

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

DATE..... February 15, 2017
TIME..... 6:00 P.M.
PLACE..... County Office Bldg.
20 N. 3rd Street
Lafayette, IN 47901

MEMBERS PRESENT

Greg Jones
Jake Gray
Tom Murtaugh
Gary Schroeder
Vicki Pearl
Diana Luper
Dave Williams
Gerry Keen
Perry Brown
Dr. Carl Griffin
Tyrone Taylor
Larry Leverenz
Tracy Brown

MEMBERS ABSENT

Jerry Reynolds
Jackson Bogan
Roland Winger

STAFF PRESENT

Sallie Fahey
John Thomas
Ryan O’Gara
Linda Underwood
Zach Williams, Atty.

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 15th day of February 2017 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

I. BRIEFING SESSION

Sallie Fahey said the petitioner for **Z-2679—CHRIS L. MOORE (AW to A)** has requested a continuance to the April APC meeting. All other cases listed on the agenda are ready to be heard.

II. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the January 18, 2017 meeting. Vicki Pearl seconded and the minutes were approved by unanimous voice vote.

III. NEW BUSINESS

A. FINAL DETAILED PLANS

RESOLUTION PD-17-02: CORE-UP MASTER JV, LLC (The Hub at West Lafayette PD) Z-2654

Final Detailed Plans for The Hub at West Lafayette Planned Development. The approved preliminary plans allow for the construction of a mixed-use building that steps from 9-stories to 10-stories and contains approximately 270-300 units with up to 599 bedrooms maximum, an option for approximately 1,800 square feet of ground floor retail, and a minimum 168 space internal parking garage. The property is located at 134 S. Pierce Street in the City of West Lafayette; Wabash 19 (SE) 23-4.

Gary Schroeder moved to hear and approve **RESOLUTION PD 17-02—CORE-UP MASTER JV, LLC (The Hub at West Lafayette PD) Z-2654.** Vicki Pearl seconded.

Ryan O’Gara presented the zoning map and a rendering of the building and said the site was rezoned by the West Lafayette Council in October 2016. The Construction Plans and Final Plat are included in these Final Detailed Plans and meet all conditions required at this stage of development. He went on to say the owner will be clear to apply for improvement location permits and begin construction once the FDP’s are approved and recorded.

Daniel Teder, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, said he is here to answer any questions and said the developer is ready to begin building soon. He requested approval.

Carl Griffin said a PD rezone the Commission is hearing later will be dedicating additional alley right-of-way. He asked if that was also done with this project.

Ryan O’Gara explained that was discussed early in the negotiations but the West Lafayette Engineer and Fire Department did not think there was a need for additional alley right-of-way at this location.

The Commission voted by ballot 13 yes to 0 no to approve **RESOLUTION PD 17-02—CORE-UP MASTER JV, LLC (The Hub at West Lafayette PD) Z-2654.**

B. PRIMARY APPROVAL EXTENSION REQUEST

PARK 350 SUBDIVISION (S-3665):

The developer, Lafayette Union Railway, is seeking approval of a fourth 2-year extension of the conditional primary approval that will expire April 20, 2017. This 125.49-acre industrial subdivision is located on the south side of CR 350 S, just west of the US 52 intersection, in Lafayette, Wea 11 (SE) 22-4.

Gary Schroeder moved to hear and approve a **CONDITIONAL PRIMARY APPROVAL EXTENSION FOR PARK 350 SUBDIVISION (S-3665).** Vicki Pearl seconded.

Sallie Fahey presented the zoning map and preliminary plat and explained that this was a state shovel-ready subdivision for industrial users. She then highlighted the new Nanshan and GE plants in the area. She said primary approval was granted in April 2005 and construction plans were approved for the entire project in 2006. All public improvements were completed and accepted at that time. The first final plat was approved and recorded in 2008 and the second in 2009. She referred to the plat to show that most of the lots have been platted and recorded and this request covers one small area (area #1). Lafayette Union Railway is hoping to continue to plat the remaining acreage. Staff does not believe there are any new requirements that would require this development to start over. She concluded with a recommendation of approval, contingent on any applicable conditions of the original conditional primary approval:

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

1. Street names shall be approved by 911, the Post Office and APC staff.
2. Temporary turnarounds shall be shown at each of the street stub ends.
3. The Lafayette City Engineer shall approve the sanitary sewer and water plans.
4. The fire hydrants shall be approved by the Wea Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the City in cooperation with the Fire Department.
5. An Erosion and Sediment Control Plan meeting the requirements of 327 I.A.C. 15-5 shall be approved by the Tippecanoe County Soil and Water Conservation District and meeting the requirements of the County Drainage Board as required by Tippecanoe County Ordinance #2005-04-CM.
6. The County Drainage Board shall approve the drainage plans.
7. 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.

