

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

DATE..... July 21, 2021
TIME..... 6:00 P.M.
PLACE..... County Office Building
20 North 3rd Street
Lafayette, IN 47901

This meeting was held in-person. Members of the public may watch the video of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>

MEMBERS PRESENT

Vicki Pearl
Bob Metzger
Carla Snodgrass
Larry Leverenz
Diana Luper
Michelle Dennis
Tracy Brown
Tom Murtaugh
Jackson Bogan
Perry Brown
Kathy Parker
Lisa Dillum
Gary Schroeder
Jerry Reynolds
Greg Jones

MEMBERS ABSENT

Jason Dombkowski

STAFF PRESENT

David Hittle
Ryan O’Gara
Maureen McNamara
Larry Aukerman
Kathy Lind
Eric Burns, Atty

The Area Plan Commission of Tippecanoe County Public Hearing was held virtually on the 21st day of July 2021 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

I. BRIEFING SESSION

David Hittle noted that all cases on the agenda are set to go forward tonight.

II. APPROVAL OF THE MINUTES

Gary Schroeder moved to approve the minutes from the June 16, 2021 meeting. Greg Jones seconded and the motion carried by unanimous voice vote.

III. NEW BUSINESS

RESOLUTION 2021-02 AN EXPANSION OF THE McCARTY LANE SOUTHEAST INDUSTRIAL EXPANSION AREA:

A resolution determining that the expansion of the McCarty Lane Southeast Industrial Expansion Area conforms to the Comprehensive Plan for Tippecanoe County, specifically expanding the area to include land between I-65 and Dayton Road, south of Haggerty Lane to the Dayton town limits.

Gary Schroeder moved to hear and vote on **RESOLUTION 2021-02 AN EXPANSION OF THE McCARTY LANE SOUTHEAST INDUSTRIAL EXPANSION AREA.** Greg Jones seconded.

David Hittle presented the map of the industrial expansion area. He summarized the staff report. NO AUDIO FOR THIS PORTION DUE TO TECHNICAL DIFFICULTIES.

Jackson Bogan asked if the petitioner or their representative wished to speak.

Doug Masson, Attorney for the Lafayette Redevelopment Commission, noted that the Redevelopment Commission adopted this resolution for the expansion. This is being done to open a source of funding for the development and extension of Yost Drive from Haggerty Lane South. He respectfully requested approval.

Jackson Bogan asked for citizen comments.

Ron Koehler, Town of Dayton, said the Dayton Town Council and the town have been fighting Yost Drive for two years. The town wants mixed-use in this area, not an avenue for trucks and warehouses. The town does not want this road and he has spoken with county commissioners about this. The town has spent money to cancel the road in Dayton. He asked if the road will be going on private property. He said this road will disrupt the small town with jammed traffic and trucks. He said the town council did not know about this resolution until today and he asked that this be continued to discuss this with the council.

Dan Teder, Reiling Teder & Schrier, said the Carr family, of whom he represents, owns a few of the parcels that are being developed for Yost Drive. The Carr family is supportive of the project.

Tom Murtaugh added that the property being developed for this project is not in Dayton. There was a joint TIF between the county and Dayton to include the portion just south of this. However, Dayton decided not to proceed with their portion of the road. This portion of Yost Drive will be in the county. AT the fair, he was stopped by people from Dayton that support this project.

Gary Schroeder asked if Lafayette City limits are to the west of the interstate.

Tom Murtaugh said that is correct.

Jackson Bogan clarified that the Commission is voting on the road project in Tippecanoe County, not Dayton.

The Area Plan Commission voted by ballot 14-Yes to 1-No to approve **RESOLUTION #2021-02.**

IV. 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

Greg Jones seconded, and the motion carried by voice vote.

A. Ordinance Amendments

1. UZO AMENDMENT #100-A:

This amendment is identical to the previously approved UZO Amendment #100 except for three minor changes to the provisions regarding shipping containers.

Gary Schroeder moved to hear and vote on **UZO AMENDMENT #100-A.** Greg Jones seconded.

