

Jennifer Miller

From: David Mueller <D.Mueller@InsectsLimited.com>
Sent: Sunday, January 12, 2014 8:04 PM
To: Matt Skelton
Cc: Council Members; APC; Jennifer Miller
Subject: OAK PARK HOMEOWNERS ASSOCIATION

OAK PARK HOMEOWNERS ASSOCIATION

To Matt Skelton, Jennifer Miller, APC, City Council

Re: Oak Park Rezoning

The Homeowners of Oak Park have concerns about the proposed Estridge Rezone (Council Introduction, January 13).

In order to preserve our home values, we ask that you consider the following commitments from the developer: including road reconfiguration to include two entrances through the project to lower traffic counts through one entrance and to allow emergency equipment safe access; home square footage to comply with the present Oak Park community; quality landscaping; adequate buffering; architecture standards, including brick, that match or exceed the quality of the current Oak Park community; all two story homes; quality landscaping in the common areas; custom home construction; larger lots adjacent to existing homes (.75 acres or larger); sidewalks that connect the whole community, setbacks that offer privacy to the existing homes in Oak Park, preservation of privacy for the existing Oak Park amenities, a concern to lot widths, a concern to incomplete projects like the Walnut Ridge and Viking Meadow dilemma that became production homes with different developers; and close consideration to drainage. These are some, but certainly not all, of our concerns that we hope you will consider as this project moves forward.

Our HOA and nearby community will be meeting with Paul Estridge, Jr. this Thursday evening, January 16 at 6:30 PM at the Bridgewater Club to review this project and ask the developer for commitments to make this a quality project with which we can all live with.

Please place this letter into the Public Record.

David Mueller
Oak Park Homeowners Association
2812 Oak Park Circle
Westfield, In 46074

Sent from my iPad

March 24, 2014

Dear Members of The Westfield Plan Commission ,

Our family lives in The Oak Park neighborhood which is next to the property that Pedcor is attempting to rezone to S F 2 at the Plan Commission hearing on April 7, 2014. Because approximately one third of the families in our neighborhood will be on Spring Break that week, we respectfully request that the Plan Commission consider continuing this hearing to the May meeting.

This proposed Rezoning will almost double the size of our neighborhood and we would appreciate the opportunity to attend the Plan Commision meeting when this Rezoning is considered.

We believe its reasonable that any new homes that will connect to and become part of our neighborhood should be developed with similar sized lots and homes consistent with the existing homes in Oak Park.

Thank you for considering our request to delay this hearing for one month.

Corey & Mary Fillip, 3104 Joshua Circle, Oak Park Homeowner

Dear Westfield Washington Advisory Plan Commission;

We have been working hard to prepare for the April 7, 2014 APC meeting for Public Comment on the Estridge/ Pedcor Rezone. This date falls directly in the middle of the Westfield-Washington School Corporation's Spring Break (April 3 -14) and Guerin High School Spring Break. About half of our neighbors have children in these two schools. They will be absent for this April 7 public hearing. My wife and I plan to be out of town on Spring Break that week also.

I respectfully would like to request Westfield City Planners and APC to move this public hearing on the Estridge/Pedcor Rezone until May 5 so everyone has an opportunity to offer their concerns and input on this Oak Park rezone proposal.

David & Mary Beth Mueller
2812 Oak Park Circle
Westfield, IN 46074 317.896.9300

Jennifer Miller

From: Julie Barnes <julesnb@comcast.net>
Sent: Tuesday, March 25, 2014 5:52 PM
To: Jennifer Miller
Subject: Planned Oak Park rezone

Dear Members of The Westfield Plan Commission ,

I am the President of the Oak Park HOA and my family lives in The Oak Park neighborhood which is directly next to the property that Pedcor is attempting to rezone to S F 2 at the Plan Commission hearing on April 7, 2014. We will be out of the country on Spring Break during this hearing. Because nearly one third of the families in our small neighborhood will be on Spring Break that week, I respectfully request that the Plan Commission consider continuing this hearing to the May meeting.

This proposed Rezoning will almost double the size of our neighborhood! I would appreciate the opportunity to attend the Plan Commission meeting when this Rezoning is considered. When we built our home in 2001, we were told by representatives of the Estridge Companies that the horse pasture would never be developed.

We believe its reasonable that any new homes that will connect to and become part of our neighborhood should be developed with similar sized lots and homes consistent with the existing homes in Oak Park.

Thank you for considering this request to delay this hearing for one month.

Julie Barnes,
3131 Joshua Circle
Westfield, IN 46074
Oak Park HOA President

March 25 2014

To the Members of the Westfield Planning Commission:

I am a resident in the Oak Park Subdivision in Westfield Indiana. As you are all very well aware, we express and share a considerable amount of concern surrounding the proposed Pedcor/Estridge development within the established Oak Park Subdivision.

Pedcor is attempting to rezone to SF2 at the Plan Commission hearing on April 7 2014. This is a week where almost one third of the families in our neighborhood will be on Spring Break. This proposed rezoning will almost double the size of our established neighborhood and we would greatly appreciate the opportunity to attend the Plan commission meeting when this Rezoning is being considered since it will have a significant impact on our entire subdivision.

With that said, we respectfully request that the Plan Commission consider CONTINUING THIS HEARING TO THE MAY MEETING. As constituents of Westfield we are very emotionally vested in our community and believe that any new home that will connect to and become part of the neighborhood and HOA should be developed with similar sized lots and homes consistent with the existing homes in Oak Park.

Thank you in advance for considering our request to delay this hearing to May.

