

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

DATE..... JANUARY 18, 2017
TIME.....6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Greg Jones
Jake Gray
Tom Murtaugh
Gary Schroeder
Jackson Bogan
Jerry Reynolds
Dave Williams
Gerry Keen
Perry Brown
Dr. Carl Griffin
Tyrone Taylor
Tracy Brown
Larry Leverenz
Vicki Pearl
Roland Winger

MEMBERS ABSENT

Clark Whitley

STAFF PRESENT

Sallie Fahey
John Thomas
Ryan O’Gara
Don Lamb
Linda Underwood
Jay Seeger, Atty.

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 18th day of January, 2017 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Attorney Jay Seeger called the meeting to order.

I. ELECTION OF OFFICERS

Jay Seeger opened the floor for nominations for President.

Gary Schroeder moved to nominate Gerry Keen for President.
Vicki Pearl seconded.

Gary Schroeder moved that nominations for President be closed.
Vicki Pearl seconded and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gerry Keen for President.
Vicki Pearl seconded and the motion carried by voice vote.

Gerry Keen took office and was seated as President.

President Gerry Keen requested nominations for the office of Vice President.

Gary Schroeder moved that Tom Murtaugh be nominated for Vice President.
Vicki Pearl seconded.

Gary Schroeder moved that nominations for Vice President be closed.
Vicki Pearl seconded and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Tom Murtaugh for Vice President.
Vicki Pearl seconded and the motion carried by voice vote.

President Gerry Keen requested nominations for the Executive Committee.

Gary Schroeder moved that Tom Murtaugh and Gary Schroeder be nominated to represent Tippecanoe County on the Executive Committee.

Vicki Pearl seconded.

Gary Schroeder moved that Jerry Reynolds and Jackson Bogan be nominated to represent the City of Lafayette on the Executive Committee.

Vicki Pearl seconded.

Gary Schroeder moved that Gerry Keen and Carl Griffin be nominated to represent the City of West Lafayette on the Executive Committee.

Vicki Pearl seconded.

Gary Schroeder moved that Greg Jones be nominated to represent the Towns of Dayton, Battle Ground and Clarks Hill on the Executive Committee.

Vicki Pearl seconded.

Gary Schroeder moved that nominations for Executive Committee be closed.

Vicki Pearl seconded and the motion carried by unanimous voice vote.

Gary Schroeder moved to cast a unanimous ballot for Tom Murtaugh, Gary Schroeder, Jerry Reynolds, Jackson Bogan, Gerry Keen, Carl Griffin, and Greg Jones.

Vicki Pearl seconded and the motion carried by unanimous voice vote.

President Gerry Keen requested nominations for the Area Board of Zoning Appeals.

Gary Schroeder moved that Gary Schroeder and Carl Griffin be nominated to represent the Area Plan Commission on the Area Board of Zoning Appeals.

Vicki Pearl seconded.

Gary Schroeder moved that nominations for the Area Board of Zoning Appeals be closed.

Vicki Pearl seconded and the motion carried by unanimous voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder and Carl Griffin for the Area Board of Zoning Appeals.

Vicki Pearl seconded and the motion carried by unanimous voice vote.

Sallie Fahey welcomed Jake Gray as the new Lafayette citizen mayoral appointee to the Area Plan Commission and added that he will also serve on the Lafayette Division of the Board of Zoning Appeals. Unfortunately when APC gets a new member it means we are losing a member. Tim Shriner has been with APC and/or the Lafayette BZA for 36 years.

Tim Shriner and Gerry Keen joined Sallie Fahey at the podium.

Gerry Keen presented Tim Shriner with a commemorative plaque acknowledging and showing appreciation for his 36 years of public service and exemplary leadership. He said a lot of people have come and gone since he joined APC and he is amazed at the amount of information Tim Shriner knows about what has and is going on in Tippecanoe County over the years. He concluded by saying he appreciates everything Tim Shriner has done while serving on APC.

Tim Shriner said he appreciates his fellow Commissioners and the wonderful experiences he had while serving on APC and the LBZA. When he joined APC attendance was miserable but over the past several years attendance has been great: just like it is tonight. Most everyone on the Commission has shown dedication. He reminded the Commissioners to do their homework prior to the meeting to make sure they are prepared for the meeting. He then returned his very large APC reference book that he received the last time he attended orientation in 2006 to Sallie Fahey and commented that he just finished it last Sunday. He wished Jake Gray good luck and said he hopes he makes as many friends serving on APC and LBZA as he did. He concluded by reminding the Commission that after each meeting they need to make things better than they were when they arrived for the meeting.

