City of Westfield
Indiana 1834
Old Town Charm, New City Style

Westfield City Council Report

Petition Number:	1003-PUD-04
Approximate Address:	3600 East 161st Street
Petitioner:	Adams and Marshall Homes, Inc.
Representative:	Jon Dobosiewicz, Nelson & Frankenberger
Requested Action:	Amendment to the development standards for an area of Parcel J of the Bridgewater PUD.
Current Zoning Dist:	Bridgewater PUD
Requested Zoning Dist:	Bridgewater PUD
Approximate Acreage	8 acres
Filing Date	February 2, 2010
Referral Date to APC:	February 8, 2010
APC Public Hearing:	March 1, 2010
APC Recommendation:	March 15, 2010
Associated Ordinances:	Ord. 06-49, Ord. 08-05, 09-17 & Ord. 10-01
First Reading	April 12, 2010
Second Reading	May 10, 2010, if applicable
Eligible for Adoption	April 12, 2010
Exhibits:	1. Staff Report 2. Aerial Location Map 3. Proposed Amendment
Prepared By:	Kevin M. Todd, AICP, *Senior Planner*

PETITION HISTORY

This petition for an amendment to The Bridgewater Club Restated and Consolidated Planned Unit Development District (Ord. 06-49), as amended by Ord. 08-05, Ord. 09-17, and Ord. 10-01 (the "Bridgewater PUD") was filed on February 2, 2010. The petition received a public hearing at the March 1, 2010 Advisory Plan Commission Meeting and received a positive recommendation for approval at the March 15, 2010 Advisory Plan Commission Meeting.

PROCEDURAL

- Requests for amendments to an existing PUD District are required to be considered at a public hearing, in accordance with Ind. Code 36-7-4-1505.
- The Advisory Plan Commission (the "APC") held a public hearing on March 1, 2010 and issued a positive recommendation (7-0) to the City Council in support of the proposed PUD amendments on March 15, 2010.
- Notification of the March 1, 2010 public hearing was provided in accordance with the APC Rules of Procedure.

- The City Council may take action on this item at first reading.

PROJECT DESCRIPTION

The subject property is approximately eight (8) acres in size and is located within Parcel J of the Bridgewater PUD District (the "Property"). The proposed amendment would allow the proposed single-family detached housing product to be built on the Property. Single-family detached homes are a permitted use; however, the area was originally designed and platted for attached single-family structures (duplexes, tri-plexes, and quads).

Two (2) attached-unit buildings, a detention pond, and a significant amount of the infrastructure have been constructed to-date. The proposal is to maintain the existing layout and build detached single-family structures instead of attached. The Bridgewater PUD Ordinance states that the developer is to select the development standards for single-family detached housing projects within Parcel J. The developer, Throgmartin-Henke, selected the Parcel H development standards be applied to this area of Parcel J.

In order to maintain the same density and layout of the previously-approved plat for attached housing, the proposed amendment seeks to modify three (3) standards. The first amendment would modify the way the lot width at building line is calculated, so that the few lots with narrower frontages could be utilized. The second amendment would reduce the minimum lot area from 7,500 square feet to 5,000 square feet. The third amendment would reduce the minimum front yard setback from twenty (20) feet to fifteen (15) feet, with an eighteen (18) foot setback for garages.

PUBLIC POLICIES

Comprehensive Plan-Feb 2007, as amended

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as Suburban Residential (p. 23). Detached dwellings are appropriate in the Suburban Residential area (p. 38).

Thoroughfare Plan-Feb 2007, as amended

The current Westfield-Washington Township Thoroughfare Plan (the "Thoroughfare Plan") roadway classification map identifies the impacted segment of Gray Road as a "Secondary Arterial" (p. 4-20), and recommends a minimum dedication of a sixty (60) foot half right-of-way (p. 5-3). The Thoroughfare Plan further recommends the provision of an eight (8) foot asphalt path within the right-of-way (p. 5-3). The remainder of the affected roads are classified as "Local Roads".

Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan focuses on the build-out and development of the community's existing parks and trail systems. The Property is not within or adjacent to an existing park or trail. The required eight (8) foot wide multi-use path along Gray Road has been installed.

Water & Sewer System-Aug 2005
The Property is currently served by water and sewer lines. The systems were designed to accommodate the number of proposed houses.

