

ORDINANCE NO. 24-05

**TO REZONE CERTAIN REAL ESTATE WITHIN
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 City of West Lafayette, Indiana, is hereby amended to rezone the following described real estate, to-wit:

Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8) and Nine (9) in Martin's Addition to West Lafayette. Said Lots as laid out and plotted are located on a point of Lot number Fourteen (14) in Chauncey's Plat of Bottom Lands and a strip of land immediately north and adjoining, all situated on a part of the north half of the southwest fractional quarter of Section Twenty (20) in Township Twenty-three (23) North, Range Four (4) West, in Wabash Township, Tippecanoe County, Indiana.

Section 2. Said real estate is hereby rezoned as follows:
FROM: "GB" 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.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA UPON THIS ____ DAY OF _____, 2005.

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 _____, 2005.

Judith C. Rhodes, Clerk-Treasurer

This Ordinance approved and signed by me on the _____ day of _____, 2005.

Jan H. Mills, Mayor

Attest:

Judith C. Rhodes, Clerk-Treasurer

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

August 18, 2005
Ref. No.: 05-492

RECEIVED

AUG 22 2005

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

CLERK - TREASURER

CERTIFICATION

**RE: Z-2242 – SPEEDWAY SUPERAMERICA LLC (GB TO PDNR)
(Speedway 8534 Planed Development):**

Petitioner is requesting rezoning of lots 1-9 in Martin's Addition in West Lafayette to update an existing gas station with new building, pumps and canopy. The site in question is commonly known as 265 E. State Street in West Lafayette, Wabash 20 (SW) 23-4.

Dear Council Members:

As Secretary pro tem to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 17, 2005, the Area Plan Commission of Tippecanoe County voted 13 yes – 0 no to approve the motion to rezone the subject real estate from GB 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:

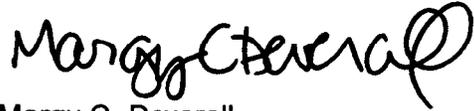
1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
3. A final plat per UZO Appendix B-3-2 as applicable;
4. Appropriate performance bonds submitted with final detailed plans;
5. A "No Vehicular Access" statement platted along State Street right-of-way except for approved drives;
6. Planting plan and schedule approved by the West Lafayette Greenspace Administrator;
7. Correction on sheet 8534-BS Base Plan to show the Restricted Sales Area to include the green space between the right-of-way and the north side of the new building;

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. A restriction prohibiting sales of outdoor merchandise except where expressly allowed, also enforceable by the Administrative Officer.

Public Notice has been given that this petition will be heard before the West Lafayette City Council at its September 6, 2005 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

A handwritten signature in black ink that reads "Margy C. Deverall". The signature is written in a cursive style with a large, looped initial "M".

