

**Kalorama Park PUD
2432 South Street
Westfield, Indiana**

**Westfield Enterprises, LLC
301 S. Union Street
Westfield, Indiana**

ORDINANCE 10-15

Document Cross Reference No. _____

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

This PUD Ordinance (the "Kalorama Park PUD") amends the Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance"), enacted by the City of Westfield under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended;

WHEREAS, the Plan Commission of the City of Westfield and Washington Township (the "Commission") has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by Westfield Enterprises, LLC. (the "Developer") for the real estate containing approximately 9.5 acres, legally described on Exhibit 1, attached hereto, and incorporated herein by this reference, and located in Washington Township, Hamilton County, Indiana (the "Real Estate");

WHEREAS, the Commission has sent to the City Council of the City of Westfield, Indiana (the "City Council") its recommendation for adoption on the 19th day of July, 2010;

NOW, THEREFORE, BE IT ORDAINED by the City Council meeting in regular session, that the Westfield Washington Township Zoning Ordinance and the Westfield Washington Township Zone Map are hereby amended as follows:

ARTICLE I.

KALORAMA PARK PUD

SECTION 1.1. LEGISLATIVE INTENT. Having given reasonable regard to (i) the comprehensive plan, (ii) current conditions and the character of current structures and uses in the Real Estate, (iii) the most desirable use for which the Real Estate is adapted, (iv) conservation of property values throughout the City of Westfield and Washington Township, and (v) responsible development and growth, it is the intent of the Plan Commission in recommending, and the Council in adopting, to:

- A. Encourage flexibility in the development of land in order to promote its most appropriate use;
- B. Improve the design, character and quality of new development;
- C. Encourage a harmonious and appropriate mixture of housing types;
- D. Facilitate the adequate and economic provisions of streets, utilities, and municipal services;
- E. Preserve the natural environmental and scenic features of the Real Estate;

- F. Encourage and provide a mechanism for arranging improvements on-site so as to preserve desirable features utilizing modern storm water management design techniques; and
- G. Mitigate the problems which may be presented by specific site conditions.

SECTION 1.2. EFFECT. This Ordinance 10-15 shall be in full force and effect in accordance with the laws of the State of Indiana. Unless specifically stated in the terms of this Ordinance 10-15, all terms of the Zoning Ordinance shall apply. Nothing in this Ordinance 10-15 shall be interpreted to alter, change, exclude, delete or modify any rules or regulations beyond those contained in the Zoning Ordinance, unless specifically provided herein. To the extent that this Ordinance 10-07 conflicts with the terms of the Zoning Ordinance, the terms of this Ordinance 10-15 shall prevail.

SECTION 1.3. DEFINITIONS. Unless otherwise specified in (i) this Kalorama Park PUD or (ii) what is attached hereto and incorporated herein by reference as Exhibit 2, the definitions of the Zoning Ordinance shall apply to the words and terms used in this Kalorama Park PUD.

ARTICLE II.

PUD STANDARDS

SECTION 2.1. The Real Estate is reclassified on Westfield Washington Township Zone Map (the "Zone Map") from the AG-SFI District Classification to the Planned Unit Development District (PUD) Classification. The underlying zoning district shall be the SF-4 Residential District.

SECTION 2.2. USES. The Real Estate shall be developed for detached single-family residential use in substantial compliance with the concept plan attached hereto as Exhibit 3 (the "Concept Plan") and Exhibit 4 ("Phase I Master Plan"). The total number of residential dwelling units permitted on the Real Estate shall not exceed 40 dwelling units. Permitted uses are as follows:

- A. **RESIDENTIAL AREAS:** Permitted Uses in the residential areas of Kalorama Park PUD, identified as "Cottage Clusters," "Small Home Clusters" plus a Phase II development which will conform to the cottage cluster and/or small home cluster standards on the Concept Plan, shall include the following:
 - 1. Single-family detached residential and accessory uses, together with model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons;
 - 2. Residential common areas and Home Owners Association owned amenity areas along with accessory uses, structures, and improvements located thereon. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR; and

3. Home Occupations shall be permitted per the terms and conditions of the SF-4 District.

SECTION 2.3. DEVELOPMENT STANDARDS. The Residential Development Standards for the Real Estate shall be as set forth in what is attached hereto and incorporated herein by reference as Exhibit 7. To the extent that the Residential Development Standards in Exhibit 7 conflict with the terms included in this PUD Ordinance or with the terms of the Zoning Ordinance, the terms included in Exhibit 7 shall prevail.

SECTION 2.4. INFRASTRUCTURE STANDARDS. The applicable standards for streetscape improvements, street improvements and cross-sections, alleys and other vehicular or pedestrian ways, stormwater control, erosion control and any other infrastructure-related standards shall be permitted as approved by the Westfield Public Works Department Director. The Public Works Director is hereby authorized to (but not required to) alter, change, exclude, delete or modify any normally applicable rules or regulations within his/her jurisdiction applicable to the Real Estate in order to accomplish the environmental and design objectives of the Developer.

SECTION 2.5. LANDSCAPING STANDARDS.

- A. The following plantings shall be installed on the Lots.

	Small Home	Cottage
Shade and/or evergreens	2	1
Ornamental trees	1	1
Shrubs	8	8

- B. The tree protection standards included in Exhibit 5 shall be applicable to the Real Estate
- C. To the extent that the tree protection standards in Exhibit 5 conflict with the terms included in this PUD Ordinance or with the terms of the Zoning Ordinance, the terms included in Exhibit 5 shall prevail.

SECTION 2.7. AMENITIES AND MAINTENANCE.

- A. Amenities. The amenities as referenced in Exhibit 6 (the "Amenities") shall be provided on the Real Estate.
- B. Membership. All property owners within the residential Clusters of the Real Estate shall automatically, upon taking title to the property, become members of a Property Owners Association organized to assume the maintenance responsibilities for the Amenities.

Upon motion duly made and seconded, this Kalorama Park PUD was fully passed by the members of the Westfield City Council this ____ day of _____,2010.

CITY COUNCIL, CITY OF WESTFIELD

AYE		NAY
_____	Tom Smith	_____
_____	John Dippel	_____
_____	Ken Kingshill	_____
_____	Steve Hoover	_____
_____	Bob Smith	_____
_____	Rob Stokes	_____
_____	Bob Horkay	_____

ATTEST:

Cindy Gossard, Clerk-Treasurer
City of Westfield, Indiana

I hereby certify that ORDINANCE 10-15 was delivered to the Mayor of Westfield

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

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-15

this _____ day of _____, 2010.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 10-15

this _____ day of _____, 2010.

J. Andrew Cook, Mayor

KALORAMA PARK PUD

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Exhibit 1 LAND DESCRIPTION

A part of the Northwest quarter of Section Six (6), Township Eighteen (18) North, Range Four (4) East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows, to wit:

Beginning on the east line of said tract at a point 421.95 feet North of the Southeast corner thereof, thence continuing North on said East line 860.2 feet to the South right-of-way line of the Central Indiana Railway Company, thence West along the South right-of-way line of said Railway 350.7 feet, thence South parallel with the East line of the Northwest quarter of said Section Six (6), a distance of 859.4 feet to an existing fence line, thence East along said fence line 350.7 feet to the place of beginning, containing 6.923 acres, more or less.

Parcel II

A part of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, in Hamilton County, Indiana, being more particularly described as follows:

Fifty (50) feet in width East and West, beginning on the South line of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, at a point fifty (50) feet West of the Southeast corner thereof, thence North parallel with the East line of said Northwest Quarter Section a distance of 422 feet more or less to an existing fence line; thence East fifty (50) feet along said fence line to the East line of said Northwest Quarter Section; thence South 422 feet more or less to the Southeast corner of said Quarter Section; thence West fifty (50) feet to the place of beginning.

Parcel III

Part of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, Hamilton County, Indiana, and being more particularly described as follows:

Beginning at a point on the South line of said quarter section being North 90 degrees 00 minutes 00 seconds West (assumed basis of bearing) 50.009 feet from the Southeast corner thereof; thence continue North 90 degrees 00 minutes 00 seconds west, along said South line 221.74 feet; thence North 0 degrees 10 minutes 07 seconds East, parallel with the East line of said quarter section; 422.00 feet; thence South 89 degrees 59 minutes, 24 seconds East 221.74 feet; thence South 0 degrees 10 minutes 07 seconds West, parallel with said East line, 421.96 feet to the point of beginning and continuing 2.148 acres, more or less.

