

ORDINANCE NO. 21-20

**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: **GB, NB, OR, PDMX** (also referenced as 09PDMX), and **PDNR** district
TO: **CBW** district

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

INTRODUCED ON FIRST READING ON THE 2 DAY OF November, 2020.

MOTION TO ADOPT MADE BY COUNCILOR Thomas, AND SECONDED BY COUNCILOR Blanco.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 2 DAY OF November, 2020, HAVING BEEN PASSED BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Bunder	✓			
DeBoer			✓	
Kang	✓			
Leverenz	✓			
Parker	✓			
Sanders	✓			
Thomas	✓			
Wang	✓			


Peter Bunder, Presiding Officer

Attest:

Sana G. Booker
Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 3 DAY OF November, 2020.

Sana G. Booker
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 3 DAY OF November, 2020.

John R. Dennis
John R. Dennis, Mayor

Attest:

Sana G. Booker
Sana G. Booker, Clerk



EXHIBIT A
Legal Description

A part of the Northeast and Southeast Quarters of Section 24, and a part of the Northeast Quarter of Section 25, all in Township 23 North, Range 5 West, Tippecanoe County, Indiana, described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of Section 24, Township 23 North, Range 5 West; thence along the south line of said Quarter Section North 89 Degrees 34 Minutes 38 Seconds East (basis of bearing = ALTA/ACSM Land Title Survey prepared by The Schneider Corporation, recorded as Record No. 201515007057 in the Office of the Recorder of Tippecanoe County, Indiana) 327.73 feet to the west line of the East Half of the West Half of the West Half of said Northeast Quarter and the Point of Beginning; thence along said west line North 00 Degrees 12 Minutes 50 Seconds East 912.46 feet to north line of Purdue Research Foundation as described in Deed Record 256 page 125; thence along said north line North 88 Degrees 50 Minutes 01 Seconds East 563.43 feet to the center line of McCormick Road as described in Deed Record 294 page 242, being a point on a non-tangent curve concave westerly having a radius of 2291.83 feet, the radius point of said curve bears South 88 Degrees 04 Minutes 34 Seconds West from said point; thence Northerly along said curve 223.36 feet to a point that bears North 82 Degrees 29 Minutes 31 Seconds East from the radius point and the center line of 3rd Street; thence along said center line North 89 Degrees 53 Minutes 13 Seconds East 458.90 feet to the center line of McCutcheon Drive; thence along said center line South 00 Degrees 22 Minutes 27 Seconds East 1139.89 feet to the south line of aforesaid Northeast Quarter; thence South 01 Degrees 45 minutes 57 Seconds West 48.04 feet to the centerline of S. McCutcheon Drive in Continuum Planned Development, the plat of which is recorded at Record No. 201919016246; thence South 00 Degrees 00 minutes 00 Seconds East along said centerline 446.06 feet to the centerline of District Blvd in said plat; thence North 83 Degrees 00 Minutes 07 Seconds East along said centerline 389.04 feet to the west line of Foundry Drive in Convergence Planned Development, Phase I, the plat of which is recorded at Record No. 201818017206; thence North 83 Degrees 00 Minutes 07 Seconds East 83.62 feet to the centerline of District Blvd in the aforesaid Continuum Planned Development; thence North 83 Degrees 00 Minutes 07 Seconds East along said centerline 168.20 feet; thence North 06 Degrees 59 Minutes 53 Seconds West 36.50 feet to the southeast corner of Lot 1 in the aforesaid Convergence Planned Development; the following three courses are along the east and north lines of said Lot 1: (1) North 00 Degrees 00 Minutes 00 Seconds East 283.19 feet; (2) North 90 Degrees 00 Minutes 00 Seconds West 29.50 feet; (3) North 00 Degrees 00 Minutes 00 Seconds East 53.00 feet; thence North 00 Degrees 25 Minutes 19 Seconds West 48.01 feet to the aforesaid south line of the Northeast Quarter; thence North 89 Degrees 34 Minutes 38 Seconds East 289.54 feet to the north projection of the centerline of S. MacArthur Drive in Innovation Place Apartments Planned Development, the plat of which is recorded at Record No. 201818000303 and the revised plat recorded at Record No. 201919007979; thence South 00 Degrees 25 Minutes 17 Seconds East along said north projection and centerline 416.01 feet to a north line of the aforesaid Continuum Planned Development; thence North 82 Degrees 59 Minutes 27 Seconds East along said line 38.76 feet to the southwest corner of Lot 1 in the

