

The
AREA PLAN COMMISSION
of Tippecanoe County

Notice of Public Hearing

Date: August 19, 2020

Time: 6:00pm

**Place: County Office Building
Tippecanoe Room
20 North Third Street
Lafayette, Indiana 47901**

AGENDA

I. PLEASE NOTE:

Due to the public health emergency, this will be a virtual meeting. Public comment on agenda items may be submitted prior to noon on the meeting day 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 the livestream on Facebook at: <https://www.facebook.com/TippecanoeCountyIndiana> (you must have an account) or YouTube at <https://www.youtube.com/channel/UCJleeA9ZQo9EIIgGdZTdjurQ> (you must be a subscriber to comment.) Links can also be found on the APC website at: www.tippecanoe.in.gov/apc.

II. BRIEFING SESSION

III. APPROVAL OF MINUTES

Documents:

[APC MINUTES 08.19.2020.PDF](#)

IV. NEW BUSINESS

V. PUBLIC HEARING

A. SUBDIVISIONS

1. S-4935 DAUGHERTY COMMERCE CENTER MINOR SUBDIVISION, A REPLAT OF LOT 14 (MINOR-SKETCH):

Petitioner is seeking primary approval to replat one lot and unplatted land into one lot plus one outlot all on 9.10 acres, located between

Concord Road and Daugherty Drive, Lafayette, Wea 10 (NW) 22-4.

Vote Results:
Conditional Primary Approval 17-Yes and 0-No

Documents:

[S-4935 DAUGHERTY COMMERCE CENTER.PDF](#)

B. REZONING ACTIVITIES

1. Z-2800 JOSHUA SHIVES (A TO GB):

Petitioner is requesting rezoning of Lot 2 of Oliver Subdivision, located at the northwest corner of SR 25 W & CR 500 W, specifically 5000 SR 25 W, Wayne 22 (SE) 22-5. With Commitment.
Continued from the August APC meeting at petitioner's request in order to add a commitment. First continuance.

Vote Results:
Commitment 15-Yes and 2- No
Rezone 4-Yes and 13-No

Documents:

[Z-2800 JOSHUA SHIVES WITH COMMITMENT.PDF](#)

2. Z-2802 JOSE' E. GAETA (GB TO I3):

Petitioner is requesting rezoning of 1.19 acres for an "auto salvage operation" located south of Union and east of Sagamore Parkway, at 3445 Union Street in Lafayette, Fairfield 22 (SE) 23-4.

Vote Results: 17-Yes and 0-No

Documents:

[Z-2802 JOSE E. GAETA.PDF](#)

3. Z-2803 CASON & EARL, LLC (I3, NB & GB TO NB):

Petitioner is requesting rezoning of 1.54 acres located at the southwest corner of Cason Street and North Earl Avenue, specifically 310 N. Earl Avenue in Lafayette, Fairfield 22 (SW) 23

Vote Results: 17-Yes and 0-No

Documents:

[Z-2803 CASON AND EARL, LLC.PDF](#)

4. Z-2804 MEZZANINE 7, LLC (R3W TO R4W):

Petitioner is requesting rezoning of the southwest corner of W. Wood Street and Pierce Street, more specifically, 202 W. Pierce Street in West Lafayette, Wabash 19 (SE) 23-4.

Vote Results: 16-Yes and 0-No

Documents:

[Z-2804 MEZZANINE 7, LLC.PDF](#)

5. **Z-2805 MIDWEST RENTALS, INC. C/O NANCY FASSNACHT (PDNR TO GB):**
Petitioner is requesting rezoning of 5.23 acres located on the west side of Klondike Road, south of US 52, more specifically 3312 Klondike Road, Wabash 3 (SE) 23-5. (Commitment filed, then withdrawn by petitioner.)

Vote Results: 16-Yes and 0-No

Documents:

[Z-2805 MIDWEST RENTALS, INC..PDF](#)

VI. ADMINISTRATIVE MATTERS

Contract with The Mercer Group, Inc., executive search firm for Executive Director position - Roland Winger

VII. APPROVAL OF THE OCTOBER 7TH EXECUTIVE COMMITTEE AGENDA

Documents:

[10072020 EXEC AGENDA.PDF](#)

VIII. DETERMINATION OF VARIANCES - ABZA

(No new cases were filed this month.)

IX. DIRECTOR'S REPORT

X. CITIZENS' COMMENTS AND GRIEVANCES

XI. ADJOURNMENT

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

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

MEMBERS PRESENT

Roland Winger
Jake Gray
Vicki Pearl
Larry Leverenz
Michelle Long
Tracy Brown
Tom Murtaugh
Gary Schroeder
Jackson Bogan
Kathy Parker
Lisa Dullum
Perry Brown
Dr. Carl Griffin
Greg Jones
Jerry Reynolds
Carla Snodgrass
Diana Luper

MEMBERS ABSENT

STAFF PRESENT

Ryan O’Gara
Chyna Lynch
Don Lamb
Kathy Lind
Zach Williams, Atty.

The Area Plan Commission of Tippecanoe County Public Hearing was held virtually on the 19th day of August 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. He thanked everyone involved in making this meeting possible. He asked that everyone mute their microphones until they wished to speak or vote.

Attorney, Zach Williams, called the roll to establish members present.

I. BRIEFING SESSION

Ryan O’Gara said **RESOLUTION PD-20-07 PURDUE RESEARCH FOUNDATION (Provenance PD) Z-2766** was added to the agenda. **Z-2798 WEST LAFAYETTE PUBLIC LIBRARY LEASING CORPORATION – Anastasia Krutulis (West Lafayette Public Library PD) (PDNR to PDNR)** has requested to be continued to the October 21, 2020 APC meeting. This is their first continuance. The petitioner for **Z-2799 STENZ / LNHS, LLC (PDMX to R3)** has withdrawn their case. All other cases are ready to be heard.

II. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from July 15, 2020 meeting. Greg Johns seconded and the motion carried by unanimous voice vote.

III. NEW BUSINESS

Final Detailed Plans

RESOLUTION PD-20-07: PURDUE RESEARCH FOUNDATION (Provenance PD) Z-2766: Final Detailed Plans, consisting of the Final Plat for phase 1 and the Final Plat for phase 2, part 1 for the Provenance Planned Development. The approved preliminary plans allow for a multi-

phase, multi-lot, mixed-use neighborhood development containing up to 550 residential units (including both single-family and multi-family) and up to 90,000 square feet of commercial retail. The property is located on the southwest corner of State Street and Airport Road in West Lafayette, Wabash 24 (S1/2) 23-5.

Gary Schroeder moved to hear and approve **RESOLUTION PD-20-07**. Greg Jones seconded.

Ryan O’Gara presented the final detail plans. This resolution was heard last month as well. The 30-day recordation requirement in the ordinance was not fulfilled in time. Petitioner was pulling together their bonding as well as their drawing files that are required for the auditor. They just missed the deadline and per the ordinance, they must be reapproved in order to be able to record again. Nothing has changed with the submission, the final plats phase one or the final plats for phase two. Bonding has been submitted and accepted by the APC staff and the drawing files have been sent to the auditor. Once this is recorded, they will be able to get building permits to starting building upwards. Staff recommended approval.

Jackson Bogan asked if the petitioner or the representative wanted to make a presentation. They did not. Jackson asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
Larry Leverenz
Carl Griffin
Roland Winger
Vicki Pearl
Lisa Dullum
Diana Luper
Gary Schroeder
Michelle Long
Kathy Parker
Jerry Reynolds
Tom Murtaugh
Carla Snodgrass
Greg Jones
Perry Brown
Jake Gray
Tracy Brown

No-Votes

IV. PUBLIC HEARING

Jackson Bogan read the meeting procedures.

Gary Schroeder 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.

Gary Schroeder moved to continue **Z-2798 WEST LAFAYETTE PUBLIC LIBRARY LEASING CORPORATION – Anastasia Krutulis (West Lafayette Public Library PD) (PDNR to PDNR)** to the October 21st, 2020 Area Plan Commission Meeting.

