the development and multi family parcels and reduced the number of homes by another 70 homes which is very substantial. This is going well beyond saving the golf course and the city of Westfield stands to benefit greatly from this because of the taxes and the contribution toward our school system just to name a few.

Please pass this on to the City Council with a positive recommendation. Thank you

From:	Ashley Fish
To:	APC
Cc:	Acook@westield.in.gov
Subject:	No more irresponsible growth!
Date:	Tuesday, March 21, 2017 3:36:27 PM

As a Westfield resident of 9 years, I would like to see the growth stopped! While I appreciate and understand that some growth is good and necessary, the continuing approval of IRRESPONSIBLE DEVELOPMENT is contributing to the financial problems at the schools.

Bottom line is if this is approved as it is, it will diminish the lifestyle of everyone in this area. Our lives and how we've chosen to live in Westfield will never be the same. I chose Westfield over Carmel and Fishers specifically because of the "small town" feel, homes with large developed yards, a good school system that wasn't burdened with being over crowded, and we are now becoming worse that even Fishers! I don't want to uproot our family and leave town, but am growing increasingly frustrated with the ridiculous growth that has been occurring. I have 3 children in the school system and have absolutely felt the negative effects of overcrowding already! Please prioritize the current Westfield residents and stop irresponsible growth!

From: Roadrunner
To: APC; Council Members; Andy Cook; Matt Skelton
Subject: Food for thought
Date: Thursday, March 23, 2017 10:58:49 AM

Hello All,

I'd like to share an excerpt from an IBJ article from this past September by Anthony Schoettle. Pulte has disingenuously cited their "market research" as to what types of homes will sell. Of course this market research is never made available and we are left to take them at their word. That is a fool's errand. The reality is that Pulte wants maximal profits and the smaller products give that to them. When they try to convince you that there isn't market interest in the more expensive homes, this article and the explosive success of Chatham Hills says otherwise:

Henke Development Group officials told IBJ in July the housing project is coming along faster than expected after breaking ground at the end of last year.

In 16 months, Steve Henke said the project had sold 145 homes—a significant increase in demand compared to his other massive housing project, The Bridgewater Club, which he began developing about 14 years ago. He said he only sold about 40 to 50 homes in the same time period at Bridgewater, which is similar in size but has fewer lots than Chatham Hills.

Henke told IBJ in July that he expects 100 homes to be under construction by the end of this year.

The project stretches north from 199th Street to State Road 38 and from U.S. 31 to west of Horton Road. When fully developed, which Henke estimated could still take 10 to 12 years, it could include 1,500 homes.

Also, unlike his Bridgewater development, Chatham Hills has a reservation list for people interested in purchasing a home. Every time construction is ready to start on a new section, Henke has a lottery to determine the order of lot selection.

Henke thinks a big part of the popularity of the golf course and surrounding housing development is the rolling terrain, accented by babbling brooks and mature trees. The golf course, Henke said, was designed around natural features with the aim of leaving as much of the land as undisturbed as possible.

Chatham Hills homes are priced between $475,000 and $2 million—an increase from Henke's original projection of $275,000 to $1 million when he introduced the project nearly three years ago. The neighborhood is intended to have a mix of younger families and empty nesters, Henke said, which should give the golf course a good demographic mix from which to pull members.

The fact that they have had four lotteries for these lots shows the tremendous pent up interest for these kind of homes.The AV for Westfield is the same whether it's one $900,000 home vs. three $300,000 homes. The impact on infrastructure and schools however is considerably less. The only one who wins with more smaller product is Pulte. It's time to tell Pulte to significantly increase the product price point or move on. Then we can let someone like Steve

Henke step in and do a quality development that maximally benefits Westfield.

Respectfully,

Bruce Van Natta

Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074

317-442-4181

From:	Rachel Home
To:	APC
Subject:	Vote no to Pulte"s new plan
Date:	Friday, March 24, 2017 3:30:22 PM

I strongly disagree with Pulte's PUD plan. Our school system is over crowded, the city can't keep up with the demand we have for the current citations who already pay taxes and vote here.

Please put a stop to this un-responsible building in our community.

Sincerely,

Rachel Krueckeberg
Westfield resident 14 years

Kevin M. Todd, AICP

From: Steve Polizzi <StevеP@ppolizzi.com>
Sent: Friday, April 14, 2017 10:59 AM
To: APC
Cc: jlevinsohn@levirealty.com
Subject: Woodwind Pulte Development

Dear Westfield plan commission members,

My name is Steve Polizzi and I own 110 acres at the northeast corner of 146th and Towne road otherwise known as the Towne West PUD. It is my understanding that Pulte will be presenting their latest revised plans to you this Monday for a vote.

I wanted to share that we have reviewed the latest plans and were impressed before these changes and are now even more impressed and am sure that each you are as well. As I have previously shared Pulte has a wonderful reputation and look forward to having them as a neighbor developer that will uphold the quality that we and the city of Westfield will be proud of.

As always, I want to thank each of you for serving this wonderful city!

Steve Polizzi

Polizzi & Associates
9640 Commerce Drive Suite 410
Carmel IN 46032
(317) 872-5555 stevep@ppolizzi.com

Kevin M. Todd, AICP

From: Mark Connor <bramptonllc@gmail.com>
Sent: Friday, April 14, 2017 11:52 AM
To: shoover@estfield.in.gov; APC; Council Members; Mark Connor
Subject: Fwd: Wood Wind Golf Course and Pulte Development

Steve et al,
Is there a better looking neighborhood in Westfield today remotely close to its size as Harmony? I'm a close friend and former colleague with the Landscape Architect that petitioned for the original approval of Harmony and the proposed Wood Wind project seems to follow similar attention to detail. I truly believe what continues to make Centennial successful is the mixture of housing types, the walkability of the neighborhood and the amenities that are done on a more comprehensive scale. Without the scale of a Centennial or a Harmony, the amenity components that I imagine most would aspire to and variety in housing that can be offered simply can not work. It just doesn't. Merely look at how, even with the best intentions (and I understand market pressures were absolutely involved as well,) a highly conceptual with very little detail, highly flexible Springmill Trails PUD ends up being built north of SR 32. It's a handful of builders with 150 lot subdivisions with no connectivity other than their than streets that are stubbed into one another. I was with the builder that built the first neighborhood in Springmill Trails a few years ago. There is no coordination with a Master Developer because there a Master Developer doesn't exist. The original petitioner of the PUD went bankrupt. I'm guessing there still are(as I know there were major concerns for builders a few years ago) numerous PUD obligations that are Master Developer oriented that will never be fulfilled for Springmill Trails PUD. That's what happens.

On a separate note, I admittedly want Wood Wind to stay open for selfish reasons. Heck it's a mile and a half from my townhome and I look forward to spending Saturday afternoons with my four year old daughter playing around on the putting green and letting her swing at a few balls on the range. The reality is it will close without a large scale residential development. I oversaw a portfolio of golf clubs in Central Florida a decade ago and I'm surprised Wood Wind has survived this long unless its somebody's tax write off or hobby.

On another note, it's been some time since I've read the old Centennial North PUD that Beazer took over as West Rail but didn't that project sit idle for the most part because of Sanitary Sewer issues? Unless I'm misunderstanding something, it won't be the half dozen homeowners on well and septic but the rest of Westfield residents that are going to get blindsided by sewer bills.

Sorry to ramble on. I just felt like I needed to vent a bit. Heck, it's Good Friday and I'm going to blow off the rest of the workday and enjoy the afternoon with my little girl at Wood Wind.

Thanks for hearing me out.

Mark Connor
317-900-6643

---------- Forwarded message ----------
From: **Steve Hoover** <shoover@westfield.in.gov>
Date: Fri, Nov 18, 2016 at 7:05 PM
Subject: Re: Wood Wind Golf Course and Pulte Development
To: Mark Connor <bramptonllc@gmail.com>

Mark, thank you for your input.

Steve Hoover

Sent from my iPad

> On Nov 18, 2016, at 2:37 PM, Mark Connor <bramptonllc@gmail.com> wrote:
>
> Good afternoon,
> As an owner of a townhome at 1322 Middlebury Drive in Centennial and father to a four year old little girl I am very up to speed on what goes on in and around the neighborhood. I sincerely appreciate the proximity of Wood Wind to my house and was involved both as an employee of Estridge at the time and also as a Westfield resident who loves to golf, in the improvements that were made to the golf course and its facilities. What Pulte is proposing will not only save the golf course from closing but its development plans are well intentioned for the community. As an Urban Planner by education, some of the site planning concepts they have designed to are deserving of consideration. Development is progress when done properly. This plan is best for the City and this is coming from someone who thinks Centennial is clearly the best neighborhood in the City. Thanks,
>
> Mark Connor
> 317-900-6643

From:	Kurt Humphrey
To:	Council Members
Cc:	APC
Subject:	Wood Wind Project
Date:	Friday, April 14, 2017 6:06:55 PM

Members,

I am a Westfield resident. I live at 15729 Byrding Drive 46074. I live in a Pulte community, Viking Meadows, that is similar to one proposed for Wood Wind. These type of homes and amenities will attract buyers that would benefit our community. The additional revenue through taxes would help our school systems and community produce healthy growth.

Pulte has adjusted their plans to bring a nicer higher end product to the area. They have also adjusted their plans to accommodate concerned homeowners.

This plan could save the Wood Wind Golf Course, a true gem of Westfield. I hope my family has this golf course for us to share for many of years.

This is an opportunity for our community to partner with a respected builder that can deliver a great product known to many as quality.

Thank you,

Kurt Humphrey

Sent from my iPhone

From:	Rex Brown
To:	APC; Council Members
Subject:	Wood Wind by Pulte and Custom Lots
Date:	Saturday, April 15, 2017 4:35:55 PM

City of Westfield APC and City Council:

I write regarding Pulte's plan to develop Wood Wind for both Pulte's use and custom builders. My hope is to offer insight into the custom home opportunities at Wood Wind since I'm very interested in participating in one or both of these areas of the development.

I've been a custom builder in the Indianapolis area for the past 25 years. I now live in Carmel in the Village of WestClay and build custom homes and remodel in the surrounding areas. Over the last year or so, I have been talking with the Koss Family and David Compton about custom lots in Wood Wind.

As you know, there is a shortage of open custom lots in all the counties surrounding Indianapolis, especially in Hamilton county. Pulte's offer to incorporate custom lots within Wood Wind gives custom builders and their customers opportunities to build homes in western Westfield while giving Westfield an advantage over the surrounding competing markets. Adding 145 or so custom lots in Westfield will go a long way to filling a big void in the market.

Both custom home areas within Wood Wind offer different lifestyle opportunities for homeowners. The custom lots on the Koss property are larger in size, have more existing woodlands and a rural-feel that will draw higher-end homes. The lots in Area 1 are close to the amenity center and many are on the golf course. Area 1 will attract younger families that want a custom home. It's my opinion that the average sales price of $900,000 for the custom homes on the Koss property and $800,000 for the custom homes in Area 1 makes good sense and is reasonable to expect in the current market. A quick review of newly constructed custom homes in Marion and Hamilton county will show that even smaller custom homes can hit these price points since there has been an increasingly strong trend in the market for Smaller yet Smarter homes with High-Level finishes. Many buyers want unique and high-end but don't need a mansion. This smarter approach to building allows for more quality, more efficiency, and options to spend money in other places. Not all custom home buyers want big, but all want special.

Unfortunately for custom builders and their customers, large scale custom developments are very hard to create in central Indiana today. The past recession left developers and their investors skittish to take on big custom neighborhoods. In the vacuum of a much smaller custom home industry, the production builders have stepped-up and filled many of the gaps. They are building bigger and better homes that resemble custom homes of a few years ago, thus Bigger is not always Better in today's custom home market. Pulte's plan pulls together all the pieces needed to take western Westfield into the next decade with new homes of different price points, preserving a golf course, and expanding utilities for even more future development. Not everyone wants or can afford a custom home, indeed most of the market just can't. Pulte's proposal of mixed price points that include high-end custom homes seems to provide Westfield with many good choices. Under the current plan of providing the custom home market with 145 custom lots over 6-8 years seems to bring more than enough custom lots to meet the current demographics.

In reviewing the newest changes to the homes sizes and architectural requirements in the April updates, I encourage you to not force the custom home market to build to certain sizes, masonry requirements, garage configurations, or other currently popular design themes. True custom means: options, customization, style, and uniqueness; it changes over time. Freedom of expression comes in different sizes and costs. As things change over time, it seems prudent to leave room for the market to decide and let the creative home designers and smart customers decide how to build their homes. It's understandable that some oppose Pulte's single mindedness regarding home styles, but don't put the same barriers on custom homes by forcing too many rules on home sizes and design since it might just end-up forcing homes to be more of the same.

