Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, April 21, 2014, scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum.

APC Members Present: Daniel Degnan, Randy Graham, Steve Hoover, Robert Horkay, Ken Kingshill, Andre Maue**,** Robert Spraetz, and Danielle Tolan.

City Staff Present: Matt Skelton, Director; Jennifer Miller, Assistant Director; Andrew Murray, Associate Planner; Ryan Clark, Associate Planner, and Brian Zaiger, City Attorney

Approval of Minutes:

Motion: To approve the minutes for the April 7, 2014, APC Meeting with the addition of word "not" pigeon-holed… to Cindy Spoljaric's Public Hearing comments.

Motion: Tolan: Second: Horkay: Vote: Approved 8-0 with change.

Miller reviewed the APC Rules & Procedures.

Case No. **1403-PUD-04**
Description: *CarDon Senior Living PUD*
Northeast corner of 146th Street and Ditch Road
CarDon Development Company, LLC requests change in zoning of approximately 16 acres+/- from the SF-2 District to the CarDon Senior Living PUD District.

Murray presented an overview of the petition, as outlined in the Staff Report and highlighted changes that were made to the petition since the public hearing at the March 3, 2014, APC Meeting.

Matt Price, Attorney for the Petitioner, responded to Architect change comments.

Bruce Watson, 1355 Trescott Drive; Landscaping, Lot 2 Building = Architectural change.

Murray recommended forwarding a favorable recommendation to the City Council.

Motion to forward a favorable recommendation of Petition 1403-PUD-04 to the City Council.

Motion: Hoover; Second: Maue; Vote: 8-0.

Case No. **1404-DP-07 & 1404-SPP-05**
Description: *Enclave at Village Farms*
550 East Greyhound Pass
Village Farms LLC, by Platinum Properties Management Company, LLC requests Development Plan and Primary Plat review for 19 single family residential lots on approximately 14.5 acres+/- in the SF-2 District.

Miller presented an overview of the petition, as outlined in the Staff Report. Miller recommended that the APC approve.

Motion: To approve Petition No. 1404-DP-07 and 1404-SPP-05.

Motion: Horkay; Second: Tolan; Vote: 8-0 to approve.

Case No. **1404-DP-09 & 1404-SIT-04**
Description: *Dairy Queen*
940 Tournament Trail
Dairy Queen requests Development Plan and Site Plan review for a 5,000 square-foot restaurant on approximately 0.94 acre+/- in the GB District.

Murray presented an overview of the petition, as outlined in the Staff Report and highlighted changes that were made to the petition since the public hearing at the April 7, 2014, APC Meeting. Petitioner is available for any questions.

James Smith, Counsel for the Petitioner was present for questions and explained changes that from the April 7th, 2014 Public Hearing. Re-configuring to the overall layout to address concerns about the drive-thru. The current plan would allow a 10-12 car stack through the drive-thru. This is the best use of the site that they have been able to figure out. William Bouldander, architect, also available for questions.

Kingshill wanted to clarify that the configuration questions were brought up by Dairy Queen corporate, not from the public or Plan Commission. Asked Smith to explain changes.

Smith clarified the drawings which had the layout for the drive-thru. Physical barrier with painted lines.

Maue had questions about pedestrian walk-way/pathway vs sidewalk.

Murray, Tournament Trail required a 5’ asphalt sidewalk and along Wheeler Road would be 8’ asphalt sidewalk.

Horkay said that was concern about turnaround – circulation space.

Murray said that circulation is had been worked out with the petitioner.

Kingshill asked if the circulation had gone through the appropriate people.

Murray said that it had.

Kingshill had requested previously that some sort of sports paraphernalia be put up on the exterior side of the building, was there any thought put into this request?

Smith said that the Corporate-American Dairy Queen which has various groups of research marketing and demographics people that need to meet and consider that because it does involve a major change to the façade of the building. No final word, but they are working on the idea.

Murray recommended approval of 1404-DP-09 & 1404-SIT-04 with the condition that all necessary approvals and permits be obtained from the Department of Public Works, Citizens Westfield and the Hamilton County Surveyors Office prior to the issuance of a building permit.

