

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

DATE..... August 4, 2021
TIME..... 4:30 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

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

MEMBERS PRESENT

Jackson Bogan
Kathy Parker
Gary Schroeder
Greg Jones
Tom Murtaugh
Larry Leverenz
Jerry Reynolds

MEMBERS ABSENT

STAFF PRESENT

David Hittle
Ryan O’Gara
Kathy Lind
Eric Burns, Atty

President Jackson Bogan called the meeting to order.

Attorney, Eric Burns, called the roll to establish members present.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the July 2021 meeting. Greg Jones seconded and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

PRIMARY APPROVAL EXTENSION REQUESTS BILTZ COMMERCIAL SUBDIVISION (S-2740):

The developer, Fairfield Builders Supply Corporation, is requesting a tenth 2-year extension of the conditional primary approval originally granted September 16, 1998. The site is located on the north side of the US 52 and SR 25 intersection, in Fairfield (Longlois Reserve) 23-4.

APC staff Don Lamb provided the staff report, noting that all improvements were put in place many years ago, and that requested extension applies to the site’s remainder, a four-acre area within the subdivision.

Jackson Bogan asked if the petitioner was present and wished to speak. The petitioner was not present. Mr. Bogan then asked if the commissioners had any questions, and then if anyone in the audience had any comments. There were none. He called for a vote. Mr. O’Gara collected the ballots and noted that all seven were marked for approval.

FINAL DETAILED PLANS RESOLUTION PD-21-03 DOMO DEVELOPMENT COMPANY, LLC (PRECEDENT FLATS PD) Z-2817:

Final Detailed Plans, consisting of Construction Plans and Final Plat for the Precedent Flats Planned Development. The approved preliminary plans, for the proposed single-lot, allow for the construction of a multi-family apartment complex consisting of a maximum of 240-units. The property is located near the northwest corner of the intersection of McCarty Lane and Veterans Memorial Parkway East, Lafayette, Fairfield 25 (NW) 23-4.

Gary Schroeder moved to hear and approve PD-21-03. Greg Jones seconded.

APC staff Ryan O’Gara presented the staff report, aeriels and zoning map, noting that the proposal would provide for a 240-unit apartment complex. He also noted that the rezoning of the site took place within the past year, and that the petitioner has yet to provide required bonding.

Attorney Dan Teter spoke on behalf of the petitioner, requesting approval of the request.

Jackson Bogan polled the plan commissioners and the audience to determine if there were any questions or comments. There were none. He called for a vote. Mr. O’Gara collected the ballots and noted that all seven were marked for approval.

III. 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.

1. SUBDIVISIONS

S-5007 SOUTH LAKE MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval to replat one commercial lot into 2 lots on 2.681 acres, located on the south side of Veteran’s Memorial Parkway and the west side of Promenade Parkway, in Lafayette, Wea 10 (SW) 22-4.

Gary Schroeder moved to hear and vote on **S-5011 KLEMME PEDIGO MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map, plat, and aerial photos, and noted that the petitioner seeks to divide a parcelization initiated in 2016, effectively creating one new buildable lot. She stated that staff supports the request subject to four conditions noted in the staff report.

Roger Fine, representing the petitioner, spoke in favor of the request. He noted that he reviewed and agrees with the staff report and requests approval.

Jackson Bogan asked if anyone wanted to speak on this petition. There was no response. He called for a vote. Mr. O’Gara collected the ballots and noted that all seven were marked for approval.

RE-0085 BLUFFS OF BUCK CREEK RURAL ESTATE, PHASE I (RURAL ESTATE PRELIMINARY PLAT):

Petitioner is seeking primary approval for a 12-lot rural estate subdivision on 29.53 acres, located on the north side of CR 450 N just west of SR 25, in Washington 32 (NE) 24-3.

Gary Schroeder moved to hear and vote on **RE-0085 BUCK CREEK RURAL ESTATE, PHASE I (RURAL ESTATE PRELIMINARY PLAT)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map, plat, and aerial photos, and noted that the petitioner seeks to divide into 12 lots a 29.53-acre property which was rezoned to Rural Estate earlier this summer. Staff is supportive of the request subject to 17 conditions included in the staff report.

