The
AREA PLAN COMMISSION
of Tippecanoe County

Notice of Public Hearing

Date: February 19, 2020
Time: 6:00pm
Place: County Office Building
Tippecanoe Room
20 North Third Street
Lafayette, Indiana 47901
AGENDA

I. **BRIEFING SESSION**

II. **APPROVAL OF MINUTES**

Documents:

APC MINUTES 01.15.2020.PDF

III. **NEW BUSINESS**

A. **FINAL DETAILED PLANS RESOLUTION**

1. **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.

Documents:

RESOLUTION PD-20-02 EVERGREEN CAMPUS RENTALS.PDF

IV. **PUBLIC HEARING**

A. **SUBDIVISIONS**

1. **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.

Documents:

S-4895 VITA OF WEST LAFAYETTE.PDF

2. **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.

   Documents:

   S-4897 STONEHENGE SUBDIVISION, PHASE 5.PDF

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

   Documents:

   S-4898 KAPPA DELTA THETA NU.PDF

4. **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.

   Documents:

   S-4899 WOOD ROW MINOR SUBDIVISION.PDF

B. **REZONING ACTIVITIES**

1. **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. *Continued for a third time at petitioner's request from the January 15, 2020 APC meeting with APC's approval. Last continuance.*

   Documents:

   Z-2776 TAMMY APPLEBAUM.PDF

2. **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.

   Documents:

Z-2782 ALLOY CUSTOM PRODUCTS.PDF

3. **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.

   Documents:

   Z-2783 CARR FAMILY FARM, LLC.PDF

4. **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.

   Documents:

   Z-2784 THOMAS AND SUSAN RIEHLE.PDF

5. **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.

   Documents:

   Z-2785 ELLIOT ROSE, LLC.PDF

V. ADMINISTRATIVE MATTERS

VI. APPROVAL OF THE MARCH EXECUTIVE COMMITTEE AGENDA

Documents:

03042020 EXEC AGENDA.PDF

VII. DETERMINATION OF VARIANCES - AREA BOARD OF ZONING APPEALS

Documents:

2020-02 CDOV .PDF

VIII. DIRECTOR'S REPORT

IX. CITIZENS' COMMENTS AND GRIEVANCES

X. ADJOURNMENT

AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING

DATE.....January 15, 2020
TIME.....6:00 P.M.
PLACE..... County Office Bldg.
20 N. 3rd Street
Lafayette, IN 47901

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

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 15th day of January 2020 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Attorney Zach Williams called the meeting to order.

I. ELECTION OF OFFICERS

Zach Williams said the first item of business was the election of officers for 2020.
Zach opened the floor to nominations for the office of president.

Gary Schroeder moved to nominate Jackson Bogan for President.
Greg Jones seconded.

Gary Schroeder moved that the nominations for President be closed.
Greg Jones seconded, and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Jackson Bogan for President.
Greg Jones seconded, and the motion carried by voice vote.

Jackson Bogan took office and was seated as President.

President Jackson Bogan requested nominations for the office of Vice President.

Gary Schroeder moved that Larry Leverenz be nominated for Vice President.
Greg Jones seconded.

Gary Schroeder moved that the nominations for Vice President be closed.
Greg Jones seconded, and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Larry Leverenz for Vice President.
Greg Jones seconded, and the motion passed unanimously by voice vote.

President Jackson Bogan requested nominations for the Executive Committee.

Gary Schroeder moved that Gary Schroeder and Tom Murtaugh be nominated to represent Tippecanoe County on the Executive Committee.
Greg Jones seconded.

Gary Schroeder moved that Jerry Reynolds and Jackson Bogan be nominated to represent the City of Lafayette on the Executive Committee.
Greg Jones seconded.

Gary Schroeder moved that Larry Leverenz and Carl Griffin be nominated to represent the City of West Lafayette on the Executive Committee.
Greg Jones seconded.

Gary Schroeder moved that Greg Jones be nominated to represent the Towns of Dayton, Battle Ground, and Clarks Hill on the Executive Committee.
Greg Jones seconded.

Gary Schroeder moved that nominations for the Executive Committee be closed.
Greg Jones seconded, and the motion carried by unanimous voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder, Tom Murtaugh, Jerry Reynolds, Jackson Bogan, Larry Leverenz, Carl Griffin, and Greg Jones for Executive Committee.
Greg Jones seconded, and the motion carried by unanimous voice vote.

President Jackson Bogan requested nominations for the Area Board of Zoning Appeals.

Gary Schroeder moved that Gary Schroeder and Carl Griffin be nominated to represent the Area Plan Commission on the Area Board of Zoning Appeals.
Greg Jones seconded.

Gary Schroeder moved that the Area Board of Zoning Appeals nominations be closed.
Greg Jones seconded, and the motion carried by unanimous voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder and Carl Griffin for the Area Board of Zoning appeals.
Greg Jones seconded, and the motion carried by unanimous voice vote.

President Jackson Bogan thanked everyone for allowing the board to conduct their elections.

II. BRIEFING SESSION

Jackson Bogan called for the briefing session.

Sallie Fahey introduced Kathy Parker as the representative from West Lafayette City Council. There will also be a new representative from the Town of Dayton. Their meeting to appoint a representative has been delayed until this evening. Regarding the agenda, **Z-2780 IRON MEN PROPERTIES OF LAFAYETTE I,**

LLC – Joseph Blake (Anvil 38) (PD to PDRS) still needs to turn in paperwork but is expected to do so momentarily. **Z-2776 TAMMY APPELBAUM (GB to AW)** has requested a third continuance to the March meeting. The By-Laws allow the Commission to grant, under normal circumstances, two continuances up to four months. Under special circumstances, a third continuance can be granted but only up to four months from the initial hearing date. The request cannot be approved, but a third continuance can be granted to the February meeting, not the March meeting.

Jackson Bogan asked if the petitioner will need to amend their request.

Zach Williams asked Sallie if this case was originally scheduled to be heard in October 2019.

Sallie Fahey said that is correct.

III. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the December 18, 2019 meeting.
Greg Jones seconded, and the minutes were approved by unanimous voice vote.

IV. NEW BUSINESS

RESOLUTION #2020-02:
A resolution determining that amendments to the Consolidated Creasy/Central Lafayette Redevelopment Plan conform to the Comprehensive Plan for Tippecanoe County.

Gary Schroeder moved to hear and vote on Resolution #2020-02. Greg Jones seconded.

Sallie Fahey said this is a request to pass a resolution that determines the amendment to the Economic Redevelopment Plan conforms to the Comprehensive Plan. The Consolidated Creasy/Central Lafayette Redevelopment area and TIF was last amended in 2018 to add the Star City Crossing project. This request is for a private investment project known as Nova Tower. This will be located at 200 S. 4th Street in Lafayette. For the Redevelopment Commission to approve to help fund this project, it must be added to the Comprehensive Plan. This will be a mixed-use development with 76 apartments, 6,000 square feet of retail/office space and a structured parking garage. Any necessary appurtenances, related to improvements and equipment, will be located on site. The total cost is estimated at $16,800,000. The maximum cost that would be funded from the Redevelopment Commission is estimated at $1,900,000.

In terms of the Comprehensive plan, the 1981 Land Use Plan recommended a more compact downtown with major retail facilities with residential infilling. This project does that with the added benefit of being the first in the expanded downtown area on the 3rd and 4th Street corridors where there is a desire for infill and redevelopment. The proposed site is currently a surface parking lot, so a new development is a welcome use of downtown space. The 2011 updated Housing Element of The Comprehensive Plan encourages downtown housing and infrastructure to support it. Policy 14 and 23 specifically say that a land use plan should be created to support growth in Downtown Lafayette and that significant new residential structures be constructed in conjunction with sufficient levels of public service facilities and transportation. Staff is satisfied that this project amendment to the Economic Development Plan conforms to the adopted elements of the Comprehensive Plan and therefore is recommending approval.

Dennis Carson, 515 Columbia Street, Lafayette, IN 47901, thanked the Commission for the opportunity and said the City of Lafayette is excited about this project. This will transform the 4th Street area to create a gateway into Downtown Lafayette.

The Area Plan Commission voted by ballot 14-Yes to 0-No to approve **RESOLUTION #2020-02.**

V. 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.

Carl Griffin seconded, and the motion carried by voice vote.

A. COMPREHENSIVE PLAN AMENDMENTS

RESOLUTION 2020-01 WEST LAFAYETTE DOWNTOWN PLAN:
The West Lafayette Downtown Plan generally includes the area south of the north property line of the Launch Apartments, west of the Wabash River, north of the KB & S railroad tracks, and east of Grant Street in the City of West Lafayette.

Gary Schroeder moved to hear and vote on **Resolution #2020-01 West Lafayette Downtown Plan**. Greg Jones seconded.

Ryan O'Gara said urban development in West Lafayette began in the mid 1990's. These projects were the first large scale projects that city council began approving. This influenced future land use decisions that private property owners began making. Developments began to spread from Wabash Landing up to the New Chauncey Neighborhood. In 2013, city council approved a plan for the New Chauncey Neighborhood which was largely a preservation plan that included the creation of the Historic District. This plan included implementation strategies and policy statements that steered development towards West Lafayette's traditional downtown: the Village and the Levee. Staff has since been eager to address the downtown area because pressure to create an urban environment had been high. In 2016, staff began creating a conceptual plan for logical and responsible growth with input from West Lafayette city staff. This conceptual plan was shared at a public hearing. Staff strongly recommended that a formal plan be pursued to amend the Comprehensive Plan to define the downtown area and study it. In 2018, city council passed a formal resolution to ask APC staff to study the downtown area and adopt the boundary as seen in the final draft of this plan. The boundary was pulled up to meet at the New Chauncey boundary. The Levee area, which is now being called the Wabash Riverfront, and the area north of the Harrison Bridge on River Road is not part of the New Chauncey Neighborhood so this was an opportunity to extend the study area to encapsulate that space and plan its future.

Staff reached out to the mayor, council members and city staff to see how to proceed with this project. The Steering Committee was developed to represent property owners, business owners, developers, and stakeholders in the area as well as elected officials. The Committee also had private sector volunteers and a Purdue representative. The Steering Committee first met in December 2018 and met monthly until summer 2019. Multiple drafts of the plan were put together and posted on the APC website for an open-ended comment period that built towards the public presentation in August 2019. This was followed by a month-long public comment period. The comments that were received were then taken back to the Steering Committee to make relevant changes. The plan was then taken to the Ordinance Committee and was heard at three separate meetings. Staff received more public comment and the plan was changed to address some of the comments.

The plan begins by summarizing existing land uses, building conditions and historically significant structures. The vision, goals, and objectives are listed in the following chapter to outline what this plan is trying to achieve. This plan was created to continue to support business activity, establish a more diverse residential base, address issues of historic preservation and create opportunities to have green space and natural habitat. The implementation tables list specific work items by term and priority then assigns the tasks to locality staff and organizations. The last two chapters are the transportation improvements and the land use plan. As a reminder, this document is a statement of policy; not ordinance or law. This is ultimately a recommendation for changes but is in no way binding to the land. The driving force behind transportation improvements and land use changes is the private property owner. The city has made it clear they will not condemn any buildings to build streets. The improvements would be a result of property owners wanting to develop their property. This is designed to help the conversation between property owners and developers.

The proposed transportation projects are designed to better connect the Levee and Village with Downtown Lafayette. Downtown Lafayette has a traditional street grid with alleys and two-acre blocks. This plan gave the opportunity to lay out a street grid system similar to Lafayette. This plan would also break up the large blocks to make them more developable. Each street in the proposed street grid is subject to further study and the redevelopment will be driven by private property owners; the roads may be developed, they may not. This plan is the first attempt to create a logical pattern of blocks and alleys in West Lafayette.

In terms of historic preservation, there are few buildings in the Village that staff would like to see rehabilitated and reutilized. This is to ensure that their significance is not overshadowed by new development. A policy of deference has been established to limit the height of new construction built next to historic buildings. The plan calls for open space and natural habitat to be increased from 50 acres to 80 acres. The plan highlights Flood Plain zones and recommends preventative development in the 500-year floodplain. The plan explains a way to provide flood mitigation areas by creating urban parks using storm ponds. This could be created in the Levee area to consolidate some of the floodplain area to manage the water better.

The future land use plan organizes the study area into three parts: Chauncey Village, Wabash Riverfront, and North Wabash Riverfront. Land use categories are established and then assigned by block in the study area. These are not zones; they describe the type of development most appropriate for the area. The areas that contain historical structures are designated and the structures are labeled on the map. The other development categories radiate from the central core and lessens in intensity outward. The Downtown Core area will have the most intense development and is recommended to develop through the planned development process to allow the city to analyze the project. The Downtown Village is a step down in intensity with mid-rise type buildings. Height limits are established by floor. The greenspaces are showcased by the creation of two new parks in the Village that are centrally located and the possible expansion of Tommy Johnston Park. There is a chain of greenspace along the riverfront with the potential to be parks. This area is passive open space and natural habitat which is needed along the riverfront. The Wabash River Enhancement Corporation (WREC) is mentioned numerous times in the plan. Some of the projects they had been promoting before the creation of this plan have been folded into the plan. The Brown Street Bridge and the chain of parks along the riverfront had been in WREC's books for a while. Staff is recommending approval of Resolution 20-01.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, thanked APC staff for their diligent work during this process as well as the members of the Steering Committee. This has been a long process with a good number of meetings and public comments. The Land Use Plan from 1981, mentioned in the previous resolution, spoke of the densification of Downtown Lafayette. This plan is much like that for West Lafayette. This is a high-level conceptual idea of what West Lafayette can be and how to merge Downtown West Lafayette and Downtown Lafayette. Dennis Carson and John Collier from the Redevelopment Department in Lafayette were part of the Steering Committee. The concept of the grid system downtown does not mean all the roads will be vehicular streets; they could become pedestrian routes. There would be decades before

seeing this plan fully in play. The aim would be to create density and beauty in our downtown that would combat suburban sprawl. There are wonderful landscapes in Tippecanoe County; the city wants to ensure that they have the option to have the suburban or urban living they want. There has been an extraordinary amount of development pressure in this area. By the grace of the property owners of the developable space on Tapawingo, they have ensured that when their property develops, it will do so in the style outlined in the plan. Public comment has been incorporated into the plan; there has been communication with the Sycamore Audubon Society. It is important for this plan to keep the natural wildlife that the Wabash Riverfront brings. He thanked the Commission and asked for their support.

Don Teder, 2110 South 9th Street, Lafayette, IN 47905, said he wanted to speak on Block 27 and the extension of Tommy Johnston Park. He is not opposed to a park but does not want the property to be designated a park because the value will be destroyed. The old buildings are not the highest and best use of this property. The park designation destroys the property owner's ability to negotiate. The city said the developer of Chauncey Hill Mall will be asked to buy the block of Tommy Johnston Park. This property cannot be developed with the park designation. If the city condemned the property, the appraisal would be a fraction of the value of the land without the park designation. He asked why he needs to carry the financial burden of the park.

Gary Schroeder asked if this issue had been taken care of since the previous Ordinance Committee meeting.

Ryan O'Gara said Mr. Teder's property has been changed from greenspace to Downtown Village space.

Don Teder, 2110 South 9th Street, Lafayette, IN 47905, said he wanted the Commission to know what the park designation does to property value.

Zachary Baiel, 124 Connolly Street, West Lafayette, IN 47906, said the proposal includes great ideas for the future of Downtown West Lafayette. The technical work that has been completed is on par with other planning documents in Tippecanoe County. The process that lead to this proposal has failed the good governance test. The public does not understand how or why certain decisions were made. There was additional public input during the APC Ordinance Committee meetings from August to December, however little of the document has changed. There was additional language provided to support the West Lafayette climate resolution in the strategic implementation section. Mr. Teder's land use update was made as well as various narrative changes. The public was heard in a limited capacity and for many, their comments were dismissed for unknown reasons. He recommended that APC formally ban the use of private steering committees in favor of using public steering committees that would invite the public to attend and be recorded with minutes produced. One of the many instances where public comment would have benefitted from this process regards the building height policies. The policy of deference was created to handle the height difference between new constructions and historic buildings. However, the proposal is silent on the height difference in the new Downtown Core areas which allow three to ten story buildings. The public is left without information to explain what lead to its absence. The strategic implementation section lists goals, objectives, timeframes, and responsible parties but lacks measurables and the opportunity for public feedback on these strategies. The plan does not call for West Lafayette to explicitly create these within their governing body. The New Chauncey Plan that was passed in 2013 is an example of what happens when feedback and measurables are not included in the plan. Dozens of strategies have not been implemented or have had little movement. We cannot afford to have the same happen in our downtown plan. The plan is also silent on population goals. He asked what additional population growth this is being designed for. How can this document serve as a policy guide for West Lafayette if it does not outline additional population growth?

Andy Gutwein, 618 Northridge Drive, West Lafayette, IN 47906, said he is the property owner of Block 6 to the north that is designated as parks and recreation. He appreciates the fact that the city is not going to

condemn any of these sites. He is concerned that the properties in this area have become the older properties with the new developments. The future of his property is presumably a development of a similar style. By designating this as a park and recreation area, without any intention from the city to acquire the property to make a park, it will freeze what is on the property. He is in favor of parks and is the attorney for the West Lafayette Parks and Recreation Board. He is concerned about the impact on the value of the property. While this is not a formal zoning on the property, it will still impact the ability to redevelop property. Any development would be contrary to the Comprehensive Plan. If the city is not willing to acquire the land, designating the properties as a park harms the ability to have other types of development.

Robert Hockema, 623 Ridgewood Drive, West Lafayette, IN 47906, said he purchased the CSL Plasma building about a year ago. When he purchased the property in December 2018, it was designated for Downtown Riverfront until June 2019. He inquired about being a part of the steering committee but was told it was for property owners and investment stakeholders despite owning almost two acres on the Levee. The eastern third of his property, including part of the building, has since been changed to parks and recreation. He purchased the property to develop it at its highest value and best use. Labeling this property as a park will destroy the value. Even without his property, there would be a continuous Wabash Riverfront area. He thanked the Commission for their time.

Carl Griffin said Ordinance Committee heard both sides of the issue on the greenspace. It would be useful for the rest of this body to hear what staff and the city views as the impact this will have on development and property value. He thinks the appointed and elected people on the Commission will make a vote on this, so it is important they know each side. He asked staff about the rationale for designating the greenspace and if the designation will decrease the value of the property.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said the previous language on Block 27 stated that the city will not condemn any properties or directly make any purchases. For the city to go through the condemnation process, they are limited to pay what the property is assessed at. What a property is assessed at and what it can sell at are two different things. If the properties become available at a price that is the assessed value, the city would purchase them. If a developer has a project they want to go through the planned development process, the land could be procured by the city and an offer that would satisfy the property could be made. At no point would the city want to take land. The language shows that in 2018, 2019, and 2020, the aim of the city is to increase open passive and active space for leisure but not in a way that negatively impacts property owners. The city wants to make sure that there is local investment in the areas in question. A down town type system will allow for smaller developments instead of the large-scale developments for diversification of buildings. It would be ideal to keep money local so a policy of taking property or reducing property value is not what this plan aims for.

Carl Griffin said he is not sure that addresses the property owner's concern about property value. He asked how does this not impact the property owner. If in the future this is going to be a park, that could alternatively be downtown village or core.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said the park designation is not the zone. There will always be the by-right opportunity to develop these properties. This was also discussed during the New Chauncey Plan. There is a park ribbon that cuts through New Chauncey that the city has not procured. It was seen as a line of demarcation between new developments to the south and west and historic preservation to the north and east. There are a lot of houses in New Chauncey that the city wants to see improved or sold. The city wants all of Greater Lafayette and West Lafayette to continue to improve. If there is an opportunity in the future for the city to procure land, they will but it will not be done forcefully.

Roland Winger said he worked closely with Erik when the New Chauncey Plan was developed. There was not a challenge in the potential downgrade of use. It was the concern with the upgrade in density along

Northwestern Avenue. He asked if the green in this map, in a long-term Comprehensive Plan, can be considered at the point of appraisal.

Sallie Fahey said she cannot speak to the point of appraisals, but she can speak on plans and zoning. There is no zoning district called open space recreation. This land with the potential for future park designation will not have an underlying zoning district that gives the owner rights. For instance, a property in a multi-family zone, whether there is a park designation in the plan, still has the right to develop with the current zoning district. If property owners develop within their current zone, this plan will not influence the property development.

