

67103  
29  
J. Deonore

**ORDINANCE 10-05**

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

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

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

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

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

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

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

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

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

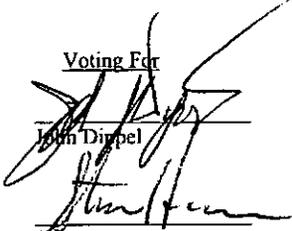
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS 12 DAY OF April, 2010.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

Voting For

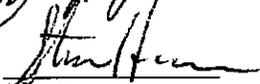
Voting Against

Abstain

  
John Dippel

John Dippel

John Dippel

  
Steve Hoover

Steve Hoover

Steve Hoover

  
Robert Horkay

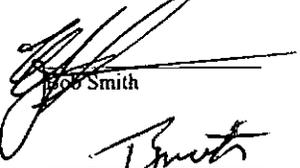
Robert Horkay

Robert Horkay

  
Kenneth Kingshill

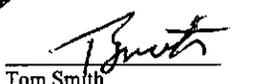
Kenneth Kingshill

Kenneth Kingshill

  
Bob Smith

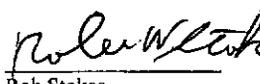
Bob Smith

Bob Smith

  
Tom Smith

Tom Smith

Tom Smith

  
Rob Stokes

Rob Stokes

Rob Stokes

ATTEST:

  
Cindy Gossard, Clerk-Treasurer

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

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

Signed \_\_\_\_\_

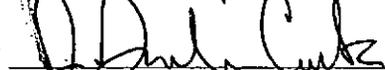
I hereby certify that ORDINANCE 10-05 was delivered to the Mayor of Westfield

On the 13 day of April, 2010, at 1:00 p. m.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-05

This 13 day of April, 2010.

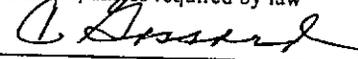
  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 10-05

this \_\_\_ day of \_\_\_\_\_, 2010.

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

"I affirm, under the penalties of perjury,  
that I have taken reasonable care to redact  
each Social Security Number in this  
document, unless required by law"

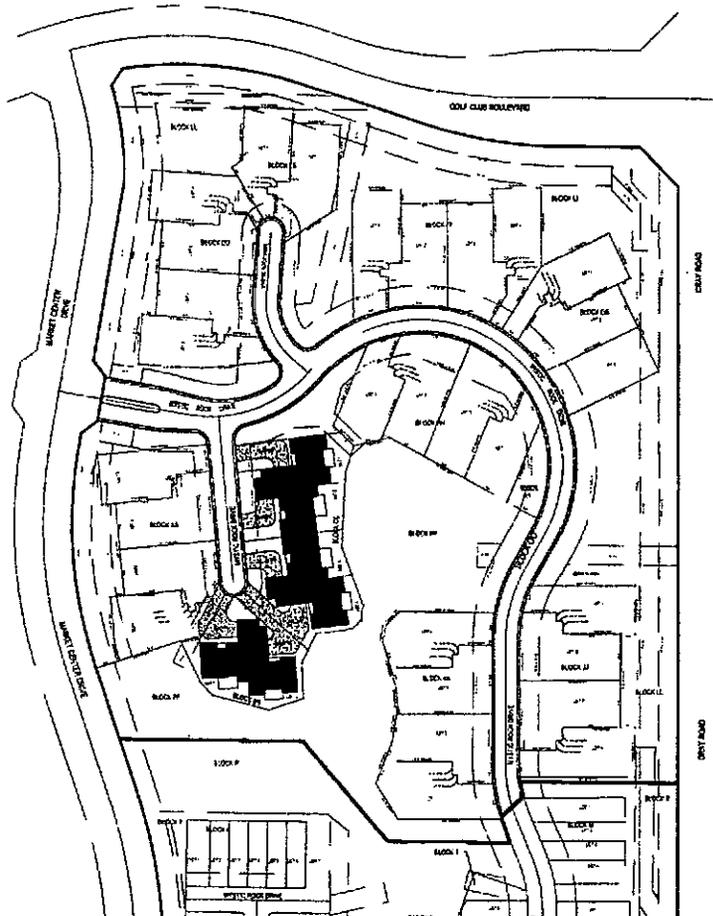
  
Signed

**EXHIBIT A**

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

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

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



**EXHIBIT B**

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

- 1 – The minimum lot width of 55' shall be measured at a point that is 50' back from the front lot line and not at the bulding line at which the building is actually built;
- 2 – The minimum lot arca shall be 5,000 square feet and not 7,500 square feet; and,
- 3 – The minimum front yard set back shall be 15' and not 20'; the minimum front yard setback for a garage shall be 18'.

