

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

DATE..... April 19, 2023
TIME..... 6:00 P.M.
PLACE..... County Office Building
20 North 3rd Street
Lafayette, IN 47901

This meeting was held in-person. Members of the public may watch the video of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/C/TippecanoeCountyGovernment>

MEMBERS PRESENT			MEMBERS ABSENT	STAFF PRESENT
Larry Leverenz	Carla Snodgrass	Lisa Dullum	Jody Hamilton	David Hittle
Tom Murtaugh	Gary Schroeder	Vicki Pearl		Ryan O’Gara
Tracy Brown	Jerry Reynolds	Diana Luper		Larry Aukerman
Kathy Parker	Michelle Dennis	Greg Jones		Amanda Esposito
Bob Metzger	Jackson Bogan			Eric Burns, Atty
Perry Brown	Jason Dombkowski			

The Area Plan Commission of Tippecanoe County Public Hearing was held in-person on the 19th day of April 2023 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Larry Leverenz called the meeting to order.

Attorney Eric Burns called the roll to establish members present.

I. BRIEFING SESSION

David Hittle stated the rezone case for **Z-2880 DON KOEHLER (R1U to NBU)** has requested a continuance to the May 17th APC public hearing. All other cases were ready to go forward.

II. APPROVAL OF THE MINUTES

Gary Schroeder moved to approve the minutes from the March 15, 2023 public hearing as submitted. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

III. NEW BUSINESS

IV. 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.

Larry Leverenz said he was ready to hear the continuance.

Gary Schroeder moved to continue **Z-2880 DON KOEHLER (R1U to NBU)** to the May 17, 2023 APC public hearing. Greg Jones seconded, and the motion carried by voice vote.

A. SUBDIVISIONS

Gary Schroeder moved to hear and vote on **S-5122 WINDING CREEK SUBDIVISION, A REPLAT OF LOT 237 (minor sketch)**. Greg Jones seconded.

1. S-5122 WINDING CREEK SUBDIVISION, A REPLAT OF LOT 237 (minor-sketch):

Petitioner is seeking sketch plan approval of a one lot residential subdivision (existing Lot 237 in Winding Creek plus land to the west for a total lot area of 2.696 acres) of property located at 5750 Augusta Blvd., Tippecanoe 29 (NW) 24-4.

Larry Aukerman showed the zoning and aerial maps. The petitioner would like to replat to relocate easements and add additional land to an existing unbuilt property in Winding Creek. The existing easement runs parallel along the eastern back property line. The petitioner has already requested vacation of that easement. This is a standard recommendation of approval with standard commitments.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Kevin Riley, Reiling Teder & Schrier, 250 Main Street, Lafayette, spoke in absence of the surveyor. He said they agree with the staff report and requests approval.

Larry Leverenz asked if any member of the audience wished to comment on this petition. There were none.

Larry Leverenz asked for questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a white ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending conditional primary approval of **S-5122 WINDING CREEK SUBDIVISION, A REPLAT OF LOT 237 (minor sketch).**

		<u>Yes-Votes</u>		<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Larry Leverenz	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Jason Dombkowski	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

Gary Schroeder moved to hear and vote on S-5123 ARBOR CHASE, SECTION 6, PHASE 2 (major-preliminary). Greg Jones seconded.

2. S-5123 ARBOR CHASE, SECTION 6, PHASE 3 (major-preliminary):

Petitioner is seeking preliminary plat approval of a 59-lot single-family residential subdivision on 39.98 acres, located east of the intersection of Westmoreland Drive and Millingden Trail, west of Soldiers Home Road, and south of Lauren Lakes Subdivision, in West Lafayette, Wabash 32 (SW) 24-4.

Larry Aukerman showed the zoning and aerial maps. This request is for a major preliminary subdivision of fifty-nine lots on thirty-nine acres. The area will connect to Demeree Way and Millingden Trail. The most significant part of this development is the first phase of the east-west collector road being built as part of this project and will connect Soldiers Home Road to Yeager Road. This has standard recommendations for construction plans and final plat.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Mike Wylie, Schneider Geomatics, 1281 Win Hentschel Blvd., West Lafayette, said this is the next phase of Arbor Chase. Conditions are standard. They have reviewed them, and they agree.

Larry Leverenz said to Mike Wylie that he is asking for bonding and Mike Wylie said that is correct.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner. The staff report references the construction of the first section of the east-west connection of Soldiers Home Road and Yeager Road. The petitioner has had discussions with West Lafayette, and it is the petitioner's understanding that they are okay with the construction plans showing radiuses only on

that third street intersection. He wanted to confirm that it would be acceptable to be radiused only on the construction plans. He added to the extent they need to add or amend a condition, they would be fine with that.

Larry Leverenz asked if the City of West Lafayette has a position on the matter.

Chad Spitznagle, City of West Lafayette Building Commissioner, said it would need to be confirmed with the Public Works Director on that question specifically.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said there would be no stub, they would just have the radiuses at that intersection. They would not be building the stubs to nowhere, primarily because they would go to nowhere, and turn into parking lots.

Ryan O’Gara said he does not believe the Commission can take any action until they have the agreement from Public Works. It may be worth tabling the request.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said the petitioner would request that the petition be tabled.

Gary Schroeder moved to continue **S-5123 ARBOR CHASE, SECTION 6, PHASE 2 (major-preliminary)** to the May 17, 2023 public hearing. Greg Jones seconded; and the motion carried by unanimous voice vote.

B. Rezoning Activities

Gary Schroeder moved to hear and vote on **Z-2882 SUBTEXT ACQUISITIONS, LLC – Brandt Stiles (Verve 2 Planned Development) (R3W to PDRS)**. Greg Jones seconded.

1. Z-2882 SUBTEXT ACQUISITIONS, LLC – Brandt Stiles (Verve 2 Planned Development) (R3W to PDRS):

Petitioner is requesting rezoning of 1.15 acres for a multi-family apartment development. The proposed six-story building is planned to contain up to 153 units with approximately 158 parking spaces located in an underground garage. The site is located at the southwest corner of Wood and Salisbury Streets in West Lafayette, Wabash 19 (NW) 23-4.