Roland Winger asked if a property were to be sold, how the legalities of the statutory appraisal would impact the value.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said often, the city will hear from owners before the property is purchased. At this point, the city can tell owners where they are within the plan. The previous language predicated that if a purchase of land for park use occurred, it would be by a developer going through the planned development process that would then gift the city the land. The developer would negotiate with the owner on the price so that the owner is satisfied with the deal. This was designed to be beneficial to the property owner. The aim of this plan is to inform all future administrations to not condemn properties for park uses. Adding in quality of life with parks will only increase the price of land.

Gary Schroeder asked if Mr. Gutwein's Block 6 will have the same right to develop as the surrounding blocks as a planned development. At a previous meeting, staff said they would defend this land use plan in a planned development process.

Ryan O'Gara said the planned development is not a matter of by-right development; it is a negotiation. The developer cannot force their way in, this must be a cooperative effort.

Gary Schroeder asked if Mr. Gutwein has the same rights and would receive the same support from staff as the owners in the surrounding blocks.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said yes because a planned development is a negotiation. There is always the opportunity to negotiate with the developer to get something the city sees as worthwhile for the community as a whole.

Roland Winger asked if this space was another color, the same argument could be made by the city.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said that is correct.

Jackson Bogan asked why it matters if the block is green.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said if there is an opportunity over the next thirty years for the city to purchase land, they should. If the land redevelops, that is great too. This allows for new development the way the city wants it to be developed.

Roland Winger asked if during a statutory appraisal for the purchase of property by the city, 30 years down the road, if this plan would have an impact on the appraisal or would only zoning impact it.

Zach Williams said this question would be more appropriate for an appraiser. If it comes to the point of condemnation, there will be a process that requires certain appraisals be done. An appraiser will look at anything that could affect value. They will also look at the by-right ability of what can be developed regardless of what color the property is on the map. That statutory scheme is outside of our purview

because it has its own built in safety mechanisms. The Commission is deciding to pass on the Comprehensive Plan to the City of West Lafayette which makes it difficult to speculate about this issue because testimony from appraisers are not being heard.

Ryan O'Gara said there is already restricted development in Flood Plain zones. There are other communities that do not have those restrictions. Our community decided it is not wise to development in Flood Plain zones because it is hazardous. This has helped in preservation of natural areas which people have benefitted from for decades. What is the value of a park long term? It can be argued that each of the properties should be purple and the buildings should be built to the FAA ceiling. Yet, some areas are purple, and some are yellow. At some point, it must be said that parks have value and staff should be public about where we would like to see them. There are certain locations where it just makes sense because people are congregating there. The goal is not to exile people that live in the Village and must walk or drive to the riverfront because the floodplain is where all the parks are located. We cannot rely on donations of land which is largely how parks have been created outside of Flood Plain zones. This is not a taking of land, this is a wish. It would be nice to have parks in strategic locations that everyone can benefit from. If this plan is adopted, all the zoning categories will be scrutinized and upgraded significantly. If property owners want to go further than that with a planned development negotiation, staff feels responsible for the financial success of the property owner and the community. Parks play an important role in that. Staff felt it was important to call these parks out which has not been done before. The New Chauncey Plan had crosshatched areas because staff was afraid to declare parks. There has been a lot of feedback from property owners that want these places removed. If we followed that logic, all the green would go except for in FP zones. We want to provide limitations to development and where things should go. To leave out parks would be irresponsible. The city should be public about where they want these parks to go. It is important to say these are valuable potential parks because of what is around it. The businesses and residents in the area would thrive from having these spaces outside of floodplains. This was inspired by the West Lafayette Public Library as they dedicated the west third of their property as a public plaza for people to gather. They did not need to do that; it was not the highest and best use of the property. We would like to see this type of giveback in these areas and integrate them with a proposed development. This plan is a gesture of wanting open space in strategic locations. This allows people little spaces in the urban environment where they can visit nature.

Gary Schroeder said it cannot be argued that people do not support parks; it is just how we get the parks. Mr. Gutwein's concern is if ten years go by and his property has diminished to the point that it needs to be redeveloped, will he have the same rights to develop. If Block 8 donates land and Block 6 is no longer needed as park space, is there a way to identify Block 6 as park but give the owner the opportunity to redevelop. He proposed that the language in Block 6 be changed to the same category of the surrounding blocks with green crosshatching, so it identifies as a park. In the chance the land does not become a park, the owner does not have any financial setback. It is not clear how the city is harmed by changing the language because there is no zoning for a park. He asked Mr. Gutwein if he understood his concern correctly.

Andy Gutwein, 618 Northridge Drive, West Lafayette, IN 47906, said on Block 6 there are old homes that were converted to apartments. It is well maintained but is still an older property. Five years ago, the apartments were on par with the neighbors. There has since been a lot of redevelopment in this area. This property will need to be redeveloped in the future. If the zoning does not change the park, it will still be R3W. When was the last time a property redeveloped in West Lafayette that was not a planned development? It just does not happen. For staff to say that a planned development on this property would be consistent with the Comprehensive Plan is not possible.

Gary Schroeder asked if it would be satisfactory if the language in Block 6 stayed the same but the block had green crosshatch, so if someone wanted to buy property and donate it as a park they could.

Andy Gutwein, 618 Northridge Drive, West Lafayette, IN 47906, said that would satisfy his concern. If it were treated the same as the neighboring properties but Block 6 is designated as a good place for a park if an opportunity were presented.

Gary Schroeder said he does not want to take away the opportunity for the city to identify ideal places for parks. He asked Mr. Hockema which block he owns.

Robert Hockema, 623 Ridgewood Drive, West Lafayette, IN 47906, said he owns Block 48 and 49. The building he owns is entirely in Block 49 which is all greenspace. In the original plan in December 2018, the building was in the Downtown Riverfront category. In June 2019, the plan put the 10,000 square foot structure in greenspace.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said city and APC staff would feel comfortable crosshatching these areas. This is the starting point to analyze the zoning in this area and how redevelopments happen in West Lafayette. This is in hopes to distance the city from planned developments. The planned development process takes 6-9 months and takes a lot of staff time to go through the process. The city wants to move away from this process to have more discussions with city council to create zones and overlays, so people know from the beginning what they are able to do with their property.

Gary Schroeder asked if he was referencing form-based code.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said that would be a possibility. It would need to be worked out with city staff and APC staff to see what route will be taken.

Gary Schroeder said it would be that or rewriting R3W.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, said R3W, C3W, and OR would be rewritten. Zoning would need to be analyzed to figure out how to get past the point where 35 feet is the limit without a planned development. This process will need to happen with APC and the new city council.

Roland Winger asked if these changes would apply in the greenspaces.

Jackson Bogan said not all the greenspaces are in the floodplain.

Gary Schroeder said we should start in Block 6 and propose that we adopted the language of the neighboring block and crosshatch the block, so it still identifies as a park. Block 6 and 48 can be changed but only part of Mr. Hockema's building is in Block 49, which would be too large to crosshatch.

Sallie Fahey said this could be done by parcel of Mr. Hockema's ownership.

Gary Schroeder moved that Block 6 and the parcel of ownership in Block 49 adopt the neighboring block language. Roland Winger seconded.

Zach Williams asked if there were any questions from staff on the motion.

Sallie Fahey asked if the properties will need to be crosshatched green in addition to changing the language to correspond that the block shows two colors.

Ryan O'Gara said the narrative would need to be changed.

Gary Schroeder said the narrative would be updated so it would be the same as the neighbors.

Lisa Dullum asked the difference between what is being proposed and what the plan is currently if this is a conceptual plan.

Ryan O'Gara said this is a conceptual land use plan for future development and park spaces. This is a statement of policy and does not directly affect zoning.

Carl Griffin said the distinction between the two is that the crosshatching does not carry the same potential weight as designating the area to be all greenspace. The crosshatching means that this block is not a bad area for greenspace to be, but it does not carry the weight to not allow a planned development.

Ryan O'Gara said this follows the same logic as the New Chauncey Plan. There is a development policy preference and the idea of being able to expand park space into the property in some way.

Lisa Dullum asked if there is any actual change to the language or will it just be shown differently.

Ryan O'Gara said there will be a change in the block description in the plan to explain the crosshatching that was added on the map.

Jackson Bogan said this allows the developer the right to say that either of the categories are part of the Comprehensive Plan.

Carl Griffin said there needs to be a determination on if this plan is going forward with understanding of the changed language or whether it is going to be continued until the language is changed. Either way, city council is going to have to approve this plan. He asked Roland Winger if he feels comfortable passing this plan to city council.

Roland Winger said as APC, we need to look for good planning. The plan as it sits is a good Comprehensive Plan with limitations on the impact it can have. It is difficult to distinguish whether to take the west half of Block 27 to make it Downtown Village space and not greenspace. It seems inconsistent with saying other blocks must remain greenspace. With that aside, our job is to provide something to the council that meets good community planning standards which this does. However, when there is impact on land owners, the crosshatching is the right direction. Ultimately, the only right plan is the one city council approves because it is their job to manage the plan. He supports the crosshatching and the corresponding language.

Zach Williams said for clarity, the motion on the floor is to amend the plan not to pass the plan forward. Whether the plan comes back to the Commission, will need clarification. There is some institutional knowledge on what that language looks like because this has been done before. He asked Ryan O'Gara if there is any ambiguity he is worried about, based on the motion on the floor.

Ryan O'Gara said that he is not worried about the motion. It depends on whether the Commission wants to see the finished product in advance of voting. Staff will change the crosshatched areas and describe the development pathways.

Zach Williams asked if Ryan is comfortable with the language based on the amendment.

Ryan O'Gara said he is comfortable with the language. The New Chauncey Plan with its crosshatched areas will be the model. Staff always wants to see consistency in planning documents to avoid surprises.

Zach Williams said staff has a template to work from which is important for consistency.

Ryan O'Gara said the New Chauncey Plan showed actual park spaces and proposed places for parks with crosshatching.

The motion carried by unanimous voice vote.

Jackson Bogan clarified that the vote by ballot is to send the plan as amended to the West Lafayette City Council.

The Area Plan Commission voted by ballot 13-Yes to 1-No to approve **RESOLUTION #2020-01** as amended.

Yes-votes		No-votes
Roland Winger	Jackson Bogan	Lisa Dullum
Diana Luper	Vicki Pearl	
Tracy Brown	Dr. Carl Griffin	
Tom Murtaugh	Jerry Reynolds	
Kathy Parker	Gary Schroeder	
Perry Brown	Michelle Long	
Greg Jones		

Jackson Bogan thanked APC staff, city staff, the steering committee and those involved in public comment for their help in this plan.

B. SUBDIVISION

1. **S-4883 WESTBAKER INDUSTRIAL SUBDIVISION (major-preliminary):**
   Petitioner is seeking primary approval for a 5-lot industrial subdivision (plus one outlot) on 23.2 acres, located on the east side of Wabash Avenue / South Beck Lane, at the Old Romney Road intersection, in Lafayette, Fairfield 31 (NE) 23-4.

Gary Schroeder moved to hear and vote on **S-4883 Westbaker Industrial Subdivision (major-preliminary).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said this has been an industrial site for many years. There was a rezone to I3 in the southern portion of the site in July 2019. As far as land use, there are single-family homes to the south with the under-construction Crosser Sports Complex to the east. She pointed out the publicly maintained Walker Lane and private drive Walker Lane that has not been city maintained. This subdivision will be dedicating additional right-of-way, so Walker Lane can be accepted for maintenance by the city. There are five lots in this subdivision and will be primarily served by a public cul-de-sac with an existing driveway in Lot 3. Storm retention will be going to Outlot A. There will be no vehicular access to Wabash Ave. except for where the existing driveways are located. There is an existing asphalt and paving company and a temporary batch plant that already exist on Lots 3 and 4, which will be accommodated. There is city sewer and water available to the property. They will be extended to the subdivision mainly through the cul-de-sac. Petitioner has requested two variances to not improve Beck Lane and Wabash Avenue. This has been heard by the Lafayette Board of Public Works and Safety and they recommended the variances for approval. Petitioner has filed with the Lafayette Board of Zoning Appeals to do an alternative bufferyard where the lots abut residential zoning. Instead of a standard bufferyard, they have requested to do landscaping and a sound wall. The zoning variances have already been approved. Staff is recommending conditional primary approval contingent on the following:

Variances

1. A variance to waive the required half width pavement improvements along the Beck Lane frontage. (USO Section 5.3-3-b)

2. 2 A variance to waive the required half width pavement improvements along the Wabash Avenue frontage. (USO Section 5.3-3-b)

Conditions

1. In the construction plans and on the final plat, the cul-de-sac shall be labeled with one of the approved street names -- Spangler Circle, Runner Place, Pedigo Place, Boatman Place, Shortcut Place or Citation Circle. CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:
2. The sanitary sewer, water and drainage plans shall be approved by the Lafayette City Engineer.
3. 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.
4. The landscaping and sound wall required in Lafayette ABZA variance cases #2019-19 and #2019-23 shall be shown.

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

5. 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.
6. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
7. All required building setbacks shall be platted.
8. The street addresses and County Auditor's Key Number shall be shown.

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

9. The purpose, ownership and maintenance of Outlot A shall be specified.

Kevin Riley, PO Box 280, Lafayette, IN 47902, representative for petitioner, said he agreed with the staff report and requested permission to bond. He thanked the Commission.

The Commission voted by ballot 14-Yes to 0-No to approve **VARIANCE #1** for **S-4883 Westbaker Industrial Subdivision (major-preliminary).**

The Commission voted by ballot 14-Yes to 0-No to approve **VARIANCE #2** for **S-4883 Westbaker Industrial Subdivision (major-preliminary).**

The Commission voted by ballot 14-Yes to 0-No for conditional primary approval of **S-4883 Westbaker Industrial Subdivision (major-preliminary).**

The Commission voted by ballot 14-Yes to 0-No to permit bonding for **S-4883 Westbaker Industrial Subdivision (major-preliminary).**

2. **S-4889 TIMBERBROOK MEADOWS SUBDIVISION, PHASE 1 (major-preliminary):** Petitioner is seeking primary approval for a 165-lot single-family subdivision (plus one outlot) on 60.09 acres, located on the south side of CR 600 N and the east side of CR 150 W, in Wabash 25 (NE) 24-5.

Gary Schroeder moved to hear and vote on **S-4889 Timberbrook Meadows Subdivision, Phase 1 (major-preliminary).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. This is a proposal for a 165-lot single-family home subdivision on 60.09 acres. The site is located on the south side of CR 600N just west of the intersection at County Farm Road. This represents the first phase of a total 145-acre Timberbrook Meadows Subdivision. There is an entrance street and all the streets in this phase of the subdivision will connect to these streets. There is a stub street that will connect the subdivision to the east. When the property was rezoned, there was a zoning commitment approved and recorded that required that the lots in the north and west side of the development meet the R1 standards. These lots have been platted to those standards. The lots to the north are especially deep due to the 70 ft bufferyard along CR 600N. There will be sewer and water extended north from Fieldcrest. Right-of-way for CR 600N, which is a rural secondary arterial, has been shown for dedication. There are eight new streets in the development and all the street names have been approved. There are “no vehicular access” statements so that the through lots can only have driveways on the subdivision street. The developer has requested permission to bond. Staff has recommended conditional primary approval contingent on the following:

Conditions

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. As shown on the preliminary plat, the "No Vehicular Access" statement shall be platted along the CR 600 N right-of-way line and the Acorn Drive east right-of-way line.
8. 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.
9. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
10. Gateway signs, if any, shall be placed in an appropriate easement at the entrance(s).
11. All required building setbacks shall be platted.
12. The Regulatory Flood Elevation and Boundary for any Flood Plain in Outlot A shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-27-17.
13. The street addresses and County Auditor's Key Number shall be shown.

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

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

Kevin Riley, PO Box 280, Lafayette, IN 47902, representative for petitioner, said petitioner agrees with the staff report and will comply with the conditions. He requested permission to bond and thanked the Commission.

Noel Charshe, 5754 N 150 W, West Lafayette, IN 47906, said she truly is not in opposition to the subdivision. She is here to represent other community members that share the same concerns. She grew up in Houston, Texas and in the Chicago area and is used to a lot of development and a lot of sprawl. With that comes more support and ancillary services to support the population. She is aware that the Commission is not allowed to consider some of the comments made because they are not technical. But she hopes that later down the road these comments are taken into consideration to make this a more democratic process. Community members have requested no access on N 150W which was agreed to during a meeting with the developer. It is currently a gravel road and is not well maintained. They are also asking for the landscaping that was agreed to at a meeting last year. There have been about 2,400 new homes approved within 1.5 miles of Harrison High School. It is important to look at the roads surrounding this school; they were not built to handle this type of congestion. The 70 ft bufferyard should be considered along with a possible expansion of CR 600N. There are developments going in on this road with 150 or more homes in each so along with the expansion of CR 600N, there should also be turn lanes installed. When voting on this plat today, it is important to consider if this will meet the needs to expand CR 600N. The sheriff and fire department also continue to be a concern with these growing subdivisions. With the homes so close together in an area that is incredibly windy, fires like those in the Lindberg subdivision are a major concern. There are already drainage issues in this area as well. She thanked Larry Leverenz and Tracy Brown for their time and effort to meet with her about these issues in previous meetings.

George Bittles, 1327 W 600 N, West Lafayette, IN, 47906, said he is concerned with the language regarding improvements and the performance bond. Petitioner has requested permission to bond. However, this does not protect those that live in the area now. When construction begins, and dirt is moved, the entrance will need to be raised. This will create an earthen dam. All the water that will need to be addressed will have nowhere to go. He asked that instead of voting on this plat, that the Commission look at the big picture. Without looking at the big picture, the citizens in this area are being overlooked. He thanked the Commission for their time.

Kevin Riley, PO Box 280, Lafayette, IN 47902, representative for petitioner, said petitioner is permitted to request permission to bond. Bonds will not be issued without construction plans being approved. Construction plans are not approved unless Drainage Board approves them. This Commission is only looking at the technical requirements of the ordinance which this plan meets.

Tracy Brown said landscaping and bufferyard requirements are all outlined in the ordinance. Regarding the issue of right-of-way, when Fieldstone was platted right-of-way was given to the county so eventually the S-curve south of Battle Ground Middle School could be softened. This work will begin later this spring. Right-of-way will be given from the south side as well.

Justin Frazier, 105 North 10th Street, Lafayette, IN 47901, representative for petitioner, said the future of CR 600N was discussed early in this project with the highway department. Additional right-of-way will be dedicated on the final plat for the future realignment of CR 600N.

Carl Griffin asked if Mr. Bittles' questions on drainage will have to be dealt with by the drainage board.

Jackson Bogan said that is correct.

Gary Schroder said when the Commission hears subdivisions, it is not our prerogative to make changes. A court decided in the Sheffield Developers vs. Tippecanoe County Area Plan Commission case, where a

subdivision that met ordinance requirements was not approved, that a subdivision that meets ordinance requirements cannot be denied. Many of the issues raised during these meetings are addressed by the Drainage Board, Highway Department or by zoning.

Jackson Bogan asked staff if this subdivision meets the technical requirements of the ordinance.

Sallie Fahey said this subdivision meets the requirements.

The Commission voted by ballot 14-Yes to 0-No for conditional primary approval of **S-4889 Timberbrook Meadows Subdivision, Phase 1 (major-preliminary).**

The Commission voted by ballot 14-Yes to 0-No to permit bonding for **S-4889 Timberbrook Meadows Subdivision, Phase 1 (major-preliminary).**

3. **S-4890 BARRINGTON LAKES SUBDIVISION REVISED (major-preliminary):**
   Petitioner is seeking primary approval to revise 29 lots and 2 outlots in two areas of the previously approved preliminary plat, totaling 17.2 acres. The subdivision is located at the northwest corner of CR 50 S and McCarty Lane, in Perry 29 (NE) 23-3.

Gary Schroeder moved to hear and vote on **S-4890 BARRINGTON LAKES SUBDIVISION REVISED (major-preliminary).** Greg Jones seconded.

Sallie Fahey presented the zoning map, plat, and aerial photos. She said petitioner is seeking to revise two sections of the subdivision. Petitioner is seeking the revision because there was an undesignated Duke Energy easement. The developer has provided, at Duke's request, a 50-foot easement. When this change occurred, two lots in the subdivision were lost. This change is now being shown with a larger lot, two fewer lots and an adjustment of the outlot with detention. A cul-de-sac has been stretched by roughly 54 feet to add back the two lots from the north. Petitioner has requested permission to bond. Staff is recommending conditional primary approval contingent on the following:

Conditions

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

1. The sanitary sewer and water plans shall be approved by the Lafayette City Engineer.
2. The fire hydrants shall be approved by the Sheffield Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the City of Lafayette in cooperation with the Fire Department.
3. 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.
4. The County Drainage Board shall approve the drainage plans.
5. 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:

6. The "No Vehicular Access" statements shall be platted as shown on the preliminary plat.

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. Gateway signs, if any, shall be placed in an appropriate easement at the entrances.
10. All required building setbacks shall be platted.
11. The street addresses and County Auditor's Key Number shall be shown.