I agree with pushing back for better standards and planning as I've seen Westfield do over the past year. The better the development, the more folks will want to move to western Westfield. However, we need Wood Wind to work and be built at some point. Pulte is ready to carry the heavy lifting and pull it all together. The building partners of

Wood Wind need to do well and make money; it needs to be a long term financial success to maintain momentum. I encourage you to keep in mind this important financial part. Large projects that take too much from the investors fail easier, and we all need to keep Wood Wind moving even if the economy hits another slow patch. Working together, we can continue Westfield's great success story.

Thank You,

Rex Brown
Homes By Rex Brown
2167 Finchley Road
Carmel Indiana 46032 USA
www.HomesByRexBrown.com
RexBrown@HomesByRexBrown.com
Main: 317-587-1388 (direct and mb)

Mayor Andy Cook

Advisory Plan Commission Members 4.16.2017

I write what I hope to be the last in consideration of the Pulte WoodWind Development. You folks have spent an enormous amount of time on this, and I really do thank and appreciate the work completed and ongoing. I think the Citizens and City Officials both have done far more work on this than Pulte, if I may mention their inconsiderate over-use of everyone's time. But then, this is our home, while for Pulte, it is merely a line in an Annual Report. Too much time spent trying to appease the locals will cut into profitability. I am sure they have a budget for how much of their resources are dedicated to getting this project over the hump.

You and I live here, how can we 'budget' the value of our time on this?

As I look back over my earlier letters, I realize I have moved from an objective position to a more subjective expression. After all, the value of seeing the Milky Way is very subjective when compared to how much brick must show on the sides of Level III lots.

I know and respect the fact that much of what you must do is to measure things objectively in your positions as members of the Commission. However, what we all are really talking about is quality of life, good neighborhoods, a walkable City, general attractiveness, appropriate development, diversity, and many more attributes. Most of which are subjective. As subjective as the value of hearing the coyotes howl in the middle of the night.

While the determination of specifications is objective, the subjective discussion can easily trend over to the emotional. After all, this my home we are discussing – it doesn't get much more emotional than that. While hard to measure, it is important you do not dismiss the emotional comments and remarks.

It is part of your work to sort out these subjective values and try to translate them into objective terms that can be measured and defined. Listed and checked. Emotionless. This is not easy.

I encourage you to look at the values so many citizens have spoken of for many years, the history of the Townspeople looking to the future of development long ago; noting that the number one thing they all want to preserve is a “small town feeling”, a ”rural connection”, and a usable, functioning town/city center that is walkable, bike-able and approachable. All very subjective values.

I will mention again that the task of Pulte is to turn a profit. That alone is not inherently bad or undesirable. Quite the opposite. But that is their goal, measured by their metrics. Our goal – Citizens and City Officials - is quite different, as are the metrics we use to assess the goal. To weigh the subjectives.

So, that is your task. To support the subjective values and translate that into a no vote on WoodWind, or to decide to bury your vote in the quantity of brick, or width of exterior window trim, and let this pass, forever altering the best we can do for ourselves.

Sincerely,

David R Sochar

Cynthia R Sochar

Ditch Road

From: Jeremy Hittle
To: APC
Cc: Council Members
Subject: Wood Wind Golf Club
Date: Sunday, April 16, 2017 5:39:01 PM

To whom it may concern,

I am writing this letter to express my enthusiasm for the Wood Wind housing development. My name is Jeremy Hittle. I am a fourth-generation resident of Westfield and owner of Hittle Landscaping. My family and I have owned and operated our company here in this great community for over 45 years. We have provided services for many of Westfield's successful projects such as Bridgewater, Monon Trail enhancements, of course Grand Park, and many more. We are excited about future projects like the Wood Wind development and proud to know that the City of Westfield aligns with quality developers like Pulte. It is projects like this that fuel economic growth for our city and help support Westfield based businesses like Hittle Landscaping and many others. This is also a benefit to our 250 employees of which a substantial portion live in the Westfield area. We understand Wood Wind will be constructed over a period of ten years. This allows certainty in our business as we plan for future growth and staffing. The additional residents of Wood Wind will contribute financially and civically in Westfield, which will encourage additional commercial growth which will further support our business and continue to grow the local tax base.

Forcing Wood Wind Golf Club to close means Westfield no longer has a public golf course for its residents and visitors. This will encourage our residents to spend money in other communities instead of Westfield. We look forward to the opportunity Wood Wind presents for our business and our community and encourage you to vote in favor of Wood Wind.

Thank you kindly for your service to our community and for your consideration in this matter!

Respectfully,

Jeremy Hittle
Owner, Hittle Landscaping

From: Nancy Davis
To: APC
Subject: Wood Wind PUD
Date: Sunday, April 16, 2017 7:07:23 PM

To the esteemed members of the APC.

RE: Wood Wind PUD

My name is Nancy Davis and along with my siblings own the 80 acres on Ditch Road between 161st Street and 156th Street, V. John Davis Family Farms. Our Grandparents bought this property in 1939. The land was not purchased as speculation of what would happen in the future, but purchased to farm and put food on the table for their family. During the time that my grandparents were alive my father also helped in the farming of that property. Upon their passing my father purchased the land to farm and provide for his family. The property is now owned by me and my siblings which is still farmed today by my brother. Three generations of farmers.

I would like to take this opportunity to once again to show my support for the Wood Wind PUD. Since the original filing of this PUD there has been a lot of changes made which has made this a better project. They have decreased the amount of homes, increased the value, lot size, and square footage of homes being built, removed the apartments, commercial and flex area. All of which you were requesting along with members of the conservancy. How much more consistent to the comprehensive plan does this need to be.

I know that there are also concerns over the traffic and schools but no matter what happens now or in the future those will always be there. Let's have some faith Westfield. With the right of way and the road impact fees they will have the ability to widen and fix the roads. The schools already have a plan in place to take care of the already approved PUD's I really don't think that they will ignore or put blinders on and not to make provisions for all the growth that will take place in the future. I don't think the City
of Westfield wants to be known to close the doors to the community for this growth.

Let's also remember all the money that Pulte will be saving the taxpayers by letting Citizens Utility go through their property with the sewer lines for the upgrade. The upgrade will take place regardless of this approval but it will cost the taxpayers much more if Citizens has to take the route of the right of way along the road instead the direct route through the property.

I would like to make one last point. Some neighbors feel that by approving this plan you're not respecting their land rights. When my family purchased the farm 78 years ago none of those homes existed. Who did those neighbors purchase their land from? **A FARMER!** Did anyone tell them what they could or couldn't do with their land? **NO!** What about our rights? Why can't we do with our land what we want to? Why have we been paying taxes for 78 years? Why are our rights being taken away?

I would ask that you make a positive recommendation for this PUD and let progress continue.

Regards,

Nancy Davis

From: cdavis83@indy.rr.com
To: APC
Subject: Wood Wind PUD
Date: Sunday, April 16, 2017 7:15:15 PM

To: APC Members

RE: Wood Wind PUD

My name is Charles Davis and I have lived in Westfield area all my life, which is 59 years. The reason for this letter is to once again show our support of the Wood Wind PUD.

Our grandparents purchased 80 acres at the south west corner of 161st & Ditch. They moved here in 1939 by horse and wagon. My father purchased the land from their estate and now it has been passed down to me and my siblings. Through the 3 generations this land has been farmed by my Grandfather, Father and now me to put food on the table for our families. That equates to our family being part of this area for 78 years as compared to the 3, 5, or 10 years of individuals who are part of the opposition.

With the progress that has taken in the past years we have respected the individuals who are now part of the conservancy who are trying to stop the Wood Wind PUD. When they bought their land we really did not want to see the farmland go but we did not tell them what they could do with their property.
The Wood Wind PUD has embodied at least 78 items of the 85 criteria which makes it in compliance with the Comprehensive plan which the staff has set forth.

Will traffic in the area increase? Yes it will, but Westfield will have the right of way to widen roads and will have the necessary funds through road impact fees as the area develops.

When I went to school in Westfield there was one elementary, one middle school and one high school. Our schools have increased over the years and will continue to well into the future. That is a sign of progress.

With all the positive changes made to the Wood Wind PUD throughout the year it has made this PUD better. Remember, time does not stand still. I ask that you not delay this any further and give a positive recommendation to this PUD. Please let the area grow as it should and help save the taxpayers money.

Regards,

Charles Davis

From: Karen Koss
To: APC
Subject: Woodwind Development
Date: Sunday, April 16, 2017 9:41:39 PM

To whom it may concern,

In 1986, Bill and I moved into the old farmhouse on Shelborne Rd. and gradually purchased over 350 acres of land. We had a vision of woodlands and so we started a tree farm. Over the years, we cultivated the land, planting thousands of hardwood trees – simultaneously becoming more and more invested in the community of Westfield. Over the years, we hosted many hayrides, campouts, and other functions on our property for churches, swim teams, homeschool groups, YoungLife & WildLife, and other groups. We raised our five children and were very active in all of their school functions, especially the WHS Swim team. We were diligent in paying our taxes and always supporting Westfield with our time and resources.

In the 30 years we have lived here, many changes have come. Change is not necessarily bad, as we have seen our little town become a city and the school system grow by leaps and bounds. When our first child, Mary, started at Westfield High school, she was in a class of 238 students. The educational opportunities available to her were not near what was available by the time our youngest two children went through WHS. As a high school teacher myself, I appreciated the growth of the school system. Our later children were able to take AP classes; and our son, Peter, took advantage of the Project Lead the Way engineering track. Growth is a good change.

We knew that the land around us would become developed someday. Although we currently have a third of the land we had initially, we look forward to the vision Pulte has in mind. The land around our house will be turned into a Custom development. We have had much interest from other Custom Builders, such as Rex Brown, and Steve Pittman. Having a density of 1 house per acre will help preserve our vision of a woodland community. Our neighbors will benefit from this growth. Pulte will be bringing out the utilities, and the internet services will follow.

Although I am not a golfer myself, I see the benefit of having a public golf course. My own father used to play on that course. I think Westfield needs a public golf course and Woodwind is the only choice.

I love to walk and ride my bike. But right now, doing so on the roads out there is quite dangerous. It would be great to have more sidewalks and bike paths which will come with the development.

David Compton has shared with me all the statistics of the development, from the average cost of home, side-loading garages, brick fronts, density of homes, and so many other positive improvements on the original plan.

Of course, I personally need to sell my land; but that aside, I can see that this is a plan that is a great opportunity and a positive move for Westfield.

Pulte builds quality homes. I have been studying the different builders lately and talked to many people in the industry and think that the city of Westfield, which is dear to my heart, would benefit from it. I ask that you vote to approve this plan.

Sincerely,

Karen Koss

From:	Bill Koss
To:	APC; Council Members
Cc:	Bill Koss
Subject:	Woodwind PUD
Date:	Sunday, April 16, 2017 11:29:00 PM

Dear Planning Commission & Councilmen,

My wife and I moved out to this area of Westfield in 1987 and purchased over 200 acres of land and built a home. Over the last 30 years we raised our five children, paid taxes and attended Westfield Schools. We were instumental in stopping the city of Carmel from annexing our area and steering the town of Westfield to become a city and leading our neighbors to become part of Westfield city. We also knew this area would be developed. We welcomed many of the neighbors who now oppose this project & even sold some their land which they built their homes on. We did not oppose them buying the parcels. I believe that the land plan that Pulte has developed for our property respects the neighbors along Shelborne road and transitions to lower density as you get closer to Shelborne Road. One unit per acre density on the Western part of our land will preserve a lot of the existing trees on the property which I planted starting in 1988-1991. We realize that our property will be developed later in the Wood Wind project as utilities (especially water) will need to come from the East across some of our property as the sewer lines have. We have been in discussions with several developers regarding our land including Rex Brown who is a custom builder and Steve Pitman who is a respected developer from Carmel as well as Pulte Homes and others. I believe that the plan as now being put forth by Pulte for the Woodwind PUD fits into the long term goals and best needs of Westfield, which we were a big part of coming up with. It is slated for all single family homes and has a very low density. It will be a higher end homes area now that will bring into Westfield much needed money while not overburdening our roads and school system. I understand that no commercial or apartments will be included in this area. The Wood Wind Development will have an estimated ASP of over $500,000 per home and create over $600,000 in assessed value for every school aged student it creates. Wood Winds' 856 proposed homes will help further the demand for retail at the NE corner of 146th and Towne Road which will pay 3% in taxes on assessed value and create NO school children further assisting Westfield Schools. According to Pulte Homes, Pulte's development is proposed to create over $4 million in value towards the construction of sewer interceptors that will be needed to support commercial projects already approved by the City of Westfield. Additionally, it is estimated that the additional 856 homes that are a part of the Wood Wind development will create over $8 Million in bonding capacity that will further offset rate increases tied to the extension of sewer interceptors to serve already approved developments in Westfield. Over 70%of the homes will have side load garages and a minimum of 90% of the homes will have an 18" brick wainscot around them. Wood Wind Golf Course the only public golf course in Westfield will close if this development does not go forward. I would like to see you support this effort with a positive recommendation to the City Council. This is a very good and reasonable plan.

