The
AREA PLAN COMMISSION
of Tippecanoe County

APC Executive Committee
Notice of Public Hearing

Date: May 6, 2020
Time: 4:30 PM
Place: Tippecanoe County Office Building
Tippecanoe Room
20 North Third Street
Lafayette, IN

I. PLEASE NOTE:

Due to the public health emergency, public comment on agenda items may be submitted prior to the meeting at apc@tippecanoe.in.gov. Comments must include name and address to be heard. 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

Check the APC website at https://www.tippecanoe.in.gov/378/Area-Plan-Commission-APC
for updates.

II. APPROVAL OF THIS MAY 6TH EXECUTIVE COMMITTEE AGENDA

III. APROVAL OF MINUTES (FROM MARCH 4, 2020)

Documents:

EXEC 03.04.2020.PDF

IV. NEW BUSINESS

A. **REQUEST TO AUTHORIZE FILING A BELATED PRIMARY APPROVAL EXTENSION REQUEST**

PARAMOUNT-LAKESHORE SUBDIVISION (S-3152):

The developer, Paramount Development Group, LLC (represented by Patrick Cunningham), is requesting authorization to file a belated extension request for the primary approval granted March 20, 2002 and extended several times now expired (March 20, 2018). The preliminary plat covers a 6-lot (5 blocks and 1 outlot) commercial subdivision on 31

acres, located on the north side of US 52, approximately 1/4 mile west of Morehouse Road, Wabash 2 (NE) 23-5. *CONTINUED FROM THE MARCH APC AGENDA; NO APC MEETING WAS HELD IN MARCH NOR APRIL DUE TO HEALTH CONCERNS.*

Documents:

S3152-PARMOUNT-LAKESHORE AUTHORIZE TO FILE EXTENSION.PDF

B. **REQUEST FOR A BELATED PRIMARY APPROVAL EXTENSION**

PARAMOUNT-LAKESHORE SUBDIVISION (S-3152):

The developer, Paramount Development Group, LLC (represented by Patrick Cunningham), is requesting a belated 2-year extension for the primary approval granted March 20, 2002 and extended several times now expired (March 20, 2018). the preliminary plat covers a 6-lot (5 blocks and 1 outlot) commercial subdivision on 31 acres, located on the north side of US 52, approximately 1/4 mile west of Morehouse, Wabash 2 (NE) 23-5.

Documents:

S3152-PARMOUNT-LAKESHORE BELATED EXTENSION REQUEST.PDF

C. **FINAL DETAILED PLANS RESOLUTION**

RESOLUTION PD-20-03: WESTMINSTER VILLAGE WEST LAFAYETTE, INC. (Westminster Village Cottages PD, Phase 1, Part 1) Z-2760:

Final Detailed Plans for the Westminster Village Cottages PD. The approved preliminary plans allow for the construction of multiple residential and optional mixed-use building types on a single, consolidated lot. Two initial phases are planned to contain 29 single-family detached "cottages" in total (17 in phase one and 12 in phase two). Phase 1, Part 1 contains 5 single-family "cottage" units. The property is located at 2741 Salisbury Street, West Lafayette, Wabash 7 (NW) 23-4.

Documents:

PD 20-03 WESTMINSTER VILLAGE COTTAGES.PDF

V. PUBLIC HEARING

A. **SUBDIVISIONS**

S-4908 KKLM PLACE SUBDIVISION (minor-sketch):

Petitioners are seeking primary approval for a one lot subdivision on 1.885 acres, located on the west side of N. County Line Road East, approximately 1/2 mile north of SR 26 E, in Perry 24 (NE) 23-3. *CONTINUED FROM THE APRIL EXECUTIVE COMMITTEE MEETING; NO MEETING WAS HELD IN APRIL DUE TO HEALTH CONCERNS.*

Documents:

S-4908 KKLM PLACE SUBDIVISION.PDF

VI. APPROVAL OF THE MAY APC PUBLIC HEARING AGENDA

Documents:

2020-5 APC AGENDA.PDF

VII. APPROVAL OF THE MAY ABZA PUBLIC HEARING AGENDA

Documents:

05-27-20 ABZA AGENDA.PDF

VIII. DETERMINATION OF VARIANCES

A. **AREA BOARD OF ZONING APPEALS**

Documents:

2020-05 CDOV .PDF

B. **LAFAYETTE DIVISION OF THE AREA BOARD OF ZONING APPEALS**
(There are no new variances filed for May.)

IX. REVIEW AND APPROVAL OF THE MARCH & APRIL BUDGET REPORTS

Documents:

MARCH 2020 BUDGET REPORT.PDF

X. OTHER BUSINESS

XI. ADJOURNMENT

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

DATE.....March 4, 2020
TIME.....4:30 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT	**MEMBERS ABSENT**	**STAFF PRESENT**
Jackson Bogan	Tom Murtaugh	Sallie Fahey
Carl Griffin	Jerry Reynolds	John Burns
Greg Jones		Kathy Lind
Larry Leverenz		Chyna Lynch
Gary Schroeder		Zach Williams, Atty.

President Jackson Bogan called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the February 5, 2020 Executive Committee public hearing as submitted. Greg Jones seconded, and the motion carried by 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 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.

RE-0073 CHERRY CREEK ESTATES II – A REPLAT OF LOTS 7, 8 & 9 (rural estate preliminary plat):

Petitioner is seeking primary approval to replat three (3) lots into two (2) on 9.18 acres in the existing rural estate subdivision located on the south side of CR 650 N, 1/4 mile east of CR 50 W, in Tippecanoe 19 (SE) 24-4.

Gary Schroder moved to hear and vote **RE-0073 CHERRY CREEK ESTATES II – A REPLAT OF LOTS 7, 8 & 9 (rural estate preliminary plat).** Greg Jones seconded.

Kathy Lind presented the zoning map and site plan. She said this is located south of 650N and north of 600N. The petitioner is taking three platted lots and creating two lots. This met all the ordinance requirements as three smaller lots and now it is just two larger lots. Staff is recommending conditional primary approval contingent on the following:

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

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The Regulatory Flood boundary and elevation for the Burnetts' Creek flood plain shall be shown.
4. The street addresses and County Auditor's Key Number shall be shown.

Jackson Bogan asked if this is a reduction, why does it need to be heard again.

Kathy Lind said it is removing two property lines. Petitioner could have done an Exemption E transfer to create the same lots configuration, but this is cleaner.

Patrick Cunningham, 309 Columbia, Lafayette, IN 47901, representative for petitioner, said this is a beautiful subdivision and the petitioner wants to build a beautiful home on a bigger lot. The density is just being decreased in the existing subdivision.

The Executive Committee voted 5-Yes to 0-No to approve conditional primary approval of **RE-0073 CHERRY CREEK ESTATES II – A REPLAT OF LOTS 7, 8 & 9 (rural estate preliminary plat).**

IV. APPROVAL OF THE MARCH APC AGENDA

Gary Schroeder moved that the following subdivision petition be placed on the March 18, 2020 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-4905 BELLE TERRA SUBDIVISION REVISED (major-preliminary).

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

Gary Schroeder moved that the following rezoning petitions be placed on the March 18, 2020 Area Plan Commission public hearing agenda:

Z-2788 ANTIQUE CANDLE WORKS, INC. (GB to I2); and
Z-2789 SPRING VALLEY MANAGEMENT, LLC (R2U to R3U).

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

V. APPROVAL OF THE MARCH ABZA AGENDA

Gary Schroeder moved that the following petitions be placed on the March 25, 2020 Area Board of Zoning Appeals Public Hearing agenda:

BZA-2032 JAMES L. AND SHEILA A. COCHRAN;
BZA-2033 THE RIDGE GROUP, INC.;
BZA-2034 DAVE HELTON AND ASSOCIATES, INC.; and
BZA-2035 JACOB BALLAH.

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

VI. DETERMINATION OF VARIANCES

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance are not requests for a use variance, prohibited from consideration by ordinance and statute:

CASE #2020-06 KEVIN J. OSBORN;
CASE #2020-07 JAMES BAUMAN; and
CASE #2020-08 LAFAYETTE SCHOOL CORPORATION BY ERIC RODY.

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

VII. REVIEW AND APPROVAL OF THE FEBRUARY BUDGET REPORT

Gary Schroeder moved to approve the February budget report as submitted. Greg Jones seconded.

