Submitted by Area Plan Commission

ORDINANCE NO. 02-08

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

Section 2: Said real estate is hereby rezoned as follow:
FROM: "R1 & GB "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.

Land Description: Overall Perimeter

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.

This description is not intended to be represented as an Original Survey, Retracement Survey, Route Survey, or Surveyor Location Report. All geometry for this description is taken from the aforesaid recorded Starr survey.

Prepared by:
Dale L. Grimes, PLS #S0452
September 26, 2007

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 20, 2007
Ref. No.: 07-646

RECEIVED
DEC 26 2007
CLERK - TREASURER

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

CERTIFICATION

RE: **Z-2358--COLLEGIATE VENTURES (CHAMPION'S CENTRE PD) (R1 & GB to PDMX):**
Petitioner is requesting PDMX zoning on 6.40 acres northeast of the intersection of Northwestern and Lindberg to redevelop the site occupied by the Family Inn. The proposed project would have mixed-use commercial with residential condominiums, hotel, restaurant and office/retail space. The site is located in 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 December 19, 2007 the Area Plan Commission of Tippecanoe County voted 10 yes - 1 no on the motion to rezone the subject real estate from R1 & GB 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 "No Vehicular Access" restriction on the right-of-way lines of Northwestern Avenue and Windsor Drive;
9. Corrections and/or additions to the covenants as it relates to variances, land use, occupancy and amendments found in sections 5.2; 9.2(b)(i),(ii) and (iii); 9.3; 14.5; and 14.16;
10. Inclusion of the statement concerning amendments to the planned development: "Notwithstanding anything to the contrary contained herein, there shall be no amendment of the Declarations, nor any change in use or exterior design without prior approval of the Tippecanoe County Area Plan Commission through the planned development process, which includes the possibility of consideration as a minor modification by the administrative officer."

Additional Conditions:

11. A copy of the Articles of Incorporation for the Condominium Owners Association of Champion's Centre Planned Development Inc., approved and filed with the Indiana Secretary of State, along with the Certificate of Incorporation.
12. Corrections and/or additions to the condo declaration as it relate to occupancy and parking found in sections 14.2; and 14.9.

Public Notice has been given that this petition will be heard before the West Lafayette Common Council at its January 7, 2008 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: Gary Spillars, Collegiate Ventures
Douglas Anderson
Kenneth Seaton, American Hospitality Industries
The Schneider Corporation
Joseph Bumbleburg
Terri Griffin, INDOT
Tom Gall
Vectren Energy Delivery
Duke Energy
Insight Communications
Verizon
Dave Buck, West Lafayette City Engineer