Bill Koss

From:	Roadrunner
To:	APC
Cc:	Council Members; Andy Cook; Matt Skelton
Subject:	How many strikes does Pulte get?
Date:	Monday, April 17, 2017 6:14:57 AM

Dear Commission Members,

I would like to share a few thoughts on the latest and not so greatest offering of Pulte for the Wood Wind PUD.

Pulte was challenged to bring their best offer to the table but instead have once again shown arrogance and disrespect in making minimal changes that are not substantive. Much of the PUD language is vague and could allow downsizing of product. As it stands, 46% of the homes potentially could be comparable to the lowest product found in Viking Meadows. The "new" product offering--promised when they requested a continuance--is not really new, and is in fact being built in several areas in Central Indiana. Too many rear facing houses are still on Towne Road. The golf course is only protected for 50 years. Outside of the course there is minimal open space.

Westfield currently has 1341 homes in the lower price range under construction and 1323 under contract to be built. We need more higher end product which Pulte can build, but apparently refuses to make available to Westfield in the interest of reaping higher profits. Westfield collects more taxes on one $900,000 home than three $300,000 homes with the advantage of fewer infrastructure demands on traffic, schools, etc. We need to demand that developers bring higher end product to the table to balance the glut of lower product currently available or slated to be built soon. This is not about anti development—it's about high quality, balanced development which follows the recommendations of the Comprehensive Plan.

Pulte has repeatedly shown disregard for what is best for Westfield. They have repeatedly failed to make substantive changes to this PUD. The Liberty Ridge project did make significant changes as requested and they will have a quality development that is good for Westfield and complies with the Comprehensive Plan. Why hasn't Pulte done the same? How many strikes does Pulte get?? By my count they struck out a long time ago. Please reject this PUD and send a message to all developers: Westfield is looking out for their own best interest.

Respectfully submitted,

Bruce Van Natta

Bruce W. Van Natta
SurReal Farms
1812 West 156th Street
Westfield, IN 46074

317-442-4181

Advisory Plan Commission – City of Westfield, Indiana April 17th, 2017

On behalf of all of us at Cohoat and O'Neal Management Corp. and Wood Wind Golf Club, we would respectfully ask for your favorable recommendation this evening in regards to the Pulte - Wood Wind (PUD).

As we have expressed on many occasions Wood Wind Golf Club continues to play a vital role in the strength and character of this great city.

- Charitable golf events that have raised over $ 6M for schools, churches and many groups in need
- Wood Wind has employed hundreds of people over the years and provides a wonderful sourced of opportunity for many of our senior citizens
- We have been fortunate enough to have provided six young men and women with the coveted Evans Scholarship over the past two years. That is $ 480,000 of scholarships awarded to these young people through their opportunity at Wood Wind Golf Club

However, you all know this and I know that you all understand the importance of this outstanding community asset.

As I have expressed in a few other communications, never did we realize when we started The Bridgewater Club over 15 years ago that The Bridgewater Club would be the bridge to the future of Westfield. We certainly realized that the landscape was changing and that 146th Street had been crossed and a whole new beginning was happening in Westfield in the early 2000's. Yet, The Bridgewater Club laid a new path and set the City of Westfield on a new and exciting path.

The residential development since that time, the commercial and retail development since that time, the success and growth of the school system since that time, Grand Park, the downtown revitalization and so much more has taken us to a new standard and quality of life in Westfield. Many of you and Mayor Cook have played a significant role in the decision making process along the way.

When I left the APC meeting two months ago I felt sick to my stomach to think that a development as creative and beautifully designed as the Wood Wind (PUD) was not favorably recommended to the Council. I thought to myself…..Pulte has been so responsive, has made major changes to the plan and yet, still could not receive a favorable recommendation….that just seemed unreasonable to me. Since that meeting more revisions have been made and I would like to think that the PUD, as presented currently, is now in a position to receive a favorable vote.

For the good and the future of the City of Westfield and Wood Wind Golf Club, I would kindly ask that you support this incredible development.

Best wishes and continued success to all of you and thank you for all that you do for the City of Westfield.

"Doc" O'Neal, COO, Cohoat and O'Neal Management Corp.

From: Cook
To: APC; Council Members; Andy Cook; Jesse Pohlman
Subject: Pulte WoodWind
Date: Monday, April 17, 2017 8:53:40 AM

Good morning,

First, we would like to thank all the APC and City Council members for their time and effort they have put into ensuring this PUD is right for the future of Westfield.

After reviewing their latest changes our concerns remain the same regarding this PUD: the strain of adding a PUD of this size to our already crowded schools and strained public service, density for the area, 1 builder for 75% of the 856 lots, backs of homes facing main arterial roads, etc.

While we acknowledge Pulte made significant changes to Section 1, there is much work still needed in Sections 3, 4 West and 5.

Derek and Cherie Cook

From:	dub164@aol.com
To:	Council Members; APC; Andy Cook; Matt Skelton
Cc:	rkburkman@gmail.com; bvannatta@indy.rr.com; sarahwatkins99@gmail.com; longlane@frontier.com
Subject:	Wood Wind PUD
Date:	Monday, April 17, 2017 9:12:49 AM
Attachments:	APC-Woodwind Comp Plan Critique.docx APC- April PUD Review.docx APC-Westfield Neighborhood List-fiscal implications.docx

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To All,

I am writing once again concerning the Pulte Wood Wind PUD. I am attaching an update with detail as to how the latest revision applies to the 2007 Comprehensive Plan and a review of the recently posted PUD. There are continued and consistent concerns with the PUD. The PUD still fails to meet the requirements of the 2007 Comprehensive Plan especially as it pertains to density decreasing as one moves west through the region. Area 5 is the most dense area of the PUD and the most westerly, located in the southwest rural zone. The effort to introduce more side loaded garages is recognized but 30% or more still may be front load which violates the Comprehensive Plan. The open space of approximately 16% outside of the golf course is primarily made up of left over scraps of easements and retention ponds. Up to 46% of the homes can be of the lowest and same product group which will create the "cookie cutter" production housing that the Comprehensive Plan authors hoped to avoid. The price point proposed is something that we have in abundance in this area as has been supported by the housing inventory provided and attached once again. This PUD does not support the goals of the citizens in this area nor does it realize the maximum potential for our community.

The PUD language continues to read as a riddle. The pretty pictures in the exhibits lack support from the written detail. The document sets the stage for amendment after amendment in pursuit of a lower level product and higher density. Please review the PUD analysis and notice the disclaimers of potential substitutions of lesser product and smaller lot sizes. The lack of transparency and dishonesty of this developer should clearly make you all pause with your decision. Pulte has pursued a single goal of achieving the highest profits for Pulte with little to no regard for Westfield or our future.

Please review the documentation attached. The facts have been presented time and again. Please vote NO for the Pulte Wood Wind PUD. Westfield deserves a better partner and a better project for this area.

Suzy DuBois
T.M.T., Inc.
867-3691

Westfield Comprehensive Plan Critic of Woodwind PUD

Overview

-Process was designed to be open and citizen-driven (many of the people who participated in the development of the 2007 Comprehensive Plan still reside in this area and are opposed to this plan based upon the development not meeting the 2007 Comprehensive Plan)

-While it is difficult to precisely define what makes the Westfield area unique, there are positive elements of that character than can be identified for the purpose of planning. Westfield-Washington Township has significant natural areas and open space.

-It is the desire of the community to see a diverse balance of land uses that proceed in an efficient and well connected pattern with good land use transitions. The land use patterns should be fiscally sustainable(over 35% of the homes in this area do not support the financial requirements of the schools or public works please refer to housing inventory), high quality, and should be accompanied by substantial and permanent open space of one form or another.

Westfield desires to be a diverse rather than homogeneous community, providing a range of housing, recreational, and economic opportunities for its residents. No single socio-economic segment or housing price point should dominate the community nor be neglected. Please see housing inventory and APC Market Research. We have a nine year supply at this price point under development in this section of the city. We need to balance our housing portfolio and maximize the potential for this area.

-Westfield – Washington Township is committed to managing growth to maximize its positive impacts and minimize its negative impacts.

-It is the intent of this plan to preserve those valued characteristics and enhance them where possible.

-Encourage development to occur contiguously and not “hopscotch” across the township. (+) With the large land acquisition it appears the PUD meets this requirement.

-Preserve the community’s rural and small town atmosphere, even as it accommodates new growth. (-)

-Promoting a diversity and balance of land uses.

-Creating adequate buffers and transitions between different types and intensities of land uses. (-) There is no gradual transition from high density to low density to significant buffer to adjoining rural residents.

-Developing design standards for new residential development to encourage quality development.

-Providing adequate open space and recreation areas for all people of the township. (-) Outside of the golf course the open space is approximately 16%. Section 3 has 28% open space, section 4 has 25% open space and section 5 has 22% open space made up primarily of easements, retention ponds and mere leftover scraps. Open space is supposed to increase as you move west not decrease. As a benchmark Centennial has 33% open space, West Rail has 37% open space, and the recently approved Liberty Ridge, which borders previously approved commercial has 29% open space.

-Establish appropriate locations for varying housing types. (-) Housing types are somewhat limited especially the lower end product offering that has the potential to make up 46% of the total development.

-Development standards that establish appropriate setbacks, densities, lot sizes. (-) Regardless of how many trees and shrubs are planted the streets will be penetrated by hundreds of driveways on both sides in most cases every 50-75'. Front facades will be dominated by garages as up to 30% of the proposed housing can have front load garages.

-Design standards to ensure quality development. (-) Architectural specifications and recommended Pulte products built elsewhere in the region were recommended in greater quantities. An 18" masonry wrap on 90% of the homes will to little to achieve 360 degree architecture. Most homes are simply a façade built upon a similar box.

-Demographic studies that evaluate the market and the availability of housing stock in the various categories. (-) Please refer to the housing inventory and Market Graphic Research Document. We currently have a nine year supply of the housing price point of the housing recommended in the PUD under development. This does not take into account rezoned but not under development which is another 1,323 lots. Our community is missing out on the Southwest Hamilton County market demand for homes in the $425,000-$625,000 range, (140 per year), as well as the $625,000-

$925,000, (47 per year), over $925,000(8-10 per year), and the demand for lots that are 2-3 acres which is 8-12 per year. This equates to nothing short of $119,000,000 per year or over a billion dollars of additional AV to our community over the next ten years.

-Encourage neighborhoods that do not have the appearance of "production" housing. (-) Of the 856 homes in the PUD Pulte intends to build only 107 may be built by another builder. Over 245 of the homes may be of the same T-3 series that resembles a product being built in the Andover area at an average price point of $311,000. The curvilinear design will only exaggerate the significant architectural issues as the sides and rears of the homes become more visible with the poor street design.

-Encourage variety and diversity in housing while maintaining a distinct style or character and avoiding the appearance of "cookie cutter" subdivisions. (-) Same as above, the proposed development offers a like product and lifestyle that is already abundantly available elsewhere in Westfield.

-Open fields, farms, parks, water bodies, and other open space and recreation areas, whether public or private, are important to the community character of Westfield – Washington Township. (-) The preservation of the golf course is a positive if the deed restriction language is edited to provide the guarantee of its existence. That is not the current case as Pulte continues to attempt to wordsmith the language as to confuse and not truly commit to the golf course's long term existence. The intent is to sell the golf course to a private entity. As a result the only open space that remains with the subdivision and its over 3,000 residents is insignificant, 16%. This is clearly unacceptable as benchmarked against the neighboring subdivisions of Centennial, West Rail, and Liberty Ridge.

-Locate open space so as to maintain the visual character of scenic roads (-) Attempts have been made especially the southern sections of the PUD along Town Rd. However, there is opportunity to enhance buffers at the main entries along Town Rd to sections 3 and 4, along 156th Street, and at the entry along 166th. About 50% of the backs of homes are still quite visible from the northern sections of 4 East, 156th Street and 166th Street.