Annexation
The Property is within the corporate boundaries of the City of Westfield.

Well Head Protection-Ord. 05-31
The Property is not within a wellhead protection area.

INDIANA CODE
IC 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.
The Future Land Use Concept Map in the Comprehensive Plan identifies the Property as Suburban Residential (p. 23). Detached dwellings are appropriate in the Suburban Residential area (p. 38).

2. Current conditions and the character of current structures and uses.
Part of the Property is being used residentially and the remaining part was planned to be used residentially, but is currently vacant. The Property is located in the Bridgewater PUD and is zoned for residential uses.

3. The most desirable use for which the land is adapted.
The Comprehensive Plan established that Suburban Residential development, including detached dwellings is appropriate for this area. The Bridgewater PUD allows for the proposed use.

4. The conservation of property values throughout the jurisdiction.
It is anticipated that the proposed use would have a positive impact on surrounding property values and throughout the jurisdiction.

5. Responsible growth and development.
The site is contiguous to other developed areas, and the improvement of the Property would be consistent with the principle of contiguous growth. City services such as water, sewer, and emergency services already exist on or near the Property and are adequate to serve the proposed development.

RECOMMENDATIONS / ACTIONS

- Community Development Department [March 15, 2010]
  The Westfield Community Development Staff, under their final report to the APC, made a positive recommendation for this petition.

- Advisory Plan Commission [March 15, 2010]
  The Westfield-Washington Advisory Plan Commission has forwarded a positive recommendation for this petition (Vote of: 7-0).

- City Council
  - First Reading: [April 12, 2010]
  - Second Reading: [May 10, 2010, if applicable]
  - Eligible for Adoption: [April, 2010]

Hereby submitted this 6th day of April, 2010.

Robert Smith, *APC President*
Cindy Spoljaric, *APC Vice-President*
Kevin M. Todd, AICP, *Senior Planner*

WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, March 1, 2010, to consider amendments to the Westfield-Washington Township Zoning Ordinance. Notice of the public hearing was advertised and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed amendment is described as follows:

Case No.	1003-PUD-04
Petitioner	Adams and Marshall Homes, Inc.
Description	3600 East 161st Street; Petitioner requests an amendment to the development standards for an area of Parcel J of the Bridgewater PUD.

On March 15, 2010, a motion was made and passed to send a positive recommendation (7-0-0) to the City Council to approve the request for 1003-PUD-04.

I, Matthew S. Skelton, AICP, being the Secretary of the Westfield-Washington Advisory Plan Commission, do hereby certify that the attached minutes are a true and accurate record of the meetings of the Westfield-Washington Advisory Plan Commission held on March 1, 2010 and March 15, 2010.

Matthew S. Skelton, AICP, Secretary

March 16, 2010
Date

The Westfield-Washington Advisory Plan Commission held a meeting on Monday, March 1, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Dan Degnan, Cindy Spoljaric, Robert Smith, Robert Horkay, William Sanders (7:06) and Steve Hoover.

City Staff Present: Matthew Skelton, Director; Kevin Todd, Senior Planner; Jennifer Miller, Senior Planner; Ryan Schafer, Planner I; and Brian Zaiger, City Attorney

Approval of the Minutes:

Motion: To approve the February 16, 2010 Public Hearing Meeting Minutes as presented.

Motion by: Hoover; Second by Horkay; Vote: Passed by voice vote

Todd reviewed the Public Hearing Rules and Procedures.

OLD BUSINESS

Case No.	Ordinance 10-02
Petitioner	City of Westfield
Description	The Westfield City Council amends the Westfield-Washington Zoning Ordinance to include standards for Temporary Uses and Events (WC 16.04.095) and new Definitions (WC 16.04.210).

Hoover stated that the Council did accept the proposed changes from the Plan Commission, which was to change the times for the tent sales. He also stated that there was a concern with the Council that this would, as written, affect known City events, which it was not intended to do. Therefore, the main change from the Council was to add an exception for City-sponsored events.

Motion: To send Ordinance 10-02 to the City Council with a positive recommendation.