Bob Gross, RW Gross and Associates, represented the petitioner and requested approval.

Jackson Bogan asked if anyone else wished to speak to this petition. There was no response. He called for a vote. Mr. O’Gara collected the ballots and noted that all seven were marked for approval, with bonding permission.

IV. APPROVAL OF THE AUGUST 2021 APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following UZO amendment be placed on the August 2021 Area Plan Commission public hearing agenda:

UZO Amendment #102: Changing the definition of the term “lot” in the Unified Zoning Ordinance so that adjacent platted lots in single ownership can be used as one.

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

Gary Schroeder moved that the following subdivision petitions be placed on the August 2021 Area Plan Commission public hearing agenda:

S-5016 TIPPECANOE MALL MINOR SUBDIVISION NO. 6 (minor-sketch):

Petitioner is seeking primary approval for one commercial lot on 1.483 acres (for an existing Hooters Restaurant), located on the east side of Sagamore Parkway South, about 0.2 miles south of the Teal Road intersection, in Lafayette, Fairfield 34 (SE) 23-4.

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

Gary Schroeder moved that the following rezoning petition be placed on the August 2021 Area Plan Commission public hearing agenda:

Z-2836 JOSEPH BOWER, II (R2 to R3):

Petitioner is requesting rezoning of the northwest corner of Asher and Tinkler Streets, in the Perrin Avenue Neighborhood, specifically 424 Tinkler Street, Lafayette, Fairfield 21 (SW) 23-4.

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

V. APPROVAL OF THE AUGUST ABZA PUBLIC HEARING AGENDA

BZA-2061 QUIKTRIP CORPORATION:

Petitioner is requesting the following sign variances for a proposed gas station/truck stop in an HB (Highway Business) zone:

1. To allow a 100’ tall freestanding sign instead of the maximum sign height of 36’ (UZO 4-8-6);
2. To allow a freestanding sign of 632.6 square feet instead of the maximum permitted 40 square feet (UZO 4-8-6);
3. To allow a sign setback of 3.17’ instead of the required setback of 17’ (sign setback is equal to sign height) (UZO 4-8-6); and
4. To allow a total sign area of 909.7 square feet instead of the maximum permitted 207.5 square feet (UZO 4-8-6);

on property located at 1973-1887 Northgate Court, (lots 1-4 in Gateway Park Commercial Subdivision), Battle Ground, Tippecanoe 28 (NE) 24-4.

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

VI. DETERMINATION OF VARIANCE – LAFAYETTE DIVISION OF THE ABZA

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:

CASE #2021-22 INNOVATIVE ENGINEERING & CONSULTING:

Petitioner is requesting the following variances for a proposed Marathon gas station:

1. To allow a 20' freestanding sign setback instead of the required 25.04' (sign setback can be no less than sign height) (UZO 4-8-6);
2. To allow a freestanding sign height of 25.04' instead of the maximum permitted 24' (UZO 4-8-6);
3. To allow a total of 195 square feet of signage instead of the maximum permitted 66 square feet of signage (UZO 4-8-5); and
4. To allow a freestanding sign of 123 square feet instead of the maximum permitted 60 square feet (UZO 4-8-6);

on property located at 3216 Union Street, Lafayette, Fairfield 22 (NW) 23-4.

CASE #2021-23 MENARD, INC:

Petitioner is requesting a parking variance to allow a new “special order pickup lane” and “new yard gate entrance” on the north side of the existing building. The variance would allow a reduction in the required parking from 515 spaces (206,000 square feet of store area divided by 400) to 418 parking spaces (which would equal 1 space per\ 493 square feet instead of 1 space per 400) on property located at 2850 S. Creasy Lane, Lafayette, Wea 2 (NW) 22-4 (UZO 4-6-3).

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

VII. REVIEW AND APPROVAL OF JULY 2021 BUDGET REPORT

Gary Schroeder moved to hear and approve the July 2021 Budget Report as submitted. Greg Jones seconded and the motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

Gary Schroeder moved to adjourn, and voice vote unanimously approved.

Meeting adjourned at 4:54 PM

Respectfully Submitted,

David Hittle