

ORDINANCE 12-____

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP,
HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 –
LAND USE CONTROLS**

This is a planned unit development ordinance (the “Ordinance”) to amend the Westfield-Washington Township Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Zoning Ordinance”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code §36-7-4., as amended.

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Docket _____-PUD-___), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Docket _____-PUD-___ to the Westfield City Council with a favorable recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505; and,

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

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

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE ZONING ORDINANCE AND ZONING MAP BE AMENDED AS FOLLOWS:

Section 1. Development of the Real Estate shall be governed by the provisions of the Zoning Ordinance unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. This ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All Ordinances or parts thereof that are in conflict herewith are hereby inapplicable to the Real Estate. To the extent that this ordinance conflicts with the terms of any previously adopted Ordinance, or part thereof, the terms of the ordinance shall prevail.

Summary of Comments on Harmony PUD Ordinance - Comments_053112.pdf

Page: 1

Sequence number: 1

Author: ktodd

Subject: Highlight

Date: 6/1/2012 8:57:16 PM

T Please change this to "All zoning ordinances..."

Sequence number: 2

Author: ktodd

Subject: Highlight

Date: 6/1/2012 9:03:40 PM

T Please change to "zoning ordinance"

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA, THIS ____ DAY OF _____, 2012.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For:

Voting Against:

Abstain

Jim Ake

Jim Ake

Jim Ake

John Dippel

John Dippel

John Dippel

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

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

Prepared by: Bryan D. Stumpf, ASLA, AICP, American Structurepoint
7260 Shadeland Station, Indianapolis, IN 46256, (317) 547-5580.

This page contains no comments

I hereby certify that ORDINANCE 12-_____ was delivered to the Mayor of Westfield on the _____ day of _____, 2012, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 12-_____

This _____ day of _____, 2012.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 12-_____

This _____ day of _____, 2012.

J. Andrew Cook, Mayor

This page contains no comments

This page contains no comments

HARMONY PUD TABLE OF CONTENTS

- Article 1. Applicability of Ordinance
- Article 2. Mixed Use District
- Article 3. Single Family Residential District
- Article 4. Off-Street Loading and Parking
- Article 5. Landscaping Standards
- Article 6. Definitions

HARMONY PUD TABLE OF EXHIBITS

- Exhibit A. Legal Description and Boundary Information
- Exhibit B. Zoning District Map
- Exhibit C. Illustrative Plan
- Exhibit D. Construction Phasing Plan

This page contains no comments

This page contains no comments

ARTICLE 1. APPLICABILITY OF ORDINANCE

Section 1.1. Applicability. This Harmony PUD Ordinance (the “Ordinance”) applies to the subject real estate more particularly described in Exhibit A attached hereto (the “Real Estate”).

Section 1.2. Districts. There are two districts within the Ordinance as illustrated in Exhibit B attached hereto (the “District Map”).

- A. The underlying zoning district for the Mixed Use District shall be the LB – Local Business District (the “LB District”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the LB District shall apply to the Mixed Use District of this Ordinance.

- B. The underlying zoning district for the Residential District shall be the SF-4 – Residential District (the “SF-4 District”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the SF-4 District shall apply to the Residential District of this Ordinance.



Page: 7

Sequence number: 1

Author: ktodd

Subject: Note

Date: 5/31/2012 5:05:03 PM

 GENERAL COMMENT -- It has been suggested that the proposal is not consistent with the Comprehensive Plan (specifically mentioned are 1) locating commercial at Ditch/146th Street is not consistent, and 2) the proposed density of the project is not consistent).

Sequence number: 2

Author: ktodd

Subject: Note

Date: 5/23/2012 11:25:16 PM

 GENERAL COMMENT -- The proposed concept plan does not indicate opportunities for inter-connectivity with adjacent properties to the west. Please explain.

Sequence number: 3

Author: ktodd

Subject: Note

Date: 5/31/2012 5:00:07 PM

 GENERAL COMMENT -- It has been suggested that only a minimal effort by the petitioner has been made in notifying/informing the public of this project.

Sequence number: 4

Author: ktodd

Subject: Note

Date: 5/31/2012 5:19:47 PM

 GENERAL COMMENT -- It has been suggested that the overall viability of the project is questionable at this time -- especially given that there are a number of pre-approved residential lots in Westfield that are not yet platted/developed.

Sequence number: 5

Author: ktodd

Subject: Note

Date: 6/1/2012 11:59:01 PM

 GENERAL COMMENT -- It has been suggested that language be added to the PUD Ordinance requiring the installation of the 8' asphalt pathways along Ditch Road and 156th Street

ARTICLE 2. MIXED USE DISTRICT. The underlying zoning of the commercial and multifamily uses within the Mixed Use District shall be the LB District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the district. The purpose of this district is to allow multifamily residential uses and commercial development.

Section 2.1. General Requirements. The following general requirements apply to the Mixed Use District.

- A. Parking may be permitted in all required ¹Building Setback Areas.
- B. A ²Suitable planting buffer shall be provided on any yard that abuts a residential area external to the Real Estate in accordance with the Landscaping Standards of this Ordinance.
- C. Pedestrian connections shall be provided between buildings and parking areas via pavement striping and sidewalks.
- D. Sidewalk connections of ³Five (5) feet in width shall be made between buildings and sidewalks/paths within the rights-of-way closest to the buildings.
- E. ⁴Chain link fencing with vinyl slats is prohibited.

Section 2.2. ⁵Permitted Uses.

- A. In addition to the uses permitted in the LB District in the Zoning Ordinance the following ⁶uses shall be permitted in the Mixed Use District:
 - 1. Health, fitness, and exercise center
 - 2. Multifamily residential
- ⁷B. In addition to the uses permitted in the LB District in the Zoning Ordinance, in the portion of the Mixed Use District located between existing 146th Street and the new alignment of 146th Street, the following uses shall be permitted:
 - 1. Restaurants with drive-through facilities
 - 2. Convenience store with fueling center

Page: 8

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:56:02 AM

T Define.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:06:05 PM

T What makes a "suitable planting buffer"? Please provide detail, or remove the word "suitable".

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:07:09 PM

T Please add either the phrase "a minimum of" or "at least" in front of "five".

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:05:22 PM

T Is it the intent to allow chain-link without slats in the Mixed-Use District?

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 5/22/2012 2:10:12 AM

T Are there ventilation (or other) requirements that can be established for restaurants that would help mitigate their smells?

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 5/23/2012 11:42:07 PM

T It has been suggested that "Restaurants with drive-through facilities" be added to the Mixed Use area on north side of 146th Street (2.2.A).

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 5/22/2012 2:06:26 AM

T It has been suggested that this "island" needs enhanced buffering.

Section 2.3. Development Standards for Commercial Uses within the Mixed Use District.

A. Special Requirements.

1. Buildings within the commercial portion of the Mixed Use District shall comply with the Architectural Design Requirements of the ¹State Highway 32 Overlay Zone (WC 16.04.065 [8]).
2. No ²outside storage is permitted.
3. The maximum gross floor area of an individual business shall be ³70,000 square feet.
4. The aggregate maximum gross floor area of all commercial buildings shall be ⁴70,000 square feet.