aforesaid Innovation Place Apartments Planned Development; thence North 82 Degrees 58 Minutes 40 Seconds east along the south line of said Lot 30.45 feet; thence South 06 Degrees 19 Minutes 43 Seconds East 458.61 feet; thence South 73 Degrees 52 Minutes 46 Seconds East 288.22 feet to the East line of the Southeast Quarter of Section 24; thence South 00 Degrees 35 Minutes 07 Seconds East along said line 300.38 feet to the centerline of Nimitz Drive; thence South 88 Degrees 54 Minutes 52 Seconds West along said line 63.32 feet; thence South 00 Degrees 35 Minutes 07 Seconds East parallel with said East line 599.17 feet; thence South 78 Degrees 26 Minutes 18 Seconds East 64.76 feet to said East line; thence South 00 Degrees 35 Minutes 07 Seconds East along said East line 388.67 feet to the north line of U.S. #231, per Project NH-081-6(019) Parcel 9C, recorded as Record No. 20100006720; thence continuing South 00 Degrees 35 Minutes 07 Seconds East along the aforesaid East line a distance of 390.68 feet to the Southeast Corner of the aforesaid Southeast Quarter; thence South 00 Degrees 30 minutes 44 Seconds West along the East line of the Northeast Quarter of Section 25 a distance of 8.61 feet to the centerline of U.S. Highway Number 231 (Project No. NH-081-6(019), being a point on a non-tangent curve concave southwesterly having a radius of 2368.76 feet, the radius point of said curve bears South 31 Degrees 12 Minutes 01 Seconds West from said point; thence Northwesterly along said centerline and curve 1307.50 feet and into the Southeast Quarter of Section 24 to a point that bears North 0 Degrees 25 Minutes 32 Seconds West from said radius point; thence South 89 Degrees 34 Minutes 25 Seconds West along said centerline 487.33 feet to the intersection of said centerline and the southerly projection of line PR-G per preliminary plans for Section 6A - Airport Road dated November 20, 2017; the following five courses are along said projection and said line PR-G: (1) North 00 Degrees 34 Minutes 36 Seconds West 206.39 feet to the point of curvature of a curve concave westerly having a radius of 1199.93 feet, the radius point of said curve bears South 89 Degrees 25 Minutes 24 Seconds West from said point; (2) northerly along said curve 62.72 feet to the point of tangency which bears North 86 Degrees 25 Minutes 43 Seconds East from the radius point; (3) North 3 Degrees 33 Minutes 51 Seconds West 116.47 feet to the point of curvature of a curve concave easterly having a radius of 1199.93 feet, the radius point of said curve bears North 86 Degrees 26 Minutes 09 Seconds East from said point; (4) northerly along said curve 65.75 feet to the point of tangency which bears South 89 Degrees 34 Minutes 31 Seconds West from the radius point; (5) North 00 Degrees 25 Minutes 54 Seconds West 1845.21 feet to the south line of the Northeast Quarter of Section 24; thence South 89 Degrees 34 Minutes 38 Seconds West along said line 561.18 feet to the Point of Beginning, containing 103.73 acres, more or less.