Margy C. Deverall
Assistant Director

MCD/bb

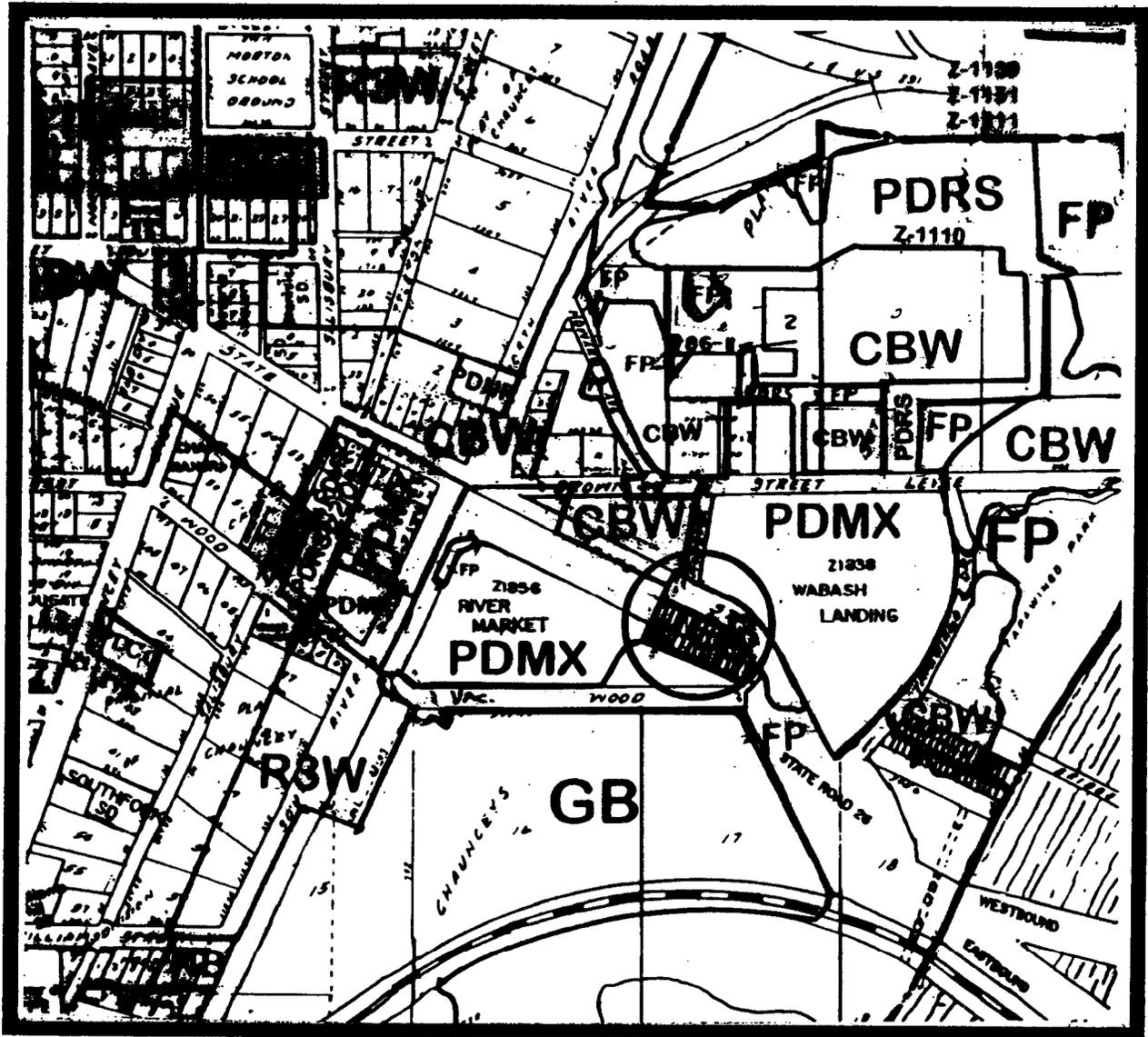
Enclosures: Planned Development drawings and Ordinances

cc: Speedway SuperAmerica LLC
Speedway SuperAmerica c/o Property Tax Records
Joseph T. Bumbleburg
Schneider Corporation
Zoning Enforcement Officer
John Meluch, Verizon
Kerry Plantenga, Insight Communications
Jim Yarnal, Vectron
Jeff Beumel, Cinergy PSI

Z-2242
SPEEDWAY SUPERAMERICA, LLC
SPEEDWAY 8534 PLANNED DEVELOPMENT
GB TO PDNR

STAFF REPORT
11 August 2005

Z-2242
Speedway Superamerica LLC
(GB to PDNR)



Scale 1" = 500'

Z-2242

**SPEEDWAY SUPERAMERICA, LLC
SPEEDWAY 8534 PLANNED DEVELOPMENT
GB to PDNR**

**Staff Report
11 August 2005**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by project manager Howard Smith and attorney Joe Bumbleburg, is requesting rezoning of lots 1-9 in Martin's Addition to West Lafayette to update an existing gas station with new building, pumps and canopy. The site in question is commonly known as 265 E. State Street in West Lafayette, Wabash 20(SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site in this case is zoned GB. Both Flood Plain and GB zoning are located to the south between petitioner's site and the city limits. A mix of CBW and PD zoning abuts north, east and west of the site. Planned developments, primarily PDMX, dominate recent rezones in and around the Levee. Those nearest the site include: Wabash Landing (Z-1838, 3/99); River Market (Z-1856, 7/99); Osco Drug Store (Z-2013, 6/01, approved but never built); Salisbury Place (Z-2105, 1/03); State Street Towers (Z-2134, 8/03); and Capp & Gino's (Z-2160, 2/04).

AREA LAND USE PATTERNS:

The site in question is an existing Speedway gas station. Land use in the surrounding area is a mix of fast food & sit down restaurants; service businesses; shopping centers; hotel/motel and residential (primarily apartments). Land immediately south of the site is vacant. A City owned wastewater lift station and monitoring well are located on the lots immediately east of the gas station.

