

**146<sup>TH</sup> STREET COMMERCE CENTRE**  
**PLANNED UNIT DEVELOPMENT DISTRICT**

**ORDINANCE NO. 10-09**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF  
WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA**

This is an ordinance to amend the Westfield-Washington Township Zoning Ordinance (the "Zoning Ordinance") and the Westfield-Washington Township Zoning Map (the "Zoning Map") of the Town of Westfield, Washington Township, Hamilton County, Indiana, previously enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 *et seq.*, as amended.

WHEREAS, the Westfield-Washington Township Advisory Plan Commission (the "Plan Commission") has conducted a public hearing, as required by law, in regard to the application filed by Herman & Kittle Properties, Inc. (the "Developer") for a change of zone district;

WHEREAS, under Docket Number 1003-PUD-03, on the Seventeenth day of May, 2010, the Plan Commission sent a favorable recommendation to the City of Westfield Common Council (the "Council") by a vote of seven (7) in favor and one (1) opposed;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended to read as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate").
- 1.2 The underlying zoning district shall be the **GO - General Office District** (the "GO District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the GO District shall apply.
- 1.3 Section ("*WC* §") cross-references of this Ordinance shall hereafter refer to the Section as specified and referenced in the Zoning Ordinance.
- 1.4 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2.** **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning Ordinance in effect on the date of the enactment of this Ordinance.

- 2.1 Buffer Yard Illustration. An illustrative summary of the Real Estate's required minimum buffer yards, attached hereto as Exhibit I.
- 2.2 Concept Plan. A general plan for the development of the Real Estate attached hereto as Exhibit B.
- 2.3 Director. The person delegated the responsibility for the administration of the Zoning Ordinance's regulations, including the Director of Community Development's designees.
- 2.4 Façade, Primary. A perimeter facade that is located generally as shown on the exhibit attached hereto as Exhibit F.
- 2.5 Façade, Secondary. Any building facade not defined as a Primary Façade.
- 2.6 Illustrative Character Exhibit. A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as Exhibit C.
- 2.7 Self-Storage Facility. A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. Facility shall include related accessory uses including, without limitation, any one or a combination of the following: (i) administrative offices; (ii) ancillary retail sales (e.g., moving and packing supplies); (iii) mail or delivery boxes; and (iv) any other facilities approved by the Director that compliment and are intended to serve such a facility.
- 2.8 Supplemental Planting Exhibit. A graphic representation, attached hereto as Exhibit H, of plantings intended to fill significant breaks within the Preservation Buffer, as defined below in Section 4.3(A)(i), in order to maintain a visual screen that is consistent with the existing vegetation in the Preservation Buffer and consistent with best management practices for new landscaping located within existing stands of trees.
- 2.9 Tree Inventory. An inventory of trees greater than four inches (4") in diameter at breast height located within the Preservation Buffer. A copy of the inventory, performed by Vine & Branch, Inc. on March 24, 2010, is attached hereto as Exhibit G.

**Section 3. Permitted Uses.** The following uses shall be permitted:

- 3.1 All uses permitted in the GO-General Office Zoning District; however, the following uses of the GO District shall be expressly prohibited:
  - A. Multi-family housing (3-units or more with MF1 standards)
  - B. Agriculture
  - C. Veterinarian Offices
- 3.2 Self-Storage Facility.
- 3.3 Accessory buildings and uses customarily incidental to any of the permitted uses.

**Section 4. Development Standards.**

- 4.1 General Regulations. The regulations of *WC § 16.04.050 Business Districts* applicable to the GO District shall apply except as modified herein:
  - A. Minimum Lot Area. One (1) acre.
  - B. Minimum Lot Frontage. Two hundred and thirty feet (230').
  - C. Minimum Setback Lines.
    - (i) South Property Line of Real Estate: 60'
    - (ii) West Property Line of Real Estate: 45'
    - (iii) East Property Line of Real Estate: 5'
    - (iv) North Property Line of Real Estate: 60'
  - D. Ground Level Square Footage. No minimum and no maximum.
- 4.2 Off-Street Loading and Parking. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.04.120*).
- 4.3 Landscaping and Screening. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.06.010*); however, the Real Estate's minimum buffer yards shall be as follows, which are illustratively summarized on the Buffer Yard Illustration:
  - A. West Property Line.
    - (i) The Real Estate's west property line shall consist of a forty-foot (40') wide buffer yard from 146<sup>th</sup> Street to the Real Estate's north property line, as generally shown on the Buffer Yard Illustration

(the "Preservation Buffer"), which shall be preserved in accordance with Section 4.4 of this Ordinance (the "Tree Preservation Standards").

- (ii) In addition, the buffer shall incorporate supplemental plantings as generally shown on the Supplemental Planting Exhibit.
- (iii) In order to maximize the preservation of the existing trees within the Preservation Buffer, no building foundation plantings shall be required along those buildings abutting the Preservation Buffer.
- (iv) A minimum eight-foot (8') tall solid vinyl or composite fence (wood not permitted) (the "Fence") shall be installed in any gaps between buildings abutting the Preservation Buffer, as shown on the Buffer Yard Illustration. In addition, a Fence shall be installed from the southwestern corner of the southernmost building extending towards 146<sup>th</sup> Street, as shown on the Buffer Yard Illustration, to further screen parking areas. The Fence shall be a subtle color that compliments the color of the buildings. A white fence shall not be permitted. Gates in the Fence shall be installed as required by the Fire Department at the time of site development plan approval; however, gates shall be locked at all times and used for emergency access only.

B. North Property Line.

- (i) The Real Estate's north property line shall consist of a sixty-foot (60') wide buffer yard with plantings in accordance with *WC § 16.06.060*. As permitted by *WC § 16.06.060*, evergreen trees shall be substituted in lieu of shrubbery on a 1:3 basis (tree: shrub) for sixty percent (60%) of the required shrubbery. This buffer yard may include storm water detention areas.
- (ii) In addition to the plantings required per Section 4.3(B)(i) above, one (1) evergreen tree per eighteen (18) lineal feet of building shall be planted along the north foundation of the northern most building (in satisfaction of *WC § 16.06.040(K)*).
- (iii) The evergreen trees required in Section 4.3(B)(i) and Section 4.3(B)(ii) above shall be Norway spruces and shall be planted in two staggered rows along the north foundation of the northern most building.

- C. East Property Line. One (1) evergreen tree per thirty (30) lineal feet of building shall only be required along the east foundation of the Real Estate's northern most building. No additional buffering shall be required.
- D. South Property Line. The Real Estate's south property line buffer shall comply with the street frontage landscaping requirements of the Zoning Ordinance (*WC § 16.06.050*).

4.4 Tree Preservation Standards. Prior to the issuance of an Improvement Location Permit, a tree preservation plan (the "Tree Preservation Plan") shall be submitted for the Preservation Buffer. The Tree Preservation Plan shall include a site plan that details the locations, sizes, and common names of the Protected Trees as listed on the Tree Inventory; areas of dense tree or shrub concentrations, and other natural features which are to be preserved. This section shall replace and supersede *WC § 16.06.020*.

- A. In order to maintain the natural appearance, no clear cutting of the understory within the Preservation Buffer shall be permitted; rather, the Preservation Buffer shall be maintained in a natural condition.
- B. No disturbance shall be permitted within the Preservation Buffer. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.
- C. If any Protected Tree dies within five (5) years of project completion, then the property owner shall replace such tree with a tree (or trees) of equal tree preservation value (as provided by *WC 16.06.020(F)*) within one hundred and eighty (180) days.
- D. Barriers shall be used to protect the Preservation Buffer during site development. Barriers shall be specified on landscape plans and shall be placed at or beyond the Preservation Buffer perimeter. Such barriers shall remain in place during site construction. No vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. Signs identifying the Preservation Buffer shall be posted during construction; however, no notices or other objects shall be nailed or stapled to trees within the Preservation Buffer.

4.5 Sign Standards. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.08.010*).

4.6 Lighting. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.07.010*).

4.7 Architectural Standards. The regulations of *WC § 16.04.165 Development Plan Review* applicable to the GO District shall apply except for those sections modified and/or enhanced by this Ordinance.

- A. All buildings shall be designed with respect to the general character of the Real Estate, and particularly, with consideration to the buildings located on lots that abut the Real Estate. The Illustrative Character Exhibit provides a general representation of the intended architecture and character for the Real Estate.
- B. Any building materials not specifically listed herein shall be prohibited, unless otherwise approved by the Director upon determination that the building materials are appropriate and compatible in quality and character as those materials otherwise permitted.
- C. Building Orientation.
  - (i) No loading spaces or loading docks shall be permitted to face a public street or adjoining Residential District.
  - (ii) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.
  - (iii) Heating, ventilation, and air conditioning (HVAC) equipment shall not be permitted to be located on the western side of a building facing the Real Estate's western property line.
- D. Primary Façade Building Materials.
  - (i) All Primary Facades on new buildings or building additions for the Real Estate shall use brick as the primary exterior building material as shown by the Illustrative Character Exhibit. The brick colors shall be substantially similar to the brick colors shown on the attached Exhibit E.
  - (ii) Storage buildings' Primary Facades shall be parapet walls with a brick pattern substantially similar to the pattern shown on Exhibit D.
  - (iii) The use of accent and trim elements (e.g., accent panels, banding, cornices, canopies, awnings) for building trim shall be incorporated to add visual interest and break down the scale of façades.

- (iv) Permitted building trim and secondary exterior building materials may include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured) and EIFS (Dryvit) wall systems.
- (v) Primary Facades shall incorporate multiple colors and multiple textures (e.g., rough, smooth, striated), as illustrated on Exhibits D and E.
- (vi) Colors used on Primary Facades must be complementary. Natural, muted colors should serve as the primary color, with brighter colors used as limited accents.

E. Secondary Façade Building Materials.

- (i) The following materials shall be permitted for Secondary Facades: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured) and EIFS (Dryvit) wall systems, steel and/or aluminum curtain wall systems.
- (ii) Colors used on Secondary Facades must be complementary to those used on the Primary Façade. Natural, muted colors should serve as the primary color, with brighter colors used as limited accents.

F. Roof Design.

- (i) Roofing materials for non-storage buildings with pitched roofs (e.g., office buildings) shall consist of a dimensional shingle and shall be a neutral color (e.g., gray, black).
- (ii) Storage buildings with Primary Facades (e.g., storage buildings with parapet walls abutting residential) shall have flat roofs.
- (iii) Roofing materials for storage buildings shall be either standing seam metal or shingle. The roof material color shall be a non-primary color (e.g., green not permitted).
- (iv) All roofs must incorporate appropriately pitched roofs, tall parapets or screen walls to architecturally conceal any roof-mounted equipment.
- (v) Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).

G. Dumpsters. Dumpsters shall not be located in the established front yard. Dumpsters shall be located within an enclosure that is constructed with materials that: (i) match the architecture and materials of the building which the dumpster is serving; and (ii) measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

H. Overhead Doors.

(i) No overhead doors shall be oriented towards the public right-of-way or towards the perimeter of the Real Estate unless screened by another building.

(ii) All overhead doors on buildings located on the perimeter of the Real Estate shall be oriented towards the interior of the Real Estate.

(iii) Overhead doors shall be prohibited on Primary Facades.

4.8 Perimeter Path. An eight-foot (8') wide multi-use path shall be installed within the 146<sup>th</sup> Street right-of-way adjacent to the Real Estate, subject to approval by Hamilton County at the time of development plan approval. The path shall be constructed in accordance with the Hamilton County Alternative Transportation Plan.

**Section 5. Approval.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this \_\_\_\_\_ day of June, Two Thousand and Ten.