-Require open space in all new developments.(-) Open space outside of the public golf course does not meet the standards, (approximately 16% open space) especially as the 2007 Comprehensive Plan states as you move west density should decrease and open space should increase.

Benchmarked against the neighborhoods to the east this is a clear decrease in open space.

-Open spaces should consist of usable areas or valuable natural areas.(-) Outside of the golf course the majority of the remaining open space consists of mere scraps made up of retention ponds, utility easements, and roadway easements.

-Open space should not consist only of land that is left over in the site plan review process.(-) See above.

-Provide both passive and active recreation for the residents of the community. Provide parks and recreational facilities in new developments to accommodate the needs of the community as it grows. (-) Parks are among the most defining and attractive amenities of a neighborhood. The amount of open space dedicated to parks and the arrangement of the housing does little to provide for maximizing open space for the residents. Please take a look at the Pulte neighborhood in Zionsville, Clark Meadows at Anson has 200 acres of open space and it is not a golf course. Westfield deserves better.

Development Policies(applies to all New Suburban)

- Ensure that new development occurs in a way that is contiguous with existing development. (+) Based upon the large land acquisition of almost 800 acres that Woodwind PUD will meet this requirement.
- Require all development to have public sewer and water, paved streets, curbs, gutter, and sidewalks.(+) Specified in PUD.
- Design developments such that back yards are not adjacent to collector or arterial streets unless uniform attractive screening is provided. Some attempt has been made to achieve with varied setbacks and facing homes to front streets. There is still opportunity at main entries off Town Rd., northern points along Town Rd on east and west sides, 156th Street, and 166th Street entry.
- Prevent monotony of design and color. Recognize that quality in design applies not just to individual homes, but to the collective impact of an entire development. For example, many homes that might be ‘high quality” may not achieve a high quality development if they are all the same and are not part of a sensitive and quality overall design. (-) Lack of diversity as we offer this type of housing in abundance and are missing a significant potential for higher AV.

- Encourage a diverse range of home styles in individual subdivision, using innovative architecture of a character appropriate to Westfield. (-) Once again there is a very limited range of housing options. The price range is extremely limited as well. 360 degree architecture was requested with little concession made by Pulte. Request nothing less than 40% brick or stone wrap carried per from front elevation of home per section, 40% brick or wanescoat carried from front elevation of home per section, and no more than 20% concrete board.
- Encourage compatible and high quality "life span" housing in furtherance of the overall policy of this plan. (-) This refers to people procuring a home that they wanted to live in for their entire life span. Perhaps they planned to ad on to their home or move in an in-law later in life. People continue to invest in areas where homes are situated on large lots, located near parks or that back up to wildlife corridors. The new construction in Woodwind will likely sell. However, there is little in the proposal that will ensure a prosperous community long-term. Twenty years from now when the architecture is outdated and the kitchen needs remodeled, what incentive will people have to invest in these homes? The lots do not provide private backyards. One will not likely add a pool or sunroom without sacrificing a garden or child's play area. The development will age not mature. Families want to purchase homes that grow with them.
- Emphasize connectivity between subdivisions, and avoid creating isolated islands of development. (+)
- Ensure proper land use transitions between dissimilar types of residential development. (-) There is little to no transition present in the residential.
- Ensure appropriate transitions from businesses located along US 31, SR 32, SR 38 and from adjoining large subdivisions. (-)This applies to resident at 146th and Town and they require additional buffering.
- Use open space, parks, and less-intensive land uses as buffers in appropriate circumstances. (-) More open space outside of golf course is needed.
- Appropriate Land Uses in New Suburban(-)
    - Detached dwellings (+)
    - Attached dwellings Not applicable
- Greenbelts and landscaping buffers can help create a transition between uses. (+) Addition of golf course holes to protect residents in area one is much better. Still opportunity in section three and five.
- Preserve existing older structures when possible. (+) Preservation of bank barn, golf course club house, and family barn at section four.

- Permit new development only where the transportation network is sufficient for the added traffic volumes. Based upon traffic studies, developers should make appropriate improvements to mitigate traffic impacts resulting from the new development. (?) Traffic impact study was completed. However, roads in the area are dangerous and highly traveled already. Significant concern among residents about addition of more traffic and increased dangers.
- Promote flexible design that maximizes open space preservation by regulating density rather than lot size. This approach permits a wide range of lot dimensions(area, frontage, setbacks, etc.) and a variety of housing types(detached, semi-detached, attached) to serve multiple markets(traditional families, single-parent households, empty-nesters, etc.). (+ & -) Design does not maximize open space and does not provide a wide range of housing options.
- Encourage quality and useable open space through incentives (density bonuses) based upon density rather than minimum lot sizes and widths. (+ & -) The golf course if ensured with appropriate deed restriction language is quality and useable space. The current deed restriction language does not ensure the continuance of the golf course. The remaining open space is negligible and requires work.
- Encourage development of bicycle and pedestrian facilities (sidewalks, trails, paths or any combination thereof designed to accommodate pedestrians) in new development. These facilities should be designed to improve connectivity in particular, promote connections to new regional trails such as the Monon and Midland Trace Trails. (+ & -) Trail system provides much connectivity for area. However, significant concern with crossings for pedestrians across Town Road and across 161st Street. Suggested tunnels for both locations.
- Land that is characterized by steep slopes or other natural limitations on development should be left natural or developed at rural, rather than suburban densities.
- Promote innovative development, such as Conservation Subdivisions and traditional neighborhood design. (+ & -) The curvilinear design is dated and simply provides an opportunity for developer to maximize lots. Section two is a terrific example of a conservation subdivision layout.
- 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). (+ & -) There is little transition that occurs throughout the plan.

- Bicycle and pedestrian trails increase connectivity and can improve the overall quality of the development.
- Locate roadways and house lots so as to respect natural features and to maximize exposure of lots to open space (directly abutting or across the street) “Single-loaded” streets (with homes on one side only) can be used to maximize open space visibility, thus increasing real estate values and sales, while costing no more than streets in conventional subdivisions (due to savings from narrower lot frontages). (+ & -) Effort has been made to front load many of the homes. Opportunity still exists to minimize side and rear views at 156th Street and northern section of Town Road on east and west sides.
- Encourage attractive streetscapes that minimize front-loading garages, provide garage setbacks from front facades of houses, minimize design and material repetition, and avoid house orientations where the back sides face the public right of way. (-) The plan fails miserably with 30% of the homes having front loaded garages.
- Encourage roadway improvements that promote safety but do not increase speed. (+) Curved roads will likely decrease speed.

The Southwest New Suburban

The Southwest New Suburban area includes a diverse mix of uses:
-a town park,
- a golf course,
-open farmland,
-residential development
-a central core of large-lot residential and rural properties,
-equestrian uses
-artisan farms
.

This development should be context-sensitive.(-) The housing in this area is currently zoned AGSF-1 or three acres per home site. All residents have been held to this standard with new construction still occurring on large lots in the region. The majority of the homes in the area are custom on large acre lots ranging from 3 to 57 acres. The current citizens in this area have sought these sites out to pursue a rural lifestyle. The high density housing on fairly small lots, low architectural standards, and cookie cutter housing are not in context to the area. They will devalue the homes in the area and the lifestyle of the current residents.

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. (-) As benchmarked against the neighboring subdivisions the open space outside of the golf course is not supportive of much of a decrease.

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. (-) There have been some concessions made in several areas that are more in line with appropriate buffering but there is still more work to be done in this area.

Promote innovative development such as conservation subdivisions. (-) The curvilinear design is antiquated and dated. There has been little effort to pursue innovative development such as conservation subdivisions except in section 2 on the golf course. The remaining parcels are designed with the intent to maximize lots with little to no thought given to open space for the long term residents of this area.

Woodwind PUD: April 2017 Review

Section 2.1 Custom Home Lots: Collectively, the Lots within Area 1 and the Lots within Area 4 West. Concern that character exhibits provided are different for Area 1 and 4. Most of character exhibits in Area 1 are Pulte products. a. We appreciate a custom component and believe there should be more.

b. However, remember the devil is in the details and the only commitment is that it will be a different builder other than Pulte but subjected to the same architecture standards as all the single family housing in the PUD.

c. The minimum square footage requirement on the custom homes is 2,300. They are using a $900,000 value on their custom homes. I would like to see a photo of the 2,300 square foot house that costs $900,000 in Westfield, IN. This is just a small example of the inflated home values they are utilizing in their evaluation.

Section 2.10 Wood Wind Home Owners Association: Does not include section 4 west. Why is this section being considered as part of this PUD? The developer is simply taking that parcel through zoning process and the housing is being used to elevate their averages and AV amounts.

Section 6.1 Wood Wind Golf Course: The golf course area is the only meaningful open space contained in the PUD. Why would we allow the open space to be required for 50 years and then potentially be developed? Do we allow common grounds in neighborhoods to be developed after 50 years?

Section 7.1 B. Custom Home Lots in Area 1: Pulte shall have the option of being the builder of not more than 50% of the Dwellings in Area 1 provided that all Dwellings constructed by Pulte in Area 1 shall be one of the following home types: (i) 3850, 3900, 3950, 4000, 4150, 4563, 4634, 4741, or 5271(all being home types currently being offered in the Village of West Clay); (ii) 4500, 4600, 4700, or 5200 (all being home types currently being offered in Hamilton Proper); or, (iii) any updated or comparable version of the foregoing of similar size, quality and character, as determined by the Director. Can the home types be matched to the provided character exhibits? Why should there be a note that the Director can approve other? If the housing products change it should have to go for an amendment with a public hearing. The character exhibits provide for a significant price variation from $400,00 to $750,000. This is concerning as the developer may determine to build their 50% of the $400,000 model and drive all products to something not in context with the homes in the area.

Section 7.2 Building Permit Limits: At a maximum of 125 permits per year this project may be complete in under six years, not the ten to twelve year project previously presented. Please consider current construction in this area and negative impact on schools, roads, public safety.

Section 8.1 A. Maximum Number: There shall be no maximum number of Accessory Buildings for the Wood Wind Golf Course and related operations. There is no definition of Accessory Buildings. This should be limited and more specific.

Section 8.2 B. 1): Custom Home Lots Character Exhibit: Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed in Areas 1 and Area 4 West and that contribute to the Districts' intent and vision. If there is not intent to build the character exhibits why provide them and the actual housing numbers in the definition section? The character exhibits show a wide range of housing that may allow the developer to build a lower standard than what is perceived. Some of the Pulte offerings range from $350,000-$750,000. This is a significant price difference with major differences in long range AV potential. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of the Ordinance. The Director carries a significant burden if the housing exhibits do not match what is constructed in the Area.

Section 8.2 B. 3): Traditional & Empty Nester Character Exhibit: If there is not intent to build the character exhibits why provide them. The Director carries a significant burden if the housing exhibits do not match what is constructed in the Area.

Section 8.2 B. 4)a): Area 3 and 5: Concern that Dwellings from Home Series E-2 may replace any Dwelling from Home Series T-3. This can potentially lower the AV and increase the number of front load garage homes in the PUD.

Section 8.2 B. 9) Corner Lots a) (ii): a Masonry Material wrap extending not less than four feet(4') in length along both side Building Facades from the corner of the Front Building Façade… The Masonry Material wrap should extend the entire length of the side of the Building Façade, not merely four feet.

Section 8.2 B. 10) Trail Lots a) (ii): a Masonry Material wrap extending not less than four feet(4') in length along both side Building Facades from the corner of the Front Building Façade… The Masonry Material wrap should extend the entire length of the side of the Building Façade, not merely four feet.

Section 8.2 B. 11) Golf Lots: the rear elevation of those Dwellings shall incorporate either : a full first floor Masonry Material wrap; or, a minimum of two of the following elements:…The requirement for the premium golf lots should require a first floor Masonry Material wrap for 100% of the homes unless the home style does not require ie: farm house themed home without masonry.

Section 8.2 B. 12) Four-Sided Architectural Requirements a) (iv): A minimum of ninety percent (90%) of all Dwellings in Areas 1, 2, 3, 4 East and 5 combined shall

have a minimum eighteen inch (18") tall Masonry Material wrap along entire length…This should be 90% within each section not combined.

Section 8.2 B. 12) g) Garages and Driveways vi): …no more than two (2) consecutive Lots on the same side of the street may contain front loading garages,…There should not be two consecutive homes with front loading garages permitted.

Section 8.2 B. 12) g) Garages and Driveways vii): An overall combined total of not less than seventy percent (70%) of the Dwellings in the District shall have non-front loading garages. The 70% should apply to each Area individually.

