

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

DATE..... JUNE 5, 2019
 TIME..... 4:30 P.M.
 PLACE..... CO. OFFICE BLDG.
 20 N. 3rd STREET
 LAFAYETTE, IN 47901

MEMBERS PRESENT

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

MEMBERS ABSENT**STAFF PRESENT**

Sallie Fahey
 Ryan O'Gara
 Rabita Foley
 Diana Trader
 Zach Williams, Atty.

President Tom Murtaugh called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the May 1, 2019 Executive Committee public hearing as submitted. Greg Jones seconded, and the motion carried by voice vote.

II. NEW BUSINESS**A. PRIMARY APPROVAL EXTENSION REQUEST****Purdue Research Park Phase 3, Part 2 (S-4122):**

The developer, Purdue Research Foundation (represented by Marianne Owen of Stuart & Branigin) is requesting a two-year extension of the primary approval originally granted July 15, 2009. The preliminary plat includes 17 lots on 95.43 acres (plus 3 outlots), located at the northwest corner of Kalberer Road and Yeager Road, in West Lafayette, Wabash 1(NE)23-5 and 6(NW)23-4.

Gary Schroeder moved to hear and approve a primary approval extension request for **(S-4122) PURDUE RESEARCH PARK PHASE 3, PART 2.** Greg Jones seconded.

Sallie Fahey presented the zoning map and preliminary plat. Sallie said this part of Purdue Research Park is located north of Kalberer Road. Sallie showed the plat as it was originally approved with 17 lots and she said 5 of those lots have been recorded. She said the extension is for the balance of the lots that have not been recorded. Sallie said there is nothing new that staff feels needs to be addressed and staff is recommending approval of the extension subject to the following original conditions:

IMPROVEMENTS AND PERFORMANCE BOND:

Petitioner has requested permission to bond, in lieu of completing all of the required public improvements prior to the submission of the final plat.

A. Variances

1. A variance to reduce the required pavement width for all internal streets from 34-ft. to 30-ft. (measured from back of curb to back of curb).
2. A variance to permit sidewalks (multi-purpose trails) outside the dedicated non-pavement right-of-way within a dedicated easement, as indicated on the preliminary plat.

B. Conditions

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

1. "Street B" shall be replaced by a street name approved by the Post Office, 911, and APC Executive Director.
2. The sanitary sewer, streets and drainage plans shall be approved by the West Lafayette City Engineer.
3. Indiana-American Water Company, Inc. shall approve the water plans.
4. An Erosion and Sediment Control Plan and a Stormwater Quality Management Plan meeting the requirements of 327 I.A.C. 15-5 shall be submitted to the Tippecanoe County Soil and Water Conservation District and shall also be approved by the West Lafayette City Engineer.
5. 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.
6. Any required bufferyard shall be shown with the standard plant unit details, and shall be installed as part of required public improvements. Any existing vegetation identified as a required bufferyard (or part) shall be verified as such by the West Lafayette City Engineer.

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

7. The "No Vehicular Access" restrictions shall be platted along the Kalberer Road and Yeager Road right-of-way lines and entrances, as shown on the preliminary plat and approved by the West Lafayette City Engineer.
8. 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.
9. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
10. All required building setbacks shall be platted.

11. The West Lafayette corporation line along the west boundary shall be labeled.
12. The street addresses and County Auditor's Key Number shall be shown.

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

13. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
14. The purpose, ownership and maintenance of Outlots 1, 2 and 3 shall be specified.

Marianne Owen, Stuart & Branigan LLP, 300 Main Street, Suite 900, Lafayette, IN 47901, attorney for the petitioner, said she is here today with David Hodde, the Director of Real Estate for Purdue Research Foundation. Marianne asked the committee to consider their request and she said the staff report says it all. She said as a part of the original approval the committee did approve permission to bond and she asked that the bond be a part of the extension as well.

Tom Murtaugh asked if the committee needs to vote to extend the bond.

Zach Williams said that it was assumed to be included. Zach said the committee is voting to extend the extension which was done with the original bond, and as long as that is approved it should be fine. Zach asked that this be reflected in the minutes.

The Executive Committee voted 7-Yes to 0-No to grant the two-year extension for **(S-4122) PURDUE RESEARCH PARK PHASE 3, PART 2.**

III. PUBLIC HEARING

Tom Murtaugh 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. SUBDIVISION REQUESTS

S-4841 KORNAFEL MINOR SUBDIVISION (minor-sketch):

Petitioner is seeking primary approval for a one lot commercial subdivision on 3.175 acres, located at the northeast corner of Concord Road and Brady Lane, in Lafayette, Wea 3 (NE) 22-4.

Gary Schroeder moved to hear and vote on **(S-4841) KORNAFEL MINOR SUBDIVISION (minor sketch).** Greg Jones seconded.

Sallie Fahey presented the zoning map and site plan. Sallie said the property is bordered by Brady Lane to the south and Concord Road to the west. Sallie said the flood plain wraps around the back of the property. She said the balance of the property is zoned General Business. Sallie said petitioners are intending to create a one lot commercial subdivision on a 3.175-acre tract. She said they would like to build a commercial building to house their insurance office and there would be additional commercial office space to lease. Sallie said the City of Lafayette Engineer's Office is not requiring a "No Vehicular Access" statement along either frontage. She said sanitary sewer and water are available to the site. Sallie said the City of Lafayette will review the drainage at the time of the building permit application. Sallie said the site does meet all the setback requirements for either I3 or GB zones. She said a 20-ft wide Type-A bufferyard is required where GB meets I3 and it is shown on the north lot line. Sallie said staff is recommending primary approval subject to the following three standard conditions:

A. Conditions

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

Jerry Reynolds said this is the case that was read at the Lafayette City Council meeting on Monday June 3, 2019.

Sallie Fahey said the rezone case for the property was presented at the June 3, 2019 Lafayette City Council meeting. Sallie said the staff report states the setback standards are met for either I3 or GB zones because it was written before the council had acted on the rezone.

Kristina Arguelles, Starr Associates, 413 Teal Road, Lafayette, IN 47905, representative for the petitioner, asked that the committee approve Lot 1 for a minor subdivision.

The Executive Committee voted 7-Yes to 0-No to approve conditional primary approval of **(S-4841) KORNAFEL MINOR SUBDIVISION (minor sketch).**

IV. APPROVAL OF THE JUNE AREA PLAN COMMISSION PUBLIC HEARING AGENDA:

Gary Schroeder moved that the following subdivision petitions be placed on the June 19, 2019 Area Plan Commission public hearing agenda at petitioners' request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-4848 BARRINGTON LAKES SUBDIVISION (major-preliminary), S-4849 3330 KLONDIKE LLC COMMERCIAL SUBDIVISION (major-preliminary), and S-4850 PURDUE-HILLEL MINOR SUBDIVISION, A REPLAT OF LOTS 2 & 3, STOCKTON'S PLAT OF WEST LAFAYETTE (minor-sketch).

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

Gary Schroeder moved that the following rezoning petitions be placed on the June 19, 2019 Area Plan Commission public hearing agenda:

Z-2764 REDWOOD ACQUISITIONS, LLC – ELIZABETH BENTZ WILLIAMS (REDWOOD APARTMENTS PD (R3/GB to PDRS)).

Z-2765 BROWNING INVESTMENT /JC HART – ADAM CHAVERS (CONTINUUM PD) (OR TO PDMX),

Z-2767 WESTMINSTER VILLAGE WEST LAFAYETTE, INC. (PDRS to MR), and

Z-2768 TECSPAN CONCRETE STRUCTURES, LLC (R1 to I3)

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

V. APPROVAL OF THE JUNE ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the June 26, 2019 Area Board of Zoning Appeals Public Hearing agenda:

BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC.,

BZA-2014 PURDUE RESEARCH FOUNDATION,

BZA-2016 PURDUE RESEARCH FOUNDATION, and

BZA-2017 KURT BROCK

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

VI. DETERMINATION OF VARIANCES – Lafayette Division

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:

CASE #2019-15 AMERICAN REALTY OF LAFAYETTE LLC,

CASE #2019-16 TWPS LAFAYETTE, INC.,

CASE #2019-17 GARY W. SCHROEDER,

CASE #2019-18 CENTIER BANK,

CASE #2019-19 SAGAMORE READY MIX,

CASE #2019-20 ARCP MT LAFAYETTE IN, LLC, and

CASE #2019-21 FIRST FARMERS BANK & TRUST

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

Gary Schroeder moved that the sign ordinance be strictly adhered to for the following requests:

CASE #2019-16 TWPS LAFAYETTE, INC.

CASE #2019-18 CENTIER BANK,

CASE #2019-20 ARCP MT LAFAYETTE IN, LLC, and

CASE #2019-21 FIRST FARMERS BANK & TRUST

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

VII. REVIEW AND APPROVAL OF THE MAY BUDGET REPORT

Gary Schroeder moved to approve the May budget report as submitted. Greg Jones seconded, and the motion carried by voice vote.

Sallie Fahey said under the Expenditures This Month column there are two items to note. She said \$75 listed under Other Professional Services was for the 3-week advertisement she placed on the American Planning Association Indiana Division website for the Assistant Director for Transportation Planning position. Sallie said the bulk of the \$470.41 listed under Travel Costs and Mileage was per diem for Rabita Foley who attended the American Planning Association conference in San Francisco.

VIII. OTHER BUSINESS

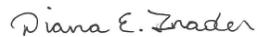
IX. ADJOURNMENT

Gary Schroeder moved to adjourn.

The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Diana E. Trader



Acting Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director