COMMON COUNCIL OF THE CITY OF WESTFIELD

AYE

NAY

_____	Tom Smith, President	_____
_____	John Dippel, Vice President	_____
_____	Steve Hoover	_____
_____	Robert Horkay	_____
_____	Ken Kingshill	_____
_____	Bob Smith	_____
_____	Rob Stokes	_____

Approved and signed by the Mayor of the City of Westfield, Hamilton County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Andy Cook, Mayor  
City of Westfield, IN

ATTEST

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

This Instrument prepared by: Steven D. Hardin, Esq., Baker & Daniels, LLP  
Jesse M. Pohlman, Land Use Consultant, Baker & Daniels, LLP  
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240 | (317) 569-9600

I hereby certify that ORDINANCE NO. 10-09 was delivered to the Mayor of Westfield on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_ . m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance No. 10-09  
this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO Ordinance No. 10-09  
this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
J. Andrew Cook, Mayor

## SCHEDULE OF EXHIBITS

Exhibit A	Legal Description
Exhibit B	Concept Plan Exhibit
Exhibit C	Illustrative Character Exhibit
Exhibit D	Parapet Wall Brick Pattern Exhibit
Exhibit E	Brick Color Exhibit
Exhibit F	Primary Façade Exhibit
Exhibit G	Tree Inventory of Preservation Buffer
Exhibit H	Supplemental Planting Exhibit
Exhibit I	Buffer Yard Illustration Exhibit



## *Westfield City Council Report*

**Petition Number:** 1003-PUD-03  
**Approximate Address:** 4420 East 146<sup>th</sup> Street  
**Petitioner:** Herman & Kittle Properties, Inc.  
**Representative:** Steve Hardin, Baker & Daniels  
**Requested Action:** Change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District.  
**Current Zoning Dist:** SF-3  
**Requested Zoning Dist:** Commerce Centre PUD  
**Filing Date:** February 2, 2010  
**Referral Date to APC:** February 8, 2010  
**APC Public Hearing:** March 1, 2010  
**APC Recommendation:** May 17, 2010  
**Eligible for Adoption:** June 14, 2010  
**Exhibits:**  
1. Staff Report  
2. Aerial Location Map  
**Prepared By:** Kevin M. Todd, AICP, *Senior Planner*

### **PETITION HISTORY**

This petition for a change in zoning to a Planned Unit Development (PUD) District 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 May 17, 2010 Advisory Plan Commission Meeting.

### **PROCEDURAL**

- Requests for zoning to a 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 (7-1) to the City Council in support of the proposed PUD amendments on May 17, 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 the June 14, 2010 meeting.

### **PROJECT DESCRIPTION**

The subject property is approximately 6.7 acres in size and is located on the north side of 146<sup>th</sup> Street, east of the Setters Run subdivision; it is commonly known as 4420 East 146<sup>th</sup> Street (the “Property”). The Property is bound by Setters Run to the west, a power sub-station to the east, the Bridgewater PUD to the north, and 146<sup>th</sup> Street to the south.

The proposed Commerce Centre PUD Ordinance permits office and self-storage uses, and it defaults to the General Office District standards.

### Summary of PUD Standards

The proposed PUD Ordinance establishes permitted and prohibited uses, site development standards, and architectural standards for the Property. The proposal would allow a self-storage facility and any other use normally allowed in the City's General Office (GO) District, with the exception of multi-family housing, agriculture, and veterinarian offices. The proposed PUD Ordinance modifies some of the lot configuration and setback requirements, in order to meet the spacing needs of the proposed project. Buffering is required along the northern, eastern, and western sides of the Property. The western buffer yard has been designated as an area for tree preservation and will be supplemented with additional plantings where there are significant gaps in tree-covered areas. The PUD Ordinance regulates dumpster locations and establishes screening requirements for dumpsters. Overhead doors are not permitted to face the perimeter of the Property.

The architectural requirements have been enhanced for all façades. All façades facing the perimeter of the property have been designated "Primary Façades". Primary Façades are required to use brick as the primary material. They are also required to include architectural elements, which add visual interest to the façades. Secondary Façades (meaning those that are not Primary Façades) are limited to a list of permitted materials and are required to be complimentary in color to the Primary Façade.

NOTE – Since the APC recommendation on May 17, 2010, the petitioner has submitted enhanced standards for planting requirements in the northern buffer yard. The new standards require more evergreen trees than previously proposed. There have been no additional changes made to the PUD Ordinance.

### **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). The proposed project is an infill project between a residential subdivision and a power sub-station. One of the listed Development Policies in the "Existing Suburban" section of the Comprehensive Plan is for compatible infill development as a means to avoid sprawl (p. 38). The proposed project accomplishes this stated policy.

#### Thoroughfare Plan-Feb 2007, as amended

The Westfield-Washington Township Thoroughfare Plan (the "Thoroughfare Plan") roadway classification map identifies the impacted segment of 146<sup>th</sup> Street as a "Primary Arterial" (p. 4-20), and recommends a minimum dedication of a seventy-five (75) 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 proposed PUD Ordinance includes a requirement for an eight (8) foot perimeter path along 146<sup>th</sup> Street.

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 proposed PUD Ordinance includes a requirement for an eight (8) foot perimeter path along 146<sup>th</sup> Street.

Water & Sewer System-Aug 2005

The Property is currently served by water and sewer lines.

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 Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as Suburban Residential (p. 23). The proposed project is an infill project between a residential subdivision and a power sub-station. One of the listed Development Policies in the "Existing Suburban" section of the Comprehensive Plan is for compatible infill development as a means to avoid sprawl (p. 38). The proposed project accomplishes this stated policy.

2. Current conditions and the character of current structures and uses.

The Property is currently residential in nature and has a moderate amount of vegetation along the property's boundaries. The PUD Ordinance requires the preservation of the tree area along the western property line. The existing residential structure would be removed in order to redevelop the site for office and self-storage uses.

3. The most desirable use for which the land is adapted.

The property is fairly narrow and is located between a residential subdivision and a power sub-station. It is currently zoned for single-family residential, but given the lot size, lot configuration, and proximity to the sub-station, continued residential use is unlikely to occur. Garden-style office and storage facilities traditionally serve as good transitions between residential uses and more intense uses (such as utility sub-stations).

4. The conservation of property values throughout the jurisdiction.

It is anticipated that the proposed use would have a neutral or 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 [May 17, 2010]  
The Westfield Community Development Staff, in its final report to the APC, made a positive recommendation for this petition.
  
- Advisory Plan Commission [May 17, 2010]  
The Westfield-Washington Advisory Plan Commission has forwarded a positive recommendation for this petition (Vote of: 7-1).
  
- City Council
  - Introduction: [February 8, 2010]
  - Eligible for Adoption: [June 14, 2010]

Submitted by: 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 a requested change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District. 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-03
Petitioner	Herman & Kittle Properties, Inc.
Description	4420 East 146 <sup>th</sup> Street; Petitioner requests a change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District.

On May 17, 2010, a motion was made and passed to send a positive recommendation (7-1) to the City Council to approve the request for 1003-PUD-03.

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 May 17, 2010.

  
\_\_\_\_\_  
Matthew S. Skelton, AICP, Secretary

May 18, 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.

*Excerpt from the March 1, 2010 APC Minutes.*

**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

### **NEW BUSINESS**

Case No. 1003-PUD-03  
Petitioner Herman & Kittle Properties, Inc.  
Description 4420 East 146<sup>th</sup> 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 146<sup>th</sup> 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.

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 146<sup>th</sup> 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 146<sup>th</sup> 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 this development on 146<sup>th</sup> street. Way too close to power station, Walgreens, and stop light at 146<sup>th</sup> 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 146<sup>th</sup> 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 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.

1 The Westfield-Washington Advisory Plan Commission held a meeting on  
2 Monday, May 17, 2010 scheduled for 7:00 PM at the Westfield City Hall.

3  
4 *Excerpt from May 17, 2010 APC Minutes*

5  
6 **Commission Members Present:** Dan Degnan, Pete Emigh, William Sanders, Cindy  
7 Spoljaric, Robert Smith, Robert Spraez, Danielle Tolan and Steve Hoover.

8  
9 **City Staff Present:** Kevin Todd, AICP, Senior Planner; Ryan Schafer, Planner I; and  
10 Brian Zaiger, City Attorney

11  
12  
13 **OLD BUSINESS**

14  
15 Case No. 1003-PUD-03  
16 Petitioner Herman & Kittle Properties, Inc.  
17 Description 4420 East 146<sup>th</sup> Street; Petitioner requests a change in zoning of  
18 approximately 6.7 acres from the SF-3 District to the Commerce Centre  
19 PUD District.  
20

21 Todd presented the petition which is a change of zoning request. He stated the petitioner  
22 is seeking to develop the site as self storage facility in the rear portion of the property and  
23 garden office buildings along 146<sup>th</sup> Street. Todd stated that since the public hearing on  
24 March 1, the petitioner has met with neighbors several times and as a result has amended  
25 the proposal including the following highlights: flipping the site plan design and location  
26 of the drive, prohibiting the use of veterinarian offices, tree preservation, buffer yard,  
27 additional five feet for the west side setback line, provided a tree inventory, and enhanced  
28 the architectural and roof design requirements for all buildings on the site.  
29

30 Mr. Steve Hardin, Baker & Daniels, presented further details of the project and discussed  
31 the petition history including a neighbor meeting, the buffer area, tree counts, tree  
32 preservation plan.  
33

34 Mr. Scott discussed the buffer area inventoried which included trees 4" or greater which  
35 included 200 trees, and 16 different species. He also discussed the mature trees in the  
36 buffer area which are as tall as 50-60 feet.  
37

38 Spoljaric asked about location of truck turn around areas.  
39

40 Hardin showed the updated plan where the entrance had been moved to the east at  
41 neighbor's request which freed up the maneuverability within the area.  
42

43 Hardin stated additionally there was an increased set back along the western edge of the  
44 property. He also stated that neighbors' input and preferences were considered regarding  
45 architectural design and roof design.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

Spoljaric asked about the project timeline.

Ms. Erica Scott responded that the project should be starting September/October and about one year to completion.

Degnan stated in the Comprehensive Plan one of the descriptions talks about this area being suburban residential, and this is a stretch that this project is suburban residential although the staff report states this is acceptable.

Zaiger responded this particular piece is probably not ideally situated for residential units.

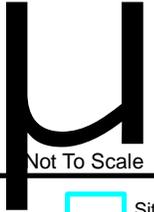
Todd added to Zaiger's comments stating there is a statement in the Comprehensive Plan for this particular area, which talks about there being applicable or compatible infill development to be considered in order to avoid sprawl. He continued stating this is an infill project; a site being development between an existing residential development and an existing utility use and further east an existing commercial center.

Motion: To send 1003-PUD-03 to the Westfield City Council with a positive recommendation.