Section 8.4 B. Article 6.8(K) Minimum Lot Landscaping Requirements): Shall not apply to the Wood Wind Golf Course and Development Amenities areas. The proposed standards for Area 1, 2,3, 4 east, 4 west, and 5 appear to be lower than what is in UDO. Why would we allow less than our community requirements?

Section 8.4 C 2): A minimum of sixty-five percent (65%) of an individual Area's gross External Street Frontage for Areas 1, 2, 3, 4 East and 5 shall incorporate a black four board horse fence into the road frontage landscaping area. This does not match exhibit provided. There is minimal black board fence identified in Area 3, and non in 4 East or 5. It was the request of the citizens to incorporate the fencing into the majority of the project to tie into our existing rural/equestrian themed area. Why only 65%? Also no language about wildflowers and grasses in road frontage landscape.

Section 8.4 D 3): There are issues with some of the individual buffer commitments.

Section 8.6 B 1) a): Individual entrances to the various Areas within the District shall be permitted to be identified by "column" signs. When you are entering an Area the entry should be more substantial than a simple column especially with the number of home sites within each.

Section 10.2 B: The amenity depicted for Area 5 in the Exhibit B-5: Amenity Area Concepts. The amenity with a basketball court in a section identified as a primary empty nester area is confusing and does not support the targeted resident.

Section 10.2 E: Each owner of a Lot in Areas 1, 2, 3, 4 East and 5 will be required to be a social member of the Wood Wind Golf Course and pay a fee or assessment for the social membership. How much are social fees?

Section 10.3 A Internal Pedestrian Network Standards:. Should be requirement of tunnel under Town Road for safety reasons.

Page 33 Signature Page: James J. Ewards versus Edwards.

Exhibit B-2: Single Family District Layout: Still too many rear facing homes especially along major arterials; 156th, Town Road, 151st Street. Limited open space of 16% outside of golf course is insignificant. Density does not decrease as you move west it increases in direct violation of Comprehensive Plan.

Exhibit B-3: Single Family District Standards: (1) why can 20% of lots be reduced by 20%? (2) why can 20% of the lots in Area 1 be reduced by 10%?

Exhibit C: Single Family Character Exhibits: Exhibit C-1: Illustrative Front Elevations for Area 1: Should match elevations with model numbers from PUD. Pretty wide range of housing price points depicted for this section. Concern that goal may be to build to lowest price point home.

Exhibit C: Single Family Character Exhibits: Exhibit C-5: Illustrative Front Elevations for Area 5: E-2 home exhibits are 100% front load garages. Front load garages are discouraged as per the Comprehensive Plan.

Exhibit E-2C: Buffer Yard Locations & Connectivity-Area 3, Area 4 East, Area 4 West, and Area 5: Limited to no application of black fence depicted in exhibits for these sections.

Westfield Neighborhoods

West of Highway 31, East of Town Rd.,
North of 146th St., and South of Highway 32
***Red highlight denotes currently under construction**

Neighborhood	Pricing	Builder	# Homes/ Remaining to Build	Other
Maple Knoll Apartments	From $777 per month			
The Villa's @ Oak Ridge	$125,750	Epcon	44	
Sonoma	**From $130,000-$150,000**	**Arbor Homes**	**200/50**	**Under construction *part of Maple Knoll PUD**
Crosswind Commons	Average $140,000	Dura	64	
Quail Ridge	$138,000-$173,000	Crossman	429	
Pine Ridge	$148,450		299	
Oak Trace Carriage Homes	**$154,700**		**90/30**	**Under Construction**
The Oaks	**From the $160,000's**	**Pratt**	**68/10**	**Duplex, Under construction**
Ridgewood	Median list $198,900		35	Built in 1979
Countryside	Median list $199,900	Miscellaneous	2,148	SFD & MFD
Countryside	**Starting at $150,000**	**Shoopman**	**/13**	**Under construction**
Village Farms	$195,000-$650,000	Custom SF-2	771	
Maple Knoll	**ASP $301,000**	**Multiple/Pulte**	**255/86**	**Under Construction**
Viking Meadows-Enclave	**From $206,990 ASP $309,000**	**Pulte**	**128/39**	**Under construction**
Westfield Farms	Median list $209,900	Ryland/Trinity	102	Built in1986
Mulberry Farms	Median list $220,000	Production	81	
Springdale Farms	Median list $225,000	Production	102	
Keenland	**From $230,000's ASP $295,000**	**Beazer**	**178/22**	**Under construction**
Beacon Pointe	Median list $232,450	Ryland	104	Built in 1992
Springmill Villages	Median $259,900	Pulte, Trinity, Beazer	379	Trinity was owned by

				McKenzies and was bought out by Beazer when Trinity went bankrupt due to mold issues
Maples @ Springmill	**$280,000**	**Epcon**	**57**	**Empty nester, under construction**
Maple Villas	**?**	**Cal Atlantic**	**80/80**	**Duplexes**
Centennial	Median $284,900	Estridge	1,197	
Viking Meadows-Blue Grass	ASP $311,000	Pulte	126	
West Rail	**Average $315,000-$385,000**	**Beazer** ***target as per builder is $350,000***	**183/183**	**Under Construction**
*Viking Meadows-Meadowlands	ASP $384,000	Pulte	161	Sold out but still under construction
***Harmony**	**$275,000-$450,000 Median Sale Price $400-$490K**	**Estridge & David Weekly**	**675SFD (SFD&Attached)/542**	**Under Construction**
***Viking Meadows-Manors**	**From $319,990 ASP $399,000**	**Pulte**	**46/18**	**Under construction**
Merrimac	Median List $335,000	Zaring/Drees	299	
***Derby Ridge**	**From $350,000's ASP $450,000**	**Fisher Homes**	**82/68**	**Under construction**
***Viking Meadows-Two Gates**	**From $351,990 ASP $486,000**	**Pulte**	**61**	**Under construction**
***Drees-Village Farms**	**Starting at $414,700 ASP is $580,000**	**Drees**	**18/4**	**Under construction**
Springmill Park		**Ryland**	**64/52**	**Under construction**
Bainbridge		Custom	15	
***Viking Meadows-Valley View**	**$1,000,000+**	**Custom**	**33**	**Under construction**
Viking Meadow-Retreat on the Monon	**?**	**Pulte Town Homes**	**86/86**	**Under construction**
Willshire	**?**	**?**	**86/86**	**Under Construction**

Rezoned/Approved:				
Harmony			260-270MFD	
Springmill Station			300 MFD	
Town West			480 MFD	SFD & MFD
Apartments @32 and Oak Ridge			300MFD	
Westgate			1012	748SFD& 264MFD
Akerson Farms			1127	407SFD & 720MFD
Bent Creek	$400,000	Custom SF-2	168	
Liberty Ridge				

Updated with as per Market Graphics Detail from 11/9/2016

- ***Denotes that average sales price meets or exceeds necessary Accessed Value of $375,000 for Schools and Public Works Department***

Total Current Developed Lots Available is 1,341. According to the Market Graphics Research this is over a nine year supply of lots for southwest Hamilton County in the $325,000-$425,000 price range.

Total Rezoned and approved SFD is 1,323(this does not include Liberty Ridge).

Total Approved Apartments is 2,334 units

From: Greg Moyer
To: Council Members; APC; Andy Cook; Matt Skelton
Subject: Wood Wind PUD
Date: Monday, April 17, 2017 9:15:30 AM

Dear Advisory Plan Commission Members,

My wife and I relocated our family to Westfield from Chicago in 2013. We were attracted to our home on Shelborne Road because of the opportunity to live a rural lifestyle. We trusted that the comprehensive plan for this area would preserve the lifestyle opportunity that this area represents. Each month a new housing development is approved in Westfield, but very few large lots come on the market in areas that are expected to remain low-density.

As a Westfield resident, I oppose the proposed Wood Wind development due to the excessive density west of Towne Road and the incongruous nature of the development compared to the existing rural residences that surround it. I urge you to give the development an unfavorable recommendation for the following reasons.

Does not sufficiently address the Comprehensive Plan's policies

The development west of Towne Road does not sufficiently address the policies included in the Comprehensive Plan specific to the Existing Rural Southwest. The policy of the comprehensive plan is that new growth and development in this area should be reviewed with the intent of ensuring that it is compatible both from a use and density perspective, with minimal impact on the natural and visual environment. This area was designated as Existing Rural because it is largely already developed, and its rural character is viewed as a long-term condition: it is not intended to convert to other types of uses. Appropriate land uses in this area include: (a) Single-family detached houses on large lots or in Rural or Conservation Subdivisions, (b) Accessory dwellings, (c) Equestrian uses, (d) Agriculture, including artisan farms. The entirety of Area 4 West, the entirety of Area 5, and most of Area 4 East fall within the Existing Rural Southwest. The lots in these areas are significantly smaller than the 3 acre minimum required for a Rural Subdivision and lack a minimum of 60% open space required for a Conservation Subdivision. Open Space outside of golf course appears to be only 16% of the acreage. The proposed development clearly fails to meet the specific, objective benchmarks established for density and open space in the Existing Rural Southwest.

Is not compatible with Surrounding Areas

Approving this development at the current density would violate the reasonable investment backed decisions of families who chose to use their life savings to purchase homes in this area. As noted above, the comprehensive plan's development policies for the Existing Rural Southwest focus on preserving the rural setting of the neighborhood. The proposed development represents a radical departure from the comprehensive plan and the existing rural setting. It is clearly not compatible with surrounding properties that are expected to remain AG-SF1 and be utilized for artisan farms or equestrian uses. Residents that recently purchased homes in the Existing Rural Southwest relied on the comprehensive plan to guide their investment decisions. Many specifically avoided investing in areas designated as "new suburban" and paid a premium to live in an area expected to remain rural. The rural character is essential to maintaining the value of the existing homes.

Fails to treat similarly situated parcels equally

The structure of the PUD fails to treat similarly situated parcels equally. For example, contrast the buffering requirements of the Spencer Parcel (3412 W. 151st Street) with the those of the unoccupied parcel immediately to the south. Both properties are zoned AG-SF1 yet are given vastly different buffers: the Spencer's receive Buffer Type A (retention pond with no visual barrier) next to their residence and the unoccupied parcel receives Buffer Type B (50' reforestation buffer) along its eastern entire border. What is the rational basis for giving open agricultural ground more buffering than an existing home?

Pulte has included several parcel-specific buffer agreements in the PUD in order to provide additional buffering in some areas. Rightly, the Spencer Parcel is included in this list. Yet, once again, we see that they are treated much differently from other similarly situated parcels. Pulte agrees to plant up to thirty-six (36) spruce trees at least 5' to 6' in height <u>on the Spencer's land</u>. The Spencer family plans to use their own funds to move their existing fence eastward to delineate their property line. Contrast this treatment with the treatment of other parcels that also have Buffer Type A along their border:

- Martin Parcel
    - a minimum of six foot (6’) tall mound established <u>on Pulte's land</u>
    - twelve (12) trees per 100’ lineal feet (100% spruce at least 7' to 8' in height) planted <u>on Pulte's land</u>
    - a black four board horse fence <u>on Pulte's land</u>
- VanNatta Parcel

- ten (10) trees per 100’ lineal feet (40% spruce at least 7' to 8' in height) planted on Pulte's land
- a combination of a black four board horse fence and a 6' tall black vinyl chain link fence on Pulte's land

There is no rational basis why the Spencer Parcel should receive such disparate treatment compared to other similarly situated parcels. It is clear that these ad hoc agreements are intended to bargain for approval of the PUD rather than advance the general welfare of Westfield.

Lacks a strong commitment to the architecture and housing variety presented to the Commission

Pulte has repeatedly used specific home models and price points from their portfolio to sell this development to the community. Even their request for the recent continuance was predicated on the introduction of a specific series of homes. The PUD should contain a strong commitment to building these homes. Yet the PUD only contains the following commitment: "***Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District’s intent and vision.***" This language is far weaker than what was used for Viking Meadows. It would be foolish to make the same mistake twice.

Sincerely,

Greg Moyer
15001 Shelborne Rd

From:	John Daly
To:	dub164@aol.com
Cc:	Council Members; APC; Andy Cook; Matt Skelton; rkburkman@gmail.com; bvannatta@indy.rr.com; sarahwatkins99@gmail.com; longlane@frontier.com
Subject:	Re: Wood Wind PUD
Date:	Monday, April 17, 2017 9:18:49 AM

I have the identical concerns. Please vote "No".