II. BRIEFING SESSION

Sallie Fahey said the developer's engineer for **Z-2673—SAGAMORE COMMONS, LLC (OR to GB)**, the property between Applebee's and Cook Medical, has not perfected the application with INDOT for a driveway permit. Our by-laws do not permit any more continuances so the case has been withdrawn. Once the application is perfected with INDOT this will probably be refiled. The petitioner for **Z-2679—CHRIS L. MOORE (AW to A)** has requested a continuance to the February 15th meeting. The remaining cases are ready to be heard.

III. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the December 21, 2016 meeting. Vicki Pearl seconded and the minutes were approved by unanimous voice vote.

IV. NEW BUSINESS

REQUEST TO AUTHORIZE FILING A BELATED PRIMARY APPROVAL EXTENSION REQUEST

HICKORY RIDGE SUBDIVISION (S-3375):

The developer, South 18th LLC (represented by Brian Keene) is requesting authorization to file a belated request for extension of the primary approval granted September 17, 2003 and extended several times (expired September 17, 2016). The preliminary plat includes 180 single-family lots (plus 3 outlots) on 73.27 acres and is located on the west side of Concord Road (CR 250 E) at Mondavi Boulevard, in Wea 15 (SW) and 16 (SE) 22-4.

Gary Schroeder moved to hear and approve a **REQUEST TO AUTHORIZE FILING A BELATED PRIMARY APPROVAL EXTENSION FOR HICKORY RIDGE SUBDIVISION (S-3375)**. Vicki Pearl seconded.

Don Lamb presented the zoning map, and preliminary plat, approved in 2003, with the area included in the request outlined in red. Phase 1 improvements were put in and the plat was recorded in 2004. Due to the recession and several continuances, we did not see Phase 2 until 2016. The most recent extension expired in September 2016 and the petitioner is asking permission to file a belated extension request. He said staff is recommending approval.

Brian Keene, 2615 Salem Street, Lafayette, IN 47904, petitioner, concurred with the staff report. He explained that he applied for an extension about a year ago but didn't realize that he filed the extension so late it only last eight months. If this request is approved the extension will go until September 2018.

The Commission voted by ballot 15 yes to 0 no **TO AUTHORIZE FILING A BELATED PRIMARY APPROVAL EXTENSION REQUEST FOR HICKORY RIDGE SUBDIVISION (S-3375)**.

V. PUBLIC HEARING

Gerry Keen read the meeting procedures.

Gary Schroeder moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance of Tippecanoe County, Indiana, are hereby entered by reference into the public record of each agenda item. Vicki Pearl seconded and the motion carried by voice vote.

Gary Schroeder moved to continue **Z-2679—CHRIS L. MOORE (AW to A)** to the February 15, 2017 Area Plan Commission public hearing at petitioner's request. Vicki Pearl seconded and the motion carried by voice vote.

A. ORDINANCE AMENDMENTS

UZO AMENDMENT #88:

This amendment would add regulations regarding transient rental accommodations to Chapters 2, 3, and 4.

Gary Schroeder moved to hear and approve **UZO AMENDMENT #88**. Vicki Pearl seconded.

Sallie Fahey prefaced the presentation by clarifying that this proposed ordinance does not regulate the traditional rental of property. If this amendment is approved a person can still rent their property, rent a room, or rent an apartment for 30 days or longer. This ordinance regulates short-term rentals that are less than 30 days duration. Staff has talked about this issue off and on for several years and then recently the City of Lafayette discovered a small number of houses in its Chatham Square development, a single-family neighborhood, were sold to investors who have no plans to live in the homes and purchased them to be used as Airbnb sites. All zoning ordinance amendments will go to all six member jurisdictions for their decision and vote so it may not be approved in all jurisdictions.

The proposed ordinance amendment was designed with the following three gradations of transient rental accommodation:

- “transient guest house” – a single or two-family dwelling in the R3 zones and business districts that is not owner-occupied and can be rented for up to 30 days;
- “transient guest rental” – an owner-occupied dwelling, allowed in all residential and rural zones, where the owner is not required to be present when renters are there with rental agreements of no more than 14 consecutive days and no more than 60 total days in a calendar year; and
- “transient guest room” – a room, allowed in all residential and rural zones, within an owner-occupied dwelling where the owner must be present when the transient room is occupied.