Sallie Fahey said there is only one item of note. Under the column titled expenditures this month, under dues and subscriptions, there is a payment of $216 for the yearly membership to the Urban Land Institute.

The motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

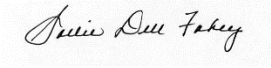
Gary Schroeder moved to adjourn.

The meeting adjourned at 4:36 p.m.

Respectfully submitted,

Chyna Lynch
Recording Secretary

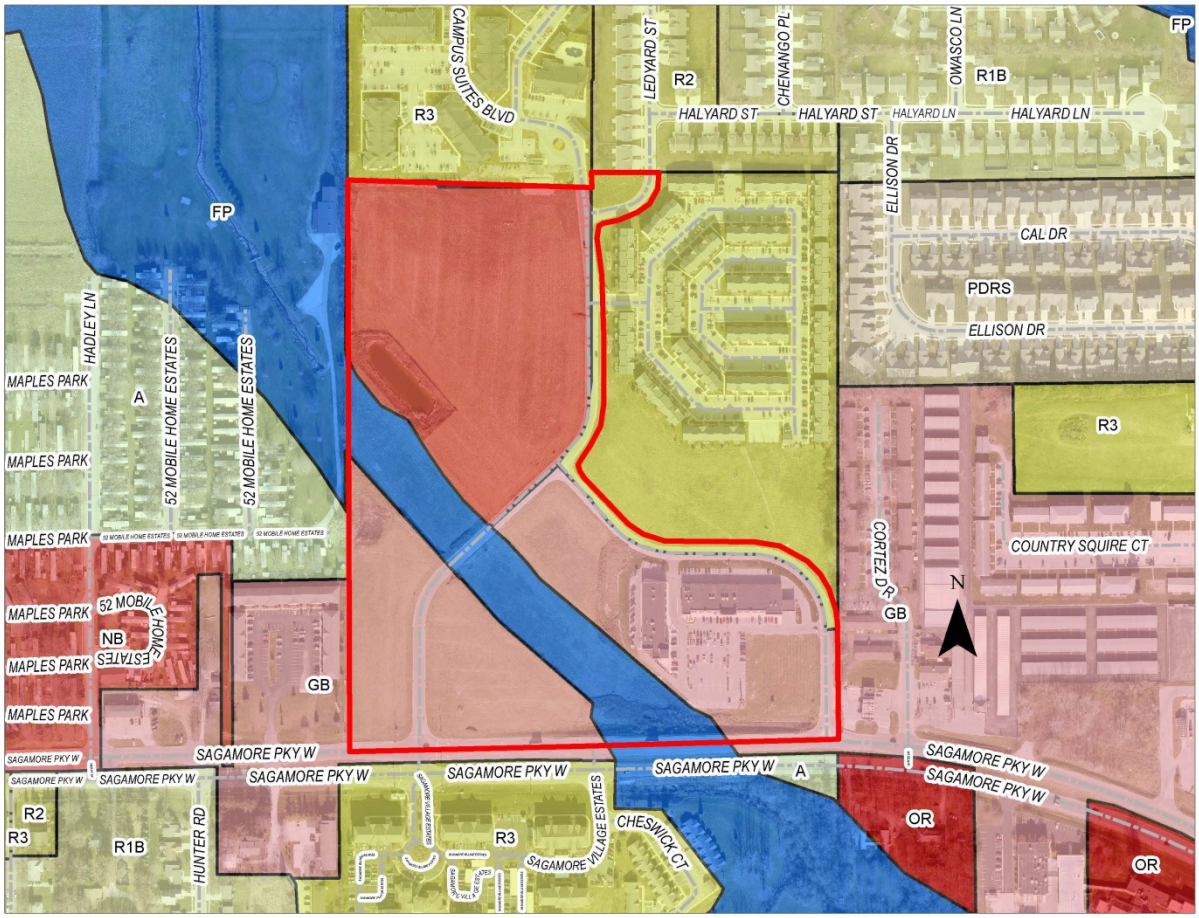
Reviewed by,

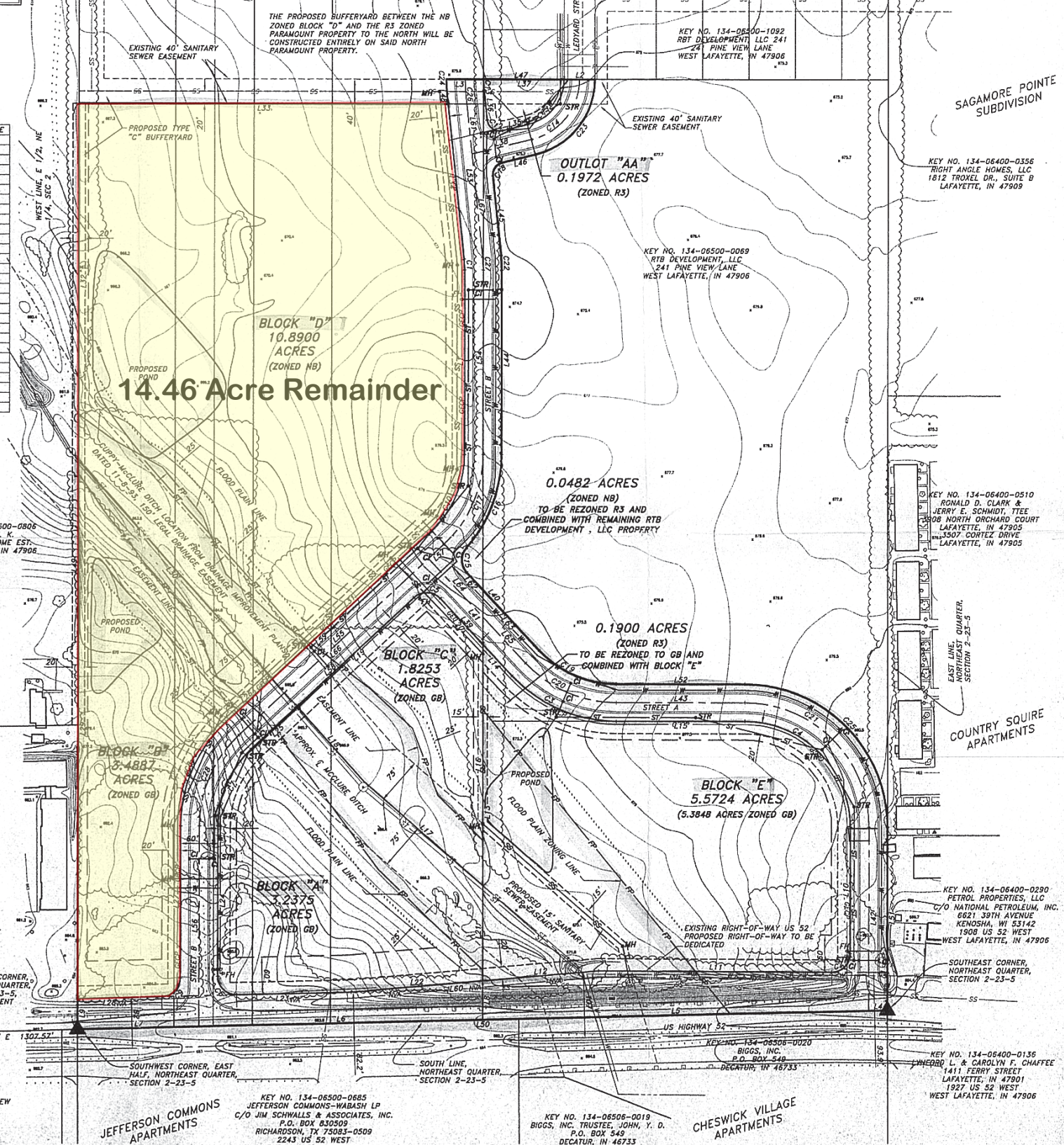


Sallie Dell Fahey
Executive Director

S-3152
PARAMOUNT-LAKESHORE SUBDIVISION
Request to Authorize Filing a 5th Primary Approval Extension

