

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

DATE..... MAY 1, 2019
TIME..... 4:30 P.M.
PLACE..... CO. OFFICE BLDG.
20 N. 3rd STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

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

MEMBERS ABSENT

Greg Jones

STAFF PRESENT

Sallie Fahey
Ryan O’Gara
Diana Trader
Zach Williams, Atty.

President Tom Murtaugh called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the April 3, 2019 Executive Committee public hearing as submitted. Carl Griffin seconded, and the motion carried by voice vote.

II. NEW BUSINESS

None

III. PUBLIC HEARING

None

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

Gary Schroeder moved that the following rezoning petitions be placed on the May 15, 2019 Area Plan Commission public hearing agenda:

- Z-2761 JEFFERY A. ISOM for JAI HOLDINGS, LLC (R3U to NBU),**
- Z-2762 MIKE & GINA KORNAFEL (I3 to GB), and**
- Z-2763 AMERICAN REALTY OF LAFAYETTE, LLC (R1 to I3)**

Carl Griffin seconded, and the motion carried by voice vote.

V. APPROVAL OF THE MAY ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the May 22, 2019 Area Board of Zoning Appeals Public Hearing agenda:

BZA-2013 ELEVEN EIGHTEEN, LLC,
BZA-2014 PURDUE RESEARCH FOUNDATION,
BZA-2015 JESSE AND DESTINY PETERS, and
BZA-2016 PURDUE RESEARCH FOUNDATION

Carl Griffin seconded, and the motion carried by voice vote.

Sallie Fahey said now that cases **BZA-2014 PURDUE RESEARCH FOUNDATION** AND **BZA-2016 PURDUE RESEARCH FOUNDATION** have been placed on the agenda they will be continued at petitioner's request to the June 26, 2019 ABZA meeting. Sallie said the petitioner needs to add variance requests to case **BZA-2016** and the special exception case **BZA-2014** can't be heard until the variances have been decided.

VI. DETERMINATION OF VARIANCES – Lafayette Division

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

CASE #2019-12 HIGH ENERGY PIZZA, LLC,
CASE #2019-13 HIGH ENERGY PIZZA, LLC, and
CASE #2019-14 DONALD D. AND CHARLINE M. KONING

Carl Griffin seconded, and the motion carried by voice vote.

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

CASE #2019-12 HIGH ENERGY PIZZA, LLC, and
CASE #2019-13 HIGH ENERGY PIZZA, LLC

Carl Griffin seconded, and the motion carried by voice vote.

VII. REVIEW AND APPROVAL OF THE APRIL BUDGET REPORT

Sallie Fahey said the only item of note under Expenditures this Month is under Dues & Subscriptions there is \$1,000 for the annual membership to the National Association of Regional Councils. Sallie said they do so much for MPOs in transportation legislation and monitoring the federal government activity regarding the transportation bill. Sallie said the current transportation bill is coming to an end and hopefully will be re-negotiated. She said this is supposed to happen every 6 years, and unless congress develops a new transportation bill we will be operating on a continuing resolution once again.

Gary Schroeder moved to approve the April budget report as submitted. Carl Griffin seconded, and the motion carried by voice vote.

VIII. OTHER BUSINESS

Tom Murtaugh announced that the Americus Coalition is having a pancake breakfast this Saturday at the campground in Americus.

Gary Schroeder asked about Opportunity Zones in Tippecanoe County. He asked if staff was aware of them and if the Area Plan Commission might get any zoning requests concerning them.

Tom Murtaugh said they are very complicated tax breaks for low-income areas. Tom thought it might be something to discuss at a future Ordinance Committee meeting.

Gary Schroeder said it might take a while to roll out, but he knew of people who were getting calls about looking for properties for this.

Jerry Reynolds asked if this was like a tax abatement.

Tom Murtaugh said this is basically a tax break for someone who sells a property and instead of paying taxes on it they can reinvest the proceeds into the Opportunity Zones. Tom said depending on the length of time, they could either delay or avoid the tax consequence altogether.

Gary Schroeder said they are meant to encourage investment and redevelopment.

Tom Murtaugh said the Opportunity Zones are in low income areas.

Gary Schroeder said they are mostly in Lafayette and there is a piece in West Lafayette.

Tom Murtaugh said in West Lafayette there are a fair number of these zones right around campus because of the low- income students.

Jackson Bogan asked if it was like a 1031.

Tom Murtaugh said it was built on that premise. Tom said the original profit does not have to be generated in the Opportunity Zone area, it can be generated anywhere. He said the profit had to be invested in the Opportunity Zone and if the money is invested over a 10-year period there is no tax consequence.

Sallie Fahey asked if it was property tax or income tax that can be avoided.

Tom Murtaugh said it was income tax.

Gary Schroeder said his point was that if the federal government is promoting investment and redevelopment the Area Plan Commission may get some requests from people wanting to do that.

Jackson Bogan asked if this is deemed to be for a low-income area but not necessarily a low-income project.

Tom Murtaugh and Gary Schroeder agreed.

Gary Schroeder said the low-income areas were identified through the 2010 census and were submitted by the governor.

Tom Murtaugh said just because an area is low-income does not make it an Opportunity Zone. Tom said it had to have been submitted and approved by the state.

Carl Griffin asked if those sites have now been identified and if that was done by the city.

Tom Murtaugh said yes, the sites have been identified, and even though there are no sites in the county it was done jointly between Lafayette, West Lafayette, Tippecanoe County and Greater Lafayette Commerce. Tom said he thought there may be a portion of one Opportunity Zone that borders West Lafayette that might be outside the city limits.

Gary Schroeder said in West Lafayette the Opportunity Zone starts north of Kalberer Road and goes north to CR 600 N., it goes east to SR 43, and it goes west to just west of Morehouse Road. He asked if staff could have a map of these zones prepared for the next meeting.

Jackson Bogan asked if people would come to the Area Plan Commission to request a rezone of an Opportunity Zone property.

Gary Schroeder said if people have money that they want to invest in these areas they would have to build something, and the property may need to be rezoned.

Jackson Bogan asked if these requests would go through the same process that rezone requests currently go through but the reasoning or rationale behind it may be different because of investment motives from a prior investment.

Sallie Fahey said there would be an additional motive but the rationale behind it would be the same.

Tom Murtaugh said it may be a situation where the Area Plan Commission thought those areas would not be developed for a long time but, now they may have to do some planning for them.

Gary Schroeder said it may spur more interest in those areas.

Jackson Bogan said it would not necessarily change the way the Area Plan Commission looks at a rezone request.

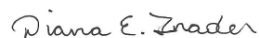
IX. ADJOURNMENT

Gary Schroeder moved to adjourn.

The meeting adjourned at 4:45 p.m.

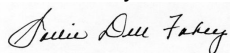
Respectfully submitted,

Diana E. Trader



Acting Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director