B. Development Standards.

1. Minimum Lot Area – None.
2. Minimum Tract Frontage on Road – ⁵Direct or indirect access to a public right-of-way is required.
3. ⁶Minimum Setback Lines (applied to perimeter of the Mixed Use District):
 - a. Front Yard – Twenty (20) feet
 - b. Side Yard – Twenty (20) feet
 - c. Rear Yard – Twenty (20) feet
4. Maximum Building Height – Fifty (50) feet.
5. Loading and Parking - See Article 4 Off Street Loading and Parking.
6. Landscaping - See Article 5 Landscaping Standards.

Section 2.4. ⁸Development Standards for ⁷Multifamily Uses within the Mixed Use District.

- A. Maximum Dwelling Density – Twenty-two (22) dwelling units per acre (based upon multifamily development area and ⁹green space area).
- B. Maximum Number of Dwelling Units Per Structure – ¹⁰thirty (30) dwelling units.
- C. Maximum Number of Dwelling Units – Two hundred seventy (270) dwelling units on the Real Estate.

Page: 9

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:31:03 PM

T Please add "the City of Westfield's" in front of "State Highway 32..."

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:17:27 PM

T Is outside display allowed? If so, are there any standards governing that activity?

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 5/22/2012 9:46:09 PM

T It has been suggested to add language which would limit the maximum 70,000 square-foot individual business space to only one business in the entire development.

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/22/2012 9:49:20 PM

T QUESTION -- How does the developer see the 170,000 square feet of commercial space being allocated/divided up?

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:18:27 PM

T Please clarify the intent/purpose of this standard. It has been suggested that it may not be necessary.

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:56:38 AM

T Is "Minimum Setback Lines" the same as "Building Setback Area" in Section 2.1, A above? If not, what is the difference?

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:18:26 AM

T Add requirements for amenities within the Multi-Family area.

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 5/23/2012 11:35:07 PM

T It has been suggested that the proposed multi-family standards are too intense and too dense for this area of the community, and that they are more than 2x the City's standards in some cases (specifically, the Max Units per Structure; the Max Dwelling Units; and the Max Number of Units). What is the City getting in return for giving more density/intensity?

Sequence number: 9
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:21:28 PM

T What is the "green space" area? Define.

Is there an open space requirement in the multi-family area? It has been suggested that there should be one included in the 20% to 40% range, but listed as an acreage amount rather than a percentage.

Sequence number: 10
Author: ktodd

Comments from page 9 continued on next page

Section 2.3. Development Standards for Commercial Uses within the Mixed Use District.

A. Special Requirements.

1. Buildings within the commercial portion of the Mixed Use District shall comply with the Architectural Design Requirements of the State Highway 32 Overlay Zone (WC 16.04.065 [8]).
2. No outside storage is permitted.
3. The maximum gross floor area of an individual business shall be 70,000 square feet.
4. The aggregate maximum gross floor area of all commercial buildings shall be 170,000 square feet.

B. Development Standards.

1. Minimum Lot Area – None.
2. Minimum Tract Frontage on Road – Direct or indirect access to a public right-of-way is required.
3. Minimum Setback Lines (applied to perimeter of the Mixed Use District):
 - a. Front Yard – Twenty (20) feet
 - b. Side Yard – Twenty (20) feet
 - c. Rear Yard – Twenty (20) feet
4. Maximum Building Height – Fifty (50) feet.
5. Loading and Parking - See Article 4 Off Street Loading and Parking.
6. Landscaping - See Article 5 Landscaping Standards.

Section 2.4. Development Standards for Multifamily Uses within the Mixed Use District.

- A. Maximum Dwelling Density – Twenty-two (22) dwelling units per acre (based upon multifamily development area and green space area).
- B. Maximum Number of Dwelling Units Per Structure – Thirty (30) dwelling units.
- C. Maximum Number of Dwelling Units – Two hundred seventy (270) dwelling units on the Real Estate.

Subject: Highlight

Date: 5/23/2012 10:01:09 PM

T It has been suggested that 30 units per building is too large. There is some concern with the potential size (mass/height) of multi-family buildings.

- D. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) – Six hundred fifty ¹50 square feet.
- E. ²Minimum Setback from Internal Driveways/Parking Areas – Ten (10) feet.
- F. Maximum Building Height – ³ifty (50) feet.
- G. Proximity Slope - The proximity slope shall not apply to the development of the Real Estate.
- H. Minimum Distance Between Structures – Twenty (20) feet.
- I. ⁴Parking Lot Screening - In addition to the requirements in Article 5, the following provisions shall apply:
1. Off-street parking lots and spaces ⁵iewable from a public street or adjacent to single or multifamily development shall be screened by either a three (3) foot high opaque wall or fence or by a solid hedge row, in addition to landscaping required in this Ordinance.
 2. Off-street parking lot screening shall be installed when parking spaces are located within ten (10) feet of dwellings.
- J. ⁶uilding Material
1. Masonry or natural materials shall be the exterior building material on ⁷hirty percent (30%) of the elevation of all buildings, excluding openings such as doors and windows, roofs, and the area within any dormer projecting from a roof.
 2. Permitted exterior surfaces shall include: cultured stone, masonry or equivalent, wood, EIFS, stucco, and concrete fiber board, or equivalent materials ⁸as determined by the Developer. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl siding is prohibited.
- K. Development Plans. Multifamily development shall meet the following requirements, in addition to the other requirements set forth in this Ordinance.
1. In the event that more than one building is proposed, they shall be designed to be located so that no more than two (2) buildings are in a straight, unbroken line.
 2. Straight, ¹⁰unbroken front elevations shall be limited to ⁹100 feet in length.
- L. Off-Street Loading and Parking - See Article 4.
- M. Landscaping - See Article 5.

Page: 10

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:24:35 PM

T It has been suggested that the minimum square footage is small. Please be prepared to discuss.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:26:52 PM

T Please include a setback standard from public streets.

Also, are there no setback requirements from other property lines? Please explain.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 5/22/2012 10:08:22 PM

T Why is 50' needed? This is an increase of 15' from existing maximum on the property (35'). It is also taller than the maximum for Union Street Flats (40'). Why the need to go taller?

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/22/2012 9:58:36 PM

T It has been suggested that parking not be allowed on the western edge of the MultiFamily area (adjacent to agricultural land).

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:28:10 PM

T Should this standard list a specific distance instead of "viewable"?

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:11:03 PM

T It has been suggested that the Union Street Flats architectural standards be used as guide for establishing architectural requirements in the Harmony PUD Ordinance.

It has also been suggested that a minimum of 3 materials be required per building.

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:12:49 PM

T It has been suggested that this be increased to at least 50%.

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:31:36 PM

T Please delete the phrase, "as determined by the Developer".

Sequence number: 9
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:14:24 PM

T It has been suggested that this be decreased to 60'.