Motion by: Emigh; Seconded by: Hoover; Vote: 7-1 (Sanders)



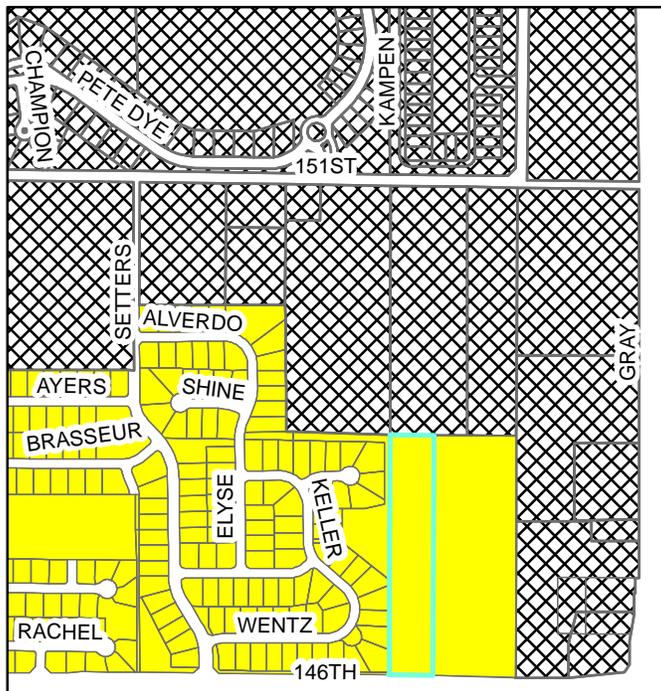
1003-PUD-03  
 4420 East 146th Street  
 08-10-17-00-00-008.000  
 Exhibit 2



**Aerial Location Map**

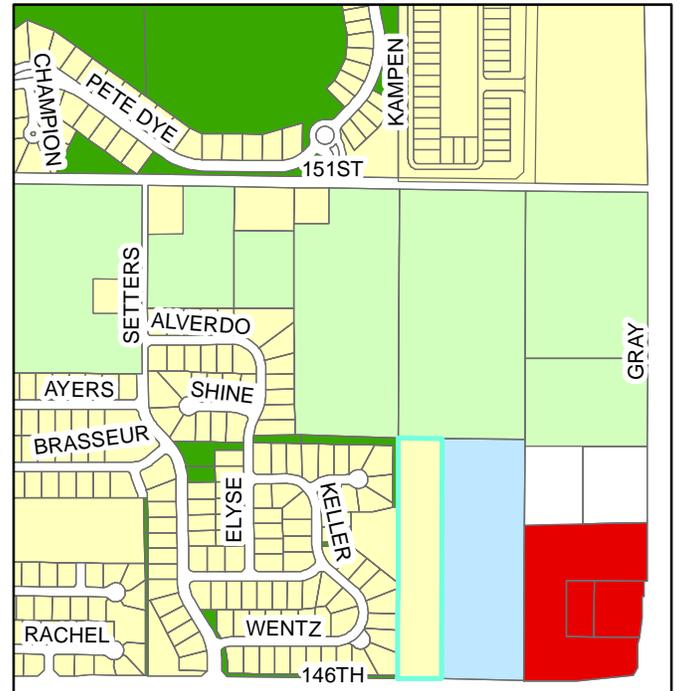


**Zoning Map**



- Single Family-3
- Planned Unit Development

**Existing Land Use Map**



- Agricultural
- Residential
- Institutional
- Commercial
- Recreational

**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION  
CERTIFICATION**

---

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, March 1, 2010, to consider a requested change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District. 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-03
Petitioner	Herman & Kittle Properties, Inc.
Description	4420 East 146 <sup>th</sup> Street; Petitioner requests a change in zoning of approximately 6.7 acres from the SF-3 District to the Commerce Centre PUD District.

On May 17, 2010, a motion was made and passed to send a positive recommendation (7-1) to the City Council to approve the request for 1003-PUD-03.

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 May 17, 2010.

  
\_\_\_\_\_  
Matthew S. Skelton, AICP, Secretary

May 18, 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.

*Excerpt from the March 1, 2010 APC Minutes.*

**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

### **NEW BUSINESS**

Case No. 1003-PUD-03  
Petitioner Herman & Kittle Properties, Inc.  
Description 4420 East 146<sup>th</sup> 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 146<sup>th</sup> 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.

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 146<sup>th</sup> 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 146<sup>th</sup> 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 this development on 146<sup>th</sup> street. Way too close to power station, Walgreens, and stop light at 146<sup>th</sup> 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 146<sup>th</sup> 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 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.

1 The Westfield-Washington Advisory Plan Commission held a meeting on  
2 Monday, May 17, 2010 scheduled for 7:00 PM at the Westfield City Hall.

3  
4 *Excerpt from May 17, 2010 APC Minutes*

5  
6 **Commission Members Present:** Dan Degnan, Pete Emigh, William Sanders, Cindy  
7 Spoljaric, Robert Smith, Robert Spraez, Danielle Tolan and Steve Hoover.

8  
9 **City Staff Present:** Kevin Todd, AICP, Senior Planner; Ryan Schafer, Planner I; and  
10 Brian Zaiger, City Attorney

11  
12  
13 **OLD BUSINESS**

14  
15 Case No. 1003-PUD-03  
16 Petitioner Herman & Kittle Properties, Inc.  
17 Description 4420 East 146<sup>th</sup> Street; Petitioner requests a change in zoning of  
18 approximately 6.7 acres from the SF-3 District to the Commerce Centre  
19 PUD District.  
20

21 Todd presented the petition which is a change of zoning request. He stated the petitioner  
22 is seeking to develop the site as self storage facility in the rear portion of the property and  
23 garden office buildings along 146<sup>th</sup> Street. Todd stated that since the public hearing on  
24 March 1, the petitioner has met with neighbors several times and as a result has amended  
25 the proposal including the following highlights: flipping the site plan design and location  
26 of the drive, prohibiting the use of veterinarian offices, tree preservation, buffer yard,  
27 additional five feet for the west side setback line, provided a tree inventory, and enhanced  
28 the architectural and roof design requirements for all buildings on the site.  
29

30 Mr. Steve Hardin, Baker & Daniels, presented further details of the project and discussed  
31 the petition history including a neighbor meeting, the buffer area, tree counts, tree  
32 preservation plan.  
33

34 Mr. Scott discussed the buffer area inventoried which included trees 4" or greater which  
35 included 200 trees, and 16 different species. He also discussed the mature trees in the  
36 buffer area which are as tall as 50-60 feet.  
37

38 Spoljaric asked about location of truck turn around areas.  
39

40 Hardin showed the updated plan where the entrance had been moved to the east at  
41 neighbor's request which freed up the maneuverability within the area.  
42

43 Hardin stated additionally there was an increased set back along the western edge of the  
44 property. He also stated that neighbors' input and preferences were considered regarding  
45 architectural design and roof design.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

Spoljaric asked about the project timeline.

Ms. Erica Scott responded that the project should be starting September/October and about one year to completion.

Degnan stated in the Comprehensive Plan one of the descriptions talks about this area being suburban residential, and this is a stretch that this project is suburban residential although the staff report states this is acceptable.

Zaiger responded this particular piece is probably not ideally situated for residential units.

Todd added to Zaiger's comments stating there is a statement in the Comprehensive Plan for this particular area, which talks about there being applicable or compatible infill development to be considered in order to avoid sprawl. He continued stating this is an infill project; a site being development between an existing residential development and an existing utility use and further east an existing commercial center.

Motion: To send 1003-PUD-03 to the Westfield City Council with a positive recommendation.

Motion by: Emigh; Seconded by: Hoover; Vote: 7-1 (Sanders)

# 146TH STREET COMMERCE CENTRE PUD DISTRICT



HERMAN & KITTLE  
PROPERTIES, INC.

Petitioner

Herman & Kittle Properties, Inc.  
500 East 96th Street, Suite 300  
Indianapolis, Indiana 46240

Attorney

Steven D. Hardin, Esq.  
Baker & Daniels, LLP  
600 East 96th Street, Suite 600  
Indianapolis, Indiana 46240

Consulting Arborist

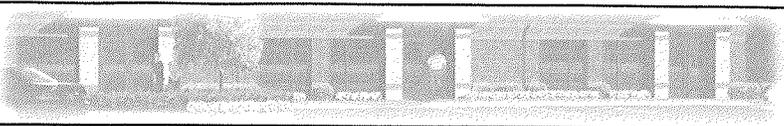
Judson R. Scott,  
Registered Arborist  
4721 East 146th Street  
Carmel, Indiana 46033

PROPOSAL RECEIVED A FAVORABLE  
RECOMMENDATION AT THE MAY 17, 2010,  
PLAN COMMISSION PUBLIC HEARING

REQUEST FOR A CHANGE OF ZONING  
JUNE 14, 2010  
WESTFIELD COMMON COUNCIL

**TABLE OF CONTENTS**

**146TH STREET COMMERCE CENTRE**



Petitioner

Erika Scott,  
Development Director

Herman & Kittle Properties, Inc.  
500 East 96th Street, Suite 300  
Indianapolis, Indiana 46240  
telephone. 317.663.6824  
fax. 317.663.6825

Attorney

Steven D. Hardin, Esq.  
Jesse M. Pohlman,  
Land Use Consultant

Baker & Daniels, LLP  
600 East 96th Street, Suite 600  
Indianapolis, Indiana 46240  
telephone. 317.569.9600  
fax. 317.569.4800

Consulting Arborist

Judson R. Scott,  
Registered Arborist

4721 East 146th Street  
Carmel, Indiana 46033  
telephone. 317.846.1935

**TABLE OF CONTENTS**

<i><u>Tab 1</u></i>	<i>Executive Summary</i>
<i><u>Tab 2</u></i>	<i>Aerial Location Exhibit</i>
<i><u>Tab 3</u></i>	<i>Existing Buildings</i>
<i><u>Tab 4</u></i>	<i>Conceptual Site Plan</i>
<i><u>Tab 5</u></i>	<i>Illustrative Character Exhibits</i>
<i><u>Tab 6</u></i>	<i>Proposed PUD Ordinance</i>

EXECUTIVE SUMMARY	
146TH STREET COMMERCE CENTRE	

Herman & Kittle Properties, Inc. ("H&K") respectfully submits its request for a change of zoning for its proposed \$4 million mixed-use redevelopment project (the "Centre"). The 6.7-acre proposed site currently includes an old vacant house and is bound by Setters Run to the west, a Duke Energy substation and retail uses to the east, planned multi-family uses to the north and 146th Street to the south. The Centre's plan includes two office buildings along the 146th Street frontage and storage facilities behind the office buildings. The office buildings will be marketed to local businesses, and the storage units will serve both the local business community and nearby residents.

H&K believes that its proposed redevelopment of this challenging site will offer uses well-received in the marketplace and provide a sound transition and buffer between Setters Run and the adjacent utility and commercial land uses.

### RECENT HIGHLIGHTS

*At the Plan Commission's May 17, 2010, public hearing, the Plan Commission voted to forward the proposal to the Town Council with a favorable recommendation.*

Since the February 8th Council introductory reading, the development team has: (1) met with the Setters Run HOA Board and adjacent property owners to answer questions and discuss the residents' issue; (2) engaged Vine & Branch, Inc. to conduct a tree inventory of the buffer area and to assist in developing a tree preservation plan; and (3) met again with representatives of the HOA Board and neighbors for an on-site meeting to discuss in detail the proposed buffer area and any remaining outstanding issues.

As a result, H&K has agreed to make several changes to the Centre. These changes were considered by the Plan Commission and are incorporated into the attached PUD Ordinance, and include the following:

- A revised site plan that: (1) moves the entrance to the property's east side (away from Setters Run); (2) redesigns the vehicular flow to avoid potential bottlenecks; and (3) moves the office building to the property's west side to screen the parking and drive aisle;
- A detailed tree preservation plan that includes: (1) a defined 1.27-acre tree preservation area; (2) identification of and preservation protocols for trees within the area; (3) protective measures during construction; and (4) post-construction natural-state maintenance;
- A supplemental plantings program to fill breaks in the existing tree area;
- An increased building setback adjacent to Setters Run (from 40' to 45');
- A redesigned storage building facade that includes: (1) a flat roof; (2) a brick and masonry column parapet wall; (3) enhanced brick color; and (4) a neutral-colored solid vinyl fence between the buildings along the buffer area;
- A redesigned office building roof design that includes neutral-colored dimensional shingles; and
- A veterinarian office prohibition has been added.

If approved, H&K plans to begin construction this year. Thank you for your consideration.

