

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

DATE.....October 17, 2018
TIME.....6:00 P.M.
PLACE.....County Office Bldg.
20 N. 3rd Street
Lafayette, IN 47901

MEMBERS PRESENT

Vicki Pearl
Diana Luper
Tom Murtaugh
Gary Schroeder
Jackson Bogan
Jerry Reynolds
Dave Williams
Gerry Keen
Perry Brown
Michelle Long
Tyrone Taylor
Roland Winger
Tracy Brown
Larry Leverenz

MEMBERS ABSENT

Jake Gray
Dr. Carl Griffin
Greg Jones

STAFF PRESENT

Sallie Fahey
John Burns
Zach Williams, Atty.

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 17th day of October, 2018 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Tom Murtaugh called the meeting to order.

I. BRIEFING SESSION

Sallie Fahey said **Z-2715—EVERGREEN CAMPUS RENTALS, LLC – MICHAEL LIN (R3W to PDRS)** needs to be continued to the November 21, 2018 meeting because they did not get their sign posted in time. **Z-2745—REDWOOD ACQUISITIONS, LLC (R3 & GB to R3)** also needs to be continued to the November 21st meeting because the public Notice to Interested Parties was not mailed to APC.

II. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the September 19, 2018 meeting. Vicki Pearl seconded, and the minutes were approved by unanimous voice vote.

III. NEW BUSINESS

RESOLUTION 2018-05:

A resolution determining that the West Lafayette Redevelopment Commission resolution and amendment to add one new project to the economic development plan for the Kalberer/Cumberland/Blackbird Economic Development Area and one new project to the economic development plan for the Levee/Village Economic Development Area conform to the Comprehensive Plan for Tippecanoe County.

Gary Schroeder moved to hear and approve **RESOLUTION 2018-05**. Vicki Pearl seconded.

Sallie Fahey displayed a map of the Economic Develop Areas (EDA) and TIFs in West Lafayette and pointed out the 2015 Levee and Levee Expansion area in the bottom right and said that TIF is now called the Village Levee EDA. She then pointed out the Kalberer, Cumberland, and Blackbird Farms (KCB) EDA that we will be addressing tonight. The West Lafayette Redevelopment Commission is asking for two projects to be added to each TIF District. The Economic Development Commission has adopted its resolution and APC is being asked to determine if the two projects are in compliance with the *Comprehensive Plan* before the West Lafayette Common Council can give its approval. The KCB project is for the construction of the \$34,000,000 indoor recreation and aquatic center with community meeting rooms in Cumberland Park. The Levee/Village project is for the renovation of Morton Center to accommodate the new \$12,000,000 West Lafayette City Hall to keep all city offices and community and education rooms in the building. The Redevelopment Commission plans to issue a bond to raise the money for the completion of both projects. The Phased Land Use Plan of the *Comprehensive Plan* deals with land in the developed urban area and also land in the urbanizing area. A decision-making matrix is used for land in the urbanized area that takes in factors like sanitary sewer, paved road, and current expected land use. With that matrix we can provide new information by applying changes to the matrix and looking at land uses again. The Levee/Village EDA is part of the developed urban area and the Morton Center is already a public facility, so no redevelopment is anticipated for that property and the use will continue. Staff believes it is in compliance with the *Plan*. The KCB portion is in the urbanizing area and the plan calls for an open space future that was ensured by the city when it purchased the land and created Cumberland Park. The addition of a recreation and aquatic center on that property also complies with the adopted *Plan*.

The Commission voted by ballot 14 yes to 0 no to approve **RESOLUTION 2018-05**.

IV. 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. Vicki Pearl seconded, and the motion carried by voice vote.

Gary Schroeder moved to continue **Z-2715—EVERGREEN CAMPUS RENTALS, LLC – MICHAEL LIN (R3W to PDRS)** and **Z-2745—REDWOOD ACQUISITIONS, LLC (R3 & GB to R3)** to the November 21, 2018 Area Plan Commission public hearing. Vicki Pearl seconded, and the motion carried by voice vote.

A. SUBDIVISIONS

1. **S-4775--PURDUE RESEARCH PARK, PHASE 2, PART 3, SECTION 4 (major-preliminary):**
Petitioner is seeking primary approval for a two-lot mixed use subdivision on 12.27 acres. The north 1.6-acre lot will be commercial and the 10.67-acre lot will be multi-family residential with seven 3-story apartment buildings, each containing 36 units for a total of 252 units. The site is located at the southwest corner of Yeager Road and Kalberer Road, in West Lafayette, Wabash 1 (SE) 23-5. CONTINUED FROM THE AUGUST APC MEETING AT PETITIONER'S REQUEST.

Gary Schroeder moved to hear and vote on **S-4775—PURDUE RESEARCH PARK, PHASE 2, PART 3, SECTION 4 (major-preliminary)**. Vicki Pearl seconded.

