

**LOWELL REDEVELOPMENT COMMISSION
MINUTES
MONDAY, FEBRUARY 26, 2024**

The regular meeting of the Lowell Redevelopment Commission was called to order on Monday, February 26, 2024, at 6:45 P.M. by President Todd Angerman. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Jill Murr called the roll. Members present were Todd Angerman, John Alessia, Shane Tucker, and John Yelkich. Staff present were Town Manager Craig Hendrix, Police Chief Jim Woestman, Fire Chief Chris Gamblin, GIS Director Greg White, and Town Attorney David Westland.

APPROVAL OF MINUTES

Motion by John Alessia and seconded by Shane Tucker to approve the January 22, 2024, meeting minutes, seconded by Shane Tucker and carried with four ayes.

OLD BUSINESS:

None

NEW BUSINESS:

Façade Request(s):

Helton, 302 E. Commercial Ave., window and door. Town Manager Hendrix recommended granting a Façade Grant in the amount of \$10,000.00.

Einspahr, 306 E. Commercial Ave., window and door replacement, brickwork. Town Manager Hendrix recommended granting a \$20,000.00 Building Renovation Grant.

Core 4 Properties, LLC, 324 E. Commercial Ave., windows and door replacement, brickwork. Town Manager Hendrix recommended granting a \$20,000.00 Building Renovation Grant.

DeVeaux, 402 E. Commercial Ave., new sign

DeVeaux, 402 E. Commercial Ave., windows and door replacement, brickwork. Town Manager Hendrix recommended combining both requests into a Building Renovation Grant for \$20,000.00.

Building Renovation Request(s):

Lowell Properties, LLC, (Domino's Pizza) 1682 E. Commercial Ave., alley construction. Town Manager Hendrix recommended a full \$20,000.00 grant. The project will help alleviate traffic congestion.

Second Gen, Inc., (KFC) 1695 E. Commercial Ave., alley construction. Town Manager Hendrix recommended a full \$20,000.00 grant. The project will help alleviate traffic congestion.

Town Manager Hendrix explained the alleyway would connect KFC and Domino's off Burr St.

Motion by John Yelkich and seconded by John Alessia to approve \$110,000.00 in Façade Grants and Building Renovation grants as recommended by the Town Manager, motion carried with four ayes on roll call.

Approve Professional Services Agreement with Daniel Botich

Town Manager Hendrix reported that Mr. Botich completes the annual reports for the Redevelopment Commission and recommended approval. Mr. Botich gave ahis background in reporting and administrative filings. He set up the format for HSA Bond. Motion by John Alessia and seconded by John Yelkich to approve the Professional Services Agreement with Daniel Botich and carried with four ayes on roll call.

Approve White Vouchers

Motion by John Alessia and seconded by John Yelkich to approve claims: #11755 – Barnes & Thornburg \$3,656.00 and #11756 – Krohn & Associates \$13,125.00 and carried with four ayes on roll call.

CONSOLIDATED PUBLIC HEARING:

Declaratory Resolution No. 2 (2023) re: Kingston Ridge Residential Housing Economic Development Area

Declaratory Resolution No. 3 (2023) re: Beverly Estates Residential Housing Economic Development Area

Declaratory Resolution No. 4 (2023) re: Heritage Falls Residential Housing Economic Development Area

Declaratory Resolution No. 5 (2023) re: Preserves Residential Housing Economic Development Area

Declaratory Resolution No. 6 (2023) re: Spring Run Residential Housing Economic Development Area

Declaratory Resolution No. 7 (2023) re: Freedom Springs Residential Housing Economic Development Area

Declaratory Resolution No. 8 (2023) re: Sierra Ridge Residential Housing Economic Development Area

Declaratory Resolution No. 9 (2023) re: Stone Mill Residential Housing Economic Development Area

Declaratory Resolution No. 10 (2023) re: Redwing Lake Residential Housing Economic Development Area

The public hearing on the nine (9) residential housing units was opened at 6:55 pm by Commission President Angerman.

Public Hearing comments:

Lorraine Bank of Eagle Creek Township stated that TIF affects taxes, the school district is already stating it cannot fund things, and the Town Council says it does not have enough dollars. This is a bad idea, and she is angry about it. Why is a TIF needed when there are wastewater issues?

Carol Sorenson, 18442 Kaiti Drive, Beverly Estates. Ms. Sorenson spoke on TIF across the country and her decision to move back to Lowell from Arizona. She chose Lowell for its tax rate. She inquired who decides what the money is used for. Will representatives from the public be on the commission since all the Town Council members are on the Redevelopment Commission? Will Lowell become an Orland Park? She requested better communication. You are working for hard working people.

Paul Panczuk, 1019 N. Lakeview Drive. Mr. Panczuk opposes residential TIF unless it is age restrictive or has a "but/for" provision. He requested the Commission do a better analysis. As tax rates go higher, the circuit breaker goes higher. Homesteads will be protected but others won't. All new residential is captured in the TIF, if some were pulled out it could soften the blow to taxpayers. He suggested a Park Board and capturing a park impact fee for improvements. The wastewater treatment plant would have Cedar Lake pay for half of it and the utility would bear the brunt of it. The wastewater utility should stand on its own feet.

