

ORDINANCE NO. 02-11

**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
rezone the following described real estate, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

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

FROM: "PDRS" District

TO: "PDRS" District

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

Land Description – 160.59 Acres (west tract)

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 496.93 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 455.00 feet; thence South 89 degrees 11 minutes 19 seconds West a distance of 5.00 feet; thence South 00 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 00 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 00 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 2634.78 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 80.43 acres in Section 31 (Wabash Township), 80.16 acres in Section 32 (Tippecanoe Township), and containing, in all, 160.59 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

December 16, 2011
Ref. No.: 10-385

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

RECEIVED

DEC 17 2010

CLERK - TREASURER

CERTIFICATION

RE: **Z-2435--TIMBERSTONE DEVELOPMENT, LLC (Lauren Lakes Planned Development) (PDRS to PDRS):**

Petitioner is requesting rezoning of 160.59 acres of property (with over 500 single-family lots) in the Lauren Lakes Planned Development, located on the south side of CR 500 N, between County Farm Road and CR 75 E, West Lafayette, Wabash 31 (NE) 24-4. CONTINUED FROM THE NOVEMBER APC MEETING BY THE COMMISSION IN ORDER TO AMEND THE REQUEST

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 15, 2010 the Area Plan Commission of Tippecanoe County voted 14 yes - 0 no on the motion to rezone the subject real estate from PDRS to PDRS. 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 surety submitted with final detailed plans;
5. Plant schedule approved by the City of West Lafayette;
6. A "No Vehicular Access" statement platted along the street rights-of-way lines except drives shown and approved by the City Engineer;
7. Covenants shall be amended concerning sheds to read: "Each lot improved by a residential dwelling shall be allowed one shed. A shed shall not exceed 120 square feet in area and shall be constructed of materials similar to and keeping in character with the dwelling to which the shed is accessory to."
8. The Final Detailed Plans shall contain a note on the Final Plat and Lot Grading plan sheets which reads: "Where an easement line is the only line adjacent to a lot line, the easement line is also the building setback line."

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

1. The Lauren Lakes Planned Development Narrative document dated September 9, 2010 (revised November 30, 2010) and the Declaration of Covenants, Conditions and Restrictions for Lauren Lakes.

Public Notice has been given that this petition will be heard before the West Lafayette Common Council at its January 4, 2011 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
Benjamin Crossing, LLC
Daniel Teder
The Schneider Corporation
Dave Buck, West Lafayette City Engineer
Duke Energy
Vectren
Comcast
Indiana American Water
Verizon