Sequence number: 10
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:41:30 PM

Comments from page 10 continued on next page

- D. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) – Six hundred fifty (650) square feet.
- E. Minimum Setback from Internal Driveways/Parking Areas – Ten (10) feet.
- F. Maximum Building Height – Fifty (50) feet.
- G. Proximity Slope - The proximity slope shall not apply to the development of the Real Estate.
- H. Minimum Distance Between Structures – Twenty (20) feet.
- I. Parking Lot Screening - In addition to the requirements in Article 5, the following provisions shall apply:
1. Off-street parking lots and spaces viewable from a public street or adjacent to single or multifamily development shall be screened by either a three (3) foot high opaque wall or fence or by a solid hedge row, in addition to landscaping required in this Ordinance.
 2. Off-street parking lot screening shall be installed when parking spaces are located within ten (10) feet of dwellings.
- J. Building Material
1. Masonry or natural materials shall be the exterior building material on thirty percent (30%) of the elevation of all buildings, excluding openings such as doors and windows, roofs, and the area within any dormer projecting from a roof.
 2. Permitted exterior surfaces shall include: cultured stone, masonry or equivalent, wood, EIFS, stucco, and concrete fiber board, or equivalent materials as determined by the Developer. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl siding is prohibited.
- K. Development Plans. Multifamily development shall meet the following requirements, in addition to the other requirements set forth in this Ordinance.
1. In the event that more than one building is proposed, they shall be designed to be located so that no more than two (2) buildings are in a straight, unbroken line.
 2. Straight, unbroken front elevations shall be limited to 100 feet in length.
- L. Off-Street Loading and Parking - See Article 4.
- M. Landscaping - See Article 5.

T Please clarify/define what constitutes an elevation being "unbroken". Bump-outs and corner breaks? If so, please clearly define all terms associated with this standard.

Also, you probably don't mean "elevation". You probably mean "planes of the front elevation" (or similar).

ARTICLE 3. SINGLE FAMILY RESIDENTIAL DISTRICT

The underlying zoning of the single family uses within the Single Family Residential District shall be the SF-4 Single Family Residential District in the Zoning Ordinance. Said underlying zoning classification, as modified below by the addition, or modification of the provisions and text thereof, shall govern the use and development of the district. The purpose of this district is to allow a variety of detached single family residential living options.

Section 3.1. Building Height. All residential dwellings are permitted to be a maximum of **1** thirty-five (35) feet in height.

Section 3.2. Permitted Uses. In addition to the uses permitted in the SF-4 District in the Zoning Ordinance, accessory dwelling units shall be permitted in the Single Family Residential District.

- 2** Accessory dwelling units

Section 3.3. Development Requirements.

A. Lots and Buildings within the District shall comply with the following development standards based upon lot classification:

Development Standard	Lot Classification						Note
	3 New alley load lots	42' alley load lots	50' alley load lots	60' front load lots	70' front load lots	80' front load lots	
Minimum Lot Width at Building Line	42'	42'	50'	60'	70'	80'	
Minimum Lot Area	4 780 s.f.	3,780 s.f.	5,500 s.f.	7,200 s.f.	8,400 s.f.	9,600 s.f.	1, 2
Minimum Lot Frontage on Road	0'	30'	40'	40'	40'	40'	
5 Minimum House Size	1,400 s.f.	1,400 s.f.	1,700 s.f.	2,000 s.f.	2,200 s.f.	2,600 s.f.	3
Minimum Front Yard Setback	10'	10'	10'	20'	20'	20'	4
Minimum Side Yard Setback	5'	5'	5'	5'	5'	5'	
Minimum Rear Yard Setback	20'	20'	20'	20'	20'	20'	

Notes:

- No more than 225 lots shall be less than five thousand five hundred (5,500) square feet in lot area.
- No more than 405 lots shall be less than seven thousand two hundred (7,200) square feet in lot area.
- The Minimum Ground Level Square Footage requirements of the SF-4 district shall not apply to this Ordinance.
- The front yard setback for the Mew alley loaded lots shall be measured from the front property line.

Page: 11

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:29:27 PM

T It has been suggested that 35' max building height is excessive. The standard in the underlying zoning district is 25'. Please explain the need to increase.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:46:31 PM

T Please define.

Also, "accessory dwelling unit" is not really a use, but rather a structure (though it may depend on how the term is defined). The listed uses should be something like "one family residential" and "two family residential".

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:19:05 AM

T Define "Mew alley load lot"

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:41:50 PM

T It has been suggested that 3,780 SF is small, especially after the setbacks are accounted for.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:33:03 PM

T Is this ground floor only or total square footage? Please clarify.

- B. The ¹Recreation Area located immediately north of 151st Street west of Ditch Road shall comply with the 50' alley loaded lot standards noted above except that the community building shall be a minimum of 1,000 s.f.

Section 3.3. Architectural Standards.

- A. The front elevation of a dwelling shall be the elevation containing the front door to the dwelling.
- B. On homes with front load garages, the garage door shall be recessed behind the primary plane of the front elevation of the home a minimum of two (2) feet.
- C. ²Exterior Surfaces.
1. Permitted ³Exterior surfaces shall include: cultured stone, masonry or equivalent, wood, EIFS, stucco, and concrete fiber board, or equivalent materials. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl siding is prohibited.
 2. Each dwelling shall utilize a minimum of ⁴three (3) of the following architectural elements on the front ⁵façade:
 - i. Side load or angled garage;
 - ii. Covered front porch at least six (6) feet in width and four (4) feet in depth;
 - iii. Roofline direction change or roofline height change greater than sixteen (16) inches;
 - iv. Wood, concrete fiber board, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different exterior materials;
 - v. Decorative shutters or other ⁶enhanced architectural window treatment on all windows, where feasible (a minimum of three (3) windows with shutters are required to meet this provision);
 - vi. Architectural break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the front façade elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements);
 - vii. ⁷Primary roof pitches of 8/12 or greater and secondary roof pitches of 10/12 or greater;
 - viii. Masonry or ⁸equivalent, EIFS, stucco, cultured stone or equivalent material on a minimum of the first floor or ⁹twenty-five percent (25%) of the total façade, exclusive of windows and doors;
 - ix. Separate ¹⁰architectural overhead door per car for each garage;
 - x. Roof design featuring hip roof, dormers (a minimum of two (2) dormers), a reverse gable, a shed roof accent, two (2) or more roof planes or a covered front entry;

Page: 12

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:43:30 AM

T Define term. And provide standards/requirements and plan for the amenity area. What amenities will there be?

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:03:51 PM

T It has been suggested that pictures/elevations of all building types be added to the PUD Ordinance, and the ordinance include language that requires the buildings to be "substantially similar to" the pictures.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:46:57 PM

T It has been suggested that a minimum of 3 materials be required per building.

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:47:30 PM

T It has been suggested that 3 is not a high enough minimum. 7-12 were suggested as a minimum number of arch. elements by a few reviewers.

Repeated comment to make the text of the ordinance match the pictures that were shown in the presentation on May 7th.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:00:01 PM

T Throughout entire document, please replace "facade" with "elevation".

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:05:16 PM

T Please clarify/define.

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 6/1/2012 9:58:58 PM

T Define "Primary Roof Pitch" and "Secondary Roof Pitch"

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:04:33 PM

T Please be clear when using the term "equivalent" throughout the entire document.

Sequence number: 9
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:48:09 PM

T It has been suggested that this be increased to 50%.