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

A. Ordinance Amendments

UZO AMENDMENT #97 BUSINESS PARK & GATEWAY DIRECTORY SIGNS:

This amendment would amend the sign section of the UZO and would add a new category of signage: business park signs and gateway directory signs.

Gary Schroeder moved to hear and approve **UZO AMENDMENT #97 BUSINESS PARK & GATEWAY DIRECTORY SIGNS.** Greg Jones seconded.

Kathy Lind said the Ordinance Committee has been discussing this for several months. Last month at the Area Plan Commission meeting, there were two proposals. One proposed amendment was the original proposal that staff created and the second was what the Ordinance Committee had passed at their July meeting which eliminated several of the changes staff proposed. Ordinance Committee likely felt staff took it too far by basically eliminating freestanding signage. These two proposals were tabled by this Commission and sent back to the Ordinance Committee for further discussion. At the August Ordinance Committee meeting, staff created a compromise amendment that put back in some of the freestanding signage for commercial lots not in the business park. That amendment passed Ordinance Committee. There is a recommendation of approval from Lafayette and West Lafayette staffs. Staff recommended approval.

Jackson Bogan asked if anyone wished to speak from West Lafayette or the developer of Sagamore Commons. They did not. He asked Ryan O’Gara if there had been any public comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
Larry Leverenz
Carl Griffin
Roland Winger
Vicki Pearl
Lisa Dullum
Diana Luper
Gary Schroeder
Michelle Long
Kathy Parker
Jerry Reynolds
Tom Murtaugh
Carla Snodgrass
Greg Jones
Perry Brown
Jake Gray
Tracy Brown

No-Votes

B. Subdivisions

S-4930 ELSTON ACRES MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for two lots on 0.686 acres, located at the northwest corner of Old Romney Road and Elston Road, Lafayette, Fairfield 31 (SE) 23-4.
CONTINUED FROM THE AUGUST EXECUTIVE COMMITTEE MEETING BECAUSE LEGAL ADS WERE NOT PUBLISHED IN TIME.

Gary Schroeder moved to hear and vote on **S-4930 ELSTON ACRES MINOR SUBDIVISION (minor-sketch).** Greg Jones seconded.

Kathy Lind presented the zoning map, plat, and aerial photos. She said the property is on the corner of Old Romney Road and Elston Road and is 0.686 acres. The zoning map shows it is zoned GB however, that was corrected. Lafayette City Council voted on August 3rd, 2020 to rezone this to R1B. There are two existing houses on the property. The purpose of subdividing is for each house to have its own lot. According to the Lafayette City Engineer's Office, they have no issue maintaining the existing access points. Sewer and water are available directly to both lots. Staff recommended approval contingent on the following conditions:

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

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The street addresses and County Auditor's Key Number shall be shown.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Steve Haby, 1129 Ocala Avenue, Lafayette, IN 47905, petitioner, said the primary reason to separate these lots after owning them for many years is to sell one of the houses. He said anyone that buys this would have trouble getting a conventional loan with two houses on one lot.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O'Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dullum
 Diana Luper
 Gary Schroeder
 Michelle Long
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

No-Votes

S-4931 PARAMOUNT MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for two lots on 4.39 acres, located on the north side of Genoa Drive and the east side of Paramount Drive, in Wabash 2 (NE) 23-5.

Gary Schroeder moved to hear and vote on S-4931 PARAMOUNT MINOR SUBDIVISION (minor-sketch). Greg Jones seconded.

Don Lamb presented the zoning map, plat, and aerial photos. He said this was originally called Lakeshore and was renamed for the purpose of dividing this land into two lots. The owner wants to split the eastern

half off for a multi-family subdivision that was been submitted with a major sketch plan application back in January. The property is zoned R3 with land to the south zoned GB for the shopping center. There is Flood Plain in the neighborhood to the southwest with NB zoning to the west. Staff recommended approval contingent on the following conditions:

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The street addresses and County Auditor's Key Number shall be shown.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Justin Frazier, TBIRD, 105 N 10th Street, Lafayette, IN 47901, representative for petitioner, said they agreed with the standard conditions and would be available for any questions. He respectfully requested approval.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O'Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 16 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Diana Luper
 Gary Schroeder
 Michelle Long
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

No-Votes

S-4932 CROSSER COMMONS MINOR SUBDIVISION (minor-sketch):

Petitioners are seeking primary approval to replat two lots into two lots (plus one outlot) on 0.426 acres, located on the east side of Powder House Lane, just north of the Walker Court intersection, in Lafayette, Fairfield 31 (SE) 23-4.

Gary Schroeder moved to hear and vote on **S-4932 CROSSER COMMONS MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Don Lamb presented the zoning map, plat, and aerial photos. He said this property is on Powder House Lane in the southwest part of Lafayette just north of the Walker Court intersection. These two lots were originally platted with 8 lots from the Crosser Commons planned development. The land to the northeast has been developed as a Lafayette City park called Crosser Sports Complex. The idea is to reconfigure the two lots. One is a smaller, skinnier lot. The other is a larger lot with an existing house that will go away. These two lots will be reconfigured into two lots a 40-foot-wide outlot that will be deeded to the park. There was a rezone from PDRS to R1B about two months ago. These lots will be developed by Habitat for Humanity. Staff recommended approval contingent on the following conditions:

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The street addresses and County Auditor's Key Number shall be shown.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Matt Holden, Starr Associates, 215 Alabama Street, Lafayette, IN, 47901, representative for petitioner, said he would be happy to answer any questions.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dillum
 Diana Luper
 Gary Schroeder
 Michelle Long
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

No-Votes

A. Rezoning Activities

Z-2800 JOSHUA SHIVES (A to GB):

Petitioner is requesting rezoning of Lot 2 of Oliver Subdivision, located at the northwest corner of SR 25 W and CR 500 W, specifically 5000 SR 25 W, in Wayne 22 (SE) 22-5.

Gary Schroeder moved to hear and approve **Z-2800 JOSHUA SHIVES (A to GB)**. Greg Jones seconded.

Ryan O’Gara presented the zoning map and aerial photos. He said this property is in the southwest part of the county bordering the Town of Shadeland. The site was divided in 2008 and prior to the subdivision there was a house and a vet clinic located on one lot. There is A zoning around the site but Shadeland has their own zoning. The vet clinic building is still in the area and a landscaping business is located to the east of the site. The current building on the site meets all setback requirements. If rezoned, a Type B 20-foot bufferyard is required where GB zoning abuts A zoned land. Sewer and water are not available at this location which is one of staff’s primary concerns. The Health Department reports that the site does have an on-site septic sufficient for a few employees. In terms of staff comments, there is a long-standing policy of not up-zoning to commercial in areas that are off water and sewer. This petition fails in that regard. The proposed use is for an ATV dealership. There could be a lot of different types of uses that could be allowed in the GB zone that neighbors may not like. Without a commitment and the site being off the sewer and water grid, staff recommended denial.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he is planning to sell used ATVs and UTVs on the site from the traffic that heads towards the Badlands off-road park. It is a busy road with a lot of visibility of the lot. There have been multiple people that tried to buy the building, and all have been limited by use. He said he is trying to take a building that has been sitting empty since 2013 and make use of it.

Jackson Bogan asked if there was a reason for not having a commitment.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said if the rezone is not approved, he will reapply with a commitment. He said this is the first time he has filed a rezone petition.

Tom Murtaugh said when they had spoken about this, Mr. Shives had mentioned that the neighbors were supportive of this request. He asked if that were still the case.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he has spoken with a few neighbors. He has not spoken with the people across the road or the owner of the field behind the property. The property owners to the east do not care. The property owner to the west initially was not opposed but is now concerned about future use after this business.

Jackson Bogan asked Zach is there is a way to create a last-minute commitment.

Zach Williams said there is not. Per the Bylaws, it must be submitted. This is something that can limit the proposed uses on the property.

Vicki Pearl asked if staff would have spoken to Mr. Shives about a commitment when he submitted the initial request.