APC staff Ryan O’Gara referred to zoning and aerial maps. The property is in West Lafayette, near downtown, in a neighborhood south of Wood Street. The Verve 1 project is presently under construction, taking south of the half block bounded by Salisbury Street, Wood Street and Chauncey. It was hinted at, by the petitioner, that there was interest in other sites. They came to APC with this proposal, directly across Wood Street, next to the 202 South Chauncey project. Their objective is to consolidate the remaining part of the block bounded by Wood, Salisbury, and a public alley, totaling just over one acre. Two apartment buildings are presently on site with a parking lot between them. The proposal is for a 153-unit apartment complex with 158 parking spaces, in a two-level underground parking garage beneath the project. It is a very similar design to the Verve 1 project, but a little smaller in scale. There is no mixed-use component; it is strictly a residential project. In this area of the city, the West Lafayette Downtown Plan calls for buildings to step down from State Street as one moves south, and this building is providing that. The city has high rises on State Street, then falls to Verve 1 having seven stories and this project, Verve 2, would have six stories. The project has standard multi-family apartments inside the main building but is also incorporating townhouse walk-out units on Salisbury Street. APC staff thought this was a good design choice for this relatively quiet part of Salisbury Street. As was done with 202 South Chauncey, this project will also be dedicating alley right-of-way, two feet on their side, to bring the total width of the alley to fourteen feet, to allow room for fire trucks. If the southern half of this block redevelops, there would be opportunity to secure a bit more. West Lafayette Fire seems to be comfortable with fifteen to sixteen feet for their largest vehicles, so we are heading in the right direction. There is a slope that has made entry to the garage challenging from the alley. Wood Street and Salisbury Street are relatively low traffic compared to State or Chauncey. The two parking levels will not connect internally. The lower level will be accessed off Salisbury Street and the upper level will enter from Wood Street. Another unique feature to this project is a private dog park that will be available for use by the

residents. That is a welcome amenity. The policy prescriptions and the Downtown Plan are being respected. In terms of adding some unique amenities, the dog park for example, this is a welcome infill project for the area and staff is recommending a conditional approval with standard conditions for planned developments in this area.

Larry Leverenz asked if the petitioner or the petitioner’s representative wished to make a presentation.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, was present on behalf of the petitioner. There are 123 existing beds. With this development, there will be a net increase of 362 beds on the site. There will be a pool on the amenity terrace, between the east and west legs of the property. There is also 6,000 square feet of study space provided: seven study pods, two conference rooms and open study space. Construction is anticipated in the fall of this year with delivery by the 2025 school year. Since the project across the street is currently under construction, the two construction phases overlapping will help with a more efficient construction on the two sites. They are still working through MOT plans to make that work. He presented to the West Lafayette Joint Board on Tuesday and received no objections or negative feedback or comments. He concurs with the staff report, recommendation will comply with the conditions and he respectfully requested approval. He referred to additional site renderings to illustrate the townhome style units. The client is excited about another opportunity to develop the project in West Lafayette.

Larry Leverenz asked if any person wished to speak in favor of this petition.

Don Teder, 2110 S. 9th Street, Lafayette, said he owns a piece of property, 224 S. Chauncey, at the corner of Chauncey and the alley behind the subject property. He thinks this is a great project and a nice addition for the neighborhood and he is all for it. His issue in the alley is that people park behind his apartment building, so they need access through the alley to get to the parking lot. He is asking that they not close the alley.

Larry Leverenz asked if any person wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O’Gara collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2882 SUBTEXT ACQUISITIONS, LLC – Brandt Stiles (Verve 2 Planned Development) (R3W to PDRS)**.

Yes-Votes				No-Votes
Vicki Pearl	Kathy Parker	Jason Dombkowski	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dillum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

Gary Schroeder moved to hear and vote on **Z-2883 PCM PROPERTIES, LLC – Mike Cates (Revive at Russell Planned Development) (R3W to PDRS)**. Greg Jones seconded.

2. **Z-2883 PCM PROPERTIES, LLC – Mike Cates (Revive at Russell Planned Development) (R3W to PDRS):**

Petitioner is requesting a rezone of 0.47 acres for a single-lot, 4-story apartment building containing up to 80 residential units with 6 surface, off-street parking spaces. The site is located at the southeast corner of Russell and 4th Street in West Lafayette, Wabash 19 (NW) 23-4.

Ryan O’Gara referred to zoning and aerial maps. This is the second rezone attempt on this site. This is a historic fraternity mansion in the heart of the campus neighborhood at 314 Russell Street, at the corner of 4th Street. The property has been vacant for some time, and the proposal is to repurpose it for multi-family use instead of a fraternity. The site plan shows up to eighty residential units with six surface

parking spaces off 4th Street. This is a purpose-built, car-less building, to a certain extent, but given its location, it is very walkable to campus. If a student is not bringing a car to school, this might be a complex for them. The goal was to try to blend old with new. The developer volunteered their property to go before the West Lafayette Historic Preservation Commission for scrutiny and approval. The approval on this architectural scheme was granted earlier this year. That review process freed APC staff up in terms of the planned development process, as staff did not necessarily have to scrutinize architecture like they normally would. The previous project was much more modern and involved taking the whole thing down and reimagining what could be on the site. This is a much lesser project by comparison, where they are now trying to adapt to the old site and add onto it in an appropriate way, where the old and new blend together seamlessly. Staff is pleased with their resolve and recommends conditional approval. Conditions are standard.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner. He began by passing out a handout of site renderings, specifically pointing out the elevation of the property. This is an adaptive re-use project. The goal was to preserve the 1930's era, historic portion of the building, and then replace the 1960's non-historic portion of the building with the new section that extends towards Russell Street. The new portion would be four stories and would result in a net increase of thirty-seven beds. There is a contingency built into the planned development if 4th Street becomes pedestrian only. With that, they would lose the parking, so that is built into the planned development. It is his understanding that the master plan has that street eventually becoming pedestrian only. There is an interior bike room to accommodate twenty-five bikes with an exterior bike loop. There are two private study rooms. Construction is anticipated this summer with delivery by the 2024 school year. June 2023 will mark one year that they have been working with West Lafayette and the Historical Preservation Commission to come up with a project that makes sense for the site. Barry at KJG was running out of letters in the alphabet for his plan sheets because there were so many iterations of this project. He appreciates Erin Easter's and Peter Bunder's collaboration over the last year. He believes they have a project that has paved the way for future adaptive re-use projects in Tippecanoe County. They all learned a lot along the way, and they are excited. He is personally proud of the project. In February he presented to the Historic Preservation Commission and received a certificate of appropriateness for this design. That vote was unanimous. He presented the project to the West Lafayette Joint Board on Tuesday and received no objections or negative comments or feedback. He respectfully requested recommendation for approval. They concur with staff's report and recommendation and will comply with conditions.

Larry Leverenz asked if any person wished to speak in favor of this petition.

Peter Bunder, 701 N. Chauncey Avenue, West Lafayette, introduced himself as the President of the West Lafayette City Council and said he represents the Council on the Historic Commission. He is present to support the project. He expressed appreciation to Mike Cates and Ryan Munden. He also thanked Aaron Thompson, the president of the West Lafayette Historic Preservation Commission, for his hard work. This is the first adaptive re-use that has been done on this scale, and they believe it demonstrates the interest in preserving the collegiate gothic building that is original to the property, while allowing the developer to add more beds to Purdue University. He ended by saying he hopes the Commission will vote to approve.

Larry Leverenz asked if any person wished to speak in opposition of this petition.

Kiernan McCormick, 611 Evergreen Street, West Lafayette, a graduating senior at Purdue University, is representing the Alpha Tau Omega (ATO) Gamma Omicron Chapter. He brought with him a series of leases and correspondences between the chapter and PCM Properties. He presented a timeline of events. The original master lease, which was \$345,000 per year at a 3% increase for three years, with \$366,000 as the final year, was to expire on July 22, 2020. Kiernan said Michael Cates, through PCM, refused to talk to the chapter, until July 16, 2020 when Mr. Cates reached out to the executive board and sent a lease starting on July 23, 2020 at \$435,000 for five years at a 10% annual increase. This would be \$637,000, or a 170% increase in rent from the end of the last term of the previous lease. Mr. Cates said the chapter would have to sign the lease by the next day to maintain the property. Like reasonable

individuals, the organization decided not to sign it because it was an overly exorbitant price, and a 170% increase, which the members could not do. The board reached out to their national and FSCL advisors and the board of trustees, and they tried to reach PCM Properties to mediate and strike a deal. He said Mr. Cates refused to talk to anyone, except for undergraduate members, and only wanted to talk to the president and treasurer. On July 23, 2020, the day the new lease was to begin, the members of the executive board met with Mr. Cates in person. Mr. Cates gave a second lease attempt at \$435,000 for three years with a 5.3% annual increase, which is still higher than inflation, and higher than it would be for that property. It would be a 130% increase, rather than 170% the first time, which still isn't great. The executive board members were notified by PCM that they would walk away if they did not sign the lease on the spot. The fraternity decided it was too expensive as a chapter and wouldn't go with the extortion they were under. The fraternity emailed PCM in the next two days and asked for individual leases for the members, with the hopes that throughout the year, they could negotiate a better lease for the organization. This was the home of the fraternity from he believed to be 1920 until 2021. In the email, the members mentioned that it was unlikely they would be able to reach an agreement. Many members found apartments and other places to live, as it was in the middle of summer and no time was left to find a place. They mentioned they likely would not have enough students to fill a full master lease. On July 30th, PCM sent the third lease agreement, which was far more reasonable. Kiernan was in belief that it was sent for when Mr. Cates would come before a board like this, and he could show that he was reasonable with this lease, even though Mr. Cates knew that the fraternity would be unable to sign it at that level, because they were not able to afford it as an organization. Originally, there were 45-50 members looking to live in it and it would have been a little over \$5,000 per member. At the time, there were only 27 members, which Mr. Cates knew. The new lease was \$377,000 with a 3% increase for three years. This would have been accepted at the beginning. PCM agreed to send individual leases for members for the 2020 to 2021 year, for \$7,000 per member and they were tied to individual rooms rather than the whole master lease. The idea was that the fraternity would be able to talk through this as organizations and figure it out for the next year. Not much progress was made until the Spring of 2021 when nationals and the board of trustees were finally able to get things going with PCM, but it fell through. On April 9th, Kiernan, president at the time, received an email saying PCM would no longer be renting to the fraternity, nor allowing members to live there for that year. The property then went to a rezoning last year. Mr. Cates said the fraternity abandoned the property. Kiernan has the correspondence from Ryan Munden, saying that they were not looking to rent or sell to the fraternity at the time. Members have been unable to get to the table with them since. He offered to share the documentation he brought with him.

Ryan Buencamino, 501 N. Russell Street, West Lafayette, is a full-time student at Purdue and will be graduating in 2025. One of his main concerns about this property is that it only provides six parking spaces, for what he believes to be eighty dwelling units. He asked if this was parking group three for residents in Tippecanoe County law. If it is, it requires 0.75 parking spaces per resident, which means PCM would have to provide sixty parking spots for the full occupancy. When he looked at Purdue University parking, spots A & B are only reserved for student workers. Parking spots C would be eligible for the PCM property, but the nearest spaces are near the co-rec and a parking garage, that are both a five-to-ten-minute walk to the property. He inquired if this would be addressed for the residents because he believes they cannot get meal plans if they are not part of Purdue residency. They would have to drive to get groceries.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said with respect to the parking standards, this is a planned development, and those parking standards are negotiated. It is not clear what the ATO's objection is to the project, other than they feel like they were pushed out. In the petitioner's opinion, that is not a legitimate reason to not approve the planned development. To set the record straight, Mike Cates, the owner of PCM, is an ATO alum. The architect on the design team is an ATO alum. Jim Schrier, a founding member of Reiling Teder & Schrier, is an ATO alum. They are not outsiders; they are intimately familiar with the fraternity and this project. Members of the team lived in this property. If the goal is to preserve the historic building and preserve what is historically and colloquially referred to as the ATO house, this project accomplishes that. With respect to the treatment of ATO, a timeline was reviewed. His client bought the property in 2004 when the fraternity was in serious financial trouble. The property was at risk of foreclosure. Since purchasing the property, his client provided housing for student members through the spring semester of 2020; sixteen years. PCM did not evict, and

they did not run off ATO. The term of the most recent master lease began in 2017 and expired in July 2020. ATO had an option to renew that master lease, they chose not to exercise that option. The property was, and still is, in need of significant repair. Following the last planned development, the property suffered significant vandalism. They are not sure who did it, but they have their suspicions, and the police have suspicions. The property was in desperate need of repair prior to that and then after that, even more so. There was a fire in the 1990's that was not adequately repaired, so the roof structure needs repair. The property is in financial trouble and has been for a while. Despite ATO's decision to not renew their master lease, PCM continued to make proposals for a new master lease. Because of the significant repairs, PCM proposed a 3% increase in rent from the prior master lease, and that, as well as other proposals, were rejected. Eventually, for the 2021 academic year, PCM and ATO agreed to the individual student lease structure, at a 23% reduction in rent from the prior year. In February of 2021, PCM was informed by Purdue that a cease-and-desist order had been issued to ATO, and they were ordered to stop all organizational activities and operations. That piece was conveniently omitted. Since then, ATO has moved to 501 N. Russell Street and has incorporated letters and other architectural items that PCM permitted ATO to take from this property and incorporate into their new house. PCM saved the building for ATO nearly twenty years ago and allowed them to continue occupying it for sixteen years, at times, taking significant financial hits to do so. If the ATO objection is that they want to save the building, this adaptive re-use project accomplishes that. The treatment is unfair that PCM and Mike Cates personally have received from ATO. The timelines and the facts are distorted, misrepresented and in certain things, conveniently omitted.

Larry Leverenz asked for any questions or comments from the Commission.

Michelle Dennis said she appreciates all the work and collaboration that went into this project. She thinks it is a cool project but is concerned that there is potentially zero parking for the size of it. She asked if APC has other examples of doing this for something of this scale, in this area.

Ryan O'Gara replied there is nothing quite like this. The other adaptive re-use project, a four-plex, is much smaller in New Chauncey, on Vine Street. APC doesn't have too many of these projects yet, so this one is breaking new ground. In the past, for the purposes of historic preservation, staff has zeroed out parking. There were variances granted for one of the historic buildings in the Village, dating from the late 1800's, built before the age of the automobile, so there is no parking available. In order so that the building could be used, staff promoted the idea of zero parking for the sake of preserving the structure. Staff used that philosophy with this project as well. This is a mansion, set way back from the street, so it has no urban disposition, but it's historic and that's how and where it was built. There is no room to put any parking. Given its location and the drive to want to preserve the building, staff was jointly comfortable with the idea of a zero-parking standard.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2883 PCM PROPERTIES, LLC – Mike Cates (Revive at Russell Planned Development) (R3W to PDRS)**.

		<u>Yes-Votes</u>	<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jason Dombkowski	Michelle Dennis
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder
Perry Brown	Lisa Dillum	Carla Snodgrass	Larry Leverenz
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds
			(none)

Gary Schroeder moved to hear and vote on **Z-2885 SHANE ALBREGTS (R1 to R1B)**. Greg Jones seconded.

3. **Z-2885 SHANE ALBREGTS (R1 to R1B):**

Petitioner is requesting a rezone of 1 ½ residential lots located at the southwest corner of Church and Forest Streets, specifically 6825 Church Street in the unincorporated town of Stockwell, Lauramie 8 (NE) 21-3.

David Hittle referred to zoning and aerial maps. Petitioner, Shane Albregts, along with co-owner Chris Tabor, is requesting a rezone in the unincorporated town of Stockwell, from R1 to R1B. R1 zoning is the low-density, single family dwelling district. R1B is also single-family dwelling only, but it is a little bit denser, and intended to provide for housing in small towns and in urban neighborhoods where you typically have more compact development. The site is one-and-one-half residential lots. A developed house is shown on the east side of the rezoning lot. A remnant foundation of a house or garage is on the west side of the lot. The request is to loosen standards to be able to shift the dividing line about twenty feet to the east, so that there is still enough west setback to meet the zoning ordinance requirements for the house and make the second lot buildable. This rezoning would be in keeping with current zoning nearby and would be an extension and expansion of the R1B district. R1B is the most common residential district in Stockwell. This is also keeping with the terms and provisions of the Stockwell Town Plan, which was recently completed. The plan encourages any residential development to be infill rather than be new greenfield development. This request accomplishes that. Staff is supportive of this request.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Shane Albregts, 225 N 2nd Street, Lafayette, is present and available to answer any questions.

Larry Leverenz asked if any person wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any person wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2885 SHANE ALBREGTS (R1 to R1B)**.

		<u>Yes-Votes</u>	<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jason Dombkowski	Michelle (none)
Bob Metzger	Diana Luper	Jackson Bogan	Dennis Gary Schroeder
Perry Brown	Lisa Dillum	Carla Snodgrass	Larry Leverenz
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds

Gary Schroeder moved to hear and vote on **Z-2886 TOMISH DEVELOPERS, LLC (NB to R3)**. Greg Jones seconded.

4. **Z-2886 TOMISH DEVELOPERS, LLC (NB to R3):**

Petitioner is requesting a rezone of 10.358 acres, (revised to 4.256 acres) located at the southeast corner of US 231 S and Veterans Memorial Parkway West (across the street from Southern Winds Apartments) in Wea 7 (NW) 22-4.

David Hittle referred to zoning and aerial maps. The property is east of US 231 and south of Veterans Memorial Parkway, at the southeast corner of the intersection. The site is currently zoned Neighborhood Business (NB) and is unimproved. Southern Winds apartment complex is to the north as R3 zoning. The unimproved R3 zoning to the south of the property would be consolidated with the lot to allow for development of a new multi-family structure. Floodplain zoning surrounds to the south, west, and east, however, there is plenty of the lot that is developable outside of the floodplain. The NB zoned property and the property to the south were rezoned in 1998. There has not been any business development here, but a lot has taken place on Veterans Memorial Parkway to the east. The *Comprehensive Plan* for this area dates to 1981 and recommends a mix of commercial, open space and agricultural uses. The

plan does not give much advice for this site. Staff believes this to be a reasonable request to consolidate with existing R3 zoning to make the area buildable. Along these two thoroughfares, you would not find single-family, residential, or sensitive uses likely wanting to locate on this property. Multi-family is reasonable, and staff is supportive of this request.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Kevin Riley, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner and agrees with the staff report. They agree this is an appropriate zoning designation for the site and an appropriate proposed use for the site. Approval is requested.

Larry Leverenz asked Kevin Riley about strips of land that are not included in the request for rezoning, along US 231 and on Veterans Memorial Parkway. He asked if those were for right-of-way.

Kevin Riley, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said those areas are right-of-way.

Larry Leverenz asked if any person wished to speak in favor of this petition.

Anthony Norfleet, 519 W 350 S, Lafayette, stated he agrees.

Larry Leverenz asked if any person wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission.

Jerry Reynolds questioned Kevin Riley. Referring to the staff report, the City Engineer's office offered sewer and water available in the area. Jerry said that area is quite a distance away. He questioned if it is the builder's responsibility to run the water line or if the discussion was the City would run the water to the property.

Kevin Riley, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said there is sewer on site. It is his understanding that water is close. If the water mains had to be extended, that would be at the petitioner's cost.

Jerry Reynolds asked if these would be market rate apartments.

Kevin Riley, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said they would be market rate.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2886 TOMISH DEVELOPERS, LLC (NB to R3).**

Yes-Votes				No-Votes
Vicki Pearl	Kathy Parker	Jason Dombkowski	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

Gary Schroeder moved to hear and vote on **Z-2888 TRINITAS DEVELOPMENT, LLC (I3 to R3).** Greg Jones seconded.

5. **Z-2888 TRINITAS DEVELOPMENT, LLC (I3 to R3):**

Petitioner is requesting a rezone of 22.792 acres for a proposed multi-family development located on the south side of S. River Road, approximately one mile west of US 231, opposite Range Lane (private), Wabash 36 (NW) 23-5.

David Hittle referred to zoning and aerial maps. This is a proposed rezoning of just under twenty-three acres on the south side of River Road, equidistant between the Purdue airport and the Wabash River. This site is nestled into the contour of the floodplain zoning and is bordered by Industrial zoning to the

north and R1 zoning to the east. The Town of Shadeland is on the other side of the river. The City of West Lafayette is to the northwest. This site is County jurisdiction, located between West Lafayette, the Wabash River and Shadeland. South of this site is floodplain and agriculture uses. Due to the presence of the floodplain, those areas are not developable. To the north is mostly Purdue owned territory used for conservation and open space. Low density residential sites are along River Road. Most of the residential lots access River Road directly, rather than having minor subdivisions that use private roads. The subject site is unimproved and has been mined. The petitioner proposes R3 rezoning for a multi-family development. Conceptual designs were displayed on the screens, but it was noted that these plans were not part of the rezone vote. A potential scenario would have a variety of duplexes, single family dwellings and three or four-plex's with a larger multi-family development in the back. History of the site was reviewed by use of aerial photos. In 1957 the airport had a different runway configuration and was much smaller. The river has remained in the same course as it always has. Single family dwellings to the west were built before 1957. Forty years later, the area was in heavy mining. In 2010, the site had been mined and left to grow back and has had no man-made improvements since then. The area is pastoral, horizontal and open. River Road is a scenic byway which does not carry much restriction with regards to the status, other than billboards are not allowed. There is no major subdivision or major residential development anywhere of the area between State Road 26, US 231, and the river. Individual houses are on septic. The subject site would be the first of its kind in the area to be developed because of where the nearest sewer is located. To develop the site as proposed, they would have to be able to route sewer to the property, which would open a new precedent for development in this area. The *Comprehensive Plan* for this area dates to 1981 and recommends agricultural zoning for the site. The plan is the document, by state law, that decision makers are obligated to pay reasonable regard to. APC staff is working on an update with stakeholders for a new *Comprehensive Plan* for Tippecanoe and Wabash Townships. Staff's position for this case, is that this should not go forward until the plan is done. With the plan, these larger issues can be fully vetted with all pertinent checkpoint agencies, stakeholders, and area residents. Whether development should be opened in this area is a high stakes and important issue. To do it today, would be before this planning effort is complete. The planning effort guides development and growth in the county. Staff's position is that this should not go forward, and if it does go forward, it should be denied. This kind of thing could be reviewed more appropriately once a new, freshly vetted plan is in place. There are other concerns for the site. River Road is a two lane, relatively lightly traveled road, with no accommodation for bicycles or pedestrians. One would believe there would be a significant student presence on any multi-family property built here, and the road is hostile towards pedestrians and bicyclists. It is undesired to have Purdue students located in areas where they cannot walk or bike to campus. There is no bus service to the site. The road is not equipped. The pavement is twenty-four feet wide with forty-foot right-of-way and has swales on both sides. The road, in many ways, is not appropriate for this development. Staff is recommending denial for these reasons: the request is not congruent with the existing *Comprehensive Plan*, it precedes the completion of the *Comprehensive Plan* update, the project would represent a jarring departure from the area's current and historic characteristics (open space, natural, low density single-family dwellings, conservation, floodplain, and agriculture), and the roadway is ill-equipped for the proposed development, especially for pedestrian and bicycle travel. Staff believes the project is being brought forward for rezoning prematurely, especially with no plans other than the R3 request, which allows for dense multi-family development. With that, staff is recommending denial. There are three letters to share: one in favor and two against.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner. They agree with Mr. Hittle that this is a unique property and will offer a unique housing option that will be highly sought after. Tippecanoe County is in dire need of additional housing. Each year, his office receives an annual report for Coldwell Banker Shook and their last observation is that there is a storm cloud on the horizon because of the rapid depletion of available housing stock in Tippecanoe County. He understands a comprehensive plan is being talked about and considered, but he doesn't know that there is time to wait for that storm cloud to arrive. He said we need housing, and we need housing now. They received their traffic study, and it did not account for the shuttle service that the site will offer to downtown and Purdue. The shuttle will alleviate some of the concerns about bikes and pedestrian traffic, as well as students driving to campus. The traffic study indicated the intersection of

231 and River Road is adequately designed for increase in traffic. It recommended no modifications to the 231 signals and indicated that it will not impact the functionality of that intersection. The project is in the conceptual phase, but would include flats, which would be apartments of the duplex option and/or single family. The topography of the property drops off significantly from River Road, about a ten-foot difference, from the back of the property to River Road. The higher buildings would be further back on the property so that they will be less visible from River Road and the single-family dwellings would be closer to the road. The visual impact would be mitigated based on the topography and layout. The current zoning of I3 is a much more intense use available by right. The R3 option provides something unique that isn't currently in Tippecanoe County. In the staff report, there were concerns by West Lafayette regarding long-term maintenance of utilities for the project. Indiana American Water would be providing water. The water main extension would be turned over to and accepted by Indiana American Water for maintenance moving forward, therefore not a West Lafayette responsibility. The developer would build a private lift station on site with a private force main that would outlet to the existing city system. This will be a private lift station, private force main, and will not extend public water or city sewer. Concerns about future maintenance would all be on the owner of the system and the owner would not be West Lafayette. Because it is private, it would not open the ability for future tie-ins of the force main. They have spent significant time with Tom Murtaugh, and their understanding is the County is supportive of this project. They are in the conceptual phase but have shared some renderings and site plans to give an idea of what is being looked at. He believes we cannot afford to wait to provide more housing for the community. He respectfully requested a recommendation of approval.

Larry Leverenz asked if any person wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any person wished to speak in opposition of this petition.

Mike Rockstroh, 2544 S. River Road, West Lafayette, has lived at the property with his wife for about twenty-five years. They are opposed to this petition because they moved to live in the country and be in an area where there is no multi-housing. He originally thought this was going to be an apartment complex, but now sees that it could be even more than that and that upsets him even more. He was going to address utilities because that was a concern to him. He could not figure out how they were going to take care of a septic system. He and his wife enjoy the area as single families and can't imagine adding extra traffic. The roads are not in good shape and becomes torn up and patched each year. That is something that would have to be done to improve for a housing project. He thinks Purdue should buy the land and be done with it and he can't believe Purdue hasn't stepped forward to do something about it. He's hoping they do, as it would be the best bet for everybody, since they own everything else around it.

Richard Bruins, 2219 S. River Road, West Lafayette, said this is his third house on South River Road because he knows what a gem of Tippecanoe County South River Road is. As you approach, you go through a corridor of trees and natural landscape. This complex would be entirely inconsistent with the layout of the current area. He respectfully asked that the Commission vote no, against this. He asked members of the audience to stand if they are against this motion on the agenda. Multiple people stood.

Shannon Edwards, 214 Spring Valley Lane, West Lafayette, said there was not additional information to add, but he was willing to add his name as being opposed to this. This will destroy the scenic area and the neighborhood he lives in.

Nathan Gray, 713 Appaloosa Trail, West Lafayette, introduced himself as the Director of Site Services for Evonik. He is present, representing Evonik and Tippecanoe Labs, to speak against the rezoning. Evonik owns the property along the north and south banks of the Wabash River, including adjacent lots to the south of the subject property. Directly across from this property is the main operation production site. It employs over 650 people. It operates twenty-four hours a day, seven days a week. Evonik has been part of the Lafayette business community for over seventy years. They have several concerns about the proposed R3 rezoning. On the north side of the Wabash, they operate several freshwater wells on Evonik property. This provides an industrial buffer for our everyday occurrences. The main site, directly across from this potential change, are the manufacturing buildings. There are approximately eight city blocks from the edge of the proposed site to an operating production facility. When Evonik makes pharmaceuticals, these buildings are running large equipment and generating equipment noises that can

be heard from the proposed property. To keep their people safe, they have well-lit production areas. This pushes ambient light across the river and there is a glow on the proposed property. Directly across from this property is a very large, biological wastewater treatment facility. These are all on the south side, but directly across from the subject property. Evonik is concerned that the residents of this rezoned area will feel that these noises, lights, and potential odors from the manufacturing site are infringing on them. This will lead to criticism of Evonik and have a negative impact on Evonik's standing in the community.

Margaret Warren, 1191 S. Sharon Chapel Road, West Lafayette, said her main concern is how this will affect their wells. She said all of them have well water and wants to know how multi-residential in the area will affect their wells. The added traffic is a concern. There is already a lot of traffic, people do ride bicycles, and it is dangerous. It is a two-way single road, narrow, and hard when people are riding bikes.

Brandon Stevens, 101 Patrick Lane, West Lafayette, lives just down the road from the proposed development and rezoning. He too is against it. It is not setup in that area to support that type of housing development. The designer says they will put in lift stations to do their own sewer treatment and pump that to the City, so they must get it somewhere. They will have to run pipes down the road and across other people's property to get it there. It's not going to be wireless. They have promised to do transportation, and as with other facilities around the city that have done this, after it gets very expensive, they stop and discontinue the service. Those residents are then on their own to get their own transportation. There is no guarantee that they are going to provide transportation for the next fifty years to reduce the traffic or keep the traffic in check in that area. It is a very dangerous area with the narrow road. This increased traffic, especially with students wanting to live out there in those areas, and with high density housing and single-family homes with multi-family homes in that area, it would not be a good mix.

Steven Johnson, 4344 S. River Road, West Lafayette, said his family left Indianapolis and moved to West Lafayette for the scenic area, which South River Road provides. It is a safe area. Currently the citizens that live on the road are concerned by what a rezoning of the area will do for crime. The increased traffic has been mentioned. He agrees with not moving forward on this project in reference to the industrial buffer that was mentioned earlier. He does not believe the critical thinking of this planning was met, with the strategy needed to support the rezoning. Therefore, he and the other residents, with whom he asked to stand, are against moving forward with this motion.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, was allowed a rebuttal. He first addressed Evonik's concern that their use across the river will be a nuisance to this property owner if this project moves forward and are concerned about complaints. The petitioner recognizes that Evonik was here before them and the petitioner has vetted this property and is familiar with the current conditions and attributes of neighboring and adjacent properties across the river. They are comfortable with the conditions and are not concerned that there will be any negative impact on the property. They have no intentions of being anything other than a good neighbor in recognition of Evonik's history. He reiterated the concerns regarding the residential uses along River Road. The site is currently zoned for heavy industrial, so in their opinion, the R3's mix of different types of residential uses are significantly less impactful on the scenic nature of South River Road and traffic than industrial use would be. With respect to the comment regarding the impacts on existing wells, this would be Indiana American Water and there would be no new well tapped on this property that would cause any issues for existing wells.

Larry Leverenz asked for any questions or comments from the Commission.

Jason Dombkowski addressed Ryan Munden with a question about the private lift station. He asked if there had been conversations with the City of West Lafayette on that.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, said the developer and their engineer, Kimley-Horn, have had conversations with the City and with Indiana American Water about utilities.

Jason Dombkowski asked if the City is willing to provide that service.

Josh Nixon, 2172 Foxmoor Lane, Lafayette, is a Civil Engineer with Kimley-Horn Associates, said there was a meeting with Dave Henderson, Vic VanAllen, and Ben Anderson. It specifically spoke to the plan for running a small, size to be determined, force main along River Road and tie into an existing manhole that is located on the north side of River Road, part of the western interceptor. They were receptive to that and asked for a couple of things when the project gets to the final design, and that was the extent.

Gary Schroeder added, to be clear, this property is entirely in the county.

An audience member asked if it was allowed for a county property to tap into a city's sewer. Larry Leverenz replied it is allowed if the city agrees to it.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 5-Yes to 11-No recommending denial of **Z-2888 TRINITAS DEVELOPMENT, LLC (I3 to R3)**. The negative recommendation will continue to the County Commissioners next month.

Yes-Votes

Jackson Bogan
Gary Schroeder
Tracy Brown
Jason Dombkowski
Tom Murtaugh

No-Votes

Kathy Parker	Vicki Pearl	Michelle Dennis
Diana Luper	Bob Metzger	Larry Leverenz
Lisa Dullum	Perry Brown	Jerry Reynolds
Greg Jones		Carla Snodgrass

Gary Schroeder recused himself from the next case.

Jerry Reynolds moved to hear and vote on **Z-2889 ARCHVIEW PROPERTIES, LLC (R1 to R3)**. Greg Jones seconded.

6. **Z-2889 ARCHVIEW PROPERTIES, LLC (R1 to R3):**

Petitioner is requesting a rezone of 26.581 acres for a proposed multi-family development located between CR 50 W and CR 100 W (Yeager Road), south of Hawthorne Ridge and just north of the West Lafayette city limits, in Wabash 31 (SW) 24-4.

Larry Aukerman referred to zoning and aerial maps. The request is to rezone from R1 to R3 for twenty-six acres on the north side of West Lafayette, just outside of the city limits. The southern border of this request is at the city limit boundary. On the western side of the property will be the Yeager Road reconstruction that will run north with the realignment. According to the County Highway Department, that should be completed within two years. The surrounding properties are currently primarily row crop, with some R2, OR, and I3 zoned areas owned by Purdue Research Foundation. The Arbor Chase subdivision case from earlier is located east of the displayed map. The northern line of property would be where the new east-west collector road would be constructed, potentially as part of this subdivision, which would be discussed at the subdivision stage of the rezone. The petitioner has shared non-binding conceptual site plans for the property. Staff is recommending denial because this property is within the Wabash Township study area, which will hopefully be completed later this year. Staff can say this area is identified as potential residential expansion growth. The plan from 1981 does not define what that growth means. Once the new plan is done, there should be a clear understanding of what kind of density that would be, and then staff can make a more complete recommendation. Until that time comes, staff recommends denial.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner. If approved, Archview plans to develop the site into a multi-family apartment project that will not be marketed as student housing. The County is in dire need of housing. Waiting for a revised comprehensive plan to be complete next year is not sufficient to address the needs that we currently have. This would be an upscale project. Given the fact that this is designated for residential, it would be

appropriate here. The petitioner has had several meetings with the County and understands that the County supports this rezoning and the conceptual project at this point. Utilities to the site would be Indiana American Water and American Suburban Utilities for sewer. He respectfully requested recommendation of approval.

Larry Leverenz asked if any person wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any person wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission.

Tom Murtaugh reiterated what was said by the petitioner's representative. One of the biggest issues this community is facing is available housing. He thinks the Commission needs to move forward with this project and the next project on the agenda, to get these projects going to help with the housing needs. He is going to be supportive of the projects.

Jason Dombkowski questioned the property being outside city limits and relying on city services for sewer.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, corrected Jason Dombkowski and said American Suburban Utilities would be serving the site.

Vicki Pearl added that she was curious about this case and the next, regarding the US 231 corridor change.

Tom Murtaugh said he did not believe it would impact this area. The US 231 corridor project is being discussed again, but it would not be in this location.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 12-Yes to 3-No recommending approval of **Z-2889 ARCHVIEW PROPERTIES, LLC (R1 to R3).**

<u>Yes-Votes</u>			<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jason Dombkowski	Carla Snodgrass
Bob Metzger	Diana Luper	Jackson Bogan	Larry Leverenz
Perry Brown	Tom Murtaugh	Jerry Reynolds	Lisa Dillum
Tracy Brown	Greg Jones	Michelle Dennis	

Gary Schroeder returned to the room.

Gary Schroeder moved to hear and vote on **Z-2890 BUCKINGHAM PROPERTIES, LLC (R1 to R3).**
Greg Jones seconded.

7. **Z-2890 BUCKINGHAM PROPERTIES, LLC (R1 to R3):**

Petitioner is requesting a rezone of 22.108 acres for a proposed multi-family development located east of Hadley Moors Subdivision, on the west side of the future realigned Yeager Road, north of West Lafayette's city limits, in Wabash 36 (SE) 24-5.

Larry Aukerman referred to zoning and aerial maps. This property is a request from R1 to R3 zoning on twenty-two acres for multi-family housing. This property is northwest of the previous case. The site also borders the proposed Yeager Road extension. The site is surrounded by agricultural land use. It is part of the expansion area that is identified in the 1981 *Comprehensive Plan*, with the residential expansion being unclear in the plan. Petitioner has submitted a conceptual plan. The petitioner had previously engaged with the Plan Commission on a planned development concept. The planned development process provides a bit more ability to negotiate infrastructure, which was why, at the time, staff was comfortable entering that process. Staff is recommending against this to keep in line with the completion of the plan revisions. There was one letter received in opposition of the request.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

Ryan Munden, Reiling Teder & Schrier, LLC, 250 Main Street, Lafayette, is present on behalf of the petitioner. If approved, Buckingham would plan to develop the site in a multi-family apartment project. Looking at the elevations, this would be an upscale development with high-end finishes and amenities. The community needs housing, and this would help solve that problem. This developer has had successful projects in Tippecanoe County and developed The Century at Purdue Research Park, which was completed in 2020. These will not be marketed as student housing. The petitioner has had numerous meetings with the County and understand that they support this project and rezone, given the current zoning and the *Comprehensive Plan*, residential is appropriate here. From letters submitted, traffic was a concern. There would be two entrances to the development, one off the new Yeager Road extension and one from the existing county road to the south. Another concern was the condition of the current county road. The developer would widen and improve the county road up to their entrance. An increase in traffic would not further deteriorate the road, given the improvement and widening. There is I3, OR and R2 zoning to the south, by Purdue Research Foundation, so this is an area ripe for redevelopment. They believe this type of upscale project fits perfectly here. He respectfully requested a recommendation of approval.

Larry Leverenz asked if any person wished to speak in favor of this petition.

Kent Parkinson, 5516 W 1200 S, Brookston, said he has been a resident of this part of the state his entire life. The property is owned by the Parkinson Family Trust and he represents two-thirds of the beneficiary of that trust, who supports this plan. Buckingham is a known entity. They are well known for developing good, high-end projects. There is a need for additional housing, good quality housing, in the West Lafayette and Tippecanoe County area. He farmed this with his family when he was a young man, and it is a nice piece of property that's gently rolling, he recognizes that things must come to an end at times and move on, and the community needs to grow. On behalf of the two-thirds majority of beneficiaries of the trust that owns this property, they are very proud of what Buckingham has done here and they ask the Board to approve this project.

Larry Leverenz asked if any person wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Ryan O'Gara collected the ballots and noted the Area Plan Commission voted 13-Yes to 3-No recommending approval of **Z-2890 BUCKINGHAM PROPERTIES, LLC (R1 to R3).**

<u>Yes-Votes</u>				<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jason Dombkowski	Michelle Dennis	Carla Snodgrass
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	Larry Leverenz
Perry Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	Lisa Dullum
Tracy Brown				

V. ADMINISTRATIVE MATTERS

David Hittle acknowledged the presence of Dr. Gary Steinhardt and his Purdue University Agronomy class. They will be at next week's BZA hearing. Students may want to stop by after the hearing to ask questions of the Plan Commission members.

Dr. Steinhardt said he appreciates the opportunity to have his class present. He teaches a soil and land-use class at Purdue University. This hearing is a great exercise in decision making and receiving advice from the public and presenting to the elected officials. He extended his thanks to the Commission members and looks forward to introducing his students after the hearing.

Larry Leverenz thanked Dr. Steinhardt and said he appreciates the fact that he brings the students to the hearing to expose them to government at the local level.

VI. APPROVAL OF THE MAY EXECUTIVE COMMITTEE AGENDA

No new subdivisions have been filed.

VII. 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-2101 ANTHONY HAAN;
BZA-2102 KEITH MOORE, CARLSON CONSULTING ENGINEERS; and
BZA-2103 BUILT TO LAST.

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

VIII. DIRECTOR'S REPORT

David Hittle stated the Director's report was emailed and was available to answer any questions.

IX. CITIZEN'S COMMENTS AND GRIEVANCES

While Gary Schroeder had stepped out of the room for case **Z-2889 ARCHVIEW PROPERTIES, LLC**, a petitioner approached him who was late for their case because the Notice for Public Hearing states the time of the meeting as 7:00PM. It may just be an old template being used, but the person felt bad that he was not here and someone else had to fill in for him. The error was acknowledged.

X. ADJOURNMENT

Gary Schroeder moved to adjourn. Meeting adjourned at 7:49 PM.

Respectfully Submitted,
Kristina Lamb
Recording Secretary

Reviewed by,



David L. Hittle
Executive Director