Sallie Fahey presented the zoning map, aerial photos and preliminary plat. She explained that this property has been the subject of three rezone cases. Proposed Lot 2 at the southwest corner of the intersection is zoned NB with the rest of the site zoned R4W and platted as Lot 1. She highlighted the area zoning history and area land use patterns. She referred to the aerial to point out the landscaped trail bordering the entire west side and the large stormwater detention pond. Both Yeager and Kalberer have existing dedicated right-of-way that meet or exceed the required standards. One drive is being proposed for each street with locations approved by the West Lafayette City Engineer. The preliminary plat shows Lot 2 can only be accessed by way of off-site drives so ingress/egress easements must

be platted over the drives to guarantee access to Lot 2. She said the UZO requires 504 parking spaces for the proposed 252-unit apartment complex. Petitioner intends to provide 432 parking spaces and a parking variance request will be heard by the ABZA at its October 24th meeting. The ABZA will also hear a variance to reduce the 30' wide Type C bufferyard along the Lot 1 and Lot 2 shared lot lines to a 20' Type B bufferyard at the same meeting. If either variance is denied the construction plans and final plat will need to show the required standards. She said petitioner has requested permission to bond and concluded with a recommendation of 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 drainage plans shall be approved by the West Lafayette City Engineer.
2. Indiana American Water Company, Inc. shall approve the water plans.
3. The fire hydrants locations shall be approved by the West Lafayette Fire Department, in cooperation with the Indiana American Water Company.
4. 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.
5. The required and/or varied bufferyards shall be shown with the standard plant unit details. The bufferyards shall be installed as part of required public improvements.

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

6. Except for the approved entrances, a "No Vehicular Access" statement shall be platted along the Kalberer Road, Yeager Road and McClure Avenue right-of-way lines.
7. Ingress/egress easements shall be platted on Lot 1 to guarantee access from the Kalberer Road and Yeager Road entrances to Lot 2.
8. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
9. If granted by the Area Board of Zoning Appeals, the parking and bufferyard variances shall be noted on the final plat with the case number and date of approval. If either or both zoning variances are denied by the Board, the construction plans and final plat will need to show the required standards.
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.

Daniel Teder, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, concurred with the staff report, agreed to the conditions and requested approval along with permission to bond.

The Commission voted by ballot 14 yes to 0 no to grant conditional primary approval for **S S-4775—PURDUE RESEARCH PARK, PHASE 2, PART 3, SECTION 4 (major-preliminary)**.

The Commission also voted by ballot 14 yes to 0 no to permit bonding for **S-4775—PURDUE RESEARCH PARK, PHASE 2, PART 3, SECTION 4 (major-preliminary)**.

B. REZONING ACTIVITIES

1. **Z-2743--AREA PLAN COMMISSION (US 231 CORRIDOR REZONE – GB, NB, I3, PDRS, OR, A, R1 & R2 to GB, NB, I2, OR, R1, R1B, R2, & R3W):**
Petitioner is requesting rezoning of the US 231 Corridor from Sagamore Parkway on the north extending south to the corridor's intersection with South River Road to the southeast, in West Lafayette, Wabash 30 Township 23N, Range 4W; as well as Wabash sections 2, 11, 12, 13, 14, 23, 24, 25, 26 and 36 Township 23N, Range 5W.

Gary Schroeder moved to hear and approve **Z-2743--AREA PLAN COMMISSION (US 231 CORRIDOR REZONE - GB, NB, I3, PDRS, OR, A, R1 & R2 to GB, NB, I2, OR, R1, R1B, R2, & R3W)**. Vicki Pearl seconded.

Sallie Fahey presented the zoning map and aerial photos with close-ups of the various areas in the corridor. She said this corridor rezone is being done at West Lafayette's request. She said this corridor and its vicinity have seen numerous rezones and ABZA actions before and after the 1998 adoption of *NUZO* and the completion of the roadway

in 2013. Staff relied heavily on West Lafayette staff and a steering committee was formed. The plan was vetted at several Ordinance Committee meetings where we had good public participation that resulted in a few changes. The land uses patterns in the corridor are diverse (residential, non-residential, university-related) and she referred to the corridor map to highlight how US 231 is a primary arterial spine and where the important primary and secondary arterials intersect (South River Road, Airport Road, State Street, Lindberg Road, Cumberland Avenue, and Sagamore Parkway). The 2018 adopted *US 231 Corridor Plan* guided the creation of this proposal and the land use plan's policy is to avoid the commercial strip development style many primary arterials have fallen into over the years and instead favors two commercial nodes at the Cumberland and Sagamore intersections only. The rest of the corridor should develop residentially with university-related development dominating the southern half giving the corridor a more residential parkway feel. The Discovery Park District will find its western gateway at the State Street intersection and innovative zoning tools like new zoning districts and form-based overlays will be used to realize this district's potential. This rezone is ready to be heard after multiple Ordinance Committee public hearings and if approved, will set the stage for the development of the corridor for years to come. She concluded with a recommendation of approval. She added that the Cherry Lane project that will extend Cherry Lane from its existing end at McCormick to US 231 now has funding and we expect it to be let for construction in spring 2019.

