

**ORDINANCE NO. 23-09**

**TO AMEND CERTAIN PORTIONS OF THE  
UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA,  
DESIGNATING THE TIME WHEN THE SAME SHALL TAKE EFFECT.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST  
LAFAYETTE, INDIANA, THAT ORDINANCE NO. 32-97 IS HEREBY  
AMENDED AS FOLLOWS:**

**Section 1:** Ordinance No. 32-97 of the City of West Lafayette, Indiana, is hereby amended to  
rezone the following described real estate, to-wit:

**SEE ATTACHED LEGAL DESCRIPTION**

**11 Section 2:** Said real estate is hereby rezoned as follow:

FROM: "PDMX" District  
TO: "PDMX" District

**Section 3:** This ordinance shall be in full force and effect from and after its passage and signing  
by the Mayor.

**INTRODUCED AND FILED ON THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

**DULY ORDAINED, PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE  
CITY OF WEST LAFAYETTE, INDIANA, ON THIS THE \_\_\_ DAY OF  
\_\_\_\_\_, 20\_\_, HAVING BEEN PASSED BY A VOTE OF \_\_\_ IN FAVOR  
AND \_\_\_ OPPOSED.**

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

**PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA, ON  
THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT THE HOUR OF \_\_\_\_\_.**

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

**THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 20\_\_, AT THE HOUR OF \_\_\_\_\_.**

\_\_\_\_\_  
John R. Dennis, Mayor

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

**Land Description:**

Lots 2 and 3 and part of Lot 1 in the Revised Plat of J.R. Ross Subdivision as recorded in Plat Book 3, Page 41; part of Lots 1 and 2 in Clarmore Subdivision as recorded in Plat Book 7, Page 28; and part of the Southwest Quarter of Section 7, Township 23 North, Range 4 West, in the City of West Lafayette, Tippecanoe County, Indiana, all described as follows:

Beginning at the southwest corner of Lot 16 in M. L. Clevett Subdivision as recorded in Plat Book 4, Page 1-A; thence South 87 degrees 10 minutes 10 seconds East (bearings based on a survey by Colin Nicholas Starr recorded as Document #02027334) along the south line of said Subdivision a distance of 89.46 feet to the northwest corner of Carlisle Meadows Subdivision as recorded in Plat Book 8, Page 48; thence South 00 Degrees 01 Minute 32 Seconds East along the west line of said Carlisle Meadows a distance of 358.80 feet to the southwest corner of said Carlisle Meadows; thence North 87 Degrees 04 Minutes 37 Seconds West a distance of 89.55 feet to the southeast corner of Clarmore Subdivision as recorded in Plat Book 7, Page 28; thence North 87 Degrees 12 Minutes 48 Seconds West along the south line of said Clarmore Subdivision a distance of 480.77 feet to the east right-of-way of U.S. Highway 231 (Northwestern Avenue); thence North 31 Degrees 21 Minutes 59 Seconds West along said right-of-way a distance of 581.27 feet; thence North 44 Degrees 57 Minutes 29 Seconds East along said right-of-way a distance of 33.05 feet to the south right-of-way of Windsor Drive; thence along said right-of-way along a non tangent curve to the right (said curve having a radius of 132.94 feet, a chord bearing of North 89 Degrees 33 Minutes 52 Seconds East and a chord distance of 14.55 feet) an arc length of 14.56 feet; thence South 87 Degrees 17 Minutes 54 Seconds East along said right-of-way a distance of 229.61 feet to the northeast corner of Lot 3 in the Revised Plat of J.R. Ross Subdivision as recorded in Plat Book 3, Page 41; thence South 02 Degrees 45 Minutes 47 Seconds West along the east line of said Lot 3 a distance of 148.78 feet to the southeast corner of said Lot 3; thence South 87 Degrees 14 Minutes 59 Seconds East along the south line of said Ross Subdivision a distance of 523.20 feet to the point of beginning containing 6.40 acres, more or less.

20 NORTH 3RD STREET  
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242  
(765) 423-9154 [FAX]  
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

August 20, 2009  
Ref. No.: 09-271

West Lafayette Common Council  
609 Navajo Street  
West Lafayette, IN 47906

**RECEIVED**

AUG 20 2009

CERTIFICATION

CLERK - TREASURER

RE: **Z-2406 1920 NW AVENUE ASSOCIATES, LLC (Northpointe PD) (PDMX to PDMX):**  
Petitioner is requesting rezoning of 6.4 acres to allow a mixed-use commercial land use with residential apartments, hotel, and a restaurant. The property is located northeast of the intersection of Northwestern and Lindberg Road, West Lafayette, Wabash 7 (SW) 23-4.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 19, 2009 the Area Plan Commission of Tippecanoe County voted 12 yes - 1 no on the motion to rezone the subject real estate from PDMX to PDMX. Therefore, the Area Plan Commission of Tippecanoe County recommends to the West Lafayette Common Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
3. A final plat per UZO Appendix B-3-2 as applicable;
4. Appropriate performance bonds submitted with final detailed plans;
5. A "No Vehicular Access" statement platted along Northwestern Avenue and Windsor Drive except where at drives approved by either INDOT or City of West Lafayette Engineer;
6. Plant schedule approved by the West Lafayette Greenspace Administrator;
7. INDOT permit approval for the proposed driveway changes on Northwestern (US231)

Restrictive Covenants – The following items shall be part of the planned development's covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

8. The Northpointe PD Narrative (final) dated July 29, 2009 shall be included as a condition of approval.

Public Notice has been given that this petition will be heard before the West Lafayette Common Council at its September 14, 2009 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