George Gray, 1756 Willowbrook Drive, read his previously submitted questions into the record, a copy of which is incorporated at the end of the minutes.

Town Manager Hendrix requested letters from Developers be entered into the public hearing record. A copy of the letters is incorporated at the end of the minutes.

The Public Hearing was closed.

CONFIRMATORY RESOLUTIONS:

Confirmatory Resolution No. 2 – re: Kingston Ridge Residential Housing Economic Development Area

Confirmatory Resolution No. 3 – re: Beverly Estates Residential Housing Economic Development Area

Confirmatory Resolution No. 4 – re: Heritage Falls Residential Housing Economic Development Area

Confirmatory Resolution No. 5 – re: Preserves Residential Housing Economic Development Area

Confirmatory Resolution No. 6 – re: Spring Run Residential Housing Economic Development Area

Confirmatory Resolution No. 7 – re: Freedom Springs Residential Housing Economic Development Area

Confirmatory Resolution No. 8 – re: Sierra Ridge Residential Housing Economic Development Area

Confirmatory Resolution No. 9 – re: Stone Mill Residential Housing Economic Development Area

Confirmatory Resolution No. 10 – re: Redwing Lake Residential Housing Economic Development Area

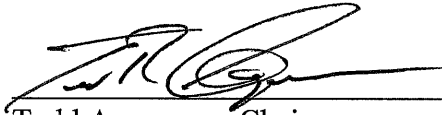
Motion by John Alessia to approve Confirmatory Resolutions No. 2 to 10 and seconded by John Yelkich which carried with four ayes on roll call.

PUBLIC COMMENT:

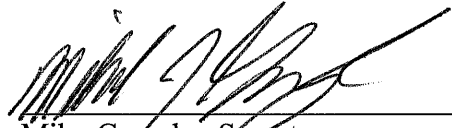
None.

ADJOURNMENT:

Motion by John Alessia and seconded by John Yelkich to adjourn the meeting at 7:20 pm. Motion carried with four ayes.



Todd Angerman, Chairman



Mike Gruszka, Secretary

QUESTIONS REGARDING IMPLEMENTATION OF A RESIDENTIAL TIF

1. Will any future distributions from the RDC to individual taxing units be restricted in use (ex: conform to those uses established by Indiana RTIF statutes and/or the local ordinance), or will the taxing bodies have the same latitude of uses as if the RTIF did not exist and the increment had been assigned to the individual taxing bodies?
2. The current Council (RDC) has been clear in their intent to ensure other taxing bodies are not harmed financially by the implementation of the RTIF (“no harm”). Does this mean that each body will receive compensation at least in the amount those bodies would have received had the increment AV been assigned directly to the individual bodies and applied to their levies?
3. The policy expressed by the current Council (RDC) of no harm to other taxing bodies can be altered or eliminated by future councils without the consent of the affected taxing bodies. Would the Council be prepared to monument the no-harm policy in the form of an IGA (Intergovernmental Agreement) between the Council (RDC) and each individual taxing body, with amendments to the IGA requiring the approval of both parties?
4. General Obligation Bonds funded by property taxes have a statutory cap on the amount of debt that can be issued (the unit has a credit limit). It is my understanding that GO bonds issued by the RDC for RTIF areas have no such limit and therefore no debt cap. Is this an accurate statement?
5. It is my understanding that the term of a RTIF area is triggered by the issuance of debt. If no debt is issued, the RTIF area has no expiration date, and therefore a) any impacts of the RTIF on other taxing bodies continue indefinitely and, b) the increment AV will remain with the RTIF area indefinitely with no time frame for returning the increment AV directly to each of the taxing bodies. Are these statements correct?
6. General Obligation Bonds issued by taxing bodies are assumed (though verified) by the bond market to have a steady revenue stream (property taxes). Will implementation of the RTIF affect the ability of other taxing bodies to obtain bonds, the funding available, or the rates that would be offered?
7. The Town of Lowell acted to file a Three Year Growth Appeal for budget year 2024. If the RTIF areas are adopted, should other taxing bodies wish to pursue a Growth Appeal in the future will any increment AV in the RTIF areas be credited to their respective total AV for purposes of computing the AV increase in the appeal?
8. In the Project Summary(s), the stated purpose of establishing the project area is to install, construct, and/or operate related infrastructure. However, infrastructure will need to be in place prior to any realization of an increased increment AV. If accumulated RTIF tax revenues are insufficient to fund the Project, how is the Project to be funded?
9. The Project Summary(s) references only infrastructure improvements. Are activities in the RDC’s Annual Spending Plan limited to only those activities listed in the Project Summary?

