

The
AREA PLAN COMMISSION
of Tippecanoe County

Executive Committee

Date: March 2, 2022

Time: 4:30 PM

Place: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

PLEASE NOTE: This meeting will be in person. Members of the public may choose to watch the live-stream on Facebook or YouTube. These links can be found on the APC website at: <https://www.tippecanoe.in.gov/378/Area-Plan-Commission-APC>

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AGENDA

I. APPROVAL OF MINUTES

Documents:

[EXEC 01.05.2022.PDF](#)

II. NEW BUSINESS

A. CONTINUED CASES

- o S-5055 Pretty Prairie Minor Subdivision must be continued to the March 16th APC meeting because no soil work has been submitted.

III. PUBLIC HEARING

A. SUBDIVISIONS

1. **S-5055 PRETTY PRAIRIE MINOR SUBDIVISION (MINOR-SKETCH):**
****CONTINUE THIS CASE TO THE MARCH 16TH APC MEETING****

Petitioner is seeking preliminary approval of a four-lot single-family subdivision on 24.49 acres, located on the south side of Pretty Prairie Road, between Tyler and Grant Roads, in Tippecanoe 8 (NE) 24-3. CONTINUED FROM THE FEBRUARY APC MEETING IN ORDER TO OBTAIN SOIL TESTING.

IV. APPROVAL OF THE MARCH APC PUBLIC HEARING AGENDA

Documents:

[03162022 APC AGENDA.PDF](#)

V. APPROVAL OF THE MARCH ABZA PUBLIC HEARING AGENDA

Documents:

[03-23-2022 BZA AGENDA.PDF](#)

VI. DETERMINATION OF VARIANCES (LAFAYETTE DIVISION OF THE ABZA)

Documents:

[2022-03 LDOV.PDF](#)

VII. REVIEW AND APPROVAL OF THE JANUARY & FEBRUARY BUDGET REPORTS

(The January report was not reviewed at the February Executive Committee meeting due to the cancellation of that meeting.)

Documents:

[JANUARY 2022 BUDGET REPORT.PDF](#)
[FEBRUARY 2022 BUDGET REPORT.PDF](#)

VIII. OTHER BUSINESS

IX. ADJOURNMENT

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

DATE..... JANUARY 05, 2022
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
Tom Murtaugh
Jerry Reynolds
Greg Jones

MEMBERS ABSENT

Larry Leverenz

STAFF PRESENT

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

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 December 01, 2021 meeting. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

None.

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 recommendations on the applications to be heard this evening and responses from the checkpoint agencies. Greg Jones seconded, and the motion carried by unanimous voice vote.

1. SUBDIVISIONS

S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch):

Petitioner is seeking primary approval for a replat of one lot into two commercial lots on 6.47 acres, located on the east side of Promenade Parkway south of Veterans Memorial Parkway, in Lafayette, Wea 10 (SW) 22-4.

Gary Schroeder moved to hear and vote on **S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map, plat, and aerial photos, and she noted the petitioner's property is located on the east side of Promenade Parkway just south of Veterans Memorial Parkway. It is zoned GB (General Business). Wal-Mart is just to the east; and Foxfire Apartments are further to the west. She stated they are basically dividing the bottom portion of the existing strip center, so it could be sold separately or get a building permit for another building. The setbacks shown are correct; no buffering is required, and city utilities serve the site. There is an existing driveway off Promenade Parkway for both Lots 1B and 1A. There are three conditions, and staff is recommending conditional primary approval.

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

Jackson Bogan called for the petitioner or the petitioner's representative.

Mark Hennessey, Schneider Geomatics, 1330 Win Hentschel Boulevard, West Lafayette, stated they agree with the staff report, and they are requesting approval.

Jackson Bogan asked for any other questions or comments. There were none.

Jackson Bogan called for a vote on a white ballot.

Jackson Bogan collected the ballots and noted 6-Yes to 0-No for conditional primary approval of **S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch)**.

