The
AREA PLAN COMMISSION
of Tippecanoe County

Notice of Public Hearing

Date: May 20, 2020
Time: 6:00pm
Place: County Office Building
Tippecanoe Room
20 North Third Street
Lafayette, Indiana 47901
AGENDA

Due to the public health emergency, public comment on agenda items may be submitted prior to the meeting at apc@tippecanoe.in.gov. Comments must include name and address to be heard. Comments may also be made live on the streaming platforms. Members of the public may watch and comment on the livestream of the meeting on https://www.facebook.com/TippecanoeCountyIndiana or https://www.youtube.com/channel/UCJleeA9ZQo9EllGdZTdjurQ

I. **BRIEFING SESSION**

II. **APPROVAL OF MINUTES**

Documents:

APC MINUTES 02.19.2020.PDF

III. **NEW BUSINESS**

A. **COMPREHENSIVE PLAN RESOLUTION**

1. **RESOLUTION 2020-03 ELLSWORTH PROJECT:**
A resolution determining that an amendment to the *Consolidated Creasy/Central Lafayette Redevelopment Plan* conforms to the *Comprehensive Plan for Tippecanoe County*, specifically the proposed Ellsworth Project to be built between South, 4th, 5th and Alabama Streets.

Documents:

RESOLUTION 2020-03 ELLSWORTH PROJECT.PDF

B. **FINAL DETAILED PLANS RESOLUTION**

1. **RESOLUTION PD-2020-04: REDWOOD ACQUISITIONS, LLC (REDWOOD APARTMENTS PD, PHASE 1) Z-2764:**

   Final Detailed Plans for Phase 1 of the Redwood Apartments Planned Development. The approved preliminary plans allow for the construction of a multi-building, multi-family development containing a total of 173 units split between two phases (Phase 1 has 116 units, and Phase 2 has 57 units). The property is located on the south side of Twyckenham Boulevard just east of its intersection with Old US 231 in Lafayette, Wea 5 (NW) 22-4.

   Documents:

   REDWOOD APARTMENTS PD RESOLUTION.PDF

IV. PUBLIC HEARING

A. SUBDIVISIONS

1. **S-4905 BELLE TERRA SUBDIVISION, REVISED (MAJOR-PRELIMINARY):**

   Petitioner is seeking primary approval to replace the original 77 lot (and 2 outlots) preliminary plat approved July 18, 2018 (S-4755) on the same 27.64 acre tract located at the northwest corner of Cr 600 N and CR 75 E, in Tippecanoe 20 (SE) 24-4. The new layout will be for 79 single-family lots and 3 outlots, including a community building/clubhouse. *Continued from the March APC agenda; there was no public hearing in March or April due to health concerns.*

   Documents:

   S-4905 BELLE TERRA SUBDIVISION REVISED.PDF

2. **S-4908 KKLM PLACE SUBDIVISION (MINOR-SKETCH):**

   Petitioners are seeking primary approval for a one lot subdivision on 1.885 acres, located on the west side of N. County Line Road East, approximately 1/2 mile north of SR 26 E, in Perry 24 (NE) 23-3. *Continued from the May Executive Committee meeting because required paperwork was not turned in.*

   Documents:

   S-4908 KKLM PLACE SUBDIVISION.PDF

B. REZONING ACTIVITIES

1. **Z-2783 CARR FAMILY FARM, LLC (A TO I3):**

   Petitioner is requesting rezoning of three tracts totaling 97.806 acres east of I-65, south of Haggerty Lane and west of the T-intersection of CR 650 E with Haggerty Lane, adjacent to the north of the Dayton Town limits, specifically 6445 E 200 S, Sheffield 5 (NW) 22-3. With Commitment added February 19th. *Continued from the February 19, 2020 APC meeting at petitioner's request. First Continuance. Continued from the March APC agenda; there was no public hearing in March or April due to health concerns.*

   Documents:

Z-2783 CARR FAMILY FARM REVISED.PDF

2. **Z-2784 THOMAS C. AND SUSAN L. RIEHLE (R2U TO NBU):**
   Petitioners are requesting rezoning of one lot located on the east side of N. 13th Street between Union and Elizabeth Streets, specifically, 723 N.13th Street, Lafayette, Fairfield 21 (SW) 23-4. *Continued from the February 19, 2020 APC meeting at petitioners' request. First continuance. Continued from the March APC agenda; there was no public hearing in March or April due to health concerns.*

   Documents:

   Z-2784 THOMAS AND SUSAN RIEHLE.PDF

3. **Z-2786 HERON BAY DEVELOPMENT, LLC - GREG MILAKIS (STONEHENGE PD, PH. 4)(R1 & PDRS TO PDRS):**
   Petitioner is requesting rezoning for a single-family development totaling 107 lots and 6 outlots on private streets. The property is located roughly southeast of the intersection of Amesbury and Monument Drives in Stonehenge subdivision, Wabash 34 (NW) 24-5. *Continued from the April APC agenda; there was no public hearing in April due to health concerns.*

   Documents:

   Z-2786 STONEHENGE PD, PHASE 4.PDF

4. **Z-2788 ANTIQUE CANDLE WORKS, INC. (GB TO I2):**
   Petitioner is requesting rezoning of a 1-acre tract located at the southeast corner of Schuyler Avenue and N. 16th Street, specifically 1611 Schuyler Avenue, Lafayette, Fairfield, Longlois Reserve (SW) 23-4. *Continued from the March APC agenda; there was no public hearing in March or April due to health concerns.*

   Documents:

   Z-2788 ANTIQUE CANDLE WORKS, INC..PDF

5. **Z-2789 SPRING VALLEY MANAGEMENT, LLC (R2U & R3U TO R3U):**
   Petitioner is requesting rezoning to legitimize an existing four-unit apartment building in order to renovate the building. The property is located downtown on the east side of S. 8th Street, specifically 9 South 8th Street, Lafayette, Fairfield 29 (NE) 23-4. *Continued from the March APC agenda; there was no public hearing in March or April due to health concerns.*

   Documents:

   Z-2789 SPRING VALLEY MANAGEMENT, LLC.PDF

6. **Z-2790 DENISE STALL (AA TO GB):**
   Petitioner is requesting rezoning of a one acre tract located at the

southwest corner of West Street and High Street (aka CR 1175 S), specifically, 11728 West Street, Clarks Hill, Lauramie 23 (SE) 21-3. *Continued from the April APC agenda; there was no public hearing in April due to health concerns.*

Documents:

Z-2790 DENISE STALL.PDF

7. **Z-2791 HABITAT FOR HUMANITY OF LAFAYETTE, INC. (PDRS TO R1B):**
Petitioner is requesting rezoning of two lots within Crosser Commons PD on the east side of Powder House Lane, specifically 2211 & 2217 Powder House Lane, north of Elston Road in Lafayette, Fairfield 31 (SE) 23-4. *Continued from the April APC agenda; there was no public hearing in April due to health concerns.*

Documents:

Z-2791 HABITAT FOR HUMANITY OF LAFAYETTE, INC..PDF

8. **Z-2792 TBIRD DESIGN SERVICES CORPORATION (GB TO I3):**
Petitioner is requesting rezoning of two 5 acre tracts located on the south side of Veterans Memorial Parkway and north of Old CR 350 S, east of Sagamore Parkway, specifically 4418 E Old 350 S and the unimproved 5 acres adjacent to the east, in Wea 12 (NW) 22-4. *Continued from the April APC agenda; there was no public hearing in April due to health concerns.*

Documents:

Z-2792 TBIRD DESIGN SERVICES CORPORATION.PDF

9. **Z-2793 MURTAUGH LAW, LLC (R1 TO GB):**
Petitioner is requesting rezoning a triangular-shaped half an acre of land located between Old SR 25 N and Aretz Lane, south of CR 300 N, specifically 10 Aretz Lane, in Fairfield 11 (NW) 23-4. *Continued from the April APC agenda; there was no public hearing in April due to health concerns.*

Documents:

Z-2793 MURTAUGH LAW, LLC.PDF

10. **Z-2794 TECUMSEH DENTAL PROPERTIES, LLC (R1B TO NB):**
Petitioner is requesting rezoning of three lots at the southwest corner of Teal Road (US 52) and S. 18th Street in order to expand an existing dentist's office, at 1709 Teal Road, Lafayette, Fairfield 33 (SW) 23-4.

Documents:

Z-2794 TECUMSEH DENTAL PROPETIES, LLC.PDF

11. **Z-2795 K & K HOMES, LLC (R1A TO R1B):**

Petitioner is requesting rezoning of 27.57 acres (Belle Terra Major Subdivision) at the northwest corner of CR 600 N and CR 75 E in Tippecanoe 20 (SE) 24-4. With Commitment.

Documents:

Z-2795 K AND K HOMES, LLC.PDF

V. ADMINISTRATIVE MATTERS

VI. APPROVAL OF THE JUNE EXECUTIVE COMMITTEE AGENDA

Documents:

06032020 EXEC AGENDA.PDF

VII. DETERMINATION OF VARIANCES - AREA BOARD OF ZONING APPEALS

(This was already done at the May Executive Committee meeting.)

VIII. DIRECTOR'S REPORT

IX. CITIZENS' COMMENTS AND GRIEVANCES

X. ADJOURNMENT

AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING

DATE.....February 19, 2020
TIME.....6:00 P.M.
PLACE..... County Office Bldg.
20 N. 3rd Street
Lafayette, IN 47901

MEMBERS PRESENT	**MEMBERS ABSENT**	**STAFF PRESENT**
Greg Jones	Jake Gray	Sallie Fahey
Diana Luper	Larry Leverenz	Chyna Lynch
Vicki Pearl	Roland Winger	Larry Aukerman
Michelle Long	Gary Schroeder	Ryan O'Gara
Tracy Brown	Jerry Reynolds	Zach Williams, Atty.
Tom Murtaugh	Lisa Dullum	
Perry Brown	Dr. Carl Griffin	
Jackson Bogan		
Kathy Parker		
Al Beavers		

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 19th day of February 2020 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Jackson Bogan called the meeting to order.

I. BRIEFING SESSION

Jackson Bogan welcomed Jon Fricker's Land Use Planning class to the meeting this evening.

Sallie Fahey said there are two cases that have asked for continuances. **Z-2783 CARR FAMILY FARM, LLC (A to I3)** and **Z-2784 THOMAS C. AND SUSAN L. RIEHLE (R2U to NBU)** have both asked to be continued to the March 18, 2020 meeting at petitioner's request.

II. APPROVAL OF MINUTES

Tom Murtaugh moved to approve the minutes from the January 15, 2020 meeting.
Greg Jones seconded and the minutes were approved by unanimous voice vote.

III. NEW BUSINESS

RESOLUTION PD-20-02: EVERGREEN CAMPUS RENTALS, LLC (Evergreen Campus Rentals PD) (Z-2715):

Final Detailed Plans for the Evergreen Campus Rentals Planned Development. The approved preliminary plans allow for the construction of a 5-story multi-family apartment building containing 48 units with a maximum of 64 bedrooms atop a 23-space internal parking garage (with additional off-site parking being provided). A rental office is also an optional ground-floor use. The property is located at 111 E. Columbia Street, West Lafayette, Wabash 20 (NW) 23-4.

Tom Murtaugh moved to hear and vote on Resolution PD #2020-02: Final Detailed Plans for the Evergreen Campus Rentals Planned Development. Greg Jones seconded.

Ryan O'Gara presented the final detailed plans. He said this project was approved in late 2018. This site is in West Lafayette off Columbia Street and is a unique project in that is it is a 5-story apartment building with 48 units, 64 bedrooms and a 23-space internal parking garage with the option for off-site parking. The city will get a new public alley out of this project. There is an alley in existence that has been maintained by the city but has been private. This project cleaned this area up by creating a formal alley that will be platted when the plan is recorded. The project meets all requirements for final detail plans. Staff is recommending approval of PD #2020-02.

Petitioner was present but did not wish to speak.

The Area Plan Commission voted by ballot 10-Yes to 0-No to approve **APC RESOLUTION PD 2020-02: FINAL DETAIL PLANS FOR EVERGREEN CAMPUS RENTALS PLANNED DEVELOPMENT.**

IV. PUBLIC HEARING

Jackson Bogan read the meeting procedures.

Tom Murtaugh moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Plan Commission, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies

Greg Jones seconded, and the motion carried by voice vote.

A. SUBDIVISIONS
   S-4895 VITA OF WEST LAFAYETTE SUBDIVISION (minor-sketch):
   Petitioner is seeking primary approval for a 2-lot subdivision on 10.69 acres, located on the northwest side of Cumberland Avenue, just west of the US 231 intersection, in West Lafayette, Wabash 11 (NW) 23-5.

Tom Murtaugh moved to hear and vote on **S-4895 VITA OF WEST LAFAYETTE SUBDIVISION (minor-sketch).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said this site is zoned R3W and is located on the north side of Cumberland Avenue extended between US 231 to the east and Klondike Road to the west. There is NB zoning to the south and GB zoning to the north. There is an existing access that was established when Cumberland Avenue was extended that will stay. There are two other access points that will need to be reviewed by the County Highway Department. The care facility that is planned for Lot 1 includes 177 units in 7 buildings including nursing care, memory care and some independent living options. Cumberland Avenue is a secondary arterial; the road right-of-way exceeds the subdivision requirements for both pavement and right-of-way. It is likely the existing entrance in Lot 2 will primarily be used to access the land to the north. Sewer and water are available to serve the site. There is a large 40-foot sanitary sewer easement across the north end of the property. There is also a sanitary sewer easement on the west side. Indiana American Water is in the southwest corner of the site and can easily be brought in. There is a requirement for half of a 30-foot Type-C bufferyard. Petitioner plans to exceed that by installing a full 20-foot buffer on the south side of the drainage easement. When the adjoining property is developed, they will have to provide their 15-feet. Petitioner has filed a request with the Area Board of Zoning Appeals for a building height variance which will be heard on February 26, 2020. There was a subdivision platted on this land prior, so before the final plat for this subdivision is recorded, the owner will have to withdrawal their primary approval on the other subdivision. Staff is recommending conditional primary approval contingent on the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Withdrawal of S-4750 Cottages at Cumberland Subdivision conditional primary approval.
2. Except for the approved entrances, "No Vehicular Access" restrictions shall be platted along the Cumberland Avenue right-of-way line.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The West Lafayette corporation line shall be labeled.
6. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Daniel Teder, PO Box 280, Lafayette, IN 47902, representative of the petitioner, said they concur with the staff report and recommendation.

The Commission voted by ballot 10-Yes to 0-No for conditional primary approval of **S-4895 VITA OF WEST LAFAYETTE SUBDIVISION (minor-sketch).**

S-4897 STONEHENGE SUBDIVISION, PHASE 5 (major-preliminary):
Petitioner is seeking primary approval for a 26-lot addition to the existing Stonehenge Subdivision on 9.69 acres, located at the south end of Amesbury Drive, in Wabash 34 (SE) 24-5.

Tom Murtaugh moved to hear and vote on **S-4897 STONEHENGE SUBDIVISION, PHASE 5 (major-preliminary).** Vicki Pearl seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said this is the last section of the Stonehenge Subdivision. US 52 is south of the property which is zoned R1. There is remaining development in the Stonehenge Planned Development section to the east. They have started the approval process and negotiations for the planned development portion. There will be a connection between the two portions at Amesbury. The connection makes it obvious that it is going from public to private roads. Petitioner has proposed 26 lots. Sewer and water by Indiana American Suburban and American Water will be extended from the north. Storm water will be routed to the detention to the east of the planned development portion. Petitioner has requested permission to bond. Staff is recommending conditional primary approval contingent on the following:

CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:

1. American Suburban Utilities, Inc. shall approve the sanitary sewer plans.
2. Indiana-American Water Company, Inc. shall approve the water plans.
3. The fire hydrants shall be approved by the Wabash Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the Indiana American Water Company in cooperation with the Fire Department.
4. An Erosion and Sediment Control Plan and a Stormwater Quality Management Plan meeting the requirements of 327 I.A.C. 15-5 shall be submitted to the Tippecanoe County Soil and Water Conservation District and shall also be approved by the Tippecanoe County Drainage Board as required by Tippecanoe County Ordinance #2011-27-CM.
5. The County Drainage Board shall approve the drainage plans.

6. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. The assigned street addresses for each lot shall be included. If any of these utilities are being extended from an off-site location, this extension shall be made a part of the utility coordinating sheet.

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

7. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
8. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
9. All required building setbacks shall be platted.
10. The street addresses and County Auditor's Key Number shall be shown.

Patrick Cunningham,309 Columbia Street, Lafayette, IN 47901, representative for petitioner, said he was one of the original developers of Stonehenge and has partial ownership in this property however, he is not the developer for this phase. He agreed with staff and the conditions required. He said they are excited to present the last portion of the development. He thanked the Commission and asked for approval.

Christy Rowdon, 3743 Capilano Drive, West Lafayette, IN 47906, said her property backs up to the very corner of Stonehenge. She said she is not opposed to the subdivision, but she did want to bring two things to the attention of the Commission. First, the properties in Capilano get a lot of the runoff water from Stonehenge and it is bad on their septic systems. Second, the neighborhood would love to see if they would be able to hook into the proposed sewer. She asked if this is the correct body to bring this to.

Jackson Bogan said this is not a question for this body. He asked if Sallie Fahey could speak on this issue.

Sallie Fahey said it is a good idea to bring this to the attention of the developer of Stonehenge because if there is a way to work it out, this is an early enough stage to plan for sanitary sewer connection. The health department would be thrilled to have people get off septic systems. Whether there is enough capacity to extend a line that Capilano residents could utilize in their development is unclear. She recommended that Christy speak to Mr. Cunningham.

Jackson Bogan said that this subdivision must go before the Drainage Board as well. This is not the final say; drainage is just out of this Commission's purview.

Christy Rowdon, 3743 Capilano Drive, West Lafayette, IN 47906, asked if they will be notified when this goes before that board.

Tom Murtaugh said the Drainage Board meets the first Wednesday of each month, but it is likely this will not be heard for another two months.

Nagabhushana Prabhu, 3740 Capilano Drive, West Lafayette, IN 47906, said he owns Lot 55 which adjoins Lots 164 and 165 of the proposed subdivision. There is a stream that runs next to these properties. It is unclear on the map how the stream will be effect. He said this is a matter of concern because his home has flooded before from the rain. The stream runs so close to the property that any alteration of its course may impact the structural integrity of the home. The developers have likely looked at the impact that this would have on the stream. He requested that this be seriously considered before any final decision is made. If the development takes the course of the stream away from the home, that would be great. It is unclear what the impact would be according to the plan. He said he is also concerned with the considerable erosion next to the stream that may impact Lots 162 and 163. He asked if there could be an erosion study for this area.

Jackson Bogan said this is outside the scope of what this Commission does, but it would be something the Drainage Board would like to hear.

Sallie Fahey said the county website will have the agenda for each meeting. She suggested that the neighbors check the agenda each month see when this subdivision will be heard.

The Commission voted by ballot 10-Yes to 0-No for conditional primary approval of **S-4897 STONEHENGE SUBDIVISION, PHASE 5 (major-preliminary).**

The Commission voted by ballot 10-Yes to 0-No to permit bonding for **S-4897 STONEHENGE SUBDIVISION, PHASE 5 (major-preliminary).**

S-4898 KAPPA DELTA THETA NU MINOR SUBDIVISION (minor-sketch):
Petitioner is seeking primary approval to replat four lots into one 0.61acre lot, located at the southeast corner of Northwestern and Fowler Avenues, in West Lafayette, Wabash 19 (NE) 23-4.

Tom Murtaugh moved to hear and vote on **S-4898 KAPPA DELTA THETA NU MINOR SUBDIVISION (minor-sketch).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said the site is on the corner of Fowler, Wiggins and Northwestern. The purpose of this subdivision is to condense four lots into one for a new sorority house. The four separate owners of these lots have consented to the platting of this into one lot. The site currently has a duplex and three apartment buildings. Northwestern and Fowler are urban primarily arterials that require an 80-foot wide right-of-way. The right-of-way is currently 60-feet wide. Instead of dedicating 10-feet of additional right-of-way from each street, the petitioner is seeking subdivision variances not to dedicate that additional right-of-way. For this to happen, there must be an approval by the West Lafayette Board of Works. They met on February 18, 2020 and recommended approval of the two variances not to require additional right-of-way. West Lafayette will require no vehicular access along Northwestern and Fowler. Instead, all access will come from the alley on the northeast side. Drainage will be dealt with by West Lafayette at the time of the building permit. Sewer and water are available to the site but there may be a requirement to upgrade the sewer system prior to the construction of the building. The Board of Zoning Appeals will be hearing variances for building height, parking and setbacks. If these zoning variances are approved, then any varied setbacks will need to be shown on the final plat. Staff is recommending conditional primary approval contingent on the following:

Variances

1. A variance to waive the required additional half width right-of-way dedication of 10-ft along the Northwestern Avenue frontage to create the total 40-ft half width right-of-way required for an urban primary arterial. (USO Section 5.3-3-b)
2. A variance to waive the required additional half width right-of-way dedication of 10-ft along the Fowler Avenue frontage to create the total 40-ft half width right-of-way required for an urban primary arterial. (USO Section 5.3-3-b)

Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. A "No Vehicular Access" statement shall be platted along the Northwestern and Fowler Avenue right-of-way lines.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted as granted or denied by the ABZA with notes referencing BZA-2031.
4. The street address and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

5. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Daniel Teder, PO Box 280, Lafayette, IN 47902, representative of the petitioner, said they concur with the staff report and recommendation. He thanked the Commission and asked for approval.

The Commission voted by ballot 10-Yes to 0-No to approve **VARIANCE #1** for **S-4898 KAPPA DELTA THETA NU MINOR SUBDIVISION (minor-sketch)**.

The Commission voted by ballot 10-Yes to 0-No to approve **VARIANCE #2** for **S-4898 KAPPA DELTA THETA NU MINOR SUBDIVISION (minor-sketch)**.

The Commission voted by ballot 10-Yes to 0-No for conditional primary approval of **S-4898 KAPPA DELTA THETA NU MINOR SUBDIVISION (minor-sketch).**

S-4899 WOOD ROW MINOR SUBDIVISION (minor-sketch):
Petitioner is seeking primary approval for a two-lot subdivision on 5.06 acres, located on the west side of CR 675 E, approximately 1/4 mile south of SR 26, in Perry 29 (NE) 23-3.

Tom Murtaugh moved to hear and vote on **S-4899 WOOD ROW MINOR SUBDIVISION (minor-sketch).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said this site is in the central east portion of the county. This request is for two lots zoned R1. The property is part of an original 80-acre tract that was divided by the construction of McCarty Lane. This side of the property has 36 acres and has been rezoned by the developer to R1B zoning. The proposal is for the two lots to be developed which is a combined 5.06 acres. They are proposed not to be adjacent because there is a ravine that runs between them. They both have frontage on 675E which is classified as a local rural road. A 30-foot right-of-way is required, but the highway department is not requiring any restriction on access along the frontages of the lots because 675E is a low volume road. There is a letter from the Health Department that both parcels contain areas that be considered for a shallow trench subsurface absorption system, however there will have to be perimeter drains created for both lots. There is an outlet not requiring an easement which could be the ravine in the middle of the lots. Staff is recommending conditional primary approval contingent on the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM.
5. The street addresses and County Auditor's Key Number shall be shown.

Patrick Williams, 105 North 10th Street, Lafayette, IN 47901, representative for petitioner, said they concur with the staff report and recommendation. He thanked the Commission and requested approval.

The Commission voted by ballot 10-Yes to 0-No for conditional primary approval of **S-4899 WOOD ROW MINOR SUBDIVISION (minor-sketch).**

B. REZONING

Z-2776 TAMMY APPELBAUM (GB to AW):
Petitioner is requesting rezoning of 0.721 acres located at 9036 Mill Street in the unincorporated town of Stockwell, Lauramie 9 (NW) 21-3.

Tom Murtaugh moved to hear and approve **Z-2776 TAMMY APPELBAUM (GB to AW).** Greg Jones seconded.

Ryan O'Gara presented the zoning map and aerial photos. He said the proposal is to rezone from GB to AW to build a single-family residence. This area has a scattering of zoning. Petitioner owns several tracts that are adjacent to each other. There was a residence on this site previously that was removed in 2006. The site is served by the town sanitary sewer, but it is on private water with a well. The rezoned area would potentially need to be combined with the adjacent lot in order to establish the residential use. Petitioner has communicated that they are interested in expanding the commercial lot. Established policy would say that agricultural rezones would not be supported if sewer is present; sewer is present in this proposal. There is R1 zoning across the street and is much more appropriate to establish a residence instead of going backwards with an AW zone. When this zoning was first established, it is likely there was not sewer present. Now that it is present, it is more fitting to be zoned residentially. Staff feels there are different ways for this to be rezoned to allow for a single-family home to be built. Staff is recommending denial.

Jackson Bogan asked staff to clarify the difference between R1 and AW zoning.

Sallie Fahey said she wanted to make clear that this has been a challenge to staff because petitioner owns the AW zoned lot to the east. Staff does not understand why petitioner did not put their house on that property. The rezone and possible subdivision would not be necessary. They would retain plenty of land to expand their business which is what they would like to do.

Ryan O'Gara said the petitioner could get permits tomorrow to build a house on the AW portion of their property and leave the GB zoned area the way it is to expand their shop. Agricultural zones offer mostly agricultural uses that are true rural areas that are off a sewer grid. That is established Comprehensive Plan policy. As an area is urbanized, they naturally need to shed the agricultural zoning. Since public sewer is available, R1 would be appropriate.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said this property has an interesting history. The previous owners had a car repair business in one of the out buildings and lived in the house that was there. The house was not removed; the house burned down and was not rebuilt. This rezone has been pending since last September because it has been a struggle to get DNR to give them a flood plain elevation. The staff report says this area has a rural feel because of the street conditions, lack of pavement, no urban gutters and the lack of density in the area. This piece is just being put back like it was. There is a benefit to Stockwell to having a new dwelling unit in town. Another added benefit is that Tammy and Paul run their business on the properly zoned piece of land. The rural feel is one that has been there for a long time and will continue to be there if this house is built. This piece of property will be a good new development that does not offend anyone in the town of Stockwell. He thanked the Commission and requested a favorable recommendation to the Tippecanoe County Commissioners.

Tom Murtaugh asked why they did not rezone the property to R1.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said they had been looking at the closest GB zoned property which cannot have a home. With the surveyor's drawings, this seemed the most effective way to do this.

Tom Murtaugh asked instead of AW, why did you not request R1.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said they knew they could put a house in AW.

Tom Murtaugh said it would have been approved in R1.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said this couple is trying to place their house where it is supposed to be in their planning process. A government agency suddenly deciding where a house needs to be built is an invasion of property rights.

Tom Murtaugh said he was curious why they did not zone it R1.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said when they were drawing this, AW seemed more appropriate.

Tom Murtaugh asked what made AW more appropriate.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said the house can be there and that is the way the properties were joined together. He said he does not have a surveyor with him this evening to explain it. The key thing to remember here is that this is good for the town of Stockwell.

Tom Murtaugh said he does not think the house being there is problem; R1 just seems to make more sense. Is there something in R1 that the petitioner does not agree with.

Jackson Bogan asked if something is allowed in AW that is not allowed in R1.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said we did not look at it that way. They saw that a house was permitted in AW and there was other AW land around the property. The whole area is a mixed bag of zoning.

Tracy Brown asked if the business can be expanded on to AW.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said the business cannot be expanded into AW. The fact of the matter is, this process has taken since October and there is no longer the thought of expanding the business.

Vicki Pearl asked if the property next to this one is R1.

Ryan O'Gara said the property across the street is R1.

Jackson Bogan asked if the property immediately adjacent is AW.

Sallie Fahey said the piece where the business is located, and the proposed site are currently zoned GB. Everything that is green on the map is AW.

Jackson Bogan asked Sallie if there is anything in AW that would be a negative.

Sallie Fahey said minimum lot size is bigger in AW than in R1 but there is not a negative that she can think of.

Tom Murtaugh said 4-H animals are allowed in AW zoning.

Sallie Fahey said a chicken coop is allowed in AW and not in R1.

There was discussion away from the microphone that was not recorded.

Jackson Bogan asked Sallie if there is anything negative that could happen with the AW zoning that would hurt the town.

Sallie Fahey said no but it is odd to serve agricultural land with sanitary sewer.

The Commission voted by ballot 6-Yes to 4-No for no majority. **Z-2776 TAMMY APPELBAUM (GB to AW)** will be heard again next month.

Yes-votes	No-votes
Vickie Pearl	Michelle Long
Al Beavers	Tracy Brown
Jackson Bogan	Greg Jones
Diana Luper	Kathy Parker
Tom Murtaugh	
Perry Brown	

Z-2782 ALLOY CUSTOM PRODUCTS, LLC (A to I3):
Petitioner is requesting rezoning of slightly more than 4 acres including a platted lot located at 9297 Old SR 25 N and a tract adjacent to the northeast, just east of the CR 1075 N intersection, Washington 1 (NE) 24-3.

Tom Murtaugh moved to hear and approve **Z-2782 ALLOY CUSTOM PRODUCTS, LLC (A to I3).** Greg Jones seconded.

Ryan presented the zoning map and aerial photos. He said this site is in the far northeast corner of the county. This rezone paves the way for a potential expansion of the existing Alloy Custom Products which has been in the community for a long time. The legal description was amended to leave out a small portion of flood plain. The Comprehensive Plan called this area an urbanizing rural sector. This is an area that was not supposed to be cast in concrete to allow flexibility if it slowly starts to urbanize. This would favor commercial septic. The Comprehensive Plan had foreseen this area developing further. The petitioner does not plan to develop this area immediately, but they will have the correct zoning to do so. Staff is recommending approval.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said when he received this assignment, he was given a tour of the plant. It was interesting to see them create the tanks. This company has a nation-wide status in this industry. They would like to have their whole site zoned industrial. He asked for a positive recommendation and thanked the Commission.

The Commission voted by ballot 10-Yes to 0-No to recommend approval to the Tippecanoe County Commissioners for **Z-2782 ALLOY CUSTOM PRODUCTS, LLC (A to I3).**

Vicki Pearl recused herself due to a conflict of interest.

Z-2785 ELLIOT ROSE, LLC d/b/a FUEL COFFEE SHOP (R2 to NBU):
Petitioner is requesting rezoning of two lots located a block south of the Five Points intersection, on the southwest corner of Alabama and S. 16th Streets, specifically 106 S. 16th Street, Lafayette, Fairfield 28 (NW) 23-4.

Tom Murtaugh moved to hear and approve **Z-2785 ELLIOT ROSE, LLC d/b/a FUEL COFFEE SHOP (R2 to NBU).** Greg Jones seconded.

Rabita Foley presented the zoning map and aerial photos. She said this site is location on the southwest corner of 16th Street and Alabama in the City of Lafayette. It is currently zoned R2 with an existing home which was used as an engineering consultant firm. The original structure was built in 1910 and expanded in 1917. This area is the Valley Center neighborhood which is predominantly residential with patches of commercial uses. This piece of land is part of the Five Points study area which recognizes this as a potential commercial development area. There is small retail strip mall across the street and a liquor store cattycorner to the property. This general area lacks prepared food options. Petitioner plans to relocate Fuel Coffee Shop from its Main Street location to the site. Petitioner has established rapport with the city engineer's office to figure out a way to repurpose the existing structure for the coffee shop. Staff is recommending approval.

Colleen Mathews, 1801 Wilson Street, Lafayette, IN 47904, petitioner, said Fuel has been in business since 2014 and has been an anchor business on the north side of Main Street. They have seen 15% in growth in the last 6 years and have outgrown their current location. This new location is a great space and it will kickstart the Five Points redevelopment. She thanked the Commission and respectfully asked for approval.

The Commission voted by ballot 9-Yes to 0-No to recommend approval to the Lafayette Common Council for **Z-2785 ELLIOT ROSE, LLC d/b/a FUEL COFFEE SHOP (R2 to NBU).**

Vicki Pearl rejoined the meeting at 7:08 pm.

Tom Murtaugh moved that **Z-2783 CARR FAMILY FARM, LLC (A to I3)** and **Z-2784 THOMAS C. AND SUSAN L. RIEHLE (R2U to NBU)** be continued to the March 18th, 2020 APC meeting at petitioner's request. Greg Jones seconded and the motion passed by unanimous voice vote.

V. ADMINISTRATIVE MATTERS

Sallie Fahey said one of the bills introduced in this year's legislative session, known as Senate Bill 100 is not a good thing for local government and planning. This bill would take away the Commission's right to determine nonconforming uses of single-family homes. It would require that every single-family home, if destroyed or damaged, would have to be allowed to rebuild. She said she does not like when the state takes away local government control and control from elected officials. There are parts of the bill that are not very well worded that could be subverted by a home owner. The terms damaged and destroyed are not tied to an act of god or a natural disaster. A homeowner could destroy their 100-year old shack and they would have to be allowed to build in the same footprint. This would also apply to flood plains. This Commission have been very protective of our flood plains. This bill passed out of the Senate and went to the House. She said she had a conversation with the House sponsor of the bill. At the end he asked what would make this bill acceptable. She told him to not allow single family homes in flood plains to automatically rebuild. He did not get back with her however emailed an amendment that will be offered to excluded reconstruction in the flood plain. She said she plans to go to the committee hearing to make sure that they accept the amendment.

Tom Murtaugh said he attended a dinner yesterday evening in which the speaker referred to this bill as one of the worst bills that has been introduced this year. He suggested that in Sallie's testimony she could say that the Tippecanoe County Area Plan Commission voted that they are overwhelming against this bill because of the portion regarding the flood plain. He asked Zach Williams for advice on phrasing the motion.

Zach Williams said the chair will need to ask for a motion from the Commission to find that the Commission is against SB 100 in its current form and believes it will create an increased risk to property owners.

Jackson Bogan asked if Sallie is testifying.

Tom Murtaugh said she will testify if the amendment to the bill is not made.

Zach Williams said he thinks the motion would be that this body is strongly against SB 100 because it raises grave concern for personal safety and property for areas in the flood plain that will be changed if this bill is passed in the current form.

Tom Murtaugh moved that this body is strongly against SB 100 because it raises grave concern for personal safety and property for areas in the flood plain that will be changed if this bill is passed in the current form. Greg Jones seconded and the motion carried by unanimous voice vote.

VI. APPROVAL OF THE MARCH 4TH EXECUTIVE COMMITTEE AGENDA

No new subdivision requests this month.

VII. DETERMINATION OF VARIANCE – AREA BOARD OF ZONING APPEALS

Tom Murtaugh moved that the following request for variance from the Unified Zoning Ordinance is not a request for use variance, prohibited by ordinance and statute:

BZA-2031 THETA NU HOUSING, LLC; and
BZA-2032 JAMES L. AND SHEILA A. COCHRAN.

Greg Jones seconded and the motion was approved by unanimous voice vote.

VIII. DIREECTOR'S REPORT

Sallie Fahey said Chyna Lynch and Daelen Ogas passed their 6-month probation with flying colors. She said Kathy Parker and Al Beavers spent about two hours going through an orientation and they will be great Commission members.

IX. CITIZEN'S COMMENTS AND GRIEVANCES

None.

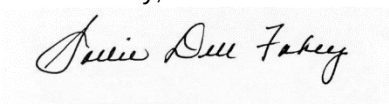
X. ADJOURMENT

Tom Murtaugh moved to adjourn.
Meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

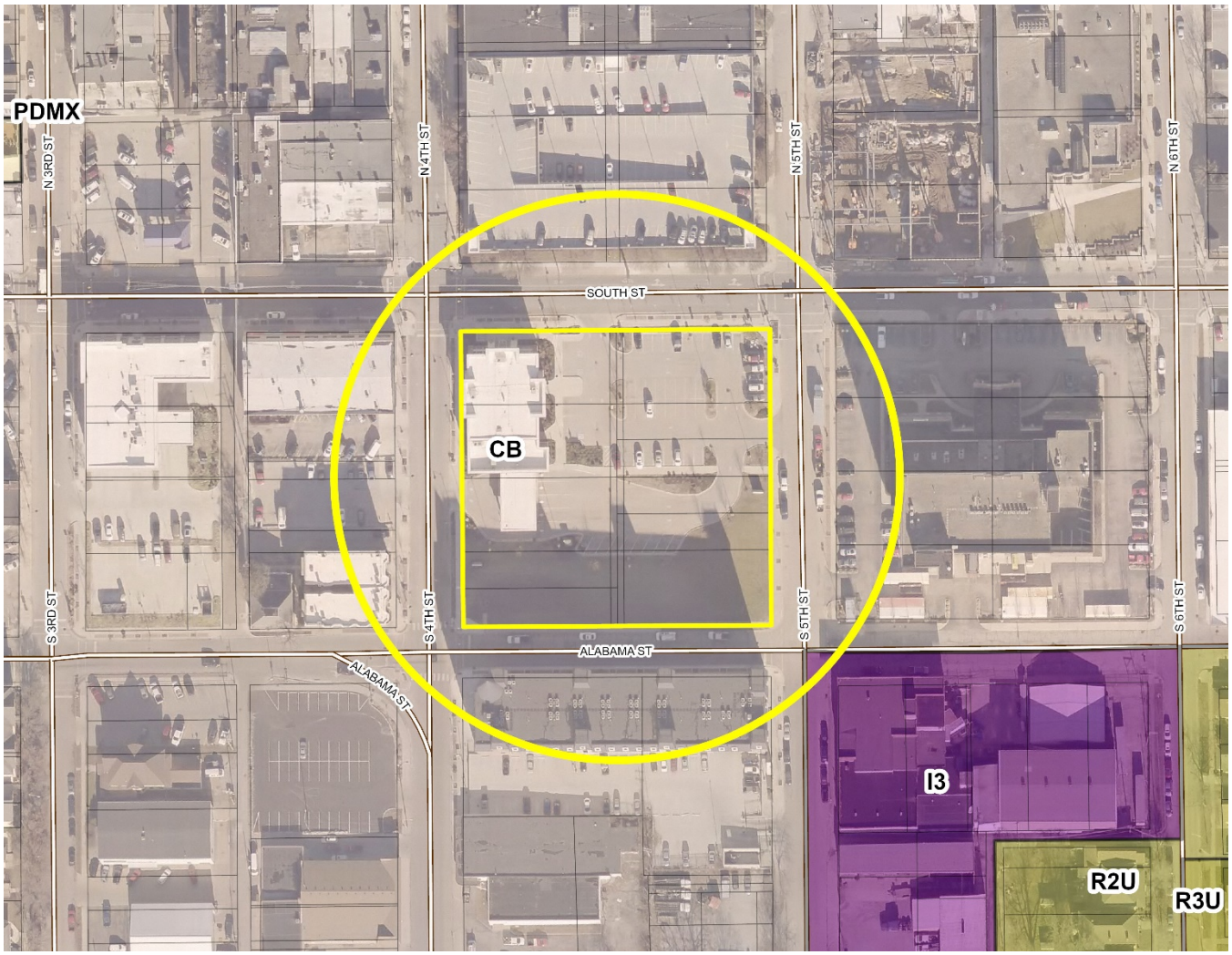
Reviewed By,



Sallie Fahey

RESOLUTION 2020-03
CONSOLIDATED CREASY/CENTRAL EDA-TIF:
AN AMENDMENT TO ADD ELLSWORTH PROJECT TO THE DEVELOPMENT PLAN

STAFF REPORT
May 14, 2020



Resolution 2020-03
Consolidated Creasy/Central EDA-TIF:
An Amendment to Add Ellsworth Project to the Development Plan

Staff Report
May 14, 2020

BACKGROUND INFORMATION

In past actions, the Lafayette Redevelopment Commission adopted Resolution No. LRC #2013-06 to consolidate two existing economic development areas into one new consolidated economic development area (EDA) to be called the Consolidated Creasy/Central Economic Development Area. Additionally, the Central EDA was re-characterized as an economic development area instead of a redevelopment area and the new consolidated EDA was expanded by 196 acres to include the former Home Hospital area, Columbian Park and areas connecting the two original EDA-TIF districts. Additional land was again added in 2014 along with projects which, in part, included Market Square, Rohrman Acres Ph. II and an area for an apartment complex and commercial development off Frontage Road. Two new projects were added in 2015 – one private investment and one economic development. In 2017 an additional three private investment projects were added to the plan – the Northend Community Center, the YMCA and the renovation of the GLC office building downtown. Most recently, in 2018 the Star City Crossing project on the north side of South at 5th was added and is now under construction, and in 2019/2020 the Nova Tower Project at 200 S. Fourth Street was added.

In the current request, another new private investment project – Ellsworth on the south side of South at 5th Street - is being added to the Economic Development Plan within the existing EDA boundary.

The redevelopment commission submitted all pertinent resolutions and detailed exhibits to the Area Plan Commission as required. The plan commission is now being asked to determine that the additional economic development plan project conforms to ***The Comprehensive Plan for Tippecanoe County***. The Area Plan Commission must issue its written order (Resolution #2020-03) approving or disapproving the Lafayette Redevelopment Commission's resolution and plan. The redevelopment commission may not proceed with the plan until the approving order of the Area Plan Commission is issued and approved by the Common Council of the City of Lafayette.

PROJECT DESCRIPTION

Private Improvements and Investments and public support:

> "The construction of a mixed-use facility with 97 market-rate residential units and 2,000 square feet of office and retail space, together with any necessary appurtenances, related improvements equipment, to be located at approximately 450 - 499 South Street in the City, capitalized interest, if any, a debt service reserve, if necessary, and costs of issuance related to the financing. The total cost of this project is estimated at $17,700,000; provided that cost of this project be funded from the Commission is estimated at $4,500,000, inclusive of financing costs. The developer for the project, Rebar Companies, LLC d/b/a Rebar Development, will fund the remaining costs of this project."

Regions Bank is selling the east side of its block, currently a parking lot, to Rebar Development of Noblesville for this project. The Regions Bank building will remain. The Ellsworth building's narrow dimension will be its north and south faces - South and Alabama. Its long dimension will face 5th Street.

COMPLIANCE WITH *THE COMPREHENSIVE PLAN FOR TIPPECANOE COUNTY*

The Urban Area portion of the 1981 ***Land Use Plan*** recommends a more compact downtown with major retail facilities and residential infilling and intensification.

> "We can expect a more compact Downtown, centered along Main Street to its intersection with [the former rail corridor east of 9th Street]. Main Street's position as a shopping district of regional significance should be enhanced by the elimination of railroad right-of-way, and by moving through-traffic to Columbia and South Streets."

This project continues what the ***Land Use Plan*** envisioned in 1981 and the downtown's evolution to match that vision. Of additional importance to the downtown is that this project provides infill that supports the expansion of downtown to the south. Of equal importance is that this project will be constructed on what is currently a surface parking lot, the most inefficient use of downtown real estate.

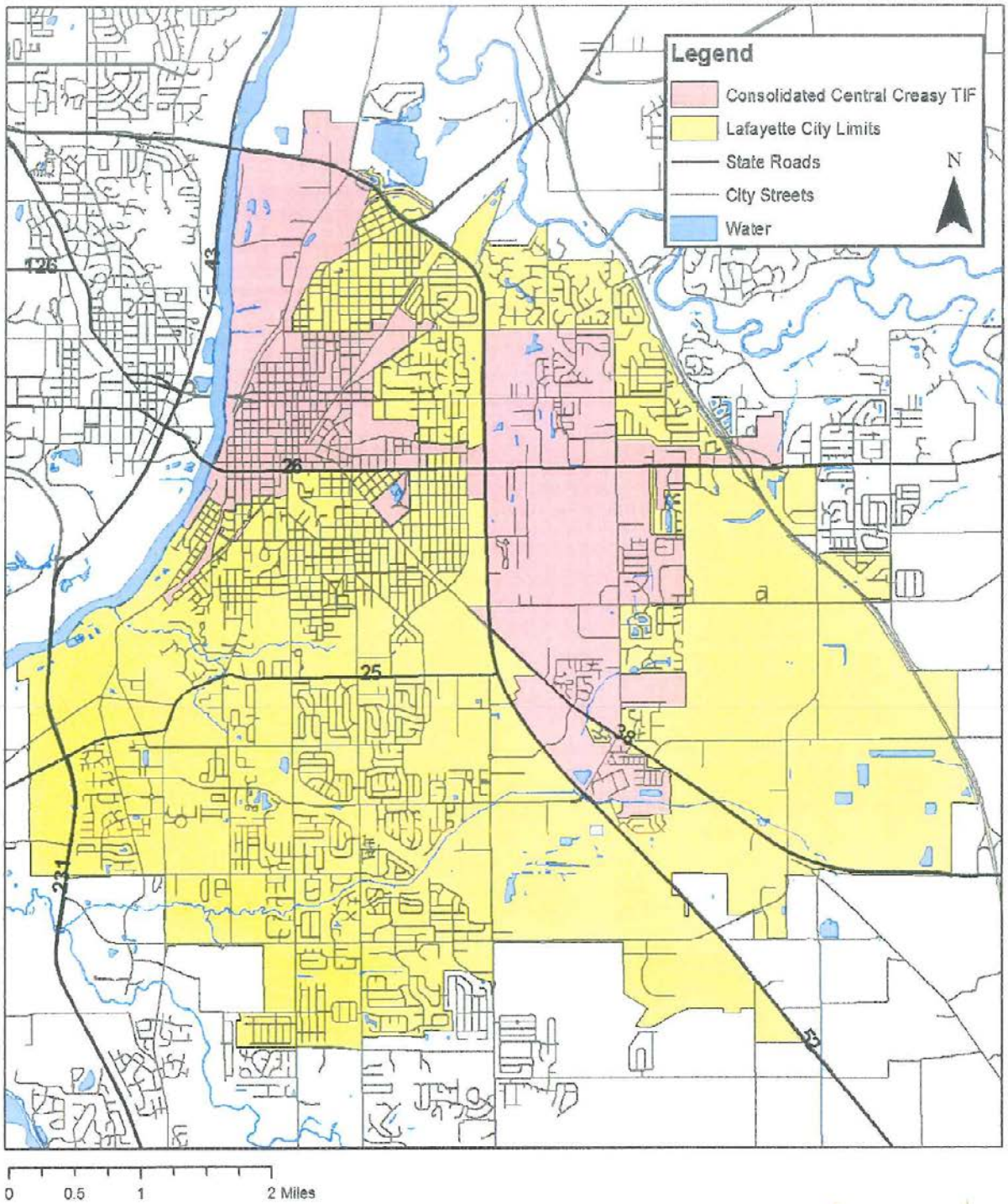
In the 2011 updated ***Housing Element*** of the comprehensive plan various policy statements encourage downtown housing and the infrastructure to support it:

- #14 Create land use plans that…support growth in Downtown Lafayette….
- #23 Significant new residential construction…is to be constructed only in the presence of, or in conjunction with, sufficient levels of public services, facilities and all modes of transportation.

The 97 proposed residential units, supported with 2000 sq. ft. of ground floor office and retail, implements those policy statements.

Staff is satisfied that the project amendment to the Consolidated Creasy/Central Economic Development Area Plan conforms to the adopted ***Comprehensive Plan for Tippecanoe County*** which includes the City of Lafayette.

STAFF RECOMMENDATION
Approval



Consolidated Central Creasy TIF District

CITY OF LAFAYETTE

Created 5/21/15
Daniel Walker, AICP

SOUTH ELEVATION | ALABAMA STREET

NORTH ELEVATION | SOUTH STREET

WEST ELEVATION | REGIONS SITE - OLD US231

EAST ELEVATION | S 5th STREET

RESOLUTION 2020-03

ORDER OF THE AREA PLAN COMMISSION OF TIPPECANOE COUNTY DETERMINING THAT A RESOLUTION AMENDING THE ORIGINAL DECLARATORY RESOLUTIONS APPROVED AND ADOPTED BY THE LAFAYETTE REDEVELOPMENT COMMISSION CONFORMS TO THE COMPREHENSIVE PLAN AND APPROVING THE AMENDING RESOLUTION

WHEREAS, the City of Lafayette ("City") Redevelopment Commission (the "Commission"), on October 26, 2006, adopted Resolution No. LRC-2006-22 (the "Consolidated Central Declaratory Resolution") establishing the Consolidated Central Lafayette Redevelopment Area (the "Consolidated Central Area") and Consolidated Central Allocation Area in accordance with Indiana Code 36-7-14-39 and approving the Consolidated Central Lafayette Redevelopment Plan, as amended (the "Consolidated Central Plan") for the Consolidated Central Area;

WHEREAS, the Commission adopted Resolution No. LRC-2006-25 on November 16, 2006, as further amended on July 26, 2007 by Resolution No. LRC-2007-06, on May 24, 2012 by Resolution No. LRC-2012-08 and on February 25, 2013 by Resolution No. LRC-2013-06 (collectively, as amended, the "Consolidated Creasy Lane Declaratory Resolution"), establishing and expanding the Consolidated Creasy Lane Economic Development Area (the "Consolidated Creasy Lane Area") and Consolidated Creasy Lane Allocation Area (the "Consolidated Creasy Lane Allocation Area") in accordance with Indiana Code 36-7-14-39 and approving the economic development plan for the Consolidated Creasy Lane Area, as amended (the "Consolidated Creasy Lane Plan");

WHEREAS; the Consolidated Central Plan and the Consolidated Creasy Lane Plan are hereinafter collectively referred to as the "Original Plans";

WHEREAS, the Commission adopted Resolution No. LRC-2013-06 on February 25, 2013, to, among other matters, (i) expand the Consolidated Creasy Lane Area and Consolidated Creasy Lane Allocation Area by adding approximately 196 new acres to the Consolidated Creasy Lane Area and the Consolidated Creasy Lane Allocation Area; (ii) re-characterize the Consolidated Central Area as an economic development area pursuant Indiana Code 36-7-14-41; (iii) consolidate the Consolidated Central Area and the Consolidated Creasy Lane Area, as therein expanded, into one economic development area to be known as the "Consolidated Creasy/Central Economic Development Area" (the "2013 Consolidated Area"); and (iv) consolidate and amend the Original Plans (the "2013 Consolidated Plan");

WHEREAS, the Commission adopted Resolution No. LRC-2014-10 on August 28, 2014, to, among other matters, (i) expand the 2013 Consolidated Area (the 2013 Consolidated Area, as so amended, the "Consolidated Area"); and (ii) amend the 2013 Consolidated Plan to add projects thereto (as amended, the "2014 Consolidated Plan");

WHEREAS, the Commission adopted Resolution No. LRC-2015-4 on July 17, 2015, amending the 2014 Consolidated Plan to add projects thereto (as amended, the "2015 Consolidated Plan");

WHEREAS, the Commission adopted Resolution No. LRC-2017-1 on July 27, 2017, amending the 2015 Consolidated Plan to add projects thereto (as amended, the "2017 Consolidated Plan");

WHEREAS, the Commission adopted Resolution No. LRC-2018-10 on August 23, 2018 amending the 2017 Consolidated Plan to add projects thereto (as amended, the "2018 Consolidated Plan");

WHEREAS, the Commission adopted Resolution No. LRC-2019-09 on December 19, 2019 amending the 2018 Consolidated Plan to add projects thereto (as amended, the "2019 Consolidated Plan");

WHEREAS, the Consolidated Central Declaratory Resolution, as amended as set forth above, and the Consolidated Creasy Lane Declaratory Resolution, as amended as set forth above, are hereinafter collectively referred to as the "Original Area Resolutions;"

WHEREAS, on April 23, 2020, the Commission adopted Resolution No. 2020-06 attached hereto as Exhibit A (the "Amending Declaratory Resolution"), amending the Original Area Resolutions and the 2019 Consolidated Plan to include in the 2019 Consolidated Plan the construction of five story mixed-use facility with 97 market-rate residential units and 2,000 square feet of office and retail space, together with any necessary appurtenances, related improvements and equipment, to be located at approximately 450 - 499 South Street in the City, all in, serving or benefiting the Consolidated Area;

WHEREAS, Indiana Code 36-7-14-16 requires the Area Plan Commission of Tippecanoe County (the "Plan Commission") to approve the Amending Declaratory Resolution;

NOW, THEREFORE BE IT RESOLVED BY THE AREA PLAN COMMISSION OF TIPPECANOE COUNTY;

1. The Amending Declaratory Resolution conforms to the Comprehensive Plan of the City.

2. The Amending Declaratory Resolution is in all respects approved, ratified and confirmed.

3. The Secretary of the Plan Commission is hereby directed to file a copy of the Amending Declaratory Resolution with the permanent minutes of this meeting.

****

Passed by the Area Plan Commission of Tippecanoe County, this 20th day of May 2020.