Sincerely,

Lisa Uesugi

Oak Park Subdivision

15929 Billiter Court

Westfield IN 46074

March 25, 2014

Dear Members of the Westfield Plan Commission,

We live on Oak Park Court in the Oak Park neighborhood which is close to the property that Pedcor is attempting to rezone to S F 2 at the Plan Commission hearing on April 7, 2014. Because approximately one third of the families in our neighborhood will be on Spring Break that week and we ourselves will be out of state, we respectfully request that the Plan Commission consider continuing this hearing to the May meeting.

This proposed Rezoning will increase the size of our neighborhood considerably. It will almost double in size. Surely you can understand our desire to be present when this rezoning is considered by the Plan Commission.

We also believe that it is reasonable that any new homes that will connect to and become a part of our neighborhood should be developed with similar sized lots and homes consistent with the existing homes in Oak Park.

Thank you for your consideration of our request to delay this hearing for one month.

Ralph and Linda Wendel

16032 Oak Park Court

Oak Park Homeowners

Jennifer Miller

From: Tony Anderson <ta@trucutinc.com>
Sent: Tuesday, March 25, 2014 12:24 AM
To: community
Subject: April 7th hearing / Oak Park proposed rezone

Dear Westfield Plan Commission members:

Our family home is located in Oak Park, lot #9, which abuts the property that Pedcor is proposing to rezone SF2. As this proposal conflicts with the original design and essence of Oak Park, large lots and pasture like setting which precipitated my wife and I moving from Carmel to Westfield, I would like to request a postponement of the April 7th public hearing as I have a conflict that will prohibit my attendance. Similarly, as this date overlaps with Westfield School System's spring break, it will be very difficult for many Oak Park neighbors to attend this very important meeting.

Although my personal preference would be for the center piece of our neighborhood, the horse pasture, to remain undisturbed, I recognize that ownership does come with some privilege. In this respect, so long as development occurs within the "spirit" of Oak Park's original and 2006's restated concept....meaning one acre+ size lots with homes constructed per design and size of existing residences....I'm sure an acceptable outcome can be obtained.

Thank you for your consideration in postponing the April 7th hearing to a later date.

Sincerely

Anthony (Tony) Anderson
15941 Oak Park Court
Westfield, IN 46074

Jennifer Miller

From: Ann Bates <ann.bates1@comcast.net>
Sent: Wednesday, March 26, 2014 10:01 AM
To: Jennifer Miller
Subject: Oak Park development proposal

Dear Members of The Westfield Plan Commission ,

Our family lives in The Oak Park neighborhood which is next to the property that Pedcor is attempting to rezone to S F 2 at the Plan Commission hearing on April 7, 2014. Because approximately one third of the families in our neighborhood will be on Spring Break that week, we respectfully request that the Plan Commission consider continuing this hearing to the May meeting.

This proposed Rezoning will almost double the size of our neighborhood and we would appreciate the opportunity to attend the Plan Commission meeting when this Rezoning is considered.

My home backs up to the horse pasture which is now being proposed for rezoning. The layout of my lot will bring this new development very close to my home and we are probably the home that will be most impacted by the planned building. We built this home almost 11 years ago. Our builder was Estridge Custom Homes. I would like to share with you what I was told by Estridge Custom Homes, and by a member of the Estridge family. I inquired whether there was any possibility that this land would be developed, and I was told that there were no plans at the time or in the future to use that land for anything other than horses. So now that we are faced with the actuality of houses being built in that pasture, we feel very strongly that we should have a chance to attend this meeting and have a chance to express our concerns.

Thank you for considering our request to delay this hearing for one month.

Ann Bates
15901 Billiter Ct
Westfield, IN 46074

Jennifer Miller

From: Dave Mueller <insectsltd@aol.com>
Sent: Tuesday, April 01, 2014 10:16 AM
To: Ken Kingshill
Cc: Jim Ake; cbraun6@aol.com; trishbraun6@gmail.com; muellers5@aol.com; njatops@aol.com; ta@trucut.com; jsb37gazebo@frontier.com; Jennifer Miller; kingannan@hotmail.com; natalierue@sbsglobal.net; todd.erb@comcast.net; cmjba@comcast.net; jcfinley@comcast.net; saflagg@comcast.net; rkhehner@verizon.net; lisa@thehirshfields.com; kimlivingston@comcast.net; bwl@integrity.com; bblindy4@aol.com; perhacs.family@comcast.net; bjsander@iupui.edu; vleshort@aol.com; luesugi@comcast.net; dan6374@comcast.net; spolj@aol.com; Rob Stokes; julesnb@comcast.net; ann.bates1@comcast.net; glbledsoe@msn.com; rkhehner@verison.net; jsb37gazebo@frontier.com; mic.mead@comcast.com; tarynjohns@comcast.net
Subject: Revised letter to the City of Westfield, Oak Park homeowners, and members of WTNT from David Mueller

April 1, 2014

Dear Mr. Ken Kingshill

Advisory Plan Commission President

I am writing to you to express my concerns about a proposed infill SF-2 Rezone of Oak Park by Pedcor of Carmel.

My number one concern regarding this rezone is the single access from 161st Street for these new homes along with the existing homes in our Oak Park neighborhood. The additional traffic would be disruptive and unsafe for our neighborhood. Also the construction traffic that would be on that road for the 'next five years' (estimated by Paul Estridge, Jr.) would be excessive.

I have spoken to various Westfield departments and understand that the city specifications allow for a single road egress and ingress under specific conditions. Our concern is safety, maintaining home values, and quality of life. This road access concern affects all three of those.

Construction roads are a concern. The workers need to get to the construction site. The heavy construction traffic created by this proposed SF-2 development would bring additional traffic and mud in warm weather and in winter conditions. This project needs a construction road to relieve this five year mess that would be caused by allowing the construction crews and their vehicles access from 161 Street solely.

