

**ORDINANCE NO. 21-16**

**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: PDMX district  
TO: PDRS 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 1 DAY OF August, 2016.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR DeBoer.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 1 DAY OF August, 2016, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha			✓	
Keen	✓			
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang	✓			

  
Peter Bunder, Presiding Officer


Attest:

  
Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON  
THE 2 DAY OF August, 2016.

  
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 4 DAY OF  
August, 2016.

  
John R. Dennis, Mayor

Attest:

  
Sana G. Booker, Clerk

**WABASH LANDING  
LAND TO BE REZONED  
BELOW 554.0 ELEVATION**

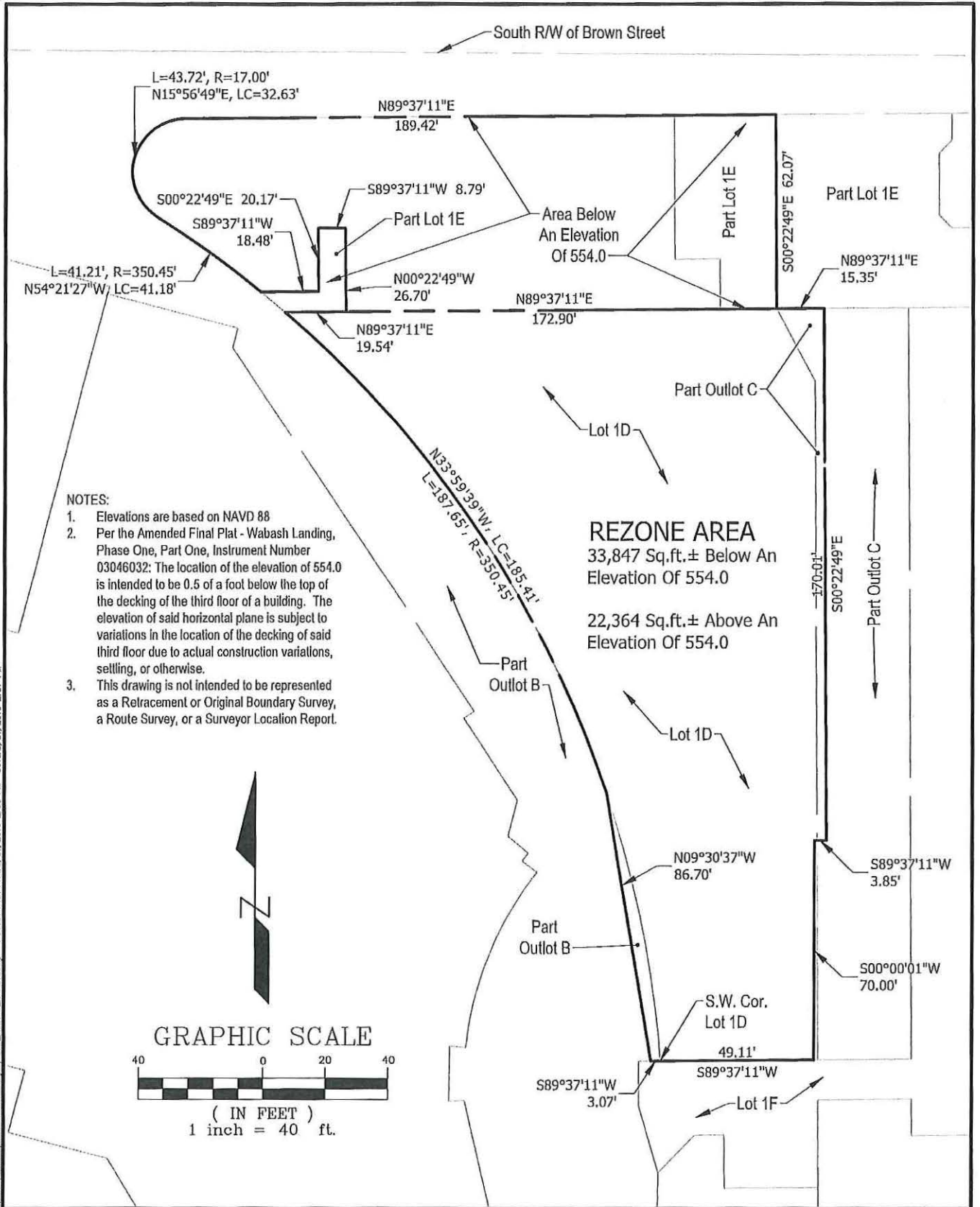
Sheet: 1 of 1

A part of Lot 1D, Lot 1E, Outlot B and Outlot C in the Amended Final Plat of Wabash Landing Phase One, Part One as recorded in Book 7, page 93 as Instrument No. 03046032 in the Office of the Recorder of Tippecanoe County, Indiana, lying below an elevation of 554.0 (NAVD 1988), more particularly described as follows: Beginning at the southwest corner of said Lot 1D: thence South 89 degrees 37 minutes 11 seconds West (bearings based on said Plat) 3.07 feet along a north line of Lot 1F in said Plat; thence North 9 degrees 30 minutes 37 seconds West 86.70 feet to the southwestern line of said Lot 1D; thence along said southwestern line Northwesterly 187.65 feet along an arc to the left having a radius of 350.45 feet and subtended by a long chord having a bearing of North 33 degrees 59 minutes 39 seconds West and a length of 185.41 feet to the southwest corner of that portion of said Lot 1E lying below an elevation of 554.0 (NAVD 1988); thence North 89 