

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

DATE..... April 7, 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
 Gary Schroeder
 Greg Jones
 Tom Murtaugh
 Larry Leverenz
 Jerry Reynolds

MEMBERS ABSENT**STAFF PRESENT**

Eric Burns, Attorney
 David Hittle
 Ryan O’Gara
 Don Lamb
 Kathy Lind
 Larry Aukerman

With President Jackson Bogan absent for the beginning of the meeting, Larry Leverenz called the meeting to order at 4:30 pm.

Attorney Eric Burns called the roll to establish members present.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the March 3, 2021 meeting. Greg Jones seconded and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

None.

III. 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.

A. SUBDIVISIONS

S-4983 SINGH MINOR SUBDIVISION (minor-sketch): Petitioner is seeking primary approval to replat one commercial lot (the former Logan’s Roadhouse) and one outlot into two lots, on 1.647 acres located between Grace Lane and South Street, on the west side of N. Eastland Drive, in Lafayette, Fairfield 23 (SE) 23-4.

Gary Schroeder moved to hear and vote on **S-4983 SINGH MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, plat, and aerial photos. She noted the site's location and its zoning of General Business. She also noted that most everything else in the area is also zoned General Business, except for the single-family homes in the nearby Eastland subdivision. Ms. Lind noted that part of the subject property was an outlot in the original plat, that existing driveways would serve the lots, and that a no-access statement would be maintained for the property's frontages along South Street and Eastland Drive. City Barbecue is the proposed tenant for one of the lots; the tenant of the second lot is not yet known.

Kathy Lind indicated that staff recommends approval subject to the five standard conditions below:

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

1. Except for the frontage along Grace Lane, a "No Vehicular Access" statement shall be platted along both the South Street and N. Eastland Drive 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 street addresses and County Auditor's Key Number shall be shown.

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

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

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

Joe Coutts, CNS Surveying, 820 Longacre Drive, Lafayette, IN 47905, representative for petitioner RDS, LLC, said they agreed with the staff report and conditions. He respectfully requested approval.

Larry Leverenz asked Ryan O'Gara if there was any comment online. O'Gara turned the matter to David Hittle, who noted that there were two people present in the hearing room. Hittle asked the two if they were interested in the case at hand, then asked for a brief pause to allow staff to communicate with the attendees. After the pause, Hittle noted that the two attendees had no comments. Larry Leverenz asked Ryan O'Gara about comments on social media, and O'Gara noted that there were no comments.

Eric Burns conducted a vote by roll call. The motion was for conditional approval, and carried 6 yes to 0 no, with one absent.

Yes-Votes

Larry Leverenz
Tom Murtaugh
Gary Schroeder
Greg Jones
Kathy Parker
Jerry Reynolds

No-Votes

Larry Leverenz stated that the members also had an electronic ballot to submit, and paused to allow for the action. Don Lamb noted in short order that all six electronic ballots had been submitted, all for approval.

IV. APPROVAL OF THE APRIL APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following subdivision petitions be placed on the April 21, 2021 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:

1. **S-4988 MENARDS MINOR SUBDIVISION, A REPLAT OF LOT 6 IN MAPLE POINT SUBDIVISION (minor-sketch)**
2. **S-4989 MAUCH MAJOR SUBDIVISION, A REPLAT OF LOT 1 (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 April 21, 2021 Area Plan Commission public hearing agenda:

1. **Z-2817 DOMO DEVELOPMENT COMPANY, LLC (Precedent Flats Planned Development) (R1 to PDRS)**
2. **Z-2819 LAFAYETTE NEIGHBORHOOD HOUSING SERVICES, INC. (Jeffersonian Planned Development) (PDMX to PDMX)**
3. **Z-2821 IBUILD PROPERTIES, LLC (I3 to GB)**
4. **Z-2822 TIPPECANOE DEVELOPMENT II, LLC (R1B to R2)**
5. **Z-2823 TIPPECANOE COUNTY AREA PLAN COMMISSION (FP, R3, I3, R2, R1, A, NB, and GB to FP, GB, R1, NB, A and R3)**
6. **Z-2824 TIPPECANOE COUNTY AREA PLAN COMMISSION (R3, R2, FP, R1B, R1A, R1, PDRS, and I3 to FP and R2)**
7. **Z-2825 HARDEBECK DEVELOPMENT, LLC (Grace Woods Rural Estate II) (A to RE)**
8. **Z-2826 PURDUE DELTA TAU DELTA ASSOCIATION, INC. (CBW to R3U)**
9. **Z-2827 JOSHUA SHIVES (R1 to AW)**

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

V. APPROVAL OF THE APRIL ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the April 28, 2021 Area Board of Zoning Appeals Public Hearing agenda:

1. **BZA-2052 FOX ACQUISITIONS, LLC**
2. **BZA-2053 CASEY GILES**

Greg Jones seconded and the motion 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 are not requests for use variance, prohibited from consideration by ordinance and statute:

1. **CASE #2021-14 THE NAVY CLUB OF LAFAYETTE**
2. **CASE #2021-15 REBRENEA PROPERTIES, LLC**

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

VII. REVIEW AND APPROVAL OF THE MARCH BUDGET REPORT

Gary Schroeder moved to hear and approve the March Budget Report as submitted.

David Hittle stated that the budget report included standard fare, and noted that the legal services line item accounted for a quarter of a year's worth of services (December 2020 through March 2021) because the legal provider went three months without invoicing for said services.

The motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

Gary Schroeder moved to adjourn, and voice vote unanimously approved.

Meeting adjourned at 4:48 p.m.

Respectfully Submitted,

David Hittle