Kathy Lind said she believes Mr. Shives did not talk with staff before he submitted his request. He had all his paperwork together and staff does not generally give advice at that stage. If he had spoken with staff previously, staff likely would have suggested a commitment. At this point, he could continue to next month.

Jackson Bogan asked if Mr. Shives was under a time constraint with this.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said not necessarily. He is waiting to refinance the building until after it is rezoned.

Jackson Bogan asked if pushing this back 30 days for a continuance to ask for some form of a commitment would work. He asked if staff can assist in drawing up a commitment or if it needs to be done by an attorney.

Kathy Lind said this does not need to be done by an attorney. Staff has a boilerplate of what a commitment looks like so staff could help.

Jackson Bogan asked Mr. Shives if he understands what a commitment is.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said it means he is making a commitment to not operate a list of things.

Jackson Bogan asked if he would be comfortable adding a commitment.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said yes, if that is what it takes to get the rezone done.

Kathy Lind asked John Burns or Don Lamb if there is a \$100 filing fee with a commitment.

Don Lamb said it is a \$100 filing fee per commitment.

Kathy Lind said she had previously told Mr. Shives this would not cost anything extra but there is a \$100 filing fee.

Jackson Bogan said this is ultimately up to the petitioner whether they want to continue this or not.

Zach Williams said Mr. Shives this is your petition and it is your decision if you want to vote on this tonight. If there are enough votes to pass it on, then it will go to the next stage. Mr. Shives can also make the decision to ask for a continuance and push it out a month to investigate the commitment process before there is a vote.

Tom Murtaugh said if there is a vote of denial then it cannot be refiled for a year.

Don Lamb said that is correct. A vote of denial by the County Commissioner's would mean it cannot be refiled for a year.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, asked if there is a denial vote from the County Commissioners it cannot be refiled for a year but not if there is a denial vote tonight.

Tom Murtaugh said if there is a denial by the County Commissioners it cannot be filed for a year. If the vote proceeds tonight and it is denied, they can go before the County Commissioners and can be approved or denied at that level.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he believes it is in his best interest to ask for the continuance.

Gary Schroeder moved to continue **Z-2800 JOSHUA SHIVES (A to GB)** to the September 16, 2020 APC meeting. Greg Jones seconded. The motion carried by unanimous voice vote.

Z-2801 WALLICK COMMUNITIES (NB to R3):

Petitioner is requesting rezoning of 5.22 acres on the west side of Paramount Drive, just south of Lark apartments (formerly known as Campus Suites), for a proposed 60-unit, three building multi-family development known as Wabash Commons in Wabash 2 (NE) 23-5.

Gary Schroeder moved to hear and approve **Z-2801 WALLICK COMMUNITIES (NB to R3)**. Greg Jones seconded.

Kathy Lind presented the zoning map and aerial photos. She said this property is located on the west side of Paramount Drive. This is currently zoned NB with Flood Plain zoning adjacent to the west and R3 zoning to the north and east. There are apartments to the north and to the east as well as to the south across Sagamore Parkway. There is a mobile home park to the west across the flood plain area. There is an existing storm water basin on the property. She presented the non-binding site plan that was submitted. She said there are four buildings proposed one of which will be a clubhouse. This plan is for 60 low income units with 6 one-bedroom, 27 two-bedroom and 27 three-bedroom units. CityBus has a route that stops at the corner of Pacific Drive and Paramount Drive which is opposite the driveway into this property. American Suburban Utilities and Indiana American Water both serve the site. It is staff's opinion that there are a lot

of apartments in this area so one more development is not going not hurt. It has sewer and water and it is on a CityBus line. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Joe Hall, Wallick Communities, 160 West Main Street, New Albany, OH 43054, petitioner, said Wallick Communities was formed in 1966 and is headquartered in Columbus, Ohio. Wallick is a full-service real estate company that handles development, general contracting and property management. Wallick's major platform is affordable housing in both family and senior living. The proposed property is family or general occupancy. Wallick is a Midwest company that services nine Midwest states with 170 properties. There are 14 properties in Indiana with the closest in Indianapolis and Logansport.

Wallick is pursuing financing for this site through the Rental Tax Credit Program. Upon an award of tax credits from IHCD, Wallick would work with an intermediary to sell those credits to a large financial institution. They would enter into the proposed development as a limited partner. In exchange for those credits, they would provide equity to build the facility. This would be paired with a construction loan and a permanent loan that would make up the capital stack for the project. In exchange for the credits, commitments are made. The first is to only rent to people with a certain band of income. This property is measured on an annual household basis. The units could be rented to people on the low end of the band with a \$15,000 annual household income all the way up to the higher end of the band with a \$65,000 annual household income. The second commitment is to only charge people so much for rent. Residents still pay their own rent, but it is restricted to how much can be charged.

This 5-acre site would hold 60 multi-family housing units. He said they received a favorable market study that says this is a product that is needed in this community and that it would lease up in half the time a typical project would. Because there are 60 units, there is a great scale to manage it effectively. There is a property manager and maintenance professional on-site during normal business hours. American Structure Point is the engineer for this site. From a security perspective, the site will be properly lit and there will be security cameras throughout the site with IP addresses that can be shared with local law enforcement. He said they hope to start construction next summer and have construction completed by summer of 2022 to hopefully have a full vibrant building by the end of 2022. He respectfully requested approval.

Gary Schroeder asked if the market study could be given to staff so the Commission could see it.

Joe Hall, Wallick Communities, 160 West Main Street, New Albany, OH 43054, petitioner, said he will send it to staff tomorrow morning.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O'Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
Larry Leverenz
Carl Griffin
Roland Winger
Vicki Pearl
Lisa Dillum
Diana Luper
Gary Schroeder
Michelle Long

No-Votes

Kathy Parker
Jerry Reynolds
Tom Murtaugh
Carla Snodgrass
Greg Jones
Perry Brown
Jake Gray
Tracy Brown

V. ADMINISTRATIVE MATTERS

None.

VI. APPROVAL OF THE SEPTEMBER EXECUTIVE COMMITTEE AGENDA

Jackson Bogan said there were no new subdivisions filed this month.

VII. DETERMINATION OF VARIANCES – ABZA

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

BZA-2042 ZERN VESS.

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

VIII. DIRECTOR'S REPORT

Ryan O'Gara said there was nothing new to report this month.

IX. CITIZEN'S COMMENTS AND GRIEVANCES

Jackson Bogan said there will be a one-minute pause for citizen comment and or grievances. After the minute passed, he asked Ryan O'Gara if there had been any additional comments received. There were none.

X. ADJOURNMENT

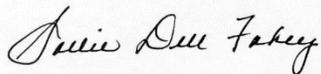
Gary Schroeder moved to adjourn.

The meeting adjourned at 7:07 pm.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

