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**Date:** April 29, 2011  
**To:** Westfield Plan Commission Members  
**From:** Jon Dobosiewicz, Nelson & Frankenger  
**RE:** Amended and restated Oak Ridge Pointe PUD

Plan Commission Members,

As you are aware this item was presented to the Plan Commission on April 4. At that time a request was made for the applicant to consider defaulting to the standards of the State Highway 32 Overlay Zone (as contemplated at the time). The applicant agreed to make this change with exceptions which were reviewed and are supported by the Community Development Department.

To this end we have updated the PUD text to implement this change. Please find (i) an updated summary of the proposed ordinance text amendments and (ii) a copy of the proposed ordinance text included with this transmittal.

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

Very truly yours,

NELSON & FRANKENBERGER, P.C.

*Jon C. Dobosiewicz*

Jon C. Dobosiewicz

## Summary of Amendments

The Oak Ridge Point PUD has been amended as follows:

1. A minimum building size of 2,500 square feet in ORP – Commercial 1 district (presently 8,000 square feet).
2. ORP – Commercial 2 District is amended to permit retail uses not to exceed 5,000 square feet of floor area within the district (presently 3,600 square feet).
3. Removed the maximum permitted retail use limitation from the ORP – Commercial District 3 (presently limited to 10,600 square feet).
4. A standard was added requiring loading berths to be oriented in a manner such that they are not visible from State Road 32 with the exception of an automobile fuel sales use.
5. The required minimum path width along Oak Ridge Road has been increased to twelve (12) feet to accommodate the Monon Loop.
6. Development Plan and Secondary Plat review and approval has been delegated to the Director.

Much of the text of the ordinance has been removed as the standards were the same as those required in the Zoning Ordinance and now default automatically to the Zoning Ordinance.

In addition, the above list of amendments is much shorter than the list presented at the April 4 meeting. This is a result of defaulting to the proposed State Highway 32 Overlay standards with the following exceptions:

1. One right-in / right-out access is permitted on each side of State Road 32.
2. An access road consistent with Exhibit 16.04.065.D is not required due to the adjacent uses and location of the Anna Kendal legal drain.
3. Ground signs may be placed between the building and State Road 32.
4. The maximum building setback and height requirements are inapplicable to the Office district along the Midland Trail.
5. The minimum building sizes are set per the requirements of the individual districts.
6. The path location along SR 32 will cross the Anna Kendal legal drain within the existing right-of-way.