**AERIAL LOCATION EXHIBIT**

**146TH STREET COMMERCE CENTRE**



EXISTING BUILDINGS

146TH STREET COMMERCE CENTRE



# CONCEPTUAL SITE PLAN

40' TREE  
PRESERVATION AREA

DETENTION AREA

STORAGE BUILDINGS

OFFICE BUILDINGS



PRL-3	JOB #:	 <b>THE RABCO CORPORATION</b> <small>RAILROAD PARK CENTER AVENUE SUITE 200 WESTFIELD, IN 46081          WESTFIELD, IN 46081 TEL: 317-427-1111 FAX: 317-427-1111</small>	<b>HKP INC.</b> <b>INFINITE SELF STORAGE</b> <b>WESTFIELD, IN</b>	DRAWN BY:	DATE
	LU-09-K-134b-R			TM	b-17-10

**ILLUSTRATIVE CHARACTER EXHIBIT**

**146TH STREET COMMERCE CENTRE**



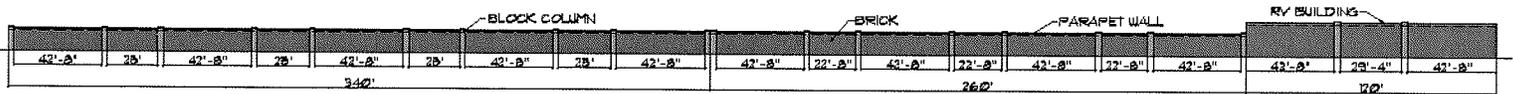
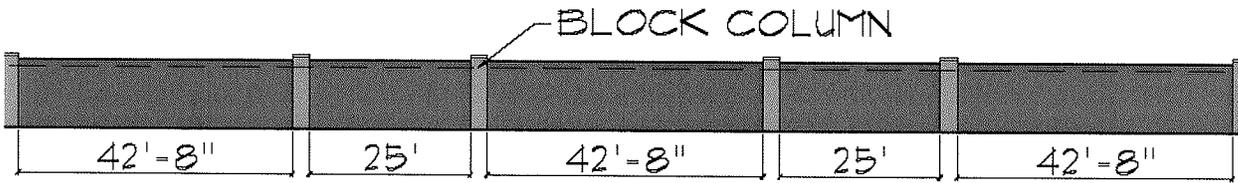
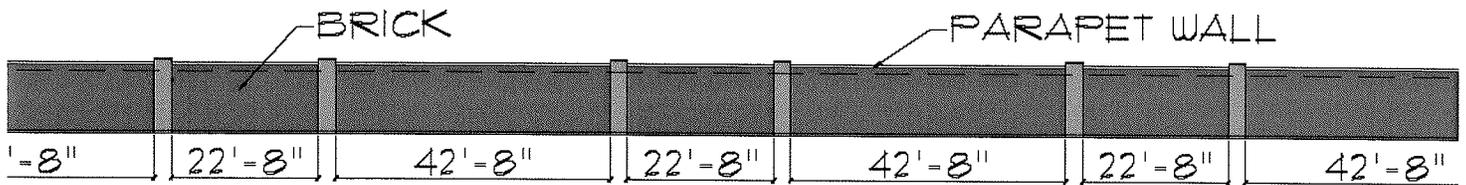
**ILLUSTRATIVE OFFICE BUILDING**



This exhibit illustrates the design and style of the proposed office buildings; however, please note that (1) the office building roofs shall be dimensional shingles with a neutral color (e.g., black, gray); and (2) the brick color shall be substantially similar to the brick color illustrated on the brick color exhibit.

ILLUSTRATIVE CHARACTER EXHIBIT	
146TH STREET COMMERCE CENTRE	

PARAPET WALL BRICK PATTERN



1 BUILDING ELEVATION - 88% BRICK  
 WALL-3 SCALE: NOT TO SCALE

ILLUSTRATIVE CHARACTER EXHIBIT

146TH STREET COMMERCE CENTRE



*REQUIRED BRICK COLOR EXHIBIT*



**146<sup>TH</sup> STREET COMMERCE CENTRE**  
**PLANNED UNIT DEVELOPMENT DISTRICT**

**ORDINANCE NO. 10-09**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF  
WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA**

This is an ordinance to amend the Westfield-Washington Township Zoning Ordinance (the "Zoning Ordinance") and the Westfield-Washington Township Zoning Map (the "Zoning Map") of the Town of Westfield, Washington Township, Hamilton County, Indiana, previously enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 *et seq.*, as amended.

**WHEREAS**, the Westfield-Washington Township Advisory Plan Commission (the "Plan Commission") has conducted a public hearing, as required by law, in regard to the application filed by Herman & Kittle Properties, Inc. (the "Developer") for a change of zone district;

**WHEREAS**, under Docket Number 1003-PUD-03, on the Seventeenth day of May, 2010, the Plan Commission sent a favorable recommendation to the City of Westfield Common Council (the "Council") by a vote of seven (7) in favor and one (1) opposed;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended to read as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in Exhibit A attached hereto (the "Real Estate").
- 1.2 The underlying zoning district shall be the **GO - General Office District** (the "GO District"). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the GO District shall apply.
- 1.3 Section ("*WC* §") cross-references of this Ordinance shall hereafter refer to the Section as specified and referenced in the Zoning Ordinance.
- 1.4 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2.** **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning Ordinance in effect on the date of the enactment of this Ordinance.

- 2.1 Buffer Yard Illustration. An illustrative summary of the Real Estate's required minimum buffer yards, attached hereto as Exhibit I.
- 2.2 Concept Plan. A general plan for the development of the Real Estate attached hereto as Exhibit B.
- 2.3 Director. The person delegated the responsibility for the administration of the Zoning Ordinance's regulations, including the Director of Community Development's designees.
- 2.4 Façade, Primary. A perimeter facade that is located generally as shown on the exhibit attached hereto as Exhibit F.
- 2.5 Façade, Secondary. Any building facade not defined as a Primary Façade.
- 2.6 Illustrative Character Exhibit. A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as Exhibit C.
- 2.7 Self-Storage Facility. A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. Facility shall include related accessory uses including, without limitation, any one or a combination of the following: (i) administrative offices; (ii) ancillary retail sales (e.g., moving and packing supplies); (iii) mail or delivery boxes; and (iv) any other facilities approved by the Director that compliment and are intended to serve such a facility.
- 2.8 Supplemental Planting Exhibit. A graphic representation, attached hereto as Exhibit H, of plantings intended to fill significant breaks within the Preservation Buffer, as defined below in Section 4.3(A)(i), in order to maintain a visual screen that is consistent with the existing vegetation in the Preservation Buffer and consistent with best management practices for new landscaping located within existing stands of trees.
- 2.9 Tree Inventory. An inventory of trees greater than four inches (4") in diameter at breast height located within the Preservation Buffer. A copy of the inventory, performed by Vine & Branch, Inc. on March 24, 2010, is attached hereto as Exhibit G.

**Section 3. Permitted Uses.** The following uses shall be permitted:

- 3.1 All uses permitted in the GO-General Office Zoning District; however, the following uses of the GO District shall be expressly prohibited:
  - A. Multi-family housing (3-units or more with MF1 standards)
  - B. Agriculture
  - C. Veterinarian Offices
- 3.2 Self-Storage Facility.
- 3.3 Accessory buildings and uses customarily incidental to any of the permitted uses.

**Section 4. Development Standards.**

- 4.1 General Regulations. The regulations of *WC § 16.04.050 Business Districts* applicable to the GO District shall apply except as modified herein:
  - A. Minimum Lot Area. One (1) acre.
  - B. Minimum Lot Frontage. Two hundred and thirty feet (230').
  - C. Minimum Setback Lines.
    - (i) South Property Line of Real Estate: 60'
    - (ii) West Property Line of Real Estate: 45'
    - (iii) East Property Line of Real Estate: 5'
    - (iv) North Property Line of Real Estate: 60'
  - D. Ground Level Square Footage. No minimum and no maximum.
- 4.2 Off-Street Loading and Parking. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.04.120*).
- 4.3 Landscaping and Screening. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.06.010*); however, the Real Estate's minimum buffer yards shall be as follows, which are illustratively summarized on the Buffer Yard Illustration:
  - A. West Property Line.
    - (i) The Real Estate's west property line shall consist of a forty-foot (40') wide buffer yard from 146<sup>th</sup> Street to the Real Estate's north property line, as generally shown on the Buffer Yard Illustration

(the "Preservation Buffer"), which shall be preserved in accordance with Section 4.4 of this Ordinance (the "Tree Preservation Standards").

- (ii) In addition, the buffer shall incorporate supplemental plantings as generally shown on the Supplemental Planting Exhibit.
- (iii) In order to maximize the preservation of the existing trees within the Preservation Buffer, no building foundation plantings shall be required along those buildings abutting the Preservation Buffer.
- (iv) A minimum eight-foot (8') tall solid vinyl or composite fence (wood not permitted) (the "Fence") shall be installed in any gaps between buildings abutting the Preservation Buffer, as shown on the Buffer Yard Illustration. In addition, a Fence shall be installed from the southwestern corner of the southernmost building extending towards 146<sup>th</sup> Street, as shown on the Buffer Yard Illustration, to further screen parking areas. The Fence shall be a subtle color that compliments the color of the buildings. A white fence shall not be permitted. Gates in the Fence shall be installed as required by the Fire Department at the time of site development plan approval; however, gates shall be locked at all times and used for emergency access only.

B. North Property Line.

- (i) The Real Estate's north property line shall consist of a sixty-foot (60') wide buffer yard with plantings in accordance with *WC § 16.06.060*. As permitted by *WC § 16.06.060*, evergreen trees shall be substituted in lieu of shrubbery on a 1:3 basis (tree: shrub) for sixty percent (60%) of the required shrubbery. This buffer yard may include storm water detention areas.
- (ii) In addition to the plantings required per Section 4.3(B)(i) above, one (1) evergreen tree per eighteen (18) lineal feet of building shall be planted along the north foundation of the northern most building (in satisfaction of *WC § 16.06.040(K)*).
- (iii) The evergreen trees required in Section 4.3(B)(i) and Section 4.3(B)(ii) above shall be Norway spruces and shall be planted in two staggered rows along the north foundation of the northern most building.

- C. East Property Line. One (1) evergreen tree per thirty (30) lineal feet of building shall only be required along the east foundation of the Real Estate's northern most building. No additional buffering shall be required.
  - D. South Property Line. The Real Estate's south property line buffer shall comply with the street frontage landscaping requirements of the Zoning Ordinance (*WC § 16.06.050*).
- 4.4 Tree Preservation Standards. Prior to the issuance of an Improvement Location Permit, a tree preservation plan (the "Tree Preservation Plan") shall be submitted for the Preservation Buffer. The Tree Preservation Plan shall include a site plan that details the locations, sizes, and common names of the Protected Trees as listed on the Tree Inventory; areas of dense tree or shrub concentrations, and other natural features which are to be preserved. This section shall replace and supersede *WC § 16.06.020*.
- A. In order to maintain the natural appearance, no clear cutting of the understory within the Preservation Buffer shall be permitted; rather, the Preservation Buffer shall be maintained in a natural condition.
  - B. No disturbance shall be permitted within the Preservation Buffer. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.
  - C. If any Protected Tree dies within five (5) years of project completion, then the property owner shall replace such tree with a tree (or trees) of equal tree preservation value (as provided by *WC 16.06.020(F)*) within one hundred and eighty (180) days.
  - D. Barriers shall be used to protect the Preservation Buffer during site development. Barriers shall be specified on landscape plans and shall be placed at or beyond the Preservation Buffer perimeter. Such barriers shall remain in place during site construction. No vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. Signs identifying the Preservation Buffer shall be posted during construction; however, no notices or other objects shall be nailed or stapled to trees within the Preservation Buffer.
- 4.5 Sign Standards. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.08.010*).
- 4.6 Lighting. Shall be provided in accordance with the provisions of the Zoning Ordinance (*WC § 16.07.010*).

4.7 Architectural Standards. The regulations of *WC § 16.04.165 Development Plan Review* applicable to the GO District shall apply except for those sections modified and/or enhanced by this Ordinance.