# TAB 1

**Bridgewater PUD – Parcel “J”  
PUD Amendment**

**Ordinance 10-05**

**Docket No. 1003-PUD-04**

**CITY OF WESTFIELD, INDIANA**

**April 12, 2010**

**Westfield City Council**

Applicant: Adams & Marshall Homes, Inc.

Attorneys – Nelson & Frankenberger, P.C.

Attn: James E. Shinaver, Attorney

844-0106

Attn: Jon C. Dobosiewicz,

Professional Land Planner

844-0106

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1. Explanation of Request
2. Site Location Exhibit
3. Existing Site Layout
4. Proposed Site Layout / Lot Configuration  
Proposed Lot Configuration with Existing Overlay
5. Ordinance

**TAB 2**

## EXPLANATION OF REQUEST

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

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

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

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

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

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

Respectfully submitted,

James E. Shinaver

Jon C Dobosiewicz

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

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

SF = Square Feet

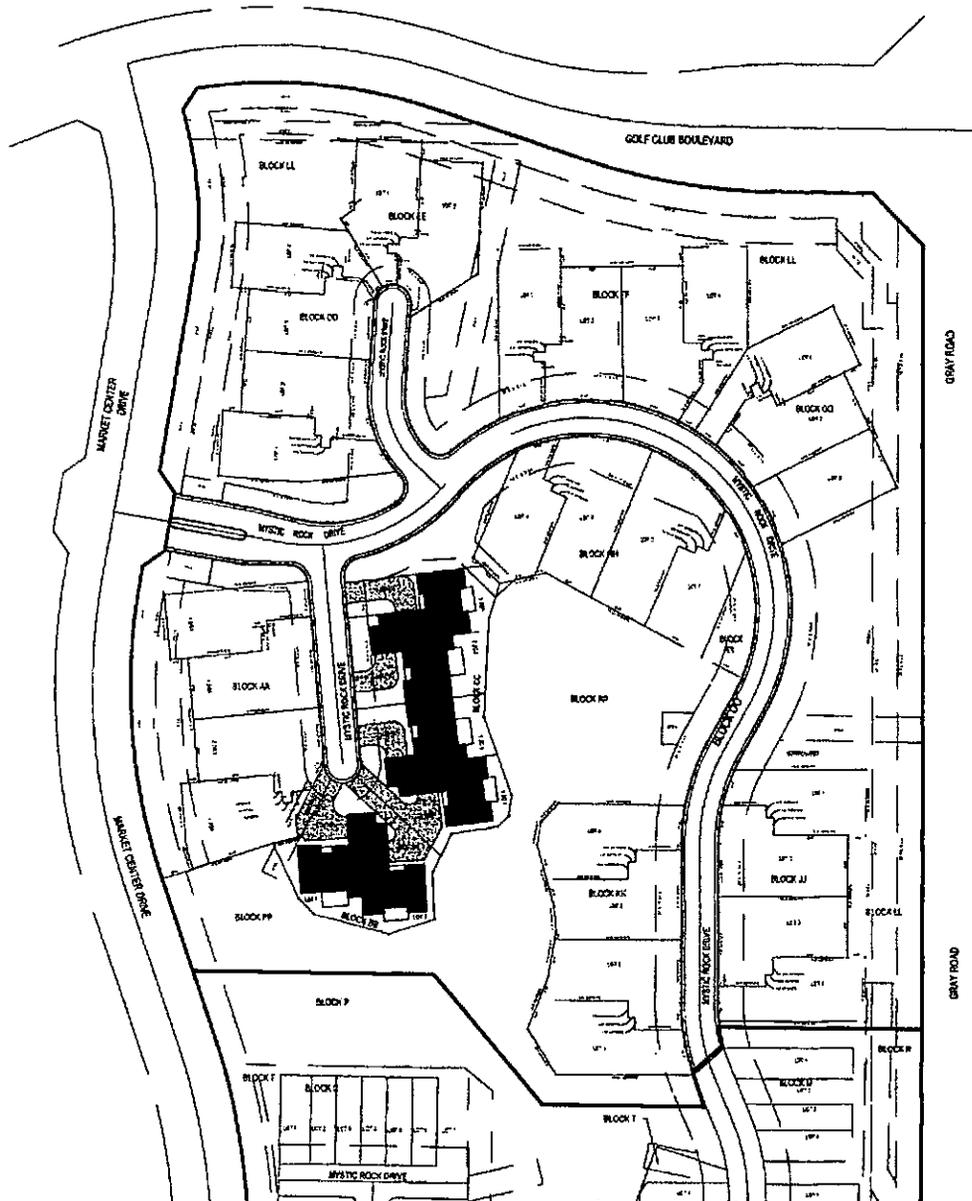
Note: The text in *italics* represents the only change in text that is proposed.

