

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

DATE..... APRIL 3, 2019
 TIME..... 4:30 P.M.
 PLACE..... CO. OFFICE BLDG.
 20 N. 3rd STREET
 LAFAYETTE, IN 47901

MEMBERS PRESENT

Jackson Bogan
 Jerry Reynolds
 Carl Griffin
 Gary Schroeder
 Larry Leverenz

MEMBERS ABSENT

Tom Murtaugh
 Greg Jones

STAFF PRESENT

Sallie Fahey
 Ryan O'Gara
 Kathy Lind
 Diana Trader
 Zach Williams, Atty.

Vice President Jackson Bogan called the meeting to order.

I. APPROVAL OF MINUTES

Carl Griffin moved to approve the minutes from the March 6, 2019 Executive Committee public hearing as submitted. Gary Schroeder seconded, and the motion carried by voice vote.

II. NEW BUSINESS**A. PRIMARY APPROVAL EXTENSION REQUEST****RAINTREE MEDICAL PARK (S-4096):**

The developer, Gary Schroeder (represented by Tim Balensiefer of TBIRD Design Services) is requesting a two-year extension of the primary approval originally granted April 15, 2009. The preliminary plat includes 28 lots on 33.97 acres, located on the north side of Haggerty Lane, just northeast of the SR 38 intersection, in Fairfield 35(SE)23-4

Carl Griffin moved to hear and vote on S-4096 RAIN TREE MEDICAL PARK. Jerry Reynolds seconded.

Gary Schroeder left the meeting at 4:31 pm due to a conflict of interest.

Sallie Fahey presented the zoning map, plat and aerial photos. Sallie said this is a request to extend the primary approval of this commercial subdivision. She said the subdivision is located on the north side of Haggerty Lane, just northeast of the SR 38 intersection. Sallie said there are a total of 28 lots on 34 acres originally approved April 15, 2009. She said the construction plans for the entire subdivision have been approved. Sallie said a final plat for 1 lot was approved in February 2010, and the next final plat, for 2 lots, was recorded this past December. She said a draft final plat with 4 lots was recently filed for review, and after this latest plat is recorded there will be 23 acres left to develop. Sallie said it is staff's

opinion that nothing in the ordinance has changed that would require re-platting and staff recommends approval of the extension for 2 years, based on the original conditions of the subdivision.

Tim Balensiefer, TBIRD Design Services Corporation, 105 N. 10th Street, Lafayette, IN 47901, representative for the petitioner, said he agreed with staff's comments and requested approval.

The Executive Committee voted 4-yes to 0-No to grant the two-year extension for **S-4096 RAINTREE MEDICAL PARK.**

Gary Schroeder rejoined the meeting at 4:34 pm.

III. PUBLIC HEARING

A. SUBDIVISIONS:

1. **S-4822 MORTON MINOR SUBDIVISION (minor-sketch):**

The City of West Lafayette is seeking to replat several old platted lots into one, on 1.846 acres (the site of the former Morton School) that forms the block bounded by North Chauncey Avenue, Salisbury, Columbia and North Streets, in West Lafayette, Wabash 19 (NE) 23-4. CONTINUED FROM THE MARCH 20TH APC MEETING IN ORDER TO FILE REQUESTS FOR SUBDIVISION VARIANCES.

Carl Griffin moved to hear and vote on **S-4822 MORTON MINOR SUBDIVISION (minor sketch).** Gary Schroeder seconded.

Kathy Lind presented the zoning map, plat and aerial photos. Kathy said the petitioner is the City of West Lafayette. She said the property in question is the old Morton School, which is now the Morton Community Center. She said the property is zoned R3W as are the lots to the north and east of the block. She said the area to the west is zoned CBW and there are many PDs to the south and west. Kathy said there are currently 7 or 8 platted lots that the city wants to replat into 1 large lot. Kathy said there is also a platted alley that runs east to west through the property. She said the petitioner is in the process of vacating the alley. Kathy said there are 2 variances that go along with the subdivision. She said Chauncey Avenue is a primary arterial with a 40-ft half-width right-of-way requirement. She said Salisbury Street is a secondary arterial with a 35-ft half-width requirement. Kathy said these 2 arterial classifications require the dedication of additional right-of-way along Chauncey Avenue and Salisbury Street but, she said there is no reason to widen the right-of-way and it is fine the way it is. Kathy said the West Lafayette Board of Works has recommended approval of not requiring additional right-of-way. Kathy presented the sketch plan and said some additional right-of-way will need to be dedicated along the frontage of N. Salisbury Street and a portion of the North Street frontage to complete the 30-ft half-width for these existing streets. Kathy said there is sewer and water available. Kathy said staff is recommending conditional primary approval and staff is also recommending approval of the variances.