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

12. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
13. The purpose, ownership and maintenance of the outlots shall be specified.

Cameron Seymour, 1330 Win Hentschel Boulevard, West Lafayette, IN 47906, representative for petitioner, said he agrees with staff and the conditions. He requested approval and thanked the Commission.

Loria Aschenberg, 6425 Whippoorwill Lane, Lafayette, IN 47905, asked if this subdivision request will affect Whippoorwill Lane. There were two lots lost and there will be a new outlot for drainage.

Sallie Fahey showed Ms. Aschenberg where the changes were made. The new subdivision will abut the back of her current subdivision.

Loria Aschenberg, 6425 Whippoorwill Lane, Lafayette, IN 47905, asked if the sewage, drainage and water will affect her neighborhood.

Sallie Fahey said this new subdivision has been approved. They are just reducing the number of lots by two. The detention pond will not be next to your neighborhood. Eventually, the lots will be developed directly behind.

Loria Aschenberg, 6425 Whippoorwill Lane, Lafayette, IN 47905, said that will not affect her neighborhood just the field.

Zach Williams suggested this be a conversation held after the meeting to help clarify Ms. Aschenberg's questions.

The Commission voted by ballot 14-Yes to 0-No for conditional primary approval of **S-4890 BARRINGTON LAKES SUBDIVISION REVISED (major-preliminary).**

The Commission voted by ballot 14-Yes to 0-No to permit bonding for **S-4890 BARRINGTON LAKES SUBDIVISION REVISED (major-preliminary).**

C. REZONING ACTIVITIES

1. **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.

Gary Schroeder moved to continue **Z-2776 TAMMY APPELBAUM (GB to AW)** to the February 19, 2020 Area Plan Commission meeting. Greg Jones seconded and the motion passed by unanimous voice vote.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said this case was filed in September with the hope of getting a flood plain elevation from DNR which has not yet arrived. After contacting them again last week, DNR confirmed the application is still in process. He is hoping to have the certification before the next meeting. This is not the fault of Tammy Appelbaum.

2. **Z-2779 INDIANA BETA OF SIGMA ALPHA EPSILON HOUSE CORP. (R1 to R1U):** Petitioner is requesting rezoning of three single-family houses located at 424, 426 & 430 Littleton Street, (all of them adjacent to the west from the fraternity on the northwest corner of Quincy Street and North River Road) West Lafayette, Wabash 20 (NW) 23-4.

Gary Schroeder moved to hear and approve **Z-2779 INDIANA BETA OF SIGMA ALPHA EPSILON HOUSE CORP. (R1 to R1U).** Greg Jones seconded.

Ryan O'Gara presented the zoning map, plat, and aerial photos. He said following the 2013 New Chauncey Neighborhood Plan there was a neighborhood wide rezone to make some adjustments using existing zoning districts. The R1U zone was adjusted on the other side of the neighborhood as this area is well established. R1U is typically on smaller lots with alleys because they were developed in a traditional urban way. This is opposed to R1 which is typically a large lot. This petition is not changing the use; the lot size requirements are smaller for an R1U lot. The fraternity's logic behind the rezone is to use Exemption E in the subdivision ordinance to acquire land to bring their parking lot to conforming use. It is a large fraternity that does not have a lot of parking. This is a modest adjustment. The New Chauncey Neighborhood Plan recommends single family lots in this area so that will not change. The lots in question are not backed up on an alley but they were developed similarly to R1U. Staff is recommending approval.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, said the fraternity mansion is one of the older beautiful homes in West Lafayette. Students today do not want to live in an open dormitory; they want extra facilities. This building is also being brought up to compliance with a fire suppression system. During this process, a variance was sought for the parking. The House Corporation bought the older house close to the fraternity that had not been inhabited in a few years. Because the house is in the Historic District, it would be difficult to be approved to tear the house down. Petitioner is hoping that the neighbor with a rental business would be willing to trade land for the home. The expansion of the parking lot could take 25 cars off the street which would help with traffic and public safety in this area. He concurred with the staff report and asked for a positive recommendation to city council.

Dorothy Taylor, 425 Littleton Street, West Lafayette, IN 47906, said her home is directly across from the three houses in the rezone. The home that was bought by the fraternity had the underground railroad in the northeast corner, which should be taken into consideration. She is neither for or against this rezone but just has some questions. She asked if these homes revert to single-family homes, how many feet will there be in the rear from the back of the house to the back-lot line. Will these homes be able to become single-family homes again? Will so much property be taken that the parking lot will be 10 ft from the back door? How many trees will be cut down? Where, how many and what type of trees will be planted as replacements? What type of barrier will be between the parking lot and the homes? How will the barrier be landscaped? She thanked the Commission for their time.

Erik Carlson, 1200 N. Salisbury Street, West Lafayette, IN 47906, thanked the developer and petitioner for starting the process on this project two years ago. The fraternity initially approached the city and Historic Preservation Commission (HPC) to level the home to create the parking lot with a plan to go within 6 in of the sidewalk. This was not approved by the HPC. After discussions with HPC, the city and the fraternity, this proposal came about to save the home, so it can be utilized again. This would also offer the opportunity to tuck the parking lot behind the homes to conceal it. Because this is hardscaped, it will have to go before HPC and West Lafayette City Council. This will be done through the city ordinance which will require trees and require scrutiny to make sure it fits the historic neighborhood.

David Taylor, 425 Littleton Street, West Lafayette, IN 47906, said he has watched the traffic that comes and goes from the fraternity for 36 years. He has watched drivers fail to stop at the stop signs. He suggested sizeable speedbumps in the driveway of the fraternity to control the enthusiasm of the residents. Regarding the rezone, it is his hope that the historic nature of the neighborhood does not prevent single-family use of

the three homes in the future. Simply because the fraternity has outgrown its parking spaces is not an adequate reason to impact the whole neighborhood with increased traffic hazards. He hoped that during the implementation of this rezone the issues of safety are addressed.

Ryan O'Gara read a letter in opposition of **Z-2779 INDIANA BETA OF SIGMA ALPHA EPSILON HOUSE CORP. (R1 to R1U)** from:

M. Sue Eichhorn, 409 Littleton Street, West Lafayette, IN 47906.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN, 47902, representative for petitioner, thanked the city for their help during this long process and for saving the three homes in the historic district. The tree ordinance will apply to this parking lot and they will gladly adhere to it. He will investigate the possibility of implementing speed bumps in the fraternity driveway. He agrees that they are a traffic calming device.

Carl Griffin said the question about the dimensions of the R1U lots can be addressed.

Ryan O'Gara said R1 has a minimum 10,000 square foot lot size with a 25-foot setback. R1U has a 4,000 square foot minimum lot size with a 20-foot rear setback. The homes in this area are largely built to the R1U standard in relationship to the street. The backyard will be reduced but they will still be required to maintain a 20-foot setback from the property line.

Carl Griffin asked if that is similar to the R1U zoned homes to the north.

Ryan O'Gara said those homes have the same requirements.

The Commission voted by ballot 14-Yes to 0-No to recommend approval to the West Lafayette Common Council for **Z-2779 INDIANA BETA OF SIGMA ALPHA EPSILON HOUSE CORP. (R1 to R1U).**

3. **Z-2780 IRON MEN PROPERTIES OF LAFAYETTE I, LLC – Joseph Blake (Anvil 38 PD) (GB to PDRS):**
   Petitioner is requesting rezoning for a two-phase, multi-family development totaling two, four-story apartment buildings containing a total of 307 units with up to 411 bedrooms and 218 surface parking spaces. Additional parking is being provided offsite by Ivy Tech (up to 112 spaces) via a parking agreement. The property is located on the south side of SR 38 E just west of its intersection with Haggerty Lane in Lafayette, Wea 2 (NE) 22-4.

Gary Schroeder moved to hear and approve **Z-2780 IRON MEN PROPERTIES OF LAFAYETTE I, LLC – Joseph Blake (Anvil 38 PD) (GB to PDRS).** Greg Jones seconded.

Ryan O'Gara presented the zoning map, plat, and aerial photos. This site is located near the Ivy Tech campus and the new YMCA facility. The only public road frontage this site has is on SR 38 E. There are several private roads and drives that go through the Ivy Tech campus that are planned to connect with this site. The proposal is for a two-phase project with one phase per building for a total of 307 units. There will be 141 1-bedroom, 84 2-bedroom and 10 3-bedroom units. There will be 218 surface parking spaces with 112 spaces being provided offsite by Ivy Tech. This is strictly a multi-family project. Each building will be four stories. The R3 standard for parking would require this site to have 487 spaces. Given the fact that this is not a dorm but still student housing with the option for students to walk to campus, staff felt the reduction in parking made sense. There is public transit service along Creasy Lane, SR 38 E, and Ivy Tech campus. CityBus was invited to come into the site but they felt their headway would not fit. This is an important project for Ivy Tech which is mainly a commuter school without residential nearby to serve the needs of the students. This is the opportunity to create some residential right next to campus. This project will serve and address future expansions at Ivy Tech. The project is a mix of urban living with the buildings centered on a

large open space with a parking lot that connects to private drives. Petitioner is providing an access point for a future city trail. If INDOT ever builds sidewalks or trails on SR 38 E, this project would have to connect to it. This is a great opportunity for the city and Ivy Tech. Staff is recommending conditional 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 the city's urban forester with 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 (relative to the project's plan to drain into F-Lake and/or other County-regulated facilities) shall be secured prior to the submission of the Final Detailed Plans;
8. A copy of the executed and recorded parking agreement with Ivy Tech Community College shall be delivered to APC and the City of Lafayette with the submission of the Final Detailed Plans.

Joseph Blake, PO Box 5965, Lafayette, IN 47903, petitioner, said he met with several leaders from Ivy Tech three years ago to discuss interest in a student focused housing project near their campus. This has been enthusiastically received from the first meeting for many reasons. One of those reasons is student recruitment. More often, Ivy Tech students are traditional students that are out of high school seeking a degree or to transfer to a university. There is a need and desire for housing close to campus. The issue of student retention, Ivy Tech believes their retention rates would be increased by having housing options close to campus. This project will provide quality housing options for young adults on the east and north side of town. This is the age of the gig economy where young people are working out of their own home to make a living. They typically look for high-speed internet and a community of people of the same demographic. The project is near large businesses, hospitals and a nursing school which would provide housing for young professionals and students. The proximity to the YMCA is also seen as a large win. He thanked the leaders at Ivy Tech and other individuals that have embraced this concept. He thanked city and APC staff for their work. What is trying to be accomplished is a privately-owned facility because statutorily Ivy Tech is not allowed to own residence halls. It is privately owned yet still tightly connected to this community. He thanked the Commission and requested a recommendation of approval to city council.

The Commission voted by ballot 14-Yes to 0-No to recommend approval to the Lafayette Common Council for **Z-2780 IRON MEN PROPERTIES OF LAFAYETTE I, LLC – Joseph Blake (Anvil 38 PD) (GB to PDRS).**

4. **Z-2781 VALLEY OAKS HEALTH, INC. (NB to MR):**
   Petitioner is requesting rezoning of a lot located on the southwest corner of the T-intersection of Teal and S. 22nd Street, specifically 2111 Teal Road, Lafayette, Fairfield 33 (SE) 23-4.

Gary Schroeder moved to hear and approve **Z-2781 VALLEY OAKS HEALTH, INC. (NB to MR).** Greg Jones seconded.

Tom Murtaugh recused himself due to a conflict of interest.

Larry Aukerman presented the zoning map, plat, and aerial photos. Petitioner, Valley Oaks Health, is a not for profit mental health agency that is looking to rezone this property from NB to MR to construct a facility to house 15 clients. The facility will be open year-round with 7 full-time employees. This would be the second group home in Tippecanoe County. Staff sees the move from NB to MR as a lateral move. In terms of intensity of uses allowed in the zones, MR is more limiting, but does allow multi-family residential. While there are no other medical zones nearby, staff feels this is a good fit for this property based on location to existing transportation and commercial uses. Staff is recommending approval.

Kevin Riley, PO Box 280, Lafayette, IN 47902, representative for petitioner, said Valley Oaks is under contract to purchase this currently vacant property. This site is in need of redevelopment. The plan is to close on the purchase in February and start construction this year. This facility will offer clients skills training to improve daily function, medication and mood management, social function and self-care training. This project has been discussed with the city and they are in support of this rezone. He thanked the Commission and asked for approval.

Carole Thompson, 2202 Summerfield Drive, Lafayette, IN 47909, asked what type of facility and what size of facility will be constructed.

Steve Thompson, 2202 Summerfield Drive, Lafayette, IN 47909, asked if there will be people that live in the facility.

Carole Thompson, 2202 Summerfield Drive, Lafayette, IN 47909, said if this is a facility where clients will be living there, we do not think it is a good fit for the neighborhood because there are so many apartment complexes where there is already conflict. She does not want to see more escalation in the area.

Kevin Riley, PO Box 280, Lafayette, IN 47902, representative for petitioner, said the plan is build a 7,000 sq. ft. facility. There is more than enough room on the site to comply with setback and greenspace requirements. This is a temporary stay for clients; they receive treatment and move out. There is another home in Tippecanoe County that has not had any issues with neighbors.

Tom Gilliom, 1746 King Eider Drive, West Lafayette, IN 47906, said there is a facility similar to this in Lafayette that is a 15-bed facility. The people that live there have significant mental health issues and would prefer to stay isolated than to get out in the community. Our goal is to work with these people to learn the skills they need to get into their own living situation and employed. The goal is for this to be a short-term facility. People would live there from six months to a year until they move on to other housing. There is currently a waiting list where the new facility could be filled up at this time.

Carl Griffin asked what is to the west and the south of the site. He asked who the parking lot belongs to.

Sallie Fahey said it is residential to the south and a bank to the west. The parking lot is a commercial parking lot.

Carl Griffin asked if there is multi-family housing near the site.

Sallie Fahey said that is correct. Between the MR zoning district and residential uses, there will have to be a Type C bufferyard. This will require all evergreen trees so there is a year-round visual buffering.

The Commission voted by ballot 13-Yes to 0-No to recommend approval to the Lafayette Common Council for **Z-2781 VALLEY OAKS HEALTH, INC. (NB to MR).**

VI. ADMINISTRATIVE MATTERS

Sallie Fahey said the Plan Commission has a number of standing committees in addition to the Executive Committee which was voted on this evening. There is an Ordinance Committee, Budget and Personnel Committee, Public Relations Committee, By-Laws Committee and Transportation Study Committee.

Jackson has made committee assignments in consultation with Larry Leverenz, Tom Murtaugh and me. The assignments will be sent out electronically tomorrow.

VII. APPROVAL OF THE FEBRUARY EXECUTIVE COMMITTEE AGENDA

Gary Schroeder moved that the following request for subdivision be placed on the February 5, 2020 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

RE-0073 CHERRY CREEK ESTATES II – A REPLAT OF LOTS 7, 8 & 9 (rural estate preliminary plat).

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

VIII. DETERMINATION OF VARIANCES – Area Board of Zoning Appeals

Gary Schroeder 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-2030 VITA INVESTMENT HOLDINGS, LLC.

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

IX. DIRECTOR'S REPORT

Sallie Fahey said she would like to highlight the year end Building Permit Report. It is rather interesting. Kathy Lind went into detail about which developments the permits occurred in as well as looking at subdivision plat and lot approvals. The maps Daelen Ogas provided show exactly where the permits are located. We ended the year on a high note with 43 single-family permits in December which is likely due to the nice weather.

X. CITIZENS' COMMENT AND GRIEVANCES

None.

XI. ADJOURNMENT

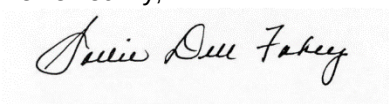
Gary Schroeder moved to adjourn.

Meeting adjourned at 9:06 p.m.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

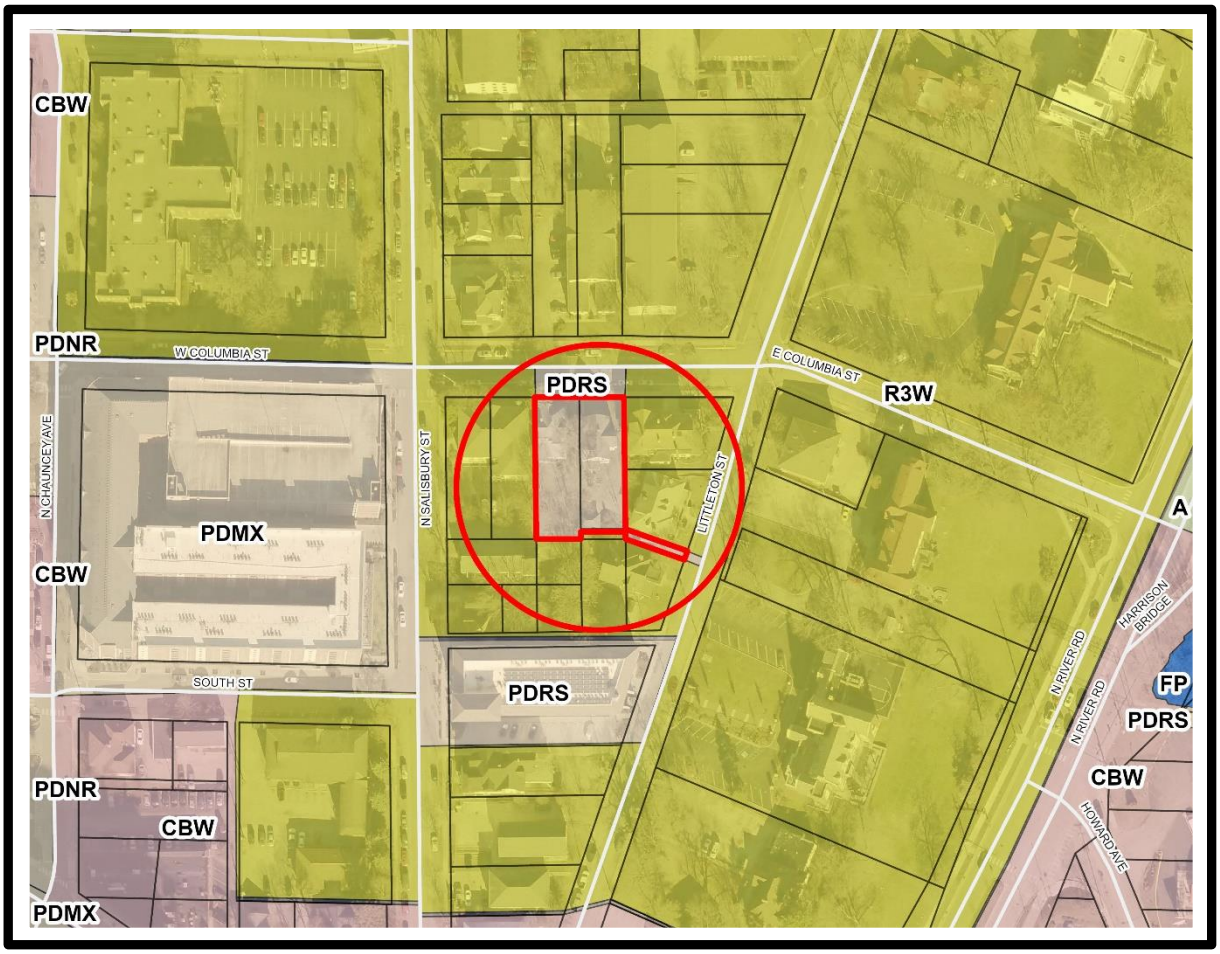
Reviewed By,

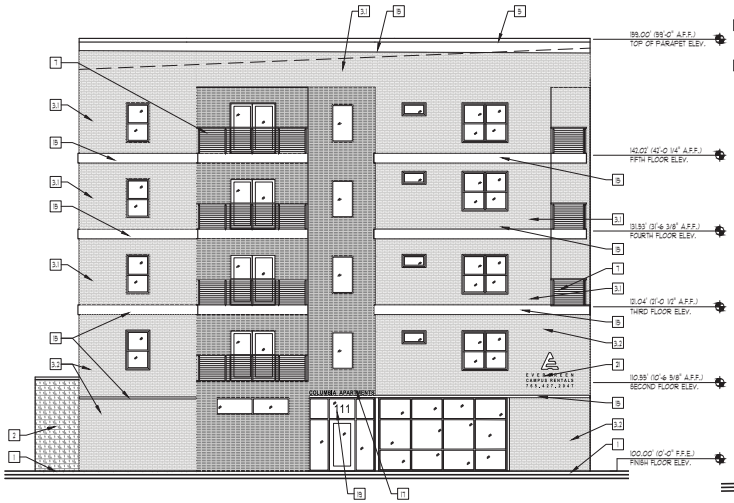


Sallie Fahey

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

STAFF REPORT
February 13, 2020





NORTH ELEVATION

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

EAST ELEVATION

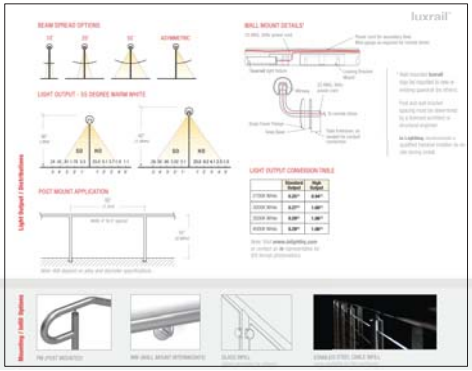
SCALE: 1/8" = 1'-0" (24"x36" SHEET)

ELEVATION KEY

1	APPROXIMATE GRADE, SEE CIVIL DRAWINGS
2	SPLIT FACE CONCRETE MASONRY UNIT COLOR: MEDIUM GREY
3.1	BRICK VENEER: RUNNING BOND COLOR: LIGHT GREY
3.2	BRICK VENEER: RUNNING BOND COLOR: MEDIUM GREY
3.3	BRICK VENEER: STACK BOND COLOR: BLACK
3.4	BRICK VENEER: RUNNING BOND COLOR: BLACK
4	SMOOTH FACE CMU BANDING
5	METAL COPING
6	LOCKABLE SLIDING METAL GATE
7	CABLE GUARD RAIL SYSTEM W/ TOP RAIL LIGHT
8	SOLDIER COURSE
9	PRECAST CONCRETE WINDOW SILL
10	NOT USED
11	4" DIAMETER PIPE BOLLARD
12	ROLLING SECURITY GRILLE SYSTEM
13	METAL SECURITY GRILLE
14	PARKING GARAGE EXHAUST HOOD
15	CONCRETE BANDING
16	GUTTER & DOWNSPOUT
17	BACK LIGHT METAL BUILDING SIGNAGE - 10 S.F.
18	ALUMINUM GUARD RAIL
19	WINDOW GRAPHIC - BUILDING ADDRESS IN 14" HIGH NUMBERS
20	PAINTED METAL HANDRAIL
21	BACKLIT BUILDING SIGNAGE - 45 S.F.