TRAFFIC AND TRANSPORTATION:

Petitioner's property fronts onto and gains all access by two drives onto State Street (SR 26 West), an urban primary arterial according to the *Thoroughfare Plan*. Traffic counts taken in October 2002 show an average daily count of 29,234 vehicles. Access and use of the two existing drives onto the site after renovation will not change.

A temporary agreement between the City and petitioner has permitted the city cross access for vehicles to make weekly visits to monitor the lift station immediately east of the gas station. No provision has been made on the new site plan to continue cross access, though petitioner and city staff discussed it during negotiation meetings.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City sewer and water presently serve the site. Utilities are located underground across the front of the property. A letter from INDOT's Crawfordsville office, dated 9 May 2005, states, "... we at INDOT would greatly discourage the planting of any trees or shrubs over existing utilities along the right of way in front of the Speedway Station on SR26 in West Lafayette. Such plantings could cause problems with access to the utilities and could also create sight distance problems as the location is on a slight curve." Petitioner's landscape plan shows perimeter tree plantings,

evergreen screening along the south boundary and low shrubs rather than street trees in the area known to have underground utilities.

STAFF COMMENTS:

Meetings between the company's project manager and staff from WL and APC expressing the owner's interest to replace the existing building and upgrade the gas pumps and canopy have been ongoing over the past year. Issues including green space, outdoor sales, signage, cross access and setbacks were discussed. The front setback of 60' from State Street (SR 26), a primary arterial, posed the greatest challenge for this site. Given the option of multiple variances or PD zoning, it was WL staff's preference and ultimately the company's decision to redevelop the site by seeking PDNR zoning.

The proposed building is now shown 22' from the front property line; green space is calculated at 16% and includes shrubs planted between the lot line and sidewalk within the right-of-way along State Street. Outdoor sales of merchandise, a long standing concern of City staff due to sight obstructions, has been restricted in the area between the right-of-way and the leading edge of the canopy and north side of building. A generous sign package of 122.5 sq. ft. composed of 4 signs (2 canopy mounted logos; 1 building mounted reader board; and 1 monument sign) was accepted by the City Engineer's office after rejecting an initial proposal of 278.5 sq. ft. Continued cross access through the site to the City's lift station was requested by the Public Works Director but no permanent easement was offered by petitioner during the negotiation process. As a result, the city's letter accepting the sign package adds a condition of continued access to the lift station until INDOT grants the city permission to install a new drive to the site.