She went on to say there are varying degrees of neighborhood impact. She said a person renting a house or a room for more than 30 days at a time will not be impacted by this ordinance. The Ordinance Committee discussed this amendment for the past several months and the Committee received good information from a citizen who is on the Airbnb rental list. She added that West Lafayette may chose not to adopt this amendment because they believe West Lafayette’s rental ordinance covers these anyway and will be inspecting all of these properties under their current ordinance.

Diane Damico, 128 Blackhawk, West Lafayette, IN 47906, took the Commission on a tour of the actual Airbnb website along with the host side of the Airbnb website - [Airbnb.com](https://www.airbnb.com) and [AirbnbCitizen.com](https://www.airbnb.com/citizens). She explained the process of renting a room/house, the safeguards in place, host reviews, and guest vetting. She then played a video put out by Airbnb that is directed to legislative bodies and features four mayors talking about how they use the Airbnb income <https://www.AirbnbCitizen.com/video-mayors-home-sharings-momentum-benefits-cities/>. She went on to say the proposed ordinance does not talk about taxes from Airbnb rentals but Airbnb is able to collect taxes and send it to the jurisdictions. She said rentals in Indiana increased by 104%. She concluded by asking the Commission to table the proposed amendment and open a dialog.

James Britton, 725 North Chauncey, West Lafayette, IN 47906, said the video allowed the Commission to hear from government leaders in major cities throughout the country. It was a financial decision to stay in Airbnbs when attending conferences because it allowed him to stretch his budget and attend more conferences. In many instances he can stay closer to the conference venues and felt like he was part of an actual neighborhood. Chicago did not make a rash ordinance change but thought through how to handle the new economy paradigm. Chicago looked at quality of life issues. Up to 8% of the 4% surcharge Chicago receives from all shared housing/vacation rentals is spent on enforcement and administration purposes. Half of the remaining revenue is used for supportive services attached to permanent housing for homeless families and the other half is used to fund supportive services for the chronically homeless. He could see some of Tippecanoe County’s 4% fee going to tourism and funding regulation and inspection programs. He feels the 60 day limit is very short-sighted.

Alan Welch, 1021 North 10th Street, Lafayette, IN 47904, said he has lived in half of his duplex since 1984 and it was originally built as a duplex. His property is zoned R2 so he is not sure if this ordinance applies to him. The other half of his duplex was continuously rented until last year when he had to go without rental income. He and his wife made their home available as an Airbnb and it has been a great experience. Renters and the hosts are vetted. Almost all of the guests that stayed with him were looking for something different than a hotel experience. He advertises local events, restaurants and shops and added that all the money he receives stays in the community. The ordinance already has regulations for B & B’s so he is not sure why Airbnbs are being regulated because he thinks Airbnb rentals fall into that category.

Mel Brutsma, 321 South 7th Street, Lafayette, IN 47901, said he and his wife have lived in his older home since 1984. A couple years ago a home on Romig Street sold for \$20,000 and since the sale there has been a swinging door of tenants. His home is zoned R2 and has 5 bedrooms; there is an option to rent the basement but it is hard to find qualified tenants. He and his wife hope to run a Bed & Breakfast but it would be very expensive to bring the home up to code. Being able to rent up to two rooms or a home for only sixty days is not workable as a business plan.

Gail Brock, 9 South 7th Street, Lafayette, IN 47901, said she has lived in a historic district for the last 10 years and believes the proposed ordinance is poorly written and excludes as much as it includes. Airbnbs enhance neighborhood stability and safety as new people are able to experience the neighborhood. Airbnb income helps

homeowners maintain and improve their home and prevent foreclosures. Airbnbs added \$51,000,000 to the Boston economy. Airbnbs lower the cost of housing and the tax income helps fund local social programs. Insurance and double screenings are offered. She suggested taking ten months to learn how much income is produced from Airbnbs and rethink the proposal. She asked the Commissioners if they have a conflict of interest because they have an Airbnb or are planning to get one. Her mother just passed away but at one time she had a nurse come in every day and she wonders if her mother would have been able to house her nurse in the home.