STAFF REPORT
April 30, 2020





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C2	N 45°09'55" E	42.51	30.00	47.24	90°13'23"
C3	S 66°26'48" E	183.42	230.00	188.67	47°00'00"
C4	N 44°56'47" W	240.42	170.00	267.04	90°00'01"
C5	N 87°56'48" W	42.43	30.00	47.12	90°00'00"
C6	S 45°37'01" E	42.95	30.00	47.87	91°25'33"
C7	S 23°34'29" W	135.46	170.00	139.32	46°57'26"
C8	S 23°34'29" W	183.27	230.00	188.50	46°57'26"
C9	N 44°22'59" E	41.90	30.00	46.38	88°34'27"
C10	N 23°33'12" E	135.57	170.00	139.45	47°00'00"
C11	N 38°11'39" E	92.64	75.00	99.85	76°16'59"
C12	S 54°46'52" E	30.13	20.00	34.13	97°46'00"
C13	S 02°55'18" E	17.65	170.00	17.66	05°57'10"
C14	N 38°11'40" E	123.52	100.00	133.14	76°16'56"
C15	S 00°53'54" E	40.19	30.00	44.03	84°05'48"
C16	S 20°36'06" W	161.46	230.00	164.97	41°05'48"
C17	N 23°33'12" E	159.50	200.00	164.06	47°00'00"
C18	S 35°13'08" W	26.30	20.00	28.70	82°14'00"
C19	S 66°26'48" E	135.57	170.00	139.45	47°00'00"
C20	S 66°26'48" E	159.50	200.00	164.06	47°00'00"
C21	N 44°56'47" W	282.84	200.00	314.16	90°00'01"
C22	S 02°55'20" E	23.88	230.00	23.89	05°52'35"
C23	S 38°11'40" W	154.40	125.00	166.42	76°16'56"
C24	N 02°55'18" W	23.88	230.00	23.90	05°57'10"
C25	S 44°56'47" E	325.27	230.00	361.28	90°00'01"
C26	S 02°55'18" E	20.77	200.00	20.78	05°57'10"
C27	N 02°57'56" W	20.46	200.00	20.47	05°51'53"
C28	S 23°34'29" W	159.36	200.00	163.91	46°57'26"

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L1	N 00°03'12" E	297.57'
L2	S 89°56'43" E	50.00'
L3	S 89°56'43" E	60.00'
L4	N 88°38'29" E	30.02'
L5	N 88°38'29" E	623.54'
L6	N 88°38'29" E	457.57'
L7	N 88°38'29" E	196.44'
L8	S 00°03'12" W	62.66'
L9	S 00°05'46" W	49.70'
L10	N 00°03'13" E	204.03'
L11	S 89°43'24" E	376.20'
L12	N 85°05'38" E	187.73'
L13	S 00°03'12" W	542.32'
L14	N 42°56'48" W	68.87'
L15	N 89°56'48" W	208.17'
L16	N 00°03'12" E	388.73'
L17	S 48°50'25" E	255.35'
L18	S 41°37'55" E	161.44'
L19	S 47°03'12" W	257.63'
L20	N 42°56'48" W	101.09'
L21	N 00°03'12" E	153.59'
L22	N 85°05'38" E	213.05'
L23	N 88°40'13" E	184.45'
L24	S 00°05'46" W	242.28'
L25	S 47°03'12" W	100.31'
L26	N 47°03'12" E	101.69'
L27	N 00°05'46" E	245.26'
L28	N 88°40'13" E	137.17'
L29	S 00°05'46" W	867.93'
L30	N 41°37'55" W	471.33'
L31	N 47°03'12" E	349.51'
L32	S 00°05'46" W	576.55'
L33	N 89°56'48" W	595.62'
L34	N 05°53'52" W	252.31'
L35	N 76°20'08" E	43.45'
L36	S 05°53'52" E	48.44'
L37	N 89°56'43" W	130.00'
L38	N 76°20'08" E	100.05'
L39	S 42°56'48" E	169.97'
L40	S 42°56'48" E	171.34'
L41	S 42°56'48" E	229.97'
L42	S 00°03'13" W	296.11'
L43	S 89°56'48" E	208.17'
L44	S 00°03'12" W	297.27'
L45	S 05°53'52" E	129.28'
L46	S 76°20'08" W	55.73'
L47	S 89°56'43" E	240.00'
L48	N 05°53'52" W	16.24'
L49	N 00°05'46" E	1494.17'
L50	S 88°38'29" W	1307.57'
L51	S 00°03'12" W	295.37'
L52	S 89°56'48" E	208.17'
L53	N 05°53'52" W	268.55'
L54	N 00°03'12" E	297.57'
L55	N 47°03'12" E	451.20'
L56	N 00°05'46" E	323.38'
L57	N 47°03'12" E	33.26'
L58	N 47°03'12" E	357.95'
L59	N 47°03'12" E	451.20'
L60	N 85°05'38" E	400.78'
L61	S 05°53'52" E	100.68'
L62	S 42°56'48" E	38.13'
L63	S 42°56'48" E	133.21'
L64	S 42°56'48" E	128.92'
L65	S 42°56'48" E	101.04'
L66	N 47°03'12" E	417.94'
L67	S 05°53'52" E	167.88'

S-3152
PARAMOUNT-LAKESHORE SUBDIVISION
Request to Authorize Filing a 5th Primary Approval Extension

Staff Report
April 30, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

The owner and developer, Paramount Development Group, LLC (represented by Patrick Cunnington), is requesting authorization to file a fifth 2-year primary approval extension. The original primary approval was granted March 20, 2002. The Commission approved the last primary approval extension in March 2016, which is now expired (March 20, 2018). The 18 year old preliminary plat covers a 6-lot (5 blocks and 1 outlot) commercial subdivision on 31 acres, located on the north side of US 52, approximately 1/4 mile west of Morehouse Rd., Wabash 2 (NE) 23-5.

STAFF COMMENTS

Construction plans for the entire subdivision were approved in January 2003. The roads and other infrastructure were installed several years ago. In June 2003, a final plat was recorded to cover just the street rights-of-way. These roads provide primary access for three existing subdivisions to the north (Lakeshore, Baywater Townhomes apartments, and Campus Suites apartments) and four lots recorded in two Paramount-Lakeshore final plats (September 2007 & October 2012). As is typical with commercial subdivisions, Paramount-Lakeshore lots have been platted just before they are sold. There are 14.46 acres remaining in this preliminary plat. A draft final plat for a one acre lot at the northwest corner of Paramount Drive and US 52 was filed last week, which is what prompted this request.

Staff does not believe there have been any changes in zoning restrictions or subdivision regulations that would warrant revisions to the original conditional primary approval.

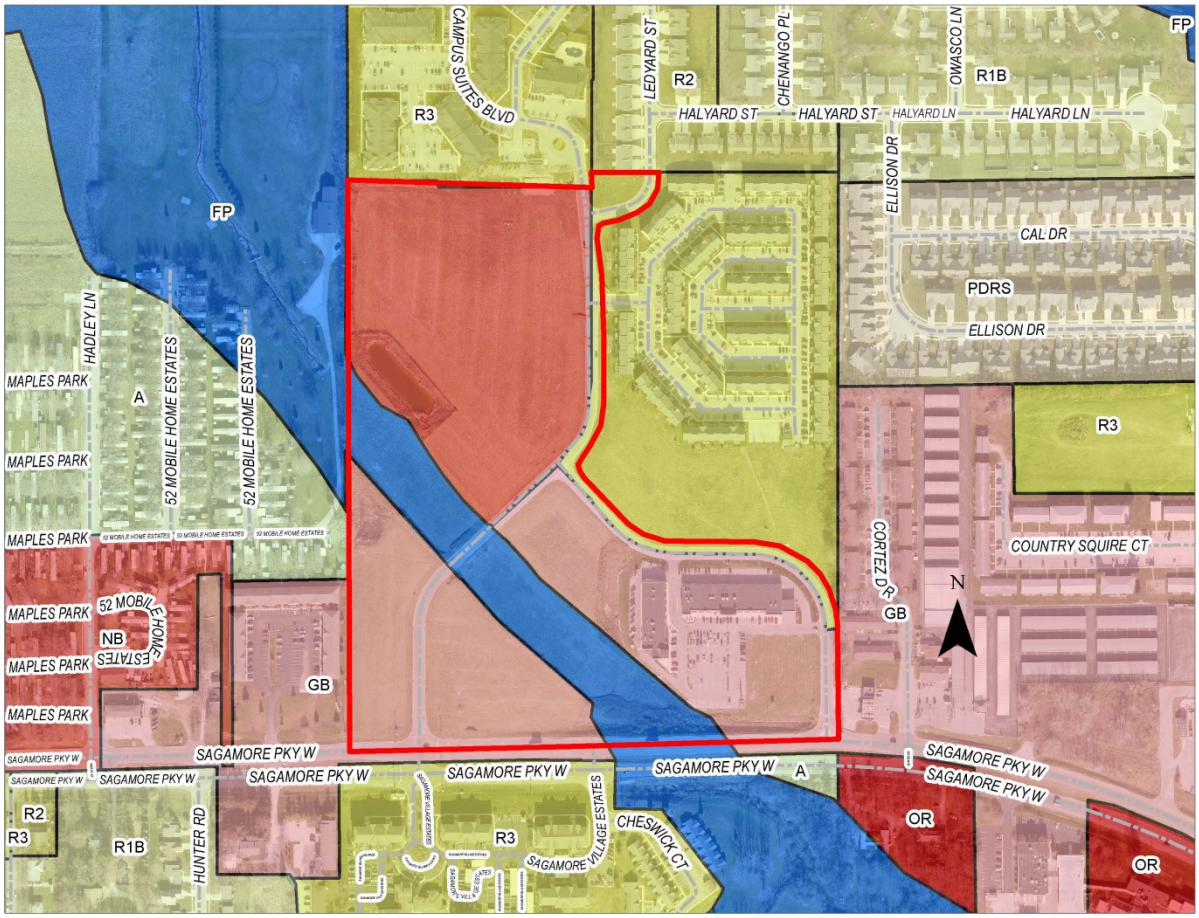
STAFF RECOMMENDATION:

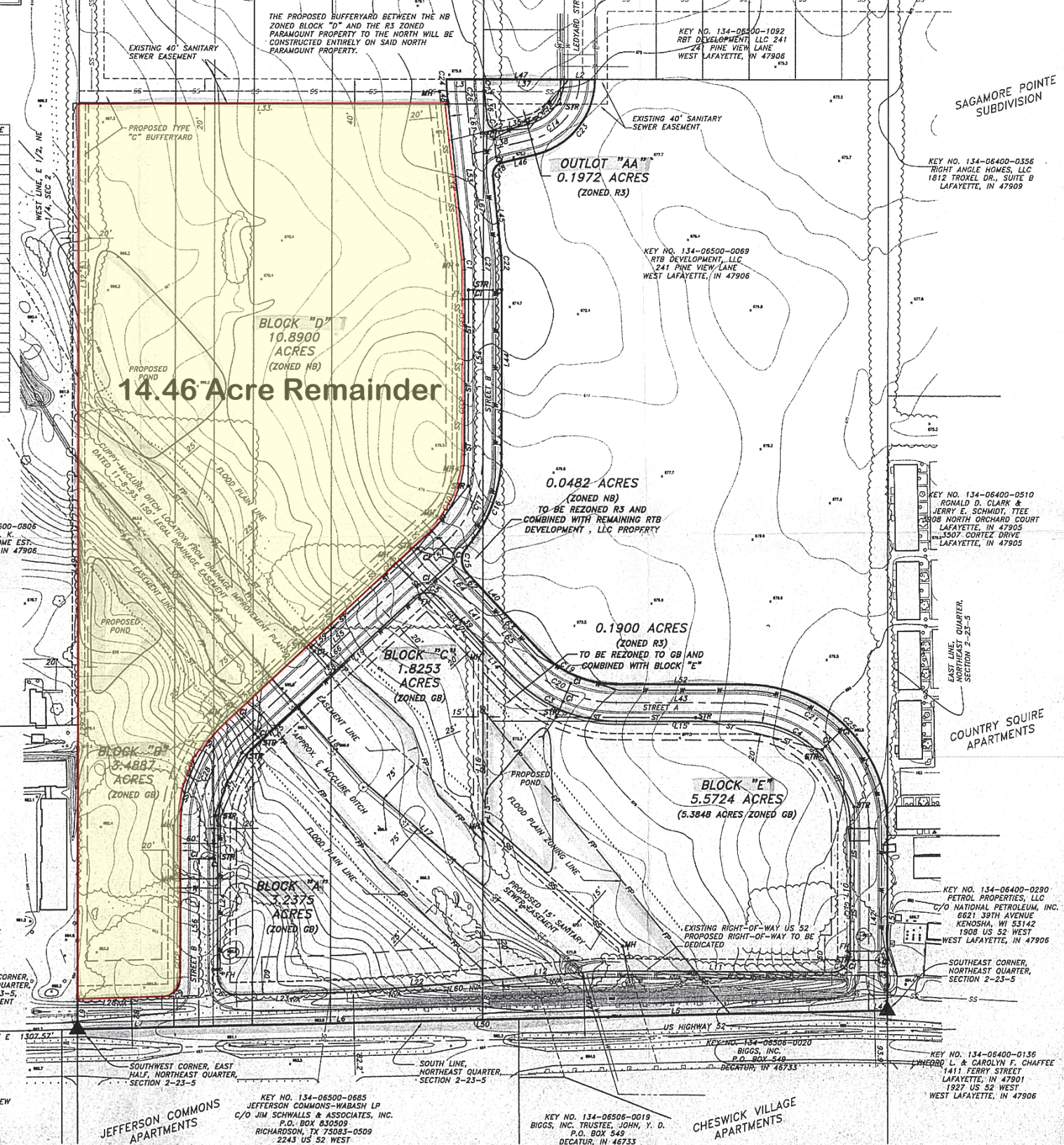
Approval to authorize the filing of the belated primary approval extension request.

If authorized by the Area Plan Commission Executive Committee, the belated primary approval extension request has been filed and placed on the May 6, 2020 agenda as the next New Business item to be heard.

S-3152
PARAMOUNT-LAKESHORE SUBDIVISION
Belated - 5th Primary Approval Extension Request

STAFF REPORT
April 30, 2020





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L66	N 47°03'12" E	417.94'
L67	S 05°53'52" E	167.88'

S-3152
PARAMOUNT-LAKESHORE SUBDIVISION
Belated - 5th Primary Approval Extension Request

Staff Report
April 30, 2020

Provided the Area Plan Commission Executive Committee has granted authorization to make this belated request for a fifth primary approval extension, the following report applies.

REQUEST MADE, PROPOSED USE, LOCATION:
The developer, Paramount Development Group, LLC (represented by Patrick Cunningham), is requesting a belated 2-year extension for the primary approval granted March 20, 2002 and extended several times now expired (March 20, 2018). The preliminary plat covers a 6-lot (5 blocks and 1 outlot) commercial subdivision on 31 acres, located on the north side of US 52, approximately 1/4 mile west of Morehouse, Wabash 2 (NE) 23-5.

STAFF COMMENTS
See the staff report for *Request to Authorize Filing a 5th Primary Approval Extension* for the subject subdivision (S-3152).

STAFF RECOMMENDATION:
Approval, contingent on any applicable conditions from the original primary approval (S-3152), as follows:

CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:

1. The detailed plans and driveway permit for the US 52 entrances shall be approved by the Indiana Department of Transportation.

2. American Suburban Utilities, Inc shall approve the sanitary sewer plans.

3. Indiana-American Water Company, Inc shall approve the water plans.

4. The Wabash Township Fire Department shall approve the fire hydrants. Plans for the actual placement of the hydrants shall be approved by the Indiana-American Water Company in cooperation with the Fire Department.

5. An Erosion and Sediment Control Plan meeting the requirements of 327 I.A.C. 15-5 shall be approved by the Tippecanoe County Soil and Water Conservation District and meeting the requirements of the County Drainage Board as required by Tippecanoe County Ordinance #93-18-CM.

6. The County Drainage Board shall approve the drainage plans.

7. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. 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.

8. Required bufferyard(s) shall be shown in a detailed planting plan. Bufferyards shall be installed as part of required public improvements.

9. On the grading plan, the lowest floor elevation for any building pad within 100 ft. of the FP (Flood Plain) district shall meet the flood protection grade.

10. The Department of Natural Resources (DNR) shall issue a license for any construction in the Cuppy-McClure Ditch floodway.