Motion: To approve Petition No. 1404-DP-09 and 1404-SIT-04.

Motion: Horkay; Second: Tolan; Vote: 8-0 to approve.

Case No. **1404-PUD-05**
Description: *Springmill Trails PUD Amendment -- Redwood*
Redwood Acquisition, LLC requests an amendment to the Springmill Trails PUD to allow permit polymeric cladding as an approved exterior material for single-family attached or multi-family homes constructed on approximately 20 acres+/- of the Mixed-Use District within the Springmill Trails PUD District.

Clark presented an overview of the PUD Ordinance text amendment, as outlined in the staff report and highlighted changes that were made to the petition since the public hearing at the April 7th, 2014 meeting. Staff has one recommendation: Bike racks will be installed by the rental office and the second bike rack by the dog park.

Horkay asked if the petitioner was in agreement about the bike rakes?

Clark, yes they provided the information where they would be installed.

Horkay, the material that is being used is the same as other projects. Polymeric cladding will probably be put into the ordinance for an appropriate material in the next round of modifications.

Motion: To forward Petition No. 1404-PUD-05 to the City Council with a favorable recommendation.

Motion: Graham; Second: Tolan; Vote: 8-0 to approve.

Case No. **1402-REZ-01 [PUBLIC HEARING]**
Description: *Oak Park*
Generally located on the southeast corner of 161st Street and Carey Road fronting on Oak Park Circle.
Pedcor Investments, LLC requests a change in zoning of approximately 35.3 acres +/- from the AG-SF1 District to the SF-2 District.

Miller presented a project overview for 1402-REZ-01, as outlined in the staff report.

Brian Stumpf, Petitioner, gave a presentation regarding Pedcor Investments business back round and projects. Currently they are working on projects in Fishers. Stumpf then gave an overview of the Oak Park project and their work with Estridge on this project.

Ken Kingshill asked about architecture and materials that have not been decided what will be used. Kingshill sees the front but not the sides of the building. Would like to see all sides and what materials will be used for siding and windows.

Kingshill asked if some of the homes will be over 3,000 square feet which is larger than the average home and if any would be larger.

Stumpf responded that a handful will be 4,000 square feet. He will let Kingshill know the number.

Public Hearing opened at 8:10.

Brian Tuohy, 50 S Meridian; Oak Park HOA: The Residents are not opposed to a rezoning of the horse pasture but believe this petition has 2 primary issues: It is an attempt to break promises made to Oak Park homeowners and to make promises made to this planning commission; and it seeks to ignore the comprehensive plan. The reason why was in 1993 in the Staff Comments Oak Park was to have 27 lots, a

private pasture area and the private pasture area is what is up to the council tonight. In 1997 this came before the planning commission they said they would change it from 27 to 32 lots. The homeowners had no problem with the additional lots. The smallest lot would be .71 acres and the rest would be from 1 acre to 1 – 1.5 acres. Tonight you heard that the average size of those lots would be about .75 acre. They propose to change the horse pasture to lots that are about the same as the smallest lot of .71 acres. In 2001 the sales pitch was there would be homes surrounding a horse pasture and there would be a cul-de-sac at the end of Oak Park Court. The people that made these promises were the people that owned the horse pasture. In 2006 there was some discussion about developing the horse pasture. The Estridge Group even brought a drawing to the Oak Park HOA Meeting. It showed 8 lots coming off Oak Park Circle, similar to the size in Oak Park subdivision. The lots right now average 1.6 acres, twice the average size proposed. The Westfield Comprehensive Plan is simple, preserve and protect the areas of infill. There are 4 policies in the Comprehensive Plan but the 2 key ones are the 2nd and the 4th. The 2nd encourages only compatible infill construction on vacant parcels in existing neighborhoods. Building should only occur if it does not alter the character of the area. This will alter the character of the neighborhood. It has lots that average 1.6 acres and the ones proposed are much smaller. Key language in the Comprehensive Plan is to insure infill development is compatible in mass scale and density. In Oak Park you have 32 lots on 57 acres. What they propose to do is reverse that. Park density is 5.5; the lot size is two times as large. He showed a graph that it could be done. Change from 22 to 13 lots you can have an average lot size of 1.5 acres. They ask that Council does not ignore the promises that were made to these homeowners, the Commission and the Policy and Procedures of the Comprehensive Plan.