Exhibit 2 DEFINITIONS

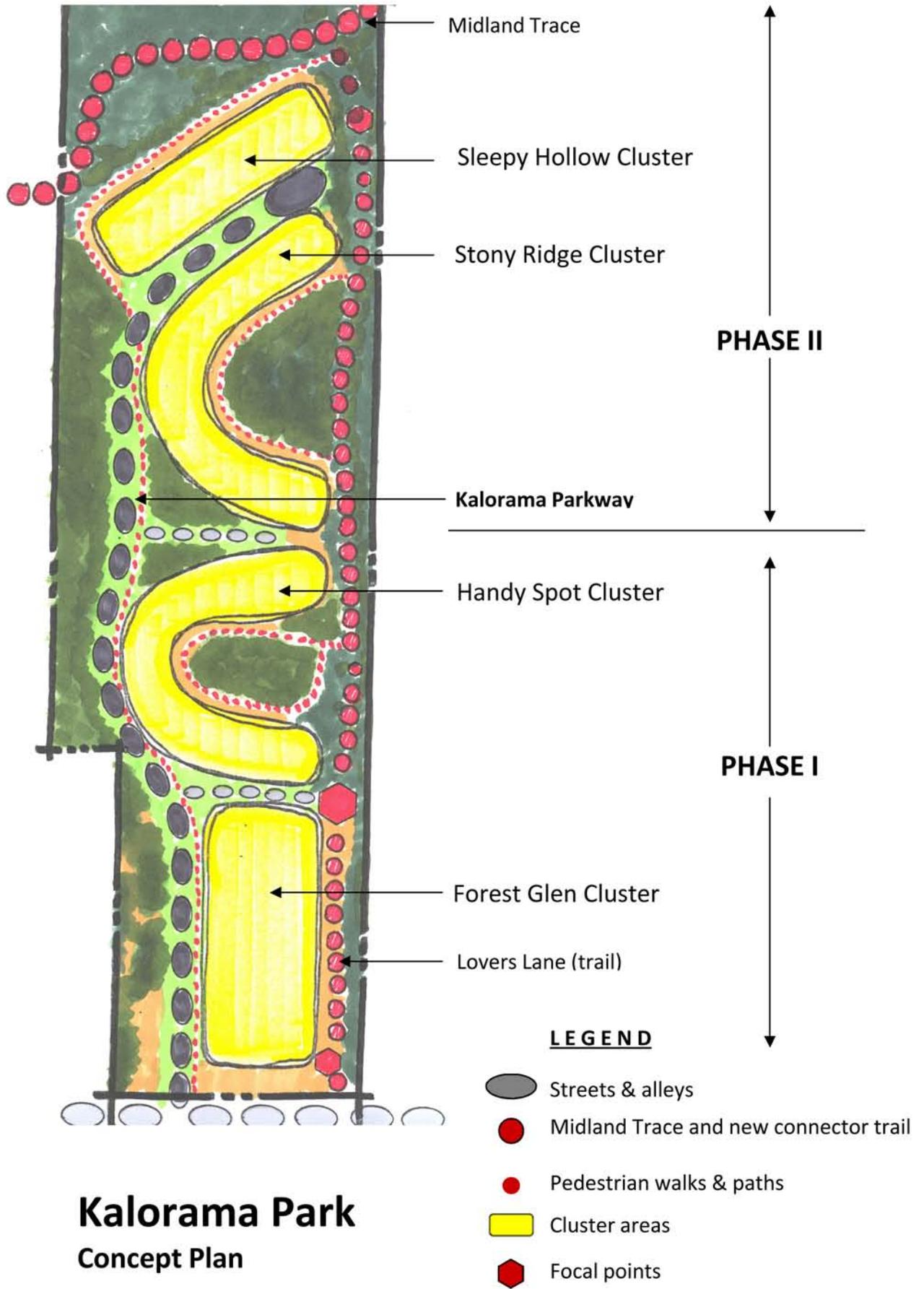
The following words and terms, not defined elsewhere in the Kalorama Park PUD or its Exhibits, shall have the following meanings:

1. **Architectural Review Committee.** The board established by a Declaration of the Developer for the purpose of reviewing the design of all structures to be constructed in a particular Area.
2. **Association.** A home owners association, property owners association or other organizations formed in order to govern and maintain the various Districts as established by Declaration.
3. **Build-to Line.** A designated line at which construction of a building front porch is to occur.
4. **Cluster.** A collection of homes, no less than 4 and no more than 12, designed to take maximum advantage of the natural setting, amenities and promote social interaction within.
5. **Corner Break.** An exterior corner along the façade of a structure.
6. **Declaration.** A Declaration of Covenants, Conditions and Restrictions for one (1) or more areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.
7. **Design Vocabulary.** A code of architectural style and massing recommendations, building detail guidelines, listing of acceptable materials and colors, and landscape and streetscape details adopted by a Developer and applied by an Architectural Review committee in considering plans for structures to be constructed in the Real Estate.
8. **Developer.** The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.
9. **Development.** The entire parcel of land subject to rezone.
10. **Director.** The Director of the Westfield Community Development Department.
11. **Dormer.** Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.

12. **DPR.** The process of Development Plan Review.
13. **External Street.** South Street, Oak Road.
14. **Front Load Garage.** Garages which (i) are not at an angle from the primary residence to which they are attached, but instead, (ii) are parallel with the front elevation of the primary residence to which they are attached.
15. **Gable.** That part of the end wall of a building between the eaves and a pitched or gambrel roof.
16. **Internal Street.** Any Public Street, Private Street, or Shared Drive other than an External Street.
17. **Kalorama Parkway.** The primary north/south street connecting each of the clusters.
18. **Lots.** Individual parcels sold fee simple for construction of homes.
19. **Lovers Lane.** Multi-use trail connecting South Street/Oak Road intersection to Midland Trace.
20. **Low Slope Roof.** A roof surface with a maximum slope of 4 inches rise for 12 inches run.
21. **Masonry.** Wall building material, such as brick or stone which is laid up in small units or blocks. Synthetic stone is not permitted.
22. **Model Home.** Dwelling temporarily used in the connection with the sales of similarly built residential dwellings that will eventually be sold as a residential dwelling.
23. **Natural Materials.** Brick, wood, limestone, fiber cement siding, or natural stone.
24. **Pitched Roof.** The angle of roofs is defined by the ratio of rise over run.
25. **Preserved Woodland Area.** The areas of land within the Kalorama PUD preserved in their natural state containing mature trees.
26. **Rakes.** The inclined edge of a sloped roof over a wall from the eave to the ridge
27. **Real Estate.** The real estate, as described in Exhibit 1.
28. **Rear Load Garage.** Garages which (i) are not at an angle from the primary residence to which they are attached, but instead, (ii) are parallel with the rear elevation of the primary residence to which they are attached.

29. **Subdivision Control Ordinance.** The Subdivision Control Ordinance for the City of Westfield and Washington Township.
30. **Zoning Ordinance.** The City of Westfield - Washington Township Zoning Ordinance.

**Exhibit 3
CONCEPT PLAN**



**Kalorama Park
Concept Plan**

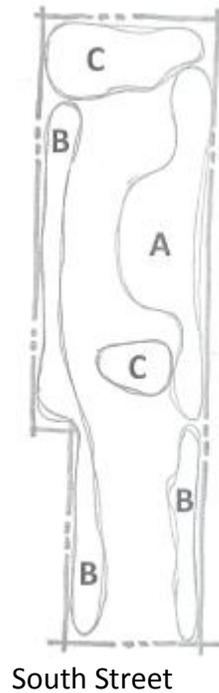
Exhibit 4
PHASE I MASTER PLAN



Exhibit 5 TREE PROTECTION

1. All woodlands and trees to be preserved shall be enclosed by an appropriate construction barrier, such as a snow fence, and identified by signs stating “Tree Preservation Zone” prior to commencing any land disturbance. Fences need to remain in place during all phases of construction. They shall not be removed until the construction is finished unless the Community Development Director gives written consent.
2. The protective zone for woodland groups and specimen trees shall be specified in the development plan(s) for the project, but shall be no less than the total area beneath the trees’ canopy defined by the farthest canopy of the tree(s) plus an additional 5 feet, except as noted herein.
3. Prior to commencing any land disturbance, a pre-construction meeting shall be held with the Community Development Department, representatives from the Developer, contractor and builder.
4. No materials or construction debris shall be stored, discharged, or abandoned in the tree preservation zones. This includes but is not limited to construction materials, paint, oils, solvents, asphalt, concrete, wash-out, etc. This also includes backfill that substantially changes the grade over any root system.
5. No equipment or construction traffic shall be driven or parked within the tree preservation zones.
6. The Developer shall agree to keep an arborist on staff until completion of the construction project.