All the Best,

John
www.indianaworkers.com

> On Apr 17, 2017, at 9:13 AM, "dub164@aol.com" <dub164@aol.com> wrote:
>
>
> To All,
>
> I am writing once again concerning the Pulte Wood Wind PUD. I am attaching an update with detail as to how the latest revision applies to the 2007 Comprehensive Plan and a review of the recently posted PUD. There are continued and consistent concerns with the PUD. The PUD still fails to meet the requirements of the 2007 Comprehensive Plan especially as it pertains to density decreasing as one moves west through the region. Area 5 is the most dense area of the PUD and the most westerly, located in the southwest rural zone. The effort to introduce more side loaded garages is recognized but 30% or more still may be front load which violates the Comprehensive Plan. The open space of approximately 16% outside of the golf course is primarily made up of left over scraps of easements and retention ponds. Up to 46% of the homes can be of the lowest and same product group which will create the "cookie cutter" production housing that the Comprehensive Plan authors hoped to avoid. The price point proposed is something that we have in abundance in this area as has been supported by the housing inventory provided and attached once again. This PUD does not support the goals of the citizens in this area nor does it realize the maximum potential for our community.
>
> The PUD language continues to read as a riddle. The pretty pictures in the exhibits lack support from the written detail. The document sets the stage for amendment after amendment in pursuit of a lower level product and higher density. Please review the PUD analysis and notice the disclaimers of potential substitutions of lesser product and smaller lot sizes. The lack of transparency and dishonesty of this developer should clearly make you all pause with your decision. Pulte has pursued a single goal of achieving the highest profits for Pulte with little to no regard for Westfield or our future.
>
> Please review the documentation attached. The facts have been presented time and again. Please vote NO for the Pulte Wood Wind PUD. Westfield deserves a better partner and a better project for this area.
>
>
>
> Suzy DuBois
> T.M.T., Inc.
> 867-3691
> <APC-Woodwind Comp Plan Critique.docx>
> <APC- April PUD Review.docx>
> <APC-Westfield Neighborhood List-fiscal implications.docx>

From:	Stephen Stafford
To:	APC; Council Members; Andy Cook; Jesse Pohlman; Matt Skelton; Kristen Burkman
Subject:	Pulte PUD
Date:	Monday, April 17, 2017 9:37:39 AM

Dear APC members, Mayor Cook, & Westfield City Council members:

You've heard our arguments, encouragements, and requests regarding Pulte's compulsion to fill Westfield with its houses. And a compulsion it is.
Now you must, again, decide to tell Pulte that our schools, our quality of life, and the plan composed by resident stakeholders cannot be compromised by 850 more homes sites.

Pulte's proposed PUD not only involves more homes, it involves everything about Westfield: roads, water, sewage treatment, school classroom sizes...there is nothing that won't be impacted by the plan.

We would like to thank the five APC members and the Council members who have consistently voted to maintain the rural lifestyle that we thought we would have when we invested here. We appreciate those members' efforts and their 'no' votes on our behalf. But their efforts do not only benefit us. Their efforts to adhere to the comprehensive plan show thoughtful and reasonable leadership. That kind of civic responsibility positively impacts everyone who lives, plays, or visits in Westfield.

Pulte has made a few concessions to their proposal, but, as a whole, it still falls short of what is best for our community, which we might add is **not** where Pulte lives and breathes. They will move on, go home, and leave behind problems for us to deal with.

Our well-being is in your hands and it should not diminished by your personal opinions or prejudices. You were not elected or appointed to do what you, personally, want to do. You are there to represent us, your constituents, your neighbors, and our quality of life. Your decision with regard to the Pulte proposal must be driven by and reflect your commitment to what is most advantageous for Westfield residents.

Please vote 'no' when Pulte comes before you again to ask for changes that will impact Westfield in ways we do not want.

Sincerely,
Cynthia & Steve Stafford
15736 Towne Road
Westfield

From: John Levinsohn
To: APC; Council Members
Subject: Wood Wind PUD
Date: Monday, April 17, 2017 9:46:27 AM

Dear APC and City Council Members:

The citizens of Westfield have voiced their desire to have the Wood Wind golf course saved. It is not economically feasible to continue golf course operations without the Wood Wind development (or something very similar to it). This may well be the last chance to save the golf course.

According to Pulte, this development is proposed to create over $4 million in value towards the construction of sewer interceptors that will be needed to support projects that are already approved by the City of Westfield. Is Westfield prepared to immediately fund this gap in the event this project gets turned down? Additionally, the development is projected to create over $8 million in bonding capacity.

As a nearby stakeholder in Westfield, I am in support of Pulte's revised plan for their Wood Wind development. Pulte has removed the multi-family and commercial uses from the project. The 856 proposed upscale homes will have a significant positive impact on the retail planned and approved at the northeast corner of 146th & Towne known as Towne West.

In the event this project gets turned down, I believe there will be unintended economic consequences that will negatively impact the City of Westfield. Please be mindful of your vote.

Sincerely,

John Levinsohn

From:	Becky Moyer
To:	Council Members; APC; Andy Cook; Matt Skelton
Subject:	Woodwind PUD
Date:	Monday, April 17, 2017 9:49:33 AM

Dear Advisory Planning Committee Members,

We spent our life savings on a down payment for a large lot and modest home in the existing rural southwest. We believed the comp plan for the area would require future development to preserve the rural feel with large lots. Any investment bears risk, but we trusted the city of Westfield to honor its commitment. Likewise, Pulte took a risk when it entered options with landowners near the golf course. It's not the city's job to ensure a private developer makes an adequate profit on a development that would ruin the quality of life for so many current rural residents. The density proposed in Section 5 is unacceptable and this section falls entirely in the rural SW.

Please look long term and vote NO on this PUD.

Thanks,
Becky Moyer
15001 Shelborne Rd

From: gloria White
To: Council Members; APC; Andy Cook; Matt Skelton
Subject: WoodWind/Pulte
Date: Monday, April 17, 2017 9:51:21 AM

All,

First, thank you for all the time and effort you've spent on this proposed project.

I still need to express my SERIOUS concerns for how this project is being handle specifically how Pulte has represented their position on the PUD. It really makes me question whether they are listening to the concerns not just from the citizens, but from most of you (I know a few of you are very supportive of this project)…why would a builder of their level and experience with PUD's need to ask for a continuance? And now here we are again and Pulte submitting yet another PUD that doesn't address or provide options to the plan…really makes me question this on many levels… I'm feeling like we're all going to be surprised if you all pass this, and the only one who wins is Pulte, they will build it how they want period!

As I've said before, I'm not apposed to development and my concerns are not the "not in my backyard" either…I concerned about Westfield and the citizens of Westfield and wanting people to want to live in Westfield…that said...

Do any of you have concerns about:

- This project having Pulte as the exclusive builder? They could change the architecture standards(most likely lowering them to cut costs) easily since it's exclusive to them.
- Over saturation of housing/same price points on the west side of Westfield (1300 lots available in 19 neighborhoods right now)?
- Schools already at capacity
- Road conditions now and in the future

Thank you again for your work on this project, please be good care takers of Westfield.

From: lisabeth armstrong
To: Andy Cook; APC; Council Members; Matt Skelton
Subject: Wood wind PUD
Date: Monday, April 17, 2017 10:42:47 AM

Dear Council members, APC, Mayor,

The Wood Wind PUD is nothing short of a travesty. Pulte has made a mockery of the process which we, as citizens of Westfield expect you, Mayor-APC-Council, to hold to the highest standards. The Comprehensive plan, certainly part of the "process" as well, has been totally shoved under a rock.
While such emphasis has been placed on the importance of keeping the golf course, it is considered in the PUD as part of the "green space", when in actuality no one can use said green space unless they pay for it! I don't have to remind you of the time invested by you and others in round table discussions over details in this PUD such as architectural standards, black board fencing, safety in connectivity, rear facing/front facing homes, etc. So why is there nothing in the language of the PUD that ensures that any decisions made will actually take place? In addition, how can it be acceptable that approximately 46% of the housing is to be derived from Pulte's lowest product offering?!
Bottom line, Pulte has demonstrated repeatedly disrespect for this neighborhood (which the Conservancy addendum should NEVER have been dismissed), Westfield's leading councils and Westfield's citizens. They have submitted a PUD that is NOT LEGALLY BINDING! I repeat this is a TRAVESTY.

Sincerely,
Lisabeth Armstrong

From:	Mary Schreiber
To:	APC
Subject:	Woodwind PUD
Date:	Monday, April 17, 2017 11:07:43 AM

Dear APC Members and Staff,

Thank you for your time and analysis of the Woodwind PUD.

I have dropped my request for Multi-family, Flex area, and Commercial re-zoning. I thought that would help.

Pulte has offered a large tract of custom built homes as requested by some.

Please vote yes for the Woodwind PUD and forward a favorable recommendation to the City Council tonight.

Sincerely,

Mary Schreiber, Trustee

From: Stacy Hall
To: Council Members; APC; Andy Cook; Matt Skelton
Subject: Woodwind PUD
Date: Monday, April 17, 2017 11:13:10 AM

Good Morning,

I am writing in regards to the Woodwind PUD. I have looked at the changes that have been made to the plan. I like that they have further reduced that amount of houses in section one, however, I still have concerns regarding the PUD.

This doesn't change the fact that our schools are still overcrowded. This development will only add to that issue. I am still hoping for the council members to take a step back from approving every development that comes through this city.

With these changes, We now have a property that connects to the corner of my property without any sort of buffer. I would like the same consideration that everyone else has gotten in regards to the buffers around the existing homes!

This plan still lacks the green space outside of the golf course and does not meet all requirements in the comprehensive plan.

My husband and I moved to Westfield 16 years ago. We chose Westfield because it was a small town. We didn't want to live in the rapidly growing Carmel or Fishers area, but sadly that is exactly where this is going.

Thank for your consideration

Stacy Hall
2001 W 166th St

From: Kristen Burkman
To: Council Members; APC; Andy Cook; Matt Skelton
Subject: Wood Wind PUD - Not Right for Westfield
Date: Monday, April 17, 2017 11:33:22 AM

Dear Mr. Mayor, Lady and Gentlemen of the APC and Lady and Gentlemen of the Council,

Thank you once again for listening to the concerns of the neighbors in this area and Westfield citizens regarding the Wood Wind PUD. As you know, none of the neighbors in this area support this PUD except for the few that are gaining financially from the project.

We've time and again shared facts regarding the PUD and its shortfalls to the Westfield community. This submission is no different. Pretty pictures and the promise of improved architecture doesn't match the written language of the PUD. In fact every section says, *"Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance."* This sounds like a long road of amendments.

There are still other problems such as the open space total of 16%. Yes, Pulte wants to count the golf course as open space but none of these residents can use it without paying to play golf. It's not open space. The golf cart paths are not open for walkers, runners or bicyclists. The golf course is a private business. The roads are still a major concern for residents in this area and there still isn't a plan for the proposed residents to safely cross Towne Road to reach the amenity center. Safety must be a priority.

The buffering agreements to neighbors are still an issue. My husband and I do not have a legal agreement from Pulte.

These are some highlights and the list could go on and on but I want to address a major issue that has me deeply concerned.

This is my perspective based on a collection of observations over the past six months. There is a petitioner wanting to do business with our community in hopes of profiting millions of dollars. Don't lose sight of the fact that this is a business deal for the #2 builder in the country, a golf course owner and landowners - none of which live here.

Our Mayor gave direction regarding deadlines, this was disrespected; our President of the APC demonstrating leadership and sharing his thoughts regarding the process was told he was displaying cynicism; a group of elected officials and citizens met for over six months to work with this petition and the group leader asked for the petitioner to meet with the group and to stop one on one meetings, the petitioner declined to do this. This list is longer but these examples are all in the past 30 days. An alarming pattern of behavior is before us.

With any project, it's the prudent and responsible action to have the right partner. This is the behavior before an approval so what would it be if an approval was granted.

The PUD is still not right and the petitioner is not the right partner. The answer is simple - it's vote NO.

Respectfully,

Kristen Burkman

From:	Karen H
To:	APC; Andy Cook; Council Members; Steve Hoover; Ginny Kelleher
Cc:	Jesse Pohlman
Subject:	Once you sign off on the PULTE PUD, you can"t bring back all that will be lost.
Date:	Monday, April 17, 2017 12:15:10 PM

Dear Westfield City Council Members,
I am again writing to you to voice my opposition to PULTE PUD. Again, I am asking why are you in such a hurry to approve something that can not be undone. The PULTE developers are set to make millions off this PUD but what specifically will it do for Westfield except increase the density, cause more overcrowding in the schools, more crime (just look at the crime statistics around here and how much it has increased), increased traffic, ugly homes, decrease open space and degrade the environment.