Motion by: Degnan; Seconded by: Hoover; Vote: 5-1 (Sanders)

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NEW BUSINESS

Case No. 1003-DP-02 & 1003-SIT-02
Petitioner Simply Leisure, Inc.
Description 16950 Westfield Park Road; Simply Leisure, Inc. requests Development Plan and Site Plan Review for a proposed 268 square-foot greenhouse structure on approximately 0.9 acre in the EI District.

Todd reviewed the petition, which is a greenhouse structure measuring approximately 12 feet by 24 feet. Todd further stated that the greenhouse would be largely screened from view because it would be located in an existing courtyard area. He also stated this petition has been before the Technical Advisory Committee where no concerns were expressed. Todd stated that this development plan complies with the applicable EI development standards, minus the few items listed in the staff report. He added that there are a couple of landscaping items which need to be addressed further as well as the multiuse path. He indicated that the petitioner is aware of these items and has agreed to address them. Further, he stated the landscaping plan will be brought into compliance and a waiver sought for the multiuse path along Westfield Park Drive. Todd stated there is no action required by the Commission at this time; however, a Public Hearing has been schedule for tonight.

Mr. Randy Farley was present to respond to questions and public comments.

A Public Hearing opened at 7:13 p.m.

No one spoke, and the Public Hearing closed at 7:14 p.m.

Case No. 1003-PUD-03
Petitioner Herman & Kittle Properties, Inc.
Description 4420 East 146th Street; Herman & Kittle Properties, Inc. requests a change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District.

Todd presented details of the petition, which is a change in zoning request the location of the proposed zoning change is on the north side of 146th Street just to the west of Gray Road and to the east of Setters Run subdivision. Todd discussed the requirements of the PUD ordinance. He further stated the petitioner's original proposal included outdoor storage; however, after meeting with neighbors and further discussion with city staff, the petitioner has agreed not to include outdoor storage as a component of this project. Staff believes this is a good infill project for this property and supports the project. Todd stated there is no action required by the Commission at this time; however, a Public Hearing has been schedule for tonight.

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Mr. Steve Hardin, Baker & Daniels, representing the petitioner, discussed the 6.7 acre site and the proposed redevelopment of the existing property. He stated that comments from the City Council had been addressed and that the petitioner met with neighbors around the property. Hardin discussed four major concerns of the neighbors. He stated that one request of the neighbors' was for opaque screening adjacent to the preservation area. He stated that the petitioner agreed to include a six-foot wooden shadowbox fence along that stretch of the property. He mentioned that a second request was to not allow HVAC equipment to be located on the western side of the climate control building. Hardin stated that the petitioner agreed to that. He further stated there was interest in a future pathway along the north side of 146th Street. Hardin stated that the petitioner has agreed to install a path in that location. Lastly, neighbors asked if the petitioner would be willing to relocate the entrance to the eastern portion of the property. Hardin stated that they would seek to make that change, depending upon approval by the County. He further stated that the petitioner has met with the Hamilton County Highway Department to explore options, and believes it will be possible to locate the drive on the eastern portion of the property. Hardin added that a revised concept plan will be available at the March 15 meeting for review. Hardin further stated that the developer of Bridgewater has requested the brick color in this project be matched to the brick color of Bridgewater Marketplace. Hardin noted that the petitioner has agreed to this request.

Spoljaric expressed concern about some of the permitted uses of GO (General Office) if the concept does not happen. She believes not all of the uses could be appropriate next to a residential area. She also asked about a second access point.

Todd stated that staff requested the exclusion of some of the uses in GO, specifically, agriculture and multi family; however, he stated the rest of the uses are office uses.

Skelton stated staff would review this use list further.

A Public Hearing opened at 7:28 p.m.

Mrs. Carolyn Stevenson, 4214 Wentz Drive (just down the street that T's into a circle drive that will affect the neighbors east of this development, Setters Run); My concern is the access cut off of 146th Street; don't know how close since we have an access lane coming into Walgreens and an access lane leading out and then you hit the power station. I thought perhaps looking at the map that the access would be in and out off of Gray, but not sure how that affects the power station and Bridgewater butting up against this development. We have beautiful habitat, birds, and wildlife and I'm concerned about all of our wildlife that lives there, which is very quiet. My other concerns include the buffering; I understand that the developer is going to try to preserve the tree line which habitats our birds. Don't know which side you are putting that ugly fence; hoping our neighbors to the east of Setters Run don't have to look at that fence. Also to the northeast of this development there is a beautiful pond which is always stocked and people fish. Not sure how far back that will run. Power station is a concern; understand no outside storage which is a plus. Do have a concern with the access of decel and the access into

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this development on 146th street. Way too close to power station, Walgreens, and stop light at 146th and Gray Road. Afraid the traffic speed will pick up also.