## **TAB 3**



Site Location Exhibit

**TAB 4**



**Existing Site Layout**

**TAB 5**



**Proposed Site Layout / Lot Configuration**



**Proposed Lot Configuration with Existing Overlay**



## Westfield City Council Report

**Petition Number:** 1003-PUD-04  
**Approximate Address:** 3600 East 161<sup>st</sup> Street  
**Petitioner:** Adams and Marshall Homes, Inc.  
**Representative:** Jon Dobosiewicz, Nelson & Frankenberger  
**Requested Action:** Amendment to the development standards for an area of Parcel J of the Bridgewater PUD.

**Current Zoning Dist:** Bridgewater PUD  
**Requested Zoning Dist:** Bridgewater PUD  
**Approximate Acreage:** 8 acres  
**Filing Date:** February 2, 2010  
**Referral Date to APC:** February 8, 2010  
**APC Public Hearing:** March 1, 2010  
**APC Recommendation:** March 15, 2010  
**Associated Ordinances:** Ord. 06-49, Ord. 08-05, 09-17 & Ord. 10-01  
**First Reading:** April 12, 2010  
**Second Reading:** May 10, 2010, if applicable  
**Eligible for Adoption:** April 12, 2010  
**Exhibits:**  
1. Staff Report  
2. Aerial Location Map  
3. Proposed Amendment

**Prepared By:** Kevin M. Todd, AICP, *Senior Planner*

### PETITION HISTORY

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

### PROCEDURAL

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

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

### **PROJECT DESCRIPTION**

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

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

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

### **PUBLIC POLICIES**

#### **Comprehensive Plan-Feb 2007, as amended**

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

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

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

#### **Parks & Recreation Master Plan-Dec 2007**

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

Water & Sewer System-Aug 2005

The Property is currently served by water and sewer lines. The systems were designed to accommodate the number of proposed houses.

Annexation

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

Well Head Protection-Ord. 05-31

The Property is not within a wellhead protection area.

**INDIANA CODE**

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

1. The Comprehensive Plan.

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

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

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

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

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

4. The conservation of property values throughout the jurisdiction.

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

5. Responsible growth and development.

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

**RECOMMENDATIONS / ACTIONS**

o Community Development Department [March 15, 2010]

The Westfield Community Development Staff, under their final report to the APC, made a positive recommendation for this petition.

- Advisory Plan Commission [March 15, 2010]  
The Westfield-Washington Advisory Plan Commission has forwarded a positive recommendation for this petition (Vote of: 7-0).
  
- City Council
  - First Reading: [April 12, 2010]
  - Second Reading: [May 10, 2010, if applicable]
  - Eligible for Adoption: [April, 2010]

Hereby submitted this 6<sup>th</sup> day of April, 2010.

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

**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION  
CERTIFICATION**

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

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

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

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

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

March 16, 2010  
Date

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

3  
4 **Opening of Meeting: 7:00 PM**

5  
6 **Roll Call:** Note Presence of a Quorum

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

10  
11 **City Staff Present:** Matthew Skelton, Director; Kevin Todd, Senior Planner; Jennifer  
12 Miller, Senior Planner; Ryan Schafer, Planner I; and Brian Zaiger, City Attorney

13  
14 **Approval of the Minutes:**

15  
16 **Motion:** To approve the February 16, 2010 Public Hearing Meeting Minutes as  
17 presented.

18  
19 **Motion by:** Hoover; Second by Horkay; Vote: Passed by voice vote

20  
21  
22 Todd reviewed the Public Hearing Rules and Procedures.

23  
24  
25 **OLD BUSINESS**

26  
27 **Case No.** Ordinance 10-02  
28 **Petitioner** City of Westfield  
29 **Description** The Westfield City Council amends the Westfield-Washington Zoning  
30 Ordinance to include standards for Temporary Uses and Events (WC  
31 16.04.095) and new Definitions (WC 16.04.210).  
32

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

38  
39 **Motion:** To send Ordinance 10-02 to the City Council with a positive recommendation.

40  
41 **Motion by:** Degnan; Seconded by: Hoover; Vote: 5-1 (Sanders)

42  
43  
44  
45

1 NEW BUSINESS

2  
3 Case No. 1003-DP-02 & 1003-SIT-02  
4 Petitioner Simply Leisure, Inc.  
5 Description 16950 Westfield Park Road; Simply Leisure, Inc. requests Development  
6 Plan and Site Plan Review for a proposed 268 square-foot greenhouse  
7 structure on approximately 0.9 acre in the EI District.  
8

9 Todd reviewed the petition, which is a greenhouse structure measuring approximately 12  
10 feet by 24 feet. Todd further stated that the greenhouse would be largely screened from  
11 view because it would be located in an existing courtyard area. He also stated this  
12 petition has been before the Technical Advisory Committee where no concerns were  
13 expressed. Todd stated that this development plan complies with the applicable EI  
14 development standards, minus the few items listed in the staff report. He added that there  
15 are a couple of landscaping items which need to be addressed further as well as the  
16 multiuse path. He indicated that the petitioner is aware of these items and has agreed to  
17 address them. Further, he stated the landscaping plan will be brought into compliance  
18 and a waiver sought for the multiuse path along Westfield Park Drive. Todd stated there  
19 is no action required by the Commission at this time; however, a Public Hearing has been  
20 schedule for tonight.  
21

22 Mr. Randy Farley was present to respond to questions and public comments.  
23

24 A Public Hearing opened at 7:13 p.m.  
25

26 No one spoke, and the Public Hearing closed at 7:14 p.m.  
27

28  
29 Case No. 1003-PUD-03  
30 Petitioner Herman & Kittle Properties, Inc.  
31 Description 4420 East 146<sup>th</sup> Street; Herman & Kittle Properties, Inc. requests a change  
32 in zoning of approximately 6.7 acres from the SF-3 District to the  
33 Commerce Centre PUD District.  
34

35 Todd presented details of the petition, which is a change in zoning request the location of  
36 the proposed zoning change is on the north side of 146<sup>th</sup> Street just to the west of Gray  
37 Road and to the east of Setters Run subdivision. Todd discussed the requirements of the  
38 PUD ordinance. He further stated the petitioner's original proposal included outdoor  
39 storage; however, after meeting with neighbors and further discussion with city staff, the  
40 petitioner has agreed not to include outdoor storage as a component of this project. Staff  
41 believes this is a good infill project for this property and supports the project. Todd  
42 stated there is no action required by the Commission at this time; however, a Public  
43 Hearing has been schedule for tonight.  
44

1 Mr. Steve Hardin, Baker & Daniels, representing the petitioner, discussed the 6.7 acre  
2 site and the proposed redevelopment of the existing property. He stated that comments  
3 from the City Council had been addressed and that the petitioner met with neighbors  
4 around the property. Hardin discussed four major concerns of the neighbors. He stated  
5 that one request of the neighbors' was for opaque screening adjacent to the preservation  
6 area. He stated that the petitioner agreed to include a six-foot wooden shadowbox fence  
7 along that stretch of the property. He mentioned that a second request was to not allow  
8 HVAC equipment to be located on the western side of the climate control building.  
9 Hardin stated that the petitioner agreed to that. He further stated there was interest in a  
10 future pathway along the north side of 146<sup>th</sup> Street. Hardin stated that the petitioner has  
11 agreed to install a path in that location. Lastly, neighbors asked if the petitioner would be  
12 willing to relocate the entrance to the eastern portion of the property. Hardin stated that  
13 they would seek to make that change, depending upon approval by the County. He  
14 further stated that the petitioner has met with the Hamilton County Highway Department  
15 to explore options, and believes it will be possible to locate the drive on the eastern  
16 portion of the property. Hardin added that a revised concept plan will be available at the  
17 March 15 meeting for review. Hardin further stated that the developer of Bridgewater  
18 has requested the brick color in this project be matched to the brick color of Bridgewater  
19 Marketplace. Hardin noted that the petitioner has agreed to this request.  
20

21 Spoljaric expressed concern about some of the permitted uses of GO (General Office) if  
22 the concept does not happen. She believes not all of the uses could be appropriate next to  
23 a residential area. She also asked about a second access point.  
24

25 Todd stated that staff requested the exclusion of some of the uses in GO, specifically,  
26 agriculture and multi family; however, he stated the rest of the uses are office uses.  
27

28 Skelton stated staff would review this use list further.  
29

30 A Public Hearing opened at 7:28 p.m.  
31

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

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

3  
4 Mr. Jordan Worley, 14715 Keller Terrace; I would like to present petition to APC with  
5 117 signatures, one signature from each house of the community, stating the residents  
6 and property owners of Setters Run wish to stop the rezoning of the 6.7 acres of property  
7 adjacent to our community. The proposed buffer zone of 40 feet provides approximately  
8 one tree and in many cases no trees between the property line and the storage units at the  
9 east end of our community; this will inadequately buffer light or noise pollution  
10 generated by the proposed property. Secondly, the proposed property would significantly  
11 and negatively affect not only the aesthetic but the monetary values of our properties we  
12 have purchased. All residents in this community use this eastern edge whether for the  
13 fitness trail or the fishing ponds. We see all summer long families riding, roller blading,  
14 walking dogs, fishing, etc. We are opposed to rezoning the property at the east end of  
15 Setters Run Community. We believe we were inadequately notified of the meetings.  
16 Concerned about how a property with traffic running through it even if maybe just one or  
17 two cars at a time, how they aren't proposing light poles to be able to see to unload;  
18 proposed gate time of 6:00 am to 10:00 pm. In Indiana it gets dark at 5:00.

19  
20 Mr. John Hauber, 4215 Shine Court; unable to attend the public meeting; only given 48  
21 hours notice. My responsibility as President of the HOA and, in fact, the whole board, is  
22 to do whatever we can to try and keep the property values of the community high. This  
23 project with light pollution and noise pollution is going to severely affect the property  
24 values of our homes. And not just the homes affected by the site, but the entire  
25 community. We need comparable market analysis; if anyone wants to sell homes, they  
26 will look at what homes are selling for. The homes along the eastern edge, what you  
27 can't tell from this map, by the retention pond, it slopes down and there are walk out  
28 basements; the only walkout basements in the community, and I would say these are the  
29 highest value homes in the community. If each of those falls by \$25-\$50,000, which it  
30 will, because they are up on a hill and regardless of how high the wall is, they are going  
31 to be looking down at this. So rather than the trees they see now, they will see a roof  
32 line. The effect on their homes will affect every single home in the neighborhood. So  
33 while I'm pleased that this would be a \$4,000,000 project to the Community; that  
34 \$4,000,000 spread out over 200 homes would be a loss of \$4,000,000 in property values  
35 to our homes. I'm surprised and confused why anyone would want to rezone this to  
36 commercial and why we would even consider putting this in a residential area along 146<sup>th</sup>  
37 Street when there is adequate room for this very same project anywhere along 31, 32, and  
38 the industrial park. To put it in a residential area would be absurd and it's going to be  
39 very harmful to 200 families in that area. I would suggest that the only reason we have  
40 117 signatures is that we have not been able to get to a lot of people, but I'm confident  
41 we could get 90-95% of people.