Sequence number: 10
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:02:41 PM

Comments from page 12 continued on next page

- B. The Recreation Area located immediately north of 151st Street west of Ditch Road shall comply with the 50' alley loaded lot standards noted above except that the community building shall be a minimum of 1,000 s.f.

Section 3.3. Architectural Standards.

- A. The front elevation of a dwelling shall be the elevation containing the front door to the dwelling.
- B. On homes with front load garages, the garage door shall be recessed behind the primary plane of the front elevation of the home a minimum of two (2) feet.
- C. Exterior Surfaces.
1. Permitted exterior surfaces shall include: cultured stone, masonry or equivalent, wood, EIFS, stucco, and concrete fiber board, or equivalent materials. Vinyl or aluminum clad windows with wood (or wood composite material) exterior trim shall be permitted. Vinyl siding is prohibited.
 2. Each dwelling shall utilize a minimum of three (3) of the following architectural elements on the front façade:
 - i. Side load or angled garage;
 - ii. Covered front porch at least six (6) feet in width and four (4) feet in depth;
 - iii. Roofline direction change or roofline height change greater than sixteen (16) inches;
 - iv. Wood, concrete fiber board, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different exterior materials;
 - v. Decorative shutters or other enhanced architectural window treatment on all windows, where feasible (a minimum of three (3) windows with shutters are required to meet this provision);
 - vi. Architectural break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the front façade elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements);
 - vii. Primary roof pitches of 8/12 or greater and secondary roof pitches of 10/12 or greater;
 - viii. Masonry or equivalent, EIFS, stucco, cultured stone or equivalent material on a minimum of the first floor or twenty-five percent (25%) of the total façade, exclusive of windows and doors;
 - ix. Separate architectural overhead door per car for each garage;
 - x. Roof design featuring hip roof, dormers (a minimum of two (2) dormers), a reverse gable, a shed roof accent, two (2) or more roof planes or a covered front entry;

T Please clarify/define.

- xi. ¹ Architecturally-treated entranceways (for homes without a front porch) consistent with the approved architectural style of the home;
 - xii. Bay window(s);
 - xiii. Transom window(s);
 - xiv. Veranda/balcony;
 - xv. ² Architectural garage doors containing windows;
 - xvi. ³ Architecturally-enhanced articulated trim moldings (e.g. fipons above windows); or
 - xvii. Exterior chase fireplace.
3. Each dwelling shall utilize a minimum of ⁴ one (1) of the following architectural elements on each side façade. Side facades that face internal streets on corner lots shall utilize a minimum of ⁵ two (2) of the following architectural elements on said side façade:
- i. Side load or angled garage;
 - ii. Hip roof;
 - iii. Roofline direction change or roofline height change greater than sixteen (16) inches or two or more roof planes;
 - iv. Architectural break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the side façade elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements);
 - v. Masonry or ⁶ equivalent, EIFS, stucco, cultured stone or equivalent material a minimum of ⁷ eighteen (18) inches in height the entire length of the façade or a five (5) foot return on the first floor;
 - vi. Three (3) or more windows on the façade;
 - vii. Side yard landscaping to include at least one (1) tree a minimum of six (6) feet in height at the time of planting and three (3) shrubs three (3) feet in height at the time of planting;
 - viii. Bay window(s);
 - ix. Transom window(s);
 - x. Veranda/balcony;
 - xi. ⁸ Architecturally-enhanced articulated trim moldings (e.g. fipons above windows);
 - xii. Exterior chase fireplace;
 - xiii. ⁹ Architectural treatment on gable ends; or
 - xiv. Sunroom or screened porch.
4. Each dwelling shall utilize a minimum of ¹⁰ two (2) of the following architectural elements on the rear façade:
- i. Covered open or screened porch (minimum size ten (10) foot by ten (10) foot, includes porches with arbor or similar roof treatments);

Page: 13

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:05:43 PM
T Please clarify/define.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:05:59 PM
T Please clarify/define.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:07:18 PM
T Please clarify/define.

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:51:01 PM
T See comments above. It has been suggested that 1 element is not enough on the sides. It has been suggested that this be increased to 5

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:50:36 PM
T See comments above. It has been suggested that 2 elements are not enough. It has been suggested that this increase to 7.

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:10:18 PM
T Please be clear when using the term "equivalent" throughout the entire document.

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:51:55 PM
T It has been suggested that this be increased to 48.

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:07:39 PM
T Please clarify/define.

Sequence number: 9
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:08:06 PM
T Please clarify/define.

Sequence number: 10
Author: ktodd
Subject: Highlight
Date: 5/23/2012 10:52:38 PM
T See comments above. It has been suggested that 2 elements are not enough on the rear. It has been suggested that it be increased to 8.

It has also been suggested by several that the preference is that rears of homes not face Ditch or 156th Street. If the rears do face Ditch or 156th, then they need the same level of architectural treatment as the front of the homes.

Comments from page 13 continued on next page

- xi. Architecturally-treated entranceways (for homes without a front porch) consistent with the approved architectural style of the home;
 - xii. Bay window(s);
 - xiii. Transom window(s);
 - xiv. Veranda/balcony;
 - xv. Architectural garage doors containing windows;
 - xvi. Architecturally-enhanced articulated trim moldings (e.g. fipons above windows); or
 - xvii. Exterior chase fireplace.
3. Each dwelling shall utilize a minimum of **one (1)** of the following architectural elements on each side façade. Side facades that face internal streets on corner lots shall utilize a minimum of **two (2)** of the following architectural elements on said side façade:
- i. Side load or angled garage;
 - ii. Hip roof;
 - iii. Roofline direction change or roofline height change greater than sixteen (16) inches or two or more roof planes;
 - iv. Architectural break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the side façade elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements);
 - v. Masonry or **equivalent, EIFS, stucco, cultured stone or equivalent** material a minimum of **eighteen (18)** inches in height the entire length of the façade or a five (5) foot return on the first floor;
 - vi. Three (3) or more windows on the façade;
 - vii. Side yard landscaping to include at least one (1) tree a minimum of six (6) feet in height at the time of planting and three (3) shrubs three (3) feet in height at the time of planting;
 - viii. Bay window(s);
 - ix. Transom window(s);
 - x. Veranda/balcony;
 - xi. **Architecturally-enhanced** articulated trim moldings (e.g. fipons above windows);
 - xii. Exterior chase fireplace;
 - xiii. **Architectural treatment** on gable ends; or
 - xiv. Sunroom or screened porch.
4. Each dwelling shall utilize a minimum of **two (2)** of the following architectural elements on the rear façade:
- i. Covered open or screened porch (minimum size ten (10) foot by ten (10) foot, includes porches with arbor or similar roof treatments);

- ii. Shutters on all windows, ¹where feasible (a minimum of three (3) windows with shutters are required);
- iii. Architectural break, including cantilevered offsets, of at least two (2) feet of relief at two (2) or more points along the rear façade elevation, excluding relief for doors and windows and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements);
- iv. Masonry or ²equivalent, EIFS, stucco, cultured stone or equivalent material a minimum of eighteen (18) inches in height the entire length of the façade or a five (5) foot return on the first floor;
- v. Hip roof or two (2) or more roof planes;
- vi. ³Elevated deck with decorative rail a minimum of twelve (12) feet in width;
- vii. Roofline direction change or roofline height change greater than sixteen (16) inches;
- viii. Bay window(s);
- ix. Transom window(s);
- x. Veranda/balcony;
- xi. ⁴Architecturally-enhanced articulated trim moldings (e.g. fipons above windows);
- xii. Exterior chase fireplace; or
- xiii. ⁵Architectural treatment on gable ends.