Figure 1



Tree Conservation Areas. The Builder and/or Developer will endeavor to conserve trees within Common Area A, Common Area B, and Common Area C as identified in Figure 1.

1. **Common Area A:** Generally described as the east perimeter of the real estate. This area is designated to be maintained in a reasonably “natural” state. Best efforts shall be used to preserve quality young and mature existing trees. This area is considered a distinguishing feature, and efforts will be made to protect and preserve it during design, construction and post-construction. Trails may be constructed in this area.
2. **Common Area B:** Generally described as the area within the development designated for circulation, passive and active recreation, and areas designated for storm water management. This area will have varying levels of maintenance. Best efforts shall be used to preserve quality young and mature existing trees.
3. **Common Area C:** Generally described as the tree conservation and courtyard area for each of the four housing clusters. Existing trees in these areas will remain as shown on Exhibits 3 and 4. Best efforts shall be used to preserve quality young and mature existing trees.

Exhibit 6 AMENITIES AND MAINTENANCE

Amenities

1. Extensive preservation of natural areas and open space (approximately 50%).
2. Trail and walk network within development.
 - a. Accommodations shall be made for construction of the Midland Trace Trail (the "Trail") through the Real Estate. Real property of an appropriate width and dimension to allow the Trail to extend across the Real Estate in substantial compliance with the Trail route shown on Exhibit 3 (identified as "Midland Trail"), or a route otherwise agreed to by the City of Westfield, shall be dedicated to the City of Westfield at the time of secondary plat approval for the relevant section of the Development and prior to the issuance of any building permits or improvement location permits on the relevant section of the Development, or at a time otherwise agreed to by the City of Westfield. Upon approval of this PUD ordinance, at the City's request and until such time as the Trail property is dedicated to the City of Westfield, the Developer shall provide the City of Westfield will all easements, permissions and rights of entry deemed necessary by the City of Westfield to permit the construction and public use of the Midland Trace Trail on the Real Estate in the location on the Real Estate referred to in this paragraph.
 - b. A north/south trail (Lovers Lane) connecting Midland Trace to South Street/Oak Road intersection. The surface of this path may vary. Materials may include asphalt, stone and wood chips/mulch.
 - c. Cluster connections via internal walks and connections to trails and sidewalks shall be provided. Such connections may vary in materials (mulch, stone or other materials determined by the Developer may be used) and width (not less than 4' in width in any location).
3. Network of points of interest throughout entire development.
 - a. Gateway markers to Lovers Lane.
 - b. Linear arboretum along Lovers Lane with identifying markers and explanation of trees
 - c. Two wooden bridges (boardwalks) along Lovers Lane

- d. Blue bird boxes along east property line.
- e. Walks and/or paths in front of cottages (minimum 4' in width).
- f. Outdoor Sculptures (3 minimum).

Exhibit 7 RESIDENTIAL DEVELOPMENT STANDARDS

The Following architectural standards shall be required and applicable to all residences constructed upon the Real Estate:

1. Brick, stone, stucco, wood or composite siding (hardie board) materials are permitted. Wood; composite board; aluminum, vinyl clad and fiberglass windows and/or soffits are permitted. The use of wood and aluminum fascia and guttering are also permitted.
2. Windows shall appear on all four (4) elevations of houses.
3. Developer's vendor will install one mailbox grouping for each Cottage Cluster and Small Home Cluster.
4. Chimneys occurring on the exterior of the house shall be constructed of Natural Materials.
5. Driveways may be constructed of porous material. Concrete, stone or brick pavers shall be permitted.
6. Design elements and detailing shall be continued completely around the structure. Such design elements shall include, but are not limited to, windows, window placement, trim detail and exterior wall materials. Long, massive, unbroken exterior building walls shall be avoided.
7. Crawl space foundations and/or garage foundations may be poured wall or concrete block construction. Slabs are not a permitted floor system, with the exception of garages and porch areas.
8. Equipment vents are to be located to be minimally visible from the street frontage and shall be color coded to match the trim or roofing materials.
9. All residences shall have a minimum square footage as set forth in the Small House Cluster Standards (see Exhibit 9) or Cottage Cluster Standards (see Exhibit 8).

Exhibit 8 COTTAGE CLUSTER STANDARDS

Cottage Cluster Size.

Cottage Clusters shall contain a minimum of four (4) and a maximum of twelve (12) dwelling units located in clusters. The Development may contain more than one Cottage Cluster.

Special Site Requirements for Cottage Clusters.

1. Density, Lot Coverage, Height, Build-to Lines and Parking Requirements.

A. Intent. The site requirements chart (in the following paragraph) establishes the basic dimensional requirements for cottages. Development standards are intended to define design parameters of cottages to achieve compatibility with adjacent single-family residential uses.

B. Requirements – Cottage Cluster Site Requirements Chart.

	<u>Site Requirement</u>
Minimum Lot width (in feet)	25'
Distance between the build-to line and the property line facing the cluster courtyard or Kalorama Parkway (the "Front Yard")	10'
Build to Lines	Established by cluster plat
Minimum Distance Between Structures (including accessory structures)	6'
Maximum Height for Cottages	24'
The minimum road frontage standards of the Zoning Ordinance shall not apply to this Development.	
Minimum Lot Size	1500 square feet

No other setback requirement normally applicable to individual single-family building lots established in the Zoning Ordinance shall apply to the Development.

2. Cottage Floor Area.

- a. The minimum floor area of each cottage home shall be 750 square feet.
- b. Each cluster shall have a variety of shapes, sizes, colors and architectural details. No two houses in a cluster shall appear alike.

3. Architecture.

- a. Cottages shall have a roofed porch at least 64 square feet in size with a minimum dimension of eight feet on any side.
- b. Cottage porch elevations shall be a minimum of 24" above the average elevation of the build-to line.
- c. All cottages shall be separated by a wood fence constructed on the courtyard property line side, which shall be no less than 24" tall and no greater than 36" tall.
- d. The architectural theme of the Cottage Clusters shall be substantially consistent with the conceptual elevations included in Figure 2.

4. Parking & Screening.

A. Parking Requirements. Parking shall be:

- i. Located on the cottage cluster property.
- ii. Located in clusters of not more than five adjoining parking spaces.
- iii. Prohibited in the front yard setback area.
- iv. Prohibited within 40 feet of an external street right-of-way and 10' of Kalorama Parkway right-of-way.
- v. A pitched roof design is required for all parking structures.
- vi. Other conflicting parking standards of the Zoning Ordinance (as determined by the Community Development Director) shall not apply to the Development.

B. Screening Requirements.

- i. Boundaries between small home dwellings and other sections within the development shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (e.g., through setbacks or architectural techniques) to meet the intent of this section.
- ii. Plans for such screening shall be submitted at the time of development plan review.

FIGURE 2
ARCHITECTURAL STYLES – COTTAGE CLUSTERS



Exhibit 9
SMALL HOME CLUSTER STANDARDS

Small Home Cluster Size.

Small Home Clusters shall contain a minimum of four (4) and a maximum of twelve (12) houses located in clusters. The Development may contain more than one Small Home Cluster.

Special Site Requirements for Small Home Clusters.

1. Density, Lot Coverage, Height, Build-to Lines and Parking Requirements.

A. Intent. The site requirements chart (in the following paragraph) establishes the basic dimensional requirements for small homes. Development standards are intended to define design parameters of small homes to achieve compatibility with adjacent single-family residential uses.

B. Requirements – Small Home Cluster Site Requirements Chart.

	<u>Site Requirement</u>
Minimum Lot Frontage (in feet)	35'
Distance between the build-to line and the property line facing the cluster courtyard or Kalorama Parkway (the "Front Yard")	10'
Minimum Distance Between Structures (including accessory structures)	6'
Maximum Height for Small Homes	32'
The minimum road frontage standards of the Zoning Ordinance shall not apply to this Development.	
Minimum Lot Size	1500 square feet
No other setback requirement normally applicable to individual single-family building lots established in the Zoning Ordinance shall apply to the Development.	