Skelton let the public know that if comments were not heard they could be submitted in writing to the Council to be included in the record.

David Mueller, 2812 Oak Park Cir.; Lived in Oak Park 18 years ago. One correction on the agenda it lists as 35.3 acres and it should be 21 acres. Received a letter from Estridge Group. Estridge said "we have carefully listened to your concerns and believe we have satisfied 95% of the issues". The issues that have been discussed for 4 ½ months to make this plan consistent with our neighborhood. The main issue is the busy highway/road of 161st Street. With the thoroughfare plan this will become a 4 lane road like 146th Street. Problem trying to get out that one road from Oak Park. Safety of getting in and out is of concern. Proposed a second road that would run out to Oak Road.

Nancy Anderson, 15941 Oak Park Ct.; Has lived in Oak Park for 18 years. Opposed a big investment entity wanting to change a small neighborhood with limited time, money and resources. Opposes this rezone to preserve the value of their homes and the quality of life. Infill development will remove all the green space. Tears up the neighborhood for the next 3-5 years with construction traffic and will not add any value to the existing homes. There are 8 homes that overlook the horse pasture that is to be rezoned, if this goes through they will be looking at smaller homes on smaller lots. Concerned that the petitioner has given commitments to the Council that have not been agreed to. Oak Park residents come up with the initial list of working commitments which the petitioner redlined/completely removed the three most important requests: 1) 2nd point of ingress/egress into the new development off of Oak Road; 2) All construction traffic should exclusively use Oak Road entrance to the development and 3) Leave; 1+ acre lots with custom homes that are consistent with what is in Oak Park at this time. Petitioner refuses to listen to the needs of the Oak Park neighborhood. In fact the Petitioner has made very little change or compromise to the presentation back in January. Anderson wants to maintain the value of their homes and lot sizes. Maintain the safety of their streets by having construction traffic use Oak Road exclusively. Brought a petition signed by 93% of the Oak Park residents that support what Anderson has outlined. Anderson asks on behalf of the Oak Park residents to vote down the petitioners request to rezone Oak Park horse pasture. (Petition was submitted).

Victor Isbell, 2728 Oak Park Circle; Angry because he and neighbors were sold Oak Park with 1-3 country acre estates. Expected a peaceful country like setting. For this developer to sell and put in much more

densely oriented development is completely against what he was buying into originally. His grandchildren will be going up and down that street and if there are additional homes coming in rounding the curve with no sidewalks it is unsafe and not what he bought into and should not have to put up with it. This is an SF-1 zoned area and Petitioner is talking about putting in an SF-2 zoned housing to funnel through SF-1. The SF-1 people will not be happy about this change.

Trish Braun, 3029 E. 161st St.; Lived in her home for 14 years. Would like to discuss Deeds and Taxes. Since the January Estridge presentation she has spent several hours reviewing Oak Park tax and financial report at the Hamilton County Treasurers Office and Oak Park HOA Management Office. In doing so Braun has uncovered some surprising and troubling documents. For several years the families of Oak Park have been paying Paul Estridge's personal property taxes on the horse pasture land that is the subject of this petition. The County tax records clearly show the personal tax bill for his (Estridge) own property was sent to the Oak Park Management Office for payment by the families of Oak Park. Consequently without our knowledge or consent, they have been paying Paul Estridge's property taxes on the horse pasture for 14 years. This does not appear to be an accident or sloppy bookkeeping but improper use of HOA funds. Since February of this year our legal counselor, Brian Tuohy has reported this irregularity to Estridge Corporation and neither Estridge Corporation nor Mr. Estridge has re-imbursed the HOA. They have made vague references that they would look into it. However, as of tonight the homeowners of Oak Park have not been reimbursed for the back taxes. At the same time of reviewing these back taxes, Braun noticed that every parcel of common area including the pool and recreation area were still in Paul Estridge's personal name. They should have been transferred by deed in 2004 when Estridge as the developer turned over management of Oak Park to the HOA. Ten years passed and Paul Estridge retained ownership of the common areas. The HOA first notified Pedcor of this need for these common areas to be transferred to the Oak Park HOA (lawful owners) in February. Nothing happened. Finally last Thursday, last business day before the hearing tonight, they finally got around to filing the 2 page deed conveying ownership of the common areas to Oak Park. It took 10 years and multiple requests before Paul Estridge signed and filed the 2 page document. Braun continued to check to see if any other lots taxes were being paid that were in Estridge name and there was. Lot 18, Carey Road and 161st. City of Westfield purchased this for the roundabout which $4600.00 is owned in back taxes on that property. Oak Park HOA paid $12,423.00 for 23 years. In summary, Estridge and Pedcor owe the Oak Park HOA more than $30,000.00 for these improper payments of state real estate taxes. Since repeated requests since February, not a dime has been repaid by Estridge or Pedcor. These kinds of irregularities and repeated failures by Estridge and Pedcor to do the right thing, has undermined any confidence the Oak Park HOA has or any promises or representation made by Estridge or Pedcor regarding their infill development in Oak Park.