Roland Winger asked for the rationale behind the large area of R1 zoning between State Street and north of Cherry Lane on the proposed zoning map. He is concerned about the church at State and US 231.

Sallie Fahey said some of the zoning in that area does not matter because Purdue-owned land is exempt from zoning. She added that Purdue and PRF are fine with the R1 zoning. Churches are permitted in residential zones.

Erik Carlson, 222 North Chauncey, West Lafayette, IN 47906, West Lafayette Director of Development, thanked staff for all the work they put into this project. He stated he knows approval of the corridor rezone will help modernize the City of West Lafayette.

The Commission voted by ballot 14 yes to 0 no to recommend approval of **Z-2743--AREA PLAN COMMISSION (US 231 CORRIDOR REZONE-GB, NB, I3, PDRS, OR, A, R1 & R2 to GB, NB, I2, OR, R1, R1B, R2, & R3W)** to the West Lafayette Common Council.

This case will be heard by the West Lafayette Common Council at its November 5, 2018 meeting. Petitioner or his representative must appear.

2. Z-2744--FORBICK ENTERPRISES, LLC (A to R2):

Petitioner is requesting the rezoning of 1.48 acres in order to construct 6 duplexes on property located on the west side of Klondike Road, south of the railroad crossing and north of Lindberg Road, more specifically, 2270 Klondike, Wabash 10 (SE) 23-5.

Gary Schroeder moved to hear and approve **Z-2744—FORBICK ENTERPRISES, LLC (A to R2)**. Vicki Pearl seconded.

John Burns presented the zoning map, aerial photos, non-binding site plan and a proposed building layout. He said originally this site had IR zoning (Industrial Reserve) as a holding zone for land with some potential for industrial uses where residential and industrial uses were permitted by right. In 1997 the IR zones were replaced with transitional OR zoning (Office Research) until the site was rezoned A by APC in 1998. He said earlier this year the County purchased the site for the Klondike Road reconstruction project. The single-family home on-site was razed and the site was made available for redevelopment. Klondike Road is being reconstructed to improve traffic flow, increase pedestrian safety, and enhance the drainage system for stormwater. The reconstructed road will have a 6' sidewalk on one side and a 10' trail on the other side. The road will have two driving lanes with a dedicated, two-way left-turn center lane. The first phase of the three-phase road project will be happening in front of the subject property. Petitioner has explained that he plans to leave as many trees as possible post construction. Petitioner has also stated that the proposed project will be designed to attract university faculty, retirees, young professionals, and graduate students. He added that petitioner also owns Lindberg Point Apartments approximately 1000' to the south at the northwest corner of Klondike and Lindberg. Staff feels R2 zoning for this site will allow for proper infill that reflects the different housing styles and densities in the surrounding area and he concluded with a recommendation of approval.

Daniel Teder, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, distributed a handout showing the style of building the petitioner plans to construct. The buildings will be one-story with brick and stone. The second page of the handout lists the interior amenities. The units will have two bedrooms and attached garages, making this a high-end complex with rents around \$1,100 per month. The petitioner will extend water and sewer to the site.

The Commission voted by ballot 14 yes to 0 no to recommend approval of ~~Z-2744—FORBICK ENTERPRISES, LLC (A to R2)~~, to the Tippecanoe County Commissioners.

This case will be heard by the West Lafayette Common Council at its November 5, 2018 meeting. Petitioner or his representative must appear.

V. ADMINISTRATIVE MATTERS

None

VI. APPROVAL OF THE NOVEMBER EXECUTIVE COMMITTEE AGENDA

Gary Schroeder moved that the following subdivision petitions be placed on the November 7, 2018 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:

~~S-4792—HADAR MINOR SUBDIVISION (minor-sketch),
S-4793—LT JONES FAMILY SUBDIVISION (minor-sketch), and
S-4794—BIGGS MINOR SUBDIVISION (minor-sketch),~~

Vicki Pearl seconded and the motion carried by unanimous voice vote.

VII. DETERMINATION OF VARIANCES – AREA BOARD OF ZONING APPEALS

Gary Schroeder 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:

~~BZA-1986—PURE DEVELOPMENT, INC. and
BZA-1991--SHERYL S. KENNY~~

Vicki Pearl seconded and the motion was approved by unanimous voice vote.

VIII. DIRECTOR'S REPORT

Sallie Fahey said she has nothing to add to the report that was emailed earlier today but said she is available to answer any questions.

IX. CITIZEN COMMENT AND GRIEVANCES

None

X. ADJOURNMENT

Roland Winger moved to adjourn.

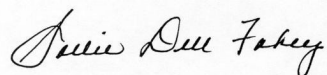
The meeting adjourned at 6:45p.m.

Respectfully Submitted,



Linda M. Underwood
Recording Secretary

Reviewed By,



Sallie Fahey
Executive Director