2. Small Home Floor Area.

c. The minimum floor area of each cottage home shall be 1200 square feet.

- d. Each cluster shall have a variety of shapes, sizes, colors and architectural details. No two houses in a cluster shall appear alike.

5. Required Minimum Open Space.

- e. Small Homes shall have a roofed porch at least 64 square feet in size with a minimum dimension of eight (8) feet on any side.
- f. Small Home porch elevations shall be a minimum of 24" above the average elevation of the build-to line.
- g. The architectural theme of the Small Home Clusters shall be substantially consistent with the conceptual elevations included in Figure 3.

6. Parking & Screening.

A. Parking Requirements. Parking shall be:

- i. Located on the Small Home cluster property.
- ii. Located in clusters of not more than five adjoining parking spaces.
- iii. Prohibited in the front yard setback area.
- iv. Prohibited within 40 feet of an external street right-of-way.
- v. A pitched roof design is required for all parking structures.
- vi. Other conflicting parking standards of the Zoning Ordinance (as determined by the Community Development Director) shall not apply to the Development.

B. Screening Requirements.

- i. Boundaries between Small Home dwellings and other sections within the development shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (e.g., through setbacks or architectural techniques) to meet the intent of this section.
- ii. Plans for such screening shall be submitted at the time of development plan review.

FIGURE 3
ARCHITECTURAL STYLES – SMALL HOMES





Westfield City Council Report

Ordinance Number: 10-15
APC Petition Number: 1006-PUD-06
Approximate Address: 2432 South Street
Petitioner: Westfield Investments, LLC
Representative: Jim Anderson
Requested Action: Change in zoning of approximately 9.5 acres
Current Zoning Dist: AG-SF1
Requested Zoning Dist: Kalorama Park PUD
Filing Date: April 30, 2010
Referral Date to APC: May 10, 2010
APC Public Hearing: June 21, 2010
APC Recommendation: July 19, 2010
Eligible for Adoption: August 9, 2010
Associated Ordinances: None
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 new Planned Unit Development District was filed on April 30, 2010. The petition received a public hearing at the June 21, 2010 Advisory Plan Commission Meeting and received a positive recommendation for approval at the July 19, 2010 Advisory Plan Commission Meeting.

PROCEDURAL

- Requests for a change in 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 June 21, 2010 and issued a positive recommendation (6-0) to the City Council in support of the proposed PUD amendments on July 19, 2010.
- Notification of June 21, 2010 public hearing was provided in accordance with the APC Rules of Procedure.
- The City Council may take action on this item at the August 9, 2010 meeting.

PROJECT OVERVIEW

Project Description

The subject property is approximately 9.5 acres in size and is located northwest of the intersection of South Street and Oak Road (the “Property”). The proposed Planned Unit Development (“PUD”) Ordinance allows for a maximum of 40 single family dwelling units. The dwelling units will be arranged into “Clusters” of 4 to 12 units per cluster, so that open space and tree preservation can be maximized. The PUD Ordinance establishes two sets of “Cluster” standards: 1) “Cottage Clusters” and 2) “Small Home Clusters”, each accommodate a variety of dwelling shapes, color schemes and architectural features.

The PUD Ordinance proposes several alternative transportation routes throughout the Property, including: a segment of the Midland Trace Trail; a north-south trail (named “Lovers Lane”) which would connect Midland Trace Trail to South Street; and a network of pedestrian pathways throughout the Property.

The Property would be includes a significant amount of preserved open space. Within these areas, Tree Protection Zones are established to mitigate the threat of existing, mature trees being harmed during and after the development/construction process.

Cottage Cluster Configuration

The PUD Ordinance requires residential structures within Cottage Clusters to be oriented so that the front elevation is facing a common open space, not a roadway. Vehicular access to and from individual lots will occur at the rear of each individual property, and will be accessible from an alley.

Small Home Cluster Configuration

Individual dwellings within the Small Home Clusters, unlike the Cottage Clusters, will be oriented so that front elevations are facing the internal roadway of the PUD. Small Home Clusters will allow vehicular access on either the internal roadway or an alley (if an alley directly abuts an individual property).

Comprehensive Plan (Feb 2007, as amended)

The Westfield-Washington Township Comprehensive Plan identifies the Property as being located within the “Downtown” land use classification. This classification recommends a diversity of land uses, including residential development.

Thoroughfare Plan (Feb 2007, as amended)

The Westfield-Washington Township Thoroughfare Plan identifies South Street as a “Collector” street, with a half right-of-way requirement of 35 feet.

Annexation

The Property is not within the corporate boundaries of the City of Westfield today. The Community Development Department will work with the petitioner to ensure proper annexation of the Property at the appropriate time.

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 Westfield-Washington Township Comprehensive Plan identifies the Property as being located within the “Downtown” land use classification. This classification recommends a diversity of land uses, including residential development.

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

The northern portion of the Property is largely wooded and contains a single family dwelling. The southern portion of the Property is an open area with very little vegetation.

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

The Comprehensive Plan established that residential development is appropriate for the area.

4. The conservation of property values throughout the jurisdiction.

It is anticipated that the proposed project will have a positive or neutral impact on surrounding property values.

5. Responsible growth and development.

The Property 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 [July 19, 2010]
The Westfield Community Development Staff, under their final report to the APC, made a positive recommendation for this petition.
- Advisory Plan Commission [July 19, 2010]
The Westfield-Washington Advisory Plan Commission has forwarded a positive recommendation for this petition (Vote of: 6-0).
- City Council
 - Introduction: [May 10, 2010]
 - Eligible for Adoption: [August 9, 2010]