Yes-Votes

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

No-Votes

IV. APPROVAL OF THE JANUARY 2022 APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following subdivision petitions be placed on the January 19, 2022 Area Plan Commission public hearing agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-5050 Autozone #5535 Subdivision, A Replat Of Lot 6, Meijer #186 Subdivision (minor-sketch); and S-5051 Churchwoods Major Subdivision (major-preliminary).

Greg Jones seconded.

Jackson Bogan asked for any comments. There were none. Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

Gary Schroeder moved that the following rezoning petitions be placed on the January 19, 2022 Area Plan Commission public hearing agenda:

Z-2845 Jetboy, LLC (GB to I3); and Z-2846 Benito Munoz (AA to A).

Greg Jones seconded.

Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

V. APPROVAL OF THE JANUARY ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petition be placed on the January 26, 2022 Area Board of Zoning Appeals Public Hearing Agenda:

BZA-2069 Wabash Lofts, LLC.

Greg Jones seconded, and the motion was 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 is not a request for use variance, prohibited from consideration by ordinance and statute:

CASE #2022-01 Rick D. and Kathy L. Gordon;
CASE #2022-02 KRM Architecture / Katie Grajewski;
CASE #2022-03 NOVA Lafayette, LLC;
CASE #2022-04 Treece Meadows, LLC By David Gilman; and
CASE #2022-05 KJY Investments, LLC (800 Main Street, LLC).

Greg Jones seconded.

Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

VII. REVIEW AND APPROVAL OF DECEMBER 2021 BUDGET REPORT

Gary Schroeder moved to hear and approve the December 2021 Budget Report as submitted. Greg Jones seconded.

Jackson Bogan asked for any questions. There were none.

Jackson Bogan asked all in favor, and the motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

Gary Schroeder moved to adjourn.

Meeting adjourned at 4:40 PM.

Respectfully Submitted,

Jennifer A. Ewen
Recording Secretary

Reviewed By,

A handwritten signature in black ink, appearing to read "D. Hittle", written over a horizontal line.

David Hittle
Executive Director

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE..... MARCH 16, 2022
TIME..... 6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, IN 47901

(TENTATIVE)
AGENDA

I. BRIEFING SESSION

II. APPROVAL OF MINUTES

III. NEW BUSINESS

A. **RESOLUTION 2022-01**

This resolution would determine that a resolution and amendment to the Consolidated Creasy/Central Economic Development Plan conforms to the *Comprehensive Plan* for the City of Lafayette.

B. **RESOLUTION 2022-02**

This resolution would determine that a resolution and amendment to the McCarty Economic Development Plan conforms to the *Comprehensive Plan* for the City of Lafayette.

IV. PUBLIC HEARING

A. AMENDMENTS

UZO AMENDMENT #103:

This amendment would accomplish two things: it would change “home occupations” to allow state-licensed medical professionals (UZO Sections 5-5-3 and 5-5-4) and would require self-storage warehouse businesses within the urbanized areas to obtain a special exception (UZO Section 3-2).

B. SUBDIVISIONS

S-5060 THE OASIS (major-preliminary):

Petitioner is seeking preliminary approval of a multi-family subdivision consisting of one building with 84 units located on the north side of Genoa Drive, east of Paramount Drive, Wabash 02 (NE) 23-5.

C. REZONING ACTIVITIES

1. **Z-2846 BENITO MUNOZ (AA to A):**

Petitioner is seeking a rezone of 25.3 acres, in anticipation of filing a special exception in the A zone, in order to make conforming a rodeo/concert venue located at the northeast corner of CR 1300 S and CR 400 E in Lauramie 25 (SW) 21-4. CONTINUED FROM THE FEBRUARY MEETING BECAUSE A LEGAL AD WAS NOT PUBLISHED. FINAL CONTINUANCE.

2. **Z-2847 TIPPECANOE ACQUISITIONS, LLC (West Heights Condominiums)(R1 to PDRS):**

Petitioner is requesting rezoning of approximately 16.61 acres for a multi-building, residential condominium development containing a maximum of 158 units. The property is located at the southeast corner of the intersection of Klondike Road and Cumberland Avenue in Wabash 11 (NW) 23-5.

