

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

DATE.....February 3, 2021
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
Kathy Parker
Greg Jones
Tom Murtaugh
Larry Leverenz
Gary Schroeder

MEMBERS ABSENT

Jerry Reynolds

STAFF PRESENT

Sallie Fahey
Ryan O’Gara
Don Lamb
Kathy Lind
Chyna Lynch
Eric Burns, Atty.

President Jackson Bogan called the meeting to order.

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

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the January 6, 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 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.

A. SUBDIVISIONS

S-4973 COVENANT SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for a three-lot subdivision on 1.133 acres, located on the west side of Happy Hollow Road between Chippewa Street and Knox Drive, in West Lafayette, Wabash 8 (SW) 23-4. *CONTINUED FROM THE JANUARY APC MEETING DUE TO A PROBLEM WITH THE REQUIRED PUBLIC NOTICE.*

Gary Schroeder moved to hear and vote on **S-4973 COVENANT SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Dom Lamb presented the zoning map, plat, and aerial photos. He said this minor subdivision is located along the southwest side of Happy Hollow Road between Knox Drive and Chippewa Street. This is an unusual strip of land that remains vacant in West Lafayette that has been owned by the church for some time. The church is selling and the neighboring property owners inquired a few years ago about acquiring this property to develop three lots for new homes. The gap between the two pieces is part of the same parent tract and will be attached to the adjoining properties along Knox Drive by Exemption E. The three proposed lots meet the R1 zoning requirements. There is a 40-foot setback along Happy Hollow because it is classified as an urban secondary arterial. Utilities are available to these lots. Sanitary sewer is located along the southwest side of Happy Hollow and the water line is located on the northeast side. Staff has not had any communication with Indiana American Water to confirm that they can serve these sites. They are in the middle of the city so they should be able to get water to these lots. Staff recommended approval contingent on the following:

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

1. The two remnant tracts from the parent tract, shall each be attached to the existing adjoining lot in Wabash Shores 2nd Addition by an Exemption E deed transfer as shown on the sketch plan.
2. "No Vehicular Access" restrictions shall be platted along the Happy Hollow right-of-way line, as approved by the West Lafayette City Engineer.
3. Confirmation of water service availability for all lots shall be provided by Indiana American Water Company.
4. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
5. All required building setbacks shall be platted.
6. The street addresses and County Auditor's Key Number shall be shown.

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

7. The "No Vehicular Access" restrictions 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.

Roger Fine, 625 S Earl Avenue, Lafayette, IN 47904, representative for petitioner, said he agreed with the staff report. We have been informed by Indiana American Water that service is available to these lots.

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.

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

Yes-Votes

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

No-Votes

S-4974 ARTISAN ELECTRIC MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for two commercial lots on 7.414 acres, located at the northeast corner of North Ninth Street Road and Swisher Road, in Tippecanoe, Burnetts Reserve Section 6, 24-4.

Gary Schroeder moved to hear and vote on **S-4974 ARTISAN ELECTRIC MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, plat, and aerial photos. She said the petitioner's property is located on the east side of North 9th Street at the Swisher Road intersection. The property is zoned GB and is a 7.4-acre tract. There is Agricultural zoning to the west and south and Industrial zoning to the east. The main entrance to Prophetstown State Park is farther to the east. There is a veterinary clinic on the property and they simply want to divide this site. There is a large area of right-of-way that was already obtained by the county so no further dedication is needed. Staff recommended 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 as well as the required 20' type A bufferyard.
3. The street addresses and County Auditor's Key Number shall be shown.

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

Joe Coutts, 820 Longacre Drive, Lafayette, IN 47905, representative for petitioner, said they agree with staff's conditions and recommendations. He respectfully requested approval.

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.

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

Yes-Votes

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

No-Votes

S-4975 JETC2 MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for one commercial lot on 2.04 acres, located southeast of Maple Point Drive and northeast of US 52 (the Kittle's Furniture Store at Tippecanoe Court Shopping Center) in Lafayette, Wea 2 (NW) 22-4.

Gary Schroeder moved to hear and vote on **S-4975 JETC2 MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Don Lamb presented the zoning map, plat, and aerial photos. He said this property is on the southeast side of Maple Point Drive in the same shopping center as Payless and is zoned GB. This is simple as they want to create a lot for this building. The GB zoning does not have side setback requirements so a lot line can be created through a wall. These two buildings are essentially one so they are subdividing off the building and back service area. They have guaranteed access through original easements created from the original plat. They have sewer and water connections. They will need to plat easements that will guarantee maintenance for any service lines that might cross to other properties. Staff recommended 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. A document for the off-site sanitary sewer and water lateral easements to the existing mains shall

- be described and recorded prior to or with the final plat.
3. All required building setbacks shall be platted.
 4. The street addresses and County Auditor's Key Number shall be shown.

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

Joe Couts, 820 Longacre Drive, Lafayette, IN 47905, representative for petitioner, said they agree with staff's conditions and recommendations. He respectfully requested approval.

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.

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

Yes-Votes

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

No-Votes

IV. APPROVAL OF THE FEBRUARY APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following rezoning petition be placed on the February 17, 2021 Area Plan Commission public hearing agenda:

Z-2820 TRINITAS DEVELOPMENT, LLC (R1 to R1 & R3).

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

V. APPROVAL OF THE FEBRUARY ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the February 24, 2021 Area Board of Zoning Appeals Public Hearing agenda:

**BZA-2049 PURDUE CHRISTIAN CAMPUS HOUSE; and
BZA-2050 TIPPECANOE COUNTY CONSERVATION CLUB, INC.**

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

VI. Determination of Variances – Lafayette Division of the ABZA

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

CASE #2021-08 TAD RENTALS, LLC.

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

VII. REVIEW AND APPROVAL OF THE JANUARY BUDGET REPORT

Gary Schroeder moved we approve the January budget report as submitted. Greg Jones seconded.

Sallie Fahey said this revised report has the expenditures under personnel included. We were making the final new year additions to our financial management database which is now done. The column Encumbrance from Last Year includes bills that we received in 2020 but were past the last claims day so that money was encumbered into 2021. We have now paid those bills. Dues and Subscriptions included the encumbered Journal and Courier subscription, The Zoning Bulletin publication, the new city directory and the GoTo Meeting fee.

The motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

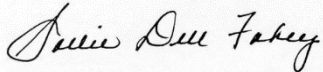
Gary Schroeder moved to adjourn.

Meeting adjourned at 4:53 p.m.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

Reviewed By,



Sallie Fahey