

ORDINANCE NO. 23-15

**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: OR
TO: GB

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

SAGAMORE COMMONS ZONING DESCRIPTION

Part of the Southwest and Southeast Quarters of the Southwest Quarter and part of the Southeast Quarter of Section 1, Township 23 North, Range 5 West of the Second Principal Meridian, Wabash Township, Tippecanoe County, Indiana, described as follows:

Commencing at the Southwest Corner of said Southwest Quarter; thence along the south line of the Southwest Quarter of said Southwest Quarter North 89 degrees 30 minutes 35 seconds East (bearing based upon the Final Plat of Lot #1 of The Ivy Towns and Flats, Planned Unit Development as recorded as Record #201313022714 in the office of the Recorder of Tippecanoe County, Indiana) 868.07 feet to the easterly limits of Flood Hazard Area "A" per Letter of Map Amendment Case #13-05-3434A dated April 23, 2013, and the **Point of Beginning**; thence continuing along said south line North 89 degrees 30 minutes 35 seconds East 426.78 feet to the Southwest Corner of the Southeast Quarter of said Southwest Quarter; thence along the south line of said Quarter Quarter Section North 89 degrees 11 minutes 22 seconds East 1131.22 feet to a rebar with yellow plastic cap stamped "Schneider Firm #001; thence North 58 degrees 52 minutes 54 seconds East 98.42 feet to a "Schneider" capped rebar; thence North 89 degrees 02 minutes 40 seconds East 117.81 feet to a rebar with a cap marked "Vester" on the westerly right of way of U.S. Highway #52 (Proj. No. 75 (6) Part "A" 1948); thence along said westerly line North 31 degrees 06 minutes 06 seconds West 1148.62 feet to a "Vester" capped rebar; thence South 58 degrees 42 minutes 59 seconds West 871.13 feet; thence South 89 degrees 29 minutes 57 seconds West 549.57 feet to the easterly line of aforesaid Flood Hazard Area "A", the remaining courses are along said east line; thence South 06 degrees 06 minutes 38 seconds East 332.86 feet; thence South 09 degrees 29 minutes 15 seconds East 64.60 feet; thence South 22 degrees 22 minutes 52 seconds East 168.45 feet; thence South 19 degrees 34 minutes 12 seconds East 51.36 feet to the place of beginning, containing 28.25 acres, more or less.

Z-2610
SAGAMORE COMMONS, LLC
OR to GB

Staff Report
July 9, 2015

The following is the same report submitted last month for the June hearing. Staff has not received any new information for this case and again recommends continuance.

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, Sagamore Commons LLC by Tim Stevens (represented by attorney Joseph Bumbleburg and Mike Wylie of Schneider Engineering), is requesting rezoning of 28.25 acres located on the southwest side of Sagamore Parkway West, between Cumberland Avenue and Win Hentschel Blvd. extended, in West Lafayette, Wabash 1 (S½) 23-5.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is zoned OR (Office Research), as are properties to the north, northwest and to the northeast. The OR zoned properties in West Lafayette were transitioned from IR (Industrial Reserve) in 1998 with the adoption of the first edition of our current Unified Zoning Ordinance. GB (General Business) zoning adjoins along the south boundary, which has essentially been in place since 1969 (Z-325), with some modification in 1999 (Z-1876). Properties to the northeast, across Sagamore Parkway, are also zoned GB. The Cuppy McClure regulated drain follows the west boundary and consequently has a narrow band of FP (Flood Plain) zoning associated with it that has been certified with this rezone petition. In 2008, the same petitioner withdrew the first proposal to rezone this land to GB (Z-2368), due to Flood Plain boundary issues (according to the withdrawal letter). Land to the west of the regulated drain was rezoned in January 2013 from OR to PDRS (Planned Development-Residential) for the Cumberland Proper apartment complex (Z-2506).