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

11. Except for the approved entrances, a "No Vehicular Access" statement shall be platted along the US 52 right-of-way line, wrapping around the entrance street right-of-ways to the 60-ft. setback line.

12. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.

13. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).

14. All required building setbacks shall be platted.

15. The Regulatory Flood Elevation and Boundary for the Cuppy-McClure Ditch Flood Plain shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-26-17.

16. The street addresses and County Auditor's Key Number shall be shown.

17. The Post Office, 911, and APC Staff shall approve street names.

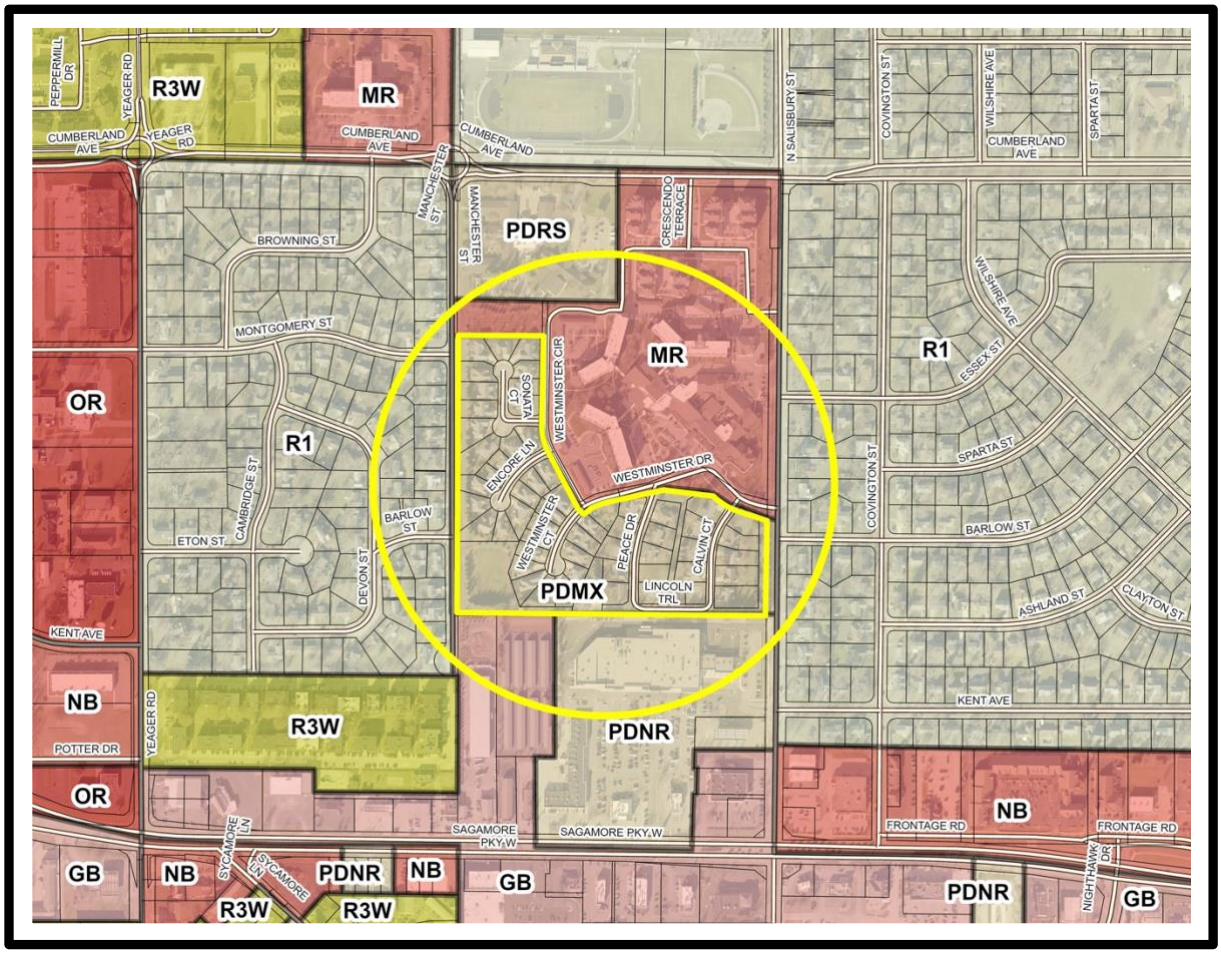
SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

18. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

19. The purpose, ownership and maintenance of any outlots shall be specified.

RESOLUTION PD-20-03:
WESTMINSTER VILLAGE WEST LAFAYETTE, INC
(Westminster Village Cottages PD, Phase 1, Part 1)
(Z-2760)

STAFF REPORT
April 30, 2020



Z-2760
WESTMINSTER VILLAGE WEST LAFYAETTE, INC
WESTMINSTER VILLAGE COTTAGES PLANNED DEVELOPMENT
PHASE 1, PART 1
FINAL DETAILED PLANS
RESOLUTION PD-20-03

Staff Report
April 30, 2020

BACKGROUND:
On July 17, 2019, APC, by unanimous vote, recommended approval of a reclassification from PDRS to PDMX on approximately 17-acres in the City of West Lafayette for the Westminster Village Cottages Planned Development. The approved preliminary plans allow for the construction multiple residential and optional mixed-use building types on a single, consolidated lot. The City of West Lafayette Common Council approved the rezone, by unanimous vote, on August 5, 2019.

Of the two initial phases planned, the first contains 17 single-family detached “cottages” with phase two containing 12 additional cottages. This “Part 1” of the first phase contains five cottage homes along with the Final Plat. Given this planned development’s flexibility with respect to its development options utilizing MR-zone development standards, there could potentially be an unlimited number of “phases” that could accommodate any number of uses allowed by the planned development.

Petitioner’s Final Detailed Plans, consisting of the Construction Plans for Phase 1, Part 1 and Final Plat for the entire planned development area, meet all required conditions at this stage of development. Bonding is not being requested per the direction of city and Indiana American Water staff.

Once the FDPs are approved and recorded, the owner will be clear to apply for improvement location permits with the city and begin construction on Phase 1, Part 1.

STAFF RECOMMENDATION:
Approval of Resolution PD-20-03

RESOLUTION PD-20-03

WHEREAS Preliminary Plans for ***WESTMINSTER VILLAGE COTTAGES PLANNED DEVELOPMENT PHASE 1, PART 1,*** are approved as part of Z-2760, with conditions attached; and

WHEREAS all conditions of approval necessary for Final Detailed Plans - Phase 1, Part 1 have been met; and

WHEREAS UZO 2-28-12-a-2 states that minor modifications approvable by the Administrative Officer "any increase in residential density; any decrease in residential density of 10% or more; any increase in building dimension or change in building location other than within the defined building envelope; any change in landscaping other than increases, as determined appropriate by the administrative officer, in the amounts of approved landscaping, substitution of species or redesign with the same materials; any increase in the size of the signage approved with the Preliminary Plan; any change in type of land use; any change in the alignment or intersection of streets; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items"; and

WHEREAS the Area Plan Commission Staff finds these Final Detailed Plans to conform to the Approved Planned Development as adopted and passed by the City of West Lafayette Common Council on August 5, 2019;

NOW THEREFORE BE IT RESOLVED that the Area Plan Commission of Tippecanoe County, after staff examination of the Final Detailed Plans submitted for ***WESTMINSTER VILLAGE COTTAGES*** PLANNED DEVELOPMENT PHASE 1, PART 1***,*** does hereby find them to conform to the Approved Planned Development Z-2760 as adopted and passed by the City of West Lafayette Common Council.