Tyrone Taylor said he has a family Airbnb they rent out and it is a unique situation because no one lives in the home. The 60 day restriction will really hinder the use because he has a family that rents his place to visit Purdue for 21 days at a time. The home is large enough to hold events and he thinks the 60 day restriction is a problem the way the ordinance is written.

James Weldon, 628 Romig Street, Lafayette, IN 47901, said he is a Vietnam veteran and he has an ADA home suitable for folks in a wheelchair. His mother-in-law lives with them but she is 89 and when she passes he wants to be able to rent a room to people who are disabled, preferably veterans. He also hopes to be able to rent rooms for a longer period of time because the VA is slow to help people in transition who may need a room for only three to six months. He thinks this ordinance will prevent him from helping others.

Zachary Baiel, 124 Connolly Street, West Lafayette, IN 47906, said there have been mentions of concerns in the Lafayette area and he questions if there is any quantitative data from APC to support this or if it is unsubstantiated. He urged the Commission to table or vote against the ordinance. He does not see how this ordinance will “make things better” as Tim Shriner suggested. He also thinks more attention should be paid to the inadequate rental inspection program even though there might be state complications with that. He is shocked to see that we are attacking a new technology-driven economy that creatively uses existing properties and introduces new money into the county. He lives in New Chauncey and knows student renters are exploited by certain landlords. He also wonders who created this ordinance because after talking to people attending the meeting, only one person present was involved. Even though there are many others wanting to participate in the process. He said Airbnb is an asset to the New Chauncey neighborhood because it is affordable and a wonderful way to explore the community and directly reinvest in it. Many hosts invest in their homes and that improves their neighborhoods. The 60 day limit will stifle people from exploring our community.

Carl Griffin said he was on the Ordinance Committee that considered this amendment and thinks although the Committee sought to get as much input as possible it is evident there are other sides to the issue that were not considered.

Carl Griffin moved to TABLE UZO AMENDMENT #88 and ASK STAFF TO SET UP A REASONABLE TIMELINE TO GET MORE PUBLIC INPUT BEFORE BRINGING IT BACK TO THE ORDINANCE COMMITTEE FOR CONSIDERATION. Larry Leverenz seconded.

Roland Winger said he wants to make sure the other people who signed up to speak have an opportunity to do so. He would also like to hear what the letters have to say.

Carl Griffin amended the motion on the floor to TABLE UZO AMENDMENT #88 and ASK STAFF TO SET UP A REASONABLE TIMELINE TO GET MORE PUBLIC INPUT BEFORE BRINGING IT BACK TO THE ORDINANCE COMMITTEE FOR CONSIDERATION AFTER HEARING FROM THE REMONSTRATORS WHO ARE PRESENT AND READING THE TWO LETTERS THAT WERE SUBMITTED. Larry Leverenz seconded and the motion was approved by unanimous voice vote.

Rine McCarty, 3446 Summertime Trail, Lafayette, IN 47909, said she graduated from Purdue in 2007 and chose to stay in the community. She has two, year-long rentals and last fall she started renting a room in her 4-bedroom home. Her Airbnb guests have had wonderful experiences. She has had people passing through, out-of-state graduate students who do weekend MBA programs at Purdue that come every other weekend, people doing contract work, traveling nurses, etc. Her renters are looking for a unique experience of staying in a home and experiencing the community and they cannot get that at a hotel. All the money she has made from her Airbnb rental has been reinvested in her property. She does not understand why only guests staying 15-29 days at a time are being regulated.

Andrew Meyer, 22 McGrath Street, Lafayette, IN 47901, said he has heard that a rationale for the ordinance is to make Airbnb pay taxes like hotels and another is because there were several houses purchased to exclusively be Airbnb rentals. Airbnb rentals do not cut into the hotel business because they are not alike. Airbnb already collects locality taxes for numerous places around the world. The local government just needs to contact Airbnb and make arrangements for taxes to be collected. The Airbnb site says they have remitted \$42,000,000 in taxes to local governments. The ordinance states that “transient rental houses” have to be zoned R3 or higher but that is the exact opposite of what needs to be done to make sure the neighborhoods do not become rental slums. R3 zoned property

is open to multi-family units. Someone can get R3 zoning to become an Airbnb, abandon the use and put up apartments on the site. Airbnb hosts have to have spectacular houses or accommodations because the hosts are rated. Too many bad reviews and you are taken off the site. People use Airbnb rentals for Purdue games when the hotels are full. Those dollars are lost. He rented his unit for 75 days from mid-August to the end of 2016 and there is a traveling machinist that will be staying in his rental for three weeks.