degrees 37 minutes 11 seconds East 19.54 feet along a south line of said Lot 1E; thence North 0 degrees 22 minutes 49 seconds West 26.70 feet along an east line of said Lot 1E; thence South 89 degrees 37 minutes 11 seconds West 8.79 feet along a north line of said Lot 1E; thence South 0 degrees 22 minutes 49 seconds East 20.17 feet along a west line of said Lot 1E; thence South 89 degrees 37 minutes 11 seconds West 18.48 feet along a north line of said Lot 1E to a southwestern line of said Lot 1D; thence along said southwestern line Northwesterly 41.21 feet along an arc to the left having a radius of 350.45 feet and subtended by a long chord having a bearing of North 54 degrees 21 minutes 27 seconds West and a length of 41.18 feet; thence along the western line of said Lot 1D Northeasterly 43.72 feet along an arc to the right having a radius of 17.00 feet and subtended by a long chord having a bearing of North 15 degrees 56 minutes 49 seconds East and a length of 32.63 feet; thence North 89 degrees 37 minutes 11 seconds East 189.42 feet along the north lines of said Lots 1D and 1E to the northwest corner of an Ingress, Egress, Utility and Drainage Easement as shown on said Plat; thence South 0 degrees 22 minutes 49 seconds East 62.07 feet along the west line of said easement to the northwest corner of Outlot "C" on said plat; thence North 89 degrees 37 minutes 11 seconds East 15.35 feet along the north line of said Outlot "C"; thence South 0 degrees 22 minutes 49 seconds East 170.01 feet; thence South 89 degrees 37 minutes 11 seconds West 3.85 feet; thence South 0 degrees 0 minutes 1 second East 70.00 feet to the south line of said Lot 1D; thence South 89 degrees 37 minutes 11 seconds West 49.11 feet along said south line to the point of beginning and containing 0.777 acres, more or less.

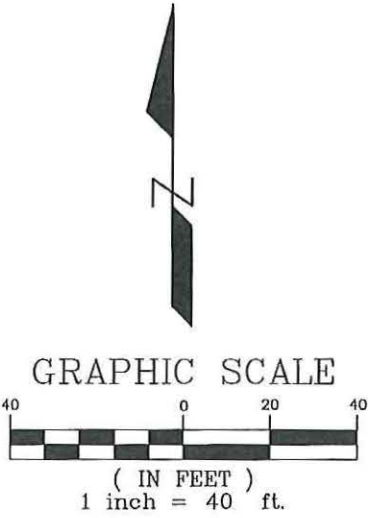
**WABASH LANDING  
LAND TO BE REZONED  
ABOVE 554.0 ELEVATION**

Sheet: 1 of 1

A part of Lot 1D, Outlot B and Outlot C in the Amended Final Plat of Wabash Landing Phase One, Part One as recorded in Book 7, page 93 as Instrument No. 03046032 in the Office of the Recorder of Tippecanoe County, Indiana, lying above an elevation of 554.0 (NAVD 1988), more particularly described as follows: Beginning at the southwest corner of said Lot 1D: thence South 89 degrees 37 minutes 11 seconds West (bearings based on said Plat) 3.08 feet along a north line of Lot 1F in said Plat; thence North 9 degrees 30 minutes 37 seconds West 86.70 feet to the southwestern line of said Lot 1D; thence along said southwestern line Northwesterly 187.65 feet along an arc to the left having a radius of 350.45 feet and subtended by a long chord having a bearing of North 33 degrees 59 minutes 39 seconds West and a length of 185.42 feet to the northwest corner of that portion of said Lot 1D lying above an elevation of 554.0 (NAVD 1988); thence North 89 degrees 37 minutes 11 seconds East 172.90 feet along a north line of said Lot 1D and along the north line of Outlot "C"; thence South 0 degrees 22 minutes 49 seconds East 170.01 feet; thence South 89 degrees 37 minutes 11 seconds West 3.85 feet; thence South 0 degrees 0 minutes 1 second West 70.00 feet to the south line of said Lot 1D; thence South 89 degrees 37 minutes 11 seconds West 49.11 feet along said south line to the point of beginning and containing 0.514 acres, more or less.



- NOTES:
1. Elevations are based on NAVD 88
  2. Per the Amended Final Plat - Wabash Landing, Phase One, Part One, Instrument Number 03046032: The location of the elevation of 554.0 is intended to be 0.5 of a foot below the top of the decking of the third floor of a building. The elevation of said horizontal plane is subject to variations in the location of the decking of said third floor due to actual construction variations, settling, or otherwise.
  3. This drawing is not intended to be represented as a Retracement or Original Boundary Survey, a Route Survey, or a Surveyor Location Report.



K:\5689\Proj\Development\1\DWG\REZONE\Calculation\Drawings\5689\_Rezone\_Exhibit.dwg Revise: JCI/2016 2:38 PM Save: JCI/2016 2:37 PM

**BFS**  
Butler Fairman Scuffert  
CIVIL ENGINEERS

DRAWN: \_\_\_\_\_ RAN \_\_\_\_\_  
 CHECKED: \_\_\_\_\_ RAN \_\_\_\_\_  
 DATE: \_\_\_\_\_ 02/29/2016 \_\_\_\_\_

WABASH LANDING  
LAND TO BE REZONED

WEST LAFAYETTE  
INDIANA

HORIZONTAL SCALE	
1" = 50'	
VERTICAL SCALE	
NA	
SHEET	1
OF	1
PROJECT	
5689	

BFS NO. 5689

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

July 21, 2016  
Ref. No: 16-160

West Lafayette Common Council  
222 North Chauncey, Room 101.  
West Lafayette, IN 47906  
ATTN: Clerk

### CERTIFICATION

**RE: Z-2645--WABASH LANDING APARTMENTS II, LLC AND TAPAWINGO HOTEL, LLC (Wabash Landing Apartments Expansion 2016 PD) (PDMX to PDRS):**

Petitioner is requesting rezoning of a portion of the existing Wabash Landing Planned Development by razing a portion of one of the buildings (north of Scotty's) and building 115 single-bedroom units, a sales office, and a fitness area in a five-story building, located on State Street, west of Tapawingo Drive, West Lafayette, Wabash 20 (NW) 23-4. CONTINUED FROM THE JUNE 15<sup>TH</sup> APC MEETING TO POST SIGNS AND MAIL NOTICES.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 20, 2016, the Area Plan Commission of Tippecanoe County voted 12 yes – 0 no to APPROVE the motion to rezone the subject real estate from PDMX to PDRS. 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 2-28-10 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 B-2;
3. A final plat per UZO Appendix B-3 as applicable;
4. Appropriate surety submitted with final detailed plans;
5. Plant schedule approved by the West Lafayette Greenspace Administrator that is in conformance with the approved Preliminary Plan;
6. Final design of the Sky Lounge and the courtyard spaces off the pedestrian promenade shall be approved by the Administrative Officer with the submission of the Final Detailed Plans;
7. A minor modification to the existing Wabash Landing PD shall be executed and approved prior to the submission of the Final Detailed Plans modifying the parking schedule so that it conforms with the new PD and the landscaping of the original planned development area including but not limited to: updating the landscaping amounts, locations and the plant schedule and replacing all deceased foliage, as directed and approved by the West Lafayette Greenspace Administrator.