I ask you again to think long term future and not just the short term money angle. This PUD still does not support the Comprehensive Plan. Yes, they have made some gestures to try to address the numerous issues that the local citizens who live in this area brought up (not the outsiders who PULTE brought in to APC meetings). But those gestures are paultry and do not address the biggest problems with density, not enough open space, overcrowding at the schools, dangerous road conditions, and so on and so on. At the very least, the Comprehensive plan should be the minimum requirement for any PUD in this area.

Not everyone plays golf and why is it being the key to open space. Outside of the golf course the open space is extremely limited (16%) and it should be at least double that in this sector of town. Still the architectural standards not clear and appears that they could change at the discretion of the director. There is also an oversaturation of houses at the same price points. Again, I ask why can't Westfield support fine homes like in Carmel and Zionsville. Why is it all cookie cutter here.

Please, do not approve this PUD. I know there have been city council members (Steve Hoover) who has put a lot of time and effort in on this but the city needs to do this right. There will be no going back and so much will be lost.

Westfield used to have a reputation for being one of the best places to live in Indiana. Unfortunately with irresponsible development, we are headed down a path of no return.
Please, please do not support the PULTE PUD as currently written.

Thanks
Karen Hymbaugh
2929 W 159th St
Westfield, IN 46074

From: Andy Card
To: Matt Skelton; APC; councilmembers@westfiled.in.gov; Andy Cook
Subject: Wood Wind
Date: Monday, April 17, 2017 12:36:00 PM
Attachments: image003.png

Dear Plan Commission Members:

I am the principal owner and manager of Grand Park Fieldhouse, LLC, the operator of the Jonathan Byrd Fieldhouse in Grand Park. As you know, we have a significant investment in the Fieldhouse and its future success.

The success of our business requires a strong customer base and local support. Our leagues are filled with local students, and many of our employees are local residents. We chose Westfield because of its reputation and commitment to community projects like Grand Park and Grand Junction. We also chose Westfield over other communities based on the existing and continued growth of the City.

We are very concerned that the City may not approve the Wood Wind project. We understand that the Wood Wind project is consistent with the long term vision for this area as set forth in various planning documents and the planning department's analysis. We also understand that the Wood Wind project will save the Wood Wind Golf Course. I have followed this case for months and it appears to me that a very small group of area residents are selfishly seeking to stop the Wood Wind project to keep all growth out of this area. How can this area remain in its current undeveloped state in light of the stated growth policies in the long term planning documents for this area? When did half million dollar homes become unacceptable? What does it say about Westfield if the adopted planning documents and planning department's analysis are so easily ignored by the Plan Commission and Council? It appears to most of us that the City may be creating a moratorium on development in this area, which is not fair to the rest of the community.

We are concerned that the failure to approve the Wood Wind project will be viewed very negatively by the businesses and development community, and keep new businesses from moving to Westfield. From a selfish standpoint, we are concerned that the lack of development in this area will affect the success of our business and the entire Grand Park development. We need quality development like the proposed Wood Wind project to be successful, and urge you to approve it.

Regards,

Andy Card

Andy Card
CEO
Office: (317) 763-1503
Cell: (317) 557-6691
acard@grandparkfh.com

From: mindy martin
To: Council Members; APC; Andy Cook; Matt Skelton
Subject: Woodwind PUD
Date: Monday, April 17, 2017 1:28:45 PM

Thank you all so much for continuing to work with this PUD to try and make it the right plan for our country area. It has been a long process. A lot of time and effort by many people have been put in to try and come to a compromise of what is right. Sadly I believe that Pulte has missed the mark on what should work out here in the country and for the whole rest of the town of Westfield. It's obvious that this plan has not had a favorable response from a lot of people with good reason. I thank you all for not rushing this through and realizing this isn't quite the right thing that needs to happen. As Pulte has completely changed their plan for the third time around my house, this new one is a little better except for the trail that runs right along my property. I'm wondering, do I still have the buffering and the things that were spoken about with Mr. Compton? I haven't heard anything back from him about my concerns I addressed and to what I was agreeing on in the last e-mail I had sent him. Shouldn't Mr. Compton contact us and make different agreements since the plan has changed? Maybe none of our agreements mean anything now that they have changed everything and he just doesn't feel the need to tell us that and then we won't have anything to protect us. Isn't the town concerned about what happens to it's citizens? I would hope that the officials wouldn't want it's citizens to more or less be scammed by Pulte. I am really appalled by the lack of respect, uncaring attitude, and just flat out rudeness from this seemingly irresponsible housing development group. They obviously really don't care what happens to the countryside and the town as a whole. They just want their money. That's sad to let them just take what they want at everyone else's expense. The neighbors, the kids and teachers in the overcrowded schools, the overstressed roads, the wild animals and environment. I'm not really sure why they have been let to be so rude and to keep coming back over and over again not changing the plan as a whole very much at all. What do we have in store for us if Pulte is aloud to do this? I'm sure they will amend things and end up doing whatever they want in the end. We've just made them go the long way around to do it. It's so very sad how this process works. It's just a big run around that needs to be stopped! I COMPLETLY DO NOT SUPORT THE WOODWIND PUD! If any of you lived out here in the country you wouldn't support it or the way it would completely devastate your way of life either. Thank you for your time and having to listen to all of our concerns. I hope you do what is right for the citizens of your town, not Pulte.

~Mindy Martin

From:	Michael DiMascio
To:	Council Members; APC; Matt Skelton
Cc:	Brandee Easterday
Subject:	Latest Pulte proposal for the Woodwind PUD, tonight"s APC meeting
Date:	Monday, April 17, 2017 1:36:37 PM

Ladies and gentlemen,

We are writing to you today with regard to the latest Pulte proposal for the Woodwind PUD. We continue to be against the high density / low price-point of their proposals with respect to the natural beauty of the location and the lower-density / higher price-point of the existing homes in the area, and to the intent of the Comprehensive Plan.

We especially object to Pulte's misplaced and deceptive key market analysis assumption to use the average income of the entirety of Westfield to justify the lower price-point of their latest proposals. Woodwind is on the southwestern edge of Westfield, with large lots and expensive homes well within a mile of it. We believe it is proper to use the average income for the area radiating outward from Woodwind, *not* the average of all of Westfield. Please do not let Pulte slip by with such an improper market assumption. Carmel and Zionsville are nearby and have higher priced homes, with beautiful architecture that the area (Little Eagle Creek, its tributaries and woodlands) deserves.

One more extremely important effect of the high density development in recent years: Westfield schools are now overburdened, and it is getting worse as more and more projects are underway. The high quality of our schools, one of our greatest assets, is starting to degrade due to overcrowding and insufficient teaching staff and facilities. Now is the time to look towards lower density residential development to help our schools and infrastructure.

We are avid bicyclists, and we hope council members also recognize how the area can benefit from a *bicycling friendly and enhancing* street and residential expansion. Bicyclists from all over flock to this area on the weekends to ride, adding to the special character to the area and the desire to live here!

Thank you,
The DiMascio household consisting of:
Michael DiMascio
Brandee Thornburg
Samara Thornburg
17028 Towne Rd
Westfield, In 46074

From: longlane@frontier.com
To: Council Members; APC; Andy Cook
Subject: Pulte PUD
Date: Monday, April 17, 2017 12:33:55 PM

Dear Elected and Appointed Representatives:

Here we are again. Pulte has once again revamped their proposal for the SW Quadrant of Westfield--the most beautiful part left in the City.

While Section 1 got some significant improvements, the other sections? No so much. In fact, it looks like they aren't even going to bother putting the black horse fence in all the areas. I remember back when all this got rolling last year, it was all about the horse fence. They talked on and on about the horse fence to the point that I was sick of hearing about it. As if lots of black horse fence could disguise what they were doing and make all the rural residents swallow the poison pill more easily...Now they're not even worrying about that. This whole talk of 1.6/acre density is another such an attempt. We all know that isn't the density. The golf course is only green space to golfers. Not to kids and families who need room to roam. That's why we all bought "out here," for room to roam. And we relied on what you told us about this area. We relied on it when Carmel wanted to annex this area. You promised us you would be thoughtful going forward with development. We followed the Comprehensive Plan you put in place, and we believed that you would represent our area well.

So when this developer comes to you, after 6 months of opportunity to come up with something terrific for our city--and almost half of the planned homes are their lowest tier price-point, with backsides to the main roads and lots of front load garages, I certainly hope we can rely on you to vote no on such an under-developed plan. How, after all this time, all the focus groups, all the discussion and commentary, can they not get it???

Obviously, they just don't want to get it, and they're hoping you'll just go with it and slide this all into place. So when these homes don't sell, BECAUSE THERE IS ALREADY A 9-YEAR SUPPLY OF THEM CURRENTLY BEING BUILT, the developer will be back asking for amendment to make things easier on them....sort of like Viking Meadows.

Don't fall for it again! They brought you the market research showing a demand for higher-end homes on large lots BACK IN NOVEMBER! Our school system does not need MORE OF THE SAME. We have to counter balance what has already been done, by making the most of what we have left. Pulte are currently building their best lines in adjacent cities!! Why not here? They aren't concerned about our green space or our school system, or our "way of life." My dad used to say, "Don't forget who brought you." We're asking you to not forget who put you where you are today--we the taxpaying citizens who are bearing the burden of all the decisions already made. DEMAND WHAT IS BEST FOR THIS COMMUNITY--don't settle for anything less.

If they wanted to bring their "A" game, they obviously would have done it by now. Zionsville turns down developers all the time. And how does that work out for their town? Seems like it has done pretty well. BE PICKY!

You can use black horse fence to pen a pig. That doesn't make it a horse.

Tom and Tracy Pielemeier

From:	Aimee Foster
To:	Andy Cook; APC; Matt Skelton
Subject:	Pulte
Date:	Monday, April 17, 2017 2:01:56 PM

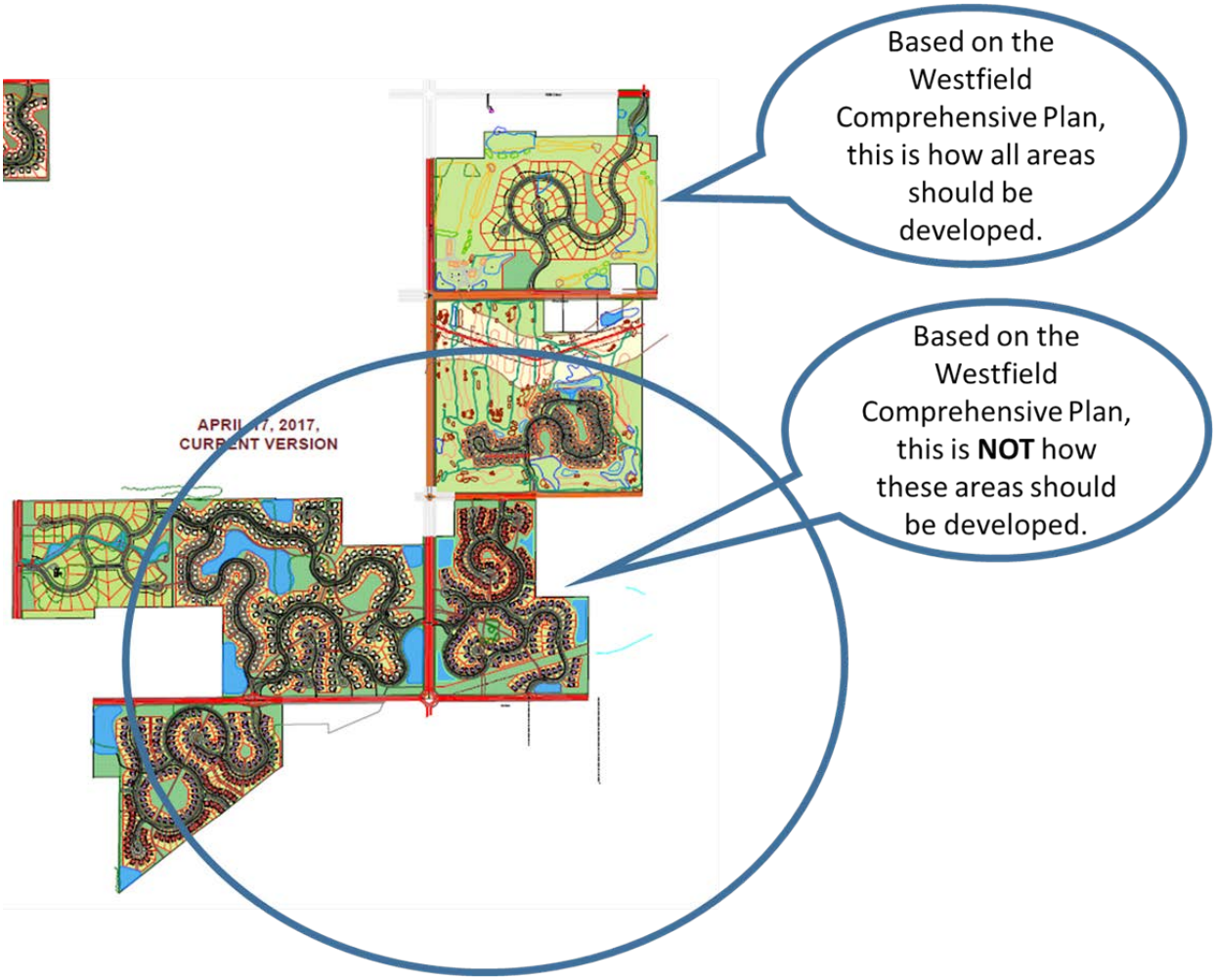
Dear representatives,
Thank you for listening to the community!
I have sent letters in the past, please make sure your decisions today are right for this community. We love living in this area! Please consider what the comprehensive plan was set in place for. Please stop irresponsible development of this area!
Thank you!
Aimee Foster
Sent from my iPhone

From:	Laufter, Ross J.
To:	Andy Cook; APC; Council Members; Matt Skelton
Cc:	"rkburkman@gmail.com"; "dub164@aol.com"; "tinalaufter@sbcglobal.net"
Subject:	Let"s be Westfield and not Westfilled
Date:	Monday, April 17, 2017 2:22:15 PM
Attachments:	image003.png

Mayor, Council, APC,

This is still not the right plan for this area. This still does not meet the description of our Comprehensive Plan (see excerpt below), Dense is not best for our community! Dense is good for Pulte's bottom line and that is it. Can our infrastructure handle this? Please do not approve this Nth version of their plan.