Mr. Jordan Worley, 14715 Keller Terrace; I would like to present petition to APC with 117 signatures, one signature from each house of the community, stating the residents and property owners of Setters Run wish to stop the rezoning of the 6.7 acres of property adjacent to our community. The proposed buffer zone of 40 feet provides approximately one tree and in many cases no trees between the property line and the storage units at the east end of our community; this will inadequately buffer light or noise pollution generated by the proposed property. Secondly, the proposed property would significantly and negatively affect not only the aesthetic but the monetary values of our properties we have purchased. All residents in this community use this eastern edge whether for the fitness trail or the fishing ponds. We see all summer long families riding, roller blading, walking dogs, fishing, etc. We are opposed to rezoning the property at the east end of Setters Run Community. We believe we were inadequately notified of the meetings. Concerned about how a property with traffic running through it even if maybe just one or two cars at a time, how they aren't proposing light poles to be able to see to unload; proposed gate time of 6:00 am to 10:00 pm. In Indiana it gets dark at 5:00.

Mr. John Hauber, 4215 Shine Court; unable to attend the public meeting; only given 48 hours notice. My responsibility as President of the HOA and, in fact, the whole board, is to do whatever we can to try and keep the property values of the community high. This project with light pollution and noise pollution is going to severely affect the property values of our homes. And not just the homes affected by the site, but the entire community. We need comparable market analysis; if anyone wants to sell homes, they will look at what homes are selling for. The homes along the eastern edge, what you can't tell from this map, by the retention pond, it slopes down and there are walk out basements; the only walkout basements in the community, and I would say these are the highest value homes in the community. If each of those falls by $25-$50,000, which it will, because they are up on a hill and regardless of how high the wall is, they are going to be looking down at this. So rather than the trees they see now, they will see a roof line. The effect on their homes will affect every single home in the neighborhood. So while I'm pleased that this would be a $4,000,000 project to the Community; that $4,000,000 spread out over 200 homes would be a loss of $4,000,000 in property values to our homes. I'm surprised and confused why anyone would want to rezone this to commercial and why we would even consider putting this in a residential area along 146th Street when there is adequate room for this very same project anywhere along 31, 32, and the industrial park. To put it in a residential area would be absurd and it's going to be very harmful to 200 families in that area. I would suggest that the only reason we have 117 signatures is that we have not been able to get to a lot of people, but I'm confident we could get 90-95% of people.

Ms. Julie Manley, 4439 Updike Circle; my house is right next to it. Right now we look at a beautiful wooded area, beautiful wooded trees; we have all kinds of wildlife, including deer, owls, coming into our yard. All these homes are two stories houses, and will be

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looking at hideous ugly office buildings. This is going to severely affect our property values; we do not want this. This is surrounded by a residential area we do not want commercial right next to us.

Mr. Mic Mead, 15466 Oak Road; I very much sympathize with these neighbors and their civility in presenting very serious concerns to you. I don't know whether you have to pass this or not but if you do, I highly recommend spruce trees and white pines planted between whatever trees they can salvage that are there. There are landscaping credits provided for; the bigger the trees they save, the more credits they get, and I hope the developer can do all they can to create a barrier there. If they build this, I would like to know that this allows only right-in and right-out to that access. I'm a big champion of connectivity; I don't know how you would do it, but if there's a way to have connectivity from Walgreens on an access road rather than people having to go out from one project and back into another, whether there's a right-in and right-out, directly or not, there should be an access from one commercial project to the next. The power company certainly complicates that. If they have that, I hope you require them to commit to never applying for a cut in the median so they could change that and eventually have another stop light on 146th Street. And certainly there should be no dog kennel; any dog kennel is going to be heard by the immediate neighbors.

Spoljaric read an email from Brian Morales; he was concerned about 24-hour access; he thought this was a whole lot to be put on to this piece of property. He thought second story faux windows would be good to break up the long expanses on the buildings. Also he was worried about the access and fire lanes. What about car ports? Would that be included in the outside storage realm?