AREA LAND USE PATTERNS:

These 28.25 acres are relatively flat, undeveloped and open. An on-site detention pond is located just east of the west boundary (drainage ditch). To the north are the iconic MED Institute (former Great Lakes Chemical) building, its parking lot and a large pond. The Purdue Federal Credit Union building and other businesses in the Purdue Research Park are located to the northeast across Sagamore Parkway. Along the south boundary are Applebee's restaurant, the Four Points (Sheraton) hotel and convention center, and the White Horse Christian Center.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Indiana American Water mains and West Lafayette sanitary sewer mains are available to serve this site. Erosion control and stormwater plans will be approved by the West Lafayette City Engineer. Drainage into the Cuppy McClure regulated drain will also require approval by the Tippecanoe County Drainage Board.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies Sagamore Parkway (formerly US 52) as an urban divided

primary arterial. Although no longer designated as a state route, the Indiana Department of Transportation (INDOT) still has authority over the right-of-way and road improvements. There are three existing openings in the limited access right-of-way to this property that were recorded in 1985 and 1986. However, the proposed subdivision preliminary plat shows that the developer only intends to use the middle 65-ft wide access for a new public street entrance.

STAFF COMMENTS:

Staff has serious concerns about the safety and adequacy of the access from Sagamore Parkway for the future uses of this site, especially if rezoned to GB. The number of potential commercial uses increases greatly between OR and GB zoning, plus this section of Sagamore Parkway is heavily traveled. The average daily traffic counts taken in 2013 to the north and south along Sagamore Parkway were 29,746 and 32,655 vehicles, respectively. There is an existing break in the median of this four lane street that lines up with the proposed entrance, but it appears to be undersized for the heavy traffic along this road. The recorded documents establishing the three access openings are by court order, and staff believes that the locations and dimensions of these openings may not be changed.

Existing traffic signals are located at the Win Hentschel Blvd intersection to the north and the Cumberland Avenue intersection to the south, approximately 1,640-ft apart. The proposed entrance is just north of the middle between these two signals, about 750-ft south of the Win Hentschel intersection. Adding another traffic signal to handle the turning movements for this development has not been proposed on the subdivision preliminary plat, but it will likely be seen as the solution as lots are platted and commercial uses are added on this heavily traveled road. However, the short distances between signals are an important cause for concern.

Staff strongly encourages finding a way to add access to this property from Cumberland Avenue. Although space is tight, there may be room for a road connection between the church and hotel properties. The subdivision preliminary plat does show a private driveway connection from the new internal street's south turnaround to the adjoining commercial property, between Applebee's and the hotel. However, staff understands that the necessary agreement with the adjoining owner for this connection is not yet finalized.

The 1981 Phased Land Use Plan (part of the *Comprehensive Plan for Tippecanoe County*) indicated an agricultural future for this section of land along Sagamore Parkway, with a small area of commercial and mostly residential land use to the south. Clearly the area has developed differently than expected, especially with the GB rezones to the south and the OR zoning north of Cumberland Avenue. The Purdue Research Park has developed and filled in on the east side of Sagamore Parkway, and is continuing to grow north of Kalberer Road. With office research uses moving in the opposite direction and the commercial lots to the south fully developed, it appears the most likely future for this land is commercial.

However, the new entrance street will require an INDOT driveway permit, which will require a traffic impact study based on the potential commercial uses allowed by GB zoning. This will determine the appropriate entrance design and whether or not the existing 65-ft opening in the limited access right-of-way, as determined by court documents, can accommodate the proposed development. To date, INDOT has not received an application for or made a determination about the design of the entrance. Until that has occurred or an access from Cumberland Avenue can be established, staff feels this case is premature and should be continued.

STAFF RECOMMENDATION:

Continuance

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

July 16, 2015
Ref. No.: 15-141

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

CERTIFICATION

RE: **Z-2610--SAGAMORE COMMONS, LLC (OR to GB):**

Petitioner is requesting rezoning of 28.25 acres located on the southwest side of Sagamore Parkway West, between Cumberland Avenue and Win Hentschel Blvd. extended, in West Lafayette, Wabash 1 (S½) 23-5. CONTINUED FROM THE JUNE APC MEETING AT STAFF'S REQUEST IN ORDER TO CERTIFY THE FLOOD PLAIN ZONING ONSITE.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 15, 2015 the Area Plan Commission of Tippecanoe County voted 10 yes - 1 no on the motion to rezone the subject real estate from OR to GB. 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 August 3, 2015 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: Sagamore Commons
Joseph Bumbleburg
The Schneider Corporation
Dave Buck, West Lafayette Engineer