I believe the best place for the construction road would be off Oak Road. The plans presented by the Estridge Group at the December meeting at The Bridgewater Club showed a direct connection from the proposed development to Oak Road. When Pedcor decides to develop this six lot area, as mentioned in their original plans, they can then use the construction road for future use.

Alternative access through Habig baseball and soccer fields onto Carey Road has been proposed. The developer has been in discussions with the owners of Habig Fields about a proposed construction road that runs the north end of their 40 acre youth sports fields and connects to Carey Road. Mr. Brian Stumpf has asked the Habig Trust to sell a portion of this property to run directly next to the youth (9-10

year olds) baseball field onto Carey Road where the soccer and baseball traffic enters and exits. I believe this is not practical and is unsafe. The road would run directly behind the homes on the east side of Oak Park. The proposed gravel road would have to be built to hold heavy construction traffic for 1200 ft or more. This would go over a flood plain that gets seasonal overflow (parking lots completely flood several times a year) and two exiting springs flow within a few feet of the proposed road. These springs were used by Mr. Habig, at one time, to water his cattle. This means a bridge would have to be built over this wetland area. I foresee difficult and hazardous use by the the construction equipment causing avoidance and abandonment of this road, prompting the use of the 161st Street entrance. A gate is used to close Habig fields off when the fields are not being used. This means that the construction traffic would not gain entrance to this area at the times they would need access. I believe this would again force the construction traffic to use the entrance off 161st Street. The proposed gravel road would need repairs over the five years that this proposed neighborhood is under construction. Instead of 1-2 inches of gravel, it would need constant repair. I also believe that the proposal of a 1000 foot construction road to the development is not realistic but a ploy to make a commitment that would not be kept. Our neighbors in Brookside can attest to this as they experienced a similar situation. The construction road to Oak Road would be more practical, the land is already owned by Pedcor and the future homes that will be developed in the future (see map from December 2013) would fit on this road. In fact, those lots and that road were temporarily removed to hide the need for a permanent road.

The new proposed development has two cul de sacs. I believe they would be a bad idea. A connected road from 161 Street to Oak Road with several stops would be more practical and safer. According to the Westfield Fire Marshall the largest sized piece of firefighting equipment in Westfield, Carmel, and Noblesville needs a 78 foot diameter for a complete turnaround in a cul de sac. They need to add a few feet to clear the curbs, driveways, and mailboxes with this 69,000 lb. fire truck. The Westfield City specifications say that there needs to be room for snow removal also. Piles of snow were pushed to the end of our road on Oak Park Circle this winter that were 8 feet tall and 20 feet deep. I understand this was a specially difficult winter, but even in an average winter they would need 10 feet of space or more to move the snow. This would then make the diameter for the cul de sac at **least 90 feet**. The present cul de sac on Oak Park Court is 90 feet in diameter. I recognize that many cul de sacs don't take this snow removal city ruling into consideration; however, this is another item that I encourage you to consider when deciding if second entrance/exit is needed. Ask any firefighter or policemen if this dead end road is a good idea for fire and police safety when there is an alternative.

I believe that the real reason that a road connecting to Oak Road is that the previous owner, Paul Estridge Jr. does not want to have traffic running behind his home and that is the sole reason this is not acceptable as stated publicly by Mr. Estridge himself. I really don't want a 200 plus traffic count in front of my home either but I have accepted that it could happen. Perhaps he can share some of the pain that comes with new developments and the increased traffic and issues that it causes. This includes construction traffic.

Sidewalks proposed and required will go north from the proposed infill Oak Park #3 would stop at the end of the new development. I have a concern with this. The sidewalks should be extended to 161st Street. The bike riders, runners, children and families that come to the end of the proposed sidewalk will then need to go to a potentially busy street to ride, run, or walk. This would create a potential safety issue for the drivers that come around the curve on Oak Park Circle.

Another suggestion by the fire marshal is building a loop that connects both cul-de-sacs. An easement is needed between lots 14-15 connecting to lots 9-8 for a water line. This would make a convenient place to run a road. This way the fire trucks could better serve our neighborhood. The Westfield Fire Marshal, recently stated to me that he **"highly recommends a second entrance to this proposed development."**

Recently our neighborhood suffered a terrible tragedy. I wonder how the addition of 23 new homes with one exit will affect the traffic flow if there were another tragedy where roads were blocked for days and traffic was congested for weeks later.

The revised map that Pedcor has presented has tried to hide the connection of the new development to Oak Road by placing a Common Area to buffer the exit road to Oak Road and protect the view behind Mr. Estridge's home. The recent removal of the six lots (lots #22-27) and the approximate 300 foot road are efforts avoid discussion of the possibility of two entrances. We have been told that the three lots to the north of the common area (lots #16, 17, 18) are reserved for family members and would not be developed at this time. So, to placate, Pedcor added a buffer common area and took out six lots and reserved three lots for family.

What can I live with: We have worked hard as a neighborhood since December 2013 to understand and compromise with Pedcor on this proposed SF-2 development in an effort to protect our home values, quality of life, and safety.

I firmly believe that this development would work as a one home/acre+ development with commitments. All of the lot sizes in Oak Park are at least one acre. (our lot, #12 is three acres. The average is 1.6 acres). If this proposed development was changed to 1 acre or more, I believe we could maintain those values we have come to appreciate and expect over the last 18 years. With what is proposed one could place 6 of the proposed lots (0.45 acre average) for this development on my single lot and this will be dropped down in the center of Oak Park, surrounded by large lots. That is not consistent with currently exists, not is it consistent with what was envisioned and sold to current homeowners. I ask you to go to gis.hamiltoncounty.in.gov and look at the surrounding land to our neighborhood. This will show you that there are large lots, open spaces and no SF-2 or small lot developments in this area. It is simply not consistent to our present neighborhood and surrounding area.

This is a development that has come into an established neighborhood and is forcing a smaller lot size and lesser quality homes.

In summary, my wife and I have lived in Westfield for 18 years; we came here with the hope of building a house on a wooded lot with plenty of land for our three children and pets to play. We found it 18 years ago when we purchased our lot from Paul Estridge, Jr. Paul told us of his vision for this land and the Oak Park neighborhood. It included a horse pasture with the potential of each of us having a place to ride horses if we wished. The land directly behind us on Carey Road was originally platted for 3-4 acre lots for small horse farms where others could raise and ride horses in our neighborhood. Mr. Estridge changed that plan once. Now that vision is of dozens of new SF-2 homes on that pasture developed by a large Commercial Development company from Carmel that will have one road that runs past my house with hundreds of auto and truck trips a day. This is a nightmare.

I ask you to reject this proposed SF-2 rezone, consider the egress and ingress concerns and consider this as a one acre or more development that blends into our existing and mature neighborhood.

Thank you for your consideration,

David K. Mueller
Park Homeowner

Westfield Oak

Member of the Oak Park HOA and WTNT

2812 Oak Park Circle, Westfield, Indiana 317.966.9808

David Mueller

Nancy Anderson
15941 Oak Park Court
Westfield, IN 46074

April 1, 2014
Jennifer Miller, AICP
Economic & Community Development
Department Planning and Zoning Division
2728 East 171st Street
Westfield, IN 46074

Dear Development Department,

As a resident of Oak Park, I have some concerns regarding the request by Pedcor Investments for a change in zoning from the AG-SF1 district to the SF-2 district as it pertains to the 21.044 acres of real estate generally located at 15707 Oak Road, 0 Oak Park circle, 0 No Street also off Oak park circle, Westfield, IN.

My property abuts the real estate described above and I have been involved with the Oak Park Home Owners' Association in trying to reach a list of commitments that are satisfactory to both the developer and residents. Although the list of compromised commitments may appear significant, no progress has been made on the major concerns of the Oak Park residents. In fact, Pedcor has removed the most important commitments proposed by the Oak Park Homeowners' Association in all correspondence that infers the compromise between the parties are more advanced than reality.

Although there are several unresolved commitments between the Oak Park homeowners and the developer, the most important unresolved issues are as follows.

Adding 23 new homes as an infill development to the existing 12 homes using the Oak Park entrance off of 161st street raises several traffic safety issues for emergency vehicles and concern for our children walking along the street to access the Oak Park amenities as there are currently no sidewalks to connect to the new development. I am sure that the Westfield Plan Commission can appreciate the impact to the seven homes along Oak Park Court and Circle that will provide the entrance to this infill development as the traffic past their homes TRIPLES (329%)!

The Oak Park HOA has requested the developer build another permanent Oak Park entrance off of Oak Road to reduce the heavy burden of additional traffic on Oak Park Court and Circle. A map depicting the Oak Road entrance has been provided by the Oak Park homeowners to the developer.

The permanent road into Oak Park off of Oak Road would also serve as a construction entrance. It is not reasonable or acceptable to expect Oak Park, an established neighborhood of 10 years, to provide the construction traffic to this infill development along Oak Park Court and Circle. Oak Park HOA compromised and agreed to Pedcor's commitment of permissible construction between the hours of 7 am to 7 pm. Oak Park residents have safety concerns for their children getting on

and off the school buses if the only construction entrance into proposed development is on Oak Park Court and Circle.

It is rumored that Pedcor is contemplating a construction road off of Carey Road just north of Habig soccer fields and baseball diamond. A construction road through that area would be non functional as there are two natural water springs and frequent flooding in that area making it impassable for heavy construction equipment without construction of a bridge. The gated entrance to this Habig facility is typically only open when youth sports are played. Is it a good idea to combine heavy construction traffic with children playing baseball or soccer and their families walking to their cars?

The Oak Park HOA needs to and should maintain control over their neighborhood and its character, i.e. architectural review board. Oak Park HOA has compromised and proposed that a Pedcor representative be allowed to serve on this board. Pedcor responded with a single page double spaced list of 16 very vague lot construction commitments to the Oak Park HOA stating “we believe will provide the residents a comfort level about the types of homes to be constructed.” In comparison, Bridgewater’s Architectural Planning Criteria –Design guidelines and regulations is 18 pages long. The list of lot construction commitments provided by Pedcor is inadequate and does not prevent the developer from constructing prefabricated tract homes in contrast to the costume homes in existing Oak Park.

Oak Park is unique as Westfield’s only country estates neighborhood. The opinion that Oak Park provides Westfield with a market for sought after high-end housing on 1+ acre lots is supported by the [NY Times](#) and [IBJ](#). Pedcor’s opinion that there is a low market for large homes on 1+ acre lots is in direct conflict with recently published articles in the [NY Times](#) on 1/25/14 attached below. Below is a direct quote taken from the [IBJ](#) (Indianapolis Business Journal) published March 31, 2014.

High-end homes selling fast in Indy

Eight@8 remembers when, back in the dark days of the recession, you couldn’t unload an upscale home if you re-sided it with cake frosting and anti-depressants. Now, Indy-area buyers are scarfing up homes at \$500,000-plus price points almost as fast as more modest abodes. [IBJ's Scott Olson explains how the luxury market has changed](#), and how buyers are making full-price offers on Day 1 and then refusing to leave the showing until they close the deal. ...