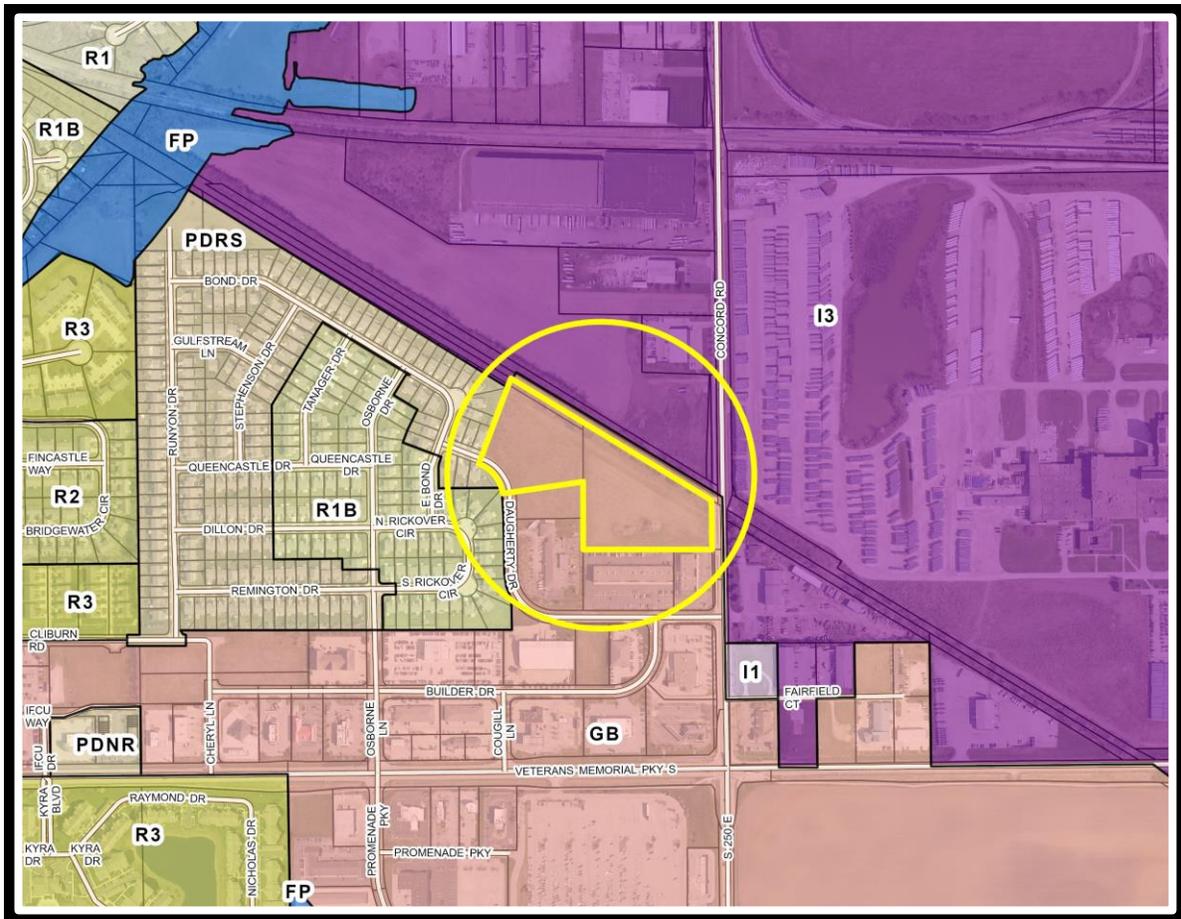
Reviewed By,



Sallie Fahey

S-4935
DAUGHERTY COMMERCE CENTER MINOR SUBDIVISION, A
REPLAT OF LOT 14
(minor-sketch)

STAFF REPORT
September 10, 2020



S-4935

**DAUGHERTY COMMERCE CENTER MINOR SUBDIVISION
A REPLAT OF LOT 14
Minor-Sketch Plan**

**Staff Report
September 10, 2020**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is seeking primary approval to replat one lot and unplatted land into one lot plus one outlot all on 9.10 acres, located between Concord Road and Daugherty Drive, in Lafayette, Wea 10(NW)22-4.

AREA ZONING PATTERNS:

This site is zoned GB (General Business), as are properties to the south and southwest. Due west, are R1B and PDRS (Planned Development – Residential) zones. To the north and east is a large area of I3 (Industrial) zoning.

AREA LAND USE PATTERNS:

The site is currently under development for a self-storage warehouse business (as shown on the sketch plan). Bordering on the south (within the Daugherty Commerce subdivision) are three buildings with a variety of businesses including a pub, fitness center, physical therapy center, health clinic, doctor’s office and a daycare/pre-k learning center. To the east, across Concord Road, is a contractor’s business. To the northeast is the Wabash National south plant. To the north are auto tire and service businesses. Bordering along the west are single-family homes in the Brittany Chase Planned Development.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies Concord Road as an urban secondary arterial. All necessary right-of-way for Concord Road was dedicated in the recording of Lot 14 this past January. Daugherty Drive is classified as an urban local road. The right-of-way for this street was shown in the original 1998 preliminary plat and will finally be complete when dedicated on the final plat for this replat.

Access from Concord Road will be from a shared driveway located along the south lot line shared with Lots 15 and 16. Except for the access easement for this driveway, a “No Vehicular Access” restriction was shown along the Concord Road right-of-way on the Lot 14 final plat and will be repeated on this replat. No access is proposed from Daugherty Drive.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

This site is served by existing City sanitary sewer and water. Outlot A is a 90-ft wide strip

of land that spans the entire north boundary, which includes the 30-ft south half of a railroad right-of-way (as noted on the Lot 14 final plat) where the tracks have been long removed. Outlot A is intended for stormwater detention storage.

CONFORMANCE WITH UZO REQUIREMENTS:

All required building setbacks are shown (a 40-ft front setback along Concord Road, 25-ft front along Daugherty Drive, and a 40-ft rear setback along the western PDRS zone boundary). A Type C bufferyard is required along the PDRS zone boundary. The sketch plan shows a 10-ft utility, drainage and landscape easement, which appears to mirror the same type of easement in the Brittany Chase PD plans. The bufferyard plan will be part of the improvement location permit issued by the Lafayette City Engineer.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

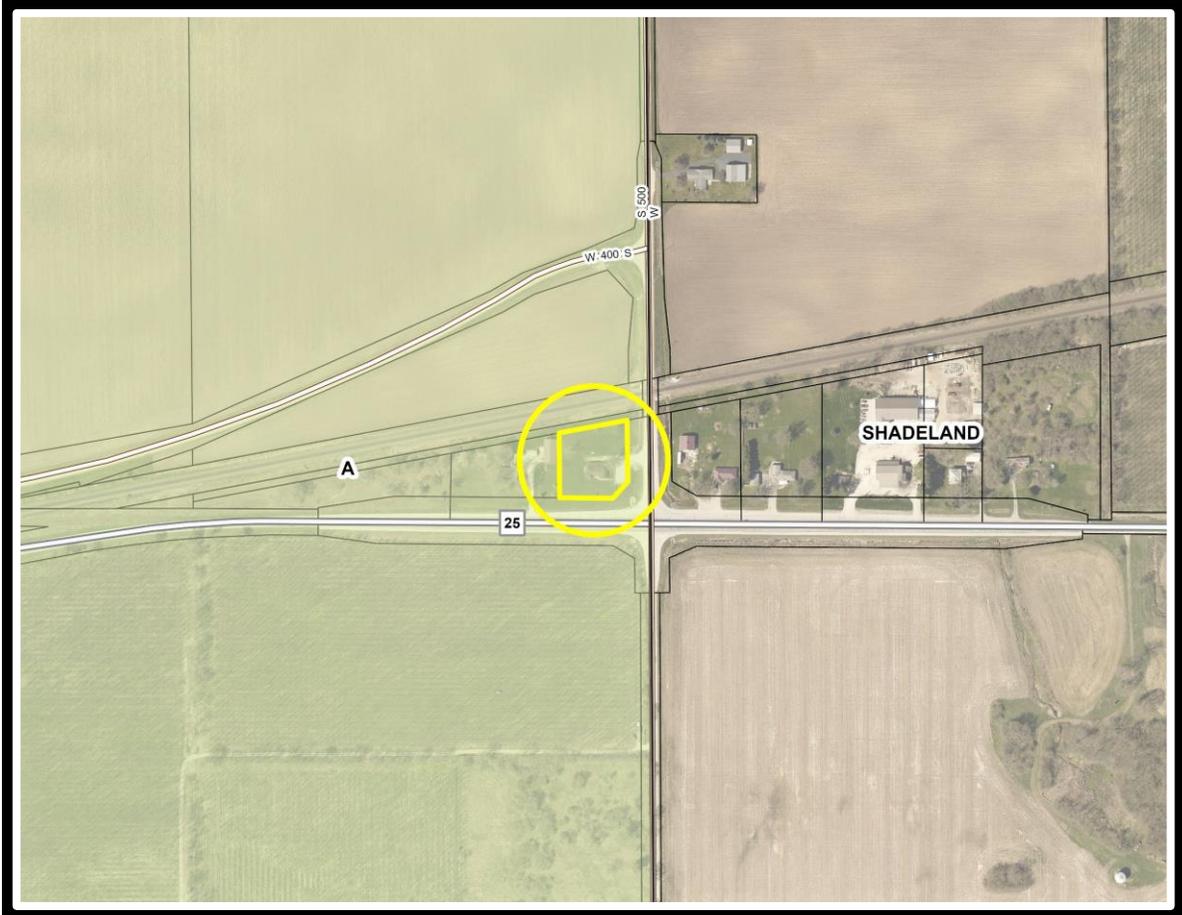
1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the Concord Road right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
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 street addresses and County Auditor's Key Number shall be shown.

