

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]

www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

March 30, 2016
Ref. No. 2016-059

West Lafayette Board of Public Works and Safety
222 N Chauncey Ave RM 101
West Lafayette IN 47906-3006

**SUBJECT: SUBDIVISION VARIANCE – S-4575–BLACKBIRD FARMS APARTMENTS
SUBDIVISION, PHASE 2 (MAJOR-PRELIMINARY PLAT)**

Dear Board Members:

Please consider the following variance requests for the subject subdivision at your next available meeting. Along with the subdivision application to our office, the subdivider has submitted two variance requests from the Unified Subdivision Ordinance (USO). As required by USO Section 1.12, I am referring these requests to you, our participating jurisdiction, for your recommendations to the Area Plan Commission. (See also, the enclosed copy of applicant's letter to the Area Plan Commission and a reduced copy of the preliminary plat):

1. A variance from USO Section 5.12(3)(a)(i) to waive the installation of the required half-width pavement improvements along the McCormick Road frontage of the subject property.
2. A variance from USO Sections 5.7(1)(a), (b), and (c) to waive the required installation of sidewalks with curbs, and grassed or landscaped median, along the McCormick frontage of the subject property.

The subdivider's request before the Area Plan Commission (at the April 20th hearing) is for a one lot multi-family subdivision on 5.3 acres. There will be a total of 80 units (120 bedrooms) in 6 buildings, located at the southwest corner of Lindberg and McCormick Roads. The subdivider wishes to waive the standard improvements required along the site's McCormick Road frontage. Based on discussion at the subdivision sketch plan review meeting, the **West Lafayette City Engineer** felt these required improvements would likely need to be removed in the near future when the City begins planned improvements to McCormick Road.

(Please use the enclosed VARIANCE DISPOSITION NOTICE to indicate the Board's action on this request.)

Respectfully submitted,



Donald B. Lamb
Senior Planner

cc: West Lafayette City Engineer
Blackbird Farms Apartments Phase II LLC
Marianne M. Owen, Stuart & Branigin LLP
Civil Site Group INC

VARIANCE DISPOSITION NOTICE

SUBDIVISION: Blackbird Farms Apartments Subdivision, Phase 2
DEVELOPER: Blackbird Farms Apartments Phase II LLC
REPRESENTATIVES: Marianne M. Owen, Stuart & Branigin LLP & Civil Site Group INC

The following variance requests were presented to the West Lafayette Board of Public Works and Safety on: _____ 2016.

1. A variance from USO Section 5.12(3)(a)(i) to waive the installation of the required half-width pavement improvements along the McCormick Road frontage of the subject property.
 2. A variance from USO Sections 5.7(1)(a), (b), and (c) to waive the required installation of sidewalks with curbs, and grassed or landscaped median, along the McCormick frontage of the subject property.
-

It was the decision of the West Lafayette Board of Public Works and Safety that:

Variance #1 was APPROVED
 DENIED

Variance #2 was APPROVED
 DENIED

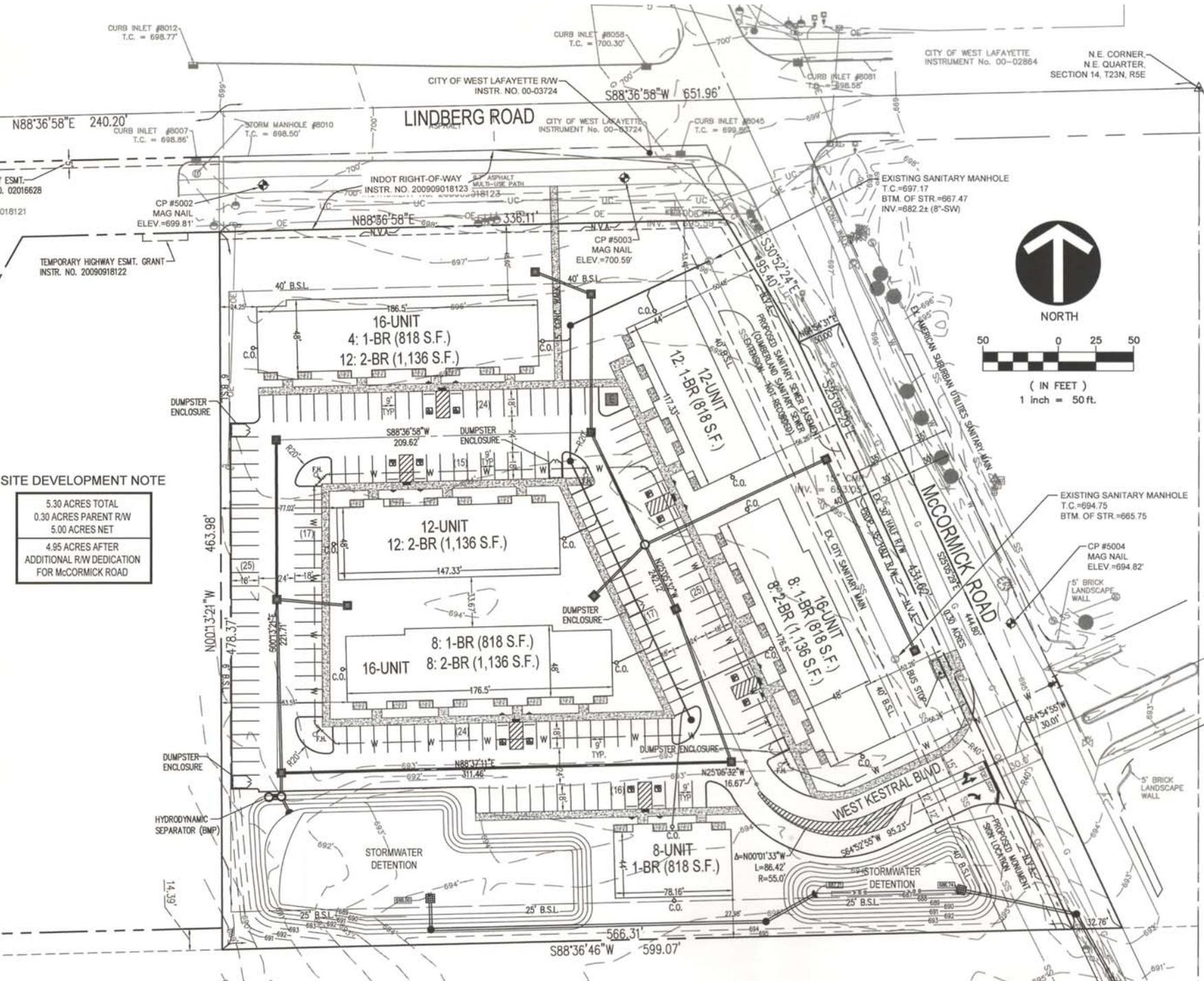
THE WEST LAFAYETTE BOARD OF PUBLIC WORKS AND SAFETY

President

Sana G. Booker - Clerk of the Board

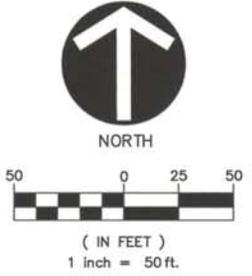
REFERENCE: COMMISSIONERS MINUTES BOOK _____ PAGE _____

cc: Blackbird Farms Apartments Phase II LLC
(301 N 5th Street, Lafayette IN 47901)
Area Plan Commission
West Lafayette City Engineer



SITE DEVELOPMENT NOTE

5.30 ACRES TOTAL
0.30 ACRES PARENT R/W
5.00 ACRES NET
4.95 ACRES AFTER
ADDITIONAL R/W DEDICATION
FOR MCCORMICK ROAD



EAST LINE OF THE NORTHEAST QUARTER
 SEC. 14-123N-R5E
 N00°01'55"E 2709.35'

ADJACENT

LAND DE
 DESCRIPTION OF F

Marianne Mitten Owen
Direct (765) -428-7054
E-mail mmo@stuartlaw.com

**STUART &
BRANIGIN** LLP
L A W Y E R S
www.stuartlaw.com

March 18, 2016

BY HAND DELIVERY AND ELECTRONIC MAIL (Sfahey@tippecanoe.in.gov)

Ms. Sallie D. Fahey
Executive Director
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY
20 North Third Street
Lafayette, Indiana 47901

RE: Blackbird Farms Apartments Phase II, LLC – Request for Primary Approval of Major Subdivision Plan for Blackbird III Apartments, a multi-family subdivision, located at the southwest corner of the intersection of McCormick Road and Lindberg Road, in West Lafayette, Indiana

Dear Ms. Fahey:

This law firm represents Blackbird Farms Apartments Phase II, LLC, an Indiana limited liability company, in connection with the above-referenced Request.

Our client seeks the approval of the Area Plan Commission of Tippecanoe County of its Request in connection with its plan to expand its existing Blackbird Farms Apartments development.

Enclosed please find the following documents for filing for what we trust will be the placement of the preliminary plat for this multi-family subdivision on the agenda for the APC's regular meeting on April 20, 2016, for the APC's consideration of primary approval (copies of the following will be sent by e-mail upon acceptance of this filing):

1. Request for Primary Approval of Major Subdivision Plat, in duplicate;
2. List of Interested Parties, in duplicate;
3. Three (3) paper prints of the Preliminary Plat (a PDF digital copy will be sent by e-mail upon acceptance of this filing);
4. Notice of Public Hearing Release Form addressed to Journal and Courier;
5. Notice of Public Hearing Release Form addressed to Lafayette Leader;
6. Two copies of the Notice of Hearing on Subdivision Plat for publication;
7. Notice to Interested Parties;
8. Affidavit of Notice to Checkpoint Agencies with copy of Form of Cover Letter, Request, and Preliminary Plat delivered to Checkpoint Agencies with certified mailing receipts; and
9. Filing Fee for Request for Primary Approval of Major Subdivision Plat, \$500.

Reply to Lafayette Office

March 18, 2016

Page 2

Please be advised that as part of this Request for Primary Approval of Major Subdivision, our clients are requesting the consideration and approval of the following variances from the Unified Subdivision Ordinance of Tippecanoe County ("USO"):

- a. A variance from USO Section 5.12(3)(a)(i) to waive the installation of the required half-width pavement improvements along the McCormick Road frontage of the subject property;
- b. A variance from USO Sections 5.7(1)(a), (b), and (c) to waive the required installation of sidewalks with curbs, and grassed or landscaped median, along the McCormick frontage of the subject property.

Further, our client will be requesting permission to bond for public improvements.

We encourage you to review these documents at your earliest convenience. Please feel free to contact me with any comments or concerns as well as if you need any further information or documentation prior to The Area Plan Commission meeting on Wednesday, April 20, 2016. Also, if you schedule a meeting when our project is anticipated to be discussed and would like our presence, please just let me know.

Very truly yours,

STUART & BRANIGIN LLP
an Indiana limited liability partnership

A large, stylized handwritten signature in black ink, appearing to read 'MMO', is written over the printed name and firm information.

Marianne Mitten Owen

MMO:bst
Enclosures

cc: Keith Long
Tom Long
Eric Gleissner
Tom Walter