NOTES:

DRYER & BATH EXHAUST VENTS (NOT SHOWN) TO BE LOCATED ON THE EAST AND WEST SIDES OF THE BUILDING WHERE PERMITTED BY CODE



NORTH FACING BALCONY RAIL LIGHT

NOT TO SCALE

MAIN ENTRY & BALCONY RECESSED LIGHT

NOT TO SCALE

ARKOR

117 N 4TH ST, STE 'A'
LAFAYETTE, IN 47901
765.429.4070
www.arkor-inc.com

SEAL:

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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PROJECT:

EVERGREEN CAMPUS RENTALS - APARTMENT BUILDING

111 E COLUMBIA ST.
WEST LAFAYETTE, IN 47906

REV.	DATE	REV. BY	DESCRIPTION

DRAWN BY: JKF | CHK'D BY: RCJ

PLOT DATE: October 5, 2018

PROJ. NO.: C-1628

SHEET NAME:

EXTERIOR ELEVATIONS

SHEET NUMBER:

A401

Z-2715
EVERGREEN CAMPUS RENTALS, LLC
EVERGREEN CAMPUS RENTALS PLANNED DEVELOPMENT
FINAL DETAILED PLANS
RESOLUTION PD-20-02

Staff Report
February 13, 2020

BACKGROUND:
On November 21, 2018, APC, by unanimous vote, recommended approval of a reclassification from R3W to PDRS on approximately 0.30-acres in the City of West Lafayette 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 City of West Lafayette Common Council approved the rezone, by unanimous vote, on December 3, 2018.

Petitioner's Final Detailed Plans, consisting of the Construction Plans and Final Plat, meet all required conditions at this stage of development. Bonding is being requested.

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

STAFF RECOMMENDATION:
Approval of Resolution PD-20-02

RESOLUTION PD-20-02

WHEREAS Preliminary Plans for ***EVERGREEN CAMPUS RENTALS PLANNED DEVELOPMENT,*** are approved as part of Z-2715, with conditions attached; and

WHEREAS all conditions of approval necessary for Final Detailed Plans 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 West Lafayette Common Council on December 3, 2018;

NOW THEREFORE BE IT RESOLVED that the Area Plan Commission of Tippecanoe County, after staff examination of the Final Detailed Plans submitted for ***EVERGREEN CAMPUS RENTALS*** PLANNED DEVELOPMENT***,*** does hereby find them to conform to the Approved Planned Development Z-2715 as adopted and passed by the City of West Lafayette Common Council.

_____ _____

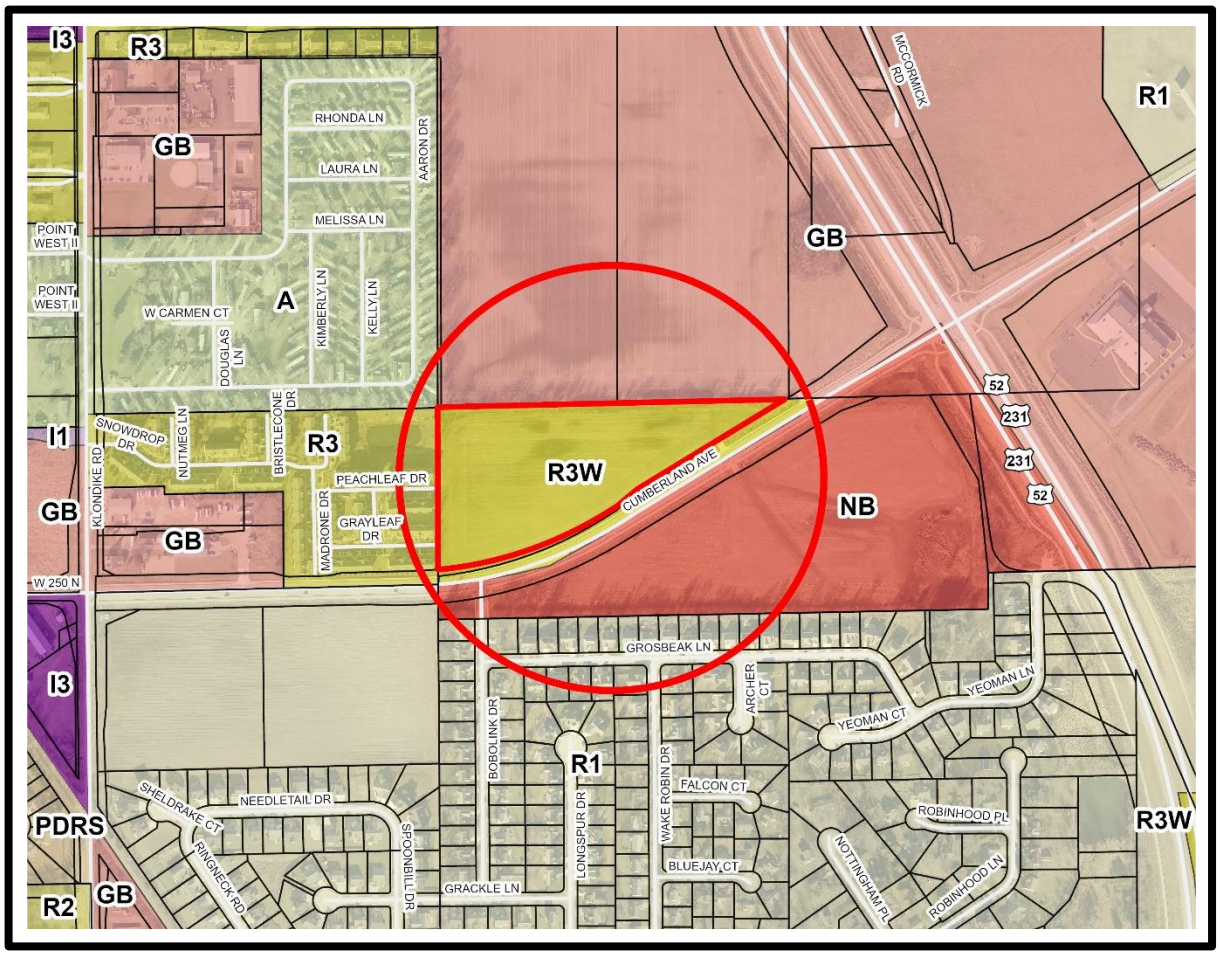
JACKSON BOGAN, PRESIDENT **SALLIE DELL FAHEY, SECRETARY**

_____

DATE

S-4895
VITA OF WEST LAFAYETTE SUBDIVISION
(minor-sketch)

STAFF REPORT
February 13, 2020



MINOR SKETCH PLAN FOR:
VITA OF WEST LAFAYETTE
WEST LAFAYETTE, INDIANA

PART OF THE NORTHEAST 1/4 OF SECTION 11, WABASH TOWNSHIP 23 NORTH, RANGE 5 WEST
WEST LAFAYETTE, INDIANA

AREA MAP
NOT TO SCALE

SITE INFORMATION

PROPERTY – 10.69 AC±
LOT 1 – 9.20 AC±
GREENSPACE – 4.82 AC± (52.0%)
BUILDING COVER – 1.88 AC± (20.4%)

LOT 2 – 1.49 AC±

ZONING – MULTI-FAMILY RESIDENTIAL (R3W)

1-BED UNITS = 177 (177 BEDS)
2-BED UNITS = 36 (72 BEDS)
TOTAL UNITS = 207 (249 BEDS)

TOTAL REQUIRED PARKING = 118 SPACES
PARKING GROUP: 42
1 PER 4 BEDS = 54 SPACES
1 PER EMPLOYEE = 55 SPACES
TOTAL PROVIDED PARKING = 135 SPACES
PROVIDED ACCESSIBLE PARKING = 12 SPACES

LAND DESCRIPTION:

Part of the Southeast Quarter of the Northwest Quarter of Section 11, Township 23 North, Range 5 West, Tippecanoe County, Indiana, and being that part of the land described in Warranty Deed to Citation Homes, Inc. as recorded in Instrument Number 201010001649 in the Office of the Recorder of Tippecanoe County lying north of the northern right-of-way line of Cumberland Avenue as described in Warranty Deed to the County of Tippecanoe, Indiana as recorded in Instrument Number 201111003214 in said county recorder's office, more particularly described as follows:

COMMENCING at the southwest corner of said Northwest Quarter, said point being marked by an aluminum disk; thence North 88 degrees 43 minutes 16 seconds East along the south line of said Northwest Quarter a distance of 1308.05 feet to the southeast corner of Copper Beech Townhomes per the plat thereof as recorded in Deed Record 7, page 23 in said county recorder's office, being a point on the west line of the aforesaid Citation Homes tract; thence North 00 degrees 07 minutes 11 seconds West along said west line and the east line of said plat a distance of 54.78 feet to the aforesaid northern right-of-way line of Cumberland Avenue and the Point of Beginning, said point being marked by a 5/8-inch rebar with yellow plastic cap stamped "SCHNEIDER FIRM #0001" hereinafter referred to as "REBAR"; thence continuing North 00 degrees 07 minutes 11 seconds West along said west line, at a distance of 602.51 feet passing a 3/4-inch rebar marking the northeast corner of said plat, an overall distance of 604.92 feet to the northeast corner of said Citation Homes tract; thence North 88 degrees 41 minutes 46 seconds East along the north line thereof a distance of 1292.83 feet to a REBAR on the aforesaid northern right-of-way line of Cumberland Avenue; thence along said right-of-way line the following four (4) courses:

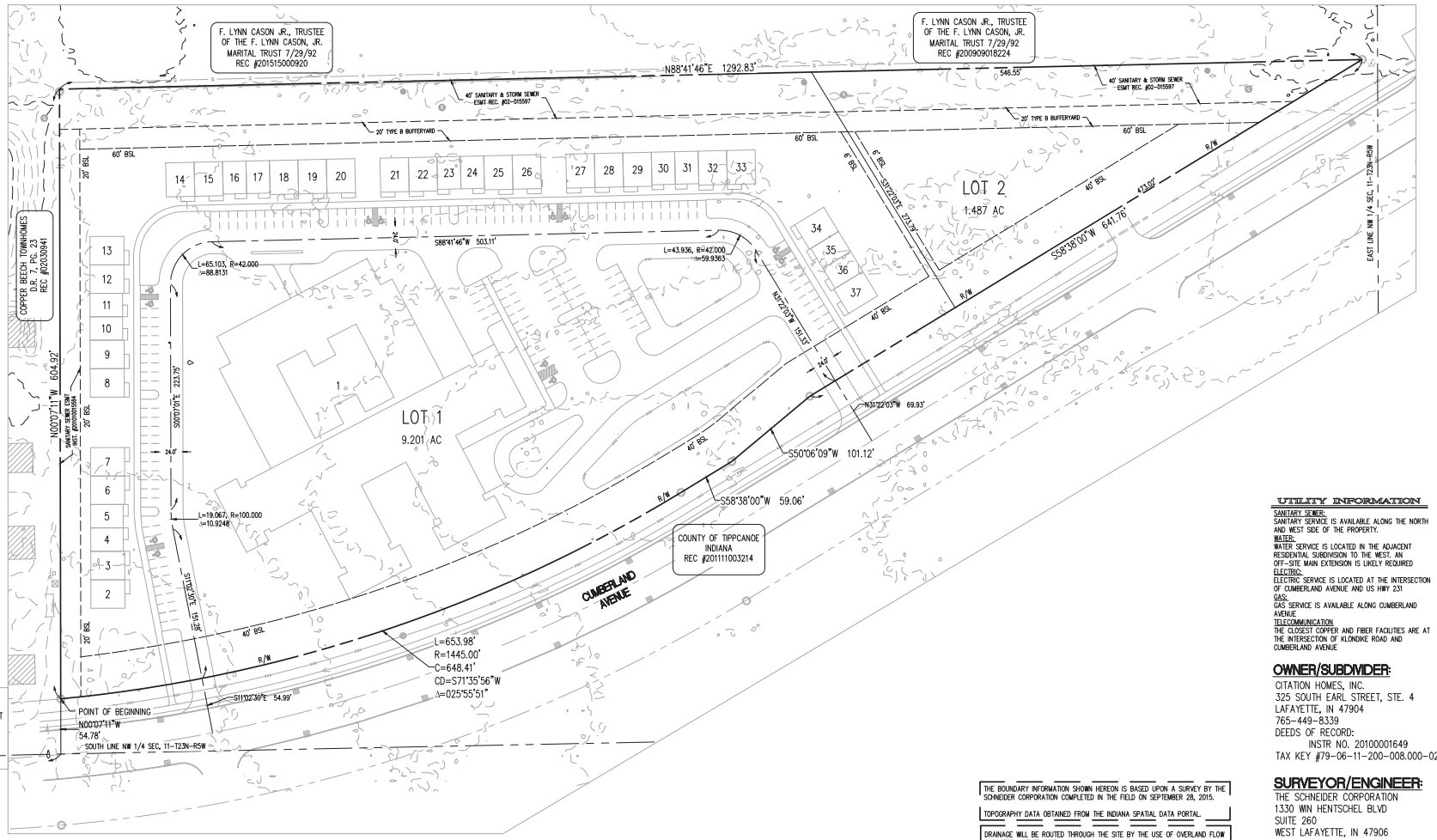
1) South 58 degrees 38 minutes 00 seconds West a distance of 641.76 feet to a REBAR;
2) South 50 degrees 06 minutes 09 seconds West a distance of 101.12 feet to a REBAR;
3) South 58 degrees 38 minutes 00 seconds West a distance of 59.06 feet to a REBAR on a tangent curve having a radius of 1445.00 feet, the radius point of which bears North 31 degrees 22 minutes 00 seconds West;
4) Westerly along said curve an arc distance of 653.98 feet to the point of beginning which bears South 05 degrees 26 minutes 09 seconds East from said radius point.

Containing 10.69 acres, more or less.

LEGEND

BSL	BUILDING SETBACK LINE
— — —	EASEMENT LINE
R/W	PUBLIC RIGHT OF WAY
BSL	BUILDING SETBACK LINE
D&UE	DRAINAGE AND UTILITY EASEMENT
AC	ACREAGE
●	5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED, "SCHNEIDER FIRM #0001" TO BE SET UPON FINAL GRADING UNLESS OTHERWISE NOTED.

N
0 50' 100'
SCALE: 1" = 50'



UTILITY INFORMATION

SANITARY SEWER:
SANITARY SERVICE IS AVAILABLE ALONG THE NORTH AND WEST SIDE OF THE PROPERTY.
WATER:
WATER SERVICE IS LOCATED IN THE ADJACENT RESIDENTIAL SUBDIVISION TO THE WEST. AN OFF-SITE MAIN EXTENSION IS LIKELY REQUIRED
ELECTRIC:
ELECTRIC SERVICE IS LOCATED AT THE INTERSECTION OF CUMBERLAND AVENUE AND US HWY 231
GAS:
GAS SERVICE IS AVAILABLE ALONG CUMBERLAND AVENUE
TELECOMMUNICATION
THE CLOSEST COPPER AND FIBER FACILITIES ARE AT THE INTERSECTION OF KLONDIKE ROAD AND CUMBERLAND AVENUE

OWNER/SUBDIVIDER:

CITATION HOMES, INC.
325 SOUTH EARL STREET, STE. 4
LAFAYETTE, IN 47904
765-449-8339
DEEDS OF RECORD:
INSTR NO. 20100001649
TAX KEY #79-06-11-200-008.000-029

SURVEYOR/ENGINEER:

THE SCHNEIDER CORPORATION
1330 WIN HENTSCHEL BLVD
SUITE 260
WEST LAFAYETTE, IN 47906
(765) 448-6661

THE BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON A SURVEY BY THE SCHNEIDER CORPORATION COMPLETED IN THE FIELD ON SEPTEMBER 28, 2015.

TOPOGRAPHY DATA OBTAINED FROM THE INDIANA SPATIAL DATA PORTAL.

DRAINAGE WILL BE ROUTED THROUGH THE SITE BY THE USE OF OVERLAND FLOW AND STORM SEWER PIPE.

REVISIONS:

DATE:

THE SCHNEIDER CORPORATION (2017)

Schneider
THE SCHNEIDER CORPORATION
West Lafayette Office
1330 Win Hentschel Blvd.
Suite 260
West Lafayette, IN 47906-4149
Telephone: 765.448.6661
www.schneidercorp.com

Civil Engineering
GIS * LIS
Land Surveying
Landscape Architecture

VITA OF WEST LAFAYETTE SUBDIVISION
WEST LAFAYETTE, INDIANA

VITA INVESTMENTS HOLDINGS, LLC
100 WEST JACKSON STREET, CICERO, IN 46034

DATE: 01/07/2020	PROJECT NO.: 11833
DRAWN BY: CAS	CHECKED BY: -- --

SHEET TITLE: MINOR SKETCH PLAN

DRAWING FILE: C:\INVUSER\CAS\11833-SKETCH.DWG

XREF(S):

SHEET NO.: SK1

Plot Date: Jan 07, 2020 Plot Time: 5:29pm File Name: C:\Users\caseymour\appdata\local\temp\AcPublish_3148\11833-SKETCH.dwg, Layout: SK1 By: caseymour

S-4895
VITA OF WEST LAFAYETTE SUBDIVISION
Minor-Sketch Plan

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, Citation Homes Inc by Steve Schreckengast (represented by attorney Dan Teder and Cameron Seymour of Schneider Geomatics) 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.

The western lot (Lot 1) will cover 9.2 acres and is intended for a senior living facility, offering nursing care, memory care, and independent living options, with 177 units (a mix of studio, one and two bedrooms) in 7 buildings.

AREA ZONING PATTERNS:
The site is zoned R3W (Multi-family Residential - WL). R3 zoning (Multi-family Residential – County) adjoins along the west boundary. Properties to the northwest are zoned A (Agricultural). Directly north and northeast is GB (General Business) zoning. To the southeast, across Cumberland Avenue, is NB (Neighborhood Business), and farther south is a large area of R1 (Single-family Residential) zoning.