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

6. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
7. The purpose, ownership and maintenance of Outlot A shall be specified.

Z-2800
JOSHUA SHIVES
(A to GB with commitment)

REVISED STAFF REPORT
September 10, 2020



**Z-2800
JOSHUA SHIVES
A to GB
with commitment**

**Revised Staff Report
September 10, 2020**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the owner, is requesting rezoning of Lot 2 of Oliver Subdivision, 0.917 acres in area, located at the northwest corner of SR 25 W and CR 500 W, more specifically 5000 SR 25 West, in Wayne, 22 (SE) 22-5. The petitioner plans to sell ATVs, UTVs and Jeeps at this location.

PLEASE NOTE:

This case was heard at the August 19th Area Plan Commission meeting and continued to the September meeting so petitioner could add a commitment. The commitment submitted lists many uses that would be prohibited from this site including adult businesses as well as a gas service station. Although this commitment prohibits many incompatible uses from locating on site in the future; based on the Comprehensive Plan, staff cannot recommend commercial zoning of a site without sewer and water.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property is currently zoned A, Agricultural. All property within a mile of this site to the north, west and south is also zoned A. Land to the east across CR 500 W is within the Town of Shadeland; the town is not a participating member of the Area Plan Commission.

AREA LAND USE PATTERNS:

This property was subdivided in 2008. Prior to the subdivision the house and a veterinarian clinic were located on one lot. The vet clinic, a use permitted by right in the A zone, is the building in this request. A landscaping business is located to the east in Shadeland. Most surrounding uses are agricultural or large lot single-family homes; there are houses to the east in Shadeland and a house next door to the west. Railroad tracks are adjacent to the north. South across SR 25 is a tree farm.

TRAFFIC AND TRANSPORTATION:

SR 25 West is classified as a rural secondary and CR 500 West is considered a local road by the adopted *Thoroughfare Plan*. The building on site meets the required setbacks based on the aerial and parcel data.

Paved parking and maneuvering aisles are a requirement of uses located in the GB zone. This site will need drainage approval from the county surveyor if there is additional land used for parking and maneuvering. Required parking for the proposed use is 1 space per 400 square foot of gross floor area.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

A 20' type B bufferyard is required when GB zoned property is redeveloped next to A zoned land. Sewer and water are not available at this location. According to the health department, the site has an onsite septic for a few employees.

STAFF COMMENTS:

The petitioner is proposing to run an ATV, UTV, and Jeep dealership at this location. According to the petitioner many people drive by this location on the way to the Badlands Off-Road Park in Attica to drive off-road vehicles. The petitioner would like to locate a business at this location to capitalize on the passing traffic.

GB zoning allows buildings to cover up to 60% of the lot and only requires 10% vegetative cover; this development pattern is fine in an urban area but does not match the surrounding area. The proposed use is similar in nature to a car dealership. Even with the commitment, there are numerous potential uses that could be considered a nuisance to the adjacent single-family home. There is no noise ordinance in the county, so any business could operate 24 hours a day becoming a larger issue for the neighbor. Sewer and water are not available to this site; the Comprehensive Plan does not recommend commercial zoning for any property unless it is served by sewer and water.

Potential commercial uses here should be limited to those uses permitted by right in the current Agricultural zone; those agricultural-related businesses would fit with the surrounding area and not be considered a detriment to nearby residences.

STAFF RECOMMENDATION:

Denial

Key Number 140-00402-0024

State Identification Number 79-10-08-400-008.000-028

COMMITMENT

Commitment made on September 3rd, 2020, by Joshua Shives
(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 5000 SR 25 W, West Point, IN 47992 and more particularly described on Exhibit A which is attached hereto and incorporated by reference herein.

or

1. Petitioner makes this commitment with the knowledge and consent of _____ who is the owner (the "Owner") of certain real estate (the "Real Estate") located in Tippecanoe County, Indiana, commonly known as 5000 SR 25 W, West Point, IN 47992 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 A to GB which request is pending before the APC as case no. 2800.

3. Petitioner hereby agrees and makes the following commitment in connection with the rezoning request in case no. 2800:

Property will not be used for the following uses:

Adult Bookstore, Adult cabaret, Adult drive-in motion picture theaters, Adult live entertainment arcade, Adult motion picture arcade, Adult motion picture theaters and adult mini motion picture theaters, Gasoline service stations

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. 2800. Petitioner further understands and agrees that the approval of the rezoning request in case no. 2800 by the Legislative Body constitutes good and valuable consideration for the giving of this commitment.

z-2800

ACKNOWLEDGEMENT OF ADMINISTRATIVE OFFICER

I acknowledge that on September 3rd, 2020 I received a signed and
Date

notarized copy of the Commitment filed by Joshua Shives
Petitioner(s)

for a rezoning petition from A to GB. The property included in the

rezoning petition is located at 5000 SR 25 W, West Point, IN 47992
Street Address or Common Description

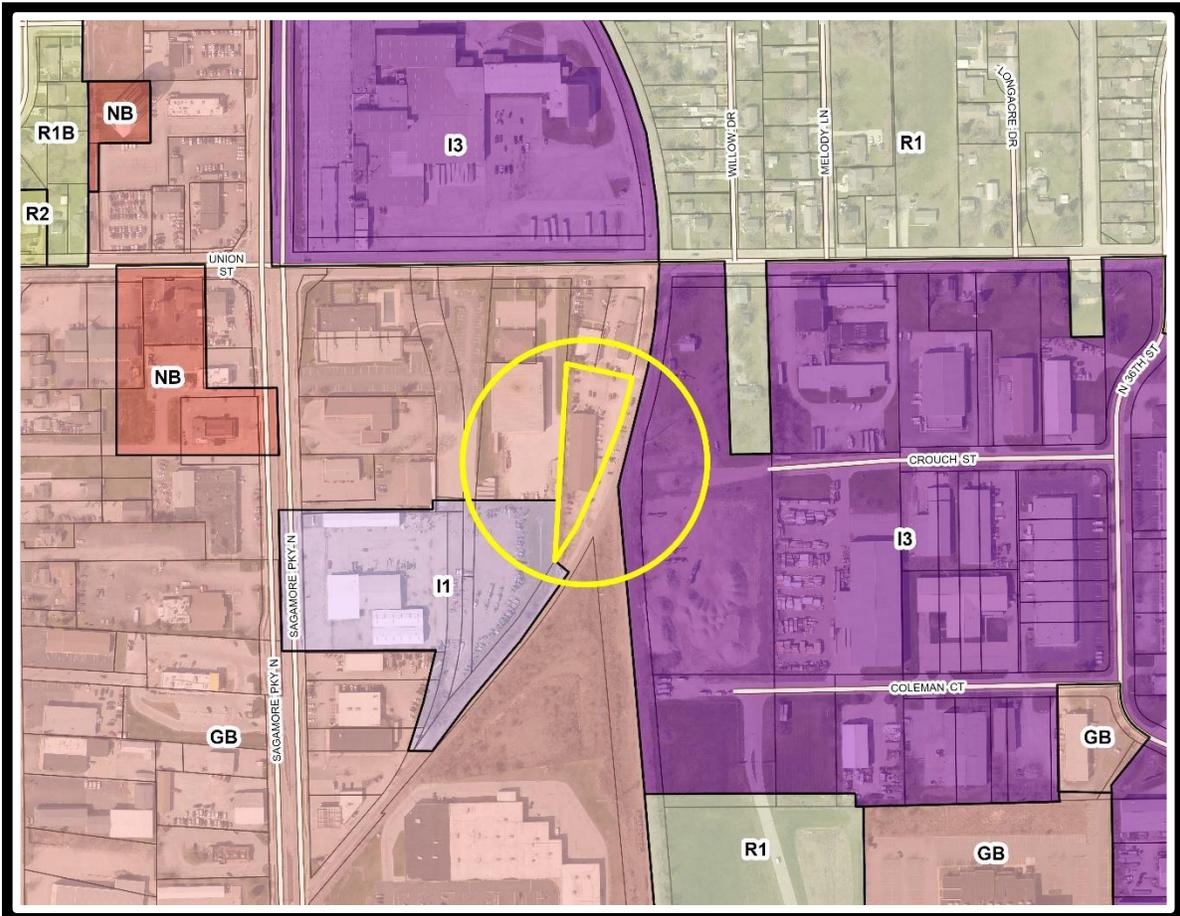
more particularly described in Exhibit A attached.



