

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

DATE..... JANUARY 3, 2018
TIME..... 4:30 P.M.
PLACE..... CO. OFFICE BLDG.
20 N. 3rd STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Gerry Keen
Jerry Reynolds
Greg Jones
Tom Murtaugh
Carl Griffin
Jackson Bogan
Gary Schroeder

MEMBERS ABSENT

STAFF PRESENT

Sallie Fahey
Ryan O’Gara
Cat Schoenherr
Kathy Lind
Rabita Foley
Linda Underwood
Zach Williams, Atty.

President Gerry Keen called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the December 6, 2017 Executive Committee public hearing as submitted. Greg Jones seconded and the motion carried by voice vote.

II. NEW BUSINESS

FINAL DETAILED PLANS

RESOLUTION PD-18-01: BALFOUR BEATTY CAMPUS SOLUTIONS (Innovation Place Apartments PD) (Z-2702):

Final Detailed Plans for Innovation Place Apartments Planned Development. The approved preliminary plans allow for the construction of three 4-story mixed-use buildings containing a maximum of 375 units and 835 bedrooms, approximately 7,852 square feet of ground floor retail, and a 24-space off-site parking lot located off a proposed extension of MacArthur Drive (with additional parking available in Purdue’s McCutcheon garage and other Purdue parking facilities). The property is located on the south side of State Street between Gates Road and MacArthur Drive, West Lafayette, Wabash 24 (NW) 23-5.

Gary Schroeder moved to hear and approve **RESOLUTION PD 18-01**. Greg Jones seconded.

Ryan O’Gara presented the zoning map, landscape plan, floor plan, and rendering of the completed structure. He said the West Lafayette Council rezoned the site from PDMX to PDMX in November 2017. These Final Detailed Plans, consisting of construction plans and Final Plat, meet all conditions required at this stage of development. Petitioner will be able to apply for Improvement Location Permits and begin construction once the FDPs are approved, recorded and the required bonding has been submitted. He concluded with a recommendation of approval.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN 47902, attorney representing the petitioner, concurred with the staff report and requested approval.

The Committee voted by ballot 6 yes to 0 no to approve **RESOLUTION PD 18-01**.

III. PUBLIC HEARING

Gary Schroeder moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance for Tippecanoe County, Indiana are hereby entered by reference into the record of each agenda item. Greg Jones seconded and the motion carried by voice vote.

Gerry Keen read the meeting procedures.

A. SUBDIVISIONS

S-4731--DARWIN MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for a 2 lot subdivision on 2.0 acres, (a replat of Lot 2, Vyn Minor Subdivision, located on the northwest side of Darwin Drive, a public street located west of North Sharon Chapel Road and North Newman Road, in Wabash 23(NW)23-5.

Gary Schroeder moved to hear and vote on **S-4731—DARWIN MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, aerial photos and sketch plan. She summarized the area land use and zoning patterns, explaining that this request will use all the remaining development rights within the parent tract. She referred to the site plan showing how Lot 2 is being divided into two smaller lots. The Surveyor's Office will need to review and approve drainage at the final plat stage. The County Health Department said these lots can be considered septic but the number of bedrooms in each house will determine what size septic system is needed. She summarized the remainder of the staff report and concluded with a recommendation of approval, contingent on the following conditions:

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

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM.
4. The street addresses and County Auditor's Key Number shall be shown.

Todd Starr, 413 Teal Road, Lafayette, IN 47905, surveyor representing the petitioner, said this morning Jim Butcher in the Surveyor's Office informed him there is a tile that runs along the east line of both proposed lots and along the south line of Lot 2 that empties out to the southwest. That tile is active and is used for off-site storm water for heating and cooling geo-thermal systems. A 15' utility drainage easement is platted along the south and east lot lines of Lot 2 but his client has agreed to extend the 15' utility drainage easement line along the whole east side of Lot 1 to preserve the integrity of the line. He said he will add a note on the final plat to preserve the drainage tile. He concurred with the staff report, agreed to the conditions and requested approval.

Gary Carlson, 200 North Sharon Chapel Road, West Lafayette, IN 47906, said his home abuts this proposed subdivision and he has lived in his home for 30 years. This piece of property was known as the Meadows and was a larger tract before a couple of very big houses on large lots were built. He looked

forward to having one house on this 5-acre tract. He is not happy that the nature of the area is changing because the houses are being built on smaller lots. Friends of his looked at building on this property but they did not do it because the drainage on site is not very good.