A. All buildings shall be designed with respect to the general character of the Real Estate, and particularly, with consideration to the buildings located on lots that abut the Real Estate. The Illustrative Character Exhibit provides a general representation of the intended architecture and character for the Real Estate.

B. Any building materials not specifically listed herein shall be prohibited, unless otherwise approved by the Director upon determination that the building materials are appropriate and compatible in quality and character as those materials otherwise permitted.

C. Building Orientation.

(i) No loading spaces or loading docks shall be permitted to face a public street or adjoining Residential District.

(ii) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

(iii) Heating, ventilation, and air conditioning (HVAC) equipment shall not be permitted to be located on the western side of a building facing the Real Estate's western property line.

D. Primary Façade Building Materials.

(i) All Primary Facades on new buildings or building additions for the Real Estate shall use brick as the primary exterior building material as shown by the Illustrative Character Exhibit. The brick colors shall be substantially similar to the brick colors shown on the attached Exhibit E.

(ii) Storage buildings' Primary Facades shall be parapet walls with a brick pattern substantially similar to the pattern shown on Exhibit D.

(iii) The use of accent and trim elements (e.g., accent panels, banding, cornices, canopies, awnings) for building trim shall be incorporated to add visual interest and break down the scale of façades.

- (iv) Permitted building trim and secondary exterior building materials may include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured) and EIFS (Dryvit) wall systems.
- (v) Primary Facades shall incorporate multiple colors and multiple textures (e.g., rough, smooth, striated), as illustrated on Exhibits D and E.
- (vi) Colors used on Primary Facades must be complementary. Natural, muted colors should serve as the primary color, with brighter colors used as limited accents.

E. Secondary Façade Building Materials.

- (i) The following materials shall be permitted for Secondary Facades: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured) and EIFS (Dryvit) wall systems, steel and/or aluminum curtain wall systems.
- (ii) Colors used on Secondary Facades must be complementary to those used on the Primary Façade. Natural, muted colors should serve as the primary color, with brighter colors used as limited accents.

F. Roof Design.

- (i) Roofing materials for non-storage buildings with pitched roofs (e.g., office buildings) shall consist of a dimensional shingle and shall be a neutral color (e.g., gray, black).
- (ii) Storage buildings with Primary Facades (e.g., storage buildings with parapet walls abutting residential) shall have flat roofs.
- (iii) Roofing materials for storage buildings shall be either standing seam metal or shingle. The roof material color shall be a non-primary color (e.g., green not permitted).
- (iv) All roofs must incorporate appropriately pitched roofs, tall parapets or screen walls to architecturally conceal any roof-mounted equipment.
- (v) Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).

G. Dumpsters. Dumpsters shall not be located in the established front yard. Dumpsters shall be located within an enclosure that is constructed with materials that: (i) match the architecture and materials of the building which the dumpster is serving; and (ii) measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

H. Overhead Doors.

(i) No overhead doors shall be oriented towards the public right-of-way or towards the perimeter of the Real Estate unless screened by another building.

(ii) All overhead doors on buildings located on the perimeter of the Real Estate shall be oriented towards the interior of the Real Estate.

(iii) Overhead doors shall be prohibited on Primary Facades.

4.8 Perimeter Path. An eight-foot (8') wide multi-use path shall be installed within the 146<sup>th</sup> Street right-of-way adjacent to the Real Estate, subject to approval by Hamilton County at the time of development plan approval. The path shall be constructed in accordance with the Hamilton County Alternative Transportation Plan.

**Section 5. Approval.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this \_\_\_\_\_ day of June, Two Thousand and Ten.

COMMON COUNCIL OF THE CITY OF WESTFIELD

AYE

NAY

_____	Tom Smith, President	_____
_____	John Dippel, Vice President	_____
_____	Steve Hoover	_____
_____	Robert Horkay	_____
_____	Ken Kingshill	_____
_____	Bob Smith	_____
_____	Rob Stokes	_____

Approved and signed by the Mayor of the City of Westfield, Hamilton County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Andy Cook, Mayor  
City of Westfield, IN

ATTEST

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

This Instrument prepared by: Steven D. Hardin, Esq., Baker & Daniels, LLP  
Jesse M. Pohlman, Land Use Consultant, Baker & Daniels, LLP  
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240 | (317) 569-9600

## SCHEDULE OF EXHIBITS

Exhibit A	Legal Description
Exhibit B	Concept Plan Exhibit
Exhibit C	Illustrative Character Exhibit
Exhibit D	Parapet Wall Brick Pattern Exhibit
Exhibit E	Brick Color Exhibit
Exhibit F	Primary Façade Exhibit
Exhibit G	Tree Inventory of Preservation Buffer
Exhibit H	Supplemental Planting Exhibit
Exhibit I	Buffer Yard Illustration Exhibit

EXHIBIT A

REAL ESTATE

Legal Description  
4420 East 146<sup>th</sup> Street

A part of the West Half of the Southeast Quarter of the Southeast Quarter of Section 17, Township 18 North, Range 4 East, being more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 17, Township 18 North, Range 4 East; thence northerly on the West line of said Quarter-Quarter a distance of 1320 feet, more or less to the Northwest corner of said Quarter-Quarter; thence easterly on the North line of said Quarter-Quarter a distance of 230 feet, more or less, to the Northwest corner of the real estate described in the Deed Book 329, Page 695 (Carmel 146<sup>th</sup> Street Substation) in the Office of the Recorder of Hamilton County, Indiana; thence southerly on the West line of said real estate a distance of 1320 feet, more or less, to the Southwest corner of said real estate, said point also being on the South line of said Quarter-Quarter; thence westerly on said South line a distance of 230 feet, more or less, to the point of beginning, containing 7 acres, more or less.

EXCEPT:

A part of the Southeast Quarter of the Southeast Quarter of Section 17, Township 18 North, Range 4 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right-of-way line depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "A" in Instrument recorded as Instrument Number 2000-024018, in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Beginning at the Southwest corner of said Quarter-Quarter Section; thence North 00 degrees 08 minutes 41 seconds East 16.501 meters (54.14 feet) along the West line of said Quarter-Quarter Section to point "401" designated on plat recorded as Instrument Number 2000-024081, in the Office of the Recorder of Hamilton County, Indiana; thence parallel to the South line of said Quarter-Quarter Section South 89 degrees 22 minutes 12 seconds East 70.964 meters (231.94 feet) to point "402" designated on plat recorded as Instrument Number 2000-024081, in the Office of the Recorder of Hamilton County, Indiana and the East line of the grantor's land; thence South 00 degrees 09 minutes 37 seconds West 16.501 meters (54.14 feet) along said East line to the South line of said Quarter-Quarter Section; thence North 89 degrees 22 minutes 12 seconds West 70.690 meters (231.92 feet) to the point of beginning and containing 0.1166 hectares (0.288 acres), more or less, inclusive of the presently existing right-of-way which contains 0.0355 hectares (0.088 acres), more or less.

# EXHIBIT B CONCEPT PLAN

40' TREE  
PRESERVATION AREA

DETENTION AREA

STORAGE BUILDINGS

OFFICE BUILDINGS



<p>PRL-3</p>	<p>JOB #: LU-09-K-134b-R</p>	 <p>THE RABCO CORPORATION BUILDING FOR CRELL, AMSTER, DUNBAR, FL 34707 MEMPHIS 4125 W. CENTRAL BLVD. MEMPHIS, TN 38117-0008</p>	<p>HKP INC. INFINITE SELF STORAGE WESTFIELD, IN</p>	<p>DRAWN BY: TM</p>	<p>DATE 5-17-10</p>
--------------	----------------------------------	--	---	-------------------------	-------------------------

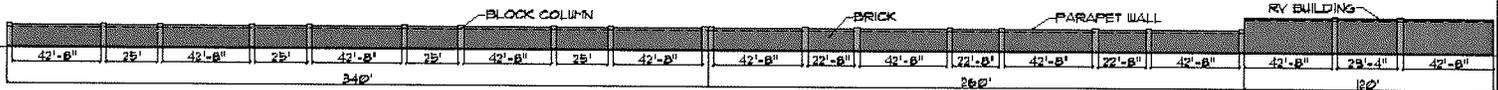
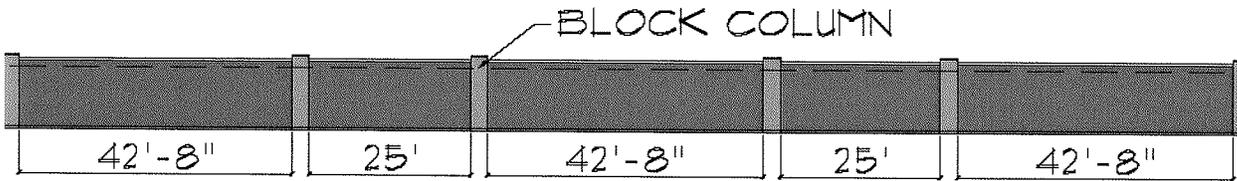
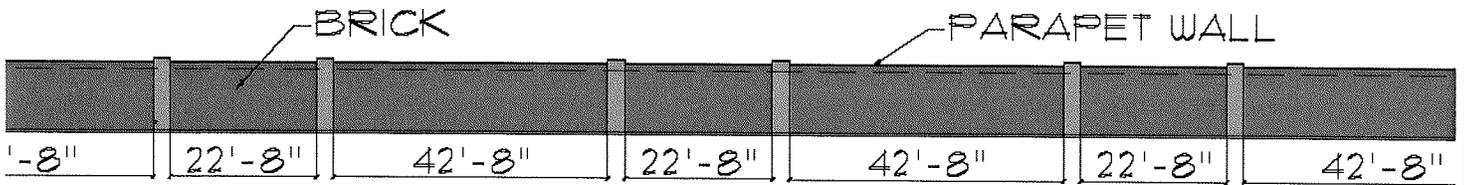
**EXHIBIT C**  
**ILLUSTRATIVE CHARACTER EXHIBIT**

***ILLUSTRATIVE OFFICE BUILDING***



This exhibit illustrates the design and style of the proposed office buildings; however, please note that (1) the office building roofs shall be dimensional shingles with a neutral color (e.g., black, gray); and (2) the brick color shall be substantially similar to the brick color illustrated on Exhibit E.

