

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

DATE.....December 2, 2020
TIME..... 4:30 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

Due to the public health emergency, the meeting was held virtually. 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
Carl Griffin
Greg Jones
Jerry Reynolds
Larry Leverenz
Gary Schroeder

MEMBERS ABSENT

Tom Murtaugh

STAFF PRESENT

Sallie Fahey
Ryan O’Gara
Don Lamb
Kathy Lind
Chyna Lynch
Zach Williams, Atty.

President Jackson Bogan called the meeting to order.

Attorney, Zach Williams, called the roll to establish members present.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the November 4, 2020 meeting. Carl Griffin seconded and the minutes, as submitted, were approved by unanimous voice vote.

**II. NEW BUSINESS
FINAL DETAILED PLANS**

RESOLUTION PD-20-08: PURDUE RESEARCH FOUNDATION (Provenance PD) Z-2766:
Final Detailed Plans, consisting of the final plat for phase 2, part 2 of the Provenance Planned Development. The approved preliminary plans allow for a multi-phase, multi-lot, mixed-use neighborhood development containing up to 550 residential units (including both single-family and multi-family) and up to 90,000 square feet of commercial retail. The property is located on the southwest corner of the intersection of State Street and Airport Road in West Lafayette, Wabash 24 (S1/2) 23-5.

Gary Schroeder moved to hear and approve **RESOLUTION PD-20-08**. Carl Griffin seconded.

Ryan O’Gara presented the final detailed plans. He said the Provenance Planned Development is on the southwest side of campus. It is a large area with lower density residential with some mixed-use elements. The first installment of this PD was approved not long ago and is under construction. The bulk of the multi-family and commercial development in the northeast corner of the site was a part of phase 2, part 1. This resolution is concerning the rest of phase 2 with the single-family homes. There is an outlot in the top left corner of the plat. There was some Flood Plain brought to the attention of the developer that was missed during the original review of the site and was not dedicated Flood Plain. They are working with DNR to certify that area out. Once they are done with DNR’s process, that land will essentially be available to be platted as Lot 1 as originally planned. The outlot will not be on this plat until that process is complete. They will be doing more single-family attached town homes and multi-family close to Airport Road. They are leaving out a section adjacent to Airport Road and south of the new District Boulevard.

This would likely come in as phase 2, part 3. This is a multi-phase project that has 7 to 8 phases but the first two phases with the multi-family and single-family attached and detached homes are the bulk of the project. The petitioner has requested bonding. Staff recommended approval.

Jackson Bogan asked if the petitioner wanted to make a presentation or if there were any documents that needed to be shared through GoToMeeting.

They did not.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. He said with the request to bond, it is assumed your vote on the resolution is also a vote to permit bonding unless stated otherwise. The motion was conditional approval 6 yes to 0 no with bonding approved.

Yes-Votes

Larry Leverenz
Jerry Reynolds
Gary Schroeder
Greg Jones
Carl Griffin
Jackson Bogan

No-Votes

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. Carl Griffin seconded, and the motion carried by voice vote.

Gary Schroeder moved to continue **S-4963 CASA BELLA MINOR SUBDIVISION (minor-sketch)** to the December 16th, Area Plan Commission meeting. Carl Griffin seconded and the motion carried by unanimous voice vote.

SUBDIVISIONS

S-4958 MOLTER FOUR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for two lots on 3.208 acres located on the east side of CR 200 E, just north of its intersection with CR 750 S, in Wea 34 (NW) 22-4.

Gary Schroeder moved to hear and vote on **S-4958 MOLTER FOUR SUBDIVISION (minor-sketch)**. Carl Griffin seconded.

Kathy Lind presented the zoning map, plat, and aerial photos. She said the property is located on the east side of CR 200E and is zoned Agricultural. This is a 40-acre parent tract and a two-lot parcelizations have been filed that are not yet approved. With the parcelizations and this minor subdivision, it will use up all of the development rights within the parent tract. The petitioner also plans to file a Rural Estate subdivision that will require a rezone but this has not been filed yet. There is a private drive in the rural estate that will be used for the two lots. There is a no vehicular access statement platted along the frontage of CR 200E. The Health Department is requiring a drainage easement so the access easement is also a drainage easement. Staff recommended approval contingent on the following:

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

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 200 E right-of-way line.
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 Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM.
5. The street addresses and County Auditor's Key Number shall be shown.

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

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

Jackson Bogan asked if the petitioner wanted to make a presentation or if there were any documents that needed to be shared through GoToMeeting.

They did not.

Gary Schroeder said some people have mentioned that water stands in this area. He asked at what point this would go to the Drainage Board.

Kathy Lind said the soils in the area have been tested and that report was turned into the Health Department. They are requiring a drainage adjustment because of a high water table. The Surveyor's office looks at drainage and we need their approval before we can record the final plat.

Jackson Bogan said we will have a one-minute pause for citizen comment.

Patrick Harper, 2024 E 700 S, Lafayette, IN 47909, said he is concerned about the impact this will have on the roadway and utilities in the area. 200 E is caving in north of 700 S and the utilities are limited.

Mike Hann, 566 Ingram Drive, Lafayette, IN 47909, asked what would be going in the cul-de-sac area on the map.

Kathy Lind said it is her understanding that petitioner is going to be filing a Rural Estate subdivision and will have a maximum of 12 lots. The petitioner has to rezone the property before a Rural Estate can be done. There will be plenty of opportunity for public comment during the rezoning phase.

Mike Hann, 566 Ingram Drive, Lafayette, IN 47909, asked if there was a potential for 12 houses in this area.

Kathy Lind said there is potential for 12 houses in addition to the 2 proposed and the 2 for the parcelization.

Sallie Fahey asked if an application for this has been submitted yet.

Kathy Lind said no application has been submitted.

Sallie Fahey said people that are present on behalf of the subdivision will get another notification as adjacent property owners.

Jackson Bogan said this evening we are discussing what is before us which is the 2-lot subdivision. We are not discussing the 12 lots that may or may not come before us later.

Patrick Harper, 2024 E 700 S, Lafayette, IN 47909, said people accessing this property would need to travel that road and it's significantly degraded.

Zach Williams conducted a vote by roll call. The motion was conditional approval 6 yes to 0 no.

Yes-Votes

Larry Leverenz
 Jerry Reynolds
 Gary Schroeder
 Greg Jones
 Carl Griffin
 Jackson Bogan

No-Votes

S-4959 BLUFFS OF BUCK CREEK SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for four lots on 9.128 acres located on the north side of CR 450 N at the CR 625 E intersection approximately 800' northwest of the Hoosier Heartland (SR 25), west of Buck Creek, in Washington 32 (NW) 24-3.

Gary Schroeder moved to hear and vote on **S-4959 BLUFFS OF BUCK CREEK SUBDIVISION (minor-sketch)**. Carl Griffin seconded.

Kathy Lind presented the zoning map, plat, and aerial photos. She said the property is located on the north side of CR 450N just north of the Hoosier Heartland and farther west from the town of Buck Creek. The property is zoned Agricultural except for a small sliver of Flood Plain. There is some General Business zoning to the east at the intersection of SR 25 and 450N. There are two lots to the west then a 600-foot gap and two more lots to the east. Lot 1 and Lot 2 will share a driveway on the west side of the property. Lot 3 and Lot 4 will use the private driveway from a proposed Rural Estate. There are currently no houses on this property but there is a barn on Lot 4. Staff recommended approval contingent on the following:

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

1. Except for the approved entrances, a "No Vehicular Access" statement shall be platted along the CR 450 N right-of-way line.
2. 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.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The Regulatory Flood Elevation and Boundary for the unnamed tributary of the Buck Creek Flood Plain shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-27-17.
6. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM.
7. The street addresses and County Auditor's Key Number shall be shown.

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

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

Jackson Bogan asked if the petitioner wanted to make a presentation or if there were any documents that needed to be shared through GoToMeeting.

They did not.

Mark Rausch, 5324 N 600 E, Lafayette, IN, 47905, said subdivisions in the area cause more traffic and noise. He said they increase his property value which causes his property taxes to go up.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he

asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was conditional approval 6 yes to 0 no.

Yes-Votes

Larry Leverenz
Jerry Reynolds
Gary Schroeder
Greg Jones
Carl Griffin
Jackson Bogan

No-Votes

IV. APPROVAL OF THE DECEMBER APC PUBLIC HEARING AGENDA

No new cases filed.

V. REVIEW AND APPROVAL OF THE NOVEMBER BUDGET REPORT

Gary Schroeder moved we approve the November budget report as submitted. Carl Griffin seconded.

Sallie Fahey said there are only two things of note to explain. In the Expenditures this Month column under Office Supplies General there is an amount of \$947.16. This is done every year at the end of the year to renew our supplies for the coming year. The next line is Printing and Signs for Purchase. We typically have enough in the budget to purchase two sets of signs for the lowest in inventory whether that be for rezones, subdivisions and BZA. The amount in this line represents the 100 signs for two different kinds of cases.

The motion carried by unanimous voice vote.

VI. OTHER BUSINESS

None.

VII. ADJOURNMENT

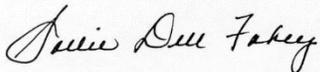
Gary Schroeder moved to adjourn.

Meeting adjourned at 5:00 p.m.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

Reviewed By,



Sallie Fahey

