

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

DATE..... September 21, 2022
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

Larry Leverenz
Bob Metzger
Carla Snodgrass
Tracy Brown
Gary Schroeder
Kathy Parker
Jackson Bogan
Vicki Pearl
Lisa Dillum
Greg Jones
Diana Luper
Jason Dombkowski

MEMBERS ABSENT

Jody Hamilton
Perry Brown
Tom Murtaugh
Jerry Reynolds
Michelle Dennis

STAFF PRESENT

David Hittle
Ryan O’Gara
Amanda Esposito
Austin Hammerli
Kristina Lamb
Eric Burns, Atty

The Area Plan Commission of Tippecanoe County Public Hearing was held in-person on the 21st day of September 2022 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Larry Leverenz called the meeting to order.

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

I. BRIEFING SESSION

David Hittle stated all cases are ready to be heard this evening.

II. APPROVAL OF THE MINUTES

Gary Schroeder moved to approve the minutes from the August 17, 2022 public hearing as submitted. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

III. NEW BUSINESS

None.

IV. PUBLIC HEARING

Larry Leverenz 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.

Jackson Bogan arrived.

A. Comprehensive Plan Amendments

Gary Schroeder moved to hear and vote on **RESOLUTION #2022-04**. Greg Jones seconded.

RESOLUTION #2022-04, STOCKWELL LAND USE PLAN:

This is a proposed amendment to the *Comprehensive Plan of Tippecanoe County* for the unincorporated town of Stockwell and its surrounding area.

APC staff David Hittle explained the Comprehensive Plan for Tippecanoe County as a quilt of twenty documents that together account for future land use recommendations for the county. West Lafayette has a new plan for downtown, Dayton is updating their plan, and Battle Ground will soon be updating theirs. Clarks Hill has a plan from the 1990's and the rest of the county is incorporated into a broad plan, dating back to 1981. Ideally, comprehensive plans for an area should be updated every 15-20 years, depending on circumstances. The plan that is dictating what happens in Stockwell dates to 1981, making it well overdue for an update. Stockwell is a relatively constrained area and unique in that it has a sewer system using 25% of capacity. In a county where housing is in short supply, Stockwell and its surrounding areas are attractive to builders. Less than a year ago, APC met with 40-50 Stockwell stakeholders and residents, asking if there was interest in updating the land use plan. Overall, we received a strong 'yes'. A steering committee was formed, two large public meetings took place and then almost monthly the steering committee held meetings. The first public meeting had close to half of the town's population in attendance. The second meeting, an open-house format, was about half the size. One predominant theme of the feedback was people in Stockwell like the town the way it is and didn't want much change. There was a group that was steadfast with not changing anything, to any degree and yet another group that said growth is probably going to happen. Those groups met with a compromise to allow for modest growth but to ensure the growth is compatible with the town character. There is little post WWII development in Stockwell. They have small, compact lots, it's walkable with a traditional older downtown area and old housing stock. The concern is anything that might come in would be dramatically different and that isn't necessarily the desire of the town. There is a strong desire to keep the agricultural belt to not allow or encourage new residential developments in the form of traditional subdivisions, which would erode the character of the town. The 1981 comprehensive plan is not adequate to deal with residential pressures in the area. Re-evaluating the plan allows it to carry a bit more weight than a forty-year-old plan. It provides a bit more assurance to the town that it is not subject to any explosive growth. A minimal set of architectural guidelines were created. New buildings built in the downtown core would be encouraged to be similar in terms of scale. Residentially, guidelines call for not allowing garage dominant houses, a desire to require a front porch and prevent architectural monotony. David referred to the land use map, illustrating the yellow areas that are already zoned for residential development, many of them platted. The cross hatched area is currently agricultural, but if there was a desire to build a new subdivision, the town grid could be continued in that direction. Instead of inserting cul-de-sacs and curvy linear streets, adding different esthetics to the town, we could continue the grid westward with smaller lots to a modest extent. This proposed area is directly south of the existing elementary school. This plan was met with satisfaction to a large degree of the people who are involved with the process. The recommendation the Board makes will be carried to the County Commissioners and they have the ultimate say in this matter.

Vicki Pearl asked what the difference is between low and medium density single family.

David Hittle explained low density is single family development in keeping with what the ordinance currently requires. Pre-WWII, the houses were much smaller on very narrow lots with very compact development, making it much greater in density, what is shown in orange on the land use map.

Larry Leverenz, referring to the first slide, asked if the area outside of the yellow line was all agricultural.

David Hittle confirmed the areas are recommended for agriculture, many designated as prime farmlands.