The Public Hearing closed at 7:47 p.m.

Hardin committed to the petitioner regrouping and addressing issues raised tonight and reporting back to staff before coming back before the Commission.

Hoover asked if all the proposed structures are one-story in nature; and what is the maximum height.

Hardin stated there are three different heights and the tallest height is sixteen feet.

Sanders expressed concern about whether a fire truck could turn around on this property.

Staff responded this item was addressed at Technical Advisory Committee, and that this project would still need to go through the development process and issues like adequate fire turnaround will be reviewed at that time.

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Case No.	1003-PUD-04
Petitioner	Adams and Marshall Homes, Inc.
Description	3600 East 161st Street; Adams and Marshall Homes, Inc. requests an amendment to the development standards for an area of Parcel J of the Bridgewater PUD.

Todd introduced the petition, which is an amendment to the Bridgewater PUD ordinance, specifically for some development standards in Parcel J, commonly known as Bridgewater Lakes. He stated that this area was originally platted in 2004 for duplexes, quads and triplexes, and that two of those buildings have been constructed, containing a total of six units. He further stated that the petitioner is seeking to develop the remainder of the property with detached single family homes. He explained that since the site was originally designed for detached housing, a couple of the applicable development standards, specifically lot size and front yard set back, would need to be modified to accommodate a detached single family product. Todd stated that amendments are supported by staff, as well as the developer of Bridgewater. Todd stated there is no action required by the Commission at this time; however, a Public Hearing has been schedule for tonight.

Mr. Jon Dobosiewicz, Nelson & Frankenberger, introduced guests and presented details of the amendment to the PUD ordinance. He reviewed the layout, which includes 29 single family detached lots. He discussed the proposed modifications including lot width, lot size, and front yard setback.

Mr. Jim Marshall stated that the neighborhood meeting went very well and there were no problems with what was proposed.

A Public Hearing opened at 8:12 p.m.

Ms. Denise Friermood asked about the price range of the homes and how many individuals were contacted by letter.

The Public Hearing closed at 8:13 p.m.

Dobosiewicz responded to public hearing comments stating 115 letters were sent out and 30 people attended the neighborhood meeting. He also stated the prices for the homes ranged from $200,000 to $300,000.

Hoover asked how soon construction would start.

Dobosiewicz responded if approved, construction would start in the middle of May at the earliest.

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STAFF COMMENTS

Skelton introduced Ryan Schaffer, Community Development's newest planner.

ADJOURNMENT (8:20)

Approved (date)

_____
President, Robert Smith, Esq.

_____
Vice President, Cindy Spoljaric

_____
Secretary, Matthew S. Skelton, Esq., AICP

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The Westfield-Washington Advisory Plan Commission held a meeting on Monday, March 15, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Cindy Spoljaric, Dan Degnan, Robert Spraetz, Robert Horkay, William Sanders, Danielle Tolan, and Steve Hoover.

City Staff Present: Kevin Todd, Senior Planner; Ryan Schafer, Planner I; and Brian Zaiger, City Attorney

Approval of the Minutes:

Motion: To approve the March 1, 2010 Public Hearing Meeting Minutes as presented.

Motion by: Horkay; Second by Hoover; Vote: Passed by voice vote

Todd reviewed the Public Hearing Rules and Procedures.

Todd reported that 1003-PUD-03 has been continued to the April 19, 2010 APC Meeting in order to respond to comments made during the March 1, 2010 Public Hearing.

NEW BUSINESS

Case No.	1003-DP-02 & 1003-SIT-02
Petitioner	Simply Leisure, Inc.
Description	16950 Westfield Park Road; Petitioner requests Development Plan and Site Plan Review for a proposed 268 square-foot greenhouse structure on approximately 0.9 acre in the EI District.

Todd reviewed the petition, which is for a proposed greenhouse structure. He stated since the public hearing two weeks ago, the petitioner has submitted revised, compliant plans with the exception of the perimeter pathway requirement. He stated that the petitioner has submitted a waiver request for the pedestrian pathway to not be required along Westfield Park Drive. Todd stated that staff supports this request, which is consistent with similar projects along Westfield Park Drive. He stated that staff also recommends approval of 1003-DP-02 and 1003-SIT-02 as presented.

Mr. David Mueller reviewed details of the project.

