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March 9, 2009

Kevin M. Todd, AICP
Town of Westfield
2706 East 171st Street
Westfield, IN 46074

RE: Modifications to Union Street Flats – March 16th Plan Commission

Dear Kevin:

Please find below a list of all substantive changes made to the Union Street Flats Ordinance since filing on February 3rd:

1. Changed title of Ordinance to Union Street Flats PUD throughout document.
2. Ordinance. Section 1.H. Added promotion of the vision of the Grand Junction plan.
3. Article 1. Amended definition on Building Height as follows: Chimneys, cupolas, and other similar structures shall not be included in calculating heights.
4. Article 1. Amended Masonry by removing “or other similar building material.”
5. Article 1. Amended the definition of Open Space to exclude the area of the compactor enclosure and surrounding lawn area.
6. Article 2. Added inapplicability of the Zoning Ordinance standards for Multi-family Development as these standards are contained in the PUD text.
7. Article 3. Section 3.1.A.3. Added 150’ setback for accessories from Trail.
8. Article 3. Section 3.1.F. Amended Vision obstruction to be regulated by the Westfield Specifications and Standards manual: Section 02501 – Standards of Roadway Geometric Design, Part 1, 1.1 C.7.a.
9. Article 3. Specify that a 6’ tall privacy fence shall be constructed in the north and south buffer yard areas as noted in the attached exhibits.
10. Article 3. Specified that a fence shall not be placed between the buildings and the trail and that privacy fence is only permitted within buffer yard areas.
11. Article 3. Added Park as a permitted use.
12. Article 3. Limited the number of 3-bedroom to a maximum of 20% of the total number of dwellings.
13. Article 3. Specified that the area of the trail/floodplain shall be included in the DP.
14. Article 3. Added west perimeter building setback as eastern floodway of Anna Kendal.
15. Article 3. Reduced maximum building height to 40’
16. Article 3. Limited the two buildings along Union Street to two stories in height.
17. Article 3. Established a minimum dwelling square footage by unit type.
18. Article 3. Specified that the building elevation requirements apply to all primary buildings including clubhouse.
19. Article 3. Addressed improving elevations fronting the Monon/Midland rail.

20. Article 3. Added building base landscaping requirement for the Clubhouse.
21. Article 3: Noted that the trail completion shall be addressed as part of an agreement between the Developer and the City of Westfield.
22. Article 4. Add requirement that curd or parking bumper shall be used adjacent to parking stalls.
23. Article 4. Added six (6) additional bicycle parking locations across the Real Estate.
24. Article 5. Added note regarding compliance with current Thoroughfare Plan.
25. Article 5. Added requirement that all WPWD plan review fees for Development Plan review shall be paid at the time of filing.
26. Article 5. Added a plan requirement for submittal at the Development Plan stage to illustrate the overall plan in relation to the Grand Junction Plan.
27. Article 5. Amend section to require a traffic study to be submitted at the time of Development Plan application.
28. Article 6. Added a requirement for the placement of 2 benches and one trash receptacle along Union Street.
29. Article 7. Add specification for 12' trail width with 2' shoulders on both sides.
30. Article 8. Moved landscape plan requirements to the Development Plan section.
31. Article 8. Set a minimum height for the compactor enclosure at 6 feet.
32. Article 8. Set standard for masonry columns for fence construction.
33. Article 8. Added perimeter parking lot planting standard for southern parking area.
34. Article 8. Added several tree species for use in the development per the request of the City Park Director.
35. Article 9. Removed existing lighting as an exempt lighting fixture.
36. Article 9. Addressed coach lighting on building exteriors.
37. Article 9. Add text related to general lighting standards per the request of staff.
38. Article 9. Limited pole height for lighting to a maximum of 15'.
39. Article 9. Prohibited pole lights for being located in buffer yards.
40. Article 9. Added text to require all pole lighting to be same style and design.
41. Article 9. Relocated text regarding plan requirements to the Development Plan Section of the PUD (Article 5).
42. Article 9. Added text to address trail lighting, maintenance and operation.
43. Article 10. Added prohibition of changeable copy on signs.
44. Article 10. Added a prohibited sign per staff request.
45. Article 10. Added a requirement for trail wayfinding signage.
46. Exhibits. Addition of Exhibits F-1 and F-2 including concept building elevations for buildings facing the trail along the Anna Kendall.

In addition to these changes we have made several, non-substantive, grammatical changes to the ordinance as well as several technical changes requested by Public Works. We have produced a "red line" copy of the ordinance for your use in reviewing the proposed modifications.

If you have any questions or need any additional information please contact me at 317-844-0106.

Very truly yours,

NELSON & FRANKENBERGER, P.C.

Jon C. Dobsiewicz