

ORDINANCE NO. 09-05

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 follows:
FROM: "CBW" District
TO: "PDNR" 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.

Jan H. Mills, 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 _____.

ATTEST:

Jan H. Mills, Mayor

Judith C. Rhodes, Clerk-Treasurer

Title Description

That part of the Reserve Square in the Town of Chauncey, now City of West Lafayette, lying West of the West line of Main Street (now Chauncey Avenue) in said City and East of a line 60 feet West of and parallel to said West line of Main Street, as platted upon the Northeast Quarter of the Southeast Quarter of Section 19, Township 23 North, Range 4 West, in Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, to-wit:

Beginning at the intersection of the South line of South Street (60 foot right of way) with the West Line of Chauncey Avenue (60 foot right of way), said point being marked by a PK Nail; thence South $2^{\circ}26'22''$ East along said West line a distance of 134.09 feet to a point on the Northerly line of State Street, said point being marked by a PK Nail; thence North $60^{\circ}20'10''$ West along said Northerly line a distance of 70.83 feet to a cross cut in concrete; thence North $2^{\circ}26'22''$ West a distance of 99.00 feet to a point on said South line of South Street, said point being marked by a re-bar; thence North $90^{\circ}00'00''$ East along said South line a distance of 60.06 feet to a PK Nail and the point of beginning.

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

February 17, 2005
Ref. No.: 05-92

West Lafayette City Council
609 W. Navajo Street
West Lafayette IN 47906

RECEIVED

FEB 23 2005

CERTIFICATION

CLERK - TREASURER

RE: Z-2225- CHIPOTLE MEXICAN GRILL, INC. (Chipotle PD) (CBW TO PDNR) :
Petitioner is requesting rezoning of 0.161 acres for a single-story, 2700 sq. ft restaurant with 8 surface parking spaces located on the west side of Chauncey Avenue between South and State Streets (SR 26 W), West Lafayette, Wabash 19 (NE) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on February 16, 2005, the Area Plan Commission of Tippecanoe County voted 11 yes – 1 no on the motion to rezone the subject real estate from CBW to PDNR. Therefore, the Area Plan Commission of Tippecanoe County recommends to the West Lafayette City 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 plat;
5. Plant schedule approved by the West Lafayette Greenspace Administrator;
6. Evidence to the satisfaction of the City Attorney that parking has been provided off-site for employees.

Public Notice has been given that this petition will be heard before the West Lafayette City Council at its March 7, 2005 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/bb

Enclosures: Staff Report & Ordinances

cc: Chipotle Mexican Grill, Inc.
Kendall & Beatrice Smith
The Schneider Corporation
Joseph T. Bumbleburg
Zoning Enforcement Officer
Insight Communications
Vectren
Cinergy
Verizon

Z-2225
CHIPOTLE MEXICAN GRILL INC.
CHIPOTLE PLANNED DEVELOPMENT
CBW TO PDNR

STAFF REPORT
10 February 2005

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is requesting rezoning of 0.161 acres for a single story, 2700 sq. ft. restaurant with 8 surface parking spaces located on the west side of Chauncey Avenue between South and State Streets (SR 26 W), West Lafayette, Wabash 19 (NE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property in this case is zoned CBW as is the area surrounding it in the Village commercial district. Zoning north and south of the CBW zoning is solidly R3W. During the past 5 years, virtually all rezoning requests in the surrounding area have been planned developments. Of thirteen cases, seven are within two blocks of this site; Chauncey Townhouses PDRS (2216), Chauncey Square PDMX (2192), State Street Towers PDMX (Z-2134), Villa on Pierce Street PDMX (Z-2122), West Lafayette Library PDNR (Z-2109), Salisbury Place PDMX (Z-2105) and State Street Commons PDMX (Z-1998). Excluding Chauncey Townhouses and West Lafayette Public Library the remaining five cases are all mixed-use developments with both commercial and residential components.

AREA LAND USE PATTERNS:

The site in this case is located in the West Lafayette Village commercial district on a block that currently houses a travel business, tanning salon and bank. On the three blocks immediately north, south and east of this site are newer retail centers: Town Centre, Chauncey Hill Mall and Chauncey Hill Annex. The block northeast is the future site of a recently approved planned development consisting of commercial and residential uses and a 470 space parking garage. West and northwest, on State Street and Northwestern Ave., are the older and in some cases historic properties that form the rest of the Village. These seven or eight blocks are located at the west end of the commercial corridor linking West Lafayette and Lafayette referred to as "hill top to hill top" and form a mixed-use residential/retail/service core with businesses primarily serving the large Purdue student population living in the neighborhoods to the north, east and south and the faculty/staff/student population on campus 3 blocks to the west. The West Lafayette Public Library, library parking garage and Morton Community Center occupy three blocks to the north and northeast.

TRAFFIC AND TRANSPORTATION:

The subject property is one of two lots on a triangular block bounded by State Street, South Street and Chauncey Ave. providing the site in question with three frontages. The site plan shows a 2700 sq. ft. building with 8 off-street parking spaces. A proposal to change Chauncey, an urban local street, from two-way to one-way, north bound, between State and South Streets includes angled parking on the west side of the street and a loading zone on the east side; would provide 6 angled spaces where there are now 4 parallel spaces; establish an on-street loading zone where there is none; and mirrors the design of Chauncey in the block north between South and Columbia Streets. The West Lafayette Traffic Commission, at its 19 January meeting, recommended in favor of the traffic flow changes in its review of the proposal, but offered no endorsement of the PD itself. South Street, an urban local is one-way east bound. In October of 2002 State Street, a primary arterial had an average daily vehicle count of 26,587. No counts were available for Chauncey or South St.