Z-2358
COLLEGIATE VENTURES
CHAMPION'S CENTRE PLANNED DEVELOPMENT
R1 & GB TO PDMX

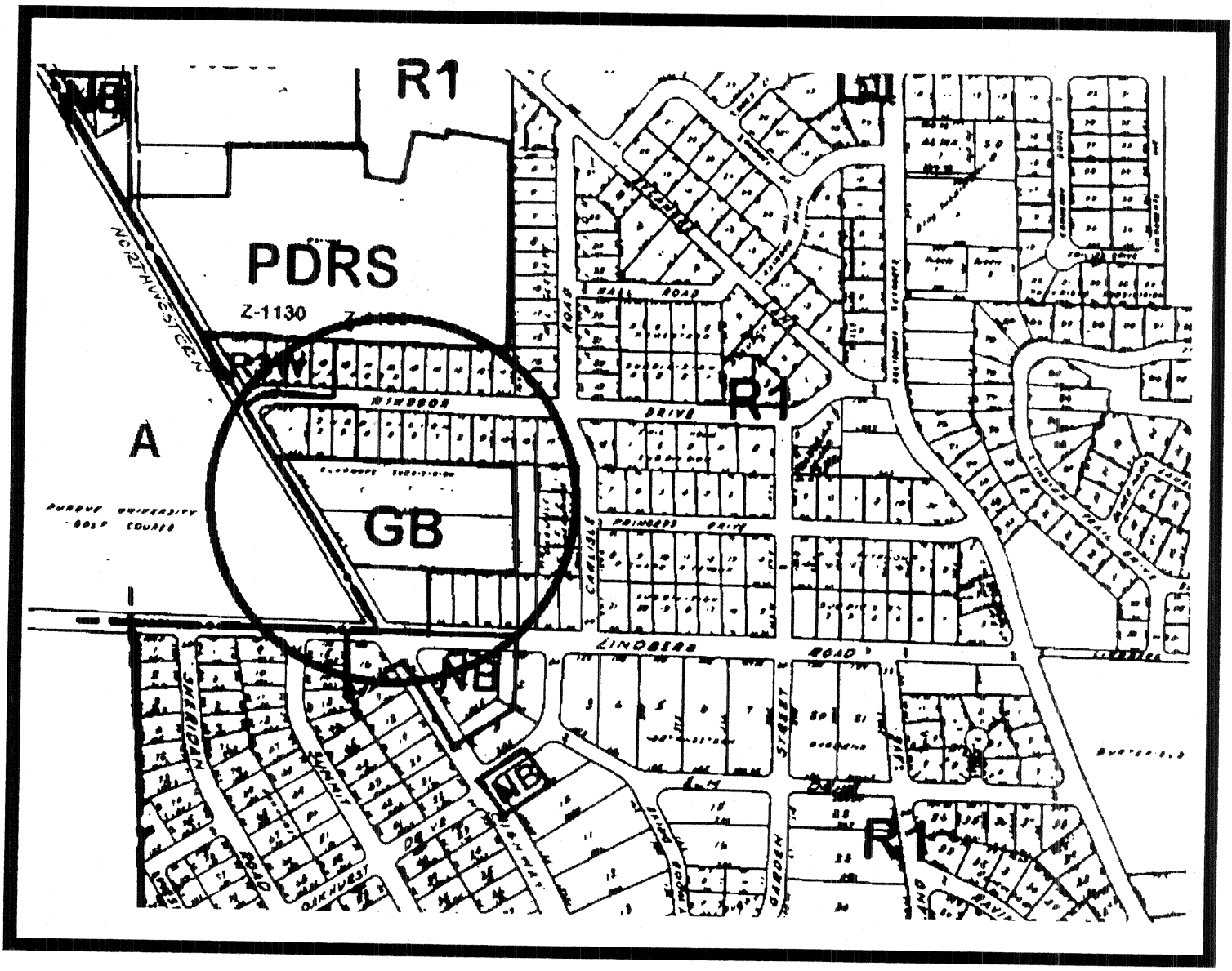
STAFF REPORT
15 November 2007

RECEIVED

DEC 2 6 2007

CLERK - TREASURER

Z-2358
COLLEGIATE VENTURES
CHAMPION CENTRE
(R1 & GB TO PDMX)



Z-2358
COLLEGIATE VENTURES
CHAMPION'S CENTRE PLANNED DEVELOPMENT
R1 & GB to PDMX

Staff Report
15 November 2007

REQUEST MADE, PROPOSED USE, LOCATION:

With consent of owners, petitioner, by managing member Gary Spillers, represented by project consultant Tom Gall, attorney Joseph Bumbleberg and Brandon Fulk of Schneider Corp, is requesting R1 and GB to 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 occupied by Family Inn motel. The proposed project, to be known as Champion's Centre, would have mixed-use commercial land use with residential condominiums, hotel, restaurant and office/retail space. The site is located in West Lafayette, Wabash 7(SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property in this case is comprised of 5 platted lots and one unplatted tract of land. Lots 1 and 2 of Clarmore Subdivision, fronting on Northwestern, are zoned GB and occupy 75+% of the land in this request. The GB zoning for these two lots has been in place since 2001 when a city wide rezone request changed the lots from NB to GB in order to make the motel a conforming land use. 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 an unplatted tract of land, located on the east edge of the project site, are zoned R1. Single-family residential zoning for these lots and tract have been in effect since 1965.

Recently approved rezone requests near this site include: Z-2351, R1 to NB (10/1/07) for a dentistry office at Northwestern and Lindberg; and Z-2361, NB & R1 to NB (12/5/07) for a former grocery store on Northwestern, southeast of the intersection with Lindberg.

Portions of the property in this case have been the subject of four 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, current owners American Hospitalities Industries, Inc., requested R1 to LB zoning for lots 1 & 2 at Northwestern and Windsor. Petitioner withdrew the request after receiving an unfavorable recommendation from staff.

AREA LAND USE PATTERNS:

The majority of petitioner's site is currently occupied by Family Inn motel. The unplatted tract adjoining on the east is undeveloped and wooded; the first two lots on the corner of Northwestern and Windsor (1 & 2) are undeveloped; a single-family home is located on lot 3.