**EXHIBIT D**  
**PARAPET WALL BRICK PATTERN EXHIBIT**



1 BUILDING ELEVATION - 95% BRICK  
 PRL-3 / SCALE: NOT TO SCALE

**EXHIBIT E**  
**BRICK COLORS EXHIBIT**



**EXHIBIT F**  
**PRIMARY FACADES EXHIBIT**

 PRIMARY FACADES

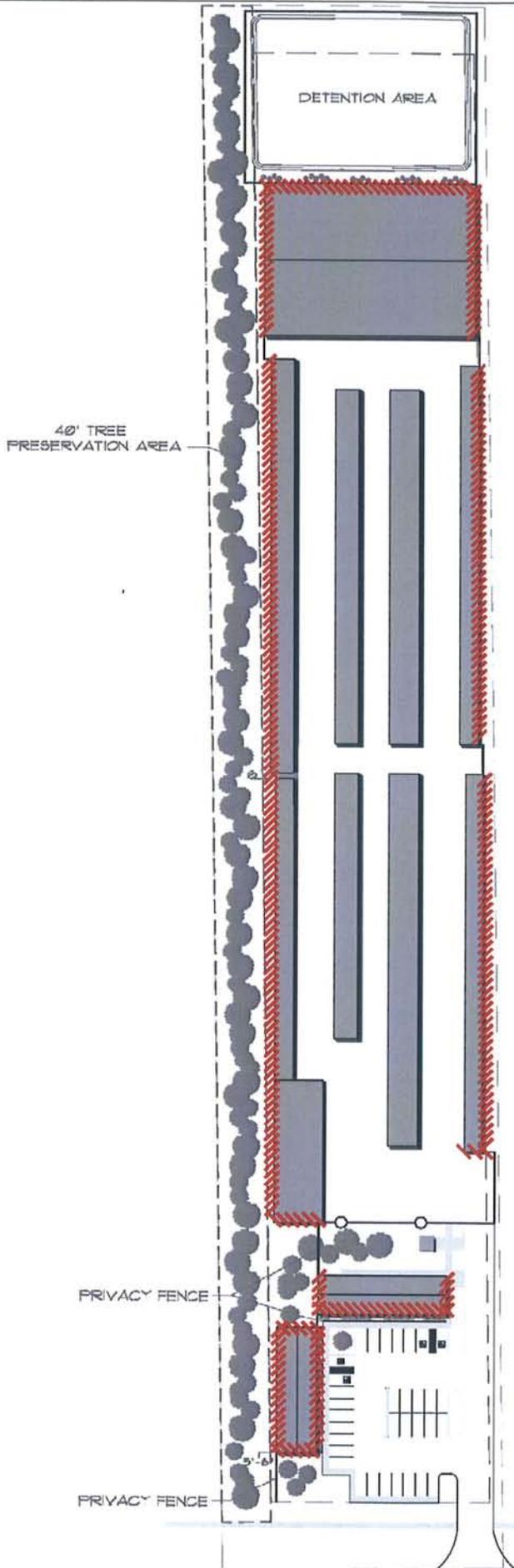


EXHIBIT G

# Herman & Kittle Tree Inventory: West Property Line Preservation Buffer

For:  
Erika E. Scott  
Development Director  
Herman & Kittle Properties, Inc.  
500 East 96<sup>th</sup> Street, Suite 300  
Indianapolis, IN 46240



By: Judson R. Scott  
Registered Consulting Arborist #392  
American Society of Consulting Arborists  
and  
Amanda Thalhammer  
ISA Certified Arborist, IN-3321A  
Indiana Accredited Horticulturist  
B.S. Wildlife Science, Purdue University

March 25, 2010

March 25, 2010

Erika E. Scott  
Development Director  
Herman & Kittle Properties, Inc.  
500 East 96<sup>th</sup> Street, Suite 300  
Indianapolis, IN 46240

Re: Tree Inventory of West Property Line Preservation Buffer

We have recently completed the requested tree inventory for the west property line preservation buffer that backs up to Setters Run neighborhood. Field work was conducted March 24, 2010. The procedures and limitations for this work has been provided in the following report.

The inventoried area contains a total of 200 trees greater than 4" in diameter. Mature white pine trees make up the majority of this buffer area, comprising nearly 60% of all the identified trees. Other common species include black locust, mulberry, hackberry, and red oak.

A spread sheet of the inventoried trees has been provided, along with a list of general comments about the site. Photographs of the site have also been included to provide a visual overview of the area.

If you have any questions or concerns about the inventory, feel free to contact us via e-mail at treeconsultant@aol.com or call our office at 317-845-3778.



Judson R. Scott  
President, Vine & Branch Inc.  
Registered Consulting Arborist #392  
American Society of Consulting Arborists

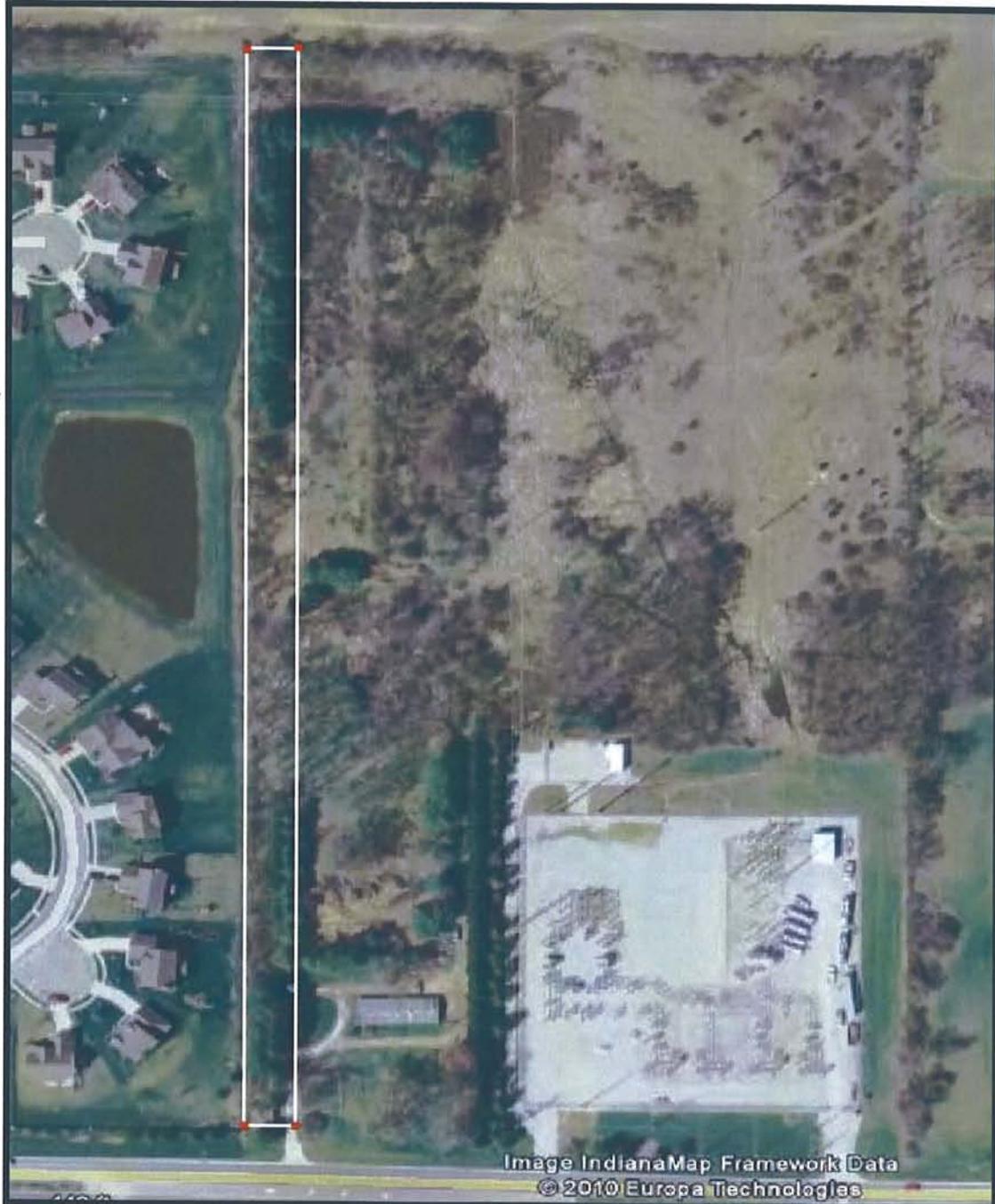


Amanda Thalhammer  
Indiana Accredited Horticulturist  
ISA Certified Arborist, IN-3321  
B.S. Wildlife Science

## EXHIBIT G

### **Location**

A tree inventory was performed for the 40-foot west property line preservation buffer along the area of proposed development. This area is located north of 146<sup>th</sup> street, directly east of Setters Run subdivision. The total inventoried area was approximately 55,500 square feet.



## EXHIBIT G

### **Procedures and Limitations**

The buffer area was inspected and inventoried on foot. The exact location of the buffer was determined by measuring 40 feet out from the west property line. The west property line was assumed to be a wire fence that ran along the majority of the site (photo below left). At intervals where the fence was absent, judgment calls were used to determine the property line. Each tree in the buffer greater than 4 inches in diameter was identified and measured at standard height (4.5 feet). Each tree was numbered and marked with blue flagging and a yellow tag (photo below right). The numbers on these tags correspond to the numbered trees on the Tree Inventory Sheet provided at the end of this report. General observations about the site were also noted and the condition of each tree was recorded using the following scale:

- 1- Excellent tree
- 2- Good-healthy; only minor problems
- 3- Fair-moderate problems
- 4- Poor-serious problems
- 5- Dead or structurally unsound

Although the conditions of these trees were recorded, it should be noted that no trees were individually assessed to determine their hazard risk potential. This is something that should be considered before the commencement of any construction activities.



**Wire fence used to determine property line**



**Blue flagging and yellow tags used to identify the inventoried trees**

## EXHIBIT G

We certify that all the statements of fact in this report are true, complete and correct to the best of our knowledge and belief, and that they are made in good faith.



Judson R. Scott  
President, Vine & Branch Inc.  
Registered Consulting Arborist #392  
American Society of Consulting Arborists



Amanda Thalhammer  
Indiana Accredited Horticulturist  
ISA Certified Arborist, IN-3321  
B.S. Wildlife Science, Purdue University

EXHIBIT G

**Inventory Photographs**



**Brush pile at the southern portion of the buffer area**



**Dead pine trees in southern portion of buffer**

**EXHIBIT G**

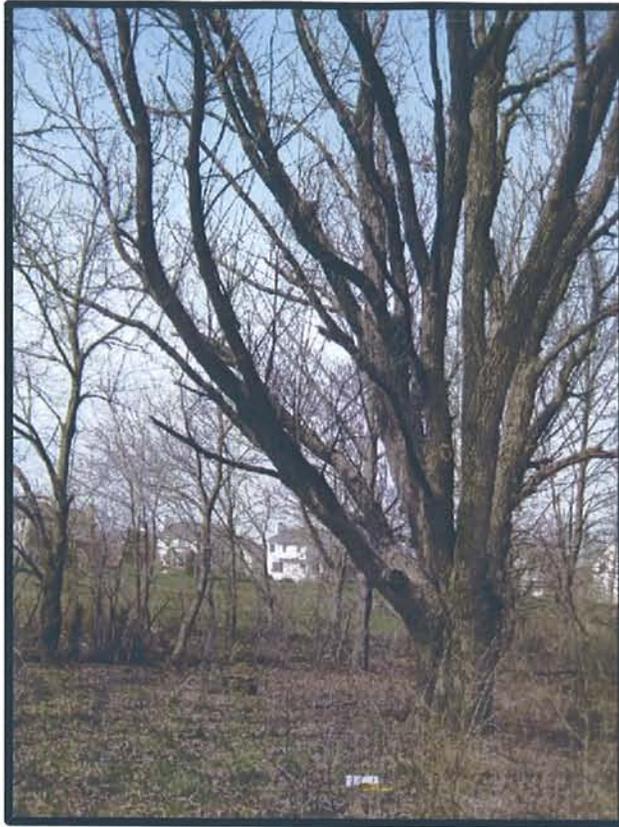


**Open area in the middle portion of the buffer**



**Dense area behind pines on the northern portion of the buffer**

**EXHIBIT G**



**Large open-grown ash in the middle of the buffer**



**Row of red oaks**

**EXHIBIT G**



**Northern rows of white pine trees**



**Ax damage on trunk**

**EXHIBIT G**



**Client:** Herman & Kittle Properties

**Inspector:** Amanda Thalhammer

**Date:** March 24, 2010

**Tree Inventory Summary Sheet**

**Total Number of Trees:** 200  
**Number of Species Identified:** 16  
**Total diameter Inches:** 2,178

Species:	# of Trees	% of Total
White pine ( <i>Pinus strobus</i> )	116	58.0
Black locust ( <i>Robinia pseudoacacia</i> )	21	10.5
Hackberry ( <i>Celtis occidentalis</i> )	15	7.5
Mulberry ( <i>Morus sp.</i> )	15	7.5
Red oak ( <i>Quercus rubra</i> )	12	6.0
Black cherry ( <i>Prunus serotina</i> )	8	4.0
Boxelder ( <i>Acer negundo</i> )	2	1.0
Pear ( <i>Pyrus sp.</i> )	2	1.0
Sweetgum ( <i>Liquidambar styraciflua</i> )	2	1.0
Ash ( <i>Fraxinus sp.</i> )	1	0.5
Northern white cedar ( <i>Thuja occidentalis</i> )	1	0.5
Red maple ( <i>Acer rubrum</i> )	1	0.5
Redbud ( <i>Cercis canadensis</i> )	1	0.5
Silver maple ( <i>Acer saccharinum</i> )	1	0.5
Tuliptree ( <i>Liriodendron tulipifera</i> )	1	0.5
White oak ( <i>Quercus alba</i> )	1	0.5