Conditional primary approval, contingent on the following:

A. Variances

1. A variance to waive the required 40-ft half width right-of-way dedication along the North Chauncey Avenue frontage, maintaining the existing 30-ft half width right-of-way.
2. A variance to waive the required 35-ft half width right-of-way dedication along the Salisbury Street frontage, maintaining the existing 30-ft half width right-of-way.

B. Conditions

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

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

Gene Gosewehr, Butler Fairman & Seufert, Inc., 301 South Street, Suite 200, Lafayette, IN 47901, representative for the petitioner, said he agrees with staff's recommendation.

Carl Griffin said the half-width right-of-way is measured from the mid-point of the road. He asked when the lots were platted and when the school was built.

Gene Gosewehr said the lots were platted earlier than 1920 and the school was built in 1929.

The Executive Committee voted 5-Yes and 0-No to approve variance #1 and 5-Yes and 0-No to approve variance #2 for **S-4822 MORTON MINOR SUBDIVISION (minor-sketch)**.

The Executive Committee voted 5-Yes and 0-No for conditional primary approval of **S-4822 MORTON MINOR SUBDIVISION (minor-sketch)**.

2. **S-4825 WISE FARMS NORTH SUBDIVISION (minor-sketch):**

Petitioner is seeking primary approval for a one lot subdivision on 1.25 acres, located on the south side of CR 500 N approximately 1/3 mile east of CR 1000 E, in Washington 36 (NW) 24-3.

Carl Griffin moved to hear and vote on **S-4825 WISE FARMS NORTH SUBDIVISION (minor sketch)**. Gary Schroeder seconded.

Kathy Lind presented the zoning map, plat and aerial photos. She said the petitioner's property is located on the south side of CR 500 N. She said it is located close to the county line and the town of Colburn is a couple of miles to the north. Kathy said the property is zoned Agricultural as is all the surrounding area. She said it is a 22-acre parent tract and this is the first division from the parent tract. Kathy said staff is recommending conditional primary approval with the following conditions:

A. Conditions

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

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

2. All required building setbacks shall be platted.
3. The street addresses and County Auditor's Key Number shall be shown.

Bob Gross, R.W. Gross & Associates, 420 Columbia Street, Suite 100, Lafayette, IN 47901, representative for the petitioner, said the conditions are standard and very acceptable.

The Executive Committee voted 5-Yes to 0-No for conditional primary approval of **S-4825 WISE FARMS NORTH SUBDIVISION (minor-sketch).**

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

Carl Griffin moved that the following amendment to the Unified Zoning Ordinance be placed on the April 17, 2019 Area Plan Commission public hearing agenda:

UZO AMENDMENT #96 REGARDING WECS.

Gary Schroeder seconded, and the motion carried by voice vote.

Carl Griffin moved that the following subdivision petitions be placed on the April 17, 2019 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-4829 BLACK WALNUT FARM SUBDIVISION, PHASE 2 (minor-sketch), and S-4830 SCI WEST POINT FIRST ADDITION (major-preliminary).

Gary Schroeder seconded, and the motion carried by voice vote.

Carl Griffin moved that the following rezoning petition be placed on the April 17, 2019 Area Plan Commission public hearing agenda:

Z-2758 PAUL BRANHAM (NB to I1), and Z-2759 PAUL BRANHAM (NB to GB)

Gary Schroeder seconded, and the motion carried by voice vote.

V. APPROVAL OF THE MARCH ABZA PUBLIC HEARING AGENDA

Carl Griffin moved that the following petition be placed on the April 24, 2019 Area Board of Zoning Appeals Public Hearing agenda:

BZA-2012 WEST LAFAYETTE SCHOOL BUILDING CORPORATION

Gary Schroeder seconded, and the motion carried by voice vote.

VI. DETERMINATION OF VARIANCES – Lafayette Division

Carl Griffin moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

CASE #2019-09 SHOSHONE APARTMENTS, LLC & VANTAGE POINTE APARTMENTS, LLC, and CASE #2019-10 COMPUTERS MADE EASY, and CASE #2019-11 HUSTON ELECTRIC (FOR PANERA BREAD)

Gary Schroeder seconded, and the motion carried by voice vote.

Carl Griffin moved that the sign ordinance be strictly adhered to for the following request:
CASE #2019-11 HUSTON ELECTRIC (FOR PANERA BREAD)

Gary Schroeder seconded, and the motion carried by voice vote.

VII. REVIEW AND APPROVAL OF THE MARCH BUDGET REPORT

Sallie Fahey said there is nothing of note under Expenditures this Month. Sallie said the March budget report is very routine.

Carl Griffin moved to approve the March budget report as submitted. Gary Schroeder seconded, and the motion carried by voice vote.

VIII. OTHER BUSINESS

IX. ADJOURNMENT

Carl Griffin moved to adjourn.

The meeting adjourned at 5:10 p.m.

Respectfully submitted,

Diana E. Trader

Diana E. Trader

Acting Recording Secretary

Reviewed by,

Sallie Dell Fahey

Sallie Dell Fahey
Executive Director