Submitted by: Kevin M. Todd, AICP, *Senior Planner*

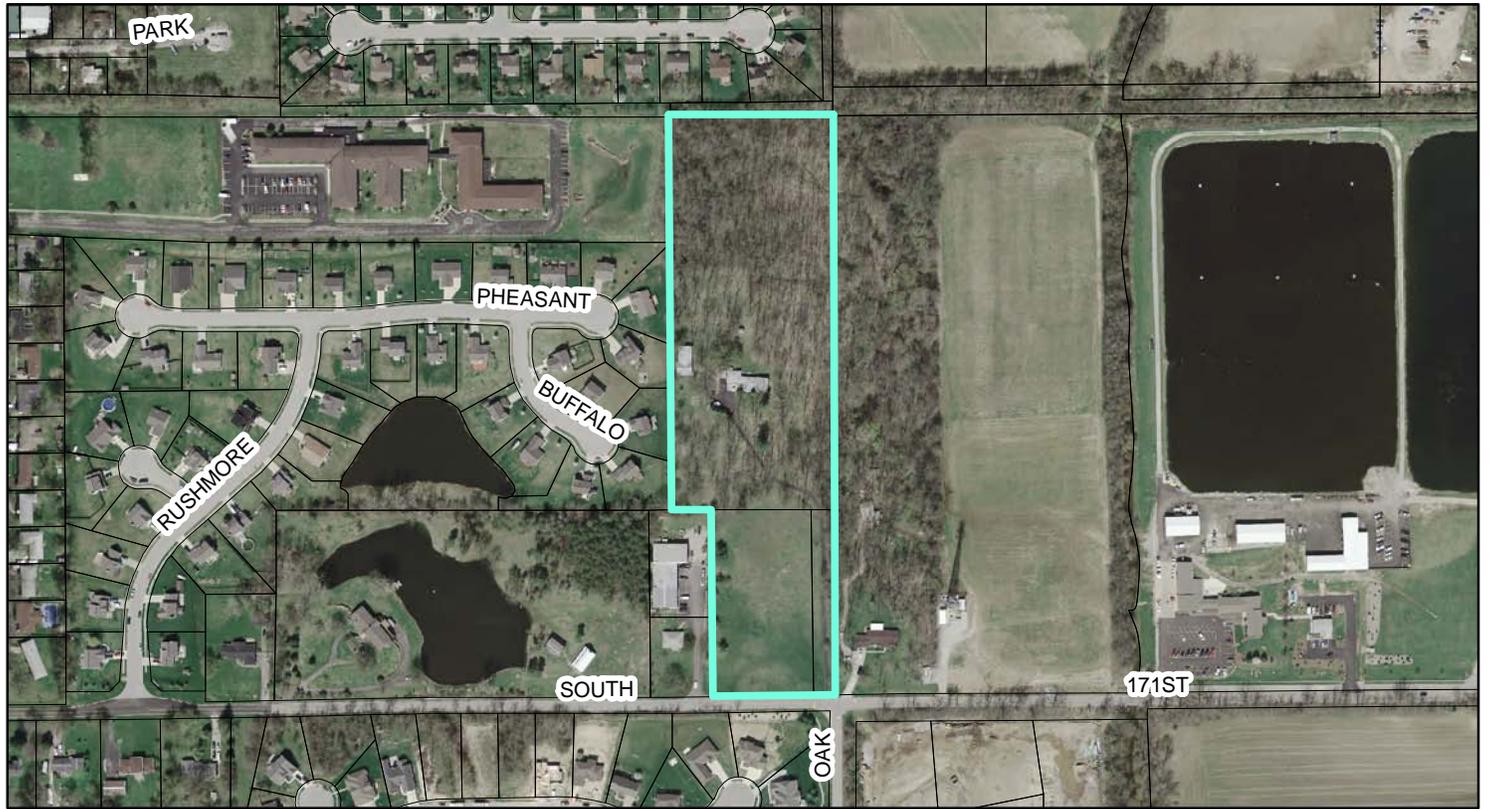


1006-PUD-06
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 08-10-06-00-00-050.001
 08-10-06-00-00-051.000
 2432 171st/South Street
 Exhibit 2

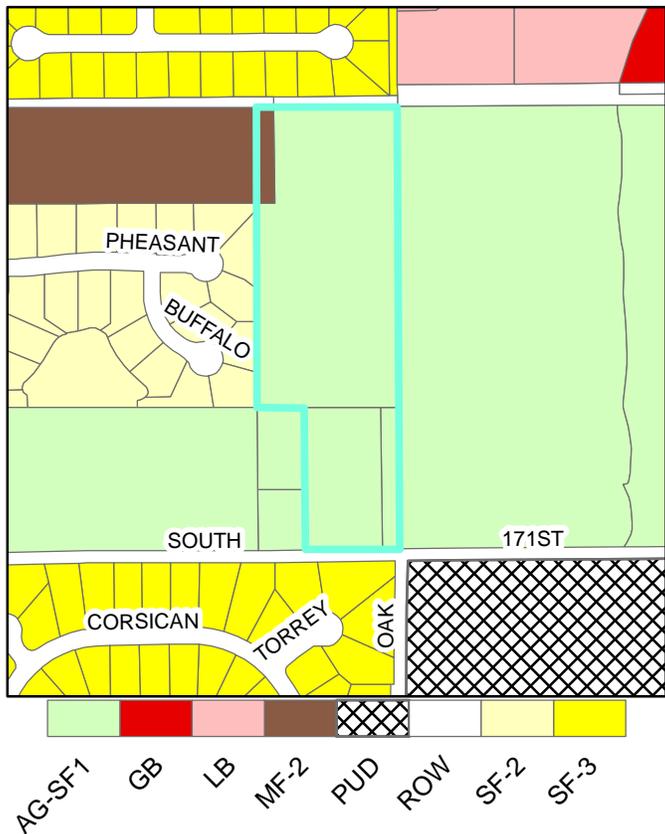


Aerial Location Map

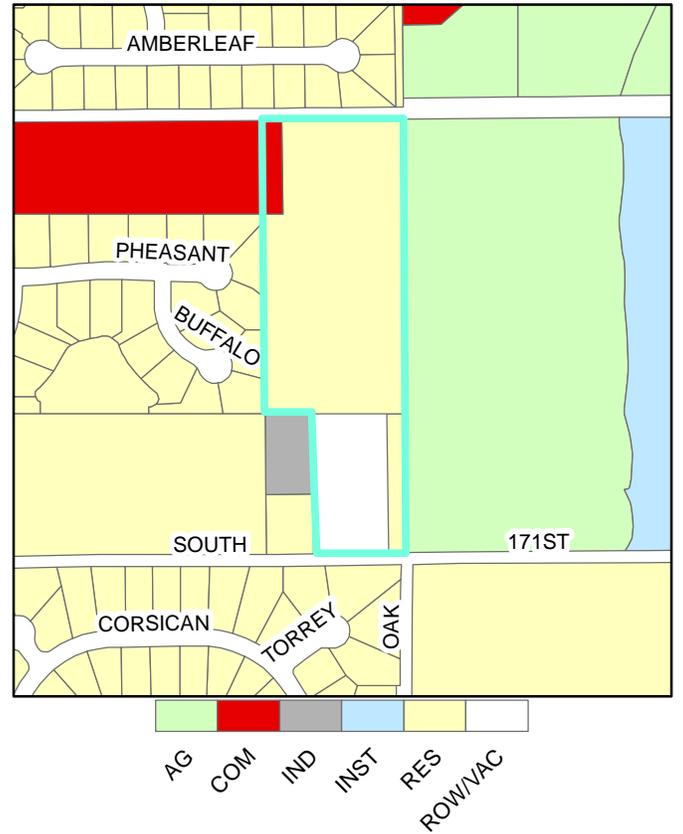
Site



Zoning Map



Existing Land Use Map



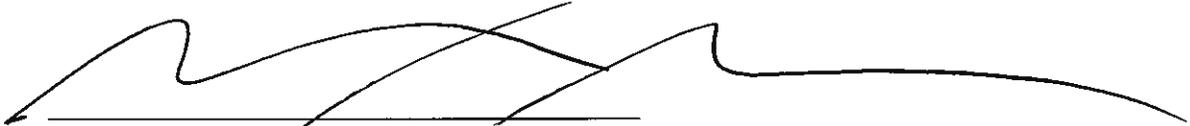
**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, June 21, 2010, to consider a requested change in zoning of approximately 9.5 acres from the AG-SF1 District to the Kalorama Park 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.	1006-PUD-06
Petitioner	Westfield Investments, LLC
Description	2432 South Street; Petitioner requests a change in zoning of approximately 9.5 acres from the AG-SF1 District to the Kalorama Park PUD District.

On July 19, 2010, a motion was made and passed to send a positive recommendation (6-0) to the City Council to approve the request for 1006-PUD-06.

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 June 21, 2010 and July 19, 2010.



Matthew S. Skelton, AICP, Secretary

July 20, 2010
Date

The Westfield-Washington Advisory Plan Commission held a meeting on Monday, June 21, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Dan Degnan, Pete Emigh, Cindy Spoljaric, Bob Horkay, Danielle Tolan Bill Sanders, Bob Spraetz, and Steve Hoover.

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

Approval of the Minutes:

Motion: To approve June 7, 2010 minutes as presented.

Motion by: Emigh Second by: Horkay; Vote: Passed by Voice Vote

Todd reviewed the General Rules of Procedure and the Public Hearing Rules.

OLD BUSINESS

Case No.	1005-CPA-01
Petitioner	City of Westfield
Description	The City of Westfield requests approval of an addendum to the Westfield Thoroughfare Plan, a part of the Westfield-Washington Township Comprehensive Plan.

Todd stated that there have been no changes since the public hearing.

Degnan stated that he had previously expressed a concern about the lack of right-of-way on the north side of the 146th Street bridge.

Skelton stated that the plan shows an alternative transportation trail along 146th Street and directed the Commission to the proposal.

Motion: To approve 1005-CPA-01 as presented.

Motion by: Hoover Second by: Emigh; Vote: 7-1 (Degnan)

NEW BUSINESS

Case No. 1001-PUD-01
Petitioner Estridge Development Company
Description 146th Street and Towne Road; requests a change in zoning on approximately 1,409 acres from the AG-SF1, SF-2 and Centennial North PUD districts to the Symphony PUD District.

Todd reviewed the proposal history, which was introduced at the City Council on December 14, 2009. He stated that the project has three separate districts, including: Residential District, Mixed Use District, and Nature and Recreation. He further stated that there are approximately 4,000 dwelling units proposed and approximately one million square feet of non-residential space, of which approximately 400,000 square feet would be allowed to be retail in nature.

Mr. Paul Estridge, Jr., Estridge Development Company, introduced guests and discussed the history of the Symphony proposal.

Mr. Joe Calderon, Bose McKinney & Evans, discussed the Symphony PUD and the PUD process.