Lisa Dullum asked if there was any current interest in developing areas around the town.

David Hittle said there was nothing currently in the pipeline, but an occasional phone call comes in. There are some individual permits, a small-scale developer, that has built four or five homes, but nothing is in the inquiry stage as far as new subdivisions.

Larry Leverenz asked for any questions or comments from the audience members.

Bob Shoaf, 7002 Monroe Street, Stockwell, said he was part of the steering committee. He did not have input on the mapping at the November meeting. He stated people attended the meeting because he and his wife and a neighbor spent over \$400 out of pocket to advertise when and where the meeting was going to be held. Material was sent to each box holder in town so that everyone had an idea of what was going on. The meeting was strange, as we were divided into groups and were asked a series of questions. At the end of the meeting, the citizen comments were added up and they said they wanted to be left alone. Residents wanted to leave the area the way it is and not be told from anyone outside the town what they could and couldn't do with their property. Bob moved to Stockwell because of the opportunity it afforded his family to be away from inner city and was has peaceful scenery. The people are friendly and happy. He stated they don't need any new land use reform. There are 160 platted parcels in the city that can be used for development, they don't need the farmland for new developments. The unintended consequences of the development haven't been looked at and can readily be seen in Lafayette; it's too crowded, it will cause a problem with the population in the school and the taxes to the property will be increased. The downtown area doesn't need development for commercial or business, as it's not designed for it. Density in Stockwell is not large enough to support any businesses or banks or anything requiring people to come and go. The town had a restaurant that recently closed and a grocery store that he believes is just barely making it. He would like to leave it like it is right now. If someone wants to change, they can come to the Board for a special exception. As far as the steering committee, Bob said they didn't have a consensus on any issue at all, they didn't get a chance to pick the area map and didn't have any input on this.

Eric Burns called the speakers time at five and half minutes.

Richard Lofland, 9311 Yorktown Street, Stockwell, said he is a lifelong resident of Stockwell and he appreciates the work that's been done on this plan. It gives the residents a little more say as what can and can't come in because they do want to keep the town small, keep it like it is. He would like houses to look decent and not cookie cutter. He thanked David and his committee that worked on the plan. He stated he thinks the Board should adopt it to the Tippecanoe County plan.

Michael Bickett, 6800 Monroe Street, Stockwell, said he agrees with the two gentlemen in that what is already platted is more than enough for the town. The expansion in the striped area and everything that has been added, he doesn't really care for.

Jamie Cochran, 9008 Commercial Street, Stockwell, said her rezoning case is being heard later in this meeting. She has a problem with the red downtown area, the area where her home is. The area is zoned as business, but the area is not viable with no parking. Her neighbor changed zoning to residential and she is petitioning to have her home rezoned as well.

Sunshine Bickett, 6800 Monroe Street, Stockwell, said she has lived there three years. She was part of the steering committee and thinks it is a great plan. She doesn't support expansion outside of the yellow area that is already platted. She lives near the striped area and opposes anything happening there. She said it's a good thing to have a plan in place if someone comes in, we have a little bit of say.

Larry Leverenz asked for any questions or comments from the Commission.

Lisa Dullum asked if she could be shown what the current zoning looks like. The audience members are saying they want it to stay the same, so how is this plan different than what they have today.

David Hittle said in the past, after having comprehensive plans adopted, APC has initiated mass rezoning to meet with the plan but are not doing that in this case. We want there to be a public hearing for any rezoning. The town wants to have a say in residential rezoning on the outside of town getting approved or not. APC is not supporting any rezoning tandem with this adoption. There is exception to a couple of spot-zoning in the middle of town that don't make any sense (R3). Those will be correctively rezoned back to single family and everybody was supportive of that. For the most part, what is currently shown as yellow is already zoned for residential. Response from others was, if there is going to be growth, it makes sense that it would be contiguous with what's already there, continuing the existing street grid and limiting the size. The architectural guidelines make it a bit less likely to be developed because there are more constraints, requirements, and standards to meet.

Lisa Dullum asked if the cross hatched area is currently zoned as agricultural. If so, they are entitled to build some single-family houses there, if they have the proper acreage.

David Hittle replied if anyone wanted to develop this area, it would require rezoning because it is currently zoned agricultural.

Vicki Pearl stated that you can build a home in an agricultural zone.

David Hittle said correct, one home can be built.

Lisa Dullum stated they could then split it up four times.

David Hittle said it is the same way one can develop property anywhere, but to build a subdivision, it would require a rezone. APC is not sponsoring that rezoning; we are leaving it as is.

Jason Dombkowski asked for a clarification. In the staff report, it reads the Steering Committee members received and adopted the plan, but Mr. Shoaf said there was not a consensus on the map or the plan. Jason is unsure on what the consensus is and if the map was adopted by the Steering Committee.

David Hittle said they had several meetings and the map evolved during those meetings. He and other committee members have explained the answers to Mr. Shoaf's questions. He has been a naysayer in this process. There was consensus from the Steering Committee that this is the plan to go forward with.

Jackson Bogan said it was his understanding that this plan would afford more protection for the town versus if we left it the same. We're not saying 'let's develop Stockwell and make it a metropolis' but rather if you're going to build a home here, here's how we would like it to look, using the architectural guidelines that were discussed. This plan lays out a little groundwork. For example, we're not going to let someone build a 10,000 sq. ft. home next to a 1400 sq. ft. home in the middle of town.

David Hittle explained that APC was careful on the caps imposed in the architectural guidelines because people were not necessarily against large lot homes. They were against snout houses, with no character and stand in jarring contrast to the character of the town. Preference is a front porch, a garage not bigger than the home, and avoid a cookie cutter complex with no architectural variety. The other protection is if your town plan is 1-5 years old, it carries a bit more weight than the current 40-year-old plan is today.

Vicki Pearl asked for clarification on the spot-rezones, saying if we pass this plan today, do those rezones get approved with the plan.

David Hittle said those cases will come through as actual rezoning petitions within the next month or two.

Vicki Pearl asked if we are creating a variance issue or non-conformity.

David Hittle said these are very much corrective rezones, R3 to R1. Commercial Street is mostly undeveloped with a post office on the end and a couple of homes in the middle. Jamie Cochran's case is in this area. She owns a house and empty lots, and the long-term intent is to have those areas be residential. APC had the area as red (downtown core) but changed it to pink (mixed use) to accommodate what she is hoping to do. The steering committee was more favorable than the APC staff in moving the area to mixed use.

Jackson Bogan asked if this change from red to pink would affect Jamie's request tonight.

David Hittle said the plan is not adopted yet. The Board will weigh her request considering the current plan.

Vicki Pearl asked if there are others in Jamie's situation, within the downtown corridor area that is red.

David Hittle said the red is the downtown core with a couple of brick buildings, the former café, the Trustees office, and the grocery store. There's a vacant area and an old post office as well.

Vicki Pearl asked for clarification that there are no other homes in the red zone.

David Hittle said he believes that is correct. The buildings are active or inactive commercial or industrial. There is a new built home and an old house in the pink corridor area.

Larry Leverenz asked about a small red area shown on the map, a block away from the downtown core.

David Hittle said it is an older auto repair shop that seems to have functioned well and nobody has concerns with it. The town is comfortable leaving the area as red recommendation.

Jason Dombkowski again asked for distinct clarification that the steering committee voted to approve the plan to send to the APC for this meeting.

David Hittle said the process doesn't operate on a voting standard. There is conversation and then there's arrival at a consensus. There's no tally of 11-1 or 12-2 for example.

Jason Dombkowski said he is trying to gauge the support of Stockwell for this plan.

Vicki Pearl asked how many were on the committee and how was the committee put together.

David Hittle explained Lynn Beck, the Lauramie Township Trustee, Tom Reynolds, a landowner, and Dan Harkleroad, the café owner, helped identify 20-30 people who would be considered Stockwell stakeholders. Those people attended a meeting and we asked who would be interested in being on the steering committee. At first, we had a deficit of actual town residents, so we made it a point to invite them to be part of the committee. Stockwell is not an incorporated town, so there's no elected official and there is only one township trustee, Mr. Beck. David said he has confidence in saying there is a broad consensus from the town to have this plan adopted. If the Board would like to continue to next month, APC could bring more people in or do something to give the Board a better assurance of the consensus, however, there was as much support as you would hope for, for an adoption of a plan like this.

Tracy Brown referred to page 18 in the presentation packet, specifically the third bullet point listed; the 'creation of a new committee or a designation of an existing committee'. How does APC see the work of that committee going, interaction with government and specifically zoning issues? Is it likely to be the same committee?

David Hittle said it is up to the town, going forward, but that is APC's recommendation. There is no elected town council or body that could fulfill that role. The thought was "Keep Stockwell Beautiful" organization would be great candidates to fulfill this role, as they already meet monthly.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O’Gara collected the ballots and noted 11-Yes to 1-No in favor of **RESOLUTION #2022-04**. The case will proceed to the County Commissioners next month.

<u>Yes-Votes</u>		<u>No-Votes</u>
Larry Leverenz	Jackson Bogan	Jason Dombkowski
Bob Metzger	Vicki Pearl	
Carla Snodgrass	Lisa Dullum	
Tracy Brown	Greg Jones	
Gary Schroeder	Diana Luper	
Kathy Parker		

B. Subdivisions

Gary Schroeder moved to hear and vote on **S-5091 KOINONIA RIDGE SUBDIVISION, PART 2 (major-preliminary)**. Greg Jones seconded.

S-5091 KOINONIA RIDGE SUBDIVISION, PART 2 (major preliminary):

Petitioner is seeking preliminary plat approval of a 7-lot single-family residential subdivision (formerly known as Powder House Lane Habitat Subdivision) of 1.34 acres located on the south side of Walker Court, and west of Powder House Lane in Lafayette, Fairfield 31 (SE) 23-4.

APC staff David Hittle said Habitat for Humanity is the petitioner. The proposal is to develop seven lots, five would be accessed to the north off Walker Court and two to the East off Powder House Lane. The petitioner received a handful of variances from the subdivision ordinance, within the jurisdiction in which the property lies. Those variances were approved by the City of Lafayette Board of Public Works.

Larry Leverenz asked if the petitioner or the petitioner’s representative wished to make a presentation.

Patrick Williams, TBIRD Design, 105 North 10th Street, Lafayette, asked for clarification that the variances will not be voted on and approved here, as they were approved last week by the Board of Works.

Larry Leverenz asked for clarification from David Hittle. The Board has a variance ballot in front of them.

Eric Burns said he believes the Board of Works was a recommendation to the APC and are still asking for final vote by the APC on those variances that they have already recommended.

Patrick Williams, TBIRD Design, is requesting conditional primary approval.

Larry Leverenz asked if anyone in the audience wished to speak in favor or opposition. There were none.

Larry Leverenz asked for any questions or comments from the Commission.

Eric Burns suggested the variance ballot be completed first.

Larry Leverenz called for a vote on a white ballot.

Ryan O’Gara collected the ballots and noted the Area Plan Commission voted 12-Yes to 0-No approving the Variances and 12-Yes to 0-No recommending approval of **S-5091 KOINONIA RIDGE SUBDIVISION, PART 2 (major preliminary)**.

<u>Yes-Votes</u>		<u>No-Votes</u>
Larry Leverenz	Jackson Bogan	
Bob Metzger	Vicki Pearl	
Carla Snodgrass	Lisa Dullum	
Tracy Brown	Greg Jones	

Gary Schroeder Diana Luper
Kathy Parker Jason Dombkowski

C. Rezoning Activities

Gary Schroeder moved to hear and vote on Z-2864 JAMIE COCHRAN (NB TO R1U). Greg Jones seconded.

1. **Z-2864 JAMIE COCHRAN (NB TO R1U):**

Petitioner is requesting rezoning of 7 lots, including an existing nonconforming house, located between Commercial and Orchard Streets, more specifically 9008 Commercial Street in Stockwell, Lauramie 8 (NE) 21-3.

APC staff Amanda Esposito said seven lots sound like a lot but remember these were platted in the 1800's when commercial businesses were tiny and next door to each other. Historically this was a business area, but for the last 100 years there has been a house on the land. This is a non-conforming property that the petitioner is requesting to be rezoned to make her house conforming. The R1U property to the north of this was rezoned last year to allow for construction of a new residence. The area, for now, is going to be residential and no longer business. APC is in support of approval of this request.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Jamie Cochran, 9008 Commercial Street, Stockwell, said she has lived here for ten years. When Stockwell had a railroad and a blacksmith's shop, it was zoned business, but it currently doesn't make sense to be zoned as such. For example, there is no place for a parking lot. Her plan for the lot includes building a house for her daughter, to keep her in Stockwell. Jamie used an example of a neighbor's house fire that prevented him from rebuilding on the land, due to how it was zoned. She pays the sewer bills on the extra land and would like to use what she's paying for. She summarized her desire to have her daughter live next door, be able to use the sewer she pays for and to protect her family from a disaster, should it happen, she would be able to rebuild.

Larry Leverenz asked if any persons wished to speak in favor of this petition. There was no response.

Larry Leverenz asked if any persons wished to speak in opposition of this petition. There was no response.

Larry Leverenz asked for any questions or comments from the Commission.

Jackson Bogan asked for clarification that the seven lots are not being combined.

Amanda Esposito stated they will remain separate.

Vicki Pearl asked if the three lots her house sits on should become one, for the petitioner to be compliant.

Amanda Esposito said a recent amendment to the UZO allows structures to be built over lot lines, if those lot lines have been owned by the same people for a certain number of years.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 12-Yes to 0-No recommending approval of **Z-2864 JAMIE COCHRAN (NB to R1U)**. The case will proceed to the County Commissioners next month.

Yes-Votes

Larry Leverenz Jackson Bogan
Bob Metzger Vicki Pearl
Carla Snodgrass Lisa Dullum

No-Votes

Tracy Brown Greg Jones
Gary Schroeder Diana Luper
Kathy Parker Jason Dombkowski

Gary Schroeder moved to hear and vote on **Z-2865 JAMES D. HALL for VESTER & ASSOCIATES, INC. (A to R1)**: Greg Jones seconded.

2. Z-2865 JAMES D. HALL for VESTER & ASSOCIATES, INC. (A to R1):

Petitioner is requesting rezoning for a proposed single-family subdivision of 61 lots on 36.57 acres located at the southeast corner of CR 650 N and CR 50 W, north of Harrison Highlands, in Tippecanoe 19 (SE) 24-4.

APC staff Ryan O’Gara presented aerial photos. He noted this is a residential node around the schools. The floodplain area shown has been certified. The area has some steep grades in the vicinity of the watercourse, which will influence the development. APC is in favor of a connection to both county roads for greater access for emergency vehicles, deliveries, and school busses, as opposed to a dead end. The main issue with up-zoning in this situation is public utilities, however, Indiana American Water and American Suburban both indicated they’re ready to go. This area is part of the Wabash/Tippecanoe Township planning efforts, which are in early stages of forming a steering committee. In lieu of this, the 1981 comprehensive plan is used for decision making. With utilities being available, this site scores for residential zoning of this density. Given the nearby schools and trying to cluster residential density around these activity centers, we recommend for approval.

Larry Leverenz asked Ryan to clarify his statement regarding a push for a second road entrance.

Ryan O’Gara said that in consultation with township fire, we would lean to make sure public safety is accounted for, as well as with county schools for their bussing.

Larry Leverenz asked if the petitioner or the petitioner’s representative wished to make a presentation.

Joe Bumbleburg, Ball Eggleston, 201 Main Street, is representing the client. He said they will go through the standardization process that would address road access, among other things. This piece of ground is ripe for a subdivision given the nearby schools and access to utilities. The floodplain has been certified and is not a problem in the subdivision process. The hope is that lots will be a bit larger than usual R1 lots, with many being 13,000-14,000 sq. ft. He stated this is an attractive piece of ground for residential development and would request the case be sent to the County Commissioners with a recommendation of approval.

Larry Leverenz asked if any persons wished to speak in favor of this petition. There was no response.

Larry Leverenz asked if any persons wished to speak in opposition of this petition. There was no response.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O’Gara collected the ballots and noted the Area Plan Commission voted 12-Yes to 0-No recommending approval of **Z-2865 JAMES D. HALL for VESTER & ASSOCIATES, INC. (A to R1)**. The case will proceed to the County Commissioners next month.

<u>Yes-Votes</u>		<u>No-Votes</u>
Larry Leverenz	Jackson Bogan	
Bob Metzger	Vicki Pearl	
Carla Snodgrass	Lisa Dullum	
Tracy Brown	Greg Jones	
Gary Schroeder	Diana Luper	

Kathy Parker

Jason Dombkowski

V. ADMINISTRATIVE MATTERS

None.

VI. APPROVAL OF THE OCTOBER EXECUTIVE COMMITTEE AGENDA

No new subdivisions have been filed.

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-2088 PURDUE RESEARCH FOUNDATION; AND
BZA-2089 JAMES D. HALL PS, VESTER & ASSOCIATES, INC.”**

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

VIII. DIRECTOR’S REPORT

David Hittle stated the director’s report was emailed yesterday. The town of Otterbein has expressed interest in joining the Plan Commission. Otterbein straddles Benton and Tippecanoe County and for some time, they have commissioned Benton County to handle building permitting, zoning, and planning. The town now desires to join Tippecanoe County for future planning, zoning, and permitting purposes. This will be a task for Eric and the rest of us to work out. Last year Shadeland indicated interest in doing the same and have started to handle building permits through the Building Commissioner. This addition would bring us together as a county, with the Area Plan Commission functioning as it is supposed to. More to come on this topic.

IX. CITIZEN’S COMMENTS AND GRIEVANCES

None.

X. ADJOURMENT

Gary Schroeder moved to adjourn.

Meeting adjourned at 7:16 PM.

Respectfully Submitted,
Kristina Lamb
Recording Secretary

Reviewed by,



David L. Hittle
Executive Director