D. Windows.

1. A dwelling shall have a minimum of three (3) windows on the front elevation of the structure.
2. A dwelling shall have a minimum of two (2) windows on each side elevation. A door on the side elevation shall meet the requirements of one window. Required windows may be placed on one side of the building for lots utilizing ⁶use easements. In such situations, one side elevation may have no windows to provide for privacy. Lots utilizing ⁷use easements shall be identified on the WC 16.04.165 Development Plan Review drawings and final plat.
3. A dwelling shall have a minimum of three (3) windows on the rear elevation.
4. A double window (a single window unit a minimum of four (4) feet in width with two windows side by side) shall count as two windows.
5. ⁸All windows shall have shutters and/or treatment. For windows in a masonry elevation, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-masonry elevation, the treatment shall be of ⁹natural materials and be applied to the sill, header, and jams. The width of the treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material.

Page: 14

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:17:03 PM

T Please explain/clarify. Who decides?

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:10:41 PM

T Please be clear when using the term "equivalent" throughout the entire document.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:11:15 PM

T Please clarify/define.

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:11:32 PM

T Please clarify/define.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:11:55 PM

T Please clarify/define.

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:29:09 AM

T What if there is not an easement adjacent, but rather a common area or something else? Suggest re-wording this section.

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:11:56 PM

T

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 5/23/2012 11:00:25 PM

T If ALL windows are required to have shutters and/or "treatment" per this requirement, then why are shutters/treatment included as options in the architectural elements lists above? Please remove from the architectural elements lists.

Sequence number: 9
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:13:09 PM

T Please clarify/define.

- E. A stoop or porch is required at the front door on all dwellings. The minimum size shall be no less than ¹four (4) feet in width and depth.
- F. The minimum roof pitch of the ²main roof of the dwelling shall be 6/12. Elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
- G. Roof overhangs shall be required and shall be a minimum of 8 inches. Elements such as porches, bays, walkways, etc. may be covered with fewer inches of overhang.
- H. Roof vents shall be located to the rear of the dwelling ³when possible. All vents shall be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.

Section 3.4. Additional Standards.

- A. The maximum density within the Single Family Residential District shall be 2.9 dwelling units per acre.
- B. The maximum number of single family detached dwellings shall be 710.
- C. The minimum percent ⁵open space shall be ⁴20% of the development area of the Single Family Residential District.

Page: 15

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 5/22/2012 10:06:58 PM

T It has been suggested that this size is too small.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:16:35 PM

T Is this the same as "Primary Roof" used earlier in the document? Please clarify/define and use consistent terms throughout.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:17:44 PM

T Please explain/clarify. Who decides?

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:50:49 AM

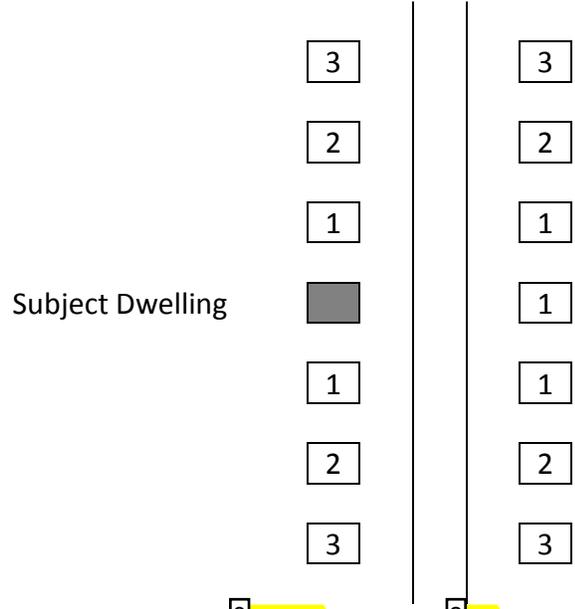
T It has been suggested that 20% is not enough open space for the density being requested.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:20:21 PM

T It has been suggested that there should be a standard requiring that the open space be "usable" and not just the the left-over spaces.

It has also been suggested that this standard list an acreage amount rather than a percentage. It will be easier to administer as the project develops.

D. Single family detached dwellings shall comply with the ¹variety requirements illustrated below:



- ¹ Dwelling cannot be the same ³elevation or the same ²plan as the Subject Dwelling and must be a different ⁴color package.
- ² Dwelling may be the same elevation and the same plan as the Subject Dwelling, but must be a different color package.
- ³ Dwelling may be identical to the Subject Dwelling.

Page: 16

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:23:12 PM

T Add a standard requiring variety in garage doors within a certain number of dwellings.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:53:01 AM

T Define.

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:23:55 PM

T Define. Consider if a mirrored elevation is "different" or the "same"

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 6/1/2012 10:26:36 PM

T Define. Consider brick colors as well as other material colors. If only the trim is a different color, does that constitute a different "color package"?

ARTICLE 4. OFF-STREET LOADING AND PARKING

WC 16.04.120 of the Zoning Ordinance, entitled “Off-Street Loading and Parking”, shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 4.1. Loading Berths. Other local business guideline shall be modified as follows: two (2) loading berths for businesses with 10,001 or more square feet.

Section 4.2. ¹Off-Street Parking. In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces, there shall be provided such off-street parking space in accordance with regulations set forth hereinafter:

- A. Collective Provisions for ²Non-Residential Uses. Off-street parking facilities for separate uses may be provided collectively. ⁴ ³ A reduction down to not less than 80% of the total number of spaces required for all uses is permitted.
- B. Curbs. All parking lots, including access drives and parking spaces, shall require concrete curbing. This requirement is not applicable to single-family detached dwellings.
- C. ⁵Required Spaces. Parking spaces accessory to designated uses shall be provided to meet the following minimum requirements:
 - 1. General Offices: One (1) parking space per each two hundred fifty (250) square feet of assignable office area.
 - 2. Retail Uses: One (1) parking space per each three (300) square feet of gross leasable area.
- D. Size. A required off-street parking space shall be at least nine ⁶ ⁹ feet in width and at least eighteen (18) feet in length, exclusive of drives, aisles, ramps, and columns.

Page: 17

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:52:36 PM

T It has been suggested that bicycle parking should be required in the commercial and multi-family areas.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:23:47 PM

T Would you classify multi-family as non-residential for the purpose of this standard?

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:18:11 PM

T

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:19:14 PM

T Please explain the need for this provision.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:21:35 PM

T To clarify, it is your intent to use the City's parking space standards in addition to the two listed, correct? Are there other uses not covered by the City's list and this list that you anticipate needing space retirements for?