_____ _____

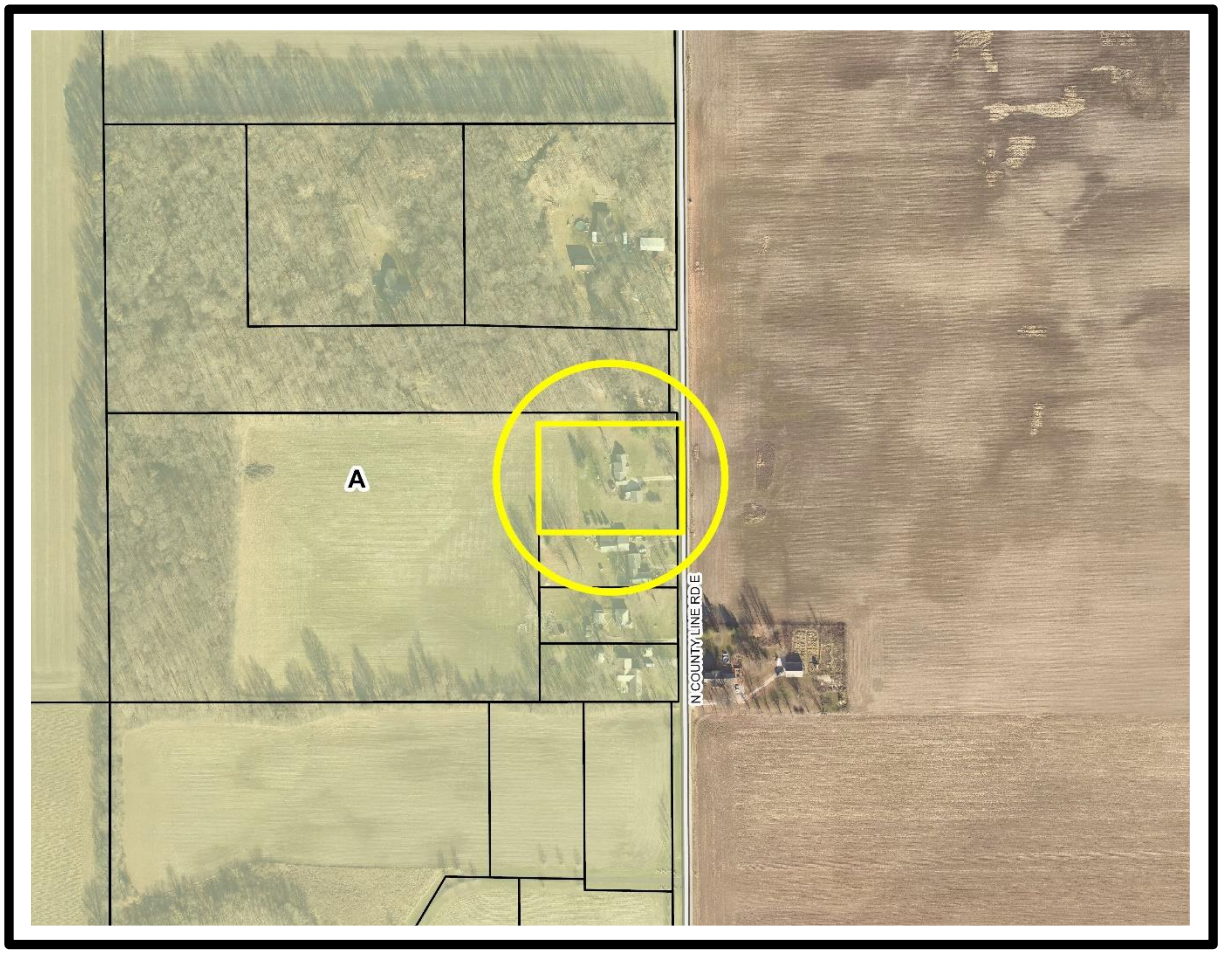
JACKSON BOGAN, PRESIDENT **SALLIE DELL FAHEY, SECRETARY**

_____

DATE

S-4908
KKLM PLACE SUBDIVISION
(minor-sketch)

STAFF REPORT
March 26, 2020



0 100 200 300

ALE – FEET

NORTHEAST CORNER,
SOUTHEAST QUARTER,
NORTHEAST QUARTER,
SECTION 24-23N-3W,
TIPPECANOE COUNTY, IN

S00°24'08"E 662.99'

626 N COUNTY LINE ROAD

57'14"E 1291.00'

6' setback

30'

N89°57'14"E 300.00'

30'

25' setback

LOT#1
1.714 ACRES±
legal drain easement
(75' from tile)

604 N COUNTY LINE ROAD

N00°24'08"W 248.76'

S00°24'08"E 248.97'

R-O-W TO BE DEDICATED

S00°24'08"E 248.99'

A R-O-W PARCEL
0.171 ACRES±
(7469.376 SQ.FT.±)

LAWRENCE & JANE NICKLES
I#201515014189, 8/4/2015
ID:79-08-24-200-005.000-009

25' setback

30'

'RENCE & JANE NICKLES
515014189, 8/4/2015
08-24-200-005.000-009

280 ACRES±

6' setback

approximate location
county tile

A

S89°59'34"W 300.00'

legal drain easement
(75' from tile)

P.O.B. LOT#1

S00°24'08"E 662.99'

128.00'

MICHAEL P. DAWSON
D.R.80, PG.2785, 8/28/1998
ID:79-08-24-200-006.000-009

530 N COUNTY LINE ROAD

75'

approximate location
John Hoffman tile

S00°24'08"E 384.00'

128.00'

WAYNE CRIDER JR.
& JANET L. CRIDER
I#201515003767, 3/10/2015
ID:79-08-24-200-007.000-009

516 N COUNTY LINE ROAD

N00°24'08"W 384.00'

TIPPECANOE COUNTY

CLINTON COUNTY

75'

legal drain easement
(75' from tile)

128.00'

JAMIE RICHARDS
I#201515004496, 3/20/2015
ID:79-08-24-200-008.000-009

508 N COUNTY LINE ROAD

This plat does not purport to represent an original boundary or retracement survey. No monuments were found or set. The monumentation shown is for reference.

S89°59'34"W 330.00'

GREGORY A. & JILL A. FOLKERTS
I#201717019755, 10/6/2017
ID:79-08-24-400-006.000-009

SOUTHEAST CORNER,
NORTHEAST QUARTER,
SECTION 24-23N-3W,
TIPPECANOE COUNTY, IN
(EAST QUARTER CORNER)

(COUNTY LINE ROAD)

AVE.
IN., 47933
-439-4356
10
-8814
EYING.COM
RVEYING.COM

This document was prepared by: Reese Harpel

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."

Reese Harpel

CONTOURS SHOWN ON THIS PLAT WERE EXTRACTED FROM OPENTOPOGRAPHY.ORG

S-4908
KKLM PLACE SUBDIVISION (MINOR-SKETCH)
Minor-Sketch Plan

Staff Report
April 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:
Petitioners and property owners Lawrence & Jane Nickles, represented by Karl Rhoads of Deckard Engineering & Surveying, are seeking primary approval of a one lot subdivision on 1.885 acres, located on the west side of County Line Road East, approximately ½ mile north of SR 26 E, in Perry 24 (NE) 23-3.

AREA ZONING PATTERNS:
The parent tract is 17.09 acres which will leave a 15 acre tract as a remainder. This is the first division from the parent tract, which means three division rights will remain after recordation of this plat.

The site is zoned Agricultural as is all surrounding property; land across the road to the east is in Clinton County.

AREA LAND USE PATTERNS:
There is an existing house on proposed Lot 1; the remaining acreage is farmed with a wooded area to the west. Two tiles cross the parent parcel: the north-south running John Hoffman tile and an unnamed county tile that connects the John Hoffman with Clinton County to the east. Both tiles, and the required 150' wide legal drain easements, have been shown on the sketch plan.

TRAFFIC AND TRANSPORTATION:
The required 30' half-width right-of-way to be dedicated has been shown on the sketch plan. County Highway is not requiring a "no vehicular access" statement.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The Surveyor's Office has approved the drainage for this subdivision. A letter from the County Health Department states that, "the proposed one lot minor subdivision is served by an individual water well and individual on-site sewage disposal system. The existing well and on-site sewage disposal system serves an existing single-family dwelling. The Health Department is satisfied that this minor subdivision can meet requirements" of both Tippecanoe County and the State Department of Health.

CONFORMANCE WITH UZO REQUIREMENTS:
Setbacks shown are correct. The lot width and area exceed the minimum standards for the Agricultural zone.

STAFF RECOMMENDATION:
Conditional primary approval, contingent on the following:

A. Conditions

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

1. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.

2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).

