

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

DATE..... SEPTEMBER 5, 2018
 TIME..... 4:30 P.M.
 PLACE..... CO. OFFICE BLDG.
 20 N. 3rd STREET
 LAFAYETTE, IN 47901

MEMBERS PRESENT

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

MEMBERS ABSENT

Gerry Keen

STAFF PRESENT

Sallie Fahey
 Ryan O’Gara
 Kathy Lind
 Linda Underwood
 Zach Williams, Atty.

President Tom Murtaugh called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the August 1, 2018 Executive Committee public hearing as submitted. Greg Jones seconded and the motion carried by voice vote.

II. NEW BUSINESS

Sallie Fahey said **S-4777—LOCUST GROVE MINOR SUBDIVISION (minor-sketch)** will need to be continued to the September Area Plan Commission meeting because the Journal & Courier failed to publish the legal ad.

FINAL DETAILED PLANS

1. RESOLUTION PD-18-04 SOUTH STREET CAPITAL, LLC (SSC State Northwestern PD) Z-2718:

Final Detailed Plans for the SSC State Northwestern Planned Development. The approved preliminary plans allow for the construction of a 5-story mixed-use building containing a maximum of 36 fully-furnished residential units with 96 bedrooms, approximately 7,833 square feet of ground floor retail, approximately 3,750 square feet of optional basement level retail and 34 off-site parking spaces. The property is located at the northwest corner of State and Northwestern, 300 W. State Street, West Lafayette, Wabash 19 (NE) 23-4.

Gary Schroeder moved to hear and approve **RESOLUTION PD-18-04--SOUTH STREET CAPITAL, LLC (SSC State Northwestern PD) Z-2718.** Greg Jones seconded.

Ryan O’Gara said the site was rezoned to PDMX by the West Lafayette Common Council in May 2018.

He said the project almost fell into abandonment in 2012 but new owners revived the project with just a few architectural changes. He then presented the zoning map, aerial photo, the site plan, drawings of the exterior elevations and a rendering of the finished building. These Final Detailed Plans, consisting of the Construction Plans and Final Plat, meet all conditions at this stage of development. Petitioner will be able to apply for improvement location permits and begin construction once the Final Detailed Plans are approved and bonding has been submitted and accepted. He concluded with a recommendation of approval.

Kevin Riley, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, concurred with the staff report and requested approval.

The Committee voted 6 yes to 0 no to approve **RESOLUTION PD-18-04--SOUTH STREET CAPITAL, LLC (SSC State Northwestern PD) Z-2718.**

2. RESOLUTION PD-18-05 BROWNING INVESTMENTS, LLC (Convergence Discovery Park District PD – Phase 1) Z-2726:

Final Detailed Plans for phase 1, lot 1, of the Convergence Discovery Park District Planned Development. The approved preliminary plans allow for the platting of two lots. Phase 1, lot 1 is planned to contain a 5-story, 143,329 square foot commercial office building with ground floor retail. Phase 2, lot 2 is planned to contain a 5-story parking garage with (in its total build out) 1,161 parking spaces. The property is located at 300 W. State Street, West Lafayette, Wabash 19 (NE) 23-4.

Gary Schroeder moved to hear and approve **RESOLUTION PD-18-05—BROWNING INVESTMENTS, LLC (Convergence Discovery Park District PD – Phase 1) Z-2726.** Greg Jones seconded.

Ryan O’Gara said the site was rezoned to PDMX by the West Lafayette Common Council in June 2018. He then presented the site plan and southwest and northwest renderings of the completed project. These Final Detailed Plans, consisting of the Construction Plans and Final Plat for the first phase, meet all conditions at this stage of development. He explained that Phase 1 of the development includes the office building, abutting new streets, and a temporary surface parking lot south of the site. Petitioner will be able to apply for improvement location permits and begin construction once the Final Detailed Plans are approved and bonding has been submitted and accepted. He noted that the staff report stated that a letter from FAA was needed before these FDPs could be approved and said staff received a copy of the FAA’s approval. He concluded with a recommendation of approval.

Mike Wiley, 1330 Win Hentschel Boulevard, West Lafayette, IN 47906, surveyor representing the petitioner, concurred with the staff report and requested approval.

The Committee voted 6 yes to 0 no to approve **RESOLUTION PD-18-05—BROWNING INVESTMENTS, LLC (Convergence Discovery Park District PD – Phase 1) Z-2726.**

III. PUBLIC HEARING

Tom Murtaugh read the meeting procedures.

Gary Schroeder moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Plan Commission, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Greg Jones seconded and the motion carried by voice vote.

Gary Schroeder moved to continue **S-4777—LOCUST GROVE MINOR SUBDIVISION (minor-sketch)** to the September 19, 2018 Area Plan Commission public hearing. Greg Jones seconded and the motion passed by unanimous voice vote.

SUBDIVISIONS

1. **S-4779--HOOT & MARY'S GROVE SUBDIVISION (minor-sketch):**

Petitioner is seeking primary approval for a one lot subdivision on 3.816 acres, located on the south side of CR 250 N, approximately 1/2 mile west of the East County Line Road, in Perry 12 (SE) 23-3.