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:22:29 PM

T Please explain the need to deviate from the City's 10'x20' requirement.

ARTICLE 5. LANDSCAPING STANDARDS

WC 16.06.010 thru WC 16.06.080 of the Zoning Ordinance, entitled “Landscaping Standards”, shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 5.1. Low Impact Design (LID) Considerations. Perennial ornamental grasses with a mature height of no more than six (6) feet, may be substituted for shrubs where necessary to address LID applications. The minimum container size for planting shall be one gallon.

Section 5.2. Buffer Yard Requirements.

- A. Buffer yards shall not be required internal to the Real Estate.
- B. Perimeter buffer yards shall not be required where the subject or abutting property contains existing wooded areas at least 20 feet deep from the property line, gas pipeline easements, or ponds.
- C. Buffer yards shall not be required where the front of lots or dwellings face a perimeter street.

Page: 18

Sequence number: 1
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:56:08 PM

T It has been suggested that ornamental grasses should not be used as a substitute for buffer yard shrubs.

Sequence number: 2
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:24:40 PM

T What are these and who decides when they are to be used?

Sequence number: 3
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:35:55 PM

T It has been suggested that the buffer yard standards could be enhanced by requiring mounding and/or walls in certain buffer yards.
It has been suggested that the buffer requirements against the Mixed-Use area should be enhanced.

Sequence number: 4
Author: ktodd
Subject: Highlight
Date: 5/22/2012 1:37:38 AM

T Is the buffer along Ditch Road intended to be a 100% screen? If not, then the rear facade of the homes need to look like the front facade. Please provide real-life examples of the proposed screening along Ditch, and tell how long it will take for the new plants to grow to maturity.

Sequence number: 5
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:25:55 PM

T Does this mean that buffer yards are not required internally to the Harmony project between different districts and/or uses? Please clarify.

Sequence number: 6
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:29:03 PM

T It has been suggested that a better/more defined transition and buffering occur between Harmony and adjoining agricultural property. It has been suggested that the transition element occur by either more open space in this areas or by having larger lots abutting ag land.

It has also been suggested that a more enhanced buffer be established along 156th Street.

It has also been suggested that the McCarthy property in the northwest area of the project needs more enhanced buffering. It has been suggested that locating a pond south and/or east of the McCarthy property (if feasible) may enhance the buffering of that property.

Similarly, it has been suggested that locating a pond across from the Allen/Kirby properties (instead of homes/road as indicated on the concept plan) may enhance the buffering of that property.

Does the term "perimeter" add anything to this standard? If so, please clarify what that is. If not, please delete the term.

Sequence number: 7
Author: ktodd
Subject: Highlight
Date: 5/23/2012 11:08:36 PM

T It has been suggested that this may need to be amended to internalize the impact of Harmony on neighboring properties and apply the buffer standards in the event adjacent property contains a wooded area, gas pipeline easements, or ponds.

Comments from page 18 continued on next page

ARTICLE 5. LANDSCAPING STANDARDS

WC 16.06.010 thru WC 16.06.080 of the Zoning Ordinance, entitled “Landscaping Standards”, shall be applicable to the use and development of the Real Estate, subject to the following exceptions:

Section 5.1. Low Impact Design (LID) Considerations. Perennial ornamental grasses with a mature height of no more than six (6) feet, may be substituted for shrubs where necessary to address LID applications. The minimum container size for planting shall be one gallon.

Section 5.2. Buffer Yard Requirements.

- A. Buffer yards shall not be required internal to the Real Estate.
- B. Perimeter buffer yards shall not be required where the subject or abutting property contains existing wooded areas at least 20 feet deep from the property line, gas pipeline easements, or ponds.
- C. Buffer yards shall not be required where the front of lots or dwellings face a perimeter street.

Sequence number: 8
Author: ktodd
Subject: Highlight
Date: 6/1/2012 11:26:49 PM
T Please define.

ARTICLE 6. DEFINITIONS

“Alley” shall mean and refer to any private drive, with the exception of private streets, open for the purpose of affording a secondary means of vehicular access to abutting property which otherwise abuts upon a ¹street and which is not intended for traffic other than public services and circulation to and from said property.

“Construction Phasing Schedule” shall mean and refer to the Construction Phasing Schedule attached hereto and incorporated herein by reference as ²Exhibit D.

³Corner Break” shall mean and refer to the exterior corner along the elevation of a home. The exterior corners of a covered porch, the outermost corners of the residence, and a projection with a height of no less than six (6) feet and projection of no less than two (2) feet shall count as a corner break.

“District” shall mean and refer to either of the two (2) Districts within this Ordinance.

“Illustrative Site Development Plan” shall mean and refer to the Illustrative Site Development Plan attached hereto and incorporated herein by reference as ⁴Exhibit C.

“Mixed Use District” shall mean and refer to what is identified on the Zoning District Map as Mixed Use.

“Owner” shall mean and refer to any owner of any part of the Real Estate.

“Real Estate” shall mean and refer to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit A.

“Single Family Residential District” shall mean and refer to what is identified on the Zoning District Map as the Single Family Residential District.

“Zoning District Map” shall mean and refer to the Zoning District Map attached hereto and incorporated herein by reference as Exhibit B.

“Zoning Ordinance” shall mean and refer to the Comprehensive Zoning Ordinance of Westfield-Washington Township, 1977, as amended.

Page: 19

Sequence number: 1

Author: ktodd

Subject: Highlight

Date: 6/1/2012 11:36:29 PM

T How does this definition work with mew lots?

Sequence number: 2

Author: ktodd

Subject: Highlight

Date: 6/1/2012 11:38:09 PM

T Where is this exhibit referenced in the ordinance?

Sequence number: 3

Author: ktodd

Subject: Highlight

Date: 5/23/2012 11:16:05 PM

T This term is not used in the PUD Ordinance. Is it intended to be "Architectural Break"?

Sequence number: 4

Author: ktodd

Subject: Highlight

Date: 6/1/2012 11:44:00 PM

T Where is this exhibit referenced in the ordinance?

It has been suggested that this definition include language that requires the project to build/develop in "substantial compliance" to the Illustrative Site Development Plan in Exhibit C.