Mary Beth Mueller, 2812 Oak Park Circle; Built home in 1995 and are original owners. Oak Park is a beautiful and protected neighborhood and is an asset to our Westfield community. We and our neighbors who live in the southeast quadrant of Westfield, have worked hard to make Oak Park what it is today. Because the families that moved into Oak Park wanted large lots and a country estate setting, this development became what it is. In 1995 she and her husband bought and built an interior lot that backs onto 161st Street. They were the third house completed. At that time the Estridge Group promised that if you bought there, lots would be 1-3 acres. Before we could proceed with building their home, in order to insure a unique high quality custom home would be built, they went through a strict review and approval process with Mr. Estridge regarding requirements for homes size, interior and exterior materials set back requirements etc. There was to be no duplication of home elevations and styles and we complied as did the other buyers who bought into the dream and built their unique and high custom home. Now they are asked to swallow a zone change and suffer a negative home value impact. Previously, commitments and promises have been forsaken because of a situation in which an individual has aligned himself in order to remain in his home and continue to do business with the community. Most of the homeowners in Oak Park are the original homeowners and have a lot at stake. There is a wide disparity as to what SF-1 requires and SF-2 permits. There is a disparity as to what the homeowners were promised to the families that invested in Oak Park and what is being proposed here, it is unacceptable. If approved it would undermine what was

promised to the homeowners of Oak Park and surrounding residents of the southeast quadrant of Westfield. This aside we are trying to disassociate our neighbor and developer from this battle. However, Mr. Estridge is no longer associating himself as an Oak Park resident, his alliance is now to Pedcor. He made bold comments at the meeting at Bridgewater in January. He stated that a second road or any residential development behind his home would not be possible. Not because of an engineering or land use problem but because it would ruin his view of the pond behind his home. This development and many years of development traffic and the other things that have been mentioned undermined what we have bought into and were promised at the onset. Asked the APC to consider resident concerns when reviewing the zone change.

Michael Miller, 15936 Oak Park Ct.; In 2005 tried to contact Estridge Group about buying a lot and were told they would not be able to do so. In 2007 they bought an existing home in Oak Park. One problem there are no sidewalks on their side of the subdivision. This construction would triple the traffic and would be a hazard since there are no sidewalks. They will not be able to safely ride their bikes or walk down to the amenities any longer. There are many subdivisions that offer the same amenities as Oak Park but the lot size of 1+ acre, city services and community amenities are nowhere near this price point. Oak Park has been able to incorporate the rural agricultural and modern architectural amenities. There are nicer communities, but what people are impressed with is the layout of the homes and the neighborhood. If the re-zone is approved this is going remove the distinctive and defining feature of Oak Park, it cannot be regained and will forever loose its uniqueness. When Miller looked up zoning it says "City Planners bring about orderly growth and change. It controls population density and helps create attractive helpful residential areas. In addition, zoning helps assure property owners and residents that the characteristics in nearby areas will remain stable". Understands that things change with time but the existing zoning should help protect him and that other developers will use that same care when building. Pedcor purchased this land knowing that it was not zoned for their purpose. Miller feels that accepting this rezoning would be a betrayal to the homeowners of Oak Park and as such should be opposed.