AREA PLAN COMMISSION OF TIPPECANOE COUNTY

_____

Jackson W. Bogan, President

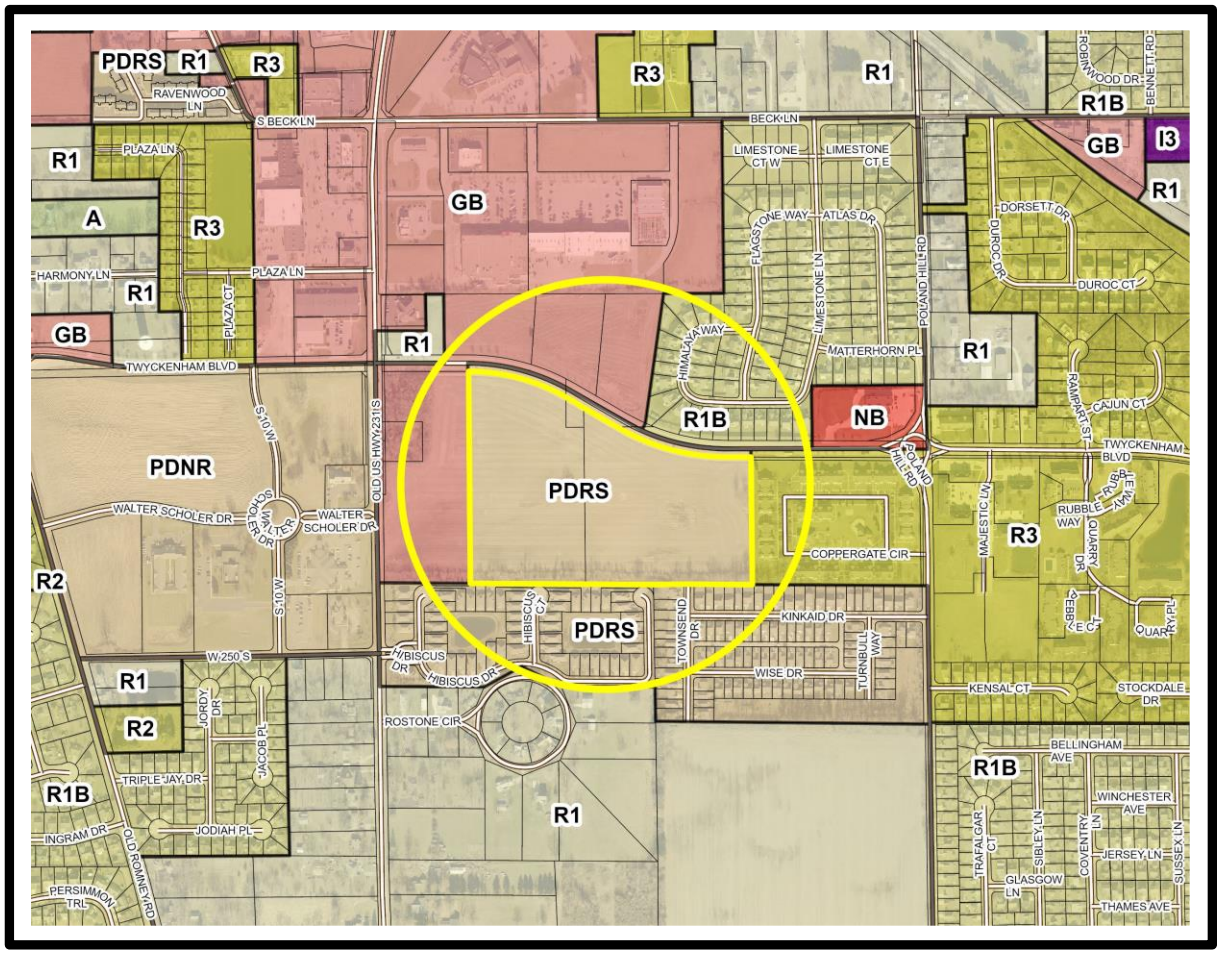
ATTEST:

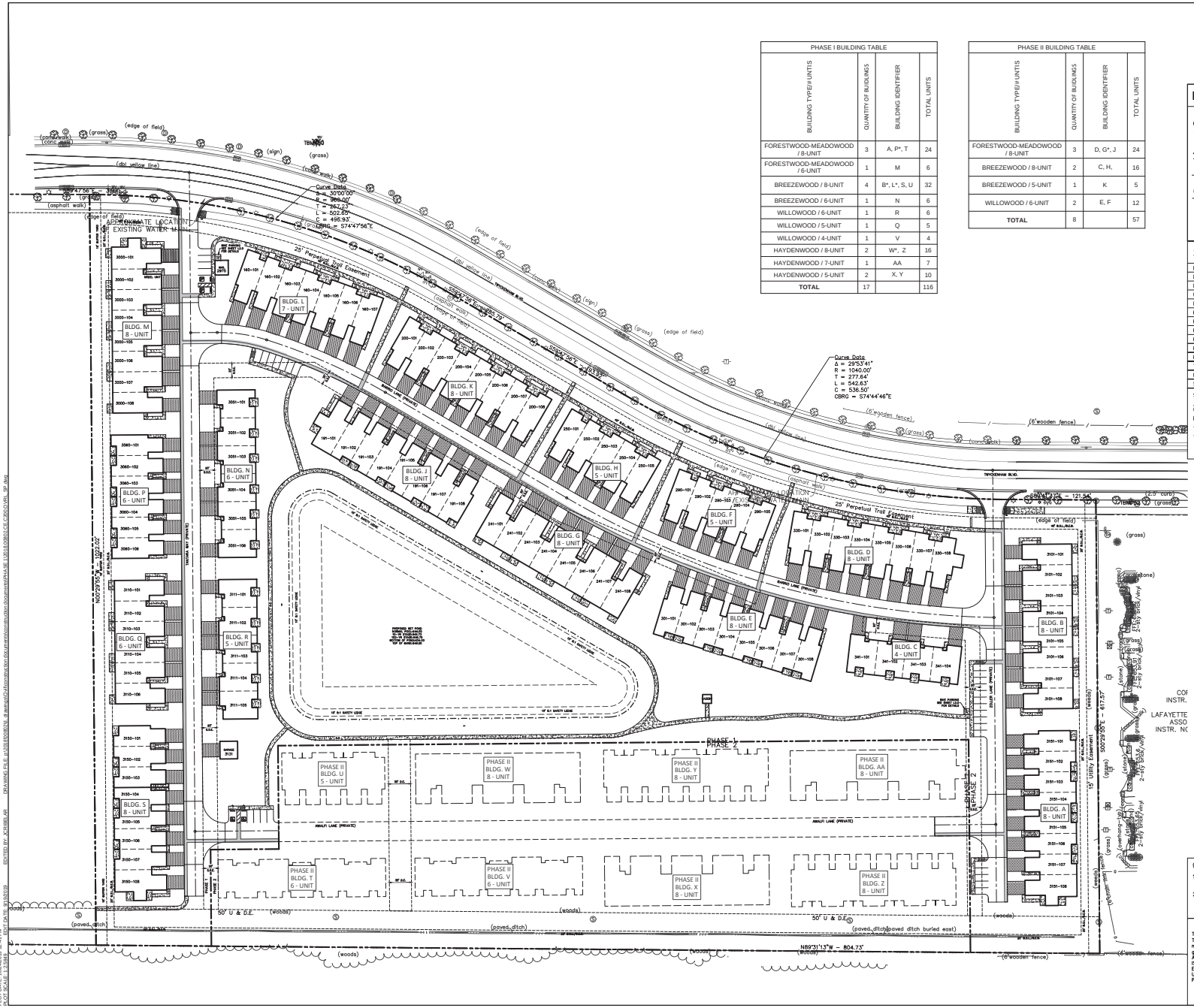
_____

Sallie Dell Fahey, Secretary

RESOLUTION PD-2020-04:
REDWOOD ACQUISITIONS, LLC
(Redwood Apartments PD, Phase 1)
(Z-2764)

STAFF REPORT
May 14, 2020





PHASE I BUILDING TABLE			
BUILDING TYPE/# UNITS	QUANTITY OF BUILDINGS	BUILDING IDENTIFIER	TOTAL UNITS
FORESTWOOD-MEADOWOOD / 8-UNIT	3	A, P*, T	24
FORESTWOOD-MEADOWOOD / 6-UNIT	1	M	6
BREEZEWOOD / 8-UNIT	4	B*, L*, S, U	32
BREEZEWOOD / 6-UNIT	1	N	6
WILLOWOOD / 6-UNIT	1	R	6
WILLOWOOD / 5-UNIT	1	Q	5
WILLOWOOD / 4-UNIT	1	V	4
HAYDENWOOD / 8-UNIT	2	W*, Z	16
HAYDENWOOD / 7-UNIT	1	AA	7
HAYDENWOOD / 5-UNIT	2	X, Y	10
TOTAL	17		116

PHASE II BUILDING TABLE			
BUILDING TYPE/# UNITS	QUANTITY OF BUILDINGS	BUILDING IDENTIFIER	TOTAL UNITS
FORESTWOOD-MEADOWOOD / 8-UNIT	3	D, G*, J	24
BREEZEWOOD / 8-UNIT	2	C, H,	16
BREEZEWOOD / 5-UNIT	1	K	5
WILLOWOOD / 6-UNIT	2	E, F	12
TOTAL	8		57

0' 60' 120'
SCALE: 1"=60'

EXISTING LEGEND

- AIR CONDITIONER
- BUSH
- CURB INLET
- DRAINAGE MANHOLE
- ELECTRIC METER BOX
- FIRE HYDRANT
- GAS METER
- GAS MARKER SIGN
- LIGHT POLE
- PINE
- SIGN
- SANITARY MANHOLE
- TEMPORARY BENCH MARK
- TELEPHONE HANDHOLE
- TELEPHONE PEDESTAL
- TRANSFORMER
- TREE
- TELEPHONE CROSS BOX
- WATER VALVE

SITE DATA TABLE

EXISTING SITE ZONING:	PDRS
LOT 1 ZONING	PDRS
LOT 1 AREA:	±25.09 AC
UNITS:	173
LOT 1 UNIT DENSITY:	6.9 UNITS/ACRE
PHASE I AREA:	±18.36 AC
PHASE I UNITS:	116 UNITS
PHASE I UNIT DENSITY:	6.3 UNITS/ACRE
PHASE II AREA:	±6.73 AC
PHASE II UNITS:	57
PHASE II UNIT DENSITY:	8.4 UNITS/ACRE
TWYCKENHAM BLVD. ROW WIDTH:	80'
FRONT YARD SETBACK:	40'
SIDE AND BACK YARD SETBACK:	25'
STANDARD PARKING (9'x20'):	31
ADA PARKING PROVIDED: (INCLUDES 2 VAN ACCESSIBLE)	4
DRIVEWAY PARKING:	346
TOTAL PROPOSED PARKING:	381
TOTAL REQUIRED PARKING (1.75 SPACES PER UNIT):	303
BICYCLE PARKING	6

GENERAL NOTES:

1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
2. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.

!! CAUTION !!

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE
"811" OR 1-800-382-5544
– INDIANA UNDERGROUND –

REDWOOD ACQUISITIONS, LLC
7510 E. PLEASANT VALLEY ROAD
INDEPENDENCE, OHIO 44131

JAN DEMSON STRUCTUREPOINT LLC
9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

REDWOOD APARTMENT NEIGHBORHOOD AT LAFAYETTE PHASE I (Z-2764)

TWYCKENHAM BLVD & OLD U.S. 231
LAFAYETTE, IN

REGISTERED No. 11800754 STATE OF INDIANA PROFESSIONAL ENGINEER

CERTIFIED BY

ISSUANCE INDEX
DATE: 09/26/2019
PROJECT PHASE: CONSTRUCTION DOCUMENTS

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
1	CITY COMMENTS	10/08/19
2	CITY COMMENTS	10/24/19

Project Number 2018.00802

OVERALL SITE PLAN

C200

Z-2764
REDWOOD ACQUISITIONS, LLC
REDWOOD APARTMENTS PLANNED DEVELOPMENT PHASE 1
FINAL DETAILED PLANS
RESOLUTION PD-20-04

Staff Report
May 14, 2020

BACKGROUND:
On June 23, 2017, APC, by unanimous vote, recommended approval of a reclassification from R3 and GB to PDRS on approximately 25 acres in the City of Lafayette for the Redwood Apartments Planned Development. The approved preliminary plans allow for the construction of multiple, single-story apartment buildings containing 173 units over two phases. This first phase contains a maximum of 116 units. The City of Lafayette Common Council approved the rezone, by unanimous vote, on July 1, 2019.

Petitioner's Final Detailed Plans, consisting of the Construction Plans and Final Plat for Phase 1, meet all conditions required at this stage of the development.

Bonding is being requested.

Once the FDPs are approved and recorded and bonding submitted, the owner will be clear to apply for improvement location permits with the city and begin construction.

STAFF RECOMMENDATION:
Approval of Resolution PD-20-04

RESOLUTION PD-20-04

WHEREAS Preliminary Plans for ***REDWOOD APARTMENTS PLANNED DEVELOPMENT PHASE 1,*** are approved as part of Z-2764, with conditions attached; and

WHEREAS all conditions of approval necessary for FINAL DETAILED PLANS - PHASE 1 have been met; and

WHEREAS UZO 2-28-12-a-2 states that minor modifications approvable by the Administrative Officer "any increase in residential density; any decrease in residential density of 10% or more; any increase in building dimension or change in building location other than within the defined building envelope; any change in landscaping other than increases, as determined appropriate by the administrative officer, in the amounts of approved landscaping, substitution of species or redesign with the same materials; any increase in the size of the signage approved with the Preliminary Plan; any change in type of land use; any change in the alignment or intersection of streets; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items"; and

WHEREAS the Area Plan Commission Staff finds these Final Detailed Plans to conform to the Approved Planned Development as adopted and passed by the City of Lafayette Common Council on July 1, 2019;

NOW THEREFORE BE IT RESOLVED that the Area Plan Commission of Tippecanoe County, after staff examination of the Final Detailed Plans submitted for ***REDWOOD APARTMENTS PLANNED DEVELOPMENT*** PHASE 1***,*** does hereby find them to conform to the Approved Planned Development Z-2764 as adopted and passed by the City of Lafayette Common Council.

_____ _____

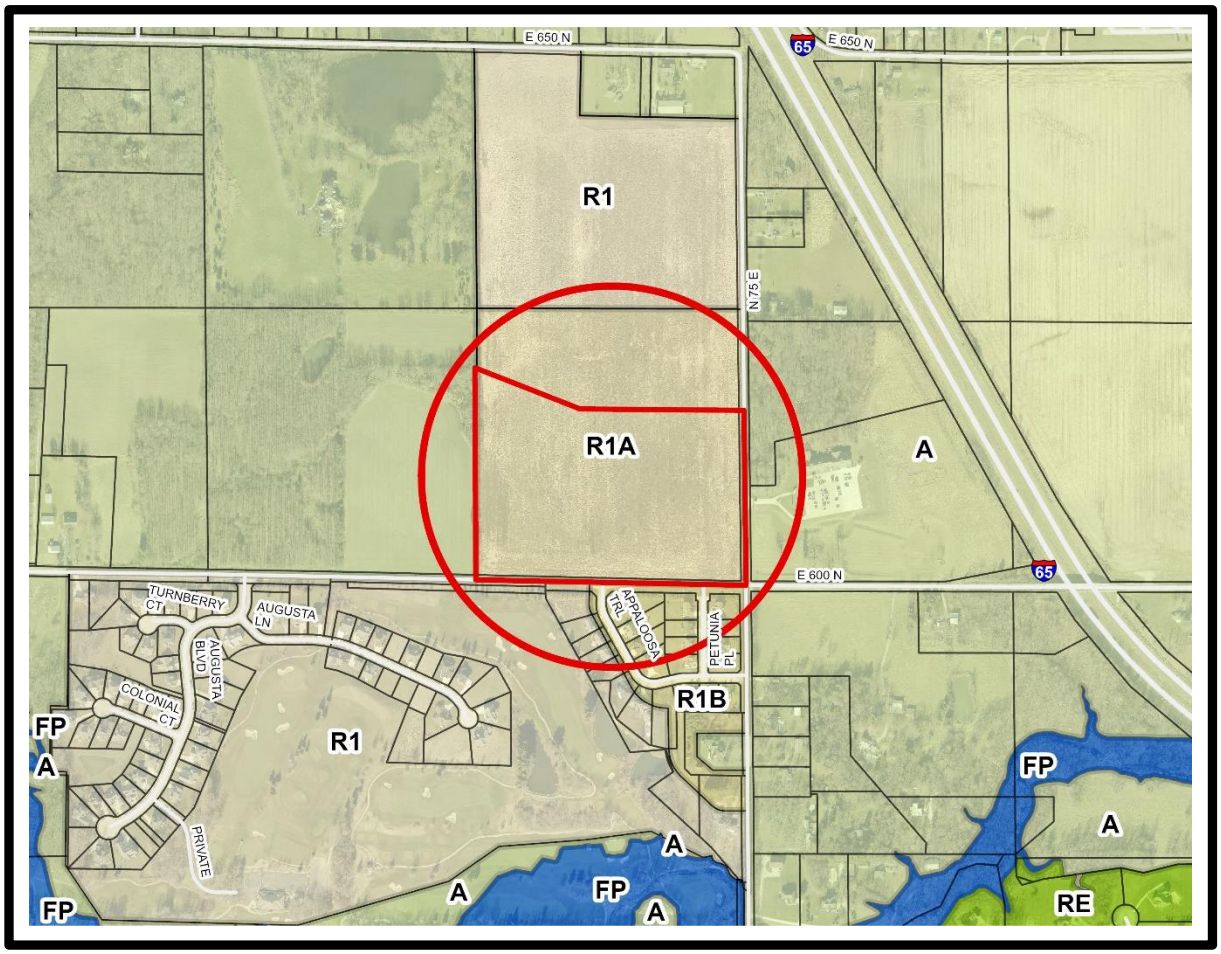
JACKSON W. BOGAN, PRESIDENT **SALLIE DELL FAHEY, SECRETARY**

_____

DATE

S-4905
BELLE TERRA SUBDIVISION, REVISED
(major-preliminary)

STAFF REPORT
March 12, 2020



VICINITY MAP
NOT TO SCALE

N

0' 100' 200'
HORIZONTAL SCALE: 1" = 100'

PRELIMINARY PLAT
BELLE TERRA SUBDIVISION

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 24 NORTH, RANGE 4 WEST, TIPPECANOE TOWNSHIP, TIPPECANOE COUNTY, INDIANA

LEGAL DESCRIPTION - BELLE TERRA SUBDIVISION

A part of the Southwest Quarter of the Southeast Quarter of Section Twenty (20), Township Twenty-four (24) North, Range Four (4) West, Tippecanoe Township, Tippecanoe County, Indiana, being the Whiskir, LLC property as described in Document Number 201919017715 in the Office of the Recorder of Tippecanoe County, being depicted on a survey by C&S Surveying, Job Number 18203, recorded in Document Number 201818005651 in said Recorder's Office, and being more completely described as follows:

BEGINNING at the southwest corner of the southeast quarter of said Section 20-24-4; thence along the south line of said southeast quarter, South 88°51'21" East, 1342.36 feet to the southeast corner of the west half of said southeast quarter; thence along the east line of said west half, North 00°43'32" West, 868.13 feet; thence North 89°30'14" West, 813.52 feet; thence North 68°38'00" West, 561.38 feet to the west line of said southeast quarter; thence along said west line, South 00°16'55" West, 1052.84 feet to the point of beginning, containing 27.64 acres, more or less.

SUBJECT TO ALL EASEMENT, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LAND SURVEYOR'S CERTIFICATE

The undersigned, a Registered Professional Land Surveyor of the State of Indiana does hereby certify that the above preliminary plat was prepared under his direct supervision.

CERTIFIED BY:

Justin R. Frazier, PLS — 02/14/20 Date

LAST INSTRUMENT CONVEYING TITLE TO SUBJECT PROPERTY

KEY NO:	79-03-20-400-016.000-017
DEED RECORD:	201919017715
GRANTOR:	K & K Homes, LLC
GRANTEE:	Whiskir, LLC
DATE:	October 10, 2019

SURVEY NOTE

This drawing does not represent a boundary survey of the property depicted. This plat has been prepared pursuant to Section 3.3 (Major Subdivisions) and Section 6.2 (Major Preliminary Plat), of the Unified Subdivision Ordinance of Tippecanoe County as amended, and is based on survey work prepared by C&S Surveying Job No. 18023, recorded as Document No. 201818005651.

UTILITY INFORMATION

1. EXISTING SANITARY FACILITIES ARE LOCATED WEST OF THE PROPOSED DEVELOPMENT WITHIN WINDING CREEK SUBDIVISION PROPERTY.
2. EXISTING WATER FACILITIES ARE LOCATED WEST OF THE PROPOSED DEVELOPMENT WITHIN WINDING CREEK SUBDIVISION PROPERTY.

TBIND
Design Services Corporation
Engineering • Surveying
Environmental • Construction Management
105 North 10th Street • Lafayette, Indiana
(765) 742-1964 • info@tbindesign.com
www.tbindesign.com

CERTIFIED BY:

JUSTIN R. FRAZIER
REGISTERED
NO. 20600035
STATE OF INDIANA
LAND SURVEYOR

BELLE TERRA SUBDIVISION

WHISKIR, LLC
PO BOX 1071
LAFAYETTE, INDIANA 47902

MARK	DATE	DESCRIPTION

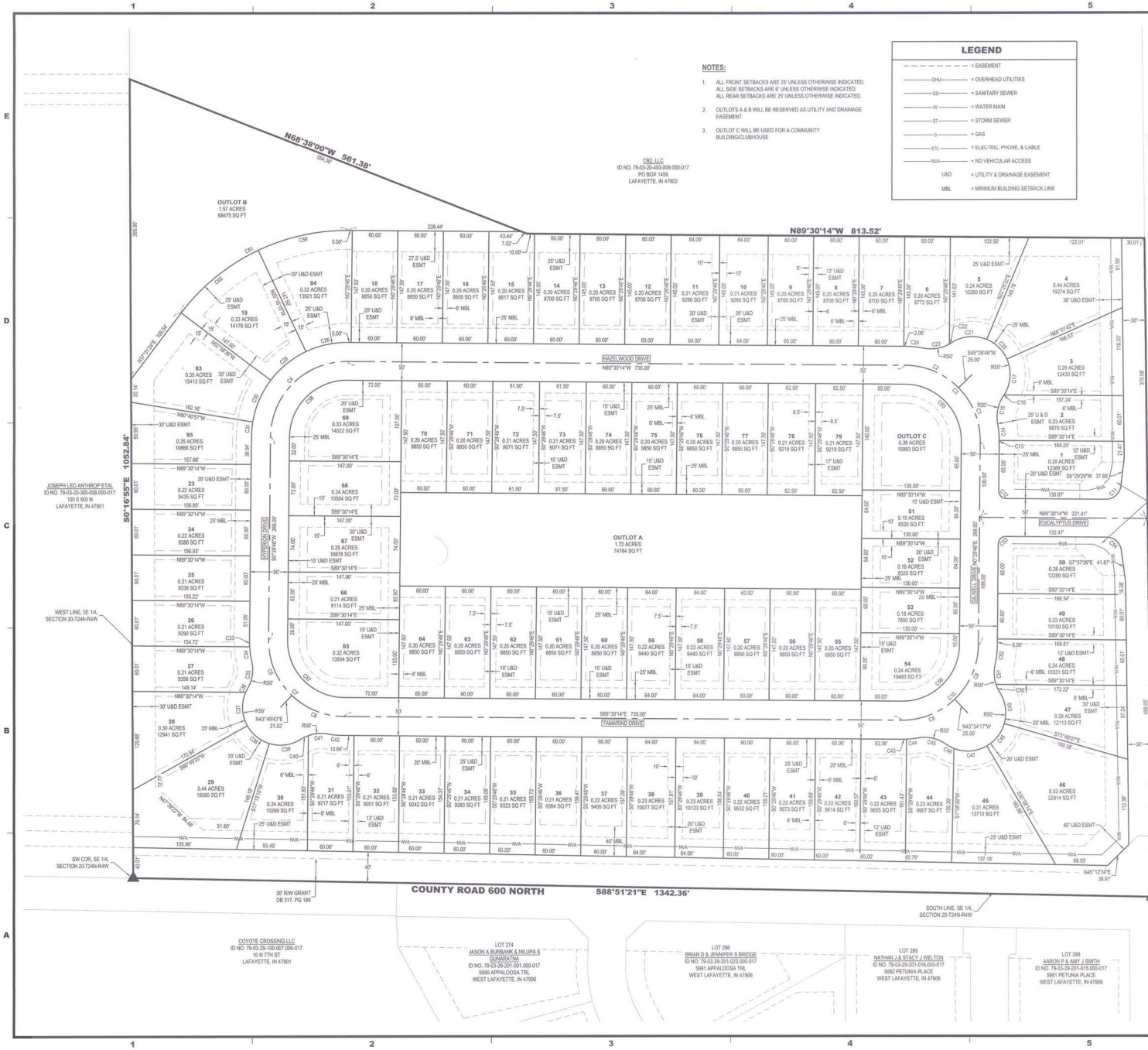
PROJECT NO:	18021
FILE:	18021-SURVEY PP.DWG
DRAWN BY:	DLP/BMB
CHECKED BY:	JRF

LOCATION:
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 24 NORTH, RANGE 4 WEST, TIPPECANOE TOWNSHIP, TIPPECANOE COUNTY, INDIANA

TITLE:
PRELIMINARY PLAT
OVERALL

1

FILE: P:\2018\18021 Belle Terra Subdivision\DWG\SURVEY\18021-SURVEY PP.dwg - USER: NICK DIGIACOMO - DATE: Friday, February 14, 2020 10:27 AM



NOTES:

1. ALL FRONT SETBACKS ARE 35' UNLESS OTHERWISE INDICATED. ALL SIDE SETBACKS ARE 6' UNLESS OTHERWISE INDICATED. ALL REAR SETBACKS ARE 25' UNLESS OTHERWISE INDICATED.
2. OUTLOTS A & B WILL BE RESERVED AS UTILITY AND DRAINAGE EASEMENT.
3. OUTLOT C WILL BE USED FOR A COMMUNITY BUILDING/CLUBHOUSE

LEGEND

	= EASEMENT
OHU	= OVERHEAD UTILITIES
SS	= SANITARY SEWER
W	= WATER MAIN
ST	= STORM SEWER
G	= GAS
ETC	= ELECTRIC, PHONE, & CABLE
NVA	= NO VEHICULAR ACCESS
U&D	= UTILITY & DRAINAGE EASEMENT
MBL	= MINIMUM BUILDING SETBACK LINE

N

0' 60' 120'

HORIZONTAL SCALE: 1" = 60'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	78.54'	100.00'	45°00'00"	N22°00'14"W 76.54'
C2	78.54'	100.00'	45°00'00"	N67°00'14"W 76.54'
C3	157.08'	100.00'	90°00'00"	N44°30'14"W 141.42'
C4	157.08'	100.00'	90°00'00"	S45°29'46"W 141.42'
C5	81.45'	100.00'	46°40'02"	S22°50'16"E 79.22'
C6	75.63'	100.00'	43°19'58"	S67°50'16"E 73.84'
C7	157.08'	100.00'	90°00'00"	S44°30'14"E 141.42'
C8	76.91'	100.00'	44°04'03"	N68°27'44"E 75.03'
C9	80.17'	100.00'	45°55'58"	N23°27'44"E 78.04'
C10	157.08'	100.00'	90°00'00"	N45°29'46"E 141.42'
C11	29.32'	20.00'	84°00'17"	S48°29'37"W 26.77'
C12	15.71'	10.00'	90°00'00"	N44°30'14"W 14.14'
C13	1.76'	125.00'	0°48'32"	N0°05'30"E 1.76'
C14	22.13'	125.00'	10°08'36"	N5°23'04"W 22.10'
C15	38.76'	50.00'	44°24'55"	N11°45'05"E 37.80'
C16	1.13'	50.00'	1°17'24"	N33°18'50"E 1.13'
C17	49.43'	50.00'	56°38'26"	N4°20'55"E 47.44'
C20	38.05'	50.00'	43°36'10"	N45°46'23"W 37.14'
C21	48.34'	50.00'	55°23'33"	S84°43'45"W 46.48'
C22	3.31'	50.00'	3°47'28"	S58°55'43"W 3.31'
C23	35.45'	50.00'	40°37'27"	S81°06'10"W 34.71'
C24	23.89'	125.00'	10°57'08"	N84°01'40"W 23.86'
C26	56.21'	125.00'	25°46'01"	S77°36'45"W 55.74'
C28	60.44'	125.00'	27°42'21"	S50°52'34"W 59.86'
C30	60.44'	125.00'	27°42'21"	S23°10'14"W 59.86'
C31	19.25'	125.00'	8°49'18"	S4°54'24"W 19.23'
C33	8.95'	125.00'	4°06'10"	S1°33'20"E 8.95'
C34	19.38'	125.00'	8°52'59"	S8°02'54"E 19.36'
C35	36.97'	50.00'	42°22'07"	S8°41'40"W 36.14'
C36	5.63'	50.00'	6°29'48"	S26°37'49"W 5.67'
C37	45.87'	50.00'	52°33'35"	S2°53'52"E 44.28'
C38	38.05'	50.00'	43°36'10"	S50°58'45"E 37.14'
C39	43.15'	50.00'	49°26'27"	N82°29'57"E 41.82'
C40	11.18'	50.00'	12°46'44"	N64°11'05"E 11.16'
C41	25.79'	50.00'	29°33'23"	N85°22'09"E 25.51'
C42	21.06'	125.00'	9°39'05"	S84°46'42"E 21.03'
C43	6.64'	125.00'	3°02'39"	N88°58'26"E 6.64'
C44	15.21'	125.00'	6°58'17"	N83°57'59"E 15.20'
C45	38.78'	50.00'	44°26'31"	S77°17'54"E 37.82'
C46	11.80'	50.00'	13°31'24"	S61°50'21"E 11.77'
C47	44.97'	50.00'	51°32'11"	N85°37'52"E 43.47'
C48	38.10'	50.00'	43°39'53"	N38°01'50"E 37.19'
C49	42.12'	50.00'	48°15'48"	N7°56'0"W 40.88'
C50	12.16'	50.00'	13°55'56"	N25°05'57"W 12.13'
C51	26.62'	50.00'	30°30'35"	N2°52'42"W 26.31'
C52	25.92'	125.00'	11°52'50"	N6°26'11"E 25.87'
C53	15.71'	10.00'	90°00'00"	N45°29'46"E 14.14'
C54	28.58'	20.00'	81°52'49"	S48°33'50"E 26.21'
C55	117.81'	75.00'	90°00'00"	S44°30'14"E 106.07'
C56	117.81'	75.00'	90°00'00"	S45°29'46"W 106.07'
C57	117.81'	75.00'	90°00'00"	N44°30'14"W 106.07'
C58	117.81'	75.00'	90°00'00"	N45°29'46"E 106.07'
C59	122.55'	272.50'	25°46'01"	N77°36'45"E 121.52'
C60	131.77'	272.50'	27°42'21"	N50°52'34"E 130.49'
C61	254.32'	272.50'	53°28'22"	S63°45'35"W 245.19'

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www.ibindesign.com

CERTIFIED BY:

JUSTIN R. FRAZIER
REGISTERED
NO. 20600035
STATE OF INDIANA
LAND SURVEYOR

BELLE TERRA SUBDIVISION

WHISKIR, LLC
PO BOX 1071
LAFAYETTE, INDIANA 47902

MARK	DATE	DESCRIPTION

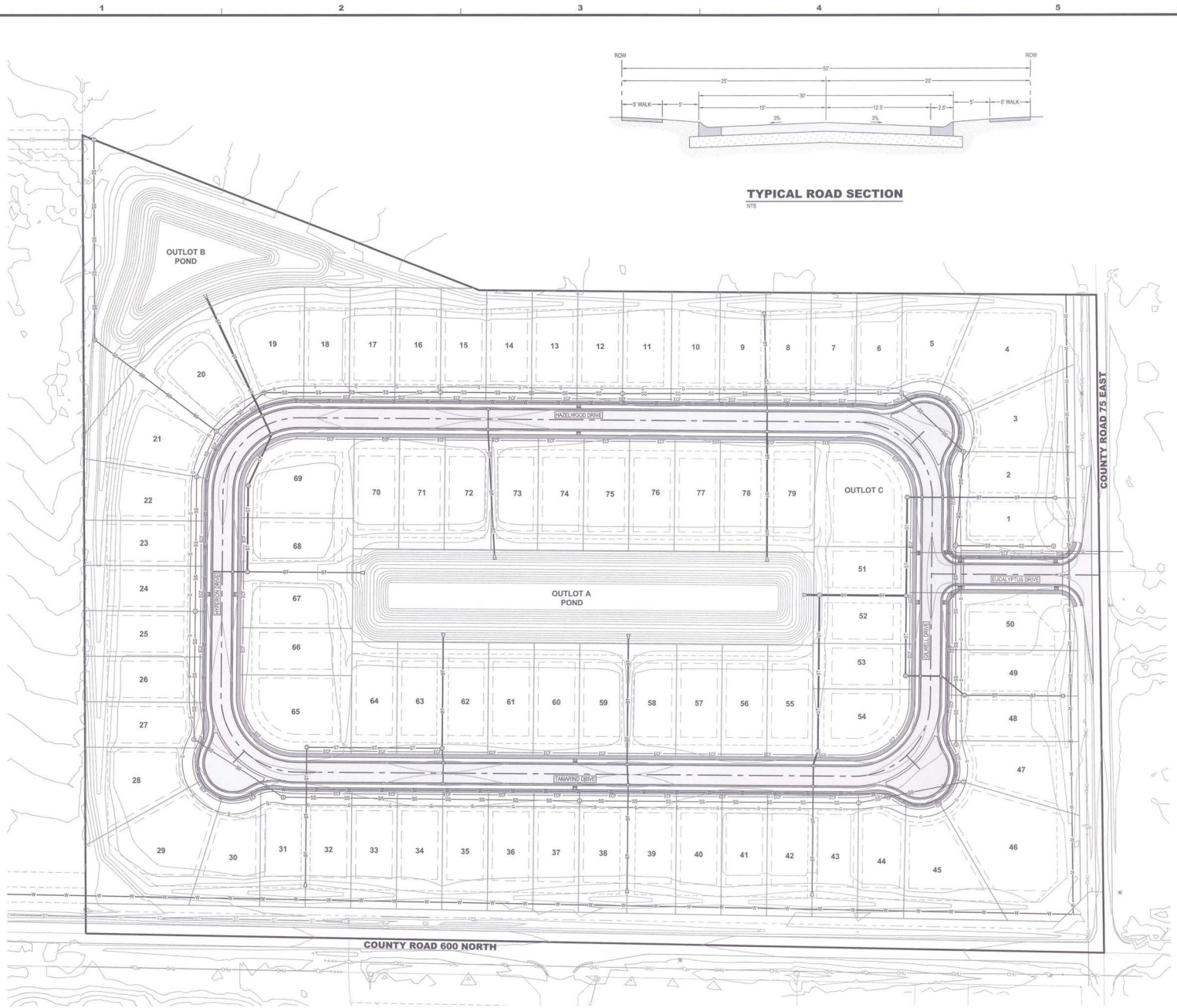
PROJECT NO: 18021
FILE: 18021-SURVEY PP.DWG
DRAWN BY: DLP/BMB
CHECKED BY: JRF

LOCATION:
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTON 20, TOWNSHIP 24 NORTH, RANGE 4 WEST, TIPPECANOE TOWNSHIP, TIPPECANOE COUNTY, INDIANA

TITLE:
PRELIMINARY PLAT
GEOMETRICS

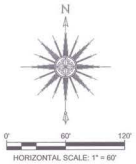
2

FILE: P:\2018\18021 Belle Terra Subdivision\DRAWINGS\SURVEY\18021-SURVEY PP.dwg USER: NICK DISHONGO DATE: Friday, February 14, 2020 10:27:51 AM



TYPICAL ROAD SECTION

NTS



NOTES:

1. ALL FRONT SETBACKS ARE 25' UNLESS OTHERWISE INDICATED. ALL SIDE SETBACKS ARE 6' UNLESS OTHERWISE INDICATED. ALL REAR SETBACKS ARE 25' UNLESS OTHERWISE INDICATED.
2. OUTLOTS A & B WILL BE RESERVED AS UTILITY AND DRAINAGE EASEMENT, AND WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
3. OUTLOT C WILL BE USED FOR A COMMUNITY BUILDING/CLUBHOUSE

LEGEND

- - - - - - - -	= EASEMENT
OHU	= OVERHEAD UTILITIES
SS	= SANITARY SEWER
W	= WATER MAIN
ST	= STORM SEWER
G	= GAS
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CERTIFIED BY:

JUSTIN R. FRAZIER
REGISTERED
NO. 20600035
STATE OF INDIANA
LAND SURVEYOR

BELLE TERRA SUBDIVISION

WHISKIR, LLC
PO BOX 1071
LAFAYETTE, INDIANA 47902

MARK	DATE	DESCRIPTION

PROJECT NO:	18021
FILE:	18021-SURVEY PP.DWG
DRAWN BY:	DLP/BMB
CHECKED BY:	JRF

LOCATION:
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 4 WEST, TIPPECANOE TOWNSHIP, TIPPECANOE COUNTY, INDIANA

TITLE:
PRELIMINARY PLAT
UTILITY PLAN

3

FILE: P:\2018\18021 Belle Terra Subdivision\DRAWINGS\SURVEY\18021-SURVEY PP.dwg USER: nick DATE: Friday, February 14, 2020 10:27:54 AM

S-4905
BELLE TERRA SUBDIVISION, REVISED
Major-Preliminary Plat

Staff Report
March 12, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is seeking primary approval to replace the original 77 lot (and 2 outlots) preliminary plat approved July 18, 2018 (S-4755) on the same 27.64 acre tract located at the northwest corner of CR 600 N and CR 75 E, in Tippecanoe 20(SE)24-4. The new layout will be for 79 single-family lots and 3 outlots, including a community building/clubhouse.

AREA ZONING PATTERNS:

This 27.64 acre site is part of a 40.7 acre tract that was rezoned from A (Agricultural) to R1A in February 2018 (Z-2711). At the same time, adjoining on the north, a 34.45 acre tract was rezoned from A to R1 (Z-2712). To the west, east and southeast are A zoned tracts. Properties to the south, across CR 600 N, are zoned R1 and R1B.

AREA LAND USE PATTERNS:

The site is open and farmed, as is the adjoining field to the north. Agricultural production is the predominant land use surrounding the subject property, mixed with a scattering of large and small lot single-family homes. To the east, across CR 75 E, is a church. The Winding Creek subdivision and the Coyote Crossing golf course are located to the south. The acreage to the north was granted conditional primary approval in August 2018 for a 119 lot single-family subdivision called The Preserve.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies CR 600 N as a rural secondary arterial and CR 75 E as a rural local road. As with the previous subdivision design, there is only a single entrance from CR 75 E to serve the lots in this revised Belle Terra. Except for the entrance, a “No Vehicular Access” restriction has been shown along both perimeter road rights-of-way to control access for the double frontage lots.

Other than the two additional lots, the main difference between this revised preliminary plat and the previous is the new street layout. The two north-south connector streets in the middle of the site have been removed. There is now just a loop street system to serve the 79 lots. Five street names have been reviewed and accepted by the post office, 911 and APC staff (Eucalyptus, Gilwell, Hazelwood, Hyperion and Tamarind) and are shown on the preliminary plat. Because there is only one intersection (the entrance street and the loop), the beginning and end of most of these streets will need to be clearly marked on the final plat.

As with the previous application, a variance has been filed to **not** extend any of the subdivision streets to the boundaries where connectivity to adjacent developable land is desirable. USO Section 5.3(1)(c)(v) states:

> *Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Commission such extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.*

This variance was submitted to and heard by the Board of County Commissioners at its March 2nd meeting. And the Board has again voted to recommend approval of the variance with a condition that an access adequate to accommodate emergency vehicles be constructed to the north boundary of the subdivision to connect to The Preserve Subdivision. The Preserve was approved with this same condition.

Staff acknowledges that a public street connection to the north for this revised Belle Terra preliminary plat is not realistic, since The Preserve is approved with no connecting public street. Therefore, this variance can only apply to the west boundary. However, it is staff's opinion that the land adjoining on the west (currently zoned A) is potentially developable (with utilities being extended for this subdivision), and that a stub street should be extended to the west.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
American Suburban Utilities and Indiana American Water will provide the sanitary sewer and water services to this development. These utilities will be extended from existing mains in Winding Creek Subdivision to the south. Outlot B located in the northwest corner of the site and Outlot A located in the center of the site will be used for stormwater detention ponds. A community building/clubhouse is planned for Outlot C, located in the northeast quadrant of the subdivision, between Lots 51 and 79.

CONFORMANCE WITH UZO REQUIREMENTS:
All building setbacks appear to be shown correctly and each lot meets the width and area requirements for R1A zoning.

IMPROVEMENTS AND PERFORMANCE BOND:
Petitioner <u>has</u> requested permission to bond, in lieu of completing all of the required public improvements prior to the submission of the final plat.

STAFF RECOMMENDATION:
Conditional primary approval, contingent on the following:

A. Variances

1. A variance to waive the requirement to extend new streets to the boundary lines of the subdivision to connect to adjacent tracts for future development, per USO Section 5.3(1)(c)(v).

B. Conditions

CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:

1. The conditional primary approval of Belle Terra Subdivision S-4755 shall be withdrawn.

2. An access adequate to accommodate emergency vehicles shall be constructed from the north boundary of the subdivision to an internal street to connect to the adjoining emergency access required in The Preserve Subdivision.

3. American Suburban Utilities, Inc. shall approve the sanitary sewer plans.

4. Indiana-American Water Company, Inc. shall approve the water plans.

5. The fire hydrants shall be approved by the Tippecanoe Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the Indiana American Water Company in cooperation with the Fire Department.

6. An Erosion and Sediment Control Plan and a Stormwater Quality Management Plan meeting the requirements of 327 I.A.C. 15-5 shall be submitted to the Tippecanoe County Soil and Water Conservation District and shall also be approved by the Tippecanoe County Drainage Board as required by Tippecanoe County Ordinance #2011-27-CM.

7. The County Drainage Board shall approve the drainage plans.

8. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. The assigned street addresses for each lot shall be included. If any of these utilities are being extended from an off-site location, this extension shall be made a part of the utility coordinating sheet.

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

9. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 75 E and CR 600 N right-of-way lines.

10. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.

11. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).

12. Gateway signs, if any, shall be placed in an appropriate easement at the entrance.

13. All required building setbacks shall be platted.

14. The street addresses and County Auditor's Key Number shall be shown.

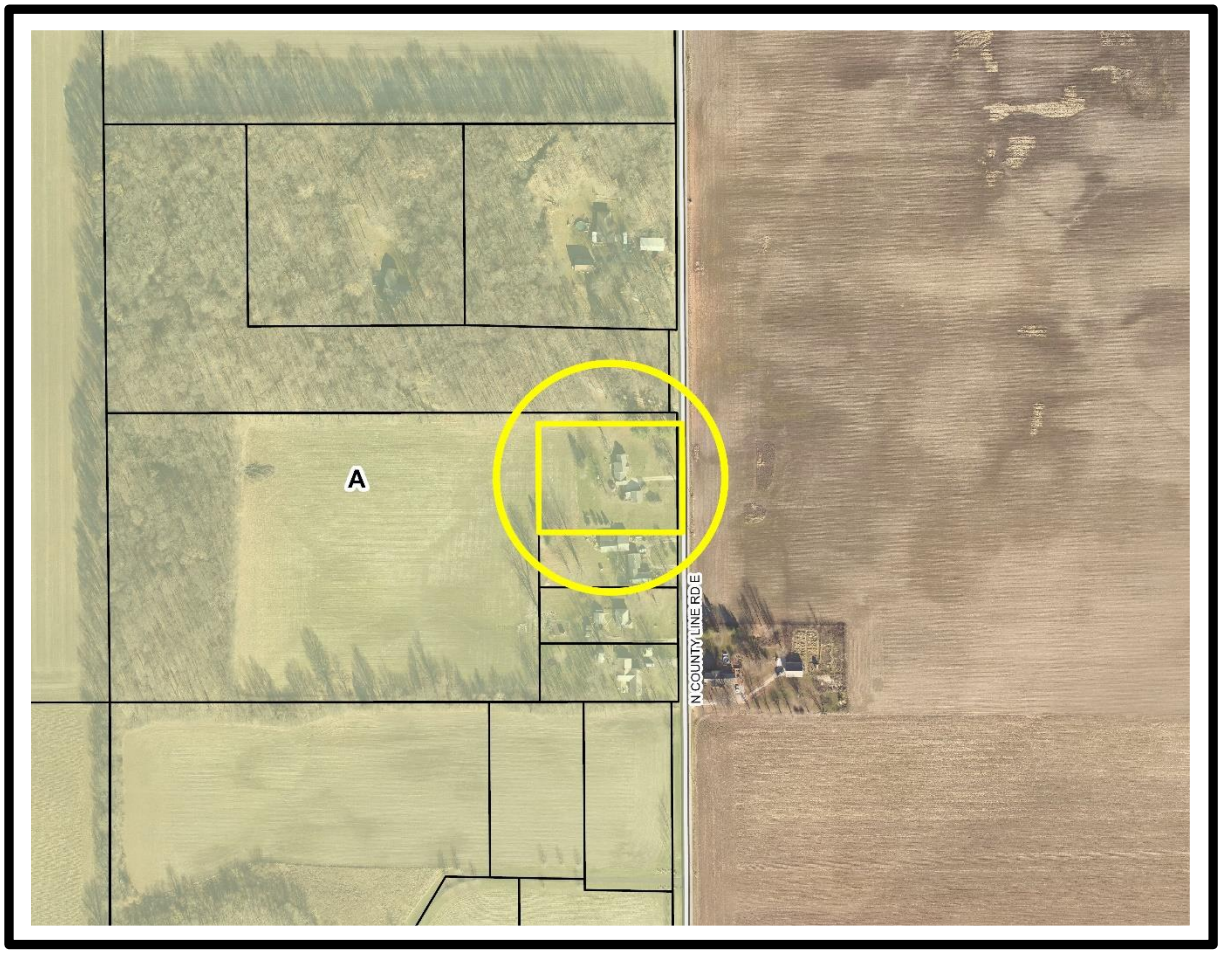
SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

15. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

16. The purpose, ownership and maintenance of the outlots shall be specified.

S-4908
KKLM PLACE SUBDIVISION
(minor-sketch)

STAFF REPORT
March 26, 2020



0 100 200 300

ALE – FEET

NORTHEAST CORNER,
SOUTHEAST QUARTER,
NORTHEAST QUARTER,
SECTION 24-23N-3W,
TIPPECANOE COUNTY, IN

S00°24'08"E 662.99'

626 N COUNTY LINE ROAD

57'14"E 1291.00'

6' setback

30'

N89°57'14"E 300.00'

30'

25' setback

LOT#1
1.714 ACRES±
legal drain easement
(75' from tile)

604 N COUNTY LINE ROAD

N00°24'08"W 248.76'

S00°24'08"E 248.97'

R-O-W TO BE DEDICATED

S00°24'08"E 248.99'

A R-O-W PARCEL
0.171 ACRES±
(7469.376 SQ.FT.±)

LAWRENCE & JANE NICKLES
I#201515014189, 8/4/2015
ID:79-08-24-200-005.000-009

25' setback

30'

'RENCE & JANE NICKLES
515014189, 8/4/2015
08-24-200-005.000-009

280 ACRES±

6' setback

approximate location
county tile

A

S89°59'34"W 300.00'

legal drain easement
(75' from tile)

P.O.B. LOT#1

S00°24'08"E 662.99'

128.00'

MICHAEL P. DAWSON
D.R.80, PG.2785, 8/28/1998
ID:79-08-24-200-006.000-009

530 N COUNTY LINE ROAD

75'

approximate location
John Hoffman tile

S00°24'08"E 384.00'

128.00'

WAYNE CRIDER JR.
& JANET L. CRIDER
I#201515003767, 3/10/2015
ID:79-08-24-200-007.000-009

516 N COUNTY LINE ROAD

N00°24'08"W 384.00'

TIPPECANOE COUNTY

CLINTON COUNTY

75'

legal drain easement
(75' from tile)

128.00'

JAMIE RICHARDS
I#201515004496, 3/20/2015
ID:79-08-24-200-008.000-009

508 N COUNTY LINE ROAD

This plat does not purport to represent an original boundary or retracement survey. No monuments were found or set. The monumentation shown is for reference.

S89°59'34"W 330.00'

GREGORY A. & JILL A. FOLKERTS
I#201717019755, 10/6/2017
ID:79-08-24-400-006.000-009

SOUTHEAST CORNER,
NORTHEAST QUARTER,
SECTION 24-23N-3W,
TIPPECANOE COUNTY, IN
(EAST QUARTER CORNER)

(COUNTY LINE ROAD)

AVE.
IN., 47933
-439-4356
10
-8814
EYING.COM
RVEYING.COM

This document was prepared by: Reese Harpel

"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."

Reese Harpel

CONTOURS SHOWN ON THIS PLAT WERE EXTRACTED FROM OPENTOPOGRAPHY.ORG

S-4908
KKLM PLACE SUBDIVISION (MINOR-SKETCH)
Minor-Sketch Plan

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioners and property owners Lawrence & Jane Nickles, represented by Karl Rhoads of Deckard Engineering & Surveying, are seeking primary approval of a one lot subdivision on 1.885 acres, located on the west side of County Line Road East, approximately ½ mile north of SR 26 E, in Perry 24 (NE) 23-3.

AREA ZONING PATTERNS:
The parent tract is 17.09 acres which will leave a 15 acre tract as a remainder. This is the first division from the parent tract, which means three division rights will remain after recordation of this plat.

The site is zoned Agricultural as is all surrounding property; land across the road to the east is in Clinton County.

AREA LAND USE PATTERNS:
There is an existing house on proposed Lot 1; the remaining acreage is farmed with a wooded area to the west. Two tiles cross the parent parcel: the north-south running John Hoffman tile and an unnamed county tile that connects the John Hoffman with Clinton County to the east. Both tiles, and the required 150' wide legal drain easements, have been shown on the sketch plan.

TRAFFIC AND TRANSPORTATION:
The required 30' half-width right-of-way to be dedicated has been shown on the sketch plan. County Highway is not requiring a "no vehicular access" statement.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The Surveyor's Office has approved the drainage for this subdivision. A letter from the County Health Department states that, "the proposed one lot minor subdivision is served by an individual water well and individual on-site sewage disposal system. The existing well and on-site sewage disposal system serves an existing single-family dwelling. The Health Department is satisfied that this minor subdivision can meet requirements" of both Tippecanoe County and the State Department of Health.

CONFORMANCE WITH UZO REQUIREMENTS:
Setbacks shown are correct. The lot width and area exceed the minimum standards for the Agricultural zone.

STAFF RECOMMENDATION:
Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.

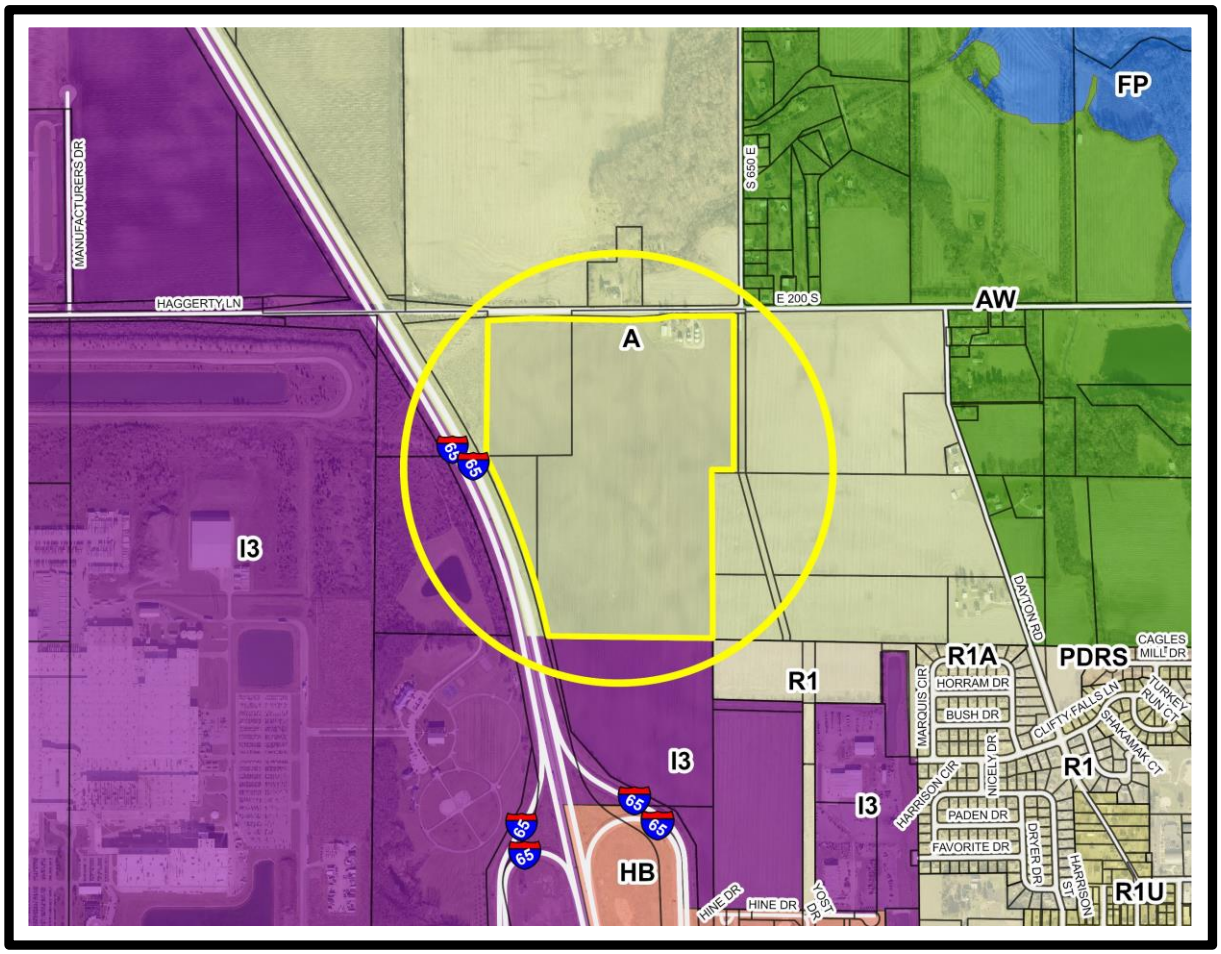
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).

3. All required building setbacks shall be platted.

4. The street addresses and County Auditor's Key Number shall be shown.

Z-2783
CARR FAMILY FARM, LLC
(A to I3)

REVISED STAFF REPORT
March 12, 2020



Z-2783
CARR FAMILY FARM, LLC
A to I3

Revised Staff Report
March 12, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and property owner, Carr Family Farm, LLC, by member Guthrie P. Carr, represented by attorneys Daniel Teder and Kevin Riley, is requesting rezoning of three tracts totaling 97.806 acres east of I-65, south of Haggerty Lane and west of the T-intersection of CR 650 E with Haggerty Lane, adjacent to the north of the Dayton Town limits, specifically 6445 E 200 S, Sheffield 5 (NW) 22-3. Petitioner has no specific plans for the land in the rezone request, other than to make the land "shovel ready" for future industrial businesses.

Note: This request was continued from the February APC meeting to add a zoning commitment. This commitment would prevent the following uses from locating on site if this I3 rezone request is approved:

1. Confined feeding operations (SIC Major Group 02);
2. Ordnance & accessories, except vehicles and guided missiles (SIC Major Group 348);
3. Taxicabs (SIC 4121);
4. Trash transfer stations, recycling collection facilities and recycling processing facilities (SIC 4212);
5. Scrap & waste material and junkyards (SIC 5093);
6. Motor vehicle parts, used (SIC 5015);
7. Truck stops (SIC 554);
8. Cemeteries (SIC 726) and
9. Truck tire mobile sales and service (SIC 754).

ZONING HISTORY AND AREA ZONING PATTERNS:

Originally zoned R1, Single-family Residential, this site became zoned Agricultural in 1983 with the overall rezone of Sheffield Township. Land to the south of this site, located in the Town of Dayton, has been rezoned to I3 over the years as shown below.

- Z-2724: Carr Family Farm, A & HB to I3, approved July 2018
- Z-2723: McCoy Group, R1 & HB to I3, approved May 2018
- Z-2612 and three other rezone requests: MacAllister Machinery, all to I3, approved between 2015 and 2002.

Land adjacent to the east and north is also zoned Agricultural. AW, Agricultural Wooded zoning exists to the northeast; 15 acres of R1 zoning is in place to the southeast. Land west

of the interstate and adjacent to the south of the rezone site is zoned I3. A triangular-shaped tract of land located southeast of the Haggerty Lane bridge and adjacent to the east of the interstate is not part of this request and is owned by the state. The Lafayette corporate boundary runs along the I-65 western right-of-way line, crosses the interstate at Haggerty, then extends due north across the road from this site. Also, the Dayton town limits run along the southern line of this rezone request. The Town of Dayton is in the process of annexing all of the land in this request as well as properties to the east to Dayton Road.

AREA LAND USE PATTERNS:
These 97 acres are gently rolling farmland with an existing farmstead including a house and several agricultural-related structures near its northeast corner. Current surrounding land uses are all agricultural except for one residence to the north and a couple of houses farther to the east along Dayton Road. Farther to the southeast is MacAllister Machinery. South of the rezone site, on the west side of Yost Drive extended, a 26 acre site rezoned to I3 in 2018 will soon be home to a Daimler truck dealership; construction is due to begin this spring. West of I-65 and north of Haggerty is a Toyota commercial warehouse and the Lafayette Armory; the 608 acres south of Haggerty stretching to SR 38 is home to the Subaru automotive plant.

TRAFFIC AND TRANSPORTATION:
Haggerty Lane is classified as a rural secondary arterial by the adopted *Thoroughfare Plan*. Yost Drive, which will eventually connect SR 38 to the south with CR 650 E at Haggerty will be a collector and will provide about a quarter mile of frontage to the rezone site. The Town of Dayton is currently using federal funds to develop the necessary engineering on this road project. A small piece of right-of-way is still needed and will be obtained in fiscal year 2024 with the actual construction of the road occurring after that.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The site in question has water from the town, but currently not sewer. There is a water main located in the Yost Drive right-of-way to Haggerty. Sewer exists just to the south of the rezone site. An agreement between Dayton and Lafayette states that Dayton will serve this area south of Haggerty Lane with utilities. Before development can occur, the standard utility/service agreement with Dayton would have to be approved.

A type C bufferyard is a requirement between I3 and Agricultural zoned land and would be necessary along two sections of the rezone site's property line.

STAFF COMMENTS:
In 1996, the Town Board of Dayton as well as the County Commissioners adopted the *Second Amendment to the Adopted Land Use Plan for Dayton and Vicinity*. (The first amendment was done in 1987 when the announcement of the SIA plant was made.) This *Second Plan* was very specific regarding future land uses between the town proper and the interstate and SR 38 and Haggerty Lane to the north. The Plan calls for Office Research/Light Industrial on the site in question on the west side of Yost Drive, extended.

Currently the town is finalizing the "Dayton & Tippecanoe County Joint EDA-TIF district that includes this rezone site; this area is also in the process of being annexed by the town. Once this is completed, APC staff will begin work on a new Comprehensive Plan Amendment for this area to replace the amendment written almost 25 years ago.

Until the annexation is completed and the new plan amendment is finished, staff feels it is premature to rezone this land currently under the jurisdiction of the County Commissioners. However, if the hearing moves forward, staff can only recommend rezoning to the I1, Light Industrial district since that is what the adopted plan currently in place recommends. While the commitment added to this rezone request places some limits on uses that may locate here, it would still allow outside storage of materials. Based on the plan currently in place, staff still feels the I1 zone would best fulfill the plan's recommendation.

STAFF RECOMMENDATION:
Denial
If revised to I1, Light Industrial, staff recommends approval

Key Number 118-00500-0025
Key Number 118-00500-0014

COMMITMENT

Commitment made on February 20, 2020, by Carr Family Farm LLC (the "Petitioner") pursuant to Indiana Code Section 36-7-4-1015.

1. Petitioner makes this commitment as the owner (the "Owner") of certain real estate (the "Real Estate") located in Tippecanoe County, Indiana, commonly known as three (3) tracts totaling approximately 97 acres east of I-65, south of Haggerty Lane, and west of the T-intersection of CR 650 E with Haggerty Lane and more particularly described on Exhibit A which is attached hereto and incorporated by reference herein.

2. Petitioner has filed a request with the Area Plan Commission of Tippecanoe County, Indiana (the "APC"), to rezone the Real Estate from A to I3 which request is pending before the APC as case no. Z-2783.

3. Petitioner hereby agrees and makes the following commitment in connection with the rezoning request in case no. Z-2783:
The following uses shall not be permitted:

1. Confined feeding operations (SIC Major Group 02)
2. Ordnance & Accessories, Except Vehicles and Guided Missiles (SIC Major Group 348)
3. Taxicabs (SIC 4121)
4. Trash Transfer Stations, Recycling Collection Facilities and Recycling Processing Facilities (SIC 4212)
5. Scrap & Waste Material and Junkyards (SIC 5093)
6. Motor Vehicle Parts, Used (SIC 5015)
7. Truck Stops (SIC 554)
8. Cemeteries (SIC 726)
9. Truck Tire Mobile Sales and Service (SIC 754)

4. Petitioner understands and agrees that this commitment is given to the APC and the Tippecanoe County Commissioners (the "Legislative Body") as an inducement for the recommendation for and approval of the rezoning request in case no Z-2783. Petitioner further understands and agrees that the approval of the rezoning request in case no. Z-2783 by the Legislative Body constitutes good and valuable consideration for the giving of this commitment.

5. This commitment shall be a covenant running with the Real Estate and binding and enforceable against Petitioner, any subsequent owner, or any other person who acquires any interest in the Real Estate. Any change or modification of this commitment shall only be made with the approval of the APC at a public hearing in accordance with all rules and regulations of the APC.

6. Petitioner agrees that each of the following shall each be a "specially affected person" under Indiana Code Section 36-7-4-1015(d)(3) who shall each independently be entitled to bring an action to enforce the terms and conditions of this commitment in the Circuit or Superior Courts of Tippecanoe County, Indiana:

a. the APC,

b. the Area Board of Zoning Appeals of Tippecanoe County, Indiana,

c. the appropriate Administrative Officer designated in the Unified Zoning Ordinance for Tippecanoe County, Indiana,

d. Tippecanoe County Commissioners

CARR FAMILY FARMS, LLC

Guthrie P. Carr

By: Guthrie P. Carr, Member

STATE OF INDIANA)
) SS:
COUNTY OF Tippecanoe)

Before me, the undersigned, a notary public, personally appeared Guthrie P Carr, and acknowledged the execution of the foregoing commitment on February 19, 2020.

Amy R. Walker
Tippecanoe County
My Commission # NP0715988
Expires September 21, 2026

Amy R. Walker, notary public

Resident of Tippecanoe County

My commission expires:

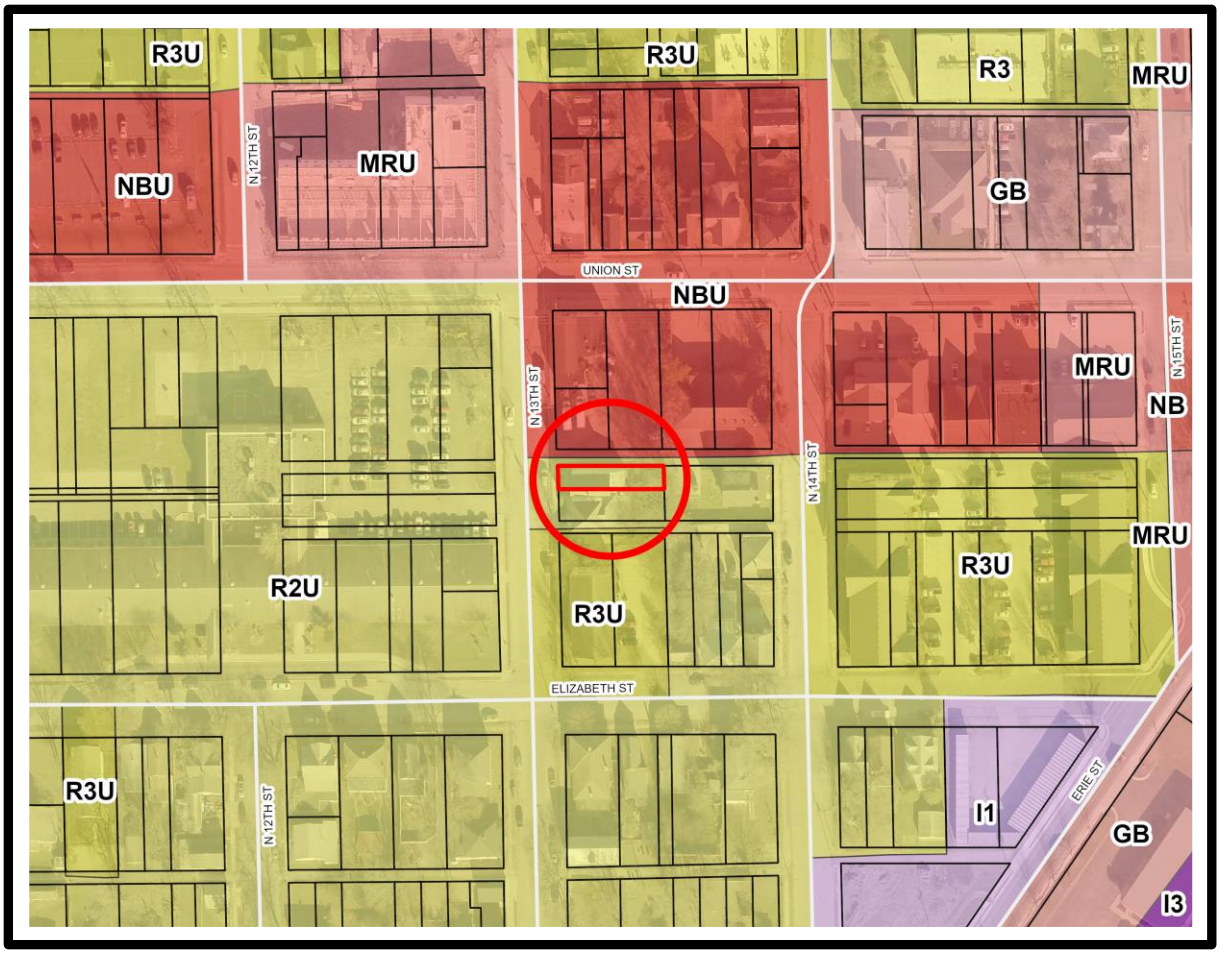
9-21-2026

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. Daniel A. Teder

This instrument prepared by: Daniel A. Teder of the law firm Reiling Teder & Schrier, LLC, 250 Main Street, Suite 601, P O Box 280, Lafayette IN 47902. Telephone: (765) 423-5333 Email: dat@rtslawfirm.com

Z-2784
THOMAS C. AND SUSAN L. RIEHLE
(R2U to NBU)

STAFF REPORT
February 13, 2020



Z-2784
THOMAS C. RIEHLE AND SUSAN L. RIEHLE
R2U to NBU

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioners, who own the property and are represented by attorney Tyler Ochs of Ball Law, are requesting a rezoning from R2U to NBU. If rezoned, petitioners plan to add a commercial kitchen to the first floor of the single-family home on site and retain an apartment on the second floor. The kitchen would be used to prepare food that is catered off-site on food trucks. This site is commonly known as 723 North 13th Street, Lafayette, Fairfield 21(SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property is zoned R2U; the earliest zoning maps show this property with R3 zoning, which was changed to R2U with the adoption of an overall neighborhood rezone for Historic Jeff in 2000 (Z-2046).

Property adjacent to the south and west across 13th is also zoned R2U. A few areas of R3U can be found in the neighborhood, with the closest being south at the northeast corner of Elizabeth and 13th Streets. NBU zoning can be found adjacent to the north of the property in question across the alley on lots fronting Union Street.

AREA LAND USE PATTERNS:

The site in question (only 22' wide) contains a single-family home and a small backyard. Land to the north is used commercially and land to the south is used residentially. West across 13th is the former Washington Elementary school, now utilized by LARA (Lafayette Adult Resource Academy).

TRAFFIC AND TRANSPORTATION:

The site is located on North 13th Street, classified as an urban local road in *The Thoroughfare Plan*. Parking required for the proposed use will be accommodated off-site by way of a recorded off-site parking agreement as approved by the Administrative Officer for Lafayette.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities serve the site. No buffer yard is required if rezoned.

The County Health Department will need to inspect any new commercial kitchen. Compliance with The Indiana State Health Department's "Retail Food Establishment Sanitation Requirements" will need to be met as well as all state and local building codes.

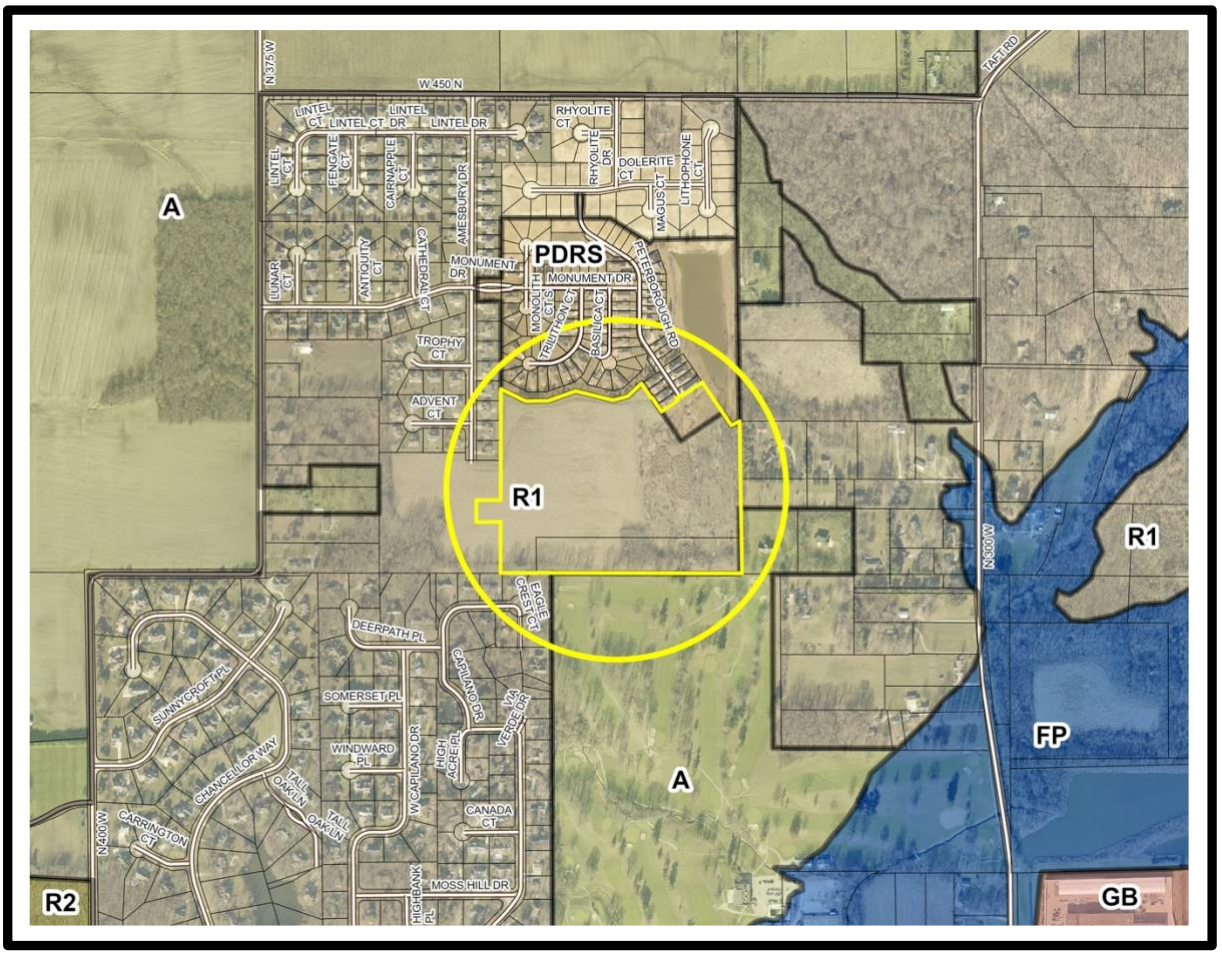
STAFF COMMENTS:
Petitioners plan to convert the first floor of this older home into a commissary for their mobile food truck business while retaining an apartment on the second floor. Currently, the tavern just north of the subject property contains a small kitchen that is used for the food trucks, but the business has outgrown this space.

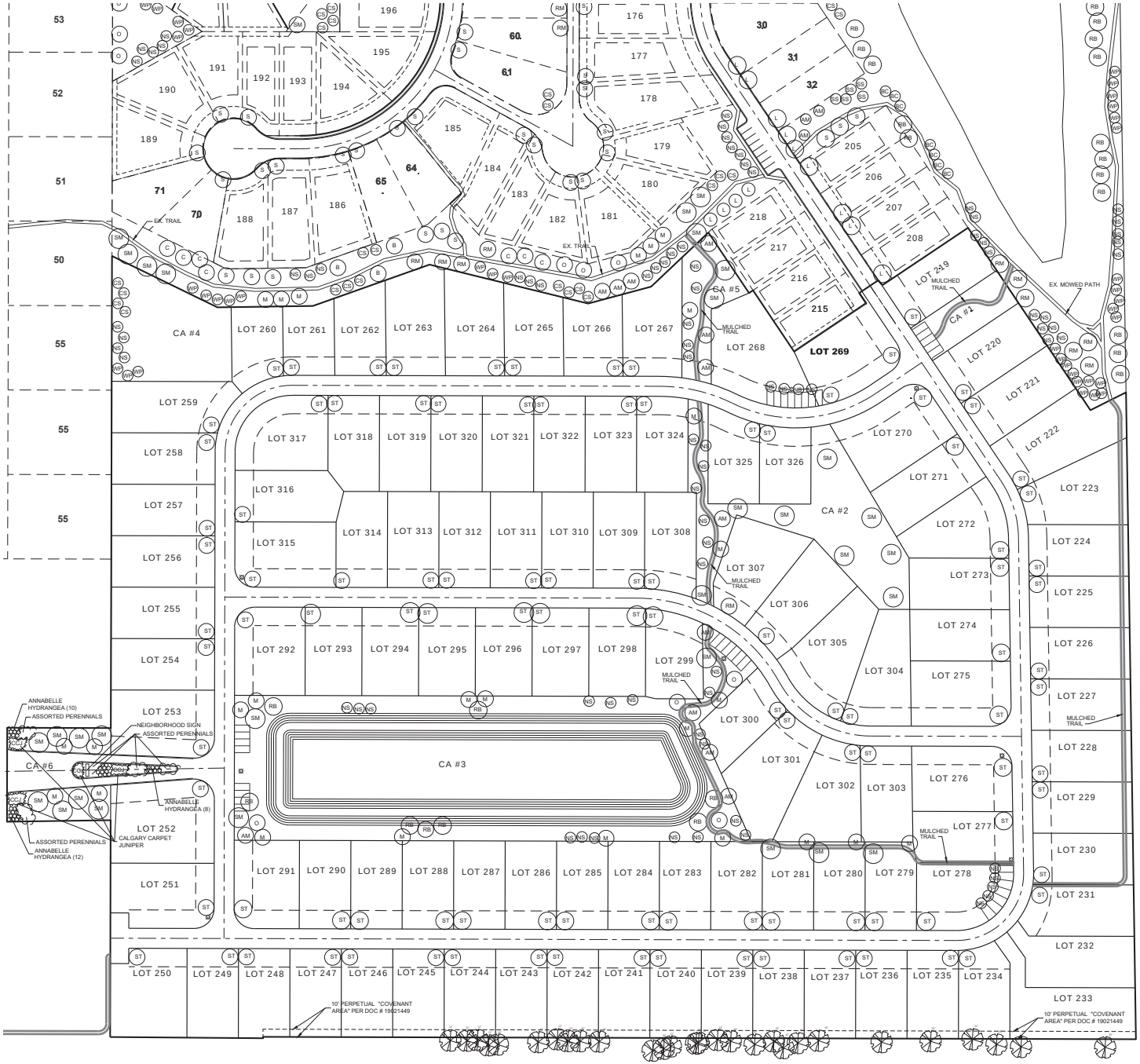
The alley that borders the northern lot line of the property in this request serves as the boundary between residential and commercial zoning. To the north is property in the *Union/Salem Corridor* plan and to the south is land in the *Historic Jeff Neighborhood Plan*, both adopted as part of *The Comprehensive Plan.* The neighborhood plan recommends commercial areas to remain along the periphery of the neighborhood as they have historically. Based on staff experience, allowing this one small lot to be rezoned commercially will likely lead to a series of other commercial rezones into the interior and can drastically alter the character of the neighborhood. Additionally, staff has concerns about the small size of the lot, 22' wide and 100' deep, and its proximity to adjacent residences if rezoned.

STAFF RECOMMENDATION:
Denial

Z-2786
HERON BAY DEVELOPMENT, LLC – GREG MILAKIS
(STONEHENGE PD, PHASE 4)
(R1 & PDRS to PDRS)

STAFF REPORT
April 9, 2020





ST = STREET TREE PROVIDED BY HOME BUILDER, SPECIES TO BE CHOSEN FROM APPROVED LIST BELOW

PLANTING AND LABELING KEY

SM - GREEN MOUNTAIN SUGAR MAPLE ACER SACCHARUM "GREEN MOUNTAIN"	NS - NORWAY SPRUCE PICEA ABIES
CS - COLORADO SPRUCE PICEA PINGENS	L - SWEET GUM LIQUIDAMBER STRYRACIFLUA
AM - EMBERS AMUR MAPLE ACER GINNALA "EMBERS"	M - RED JEWEL CRAB MALUS X "RED JEWEL"
O - RED OAK QUERCUS RUBRA	SS - SERBIAN SPRUCE PICEA OMORIKA
WP - WHITE PINE PINUS STROBUS	P - CLEVELAND SELECT PEAR PYRUS CALLERYANA "CLEVELAND SELECT"
S - SERVICEBERRY AMELANCHER CANADENSIS	BC - BALD CYPRESS TAXODIUM DISTICHUM
RM - RED SUNSET RED MAPLE ACER RUBRUM "RED SUNSET"	RB - RIVER BIRCH BETULA NIGRA
NS - NORWAY SPRUCE PICEA ABIES	C - WINTER KING HAWTHORNE CRATAEGUS VIRDIS "WINTER KING"
	B - EUROPEAN BEECH FAGUS SYLVATICA

PERENNIAL LIST

ACHILEA CLYPEOLATA 'CORONATION GOLD' (YARROW)
ALCHEMILLA MOLLIS (LADY'S MANTIS)
ASTER NOVAE-ANGLIAE (NEW ENGLAND ASTER)
ASTER NOVI-BELGII (NEW YORK ASTER)
ASTILBE CULTIVARS (ASTILBE)
BOLTONIA 'SNOWBANK' (BOLTONIA)
CARYOPTERIS X CLANDONESIS (BLUE MIST)
COREOPSIS VERTICILLATA 'MOONBEAM' (THREAD LEAF COREOPSIS)
DIANTHUS GRATIANOPOLITANUS 'BATH'S PINK' (CHEDDER PINKS)
ECHINACEA PURPUREA 'BRIGHT STAR' (PURPLE CONEFLOWER)
HEMEROCALLIS CULTIVARS (HYBRID DAYLILY)
HOSTA CULTIVARS (HOSTA)
IRIS SIBERICA (SIBERIAN IRIS)
PEROVSKIA ATRIPLICIFOLIA (RUSSIAN SAGE)
PHLOX MACULATA (WILD SWEET WILLIAM)
RUDBECKIA FULGIDA 'GOLDSTRUM' (BLACK-EYED SUSAN)
SALVIA NEMOROSA 'MAY NIGHT' (SAGE)
SEDUM 'AUTUMN JOY' (STONECROP)
VERONICA SPICATA 'SUNNY BORDER BLUE' (SPEEDWELL)

0' 60' 120'

SCALE : 1'' = 60'

NOTES:

1. ALL LANDSCAPING SHOWN WHICH IS OUTSIDE OF PHASE 4 AREAS IS FROM THE PREVIOUSLY APPROVED LANDSCAPE PLAN FOR STONEHENGE PLANNED DEVELOPMENT.
2. ALL LANDSCAPING SHOWN ON THE OVERALL LANDSCAPE PLAN (SHEET 7) IS THE DEVELOPER'S RESPONSIBILITY. ALL LANDSCAPING SHOWN ON THE INDIVIDUAL LOT PLAN (SHEET 8) IS THE RESPONSIBILITY OF THE BUILDER AT THE TIME OF HOUSE CONSTRUCTION.
3. ITEMS FROM THE LIST ON SHEET 8 MAY BE USED AS SUBSTITUTES IN THE LANDSCAPE PLAN AS APPLICABLE. THE CONCEPT OF THE OVERALL LANDSCAPE PLAN, HOWEVER; SHALL REMAIN THE SAME.

CERTIFIED BY: James D. Hall, RLS # 20500017 1/20/2020 Date

PER INDIANA STATE LAW IC8-6-26. IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

THIS PLAN IS VOID UNLESS SIGNED AND DATED

JAMES D. HALL REGISTERED No. LS20500017 STATE OF INDIANA LAND SURVEYOR

NO.	REVISION:	DATE:
1	Meeting comments	2/14/20
2	per meeting comments	2/20/20
3		
4		
5		
6		
7		

PART OF THE W ½ SE ¼ SEC. 34
TOWNSHIP 24 NORTH, RANGE 5 WEST,
WABASH TWP, TIPPECANOE COUNTY
INDIANA

STONEHENGE DEVELOPMENT CORPORATION
301 COLUMBIA ST., STE. 101
LAFAYETTE, IN 47901

LANDSCAPE PLAN
OVERALL PLAN

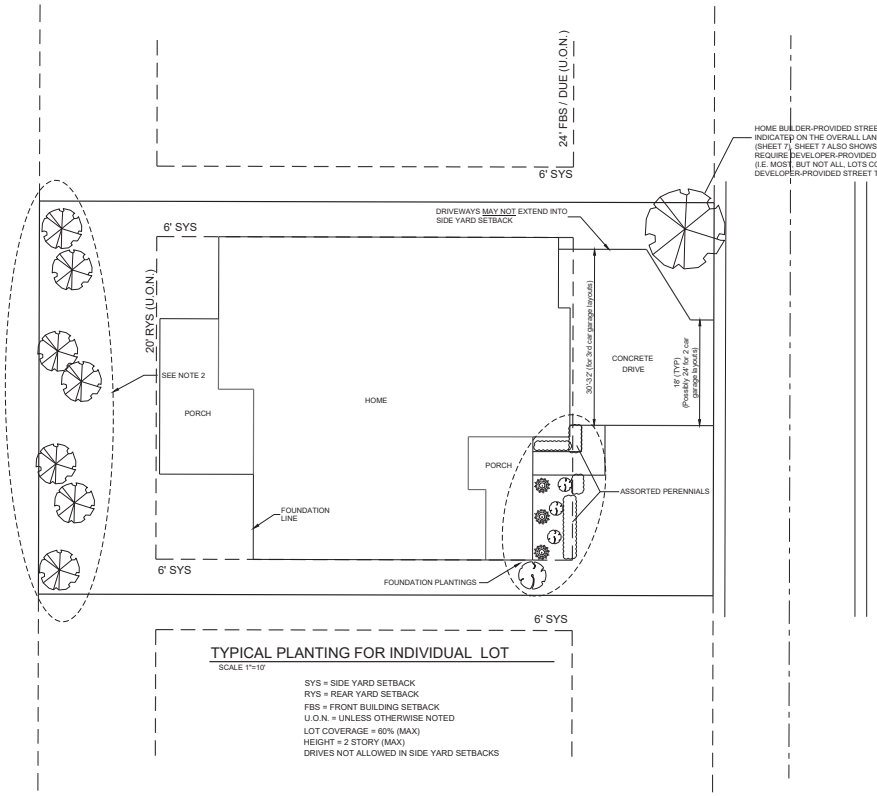
OFFICE LOCATION:
398 COLUMBIA STREET, SUITE 101
LAFAYETTE, INDIANA 47901
PHONE: (765) 742-6479
FAX: (765) 742-5271
http://www.hasa-inc.com

Hester and Associates Inc.
LAND SURVEYING AND ENGINEERING

OFFICE INFORMATION:
F:\PROJECTS\19XXX\19313 STONEHENGE
DRAWING DATE: Mar. 05, 2019
DESIGN BY: JDH
DRAWN BY: JW/JDH
CHECKED BY: JDH/RHC
FIELD BOOK: 89/97

SHEET: 7

JOB NO. 19313



TYPICAL PLANTING FOR INDIVIDUAL LOT

SCALE 1"=10'

SYS = SIDE YARD SETBACK
RYS = REAR YARD SETBACK
FBS = FRONT BUILDING SETBACK
U.O.N. = UNLESS OTHERWISE NOTED
LOT COVERAGE = 60% (MAX)
HEIGHT = 2 STORY (MAX)
DRIVES NOT ALLOWED IN SIDE YARD SETBACKS

NOTES:

1. INDIVIDUAL FOUNDATION PLANTINGS ARE REQUIRED FOR EACH LOT.
2. REAR LOT LANDSCAPING IS NOT REQUIRED WHEN LANDSCAPING IS SHOWN ON OR ADJACENT TO THE REAR OF THE LOT ON THE OVERALL LANDSCAPE PLAN (SHEET 7).
3. LANDSCAPING SHOWN IS THE MINIMUM STANDARD.
4. ALL LANDSCAPING IS THE HOME BUILDERS RESPONSIBILITY.