The project site is located within the study area included in the ***Purdue University Area Amendment to the Transportation Plan for 2025*** being heard at this same hearing. In an effort to “better serve mobility needs in the Purdue University area” three goals are outlined in the plan. First, to provide safe and efficient movement of all transportation modes, to, from, through and around campus. Second, encourage pedestrian traffic and discourage vehicular traffic in the central core of the campus. Third, provide parking choices for all user groups including faculty, staff, commuting students, resident students and visitors.

Transportation changes recommended by the plan near petitioner’s site include: reversing traffic on Northwestern from one-way south to one-way north bound; reversing traffic on Grant Street from one-way north to one-way south bound; making Chauncey, south of State Street, one-way north bound from Williams to State; and construct a new parking garage immediately east of the Grant Street Garage in the block south of State St. It is projected that completion of the entire plan will take 20 years anticipating that one project will be constructed every 3-4 years.

Prior to 1998 the parking standard for uses located in the Village’s Central Business Pedestrian zoning district (CBP), was 1space/125 sq. ft. After calculating a 40% reduction unique to the West Lafayette CBP zone and “customer oriented retail uses” the standard effectively became 1space/200 sq. ft. With the adoption of UZO in 1998 the parking reduction language for CBW zones (previously CBP) was dropped and uses formerly lumped together were separated into individual categories. “Eating and drinking establishments”, or restaurants, became a single land use assigned one consistent parking standard of 1 space/100 sq. ft. regardless of zoning district, which in the Village doubled the number of required parking spaces for restaurants.

All but 10 of the 85 on-street public parking spaces within a block or two of this site are restricted and enforced by the West Lafayette Police Department. Depending on the parking zone, street parking in the area is limited to 30 minutes, one hour or two hours. The West Lafayette Police Department and Engineer’s Office determined that if the PD is successful, the angled parking on the street would be restricted to 1 hour.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City sewer, private water and utilities are all available to the site. An on-site dumpster is shown in the parking lot.

In keeping with the pedestrian nature of the Village the project design incorporates signage, building materials, site plan elements and lighting oriented and scaled to pedestrians. Proposed changes to Chauncey paid for by the developer would extend sidewalks onto Chauncey, shorten the crosswalks; provide additional greenspace and improve safety in addition to gaining two new public parking spaces on the street.

The parking lot layout, which includes both bike and handicapped parking, is shown behind the restaurant allowing the building and patio along State and Chauncey to front directly onto the sidewalks, meeting the developer’s goal to design a pedestrian friendly project.

STAFF COMMENTS:

The petitioner in this case has a reputation for being unique whether it involves menu ingredients or building design. So it should be no surprise that the choice of building site and site location are also unique.

APC and City staff have discussed parking standards in the Village on and off for years. The current standard for a restaurant in CBW is 1space/100 sq. ft. with no allowance for the pedestrian nature of the Village, which is the same as what would be applied to a new restaurant locating in the GB district along Sagamore West, a suburban design that caters to vehicular traffic. Yet, the CBW district is defined as a core downtown like business area with

significant vehicular and pedestrian traffic adjacent to Purdue University serving a mix of business and residential land uses. The closest equivalent zoning district to CBW is the CB district located in downtown Lafayette where the parking standard for a new restaurant is zero. Parking problems in the Village are unique because of the mix of commercial/retail needs and the tendency for students to use the area as short term and overflow parking as they arrive on campus for classes. So while it is unlikely that West Lafayette will adopt parking standards that mirror downtown Lafayette, it is also unnecessary and at times a detriment to apply suburban standards to the most urban parts of the community.

Some planning publications will argue that urban districts are best served by parking caps rather than minimums with the goal of preserving limited land for development rather than pavement. Until a parking study is conducted and an appropriate parking standard is applied in the Village, every new redevelopment plan will face a very old problem that leaves developers with two options, variance or planned development. As is evident by looking at the zoning map and variance history for the Village both are routine occurrences.

On the plus side, the proposal is pedestrian oriented, maximizes its greenspace requirements, includes a uniquely designed building sensitive to its surroundings and is based on the developer's experience gained from at least 15 locations on other college campuses and twice that many urban sites all of which have no on-site parking. On the negative side, the proposal uses a locally unproven parking standard for new development in the Village.

So what are the alternatives? Do nothing with a site? A quick calculation shows that based on its present size and land use this site, with 6 parking spaces, is already under parked and should have 17 spaces. Turn the entire site into a surface parking lot? Over the years, this has been done here and in other communities in the name of progress and only serves to unravel the urban fabric that makes areas like the Village unique.

Over the years, the City of West Lafayette has compiled data on parking in the Village, both private and on-street. Clearly the time to take that and other data and establish a parking standard that works for the Village is here. Until then, every redevelopment plan is likely to come before this commission as a planned development with the onus on the developer to provide evidence that the project at hand is truly pedestrian in nature and that it can exist with a less than suburban parking standard. Staff believes that the design elements incorporated into this building site, developer paid improvements to Chauncey and the experience this organization brings to the table from other urban sites and college campuses is significant. With the support of City staff behind this project and a commitment to addressing a permanent solution to the parking standard in the Village, APC staff can give this project a favorable recommendation.

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*;
3. A final plat per *UZO Appendix B-3-2* as applicable;
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