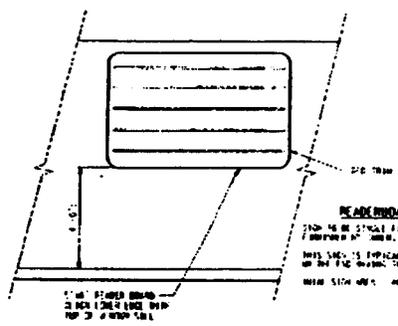
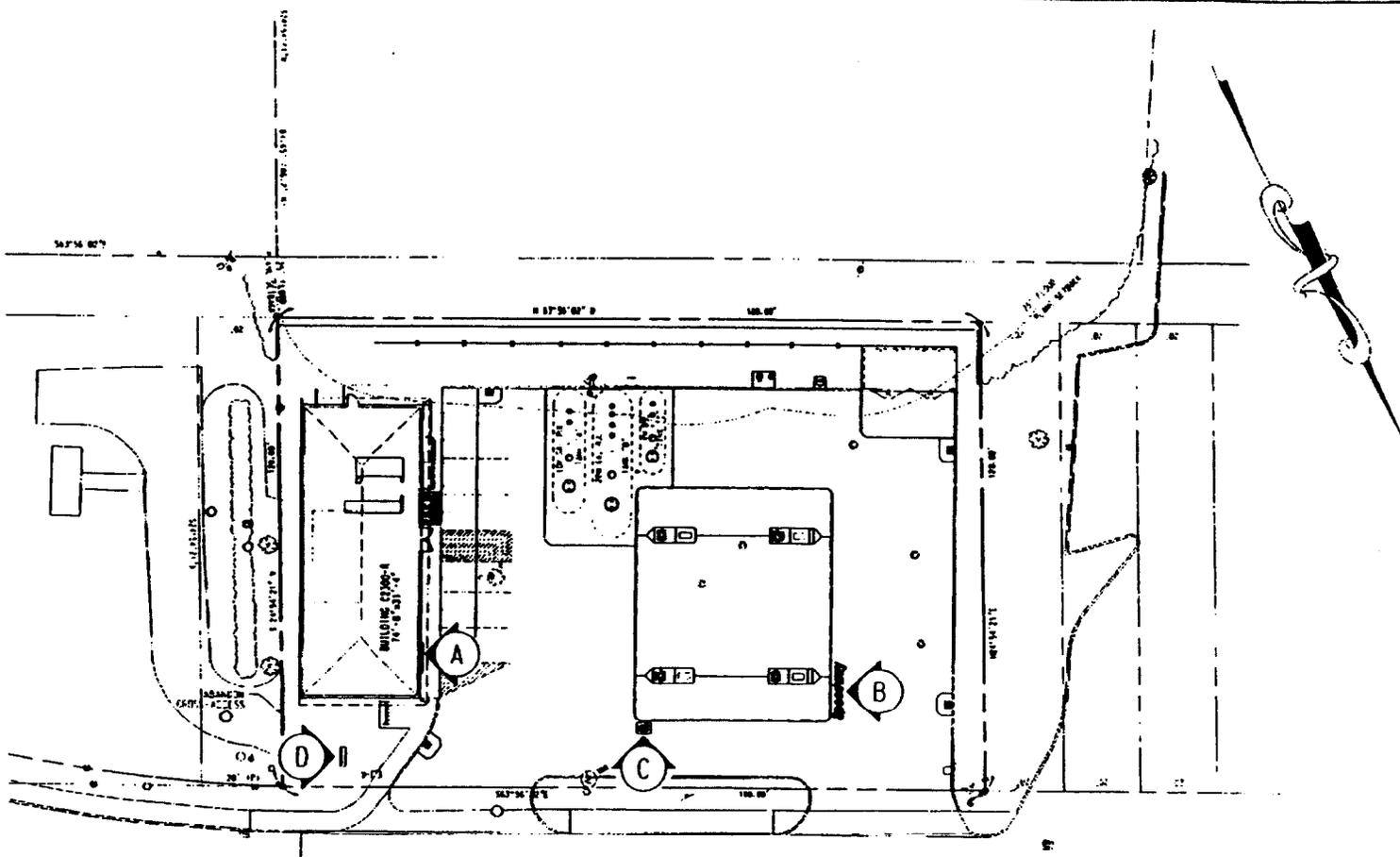
STAFF RECOMMENDATION:

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;
4. Appropriate performance bonds submitted with final detailed plans
5. A "No Vehicular Access" statement platted along the State Street right-of-way except for approved drives;
6. Planting plan and schedule approved by the West Lafayette Greenspace Administrator;
7. Correction on sheet 8534-BS Base Plan to show the Restricted Sales Area to include the green space between the right-of-way and the north side of the new building;

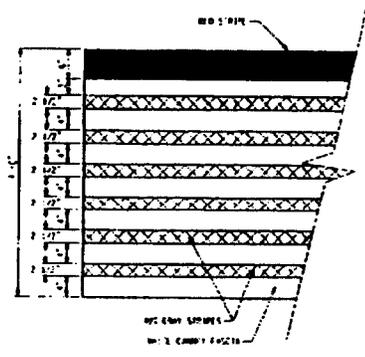
Restrictive Covenants – The following items shall be part of the planned development's covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

8. A restriction prohibiting sales of outdoor merchandise except where expressly allowed, also enforceable by the Administrative Officer.

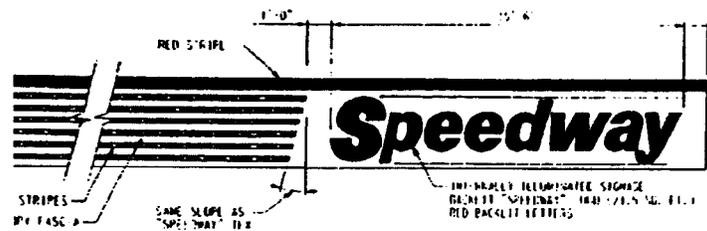


READER BOARD ELEVATION "A"
SCALE: 1/4" = 1'-0"

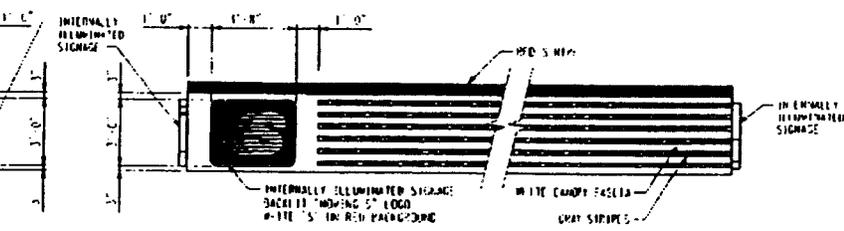
READERBOARD SIGN HOLES
SIGN TO BE STAINLESS STEEL AND 2 1/2" DIA. IN 2" DIA. HOLE. HOLE TO BE 1/2" DIA. AND 1/2" DIA. BY COMPACTOR. HOLES TO BE 1/2" DIA. AND 1/2" DIA. HOLES TO BE 1/2" DIA. HOLES TO BE 1/2" DIA. HOLES TO BE 1/2" DIA.