Gary Schroeder moved to hear and vote on **S-4779—HOOT & MARY'S GROVE SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, aerial photos, parcelizations map, and site plan. She referred to the parcelization map to highlight the eight parcels that were created from the two parent tracts in 2002. She said this 69 acre parent tract has already had four parcelizations. Petitioner has filed for dissolution of one of the parcels and the dissolution will need to be recorded prior to recordation of the final plat of this subdivision. She referred to the site plan and said the 3.235 acres shown on the sketch plan north and west of proposed Lot 1 is actually parcel #8 and a smaller portion of parcel #7 with the 20' wide flag "pole" dividing parcel #7. Both of these parcels must be shown on the final plat so it is clear the de facto 3.25 acre lot is being created since Lot 1 cuts this acreage off from the larger property holdings to the south. 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 street addresses and County Auditor's Key Number shall be shown.
4. The dissolution filing of parcel 4 from P02-129 will need to be completed and recorded prior to recordation of the final plat.
5. Parcel 8 and a portion of parcel 7 from P02-128 will need to be shown and its recording information referenced on the final plat.

Robert Gross, 420 Columbia Street, Suite 100, Lafayette, IN 47901, surveyor representing the petitioner, concurred with the staff report, agreed to the conditions and requested approval.

The Committee voted by ballot 6 yes to 0 no to grant conditional primary approval for **S-4779—HOOT & MARY'S GROVE SUBDIVISION (minor-sketch)**.

2. **S-4781--NEUHOFF MEDIA MINOR SUBDIVISION (minor-sketch):**

Petitioner is seeking primary approval for a one lot subdivision on 3.213 acres, located at 3575 McCarty Lane, the south side of McCarty Lane between US 52 and Creasy Lane in Lafayette, Fairfield 34 (NE) 23-4.

Gary Schroeder moved to hear and vote on **S-4781—NEUHOFF MEDIA MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, aerial photos and sketch plan and pointed out where the remaining 6.599 acres to the south will be attached by an Exemption E deed to the property adjacent to the east. She said the site is industrially zoned along with most of the properties on McCarty Lane. She referred to the aerial to highlight the radio station, guyed communications tower, and paved parking lot on site. She pointed out the surrounding uses that are a mix of grandfathered residences, commercial properties, industrial businesses, and recreational uses. 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 street addresses and County Auditor's Key Number shall be shown.

Todd Starr, 413 Teal Road, Lafayette, IN 47905, surveyor representing the petitioner, concurred with the staff report, agreed to the conditions and requested approval.

The Committee voted by ballot 6 yes to 0 no to grant conditional primary approval for **S-4781—NEUHOFF MEDIA MINOR SUBDIVISION (minor-sketch)**.

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

Gary Schroeder moved that the following item of New Business be placed on the September 19, 2018 Area Plan Commission public hearing agenda:

RESOLUTION 2018-04

Greg Jones seconded and the motion carried by voice vote.

Gary Schroeder moved that the following subdivision petitions be placed on the September 19, 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-4784—I65 INDUSTRIAL PARK SUBDIVISION (major-preliminary),

S-4785—P.S.I. MINOR SUBDIVISION (minor-sketch), and

S-4786—HUFF MINOR SUBDIVISION (minor-sketch)

Greg Jones seconded and the motion carried by voice vote.

Gary Schroeder moved that the following rezoning petitions be placed on the September 19, 2018 Area Plan Commission public hearing agenda:

Z-2646--BRIAN L. ANDREWS (zoning commitment termination),

Z-2739—PURDUE RESEARCH FOUNDATION (OR to R4W),

(petitioner later corrected to **Z-2739—PURE DEVELOPMENT, INC.**)

Z-2740—MICHAEL THOMPSON/HAMILTON DESIGNS, LLC (A to GB), and

Z-2741—CHARLES R. VAUGHN, TRUSTEE (I3 to R1)

Greg Jones seconded and the motion carried by voice vote.

V. APPROVAL OF THE SEPTEMBER ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the September 26, 2018 Area Board of Zoning Appeals Public Hearing agenda:

BZA-1995—PINE LODGE COMPANY and

BZA-1996—MURTAUGH LAW, LLC

Greg Jones seconded and the motion carried by voice vote.

Gary Schroeder moved that the following BZA petition for Special Exception does not substantially adversely affect the Comprehensive Plan;

BZA-1995—PINE LODGE COMPANY

Greg Jones seconded and the motion carried by voice vote.

VI. DETERMINATION OF VARIANCES – Lafayette Division

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

CASE #2018-18--HELEN M. TATE and
CASE #2018-19—PIZZA HUT OF LAFAYETTE, INC.

Greg Jones seconded and the motion carried by voice vote.

Greg Jones moved that in the following case the sign ordinance be strictly adhered to:

CASE #2018-19—PIZZA HUT OF LAFAYETTE, INC.

Greg Jones seconded and the motion carried by voice vote.

VII. REVIEW AND APPROVAL OF THE AUGUST BUDGET REPORT

Sallie Fahey said most of the \$346.60 expenditure shown under *Travel Costs & Mileage* is the registration fee for Larry Aukerman to attend the annual Flood Plain Managers Conference in Evansville. By attending the conference he is able to keep his Certified Flood Plain Manager Certification current with continuing education credits. Larry Aukerman also has an opportunity to meet and talk with colleagues around the state. The \$1,000 expense shown under *Dues & Subscriptions* is for our annual National Association of Regional Councils membership. We get a significant benefit in transportation updates and advocacy in Washington.

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

VIII. OTHER BUSINESS


Sallie Fahey said next week the county will hold its budget hearings for the 2019 county budgets. She emailed the Budget & Personnel Committee for the Plan Commission and noted that she did not make any recommendations for changes to the APC budget other than the County Commissioner's recommendation for a 2% pay increase for employees. She said she also met with John Basham & Kathy Vernon, the County Council representatives for all the county departments that have anything to do with development. The county has to cut millions of dollars from the budget and even though our budget was flat, she authorized a \$1,500 reduction.

IX. ADJOURNMENT

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

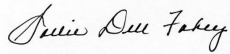
The meeting adjourned at 4:55p.m.

Respectfully submitted,



Linda Underwood
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director