Estridge continued to discuss the vision and details of the project. He discussed the Westfield Comprehensive Plan and how it differed from the Symphony proposal.

Mr. Matt Cohoat, Estridge Development Company, discussed cost and funding of the Symphony project. He also discussed the jobs which would be created as a result of the project, and he discussed the increased tax base and tax revenue for the City of Westfield as a result of the project

Estridge spoke of the project's design, which consists of nine villages. He also discussed the master plan, stating that the plan calls for approximately 34% open space.

A Public Hearing opened at 8:00 p.m.

Mr. Jim Ake spoke highly of the Estridge Companies. Ake mentioned that he has been involved with the Westfield community and has enjoyed working with the Estridge Companies. He believes we need trusted relationships. He stated that Estridge is local and has a vested interest in the community. He added that this project will provide a growing tax base for the community and spark other economic growth, which is needed in Westfield. Ake also believes that the \$1 Billion of assessed value over 15 years is really important as the City goes forward with Grand Junction. Ake stated that the added EDU's will help our public utility and our taxpayers. He stated that the entrances to Symphony need to be well lit.

Ms. Sharon Williams stated that she has no problem with the Estridge Companies, but expressed concern regarding products used for building and construction, she specifically expressed concern with where the products come from. She noted that lumber companies have been importing their products which are sold to the builders. She also expressed concern about adding 800 apartments, which would have a minimum of three children per unit, equaling approximately 2400 children. She expressed concern about adding 174 condos, which would house an estimated 522 children. She concluded that this project would add 2922 children to the school system. She noted that taxes will have to be raised, schools will have to be built, and we will have to pay for all that. She asked where all of the previously stated jobs are going to come from.

Ms. Tammy Gabriel stated that she is just starting to get familiar with Symphony, and asked if Symphony includes what was going to be Centennial North. Also, she stated that she does not see any amenities in this community. As a resident of Centennial, which is not a gated community and is having problems with overcrowded amenities, her concern is that Symphony would be merged with Centennial's HOA and would have access to their amenities. Gabriel then stated that Centennial residents were sold their homes with the promise of commercial business along Pawtucket Drive. She noted that that development never happened and questioned what kind of guarantee there is that the same will not happen at Symphony as well. Finally, she asked what telecom company will service Symphony, asking if they will be under the monopoly of First Mille as Centennial is, or will it be open to Verizon, AT&T, Comcast and Brighthouse?

Mr. Paul Thompson stated that it is important to know the character of the developer if we are going to have a development of this size. He spoke highly of Estridge's character. He believes the Estridge team is trustworthy and that this town has benefited from what they have already done.

Ms. Juanna Clark spoke highly of Estridge's character from personal experience.

Mr. Zeff Weiss, Esq. spoke on behalf of Ross and Tina Laufter, who live at 2702 West 146th Street. He stated that the Laufter's live where the proposed project is planning to put a commercial area, and that does not work for them. He believes that it is unreasonable that their property to be surrounded by commercial business, with the potential for trucks running all night, lights, noise, and cars. He added that they are looking for specifics regarding lighting, hours of operation, and setbacks, and that there are too many unknowns at this time. Weiss stated that the Laufters and Estridge have not been able to reach an agreement on purchasing the property. Weiss added that the City's zoning ordinance requires that the applicant of a PUD request have either ownership or control of the property being considered for a rezone. Weiss explained that Estridge has neither ownership nor control of the Laufter property. He added that they would continue to work with Estridge Companies, but believes the Laufter property should not be in this PUD. He noted that doing so would leave the property surrounded by commercial. Weiss requested that if there will be no opportunity to speak again on their behalf, that the Commission reject the PUD in total since Estridge does not have control

of this parcel. He further requested that at the least to remove the Laufter property from the proposal and not classify the area around the property as Mixed Use District. Ms. Tracy Peilemeyer, representing her family and neighbors, stated that their properties' eastern boundaries abut the proposed development. She stated that this parcel was rezoned once in 2004 from AG-SF1 to SF-2, and that voluntary commitments by the developer at that time included, among other things, no vinyl siding, a minimum of 2,500 square foot homes, and a 40-foot buffer zone between the development and their properties. She referred to page 47 of the current proposal where the parcel adjoining hers is shown as Village 5 which is supposed to be SF-2. She referred to page 27 where it states, "multi family housing, duplex, triplex and quadplex housing would be permitted..." which is far different from what was already approved and committed to. She added that the maximum buffer zone in this proposal is one half of what was already agreed upon, and that there are no building materials limitations or requirements. She also expressed concern that the proposed lot sizes would be greatly reduced from what was approved with the 2004 rezoning. She asked the Commission to stick to the development standards already agreed upon in this area, especially the commitments agreed upon above the zoning standards. She encouraged the Commission to insist on more site-specific requirements and to not agree to a broad sweeping rezoning with large variance possibilities, or to dilute what was already committed to in 2004. She closed by stating that the Symphony development is massive in size and scope and will have a huge impact on the reputation of our City.

Mr. Chris Michaelsteder expressed concern regarding First Mile, a subsidiary of Estridge Companies, which is currently under investigation by the Indiana Utility Regulatory Commission. He stated that the investigation was opened due to complaints by the residents of Centennial concerning the services and the lack of choice for other providers. He asked that the Commission prevent a repeat of this situation by requiring notification by Estridge to the Technical Advisory Committee and that the Commission take steps to make sure Estridge follows through on the IURC statement.

Mr. Ken Kingshill expressed concern regarding the widening of Towne Road. He stated that the Thoroughfare Plan calls for Towne Road to be a Primary Arterial thoroughfare, which would require a right-of-way of 150 feet. He proposed that most of the 150 foot right-of-way be taken from the golf course side of Towne Road. He noted that his house sits approximately 80 feet from Towne Road, and that taking half of the recommended 150 feet evenly on both sides of the street would render his and his neighbors properties unusable. Secondly, he expressed concern about transitioning between the project and existing residential properties. He stated that we hear a lot about transitioning between different uses, but would like to make sure consideration is given to transitioning within like uses as well. Further, he asked for some consideration of 360 degree architecture and for some enhanced transitional buffering requirements, all the way around the project.

Mr. Brian Harris voiced his support of Estridge Companies and their sense of community. He also spoke positively about the growth of the Woodwind Golf Course facility.

Mr. Brent Noonan stated that when he purchased his home, it was sold at a higher price point because it abuts a pond. Noonan explained that the pond abuts an area of the Symphony project that is designated as Mixed Use District. Noonan expressed concern over that and the impact on property values. Noonan requested that Estridge considers a transition plan and not jeopardize the property values of those homes.

Ms. Keltie Domina spoke in favor of the project and of Estridge Companies.

Ms. Sara Gillian expressed several concerns regarding the proposed community, including buffers near rural properties, light pollution from stadiums, types of lighting, cost to the public of this type of development, and the need for new schools. She stated that the developer did not mention setting aside any money or land for schools. She was concerned that as a result, the public will need to pay for those schools and thought that maybe a school should be built instead of a baseball stadium. She further added that it is hard for her to imagine how the sewer plant will handle all this additional development. She believes the treatment plant will have to be upgraded, which will cost the public monies. Finally, she expressed concern as to whether the impact fees are high enough to pay for the roads.

Mr. Bruce VanAtta stated that his property abuts the eastern border of the golf course and expressed concern that when they add on to their home, they will be within 200 feet of the proposed condominiums. He further stated that they have no objection to what was being proposed to the south of their property, but expressed concerns with what was being proposed to the west of their property.

Mr. Bruce Watson, representing several of his neighbors in Centennial, expressed concerns regarding the development of the proposed continuous care community at the northeast corner of 146th Street and Ditch Road. He stated that there have been discussions around the community, and some of the concerns have been brought to the Estridge Companies. He stated that they also have met with Community Development. He expressed a desire that multi-story, institutional style buildings not be constructed directly behind their properties. He stated that there has been some talk about independent living units being constructed in that area, which would be the preference of the neighbors. Watson stated that the neighbors would also like to know more specifically how that area will be developed and how the road network will be configured. He expressed a concern that there not be direct access into Montclair Drive and no commercial development at the corner. He also expressed concern about the location of the YMCA and does not believe that the proposed location is the most appropriate site for that structure, stating that if there is to be a sports complex, then it would be better to site the YMCA there.