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Hoover asked does the waiver for the pathway mean it will never be constructed or does that mean it will be constructed at a time when there is connectivity.

Todd responded that there is a condition in the report that if there is a time when the City sees this as an appropriate path to install, the property owner will participate.

Degnan expressed concern that if everyone along Westfield Park Road has the same condition regarding connectivity, it will never get built.

Motion: To approve the associated pathway waiver request related to 0910-DP-09 and 0910-SIT-07 with the following condition:

- That upon such time that the City deems the installation of the pathway necessary, the owner shall be required to install the pathway per the City's specifications.

Motion by: Sanders; Second by: Horkay; Vote: passed by voice vote

Motion: To approve 1003-DP-02 and 1003-SIT-02 as presented.

Motion by: Hoover; Second by: Sanders; Vote: 7-0

Case No.	1003-PUD-04
Petitioner	Adams and Marshall Homes, Inc.
Description	3600 East 161st Street; Petitioner requests an amendment to the development standards for an area of Parcel J of the Bridgewater PUD.

Todd reviewed the petition stating the reason for the amendment is to allow single family detached housing be developed on the site. He stated that staff recommends sending this petition to the Westfield City Council with a positive recommendation.

Spoljaric asked since this is a change in the PUD, will they need a revised development plan.

Todd responded they will be amending the plat which is already on file and has been delegated to staff for internal review.

Motion: To send 1003-PUD-04 to the Westfield City Council with a positive recommendation.

Motion by: Horkay; Second by: Hoover; Vote: 7-0

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CITY COUNCIL LIAISON COMMENTS

Hoover stated the Council Subcommittee is currently working on the SR 32 Overlay which will include architectural standards as well as landscaping.

ADJOURNMENT (7:23)

Approved (date)

_____
President, Robert Smith, Esq.

_____
Vice President, Cindy Spoljaric

_____
Secretary, Matthew S. Skelton, Esq., AICP

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Bridgewater PUD – Parcel "J" PUD Amendment

Ordinance 10-05

Docket No. 1003-PUD-04

CITY OF WESTFIELD, INDIANA

April 12, 2010
Westfield City Council

Applicant: Adams & Marshall Homes, Inc.

Attorneys – Nelson & Frankenberger, P.C.
Attn: James E. Shinaver, Attorney
844-0106
Attn: Jon C. Dobosiewicz,
Professional Land Planner
844-0106

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TAB 1

EXPLANATION OF REQUEST

The applicant, Adams & Marshall Homes, Inc., is proposing minor development standard changes to the text of Area "J" of the Bridgewater PUD. Approval will allow the construction of single family detached homes in a portion of Area "J" adjacent to Gray Road and Golf Club Boulevard (see a site location exhibit under Tab 2).

Single family detached homes are permitted in this area. However the area was originally laid out for duplex, tri-plex and quad buildings (see existing layout under Tab 3). As indicated there remain 29 homes yet to be constructed in the subject area. Adams & Marshall proposes the same number of detached homes (29) as illustrated under the requested configuration. The proposed lot configuration can be viewed under Page 1, Tab 4 of the booklet.

As indicated single family detached homes are permitted on the subject parcel (Parcel "J"). The need for the text change arises from the expectation to follow the same site layout as originally designed and approved for the duplex and quad building layout. In an effort to maintain the plated street layout and site design as well as building massing and open space configuration Adams & Marshall is seeking three adjustments to the PUD development specifications regarding lot width, lot area, and home setback (see detail on following page).

Aside form the requested amendments all other PUD standards remain in place including but not limited to the Bridgewater Architectural standards which require all homes to obtain individual approval.

The Westfield-Washington Township forwarded this request to the City Council on March 15th with a unanimous favorable recommendation for approval.

We look forward to presenting this request to the City Council on April 12, 2010.