**Z-2435
TIMBERSTONE DEVELOPMENT, LLC
LAUREN LAKES PLANNED DEVELOPMENT
PDRS TO PDRS**

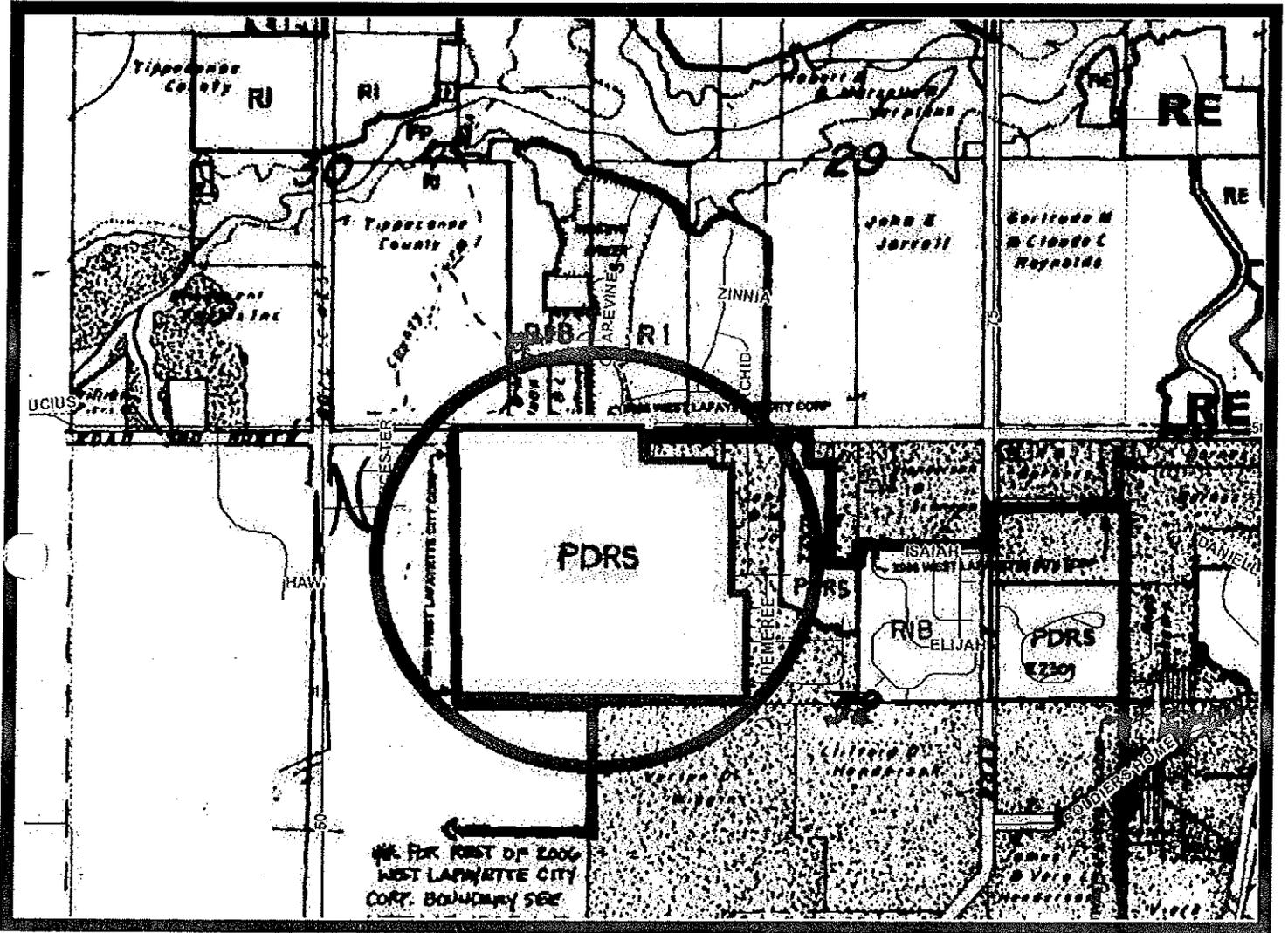
**STAFF REPORT
December 9, 2010**

RECEIVED

DEC 17 2010

CLERK - TREASURER

Z-2435
TIMBERSTONE DEVELOPMENT
LAUREN LAKES PD
(PDRS TO PDRS)



Z-2435

**TIMBERSTONE DEVELOPMENT, LLC
LAUREN LAKES PLANNED DEVELOPMENT
PDRS TO PDRS**

**Staff Report
December 9, 2010**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Daniel Teder and the Schneider Corporation, is requesting rezoning from PDRS to PDRS for 160.59 acres containing 517 single family units (at 3.22 units/acre) in what will continue to be known as the Lauren Lakes Planned Development, located on the south side of CR 500 N, West Lafayette, Wabash 31 (NE) 24-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

From its R1 origins, the property in this case has been the subject of two unsuccessful planned development rezone attempts: Z-2167, (4/2004), Z-2220, (3/2005). Prior petitioner's first PD proposal included 802 building lots and 26 drainage, utility and landscape easement lots, a central 13-acre park containing a clubhouse, playgrounds, pool, ball courts, and paved trail system, with a density of 3.47 units per acre. The Area Plan Commission voted unanimously against the proposal and the case was withdrawn prior to a vote from the County Commissioners. Petitioner's second proposal included 659 lots, a 22-acre park, clubhouse, pool, playground, ball courts and a trail system. The Plan Commission voted 3-10 against the proposal; it was denied by the County Commissioners on March 7, 2005 with a vote of 1-2. After this denial, the regular subdivision process was employed resulting in preliminary approval for 677 home lots and 5 outlots for storm water detention with no recreational amenities. In 2005 and 2006, sections 1 and 2 were final platted creating a total of 130 lots in R1 zoned land.