Jim Beaver, 920 Elm Drive, West Lafayette, IN 47906, said Airbnb is not the only organization that rents rooms. He thinks this legislation could branch out to an organization that has a religious affiliation and in that case we would be tangling with RIFRA. West Lafayette had a case a while back over four people living in a house that was designated for three. West Lafayette spent a little over \$400,000 in attorney's fees on that case. The judge ruled that a landlord/homeowner was responsible even if the landlord did not know about the situation. He thinks it would be good to have input about how a landlord/homeowner would be required to know if one of the tenants was an Airbnb resident.

Jessica Ritter, 301 Tesla Drive, West Lafayette, IN 47906, said she is glad the Commission decided to table this amendment to get more community input. This group has come together to provide information on Airbnb and to show how much we all care about our businesses. She was Diane Damico's first paying guest and now has been living in the community for over three years. Airbnb renters and owners are not typical because most owners do not live in the state. She thinks there are many more important issues that need to be addressed.

Sallie Fahey read letters from:

Vicky Burch, West Lafayette Common Council, 222 North Chauncey, West Lafayette, IN 47906, and
JB Miller, PO Box 138, Battle Ground, IN 47920.

B. REZONING ACTIVITIES

1. **Z-2675--INDIANA DISTRICT OF THE LUTHERAN CHURCH-MISSOURI SYNOD, INC. (460 Northwestern PD)(PDNR to PDNR):**

Petitioner is requesting rezoning on approximately 0.38 acres in order to repurpose the existing three-story Exponent building for a church use, office use, and limited commercial retail use. The property is located at 460 Northwestern Avenue, West Lafayette, Wabash 19 (NE) 23-4.

Gary Schroeder moved to hear and approve Z-2675—INDIANA DISTRICT OF THE LUTHERAN CHURCH-MISSOURI SYNOD, INC. (460 Northwestern PD) (PDNR to PDNR). Vicki Pearl seconded.

Ryan O'Gara presented the zoning map, aerial photos, and renderings of the completed project. He summarized the area zoning and land use patterns. He explained that with the construction of Wang Hall and Fuse, the Northwestern Avenue corridor is transitioning to a more urban environment. He said the modest parking for this project will remain largely unchanged due to the pedestrian orientation of the project relative to its proposed uses and bike parking will be increased. Because the Exponent is transitioning away from print service, the church, currently located at 100 South Chauncey, plans to take advantage of the opportunity in an attempt to be closer to its congregation by relocating in a more urban setting. The first phase of the project will convert the third floor to a sanctuary space with the Exponent offices remaining on the second floor. The first floor will be converted to church offices and a coffee shop, and the basement will continue to house the Exponent printing facility. The second phase of the project will see the basement converted into a church fellowship hall and gym. The third phase is the Exponent offices leaving and their second floor space made available for the church's use within the bounds of the planned development's permitted use table. Staff believes this is a model project for an urban adaptive reuse and he concluded with a recommendation of approval, contingent on meeting all requirements of UZO 2-28-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. Planned Development construction plans per UZO Appendix B-2;
3. A final plat per UZO Appendix B-3 as applicable;
4. Appropriate surety submitted with final detailed plans;
5. Plant schedule approved by the West Lafayette Greenspace Administrator that is in conformance with the approved Preliminary Plan.

Kevin Riley, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, concurred with the staff report. He added that he and his clients have met with the checkpoint agencies and there have been no objections.

Vicki Pearl asked if the law prohibiting alcohol sales 200' from a church will impact any of the current neighbors.

Kevin Riley said none of the neighbors will be impacted by this change in use.

Gary Schroeder asked if the 200' rule could prevent a new tenant going in to Wang Hall. He then asked if the 200' rule is an ABC rule and if a variance can be obtained.

Vicki Pearl said all she knows is that there was an issue when the convenience store went in at 9th and Ferry across from St. Boniface. She said the rule is an ABC rule and has nothing to do with zoning.

Roland Winger said Google Maps shows Wang Hall clearly over 200' from the Exponent building.

The Commission voted by ballot 15 yes to 0 no to recommend approval of **Z-2675—INDIANA DISTRICT OF THE LUTHERAN CHURCH-MISSOURI SYNOD, INC. (460 Northwestern PD) (PDNR to PDNR)** to the West Lafayette Common Council.