3. **Z-2850 PURDUE RESEARCH FOUNDATION (CBW to R4W):**

Petitioner is requesting rezoning of 3.11 acres for a proposed multi-family subdivision (Discovery Park District Third and McCormick) with a single G-shaped building with 402 total units. The property is located on the southeast corner of McCormick Road and Third Street, in West Lafayette, Wabash 24 (NE) 23-5.

V. ADMINISTRATIVE MATTERS

VI. APPROVAL OF THE APRIL EXECUTIVE COMMITTEE AGENDA

VII. DETERMINATION OF VARIANCES -- Area Board of Zoning Appeals

VIII. DIRECTOR'S REPORT

IX. CITIZENS' COMMENTS AND GRIEVANCES

X. ADJOURNMENT

THE
AREA BOARD OF ZONING APPEALS
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE: MARCH 23, 2021
TIME: 6:00 P.M.
PLACE: COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

(TENTATIVE) AGENDA

This meeting will be in person.

Links to watch the livestream can be found on the APC website at: www.tippecanoe.in.gov/apc

- I. APPROVAL OF MINUTES
- II. NEW BUSINESS
- III. PUBLIC HEARING

1. BZA-2068 KOH AND COURTNEY KNOX:

Petitioners are requesting a special exception to permit an agricultural rental hall in the AW zone with a maximum capacity of 295 people. The proposed hours of operation are Monday through Thursday 8:00 AM to midnight and Friday through Sunday 8:00 AM to 2:00 AM with all outdoor activities ceasing at midnight. The property is located at 5124 Jackson Hwy, Shelby 08 (NE) 23-5 (UZO 3-2). With commitments and conditions. Continued from the February 23, 2022 hearing per petitioner's request. This is petitioners' final continuance.

2. BZA-2072 TIM VALIANT:

Petitioner is requesting a parking variance to allow 16 spaces instead of the minimum required 41 spaces for Kona Ice of Tippecanoe County's truck storage facility and one additional tenant in an NB zone. The property is located at 10 S 550 E, Perry 30 (NW) 23-3 (UZO 4-6-3).

3. BZA-2073 JON SHEIDLER – LANDWORX ENGINEERING:

Petitioner is requesting the following variances for a proposed Arby's restaurant with drive-thru in an HB zone:

- 1. To allow a 38' front setback instead of the minimum required 60' front setback along a primary arterial road (UZO 2-18-17) and
- 2. To allow a 20' bufferyard along the adjacent property zoned R2 to the east instead of the minimum required 30' (UZO 4-9-3-a).

The site is located at 6001 SR 43 N, Lot 1 in Arora Minor Subdivision in Battle Ground, Tippecanoe 22 (SW) 24-4.

- IV. ADMINISTRATIVE MATTERS
- V. ADJOURNMENT

February 24, 2022

1. CASE #2022-08 BLACKTHORN HOLDINGS, LLC – AMENDED:

Petitioner is requesting the following variances for a proposed multi-family development known as Churchwoods in an R3 zone:

1. To remove the bufferyard required along the portion of the south property line extending east from the southwest corner of the property approximately 426 ft instead of planting the minimum required 30 ft wide bufferyard (UZO 4-9-3(a); 4-9-3(b));
2. To remove the bufferyard required along the portion of the east property line extending north from the southeast corner of the property approximately 93 ft rather than plant the minimum required 30 ft wide bufferyard (UZO 4-9-3(a); 4-9-3(b));
3. To reduce the minimum height of the required evergreen trees located in portions of the bufferyard located adjacent to the west and south property lines of the parcel having State Identification No. 79-07-31-402-005.000-005 to 4 ft instead of the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1);
4. To reduce the minimum height of the required evergreen trees located in the portion of the bufferyard located adjacent to the south property line of the parcel having State Identification No. 79-07-31-402-002.000-005 to 4 ft instead of the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1);
5. To reduce the minimum height of the required evergreen trees located in the portion of the bufferyard located adjacent to the south property line of the parcel having State Identification No. 79-07-31-402-004.000-005 to 4 ft instead of the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1);
6. To remove the bufferyard along the east boundary line of the parcel having State Identification No. 79-07-31-402-004.000-005 instead of planting the minimum required 30ft wide bufferyard (UZO 4-9-3(a); 4-9-3(b)) and
7. To allow 447 parking spaces instead of the minimum required 463 parking spaces (UZO 4-6-3)

on 16.9 acres of property located on Elston Road between Old Romney Road and S. Beck Lane, Lafayette, Fairfield 31 (SW) 23-4.