John & Beth Ludwig, 3155 Joshua Circle; Designed and built their home in November, 2000. First wanted to thank the Advisory Plan Commission and the Westfield City Council for all the time and energy they have put into the rezoning, it is very much appreciated. Mr. Ludwig is in complete agreement with what everyone has said about the rezoning. He wanted to highlight the great importance is a second entrance, potential lack of turnaround space for emergency vehicles and the importance of architectural standards. Previously had lived in Carmel and when looking for more space found Westfield and specifically Oak Park. Oak Park had lot size, number of homes in the community, amenities, its location within Westfield and the broader Indianapolis area and that many of the lots were wooded. He continues to support the growth and expansion of Westfield it is important to do so in a measured responsible and consistent manor. As a result he has deep concerns about the opposed re-zoning. First, adding 22 lots to 21 acres in the middle of the existing neighborhood which has 32 lots and 57 acres which would certainly alter the character of the neighborhood. Second, the proposed SF2 zoning is not appropriate infill zoning for this compatible mass, scale or density to the long existing Oak Park neighborhood. Lastly, what seems like an increasing number of developments created out of farmland and the general urbanization of Westfield, it is critically important to retain as much of the existing tree preservation area for in order to provide the esthetics, cleaner air, shade and wildlife that will offset the continuation of urban sprawl and service as an important buffer for the existing homes and trails. Concludes that Westfield is a unique community, part of what makes it unique is the diversity and housing options and neighborhoods that make it unique. Ludwig believes that there are already enough neighborhoods in surrounding neighborhoods that already have the SF2 zoning. He believes the broader Westfield Community would be better served by extending the existing Oak Park standards to the infill area and provide a low density, high quality housing option to respect Westfield residents. As a result he respectfully requests that the APC deny the recommended proposed rezoning to SF-2.

Jeff Jewett, 2702 Oak Park Circle; Across the street from the proposed development. He is in support of everything that has been said. One of the reasons he purchased his lot 18 years ago was the character of the neighborhood, size of the lots but another good reason was he really like Paul Estridge but what is going on right now is not right. He wishes he could support this project if it was modified in some way. Suggests bringing the lots sizes more to what they are right now, having everything be consistent and no one would get upset. Has lived here 17 years and does not expect construction traffic going past his home which it would if this proposal went through. He just wanted to ask Paul Estridge to reconsider and bring the construction traffic in some other way. If this could be done he would be in support of this project, but as it stands right now, he asks that it be denied.

Alyssa and Stacy Miller, 15936 Oak Park Ct.; Alyssa Miller is 11 years old and does not understand the financial aspect or official terms of what everyone is talking about but knows that it will affect her and everyone in Oak Park. First of all, 7:00 am to be woke up in the middle of the summer, no thank you. She will not be able to go down to the park, walk her dogs or ride her bike to the street by herself anymore. She would like more kids in the neighborhood, but she does not want a ton of construction. Oak Park is special because no 2 houses are the same. She does not want tiny houses and really liked horses by the park. The playground needs some up keeping, but other than that the neighborhood is perfect the way it is.
Stacy Miller; She wanted her girls to see how one voice can make a difference. She does not want the land rezoned. She agrees with the statements that the neighbors and attorney have said because it seems the only option. She has looked online at past Estridge endeavors, but when she read how Mr. Estridge was able to get out of debt after filing bankruptcy, homes being built during the downturn, through the housing slump, his record is impressive. She believes Pedcor had no idea that the residents of Oak Park would so vehemently opposed to the change of zoning. Her point is this: big yards, quiet streets, and a good school district. They were told by Mr. Estridge in a meeting with neighbors, that Pedcor had bought the land in 2014. The land is not zoned for what you are choosing to build. You took a risk that is commendable in business; however, her family and neighbors did not. She received a letter from Mr. Estridge that was addressed "Dear Neighbors" and asks everyone to support the rezone because he made a deal in hopes of being able to keep his home and be able to get it back one day. In this letter he further wanted the neighbors to be assured if he could obtain permission from the them, and if it is affordable to the cost of the project, then he would be willing to provide the construction drive. To that I feel like the anthem is "If you cannot guarantee, then we cannot we cannot agree". Miller cannot point fingers when she does not know the details of his business but she can connect the dots to see the history. She believes that Pedcor has a Plan B. Miller has one question to Pedcor representatives: Would you please share what your backup plan is if the rezone is not granted?