I question if this infill development will overtax the existing Oak Park common sanitary sewer and storm drains. The proposed development was originally platted a horse pasture and zoned SF 1 agricultural but Pedcor is proposing to add 23 new homes to the existing Oak Park 20 year old infrastructure. The sanitary sewer and storm drain runoff must absorb 23 additional homes without improvements. If improvements to the common sanitary sewer and storm drains are required because of the addition of these homes, then the developer and not the

existing homeowners or Oak Pak HOA should be held liable for the cost of improvements and repair to existing landscape.

This matter is really quite simple...Oak Park homeowners want to maintain the value of their home investment as well as the continuity of our neighborhood, that, in many cases, was the impetus for locating to Oak Park. Oak Park is recognized as a unique subdivision with country estate lots averaging at least 1 acre and the reason why I choose to live here. While respecting the rights of land owners to develop property, the Oak Park infill neighborhood proposal is uniquely odd in that it nearly doubles the volume of homes on much smaller lots in a manner and density that is not only inconsistent with our existing neighborhood, but equally at odds with the entire square mile of property that extends from 151st to 161st street and Oak Road to Carey Road.

I recommend a compromise of fewer number of homes (14-15) in the proposed development with 1 home on 1+ acre lots using Oak Park Court off of 161st Street as the ingress/egress with a temporary construction road off of Oak Road while the Oak Park HOA Architectural Review Board consists of 2 Oak Park HOA appointed representatives and 1 Pedcor appointed representative.

Pedcor's failing to adequately address the major concerns of Oak Park residents, neighborhood safety, consistency of character in regard to lot size and allowing the HOA to maintain control over the architecture standards of homes built, I respectfully request that the Westfield Plan Commission deny Pedcor's SF 2 rezone proposal for the above named real estate.

Thank you.

Respectfully,

Nancy Anderson

NYTIMES

By JIM RENDON

January 25, 2014

Katie Sleep and her husband, Jonathan, lived in the same four-bedroom home in a Washington suburb for 23 years. After Ms. Sleep decided to retire, they began looking for a new house, and, after viewing a model home in a new development, decided to move to Leesburg, Va., about 40 miles from the city. In having their new home built, they saw an opportunity — not to downsize, but to create a far larger home catering to their every need.

In April 2012, they selected a model costing about \$850,000 from a luxury builder and chose a number of standard options for an additional \$650,000. Ms. Sleep, who was in the process of selling the software firm she founded nearly two decades earlier, added a wall of windows to the basement and furnished it with a pool table, a media room, a wet bar, a home office and a suite for their youngest

daughter to use when she was home from college.

They added a second master bedroom suite, on the ground level, for use when they are older and stairs become tougher to climb. They upgraded floors, carpeting and molding, added a sunroom and a large deck and supersized the garage door to fit Ms. Sleep's Cadillac Escalade. The home's lighting and temperature, as well as media on any of 14 televisions and the sound system, can be controlled remotely.

This six-bedroom house, which has six full and three half bathrooms, measures about 9,000 square feet, including the basement. **The Sleeps expect to spend an additional \$250,000 to landscape its three-acre lot.** "We went through some hard times with the software company," said Ms. Sleep, 57. "We feel blessed that we live here now. We pinch ourselves all the time."

April 3, 2014

Open letter to Advisory Plan Commission Members, Mayor Cook and Westfield Council Members

RE: 1402-REZ-01 Rezoning of Oak Park

I am writing to you to express my objections to this rezoning proposal. I will be brief and to the point.

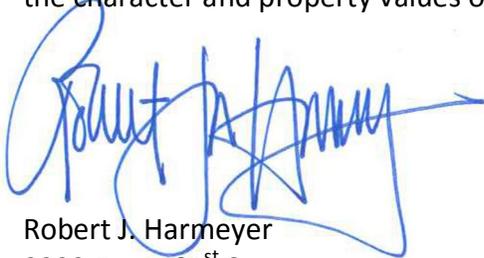
I believe this proposed rezoning is not at all consistent with the character and feel of any of the surrounding areas or homes. This is especially true as access to the proposed development will be through an established AG-SF 1 neighborhood. The proposed rezoning would be less egregious if it had independent access from any of the bordering roads and was not dependent upon access through the Oak Park neighborhood.

My second objection is purely and simply financial. The only reason a developer desires higher density is to obtain more lots to sell and therefore more profit. Simply put, this will be at the expense primarily to the Oak Park property owners, but also to the surrounding area property owners (of which I am one) through diminished and decreased property values.

I do understand that rezoning and development can have an adverse effect on some property values, but is done when there are overall positive gains for the community as a whole. I simply cannot see the overall value to the community by allowing this rezoning and subsequent development. Lower property values and higher density in this area of Westfield simply does not make sense (except for Pedcor and Estridge).

This is not to say I do not and cannot support development in this area. If Pedcor/Estridge were to revise their plans to be consistent with the current zoning and character of the area and the Oak Park neighborhood, I will support that development.

Please consider my comments when reviewing this proposal, and I encourage you to protect the character and property values of this area of Westfield by rejecting this rezoning proposal.



Robert J. Harmeyer
2222 East 161st Street
Westfield, IN 46074
rjharmeyer@gmail.com

Dear Westfield Government,

The barn on ¹⁵⁷⁰⁷ Oak Road, Carmel, IN you are going to take down for a housing development, I would ~~not~~ NOT like you to take it down. There is an old couple living there and taking away their house would be devastating. They may get to go to a new house but there are memories there. Good memories or bad, there are memories. ~~They~~ You may think horses are just for riding but their not. They have friends and taking away their friends would also be devastating. I used to ride there and I have soooo many memories. Chasing the mares around the field, swimming in the back of pick-up trucks and more. What if I walked up to your house and told you that I am taking your house away. How would that make you feel? This may not give you a new housing development but please take this under consideration.