This case will be heard by the West Lafayette Common Council at its February 6, 2017 meeting. Petitioners or their representative must appear.

2. Z-2677--538, LLC (Historic Peirce House PD)(R1U to PDRS):

Petitioner/owner is requesting PDRS zoning on approximately 0.74 acres in order to convert the existing O.W. Peirce house (built in 1912) into a 6 unit multi-family apartment building. The property is located at 538 S. 7th Street, Lafayette, Fairfield 23 (NW) 23-4.

Gary Schroeder moved to hear and approve **Z-2677—538, LLC (Historic Peirce House PD) (R1U to PDRS)**. Vicki Pearl seconded.

Ryan O'Gara presented the zoning map and aerial photos of the site. He summarized the area zoning and land use patterns. He said the house was converted into 6 multi-family units in 1945 or 1946 and was used for multi-family purposes until a new owner vacated the multi-family use with the intention of restoring the house for single-family use. The plans fell through and the grandfathered use was lost. Prior to any rezone action, petitioner voluntarily requested the property be placed in a Local Historic District at staff's request in order to protect the character of the Peirce House. Staff was still reluctant to support any rezone action that would intensify the residential zoning unless petitioner restricted the property's reuse and redevelopment via the planned development process. Staff is satisfied the appropriate protections are in place to responsibly reintegrate this modest multi-family use into the neighborhood now that historic preservation has been taken care of and the planned development has been fully negotiated. He concluded with a recommendation of approval, contingent on meeting all requirements of UZO 2-28-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than the preliminary plat) that make up the approved Preliminary Plan;
2. Planned Development construction plans per UZO Appendix B-2 as directed by APC staff;
3. A final plat per UZO Appendix B-3 if applicable;
4. Appropriate surety submitted with final detailed plans; and
5. A plant schedule approved by Lafayette city staff that is in conformance with the approved Preliminary Plan.

Joseph Bumbleburg, PO Box 1535, Lafayette, IN 47902, attorney representing the petitioner, concurred with the complete and accurate staff report. He said all the owner wants to do is stabilize the house. His client worked with staff on this planned development and obtaining historic designation from the Lafayette Council. He concluded by saying this project is good for the community.

Glen Vick, 505 South 7th Street, Lafayette IN 47901, petitioner, said he fell in love with this property after moving into the neighborhood while out walking his dog. The house was built in 1911. William Barr was the architect and he was also the architect for the Lafayette Country Club and the Moses Fowler House Addition. Walter Scholer divided the house into six apartments after Mrs. Peirce sold the home in 1945 and it has been that way ever since. He has done a lot of work since he purchased the house and has plans to do a lot more. He applied to have the home placed on the National Historic Register and learned last week his request was approved. He distributed pictures of the home showing before and after photos and outlined some of the plans he has for the house. He requested a positive recommendation.

Dave Topp, 609 Lingle Avenue, Lafayette, IN 47901, adjacent property owner since 2010, said he supports this project but he is unclear what will happen to the property when Mr. Vick no longer owns it.

The Commission voted by ballot 15 yes to 0 no to recommend approval of **Z-2677—538, LLC (Historic Peirce House PD) (R1U to PDRS)** to the Lafayette Common Council.

This case will be heard by the Lafayette Common Council at its February 6, 2017 meeting. Petitioners or their representative must appear.

3. **Z-2680--YOUNG MEN'S CHRISTIAN ASSOCIATION OF LAFAYETTE (R1 to GB):**
 Petitioner is requesting rezoning of 20.75 acres located at 141 Point East Mobile Home Park, east of Creasy Lane and south of SR 38, in Lafayette, Wea 2 (N1/2) 22-4.

Gary Schroeder moved to hear and approve **Z-2680—YOUNG MEN'S CHRISTIAN ASSOCIATION OF LAFAYETTE (R1 to GB)**. Vicki Pearl seconded.

Due to a conflict of interest, Tracy Brown and Tom Murtaugh recused themselves and left the room.