Daniel Cox, 15909 Oak Park Ct; Backs up to project and moved from New Jersey two years ago for a corporate relocation. Thinking it would not be too hard to find a nice home on an acre and had nice amenities while maintaining a country feel and not be on top of each other. In Carmel where his office is located everything was on a 1/2 or 1/3 acre lots. The horse pasture and lot sizes are an integral part of the uniqueness of Oak Park. Construction traffic and other activities are of concern and what that would mean to their small children and the children of the neighbors with having no sidewalks.

Tony Anderson, 15941 Oak Park Ct.; Agreed with what everyone has said but did want to show that he Estridge Marketing package from 15 years ago that shows a cul-de-sac which is now a stop road. Over 93% of the Oak Park Residences have signed a petition against the development and Anderson supports that petition.

Chris Braun, 3029 E 161st St.; Since 2011. (Letter filed on April 6, 2014) Agrees with the neighborhood about this petition. When people that bought into Oak Park were promised that the horse pasture would always be there and they do know that things change in time, but as a community they thought they could meet them half way. The average lot size is 1.6 acres in the existing neighborhood and they asked if the new lots could be at least 1 acre. In good faith, they hired counsel to help ensure a development that would

be consistent with what is there now, and the Westfield-Washington Comprehensive Plan would keep things compliant. The Westfield Comprehensive Plan is simple, preserve and protect the areas where infill occurs. Key language in the Comprehensive Plan is to insure infill development is compatible in mass scale, density, materials and architectural style to the existing development. They trusted that the APC and the City Council would enforce this Plan because they are their plans and their words and they went forward in good faith. The HOA asked for three things: 1) 1 acre lots on average. What they have come back with is 23 lots (.7 acres) with only 3 1 acre lots. 2) A second road for construction. On December 23, 2013 (this was a proposal by Estridge) where there were lots off of Oak Road and the HOA trying to meet a middle ground by opening up and extending the road which would make 30 lots. This did not work because of a view of the pond by someone who cashed out the neighborhood. 3) Instead of Custom homes they want to repeat production homes. Received a letter from Estridge with a lot of "If's" but no commitment just seven caveats.

John Johns, 3130 Joshua Circle; Live here five years ago. Agrees with everything that has been said and supports rejecting this proposal.

Mic Mead, 15466 Oak Rd.; has lived in the area since 1942. He is a Board Member of the Washington Township Neighborhood Trust a Volunteer Association of the non-HOA homes in the southeast quadrant of Westfield. The trust is 22 years old. He has 2 points to make. 1) Does not wish for the neighbors request for a new street into Oak Road. This road was annexed in 1992 and there has never been a fire hydrant installed for 1.4 miles. If this infill and extension of the road is approved, requested a condition to install a hydrant at the intersection of Oak Road. 2) More important to infill with smaller lots with a different feel is irresponsible. An infill project here should probably be approved, but certainly not as proposed. An infill would maintain the atmosphere that large lots provide. It's a matter of honor by the Developer and the City to follow through and not change from the inside out the nature of this very fine stable neighborhood.

Mark Flagg, 3202 Joshua Cir.; He and his wife support the re-zone because they trust there is a true need for the Estridge family to develop this property. They also trust that they will take every step to accommodate resident's needs going forward. This is based on the Estridge family, previous developments around this community and the great care they have taken while developing neighborhoods and taking into account the surrounding residents.

John Boyer, 2220 Oakwoods Lane; President and Founder of the Washington Township Neighborhood Trust a kind of watch dog of the Oak Road neighborhood. Does not live there but heard of the travesty of filling this neighborhood with compact lots. Feels there has been a bait and switch to the residents that live in Oak Park at this time.