Gray questions

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Heritage Falls Residential Housing
Economic Development Area

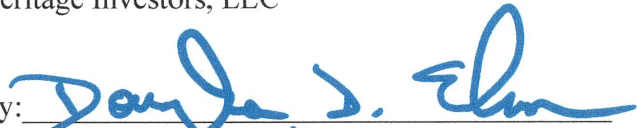
Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we are planning to construct approximately forty-five (45) new residential housing units in the proposed Heritage Falls Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$17,500,000. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 22, 2024

Heritage Investors, LLC

By:


V. P. Rand

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Beverly Estates Residential Housing
Economic Development Area

Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we are planning to construct approximately seventy-eight (78) new residential housing units in the proposed Beverly Estates Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$30,500,000. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 22, 2024

Lifehouse Development, LLC

By: _____



Todd Harbrecht|President

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Stone Mill Residential Housing Economic Development Area

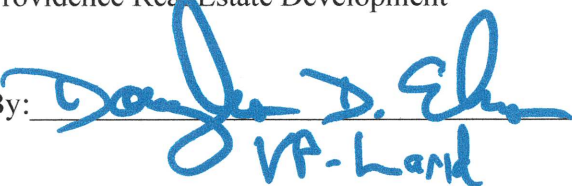
Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we are planning to construct approximately 552 new residential housing units in the proposed Stone Mill Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$48,800,000. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 22, 2024

Providence Real Estate Development

By: _____


VP - Land


LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Sierra Ridge Residential Housing Economic
Development Area

Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we are planning to construct approximately 130 new residential housing units in the proposed Sierra Ridge Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$62,000,000.00. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 23, 2024


Christopher P Adams
President
Sierra Homes

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Preserves Residential Housing Economic Development Area

Dear Mr. Hendrix:

I am writing to you as the owner of Cripe Development & Management, LLC and developer of the Preserves Subdivision, Phase 6. As you know, we are planning to construct approximately fourteen (14) new residential housing units in the proposed Preserves Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$5,900,000. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 26, 2024

Cripe Development & Management, LLC

By: 

Paige E. Cripe, Owner

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

The logo for Lotton Development, featuring the word "Lotton" in a blue, cursive script font.

RE: Planned Construction in the proposed Spring Run Residential Housing Economic Development Area

Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we are planning to construct approximately 120 new residential housing units in the proposed Spring Run Residential Housing Economic Development Area (the "Area") with an approximate total project investment of \$43,200,000. In planning and undertaking such investments in the Area, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain adequate sidewalks, streets, park facilities, sewage and water utilities, public safety and other necessary and desirable public works, local public infrastructure and amenities in or serving the Area, which will be necessary to serve this new housing development and to allow the Area to fully develop. Without these public improvements and services from the Town, our planned investments in the Area would not proceed at the level currently anticipated or on the timeline currently planned.

Dated: February 23, 2024

Lotton Development

By: _____

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and loops around the line.

LOWELL REDEVELOPMENT COMMISSION
c/o Lowell Town Manager
501 East Main Street
Lowell, IN 46356
chendrix@lowell.net

RE: Planned Construction in the proposed Kingston Ridge Residential Community

Dear Mr. Hendrix:

I am a representative of the undersigned residential housing developer. As you know, we received approvals to construct 437 new residential homes in the proposed Kingston Ridge Residential Community with an approximate total project investment of \$171,000,000.00. In planning and undertaking such investments, we have done so on the understanding that the Town of Lowell, Indiana (the "Town") will provide and maintain the following: adequate sidewalks, streets, sewage utilities, water utilities, public safety, other necessary and desirable public works, and local public infrastructure in our development; which will be necessary to serve this new housing development and to allow the community to fully develop. Without these approved public improvements and services from the Town, our planned investments would not proceed at the level currently anticipated nor on the timeline currently planned.

Dated: February 23, 2024

Lennar Homes

By: T. C. Kleven
Todd C. Kleven, Director of Land Acquisition

Lowell Redevelopment Commission Grant Program Applicants for 2024

Grant Type	Applicant	Location	Estimated Project Amount	Grant Amount	Proposed Work	Comments
Building Renovation	Lowell Properties, LLC Second Gen, Inc	1682 E Commercial (Dominos Pizza)	\$ 45,000	\$ 20,000	Alley construction	Recommend full \$20k grant. Project will help alleviate traffic congestion
		1692 E Commercial (KFC)	Not provided	\$ 20,000	Alley construction	Recommend full \$20k grant. Project will help alleviate
Façade	Helton	302 E Commercial	\$ 17,000	\$ 10,000	Window & Door	Recommend granting a Façade Grant
	Einspahr	306 E Commercial	\$ 44,000	\$ 20,000	Windows & Door Replacement/Brickwork	Recommend granting a Building Renovation Grant instead of a Façade Grant
	Core Development DeVeaux	324 E Commercial	\$ 64,705	\$ 20,000	Windows & Door Replacement/Brickwork	Recommend granting a Building Renovation Grant instead of a Façade Grant
		402 E Commercial	\$ 10,000	\$ 20,000	New Sign	
	DeVeaux	402 E Commercial	\$ 20,000	\$ 20,000	Windows & Door Replacement/Brickwork	Recommend combining both into a Building Renovation Grant instead of a Façade Grant

Total \$ 110,000