Kathy Lind noted that UZO Amendment 100 was passed in May by the APC and was passed by the City of Lafayette and West Lafayette but was tabled by the County Commissioners. Amendment 100-A has only three changes from the original. Limiting the number of shipping containers to 4 per farming operation has been removed. A standard that only allows the containers to be used for storage related to the farming operation on site has been added. This is to ensure that someone does not rent out shipping containers for storage. As well as a standard that does not allow the container to be located between the primary use building and the front lot line.

Jackson Bogan asked for questions from the commission.

The Area Plan Commission voted by ballot 15-Yes to 0-No to recommend approval for **UZO AMENDMENT #100-A.**

2. UZO AMENDMENT #101:

This amendment would add requirements for a form-based overlay for the historic Highland Park Neighborhood to Chapter 7.

Gary Schroeder moved to hear and vote on **UZO AMENDMENT #101.** Greg Jones seconded.

Ryan O’Gara displayed the aerial for the Highland Park neighborhood. He noted that a steering committee was formed in 2018 to discuss future construction in the neighborhood and how to preserve the current historical esthetic. The neighborhood is comprised of front-loaded homes with detached garages with a unique street grid. Lafayette City Council voted in 2019 to allow APC to look at zoning solutions for this area and create a form-based overlay. This is a neighborhood specific amendment that addresses new construction. This amendment creates standards for the layout of the homes, permitted materials and architectural design.

Jackson Bogan asked for questions from the commission. There were none

Ken Jones, 922 Highland Avenue, acted as the chair of the steering committee in developing this form-based overlay. This neighborhood was envisioned to be a unique neighborhood that does not fit in the city grid. The goal of this amendment is to preserve the look and feel of Highland Park. This historic neighborhood has constant updates and sometimes new construction. This committee explored many options to address new construction and involved the whole neighborhood. Ken passed out examples of houses that are not wanted in the neighborhood and results of a neighborhood survey.

Eric Vandevoorde, 918 Highland Avenue, said his family bought a house in the neighborhood 4 years ago. He believes the character of the neighborhood is worth protecting with the form-based overlay.

Dennis Carson, Economic Development Director for City of Lafayette, said the neighborhood and City staff have been working on this since 2018. He supports the form-based overlay and said he was available for questions.

Jim Rawlings, 922 S 9th Street, has lived in the neighborhood for 14 years and believes that the neighbors are good stewards in maintaining the historic homes. He thanked the Commission for their time.

Michael Hunt, Centennial Neighborhood, supports the petition for Highland Park. Centennial Neighborhood was the first to have an overlay to preserve the historic nature of the neighborhood.

Jenelle Rotar, 608 Wyandotte Avenue, was also part of the steering committee and supports this amendment.

Susan Whittemore, 914 Highland Drive, has lived in the neighborhood for 38 years and supports the hard work of the committee and the overlay.

Ben Zumdahl, 609 Lingle Avenue, believes this overlay is broadly supported by the neighborhood and asked for the support from the Commission.

Ryan O'Gara read a letter of support from Susan Bradford, 720 Central Avenue.

Lisa Dullum asked if this only pertains to new construction and if additions are impacted by this.

Ryan O'Gara said this is for new construction.

The Area Plan Commission voted by ballot 15-Yes to 0-No to recommend approval for **UZO AMENDMENT #101.**

B. Rezoning Activities

1. Z-2832 THE RIDGE GROUP, INC. (R3 and NB to R3):

Petitioner is requesting rezoning of 10.03 acres located on the west side of Paramount Drive, just north of the Cuppy-McClure Regulated Drain, for a proposed apartment complex (Wabash Lofts) with 9 multi-family buildings, located in Wabash 2 (NE) 23-5.

Gary Schroeder moved to hear and approve **Z-2832 THE RIDGE GROUP, INC. (R3 and NB to R3).** Greg Jones seconded.

Ryan O'Gara presented the zoning map, aerial photos and staff report. The area is a mix of commercial business and multi-family housing off of Sagamore Parkway. He noted that the petitioner has not stated that this would be a student housing complex. This has plans to be a multi-family development. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wished to speak.