Linda Wendel, 16032 Oak Park Ct.; Lot 1, Oak Road and 161st Street. Her home was shown as one of the houses that this proposed development would enhance. They had requested mounding down 161st Street for privacy and also as a buffer for the noise from the road. They were promised this would be done; they signed on the line and purchased the lot. According to the county drainage board director from the original filing, this lot was never to be sold. They built a house around the 2 pipelines that go across the property. The representatives of Estridge knew exactly what she wanted to do. She wanted lots of gardens and they assured her that she could do that. They asked for the mounding when the house basement was done, the framing was being done the mounding was put up, they left for a trip. When they came back the mounds were gone. They were told that the pipelines would not allow mounding on the lot. There are limitations on trees and where they could be planted because there is a buffer in the middle of those pipelines. There are all this promises on what will be built on this addition and taking away the concerns for safety and fire protection for the lack of streets in our community. Does not know if the neighborhood can be assured the promises will be upheld.

Public Hearing closed at 9:07.

Petitioner responded to questions:
1) Regarding the four sided architecture and why have they not seen the other three sides; these are all custom homes and have not been built yet. Do not have a problem committing to four sided architecture. That is what they mean about being compatible in the Comprehensive Plan of Oak Park.
2) Regarding the SF-2 district, it was not allowed when Oak Park was originally done. They are wanting the re-zone for 30 foot setbacks, so the houses would be closer to the road and further away from the other homes.
3) Concerns about fire safety and a second entry, the Westfield Fire Marshal had filed a letter with the Planning Department that a second entrance would not be needed or required. Public safety of the neighborhood meets Westfield standards and that includes the water main moving water into the community.

Paul Estridge, 15747 Oak Road; has lived there for 20 years wanted to explain what everyone thinks is this evil plan that they have come up with. Estridge is very pleased that so many people like Oak Park after 20 years. The time has come to take that pasture land that they kept as pasture land for 20 years, and develop the land. Many people want to know why they are proposing 130-foot wide home sites by 150-foot deep which are identical to the size as the residents next to it. When Estridge met with the residents in January, the Oak Park development was a financial failure. It took many years for them to find people who wanted to buy that large of a lot and in fact the only lots that are still available in Bridgewater today are the largest lots. Estridge believes that as a neighbor, builder and developer, and a member of this community he should only propose home sites that are marketable and will be the most successful. Estridge realizes that the lots are not the same size, but they are compatible in value with the home and other commitments that have been made at $600,000. Compatibility does not come down to home site size that all the other factors need to be taken into consideration in this rezone. Estridge takes this very seriously and it is very emotional for everyone. Estridge is committed to doing the right thing as much as he can, as well as be a successful builder and developer, so this does not become a development that fails.

Skelton explained that Staff will compile all the comments, state them as a question and then provide copies to the Petitioner and Developer. This will allow all parties to work through them to come to a solution prior to coming back to the Commission for action.

No action is required at this time.

Case No. **1404-SPP-07 [CONTINUED TO MAY 5, 2014]**
Description: *Speedway*
704 East State Road 32
Speedway, LLC requests Primary Plat review for 2 lots on approximately 6.759 acres +/- in the Oak Ridge Pointe PUD District.

Case No. **1404-DP-08 & 1404-SPP-06 [CONTINUED TO MAY 5, 2014]**
Description: *CarDon Senior Living*
CarDon Development Company, LLC requests Overall Development Plan and Primary Plat review for 2 lots on approximately 16 acres +/- in the CarDon Senior Living PUD District (pending approval).

Case No. **1209-PUD-11 (CONTINUED)**
Description: *Springmill Corner PUD*
SE corner of Springmill Road and 161st Street; Cooperstown Partners, LLC request a change in zoning of approximately 6.5 acres from AG-SF1 to the Springmill Corner PUD.

REPORTS/COMMENTS

APC MEMBERS
No report.

CITY COUNCIL LIAISON
Report provided by Hoover.

BZA LIAISON
No report.

ECD STAFF
No report.

ADJOURNMENT (9:16 p.m.)

Motion: Tolan; Second: Maue: Motion passed by voice vote.

_____
President, Ken Kingshill

_____
Vice President, Randy Graham

_____
Secretary, Matthew S. Skelton