Mr. Dave Thomas expressed concern about the buffer zone between the proposed structures and 166th Street and property on the south side of 166th Street. He also expressed concerns about drainage.

Mr. Mark Wapol asked if there is an alternative if the private sector does not embrace the vision Estridge is proposing.

Mr. Justin Style spoke regarding the sense of community in Centennial and supports this new proposed development.

Dr. Ginny Kelleher expressed concern about buffers and stated that she has many notes concerning the development and will forward them to Skelton and Estridge.

Mr. Kevin Paski asked for more details on the project, such as types of homes, square footage, home values, and common fees. He also asked about the nearby lift station and what will happen to it if the proposed development is approved. He further stated that he agrees with previous mentioned concerns about the 75 feet Right-of-Way on Towne Road and stated that road frontage should be saved for existing home owners. His final concern was regarding the water table and what the possible effects will be on his two wells.

Mr. John Goers expressed concern about the corner of 146th and Ditch which is zoned multi use. He further stated that he lives in Centennial South, which are premium homes. He stated that concerns regarding multi-family facilities, parking lots, trash, associated with the proposed development. He asked that the Commission take into consideration the homeowners in the Centennial South area.

Mr. Craig Wood expressed concern about the type and location of the amenities. He asked that if there is a balance between amenities for Symphony residents versus public amenities. He questioned, if traffic to and from the public amenities would be detrimental to the residents of the respective villages.

Mr. Jamie Cartis expressed concern about the impeccably kept properties that already exist and asked that Estridge be respectful of those existing properties. He also asked where dump lots will be located during construction.

The Public Hearing closed at 9:08 p.m.

Estridge responded to Public Hearing comments. He discussed First Mile Technologies and stated they do not control any other service providers; that other service providers refused to service this area. He further stated that they have met with the school corporation and that the school corporation agrees proposed development adds to the revenues for the school system and does not burden the school system. He continued that the school corporation further believes no additional schools are needed beyond what is currently planned for. He stated the odor at the lift station will be resolved.

Sanders asked the Commission to consider appointing a subcommittee to review and work with Estridge on this project. He suggested to appoint Dr. Ginny Kelleher to chair the committee.

Spoljaric asked that this consideration to be addressed at the next meeting.

Skelton recommended this process be handled during the Commission public hearings and meetings.

Spoljaric commented on lack of detail in the actual zoning ordinance. She further stated that the public needs to understand that recommendations are based on the ordinances to which we are legally bound.

Case No.	1006-PUD-06
Petitioner	Westfield Enterprises, LLC
Description	2432 East South/171 st Street; requests a change in zoning of approximately 9.5 acres from AG-SF1 to the Kalorama Park PUD.

Schafer reviewed the Kalorama Park PUD proposal, which was introduced at the May City Council meeting. He stated that mailed public notice and newspaper notice were conducted in accordance with procedure; however, the notice on the site was posted for five days rather than the required ten days. He continued that the Commission will need to waive this notice requirement in order to proceed.

Mr. Jim Anderson presented the details of the Kalorama Park PUD. He stated that the property is in the process of being annexed. He discussed development design and storm water design. He stated that the development would preserve about 50% of the property as well as enhance the Midland Trace Trail.

Motion: To waive the sign-notice requirement.

Motion by: Horkay Second by: Hoover; Vote: Passed by Voice Vote

A Public Hearing opened at 10:00 p.m.

Mr. Bryan Stumpf stated that he appreciates the scale of the homes and the sensitivity to the environment.

The Public Hearing closed at 10:03 p.m.

Hoover asked about the neighborhood meeting and how the response was.

Anderson stated that the neighborhood meeting went well; a few people were apprehensive at the beginning but appeared better after the presentation. Anderson stated he intends to meet with the neighbors directly east of the development.

Sanders noticed that the staff report had discussion on alternative street material and asked if any resolution.

Skelton stated that this is still being investigated; analysis and recommendation will be presented at the next meeting.

Spoljaric asked about building materials, timeline, and amenities.

Anderson responded that the building materials will be predominantly cement board, no vinyl siding, and no artificial stone. He stated that, concerning a timeline, he would like to begin site construction next spring. He continued that the internal road system will have to be put in as part of the first phase, and that trails have to go in now. He further stated the Midland Trail is already through the subject property.

ADJOURNMENT (10:10)

Approved (date)

President, Robert Smith, Esq.

Vice President, Cindy Spoljaric

Secretary, Matthew S. Skelton, Esq., AICP

The Westfield-Washington Advisory Plan Commission held a meeting on Tuesday, July 19, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Dan Degnan, Pete Emigh, Cindy Spoljaric, Bob Spraetz, Robert Smith, and Steve Hoover.

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

Approval of the Minutes:

Motion to approve minutes of June 21, 2010 and July 6, 2010 as presented.

Motion: Spoljaric; Second: Spraetz; Vote: Pass by Voice Vote

Miller reviewed the public hearing rules and rules of procedure.

OLD BUSINESS

Case No.	1006-PUD-06
Petitioner	Westfield Enterprises, LLC
Description	2432 East South Street; Petitioner requests a change in zoning of approximately 9.5 acres from AG-SF1 to the Kalorama Park PUD.

Skelton discussed the project and stated that staff proposed several modifications and worked through them with the developer to reach mutual solutions. He stated that staff is recommending approval of the proposal as modified.

Spoljaric stated that it is difficult to envision how this project will all fit with 50% open space and up to 40 units, which is 8 units per acre, with 25-foot lot widths and a 1,500 square foot minimum floor plan.

Skelton referred to the Phase I plan and stated that the intent is not to build 25-foot wide lots, but because of the orientation around open space, there will be some exceptions and that this is more about the concept overall.

Spoljaric asked if there will be fencing on individual lots.

Mr. Jim Anderson responded that each house will be separated from courtyard space in the cottage clusters by a fence.

Spoljaric asked about the timing of the amenity phasing.

Skelton stated that the amenities will be required at the time of each phase construction.

Anderson stated that generally speaking, all the amenities will be constructed at the beginning of the project.

Motion to send 1006-PUD-06 to the City Council with a positive recommendation.

Motion: Hoover; Second: Emigh; Vote: 6-0

Case No. 1007-PUD-07
Petitioner WLB Associates, Inc.
Description Northeast Corner of Springmill Road and Spring Lake Drive;
Petitioner requests a change in zoning from the SF-A District to the
Maples at Springmill PUD District to allow single family detached homes.

Skelton discussed the petition, stating that staff has reviewed the ordinance in detail. He also mentioned the addition of architectural standards. He further stated that the developer has agreed to the proposed changes and staff recommends approval.

Spoljaric asked for clarification regarding the courtyards being included as common space.

Mr. Jon Dobosiewicz stated that the patios and fences on exterior in Phase I are all within common area – the resident only owns the footprint underneath the unit. He further stated that courtyards and exterior improvements would be approved by the association.

Hoover asked if the porches would be located in common area or part of the footprint.

Mr. Wayne Beverage responded that generally speaking when they measure the footprint, they measure only the enclosed space. So, anything outside the footprint is in common area.

Hoovers confirmed that the porch then is also common area under that definition.

Beverage responded that Hoover is correct.

Motion to send 1007-PUD-07 to the City Council with a positive recommendation.

Motion: Degnan; Second: Spraeetz; Vote: 6-0

Case No. 1001-PUD-01
Petitioner Estridge Development Company
Description 146th Street and Towne Road; Petitioner requests a change in zoning on approximately 1,409 acres from the AG-SF1, SF-2 and Centennial North PUD districts to the Symphony PUD District.

Skelton presented the staff action plan stating that discussion tonight would include the master plan, the consent issues, and public input summary. He further stated that later in the meeting, the petitioner will share the concept for village development.

Degnan suggested that all public comments be kept in one place. He also expressed concern about the date expectations on the action plan.

Hoover stated that he is getting close to completing a first review, and that he has a lot of questions.

Mr. Paul Estridge, Jr. addressed the timeline, stating that the petition was filed December 7, 2009 and this is the fourth draft and offered one or two working meetings to begin the process and answer questions.

Smith asked for agreement from the Commission of the guideline given.

Skelton discussed the consent item, stating that the petitioner is going to withdraw the Laufter property from the proposal. He stated that he believes the other outstanding consent issues can be resolved.