Respectfully,
Ross and Tina Laufter
2702 W. 146th
Westfield, IN



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.

Reminder of Problems with PUD:

- Open Space outside of golf course 16%
- Architecture standards can be changed at Director's discretion
- Less than 50% of homes face the roads
- Dangerous road conditions
- Lack of safe routes to reach amenity center from south neighborhoods
- Over saturation of same price points on west side of Westfield (1,300 lots available in 19 neighborhoods)
- Black board fencing not present or lacking in most of the neighborhood sections. This was supposed to be an consistent architecture element throughout the area.
- This adds to our overcrowding problem at the schools
- They keep talking about the golf course - none of these people can use the course without paying for it. It's as much open space for this neighborhood as it is for Harmony or Centennial, West Rail, etc.
- PUD does not support Comprehensive Plan

Email Addresses:

Councilmembers@westfield.in.gov
apc@westfield.in.gov
acook@westfield.in.gov
mskelton@westfield.in.gov

Thanks,
Kristen

---------- Forwarded message ----------
From: **Kristen Burkman** <rkburkman@gmail.com>
Date: Fri, Apr 14, 2017 at 9:28 PM
Subject: URGENT - One More Round of Letters Needed
To:

Dear Neighbors -

Monday night, April 17th at 7:00 at City Hall, the APC is scheduled to vote on the Pulte/Wood Wind PUD. The issues remain basically the same but there was much improvement in Section One. The entire PUD needs the same type of thoughtfulness but not much changed in Sections 3, 4, & 5. **Please send one more round of letters by Monday at noon so APC members have an opportunity to read.**

We can't thank you enough!! The letters have made such a difference in our remonstrance. The passion for this beautiful area and the city of Westfield is apparent in every correspondence. Please thank our city leaders for their time and efforts. This is about doing what's best for WESTFIELD and not a business deal to make the wealthy wealthier.

The link for you to review the PUD is below.

http://www.westfield.in.gov/egov/apps/document/center.egov?view=item;id=5388

Short Summary of Changes:

Since the last submission, Pulte has worked with many neighbors to more adequately buffer them from this high density development. This has been very nice but would never have happened without the leadership from the 5 APC members that voted no. For those of you that are included in this, please look at the PUD carefully to confirm that it reads as you understand your agreement. If you have something in your yard, that will not be enforceable in the PUD.

Additionally, Pulte has introduced a custom component in Section 1 and reduced the number of homes to 84. The largest number of changes happened in Section 1 since the last revision. This section looks much better. Unfortunately, the other sections have remained very similar with a few small changes.

Pulte changed the home designs being offered in Sections 3 & 5 to address the concern of having the same designs throughout Westfield. Some of these now have higher starting prices.

The number of homes for the entire PUD is now around 850. This is a reduction of about 75 homes from the last PUD in March. The total acreage appears to be around 750 acres including the golf course which is around 175 acres of the total.

Issues That Are Still a Concern:

1. Density is to decrease and open space is to increase as you move west from Ditch Rd. Outside of the golf course the open space is approximately 16%. The highest density is located in the southwest rural which is intended to have the lowest density in the region.
2. Homes are still backing up to the main roads as opposed to facing them. This is especially an issue on our main arterial Town Rd. There was a commitment made to the developer at Liberty Ridge that others would be held to this standard and that is not the case along the 151st Street layout, 156th Street layout, and Town Road within the Wood Wind PUD.
3. There is a significant lack of commitment to architecture and housing variety based upon the language contained within the PUD which is very concerning. There is nothing in the PUD that ensures that the provided character exhibits will be built in the development. PUD Language: Although the Exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance.
4. The PUD allows for approximately 46% of the housing to be derived from Pulte's lowest product offering.
5. The golf course deed restriction is in effect for 50 years. This is the only meaningful open space within the PUD and should be required into perpetuity. This sets the precedent that common grounds within neighborhoods could be developed in the future?
6. Requested that the black board fencing be present throughout the region as a tie in to the rural equestrian theme of the area. The fencing displayed in section 3 is very minimal and completely absent from sections 4 east, 4 west, and section 5.
7. This PUD still isn't representative of the Comprehensive Plan vision for this area.
8. Having one builder for this many acres is a concern. This will rezone most of what is currently AGSF-1 in the New Suburban Southwest. Is this the best use of the land and especially at a time when the schools are overcrowded and getting worse by the day.

Let me know if you have any questions.

Thanks,
Kristen

Email Addresses:

Councilmembers@westfield.in.gov
apc@westfield.in.gov
acook@westfield.in.gov
mskelton@westfield.in.gov

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From:	Sarah Watkins
To:	APC; Council Members; Andy Cook; Matt Skelton; Kevin M. Todd, AICP
Subject:	Woodwind PUD
Date:	Monday, April 17, 2017 2:30:37 PM

I am writing once again with issues about the current Woodwind PUD. I am sure you all feel exhausted going through all of the information with a fine tooth comb every time. We appreciate your efforts.

This time, we found mistakes in our own personal agreement (p. 20, h. "buffer 8:). Our address is wrong. We live at 2191 W 166th Street, not 2199. I also found a mistake in the Exhibit Book, Part 2.
Exhibit E-2-A: Buffer Yard Locations & Connectivity – Area 1
It does not show the black horse fence behind our property. It shows it stops at the Gibson's. It should continue on our property line as well as the Severson's to the west.

This is way too many houses. We are exhausted with Pulte and them saying one thing but then showing (or not showing) another. Do we really want to do business with them? We are against this project as it is. Please, vote no.

Thank you,
Sarah and Gary Watkins
2191 W 166th Street

To: Westfield Planning Commission and Westfield City Council
From: Matt Cohoat, President of Cohoat and O'Neal Management
Re: Wood Wind Golf Club and Pulte Wood Wind PUD
Date: April 17, 2017

With the upcoming Westfield Planning Commission meeting, I would like to yet again confirm the support of the Cohoat and O'Neal Management for the Wood Wind PUD.

As you know, WWGC is a wonderful asset serving our neighbors of all ages in a wide variety of ways. The proposed PUD is transformational for WW, creating a true Community Center for Westfield residents. In many communities, public funding supports and carries these valuable assets. For instance, Carmel funds annual operating deficits of Brookshire Golf Course of $300,000+, while providing all the investment and ongoing capital expenditure funding. The plan for WW shifts the financial burden to the benefiting residents, customers and private business community through a combination of homeowner support and increased market share without placing any financial burden on the City. I hope you, as our community leaders, and ultimately the broader community, truly appreciate the unique plan before you that not only keeps WWGC open, but makes it sustainable for the long run.

In today's world of skepticism and misinformation, it is very difficult to deliver clear, factual messages that are not clouded by rumor, innuendo and incorrect social media postings. I mention this as I, yet again, write personal checks to keep WWGC open. I wish correct and realistic information regarding WWGC sustainability could be received and understood. Key relevant facts that I feel you, as decision makers for Westfield, need to understand are:

- Market share for WWGC has been stabilized at 28,000-30,000 rounds per year over the past few five years.
- Revenues from additional services/products have been stable for the past five years.
- The results of the first two bullets are annual operating and cash flow deficits that require external funding. In addition, revenue growth is minimal.
- There exists no excess cash for capital investment or deferred maintenance, thus requiring additional external funding.
- Recent inspections indicate substantial capital needs for roofs, electrical upgrades, mechanical/hvac replacement, irrigation, drainage, bridge repair, etc.

Our commitment to WWGC for these past several years was based in part on passion and service for sure, but also based on the hope of development in the area and community support to create a sustainable organization. It is frustrating to continue to indirectly learn of neighbors, community leaders and media communicating on behalf of WWGC that the course will survive if the plan is not approved. I understand the wish for this to be true, but the reality is starkly different.

Cohoat and O'Neal Management's current lease/management agreement will expire on December 31, 2017 and we understand that ownership will not renew or extend the lease/management agreement absent the approval of the Pulte Plan to provide an exit for the ownership and sustainability of the golf course. The ownership has indicated that, in lieu of an approved plan, they plan to begin selling off the property with the course being closed.

The Wood Wind PUD provides a unique solution to save WWGC that does not exist in any other scenario. Not only are the homes creating needed customers, but the unique funding plan of the comprehensive Pulte plan is critical to the future of WWGC.

There is a direct nexus between the approval of the Wood Wind PUD and WWGC staying open. A vote against the Pulte Plan is a vote to close WWGC. For some reason, there is public doubt as to this fact, which is more of commentary on our society than understanding and recognition of the facts.

We thank you for your service and consideration of this information. Please contact me or Doc O'Neal with any questions or additional information needs.

From:	Andy O"Connor
To:	Council Members; APC; Andy Cook; Matt Skelton; Jesse Pohlman
Cc:	Kristen Burkman; Megan OC
Subject:	Re: Opposition to Pulte Plan and Irresponsible Development
Date:	Monday, April 17, 2017 4:08:54 PM

Interested Parties,

I write you again today to express my grave concerns with Pulte's PUD. The updated plan does little to satisfy the needs of our community, and I fear that my town's leadership is getting uncomfortably close to making a very bad decision that will negatively impact our schools, our roads, our serene setting, and our sense of community. This PUD is unfair to current homeowners, it damages our verdant and idyllic landscape, it threatens to create dangerous road conditions, and it fails to guarantee proper architectural standards and simple access to green space.
I urge you to vote "NO" against this PUD. Pulte should be required to do better than this, and we should not yield until they are committed to giving us a proper development plan. Please do not forsake our town's interests.

Respectfully,
J Andrew O'Connor

On Mon, Feb 6, 2017 at 4:20 PM, Andy O'Connor <jandrewoconnor@gmail.com> wrote:

> Esteemed Leadership and other interested parties,
>
> I write you again in order to respectfully express my concerns with the proposed Pulte development. I maintain my firm conviction that this plan, as it currently exists, is unfair, irresponsible, and, ultimately self-defeating for our community. Unless and until dramatic changes are made to the plan, the only proper vote is a "No" vote rejecting this plan.
>
> Borrowing from our zoning ordinance, I remind you that it is your duty to pay reasonable regard to the following issues:
>
> The plan should be modified to come into compliance with our community's Comprehensive Plan. Pulte's plans for violations regarding the Comprehensive Plan's stance on open space, "cookie-cutter" appearances, and regard for contextual homes are unacceptable features of their proposal.
>
> Further, the plan must be modified to match the current conditions and character of the current structures.
>
> Additionally, the conservation of property values must be considered. The current Pulte plan gives little regard to property values of the jurisdiction.
>
> Finally, the plan lacks any credible attention to the responsible development and growth of our community. This prodigious deficiency poses a real danger to the long-term success of the town I love.
>
> If we accept this plan, then that is a wholesale rejection of the qualities that make us so endearing. Please vote against this plan, and demand better for our community.

Sincerely,

J Andrew O'Connor MD
15201 Shelborne Road, Westfield