Preston Smith, 2537 Raintree Drive, West Lafayette, IN 47906, said he built his home on a 1.2 acre site directly north of this site and he wanted this property to remain one large lot. He has drainage concerns because rain causes a river to run through the south edge of his property. He added that his lot was not able to support an inground septic system and it had to be built on a mound.

Gerry Keen explained that Drainage Board approval is a condition of this subdivision approval and will be the next step after the subdivision is approved.

Carl Behnke, 2525 Raintree Drive, West Lafayette, IN 47906, said his property abuts this site. He also has drainage concerns because his property floods when it rains. He is glad this subdivision will need Drainage Board approval.

Scott Blocher, 2515 Woodpecker Lane, West Lafayette, IN 47906, asked if this subdivision will get final approval today.

Zach Williams replied that the only issue before the Committee is whether or not this subdivision proposal complies with the subdivision ordinance requirements. There is not much discretion here. All objections must be with regard to ordinance compliance.

Scott Blocher said the signs were posted two weeks ago in the middle of the holiday season. The subdivider is an outsider who does not live in the neighborhood. He understands there is not much the neighbors can do at this point.

George Wyncott, 2540 Woodpecker Lane, West Lafayette, IN 47906, said staff referred to development rights earlier and he thinks he understands what that is. He asked how he can find out if there are additional development rights in his neighborhood so he can know what to expect and how many lots can be created.

Kathy Lind asked Mr. Wyncott to contact her in the APC office about development rights in his area. Often some research needs to be done to make that determination.

The Committee voted by ballot 6 yes to 0 no to grant conditional primary approval for **S-4731—DARWIN MINOR SUBDIVISION (minor-sketch)**.

Sallie Fahey suggested the remonstrators call the County Surveyor's Office to set up an appointment to talk about their drainage concerns.

IV. APPROVAL OF THE JANUARY AREA PLAN COMMISSION PUBLIC HEARING AGENDA:

Gary Schroeder moved that the following subdivision petition be placed on the January 17, 2018 Area Plan Commission public hearing agenda at petitioners' request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:
S-4733—SHENANDOAH PLACE SUBDIVISION (major-preliminary)

Greg Jones seconded and the motion carried by voice vote.

Gary Schroeder moved that the following rezoning petitions be placed on the January 17, 2018 Area Plan Commission public hearing agenda:

Z-2708—BLACK WALNUT FARM, INC.,
Z-2713—BRADLEY L. COHEN, and
Z-2714—M&C DEVELOPMENT, LLC

Greg Jones seconded and the motion carried by voice vote.

V. APPROVAL OF THE JANUARY ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petition be placed on the January 24, 2018 Area Board of Zoning Appeals Public Hearing agenda:

BZA-1973—ART HURTEAU, DOMINO'S

Greg Jones seconded and the motion carried by voice vote.

VI. DETERMINATION OF VARIANCES – Lafayette Division

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

CASE #2018-01—TIPPECANOE DEVELOPMENT II, LLC

Greg Jones seconded and the motion carried by voice vote.

Carl Griffin joined the meeting in progress.

VII. REVIEW AND APPROVAL OF THE DECEMBER BUDGET REPORT

Sallie Fahey explained that the Budget Report is created from our financial program created for us by the County's MITS Department. The balance shown under *Full-Time Personnel* comes from our actual APC timesheets. This year we had to replace three staff members due to relocation or retirement and each had vacation and/or compensatory payouts that the APC timesheets do not pick up. The payouts are done through the Auditor's office and we had to call to get the actual figures. The report shows a balance of \$17,508.36 when that figure is reduced by \$9,158.11 due to the payouts. We are still showing a balance because the new hires are being paid at a lower rate than the persons they replaced. We show a balance of \$15,024.85 under *Operating Expenses* but that budget report is not picking up the \$967.00 we will be encumbering into CY2018. The budget report distributed tonight is actually our year-end report with the verbal additions she just gave.

Gary Schroeder moved to approve the December budget report as submitted. Greg Jones seconded and the motion carried by voice vote.

VIII. OTHER BUSINESS

None

IX. ADJOURNMENT

Gary Schroeder moved to adjourn. Greg Jones seconded and the motion carried by voice vote.

The meeting adjourned at 4:55p.m.

Respectfully submitted,



Linda Underwood
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director