Spoljaric asked if the Commission is allowed to review a PUD that is not under single ownership or control.

Mr. Joe Calderon stated that the Laufter property has been formally withdrawn from the proposal. He further stated that there is a similar situation with 129 acres owned by Carriger & Caito, who authorized the petitioner to proceed until such time that business issues can or cannot be resolved. Calderon stated that last Friday, Carriger & Caito formally requested that Estridge make a formal proposal for the property. He further stated that this property does not need to be withdrawn at this time and hopefully by the next meeting, the petitioner will have formal consent.

Skelton discussed the public input summary stating that the consistency of comments received were in regards to: the Ditch Road and 146th Street commercial area; the impact on property values, including light, noise, aesthetics, and buffering/transitions; holding true to terms in zoning conditions or commitments; the alignment of Towne Road; how the exception piece will be buffered (Laufter property), if the market will support this project; what will happen to our market; and is this viable in the marketplace.

Estridge responded to the public input issues stating that the YMCA has been moved to the corner of Ditch Road and 146th Street. He further stated that the pond(s) in that area of Symphony and the pond in Centennial South will be connected to create one large pond. He further added that the tree line will be preserved between residents and the YMCA soccer/baseball fields. He stated that at the next meeting, the petitioner will have a detailed design of exact types of buffers. Regard to lighting, he stated that the City's standards are being met with a few requested exceptions. He further stated that lighting has been eliminated on the golf/driving range. Estridge addressed the viability of proposed commercial areas, stating that one of the reasons they believe the commercial is very viable is because of what 146th Street will become in the future. He also discussed traffic counts.

Estridge further addressed some miscellaneous items. He stated that the amenities will not be combined with Centennial but there will be two separate HOA's. He further stated, with regard to service provider choices, that all service providers will be asked to provide higher levels of technology, including fiber to the home, noting that this will be open to anyone who wants to meet the technological standards.

Estridge stated that the proposed interceptor sewer will eliminate the lift station at 156th Street and Towne Road. He stated that the Towne Road realignment will need more discussion. He addressed the cost to the public stating that the cost to the community will zero because Symphony pays for the cost of infrastructure from fees (i.e. developer fees, builder fees, etc). He also stated that no new schools will be required based on conversations with the school corporation. He added that they are meeting the City's standards regarding drainage.

He addressed village platting, stating that the petitioner is proposing a different platting process whereby each section of each village would be platted on a village by village basis.

Hoover asked if the petitioner's summary could be forwarded to the Commission members.

Spoljaric stated that moving forward, it would be helpful to have information ahead of time in order to be prepared.

Skelton encouraged the Commission to get their questions to staff as they come up so that staff can have plenty of time to research and address them.

BZA LIAISON COMMENTS

Degnan discussed a recent BZA case where a gun shop placed next to a school was allowable, although the variance of use request for an indoor range was denied by the Board. This item raised his awareness of what the zoning ordinance might allow, and he felt this may be something that may need to be addressed in the future.

COMMISSIONER COMMENTS

Spoljaric asked for update on Grand Junction Zoning Ordinance.

Skelton responded that staff met with the consultant last week and is putting finishing touches on it. He further stated that it will probably be presented to the Grand Junction Task Group first, then brought forward to Plan Commission later.

ADJOURNMENT (8:30 p.m.)

Approved (date)

President, Robert Smith, Esq.

Vice President, Cindy Spoljaric

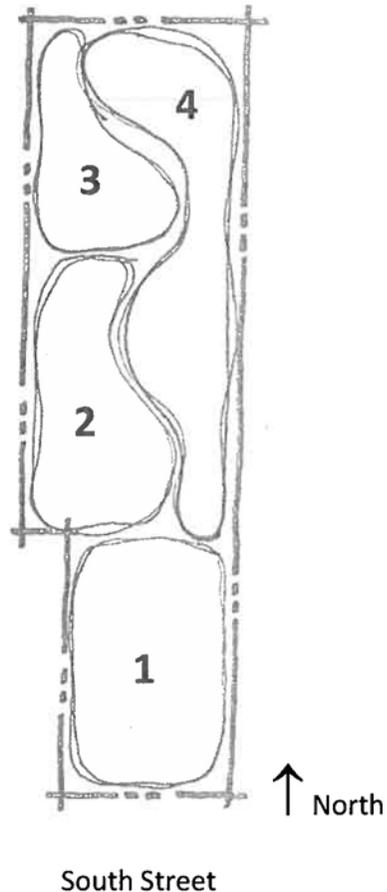
Secretary, Matthew S. Skelton, Esq., AICP

TREE ANALYSIS AND INVENTORY

Due to the extensive volume of trees, it would be cost prohibitive to inventory all trees. There are hundreds of trees greater than 8" in diameter on this site. It is hoped that the following descriptions and analysis will provide an appropriate image of site conditions.

We have identified 20 species of trees on site. These species are noted on the attached Tree Species and Abundance list. The predominant species are Ash, Sugar maple, Black cherry, Sycamore, Hackberry, Black walnut, with smaller amounts of White pine, Mulberries, Oak and Tulip trees. This site has a healthy mix of trees, ranging from young seedlings to mature trees.

We have divided the site into four distinct sections: The southern third (Area 1 on Tree Analysis Map); the middle third (Area 2); and the northern third (Area 3); and the eastern edge (Area 4). Each section is distinctively different.



Area 1



The southern third of the site has a tree fence row along the eastern and western property lines with a grassed meadow between.

There is one specimen quality Dogwood along the eastern property line. The fence row along the eastern property line has fair to poor quality Hackberry, Elder, Elm and Cherry.

The western property line of this section has groupings of evergreen and deciduous trees. These trees are in excellent to good condition, with the best quality trees being non-indigenous species. The best quality trees (excellent) are White and Scotch pines. Along the fence row are smaller Ash, Hackberry and Mulberry. Between the eastern and western edges the front third is manicured lawn.

Area 2



The middle area is mature trees with manicured lawn. This area is predominantly Ash and Sugar maple, with some Walnuts. One mature White pine, approximately 50' tall, is also located in this section. There is no understory and the ground cover is grass.

Area 3



The northern third of the site contains disturbed and undisturbed woodland.

There is a healthy mix of young and mature trees in the undisturbed area located on the eastern half. The predominant species is a mix of Ash, Sugar maple, Cherry, Oak, Hackberry and Sycamore. These trees are mostly good to excellent quality.

The disturbed section has trees varying from fair to poor. The disturbed area is likely the result of mass earthwork associated with the construction of the subdivision and apartment housing projects to the west many years ago. This area has many volunteer species and some trees in this area are being choked with an invasive vine. These vines need to be severed to prevent further invasion. Most trees in this area have been disfigured and strangled by these vines. The understory is a thicket-like environment with some trash and construction debris.

Area 4



The eastern edge (Area 4) represents the highest quality woodland on the site. This area has a healthy mix of excellent Sugar maples with Oak, Cherry and Ash trees, with an undisturbed woodland ground cover. Several Walnuts and Sycamore are found on this area with a spattering of Oaks, Cottonwood, Sweet gum and Tulip trees. There is a tree of distinction in the northeast corner; this tree is a multiple trunked Sycamore with a diameter of approximately 25 feet.

In conclusion, this site has many excellent to good trees. The eastern edge of this property is a good example of high quality urban forestation. The remainder of the site also contains many excellent, good and fair trees.

Tree Species and Abundance

	Tree Species	Botanical Name	Approx.% of total
1	Ash	Ulmus americana	27
2	Black cherry	Prunus serotina	14
3	Black walnut	Juglans nigra	8
4	Boxelder	Acer negundo	1
5	Cottonwood	Populus deltoides	1
6	Elderberry	Sambucus canadensis	1
7	Flowering dogwood	Cornus florida	1
8	Hackberry	Celtis occidentalis	8
9	Red bud	Cercis canadensis	2
10	Red oak	Quercus rubra	2
11	White oak	Quercus bicolor	1
12	Sassafras	Sassafras albidum	1
13	Scotch pine	Pinus sylvestris	1
14	Siberian elm	Ulmus pumila	1
15	Silver maple	Acer saccharinum	3
16	Sugar maple	Acer saccharum	18
17	Sweet gum	Liquidambar styraciflua	2
18	Sycamore	Platanus occidentalis	5
19	Tulip	Liriodendron tilipifera	2
20	White pine	Pinus strobus	1