3. All required building setbacks shall be platted.

4. The street addresses and County Auditor's Key Number shall be shown.

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE.....MAY 20, 2020
TIME.....6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, IN 47901

*Due to the public health emergency, public comment on agenda items may be submitted prior to the meeting at apc@tippecanoe.in.gov. Comments must include **name** and **address** to be heard. 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*

(TENTATIVE)
A G E N D A

I. BRIEFING SESSION

Approval of this May 20th Area Plan Commission agenda

II. APPROVAL OF MINUTES

III. NEW BUSINESS

RESOLUTION 2020-03 ELLSWORTH PROJECT:
A resolution determining that an amendment to the *Consolidated Creasy/Central Lafayette Redevelopment Plan* conforms to the *Comprehensive Plan for Tippecanoe County*, specifically the proposed Ellsworth Project to be built between South, 4th, 5th and Alabama Streets.

IV. PUBLIC HEARING

A. SUBDIVISIONS

S-4905 BELLE TERRA SUBDIVISION, REVISED (major-preliminary):
Petitioner is seeking primary approval to replace the original 77 lot (and 2 outlots) preliminary plat approved July 18, 2018 (S-4755) on the same 27.64 acre tract located at the northwest corner of CR 600 N and CR 75 E, in Tippecanoe 20 (SE) 24-4. The new layout will be for 79 single-family lots and 3 outlots, including a community building/clubhouse. *CONTINUED FROM THE MARCH APC AGENDA; THERE WAS NO PUBLIC HEARING IN MARCH OR APRIL DUE TO HEALTH CONCERNS.*

Check the APC website at http://www.tippecanoe.in.gov/378/Area-Plan-Commission-APC for updates.
In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada

B. REZONING ACTIVITIES

1. **Z-2783 CARR FAMILY FARM, LLC (A to I3):**
Petitioner is requesting rezoning of three tracts totaling 97.806 acres east of I-65, south of Haggerty Lane and west of the T-intersection of CR 650 E with Haggerty Lane, adjacent to the north of the Dayton Town limits, specifically 6445 E 200 S, Sheffield 5 (NW) 22-3. With Commitment added February 19th. *CONTINUED FROM THE FEBRUARY 19, 2020 APC MEETING AT PETITIONER'S REQUEST. FIRST CONTINUANCE. CONTINUED FROM THE MARCH APC AGENDA; THERE WAS NO PUBLIC HEARING IN MARCH OR APRIL DUE TO HEALTH CONCERNS.*

2. **Z-2784 THOMAS C. AND SUSAN L. RIEHLE (R2U to NBU):**
Petitioners are requesting rezoning of one lot located on the east side of N. 13th Street between Union and Elizabeth Streets, specifically, 723 N. 13th Street, Lafayette, Fairfield 21 (SW) 23-4. *CONTINUED FROM THE FEBRUARY 19, 2020 APC MEETING AT PETITIONER'S REQUEST. FIRST CONTINUANCE. CONTINUED FROM THE MARCH APC AGENDA; THERE WAS NO PUBLIC HEARING IN MARCH OR APRIL DUE TO HEALTH CONCERNS.*

3. **Z-2786 HERON BAY DEVELOPMENT, LLC – GREG MILAKIS (STONEHENGE PD, PHASE 4)(R1 & PDRS to PDRS):**
Petitioner is requesting rezoning for a single-family development totaling 107 lots and 6 outlots on private streets. The property is located roughly southeast of the intersection of Amesbury and Monument Drives in Stonehenge subdivision, Wabash 34 (NW) 24-5. *CONTINUED FROM THE APRIL APC AGENDA; THERE WAS NO PUBLIC HEARING IN APRIL DUE TO HEALTH CONCERNS.*

4. **Z-2788 ANTIQUE CANDLE WORKS, INC. (GB to I2):**
Petitioner is requesting rezoning of a 1-acre tract located at the southeast corner of Schuyler Avenue and N. 16th Street, specifically 1611 Schuyler Avenue, Lafayette, Fairfield, Longlois Reserve (SW) 23-4. *CONTINUED FROM THE MARCH APC AGENDA; THERE WAS NO PUBLIC HEARING IN MARCH OR APRIL DUE TO HEALTH CONCERNS.*

5. **Z-2789 SPRING VALLEY MANAGEMENT, LLC (R2U & R3U to R3U):**
Petitioner is requesting rezoning to legitimize an existing four-unit apartment building in order to renovate the building. The property is located downtown on the east side of S. 8th Street, specifically 9 South 8th Street, Lafayette, Fairfield 29 (NE) 23-4. *CONTINUED FROM THE MARCH APC AGENDA; THERE WAS NO PUBLIC HEARING IN MARCH OR APRIL DUE TO HEALTH CONCERNS.*

6. **Z-2790 DENISE STALL (AA to GB):**
Petitioner is requesting rezoning of a one acre lot located at the southwest corner of West Street and High Street (aka CR 1175 S), specifically, 11728 West Street, Clarks Hill, Lauramie 23 (SE) 21-3. *CONTINUED FROM THE APRIL APC AGENDA; THERE WAS NO PUBLIC HEARING IN APRIL DUE TO HEALTH CONCERNS.*

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada

7. **Z-2791 HABITAT FOR HUMANITY OF LAFAYETTE, INC. (PDRS to R1B):**
Petitioner is requesting rezoning of two lots within Crosser Commons PD on the east side of Power House Lane, specifically 2211 & 2217 Powder House Lane, north of Elston Road in Lafayette, Fairfield 31 (SE) 23-4. *CONTINUED FROM THE APRIL APC AGENDA; THERE WAS NO PUBLIC HEARING IN APRIL DUE TO HEALTH CONCERNS.*

8. **Z-2792 TBIRD DESIGN SERVICES CORPORATION (GB to I3):**
Petitioner is requesting rezoning of two 5 acre tracts located on the south side of Veterans Memorial Parkway and north of Old CR 350 S, east of Sagamore Parkway, specifically 4418 E Old 350 S and the unimproved 5 acres adjacent to the east, in Wea 12 (NW) 22-4. *CONTINUED FROM THE APRIL APC AGENDA; THERE WAS NO PUBLIC HEARING IN APRIL DUE TO HEALTH CONCERNS.*

9. **Z-2793 MURTAUGH LAW, LLC (R1 to GB):**
Petitioner is requesting rezoning a triangular-shaped half an acre of land located between Old SR 25 N and Aretz Lane, south of CR 300 N, specifically 10 Aretz Lane, in Fairfield 11 (NW) 23-4. *CONTINUED FROM THE APRIL APC AGENDA; THERE WAS NO PUBLIC HEARING IN APRIL DUE TO HEALTH CONCERNS.*

10. **Z-2794 TECUMSEH DENTAL PROPERTIES, LLC (R1B to NB):**
Petitioner is requesting rezoning of three lots at the southwest corner of Teal Road (US 52) and S. 18th Street in order to expand an existing dentist's office, at 1709 Teal Rd., Lafayette, Fairfield 33 (SW) 23-4.

11. **Z-2795 K & K HOMES, LLC (R1A to R1B):**
Petitioner is requesting rezoning of 27.57 acres (Belle Terra Major Subdivision) at the northwest corner of CR 600 N and CR 75 E in Tippecanoe 20 (SE) 24-4. With Commitment.

V. ADMINISTRATIVE MATTERS

VI. APPROVAL OF THE JUNE EXECUTIVE COMMITTEE AGENDA

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

VIII. DIRECTOR'S REPORT

IX. CITIZENS' COMMENTS AND GRIEVANCES

X. ADJOURNMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada

THE
AREA BOARD OF ZONING APPEALS
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE: ..... MAY 27, 2020
TIME: .....6:00 P.M.
PLACE: ..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

*Due to the public health emergency, public comment on agenda items may be submitted prior to the meeting at apc@tippecanoe.in.gov. Comments must include **name** and **address** to be heard. 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*

(Tentative)
A G E N D A

I. APPROVAL OF MINUTES

II. NEW BUSINESS

III. PUBLIC HEARING

1. **BZA-2032 JAMES L. AND SHEILA A. COCHRAN:**
Petitioners are requesting the following variances to add a residential unit in an existing apartment building on R3W-zoned land:

1. To decrease the required parking to 5 spaces from the minimum requirement of 11 spaces; (UZO 4-6-3)
2. To reduce the building setback from Vine Street to 7.2' from the minimum requirement of 25'; (UZO 2-10-8)
3. To remove the no parking setback; (UZO 4-6-14)
4. To reduce the one-way maneuvering aisle to 10.8' from the minimum requirement of 22'; and (UZO 4-6-15)
5. To reduce the lot width to 54.11' from the minimum requirement of 60' (for single and two-family dwellings); (UZO 2-10-6)

on property located at the southeast corner of Vine Street and Fowler, more specifically, 229 W. Fowler Avenue in West Lafayette, Wabash 19 (NE) 23-4. *Continued to the May ABZA meeting awaiting APC action on the determination of*

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada

variance.

