

## Kevin M. Todd, AICP

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**From:** Buehler, Brad <bbuehler@Vertellus.com>  
**Sent:** Wednesday, February 26, 2014 7:54 PM  
**To:** Kevin M. Todd, AICP  
**Cc:** Andy Cook; Bob Smith; Brian Zaiger2; Cindy Spoljaric; Jim Ake; Matt Skelton; Rob Stokes; Robert Horkay; Steve Hoover; Chuck Lehman (cwl@lehmanpartnersinc.com); Andre Maue; Dan Degnan; Danielle Tolan; Ken Kingshill; Randy Graham; Robert Horkay; Bob Spraetz; 'Steve Hoover'; Bill Sanders; Bethann Buehler (the.buehlers@sbcglobal.net); rob@ginders.com; barrylbobb@aol.com; the.buehlers@sbcglobal.net; bdenhardt@hntb.com; debbielynnxx@yahoo.com; cspohr942@yahoo.com; cook252@yahoo.com; pbacker@cccCarmel.org; backerca@gmail.com; cjlienhart@comcast.net; dfulling@comcast.net; laurel-a@comcast.net; dbrose\_1982@hotmail.com; cbrose83@gmail.com; davidmarrello811@hotmail.com; mcmarello@gmail.com; teague\_greg@comcast.net; teague\_dawn@comcast.net; linen4004@aol.com; hechtdden@gmail.com; Hecht.lindsey@gmail.com; dl.brown66@yahoo.com; thermullett@yahoo.com; JHudson@AndyMohr.com; peekabootie@aol.com; johnfmcgrew@yahoo.com; emily\_foli@hotmail.com; jhill.hillengineer@att.net; phill.hillengineer@att.net; ping0605@aol.com; reed.josh.j@gmail.com; lep67872@yahoo.com; kim@beatty.me; tombeatty@aol.com; ltuttles96@gmail.com; lane.tuttle@gmail.com; lpettygr@gmail.com; ldterhune@comcast.net; manizha\_ayoubi@baxter.com; manizhaayoubi@yahoo.com; marinelleford@comcast.net; josephfford@comcast.net; mrs4128@yahoo.com; apeja@aol.com; broganbaxter@hotmail.com; segerka1@hotmail.com; rlschnei@gmail.com; smuntel@yahoo.com; mmuntel@gmail.com; sean.f.temoney@gmail.com; stephe@isehome.com; stacey@stephe.com; Stacey\_swan@comcast.net; jwebb@exhs.com; swebb@exhs.com; lakins@att.net; Tpendo@sbcglobal.net; tom.pendergast@roche.com; zjoundi@gmail.com; lajoundi@gmail.com  
**Subject:** RE: Planned Development of parcel 146th & Carey road: Ricker's Gas and Convenience store

To: Kevin Todd, Sr. Planner City of Westfield

CC: Mayor Cook, Council Members, other recipients of Mr. Todd's response e-mail, and neighbors of Brentwood village.

Dear Mr. Todd:

Thank you for your response. I appreciate that you took the time to respond.

I must say that I'm disappointed. Your response sounds like the decision has already been taken in favor of Ricker's high-negative impact development in advance of the public hearing. We don't need more of this type of retail development. It is my neighborhood and others nearby that will suffer through the congestion, noise, water-pollution, noise-pollution, light-pollution, odor, vermin, and nuisance; while the City of Westfield collects impact fees and leaves us residents holding a bag of garbage in the form an unwelcome high-negative-impact development.

While I may disagree with some of the points you make, I want to take this moment to raise 2-more traffic safety related questions surrounding this nigh-negative-impact proposed development.

Deceleration lane: Brentwood residents already face significant safety challenges when entering and exiting our neighborhood. 146<sup>th</sup> street is a very busy thoroughfare and the addition a gas station will only make it worse. I want to take this opportunity to ask that if Westfield approves the high-negative-impact development that Ricker's has

proposed, that you help my neighbors and require that the developers add and pay at their expense a deceleration lane on 146th westbound into our neighborhood. It will help us to slow and safely exit when returning to our neighborhood.

Speed limits on 146<sup>th</sup> street: If memory serves, the speed limit on 146 is 45mph near the intersection with Carey Road. Can Westfield reduce the speed limit on 146 to 40mph and enforce it?

I would prefer that cars were moving at slower speeds as it will make entry and exit from Brentwood easier and safer for residents.

Thank you for your consideration,

Brad Buehler

Concerned citizen and resident of Brentwood Village

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**From:** Kevin M. Todd, AICP [mailto:ktodd@westfield.in.gov]

**Sent:** Wednesday, February 26, 2014 11:40 AM

**To:** Buehler, Brad

**Cc:** Andy Cook; Bob Smith; Brian Zaiger2; Cindy Spoljaric; Jim Ake; Matt Skelton; Rob Stokes; Robert Horkay; Steve Hoover; Chuck Lehman (cwl@lehmanpartnersinc.com); Andre Maue; Dan Degnan; Danielle Tolan; Ken Kingshill; Randy Graham; Robert Horkay; Bob Spraetz; 'Steve Hoover'; Bill Sanders

**Subject:** RE: Planned Development of parcel 146th & Carey road: Ricker's Gas and Convenience store

Mr. Buehler,

Thank you for your comments. Hopefully, I can help address your questions, below:

1. The Bridgewater PUD Ordinance specifically allows “one (1) automobile service station, including car wash, the sale of gasoline and other automotive petroleum products and retail consumer goods...” The sale of food items (warmed/prepared on site or not) and the sale of other convenience items are allowed as a part of this use in this location. The pending development plan proposal for Ricker’s is consistent with the use described in the PUD Ordinance – though, this specific proposal does not include a car wash.
2. There is a restriction that an automobile service station within Bridgewater cannot be open between the hours of 12 midnight and 6 AM. Ricker’s was made aware of this prior to filing their application. This restriction will be monitored and enforced by the City.
3. Federal and state regulations address environmental concerns regarding Underground Storage Tanks (UST). The regulations address things like release detection, spill and overflow prevention, and erosion protection. UST infrastructure is reviewed and inspected for compliance with these regulations.
4. I have forwarded your concern regarding public safety to the Westfield Police Department.
5. If a land use is permitted by the zoning ordinance (specifically, the Bridgewater PUD Ordinance, in this case), and if the development plan complies with the applicable zoning requirements, then the development plan has to be approved. An automobile service station is a permitted use on this site. As it stands today, however, there are some revisions that are needed in order for the development plan to be fully compliant with the zoning requirements. It is typical that plans are not fully compliant at this stage of the review and approval process. The development plan will not be approved by the Advisory Plan Commission until all outstanding issues are addressed and the plans fully comply with the zoning laws.

If you have any questions, please feel free to contact me.

Regards,

**Kevin M. Todd, AICP • SENIOR PLANNER**

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**From:** Anne Cotham  
**Sent:** Wednesday, February 26, 2014 6:33 AM  
**To:** Andy Cook; Matt Skelton; Todd Burtron  
**Subject:** Fwd: Planned Development of parcel 146th & Carey road: Ricker's Gas and Convenience store

See below...

Sent from Anne's iPhone

Begin forwarded message:

**From:** "Buehler, Brad" <[bbuehler@Vertellus.com](mailto:bbuehler@Vertellus.com)>  
**Date:** February 26, 2014 at 6:04:32 AM EST  
**To:** "[rstokes@westfield.in.gov](mailto:rstokes@westfield.in.gov)" <[rstokes@westfield.in.gov](mailto:rstokes@westfield.in.gov)>, "[cspoljaric@westfield.in.gov](mailto:cspoljaric@westfield.in.gov)" <[cspoljaric@westfield.in.gov](mailto:cspoljaric@westfield.in.gov)>, "[chris.legeay@comcast.net](mailto:chris.legeay@comcast.net)" <[chris.legeay@comcast.net](mailto:chris.legeay@comcast.net)>, "[jake@westfield.in.gov](mailto:jake@westfield.in.gov)" <[jake@westfield.in.gov](mailto:jake@westfield.in.gov)>, "[rhorkay@westfield.in.gov](mailto:rhorkay@westfield.in.gov)" <[rhorkay@westfield.in.gov](mailto:rhorkay@westfield.in.gov)>, "[shoover@westfield.in.gov](mailto:shoover@westfield.in.gov)" <[shoover@westfield.in.gov](mailto:shoover@westfield.in.gov)>, "[clehman@westfield.in.gov](mailto:clehman@westfield.in.gov)" <[clehman@westfield.in.gov](mailto:clehman@westfield.in.gov)>, "[bsmith@westfield.in.gov](mailto:bsmith@westfield.in.gov)" <[bsmith@westfield.in.gov](mailto:bsmith@westfield.in.gov)>, "[acotham@westfield.in.gov](mailto:acotham@westfield.in.gov)" <[acotham@westfield.in.gov](mailto:acotham@westfield.in.gov)>  
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**Subject: Planned Development of parcel 146th & Carey road: Ricker's Gas and Convenience store**

To Westfield Council members and concerned citizens:

It seems a high priced law firm (Faegre Baker Daniels) will be hosting Q&A at clubhouse of the Bridgewater Country Club on Thursday 27-February this week regarding a proposed development near my home.

Before the event starts, it is important to remind everyone that Ricker's development plan is NOT in alignment with existing PUD for the plot of land west of Brentwood Village neighborhood where my family and I live. I've been a resident of Westfield for 10 years.

I'm urging the council to prevent the development of this plot with a gas station and convenience store. Unfortunately, I'm travelling on business and unable to attend the meeting or public hearing. Therefore, I feel a need to share some key points as a concerned citizen and neighbor living near the proposed eyesore and high negative impact development.

1. Existing PUD says "No fast food": I interpret "No fast food" to mean any food served warm and prepared to any degree on site where the food is NOT served in sit-down fashion with wait

staff. The proposed development includes the inevitable coffee, hot-food, sandwich, snack, convenience store that follows EVERY Rickers station. I'm urging the council to support the PUD and deny Ricker's the ability to proceed until the development is in-line with the PUD. Specifically, the council should ONLY proceed to allow development if Ricker's removes any sort of capability to make food sales and convenience items.

2. Existing PUD Limits hours of operation: If the council allows Rickers to proceed then the council should enforce the PUD and limit the hours of operation as required by the PUD. 24 hour operation is not allowed by the PUD and should NOT be allowed or offered to Rickers.
3. Environmental concerns: We have 2 small ponds at the front of our neighborhood. I'm sure that Councilwoman Spoljaric (with her degrees environmental science and urban planning) knows that gasoline stations are sizeable polluters. She is well positioned to remind her council colleagues that even a mere 1 -gallon spill of gasoline can spoil thousands of gallons of ground water and easily spoil the ponds in our neighborhood on a permanent basis.
4. Safety concerns: the development site is located very far away from the Westfield Police station and on a very busy street. Development of such a tempting theft target situated so far away from the police opens the possibility of increased robbery theft.
5. Lack of Need: the council and residents can't say that we need more fuel stations. 1.3 miles from the proposed development site are 2 fuel stations (151<sup>st</sup> Street Shell and BP).

In conclusion, I ask the council to deny Ricker's proposed development. The development has high negative impact and offers NO benefit to residents.

Please support your neighbors and constituents. Please deny Ricker's request to develop the site.

Lastly, I ask my neighbors to send mail to the council and lodge similar requests with the council.

Thank you for your consideration,

Brad Buehler

Concerned citizen and resident of Brentwood Village