AREA LAND USE PATTERNS:
These 10+ acres are flat, open and have been in agricultural production. Likewise, the adjoining properties to the north and land to the southeast, directly across the road, are open farmed fields. Abutting on the west is the Copper Beech apartment complex. The Wake Robin Estates single-family subdivision is located just south of the open field across Cumberland Avenue. The Connection Point Church is located east of the US 231 and Cumberland Avenue intersection. To the northwest is the Point West mobile home park.

TRAFFIC AND TRANSPORTATION:
The *Thoroughfare Plan* classifies Cumberland Avenue as an urban secondary arterial. This road meets and exceeds the subdivision ordinance standards for required pavement and right-of-way. There is an existing entrance from Cumberland that can provide access to Lot 2. At this time, nothing has been proposed for Lot 2. However, it is likely that this lot will in the future provide access from Cumberland Avenue for the land to the north. There are two new entrances shown for the proposed senior living facility on Lot 1. Except for the approved entrances, the standard "No Vehicular Access" restriction will need to be platted along the Cumberland Avenue frontage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Sanitary sewer service will be provided by an existing American Suburban Utilities main located along the north boundary in a recorded 40-ft wide sanitary and storm sewer easement. Another recorded sanitary sewer easement (20-ft wide) runs along the west boundary. An Indiana American water main is located at the southwest corner of the site.

CONFORMANCE WITH UZO REQUIREMENTS:
All the required building setbacks appear to be shown correctly. Along the north boundary, half of a 30-ft wide Type C bufferyard is the requirement where this R3W development borders undeveloped GB zoned land. However, a full 20-ft wide Type B bufferyard is shown on the sketch plan, which actually requires more plant material. This would be placed along the south edge of the 40-ft sanitary and storm sewer easement.

Petitioner has filed a building height variance request to be heard by the Area Board of Zoning Appeals on February 26, 2020.

STAFF COMMENTS:
On May 16, 2018, for this same site, the Area Plan Commission granted conditional primary approval to the petitioner (Citation Homes) for a two lot multi-family subdivision with 108 units in 54 buildings. Prior to secondary approval (final plat) for the Vita of West Lafayette Subdivision, petitioner will need to withdraw the primary approval for S-4750 Cottages at Cumberland Subdivision.

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. 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.

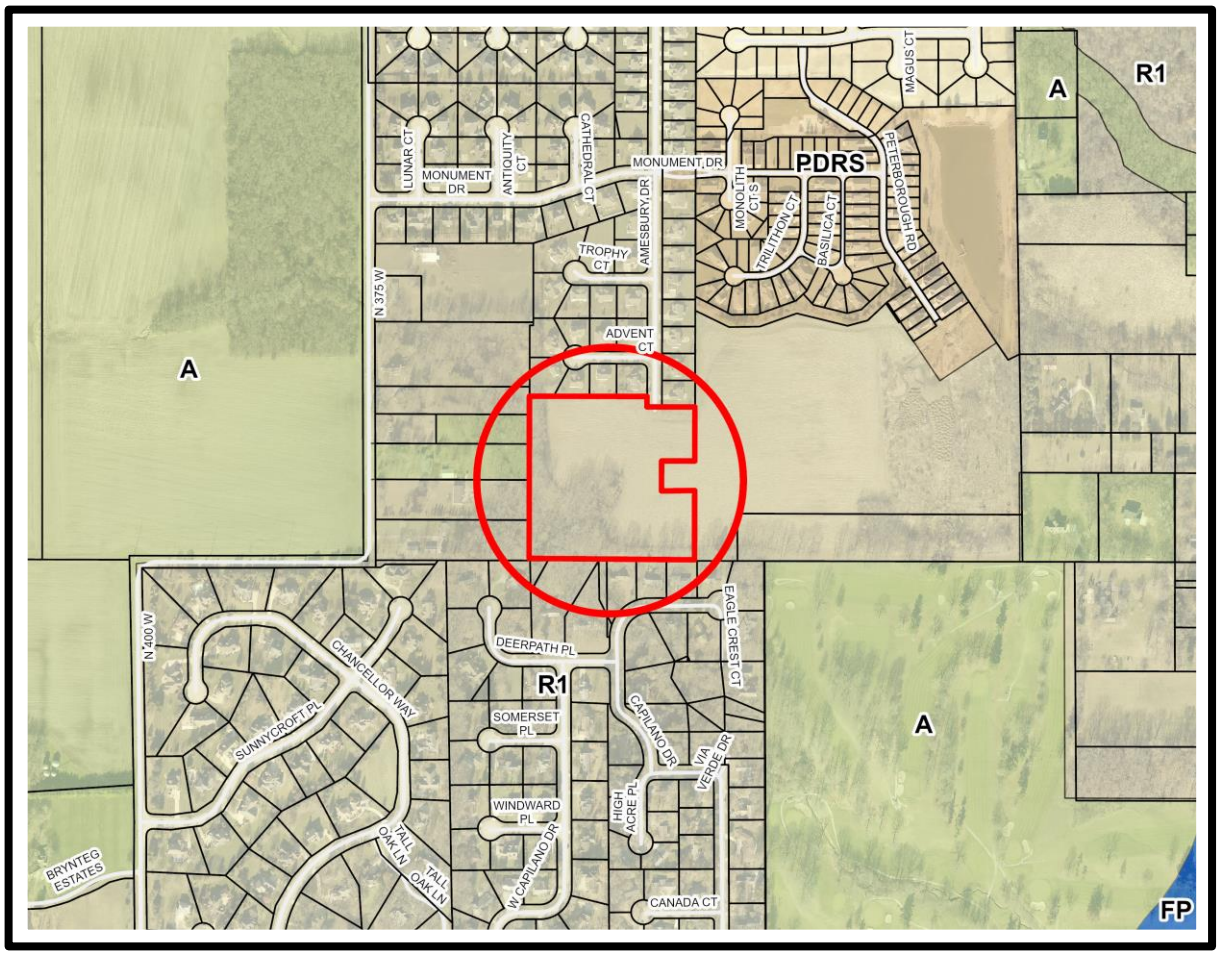
6. The street addresses and County Auditor's Key Number shall be shown.

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

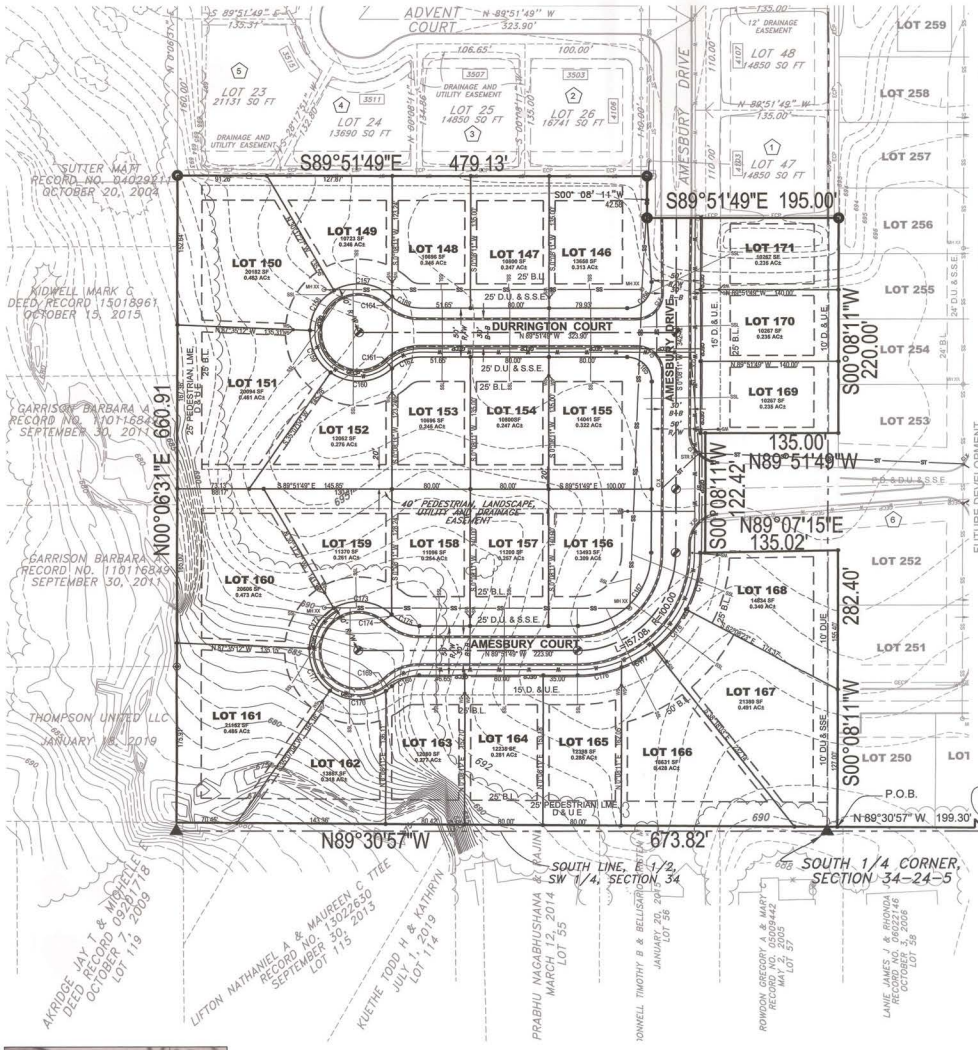
7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

S-4897
STONEHENGE SUBDIVISION, PHASE 5
(major-preliminary)

STAFF REPORT
February 13, 2020



PRELIMINARY PLAT
STONEHENGE SUBDIVISION, PHASE 5



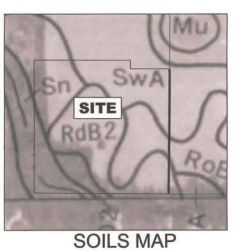
SCALE : 1" =60'

LEGEND

- ▲ = SECTION CORNER MONUMENTATION
- ● =3/4" REBAR WITH PUNCHEDALUMINUM CAP STAMPED "VESTER & ASSOC., INC. LS FIRM 0004" SET AT GRADE, UNLESS OTHERWISE NOTED
- ⊕ ="X" CUT SET
- ⊙ =VESTER CAPPED REBAR FOUND
- ○ =IRON PIPE FOUND
- ⊕ =REBAR FOUND
- ⊘ = STREET MONUMENTATION, AS REQUIRED

- GEDP — PROPOSED GAS, ELECTRIC, CABLE & PHONE
- ST — PROPOSED STORM SEWER
- STR X — PROPOSED STORM SEWER MANHOLE
- D X — PROPOSED STORM CURB INLET
- BH X — PROPOSED STORM BEEHIVE INLET
- END X — PROPOSED STORM END SECTION
- SSL — PROPOSED SANITARY SEWER LATERAL
- SS — PROPOSED SANITARY SEWER
- MH XX — PROPOSED SANITARY MANHOLE
- W — PROPOSED WATER LINE
- V — PROPOSED WATER VALVE
- FH — PROPOSED FIRE HYDRANT
- WS — PROPOSED 1" WATER W/ DUAL 3/4" SERVICES
- WS — PROPOSED SINGLE 3/4" WATER SERVICE
- XXX — EXISTING INDEX CONTOUR
- XXX — EXISTING INTERMEDIATE CONTOUR
- BL / BSL = BUILDING SETBACK LINE
- LME = LANDSCAPE MAINTENANCE EASEMENT
- DUE = DRAINAGE & UTILITY EASEMENT
- SSE = SANITARY SEWER EASEMENT

VICINITY MAP
NOT TO SCALE



SOILS MAP
NOT TO SCALE

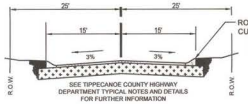
SOIL SERIES AND DESCRIPTION

CwB2 - CROSBY-MIAMI COMPLEX, 2 TO 6 PERCENT SLOPES, ERODED
Du - DRUMMER SOILS
MsC2 - MIAMI SILT LOAM, 6 TO 12 PERCENT SLOPES, ERODED
MsD2 - MIAMI SILT LOAM, 12 TO 18 PERCENT SLOPES, ERODED
RdB2 - RICHARDVILLE SILT LOAM, 2 TO 6 PERCENT SLOPES, ERODED
Sn - SLOAN CLAY LOAM, OCCASIONALLY FLOODED
SwA - STARKS-FINCASTLE COMPLEX, 0 TO 2 PERCENT SLOPES
TfB - THROCKMORTON SILT LOAM, 1 TO 3 PERCENT SLOPES
TmA - TORONTO-MILLBROOK COMPLEX, 0 TO 2 PERCENT SLOPES
TnB2 - TORONTO-OCTAGON COMPLEX, 2 TO 6 PERCENT SLOPES, ERODED

Soil Series	Dwellings	Roads	Septics	Hydric	Ponds
CwB2	Severe: Wetness	Severe: Low Strength, Frost Action	Severe: Wetness, Percs Slowly	N*	Moderate: Slope
Du	Severe: Ponding	Severe: Low Strength, Ponding, Frost Action	Severe: Ponding	Y	Severe: Seepage
MsC2	Moderate: Slope, Shrink Swell	Severe: Low Strength	Severe: Percs Slowly	N	Severe: Slope
MsD2	Severe: Slope	Severe: Slope, Low Strength	Severe: Percs Slowly, Slope	N	Severe: Slope
RdB2	Moderate: Shrink Swell	Moderate: Shrink Swell, Frost Action	Moderate: Percs Slowly	N	Moderate: Seepage, Slope
Sn	Severe: Flooding, Ponding	Severe: Low Strength, Ponding, Flooding	Severe: Flooding, Wetness,Percs Slowly	Y	Moderate: Seepage
SwA	Severe: Wetness	Severe: Low Strength, Frost Action	Severe: Wetness, Percs Slowly	N*	Moderate: Seepage
TfB	Moderate: Shrink Swell	Severe: Low Strength, Frost Action	Severe: Wetness, Percs Slowly	N*	Moderate: Seepage
TmA	Severe: Wetness	Severe: Low Strength, Frost Action	Severe: Wetness	N*	Moderate: Seepage
TnB2	Severe: Wetness	Severe: Low Strength, Frost Action	Severe: Wetness, Percs Slowly	N*	Moderate: Seepage, Slope

OWNER INFORMATION TABLE

1	79-02-34-377-001.000-022 JOHNSON, DENISE L 4103 AMESBURY RD West Lafayette IN 47906
2	79-02-334-376-015.000-022 JOHNSON CURTIS G & LORI A 4108 AMESBURY DR West Lafayette IN 47906
3	79-02-34-376-014.000-022 HALL CURTIS RAY & JUDITH A 3507 ADVENT CT West Lafayette, IN 47906
4	79-02-34-376-013.000-022 MARTINEZ CARLOS J & FERRER SUNAYANA 3511 ADVENT CT West Lafayette IN 47906
5	79-02-34-376-012.000-022 CHEN ZHIXIZNG & FAN BAOFANG 3515 ADVENT CT West Lafayette IN 47906
6	79-02-34-405-011.000-022 Stonehenge Development Corporation 309 Columbia St Lafayette IN 47901



SEE TIPPECANOE COUNTY HIGHWAY DEPARTMENT TYPICAL NOTES AND DETAILS FOR FURTHER INFORMATION

THIS DETAIL APPLIES TO PRESELI LANE, HEELSTONE COURT, BLUESTONE WAY, SARSEN COURT, AND LITHOPHONE COURT

PUBLIC STREET DETAIL
N.T.S.

6" PORTLAND CONCRETE CEMENT ON 6" COMPACTED AGGREGATE BASE, NO.53

CONCRETE PAVEMENT CROSS SECTION
N.T.S.

Curve Table			
Curve #	Length	Radius	Delta
C157	63.80	50.00	073°06'30"
C158	50.00	50.00	057°17'45"
C159	50.00	50.00	057°17'45"
C160	67.77	50.00	077°39'45"
C161	0.94	50.00	001°04'50"
C162	30.55	40.00	043°45'42"
C163	30.55	40.00	043°45'42"
C164	0.94	50.00	001°04'50"
C165	39.27	25.00	090°00'00"
C166	41.12	25.00	094°14'29"
C167	117.81	75.00	090°00'00"
C168	30.55	40.00	043°45'42"
C169	7.89	50.00	009°02'38"
C170	60.82	50.00	069°41'57"
C171	50.00	50.00	057°17'45"
C172	50.00	50.00	057°17'45"
C173	63.80	50.00	073°06'30"
C174	0.94	50.00	001°04'50"
C175	30.55	40.00	043°45'42"
C176	46.03	125.00	021°05'54"
C177	37.83	125.00	017°20'21"
C178	52.01	125.00	023°50'20"
C179	60.40	125.00	027°40'59"

LEGAL DESCRIPTION:

A part of the west half of the southeast quarter of section Thirty-four (34), Township Twenty-four (24) North, Range Five (5) West, Wabash Township, Tippecanoe County, Indiana, being depicted on a survey by Vester and Associates, Inc., Job No. E-93150, being more completely described as follows, to wit:

Commencing at the southeast corner of a property owned by Sterling 27 LLC, Document 13028190, Dated December 27, 2013 and also being the southeast corner of the west half of the southeast quarter of section 34-24-5; thence along the east line of Sterling 27 LLC property and also being the east line of the west half of said quarter section, North 00°52'44" West, a distance of 5.00 feet to a 3/4" rebar with punched aluminum cap stamped "Vester & Assoc. Inc. LS Firm 0004, found at grade, hereinafter referred to as a Vester capped rebar; thence North 89°50'42" West, a distance of 1137.00 feet to a Vester capped rebar; thence South 00°52'45" East, a distance of 1.81 feet to a Vester capped rebar located on the north line of the Capilano Highlands Subdivision; thence along said north line of said subdivision, North 89°30'57" West, a distance of 199.30 feet to the point of beginning; thence continuing on said line North 89°30'57" West, 673.82 feet to a point on the West line of a property owned by Stonehenge Development Corporation as shown on a Plat of Survey for Tract 3 containing 123.691± acres performed by Vester and Associates, Inc., Job No. E-93150, Document No. 9805255, Recorded March 06, 1998; thence along West line of said Tract 3 as shown on said Plat of Survey; thence North 00°06'31" East, a distance of 660.91 feet to a Vester capped rebar lying on said West line and being the Southwest corner of Stonehenge Subdivision, Phase One (1), Document No. 9808658, Recorded April 13, 1998; thence along the Southerly bounds of said Stonehenge Subdivision, Phase One (1) for the following Three (3) courses: 1) South 89°51'49" East, a distance of 479.13 feet to a Vester capped rebar; 2) South 00°08'11" West, a distance of 42.58 feet to a Vester capped rebar; 3) South 89°51'49" East, a distance of 195.00 feet to a Vester capped rebar marking the Southeast corner of said Stonehenge Subdivision, Phase One (1); thence South 00°08'11" West, a distance of 220.00 feet; thence North 89°51'49" West, 135.00 feet; thence South 00°08'11" West, 122.42 feet; thence North 89°07'15" East, 135.02 feet; thence South 00°08'11" West, 282.40 feet to the Point of Beginning, containing 9.861 acres, more or less.

SUBJECT TO ALL EASEMENTS, 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 attached plat and legal description were prepared under his direct supervision.

CERTIFIED BY: JAMES D. HALL, R.L.S. #20500017 — 1/14/2020 DATE

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

CERTIFICATION DATE: JANUARY 13, 2020

PREPARED FOR: STONEHENGE DEVELOPMENT CORPORATION
301 COLUMBIA ST., STE. 101
LAFAYETTE, IN 47901
PH. (765) 742-6479

CURRENT TITLE:

TITLE HOLDER: STONEHENGE DEVELOPMENT CORPORATION
DEED RECORD 9601035, JANUARY 18 1996

AUDITOR'S KEY NUMBERS: 132-05000-0082

OWNER ENDORSEMENT:

BY: PATRICK N. CUNNINGHAM, VICE PRESIDENT
STONEHENGE DEVELOPMENT CORPORATION
CERTIFICATION DATE: 1-16-2020

NOTE

1) This drawing does not represent a boundary survey of the property depicted. This sketch plan has been prepared based on previous survey work by Vester and Associates, Inc. Job No. E-95130, Document No. 98-05255, recorded March 6, 1998, in the office of the Tippecanoe County Recorder.

