

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

DATE..... December 15, 2021
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/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>

MEMBERS PRESENT

Jackson Bogan
Tom Murtaugh
Carla Snodgrass
Larry Leverenz
Michelle Dennis
Diana Luper
Tracy Brown
Jody Hamilton
Kathy Parker
Lisa Dillum
Gary Schroeder
Jerry Reynolds
Jason Dombkowski

MEMBERS ABSENT

Bob Metzger
Perry Brown
Greg Jones
Vicki Pearl

STAFF PRESENT

David Hittle
Larry Aukerman
Ryan O'Gara
Eric Burns, Atty
Jennifer Ewen

The Area Plan Commission of Tippecanoe County Public Hearing was held in-person on the 15th day of December 2021 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Jackson Bogan called the meeting to order.

Attorney, Eric Burns, called the roll to establish members present.

I. BRIEFING SESSION

David Hittle noted that there is one request for continuance. The petitioner for **Z-2844 INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL (PDRS to NB)** has requested a continuance to the January 19th APC meeting. The other case is set to go forward tonight.

II. APPROVAL OF THE MINUTES

Gary Schroeder moved to approve the minutes from the November 17th, 2021 meeting. Larry Leverenz seconded, and the minutes, as submitted, were approved by unanimous voice vote.

III. NEW BUSINESS

Gary Schroeder moved to hear and vote on **RESOLUTION PD-21-08 CASON & EARL, LLC (MURDOCK GARDENS PHASE 2 PD) Z-2837**. Larry Leverenz seconded.

**FINAL DETAILED PLANS
RESOLUTION PD-21-08: CASON & EARL, LLC (MURDOCK GARDENS PHASE 2 PD) Z-2837**

Final Detailed Plans, consisting of Construction Plans and Final Plat, for the Murdock Gardens Phase 2 PD. The approved preliminary plans, for the proposed single-lot planned development, allow for the construction of a multi-family apartment complex consisting of a maximum of 50-units. The property is located at the southeast corner of the intersection of 30th Street and Cason Street, in Lafayette, Fairfield 22 (SW) 23-4.

APC staff Ryan O’Gara presented the final detailed plans. He stated back in September the APC recommended approval of reclassification from I3 and NB to PDRS, and a month later the city council approved the rezone. It is approximately a 2-acre site. It is now zoned planned development residential. There is not much to demo. A lot of the trees have already come out. It is a 50-unit apartment complex with related parking, landscaping, and drainage areas. The Final Detailed Plans consisting of Construction Plans and Final Plat meet all the conditions. Bonding is being requested and has already been received by our office. Staff is recommending approval of PD-21-08.

Jackson Bogan asked if the commission members had any questions. There were none.

Jackson Bogan called for the petitioner or petitioner’s representative.

Kyle Betz, Fisher Engineering, 625 South Earl Avenue, Lafayette, IN, representing the petitioner, stated they don’t have any further comments. The plans have been reviewed and recommended for approval. He offered to answer any questions.

Jackson Bogan asked if anyone wished to speak in favor or against this petition. There was no response. Mr. Bogan asked for any questions. There were none. He then called for a vote on a yellow ballot.

Ryan O’Gara collected the ballots and noted 13-Yes to 0-No for approval of **RESOLUTION PD-21-08**.

Yes-Votes

Jackson Bogan
Larry Leverenz
Jason Dombkowski
Lisa Dullum
Diana Luper
Michelle Dennis
Kathy Parker
Jerry Reynolds
Tom Murtaugh
Carla Snodgrass
Tracy Brown
Jody Hamilton
Gary Schroeder

No-Votes

(None)

IV. PUBLIC HEARING

Gary Schroeder moved **Z-2844 INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL (PDRS to NB)** be continued to the January 19th APC public hearing agenda at the petitioner’s request. Larry Leverenz seconded, and the motion carried by unanimous voice vote.

V. ADMINISTRATIVE MATTERS

Discussion of Plans

APC staff David Hittle stated this is just an informational item, but for many years the Area Plan Commission staff have reviewed the building permits for Clarks Hill, Dayton, and Battleground. I have spoken to Building Commissioner Mike Wolf about this, and there are a few things they handle that we are better suited to do, and a few things we handle that the Building Commission would be better suited to do. The first item is we want to transition our review of those types of building permits, there are only a couple dozen a year, back to the Building Commission. It will take away an unnecessary step and be more expeditious for the builders, the homeowners, and everybody involved, and it is the logical thing to do. What we are going to do then in turn down the road, is take care of zoning enforcement which is more up our alley rather than the Building Commission. The first step is to transition the review of these building permits. Again, it doesn't require a vote. David stated he just wanted to keep everyone informed. He offered to answer any questions.

Jackson Bogan thanked Mr. Hittle. He stated this is the second item Mr. Hittle has found a way to make it better overall for the public. He thanked Mr. Hittle for his direction.

Tom Murtaugh stated he has no idea why it was ever done this way. He stated Mr. Hittle brought this to his attention, and he agreed with Mr. Hittle. It is great to have a fresh set of eyes on this.

2021 Student Rental Report

APC staff Ryan O'Gara stated the 2021 rental study is finished. We were originally going to do the landlord survey as part of this effort, but it was very clear after doing some interviews that 2020 was not a typical year. The results are so skewed as to not be representative of a typical year, so it was not the right year to do this survey. The only story it would tell is it was a very disruptive time period that came to a close, so we went ahead and bypassed that and relied on the HUD Postal Service Data and some Fall 2021 data that the city was able to accumulate. As usual we talk about the population, we are not dealing with projections anymore; we have the full census. We have been growing at a very similar rate. The rate of growth was not as much as the previous decade. The last time we had a similar rate of growth was between 1980 and 1990. It is not something that is unusual in the recent history. Purdue's population is exploding, and Purdue almost hit 50,000 students this fall. We will likely cross that threshold easily next year with no signs of stopping particularly with the frozen tuition. That is really the story with this; Purdue's surge in growth, and any problems there might have been during the pandemic in terms of vacancies was easily filled by all the incoming students, and that is the main story to tell. We go through our list of data just cataloging things that have changed during the year. West Lafayette is going to give me some corrected numbers on their inspection, but there is not going to be any dramatic shifts from what you see here. The vacancies we are using the Census Tract Data from the Postal Service which does their quarterly visits of empty mailboxes and that report goes back to HUD, so we have these charts for the Lafayette and West Lafayette areas which is basically census tracts that capture where the population centers are in both cities. These tracts can go in weird directions, but it is what we have to work with. West Lafayette has really leveled off since 2017, and it has had this 1 percent level hovering over it as an average of all of those tracts over a 4.5 year period, and Lafayette is similar with no dramatic fluctuations. We did the analysis of urban and suburban, so focusing on the more core areas of the cities versus those areas outside of those core areas, so here we show the suburban change for West Lafayette. Those suburban unit vacancies fell way down from 2.5 percent to 1 percent, and the urban held steady, so very consistent and positive data for West Lafayette. We have seen an equalization between suburban and urban for West Lafayette, but not for Lafayette. Lafayette still has a lot of older stock, a lot more vacancies in those urban environments whereas in the

suburbs it is the opposite. That is the newer stock, and it fills up quickly. We have identified this phenomenon since 2013 when we first started this, so it has been very consistent with no dramatic changes there. Our recommendations were relative to West Lafayette as we certainly feel that the moratorium that we had in place after the 2019 year where we had the most multi-family units drop in a single point in time in West Lafayette's history, those units have been absorbed by the market. There is really no based on this consistent vacancy data especially coming out of the pandemic, so our recommendation is that there is really no reason to continue that. That said we also now have a West Lafayette Downtown Plan which we didn't have before, so it has its own policy prescriptions for development. It makes accommodations for student housing for sure but other things as well, so our recommendation is that those policy prescriptions in the plan be respected, and we want to see more development diversity in the core areas of West Lafayette, so that it is not overwhelmed by student housing in all these areas. Also, the city council's decision to relocate City Hall back to its core historical center really planted the flag for that idea that Downtown West Lafayette has a distinct identity, and it is meant to serve more than just the student body. We agree with that and recommend that the plan proceed as planned. In terms of our conclusions, this is some of the data that West Lafayette developed for us for Fall 2021, and these are broken down between higher, medium, and lower density environments all in this core area and all healthy vacancies rates. That little snapshot in time is going to be an importance of what is going to be happening for the next calendar year especially if Purdue's growth continues. The only notable thing is that Purdue does not have any more dormitory construction in the pipeline, so that is going to continue to put pressure on the city to deliver those units whether the university leases them or not. That pressure is definitely going to continue. All in all, very good news in terms of coming out of the pandemic and transitioning back into a more predictable form, but clearly the driver is the record enrollment that is occurring at Purdue. He offered to answer any questions.

Jackson Bogan asked Ryan how many units is Purdue renting from private developers for use of their Freshman.

Ryan O'Gara stated their housing capacity as of Fall 2020 was 13,210 on-campus bed spaces which is their terminology, because sometimes they do multiple occupancy in a room, but they leased 776 off-campus bed spaces at that time. At that fixed point in time, that is where they were at in terms of the split, and the vacancy rate was unusually high, because not everybody came back in the Fall of 2020, and Purdue made allowances for virtual instruction, and they still are, but it has been overwhelmed by the number of students that want to physically be on campus, so we have been tracking this split of on-campus versus off-campus lease. They have been very generous with giving us this data, so that we can start building-up a list. That is something we are monitoring, but the fact that they do not have any new dorms in the construction pipeline and if we reach 50,000 students next year, they will be looking for places to go.

Tom Murtaugh asked Ryan who issued the moratorium; was it the APC.

Ryan O'Gara stated it was never a formal resolution passed by council. It was more of a staff policy that the city council gave their nods of this seems like a sensible policy right now. We had so many units in 2019 from prior approvals that they were all ready to open that semester. We really had not seen such a surge, so in an abundance of caution, we said rather than entertaining more giant projects like this, let's take a break from the massive projects. They didn't have to be high rises; they could be mid-rise projects. We did a lot of little infill projects along the way. We wanted to see what the vacancy rates were on these projects. Let them enter the market and see if it was absorbed, and if the vacancy rates comeback a year or two later in a healthy way, then they have been absorbed, and we can feel comfortable moving forward and accepting more applications. Since so many of these projects are negotiated, that became sort of a term of the negotiation. You've got a great project, but this is not the right time; we made that overture to developers during that moratorium period, but it was never an official action of city council.

Jackson Bogan asked how many beds does the Rise have.

Ryan O'Gara responded The Rise has 675 beds total and Aspire has over 800.

Jackson Bogan asked for any questions or comments. There were none.

Proposed 500-Year Floodplain Study

APC staff David Hittle stated this was brought up at the Ordinance Committee Meeting, and it was mentioned that it should be brought here after some discussion. This is only informational as well. This involves development in the 500-year floodplain. Our staff along with the county surveyor and the engineering department for West Lafayette and Lafayette just started working with Burke Engineering to study our policy regarding development in the 500-year floodplain, and just a quick note about what that is, along any river or stream you have the 100-year floodplain which is the area that theoretically will get flooded once every 100 years, and a little bit further out, you have the 500-year floodplain which is theoretically the area that will get flooded once every 500 years. The 100-year floodplain is very heavily regulated everywhere. You can build in it under certain circumstances, but they are very specific circumstances. The 500-year floodplain most everywhere, with exceptions starting to recently pop-up, is largely unregulated. We have a comprehensive plan specifically the West Lafayette Downtown Plan that specifically calls for more strict regulation of the 500-year floodplain. What we have been doing, primarily when Ryan negotiates planned unit developments, is negotiate that standard into the development, and that has worked for a number of years, but it occurred to us and West Lafayette that it might be better if that was not just a piece of guidance, but an ordinance. As we have considered that, we wondered what is the impact of that on development ability specifically of the area east of River Road and west of the river. Will it hamper that, and how do we balance that with environmental considerations. What the plan really calls for is to be very proactive in being concerned about future catastrophic flooding. It is a big issue, and rather than trying to figure it all out ourselves, we wanted to hire an engineer to come in with both cities with the county surveyor and study it in depth to find out what our options are and what the ramifications for those options are. If it results in a change to an ordinance, it will go to the Ordinance Committee and eventually to the Plan Commission for approval and for review if the study results in that; again, this is just for informational purposes for the sake of transparency. He offered to answer any questions.

Jackson Bogan stated to clarify, this is simply a study to see if an adjustment may need to be made down the road.

David Hittle responded yes.

Jackson Bogan asked for any questions. There were none.

David Hittle stated as it progresses, we will return with this to keep everybody up to date.

Jackson Bogan stated there is another administrative matter that is not listed that Larry Leverenz would like to speak about.

Larry Leverenz stated he will be gone for the January, February, and March Executive Committee Meetings. Since he will be moving into the President role of the commission, he wanted to propose that Jackson Bogan continue as President for the January, February, and March Executive Committee Meetings, and Larry will return for the March APC meeting. He asked Eric Burns to prepare a motion to do that.

Eric Burns stated the form of the motion that you would like to get from a member would be that the presiding officer for the January and February APC meetings be Jackson Bogan, and that the presiding officer for the January, February, and March Executive Committee Meetings be Jackson Bogan, and that is all for 2022.

Jason Dombkowski moved that the presiding officer for the January and February 2022 APC meetings be Jackson Bogan, and that the presiding officer for the January, February, and March 2022 Executive Committee Meetings be Jackson Bogan. Gary Schroeder seconded, and the motion carried by unanimous voice vote.

VI. APPROVAL OF THE JANUARY EXECUTIVE COMMITTEE AGENDA

Gary Schroeder moved that the following request for subdivision be placed on the January 5, 2022 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or noncompliance with the adopted subdivision ordinance:

S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch).

Larry Leverenz seconded, and the motion carried by unanimous voice vote.

VII. DIRECTOR'S REPORT

David Hittle stated the director's report was emailed out this morning. He offered to answer any questions.

Larry Leverenz stated he was pleased to see the discussions with Purdue and some of the planning beginning to open up.

David Hittle stated it went very well. It is going to be twice a year and as needed. It was a very good conversation; we share a lot ideologically and philosophically.

VIII. CITIZEN'S COMMENTS AND GRIEVANCES

None.

IX. ADJOURMENT

Gary Schroeder moved to adjourn.

Meeting adjourned at 6:27 PM.

Respectfully Submitted,

Jennifer A. Ewen
Recording Secretary

Reviewed by,



David L. Hittle
Executive Director