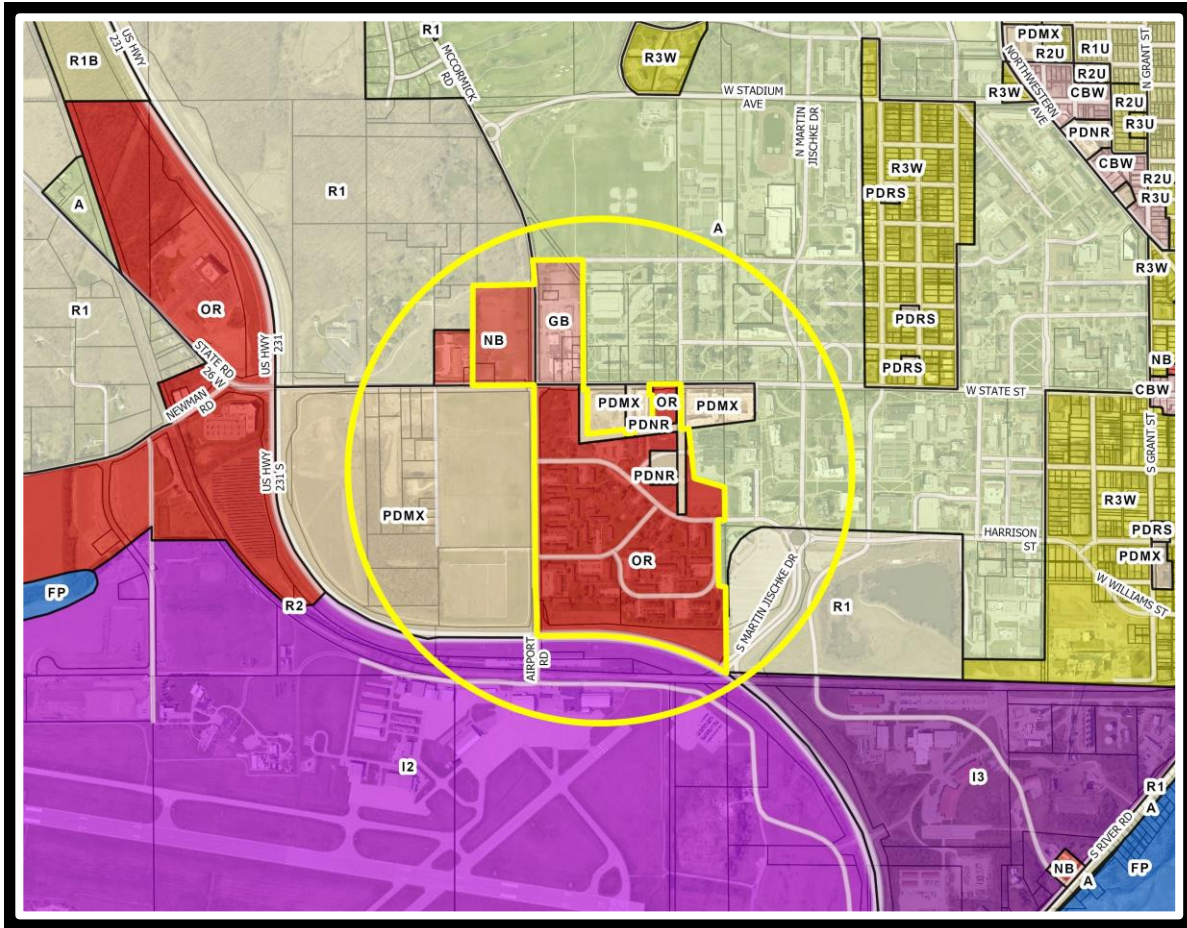
EXCLUDING FROM THE FOREGOING LEGAL DESCRIPTIONS ALL PURDUE UNIVERSITY, THE TRUSTEES OF PURDUE UNIVERSITY, AND PUBLIC RIGHTS-OF-WAY.

The foregoing descriptions were created to define a particular area in general terms and not intended to represent the results of a boundary survey or component of a real estate conveyance document. The area defined is based in part upon surveys by The Schneider Corporation, Schneider Geomatics; Highway plans, plat information and maps from aerial photography as generated by Indiana University.