Single-family homes abut the site on the entire east side, most of the north and two-thirds of the south sides. Land use on three of the four corners of the commercial node at Lindberg and Northwestern includes: a gas station; dentistry office; package liquor store; restaurant and vacant grocery store. Purdue Golf course is on the fourth corner, across Northwestern from the site, to the west.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The preliminary plat shows four lots and one outlot. The lot; its size; location on the site plan; and use within the project are as follows:

Lot 1, 0.99 acres, on the far east side, proposed condominium suites/parking garage structure, 7-stories plus one floor below grade;

Lot 2, 0.94 acres, on the south side, proposed 4-story hotel center;

Lot 3, 0.51 acres, middle west side, proposed restaurant/retail/office building, combination 1 and 2-story;

Lot 4, 0.78 acres, far northwest corner, a developable lot with limited permitted use list in the PD narrative;

Outlot 1, 3.18 acres, centrally located, contains surface parking, vehicular circulation drives, central courtyard, open space and bufferyards.

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 and eliminate the potential for cut-through traffic. The tallest structure, the condominium/parking garage building on lot 1, is between 65 and 78 feet from the property line to the east. A bufferyard, circulation drive and single loaded surface parking bay separate the building from the property line fence and adjoining neighbors. In addition, the building design shows the condo units step back from the east edge of the building to reduce the visual impact from adjoining properties.

Residential condominium units once purchased include an owner option to place occasionally used units into a rental program managed by the hotel for overnight and extended stay rental along with the other rooms in the hotel.

The 4-story hotel is connected to the condo building by a covered walkway that allows access to parking in the garage for guests of the hotel and provides condo owners with use of the pool and recreation facilities located in the hotel.
The restaurant/retail building is 1-story with a partial mezzanine for outdoor restaurant dining space. The two uses, operated separately, are connected by a common lobby.

TRAFFIC AND TRANSPORTATION:
Petitioner's property has frontage on Northwestern Avenue (US 231), a divided major arterial, and Windsor Drive, an urban local. Average daily counts taken in 1999 show Northwestern carrying 28,671 vehicles by this site. More recent numbers, from 2002, taken between Lindberg and Yeager Road report an average count of 22,450 vehicles daily.

The site currently has three driveways on Northwestern and a cut-through into the motel's parking area from the gas station to the south. The site plan for Champion's Centre shows two driveways from Northwestern to serve lots 1, 2, 3 and outlot 1. Lot 4, to be developed separately from Champion's Centre, is located at the corner of Northwestern and Windsor.

Access serving future development of lot 4 will be allowed both internally from Champion's Centre and from Windsor Drive. When lot 4 is developed, parking must meet the requirements for the use based on UZO standards.

Internally, vehicular circulation and 119 surface parking spaces are shown on outlot 1. Approximately 320 spaces are located on four floors in the parking garage at the east end of the development.

Parking spaces for the retail, restaurant and hotel uses in the project are calculated by land use, based on the standards in the Unified Zoning Ordinance. Assigned parking spaces for the residential condominiums, located in the garage, are a negotiated standard of one space per bedroom; a parking policy used for years with residential planned developments in West Lafayette. A table shown on the site plan, page P 103, estimates that 383 parking spaces are required to support the proposed development; 439 are shown.

STAFF COMMENTS:
The property in this case is ripe for redevelopment; located in a prominent place along a major arterial and gateway to the community. The existing commercial building is dated, in marginal repair and use, on a site that is underutilized by today's urban standards.

Several challenges face the redevelopment of this property. First, only 75% of the site is zoned commercially and the R1 zoned land, which has gone undeveloped as single-family home sites for over forty years, has not been successfully rezoned to allow developing it in any other way. Second, the site is surrounded by existing single-family homes on three of four sides many of which are occupied by residents who have lived next to a vacant lot or a suburban styled commercial development for decades. Last, how does one turn a landlocked tract, a blighted commercial property, two vacant lots and a single-family home into a high density, mixed-use urban development that is compatible with adjoining neighbors?

The answer was simple – communicate. Talk to the neighbors, talk to City Hall and INDOT, talk to local planning professionals and above all – talk to the neighbors. Early in the process the development team arranged a meeting at Family Inn and invited all those neighbors whose properties abut their site. During the open session a preliminary layout was presented. The neighbors asked questions while the development team provided answers and took notes. The result of that input was a series of revisions to the draft plan as the team began to address concerns and incorporate suggestions. Recently, a follow-up letter with graphics was mailed to residents to explain how their participation was used to create the current plan. Staff believes the open process used by the development team has produced a project both the neighbors and the community will be able to support.