Signature of Administrative Officer or Authorized Designee

Z-2802
JOSÉ E. GAETA
(GB to I3)

STAFF REPORT
September 10, 2020



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the owner, is requesting the rezoning of 1.19 acres from GB to I3 for an auto salvage operation. The tract is located about 200 feet south of 3465 Union Street (which is also owned by petitioner) along the western edge of the Lafayette Union Belt Railway. The property, commonly known as 3445 Union Street, is located in the City of Lafayette, Fairfield 22 (SE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The subject property and land to the north and west is zoned GB. I3 zoning is located east across the railroad and I1 zoning is adjoining on the southwest. Additional I3 is further north of Union and R1 zoning is further beyond the rail line to the northeast.

The most recent change in zoning in the immediate area occurred in 2008 when land adjacent to the southwest along Sagamore was rezoned from GB to I1 (Z-2376).

AREA LAND USE PATTERNS:

The area is typified by a mix of commercial, light industrial and heavy industrial users. An automotive sales business, also owned by petitioner, is adjacent to the north along Union Street. A sheet metal operation is located to the west and a heavy equipment rental business is located to the southwest. Land east across the railroad tracks contains a single-family home which appears to be vacant.

TRAFFIC AND TRANSPORTATION:

Union Street is classified as an urban secondary arterial by the adopted *Thoroughfare Plan*. The site is landlocked; access to the site is through petitioner's adjacent property to the north which connects to Union.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities serve the site. A "type A" bufferyard (20 feet in width) is required where the proposed I3 zoning abuts GB and I1 zoning to the west and southwest, respectively.

STAFF COMMENTS:

This area along the Lafayette Union Belt Railway has historically been used industrially. The formation of this spur line more than 100 years ago was done to help facilitate industrial growth in this part of the city. As a result, the area now consists almost exclusively of commercial and industrial zoning.

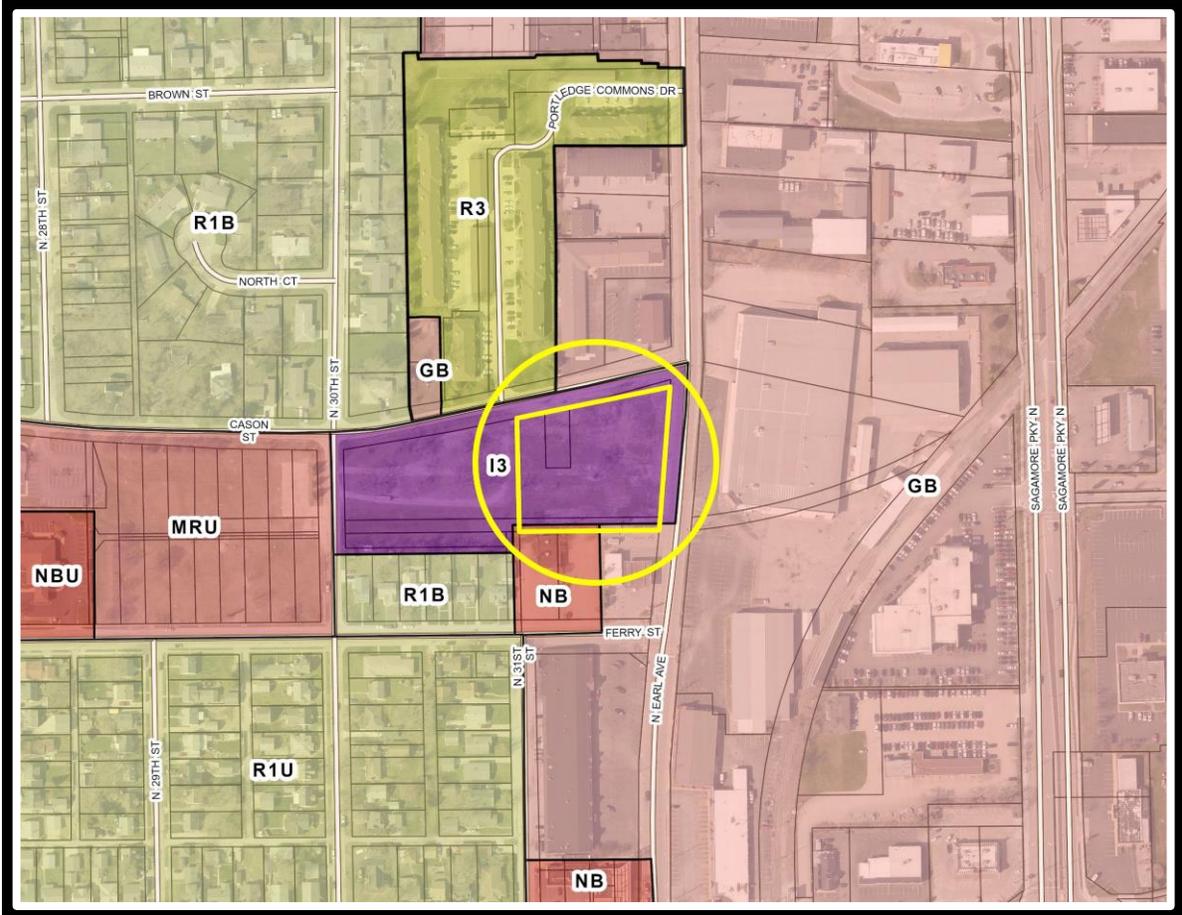
Petitioner is proposing to add automotive salvage to their existing business which sells and repairs vehicles. This location, with no road frontage and an active rail line bordering the property, is well suited for I3 zoning and staff can support this request.

STAFF RECOMMENDATION:

Approval

Z-2803
CASON & EARL, LLC
(I3, NB, & GB to NB)

STAFF REPORT
September 10, 2020



Z-2803
CASON AND EARL, LLC
I3, NB, & GB to NB

Staff Report
September 10, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Daniel Teder, is requesting rezoning of 1.54 acres located at the southwest corner of Cason Street and North Earl Avenue, specifically 310 N. Earl Avenue in Lafayette, Fairfield 22 (SW) 23-4. Petitioner plans to construct a building to relocate an existing real estate office to this location from downtown.

ZONING HISTORY AND AREA ZONING PATTERNS:

Most of this property is zoned I3. The 1965 zoning map for Lafayette shows this property was zoned Industrial and it has remained that way since. The map also indicates an old railroad spur line along the southern border of the rezone site. The centerline of this spur is the zone boundary between I3 to the north and NB and GB to the south. This narrow sliver of NB and GB zoning within this old railroad spur is included in this request.

Land adjacent to the west is zoned I3. Property to the southwest is zoned NB; GB zoning wraps around this site from the southeast, east and to the north. The entire Earl Street corridor is zoned commercially north of Kossuth Street other than this property and the entrance to Portledge Commons Subdivision farther to the north. This entrance, like the rest of this apartment complex, is zoned R3.

AREA LAND USE PATTERNS:

This lot is currently unimproved. The old structures on site were removed in 2016 according to our historical aerials. A gas station is on land to the south. To the north across Cason Street is a small integrated center. East across Earl Avenue is Von Tobel Lumber. Land to the west is unimproved but is currently being used as a staging area for the construction of the multi-family apartments under construction west of 30th Street.