Respectfully submitted,

James E. Shinaver

Jon C Dobosiewicz

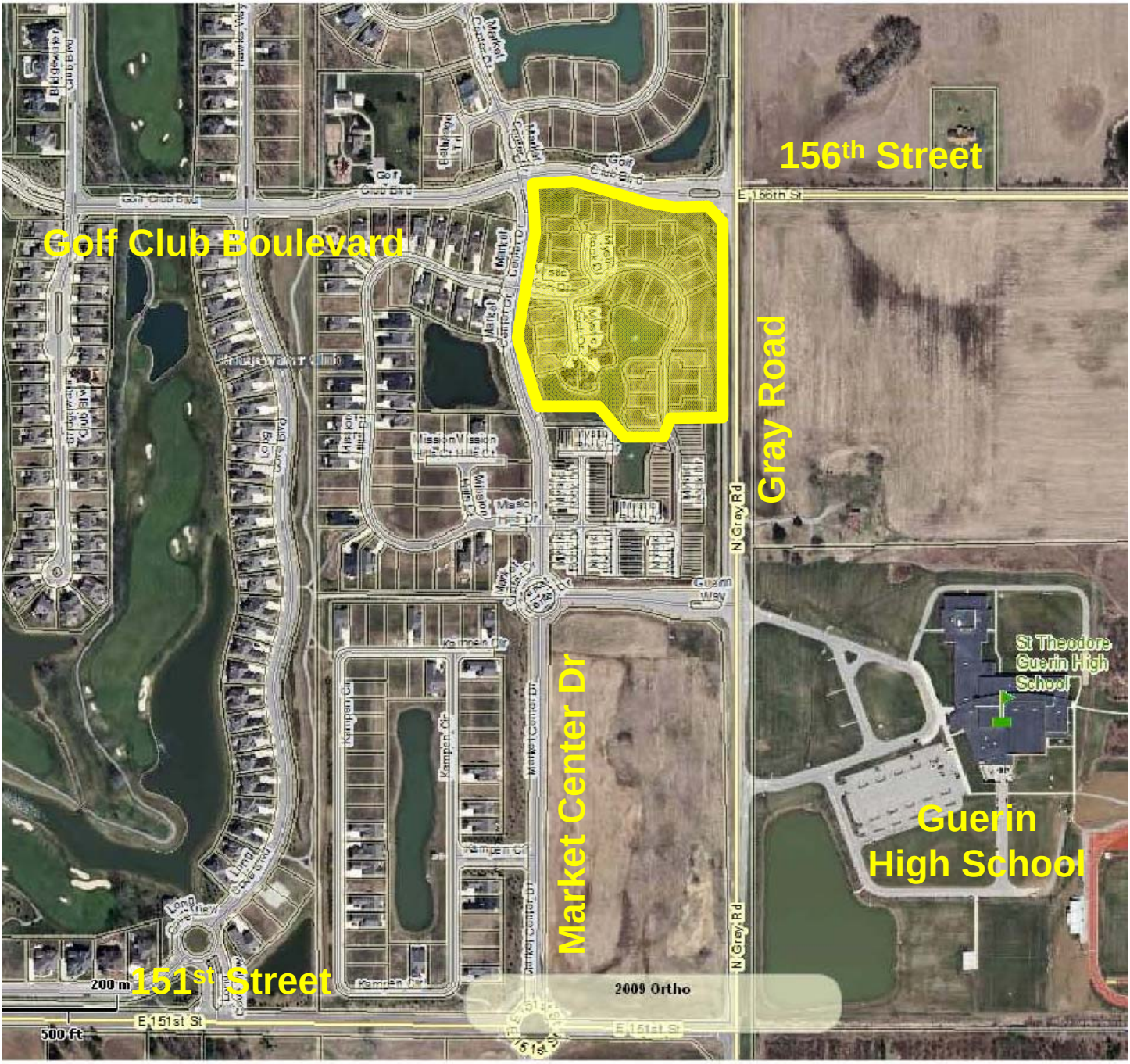
Development Standards for Detached Single Family Residential
(part of Parcel "J" Only- area illustrated under Tab 2)

Development Standard	**Current**	**Proposed**
Minimum Lot Width at Building Line at which the Building is actually built	55' (as noted)	*55' minimum* *(perpendicular to side lot lines)*
Minimum Lot Frontage On Street	20'	20'
Minimum Lot Area	7,500 SF	*5,000 SF*
Minimum Front Yard Setback	20'	*15'* *(provided garage is set back 18')*
Minimum Separation Between Buildings	10'	10'
Minimum Side Yard Setback	4'	4'
Minimum Rear Yard Setback	10'	10'
Maximum Building Height for Residences	35'	35'
Minimum Gross Floor Area for Ground Levels:	1 Story – 1500 SF 2 Story – 1000 SF Tri-Level – 1000 SF Story and one-half 1000 SF	1 Story – 1500 SF 2 Story – 1000 SF Tri-Level – 1000 SF Story and one-half 1000 SF

SF = Square Feet

Note: The text in *italics* represents the only change in text that is proposed.