EXHIBIT A - LEGAL DESCRIPTION

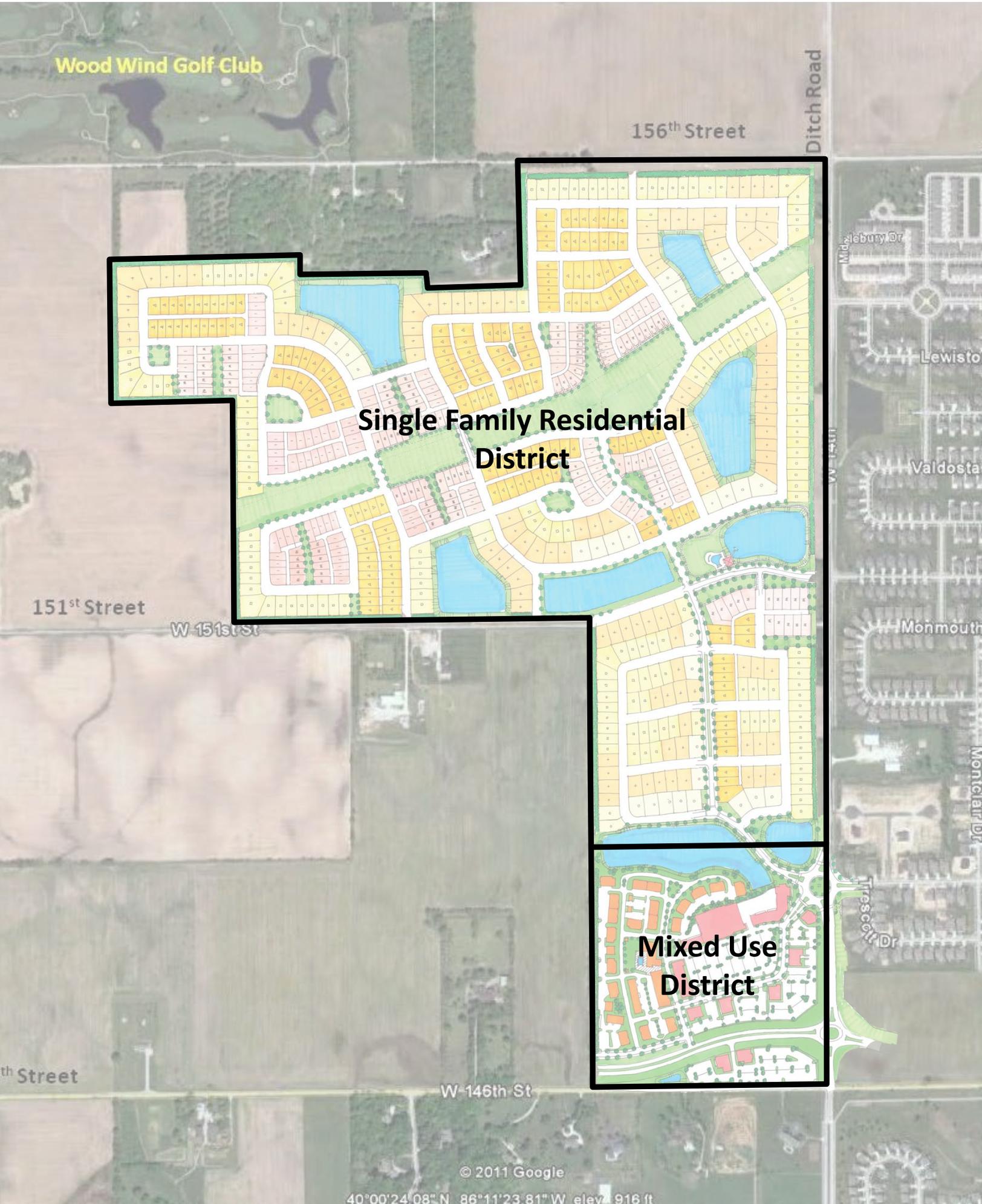
Harmony
Southwest corner of 156th Street & Ditch Road

Part of the Northeast, Southeast and Northwest Quarters of Section 16, Township 18 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Northeast Quarter; thence South 00 degrees 00 minutes 00 seconds East (assumed basis of bearings) along the east line of said Northeast Quarter 2,630.58 feet to the northeast corner of said Southeast Quarter; thence South 00 degrees 12 minutes 08 seconds East along the east line of said Southeast Quarter 2,636.09 feet to the southeast corner thereof; thence South 89 degrees 25 minutes 04 seconds West along the south line of said Southeast Quarter 1,352.44 feet to the southwest corner of the East Half of said Southeast Quarter; thence North 00 degrees 18 minutes 09 seconds West along the west line of said East Half 2,633.15 feet to the southeast corner of the West Half of said Northeast Quarter; thence South 89 degrees 17 minutes 41 seconds West along the south line of said West Half 1,357.06 feet to the southeast corner of said Northwest Quarter; thence South 89 degrees 01 minute 52 seconds West along the south line of said Northwest Quarter 678.57 feet to the southwest corner of the East Half of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 11 minutes 40 seconds West along the West line of said East Half 1,315.85 feet to the northwest corner thereof; thence South 89 degrees 07 minutes 04 seconds West along the south line of the Northeast Quarter of said Northwest Quarter 679.24 feet to the southwest corner thereof; thence North 00 degrees 13 minutes 26 seconds West along the west line of the Northeast Quarter of said Northwest Quarter 823.64 feet to a point that is 493.24 feet South 00 degrees 13 minutes 26 seconds East from the northwest corner of the Northeast Quarter of said Northwest Quarter; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 794.85 feet; thence North 00 degrees 13 minutes 26 seconds West 3.82 feet; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 285.30 feet to an east line of the 119.55-acre tract described in Instrument Number 200300107178, on file in the Office of the Recorder of Hamilton County, Indiana, the following six (6) courses are along the east, south and west lines of said 119.55-acre tract; 1)thence South 00 degrees 09 minutes 54 seconds East 108.70 feet; 2)thence North 89 degrees 12 minutes 17 seconds East 279.15 feet to the west line of said Northeast Quarter; 3)thence North 89 degrees 16 minutes 38 seconds East 450.00 feet; 4)thence South 00 degrees 09 minutes 53 seconds East 57.15 feet; 5)thence North 89 degrees 16 minutes 38 seconds East 518.47 feet; 6)thence North 00 degrees 00 minutes 00 seconds East parallel with the east line of said Northeast Quarter 655.30 feet to a point on the north line of said Northeast Quarter that is 1,751.34 feet west of the northeast corner of said Northeast Quarter; thence North 89 degrees 16 minutes 38 seconds East along said north line 1,751.34 feet to the POINT OF BEGINNING. Containing 277.55 acres, more or less.