TRAFFIC AND TRANSPORTATION:

The site has frontage on Cason Street, classified as an urban local and Earl Avenue, classified as an urban secondary by the adopted *Thoroughfare Plan*. The setback along Cason is 25' and 40' along Earl. Driveway access will be handled at the permit stage by the City Engineer's office.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by city sewer and water. Drainage will be reviewed by the City Engineer's office at the permit stage. A 20' wide "type A" bufferyard is required where NB zoning meets I3 zoning; although the need for this buffer will be determined by the City

Engineer's Office since both sides of the potential zone boundary are owned by the same entity.

STAFF COMMENTS:

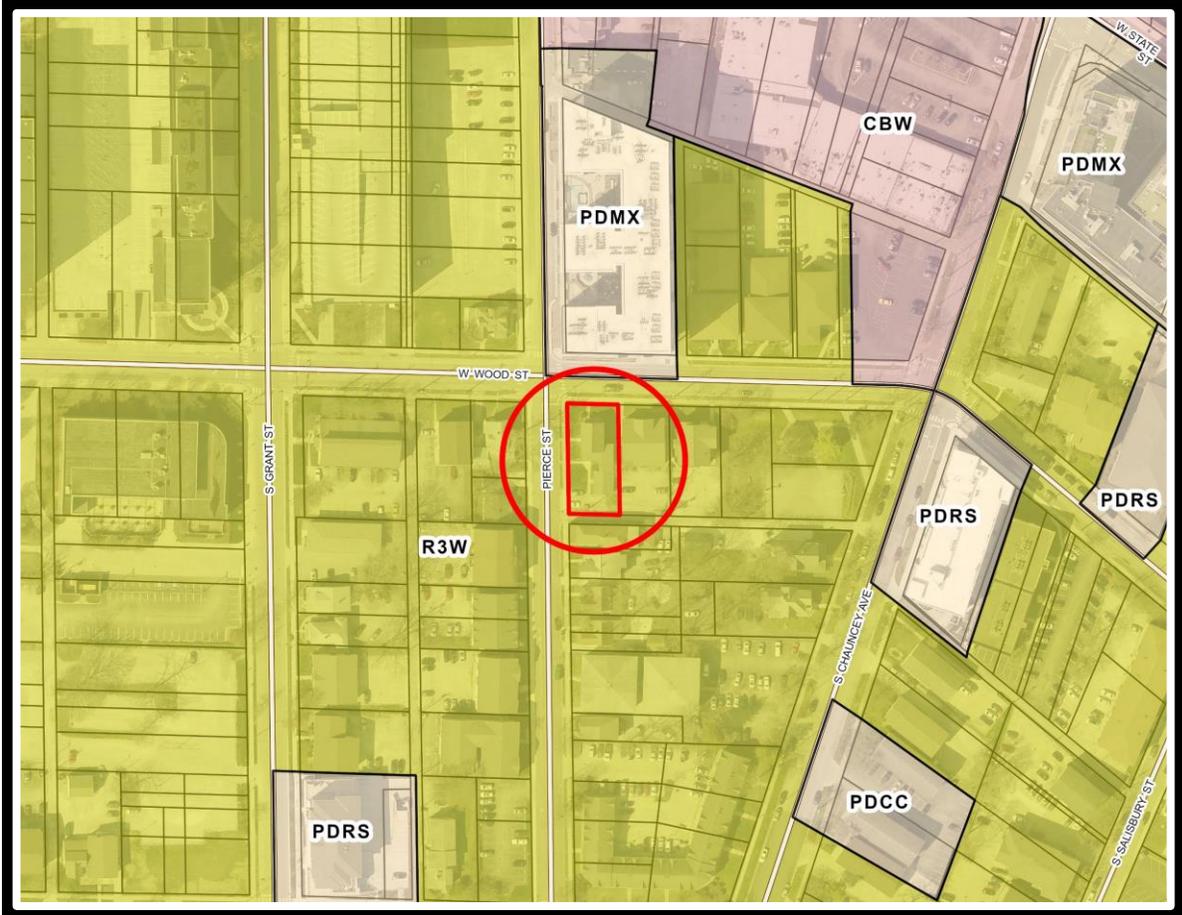
Petitioner is proposing to build a 10,000-square foot building to be used for a real estate office. The petitioner is relocating from downtown. The site will develop in compliance with the zoning standards in place today. The majority of Earl Avenue north of Kossuth has been zoned commercially for over 50 years. Staff can support this change from industrial zoning to a zone that matches the rest of this established commercial corridor.

STAFF RECOMMENDATION:

Approval

Z-2804
MEZZANINE 7, LLC
(R3W to R4W)

STAFF REPORT
September 10, 2020



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the property owner, represented by attorney Daniel Teder, is requesting rezoning of the southeast corner of W. Wood Street and Pierce Street, more specifically, 202 W. Pierce Street in West Lafayette, Wabash 19 (SE) 23-4. Petitioner plans to raze the existing structure and build a three-story student apartment building with 12 studio units.

ZONING HISTORY AND AREA ZONING PATTERNS:

The zoning for the most part dates back to the overall City of West Lafayette zoning map that was adopted by city council in 2000 after the adoption of NUZO. The site in question is in a large area of R3W zoning intermingled with planned developments. During the last 20 years, there have been 20 rezones filed (including this request) in this part of West Lafayette. 18 of those requests were for PD zoning; two were for R4W zoning.

AREA LAND USE PATTERNS:

With the campus of Purdue University a short walk away, this part of the city has dramatically changed over the decades largely driven by Purdue's housing policies. What once was a single-family neighborhood became a neighborhood of large houses divided into student apartment rentals that eventually led to three-story apartment buildings. Today this part of West Lafayette is characterized by a mix of student residence types, co-ops and sororities, that now includes high-rise apartments.

The site currently has a house originally constructed in 1938 that has been converted into student apartments. Similar houses are to the south; 2 1/2 story student apartment buildings are to the east; the high-rise Campus Edge apartments are to the north across Wood Street.

TRAFFIC AND TRANSPORTATION:

Both Wood and Pierce Streets are classified as urban local arterials by the adopted *Thoroughfare Plan*. According to petitioner's representative, the planned apartments would be 466 square feet in size. This would mean the apartments would be what the ordinance names, "Type D units" (under 470 square feet). Type D units in the University Proximate part of West Lafayette are required to provide 1.1 parking spaces per unit. Therefore, 14 parking spaces would be needed to meet the ordinance parking standard.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities serve the site.

STAFF COMMENTS:

West Lafayette has only had a handful of requests for R4W zoning over the years. The only difference between R3W and R4W zoning is the density cap. Currently, the R3W zone caps density at 15 units per acre; because this density cap is found in Chapter 2 of the ordinance, it is not variable by the ABZA. (Staff has for years thought it best to eliminate the density cap in the R3W zone and by extension, eliminate the need for an R4W zone.) Any development with a higher density must be either rezoned to the R4W zone which has no density cap or go through the planned development process. Most developers have chosen the PD route to circumvent this density cap rather than rezoning to R4W.

Based on the density cap formula found in Section 2-10 of the UZO, 12 Type D apartments located on this 0.18-acre lot (60' x 130') would have a density of 18.6 units per acre. The density would be only slightly above the R3W limit of 15 units per acre. In comparison, the PDMX zoned Campus Edge high-rise across the street from this site has a density of around 140 units per acre.

This corner lot is included in the recently adopted *West Lafayette Downtown Plan* which is part of our Comprehensive Plan. The lot is within the "Chauncey Village" area and classified as "Downtown Village" which "is primary designed to transition to and from the Downtown Core classification. It supports a diverse mix of residential and non-residential uses..." The Plan supports higher density zoning at this location.