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. JAMES D. HALL

Prepared by: JAMES D. HALL

NOTES:

1. ALL SETBACKS ARE 25' FROM THE FRONT AND REAR LOT LINES, AND 6' FROM THE SIDE YARD LOT LINES, UNLESS OTHERWISE NOTED.

2. ALL DRAINAGE, C.A.T.V., AND UTILITY EASEMENTS ARE 15' OFF THE PROPOSED STREETS, UNLESS OTHERWISE NOTED.

3. WHERE AN EASEMENT BOUNDARY IS THE ONLY LINE ADJACENT TO A LOT LINE, THAT EASEMENT BOUNDARY IS ALSO THE BUILDING SETBACK LINE.

4. UTILITY AND DRAINAGE EASEMENTS ALONG THE REAR YARDS ARE 10 FEET UNLESS SHOWN OTHERWISE.

5. THE PROPOSED PUBLIC STREETS SHALL HAVE A TYPICAL WIDTH OF 30 FEET FROM BACK-OF-CURB TO BACK-OF-CURB.

6. UTILITIES EXIST ON THE SITE FROM PREVIOUS PHASES.

7. INTENDED USE IS SINGLE FAMILY RESIDENCES.

SITE DATA AND ANALYSIS:

SITE AREA:	17.882 ACRES
PRESENT ZONING:	R-1
EXISTING SITE CONDITIONS:	
MINIMUM LOT AREA:	10,000 SQ.FT.
MINIMUM LOT WIDTH:	75 FEET
MAXIMUM LOT COVERAGE BY BUILDINGS:	30 %
MINIMUM VEGETATIVE COVER	40 %
REQUIRED SETBACKS:	
ALL SIDE YARD SETBACKS ARE	6'
ALL FRONT YARD SETBACKS ARE	25'
ALL REAR YARD SETBACKS ARE	25'
UNLESS OTHERWISE NOTED HEREON	
MAXIMUM BUILDING HEIGHT:	35'

THE ZONING RESTRICTIONS INDICATED ABOVE ARE TAKEN FROM THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, SECOND EDITION (EFFECTIVE JANUARY 2, 1998)

DEVELOPED SITE DATA:	
AREA TO BE SUBDIVIDED:	9.691 ACRES
TOTAL NUMBER OF LOTS:	26
AVERAGE LOT SIZE :	16,236 SQ.FT.
LOT DENSITY:	2.68 LOTS PER ACRE
NUMBER OF OUTLOTS:	0
PUBLIC RIGHT-OF-WAY:	1.452 ACRES
NEW PUBLIC STREETS:	0.19 MILES

NO.	REVISION:	DATE:
1		
2		
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

DRAFT PLAN

OFFICE LOCATION:
309 COLUMBIA STREET, SUITE 101
LAFAYETTE, INDIANA 47901
PHONE: (765) 742-6479
FAX: (765) 742-6480
http://www.vester.com

Vester and Associates Inc.
LAND SURVEYING AND ENGINEERING

OFFICE INFORMATION:
F:\PROJECTS\19XXX\19313 STONEHENGE PHASE 5\PRELIMINARY PLAT.dwg
DRAWING DATE: Jan. 14, 2020
DESIGN BY: JDH
DRAWN BY: JDH
CHECKED BY: JDH/PNC
FIELD BOOK# SB 397

JOB NO. 19313 SHEET: PRELIM

S-4897
STONEHENGE SUBDIVISION PHASE 5
Major-Preliminary Plat

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, Heron Bay Development LLC by Greg Milakis (represented by Pat Cunningham of Vester and Associates) 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.

AREA ZONING PATTERNS:
The site is zoned R1, as are most of the surrounding properties. Abutting on the west boundary are a couple lots zoned A (Agricultural). To the southeast is a large A zoned tract.

AREA LAND USE PATTERNS:
Most of the site is open and farmed, as is the abutting field to the east. The west boundary and southeast corner is wooded. To the north is Stonehenge Phase 1, developed in 1998. Adjoining along the west are several large unplatted single-family lots. To the south is Capilano Highlands single-family subdivision. To the southeast is the West Lafayette Golf and Country Club golf course.

A draft plan and rezone petition have been filed for the proposed Stonehenge Planned Development Phase 4 (Z-2786, R1 to PDRS), which adjoins along the east boundary.

TRAFFIC AND TRANSPORTATION:
Amesbury Drive will be extended south from Phase 1 and end in a cul-de-sac turnaround. A second cul-de-sac (Durrington Court) will branch from Amesbury Drive. Near the middle of the site, along the east side of Amesbury, will be a private drive intersection that will connect this phase of Stonehenge to the proposed planned development to the east.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
American Suburban Utilities (sanitary sewer) and Indiana American Water Company mains will be extended from the north to serve this last phase of Stonehenge. Stormwater will be routed to an existing detention pond to the northeast in Stonehenge Planned Development Phase 2.

CONFORMANCE WITH UZO REQUIREMENTS:
All required building setbacks appear to be shown correctly. All lots meet or exceed the lot width and area standards for R1 zoning.

IMPROVEMENTS AND PERFORMANCE BOND:
Petitioner has 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. Conditions

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.

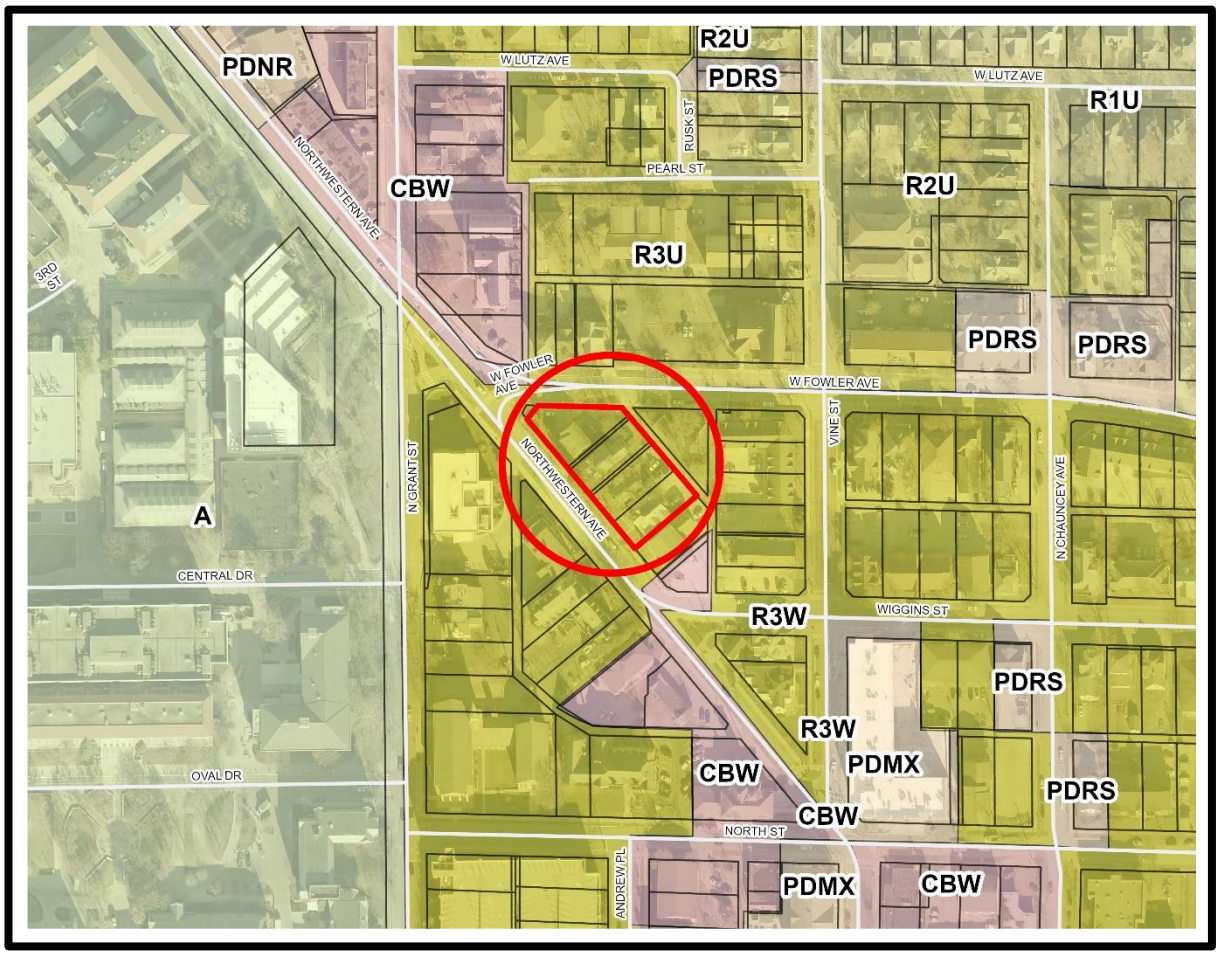
8. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).

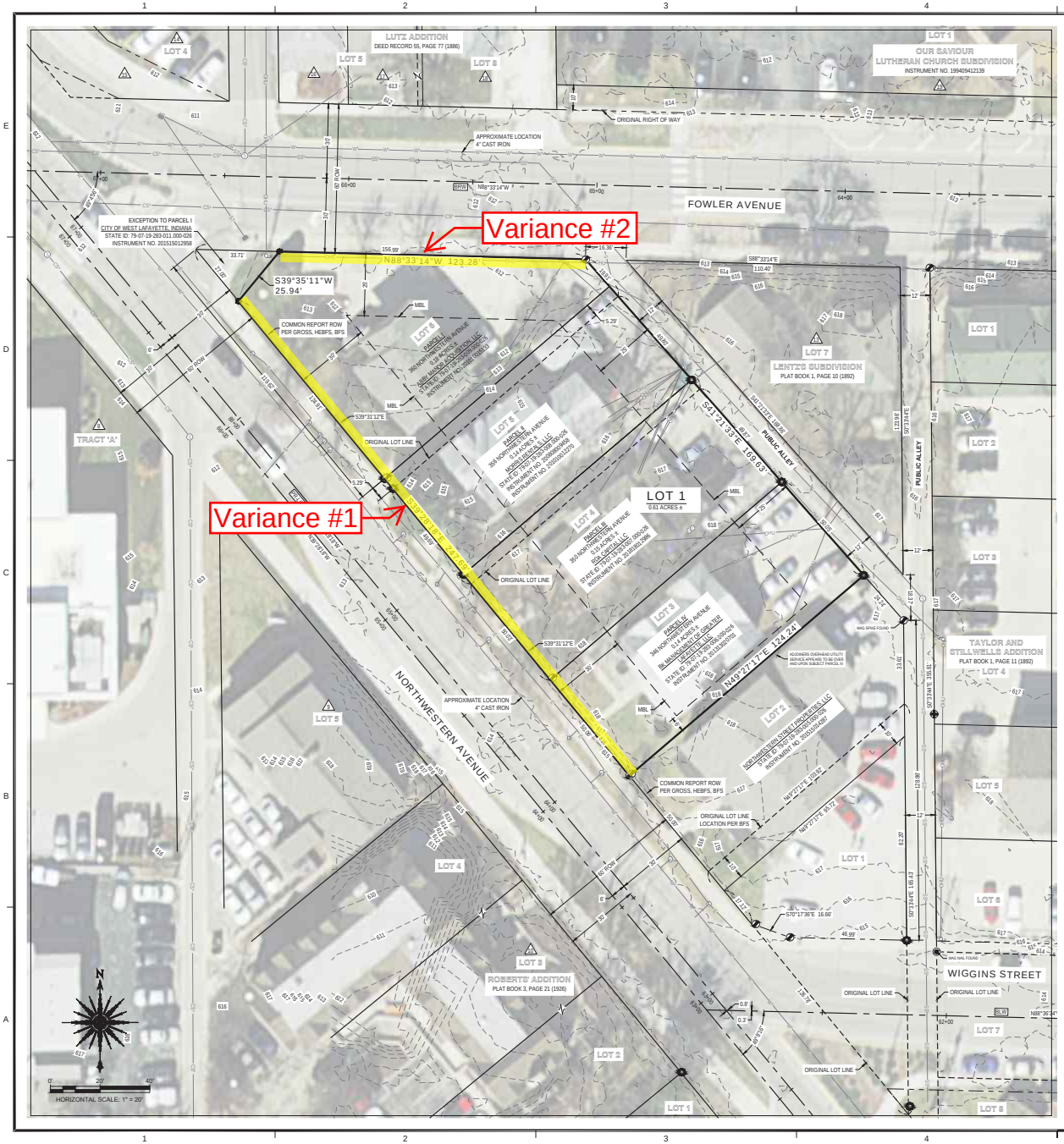
9. All required building setbacks shall be platted.

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

S-4898
KAPPA DELTA THETA NU MINOR SUBDIVISION
(minor-sketch)

STAFF REPORT
February 13, 2020





SKETCH PLAN
THETA NU KAPPA DELTA MINOR SUBDIVISION
A REPLAT OF LOTS 3, 4, 5 AND PART OF LOT 6 IN LENTZ'S SUBDIVISION

A PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 23 NORTH, RANGE 04 WEST, WABASH TOWNSHIP, TIPPECANOE COUNTY, INDIANA

LEGAL DESCRIPTIONS

PARCEL I

Lot numbered six (6) except five (5) feet in width off of the entire southeasterly side thereof, in Lentz's Subdivision of A.B. McLain's Addition to Chauncey, now City of West Lafayette. Said Addition or Subdivision of an Addition is laid out and platted upon a part of the East half of the Northeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Four (4) West. Located in Wabash Township, Tippecanoe County, Indiana.

Except A part of the East half of the Northeast Quarter of Section 11, Township 23 North, Range 4 West, Tippecanoe County, Indiana, being a portion of the grantors' land described in Instrument 201210015133 (all referenced documents are recorded in the Office of the Recorder of Tippecanoe County) more particularly described as follows: Commencing at a plastic capped rebar stamped "M.W. Gross" (RWG Rebar) found marking the northeast corner of Lot 6 of Lentz's Subdivision of A.B. McClain's Addition to Chauncey, recorded in Plat Book 1, Page 10, hence North 88 degrees 34 minutes 04 seconds West (bearings based on the Indiana State Plane Coordinate System, West Zone, NAD 1983) 123.28 feet along the north line of said Lot to the point of beginning of this description; thence South 38 degrees 42 minutes 10 seconds West 25.67 feet to the southwestern line of said Lot, witness an RWG Rebar at north 13 degrees 29 minutes 48 seconds West 1.68 feet; thence North 39 degrees 24 minutes 00 seconds West 27.00 feet along said southwestern line to the northwest corner of said Lot; thence South 88 degrees 34 minutes 04 seconds East 33.20 feet along the north line of said Lot, passing an RWG Rebar at 24.67 feet, to the point of beginning, containing 339 square feet, more or less, inclusive of thepresently existing right of way which contains 90 square feet, more or less.

PARCEL II

Lot numbered Five (5) in Lentz's Subdivision of A.B. McLain's Addition to Chauncey, now West Lafayette. EXCEPT Five (5) feet off the entire southeast side thereof.

Also Five (5) feet off the entire southeast side of Lot Numbered (6) in Lentz's Subdivision of A.B. McLain's Addition to Chauncey, now West Lafayette.

PARCEL III

Lot Numbered Four (4) and a strip of ground five (5) feet in width offthe entire Southeast side of Lot Numbered Five (5) in Lentz's Subdivision of A.B. McLain's Addition o Chauncey, now West Lafayette, Indiana, as laid out and platted on a part of the East Half of the Northeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Four (4) West. Located in Wabash Township,Tippecanoe County, Indiana.

PARCEL IV

Lot numbered three (3) in Lentz's Subdivision of A.B. McLain's Addition to Chauncey (now West Lafayette) as laid out and platted upon a part of the East half of the northeast Quarter of Section Nineteen (19) in Township Twenty-three (23) North, Range Four (4)West. Located in Wabash Township, Tippecanoe County, Indiana.

LAST INSTRUMENT CONVEYING TITLE TO SUBJECT PROPERY:

PARCEL I
Title Holder: Abby Manor Acquisition, LLC
Instrument Number: 201210001513 3
State Identification Number: 79-07-19-283-009.000-026

PARCEL II
Title Holder: Morris Rentals, LLC
Instrument Number: 200803009458 & 201210012270
State Identification Number: 79-07-19-283-008.000-026

PARCEL III
Title Holder: RDA Capital LLC
Instrument Number: 201818012986
State Identification Number: 79-07-19-283-007.000-026

PARCEL IV
Title Holder: BK Management of Greater Lafayette, LLC
Instrument Number: 201313020701
State Identification Number: 79-07-19-283-006.000-026

SURVEY NOTE

This drawing does not represent a boundary survey of the property depicted. This plat has been prepared pursuant to section 3.4 (Minor Subdivisions), and section 1.7 & 6.2 (Sketch Plan & Preliminary Plat), of the Unified Subdivision Ordinance of Tippecanoe County, Indiana as adopted May 23, 1960 (amended) and is based on survey work by TBIRD Design ServicesCorporation, Project No. 19103, recorded as Instrument No. 202002000420, on January 8, 2020 inthe offices of the Tippecanoe County Recorder.

LAND SURVEYOR 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:

01/16/2020
Patrick E. Williams, PLS — DATE

ADJOINER INDEX

ID	OWNER NAME	STATE PARCEL ID
8	THE TRUSTEES OF PURDUE UNIVERSITY	79-07-19-285-009.000-026
9	SHOEMAKER COOPERATIVE ASSOCIATION INC.	79-07-19-285-001.000-026
10	DELTA DELTA OF DELTA SIGMA PHI HOUSE CORPORATION	79-07-19-285-002.000-026
13	KAP HOUSING INC	79-07-19-283-001.000-026
14	PURDUE DELTA TAU DELTA ASSOCIATION INC.	79-07-19-233-003.000-026
15	STATE OF INDIANA	79-07-19-233-007.000-026
16	PURDUE LUTHERAN MINISTRY INCORPORATED & OUR SAVIOUR EVANGELICAL LUTHERAN CHURCH OF WEST LAFAYETTE, AS TENANTS IN COMMON	79-07-19-233-004.000-026
17	10 OWNER LLC	79-07-19-233-005.000-026
18	10 OWNER LLC	79-07-19-233-006.000-026
19	OUR SAVIOUR EVANGELICAL LUTHERAN CHURCH OF WEST LAFAYETTE	79-07-19-233-009.000-026

LEGEND

EXISTING	PROPOSED
PROPERTY & BOUNDARY	
SUBJECT TITLE LINE	
SUBJECT LOT LINE	
RIGHT-OF-WAY LINE	
MINIMUM BUILDING SETBACK LINE (MBL)	
EASEMENT LINE	
ADJOINING TITLE LINE	
MONUMENTATION & CONTROL	
IRON PIPE FOUND	
CROSS CUT FOUND	
REBAR FOUND UNLESS OTHERWISE NOTED	
2-INCH LONG MAG NAIL WITH WASHER STAMPED "TBIRD FIRM #0052" SET AT GRADE UNLESS OTHERWISE NOTED	
5/8-INCH DIAMETER REBAR WITH YELLOW PLASTIC CAP STAMPED "TBIRD FIRM #0052" SET AT GRADE UNLESS OTHERWISE NOTED	
UTILITIES	
W — WATER MAIN / LINE	W
SS — SANITARY SEWER PIPE	SS
ST — STORM SEWER PIPE / CULVERT	ST
CS — COMBINED SANITARY & STORM SEWER	CS

NOTE:
LINETYPES WITH AN EMBEDDED ASTERISK (*) INDICATE INFORMATION IS TAKEN FROM REFERENCED SOURCES AND HAS NOT BEEN COLLECTED OR VERIFIED BY TBIRD DESIGN SERVICES CORP.

TBIRD Design Services Corporation
Engineering • Surveying
Environmental • Construction Management
105 North Little Street • Lafayette, Indiana
(765) 742-5181 • info@tbirdcorp.com
www.tbirdcorp.com

CERTIFIED BY:

PATRICK E. WILLIAMS — REGISTERED NO. 20800122 — STATE OF INDIANA — LAND SURVEYOR

THETA NU KAPPA DELTA
KAPPA DELTA SORORITY
3205 PLAYERS LANE
MEMPHIS, TN 38125

Kappa Delta SORORITY

MARK	DATE	DESCRIPTION

PROJECT NO:	19103
FILE:	19103-SURVEY SP.DWG
DRAWN BY:	CDB
CHECKED BY:	PEW

LOCATION:
A PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 23 NORTH, RANGE 04 WEST, WABASH TOWNSHIP, TIPPECANOE COUNTY, INDIANA

TITLE:
SKETCH PLAN

S-4898
KAPPA DELTA THETA NU MINOR SUBDIVISION
Minor-Sketch Plan

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner Theta Nu Housing, LLC represented by Patrick Williams of TBird Design Services Corporation, and with consent of the four lot owners, is seeking primary approval to replat four lots (Lots 3, 4, 5, & 6 in Lentz's Addition) into one 0.61 acre lot, located at the southeast corner of Northwestern Avenue and Fowler Avenue, in West Lafayette, Wabash 19 (NE) 23-4. A sorority is planned for the site; a number of variances regarding parking, building height and setbacks has also been filed for this project. The variances, BZA-2031, will be heard at the February 26th ABZA meeting.

