
Determination of Special Exception
Executive Committee
Meeting Date: February 22, 2017

January 26, 2017

BZA-1957 ROGERS GROUP, INC.;

Petitioner is requesting a special exception to permit a mining operation (SIC 14) in the A and FP zone. Active years for mining have been estimated at 50-60 years. The proposed hours of operation for blasting are normally between 10AM and 2PM once every week and sometimes twice a week. The proposed hours of operation for loading and processing are Monday through Friday 6AM to 6PM, Saturday 6AM to Noon, with occasional activities outside of normal hours. The 524 acre property is located along the Wabash River, just northeast of Americus at 8032 Old State Road 25 North in Washington 3 & 10 (N1/2 & W1/2) 24-3.

BACKGROUND:

In any BZA action, the Board must make findings of facts that support their decision based on their staff's report. Aiding staff's opinion and recommendation is the determination whether a special exception would or would not substantially adversely affect the community's comprehensive plan. This determination is made by the Executive Committee of the Area Plan Commission for each special exception that is filed.

In this pending action, given the prolonged impact (proposed 50-60 years of active mining); sensitive environmental issues (in the flood plain of the Wabash River as well as concern regarding wildlife and habitats); disturbance of a known archaeologically and historically significant river valley that has supported human civilization for thousands of years; and the potentially disruptive nature of the request (blasting, extraction and crushing) to the largely residential and agricultural surrounding area, staff has completed an evaluation of the proposal against the policies of the *Comprehensive Plan*.

The *Comprehensive Plan* has several goals that directly apply to this petition. Under "Environmental Considerations" in the land use plan's introduction, Goal 1 seeks to: "*Promote public pride and consideration for the environment including protection of natural and scenic areas and preservation of prime agricultural land.*" The objectives tied to Goal 1 include: "Protect sensitive environmental areas", "Preserve open space and natural areas", and "Preserve prime agricultural land". Goal 2 promotes: "...only that development which is compatible with the soil type and drainage patterns." And an objective tied to Goal 2 that relates to this case encourages the community to: "Consider soil types in the planning process". Even the "Economic Growth" section of the plan's introduction supports responsible development of the community by promoting: "...protection for existing land uses as industrial and commercial growth continues" and protecting "...the integrity and economic well-being of the rural communities in Tippecanoe County."

To accomplish the goals of the *Comprehensive Plan*, land use policies have been adopted (as illustrated on the land use map) to protect open space and discourage development in areas characterized by highly productive soils. Using the development matrix, this site only scored a -1 out of a possible 12 for its potential as an industrial site, clearly indicating that the site's highest and best use is for agricultural production. Additionally, in the Phased Land Use Plan, this site is specifically called out for Select Agricultural Production. The Select Agricultural Production land use category was developed specifically to protect those areas with the most highly productive, properly drained soils from more intense development so as to safeguard the agricultural productivity of these lands for future generations.

RECOMMENDATION:

Given the goals and objectives of the *Comprehensive Plan*, the policies of the land use plan, the proposed future for this property and its low probability as an industrial site, staff has determined that this request, BZA-1957 **WILL** substantially adversely affect the *Comprehensive Plan*.