2. CASE #2022-10 DENTAL CARE OF LAFAYETTE:

Petitioner is requesting a variance to allow 20% instead of the required 30% minimum vegetative coverage which would allow construction of a 12' x 28' addition to a dental office that has been operating since 1999 in the MRU zone. The site is located at 38 N. 23rd Street on Lot 13 of Peckham's Addition in Lafayette, Fairfield 21 (SE) 23-4 (uzo 2-16-6).

3. CASE #2022-11 JETBOY, LLC:

Petitioner is requesting the following variances for the existing Express Air Coach, Inc., and proposed storage area for large recreational vehicles in the north portion of the site:

1. To reduce the bufferyard located along the northeast property line adjacent to the existing R1 property to the east to 15 ft in width instead of the required Type C bufferyard of 30 ft in width (UZO 4-9-3(a));
2. To reduce the bufferyard located along the western property line to a width of 15 ft instead of the required Type C bufferyard of 30 ft width (UZO 4-9-3(a));
3. To reduce the number of rows of standard plant units located within the Type-C bufferyard located along the northeast property line from two (2) to one (1) (UZO 4-9-1(b) and Appendix E-1);
4. To reduce the number of rows of standard plant units located within the Type-C bufferyard located along the western property line from two (2) to one (1) (UZO 4-9-1(b) and Appendix E-1);
5. To reduce the minimum height of the required evergreen trees located in the bufferyard located along the western property line to 4 ft from the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1);
6. To reduce the minimum height of the required evergreen trees located in the Type-C bufferyard located along the northeast property line to 4 ft from the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1) and
7. To reduce the minimum height of the required evergreen trees located in the Type-A bufferyard located along the southeast property line to 4 ft from the minimum required 8 ft (UZO 4-9-1(b) and Appendix E-1)

on 7.8 acres of property located at 600 Elston Road, Lafayette, Fairfield 31 (SW) 23-4. A petition to rezone this site from GB to I3 was pending with Lafayette City Council at the time of filing. The requirements being varied above would be necessary if the I3 rezone is approved.

RECOMMENDATION:

Staff advises that none of the above requests constitute a use variance.

