

ORDINANCE NO. 11-10

TO REZONE CERTAIN RI
THE CITY OF WEST LAFAYETTE, INDIANA
AND DESIGNATING THE TIME WHEN THE
SAME SHALL TAKE EFFECT.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
WEST LAFAYETTE, INDIANA

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)

Section 2: Said real estate is hereby rezoned as follows:
FROM: "PDRS" District
TO: "R1B" District

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

The jurat on this document was not printed on discussion copies, in order to save paper and copying resources.
If you have questions about this, please contact the Office of the Clerk-Treasurer at clerk@westlafayette.in.gov <mailto:
clerk@westlafayette.in.gov>.

Thank you.

Land Description –Tract 3- 53.72 Acres

Part of the Northeast Quarter of Section 31 and part of the Northwest Quarter of Section 32, all in Township 24 North, Range 4 West, Wabash and Tippecanoe Township, respectively, Tippecanoe County, Indiana, described as:

Commencing at the northwest corner of the Northwest Quarter of the said Section 32, marked by a Berntsen monument; thence South 0 degrees 52 minutes 06 seconds East (bearings based on a survey prepared by The Schneider Corp. dated January 27, 2004, and recorded at Record #04002330) along the west line of said quarter-section a distance of 1668.80 feet to the Point Of Beginning; thence North 72 degrees 17 minutes 13 seconds East a distance of 250.18 feet; thence South 17 degrees 42 minutes 47 seconds East a distance of 176.99 feet; thence South 72 degrees 17 minutes 13 seconds West a distance of 40.00 feet; thence South 17 degrees 42 minutes 24 seconds East a distance of 303.94 feet; thence North 89 degrees 11 minutes 19 seconds East a distance of 162.00 feet; thence South 0 degrees 48 minutes 41 seconds East a distance of 18.11 feet; thence North 89 degrees 11 minutes 19 seconds East a distance of 197.88 feet; thence North 0 degrees 48 minutes 41 seconds West a distance of 72.10 feet; thence South 68 degrees 05 minutes 31 seconds East a distance of 50.61 feet; thence South 82 degrees 43 minutes 40 East a distance of 149.38 feet; thence North 82 degrees 41 minutes 05 seconds East a distance of 459.49 feet; thence North 85 degrees 53 minutes 39 seconds East a distance of 174.02 feet; thence South 00 degrees 48 minutes 41 seconds East a distance of 135.00 feet; thence South 89 degrees 11 minutes 19 seconds West a distance of 5.00 feet; thence South 0 degrees 48 minutes 41 seconds East a distance of 389.61 feet; thence North 89 degrees 07 minutes 01 second West a distance of 19.95 feet; thence South 0 degrees 52 minutes 59 seconds West a distance of 50.00 feet; thence South 89 degrees 07 minutes 01 second East a distance of 35.02 feet; thence South 0 degrees 52 minutes 59 seconds West a distance of 135.00 feet to the south line of the Northwest Quarter of said Section 32; thence North 89 degrees 07 minutes 01 second West along said south line a distance of 1529.90 feet to the southeast corner of the Northeast Quarter of said Section 31, marked by a PK nail with washer in fence post; thence South 89 degrees 59 minutes 17 seconds West along the south line of said quarter-section a distance of 1325.48 feet to the southwest corner of the east half of said quarter section; thence North 0 degrees 48 minutes 41 seconds West along the west line of said east half a distance of 954.99 feet; thence North 89 degrees 11 minutes 19 seconds East a distance of 129.98 feet; thence North 89 degrees 10 minutes 38 seconds East a distance of 49.99 feet; thence South 0 degrees 49 minutes 22 seconds East a distance of 11.03 feet; thence North 89 degrees 10 minutes 38 seconds East a distance of 119.99 feet; thence South 0 degrees 52 minutes 05 seconds East a distance of 16.00 feet; thence North 89 degrees 11 minutes 19 seconds East a distance of 886.72 feet; thence North 72 degrees 17 minutes 13 seconds East a distance of 143.90 feet to the Point of Beginning containing 28.72 acres in Section 31 (Wabash Township), 25.00 acres in Section 32 (Tippecanoe Township), and containing, in all, 53.72 acres, more or less.

Land Description –Tract 2- 57.67 Acres

Part of the Northeast Quarter of Section 31 and part of the Northwest Quarter of Section 32, all in Township 24 North, Range 4 West, Wabash and Tippecanoe Township, respectively, Tippecanoe County, Indiana, described as:

Beginning at the northwest corner of the Northwest Quarter of the said Section 32, marked by a Berntsen monument; thence South 89 degrees 17 minutes 07 seconds East (bearings based on a survey prepared by The Schneider Corp. dated January 27, 2004, and recorded at Record #04002330) along the north line of said quarter-section a distance of 180.64 feet; thence South 00 degrees 42 minutes 53 seconds West a distance of 175.00 feet; thence North 89 degrees 17 minutes 07 seconds West a distance of 29.37 feet; thence South 0 degrees 52 minutes 06 seconds East a distance of 1060.00 feet; thence South 17 degrees 42 minutes 47 seconds East a distance of 114.21 feet; thence South 20 degrees 50 minutes 11 seconds East a distance of 25.22 feet; thence South 17 degrees 42 minutes 47 seconds East a distance of 181.99 feet; thence South 72 degrees 17 minutes 13 seconds West a distance of 394.08 feet; thence South 89 degrees 11 minutes 19 seconds West a distance of 886.72 feet; thence North 0 degrees 52 minutes 05 seconds West a distance of 16.00 feet; thence South 89 degrees 10 minutes 38 seconds West a distance of 119.99 feet; thence North 0 degrees 49 minutes 22 seconds West a distance of 11.03 feet; thence South 89 degrees 11 minutes 07 seconds West a distance of 179.97 feet to the west line of the east half of said quarter section; thence North 0 degrees 48 minutes 41 seconds West along said west line a distance of 1679.79 feet to a railroad spike marking the northwest corner of said east half; thence North 89 degrees 01 minute 20 seconds East along the north line of said Northeast Quarter a distance of 1322.72 feet to the Point of Beginning, containing 51.70 acres in Section 31 (Wabash Township), 5.97 acres in Section 32 (Tippecanoe Township), and containing, in all, 57.67 acres, more or less.

LEGAL DESCRIPTION
OF TRACT 1, TRACT 2, TRACT 3

Land Description – Tract 1- 49.20 Acres

Part of the Northwest Quarter of Section 32, in Township 24 North, Range 4 West, Tippecanoe Township, Tippecanoe County, Indiana, described as:

Commencing at the northwest corner of the Northwest Quarter of the said Section 32, marked by a Berntsen monument; thence South 89 degrees 17 minutes 07 seconds East (bearings based on a survey prepared by The Schneider Corp. dated January 27, 2004, and recorded at Record #04002330) along the north line of said quarter-section a distance of 180.64 feet to the Point of beginning; thence South 89 degrees 17 minutes 07 seconds East along said north line a distance of 316.29 feet to the northwest corner of the Final Plat for Lauren Lakes Subdivision, Section 1, the plat of which is recorded in Plat Cabinet 8, Slide 24 in the Tippecanoe County Recorder's Office; thence the following thirteen courses along west and south lines of the said subdivision: (1) South 00 degrees 42 minutes 53 seconds West a distance of 225.00 feet, (2) South 89 degrees 17 minutes 07 seconds East a distance of 9.29 feet, (3) South 00 degrees 48 minutes 41 seconds East a distance of 123.98 feet, (4) North 89 degrees 11 minutes 19 seconds East a distance of 90.00 feet, (5) South 00 degrees 48 minutes 41 seconds East a distance of 27.48 feet, (6) North 89 degrees 11 minutes 19 seconds East a distance of 525.90 feet, (7) South 89 degrees 17 minutes 07 seconds East a distance of 84.85 feet, (8) South 00 degrees 48 minutes 41 seconds East a distance of 45.26 feet, (9) North 89 degrees 11 minutes 19 seconds East a distance of 185.00 feet, (10) South 00 degrees 48 minutes 41 seconds East a distance of 1050.00 feet, (11) South 89 degrees 11 minutes 19 seconds West a distance of 8.47 feet, (12) South 00 degrees 48 minutes 41 seconds East a distance of 185.00 feet, (13) North 89 degrees 11 minutes 19 seconds East a distance of 150.00 feet; thence South 00 degrees 48 minutes 41 seconds East a distance of 320.00 feet; thence South 85 degrees 53 minutes 39 seconds West a distance of 174.02 feet; thence South 82 degrees 41 minutes 05 seconds West a distance of 459.49 feet; thence North 82 degrees 43 minutes 40 seconds West a distance of 149.38 feet; thence North 68 degrees 05 minutes 31 seconds West a distance of 50.61 feet; thence South 0 degrees 48 minutes 41 seconds East a distance of 72.10 feet; thence South 89 degrees 11 minutes 19 seconds West a distance of 197.88 feet; thence North 0 degrees 48 minutes 41 seconds West a distance of 18.11 feet; thence South 89 degrees 11 minutes 19 seconds West a distance of 162.00 feet; thence North 17 degrees 42 minutes 24 seconds West a distance of 303.94 feet; thence North 72 degrees 17 minutes 13 seconds East a distance of 40.00 feet; thence North 17 degrees 42 minutes 47 seconds West a distance of 358.99 feet; thence North 20 degrees 50 minutes 11 seconds West a distance of 25.22 feet; thence North 17 degrees 42 minutes 47 seconds West a distance of 114.21 feet; thence North 0 degrees 52 minutes 06 seconds West a distance of 1060.00 feet; thence North 0 degrees 42 minutes 53 seconds East a distance of 50.00 feet; thence South 89 degrees 17 minutes 07 seconds East a distance of 29.37 feet; thence North 0 degrees 42 minutes 53 seconds East a distance of 175.00 feet to the Point of Beginning, containing 49.20 acres, more or less.

THE

Area Plan Commission

of TIPPECANOE COUNTY

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

May 19, 2010
Ref. No.: 10-143

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

CERTIFICATION

RE: **Z-2429—TIMBERSTONE DEVELOPMENT, LLC (PDRS to R1):**
Petitioner is requesting rezoning 6.62 acres of property located along Big Pine Drive in Lauren Lakes Planned Development, immediately west of Prophets Ridge Subdivision in West Lafayette, Tippecanoe 32 (NW) 24-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on May 19, 2010 the Area Plan Commission of Tippecanoe County voted 9 yes - 2 no on the motion to rezone the subject real estate from PDRS to R1. 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.

Public Notice has been given that this petition will be heard before the West Lafayette Common Council at its June 7, 2010 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: John Scheumann, Timberstone Development
J. Brian Mann
Daniel Teder
Dave Buck, West Lafayette City Engineer
The Schneider Corporation

RECEIVED

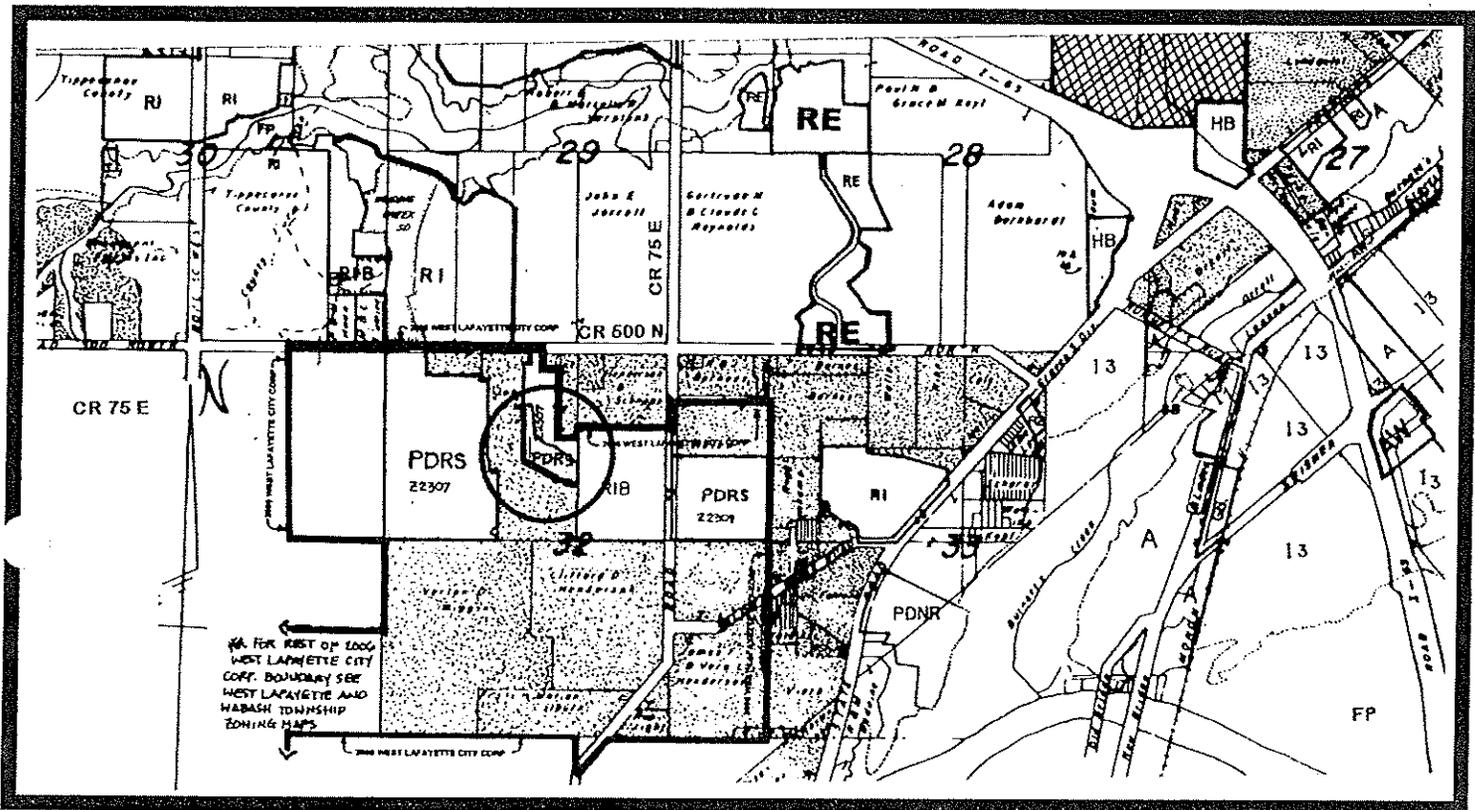
MAY 24 2010

CLERK - TREASURER

Z-2429
TIMBERSTONE DEVELOPMENT, LLC
PDRS TO R1

STAFF REPORT
May 13, 2010

Z-2429
TIMBERSTONE DEV., LLC
(PDRS TO R1)



Z-2429
TIMBERSTONE DEVELOPMENT, LLC
PDRS TO R1

Staff Report
May 13, 2010

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Daniel Teder and the Schneider Corporation, is requesting rezoning from PDRS to R1 for 6.62 acres of property located along Big Pine Drive in the Lauren Lakes Planned Development, in West Lafayette, Tippecanoe 32 (NW) 24-4. If rezoned, this 6.62 acre portion of the larger 18.42 acre eastern section of the Lauren Lakes Planned Development would leave 11.8 acres zoned PDRS, which is currently owned by Stephen R. and Connie L. Ratcliff.

ZONING HISTORY AND AREA ZONING PATTERNS:

A more complete history of the Lauren Lakes Planned Development is found in the staff report for Z-2430 and is briefly summarized here as it applies to the 6.62 acre portion under consideration for rezoning:

The 6.62 acres in this case, originally zoned R1, has been part of two unsuccessful planned development rezone attempts: Z-2167, (4/2004) and Z-2220, (3/2005). After annexation by the City of West Lafayette in 2006, a third PD rezone was attempted on the property (Z-2307) and, after receiving a recommendation of denial by the Area Plan Commission was approved by the West Lafayette Common Council in November of 2006. On November 5, 2008 the Final Detailed Plans for a portion of the 18.42 acre section (essentially the area of this rezone request), consisting of construction plans only, were unanimously approved by the Executive Committee of the Area Plan Commission. A final plat for this phase of the development was never submitted.

AREA LAND USE PATTERNS:

Sections 1 & 2 of Lauren Lakes Subdivision are under development and many homes have been completed. Substantial residential activity of varying densities has occurred in the immediate vicinity in past years.

TRAFFIC AND TRANSPORTATION:

Access to the development would be through the public streets found within the Lauren Lakes Subdivision that presently have a single access point via Little Pine Drive to CR 500 N, a Rural Secondary Arterial according to the Thoroughfare Plan.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City sanitary sewer serves the site. Indiana-American Water service is also available.

SCHOOLS:

Children in this development would attend Battle Ground Elementary School, Battle Ground Middle School, and Harrison High School.

STAFF COMMENTS:

This petition for rezone returns the subject property back to its original zoning designation, R1. In essentially becoming an expansion of the Lauren Lakes Subdivision, it would also provide additional connectivity between the two sections already partially completed. The 18.42 acre eastern portion of the Lauren Lakes Planned Development, from which this rezone is removing acreage, was never intended to contain the bulk of the community amenities that were negotiated. Being separated from the larger 160.59 acre portion of the planned development by the Lauren Lakes Subdivision, and given its topographical and drainage-related challenges, the loss of this 6.62 acre portion of the Lauren Lakes Planned Development seems to be an acceptable alternative to completing the suburban development pattern already taking shape.

STAFF RECOMMENDATION:

Approval