42  
43 Ms. Julie Mantley, 4439 Updike Circle; my house is right next to it. Right now we look at  
44 a beautiful wooded area, beautiful wooded trees; we have all kinds of wildlife, including  
45 deer, owls, coming into our yard. All these homes are two stories houses, and will be

1 looking at hideous ugly office buildings. This is going to severely affect our property  
2 values; we do not want this. This is surrounded by a residential area we do not want  
3 commercial right next to us.  
4

5 Mr. Mic Mead, 15466 Oak Road; I very much sympathize with these neighbors and their  
6 civility in presenting very serious concerns to you. I don't know whether you have to  
7 pass this or not but if you do, I highly recommend spruce trees and white pines planted  
8 between whatever trees they can salvage that are there. There are landscaping credits  
9 provided for; the bigger the trees they save, the more credits they get, and I hope the  
10 developer can do all they can to create a barrier there. If they build this, I would like to  
11 know that this allows only right-in and right-out to that access. I'm a big champion of  
12 connectivity; I don't know how you would do it, but if there's a way to have connectivity  
13 from Walgreens on an access road rather than people having to go out from one project  
14 and back into another, whether there's a right-in and right-out, directly or not, there  
15 should be an access from one commercial project to the next. The power company  
16 certainly complicates that. If they have that, I hope you require them to commit to never  
17 applying for a cut in the median so they could change that and eventually have another  
18 stop light on 146th Street. And certainly there should be no dog kennel; any dog kennel  
19 is going to be heard by the immediate neighbors.  
20

21 Spoljaric read an email from Brian Morales; he was concerned about 24-hour access; he  
22 thought this was a whole lot to be put on to this piece of property. He thought second  
23 story faux windows would be good to break up the long expanses on the buildings. Also  
24 he was worried about the access and fire lanes. What about car ports? Would that be  
25 included in the outside storage realm?  
26

27 The Public Hearing closed at 7:47 p.m.  
28

29 Hardin committed to the petitioner regrouping and addressing issues raised tonight and  
30 reporting back to staff before coming back before the Commission.  
31

32 Hoover asked if all the proposed structures are one-story in nature; and what is the  
33 maximum height.  
34

35 Hardin stated there are three different heights and the tallest height is sixteen feet.  
36

37 Sanders expressed concern about whether a fire truck could turn around on this property.  
38

39 Staff responded this item was addressed at Technical Advisory Committee, and that this  
40 project would still need to go through the development process and issues like adequate  
41 fire turnaround will be reviewed at that time.  
42

43  
44  
45

1 Case No. 1003-PUD-04  
2 Petitioner Adams and Marshall Homes, Inc.  
3 Description 3600 East 161<sup>st</sup> Street; Adams and Marshall Homes, Inc. requests an  
4 amendment to the development standards for an area of Parcel J of the  
5 Bridgewater PUD.  
6

7 Todd introduced the petition, which is an amendment to the Bridgewater PUD ordinance,  
8 specifically for some development standards in Parcel J, commonly known as  
9 Bridgewater Lakes. He stated that this area was originally platted in 2004 for duplexes,  
10 quads and triplexes, and that two of those buildings have been constructed, containing a  
11 total of six units. He further stated that the petitioner is seeking to develop the remainder  
12 of the property with detached single family homes. He explained that since the site was  
13 originally designed for detached housing, a couple of the applicable development  
14 standards, specifically lot size and front yard set back, would need to be modified to  
15 accommodate a detached single family product. Todd stated that amendments are  
16 supported by staff, as well as the developer of Bridgewater. Todd stated there is no  
17 action required by the Commission at this time; however, a Public Hearing has been  
18 scheduled for tonight.  
19

20 Mr. Jon Dobosiewicz, Nelson & Frankenberger, introduced guests and presented details  
21 of the amendment to the PUD ordinance. He reviewed the layout, which includes 29  
22 single family detached lots. He discussed the proposed modifications including lot width,  
23 lot size, and front yard setback.  
24

25 Mr. Jim Marshall stated that the neighborhood meeting went very well and there were no  
26 problems with what was proposed.  
27

28 A Public Hearing opened at 8:12 p.m.  
29

30 Ms. Denise Frierhood asked about the price range of the homes and how many  
31 individuals were contacted by letter.  
32

33 The Public Hearing closed at 8:13 p.m.  
34

35 Dobosiewicz responded to public hearing comments stating 115 letters were sent out and  
36 30 people attended the neighborhood meeting. He also stated the prices for the homes  
37 ranged from \$200,000 to \$300,000.  
38

39 Hoover asked how soon construction would start.  
40

41 Dobosiewicz responded if approved, construction would start in the middle of May at the  
42 earliest.  
43  
44  
45