Chris Shelmon, Gutwein Law, agreed with the staff recommendation and report. this will be non-student focused, market-rate housing. He respectfully requested approval.

Tyler Ridge, petitioner, said this project is a class A non-student market-rate project. The Ridge Group is finishing a project on Lindberg Road in West Lafayette and are looking forward to working on this project. He respectfully requested approval.

Jackson Bogan asked for comments or questions from the commissioner. There were none.

The Commission voted by ballot 15-Yes to 0-No to recommend approval to the Tippecanoe County Commissioners for **Z-2832 THE RIDGE GROUP, INC. (R3 and NB to R3).**

2. Z-2833 W & W LAFAYETTE PROPERTIES, LLC (I3 to GB):

Petitioner is requesting rezoning of three tracts totaling 8.187 acres located on the south side of McCarty Lane, east of Sagamore Parkway, specifically 3459 McCarty Lane in Lafayette, Fairfield 34 (NE) 23-4.

Gary Schroeder moved to hear and approve **Z-2833 W & W LAFAYETTE PROPERTIES, LLC (I3 to GB).** Greg Jones seconded.

Kathy Lind presented the zoning map, aerial photos and staff report. She said SR 38 is to the south of the property and is surrounded by GB zoning. There have been 9 rezone requests for Industrial to GB in the last 30 years in this area. There is currently a one-story office on the site and it is currently being used as storage for Wabash National. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wished to speak.

Dan Teder, Reiling Teder & Schrier, said the petitioner is planning to sell parts of the property to the adjoining property owners for car related activities. The building will be sold and improved. He concurred with the staff report and recommendation. He respectfully requested a favorable recommendation.

Jackson Bogan asked for comments or questions from the commissioner. There were none.

The Commission voted by ballot 15-Yes to 0-No to recommend approval to the Lafayette Common Council for **Z -2833 W & W LAFAYETTE PROPERTIES, LLC (I3 to GB).**

3. Z-2834 WALTER CORNELIUS (I3 to R1):

Petitioner is requesting rezoning of 0.31 acres located on the east side of North 9th Street Road, specifically 2839 North 9th Street Road, Fairfield, Longlois Reserve (W1/2) 23-4.

Gary Schroeder moved to hear and approve **Z-2834 WALTER CORNELIUS (I3 to R1).** Greg Jones seconded.

Ryan O'Gara presented the zoning map, aerial photos and staff report. He noted that the surrounding properties are diverse and unique with GB zoning to the south, I3 to the north and west and Flood Plain zoning all around. The site contains an old school house from 1860 that has been the site for different uses. With this rezone, the house will be used for a residential homesite. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wished to speak.

Walter Cornelius, petitioner, said he restored the building when he purchased it in 2016. The home needs to be rezoned so it can be sold as a residence.

Jackson Bogan asked for comments or questions from the commissioner. There were none.

The Commission voted by ballot 15-Yes to 0-No to recommend approval to the Tippecanoe County Commissioners for **Z-2834 WALTER CORNELIUS (I3 to R1).**

V. Administrative Matters

None.

VI. Approval of the August Executive Committee Agenda:

Gary Schroeder moved that the following requests for subdivision be placed on the August 4, 2021 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or noncompliance with the adopted subdivision ordinance:

S-5011 KLEMME-PEDIGO MINOR SUBDIVISION (minor-sketch) and RE-0085 BLUFFS OF BUCK CREEK RURAL ESTATE, PHASE I (rural estate preliminary plat).

Greg Jones seconded and the motion carried by unanimous voice vote.

VII. Determination of Variances – Area Board of Zoning Appeals

No new variances have been filed.

VIII. Director's Report:

David Hittle said Maureen McNamara, who was present, has taken the open planner position.

IX. CITIZEN'S COMMENTS AND GRIEVANCES

None.

X. ADJOURMENT

Gary Schroeder moved to adjourn.

Meeting adjourned at 7:05 p.m.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary