

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
JUNE - 2022 REGULAR MONTHLY MEETING
AGENDA**

DATE: June 2, 2022

PLACE: Commissioners' Court Room
3rd Floor, Delaware County
Building

TIME: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Jerry Dishman	Allen Wiseley	
J. P. Hall	Teresa Hensley	Jud Motsenbocker
Shannon Henry	Rheaunna Jones	Rickie Sipe
	Jesse Landess	

Advisory Members

Tom Borchers	Adam Leach	Laurynn Thieme
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MINUTES: Consideration of the May 5, 2022 regular monthly meeting minutes.

TABLED BUSINESS:

MPC 08-19A ABC-DG Subdivision

NEW BUSINESS:

BZA 18-22 **Jurisdiction: Board of Zoning Appeals**
Special Use Being a consideration of an appeal filed by **Partuck Corporation**, 5000 N. Isabella Ln., Muncie, Indiana, requesting to amend a Special Use under the terms of the City of Muncie Comprehensive Zoning Ordinance, to reduce a Planned Unit Development (PUD) known as Copperfield Commons on premises located on the east side of the 4300-4600 block of N. Morrison Rd., Muncie, Indiana, as more accurately described in the application.

BZA 19-22 **Jurisdiction: Board of Zoning Appeals**
Special Use Being a consideration of an appeal filed by **Advantix Development Corporation**, 500 SE 10th St., Evansville, Indiana, requesting a Special Use under the terms of the City of Muncie Comprehensive Zoning Ordinance, to allow a Multi-Unit Development of 25 units on premises located on the east side of the 3100 block of S. Walnut St., Muncie, Indiana, as more accurately described in the application.

LEGISLATIVE ACTION:

REPORT FROM DIRECTOR:

ADJOURNMENT:

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
JUNE - 2022 REGULAR MONTHLY MEETING
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held its regular monthly meeting on Thursday, June 2, 2022 at 6:00 P.M., in the Commissioners' Court Room of the Delaware County Building, Muncie, Indiana. President Allen Wiseley called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ms. Moody called roll and the following members were present: Mr. Dishman, Mr. Hall, Mr. Henry, Ms. Jones, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Absent: Mr. Borchers, Ms. Hensley, Mr. Landess, Mr. Leach, and Ms. Thieme. Also absent, Mr. Rhett's attorney for the board

MINUTES:

Mr. Henry made a motion to approve the May, 2022 regular monthly meeting minutes. Ms. Sipe seconded the motion. Voting in favor: Mr. Dishman, Mr. Hall, Mr. Henry, Ms. Jones, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried, May 2022 minutes approved.

TABLED BUSINESS:

MPC 08-19A ABC-DG Subdivision

NEW BUSINESS:

BZA 18-22 Jurisdiction: Board of Zoning Appeals
Special Use Being a consideration of an appeal filed by **Partuck Corporation**, 5000 N. Isabella Ln., Muncie, Indiana, requesting to amend a Special Use under the terms of the City of Muncie Comprehensive Zoning Ordinance, to reduce a Planned Unit Development (PUD) known as Copperfield Commons on premises located on the east side of the 4300-4600 block of N. Morrison Rd., Muncie, Indiana, as more accurately described in the application.

Kathy Vannice, Ashton Land Surveyors, 325 W Washington St., Muncie Indiana, appeared to represent the applicant. She stated that they were asking to decrease the original required recreational area for the PUD that was created in 2003, and was originally approved for 150 duplex units and a 90 unit assisted living facility. She stated that since that time, the economy and market had changed drastically along with more people wanting to purchase a single-family home. She stated that they

wanted to change the lots to be single-family construction as opposed to the duplexes and that they would like to reduce that required recreational area. She stated that the new construction would be 3000 square foot single-family homes which would include a screened in porch and would be approximately \$300,000 homes. She stated that they would meet the R-2 Residence Zone requirements for lot size, setbacks, road-frontage and dwelling size. She stated that there were duplexes currently on lots 2, 3, 4, 6, 16, 24, and 25, and since those duplexes are built, they know that a recreation area needs to be set aside that would fit the 25% requirement. She stated that they were setting aside an area that would create an area around the pond that would include shrubs, a walking path with seating and it would be located on out-lot 5.

Mr. Allen asked if they would no longer be developing across the ditch.

Ms. Vannice stated that was correct.

Ms. Moody stated that should they decide to develop in the future, nothing would prevent the owner from filing for a regular subdivision to extend the road across the ditch. She stated that looking at the aerial, there were still some developable lots in Section A and that this was a PUD that had gone through the subdivision process. She stated that the owner was planning on developing a Section B that would involve the extension of Wickfield Drive to the cul-de-sac and Classic Court to the cul-de-sac, and that this was the first step to move forward with that plan.

Mr. Hall asked if the area to be set aside for the recreation area was regardless of the development of single-family homes versus duplexes since nothing was restricting them from building single-family homes on the remainder of the lots at this point. He stated that the request was to decrease the area set aside for recreational space which 25% of the PUD should be, and that he was having a hard time understanding the justification for the reduction, and that the set aside should be regardless of the usage on the individual lots.

Ms. Moody stated that the set aside was regardless of the individual usage and that was why they were requesting a variance.

Mr. Hall stated that he did not see a variance in the application, he only saw an appeal and asked what this request would be considered.

Ms. Moody stated that this was an appeal for a Special Use, and in this case also a request for a variance. She stated that in this case the request was to amend the PUD to allow the land east of the ditch to be removed from the PUD and that the BZA would be the board that would deal with the variance to reduce the recreation area, as stated by Ms. Vannice.

Mr. Hall stated that this was a development that had been going on for many years and that he was sympathetic to the changes in the market. He stated that the original intention was to have the recreation area that the community could all enjoy, and that he feels it sets a bad precedent to just eliminate that from the development and if 25% was required, that is what should be developed.

Mr. Henry asked how many of the duplexes were currently occupied.

Ms. Vannice stated that all except 4B were occupied. She stated that the duplexes had a zero-lot line and a much smaller piece of property, and that the remainder of the lots would not be made smaller but would have a single-family home as opposed to more duplexes.

Mayor Dan Ridenour, 300 N. High St., Muncie, Indiana appeared. He stated that in 2003 it was expected to have 2 families on each lot and that the market had changed and buyers were no longer looking at duplexes. He stated that the now single-family homes were wanted and that they would each have their own yard for recreation instead of sharing it with another family. He stated that there was a waiting list for these homes and that he was in support of the single-family homes with their own yards and not requiring the recreational space.

Julie Mason, 4801 W. Copperfield Dr., Muncie, Indiana, appeared. She stated that she had only lived here for 5 years, and asked what the original plan was for the recreation area and how that would change.

Mr. Wiseley stated that in the existing plans there were to be 2 recreational areas in the development across the ditch and have not yet been developed and he showed her that map.

Mr. Hall stated that he respects the Mayor and his comments but that there was nothing preventing the developer from building single-family homes now.

Mr. Wiseley asked Ms. Mason if she lived in a duplex or a single-family home.

Ms. Mason stated that she lived in one of the duplexes.

Barbara St Meyer, 4808 W. Copperfield Dr., Muncie Indiana, appeared. She stated that she lived in one of the duplexes and that if the recreation area was taken away, they would have nothing.

Mr. Wiseley stated that there would still be a recreational area, it would just be smaller.

Ms. Vannice stated the development of Section B, which was 15 lots, could not move forward until this issue was resolved since those lots were part of the original PUD approval.

Ms. Wiseley asked what the timeline would be for developing out lot 5 into a useable recreation area.

Ms. Vannice stated that it would have to be completed before the development of Section B can move forward.

Ms. Moody stated if this was approved, yes.

Ms. Vannice stated that part of the development of Section B was for infrastructure and drainage calculations and that they would move forward with a complete plan once they know what is approved.

Mr. Hall stated that he was sympathetic to the issues, but he was cautious moving forward with Section B when after 20 years Section A was still incomplete and had concerns about how certain greenspaces were being developed.

Ms. Vannice stated that the original developer and surveyor were no longer living, so this was into the second group developers.

Mr. Hall stated that he understood those lead changes in the development.

Ms. Jones asked if they had received any feed back from the existing community.

Richard Case, 5000 N Isabella Ln., Muncie, Indiana, owner of Partuck Corporation and RSL Construction appeared. He stated that they had built 5 houses this year and 4 last year and that they were cautious due to the supply and demand of new housing and that now they had a waiting list. He stated that he lived 5 minutes form the development and that he had heard of no complaints from the neighbors, only good comments. He stated that he wanted to continue to develop in Delaware county, but could go elsewhere. He stated that his neighbors want him to continue to build in the area because his works was high quality and he invited the board to come and take a look and one of the homes.

No one appeared in opposition.

Mr. Henry made a motion to approve BZA 18-22 the appeal of Partuck Corporation. Mr. Dishman seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Jones, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: Mr. Hall. Motion carried, a favorable recommendation to be forwarded to the BZA for their June 30, 2022 regular monthly meeting.

**BZA 19-22
Special Use**

Jurisdiction: Board of Zoning Appeals

Being a consideration of an appeal filed by **Advantix Development Corporation**, 500 SE 10th St., Evansville, Indiana, requesting a Special Use under the terms of the City of Muncie Comprehensive Zoning Ordinance, to allow a Multi-Unit Development of 25 units on premises located on the east side of the 3100 block of S. Walnut St., Muncie, Indiana, as more accurately described in the application.

Daniel Murphy, 500 SE 10th St., Evansville, Indiana, representing Advantix Development, appeared. He stated that they would like to build an affordable workforce housing development which would include 25 lease to purchase townhomes and 25 lease to purchase single-family units on scattered lots.

Ms. Moody stated that any development over 24 units required a special use.

Mr. Wiseley asked about the lease to own timeline for these townhomes.

Mr. Murphy stated that they would be funded using low income housing tax credits, which means they were required to go through a 15-year compliance period and that during that time they were rental units only. He stated that at the end of the 15-year compliance period, the resident would have the option to purchase the unit.

Mr. Wiseley asked if Advantix would be managing or only developing the units.

Mr. Murphy stated that Advantix would develop and manage the project.

Mr. Wiseley stated that the plans showed an office for on-site management staff.

Mr. Murphy stated yes.

Mr. Hall asked if the development was contingent on receiving the tax credit and if awarded, what was the timeline on the development.

Mr. Murphy stated yes. He stated that the applications were due at the end of July and the awards were made in November. He stated that if granted, they expected construction to begin around September of 2023.

Mr. Dishman asked if this was the property on 26th Street and Walnut Street, and asked if that was the location that Walnut Commons had wanted to develop.

Ms. Moody stated yes.

Mr. Dishman stated that there as a lot of objection to that proposed development and that the only problem he had with Walnut Commons was that they had changed management and they did not mow and maintain the property. He asked if Advantix would run and maintain this development for the entire 15 years or if they would be selling it.

Mr. Murphy stated that they were committed to running it for 15 years and that they would not be selling it.

Mr. Dishman stated that he was just frustrated when they approve a development and then it gets sold a few years later and they do not follow the requirements.

Mr. Wiseley asked if Advantix currently had any other properties in Muncie.

Mr. Murphy stated not in Muncie but that they had several in Marion, Kokomo, and Evansville.

Mr. Hall asked why they chose this lot for the development.

Mr. Murphy state that some of that was due to the scoring on their application in trying to get the funding and some of it was based on finding an owner willing to sell.

Mr. Wiseley asked if they were only planning for access to be from 26th Street.

Mr. Murphy stated he was here in place of the lead developer, but that he believes that was correct.

Mr. Wiseley asked if there was a traffic light at 26th Street and Walnut Street.

Ms. Moody stated yes. She stated that since moving forward with this development was contingent upon being awarded tax credits, they had not furnished a detailed site plan at this time. She stated that a lot of those plans would come later, if they were accepted and that they would have to meet the corridor standards in the development.

Mr. Hall asked if there would be a reason to not come back at a later date.

Ms. Moody stated that the issue was they would need to tell the stated ion their application that they were approved for this development.

Ms. Jones asked if this would be geared towards families or just affordable housing for anyone.

Mr. Murphy stated that it would be affordable housing for families.

Mayor Dan Ridenour, 300 N. High St., Muncie, Indiana, appeared. He stated that the board was only looking at this 25-unit development but that the other 20 units were primarily in the Whitley and Industry neighborhoods, which desperately need new development. He stated that the City was funding 10% of the development and that he wanted to do all he could to eliminate the bad landlords in the community. He stated that this was not public housing, Section 8, or a voucher facility, but that it would be affordable housing based on income and that in order for the developer to qualify for the tax credits they must stay with the project for 15 years. He stated that Muncie had a very old housing stock and that developing high quality housing was expensive and yet Muncie had the 3rd highest poverty level in the state. He stated that the city was working with developers like Advantix and City View to invest in getting good high-quality housing back into the community and he believes it will have a positive impact to those neighborhoods. He stated that they were excited about the opportunity for homeownership and putting properties back on the tax rolls, if accepted. He stated that the city had budgeted money from Community Development, the Mayor's Edit Funds and the Muncie Redevelopment Commission.

Ms. Jones stated that the reason she asked if this would be for families was because she was a teacher, and that community specifically was in need of housing and that their income was generally less than \$40,000 per year.

Mr. Ridenour stated that the way the state has it set, there can be a good mix of all income brackets who were eligible.

Kim Taylor, 3320 S. Walnut St., Muncie, Indiana, appeared in opposition. She stated that when Walnut Commons tried to develop on this property she had concerns and it seems that the new location is facing some of those issues. She stated that the abandoned houses in Muncie should be considered first for family housing because there are so many lots that could be improved. She stated that the Church fought against the development years ago and that she wanted to know why they had changed their mind now and were in support.

Mr. Murphy stated that he could not speak as to the thought process of the Church and was not aware of their opposition to the previous developments request. He stated that half of this development would be those scattered sites that they would be developing into new homes.

Mr. Dishman asked Mayor Ridenour when these properties would be placed back on the tax roll.

Mayor Ridenour stated that it would not be assessed and added to the tax roll until construction was complete and if construction was September of 2023 it might not be soon enough to be on the 2024 taxes.

Mr. Dishman asked if there was any tax abatement.

Mayor Ridenour stated no.

Mr. Henry made a motion to approve BZA 19-22 the appeal of Advantix Development Corporation. Mr. Dishman seconded the motion. Voting in favor: Mr. Dishman, Mr. Hall, Mr. Henry, Ms. Jones, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried, a favorable recommendation to be forwarded to the BZA for their June 30, 2022 regular monthly meeting.

REPORT FROM DIRECTOR:

Ms. Moody reported that the solar committee has had 2 meetings, and that the next meeting was scheduled for June 8, 2022. She stated that the committee had agreed to having a gentleman with Nurencio, which is the company doing the Hawthorne project near Albany, to come and speak on his knowledge and experience in the development of solar farms. She stated that the committee was formed by having people who were for, against, and neutral to solar farms, and that it was a slow process but that they were making progress.

Mr. Henry stated that the city and the county work very hard to try and get business into Delaware County and unfortunately one of the problems was the housing shortage. He stated that some changes were being made to help improve that situation which was much needed for those businesses wanting to come to Delaware County.

Ms. Sipe stated that Can Pack has brought 325 new jobs that those employees will need to find housing. She stated that unfortunately it was the working class that was having trouble finding houses.

Mr. Hall stated that a large portion of the strategic plan focused on housing. He stated that there was a surplus of lower quality housing which affects the market and he worries that the problem was not appropriately defined. He stated that when talking about the housing issue we needed to be very specific in that the problem was the quality of housing available, and that where and how we build needs to be an important factor. He stated that he cares about the community and was committed to finding the right solutions to solve these problems instead of passing it down the road for another 20 years.

Ms. Moody stated that by supporting the Muncie Land Bank, it provides a mechanism to address some of the complications that we were facing with an older housing stock that does not meet the needs of the current market.

Mr. Hall stated that it was a multi-year problem to be looked at and try and solve with a partnership of the city and county.

Ms. Sipe stated that she had been in real estate for 47 years and had seen many ups and downs in the market. She stated that she received a memo that 15% of FHA mortgages were in default nationwide

and that currently she had less than 100 active listings and normally they would have 1100-1500 in their listing bank. She stated that there was nothing to sell and that it was a very strange market.

Mr. Motsenbocker stated that it was not only as complicated as who can move into those houses, but who can afford to buy them in today's market. He stated that when you had a big company like Warner Gear, there were many other smaller companies that were contributing to jobs in the community. He stated that right now to build a home and have an appraisal for the bank to loan money you have to have more than 25% or you will not get that loan. He stated that the other problem was that so many contractors had left and that he gets more phone calls for work than what they can take care of. He stated that a report just came out that stated that less than 1/3 of the citizens of Indiana could afford to purchase a house, and that was sad. He stated that these 2 requests were probably the best way to get some affordable housing into the area and there was always ups and downs with development.

Mr. Hall stated that for him, it was a property management issue at the end of the day.

ADJOURNMENT:

Allen Wiseley, President

Marta Moody, Secretary