**TOTAL:** 200

## EXHIBIT G



Client: Herman & Kittle Properties

Inspector: Amanda Thalhammer

Date: March 24, 2010

### Protected Trees

#	Species	Scientific Name	Size*	Cond.	Observations
2	Black cherry	<i>Prunus serotina</i>	4	3	
4	Hackberry	<i>Celtis occidentalis</i>	28	2	
5	White pine	<i>Pinus strobus</i>	6	2	
6	White pine	<i>Pinus strobus</i>	8	2	
7	Hackberry	<i>Celtis occidentalis</i>	19	3	
8	Hackberry	<i>Celtis occidentalis</i>	14	3	fence growing in trunk
9	Red oak	<i>Quercus rubra</i>	14	2	codominant
10	White pine	<i>Pinus strobus</i>	8	3	
11	White pine	<i>Pinus strobus</i>	10	3	
12	Hackberry	<i>Celtis occidentalis</i>	4	3	
13	Hackberry	<i>Celtis occidentalis</i>	4/6	3	codominant
14	White pine	<i>Pinus strobus</i>	7	3	
15	White pine	<i>Pinus strobus</i>	18	2	
16	White pine	<i>Pinus strobus</i>	16	2	
17	White pine	<i>Pinus strobus</i>	14	2	
18	White pine	<i>Pinus strobus</i>	13	3	
19	White pine	<i>Pinus strobus</i>	13	2	
20	White pine	<i>Pinus strobus</i>	13	2	
21	White pine	<i>Pinus strobus</i>	13	2	
22	White pine	<i>Pinus strobus</i>	12	2	
23	White pine	<i>Pinus strobus</i>	11	2	
24	White pine	<i>Pinus strobus</i>	16	2	
28	White pine	<i>Pinus strobus</i>	11	3	
29	Hackberry	<i>Celtis occidentalis</i>	7	3	
30	White pine	<i>Pinus strobus</i>	15	3	
31	White pine	<i>Pinus strobus</i>	17	2	
32	White pine	<i>Pinus strobus</i>	19	2	
33	White pine	<i>Pinus strobus</i>	5	2	
34	Red maple	<i>Acer rubrum</i>	10	2	
35	Sweetgum	<i>Liquidambar styraciflua</i>	8	2	
42	Hackberry	<i>Celtis occidentalis</i>	4	3	
43	Hackberry	<i>Celtis occidentalis</i>	4	3	
64	NO TAG	n/a	n/a	n/a	
72	NO TAG	n/a	n/a	n/a	
73	Black locust	<i>Robinia Pseudoacacia</i>	14	3	

## EXHIBIT G

78	Mulberry	<i>Morus sp.</i>	5/3	3	codominant
80	Black locust	<i>Robinia Pseudoacacia</i>	8	3	
81	Black locust	<i>Robinia Pseudoacacia</i>	7	3	
82	Red oak	<i>Quercus rubra</i>	11	1	
83	Red oak	<i>Quercus rubra</i>	11	3	
84	Hackberry	<i>Celtis occidentalis</i>	16	2	
85	Sweetgum	<i>Liquidambar styraciflua</i>	5	2	
86	Black cherry	<i>Prunus serotina</i>	8/4	3	codominant
87	Red oak	<i>Quercus rubra</i>	8	2	
88	Hackberry	<i>Celtis occidentalis</i>	12	2	
89	White pine	<i>Pinus strobus</i>	10	3	
90	White pine	<i>Pinus strobus</i>	6	3	
91	White pine	<i>Pinus strobus</i>	7	3	
95	White pine	<i>Pinus strobus</i>	11	3	
96	White pine	<i>Pinus strobus</i>	10	3	
97	White pine	<i>Pinus strobus</i>	10	3	
98	White pine	<i>Pinus strobus</i>	10	3	
100	White pine	<i>Pinus strobus</i>	8	3	
101	White pine	<i>Pinus strobus</i>	12	3	
107	Black cherry	<i>Prunus serotina</i>	5	3	
108	Silver maple	<i>Acer saccharinum</i>	50	2	
110	Black locust	<i>Robinia Pseudoacacia</i>	5	1	nails in trunk
111	Black locust	<i>Robinia Pseudoacacia</i>	12	2	
112	Black locust	<i>Robinia Pseudoacacia</i>	10	3	
116	Black locust	<i>Robinia Pseudoacacia</i>	7	3	
120	Red oak	<i>Quercus rubra</i>	14	1	
121	Red oak	<i>Quercus rubra</i>	14	1	
122	Red oak	<i>Quercus rubra</i>	15	1	
123	Red oak	<i>Quercus rubra</i>	5/4	3	codominant
124	Red oak	<i>Quercus rubra</i>	12	1	
125	Red oak	<i>Quercus rubra</i>	14	1	
126	Red oak	<i>Quercus rubra</i>	14	2	leaning
128	Hackberry	<i>Celtis occidentalis</i>	6	3	
129	Mulberry	<i>Morus sp.</i>	6	2	
130	White pine	<i>Pinus strobus</i>	8	2	
131	White pine	<i>Pinus strobus</i>	10/10	3	codominant
132	White pine	<i>Pinus strobus</i>	14	2	
133	White pine	<i>Pinus strobus</i>	10	2	
134	White pine	<i>Pinus strobus</i>	15	1	
135	White pine	<i>Pinus strobus</i>	14	2	
136	White pine	<i>Pinus strobus</i>	14	2	
137	White pine	<i>Pinus strobus</i>	10	1	
140	White pine	<i>Pinus strobus</i>	18	2	

## EXHIBIT G

141	White pine	<i>Pinus strobus</i>	11	1	
142	White pine	<i>Pinus strobus</i>	12	1	
143	White pine	<i>Pinus strobus</i>	11	1	
144	White pine	<i>Pinus strobus</i>	4	3	
145	White pine	<i>Pinus strobus</i>	12	1	
146	White pine	<i>Pinus strobus</i>	15	1	
147	White pine	<i>Pinus strobus</i>	4	1	
148	White pine	<i>Pinus strobus</i>	12	1	
149	White pine	<i>Pinus strobus</i>	8	3	
150	Black cherry	<i>Prunus serotina</i>	10	3	
151	White pine	<i>Pinus strobus</i>	10	1	
152	White pine	<i>Pinus strobus</i>	16	1	
153	White pine	<i>Pinus strobus</i>	10	2	
154	White pine	<i>Pinus strobus</i>	6	2	
155	White pine	<i>Pinus strobus</i>	5	2	
156	White pine	<i>Pinus strobus</i>	4	3	
157	White pine	<i>Pinus strobus</i>	16	1	
158	White pine	<i>Pinus strobus</i>	10	1	
159	White pine	<i>Pinus strobus</i>	13	3	
160	White pine	<i>Pinus strobus</i>	8	2	
161	White pine	<i>Pinus strobus</i>	14	2	
162	White pine	<i>Pinus strobus</i>	6	3	
163	White pine	<i>Pinus strobus</i>	8	2	
164	White pine	<i>Pinus strobus</i>	12	2	
165	White pine	<i>Pinus strobus</i>	12	1	
166	White pine	<i>Pinus strobus</i>	13	1	
167	White pine	<i>Pinus strobus</i>	10	2	
168	White pine	<i>Pinus strobus</i>	11	2	
169	White pine	<i>Pinus strobus</i>	17	2	
170	White pine	<i>Pinus strobus</i>	9	2	
171	White pine	<i>Pinus strobus</i>	13	3	
172	Black cherry	<i>Prunus serotina</i>	18	3	codominant
173	Black cherry	<i>Prunus serotina</i>	16	3	
174	Black cherry	<i>Prunus serotina</i>	22	2	codominant
175	Tuliptree	<i>Liriodendron tulipifera</i>	7	3	
176	White pine	<i>Pinus strobus</i>	6	2	
177	White pine	<i>Pinus strobus</i>	15	2	
178	White pine	<i>Pinus strobus</i>	10	2	
180	White pine	<i>Pinus strobus</i>	6	2	
181	White pine	<i>Pinus strobus</i>	12	3	
182	White pine	<i>Pinus strobus</i>	7	3	
183	White pine	<i>Pinus strobus</i>	14	2	
184	White pine	<i>Pinus strobus</i>	7	3	

## EXHIBIT G

185	White pine	<i>Pinus strobus</i>	17	2	
193	Hackberry	<i>Celtis occidentalis</i>	5/4	3	codominant
197	Mulberry	<i>Morus sp.</i>	17	3	
199	Mulberry	<i>Morus sp.</i>	17	3	
202	White pine	<i>Pinus strobus</i>	6	3	

Total Number of Trees: 124

Number of Species Identified: 10

Total diameter Inches: 1401

Species:	# of Trees	% of Total
White pine ( <i>Pinus strobus</i> )	78	39.0
Black locust ( <i>Robinia pseudoacacia</i> )	7	3.5
Hackberry ( <i>Celtis occidentalis</i> )	12	6.0
Mulberry ( <i>Morus sp.</i> )	4	2.0
Red oak ( <i>Quercus rubra</i> )	11	5.5
Black cherry ( <i>Prunus serotina</i> )	7	3.5
Boxelder ( <i>Acer negundo</i> )	0	0.0
Pear ( <i>Pyrus sp.</i> )	0	0.0
Sweetgum ( <i>Liquidambar styraciflua</i> )	2	1.0
Ash ( <i>Fraxinus sp.</i> )	0	0.0
Northern white cedar ( <i>Thuja occidentalis</i> )	0	0.0
Red maple ( <i>Acer rubrum</i> )	1	0.5
Redbud ( <i>Cercis canadensis</i> )	0	0.0
Silver maple ( <i>Acer saccharinum</i> )	1	0.5
Tuliptree ( <i>Liriodendron tulipifera</i> )	1	0.5
White oak ( <i>Quercus alba</i> )	0	0.0

### Potentially Impacted Trees

#	Species	Scientific Name	Size*	Cond.	Observations
26	Mulberry	<i>Morus sp.</i>	5	3	
36	Mulberry	<i>Morus sp.</i>	4	3	
38	Mulberry	<i>Morus sp.</i>	5	3	
39	Mulberry	<i>Morus sp.</i>	4	3	
41	Hackberry	<i>Celtis occidentalis</i>	13	3	codominant
44	White pine	<i>Pinus strobus</i>	12	3	
45	White pine	<i>Pinus strobus</i>	4	3	
46	Hackberry	<i>Celtis occidentalis</i>	8	3	
47	White pine	<i>Pinus strobus</i>	7	3	
48	White pine	<i>Pinus strobus</i>	5	3	
49	White pine	<i>Pinus strobus</i>	13	3	
50	White pine	<i>Pinus strobus</i>	5	2	
51	White pine	<i>Pinus strobus</i>	9	3	
52	White pine	<i>Pinus strobus</i>	9	3	