TAB 2



Site Location Exhibit

TAB 3

Existing Site Layout

TAB 4

Proposed Site Layout / Lot Configuration

Proposed Lot Configuration with Existing Overlay

TAB 5

ORDINANCE 10-05

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF PLANNED UNIT DEVELOPMENT ORDINANCE(S) FOR THE BRIDGEWATER CLUB, BEING COLLECTIVELY ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01 AND TITLE 16-LAND USE CONTROLS

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1003-PUD-04), filed with the Commission, requesting an amendment to Ordinance 06-49, enacted by the Town Council on October 9, 2006, and amended by (i) Ordinance 08-05 enacted by the City Council on February 11, 2008, (ii) Ordinance 09-17 enacted by the City Council on September 14, 2009, and (ii) Ordinance 10-01 enacted by the City Council on February 8, 2010; and,

WHEREAS, the Commission did take action to forward the said Docket 1003-PUD-04 to the City Council with a unanimous positive recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505; and,

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council on March 16, 2010; and,

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

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01 AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The document as referenced by Ordinance 06-49 described as "The Bridgewater Club Restated and Consolidated Planned Unit Development District", as amended by Ordinance 08-05, Ordinance 09-17 and 10-01 (collectively, the "Bridgewater PUD Ordinance") is hereby again amended, (i) but only with respect to the development standards applicable to detached single family residences constructed on the real estate described and graphically illustrated in what is attached hereto and incorporated herein by reference as Exhibit "A" (the "Exhibit "A" Property") and (ii) only to the extent set forth in what is attached hereto and incorporated herein by reference as Exhibit "B".

SECTION 2. This Ordinance 10-05 shall be in full force and effect, in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. To the extent that this Ordinance 10-05 conflicts with the terms of any previously-enacted ordinance or part thereof, the terms of this Ordinance 10-05 shall prevail.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2010.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
John Dippel	John Dippel	John Dippel
_____	_____	_____
Steve Hoover	Steve Hoover	Steve Hoover
_____	_____	_____
Robert Horkay	Robert Horkay	Robert Horkay
_____	_____	_____
Kenneth Kingshill	Kenneth Kingshill	Kenneth Kingshill
_____	_____	_____
Bob Smith	Bob Smith	Bob Smith
_____	_____	_____
Tom Smith	Tom Smith	Tom Smith
_____	_____	_____
Rob Stokes	Rob Stokes	Rob Stokes

ATTEST:

_____
Cindy Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Kevin M. Todd

Prepared by: Kevin M. Todd, AICP, Senior Planner, City of Westfield
2728 East 171st Street, Westfield, IN 46074, (317) 804-3170.

_____
Signed

I hereby certify that ORDINANCE 10-05 was delivered to the Mayor of Westfield

On the _____ day of _____, 2010, at _____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-05

This _____ day of _____, 2010.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 10-05

this _____ day of _____, 2010.

_____
J. Andrew Cook, Mayor

EXHIBIT A

A part of The Bridgewater Club Section J, recorded November 3, 2004 as Instrument Number 200400074835, Plat Cabinet 3, Slide 515 in the Office of the Recorder of Hamilton County, Indiana, being more particularly described as follows:

Blocks AA, DD, EE, FF, GG, HH, JJ, KK, LL, MM, OO, PP, QQ and RR, containing 8.010 acres more or less.

The above legally described real estate may be graphically illustrated as follows:

EXHIBIT B

With respect *only* to detached single family residences constructed on the Exhibit "A" Property, all of the development standards for Parcel H, as set forth in Exhibit 12 of Ordinance 06-49 shall apply, subject *only* to the following changes:

1 – The minimum lot width of 55' shall be measured at a point that is 50' back from the front lot line and not at the bulding line at which the building is actually built;

2 – The minimum lot area shall be 5,000 square feet and not 7,500 square feet; and,

3 – The minimum front yard set back shall be 15' and not 20'; the minimum front yard setback for a garage shall be 18'.