AREA ZONING PATTERNS:

The four lots in the request are all zoned R3W as is all surrounding property except across Fowler Avenue to the north/northeast which is zoned R3U and to the northwest which is zoned CBW. Farther to the southeast along both sides of Northwestern, zoning is a mix of CBW and various Planned Development districts.

AREA LAND USE PATTERNS:

Currently on site are a duplex and three apartment buildings. Student apartments are the primary land use in this neighborhood so close to the Purdue campus with Bailey Hall across Northwestern to the west. Our Savior Lutheran Church is across Fowler to the northeast and the Delta Tau Delta fraternity is across the street to the north.

TRAFFIC AND TRANSPORTATION:

Both Northwestern and Fowler are classified as urban primary arterials which require an 80' wide (40' half-width) right-of-way. Currently the rights-of-way for both streets are 60' (or 30' half-width). Instead of dedicating an additional ten feet of right-of-way to both streets, which would require new UZO variances and delay the ABZA hearing by a month, petitioner has chosen to apply for subdivision variances to not dedicate the additional right-of-way. These requests will go before the West Lafayette Board of Works on Tuesday, February 18th.

West Lafayette is requiring a "no vehicular access" statement be platted along both the Fowler and Northwestern frontages; the sole access to the site will be from the existing alley off Fowler.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Drainage on site will be reviewed at the time of building permit issuance. Sewer and

water are both available to the site; although an upgrade to the sewer system may be needed prior to construction.

CONFORMANCE WITH UZO REQUIREMENTS:
If the ABZA grants the UZO variances requested, a note is needed on the final plat that lists the approved variances; the revised setbacks would need to be shown on the drawing as well. No bufferyard is required. Lot width and area meet R3W zone standards.

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

A. 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)

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.

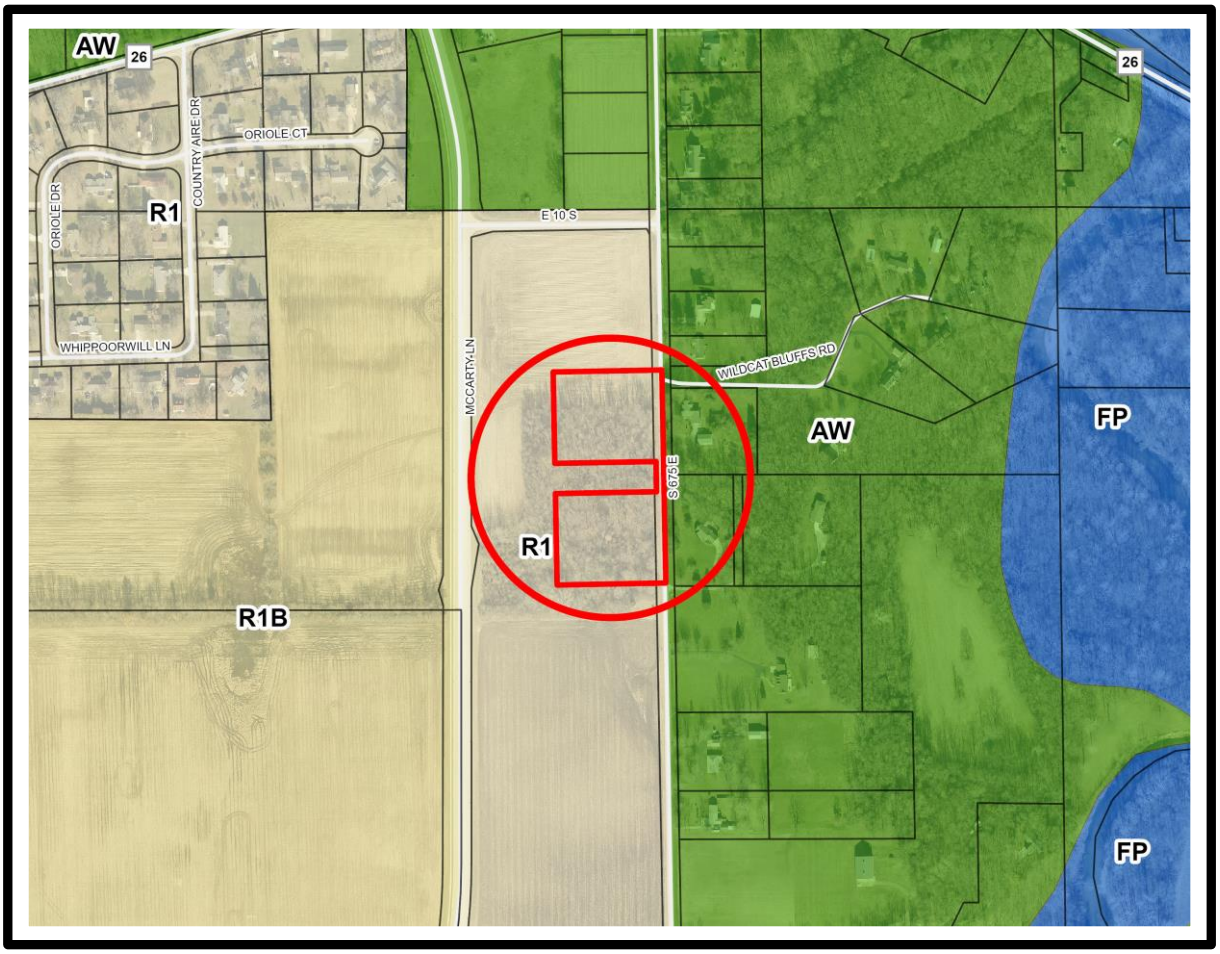
4. The street address and County Auditor's Key Number shall be shown.

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.

S-4899
WOOD ROW MINOR SUBDIVISION
(minor-sketch)

STAFF REPORT
February 13, 2020



SKETCH PLAN

WOOD ROW
MINOR SUBDIVISION

A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 23 NORTH, RANGE 3 WEST, PERRY TOWNSHIP, TIPPECANOE COUNTY, INDIANA

LEGAL DESCRIPTION

A part of the West Half of the Northeast Quarter in Section 29, Township 23 North, Range 3 West, Perry Township, Tippecanoe County, Indiana, being a part of the Eastland Development LLC real estate as described in Instrument Number 199709724354, recorded in the Office of the Tippecanoe Recorder, and also being depicted on an Indiana Land Title Survey prepared by Vester & Associates Inc., Job Number 97120, recorded as Instrument Number 199709726019 in said Recorder's Office, being more completely described as follows:

COMMENCING at a stone marking the Northeast Corner of said West Half, thence along the East Line of said West Half, South 1°04'06" East, 532.08 feet to the POINT OF BEGINNING; thence continue along said East Line, South 1°04'06" East, 705.00 feet; thence South 88°55'54" West, 360.00 feet; thence North 1°04'06" West, 302.50 feet; thence North 88°55'54" East, 330.00 feet; thence North 1°04'06" West, 100.00 feet; thence South 88°55'54" West, 330.00 feet; thence North 1°04'06" West, 302.50 feet; thence North 88°55'54" East, 360.00 feet to the POINT OF BEGINNING, containing 5.08 acres, more or less.

SUBJECT TO easements, right of way, and restrictions of record, fairly.

LAST INSTRUMENT CONVEYING TITLE TO SUBJECT PROPERTY:

TITLE HOLDER:	EASTLAND DEVELOPMENT, LLC
INSTRUMENT NUMBER:	199709724354
STATE PARCEL ID:	79-08-29-200-012.000009
GRANTOR:	NANCY J POTTER
GRANTEE:	EASTLAND DEVELOPMENT, LLC

SURVEY NOTE

This drawing does not represent a boundary survey of the property depicted. This plat has been prepared pursuant to section 3-4 (Minor Subdivisions), and sections 1 & 6.2 (Sketch Plan & Preliminary Plat), of the Unified Subdivision Ordinance of Tippecanoe County, Indiana as adopted May 23, 1980 (amended) and is based on survey work by Vester & Associates Inc. Project No. 97120, recorded as Instrument No. 199709726019, on December 5, 1997 in the office of the Tippecanoe County Recorder.

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:

Patrick E Williams, PLS — DATE

Revised
02/12/2020 10:55:03 AM

UTILITY NOTE

Public Sewer and Water Utilities do not appear to be proximate to be subject real estate.

N

0' 40' 80'
HORIZONTAL SCALE: 1" = 40'

LEGEND

- SUBJECT TITLE LINE
- ADJOINING TITLE LINE
- SECTION LINE OR ALIQUOT DIVISION
- EXISTING / ANCIENT LOT LINE
- EXISTING EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE

IBIS Design Services Corporation
Engineering • Surveying
Environmental • Construction Management
105 North 17th Street • Lafayette, Indiana
(765) 742-5181 • info@ibisdesign.com
www.ibisdesign.com

CERTIFIED BY:

PATRICK E. WILLIAMS
REGISTERED
NO. 20800122
STATE OF INDIANA
LAND SURVEYOR

WOOD ROW SUBDIVISION
DERRIN SORENSON
COUNTY ROAD 675
LAFAYETTE, IN

MARK	DATE	DESCRIPTION

PROJECT NO:	19104
FILE:	19104-SURVEY SP.DWG
DRAWN BY:	CDB
CHECKED BY:	PEW

LOCATION:
A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 23 NORTH, RANGE 3 WEST, PERRY TOWNSHIP, TIPPECANOE COUNTY, INDIANA

TITLE:
SKETCH PLAN

FILE: P:\2019\19104 SorensonWow CR675 East\DRAWINGS\SURVEY\19104-SURVEY SP.dwg , USER: CHRIS BRUNSWA , DATE: Wednesday, February 12, 2020 10:12:36 AM

S-4899
WOOD ROW MINOR SUBDIVISION
Minor-Sketch Plan

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and owner Eastland Development, LLC by its manager, Derrin Sorenson, represented by Patrick Williams of TBird Design Services, 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.

AREA ZONING PATTERNS:

The original 80 acre parent tract was split into two tracts by the extension of McCarty Lane. This 36 acre portion of the 80-acre parent tract, located between McCarty Lane and CR 675 E, south of CR 10 S is zoned R1, Single-family Residential. There have not been any parcelizations or previous minor subdivisions from the parent tract; 31 acres will be in the remaining tract. Land on the east side of CR 675 E is zoned AW, Agricultural Wooded as is the land north of CR 10 S. Property west of McCarty Lane is zoned either R1B or R1. There will be two minor subdivision development rights remaining with this parent tract after the recording of this subdivision.

AREA LAND USE PATTERNS:

The two proposed lots are not adjacent to each other, but are separated by a small ravine. The area encompassing these two lots is wooded, but beyond the lots the parent tract is mostly farmed. Large lot single-family homes line the east side of CR 675 E. Country Aire Estates subdivision exists to the northwest; Barrington Woods & Barrington Lakes subdivisions are under development to the west / southwest.

TRAFFIC AND TRANSPORTATION:

CR 675 E is classified as a rural local road which requires a 30’ half-width right-of-way. The County Highway Department is not requiring a “no vehicular access” statement along the frontage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

A letter from the County Health Department states that, “both parcels contain site areas that can be considered for a shallow trench subsurface absorption system, sand lined absorption system or elevated sand mound. These systems may require pump assisted tanks depending on landscape position of the system, location of home and size of the system required. A perimeter drain will be required to lower the seasonal highwater table. An outlet for the drain is available on the property without need of an easement.”

The County Surveyor's Office will need to approve drainage before the final plat can be recorded.

CONFORMANCE WITH UZO REQUIREMENTS:
Setbacks shown are correct; lot widths and areas exceed the minimum R1 zone standards.

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).

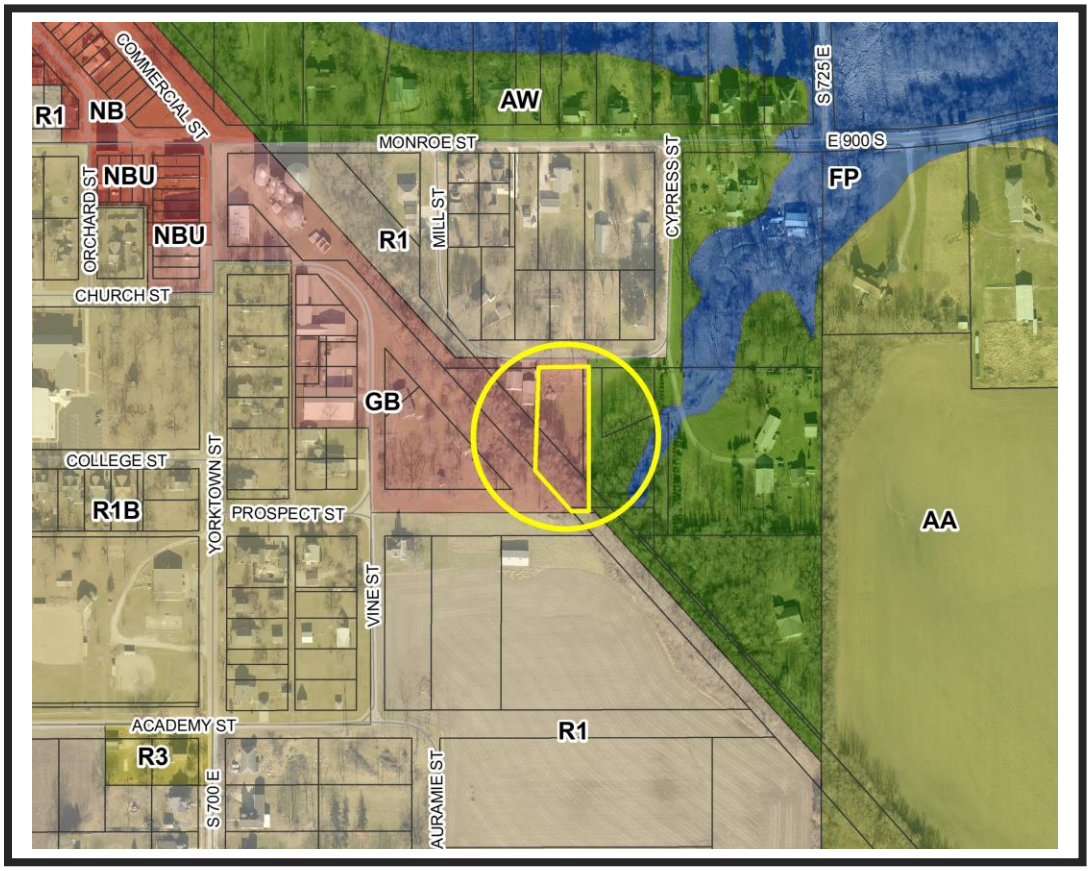
3. All required building setbacks shall be platted.

4. The 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.

Z-2776
TAMMY APPELBAUM
(GB to AW)

STAFF REPORT
October 10, 2019



Z-2776
TAMMY APPELBAUM
GB to AW

Staff Report
October 10, 2019

Note: In response to staff's query regarding this case, petitioner's attorney emailed staff that, "We will proceed with this rezoning even if we do not have a response from the State." This case has been granted three continuances that total four months and must be heard at the February meeting.

The original staff report sent out in October is below.

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, who is the owner, and represented by attorney Joseph Bumbleburg, is requesting rezoning of 0.721 acres to build a new single-family home. This property is also known as 9036 Mill Street in the unincorporated town of Stockwell, in Lauramie 9 (NW) 23-3

ZONING HISTORY AND AREA ZONING PATTERNS:
This rezone site is currently zoned GB. Land to the west, which is the same parcel, is also zoned GB. Property adjacent to the east is zoned AW. Platted lots to the north across Mill Street are zoned R1. Farther east is Flood Plain zoning associated with an unnamed tributary to Lauramie Creek.

AREA LAND USE PATTERNS:
The petitioner's shop buildings are on the same property to the west of the legal description in this request. She would like to rezone this area to build a new residence. A residence was removed in 2006 from the rezone site. Petitioner owns several lots adjacent to the area in this request.

TRAFFIC AND TRANSPORTATION:
Mill Street is considered a local road according to the *Thoroughfare Plan* and requires a 25' setback from the front property line. This area of Stockwell is separated from the core of the platted area by old railroad right-of-way. Mill Street is gravel and there is no storm sewer, curb, gutter, or sidewalks.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
According to petitioner's attorney the site is served by sanitary sewer and a private well. No bufferyard is required in the AW zone.

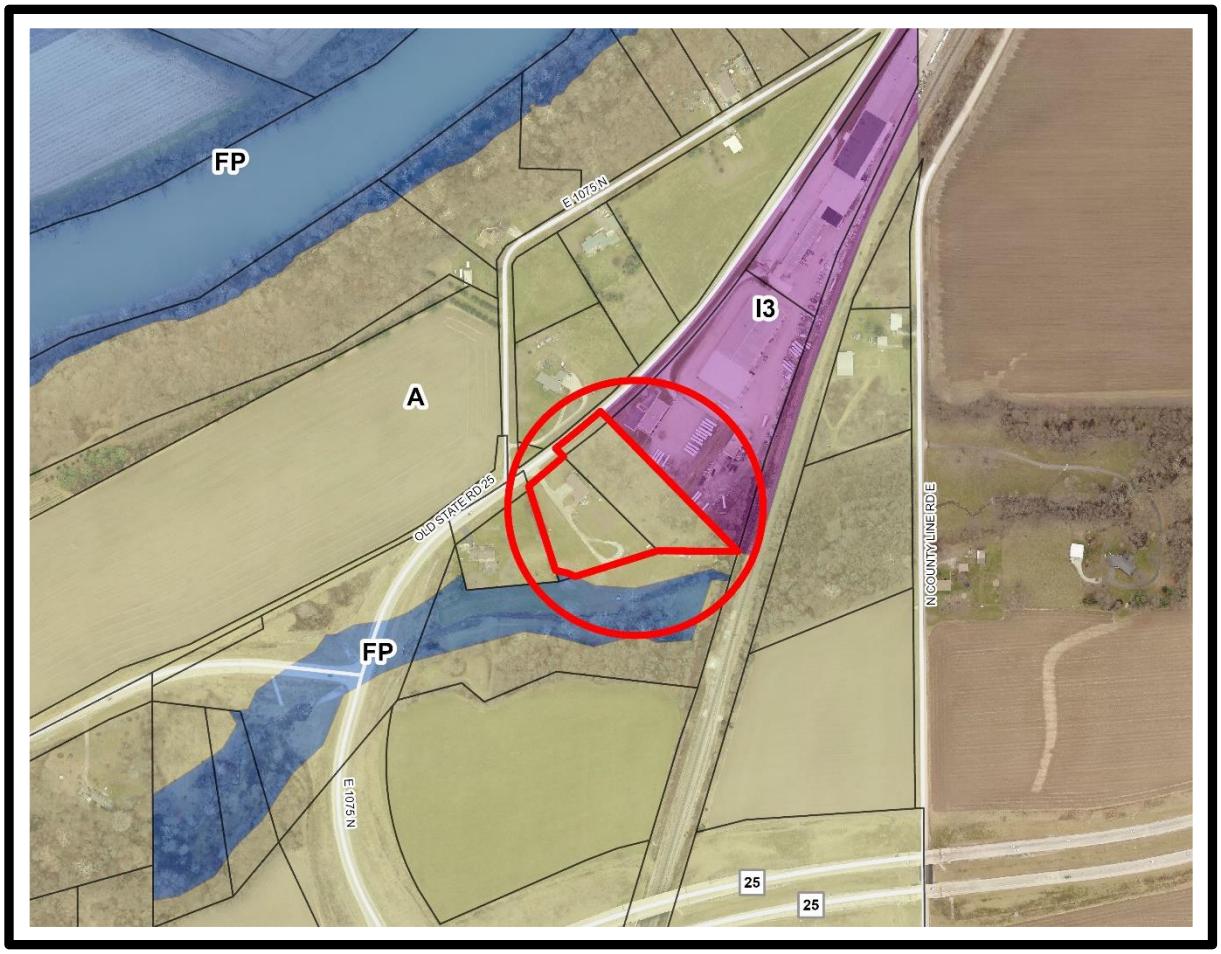
STAFF COMMENTS:
Petitioner would like to build a new home in the area being rezoned. The rezoned area will need to be combined with adjacent land (for example by an Exemption E deed) so the business and home are on separate lots. The petitioner's lots will need to be reconfigured so that the new home meets required setbacks. Petitioner's attorney mentioned that there could be an additional building constructed for the business. Staff has concerns about the expansion of the business not having adequate area zoned commercially.