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

8. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 350 S right-of-way line.
9. 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.
10. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
11. All required building setbacks shall be platted.

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.

The Commission voted by ballot 13 yes to 0 no to approval a **CONDITIONAL PRIMARY APPROVAL EXTENSION FOR PARK 350 SUBDIVISION (S-3665).**

IV. 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 April 19 , 2017 Area Plan Commission public hearing. Vicki Pearl seconded and the motion carried by voice vote.

A. ORDINANCE AMENDMENT

UZO AMENDMENT #88:

Revised based on the Ordinance Committee approval of February 1st, 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 said last month a *UZO* amendment proposal that would have added three different classifications of "transient rental accommodations" was discussed. The proposal was written by counsels for APC and Lafayette and discussed at the Ordinance Committee for several months. The staff report was presented, twelve remonstrators spoke, and the amendment was tabled to get more public input before bringing it back to the Ordinance Committee for further consideration. After further discussion at the end of the meeting, staff was directed to put together a table that shows the temporary housing options currently available. The Committee also suggested that APC should address the "Chatham Square" problem immediately by focusing on an amendment for "transient guest house" and wait to get additional input before finalizing the ordinance amendment for "transient guest rental" and "transient guest room" at a later date. The State Legislature is deciding if all local power should be taken away and regulate it from the state. She explained that the City of Lafayette discovered that three out of the ten homes in its highly successful Chatham Square development were sold to one entity with no plans to live on site and the houses are being used as Airbnb sites and will sit empty when not rented. The houses were constructed and subsidized using Federal Neighborhood Stabilizations Program funds with the intent that the houses would be owner-occupied. Lafayette is concerned that investment properties with no owner occupancy or long term rentals could proliferate neighborhoods and negatively impact them. The Ordinance Committee at its February meeting decided to send the amendment back to APC but only include the "transient guest house" classification. The proposed amendment will address Lafayette's concerns by only allowing this type of short-term rental of less than 30 days at a time in the R3 and commercial zones and not in single-family neighborhoods. The amendment also prohibits signage onsite and the exterior of the building cannot be modified to lessen its appearance as a residence. She concluded with a recommendation of approval.

Edward Chosnek, 316 Ferry Street, Lafayette, IN 47901, Lafayette City Attorney and co-author of the amendment, said he was not aware of transient rentals/Airbnb until recently. Bridgeway Apartments on Greenbush Street, east of Sagamore Parkway, were not built well and quickly deteriorated. That deterioration continued into the Glen Acres neighborhood. Lafayette was able to get a Neighborhood Stabilization Grant to acquire the property and work with developers to come up with the Chatham Square project. The apartments were built to look like condos and the development included 10 single-family homes. Millions of dollars were spent to great effect and the development won a major award. The Chatham Square Homeowners Association contacted the city with concerns about an investment group purchasing one of the single-family homes for rental purposes and a second home a few months later. A home owner noticed that the houses were listed on Airbnb and offered for up to eight unrelated people for one night or longer. The other homeowners were seeing a lot of people coming and going and the impact is that it no longer is a neighborhood. The investment group then bought the third house and do not occupy them. He said the group has maintained the houses but you cannot have a neighborhood without neighbors. He has no problem with the other types of transient rentals because the owners are still present and the neighborhood is maintained. There are ten other zoning districts where you can purchase a house and do Airbnb. Lafayette is asking for an ordinance that limits short term rentals in residential neighborhoods. The city does not want neighborhoods where single-family homes are

rented out on an irregular basis for up to eight unrelated people because that can lead to neighborhood destabilization. He understands this ordinance might not be a right fit for West Lafayette but he believes it is right for Tippecanoe County and the other jurisdictions. He asked the Commission to approve this amendment so it can go to the Lafayette City Council.

Alan Welch, 1021 North 10th Street, Lafayette, IN 47904, said he has lived in the Lincoln Neighborhood since 1978 and in his R2U zoned duplex since 1982. He is using Airbnb because he is between long-term renters. As written, this amendment will forbid him to rent the other side of his duplex when he is between long-term renters. The other half of his duplex would not be rented right now if he was not allowed to rent it out as an Airbnb. He attended the January APC meeting and was under the impression the amendment was tabled to get additional public input after the duplex issue was raised last month. He does not think this amendment is needed for a small neighborhood of 10 homes. The vast majority of the Lincoln Neighborhood is rentals so there is little opportunity to get to know your neighbors. He is concerned that R2 is part of this ordinance and it seems like a back door process of eliminating single-family rentals. He would like to see the ordinance be more inclusive.

Nick DeBoer, 225 Northwestern Avenue, West Lafayette, IN 47906, West Lafayette City Council, believes black markets open up when the government starts restricting these types of interaction. He does not believe the ordinance is enforceable because we do not want the police looking around the internet for rentals and knocking on doors to see if their rental is legal based on this ordinance.

Diane Damico, 128 Blackhawk Lane, West Lafayette, IN 47906, said she does not know how this ordinance came back without a meeting of the minds. She has an Airbnb rental in West Lafayette and she occupies her home but she would like to get a stand-alone rental closer to the hospitals. Her current Airbnb renter is in town for her daughter's swim meet at Purdue. The renter is staying at her place because there is a large conference in town in addition to the swim meet and all the hotel rooms are booked. If her Airbnb room was not available the renter would not have been able to watch her daughter swim. The Airbnb hosts have no problem paying the Innkeeper's Tax but they would like to see the money go toward programs for the homeless and not tourism. The Lafayette Airbnb rentals for 2016 were \$165,000 and West Lafayette's were \$135,000 so this type of rental is more prevalent than you think. She thinks Airbnb rentals should be regulated in neighborhood HOAs. The Bed & Breakfast ordinance says you cannot have a B&B within 200' of another B&B so maybe we should consider the issue we are trying to solve rather than squashing Airbnb across the board. The house she is considering purchasing to rent on Airbnb has been vacant for 10 months and it heading to foreclosure. That is not good for the neighborhood. The neighborhood would be more stable if she were able to purchase the home and use it as an Airbnb.

Joyce Welch, 1021 North 10th Street, Lafayette, IN 47904, said her husband spoke earlier and she wants to be sure it was made clear that even though she and her husband are living in one side of their duplex, the duplex would not be considered owner-occupied.

Ed Chosnek understands the concerns the duplex owners have because to him the unit is owner-occupied if the owner lives in one side of the duplex. The ordinance allows B&Bs in residential zones with a special exception but requires the owner to live on the premises. Creating zones that are compatible uses is the goal of the ordinance. The ordinance definition of a single-family home is one dwelling unit of one or more rooms with cooking, living, sanitary, and sleeping facilities for the exclusive use of one family. You are getting groups of people with some of the rentals and that is not what is intended to be a residential, single-family use. Lafayette's concern is short-term rentals in residential zones.

Sallie Fahey read a letter of opposition from:

Craig Whitlock, 428 Sinclair Drive, West Lafayette, IN 47906.

Dave Williams has concerns about owner-occupied duplexes and does not believe they should be included in this amendment. He also thinks we should not be reading letters into the record that take 20 minutes to read because doing that discriminates against the remonstrators who take the time to attend the meeting and express their concerns because they only have 5 minutes to present their case. He suggested notifying letter writers that we will only read the letter for the allotted 5 minutes and ask them what part of the letter he would like included in the reading.

Tom Murtaugh agreed and suggested removing duplexes when one side is occupied by the owner.

Gary Schroeder said we should just add R2 to the accepted zoning list.

Ed Chosnek said he has no concerns adding R2 to the accepted list so long as it is clear one half of the unit has to be owner-occupied. He suggested allowing the Lafayette Council to amend the ordinance to allow owner-occupied duplexes as an exception to this transient ordinance.

Dave Williams thinks an ordinance going to City Council has to be approved or denied but the Council cannot modify it.

Sallie Fahey said when a text amendment goes to the jurisdiction and the jurisdiction wants changes, it says what they want to have happen and then it comes back to APC for the changes to be made.

Zach Williams suggested amending the amendment at the meeting tonight by changing the proposal to allow owner-occupied duplexes.

Larry Leverenz moved to table **UZO AMENDMENT #88** and send it back to the Ordinance Committee for further discussion. Dave Williams seconded.

Alan Welch asked if the Airbnb owners will be able to join the discussion.

Carl Griffin explained that the Ordinance Committee meeting is a public meeting.

Tom Murtaugh said at the January meeting, APC sent the amendment back to be discussed by the Ordinance Committee at the February 1 meeting and not one Airbnb owners attended. At that time the Ordinance Committee had no objection to bringing this portion of the amendment forward. It was decided the Committee needed to work on the other two transient rental definitions. He agrees with the point Alan and Joyce Welch made and feels we should amend the proposal at the meeting tonight.

Sallie Fahey does not think the definition needs to be changed because the consideration for owner-occupancy is not part of the definition. We may want to add "permitted by right in R2 and R2U" in Section 2. In Section 3, 4-11-13(a) she proposed adding "a transient guest house is a form of transient guest accommodation within a single-family dwelling or two-family dwelling that is not owner-occupied in one of the dwelling units".

Carl Griffin suggested changing "one" to "either".

Diana Luper asked what constitutes a short-term rental because a few years ago her family had a fire at their house and she could not find a place to rent in her childrens' school district because everyone wanted at least a six-month lease.

Tom Murtaugh said a rental of less than 30 days is considered short-term.

The Commission voted by voice vote 11-2 to table **UZO AMENDMENT #88** and send it back to the Ordinance Committee for further discussion.

YES Votes

Gary Schroeder
Parry Brown
Vicki Pearl
Gerry Keen
Tracy Brown
Diana Luper
Dave Williams
Larry Leverenz
Greg Jones
Jake Gray
Tyrone Taylor

NO Votes

Carl Griffin
Tom Murtaugh

B. REZONING ACTIVITIES

1. **Z-2676--CASL HOLDINGS, LLC--DAN HRANKOWSKY (Rise at Chauncey PD)(CBW to PDMX):**

Petitioner is requesting rezoning of approximately 0.85 acres to construct a mixed-use building that steps from a ground floor retail podium into three wings at a height of 13-stories (west wing), 15-stories (east wing) and 16-stories (south wing). In all, the building would contain a maximum of 300 units with 675 bedrooms, approximately 21,000 square feet of ground floor retail, and a 217 space internal parking garage. The property is located at 100 S. Chauncey Avenue on the southeast corner of State Street and S. Chauncey Avenue, West Lafayette, Wabash 19 (NE) 23-4.

Gary Schroeder moved to hear and approve Z-2676--CASL HOLDINGS, LLC--DAN HRANKOWSKY (Rise at Chauncey PD)(CBW to PDMX). Vicki Pearl seconded.

Ryan O’Gara presented the zoning map and aerial photos, site plan, materials plan, and rendering of the building. He highlighted the recent 14 PD rezones in the area and the neighboring uses in the area. He explained that originally the project was to be 200’ and 18-stories but that proposal failed both the Airport Overlay’s and FAA’s requirements. The new 164’ height with 16-stories is in compliance with both the Airport Overlay and the FAA. He feels the location is a true West Lafayette arrival point and takes full advantage of the site’s potential. He referred to the site plan to show the 13-story wing along the Chauncey frontage with the 15-story wing along the eastern property border and State Street and the 16-story building along the alley in the back of the site. As referred to earlier, the developer will be dedicating an additional 2.5’ of alley right-of-way and future adjacent developers will have to do the same. By setting the tallest building almost 130’ from State Street and dividing the rest of the project’s mass into two wings that step down in height, the overall visual impact is lessened. The Rise is designed with the pedestrian in mind because the residential lobby, main retail entrance, and a large plaza space that connects them to the sidewalk is fully accessible from the sidewalk and busy State and Chauncey pedestrian crossing. An alternative entrance is planned in the northeast corner of the building and provides direct access to the retail parking level and dedicated retail elevator. He highlighted other details of the project and summarized the remainder of the staff report. Staff feels this design will allow neighboring properties to develop as part of the New Chauncey Plan. 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. PD 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. Final grading plan shall be in general conformance with the approved Preliminary Plans and be subject to the approval of the Administrative Officer with the submission of the Final Detailed Plans;
6. Plant schedule approved by the West Lafayette Greenspace Administrator that is in conformance with the approved Preliminary Plan. Final design of all landscape and hardscape elements subject to the approval of the Greenspace Administrator with the submission of the Final Detailed Plans.

Daniel Teder, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, thanked Ryan O’Gara for his detailed presentation and said the developers are also investors in Fuse and Chauncey Square. The tax-exempt Lutheran Church will be moving to the tax-exempt Exponent site on Northwestern Avenue. This property will generate over \$1,000,000 in tax revenue for West Lafayette and will make State Street more pedestrian friendly. The project is centered between The Village and The Levee. Even though it took a long time, the PD process worked very well for this project.

Sean Landon, 2 Seaport Lane, Boston, MA 02210, project architect and a member of the design team, said everyone has been working closely with the State Street Redevelopment project and APC staff did a good job explaining how everyone worked together to provide accessibility for people coming from the east side of State Street as well as the south side of Chauncey to get to the Chauncey Hill Mall. The building seems large but it was set back to create as much greenspace as possible to welcome people into the area and not feel overwhelmed at the same time. He referred to the last page of the handout that was distributed prior to the meeting and said it is a perspective view that originates from the corner looking back down toward State Street. The end result will be a pleasurable spot for the public to enjoy.

Nick DeBoer, 225 Northwestern Avenue, West Lafayette, IN 47906, West Lafayette City Council representative for this district, said he is excited about this kind of project on this scale. This area has about a .75% – 1% vacancy rate and that low rate has caused rents to go up very quickly. This type of a development works as an incentive to bring more people into the area and he hopes we will see the rents stagnate or decline through these developments. The project is a perfect fit for the location but will help have the money in the district go toward businesses, restaurants, bars, etc. rather than to rent.

Erik Carlson, 222 North Chauncey, West Lafayette, IN 47906, West Lafayette Director of Development, has been dealing with this project since shortly since he joined city staff in August. We talk about having density in our urban core through the State Street Project to relieve some of the pressure we have seen in the New Chauncey Neighborhood. Hopefully some of the units in New Chauncey that have been rentals and are in various states of repair, can be turned back into single-family residences. He would like to live in New Chauncey but does not want to be surrounded by college students. This development will give college students an opportunity to congregate in our urban core where their needs and necessities can be taken care of on foot. The whole State Street Project is designed to get vehicles off the street and encourage pedestrian and bicycle transportation. He pointed out that the State Street garage is only half full because college students do not have any interest into bringing their vehicles into this area. Projects like this are for the future and not just projects for 2017.

Patrick Hagemeyer, 282 Littleton Street, West Lafayette, IN 47906, Village business owner, said he is not opposed to tall buildings at this location but he is concerned we are not taking into account drainage issues that might come up with runoff from getting rid of all the greenspace that is currently in that area. He asked what we are doing to ensure we are not going to have to dig a large hole in State Street again to put in a 12' drainage pipe. He does not want this building to cause sewage or drainage issues. He is not sure this project has enough greenspace and asked if we are considering pushing the developers to do things like green roofs or green walls. He concluded by saying that personally he thinks the building is ugly.

Peter Bunder, 701 North Chauncey, West Lafayette, IN 47906, West Lafayette 2nd District Council Representative, said this project is the second of five mixed-use, high-density projects now under consideration in what was once the old Kingston Chauncey Village. He thinks we need to pause because there is no Land Use Plan to accompany the State Street Redevelopment Plan. Density in The Village area is growing beyond anything we might have imagined in 2012 when the City Council considered a proposed Northwestern and State Street five-story prestige project with a street level CVS. He thinks we need to answer the following three questions:

1. What are we going to save at the top of the hill and the mechanism for saving them?

The former Director of Development started work on creating a Village Historic District and the boundary of that district would have included the Lutheran Church. What will stay green between the Wabash River and Purdue?

The plan commission staff shared a Density Concept Plan with the West Lafayette City Council in July 2016. If implemented, the threatened Tommy Johnson Park would disappear. APC was discussing reducing R3 vegetative lot cover from 30% to 15%. West Lafayette needs to have a "green fee" and institute a park development fee in order to deal with the impact of developments on the city's park spaces and recreational facilities.

2. What will these projects cost the taxpayers?

He would like to know how many TIF dollars will be dedicated to infrastructure improvements for The Rise.

The Hub project produced spirited discussion between city officials, the West Lafayette Redevelopment Commission, and the developers about the amount of subsidy the project will receive.

He then read comments he received about this project in an email from his constituents in opposition to the project.

Daniel Teder said he appreciates Erik Carlson's and Nick DeBoer's speaking in support of this project. The State Street Project has considered all that and determined there is ample drainage to take care of this project and many more within the city. He was disappointed by Peter Bunder's comments because the purpose of the State Street Project is to have density in this area. Projects like this will move students out of New Chauncey. State Street can handle these mid-rise buildings He anticipates more developers will be coming to this area and this is where these developments belong. He agrees West Lafayette needs to institute a park development fee. He went on to say on this project should create about \$1,400,000 and they are only asking for \$500,000 in TIF money so it should be a quick pay back.

Erik Carlson said greenspace and preservation concerns have been discussed at length in his office. A larger pipe for stormwater runoff is being discussed to be put in as part of the State Street Project. If that cannot be done there will be detention requirements for this and any other development. A staff member is looking to change the greenspace ordinance to possibly include green walls and green roofs. He is the West Lafayette staff member on the Historic Preservation Commission and this topic was discussed at the meeting last week. A walk-through of the neighborhood along State Street is already scheduled because there are many things that need to be saved. He reminded the Commission that in order to sell West Lafayette's uniqueness West Lafayette must be unique.

Carl Griffin referred to the streetscape shown on the last page of petitioner's handout and asked if there will be trees along Chauncey.

Erik Carlson said the landscape architecture consulting company for this project is the same company that did the original State Street concept.

Ryan O'Gara displayed petitioner's landscape plan to show three large planter spaces that will be installed along Chauncey that will be full of trees and ground cover. The planters will provide separation between the plaza and the sidewalk area.

Larry Leverenz said the plan calls for 23 retail parking spaces and he is not sure that is enough for 21,000 sq. ft. of retail space. He asked how that number was reached.

Dan Hrankowsky, 130 East Randolph, Chicago, IL 60601, developer, said he is very excited about the retailers and wished he could share that information with everyone today. He went on to say it is a Top 10 National Retailer everyone in the community will be excited to have. His team worked with the retailer's full design team and they are asking for 23 parking spaces based on their square footage and location

Larry Leverenz pointed out that Fuse has many more parking spaces. When the Hub and The Rise are completed there will be 1200 additional people with showers running and flushing toilets first thing in the morning.

Tim Balensiefer, 105 North 10th Street, Lafayette, IN 47901, project surveyor, said he worked with Indiana-American Water Company and learned the main will be extended on Chauncey when doing work for the State Street Project. Infrastructure will be improved in the area.

The Commission voted by ballot 13 yes to 0 no to recommend approval of **Z-2676--CASL HOLDINGS, LLC--DAN HRANKOWSKY (Rise at Chauncey PD)(CBW to PDMX)** to the West Lafayette Common Council.

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

2. Z-2681--STAN CUNNINGHAM (R1U & NBU to R1U):

Petitioner is requesting rezoning of a property at the northwest corner of Main and East Streets, more specifically 109 Main Street in Battle Ground, Tippecanoe 23 (SE) 24-4.

Gary Schroeder moved to hear and approve **Z-2681--STAN CUNNINGHAM (R1U & NBU to R1U)**. Vicki Pearl seconded.

John Burns presented the zoning map and aerial photos. He summarized the area zoning and land use patterns and explained that the purpose of this request is to make the existing single-family home conforming. County Assessor records show the home was built in 1920 and the oldest maps available show this property and those surrounding it zoned GB. Over the years the large commercially zoned area has gotten smaller. An overall town rezone in 1979 and a second in 1998 resulted in a new zoning map utilizing the new urban zones that changed this property's zoning to NBU and R1U. Both rezones show this property with a commercial zone. He concluded with a recommendation of approval.

Daniel Teder, PO Box 280, Lafayette, IN 47902, attorney representing the petitioner, said the owner has fixed up the home and would like to sell the home and move. He spoke with counsel for Battle Ground and counsel supports this request.

The Commission voted by ballot 13 yes to 0 no to recommend approval of **Z-2681--STAN CUNNINGHAM (R1U & NBU to R1U)** to the Battle Ground Town Council.

This case will be heard by the Battle Ground Town Council at their March 13, 2017 meeting. Petitioners or their representative must appear.

V. ADMINISTRATIVE MATTERS

None

Gary Schroeder moved that the following subdivision petition be placed on the March 1, 2017, 2016 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-4644--MEEKS SUBDIVISION, PHASE 2 (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 requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:
BZA-1954--TIPPECANOE CEMETERY MANAGEMENT, LLC, and
BZA-1956--GRORU, LLC

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

IX. DIRECTOR'S REPORT

Sallie Fahey said she is almost done with the report and she will email it to the Commissioners by the end of the week.

X. CITIZEN COMMENT AND GRIEVANCES

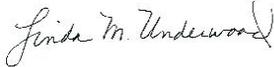
None

XI. ADJOURNMENT

Gary Schroeder moved to adjourn. Vicki Pearl seconded and the motion carried by voice vote.

The meeting adjourned at 7:55p.m.

Respectfully Submitted,



Linda M. Underwood
Recording Secretary

Reviewed By,



Sallie Fahey
Executive Director