## EXHIBIT G

53	White pine	<i>Pinus strobus</i>	10	3	
55	White pine	<i>Pinus strobus</i>	14	2	
56	White pine	<i>Pinus strobus</i>	12	2	
57	White pine	<i>Pinus strobus</i>	8	3	
58	White pine	<i>Pinus strobus</i>	6	3	
59	White pine	<i>Pinus strobus</i>	9	3	
60	White pine	<i>Pinus strobus</i>	11	2	
61	Black locust	<i>Robinia Pseudoacacia</i>	5	3	
62	White pine	<i>Pinus strobus</i>	12	2	
63	White pine	<i>Pinus strobus</i>	9	3	
65	White pine	<i>Pinus strobus</i>	8	3	
66	White pine	<i>Pinus strobus</i>	6	3	
67	Black locust	<i>Robinia Pseudoacacia</i>	10	3	
68	Black locust	<i>Robinia Pseudoacacia</i>	11	3	
69	Black locust	<i>Robinia Pseudoacacia</i>	10	3	
70	Black locust	<i>Robinia Pseudoacacia</i>	14	3	
106	Black locust	<i>Robinia Pseudoacacia</i>	11	3	
109	White oak	<i>Quercus alba</i>	6	2	
115	Black locust	<i>Robinia Pseudoacacia</i>	7/9	3	codominant, fence growing in trunk
119	Ash	<i>Fraxinus sp.</i>	40	3	open grown
127	White pine	<i>Pinus strobus</i>	10	2	
138	Pear	<i>Pyrus sp.</i>	5	2	
139	Boxelder	<i>Acer negundo</i>	6	2	
186	White pine	<i>Pinus strobus</i>	15	2	
187	White pine	<i>Pinus strobus</i>	12	2	
188	White pine	<i>Pinus strobus</i>	7	2	
189	White pine	<i>Pinus strobus</i>	17	2	
190	White pine	<i>Pinus strobus</i>	11	3	
191	Redbud	<i>Cercis canadensis</i>	5/5/4/3	3	multi-stemmed
192	Mulberry	<i>Morus sp.</i>	4	3	

**Total Number of Trees:** 44

**Number of Species Identified:** 9

**Total diameter Inches:** 435

<b>Species:</b>	<b># of Trees</b>	<b>% of Total</b>
White pine ( <i>Pinus strobus</i> )	25	12.5
Black locust ( <i>Robinia pseudoacacia</i> )	7	3.5
Hackberry ( <i>Celtis occidentalis</i> )	2	1.0
Mulberry ( <i>Morus sp.</i> )	5	2.5
Red oak ( <i>Quercus rubra</i> )	0	0.0
Black cherry ( <i>Prunus serotina</i> )	0	0.0
Boxelder ( <i>Acer negundo</i> )	1	0.5
Pear ( <i>Pyrus sp.</i> )	1	0.5

## EXHIBIT G

Sweetgum ( <i>Liquidambar styraciflua</i> )	0	0.0
Ash ( <i>Fraxinus sp.</i> )	1	0.5
Northern white cedar ( <i>Thuja occidentalis</i> )	0	0.0
Red maple ( <i>Acer rubrum</i> )	0	0.0
Redbud ( <i>Cercis canadensis</i> )	1	0.5
Silver maple ( <i>Acer saccharinum</i> )	0	0.0
Tuliptree ( <i>Liriodendron tulipifera</i> )	0	0.0
White oak ( <i>Quercus alba</i> )	1	0.5

### Trees in poor condition

#	Species	Scientific Name	Size*	Cond.	Observations
1	White pine	<i>Pinus strobus</i>	7	4	tree topped; utility lines above
3	Hackberry	<i>Celtis occidentalis</i>	7	4	pushing against barn, fence growing in trunk
25	Mulberry	<i>Morus sp.</i>	5	4	
27	Northern white ce	<i>Thuja occidentalis</i>	17	4	cracked trunk
37	White pine	<i>Pinus strobus</i>	10	5	dead
40	White pine	<i>Pinus strobus</i>	14	5	dead
54	White pine	<i>Pinus strobus</i>	8	5	dead
71	Black locust	<i>Robinia Pseudoacacia</i>	7	4	
74	Black locust	<i>Robinia Pseudoacacia</i>	6	5	dead
75	Black locust	<i>Robinia Pseudoacacia</i>	12/7	4	codominant
76	Black locust	<i>Robinia Pseudoacacia</i>	24	4	
77	Black locust	<i>Robinia Pseudoacacia</i>	9	5	dead
79	Black locust	<i>Robinia Pseudoacacia</i>	8/8	4	codominant
92	White pine	<i>Pinus strobus</i>	5	5	dead
93	White pine	<i>Pinus strobus</i>	8	4	
94	White pine	<i>Pinus strobus</i>	8	5	dead
99	White pine	<i>Pinus strobus</i>	10	5	dead
102	White pine	<i>Pinus strobus</i>	9	5	dead
103	White pine	<i>Pinus strobus</i>	12	5	dead
104	White pine	<i>Pinus strobus</i>	12	5	dead
105	White pine	<i>Pinus strobus</i>	11	5	dead
113	Black locust	<i>Robinia Pseudoacacia</i>	5/10/6	4	multi-stemmed
114	Boxelder	<i>Acer negundo</i>	8	4	epicormic sprouts; dead leader
117	Black cherry	<i>Prunus serotina</i>	8	5	dead
118	Mulberry	<i>Morus sp.</i>	28	4	
179	White pine	<i>Pinus strobus</i>	4	5	dead
194	Mulberry	<i>Morus sp.</i>	9	5	trunk has been girdled with ax
195	Red oak	<i>Quercus rubra</i>	6	5	trunk has been girdled with ax
196	Mulberry	<i>Morus sp.</i>	3/3/3	5	multi-stemmed, dead
198	Mulberry	<i>Morus sp.</i>	6	4	
200	Pear	<i>Pyrus sp.</i>	5	5	trunk has been girdled with ax
201	Mulberry	<i>Morus sp.</i>	4	5	trunk has been girdled with ax

## EXHIBIT G

**Total Number of Trees:** 32  
**Number of Species Identified:** 9  
**Total diameter Inches:** 332

<b>Species:</b>	<b># of Trees</b>	<b>% of Total</b>
White pine ( <i>Pinus strobus</i> )	13	6.5
Black locust ( <i>Robinia pseudoacacia</i> )	7	3.5
Hackberry ( <i>Celtis occidentalis</i> )	1	0.5
Mulberry ( <i>Morus sp.</i> )	6	3.0
Red oak ( <i>Quercus rubra</i> )	1	0.5
Black cherry ( <i>Prunus serotina</i> )	1	0.5
Boxelder ( <i>Acer negundo</i> )	1	0.5
Pear ( <i>Pyrus sp.</i> )	1	0.5
Sweetgum ( <i>Liquidambar styraciflua</i> )	0	0.0
Ash ( <i>Fraxinus sp.</i> )	0	0.0
Northern white cedar ( <i>Thuja occidentalis</i> )	1	0.5
Red maple ( <i>Acer rubrum</i> )	0	0.0
Redbud ( <i>Cercis canadensis</i> )	0	0.0
Silver maple ( <i>Acer saccharinum</i> )	0	0.0
Tuliptree ( <i>Liriodendron tulipifera</i> )	0	0.0
White oak ( <i>Quercus alba</i> )	0	0.0

EXHIBIT H  
SUPPLEMENTAL  
PLANTING  
EXHIBIT



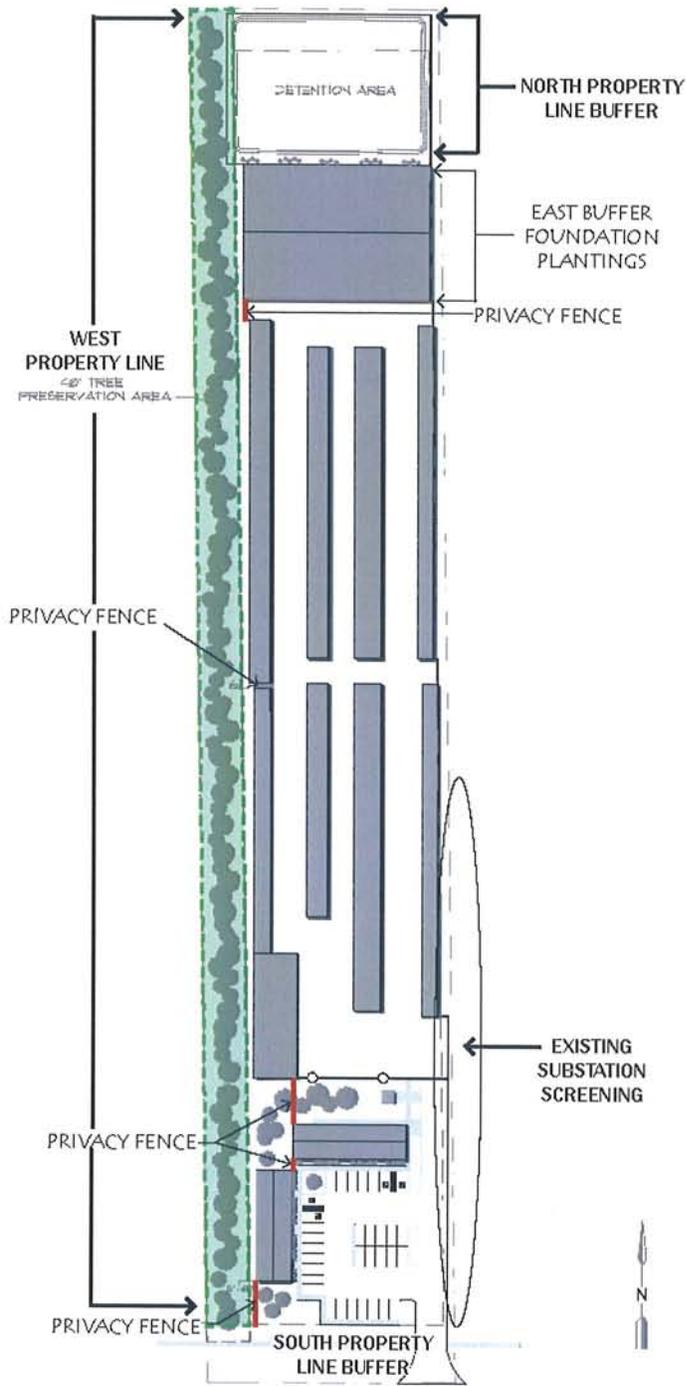
PRL 3 JOB #: 11-08-K-1145-K

THE GARDEN CORPORATION  
50 CHERRY PARK, GREENWICH, OHIO, 43021  
614-885-4381 FAX 614-885-0088

HKP INC.  
INFINITE SELF STORAGE  
WESTFIELD, IN

DRAWN BY: JACT  
TV 5-7-10

# EXHIBIT I BUFFER YARD ILLUSTRATION



- NORTH PROPERTY LINE**  
(abutting Bridgewater multi-family area)
- Minimum 60'-wide buffer
  - Detention area
  - 1 Norway spruce and 1 evergreen shrub per 15'
  - Plus foundation plantings along north facade of building of 1 Norway Spruce per 18'
  - Plantings will be located in two staggered rows along the north foundation of the northern most building's brick wall

- SOUTH PROPERTY LINE**  
(abutting 146th Street)
- Tree plantings along street frontage per City's Zoning Ordinance (1 shade tree per 40')
  - Installation of multi-use path

- EAST PROPERTY LINE**  
(abutting Duke Energy substation)
- 1 evergreen tree per 30' of building is required along the east foundation of the northern most building
  - No additional buffer required abutting the Duke Energy substation property. A substantial buffer (as shown below) currently exists on the substation property.

- WEST PROPERTY LINE**  
(abutting Setters Run subdivision)
- 40'-wide preservation buffer extending from 146th Street to north property line
  - Consisting of existing trees
  - Supplemental plantings provided to fill any significant breaks within the preservation buffer (see Exhibit H)
  - 8' tall vinyl or composite fence (no wood) required in gaps between the buildings and extending from the office building towards 146th Street

*existing substation screening*



*example fence (white prohibited)*