CANOPY STRIPING DETAIL
SCALE: 1/2" = 1'-0"

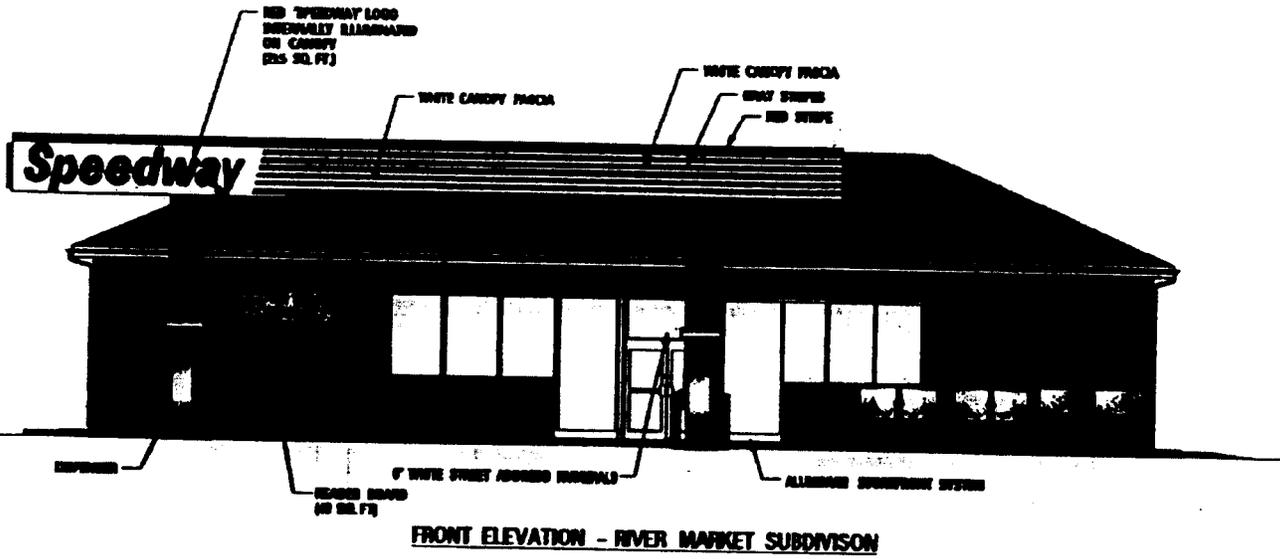


CANOPY FASCIA ELEVATION "B"
SCALE: 1/4" = 1'-0"



CANOPY FASCIA ELEVATION "C"
SCALE: 1/4" = 1'-0"

NOTES:
1. FOR STRIPE SPACING, SEE CANOPY STRIPING DETAIL ABOVE.
2.



COLOR MATCHING SYSTEM SPECIFICATIONS

- 1. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
 - 2. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
 - 3. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
 - 4. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
 - 5. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
- ALL FINISHES TO BE PER ORDER READY AS PREPARED BY SPEEDWAY SIGNMOUNTING, INC.

GRAPHICS - INSTALLATION

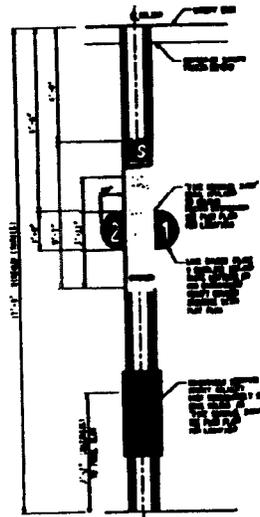
ITEM	QUANTITY	UNIT	REMARKS
1. SIGN	1	EA	SEE PLAN FOR LOCATION OF SIGN
2. SIGN MOUNTING SYSTEM	1	EA	SEE PLAN FOR LOCATION OF SIGNMOUNTING SYSTEM
3. ADDRESS NUMERALS	1	EA	SEE PLAN FOR LOCATION OF ADDRESS NUMERALS
4. ADDRESS NUMERALS	1	EA	SEE PLAN FOR LOCATION OF ADDRESS NUMERALS

- 1. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.
- 2. SEE SPECIFICATIONS FOR FINISHES AND QUALITY.