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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2. PD construction plans per UZO Appendix B2-2;
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PRELIMINARY PLAT FOR:

CHAMPION'S CENTRE PLANNED DEVELOPMENT

WEST LAFAYETTE, INDIANA

LOTS 2 & 3 AND PART OF LOT 1 OF THE REVISED PLAT OF J.R. ROSS SUBDIVISION, PART OF LOTS 1 & 2 OF CLAREMORE SUBDIVISION AND PART OF THE SW 1/4 OF SECTION 7, TOWNSHIP 23 NORTH, RANGE 4 WEST IN THE CITY OF WEST LAFAYETTE, TIPPECANOE COUNTY, INDIANA

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 CLAIMORE 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 #03027334) 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 88.55 FEET TO THE SOUTHEAST CORNER OF CLAIMORE SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 28; THENCE NORTH 87 DEGREES 12 MINUTES 48 SECONDS WEST ALONG THE SOUTH LINE OF SAID CLAIMORE 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 8.40 ACRES, MORE OR LESS.

THIS DESCRIPTION IS NOT INTENDED TO BE REPRESENTED AS AN ORIGINAL SURVEY, RETRACEMENT SURVEY, ROUTE SURVEY, OR SURVEYOR LOCATION REPORT. ALL GEOMETRY FOR THIS DESCRIPTION IS TAKEN FROM THE AFORESAID RECORDED STARR SURVEY.