  
Sallie Dell Fahey  
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Mark Hiatt  
1920 NW Avenue Associates  
The Schneider Corporation  
INDOT, Terri Griffin  
Dave Buck, West Lafayette City Engineer  
Tom Gall  
Joseph Bumbleburg  
Vectren  
Verizon  
Comcast  
American Suburban  
Duke Energy

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**Z-2406**  
**1920 NORTHWEST AVENUE ASSOCIATES, LLC -**  
**NORTHPOINTE PLANNED DEVELOPMENT**  
**PDMX TO PDMX**

**STAFF REPORT**  
**August 13, 2009**

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**RECEIVED**

**AUG 20 2009**

**CLERK - TREASURER**

**1920 NORTHWEST AVENUE ASSOCIATES, LLC - NORTHPOINTE  
PLANNED DEVELOPMENT  
PDMX to PDMX**

**Staff Report  
August 13, 2009**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

With consent of owners, the petitioner, represented by project consultant Tom Gall, attorney Joseph Bumbleberg and Brandon Fulk of Schneider Corp, is requesting PDMX zoning for 6.40 acres northeast of the intersection of Northwestern and Lindberg. The purpose of the rezone request is to allow the redevelopment of the site formerly occupied by the Family Inn Motel. The proposed project, Northpointe, will be a mixed-use development incorporating 274 parking spaces to support a four-story residential apartment building with 83 bedrooms, a 100 room four-story hotel building and a 7,000 square foot (including outdoor seating) single-story commercial building whose primary use will be a restaurant. The site is located in West Lafayette, Wabash 7(SW) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The property was successfully rezoned to PDMX in 2007 under Z-2358 to accommodate the Champions Centre Planned Development. The project, however, failed to materialize. Prior to this rezone, the property previously comprised 5 platted lots and one unplatted tract of land. Lots 1 and 2 of Clarmore Subdivision, fronting on Northwestern, were zoned GB since 2001. Prior to 2001 the two lots were zoned NB or LB since 1965 (NB replaced LB zoning in 1998 with the adoption of the current zoning ordinance). Lots 1, 2 & 3 of Revised Plat of J.R. Ross Subdivision at the SE corner of Northwestern and Windsor, and the unplatted tract of land located on the east edge of the project site, were zoned R1. Single-family residential zoning for these lots and tract have been in effect since 1965 until the Champions Centre rezone.

Portions of the property in this case have been the subject of several unsuccessful rezone requests dating back to 1969. Owners, Trans-Nation Motel, Inc., filed Z-295 (2/1969), Z-390 (10/70); and Z-514 (5/1972). In each of these requests petitioner attempted to rezone the unplatted and landlocked tract east of the motel from R1 to R3 with the intention of building townhouses. In all three cases both staff and Plan Commission members recommended in favor of the requests but each time were denied by City Council. In 1980, the owners requested R1 to LB zoning for lots 1 & 2 at Northwestern and Windsor. Petitioner withdrew the request after receiving an unfavorable recommendation from staff. In March 2009, after the demolition of the Family Inn Motel, the property was again the subject of an unsuccessful Planned Development rezone (Z-2403 "The Pointe at Northwestern") and was withdrawn prior to a formal hearing.

The property is surrounded on three sides by R1 (Residential) zoning with the exception of the single GB (General Business) zoned lot along the southwest corner boundary fronting Northwestern Avenue.

**AREA LAND USE PATTERNS:**

The petitioner's site is currently cleared and vacant with the demolition of the Family Inn Motel. Single-family homes abut the site on the north, east and south sides while a gas station abuts the site on the southwest corner. Single family homes, the Purdue Golf Course and a small collection of neighborhood commercial uses comprise the surrounding land uses in the vicinity of the Lindberg/Northwestern intersection.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

- A combination of continuous solid wood fencing and bufferyard planting will be used to screen the project from the adjoining residential uses on the north, east and south sides of the site.
- Public utilities serve the site.
- Approximately 25% of the site (1.6 acres) is provided as greenspace.

**TRAFFIC AND TRANSPORTATION:**

Petitioner's property has frontage on Northwestern Avenue (US 231), an "urban primary arterial" and on Windsor Drive, an "urban local" according to the *Thoroughfare Plan* respectively. The site plan for Northpointe shows two driveways from Northwestern and one from Windsor. Access to the restaurant building will be made primarily from the northernmost driveway on Northwestern, with the driveway on Windsor providing an alternate point of entry/exit. The principle entrance to the hotel and apartment building will be from the southernmost driveway on Northwestern.

During the negotiation process, staff raised concerns about traffic circulation within the site, particularly with service vehicles. The present site plan adequately addresses these concerns. Furthermore, to ensure pedestrian safety, numerous crosswalks have been added at important crossings throughout the site.

Parking for the apartment, restaurant and hotel uses in the project are calculated by land use, based on the standards in the Unified Zoning Ordinance.

**STAFF COMMENTS:**

Located in a prominent place along a major arterial, the Northpointe Planned Development is a worthy alternative to the Champions Centre. After numerous meetings and community outreach events, the petitioner's development team has responded to the negative opinions of "The Pointe at Northwestern" and provided a more balanced mixed-use development that is sensitive to the adjacent residential properties while taking advantage of its visibility from Northwestern.

The apartment units are intentionally designed to appeal more to Purdue Research Park employees, visiting faculty and other professionals rather than strictly to students. The hotel itself will provide the apartment dwellers full use of its pool and recreation facilities. The commercial/restaurant building is designed with some flexibility to allow for multiple tenants and the open parking arrangement on the overall site provides sufficient flexibility to adequately park all the uses on the property.

In all, staff believes the open process previously employed by the development team during the Champions Centre negotiations has served them well during this round. The result is a project that will make both a significant contribution to the redevelopment efforts of West Lafayette as well as a positive impact to the neighbors and community.

**STAFF RECOMMENDATION:**

Approval, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
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