Staff understands that the area around this site has a rural feel because of the street conditions, lack of pavement and no curb or gutters, and the low density of the area, but staff does not support rezones to rural zones when sewer is available. Therefore, staff cannot support this rezone; however, a rezone to the also adjacent R1 zoning district would be supportable.

STAFF RECOMMENDATION:
Denial

Z-2782
ALLOY CUSTOM PRODUCTS, LLC
(A to I3)

STAFF REPORT
February 13, 2020



Z-2782
ALLOY CUSTOM PRODUCTS, LLC
A to I3

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner/owner, represented by attorney Joseph Bumbleburg, is requesting the rezoning of approximately 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. The purpose of this rezone is to potentially expand the operations of the existing industry (Alloy Custom Products).

ZONING HISTORY AND AREA ZONING PATTERNS:
The land in question and virtually all surrounding property is zoned Agricultural, with I3 zoning located to the east of the subject property connected with the original Alloy Custom Products rezone in 1967. Flood Plain zoning is also found north and south of the subject property. There have been no recent rezones or ABZA activity in the immediate vicinity.

AREA LAND USE PATTERNS:
Apart from the industrial use adjacent to the subject property, land in the immediate vicinity is primarily used agriculturally with a scattering of single-family homes.

TRAFFIC AND TRANSPORTATION:
Old SR 25 is classified as a rural secondary arterial. Any new vehicular access points into the subject property will require a driveway permit approved by the Highway Department.

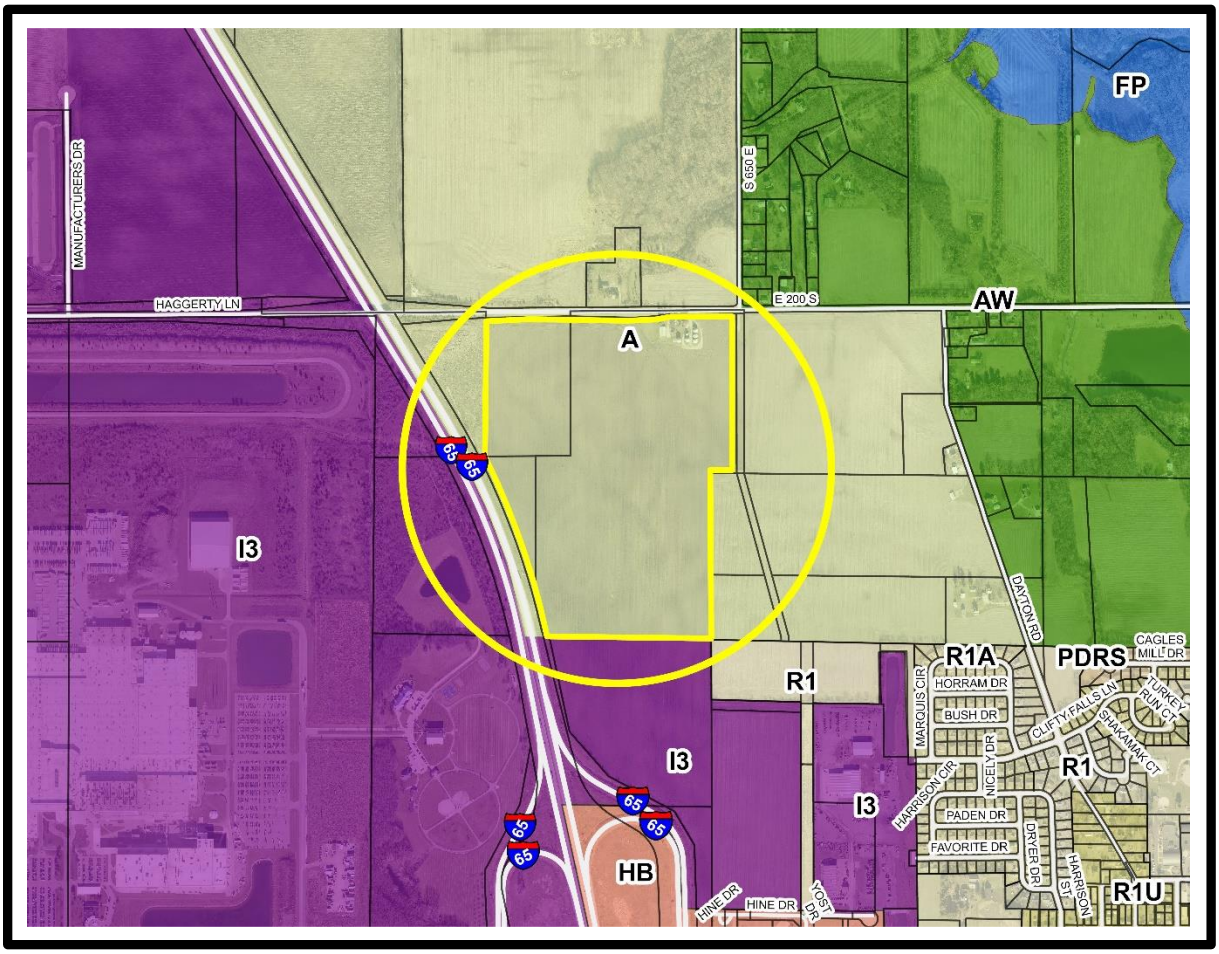
ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Public sewer is not available. Any expansion of the septic system currently serving Alloy Custom Products will require approval from the Health Department. A Type C bufferyard measuring 30’ in width is required where I3 zoning abuts A zoning.

STAFF COMMENTS:
The *Comprehensive Plan of Tippecanoe County* identifies the northeast corner of the county, as an “Urbanizing/Rural” sector. Though off the public sewer grid, these areas are defined in the *Plan* as not being “cast in concrete” relative to future land uses (the subject property is designated “Open Space”), but flexible as development pressures increase. This petition, to potentially expand an existing industrial use, was foreseen by the *Plan* and can be supported.

STAFF RECOMMENDATION:
Approval

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

STAFF REPORT
February 13, 2020



Z-2783
CARR FAMILY FARM, LLC
A to I3

Staff Report
February 13, 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.

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 A. 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.

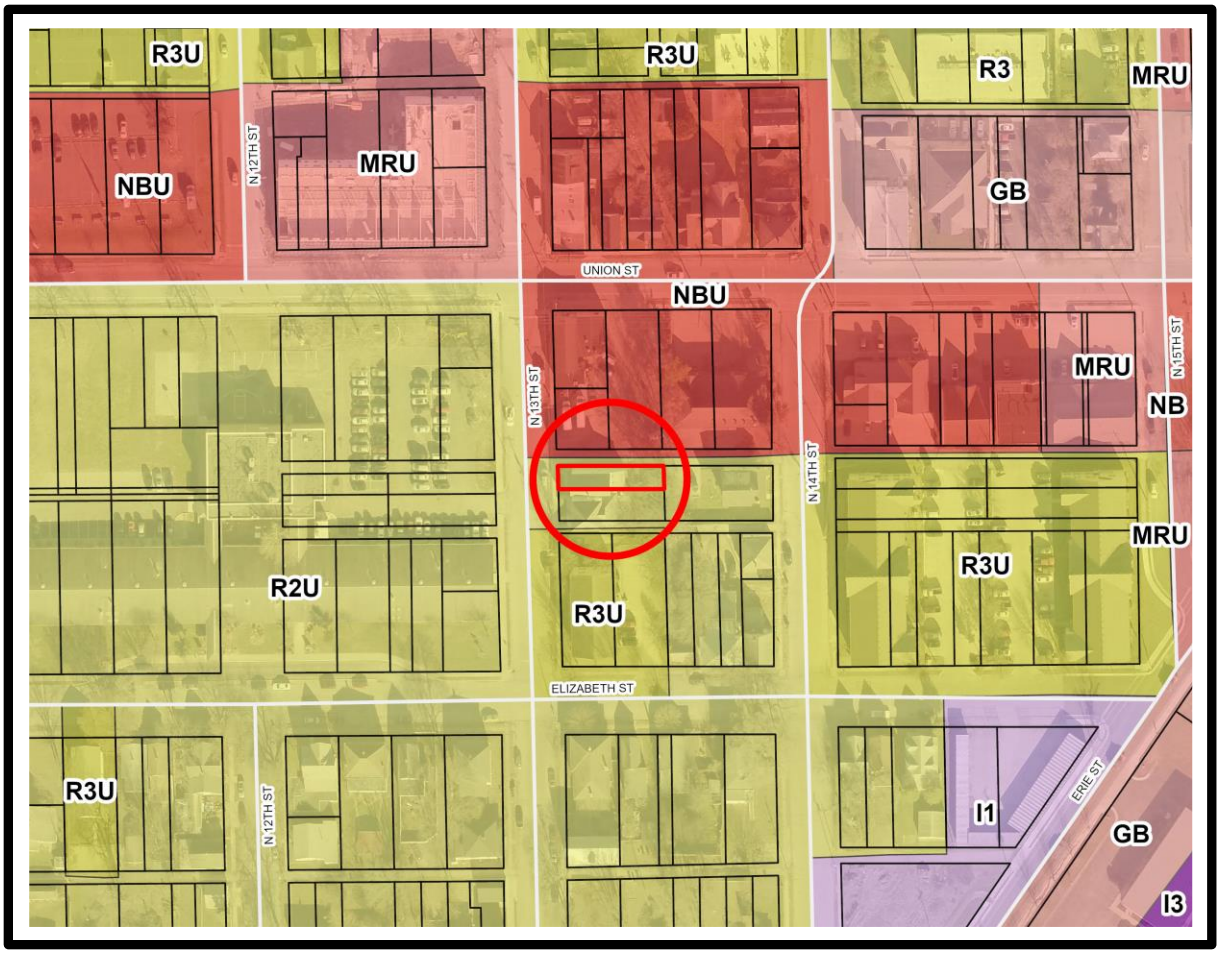
Currently the town is finalizing the "Dayton & Tippecanoe County Joint EDA-TIF district that includes this rezone site; this area is also in the process of being annexed by the town. Once this is completed, APC staff will begin work on a new Comprehensive Plan Amendment for this area to replace the amendment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

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

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.

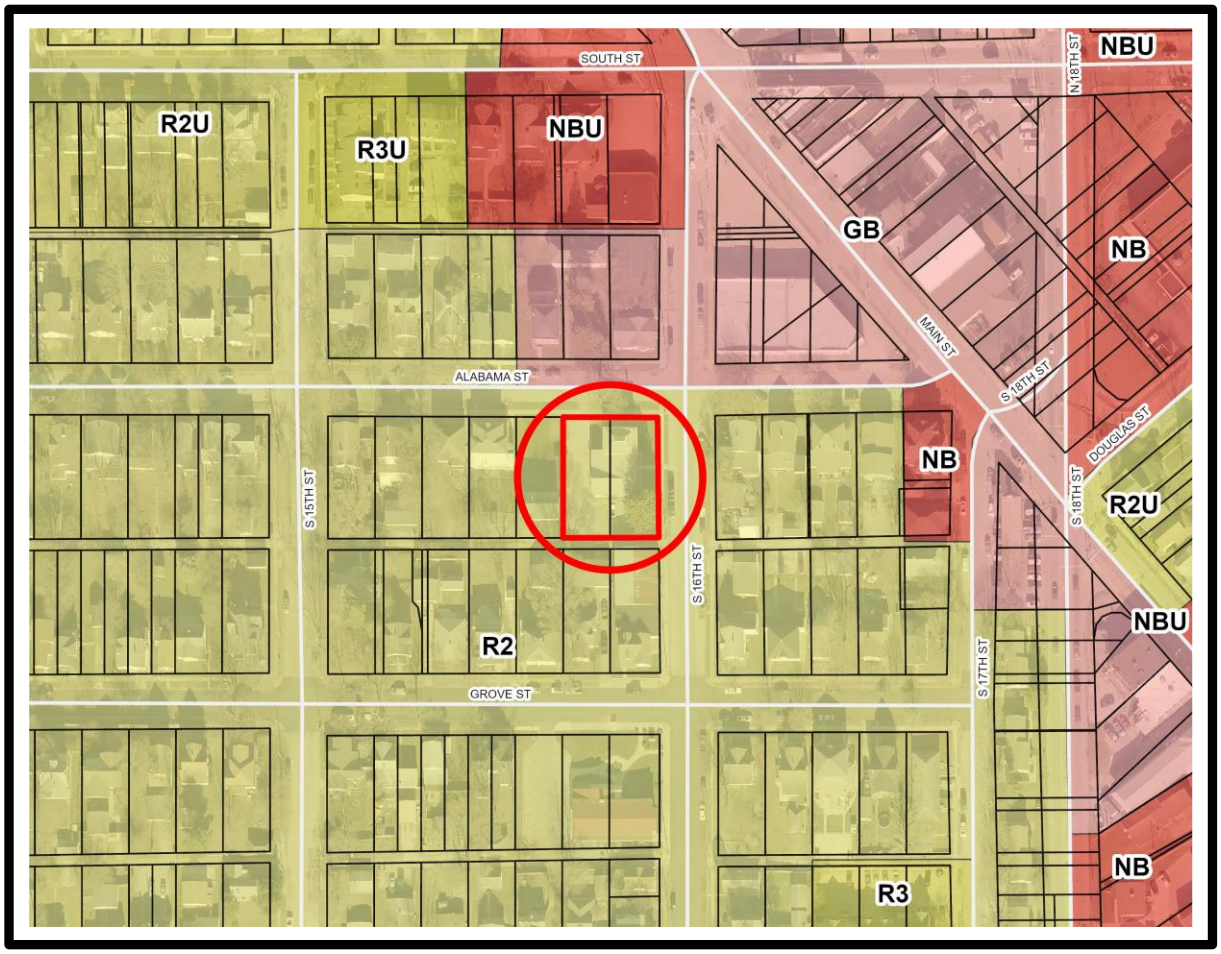
STAFF COMMENTS:
Petitioners plan to convert the first floor of this older home into a commissary for their mobile food truck business while retaining an apartment on the second floor. Currently, the tavern just north of the subject property contains a small kitchen that is used for the food trucks, but 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-2785
ELLIOT ROSE, LLC D/B/A FUEL COFFEE SHOP
(R2 to NBU)

STAFF REPORT
February 13, 2020



Z-2508
Elliot Rose, LLC d/b/a Fuel Coffee Shop
R2 TO NBU

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent from the owner, is requesting a rezoning from R2 to NBU of lots 51 and 52 in Oakland Addition Subdivision. The site is located at the southwest corner of Alabama and S. 16th Streets, more specifically 106 S. 16th Street, Lafayette, Fairfield 28 (NW) 23-4.

If the request is approved, petitioner plans to repurpose the existing historically significant building as a new location for Fuel Coffee Shop as well as residential apartments (one behind the coffee shop and the second above the commercial ground floor) at this location.

ZONING HISTORY AND AREA ZONING PATTERNS:

The earliest zoning maps for the Valley Center neighborhood shows residential zoning. The land in this request, along with the adjoining properties to the west and south are zoned R2. Properties to the north across Alabama Street are zoned General Business whereas, land to the east across S.16th is zoned R2.

The subject property is in the *5Points* revitalization plan identified by the City as the convergence of several historic neighborhoods with high redevelopment potential. In 2018, the City released the final study with recommended growth opportunities in the area.

AREA LAND USE PATTERNS:

The site housed an engineering consultants' business (H. Stewart Kline & Associates Inc.) for decades. The Sanborn map from 1956 shows an office building at this location. Commercial uses are prominent north of Alabama, along South, 18th and Main Streets. Tyrie Mower Repair is to the south across the alley. Bar Barry Liquors is at the northeast corner of Alabama and S. 16th Street. A retail strip center (the former location of Kathie's Homemade Kandies) north of Alabama Street has Nana's Workshop, J&S Sports Cards, and 7 Sins Lafayette. Evergreen Wesleyan Church is farther to the south at Grove Street. Single and two-family homes are still dominant uses in the Valley Center neighborhood.

According to the Assessor's records, a 2,610-sq. ft. one-story addition was added to the original two-story residential structure in 1970. The residential portion of the structure was constructed in 1910 and is considered historically significant per the *5Points* document.

TRAFFIC AND TRANSPORTATION:

Both Alabama and 16th Streets are classified as urban local roads. A graveled parking lot on site has access from the alley. If approved, petitioner must comply with all the applicable requirements of the ordinance before acquiring a change of use permit from the city.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
City sewer and water serve the site. No bufferyard is required between NBU and R2 zoning.

STAFF COMMENTS:
Petitioner plans to relocate Fuel Coffee Shop from its current location on Main Street to the site in this request. The previous business was considered legally nonconforming until it closed a few years ago. Currently, a purchase agreement contingent on rezoning of the property is in place.

Non-residential use of any property with residential zoning is severely limited. Additionally, no structural work could be done to this building if it is damaged. The *5Points* study has identified the building on site as a historically significant structure. Allowing the adaptive reuse of historic buildings aid in the preservation of local architecture valued by the community. Petitioner has confirmed that they are working with the City Engineer's office to identify and address building compliance requirements.

While a coffee shop may generate more traffic (both pedestrian and vehicular) unlike the previous office use, popular public interaction spaces, close to residential neighborhoods are known to improve the quality of life in the neighborhood. Despite gradual commercialization of Main, South and 18th Streets, there are limited prepared food options nearby to serve the residential population. Approving this rezone for Fuel Coffee Shop may address the "food desert" concerns in the area. Staff can support this request because both historical data (Sanborn Map) and future projection (*5Points*) for the subject property indicates a commercial use for the site.

STAFF RECOMMENDATION:
Approval

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

EXECUTIVE COMMITTEE
NOTICE OF PUBLIC HEARING

DATE..... MARCH 4, 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

A. SUBDIVISIONS

RE-0073 CHERRY CREEK ESTATES II – A REPLAT OF LOTS 7, 8 & 9 (rural estate preliminary plat):
Petitioner is seeking primary approval to replat three (3) lots into two (2) on 9.18 acres in the existing rural estate subdivision located on the south side of CR 650 N, 1/4 mile east of CR 50 W, in Tippecanoe 19 (SE) 24-4. *CONTINUED FROM THE FEBRUARY 5TH MEETING BECAUSE THE LAFAYETTE LEADER FAILED TO PUBLISH THE LEGAL AD.*

IV. APPROVAL OF THE MARCH APC PUBLIC HEARING AGENDA

V. APPROVAL OF THE MARCH ABZA PUBLIC HEARING AGENDA

VI. DETERMINATION OF VARIANCES

A. Lafayette Division of the Area Board of Zoning Appeals

VII. REVIEW AND APPROVAL OF THE FEBRUARY 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

Determination of Variance
Area Board of Zoning Appeals
Meeting Date: February 26, 2020

February 13, 2020

1. BZA-2031 THETA NU HOUSING, LLC:
Petitioner is requesting the following variances to raze four existing residential buildings and construct a new sorority building on R3W-zoned land:

1. To increase the building height to 28' at the finished floor of the upper story from the maximum allowed 14'; (UZO 2-10-11)
2. To decrease the parking requirement to 24 spaces from the minimum requirement of 45; (UZO 4-6-3)
3. To eliminate the maneuvering aisle required for parking spaces along the alley; (UZO 4-6-15)
4. To eliminate the no parking setback requirement; (UZO 4-4-6)
5. To reduce the required building setback from Northwestern Avenue to 20' from the minimum requirement of 60'; (UZO 2-10-8)
6. To reduce the street setback from Fowler Avenue to 30' from the minimum requirement of 60'; and (UZO 2-10-8)
7. To reduce the required bicycle parking to 25 spaces from the minimum requirement of 45; (UZO 4-6-7)

on property located at the southeast corner of Northwestern and Fowler Avenues, in West Lafayette, Wabash 19 (NE) 23-4.

2. BZA-2032 JAMES L. AND SHEILA A. COCHRAN:
Petitioners are requesting the following variances to add a residential unit in an existing apartment building on R3W-zoned land:

1. To decrease the required parking to 6 spaces from the minimum requirement of 11 spaces; and (UZO 4-6-3)
2. To reduce the building setback from Vine Street to 7.2' from the minimum requirement of 25'; (UZO 2-10-8)

on property located at the southeast corner of Vine Street and Fowler, more specifically, 229 W. Fowler Avenue in West Lafayette, Wabash 19 (NE) 23-4.

RECOMMENDATION:
Staff advises that the above requests do not constitute use variances.