Sallie Fahey presented the zoning map, aerial photos, and a non-binding site plan. At one time this location was the home of Pointe East Mobile Home Park and she said a new YMCA facility is planned. The site is currently served by Bonlou Drive. She summarized the area zoning patterns and other GB uses in the area. Petitioner has said the few remaining trailers will be moved and referred to the site plan to show the proposed 10' pedestrian path connecting the property with the Ivy Tech campus. If approved and developed, a 20' wide, Type C bufferyard will be required where this site abuts the mobile home community. This project started in 2012 when APC received a request from the City of Lafayette to amend the *Consolidated Creasy Lane TIF District and Economic Development Plan* so this and possibly some other land could become the "Intersection Connection" where different organizations could partner with Ivy Tech to become a regional hub of interconnected services that would include higher education, family and youth health, and economic workforce & economic development. A new YMCA building was also envisioned in 2012. The YMCA is leaving its long-time home on S. 18th near the fairgrounds for this site to allow future growth. Cooperation between Ivy Tech and the YMCA has resulted in a new location adjacent to the school's main campus, conveniently serving both students and the community. She concluded with a recommendation of approval.

Kevin Riley, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, thinks this is a very exciting project for Lafayette and Tippecanoe County. The plan is to develop a new YMCA building at this site and move from its current site on 18th Street. Fall 2018 is the target date for opening. The plan is to construct a 115,000 sq. ft. building with room for expansion, aquatic center, gymnasium, office space, work-out areas, classrooms, and licensed child care for up to 106 children. The YMCA is in discussion with a health care provider to lease space. Lafayette supports this request and requested approval.

The Commission voted by ballot 13 yes to 0 no to recommend approval of **Z-2680—YOUNG MEN'S CHRISTIAN ASSOCIATION OF LAFAYETTE (R1 to GB)** to the Lafayette Common Council.

This case will be heard by the Lafayette Common Council at its February 6, 2017 meeting. Petitioners or their representative must appear.

Tom Murtaugh and Tracy Brown rejoined the meeting in progress.

V. ADMINISTRATIVE MATTERS

None

VI. APPROVAL OF THE FEBRUARY EXECUTIVE COMMITTEE AGENDA

Gary Schroeder moved that the following subdivision petitions be placed on the February 1, 2017 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

- S-4637—HARLOW WEST SUBDIVISION (minor-sketch),**
S-4638—CHEDDAR SUBDIVISION (minor-sketch), and
S-4639—WEA SELF STORAGE MINOR SUBDIVISION (minor-sketch).

Vicki Pearl seconded and the motion carried by unanimous voice vote.

VIII. DETERMINATION OF VARIANCES – AREA BOARD OF ZONING APPEALS

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:

BZA-1952—TIPPCO INVESTMENTS, LLC

Vicki Pearl seconded and the motion was approved by unanimous voice vote.

IX. DIRECTOR'S REPORT

Sallie Fahey apologized for not getting out the Director's Report because she has been in non-stop meetings for the last couple of days but she will get it out before the end of the week.

She thinks it is good the ordinance amendment was tabled so staff can lay out all the options for temporary housing. We already permit Bed & Breakfasts where you can rent seven rooms and there is not a 60 day requirement. The ordinance also permits rooming and boarding houses in certain zoning districts. She thinks if we lay out all the available options in a concise grid-like manner everyone will be able to see what we have and identify gaps.

Jackson Bogan asked if the community is receiving the Innkeepers tax from Airbnb rentals.

Tom Murtaugh said we are not collecting anything now but he plans to reach out to Airbnb.

Sallie Fahey pointed out that legislation regarding Airbnb was filed about a week ago that may require collection of the Innkeeper tax. She will check on that and report back to the Committee.

Roland Winger pointed out that Airbnb is not the only company doing this. He went on to say anyone on the Ordinance Committee knows how grueling that committee is and how hard it is to govern new things. He suggested we take care of the Chatham Square problem now and amend the ordinance as needed. He thinks the ordinance should not outpace the problems.

X. CITIZEN COMMENT AND GRIEVANCES

Carl Griffin said he and his wife stayed at an Airbnb arts & crafts style bungalow in the Seattle area that is near their children. The hostess can split up her first and second floors and she stays upstairs when the unit is rented. Since they started staying there the owner has made many upgrades to the home. Airbnb is a way for owners to keep up with and improve their homes. He is a witness that Airbnb rentals can have a positive impact on neighborhoods where there are a lot of old houses.

XI. ADJOURNMENT

Gary Schroeder moved to adjourn. Roland Winger seconded and the motion carried by voice vote.

The meeting adjourned at 8:00p.m.

Respectfully Submitted,



Linda M. Underwood
Recording Secretary

Reviewed By,



Sallie Fahey
Executive Director