DALE L. GRIMES, PLS
PROFESSIONAL LAND SURVEYOR, #S0452
NOVEMBER 28, 2007

DALE L. GRIMES — REGISTERED — No. S 0452 — STATE OF INDIANA — LAND SURVEYOR

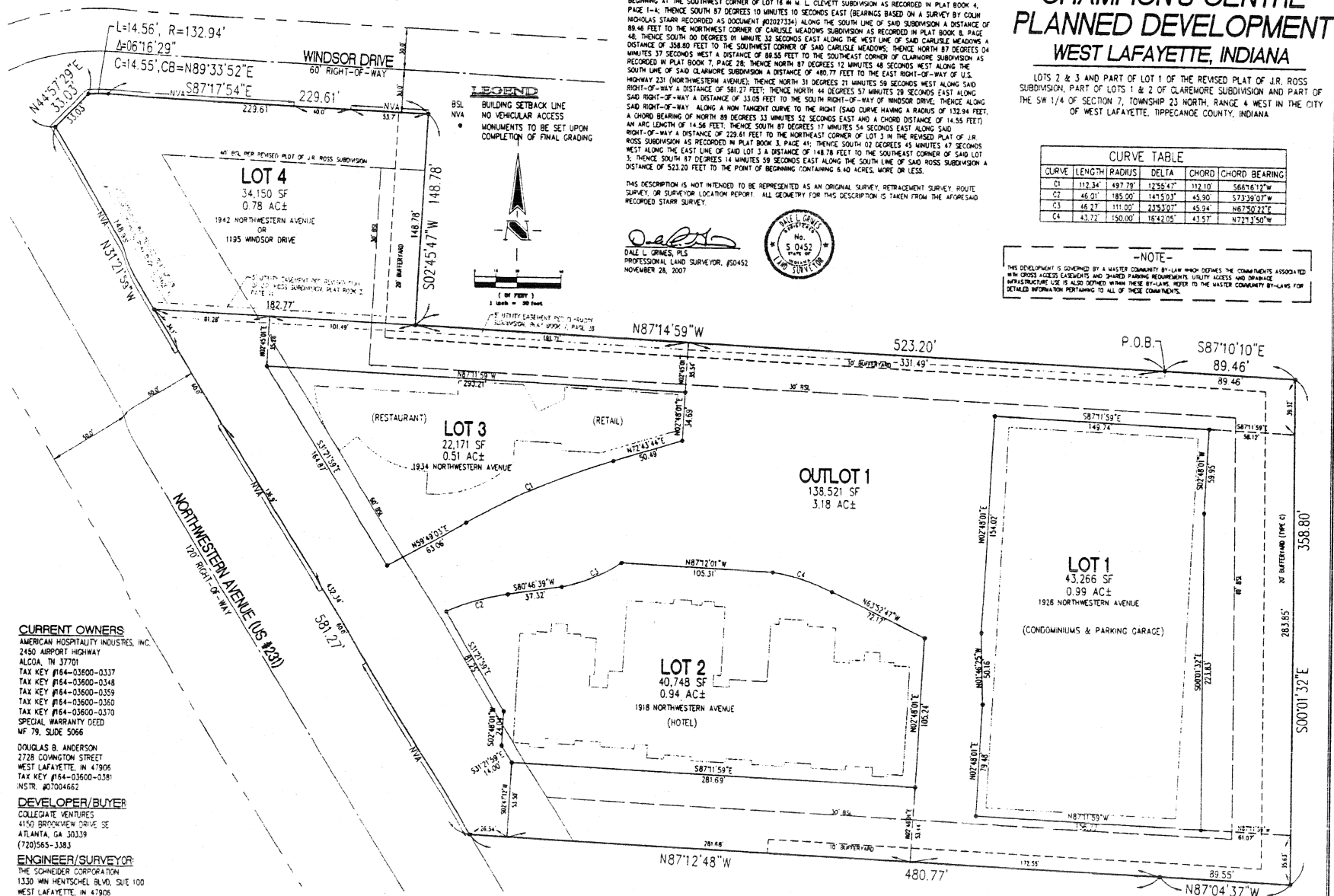
LEGEND

BSL BUILDING SETBACK LINE
NVA NO VEHICULAR ACCESS
• MONUMENTS TO BE SET UPON COMPLETION OF FINAL GRADING

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	112.34'	497.79'	12°55'47"	112.10'	S66°16'12"W
C2	46.01'	185.00'	14°15'03"	45.90'	S73°39'07"W
C3	46.27'	111.00'	23°53'07"	45.94'	N67°50'22"E
C4	43.72'	150.00'	16°42'05"	43.57'	N72°13'50"W

-NOTE-

THIS DEVELOPMENT IS GOVERNED BY A MASTER COMMUNITY BY-LAW WHICH DEFINES THE COMMITMENTS ASSOCIATED WITH CROSS ACCESS EASEMENTS AND SHARED PARKING REQUIREMENTS. UTILITY ACCESS AND DRAINAGE INFRASTRUCTURE USE IS ALSO DEFINED WITHIN THESE BY-LAWS. REFER TO THE MASTER COMMUNITY BY-LAWS FOR DETAILED INFORMATION PERTAINING TO ALL OF THESE COMMITMENTS.



CURRENT OWNERS

AMERICAN HOSPITALITY INDUSTRIES, INC.
2450 AIRPORT HIGHWAY
ALCOA, TN 37701
TAX KEY #164-03600-0337
TAX KEY #164-03600-0348
TAX KEY #164-03600-0359
TAX KEY #164-03600-0360
TAX KEY #164-03600-0370
SPECIAL WARRANTY DEED
MF 79, SLIDE 5066

DOUGLAS B. ANDERSON
2728 COVINGTON STREET
WEST LAFAYETTE, IN 47906
TAX KEY #164-03600-0381
INSTR. #07004662

DEVELOPER/BUYER

COLLEGIATE VENTURES
4150 BROOKVIEW DRIVE SE
ATLANTA, GA 30339
(720)565-3383

ENGINEER/SURVEYOR:

THE SCHNEIDER CORPORATION
1330 WIN HENTSCHEL BLVD, SUITE 100
WEST LAFAYETTE, IN 47906
(765) 448-8661

Schneider
THE SCHNEIDER CORPORATION
1330 Win Hentschel Blvd
Suite 100
West Lafayette, IN 47906-4156
Telephone: 765.448.8661
Fax: 765.448.8665
www.schneidercorp.com

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CHAMPION'S CENTRE
PLANNED DEVELOPMENT
WEST LAFAYETTE, INDIANA

COLLEGIATE VENTURES
4150 BROOKVIEW DRIVE SE, ATLANTA, GA 30339

DATE: 11/28/07
PROJECT NO: 6810.001
DRAWN BY: JEP
CHECKED BY: DLG
SHEET TITLE: PRELIMINARY PLAT
SHEET NO: P104

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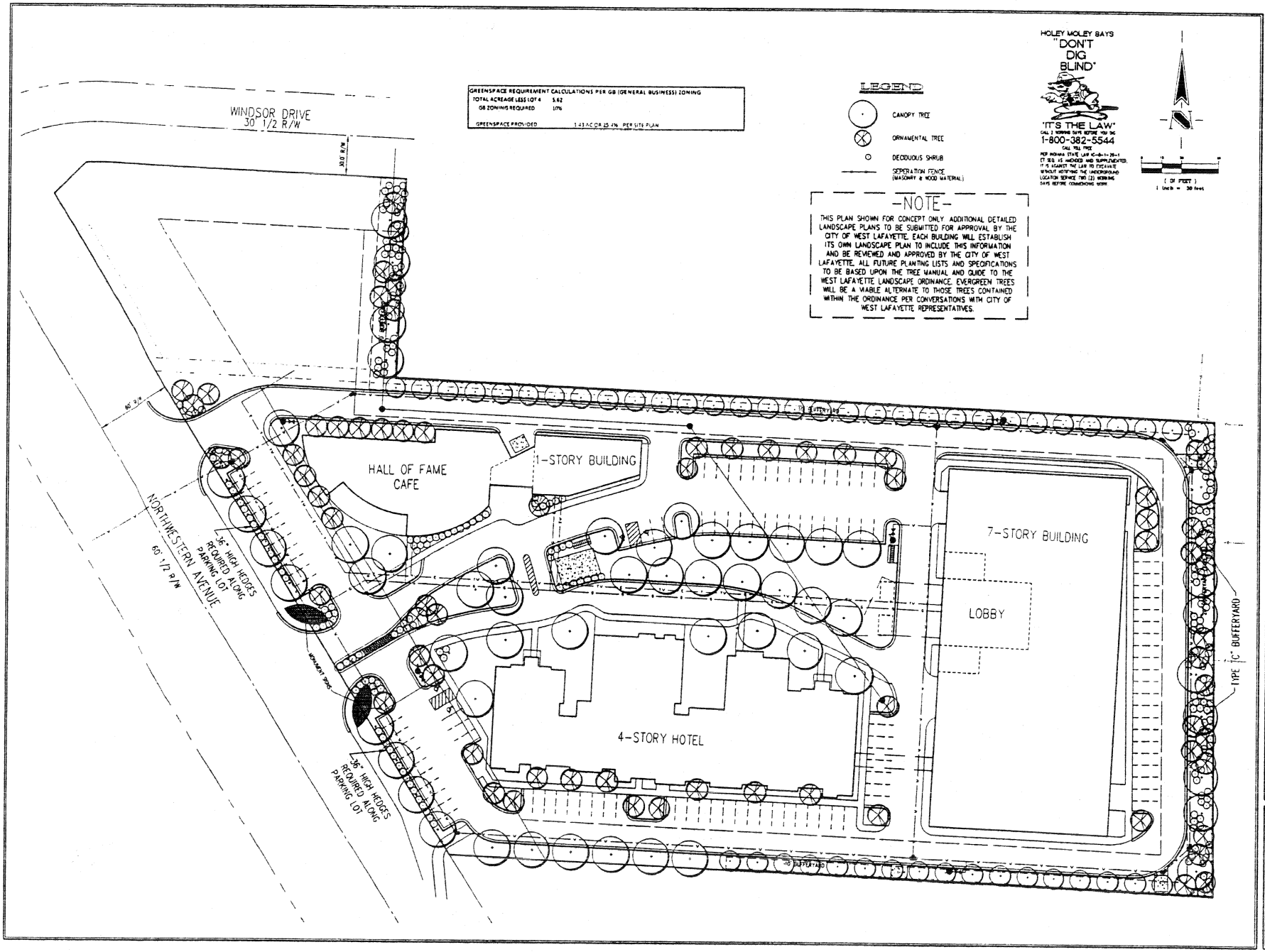

REVISIONS

DATE

Schneider

THE SCHNEIDER CORPORATION
1330 Win Hentschel Blvd
Suite 100
West Lafayette, IN 47906-4156
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Fax: 765.448.6665
www.schneidercorp.com

Architecture
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Interior Design
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Landscape Architecture
Transportation Engineering

CHAMPION'S CENTRE
PLANNED DEVELOPMENT
WEST LAFAYETTE, INDIANA

COLLEGIATE VENTURES
4150 BROOKVIEW DRIVE SE, ATLANTA, GA 30339

DATE	PROJECT NO
11/28/07	6810.001
DRAWN BY	CHECKED BY
JEP	BMF

SHEET TITLE
PRELIMINARY LANDSCAPE PLAN

SHEET NO.
PL101

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