This page contains no comments

Exhibit B – Zoning District Map



Wood Wind Golf Club

156th Street

Ditch Road

Single Family Residential District

151st Street

W 151st St

Mixed Use District

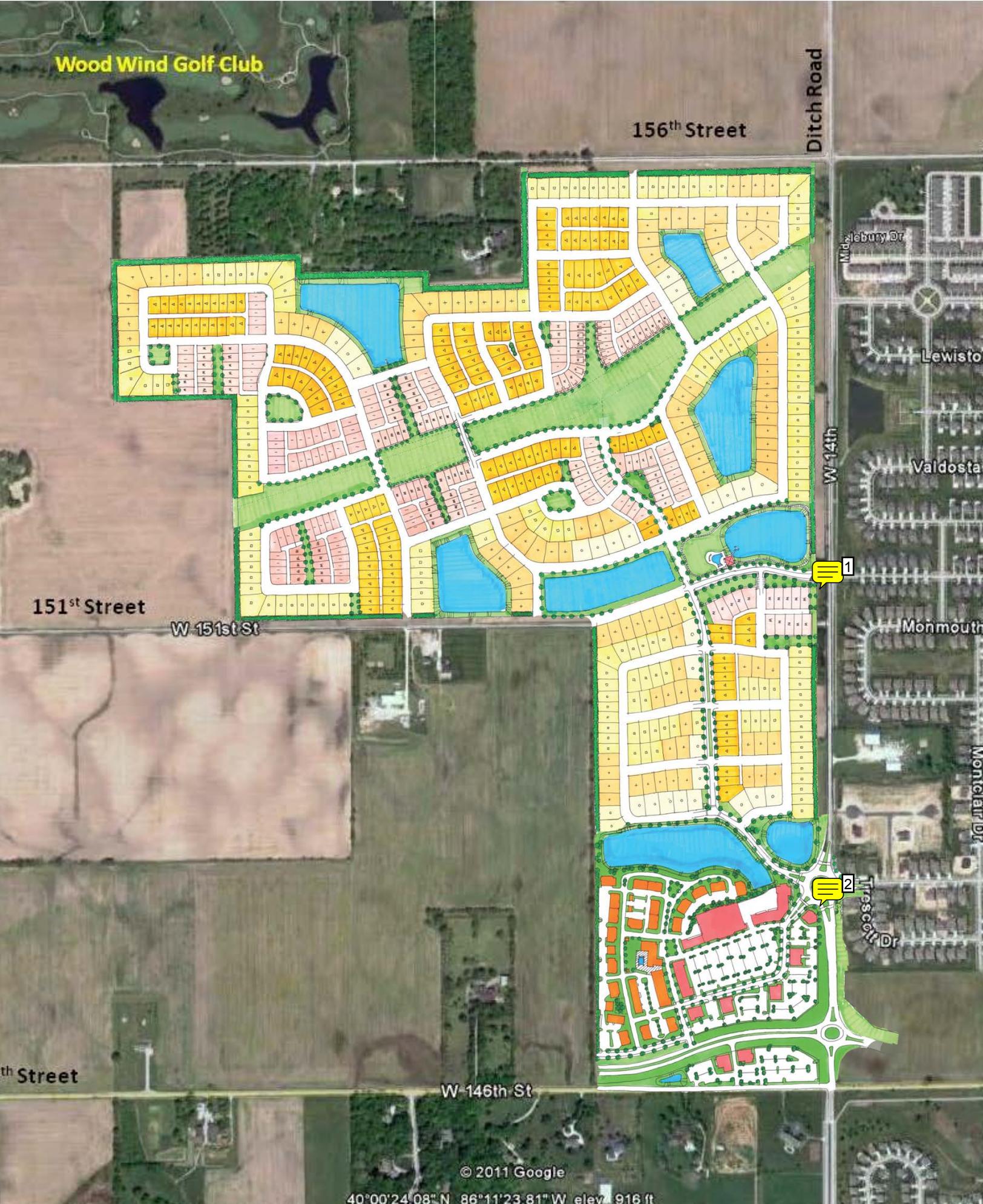
W 146th St

© 2011 Google

40°00'24.08" N 86°11'23.81" W elev. 916 ft

This page contains no comments

Exhibit C – Illustrative Plan



Page: 22

Sequence number: 1

Author: ktodd

Subject: Note

Date: 5/22/2012 9:39:59 PM



It has been suggested that an additional round-about be considered in this location.

Sequence number: 2

Author: ktodd

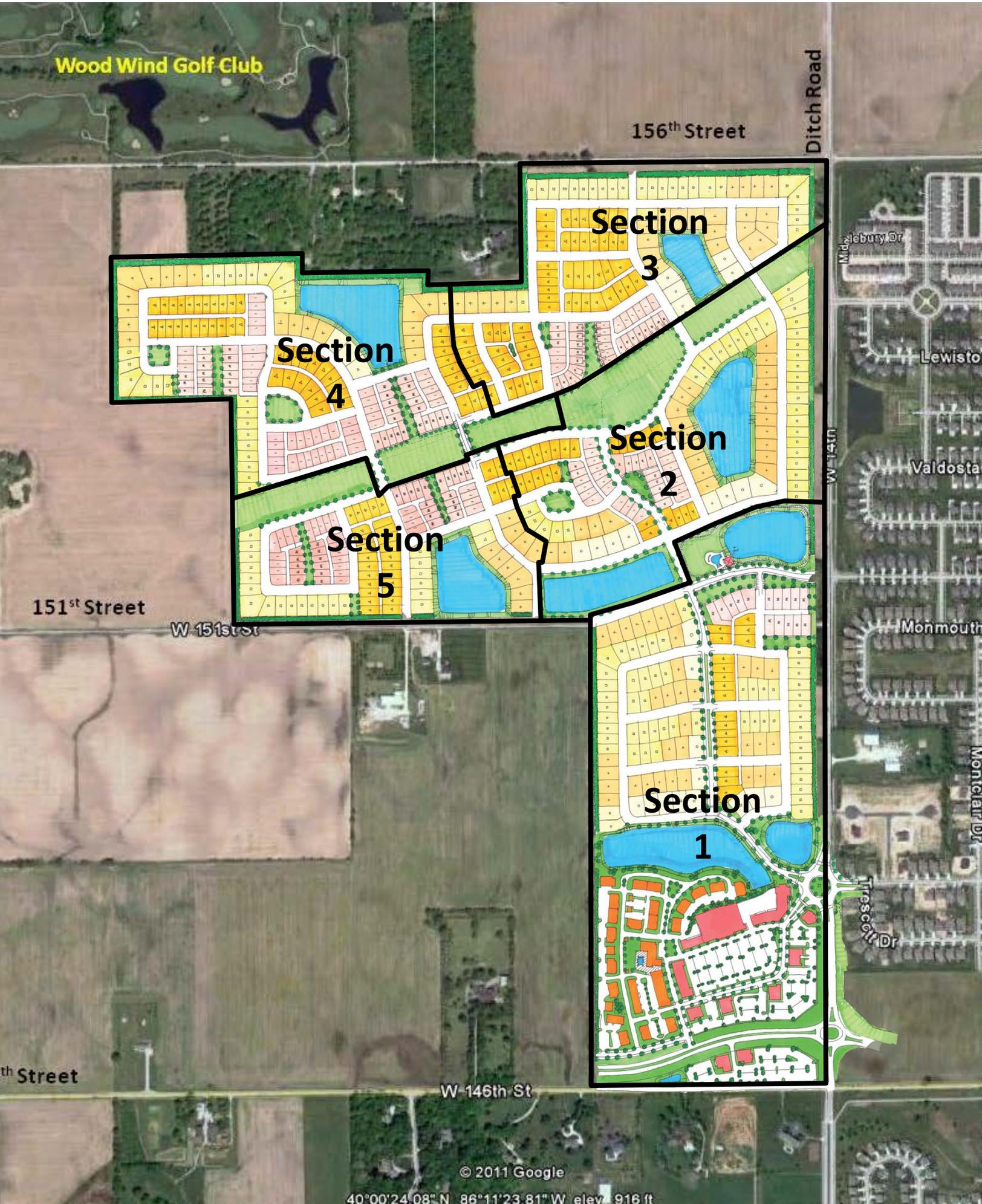
Subject: Note

Date: 5/23/2012 11:36:55 PM



A safety concern has been expressed for pedestrians crossing in the 5-point round-about. Please explain/show pedestrian crossing plans for this round-about.

Exhibit D – Construction Phasing Plan



This page contains no comments