2. **BZA-2033 THE RIDGE GROUP, INC.:**
Petitioner is requesting a parking variance to allow 76 spaces from the minimum requirement of 120 to construct a two-story multi-family building (containing a total of 60 units: 52 one-bedroom and 8 two-bedroom) on R3W-zoned land. The property is located at the southeast corner of Lindberg Road and US 231 in West Lafayette, Wabash 14 (NE) 23-4. (UZO 2-10-12) *Continued to the May ABZA meeting awaiting APC action on the determination of variance.*

3. **BZA-2034 DAVE HELTON AND ASSOCIATES, INC.:**
Petitioner is requesting a special exception to allow a primary communications tower (SIC 48) in an Agricultural (A) zone. The 198-foot tall unmanned cell tower (including the lighting rod) would operate 24 hours per day, 7 days per week at the southwest corner of CR 500 N and CR 375 W, Wabash 34 (NW) 24-5. (UZO 3-2) *Continued to the May ABZA meeting because the previous ABZA meeting was cancelled.*

4. **BZA-2035 JACOB BALLAH:**
Petitioner is requesting the following bufferyard variances to construct a new structure for the existing business on property zoned I3:

   1. To eliminate the required bufferyard along the western property line; and (UZO 4-9-3)
   2. To eliminate the required bufferyard along the northern and eastern property lines; (UZO 4-9-3)

   on property located on the north side of CR 375 S, more specifically at 6274 E 375 S, Sheffield 08 (SW) 22-3. *Continued to the May ABZA meeting awaiting APC action on the determination of variance.*

5. **BZA-2036/ BZA-1778 HERITAGE LAND COMPANY, LLC:**
Petitioner is requesting an extension of the previously approved special exception for a mining operation (originally approved in 2009) to modify the expired reclamation plan. The proposed hours of operation are 7 a.m. until 7 p.m., five days a week (Monday through Friday) and possible random Saturdays to complete the proposed reclamation plan. There will be no further mining and the proposed reclamation would be completed no later than December 31, 2025. The 8.14-acre tract is located north of SR 25 (Hoosier Heartland) and east of CR 500 E at 3619 N 500 E, Perry 6 (NW) 23-3. (UZO 3-2) *Continued to the May ABZA meeting awaiting APC action on the determination of special exception.*

6. **BZA-2037 TIPPECANOE COUNTY NSE08 SCHOOL BUILDING CORPORATION:**
Petitioner is requesting the following parking variances to add a science wing to the existing Harrison High School in an R1 zone:

   1. To decrease the required parking to 965 spaces from the minimum requirement of 1048 spaces; and (UZO 4-6-3)
   2. To allow the Administrative Officer to permit off-site parking located within 410

feet instead of the maximum allowed within 300 feet; (UZO 4-6-11)

on property located at 5701 N 50 W, Tippecanoe 30 (NE) 24-4.

IV. ADMINISTRATIVE MATTERS

V. ADJOURNMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Area Plan Commission of Tippecanoe County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For more information visit www.tippecanoe.in.gov/ada

Determination of Variance
Area Board of Zoning Appeals
Meeting Date: May 27, 2020

April 30, 2020

1. **BZA-2032 JAMES L. AND SHEILA A. COCHRAN:**
Petitioners are requesting the following variances to add a residential unit in an existing apartment building on R3W-zoned land:

1. To decrease the required parking to 5 spaces from the minimum requirement of 11 spaces; (UZO 4-6-3)
2. To reduce the building setback from Vine Street to 7.2' from the minimum requirement of 25'; (UZO 2-10-8)
3. To remove the no parking setback; (UZO 4-6-14)
4. To reduce the one-way maneuvering aisle to 10.8' from the minimum requirement of 22'; and (UZO 4-6-15)
5. To reduce the lot width to 54.11' from the minimum requirement of 60' (for single and two-family dwellings); (UZO 2-10-6)

on property located at the southeast corner of Vine Street and Fowler, more specifically, 229 W. Fowler Avenue in West Lafayette, Wabash 19 (NE) 23-4

2. **BZA-2033 THE RIDGE GROUP, INC.:**
Petitioner is requesting a parking variance to allow 76 spaces from the minimum requirement of 120 to construct a two-story multi-family building (containing a total of 60 units: 52 one-bedroom and 8 two-bedroom) on R3W-zoned land. The property is located at the southeast corner of Lindberg Road and US 231 in West Lafayette, Wabash 14 (NE) 23-4. (UZO 2-10-12)

3. **BZA-2035 JACOB BALLAH:**
Petitioner is requesting the following bufferyard variances to construct a new structure for the existing business on property zoned I3:

1. To eliminate the required bufferyard along the western property line; and (UZO 4-9-3)
2. To eliminate the required bufferyard along the northern and eastern property lines; (UZO 4-9-3)

on property located on the north side of CR 375 S, specifically 6274 E 375 S, Sheffield 08 (SW) 22-3.

4. **BZA-2037 TIPPECANOE COUNTY NSE08 SCHOOL BUILDING CORPORATION:**
Petitioner is requesting the following parking variances to add a science wing to the existing Harrison High School in an R1 zone:

1. To decrease the required parking to 965 spaces from the minimum requirement of 1048 spaces (UZO 4-6-3); and

2. To allow the Administrative Officer to permit off-site parking located within 410 feet instead of the maximum allowed within 300 feet; (UZO 4-6-11)

on property located at 5701 N 50 W, Tippecanoe 30 (NE) 24-4.

RECOMMENDATION:
Staff advises that the above requests do not constitute use variances.

MONTHLY BUDGET REPORT
February 27, 2020 - March 24, 2020

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	$854,769.00			$854,769.00	$46,033.38	$173,051.01	$681,717.99
1000-2510-11-30	Part Time Personnel	$5,000.00			$5,000.00			$5,000.00
TOTAL PERSONAL SERVICES		**$859,769.00**			**$859,769.00**	**$46,033.38**	**$173,051.01**	**$686,717.99**
1000-2510-21-10	Office Supplies -Gen.	$4,000.00			$4,000.00		$96.57	$3,903.43
1000-2510-21-30	Printing & Signs for Purch	$2,000.00			$2,000.00			$2,000.00
1000-2510-21-40	Minor Equipment	$1,000.00			$1,000.00			$1,000.00
TOTAL SUPPLIES		**$7,000.00**			**$7,000.00**		**$96.57**	**$6,903.43**
1000-2510-31-10	Legal Services	$27,600.00	$3,520.00		$31,120.00	$2,420.00	$8,814.50	$22,305.50
1000-2510-31-90	Other Professional Services	$500.00			$500.00			$500.00
1000-2510-32-10	Travel Costs & Mileage	$8,000.00	$10.00		$8,010.00	$15.63	$257.03	$7,752.97
1000-2510-33-10	Published Legals	$750.00	$40.00		$790.00		$63.68	$726.32
1000-2510-36-20	Repair Veh&Equip	$1,500.00	$546.00		$2,046.00		$546.53	$1,499.47
TOTAL OTHER SERVICES & CHARGE!		**$38,350.00**	**$4,116.00**		**$42,466.00**	**$2,435.63**	**$9,681.74**	**$32,784.26**
1000-2510-39-10	Dues & Subscriptions	$5,300.00			$5,300.00	$1,000.00	$2,015.00	$3,285.00
TOTAL		**$5,300.00**			**$5,300.00**	**$1,000.00**	**$2,015.00**	**$3,285.00**
TOTAL OPERATING EXPENSES		**$45,350.00**	**$4,116.00**		**$49,466.00**	**$2,435.63**	**$9,778.31**	**$39,687.69**
TOTAL BUDGET		**$910,419.00**	**$4,116.00**		**$914,535.00**	**$49,469.01**	**$184,844.32**	**$729,690.68**

Social Security	$65,773.00
PERF Retirement	$95,735.00
Furnished by County	
TOTAL BUDGET	$1,071,927.00