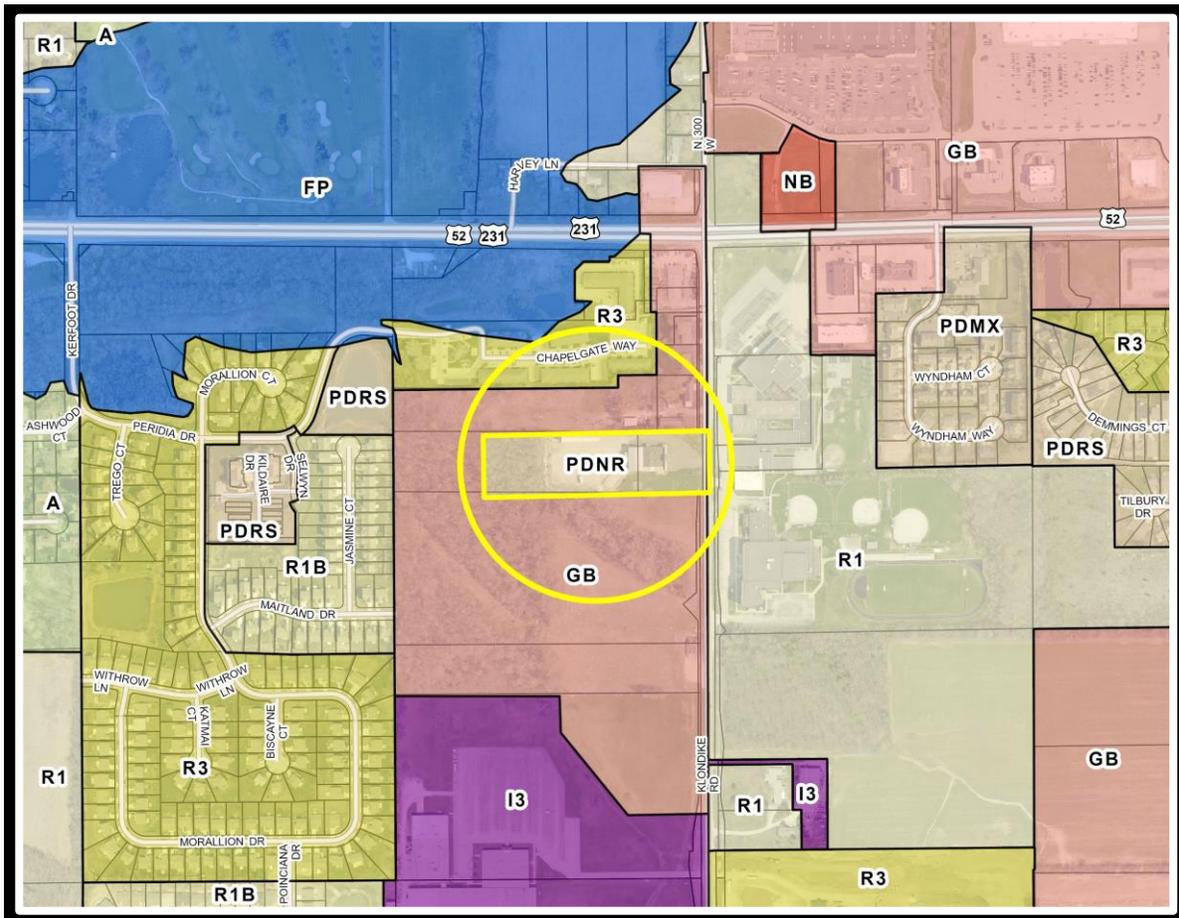
This part of our community is our most densely populated area. For several blocks in all directions, Purdue students are housed in either apartment buildings or converted single-family homes. Staff and the *West Lafayette Downtown Plan* encourage multi-family developments catering to Purdue students be located close to campus and this area south of State Street is clearly a prime location for denser student housing.

STAFF RECOMMENDATION:

Approval

Z-2805
MIDWEST RENTALS, INC. C/O NANCY FASSNACHT
(PDNR to GB)

STAFF REPORT
September 10, 2020



Z-2805
MIDWEST RENTALS, INC.
PDNR to GB

Staff Report
September 10, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner/owner, represented by attorney Dan Teder, is requesting rezoning from PDNR to GB for 5.23 acres located on the west side of Klondike Road, south of US 52, more specifically 3312 Klondike Road, Wabash 3 (SE) 23-5.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property was rezoned in 2010 from GB to PDNR for the Midwest Rentals Planned Development (Z-2420). GB zoning surrounds the site on the north and south with R1 (Residential) zoning located to the east across Klondike Road and R1B to the west. Further south along Klondike there is I3 (Industrial) while north on Klondike there is R3 (Residential).

AREA LAND USE PATTERNS:

The site is currently improved with the remnants of the Midwest Rentals business, which has now consolidated its operations in Lafayette. Prior to Midwest Rentals, the Henry Poor Lumber Company occupied the site from 2002 to 2006. Immediately south and west of the site, properties are undeveloped and partially wooded while further south on Klondike Road is the Lafayette Venetian Blind manufacturing facility. North of the site is commercially developed and to the east, across Klondike Road, are Klondike Elementary and Middle Schools.

TRAFFIC AND TRANSPORTATION:

Klondike Road is classified in the County *Thoroughfare Plan* as a secondary arterial requiring 40' building setbacks. The Klondike Road improvement project, undertaken by the Tippecanoe County Highway Department in recent years, is now completed and has vastly improved road and sidewalk conditions.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Public utilities are now fully available to serve the site. A 30' wide type C bufferyard is required when GB zoning is developed/rezoned adjacent to R1B.

STAFF COMMENTS:

A unique set of circumstances led to the creation of the Midwest Rentals Planned Development. At the time of its approval, sanitary sewer was unavailable to the site. Given the uses proposed with the Midwest Rentals project (the principle use being the cleaning and storage of portable rental toilets), an elaborate set of precautions was put in place and incorporated into the planned development zone to ensure environmental best

practices were followed; something that could only be achieved using planned development zoning.

With Midwest Rentals ceasing its operations at the subject property and sanitary sewer being made available to the site with the completion of the Klondike Road reconstruction project, the continued need for this planned development zone has ended. Returning it to its former zoning designation, General Business, is the best option to ensure the property's commercial redevelopment potential.

STAFF RECOMMENDATION:

Approval

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

EXECUTIVE COMMITTEE
NOTICE OF PUBLIC HEARING

DATE.....OCTOBER 7, 2020
TIME.....4:30 P.M.
PLACE.....COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

(TENTATIVE)
A G E N D A

*Due to the public health emergency, this will be a virtual meeting. Public comment on agenda items may be submitted prior to noon on the meeting day 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 the livestream on Facebook: <https://www.facebook.com/TippecanoeCountyIndiana> (you must have an account) or YouTube <https://www.youtube.com/channel/UCJleeA9ZQo9EIIgdZTdjurQ> (you must be a subscriber to comment).*

Links can also be found on the APC website at: www.tippecanoe.in.gov/apc.

- I. APPROVAL OF MINUTES
- II. NEW BUSINESS
- III. PUBLIC HEARING - SUBDIVISIONS
 - A. **S-4938 MOLTER TWO SUBDIVISION (minor-sketch):**
Petitioner is seeking primary approval for a four-lot subdivision on 11.074 acres, located on the north side of CR 950 S and on the east side of CR 350 E, in Lauramie 11 (NE) 21-4.
 - B. **S-4939 NEWTON FARMS SUBDIVISION (minor-sketch):**
Petitioners are seeking primary approval for a four-lot subdivision on 6.113 acres, located on the west side of CR 225 W approximately ½ mile north of CR 500 N, in Wabash 26 (SE) 24-5.
- IV. APPROVAL OF THE OCTOBER APC PUBLIC HEARING AGENDA
- V. APPROVAL OF THE OCTOBER ABZA PUBLIC HEARING AGENDA
- VI. DETERMINATION OF VARIANCES
 - A. Lafayette Division of the Area Board of Zoning Appeals
- VII. REVIEW AND APPROVAL OF THE SEPTEMBER BUDGET REPORT
- VIII. OTHER BUSINESS
- IX. ADJOURNMENT