MEDIUM DECIDUOUS SHRUBS

1) HUMMINGBIRD SUMMERSWEET
   CLETHRA ALNIFOLIA 'HUMMINGBIRD'
2) DWARF BURNING BUSH
   EUONYMUS ALATUS COMPACTA
3) DWARF KOREAN LILAC
   SYRINGA MEYERI 'PALABIN'
4) JUDD VIBURNUM
   VIBURNUM X JUDDI

SMALL DECIDUOUS SHRUBS

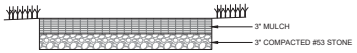
1) PYHMY CRIMSON BARBERRY
   BERBERIS THUNBERGI ATROPURPUREA 'NANA'
2) DWARF FOTHERGILLA
   FOTHERGILLA GARDENI
3) ANNABELLE HYDRANGEA
   HYDRANGEA ARBORESCENS 'ANNABELLE'
   SPIREA JAPONICA 'CRISPA'
4) DOLCHICA SPIREA
   SPIREA JAPONICA 'CRISPA'

EVERGREEN SHRUBS

1) COMPACT INKBERRY
   ILEX GLABRA COMPACTA
2) GREEN GEM HYBRID BOXWOOD
   BUXUS X 'GREEN GEM'
3) WARD'S JAPANESE YEW
   TAXUS X MEDIA 'WARDI'
4) FRUITLAND JUNIPER
   JUNIPERUS CHIN. PFITZERNANA 'FRUITLANDI'

TYPICAL REAR LOT (SEE NOTE THIS SHEET)

1) RED CHOKEBERRY
   ARONIA ARBUTIFOLIA 'BRILLANTISSIMA'
2) SHOWY BORDER FORSYTIA
   FORSYTHIA X INTERMEDIA 'SPECTABILIS
3) WINTER RED WINTERBERRY
   ILEX VERTICILATA 'WINTER RED'
4) NORTHERN BAYBERRY
   MYRICA PENNSYLVANICA
5) BRACTED VIBURNUM
   VIBURNUM X BRACTATUM
6) MOHICAN VIBURNUM
   VIBURNUM LANTANA 'MOHICAN'



MULCH TRAIL DETAIL

SCALE: NTS

ANY OF THE FOLLOWING ITEMS MAY BE USED AS INDICATED ON THIS LANDSCAPE PLAN. ADDITIONAL LANDSCAPING SUBSTITUTES MAY BE USED UPON THE LANDSCAPERS DISCRETION. THE CONCEPT OF THE OVERALL LANDSCAPE PLAN, HOWEVER; SHALL REMAIN THE SAME.

EVERGREEN TREES

BOTANICAL NAME	COMMON NAME
PINUS STROBUS	NORWAY SPRUCE
PICEA ABIES	COLORADO SPRUCE
PINUS NIGRA	AUSTRIAN PINE
CARIPINUS BETULUS	EASTERN WHITE PINE
PINUS SYLVESTRUS	SCOTCH PINE

CANOPY TREES

BOTANICAL NAME	COMMON NAME
ACER FREMANII 'AUTUMN BLAZE'	AUTUMN BLAZE RED MAPLE
ACER RUBRUM 'OCTOBER GLORY'	RED MAPLE - OCTOBER GLORY
ACER RUBRUM 'RED SUNSET'	RED MAPLE - RED SUNSET
ACER PLATANOIDES	NORWAY MAPLE
QUERCUS MAXIMA	EASTERN RED OAK
QUERCUS ALBA	WHITE OAK
BETULA NIGRA	RIVER BIRCH
CELTIS OCCIDENTALIS	HACKBERRY
GLEDITSIA TRIACANTHOS	HONEY LOCUST

ORNAMENTAL TREES

BOTANICAL NAME	COMMON NAME
CRATAEGUS PHAENOPYRUM	WASHINGTON HAWTHORNE
PYRUS CALLERYANA, 'CLEVELAND SELECT'	CLEVELAND FLOWERING PEAR
PYRUS CALLERYANA, 'CHANTICLEER'	CHANTICLEER FLOWERING PEAR
PYRUS CALLERYAN	CALLERY PEAR
CERCIS CANADENSIS	EASTERN REDBUD
MALUS SARGENTII	SARGENTS CRABTREE
MALUS FLORIBUNDA	JAPANESE FLOWERING CRABTREE
MALUS BACCATE	SIBERIAN CRABTREE
GINKGO BILBOA	GINKGO
CRATAGUS VIRIDIS	GREEN HAWTHORN
PINUS MUGO	DWARF MUGHO PINE
SYRINGA MEYERI 'PALIBIN'	LILAC - KOREAN
SYRINGA VULGARIS	LILAC - COMMON PURPLE
AMELANCHIER CANADENSIS	SERVICEBERRY
MALUS X ZUMI 'CALOCARPA'	ZUMI CRABAPPLE
CORNUS MAS	DOGWOOD

SHRUBS

BOTANICAL NAME	COMMON NAME
EUONYMUS ALATUS	BURNING BUSH - COMPACTA
BERBERIS THUNBERGII	BARBERRY - RED LEAF JAPANESES
HYDRANGEA MACROPHYLLA	HYDRANGEA - NIKKO BLUE
HYDRANGEA QUERCIFOLIA	HYDRANGEA - OAKLEAF
SPIRAEA X BURNALDA	SPIRAEA - GOLDFLAME
SPIRAEA - SNOWMOUND	SPIRAEA NIPPONICA
SPIRAEA X BUMALDA	SPIRAEA - FROBELI
PRUNUS PENSYLVANICA	RED CHOKEBERRY
VIBURNUM X OPULUS 'NANUM'	JUDD VIBURNUM
LONICERA MAACKII	HONEYSUCKLE - RED RUM
HAMAMELIS VERNALIS	WITCH-HAZEL - VERNAL
MYRICA PENSYLVANICA	BAYBERRY
HUNIPERUS CHINENSIS 'HETZII GLAUCA'	HETZ BLUE JUNIPER
BUXUS SINICA INSULARIS	KOREAN BOXWOOD
RHODODENDRON 'P.J.M.	PJM RHODODENDRON

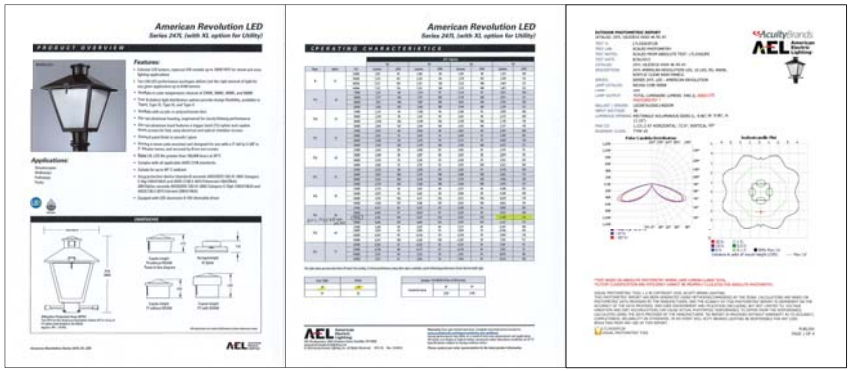
PLANTINGS AND GRASSES

BOTANICAL NAME	COMMON NAME
MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRAS
BERGERIS THUNBERGII ALTROPURPUREA 'NANA'	PYGMY CRIMSON BARBERRY
PANICUM VIRGATUM 'HAENSE HERMS'	SILVER THUFTED HAIR GRASS
PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS
SINENSIS 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS
IMPERATA CYLINDRICA 'RED BARON'	JAPANESE BLOOD GRASS
DESCHAMPSIA CAESPITOSA 'GOLDGEHAENGE'	GOLDEN PENDENT HAIR GRASS
VINCA MINOR	BLUE MYRTLE
VINCA MINOR 'RALPH SHUGERT' P.P. 6960	RALPH SHUGERT MYRTLE
ACORUS CALAMUS	SWEET FLAG
CAREX LACUSTRIS	LAKE SEDGE
ELEOCHARIS PALUSTRIS	CREEPING SPIKE RUSH
IRIS VERSICOLOR	BLUE FLAG IRIS
JUNCUS EFFUSUS	SOFT RUSH
PONTEDERIA CORDATA	PICKEREL WEED
SAGITTARIA LATIFOLIA	COMMON ARROWHEAD
SCIRPUS ACUTUS	HARDSTEM BULRUSH
SCIRPUS AMERICANUS	THRIES-SQUARE BULRUSH
SCIRPUS CYPERINUS	WOOLGRASS
SCIRPUS VALIDUS	SOFTSTEM BULRUSH
SPARGANIUM EURYCARPUM	GIANT BURREED

NEIGHBORHOOD SIGN

SCALE: NTS

NEW SIGN TO BE SAME SIZE, DIMENSION AND CONSTRUCTION AS THE EXISTING SIGN DEPICTED ABOVE AND WILL BE UN-LIT.



AREA LIGHT DETAILS

SCALE: NTS

AS CURRENTLY PROVIDED BY TIPMONT REMC

*THIS MODEL MAY CHANGE AT THE DISCRETION OF TIPMONT.

SUBSTITUTION OF GREATER QUALITY MAY BE APPROVED BY THE ADMINISTRATIVE OFFICER.

CERTIFIED BY: James D. Hall, RLS # 20500017 — 1/20/2020 Date

PER INDIANA STATE LAW CS-1-26, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

THIS PLAN IS VOID UNLESS SIGNED AND DATED

NO.	REVISION:	DATE:
1	Meeting comments	2/14/20
2	per meeting comments	2/20/20
3		
4		
5		
6		
7		

PART OF THE W ½ SE ¼ SEC. 34
TOWNSHIP 24 NORTH, RANGE 5 WEST,
WABASH TWP., TIPPECANOE COUNTY
INDIANA

STONEHENGE DEVELOPMENT CORPORATION
301 COLUMBIA ST., STE. 101
LAFAYETTE, IN 47901

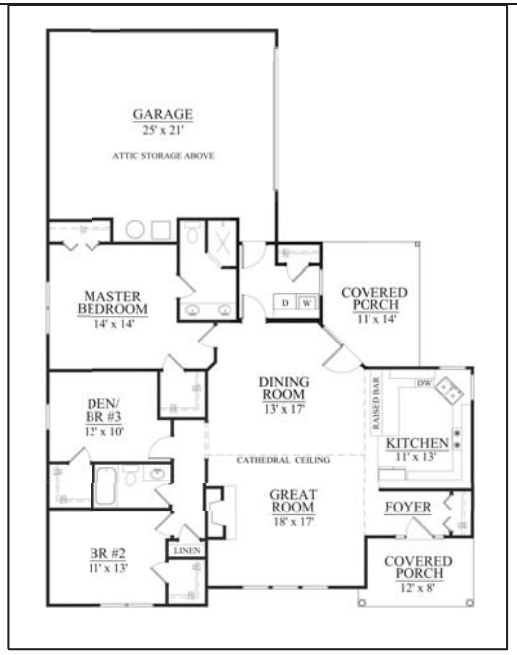
LANDSCAPE PLAN
INDIVIDUAL LOT DETAIL

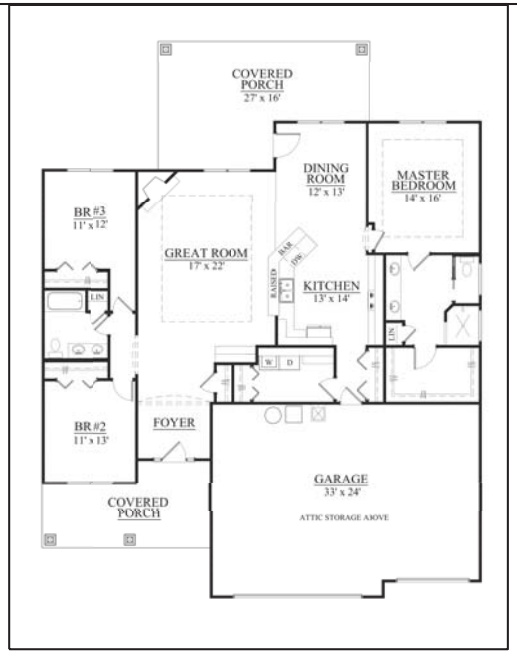
OFFICE LOCATION:
398 COLUMBIA STREET, SUITE 101
LAFAYETTE, INDIANA 47901
PHONE: (765) 742-4479
FAX: (765) 742-5271
http://www.hall-and-hall.com

Hall and Associates Inc.
LAND SURVEYING AND ENGINEERING

OFFICE INFORMATION:
P:\PROJECTS\19XXX\19313 STONEHENGE
DRAWING DATE: Feb. 28, 2019
DESIGN BY: JDH
DRAWN BY: JW/JDH
CHECKED BY: JDH/RHC
FIELD BOOK# 89 39

SHEET: 8
JOB NO.: 19313





THE HOUSE PLANS SHOWN ON THIS SHEET ARE TYPICAL HOUSE PLANS. OTHER SIMILAR HOUSE PLANS MAY ALSO BE UTILIZED.

EXTERIOR FINISH MATERIALS

1) Cultured Stone Veneer (or equiv)

2) Vinyl Shake siding (or equiv.)

3) Hardy Plank siding or Vinyl Siding

4) OSB Exterior sheathing

NO.	REVISION:	DATE:
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2		
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PART OF THE W½ SE¼ SEC. 34
TOWNSHIP 24 NORTH; RANGE 5 WEST,
WABASH TWP, TIPPECANOE COUNTY
INDIANA

STONEHENGE DEVELOPMENT CORPORATION
301 COLUMBIA ST., STE. 101
LAFAYETTE, IN 47901

TYPICAL BUILDING PLANS

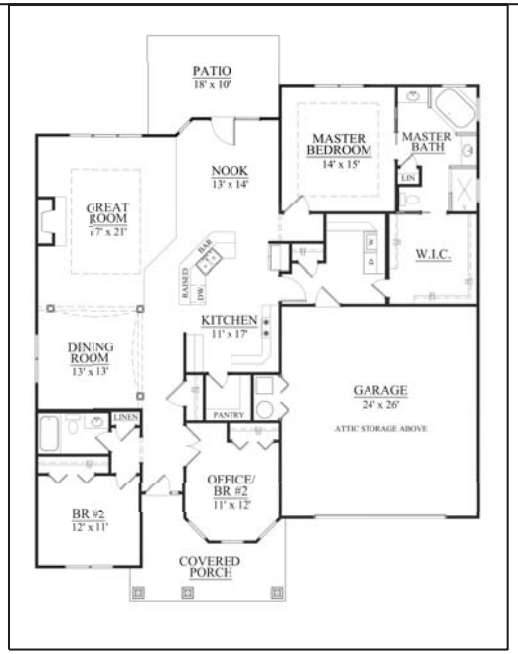
OFFICE LOCATION:
309 COLUMBIA STREET, SUITE 101
LAFAYETTE, INDIANA 47901
PHONE: (765) 742-4479
FAX: (765) 742-4271
http://www.lyster.com

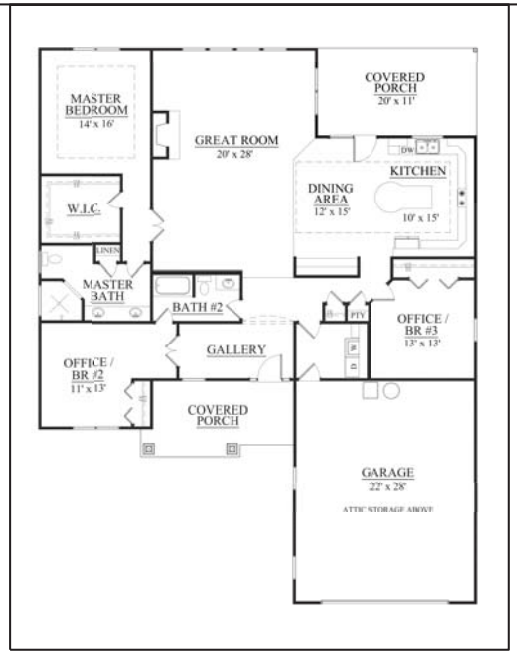
Lyster and Associates Inc.
LAND SURVEYING AND ENGINEERING

OFFICE INFORMATION:
F:\PROJECTS\19XXX\19313 STONEHENGE TYPICAL PLANS.DWG
DRAWING DATE: Feb. 24, 2020
DESIGN BY: JDH
DRAWN BY: JW/JDH
CHECKED BY: JD/HPNC
FIELD BOOK#: BB 387

SHEET: 9

JOB NO.: 19313





THE HOUSE PLANS SHOWN ON THIS SHEET ARE TYPICAL HOUSE PLANS. OTHER SIMILAR HOUSE PLANS MAY ALSO BE UTILIZED.

EXTERIOR FINISH MATERIALS

1) Cultured Stone Veneer (or equiv)
2) Vinyl Shake siding (or equiv.)
3) Hardy Plank siding or Vinyl Siding
4) OSB Exterior sheathing

NO.	REVISION:	DATE:
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PART OF THE W ½ SE ¼ SEC. 34
TOWNSHIP 24 NORTH, RANGE 5 WEST,
WABASH TWP, TIPPECANOE COUNTY
INDIANA

STONEHENGE DEVELOPMENT CORPORATION
301 COLUMBIA ST., STE. 101
LAFAYETTE, IN 47901

TYPICAL BUILDING PLANS

OFFICE LOCATION:
398 COLUMBIA STREET, SUITE 101
LAFAYETTE, INDIANA 47901
PHONE: (765) 742-6479
FAX: (765) 742-5271
http://www.hesa-inc.com

Hester and Associates Inc.
LAND SURVEYING AND ENGINEERING

OFFICE INFORMATION:
P:\PROJECTS\19XXX\19313 STONEHENGE\TYPICAL HOUSE PLANS\
DRAWING DATE: Feb. 24, 2020
DESIGN BY: JDH
DRAWN BY: JW/JDH
CHECKED BY: JDH/RKC
FIELD BOOK: 99 97

SHEET: 10

JOB NO. 19313

Z-2786
HERON BAY DEVELOPMENT, LLC
STONEHENGE PHASE 4 PLANNED DEVELOPMENT
R1 & PDRS TO PDRS

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner/owner is requesting PDRS zoning for a single-family development totaling 107 lots and 6 outlots on private streets. The property, presently zoned R1, is located southeast of the intersection of Amesbury and Monument Drives in Tippecanoe County; Wabash 34(NW) 24-5.

ZONING HISTORY AND AREA ZONING PATTERNS:

The subject property is currently zoned R1 and PDRS. The Stonehenge development itself has been unfolding for many years, utilizing both conventional zoning and planned development zoning. On the planned development side, three PD-rezones have been approved over the years including Z-1637, Z-1650, and (most recently in 2015) Z-2238. On the conventional zoning side, R1 zoning has been utilized for the various phases of the subdivision portion of Stonehenge. Agricultural and R1 zoning surround the Stonehenge development.

AREA LAND USE PATTERNS:

The subject property is currently unimproved. Single-family residential uses surround the subject project. A golf course is located along the southern boundary of the subject property as well. The land use pattern is typified by agricultural land transitioning to residential development as public utilities become available.

TRAFFIC AND TRANSPORTATION:

The first three planned development rezones of Stonehenge established a pattern of private streets to serve the project. Phase 4 is essentially completing the private street network. Peterborough Road (a private street) is planned to be extended into the phase 4 area from the north and three additional private streets will complete the network with one of them connecting to the future extension of Amesbury Drive (a public street and local road as defined by the *Thoroughfare Plan*) on the west side of phase 4. The private streets of Stonehenge, including the new streets proposed with phase 4, are narrow and unable to support on-street parking. To accommodate the needs of visitors, five off-street parking areas have been located throughout the phase 4 area. These parking areas will be modestly lit for security purposes and have been strategically located to best serve as many homes in phase 4 as possible.

The existing trail network of Stonehenge will also be expanded into phase 4. Trails are planned to best connect to the existing network and lead to amenities such as a proposed decorative pond in phase 4, established amenities in the other phases such as the clubhouse and pool to the north, and the large pond on the east side of Stonehenge.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Public utilities are available to serve the site.

STAFF COMMENTS:
The Stonehenge development is a unique project that has truly evolved over the years, responding to market demands and adjusting accordingly. This fourth and final phase of the planned development portion of Stonehenge builds on the best aspects of the original concept while expanding the resident amenities. The original trail system is expanded with phase 4, creating a loop connecting the pool/clubhouse to the large lake on the east side of the development to the new decorative pond proposed with phase 4. Visitor parking areas are included to serve the residents' guests. The landscape plan for phase 4 is designed to harmonize with the established landscaping in the rest of the planned development area. Finally, architectural standards are included in the phase 4 area to ensure the quality of the architecture found in the earlier phases is continued in this final phase.

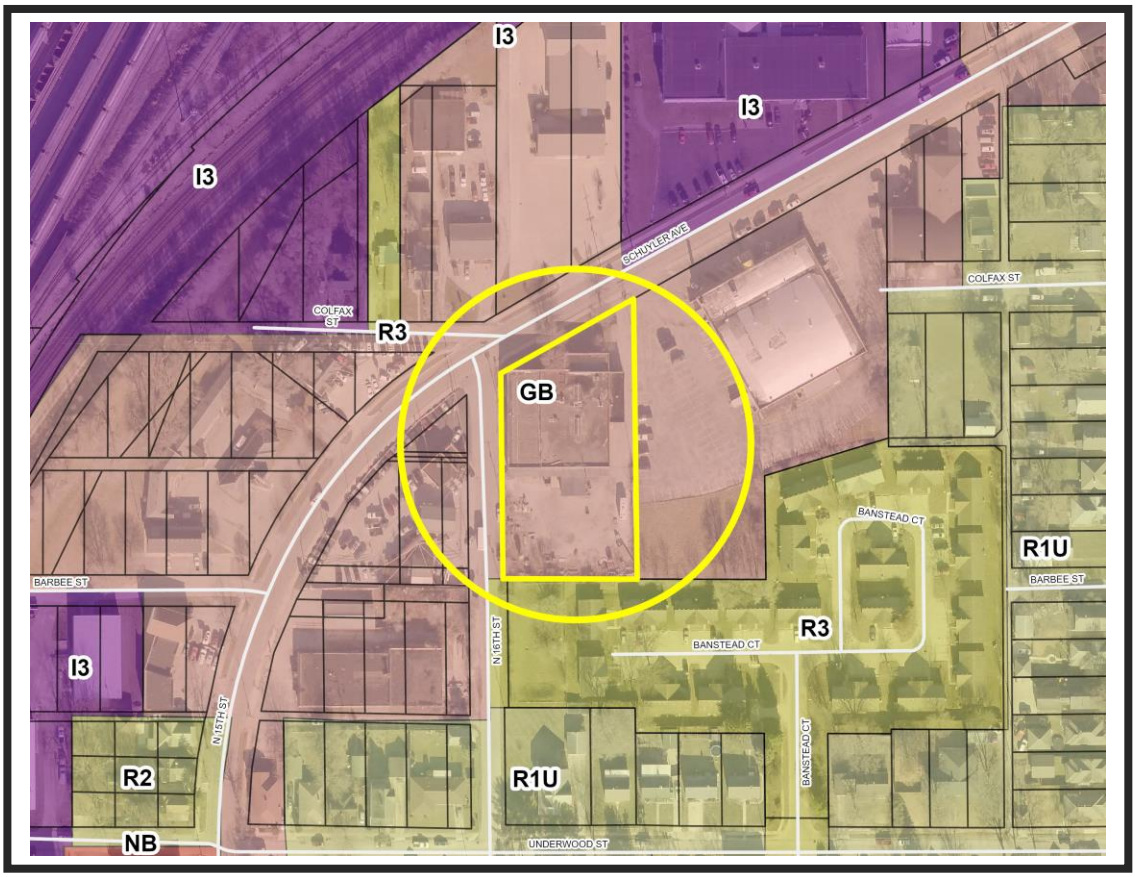
In its design standards and robust amenity package, the Stonehenge Phase 4 Planned Development sets a high standard for single-family residential development in our community.

STAFF RECOMMENDATION:
Approval, contingent on meeting all requirements of UZO 2-28-10 and the following for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. Planned Development construction plans per UZO Appendix B-2;
3. A final plat per UZO Appendix B-3 as applicable;
4. Appropriate surety submitted with Final Detailed Plans;
5. Final landscape plan and plant schedule shall be approved by APC staff as part of the submission of the Final Detailed Plans;
6. Street addressing and private street name applications shall be made with APC prior to the submission of the Final Detailed Plans;
7. Drainage Board approval shall be secured prior to the submission of the Final Detailed Plans;
8. Draft proposed amended covenants, incorporating Phase 4 into Stonehenge, shall be submitted with the Final Detailed Plans for approval and recordation.

Z-2788
ANTIQUE CANDLE WORKS, INC.
(GB to I2)

STAFF REPORT
March 12, 2020



Z-2788
ANTIQUE CANDLE WORKS, INC.
GB to I2

Staff Report
March 12, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the owner and represented by attorney Ryan Munden of Reiling, Teder & Schrier Law Firm, is requesting a rezone from GB to I2 for a tract of land located at the southeast corner of Schuyler Avenue and North 16th Street. If rezoned, petitioner will locate their candle manufacturing business (SIC 39) at this property that is commonly known as 1611 Schuyler Avenue, Lafayette, Fairfield (Longlois Reserve) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property in question is zoned GB as are properties to the north, east and west. Land adjacent to the south is zoned R3.

The site in question is part of the St. Lawrence-McAllister Neighborhood, which was the site of a neighborhood-wide land use plan and rezone request. That rezone petition, approved in 2006, did not change the zoning of the subject site (Z-2288).

AREA LAND USE PATTERNS:

The 1.11-acre tract in question supports a one-story brick commercial building constructed in 1950, per the Assessor's records. The rear of the property is fenced and contains parking and a loading dock. The most recent user of the site was ServPro (water damage restoration). Previously a lumber company occupied the site.

Surrounding uses are mostly commercial with a bowling alley adjacent to the east and a car lot west across N. 16th Street as well as north across Schuyler. Other nearby uses include a laundromat, crematorium and auto repair. Immediately south of the rezone site is Northfield Commons, a residential subdivision of duplexes.

TRAFFIC AND TRANSPORTATION:

The site has frontage along Schuyler Avenue, an urban secondary arterial, and North 16th Street, an urban local road. On-site parking (gravel lot) and a loading berth exist behind the building in a fenced area.

The parking standard for this use is 1 space per 1,000 square feet, plus 1 per 200 square feet of office, sales or similar floor area. According to the Assessor's records the building is 16,098 square feet requiring a minimum of 17 spaces. The lot appears large enough to support the required parking.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The site is served by city utilities. If this rezone is approved, a 'type C' bufferyard 30' in width is required where I2 zoning abuts R3 zoning on the southern property line and a 'type A' bufferyard 20' in width is required where I2 zoning abuts GB on the eastern property line.

STAFF COMMENTS:
In 2006, petitioner received a special exception in the NB zone to operate the candle manufacturing business in a strip center on the east side of town, leasing 2,400 square feet of area (BZA-1947). This use is permitted by special exception in the NB and NBU zone and by right in the GB, CB and CBW zones, but only if the ground floor area is less than 5,000 square feet. It may be increased to 10,000 square feet if a retail element is included, but petitioner sells the product on-line only. However, if this use is located in an industrial zone there is no limitation on the gross floor area, so petitioner has chosen to rezone the subject land to I2. The presence of a loading dock at this location is especially attractive for the business operator.