Sincerely, Sara Harmeyer

Age 11

2222 E 161st Street Westfield, IN

Jennifer Miller

From: mikeandstacym@comcast.net
Sent: Thursday, April 03, 2014 9:18 AM
To: Jennifer Miller
Subject: proposed rezoning of land from AG-SF1 to SF2 sought by Pedcor as it affects the community of Oak Park
Attachments: rezoning letter.docx

Dear Ms. Miller,

As the attached letter states, I respectfully request that you include my letter in the record available to the commissioners in considering the proposed rezoning and development. I am opposed to the rezoning and the development as proposed. I feel it fundamentally changes the nature of the community in which I purchased my home, reduces the safety of my children, is unnecessary to the development of the greater Westfield community, imposes burden on its neighbors without adding substantial value to the community and would reward corporate economic interests at the expense of the citizens of Westfield.

Thank you for your consideration, and please contact me with any questions or if I need to follow another procedure to have my letter included in the record.

Sincerely,
Michael Miller

Michael Miller
15936 Oak Park Ct
Westfield, IN 46074
(317) 582-0842

April 3, 2014

Economic & Community Development Department Planning & Zoning Division

Jennifer Miller, AICP
2728 East 171st street
Westfield, IN 46074

Dear Ms. Miller,

I am writing to inform you of my concern and opposition to the proposed rezoning and development of land by Pedcor in the heart of the subdivision of Oak Park. As proposed, the rezoning and development does not enhance or add value to the community, but will cause an increased burden and loss of benefit and happiness on the citizens of Westfield living in the vicinity. There are multiple comparable tracts of land in Westfield already zoned SF2 in which the developer could pursue this project without the need to seek rezoning and without adversely affecting the current residents of Westfield. The petition to rezone this land will be before the Advisory Plan Commission at their meeting on Monday April 7, 2014. I intend to attend the meeting, but also request that you include this letter as part of the record available to the commissioners in considering the proposed rezoning and development.

My wife Stacy and I did not meet Paul Estridge, Jr. until December of 2013. I was given information from Estridge Custom Homes prior to my purchase of a home in the neighborhood, however, which is in direct conflict with Mr. Estridge and Pedcor's proposed rezoning and development of the land in question. My wife and I first moved to Westfield in October 2001. We lived in a home in Setters Place off of 146th St between Carey and Oak Rd. When I completed my anesthesia residency in 2005 and began working as a staff anesthesiologist, we knew we would be looking for a new, larger house, but we were not ready to buy until we saved adequate cash reserves. We had grown connected to Westfield, enjoyed the community, appreciated the school system and felt Westfield would be a good community in which to raise our family.

On Carey road, Oak Park for several years had a very large sign (12 ft plus tall) advertising the amenities of Oak Park, 1+ acre home sites and in bold print "Only Two Lots Remain." We found this subdivision very attractive with the amenities, location in proximity to the elementary school and proximity to the church we were attending. What most attracted us to the neighborhood, however, were the size of the lots and the appearance of the homes within the subdivision. There were (and still are) many subdivisions in the area with homes of comparable sizes and features, but only one other that offered the potential to have a yard like those in Oak Park. Further, we lived in the first home built in Setters Place, and as such had had to deal with the dirt and noise of construction for 4 years while the

remaining 38 homes in the subdivision were constructed. The prospect of moving into a community where construction was nearly complete appealed to us. I called Estridge Custom Homes at the number on said sign in the Fall of 2005 to inquire on the possibility of purchasing one of the lots, but to not start building for a year or two. Our plan was to commit to where we would build while waiting until our finances were in order to start the building process. I was informed that there were indeed only 2 lots remaining (the lot at the corner of 161st and Carey, 1.88 acres, asking \$80,000 for the lot) and the lot on Joshua Circle now owned by the Johns family (1.05 acres, asking \$88,000). Unfortunately, the gentleman from Estridge Custom Homes informed me I would not be able to purchase and hold either of these lots, but rather would be required to start construction within 3 months of purchasing a lot. This made a purchase at that time unadvisable for us, so we did not pursue it further.

In the spring of 2007, we had paid off enough debt and generated enough cash reserve that we were ready to start looking for our “permanent” home. Stacy desired to establish where we would be living before our oldest child started Kindergarten to minimize the possibility of needing to change schools with a move. The same 2 lots were still available at that time and the sign advertising “Only 2 Lots Remain” and “1+ acre home sites” was still in place. The housing market had started to decline, however, and what really started our search for a new home in earnest was the fact that an existing home in Oak Park was on the market. With the declining price point of existing homes and the presence of pre-established landscaping, as well as the proximity of said home to the community amenities, we felt the existing home was a better fit and bargain for our family than constructing new. As such, we did not deal with Estridge Custom Homes as we purchased and moved into the community. For the first 2 years we lived in Oak Park, however, the sign remained advertising “Only 2 Lots Remain,” and I knew the completion of construction in Oak Park had been confirmed by the Estridge representative with whom I had spoken the previous year. Eventually, the Johns purchased the lot on Joshua Circle, after which the sign was taken down. I understand the City of Westfield purchased the remaining lot from Estridge Custom Homes for the purpose of building a roundabout at 161st St and Carey Rd.

I never had a contract with Estridge Custom Homes, nor was I given any information directly from Paul Estridge, Jr. I do feel, however, that the advertising of the sign boldly stating that only 2 home sites remained in Oak Park, as well as being told by a representative from Estridge Custom Homes that there were only 2 remaining home sites, did represent a commitment from Estridge Custom Homes that there would not be further development of the neighborhood. Nowhere did the sign state, nor did the representative offer any information that these were the final home sites of phase 2 and that there would be a potential phase 3 in the future. The sign clearly stated that the home sites in this neighborhood would be 1+ acres. On the map of the neighborhood of the first community directory we received, the land proposed for rezoning is labeled “horse pasture.” Nowhere was there any mention of plans for future development. The fact that we were moving into an established neighborhood with (nearly) completed construction was an important factor in our decision to purchase a home in this community. More important, however, was the uniqueness of the subdivision with large lots and spacing between houses. The rezoning and development as proposed will eliminate both of those features. If Estridge Custom Homes had always intended to develop the proposed land as part of the community, then I feel the advertising that stood on Carey Road and as confirmed by a representative of

Estridge Custom Homes was blatantly false. This deception has a direct adverse impact on my decision to purchase in Oak Park as it undermines many of the perceived qualities of what I was led to believe I was purchasing.

I strongly feel that if approved, Pedcor and Estridge Homes' proposed rezoning and development will fundamentally change the character and nature of the subdivision. The large lot sizes and spacing between the homes is ***the unique and defining characteristic*** of our subdivision and can not be restored if this rezoning and development proceeds. The tripling to quadrupling of traffic on Oak Park Court and Oak Park Circle that Pedcor proposes represents a direct and immediate safety risk to my children, as there are no sidewalks in the existing construction on these roads. Despite ongoing negotiations in good faith between our homeowner's association and Pedcor, to date Pedcor has refused to entertain any form of compromise to commit to a second entrance in order to decrease the traffic its proposal will add to the existing roads. They have also refused to commit to a construction entrance to minimize the safety risk, noise and dirt from large machinery and trucks entering the subdivision for the next several years. Instead, they will only commit to "explore the viability" of a construction road. I am extremely skeptical they will conclude such a road is "viable" if they have been unable to commit to providing one in 3 months of negotiations despite knowing it is a key commitment sought by the HOA.

There are a plethora of communities in the immediate vicinity offering what Pedcor desires to develop in the heart of our subdivision. Our HOA has repeatedly discussed with Pedcor that we would support their efforts to develop the land in question in character with the current neighborhood. No rezoning is needed for them to develop the land in this manner, as it is already zoned Ag-SF1, as is the rest of our community. Further, there is a 34 acre parcel of land for sale within ½ mile of the proposed rezoning project already zoned SF2 (north side of 161st st abutting 161st and Oak roads) which would allow Pedcor to proceed with its proposed project without any need to seek rezoning. There are several other undeveloped tracts of land already zoned SF2 throughout Westfield. The fact that Pedcor elected to purchase land which is not zoned for their desired project does not mean they deserve to be rewarded with a change in the zoning to meet their desires. Communities have zoning for a reason, and a corporation's economic interests should not supersede the protection such zoning is meant to offer current stakeholders in the community. Whether real or perceived, approving the rezoning and development as Pedcor proposes will reduce my ability to enjoy the land and home I purchased for my family, the safety of my family, fundamentally change the nature of what I was led to believe I was purchasing when I bought my home and potentially reduce the value of my property. I respectfully request that the commission exercise its authority and recommend the denial of the request to rezone the land in question.

Sincerely,

Michael Miller

April 4, 2014

Dear Development Council,

First of all I would like you to know that I am in favor of intelligent forward thinking growth in the city of Westfield. I understand the need for such growth. I believe a cooperative process of design and integration with emphasis on preserving the predominant lifestyle and feel of the existing area can produce amenable results for the entire community.

Members of the council I would like for you to place yourself in our small mature established neighborhood and ask you to consider how you would react to this: A developer wants to come in and significantly change the zoning in the very center, the heart of the Oak Park Farms community after 20 years and the developer chooses not to work with you to provide any benefit to the community.

How would this sound to you?

The developer wants to:

- Come in and tear up the center, the heart of your community for the next 3 to 5 years. .
- Remove all the open space in the heart of the community. The open space and horse pasture that has defined the original neighborhood for the past 20 years.
- Increase the density of homes in the heart of the community by over double the amount the original zoning would allow.
- Not contribute to the overall enhancement of the community with well-placed open space, trails or amenities...in fact utilize the existing community amenities.
- Design a plan that does in fact preserve the lifestyle, feel, views and open space behind another part of the existing property...the builder/developer's home.
- The developer initially tells you they want to work with you, but in fact it appears only on their terms.
- AND most importantly...The developer will NOT work with you on the top three and most important items you feel are reasonable and you have clearly communicated.

It is for this reason we are not in favor of the requested re-zone and would ask the council as representatives and in the name of good stewardship to the city and our community that you do not vote in favor of the requested re-zone. Thank you for this consideration.

Brad and Cindy Love

15925 Oak Park Ct.

Westfield, IN

Jennifer Miller

From: Jeff Jewett <jjcws@aol.com>
Sent: Saturday, April 05, 2014 10:34 AM
To: Jennifer Miller
Subject: Oak Park Rezoning

Dear Ms. Miller,

As a 17 year resident of Oak Park, I would like to share my thoughts with you regarding the re-zoning petition by Pedcor to develop the horse pasture in the center of our neighborhood.

As much as I enjoy the serenity of the pasture, I also fully understand the rights of an owner to develop property and make a profit. I am not oppose to A development, but I am opposed to this one as it has been presented to us for the following reasons:

1) Oak Park was originally marketed as a unique development with AT LEAST one acre lots.. most much larger... separated by white horse-style fencing. That made it different, and is a primary reason we chose to buy here. Paul Estridge was very clear that he intended to keep this neighborhood unique in that way. I would not object to the new development if it maintained that same unique character.

2) The proposal calls for construction traffic (i.e. heavy equipment, mud, etc...) to only use the main neighborhood entrance. Anyone building within a new community understands and expects some construction traffic. But a resident of an established neighborhood of nearly 20 years does not and should not expect it. This traffic will keep our roads muddy and congested for 2-3 years as new houses are built.

I would not object to the development if the builder would create a separate construction entrance for the duration of the development.

3) All homes in Oak Park have been built under very strict guidelines. We all understood these to be in our best interests in protecting the integrity of our neighborhood and our home values. It seems very clear and reasonable to me that we have every right to expect any new homes in our neighborhood to conform to these same standards, yet the builder will not commit to that. I'm sure you understand that will have a negative impact on our home values. In essence, the builder is asking us to sacrifice \$50-100K of our home values so they may build an inferior product if they choose. This is very unfair to us.

I would not object to the development if they met the same standards as all other Oak Park homes.

In conclusion, I would strongly urge you to consider encouraging the developer to work with the neighborhood in these important areas before approving their rezone request. We are fully united in opposition to the current proposal, but I am certain if these 3 areas were addressed correctly, there would be significantly less objection.

Kindest Regards

Jeff Jewett

2702 Oak Park Circle.

Jennifer Miller

From: Vic Isbell <visbell1@gmail.com>
Sent: Saturday, April 05, 2014 4:41 PM
To: Jennifer Miller
Cc: Chris Braun; Trish Braun; Dave Mueller; Mary B Mueller; Nancy Anderson; Jeff Jewett; btuohy@dtblegal.com
Subject: Re: Pedcor Investments Petition 1402-REZ-01
Attachments: Isbell Letter to Wesfield Planning Commission 04.05.14.pdf

Dear Ms. Miller--

Please see our attached response relative to the subject petition request and upcoming hearing to be held this Monday, April 7 at 7pm. We respectfully request that this petition be REJECTED--for the reasons outlined in the attached letter.

We appreciate you allowing us to share our concerns with you and hope you will share this letter with additional members of the planning commission. I hope you will please feel free to contact me if you or any members of the commission have any questions or require additional clarification.

Best Regards,

--

Victor (Vic) T. Isbell
Cell ph. 317-840-4460
Fax No. 317-455-6606
EM: visbell1@gmail.com

April 5, 2014
Victor T. & Rhonda M. Isbell
2728 Oak Park Circle, Westfield, IN 46074

Dear Westfield Planning Commission:

Re: Pedcor Investments Petition 1402-REZ-01

We are the original “homeowners” of lot 11 in Oak Park. Prior to moving to Westfield, we lived with our children in Carmel for over 10 years. We had a growing family and were trying to find a home with a little more room, lots of green space, and plenty of trees and tranquility. Unfortunately, we could not find that home in Carmel—but we did find it in Westfield! We found Westfield appealing—it offered something different—and the town folks seemed to really appreciate and value their lifestyle and almost park-like surroundings. This search, described above, started in the mid-1990’s—and we ultimately built our home in the spring of 1997 in the unique, park-like environs of *Oak Park*—a fitting name for our new neighborhood—spread-out over nearly 57+ acres of country estate charm.

Unique—is the operative word to describe our neighborhood. In fact, if you take the mile drive north up Oak Road from 151st you will see, both to your left and right, large open green spaces, lovely tall pine trees and houses sprinkled-in here and there. The Estridge Company posted large signs at the corner and entrances to Oak Park with signage indicating “1-3 acre home sites”—a distinguishing characteristic of the development. Within several years, 32 new homes sprouted within the white fence boundaries of Oak Park and only one lot remained unsold—until it was acquired by the city for the new roundabout.

Lots sizes were/are all well within SF1 zoning with an average lot size well over 1.6 acres—and, I think most people would agree, represent the defining and unique characteristic of Oak Park—large country lots, with little traffic and quiet living.

Smack dab in the middle of our horseshoe-shaped development is an infill area called the “horse pasture”—about 21 acres & referenced in the re-zoning request. Back in 1996, this area was clearly identified as an area with potential future development—within Oak Park. It was owned by Estridge—it was substantially listed on the Oak Park plat layout/development map and, Estridge employees sold us our lot with the understanding that any future development would adhere to the building restrictions established by the Declaration of Covenants, Conditions and Restrictions for Oak Park—dated Nov. 17, 1994 by Paul Estridge Jr., Furthermore, this is supported by paragraph Q on page 5—“Real Estate” applied to all the real estate and only excluded lot 6 from the development map—a lot reserved for an Estridge family member. Moreover, we felt secure knowing lot 33, also shown on the Oak Park development map, (extending partially within the northern portion of the horse pasture—& yet to be developed), clearly showed Oak Park Circle extending beyond the dead-end stub (as it currently exists)—into a very clearly defined cul-de-sac. All this supports the notion that:

1. Homeowners/lot owners—made buying decisions to pursue a lot and/or home in Oak Park with a pretty good understanding of what future development activity might look like within the area identified by the Oak Park plat layout/development map and,
2. Development within the horse pasture (if any) would be very limited and governed by the existing covenants and zoning to maintain the unique characteristics of the neighborhood.

We are supportive of well thought-out future development in this infill area—snuggled in the middle of Oak Park. We simply insist Estridge/Pedcor abide by the original agreements and covenants Estridge established with homeowners when the Estridge Companies were actively selling and promoting the Oak Park development. We respectfully ask that you reject any petition for re-zoning that could harm our community’s unique character and/or is contrary to our long-held covenants and agreements.

Sincerely,

Victor T. & Rhonda M. Isbell