MONTHLY BUDGET REPORT
January 01, 2022 - January 26, 2022

ACCOUNT NUMBER AND NAME		TOTAL APPROPRIATION	ENCUMBRANCE FROM LY	MID YR/ END YR TRANSERS	TOTAL	EXPENDITURES THIS MONTH	EXPENDITURES TO DATE	APPROPRIATION BALANCE
1000-2510-11-10	Full Time Personnel	\$907,417.00			\$907,417.00	\$44,390.65	\$44,390.65	\$863,026.35
1000-2510-11-30	Part Time Personnel	\$7,000.00			\$7,000.00			\$7,000.00
TOTAL PERSONAL SERVICES		\$914,417.00			\$914,417.00	\$44,390.65	\$44,390.65	\$870,026.35
1000-2510-21-10	Office Supplies -Gen.	\$2,500.00	\$7.00		\$2,507.00	\$240.74	\$240.74	\$2,266.26
1000-2510-21-30	Printing & Signs for Purch	\$1,000.00			\$1,000.00			\$1,000.00
1000-2510-21-40	Minor Equipment	\$1,000.00	\$91.00		\$1,091.00	\$91.98	\$91.98	\$999.02
TOTAL SUPPLIES		\$4,500.00	\$98.00		\$4,598.00	\$332.72	\$332.72	\$4,265.28
1000-2510-31-10	Legal Services	\$27,600.00			\$27,600.00	\$-405.33	\$-405.33	\$28,005.33
1000-2510-31-70	Translator							
1000-2510-31-90	Other Professional Services	\$500.00			\$500.00			\$500.00
1000-2510-32-10	Travel Costs & Mileage	\$8,000.00			\$8,000.00	\$11.70	\$11.70	\$7,988.30
1000-2510-33-10	Published Legals	\$750.00			\$750.00			\$750.00
1000-2510-36-20	Repair Veh&Equip	\$1,500.00			\$1,500.00			\$1,500.00
1000-2510-39-10	Dues & Subscriptions	\$5,300.00			\$5,300.00	\$19.00	\$19.00	\$5,281.00
TOTAL OTHER SERVICES & CHARGE:		\$43,650.00			\$43,650.00	\$-374.63	\$-374.63	\$44,024.63
TOTAL OPERATING EXPENSES		\$48,150.00	\$98.00		\$48,248.00	\$-41.91	\$-41.91	\$48,289.91
TOTAL BUDGET		\$962,567.00	\$98.00		\$962,665.00	\$44,348.74	\$44,348.74	\$918,316.26
Social Security	\$69,953.00							
PERF Retirement	\$101,631.00							
Furnished by County								
TOTAL BUDGET	\$1,134,151.00							

MONTHLY BUDGET REPORT
January 27, 2022 - February 23, 2022

ACCOUNT NUMBER AND NAME	TOTAL APPROPRIATION	ENCUMBRANCE FROM LY	MID YR/ END YR TRANSERS	TOTAL	EXPENDITURES THIS MONTH	EXPENDITURES TO DATE	APPROPRIATION BALANCE
1000-2510-11-10 Full Time Personnel	\$907,417.00			\$907,417.00	\$50,220.38	\$112,658.50	\$794,758.50
1000-2510-11-30 Part Time Personnel	\$7,000.00			\$7,000.00			\$7,000.00
TOTAL PERSONAL SERVICES	\$914,417.00			\$914,417.00	\$50,220.38	\$112,658.50	\$801,758.50
1000-2510-21-10 Office Supplies -Gen.	\$2,500.00	\$7.00		\$2,507.00	\$12.33	\$253.07	\$2,253.93
1000-2510-21-30 Printing & Signs for Purch	\$1,000.00			\$1,000.00			\$1,000.00
1000-2510-21-40 Minor Equipment	\$1,000.00	\$91.00		\$1,091.00		\$91.98	\$999.02
TOTAL SUPPLIES	\$4,500.00	\$98.00		\$4,598.00	\$12.33	\$345.05	\$4,252.95
1000-2510-31-10 Legal Services	\$27,600.00			\$27,600.00	\$560.00	\$154.67	\$27,445.33
1000-2510-31-70 Translator							
1000-2510-31-90 Other Professional Services	\$500.00			\$500.00			\$500.00
1000-2510-32-10 Travel Costs & Mileage	\$8,000.00			\$8,000.00		\$11.70	\$7,988.30
1000-2510-33-10 Published Legals	\$750.00			\$750.00			\$750.00
1000-2510-36-20 Repair Veh&Equip	\$1,500.00			\$1,500.00			\$1,500.00
1000-2510-39-10 Dues & Subscriptions	\$5,300.00			\$5,300.00	\$308.00	\$327.00	\$4,973.00
TOTAL OTHER SERVICES & CHARGE:	\$43,650.00			\$43,650.00	\$868.00	\$493.37	\$43,156.63
TOTAL OPERATING EXPENSES	\$48,150.00	\$98.00		\$48,248.00	\$880.33	\$838.42	\$47,409.58
TOTAL BUDGET	\$962,567.00	\$98.00		\$962,665.00	\$51,100.71	\$113,496.92	\$849,168.08

Social Security \$69,953.00
 PERF Retirement \$101,631.00
 Furnished by County
 TOTAL BUDGET \$1,134,151.00