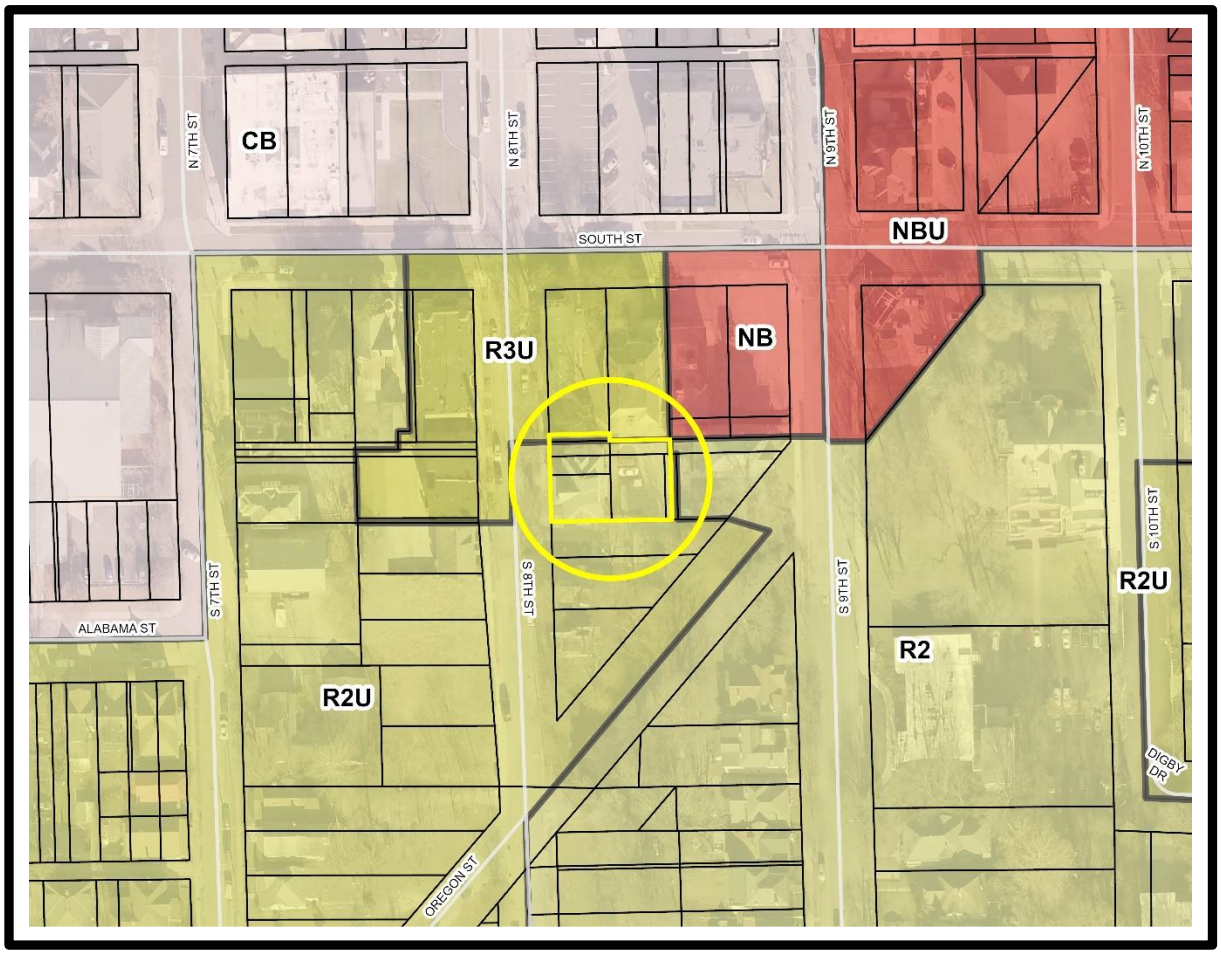
One of the components of the St. Lawrence/McAllister Neighborhood Plan is to "preserve the commercial area lining…Schuyler Avenue." It was critical to the neighborhood that businesses "not be permitted to intrude into existing residential areas."

This area of Lafayette on Schuyler Avenue has long been home to commercial and industrial users. The earliest zoning maps show this area with Industrial zoning on the north side of Schuyler and commercial zoning along the south side. Staff could support I1 zoning for this site because it can provide better protection to the adjacent residents to the south than the existing GB zone and is more in keeping with the neighborhood plan than a heavier industrial zone. I1 zoning is low in impact because businesses are operated entirely indoors with attached or indoor loading facilities. GB zoning can be more impactful because of potential outdoor storage of materials and outdoor loading and unloading.

STAFF RECOMMENDATION:
Denial; however
Approval, if the request is amended to I1

Z-2789
SPRING VALLEY MANAGEMENT, LLC
(R2U & R3U to R3U)

STAFF REPORT
March 12, 2020



Z-2789
SPRING VALLEY MANAGEMENT, LLC
R2U & R3U to R3U

Staff Report
March 12, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, with signed consent from Jon Caron, member and manager, represented by attorney Christopher Shelmon, is requesting rezoning to legitimize an existing four-unit apartment building in order to renovate the building. The property is located on the east side of S. 8th Street, specifically 9 South 8th Street, Lafayette, Fairfield 29 (NE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:
Residential zoning (R2U and R3U) is prevalent in the immediate vicinity. NB zoning is located northeast of the subject property. The most recent rezoning activity includes Z-2555 (PDCC to CB) and Z-2689 (NBU to CB) in 2013 and 2017 respectively.

AREA LAND USE PATTERNS:
The subject property contains an existing grandfathered four-unit apartment building, though it was originally constructed as a duplex. A diverse mix of single, duplex, and multi-family residential uses are found adjacent to the subject property with commercial and mixed-uses found to the north.

TRAFFIC AND TRANSPORTATION:
South 8th Street is an urban local road, according to the *Thoroughfare Plan*. Vehicular parking is currently found in a lot on the rear of the subject property with driveway access onto South 8th Street.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
City utilities are available to serve the site.

STAFF COMMENTS:
The future land use plan for the *Ellsworth-Romig Historic Neighborhood Amendment* to the *Comprehensive Plan of Tippecanoe County* has designated this section of South 8th Street "Residential, Moderate Density". This land use category is defined in the plan as being "…*typified by single-family and two-family housing*…". The plan's recommendation for new multi-family housing is also tightly focused on "…*the 100 block of S. 3rd and the 100, 200 and 300 blocks of S. 4th*…" and having the character of being "…*above a non-residential ground floor*…", a mixed-use environment with residential atop commercial ground-floors.

The current building, originally constructed as a duplex, is generally in keeping with the historic architectural character of the neighborhood. If rezoned to a multi-family district, there are no guarantees for the neighborhood that any new multi-family construction, even if there are no immediate plans to redevelop, will serve Goal 1, Objective A of the plan which states:

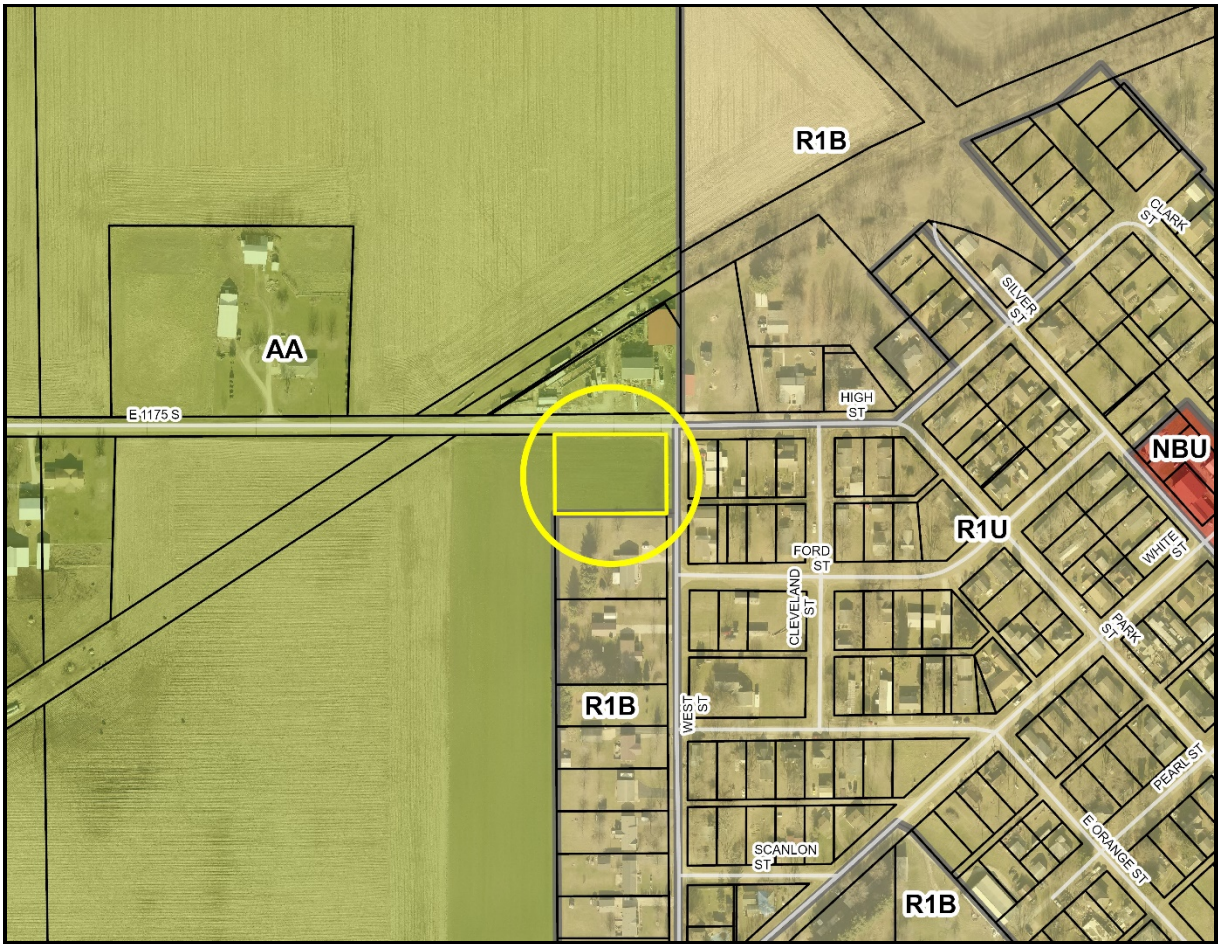
> "*Maintain the Character of the Neighborhood – Since the Neighborhood has a Victorian, early 1900's workers' cottages, and some bungalows from the 1920's, members of the SNIC (Southside Neighborhood Improvement Coalition) feel that any newly constructed buildings should be in harmony with these historic structures."*

While staff understands petitioner's desire to legitimize a grandfathered use and respects the fact that they are seeking to currently maintain the existing historic structure, there are no guarantees that this building's status, if the rezone is approved, will continue. And since no commitments can be approved, by ordinance and statute, which would prohibit demolishing this building and redeveloping in a style against the policies of the neighborhood plan and the fact that the neighborhood plan also expressly prohibits multi-family residential uses in this part of the neighborhood, staff cannot support this rezone petition.

STAFF RECOMMENDATION:
Denial

Z-2790
DENISE STALL
AA to GB

STAFF REPORT
April 9, 2020



Z-2790
DENISE STALL
AA to GB

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner/owner is requesting rezoning of a one-acre lot located at the southwest corner of West Street and High Street, specifically the lot north of 11728 West Street, Lauramie 23 (SE) 21-3. Petitioner has told staff that this rezone is part of a plan to put a self-storage warehouse at this location.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property is currently zoned AA, Select Agricultural. This property was rezoned from A to AA in 1985 during the overall Lauramie Township rezone, (Z-1232). Property across the street to the east within Clarks Hill is zoned R1U. Property adjacent to the south, also in Clarks Hill, is zoned R1B. Property to the north and west is zoned AA. All the commercial zoning in Clarks Hill is centrally located in the middle of town along White Street. This site is located on the west exterior of the town corporation boundary.

This property was split from the larger farm field to the west and cannot currently stand as a separate building site. The site will need to go through a minor subdivision to become a buildable lot.

AREA LAND USE PATTERNS:

This parcel is currently in row crop production. To the south and east are single-family homes. The home to the south is also owned by the petitioner. The lot to the north across the county road is a business in a pole building that seems to be storing farm equipment. Petitioner has stated that a self-storage warehouse is planned for this lot. This business is permitted by right in the GB and industrial zones. The use is also permitted with a special exception in the NB zone. This use was previously permitted by special exception in the A zone, but a zoning ordinance change removed this possibility.

TRAFFIC AND TRANSPORTATION:

This site sits on the southwest corner of CR 1175 S and West Street just outside of the town limits of Clarks Hill. Both roads are classified as rural local roads. There is a 25’ setback in GB along local roads. The minimum side setback is 30' if the lot line abuts a residential zone or use. Paving of driveways, maneuvering aisles and parking spaces are required in the GB zone. Access to the site will be reviewed at the building permit stage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Sewer is available at this location according to Clarks Hill Councilman Bob Davis. A 30' wide type C bufferyard will be required to the south where the site abuts residential zoning and a 20' wide type B bufferyard will be required on the west side of the property where Select Agricultural zoning is adjacent. Drainage would be reviewed by the County Surveyor's Office.

STAFF COMMENTS:
Petitioner would like to rezone this site to GB to construct a self-storage warehouse on site. A bufferyard and a building setback of 30' from the south side are required to help protect the neighboring residence from uses operating in a potentially intrusive manner.

In staff's opinion, a self-storage warehouse would not be a bad fit for this site at the edge of town; however, a one acre spot of General Business zoning surrounded by residential and agricultural zoning is less than ideal. Petitioner could have submitted a commitment with the GB rezone limiting the future land uses to only a self-storage warehouse business. But this was not done when the case was filed.

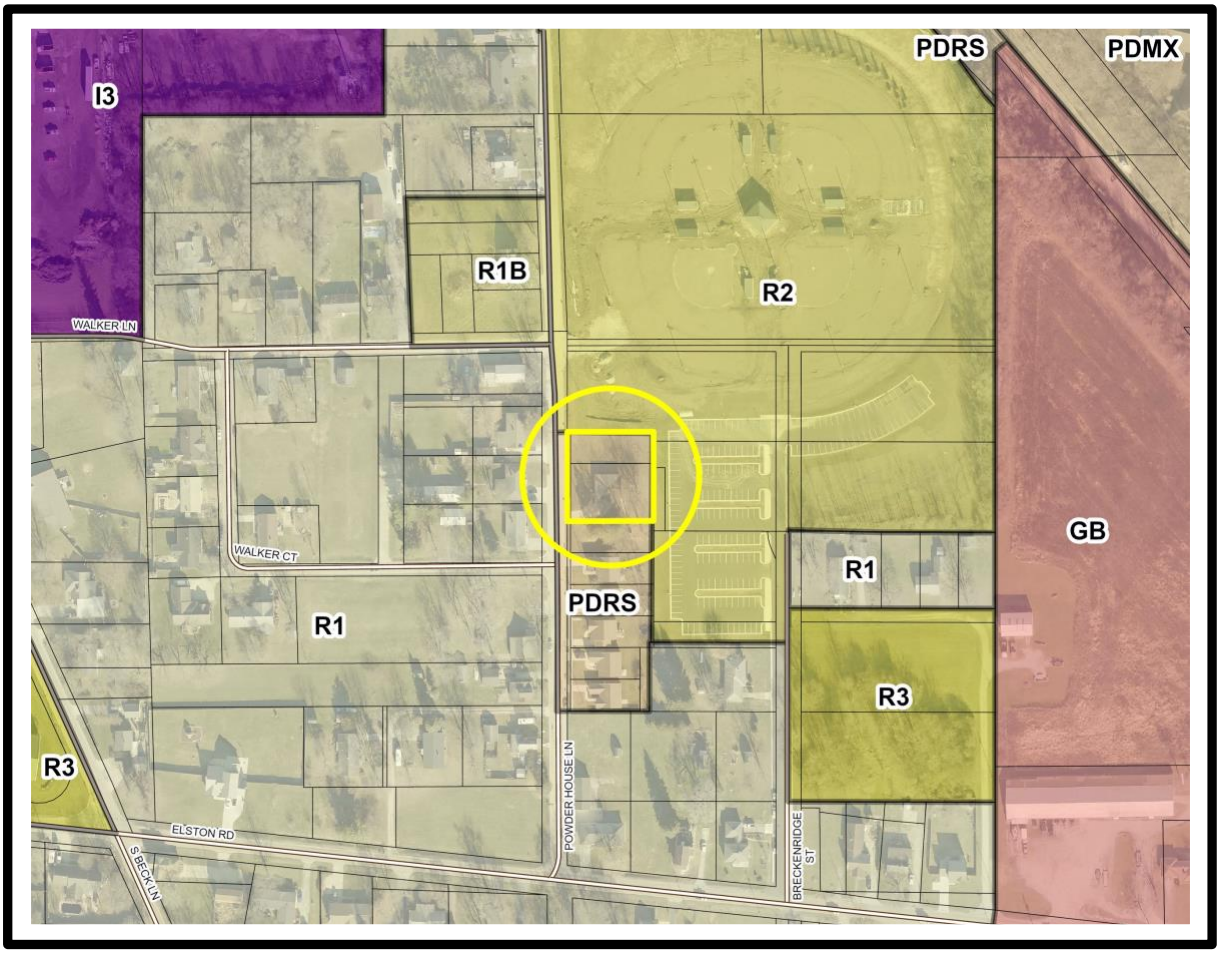
If approved this site would be a zoning anomaly on the edge of Clarks Hill. Staff supports businesses locating in our small towns, but prefers these businesses to be centrally located where they have historically been positioned to best serve the needs of our small communities. Staff has seen the introduction of one corner lot of commercial zoning into a residential area grow into a row of houses converted into commercial uses. Although this site has sewer availability, rezoning this site GB could allow too many potentially incompatible land uses to intrude.

STAFF RECOMMENDATION:
Continuance, so petitioner can file a zoning commitment limiting future uses to a self-storage warehouse.

If petitioner chooses not to file a commitment, staff recommends denial.

Z-2791
HABITAT FOR HUMANITY OF LAFAYETTE, INC.
(PDRS to R1B)

STAFF REPORT
May 14, 2020



Z-2791
HABITAT FOR HUMANITY OF LAFAYETTE, INC.
PDRS to R1B

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of the owners (City of Lafayette Board of Parks and Recreation and the Lafayette Parks Foundation, Inc.) and represented by attorney Dan Teder, is requesting rezoning of Lots 7 and 8 in Crosser Commons Phase 1 on the east side of Powder House Lane, specifically 2211 & 2217 Powder House Lane, north of Elston Road in Lafayette, Fairfield 31 (SE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

These two lots are zoned Planned Development-Residential (PDRS), as are the six lots adjoining to the south. The PDRS zoning was approved in 2004 as Crosser Commons Planned Development (Z-2156). This development originally covered 22 acres and was planned for 82 single-family lots. The only remaining PDRS zoned land from this development is this row of platted lots along the east side of Powder House Lane; the rest of the Crosser Commons land to the east and north was rezoned from PDRS to R2 in 2014 (Z-2568) after the unplatted 14.4 acres of the planned development fell into abandonment. To the west and farther south is a large area of R1 zoning. In 2017, at the northwest corner of Powder House Lane and Walker Lane, Habitat for Humanity rezoned a 1.07 acre site from R1 to R1B (Z-2688) in order to plat a 7-lot subdivision called Koinonia Ridge. Farther to the northwest, I3 (Industrial) zoning has existed since the inception of zoning in the county.

AREA LAND USE PATTERNS:

The larger south lot (2217 Powder House) is occupied by a single-family home. The north lot (2211 Powder House) is vacant. Directly east is the parking lot for the new Lafayette City park - Crosser Sports Complex. To the northeast are four softball fields. To the south, west and northwest are mostly single-family homes. Farther northwest is an asphalt - concrete paving business and a temporary batch plant.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies Powder House Lane as an urban local road, which is paved with curb and gutter and is in good condition.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

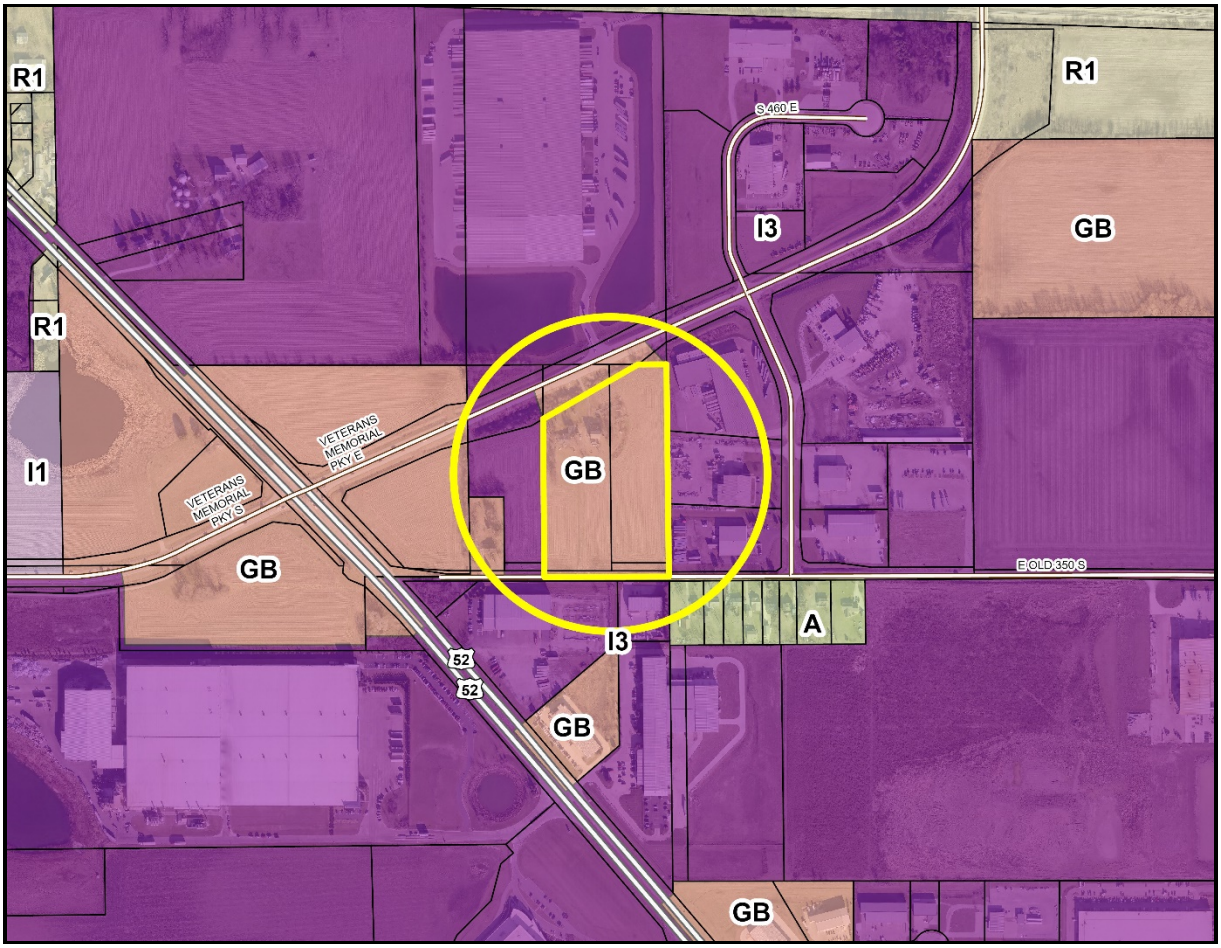
City sanitary sewer and water serves this property.

STAFF COMMENTS:
If this rezone petition is successful, petitioner intends to demolish the existing house and file a subdivision application for two lots, plus one outlot. The two lots will each be the standard R1B width of 50-ft. This will leave approximately 40-ft for the outlot at the north end. Petitioner intends to transfer ownership of the outlot to the adjoining city park. The current PDRS recorded planned development plans do not permit this type of replatting as a minor modification and if revised would require a more complex planned development rezone process. The end result of the proposed R1B rezone and subdivision processes will not add any new building lots, but will allow the lots to be reconfigured and simplify the transfer of surplus land to the adjacent park. Staff feels that the R1B zone standards are compatible with the adjacent PDRS zoned lots to the south.

STAFF RECOMMENDATION:
Approval

Z-2792
TBIRD DESIGN SERVICES CORPORATION
GB to I3

STAFF REPORT
April 9, 2020



Z-2792
TBIRD DESIGN SERVICES CORPORATION
(GB to I3)

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of owner 3400 Maple Point Drive, LLC by Aron Hooks, member, and represented by attorney Daniel Teder, is requesting rezoning of 2-five acre tracts. The site is located on the south side of Veterans Memorial Parkway (VMP) and north of Old CR 350 S, east of Sagamore Parkway, specifically, the five acre tract with the address 4418 E Old 350 S, as well as the unimproved 5 acres to the east, in Wea 12 (NW) 22-4. The same property owner owns the business ("Tents and Events" - a party tent rental business) at the corner of VMP and CR 460 E adjacent to the east and plans on using these two tracts for additional business storage.

ZONING HISTORY AND AREA ZONING PATTERNS:

The ten acres that is the subject of this request was part of the huge 1,400 acre Industrial rezone by Greater Lafayette Progress (GLPI) in 1997 (Z-1715). With the adoption of the 1998 Unified Zoning Ordinance, all Industrial zones were reclassified to I3 (Heavy Industrial). Then the subject property was rezoned from I3 to GB in 2010 despite staff's negative recommendation to legitimize a retail garden center. Now petitioner is requesting a return to the former I3 zone.

North of the property, a large area of land was rezoned in 2001 from R1 (Residential) to I3 by GLPI (Z-2040). In 2000, all four corners of the US 52/Veterans Memorial Parkway intersection, west of the site in question, were rezoned to GB (General Business) (Z-1915, and Z-1952 through Z-1955). A remnant of A (Agricultural) zoned land lies southeast of the property.

AREA LAND USE PATTERNS:

Currently on site are a brick house with an attached garage and a couple of farm buildings. The area surrounding the subject property is characterized by a general transition from agricultural to industrial uses. Land adjacent to the east and north are within the city limits of Lafayette. Industrial uses lie north of the subject property while east of the site is the Milestone Industrial Subdivision. South of the subject property is the 52 S Industrial Subdivision while industrial and commercially zoned land to the west is presently in crop production. A row of single-family residences exists within the Agricultural zoned remnant to the southeast and one or two houses are scattered within the industrial zoned land in the vicinity.

TRAFFIC AND TRANSPORTATION:
Access to the site would be from Veterans Memorial Parkway to the north and Old CR 350 S from the south; Old CR 350 dead-ends to the west of the site without accessing US 52. Veterans Memorial Parkway is classified as a primary arterial while Old CR 350 S is a local road according to the adopted *County Thoroughfare Plan*.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Sanitary sewer and water serve the site. Since I3 zoning surrounds the rezone site, if successfully rezoned no buffering would be required.