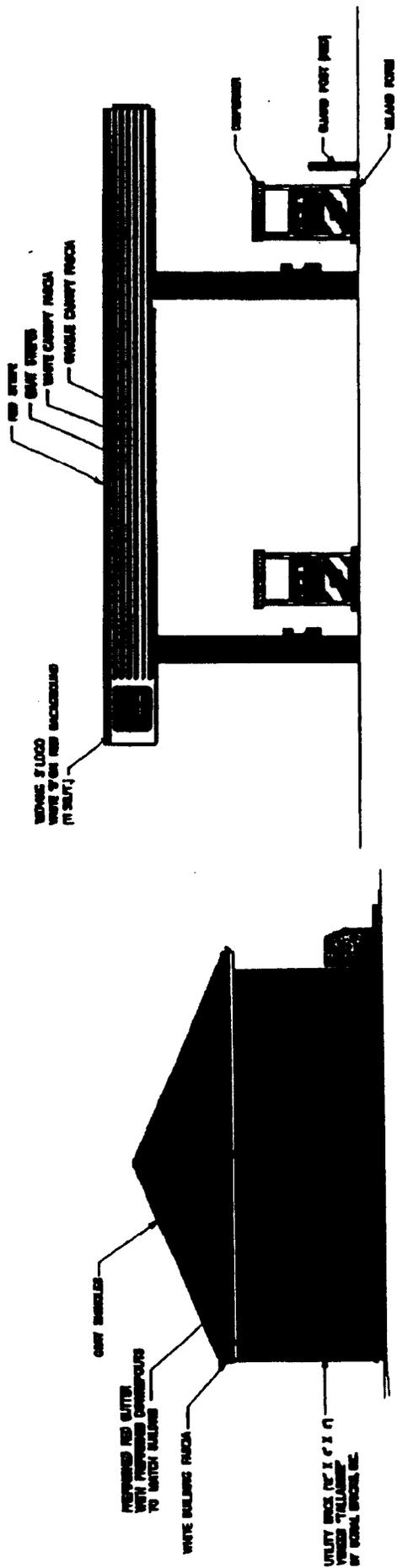
YARD AREA PAINTING REQUIREMENTS

THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES.

ITEM	QUANTITY	UNIT	REMARKS
1. PAINT	1	EA	SEE PLAN FOR LOCATION OF PAINT
2. PAINT	1	EA	SEE PLAN FOR LOCATION OF PAINT
3. PAINT	1	EA	SEE PLAN FOR LOCATION OF PAINT
4. PAINT	1	EA	SEE PLAN FOR LOCATION OF PAINT



FRONT ELEVATION - FIRE ALARM SIGN AND WINDOW-MOUNTED SERVICE BUCKET



SIDE ELEVATION - STATE STREET

<p>PERMIT & ZONING DRAWING SPEEDWAY BUILDING / CANOPY PROJECT - NORTH BOUND FROM BUILDING TYPE COMM NORTH LAKEVILLE, MINNAPPA</p>		<p>Established 1988</p> <p>Speedway SUPERAMERICA</p> <p>10000 W. 13th Avenue, Suite 100 North Lakewood, CO 80238 Phone: 303.440.8888</p>	
<p>DATE: 03/11/08</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DESIGN TEAM: L. PUCHTA</p> <p>PROJECT NO.: 0304 / 07876</p> <p>PROJECT: 2300 V3.4</p>	<p>NO. 1</p> <p>DATE: 03/11/08</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DESIGN TEAM: L. PUCHTA</p> <p>PROJECT NO.: 0304 / 07876</p> <p>PROJECT: 2300 V3.4</p>	<p>NO. 2</p> <p>DATE: 03/11/08</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DESIGN TEAM: L. PUCHTA</p> <p>PROJECT NO.: 0304 / 07876</p> <p>PROJECT: 2300 V3.4</p>	<p>NO. 3</p> <p>DATE: 03/11/08</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DESIGN TEAM: L. PUCHTA</p> <p>PROJECT NO.: 0304 / 07876</p> <p>PROJECT: 2300 V3.4</p>
<p>#STD-AG-SP38</p>			