In August of 2006 the City of West Lafayette annexed the subject property as part of a larger 1,173 acre annexation. Later in 2006, a third PD rezone was attempted on the 179.01 acre property (Z-2307) and on October 16, 2006 by a vote of 2 to 9, it received a recommendation of denial by the Area Plan Commission. On November 6, 2006 the West Lafayette Common Council approved the planned development rezone, which consisted of a 543 lot mixed density single-family development. On November 5, 2008 the Final Detailed Plans for a portion of the 18.42 acre section, consisting of construction plans only, were unanimously approved by the Executive Committee of the Area Plan Commission. With the approval and recordation of this phase of the Final Detailed Plans, the Lauren Lakes Planned Development (per Z-2307) has until November 6, 2016 to have the remaining phases approved and recorded. After this date the PD falls into abandonment and a rezone would be required to open the property to development again.

In May of 2010 an attempt to rezone 160.59 acres (Z-2430 from PDRS to R1B) of the previously approved 179.01 acre planned development ended in the application being withdrawn by the petitioner while the rezone application for a 6.62 acre portion (Z-2429 from PDRS to R1) resulted in a recommendation of approval by the Area Plan Commission and, later, approval by the West Lafayette City Council. If the 160.59 acres subject to Z-2435 is ultimately approved, there will continue to remain an 11.8 acre remnant from the originally approved rezone (Z-2307).

Substantial residential development has occurred within a mile radius of the site in past years. Westport Planned Development, south of this site, was rezoned in 1990 and 1998 (Z-1433 & Z-1762 respectively) from R1 to PDRS and consists of 88 single-family lots (roughly half of which are zero lot line). In 1998, 231.13 acres located immediately north of this request were rezoned from Agricultural to R1 for Winding Creek Subdivision (Z-1792). As part of that same development, 30.45 acres were rezoned from Agricultural to R1B (Z-1793) adding another 378 mixed-density single-family lots. East of the site in question, 47.78 acres were rezoned from R1 to R1B for Prophet's Ridge Subdivision with 183 single-family lots located on the west side of CR 75 E (Z-1939, 4/00). Arbor Chase, south of this request, is a mixed-density single-family subdivision with 353 lots. Included in that development is a 33.95 acre portion that was rezoned from R1 to R1B, (Z-2108, 1/03). Fieldstone, a residential rezone from A to R1, located on the north side of CR 600 N, was approved in September of 2005 (Z-2258) for a 74+ acre proposed subdivision of 164 single-family lots.

AREA LAND USE PATTERNS:

Sections 1 & 2 of Lauren Lakes Subdivision are under development. Near the middle of the site is a 20+ acre area of untilled and wooded terrain that contains approximately one half acre of land identified in a wetland delineation report prepared by consulting firm JF New as either wetland or a tributary of Burnett's Creek (.30 and .18 acres respectively). Winding Creek mixed density single-family subdivision (R1 & R1B) is nearing the end of its development across CR 500 to the north. There are two smaller residential subdivisions to the west along County Farm Road (Shepherd's Point and Hawthorne Ridge). Prophet's Ridge, a medium/high-density single-family subdivision (R1B), is under development and adjoins to the east. Approximately one half mile separates this site from Westport PD, Arbor Chase and Greentree Retirement Community to the south in West Lafayette. Elsewhere along CR 500 N, land use is mainly agricultural.

TRAFFIC AND TRANSPORTATION:

Along the northern boundary, access to the development would be off of CR 500 N, a Rural Secondary Arterial according to the *Thoroughfare Plan*. Further connections include two access points to the west and two to the south (connecting presently undeveloped land) and five access points to the existing Lauren Lakes Subdivision to the east.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

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

SCHOOLS:

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

STAFF COMMENTS:

On November 17, 2010 the Area Plan Commission unanimously voted for Amendment of the Lauren Lakes Planned Development Preliminary Plans per Section 2-27-8(c) of the Unified Zoning Ordinance. Those amendments included:

1. Westmoreland Drive cross section shall contain 6-foot tree lawns and maintain a 36-foot curb-face to curb-face width.
2. A complete landscape plan shall be added for all commonly held land in the planned development. Individual landscape plans shall also be added for all intersections being improved with traffic calming measures as shown on Sheet P123.
3. On all "PL" sheets, the "***Note", second paragraph shall read: "Locating drives will not reduce the amount of trees and if such relocation is required then the tree will be relocated elsewhere on that lot's parkway. 3-inch deep layer of shredded hardwood mulch required. Stone mulch is not permitted in parkway."
4. The amenity area must commit to an actual amenity or amenities and such features shall be designed and illustrated on the plans. A landscape plan for the amenity area in context with the chosen amenities shall also be included.
5. On Sheet P123, the note in the center of the sheet shall read: "Final geometry of traffic calming measures will be designed for appropriate vehicular traffic (including fire trucks) turning maneuvers and based on City of West Lafayette standards. At a minimum, the following intersections shall be improved with traffic calming measures: Westmoreland Drive and Rabbit Run Road, Westmoreland Drive and Big Pine Drive, Emberglow Drive and Big Pine Drive, Emberglow Drive and Rim Rock Way, Leatherwood Way and Buffalo Run Road. Approval of the selected measure will be obtained from the Administrative Officer at the Final Detailed Plan stage.
6. Note "B" on the landscape plan sheets shall be designed and illustrated on the plans and constructed with that phase of the development. The path that the 8-foot trail connection will take through the outlot will also be shown in context with the other proposed improvements to the outlot and labeled "Proposed 8-foot asphalt trail to be provided by others".
7. The covenants shall be corrected to include the following: "The developer or home owners association shall provide to the Administrative Officer certification that proposed changes or improvements that do not fall under the City of West Lafayette permitting process (including but not limited to gardens, sheds, decks,

etc...) are in compliance with the Planned Development covenants and approved by the Architectural Control Committee.

8. The covenants shall be corrected to include the following: "Sheds shall not exceed 120 square feet in area and shall be constructed of materials similar to and keeping in character with the dwelling to which the shed is accessory."
9. In the Narrative/Covenant Document, under Section F, third sentence should read: "The minimum roof pitch of the main body of the home shall be a minimum 6:12 and a minimum 6:12 for any gable that would face the street." And on the same page after the Architectural Features list should read: "Fences on corner lots in the side yard facing the street or in the rear of lots that abut common area shall be a maximum 42" tall."
10. City of West Lafayette landscape standards sheets shall be added to the plan set and a note shall be added to the landscape plan indicating consistency with city landscape standards.

With the petitioner's submission on November 24, 2010 staff can now report that the amendments have been fulfilled and that the plans and covenants are now ready for consideration by the Area Plan Commission. It remains staff's opinion that the project, while being weak on amenities when compared with the original Lauren Lakes Planned Development, does provide a sufficient balance between large and small lots. This lot size diversity, coupled with the open space provisions, makes for a positive residential development for both the City of West Lafayette and the community at large.

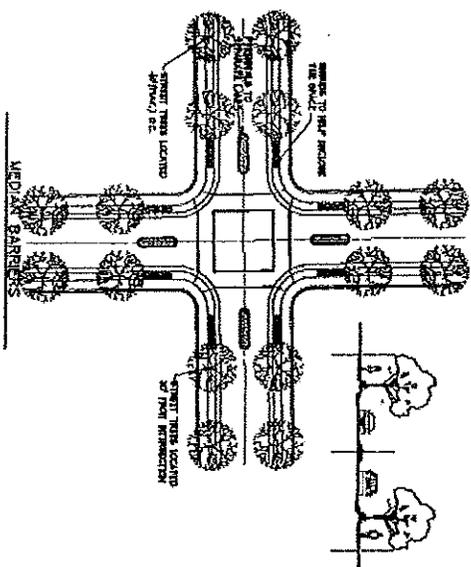
STAFF RECOMMENDATION:

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:

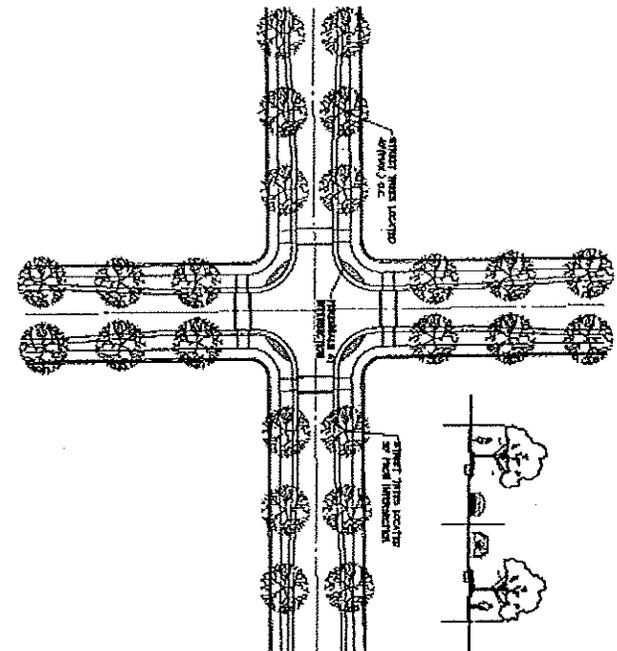
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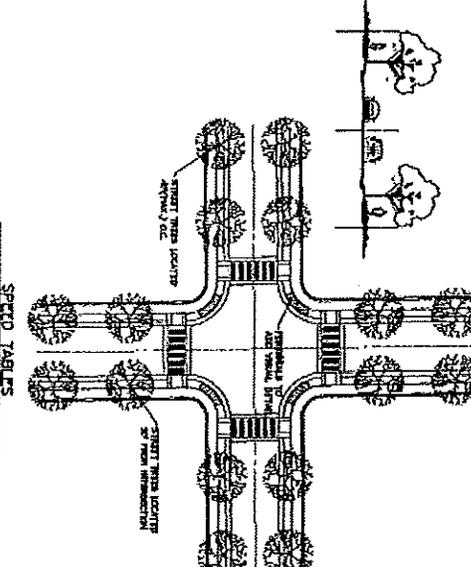
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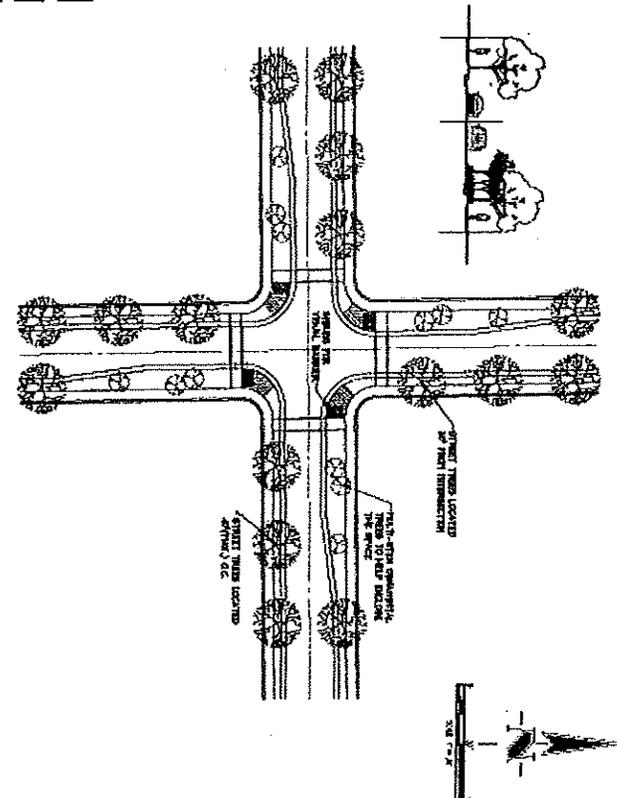
NECKDOVNS



THIS LANDSCAPE PLAN SHALL BE CONSIDERED AS PART OF THE SITE PLAN AND SHALL BE SUBJECT TO THE CITY OF WEST LAURENTE'S REVIEW AND APPROVAL. ANY CHANGES TO THIS PLAN SHALL BE SUBJECT TO THE CITY OF WEST LAURENTE'S REVIEW AND APPROVAL. ANY CHANGES TO THIS PLAN SHALL BE SUBJECT TO THE CITY OF WEST LAURENTE'S REVIEW AND APPROVAL.



NECKDOVNS



PROJECT NO.	LAUREN LAKES
DATE	11/11/17
SCALE	AS SHOWN
DESIGNED BY	LAUREN LAKES
CHECKED BY	LAUREN LAKES
APPROVED BY	LAUREN LAKES

LAUREN LAKES
PLANNED DEVELOPMENT
 WEST LAURENTE, MISSISSIPPI
 TEMPERSTONE DEVELOPMENT LLC
 4000 W. LAURENTE, MISSISSIPPI

Schneider
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PROJECT NO.	LAUREN LAKES
DATE	11/11/17
SCALE	AS SHOWN
DESIGNED BY	LAUREN LAKES
CHECKED BY	LAUREN LAKES
APPROVED BY	LAUREN LAKES