STAFF COMMENTS:
The subject property lies within the boundaries of the industrial expansion area included in the ***Amendment to the Adopted Land Use Plan Regarding the Expanded Fuji-Isuzu Development Area***, passed in April 1987 by the Area Plan Commission. To help ensure that the various land use sectors shown in the ***Plan*** function properly as guides to development, certain policies were adopted by APC and the County Commissioners. First among them recommends that:

a. *Requests to rezone land within the study area will be carefully measured against this land use plan amendment, with regard to both its development sectors and the goals that underlie them.*

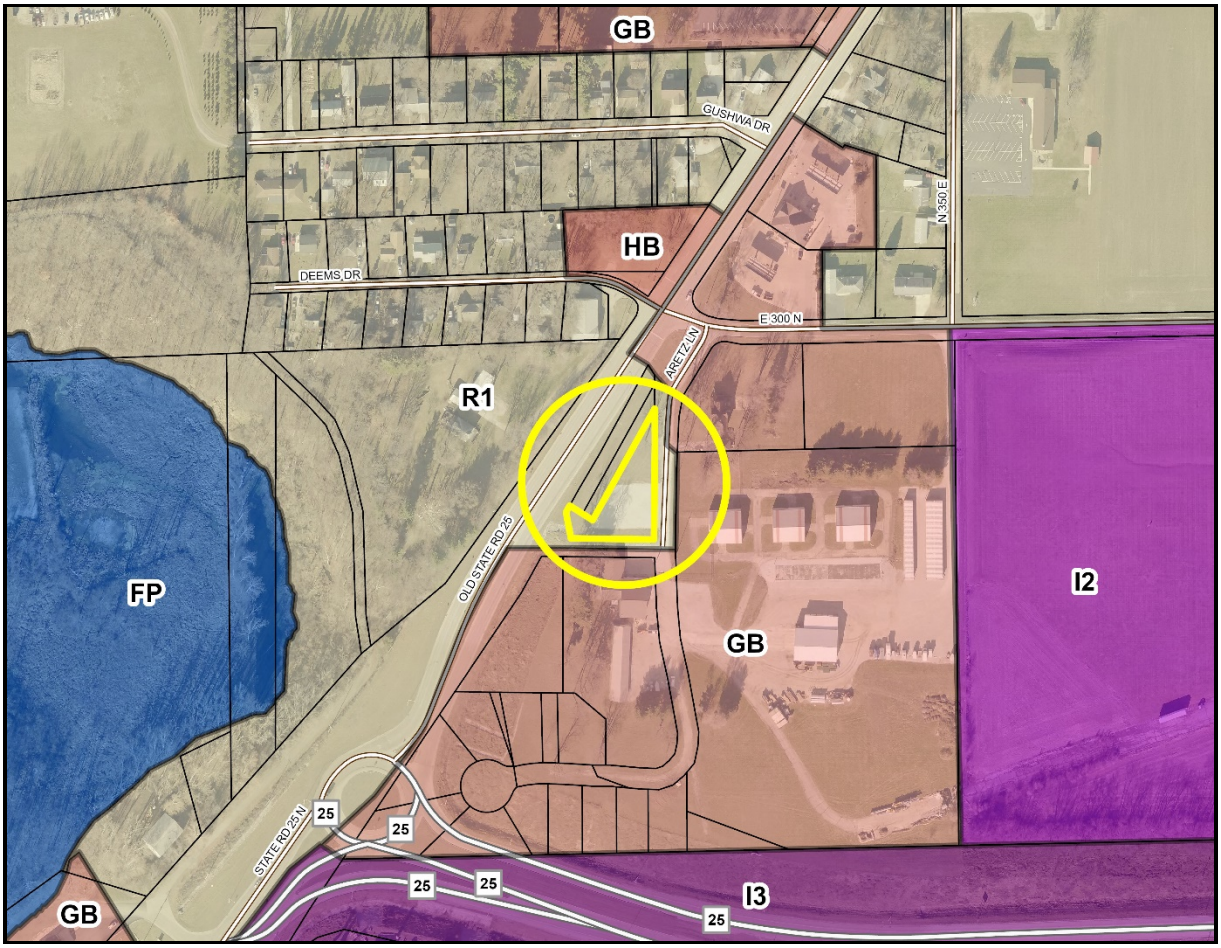
The 2010 zoning request that changed this property from I3 to GB was the result of a zoning enforcement action. A “landscape and horticultural” business permitted by right in I3 transformed into a “Retail nursery, lawn and garden supply store” which was not a permitted use. That retail nursery is no longer in business.

The ***Plan*** shows this site within the “Industrial” land use sector; staff supports the elimination of this spot of GB zoning and the site’s return to industrial zoning.

STAFF RECOMMENDATION:
Approval

Z-2793
MURTAUGH LAW, LLC
R1 to GB

STAFF REPORT
April 9, 2020



Z-2793
MURTAUGH LAW, LLC
R1 to GB

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of the owner Aretz, LLC, is requesting the rezoning of a 0.486-acre tract from R1 to GB. There are no specific plans to build on this vacant site, but if the property is redeveloped it would likely be for a storage facility or commercial office space. The triangular shaped site is located on the east side of Old SR 25 North just south of its intersection with CR 300 North, Fairfield 11 (NW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The R1 zoning is a remnant from the oldest zoning maps in Tippecanoe County. The most recent rezone in this area occurred in 2013 when 10.89 acres directly east and south of the subject site were rezoned from A and R1 to GB (Z-2534). A mix of GB, R1, I2 and I3 zoning is found in the area.

AREA LAND USE PATTERNS:

The site in question is unimproved and triangular in shape. The purchase of right-of-way for Old SR 25 to the west has resulted in an irregular shaped lot. It is likely that any redevelopment of this land will require a setback variance from the required 60' from the Old 25 right-of-way.

Land to the east and south is owned by Aretz, LLC and is used for their business (motor freight transportation). Other commercial and industrial users are located nearby with a few older single-family neighborhoods north of CR 300 North. A neighborhood of 9 single-family homes once existed south of the site but the homes were purchased and razed by the State for the Hoosier Heartland highway project.

TRAFFIC AND TRANSPORTATION:

The site has access from a private drive (Aretz Lane) that connects to CR 300 N. Any new driveways would need approval from the County Highway Department.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

An on-site septic system was constructed in 2008 to serve a storage building that has since been razed. Based on conversations between the Health Department and the owner, the existing system may be able to be put into use with a future building, depending on the use and size of the future building.

STAFF COMMENTS:
The site is owned by Aretz, LLC who owns the surrounding land, so future development may include expansion of their business or a closely related type of use. Access is derived from a private drive easement used exclusively by Aretz, LLC.

The property had previously been part of Aretz Airport with its related buildings. A small hotel for travelers once occupied this site and a small neighborhood of single-family homes used to exist south of this site prior to it being redeveloped by the state for the Hoosier Heartland highway.

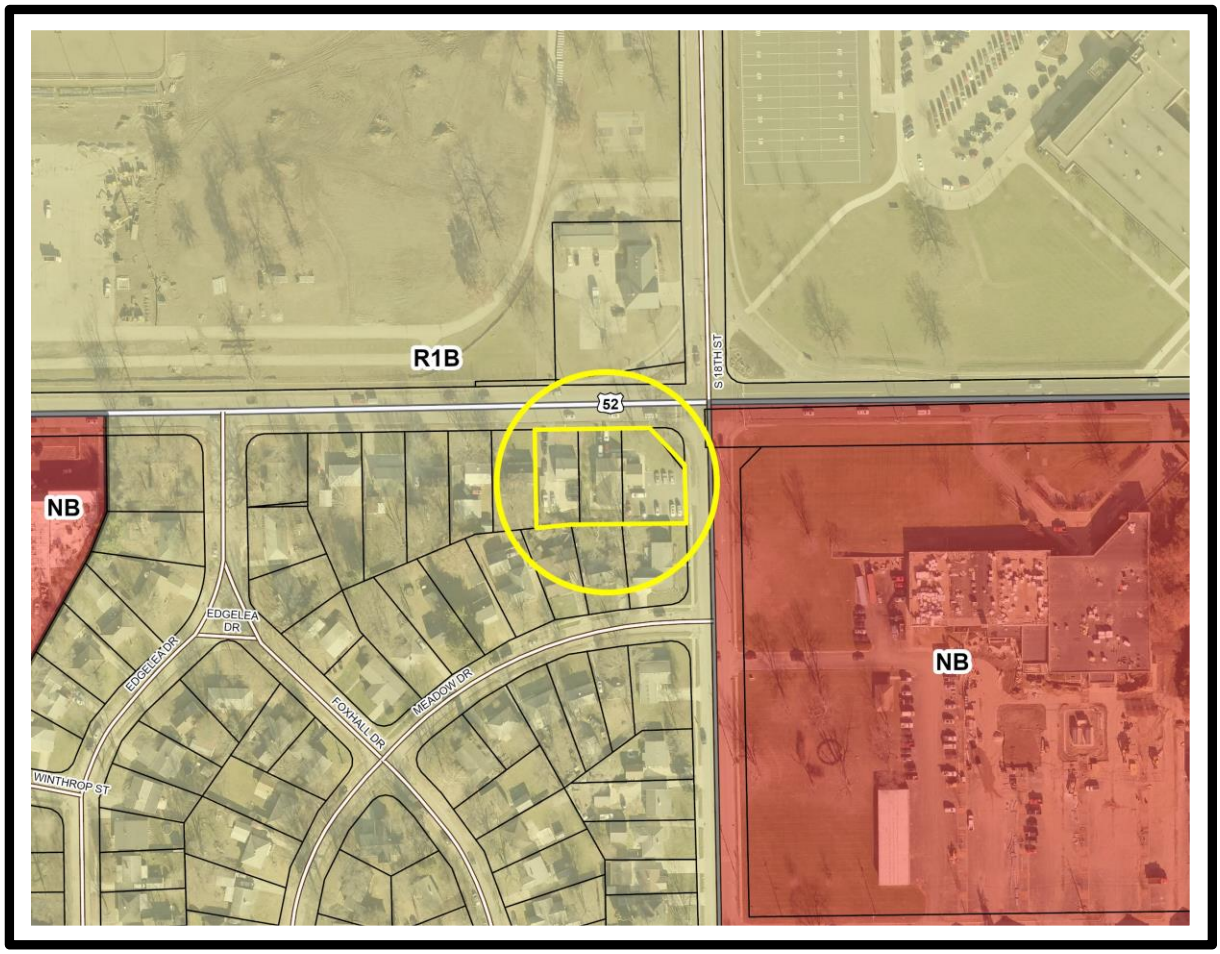
In or around 2002 the airport closed. Over time, the land changed ownership and was subdivided. A series of rezones and Special Exceptions from the Area Board of Zoning Appeals changed the character of the land uses in the area. The realignment of the new highway has also helped to promote redevelopment in the vicinity; in fact, the city is expanding sewer and water services to the area. While this connection will not be available to the site in the immediate future, the relatively new on-site sewage disposal system is capable of handling a small office or storage facility, but only with approval of the County Health Department.

The *Comprehensive Plan* stipulates that commercial development be connected to sewer systems and the former airport property does not yet meet this qualification. However, staff can find little reason to recommend keeping R1 zoning for this half acre site that is surrounded by commercial and industrial development, therefore staff can support this request.

STAFF RECOMMENDATION:
Approval

Z-2794
TECUMSEH DENTAL PROPERTIES, LLC
(R1B to NB)

STAFF REPORT
May 14, 2020



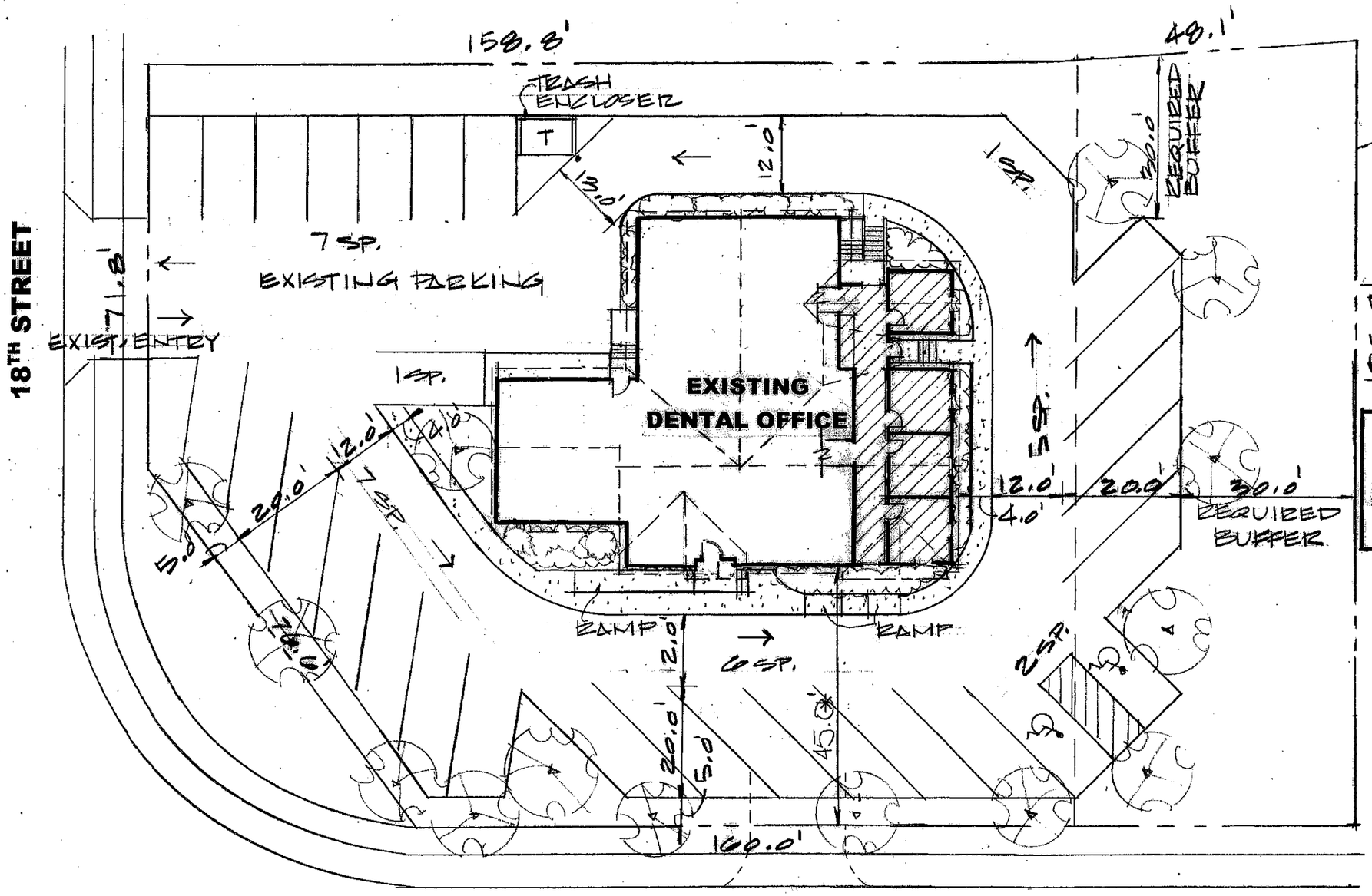
PROPOSED ADDITION FOR:

TECUMSEH DENTAL CENTER

1709 TEAL ROAD

LAFAYETTE, INDIANA

REVISED SITE PLAN 9/21/18



TEAL ROAD

SITE PLAN & FLOOR PLAN

1"=20'-0"

***VARIANCE REQUIRED**

NORTH

TECUMSEH DENTAL CENTER:

EXISTING BUILDING (MAIN FLOOR)	2,694 SF GROSS
PROPOSED ADDITION (MAIN FLOOR)	834 SF GROSS
TOTAL	3,528 SF GROSS
BUILDING COVERAGE	14% (50% MAX. ALLOWED NB)
GREEN SPACE	32% (20% MIN. REQUIRED NB)
REQUIRED PARKING	29 MIN. SPACES REQUIRED
PARKING SHOWN:	29 SPACES SHOWN

Wischmeier Architecture
(765) 447-9628

Z-2794
TECUMSEH DENTAL PROPERTIES, LLC
R1B to NB

Staff Report
May 14, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Sarah Wyatt, is requesting rezoning of three lots at the southwest corner of Teal Road and South 18th Street to expand an existing dentists' office. The site's address is 1709 Teal Road, Lafayette, Fairfield 33 (SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property is currently zoned R1B and is shown as R1B on the 1965 Lafayette City zoning maps. There have been no rezone requests in the area for the last 30 years. Property to the north, south and west is also zoned R1B. Land to the east across 18th Street is zoned NB, Neighborhood Business.

AREA LAND USE PATTERNS:

The existing structure was granted a special exception for a chiropractor's office in 1973, (BZA-0215). This site has been in use as a medical professional office since this approval. The dental business was opened in 1984 and currently covers the eastern two lots. The third lot in this request on the west side was purchased by petitioner in 2016. Although it has a single-family house, petitioner has been using this lot, to the rear and on the west side of the house for paved employee parking.

Single-family homes are located adjacent to the west and south. North across Teal is a city fire station, the county fair grounds and Tecumseh Middle and Lafayette Jefferson High Schools. East across 18th Street is the former Lafayette Life building that has since been purchased by the Lafayette School Corporation and converted to a career center.

A nonbinding site plan was submitted with the filing (see attachment) that shows the existing house would be razed and an 834-square foot addition would be constructed on the west side of the existing building.

TRAFFIC AND TRANSPORTATION:

Both Teal Road and South 18th Street are classified as primary arterials requiring 60' setbacks. The existing structure is 45' from the right-of-way line of Teal and 40' from the right-of-way at the intersection. The parking for this use is 1 space per treatment room or dentist chair, plus 1 space per each employee, or dentist.

The western lot that is currently a single-family home has driveway access onto Teal Road. Based on the submitted site plan, petitioner proposes to close this driveway and that all the parking spaces on site will gain access from the existing18th Street entrance.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
A 30' type C bufferyard is required when NB land is redeveloped adjacent to R1B.

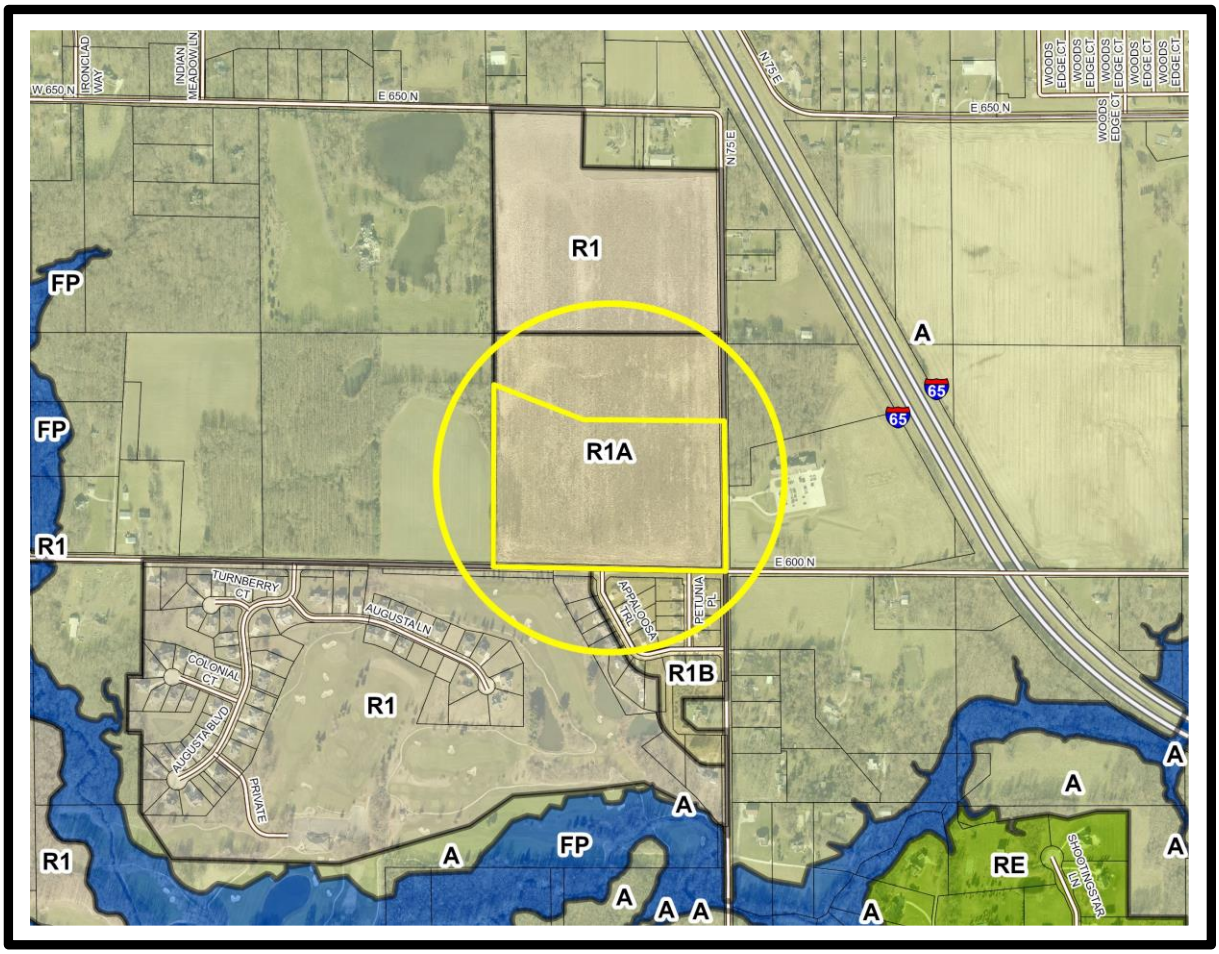
STAFF COMMENTS:
Based on the current use and zone this site is considered a nonconforming use. According to the ordinance, the dental center can continue to operate if it's not abandoned or the building expanded. The petitioner is proposing to increase the size of the building to provide additional treatment rooms. If the rezone is approved the structure would still be considered a nonconforming structure because it does not meet the setbacks along the frontage. The use could be expanded but the addition would need to meet the current standards; the proposed expansion based on the site plan would need at least one setback variance.

Staff would normally make an argument that rezoning this site could lead to additional unwanted expansion of the business zone along Teal Road to the west. But because this has been a medical establishment for over 40 years and no "commercial creep" has happened, staff feels the residences to the west are safe and this request can be supported. Additionally, rezoning this site would allow for an expansion of an established and low intensity use.

STAFF RECOMMENDATION:
Approval

Z-2795
K & K HOMES, LLC
(R1A to R1B)

STAFF REPORT
May 14, 2020



Z-2795
K & K HOMES, LLC
(R1A to R1B)

Staff Report
May 14, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, K & K Homes LLC (represented by attorney Dan Teder) is requesting rezoning of 27.57 acres (aka Belle Terra Major Subdivision), located at the northwest corner of CR 600 N and CR 75 E in Tippecanoe 20 (SE) 24-4. With Commitment.

ZONING HISTORY AND AREA ZONING PATTERNS:

This 27.57 acres site is part of a 40.7 acre tract that was rezoned from A (Agricultural) to R1A in February 2018 (Z-2711). At the same time, adjoining on the north, a 34.45 acre tract was rezoned from A to R1 (Z-2712). To the west, east and southeast are A zoned tracts. Properties to the south, across CR 600 N, are zoned R1 and R1B.

AREA LAND USE PATTERNS:

The site is open and farmed, as is the adjoining field to the north. Agricultural production is the predominant land use surrounding the subject property, mixed with a scattering of large and small lot single-family homes. To the east, across CR 75 E, is a church. The Winding Creek subdivision and the Coyote Crossing golf course are located to the south. The acreage to the north was granted conditional primary approval in August 2018 for a 119 lot single-family subdivision called The Preserve.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies CR 600 N as a rural secondary arterial and CR 75 E as a rural local road. This tract was granted conditional primary approval for 77 lots as Belle Terra Subdivision in July 2018. On this month's agenda is a revised 79-lot design for this subdivision that revises the street layout to a simple loop drive. As with the previous subdivision design, there is only a single entrance from CR 75 E to serve the lots in Belle Terra.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

American Suburban Utilities and Indiana American Water will provide the sanitary sewer and water services to this development. These utilities will be extended from existing mains in Winding Creek Subdivision to the south. Two detention ponds, one in the northwest corner of the site and one located in the center, will handle the subdivision stormwater.

STAFF COMMENTS:
On the face of this request with the proposed commitment it would seem that little will change. The subdivision layout proposed in the revised Belle Terra preliminary plat meets all the lot size zoning standards for the existing R1A zone. Plus, as listed in the commitment, this proposed change to R1B will be restricted to most of the R1A standards:

a. Minimum lot area of 7500 square feet;
b. Minimum lot width of 60 feet;
c. Minimum vegetation coverage of 40%; and
d. Minimum side setback not along street frontage – 6 feet

The only standard not listed is the maximum building coverage. The difference between R1A and R1B is 5%. The R1B zone allows a 35% maximum building coverage and R1A is 30%. There are no differences in the permitted uses between R1A and R1B. Obviously, this will permit slightly larger homes on each lot, but the overall density in this subdivision will not change.

STAFF RECOMMENDATION:
Approval

Z-2795

State Identification Number 79-03-20-400-016.000-017

COMMITMENT

Commitment made on April 20, 2020, by K & K Homes, LLC (the "Petitioner") pursuant to Indiana Code Section 36-7-4-1015.

1. Petitioner makes this commitment with the knowledge and consent of Whiskir, LLC who is the owner (the "Owner") of certain real estate (the "Real Estate") located in Tippecanoe County, Indiana, commonly known as 27.57 acres on E 600 N in West Lafayette, Indiana and more particularly described on Exhibit A which is attached hereto and incorporated by reference herein.

2. Petitioner has filed a request (with the consent of the Owner) with the Area Plan Commission of Tippecanoe County, Indiana (the "APC"), to rezone the Real Estate from R1A to R1B which request is pending before the APC as case no. Z-_____.

3. Petitioner hereby agrees and makes the following commitments in connection with the rezoning request in case no. Z-_____:

All lots which shall be platted on the real estate shall have the following requirements:
a. minimum lot area of 7500 square feet;
b. minimum lot width of 60 feet;
c. minimum vegetation coverage of 40%;
d. minimum side setback not along street frontage - 6 feet.

4. Petitioner understands and agrees that this commitment is given to the APC and the Tippecanoe County Board of Commissioners (the "Legislative Body") as an inducement for the recommendation for and approval of the rezoning request in case no. Z-_____. Petitioner further understands and agrees that the approval of the rezoning request in case no. Z-_____ by the Legislative Body constitutes good and valuable consideration for the giving of this commitment.

5. This commitment shall be a covenant running with the Real Estate and binding and enforceable against Petitioner, any subsequent owner, or any other person who acquires any interest in the Real Estate. Any change or modification of this commitment shall only be made with the approval of the APC at a public hearing in accordance with all rules and regulations of the APC.

6. Petitioner agrees that each of the following shall each be a "specially affected person" under Indiana Code Section 36-7-4-1015(d)(3) who shall each independently be entitled to bring an action to enforce the terms and conditions of this commitment in the Circuit or Superior

Courts of Tippecanoe County, Indiana:

a. the APC,
b. the Area Board of Zoning Appeals of Tippecanoe County, Indiana,
c. the appropriate Administrative Officer designated in the Unified Zoning Ordinance for Tippecanoe County, Indiana
d. Tippecanoe County Board of Commissioners

PETITIONER

K & K Homes, LLC

Ryan Kennedy, Member

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me, the undersigned, a notary public, personally appeared Ryan Kennedy and acknowledged the execution of the foregoing commitment on 4-11, 2020.

Amy R Walker

Amy R Walker, notary public
Resident of Tippecanoe County

My commission expires:

9-21-2026

Amy R. Walker
Tippecanoe County
My Commission # NP0715988
Expires September 21, 2026

This instrument prepared by: Daniel A. Teder of the firm of REILING TEDER & SCHRIER, LLC, 250 Main Street, Suite 601, P.O. Box 280, Lafayette, Indiana 47902. Telephone: (765) 423-5333. E-mail: dat@rtslawfirm.com

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. Daniel A. Teder

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

EXECUTIVE COMMITTEE
NOTICE OF PUBLIC HEARING

DATE.....JUNE 3, 2020
TIME.....4:30 P.M.
PLACE ..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

(TENTATIVE)
A G E N D A

I. APPROVAL OF MINUTES

II. NEW BUSINESS

III. PUBLIC HEARING

IV. APPROVAL OF THE JUNE APC PUBLIC HEARING AGENDA

V. APPROVAL OF THE JUNE ABZA PUBLIC HEARING AGENDA

VI. DETERMINATION OF VARIANCES

A. Lafayette Division of the Area Board of Zoning Appeals

VII. REVIEW AND APPROVAL OF THE APRIL & MAY BUDGET REPORT

VIII. OTHER BUSINESS

IX. ADJOURNMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada