

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

DATE.....February 17, 2021  
 TIME.....6:00 P.M.  
 PLACE..... County Office Bldg.  
 20 N. 3<sup>rd</sup> Street  
 Lafayette, IN 47901

*Due to the public health emergency, the meeting was held virtually. Members of the public may watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>*

**MEMBERS PRESENT**

Vicki Pearl  
 Greg Jones  
 Carla Snodgrass  
 Larry Leverenz  
 Diana Luper  
 Michelle Dennis  
 Tracy Brown  
 Tom Murtaugh  
 Gary Schroeder  
 Jackson Bogan  
 Kathy Parker  
 Lisa Dillum  
 Perry Brown  
 Jason Dombkowski  
 Roland Winger  
 Jerry Reynolds

**MEMBERS ABSENT**

Jake Gray

**STAFF PRESENT**

Sallie Fahey  
 Ryan O’Gara  
 Larry Aukerman  
 Don Lamb  
 Chyna Lynch  
 John Burns  
 Rabita Foley  
 Zach Williams, Atty

The Area Plan Commission of Tippecanoe County Public Hearing was held virtually on the 17th day of February 2021 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Attorney Eric Burns called the meeting to order and called the roll to establish members present.

**I. INTRODUCTION OF NEW EXECUTIVE DIRECTOR, DAVID HITTLE**

Jackson Bogan said we are excited to introduce our new incoming Executive Director, David Hittle. He comes to us as the current Director in the Department of Planning and Zoning in Johnson County. He spent some time as the senior planner for the Department of Metropolitan Development for the City of Indianapolis. There will be a bit of an overlap while Sallie stays on.

David Hittle thanked Jackson and said he is equally if not more excited to be here and joining the APC for the first time. He said he is looking forward to starting on March 1<sup>st</sup> and is very eager to meet the staff. He thanked the Commission for the one-month transition period with Sallie. He said this will be incredibly helpful and he will do his best to soak in as much institutional knowledge as Sallie is able to give.

Jackson Bogan said the credit goes to Sallie for staying on throughout this transition. We are excited to have David as part of the team.

**II. BRIEFING SESSION**

Sallie Fahey said all cases are ready to be heard this evening.

### III. APPROVAL OF THE MINUTES

Gary Schroeder moved to approve the minutes from the January 20, 2021 meeting. Vicki Pearl seconded and the motion carried by unanimous voice vote.

### IV. NEW BUSINESS

#### FINAL DETAILED PLANS

#### **RESOLUTION PD-21-02: WESTMINSTER VILLAGE WEST LAFAYETTE, INC. (Westminster Village Cottages PD, Phase 1, Part 2) Z-2760**

Final Detailed Plans for the Westminster Village Cottages Planned Development. The approved preliminary plans allow for the construction of multiple residential and optional mixed-use building types on a single, consolidated lot. Two initial phases are planned to contain 29 single-family detached "cottages" in total (17 in phase one and 12 in phase two). Phase 1, Part 2 contains 6 single-family "cottage" units. The property is located at 2741 Salisbury Street, West Lafayette, Wabash 7 (NW) 23-4.

Gary Schroeder moved to hear and approve RESOLUTION PD 21-02. Greg Jones seconded.

Ryan O'Gara presented the final detail plans. He said this is the second installment for the Westminster Village Cottages Planned Development. This is part two of phase one. Part one of phase one started last year with five new cottage buildings for single-family residential use. Westminster is broken up between the MR zoned area and the PD area. This portion will introduce another six cottages. This PD is unique and has flexibility built into it. The Final Detail Plans consist of construction plans and an amended final plat for addressing purposes. They meet the requirements at this stage of development. Staff recommended approval.

Jackson Bogan asked if the petitioner or the representative wanted to make a presentation. They did not. Jackson asked Ryan O'Gara if we received any citizen comments. There were none.

Eric Burns conducted a vote by roll call. The motion was approved 16 yes to 0 no.

#### **Yes-Votes**

Jackson Bogan  
Larry Leverenz  
Jason Dombkowski  
Roland Winger  
Vicki Pearl  
Lisa Dullum  
Diana Luper  
Gary Schroeder  
Michelle Dennis  
Kathy Parker  
Jerry Reynolds  
Tom Murtaugh  
Carla Snodgrass  
Greg Jones  
Perry Brown  
Tracy Brown

#### **No-Votes**

### V. PUBLIC HEARING

Jackson Bogan 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.

#### **A. Rezoning Activities**

##### **Z-2813 SENTRY REAL ESTATE HOLDINGS, LLC (A to GB):**

Petitioner is requesting rezoning of 3.3 acres (revised from the original three tracts totaling 13 acres), for a proposed warehouse and office for electrical contracting, located on the south side of Sagamore Parkway between CR 400 W and 475 W, specifically, 4521 US 52 W, in Wabash 4 (SE) 23-5. *CONTINUED FROM THE JANUARY APC MEETING AT PETITIONER'S REQUEST.*

Gary Schroeder moved to hear and approve Z-2813 SENTRY REAL ESTATE HOLDINGS, LLC (A to GB).  
Greg Jones seconded.

Kathy Lind presented the zoning map and aerial photos. She said this request was heard last month as a 13-acre rezone request. It was continued by petitioner to add a commitment limiting use but that did not happen. Instead, the original 13-acre request of the three tracts was shrunk to 3.3 acres. Petitioner will be doing an Exemption E deed transfer to create the new configuration of area that they are requesting for rezone. The property is zone Agricultural as is all the property in the area. There are two commercial zoning nodes of NB and GB at CR 500 and US 231 and at CR 400 W and US 231. The reason this is a GB rezone and not a special exception at the BZA, is because of a footnote in the permitted use table. The footnote limits the building size to 5,000 square feet and the petitioners are proposing a 7,200 square foot building. Staff and the Administrative Officers met a couple of weeks ago to discuss this footnote. It was decided that this footnote should be amended to allow a building up to 10,000 square feet. This will be decided at the March Ordinance Committee meeting. The earliest this would be put into law is May. Instead of making the petitioner wait a few months, we can go ahead with this GB rezone that is smaller than the original request. Staff still prefers business zoning to be located at the intersections. Staff also prefers that they be on sewer. We have heard from the Health Department that this site has an existing commercial septic that can adequately serve the proposed used on the 3.3-acre tract. We also have a letter from American Suburban Utilities stating that they can serve this site with sewer. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Kevin Riley, 250 Main Street, Lafayette, IN 47901, representative for petitioner, said they agree with staff's recommendation. He thanked staff for their willingness to work with the petitioner on this solution. The plan is to use the existing septic system and well on the property. He respectfully requested approval.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O'Gara if we received any citizen comments. There were none

Eric Burns conducted a vote by roll call. The motion was approved 16 yes to 0 no.

#### **Yes-Votes**

Jackson Bogan  
Larry Leverenz  
Jason Dombkowski  
Roland Winger  
Vicki Pearl  
Lisa Dullum  
Diana Luper  
Gary Schroeder  
Michelle Dennis

#### **No-Votes**

Kathy Parker  
 Jerry Reynolds  
 Tom Murtaugh  
 Carla Snodgrass  
 Greg Jones  
 Perry Brown  
 Tracy Brown

**Z-2820 TRINITAS DEVELOPMENT, LLC (R1 to R1 & R3):**

Petitioner is requesting rezoning of 40.32 acres to R3 and rezoning 18.58 acres to R1 with commitment, for a proposed student apartment development located on the north side of SR 26 W, less than one mile west of the US 52/231 intersection, in Wabash 14 (SE) 23-5. *With commitments.*

Gary Schroeder moved to hear and approve Z-2820 TRINITAS DEVELOPMENT, LLC (R1 to R1 & R3).  
 Greg Jones seconded.

Jackson Bogan asked if Eric Burns would give a brief summary of proceedings with the numerous letters we have received regarding this case.

Eric Burns said we have a bylaw that provides that if a person wants to submit a letter by the appropriate deadline, they may do so as long as they are signed and in compliance. In the usual case, it is easy to read those into the record, as is customary. Early on, it became apparent that there was going to be a great volume of letters that would take an unreasonable amount of time to read into the record. After a discussion with staff and the attorneys involved, it was determined to be appropriate that in lieu of reading letters into the record, the letters would be made available in two packets. There are more than 100 letters, both for and against, that have been made available on the website and in links that were sent to APC Commissioners. There have been letters received that were not in compliance because they were not signed. These were not part of the record but have been noted for informational purposes.

Ryan O’Gara presented the zoning map and aerial photos. He said this site is on the western edge of West Lafayette just outside of city limits in the unincorporated county. The site consists of 40.32 acres that is proposed to be rezoned from R1 to R3 with commitment and 18.5 acres to be rezoned from R1 to R1 with commitment. The proposed use is a multi-family apartment development. The frontage for the road is SR 26 W just west of the US 52 and US 231 intersection in the Wabash Township. The site has been zoned residentially for a long time and is used in parts for crop production. There is Flood Plain to the west. We have quite a mix of different residential zones and Agricultural zones that are used either residentially or for agricultural production. There is also some PD zoning nearby that is either duplex or single-family housing. The Orchard would be the closest development and is just due west. There are two parts of The Orchard; one is zoned R1 and the other is single-family Planned Development.

Adjacent to the property is some OR zoning for office use. Everything else is residentially zoned. Apart from the subdivisions to the west, there are some single-family home sites along the shared frontage. SR 26 is a primary arterial. If the rezone is accomplished and subdivided, the 60-foot half width right-of-way will be required. INDOT will be the reviewing agency. Because this is a state road, driveway permits and curb cut permits will be required for access. Petitioner has submitted a traffic impact analysis to INDOT in advance of this rezone petition to identify traffic related issues that may need to be factored into their site plan. In terms of public utilities, this site is undeveloped but is surrounded by public utilities. All the applicable entities have indicated they are able to serve this site by extending services.

The petitioner has submitted two commitments for the two portions of the site. One commitment is for the R1 zoned portion and the other is for the proposed R3 zoned portion. The R1 commitment concerns use limitation and setback requirements. The R3 commitment also concerns setback. They are proposing a 100-foot setback in the area to the west and southwest for a tree buffer. They are also proposing tree preservation along the north and western sides of the site. The third portion concerns light pollution. The

petitioner is committing to the use of certain fixtures that will reduce spillover light pollution to adjacent properties.

In areas of the county where we have not had a land use plan restudy since sanitary sewer became more available, staff relies on development patterns as well as the studied areas with the closest proximity to the site. These two guides inform staff of what is appropriate for future land use. In this instance, the development patterns are quite obviously single-family residential zoning. The US 231 Corridor Plan, which was adopted a few years ago, and its subsequent corridor rezone are the studied elements that staff is using for its opinion. The US 231 Corridor Plan took place within the city limits of West Lafayette and is immediately adjacent to the east of the site. Staff thought it was appropriate to cite this plan and how it was rezoned after plan adoption to inform how we should proceed. The future land use category designated this area immediately to the east across the railroad tracks as low density residential. It recommends single family development and other low impact uses such as churches, parks and schools that are consistent with the development standards of R1, R1A, and R1B zones unless Planned Development zoning is utilized. PD zoning allows for a variety of and a relaxation of development standards as it is specific to that zone. We have studied the area immediately adjacent and after the plan was adopted, there was a corridor-wide rezone. R1B zoning was brought to this area to be consistent with the recommendations of that plan. The development patterns and studied area both point to a situation where multi-family development is incompatible. It is also out of character with what has been developed in the immediate vicinity.

Relative to the R1 commitment, it is staff's opinion that it does not have much utility in limiting uses. R1 is a very restricted zone that allows single-family detached residential homes and low impact non-residential uses like churches, schools and libraries. The commitment only restricts use of the property to single family detached homes. Staff has no issue with the proposed R3 commitment except for the light pollution portion. This portion should be tightened up and provide a measurable standard for the Building Commissioner. The commitment should be modified to reflect the International Dark Sky Association's Seal of Approval which is a measurable standard. Staff recommended adding that language into the commitment. Staff recommended denial of the rezone petition and two associated commitments.

Jackson Bogan asked if the petitioner amended the commitment, whether staff's recommendation would still be denial.

Ryan O'Gara said that is correct. If the petition and commitments are approved, staff recommends the augmentation of adding the International Dark Sky Association's Seal of Approval. Even with the commitments, there is still the burden of proving that the proposed use is appropriate. The proposed multi-family apartments are incompatible.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said approximately 130 emails and letters were submitted to APC staff and the County Commissioners in favor of the rezone and commitments. Many of the letters were not included because they did not meet the requirements of the bylaws. He thanked Eric Burns for his work in making this meeting more efficient. The question for this rezone is not whether we want rental homes or students because both are allowed in R1. The question is whether the Commission prefers our development with the commitments that provided setbacks, tree preservation, green space and lighting or another development without all these protections.

We have met with the neighbors on two occasions. At the meeting, we were open and transparent about what we wanted to do. The neighbors did ask a lot of questions and there was a lot of dialogue but no resolution was reached. We also stated that we would be willing to make our commitments more restrictive but we never heard anything back. He said he disagrees with staff's conclusion because the Comprehensive Plan does not include and has not been updated to consider this area. Staff relied on the US 231 Corridor Plan but it does not include the property in this request.

Purdue is spending at least \$200 million at the end of State Street to do a large development that will include houses, apartments and commercial buildings. They also have some across US 231 to the west on SR 26 W and they have put up several commercial buildings. This is only the beginning. These sites are going to create jobs that will employ students, graduate students and young professionals. Many are going to want

to live close to where they work. The petitioner is dedicated to improving the quality of the development. They have done this locally and nationally. The project that is proposed is an excellent campus to house people coming to Purdue.

He said it is his opinion that this site is a buffer for the residential site to the west and the commercial buildings to the east. We have an excellent buffer with the green space. Not all students want to live on top of each other. Some want to have green space and a different college experience. That's what this is offering. This site is isolated from everything and the houses are rarely visible. With the protection offered by the commitments, we will have little impact on the neighborhood. We exceed all setbacks and greenspace requirements. We are proposing a \$15 million development with different styles and building mixes. The project is going to be similar to the Cottages on Lindberg which is an older site that is still in excellent condition with good occupancy. He thanked the Commission for its consideration.

Jeff Kanable, 201 Main Street, Lafayette, IN 47901, petitioner, thanked everyone for their time and consideration. Trinitas feels this location and the proposed use is appropriate in the context of the growth that is occurring around this area. That is not to say that we do not appreciate the hard work that the planning staff put into the Comprehensive Plan and the US 231 Corridor Study. This proposed development is a Purdue centric, medium density community that is well suited for this location as it sits directly in the path of growth dominated by Purdue's Discovery Park District. The Discovery Park District is 400 acres on Purdue's western edge consisting of research office space, retail and 200 acres of aerospace targeted jobs. This is an entire city less than a mile from the site that is being proposed. We want to give residents that are not living at the dorms and don't want to buy a house yet, the ability to live close to the thousands of jobs less than a mile away. This site is a far superior location than the existing off campus medium density housing. Trinitas shuttles and CityBus can get the residents to the new jobs and other locations within Discovery Park District and other points around campus.

People ask if there is a demand for more student housing. There is a demand for more student housing. Purdue announced record enrollment in the fall of 2020. Purdue is ranked as the ninth best undergraduate engineering school in the country. Purdue also has not had a tuition increase since 2012. The demand for Purdue's high quality and affordable education has never been higher. This has been reflected in the student housing occupancy rates as fall 2020 saw a total occupancy rate of 90%. Housing built since 2012 shows a 95% occupancy rate. The demand is high for cottage style housing like the proposed project. The Cottages on Lindberg, another Trinitas Development, shows a 95% occupancy rate. Low density and spacious homes appeal to residents who want distance from their neighbors and ample outdoor recreational opportunities.

We are asking for this rezone because the current R1 zoning designates an area where only single-family residences are allowed. Trinitas would build a single-family neighborhood and rent to students but that would require maximizing every square foot of the site. This would result in less tree preservation and a smaller buffer between developments. By up zoning a portion of the site to R3, we are able to protect existing trees and natural buffer. This is better than an R1 only plan because it allows us to maximize the open space, offer product diversity and create a community environment.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said Trinitas is passionate about this project and the opportunity to develop it for multi-family cottage homes. With that passion comes a certainty about the vision for the site and the willingness to commit to restraints in consideration of the neighbors. The commitments are broken into two parts. The first commitment would keep a portion zoned R1 and the minimum setback would be increased from 6 feet to 25 feet. The second commitment would keep a 100-foot setback on the western side of the property, 75 feet of tree preservation and 30 feet of tree preservation on the south portion of the site. We are committed to the Dark Sky guidelines for lighting and have no problem committing to that specification as needed in the future.

We are not developing the site to the fullest extent that R3 would allow. Instead we are choosing a design approach that preserves as much of the existing vegetation and natural elements that exist today. R3 would allow 30% building coverage but this project will demonstrate less than 20%. R1 requires 40% vegetative coverage and R3 requires 30% but this plan will provide a minimum of 50% vegetative coverage.

We worked with American Structure Point and Traffic Engineering Incorporated for civil and traffic engineering expertise. The primary driveway location is positioned to provide maximum safety for vehicle movements. The traffic impact analysis has been submitted to INDOT for review. The curve and slope of SR 26 were factored and the driveway location meets the requirements. The development will include an acceleration and deceleration taper leading up to and following the driveway entrance. This will also include a restricted emergency only drive for the fire department. We also plan to include two daily shuttles that will run seven days a week. This will greatly reduce the volume of traffic. Data from similar projects demonstrate shuttle usage reducing the total potential vehicular movements by about 22%. We feel our properties would have less impact on peak travel times than a single-family home development might.

We also intend to exceed the landscape buffer requirements, integrate walking paths and outdoor recreation to provide a unique mix of cottage style homes with a modern farmhouse design element. This site plan provides a subtle progression of height and density that begins at the entrance but culminates toward the eastern portion of the site. The site has existing forestation that serves well as a natural border. The neighboring properties will have little direct visibility to this site. We feel confident that the quality and nature of the homes will fit in with the stretch of communities along SR 26.

Chris King, 201 Main Street, Lafayette, IN 47901, petitioner, thanked the Commission for its time to hear this case. He said he is the co-owner of Trinitas Ventures. We are a top 25 national developer of student housing and have developed nearly \$1 billion worth of real estate across the country. We develop class A real estate which means it is of the highest quality in the best location with a high-quality resident base. He showed examples of Trinitas properties. We do not have a cookie cutter design that we jam onto every site. We match our design to the community. We believe a cottage style; low-density community is the best fit for this site.

Trinitas got its start here in Tippecanoe County. He said his father and brother founded Trinitas off Lindberg Road. He and his brother are lifelong residents of Tippecanoe County and are graduates of Harrison High School. Trinitas is headquartered in downtown Lafayette. His father began purchasing real estate near Purdue's campus, tore down the houses and replaced them with small apartment buildings. In the late 90's, we began the development of the largest student housing community at Purdue at the time, Willowbrook West. We decided to expand to other university towns and founded Trinitas Ventures in 2002. He said he lives down the road from the development and would pass it every day on the way to the office. We want this neighborhood to be high quality, respectful and beautiful. This plan does that by preserving the natural vegetation and going out of its way to respect the privacy of its neighbors. We have met with many community members and neighbors which have little objection to the actual site layout or architecture. He respectfully requested approval.

Jackson Bogan asked if there was anyone present to speak in favor of the petition. There were none. He asked for questions from the Commission.

Michelle Dennis asked if the plan is to only develop the R3 zoned area at this point.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said at this point we are looking to just develop the R3 site. The R1 commitment was requested to protect the residents of The Orchard to the north.

Lisa Dullum asked if there is any guarantee that the proposed plan will happen.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said no, this is not a planned development. This is just a site plan that we think is appropriate for this. Yes, it could change from that drawing.

Lisa Dullum asked if what was presented could be easily changed.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said yes but it would not be easily done because there are commitments with it for tree preservation and such. It could look different but not substantially different. The north part is R1 and it will not be an easy proposition because it would have to be served by a public road. So, the likelihood is that it would not be developed for a while if ever.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said we are very committed to this layout. This design has been communicated with the neighborhood associations and internally with Trinitas. The only changes that would be made would be at the discretion of APC staff.

Lisa Dullum asked if there were any legal requirement that this plan be followed.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said there is not.

Ryan O'Gara said they would only be legally bound to the restrictions and development standards of the R3 zone and the submitted commitments that would need to be recorded at the time they begin to subdivide.

Don Lamb said they would have to file for a multi-family subdivision application that will go through all those stages. They would also have to provide a public road through this.

Jackson Bogan said that would then have to come back to the Commission.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said the engineers for this project are well versed in that process.

Jackson Bogan asked if there was anyone to speak in opposition to the petition.

Eric Barker, 1157 Parview Drive, West Lafayette, IN 47906, said he was speaking on behalf of those living in The Greens subdivision that signed the petition against the rezone. He said his family has lived in The Greens for over 10 years and were some of the first residents in Huntington Farms. We have been pleased with the development of single-family homes along SR 26 and the quality of life that the area provides. We were steered away from subdivisions near student housing and were attracted to the area along SR 26 because of the proximity to campus and lack of student housing. The cottages described in this rezone will be Purdue student housing. The presence of high-density student housing along SR 26 will negatively impact the ability to recruit Purdue faculty and staff to The Greens subdivision. Please do not erode the quality of life for the residents in the neighborhoods by approving this rezone. With over 750 occupants planned for this development, this will impact the daily lives of those that live in the area.

There are two major issues. First, we are concerned about significant congestion in and around the new roundabout at Newman Road and SR 26 as well as at the SR 26 and US 231 intersection. The expansion of surrounding facilities will bring well-paid professionals to the area that are looking for single-family homes, not student housing. The combination will result in increased traffic at these intersections. Adding more student vehicles to the mix could be problematic. Second, the entrance to this proposed development is at the curvature in the road that has elevation changes which makes line of sight problematic in both directions. We have concerns about the ability to create a safe entrance at this location for such a large development. This project is in a location without interconnectivity to critical infrastructure such as roads, sidewalks and bike paths. This type of development works better in an urban environment with supporting elements for high-density housing. He said it is his professional understanding that the projected flat or declining enrollments in higher education over the next decade will make the recent and current student housing developments unneeded. We have concerns that this project will fail economically and ultimately turn into low rent housing. He asked that this rezone be denied and thanked the Commission.

Ryan Goebel, 2440 SR 26 W, West Lafayette, IN 47906, said he and his family live immediately adjacent to the proposed rezone. The rezone will fundamentally change the demeanor of this area and set a precedent for urban sprawl that will destroy the appeal of this area. The APC gets to decide how the community will grow in a responsible way that protects the interest of all the stakeholders. APC has done a fine job in this area by laying out zoning that fits the needs of the community. An example of this foresight

would be the 2020 Tippecanoe County Student Rental Report. Under conclusions and recommendations, it says the city should continue to support the urban densification of the near campus area while discouraging increases in large undergraduate oriented multi-family in its outlying areas. The exception to the multi-family expansion in the periphery continues to be the projects that cater to a diverse mix of individuals which are walkable to commercial activity centers. The proposed project is geared toward students and it exists in an outlying area that is not walkable to any amenities.

Under guiding policies in the report, it says that development would require compelling data from developers that support significant increases in student oriented residential density. Particularly along fringe areas of the campus and West Lafayette. Trinitas has not presented any compelling data to support a significant increase in student oriented residential density. The report also discourages the development of multi-family residential developments on the urban fringe and that are not along transit routes or walkable to a major commercial activity center. This proposed location is not walkable to the nearest commercial center which is Purdue West. Some people may be tempted to bike, but this trek is along a treacherous stretch of SR 26 with no sidewalk. The report also states that in 2019, a record number of new multi-family units opened with over 2,500 bedrooms. Additionally, there are seven projects in various stages of completion that will add at least 1,300 more bedrooms.

Another interesting perspective on the student housing situation has come from recent studies on annual birth rates. There was a dramatic decrease starting in 2007 which will correlate to a college enrollment decline starting 2025. Purdue has taken a decidedly on-campus approach to student housing following information that shows an increase in academic success with on-campus housing. In 2019, Purdue had nearly 42% of undergraduate students residing in on-campus housing which was the highest on record. A survey of West Lafayette apartment complexes revealed an over 17% vacancy rate. While there is much uncertainty due to COVID and other factors, there is certainly enough information to question whether more student housing is necessary.

Kevin Keckler, 2464 Gala Court, West Lafayette, IN 47906, said one area of concern with this proposed rezone is public safety. He said he has served as the Deputy Fire Chief of the Wabash Township Fire Department which covers 56 square miles. The growth in this jurisdiction has been unprecedented. In 2002, this area saw just over 400 calls a year. In 2020, the average was just shy of 1275. Just during this meeting there has been a call for a structure fire, a house fire in a kitchen and a medical call. We are tested everyday to operate as a volunteer department. Adding another high-density student housing complex will only make this more difficult. This fire department currently cover Villages West, Cottages on Lindberg, Red Point, Westbridge Flats, Trailside Flats, Baywater and Campus Suites. Most of these complexes have changed names numerous times after the original developers sold them. This is no different from what will happen with this proposal. We visited the cottage style complexes in the area to find out that their current occupancy rates were at the lowest 85% and the highest at 92%. There are plenty of empty beds currently available.

He advised that the Commission look through the FAQ on the website for the proposed development. One question that stuck out asked if this development would decrease safety resources and cause an increase in property taxes. Having over 750 students in the area will demand more EMS, fire and police resources than a single-family neighborhood. Trinitas states that their property tax money will go directly toward adding new resources for emergency services. This statement is flawed in multiple ways. The Wabash Fire Department does not directly receive any of that tax money. The tax money is thrown into a larger pot with the vast majority going to schools. What is left over is distributed to libraries, parks, highways, emergency response and cemeteries. Another question asked if there would be more accidents on SR 26 because of this development. Trinitas was not able to answer that question on their website. He said the answer to that question is yes. Their traffic study suggested adding a deceleration and acceleration lane to the project to help mitigate the potential for accidents. There were 10 confirmed accidents on this road in 2019 and 4 in 2020 as well as 2 hit and runs. When things return to normal after the pandemic and after construction is complete on this road, traffic will return to normal bringing more accidents especially with 750 students going in and out of this location every day. It is impossible to know the total number of accidents. He asked that the Commission say no to this rezone for the sake of the emergency responders in the Wabash Township.

Bart Cole, 642 N Sharon Chapel Road, West Lafayette, IN 47906, said he has lived in this area for 7 years. We understood that the parcel in question would eventually be built on. We believed that the land would stay R1 for single-family homes. He said as a Marine and law enforcement officer, he has lived and worked around many apartments. Through these experiences, he bought a home away from apartments and condos. He said he is concerned that the high-density living areas are going to draw more and more students as the surrounding apartments struggle to maximize their occupancy rates. This is a problem that the neighbors would be forced to live with or move from. We moved into this area to live in a community of single-family homeowners. We do not want to have a 700 plus bed facility next door. That will bring excessive traffic, extra light and noise pollution. There will be anonymous people on continuous residential rotation that are not invested in the community.

He said as a law enforcement officer narcotics detective for the Tippecanoe County Drug Task Force, he has witnessed apartments like Willowbrook West, Williamsburg on the Wabash and apartments along Horizon Drive east of Klondike struggle to maximize occupancy and backfill apartments with non-student types. He said he has dealt with serious crimes within many apartments and rentals and hardly ever at single-family homes that were owner occupied. Apartment complexes have been built and the surrounding area is consumed by property development businesses that rapidly sell to out of area management companies. This brings unintended consequences like a rise in crime. He thanked the Commission for its time.

Scott Kemp, 1363 Priscilla Court, West Lafayette, IN 47906, said when his family relocated to West Lafayette from Washington, they wanted a home that was close to Purdue in a well-established community. They purchased a home in The Orchard because it was a desirable location. With the proposed rezone, we feel the neighborhood will be negatively impacted. It is imperative that we do not allow the precedent of the rezoning of the current farmland to R3. This type of request does not fit within our community standards. He asked if the Commission is willing to risk long-term tax paying residents for a development that does not belong and is not needed. He asked how the county plans to support the long-term impacts of the development. He thanked the Commission for its time.

Ulrike Dydak, 2489 Gala Drive, West Lafayette, IN 47906, said she has owned her property in The Orchard that is directly across from the proposed rezone site for 15 years. The neighborhood is home to a large percentage of Purdue faculty and staff. We work and interact with students everyday on campus but have purposefully chosen to live off campus to escape the noisy, animated environment. The dynamic of the neighborhood could change with the coming and going of nearly 1,000 tenants annually next door. The community along the corridor of SR 26 has common concerns about this rezone. APC received over 80 emails from concerned residents before the rezone petition was filed. 98 individually signed letters were submitted along with a petition with over 600 signatures. There are also over 100 people that have commented on the online petition site. She displayed a map of where every person that signed the petition lives. They are not just buddies from across town that clicked on the button to do us a favor. These come from residents directly affected by the rezone.

Trinitas mentioned that they have addressed most of our concerns. Their main offer in their presentation was to keep the north side of the field zoned R1. The owner of the field was not interested in selling for many years until he received the offer this time around. Trinitas praises its employees on their web page for going above and beyond to utilize any means necessary to increase the company's bottom line. They would not be able to increase their bottom line if they leave this part of the field R1 in the future. Trinitas has also sold nearly all their developments in this area shortly after developing them. Once this part of the field is zoned R3, there would not be much reason to deny a rezone of the rest of the field for similar developments. She asked that this rezone be denied and thanked the Commission.

Fred Anderson, 2513 McShay Drive, West Lafayette, IN 47906, said he has lived on SR 26 since 1964. Then and now, the big appeal of this area was an easy proximity to campus but away from student housing. This area on SR 26 has been developed with single-family homes in upper to mid prices ranges for the last 55 years with an attractive variety of architecture and nicely laid out streets. SR 26 has been a busy and dangerous road. He respectfully requested denial of the rezone.

Sue Bailey, 2493 Gala Drive, West Lafayette, IN 47906, said she purchased her home that is directly adjacent to proposed rezone site 3 years ago. She said the neighborhood she previously lived in had such a turnover in ownership that the sense of community had been lost. Several homes in that neighborhood were rented by Purdue students and kept the HOA busy with complaints from homeowners. Students live in residential neighborhoods for 2 to 4 years with no vested interest in the community or neighborhood. It is in their nature to lack respect for the greater community and disregard the well-being of their neighbors. This is not because they are bad people but it is because they are transient, just like the people that would be living in the proposed development.

The Orchard has established families that look out for each other's children where we feel safe enough letting them walk or bike the neighborhood. We knew there would be potential for backyard neighbors but never thought it would be anything other than single-family homes. This corridor of the county has only single-family homes. It is absurd to think there could be an apartment building anywhere near this area. It is disheartening that the developers pride themselves on being members of this community but believe this rezone request would be accepted.

We have a survey of local realtors that were asked questions about the impact an R3 rezone can have on a subdivision. The realtors unanimously felt that selling a home, in similar value as The Orchard, would be more difficult when the home is next to high-density housing. All but one of the realtors said an R3 development in this area would decrease the property value of the neighborhoods. They all agree the area close to campus needs more single-family housing. She requested the rezone be denied and thanked the Commission.

Michael Andreoli, 1393 W Oak Street, Zionsville, IN, 46077, said he was retained by The Orchard HOA to help the neighbors in vetting this project and organizing a respectful remonstrance. He thanked Eric Burns and APC staff for their work on this rezone petition. There are statutory requirements in order to accomplish a zone map change. There must be due consideration given to the Comprehensive Plan. Staff has suggested there is no support for this rezone in the Comprehensive Plan. There might be some positives to this project but not located in this area. There should be regard to current structures in each district. The structures in this area are all single-family homes. There is no intrusion in this area for student housing or multi-family use. Purdue and its foundation own hundreds of acres in the immediate vicinity close to campus. They should locate this project on Purdue land closer to campus. The most desirable use of land in this particular area is single-family residential. Placing this project in the middle of low-density housing is a classic example of spot zoning. The conservation of property values must also be considered as shown in the survey of local realtors. To change this zoning would forever change the area and open it up to other incursions.

Putting this project at this site is not responsible growth and development. There is little connectivity to campus and essential services. These students will need to drive their vehicles to get where they need to go. They may also get where they need to go by methods that are not safe in this area. The neighbors of The Orchard enjoy looking out to a field but recognize that this land has R1 zoning that may develop. He requested the rezone be denied and thanked the Commission.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said he requested a sheriff's report for criminal activity at The Orchard and Cottages at Lindberg for January 2019 to January 2020. During that time, The Orchard had 143 calls and 64 were medical calls. The Cottages had 155 calls and 51 were medical. That would indicate that there is similar activity whether it is R1 or R3. He said he disagrees with the comments made about the community worsening with R3. There is little difference in density if this site is developed R1 or R3. R1 will have a lot of children between grade school and high school age which will impact the schools more. The R3 will be students, grad students, young married couples with or without children.

We did hire the traffic engineer to look at this site. They said if this was a full build out, without the pandemic, SR 26 would still accommodate additional traffic. Signalization is not required and sign distance exceeds the current minimum standards. They only suggested an acceleration and deceleration lane, which we intend to do. The hours of traffic are going to be different from the 9 am to 5 pm of the R1. There will be

bus stops and a shuttle will be provided. Many of the statements of opposition refer to the development being located next to their homes. The 18 acres on the north side of the tract can only be R1 so there would not be an impact on the neighbors. The southern part of the tract has setbacks and tree preservation that hits maybe 10% of The Orchard versus the north portion that would hit 90%. Regarding the value of the surrounding homes, Happy Hollow Road is a good example of an area that has an apartment complex and newly built homes. The homes range from \$500,000 to \$1,000,000. The values of the homes are increasing with people building next to the apartments all the time. Crime is not significant there either. There has not been an update to the Comprehensive Plan to significantly use it. Purdue also does not appear to agree with the opposing comments because they are building commercial sites within half a mile of this area. This is a buffer between R1 and the commercial that is coming in the area.

Jeff Kanable, 201 Main Street, Lafayette, IN 47901, petitioner, said the jobs coming to Discovery Park in the Aerospace Industrial Park were mentioned earlier. Schweitzer Engineering Lab has a goal to add 300 jobs. Employers are coming to Purdue to employ Purdue students and get them into jobs so they can groom them to advance in the company and take on full time positions after graduation.

In regard to it being more difficult to sell homes that are next to R3, Blackbird Farms along Lindberg is a neighborhood of that is flanked by R2 and R3 development. Zillow indicates the homes in Blackbird farms have increased in value over the last several years. The average home value has had an increase of 41%. We are not seeing evidence for decreased home values next to student housing.

The third point relates to living next to students. He said he lives in the New Chauncey Neighborhood which is one of the most desirable and expensive neighborhoods in all the City of West Lafayette. These neighborhoods are immediately adjacent to Purdue and are full of student rentals. He said it has not been his experience that students are bad neighbors but add to the richness and vitality of the community.

*Jason Dombkowski left the meeting.*

Chris King, 201 Main Street, Lafayette, IN 47901, petitioner, said this is not a high-density residential development. What we tried to take the needs we had for our development and fit into the community. Most of the buildings in the middle of the site are cottages. They are mostly two-story duplexes that are respectful of what has been traditionally in the neighborhood. There are only 3 three-story buildings on the entire site and are on the opposite side of the tract from the existing neighborhood. With the tree coverage for most of the year, this site will not even be visible. The change from R1 to R3 is what enables this to happen because we are able to densify and push to the back of the site to leave a lot of open space. There are no units on the western 30% of the site. This was done to address the concerns of the neighbors.

We have a lot of experience regarding traffic. While it is true more traffic will be generated, it will be during non-peak hours of the day. The road can handle the amount of traffic they generate. Going through this process with INDOT will ensure this will be a safe intersection.

As for the nature of Purdue students, they are interns at the company and are fine people. The quality of Purdue students is only going up as the quality of Purdue's education increases. This is going to be high in development and we are competing for top rents. This will be a resident that is willing to pay for a nice development. They are also students that do not want to live next to bar or partying. They want something nicer and with more space. While there are fears of crime and partying, this has not been our experience in the resident base. An R1 single-family development would place their entrance in the same location that has been proposed.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said the entrance for this development would be in the same location as an entrance to an R1 single-family development. The engineering team has evaluated the slope and curve of the road. The information in the traffic impact analysis is not up for much debate because it was done by textbook and is based on data. The issue of bike lanes also exists with a single-family development. This property is being crossed by people in surrounding neighborhoods as a point to connect to other properties and campus.

Jackson Bogan asked for any remaining questions or comments from the Commission.

Tom Murtaugh said he wanted to compliment the petitioner and the opposition for the way they have conducted this. Their individual campaigns have been handled well and has been done respectfully. He said he will support the commitments that have been offered because if the project is approved, those commitments are warranted. He said he cannot support this project because student housing west of US 231 does not feel right. This is a beautiful project but this is not the right fit for the area.

Larry Leverenz said he agreed with Tom that this is a beautiful project but this is not the right spot for it. If it were in a different spot, it would be supported.

Tracy Brown said he has not had this much traffic in his inbox for a while. He said in his experience with the Sheriff's Office, he witnessed the type of calls that are generated in high-density housing including student housing. Even with the best management practices, there is no hiding from the fact that it would impact those neighborhoods. He said surrounding land use patterns, the Corridor Plan, Comprehensive Plan and testimony from APC staff, lead him to believe this rezone is not appropriate for the area.

Ryan O'Gara read the comments from Youtube and Facebook.

Jackson Bogan closed citizen comments. He asked if Mr. Teder had a rebuttal.

Linda Irving, 201 Main Street, Lafayette, IN 47901, petitioner, said there were some concerns with the bus stop and railroad. We would not make the current situation of people using the property to cut across the railroad any worse. This could be mitigated with fencing. The bus shuttles are the primary form of transportation for the residents. If it is well received, we could work to achieve a safe location across from the property.

Dan Teder, 250 Main Street, Lafayette, 47901, representative for petitioner, said R1 does not ensure owner occupied housing. With the proximity to Purdue, it could potentially be student rental housing. He used the example of Happy Hollow Road and the area with homes next to apartments. This has not had a detrimental effect on the value of property and crime. The same would hold true for this development. He thanked the Commission and respectfully requested approval.

Eric Burns conducted a vote by roll call. The first commitment was approved 14 yes to 0 no.

**Yes-Votes**

Jackson Bogan  
Larry Leverenz  
Roland Winger  
Vicki Pearl  
Lisa Dillum  
Gary Schroeder  
Michelle Dennis  
Kathy Parker  
Jerry Reynolds  
Tom Murtaugh  
Carla Snodgrass  
Greg Jones  
Perry Brown  
Tracy Brown

**No-Votes**

Eric Burns conducted a vote by roll call. The second commitment was approved 15 yes to 0 no.

**Yes-Votes**

Jackson Bogan  
Larry Leverenz

**No-Votes**

Roland Winger  
 Vicki Pearl  
 Lisa Dullum  
 Diana Luper  
 Gary Schroeder  
 Michelle Dennis  
 Kathy Parker  
 Jerry Reynolds  
 Tom Murtaugh  
 Carla Snodgrass  
 Greg Jones  
 Perry Brown  
 Tracy Brown

Eric Burns conducted a vote by roll call. The rezone was denied 0 yes to 15 no.

**Yes-Votes**

**No-Votes**

Jackson Bogan  
 Larry Leverenz  
 Roland Winger  
 Vicki Pearl  
 Lisa Dullum  
 Diana Luper  
 Gary Schroeder  
 Michelle Dennis  
 Kathy Parker  
 Jerry Reynolds  
 Tom Murtaugh  
 Carla Snodgrass  
 Greg Jones  
 Perry Brown  
 Tracy Brown

**VI. ADMINISTRATIVE MATTERS**

None.

**VII. APPROVAL OF THE MARCH EXECUTIVE COMMITTEE AGENDA**

Gary Schroeder moved that the following request for subdivision be placed on the March 3, 2021 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or noncompliance with the adopted subdivision ordinance:

**RE-0078 SOUTH TIPPY RURAL ESTATE SUBDIVISION (rural estate-preliminary plat).**

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

**VIII. DETERMINATION OF VARIANCES – ABZA**

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

**BZA-2049 PURDUE CHRISTIAN CAMPUS HOUSE.**

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

Gary Schroeder moved that the sign ordinance be strictly adhered to regarding **BZA-2049 PURDUE CHRISTIAN CAMPUS HOUSE.**

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

#### **IX. DIRECTOR'S REPORT**

Sallie Fahey said there is a correction on the report. Maureen worked with Kathy on the maps in the year-end building permit report. She asked that everyone look over the report because there is good information on where subdivision activity is occurring with maps showing permits by specific developments.

Vicki Pearl asked if there would be a study on sustainability or moratorium for all the new projects coming online between downtown Lafayette going up Main Street.

Sallie Fahey said there has not appeared to be a need for a study because those are all in accordance with what we want to see in this area. This is making better use of expensive real estate and getting rid of surface parking lots in favor of infill development. She asked if Vicki could elaborate more on her concern.

Vicki Pearl said she is happy with everything that has been approved. When we looked at campus, we took a step back to see if based on the projects that were approved, if they were going to fill up. We have a lot of projects coming on this side of the river. She asked if there will be capacity to fill them or if we are going to start over building.

Sallie Fahey said these downtown areas are included in the rental report each year. In some of these census tracts, the vacancy has historically been a little higher with apartment vacancy lower in suburban areas, which is the opposite of West Lafayette.

Ryan O'Gara said the internal data we look at when doing the landlord surveys, points to a phenomenon in the core areas of Lafayette that when new stock becomes available, it is highly desirable. The older stock that has not been reinvested in is the large cause of vacancies. This is a trend that has been seen for years in Lafayette and does not seem to be stopping.

#### **X. CITIZEN COMMENTS AND GRIEVANCES**

Jackson Bogan said there will be a one-minute pause for citizen comment and or grievances. After the minute passed, he asked Ryan O'Gara if there had been any additional comments received. There were none.

#### **XI. ADJOURNMENT**

Gary Schroeder moved to adjourn.

The meeting adjourned at 8:45 pm.

Respectfully Submitted,

Chyna R. Lynch  
Recording Secretary

Reviewed By,



Sallie Fahey