Prepared by: Mark S. Hennessey PS, Schneider Geomatics, September 19, 2020.

Z-2809
PURDUE RESEARCH FOUNDATION
(GB, NB, OR, PDMX, & PDNR to CBW)

STAFF REPORT
October 15, 2020



Z-2809
PURDUE RESEARCH FOUNDATION
GB, NB, OR, PDMX, PDNR to CBW

Staff Report
October 15, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Marianne Mitten Owen, is requesting rezoning of approximately 103.73 acres (the Discovery Park District Overlay area) located north of US 231, east of Airport Road, south of 3rd Street and west of Martin Jischke Drive in West Lafayette, Wabash 24 (E1/2) 23-5.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property was rezoned in late 2018 to the above-mentioned non-planned development zones with the US 231 Corridor Rezone (Z-2743). This effort stemmed from the recommendations of the *US 231 Corridor Plan*, adopted earlier in 2018. The three planned developments in the Discovery Park District Overlay area (but are not part of this petition) include: Aspire (Z-2770), Convergence (Z-2726), and Continuum (Z-2765). Some remnant PD-zoned land that is either right-of-way or undeveloped and not needed is also included in this petition. The Provenance PD (Z-2766) lies to the west of the subject property while surrounding land, owned by the Purdue University Trustees and not bound by local zoning, is zoned Agricultural.

AREA LAND USE PATTERNS:

The site is adjacent to a heavily developed part of Purdue's campus. Dormitories, research, and academic buildings dominate the area. Mixed-use planned developments and the residential-oriented Provenance PD (under development) contribute to the dynamic mix of uses in this area.

TRAFFIC AND TRANSPORTATION:

State Street is classified in the *Thoroughfare Plan* as a primary arterial while US 231 is classified as a divided primary arterial, and Airport/McCormick Roads are classified as secondary arterials. All other streets within the legal description are urban local roads.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Public utilities available to serve the site.

STAFF COMMENTS:

The Discovery Park District has been a concept under refinement for many years by the Purdue Research Foundation and Purdue University. Their partnership with the Area Plan Commission and the City of West Lafayette has resulted in a very productive chain of events that has steadily been bringing the vision for this emerging neighborhood to life: The *US 231 Corridor Plan*, four large mixed-use planned developments, the Discovery

Park Form-Based Overlay, and this CBW petition, which is designed to complement the overlay with an appropriate mix of uses allowed by-right and by special exception. All these efforts have laid a strong foundation on which to build as this emerging center of activity continues its evolution. Staff looks forward to our continued partnership with PRF and the University as we guide new development through these new zoning changes.

STAFF RECOMMENDATION:

Approval

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

October 22, 2020
Ref. No.: 2020-268

West Lafayette Common Council
1200 N Salisbury Street
West Lafayette, IN 47906

RECEIVED

OCT 22 2020

CLERK

CERTIFICATION

RE: Z-2809 PURDUE RESEARCH FOUNDATION (GB, NB, OR, PDMX & PDNR to CBW):

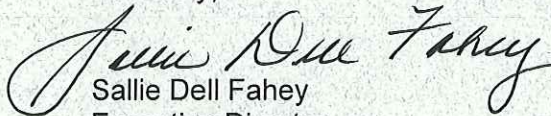
Petitioner is requesting rezoning of 103.73 acres (the Discovery Park District Overlay area) located north of US 231, east of Airport Road, south of 3rd Street and west of Martin Jischke Drive in West Lafayette, Wabash 24 (E1/2) 23-5.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 21, 2020 the Area Plan Commission of Tippecanoe County voted 16 yes - 0 no on the motion to rezone the subject real estate from (GB, NB, OR, PDMX & PDNR to CBW). 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 their November 2, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Marianne Mitton Owen, Stuart & Branigin LLP
Jeremy Slater, PRF
Scott Seidle, PRF