Public Notice has been given that this petition will be heard before the West Lafayette Common Council at its Monday, August 1, 2016 regular meeting.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/lmu

Enclosures: Planned Development drawings and Ordinances

cc: James Curtis, Wabash Landing Apartments  
Joseph Bumbleburg  
Dave Buck, West Lafayette Engineer  
BF& S  
Frontier Communications  
Comcast  
Vectren  
Duke Energy  
Indiana American Water

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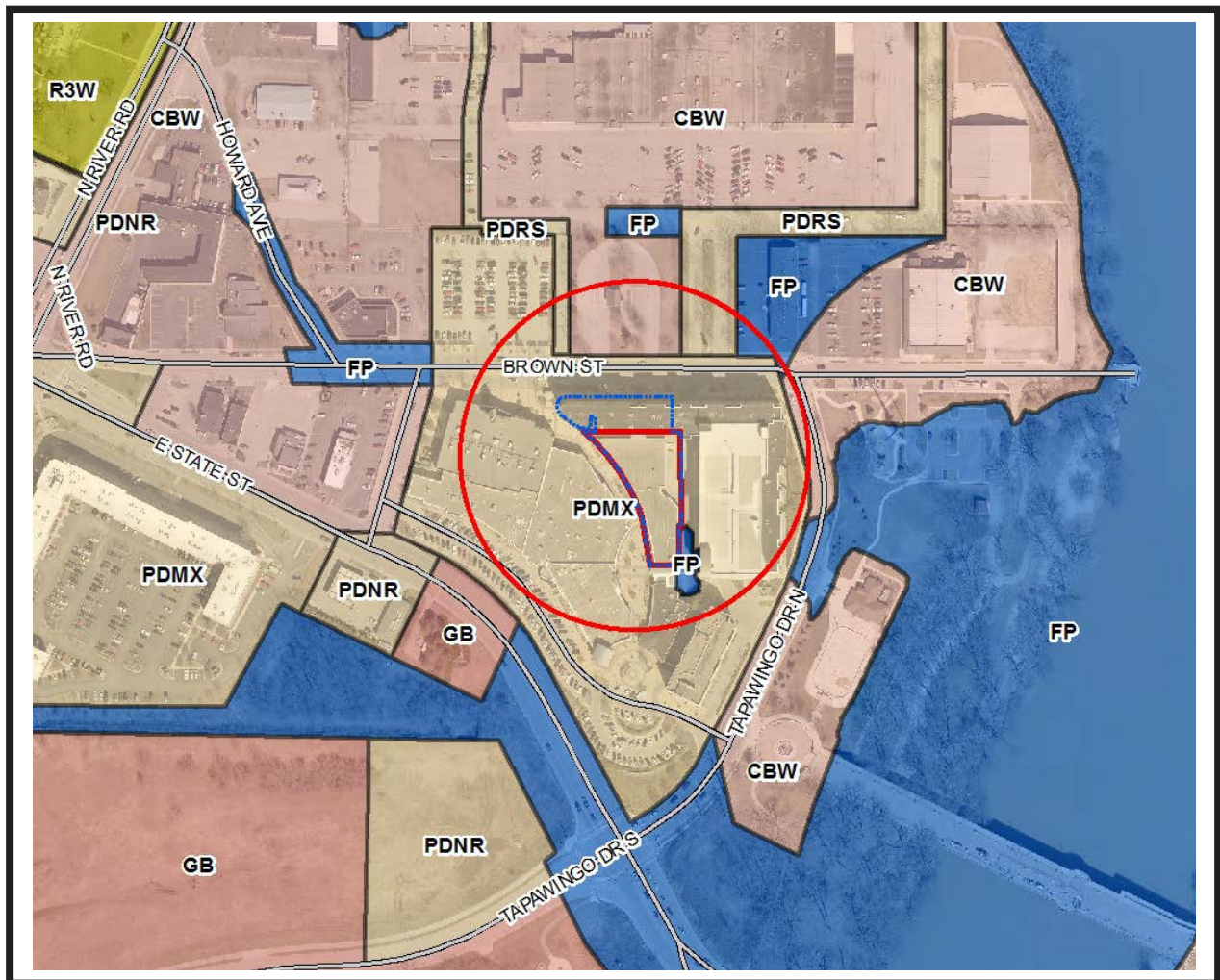
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**Z-2645**  
**WABASH LANDING APARTMENTS II, LLC**  
**(PDMX to PDMX)**

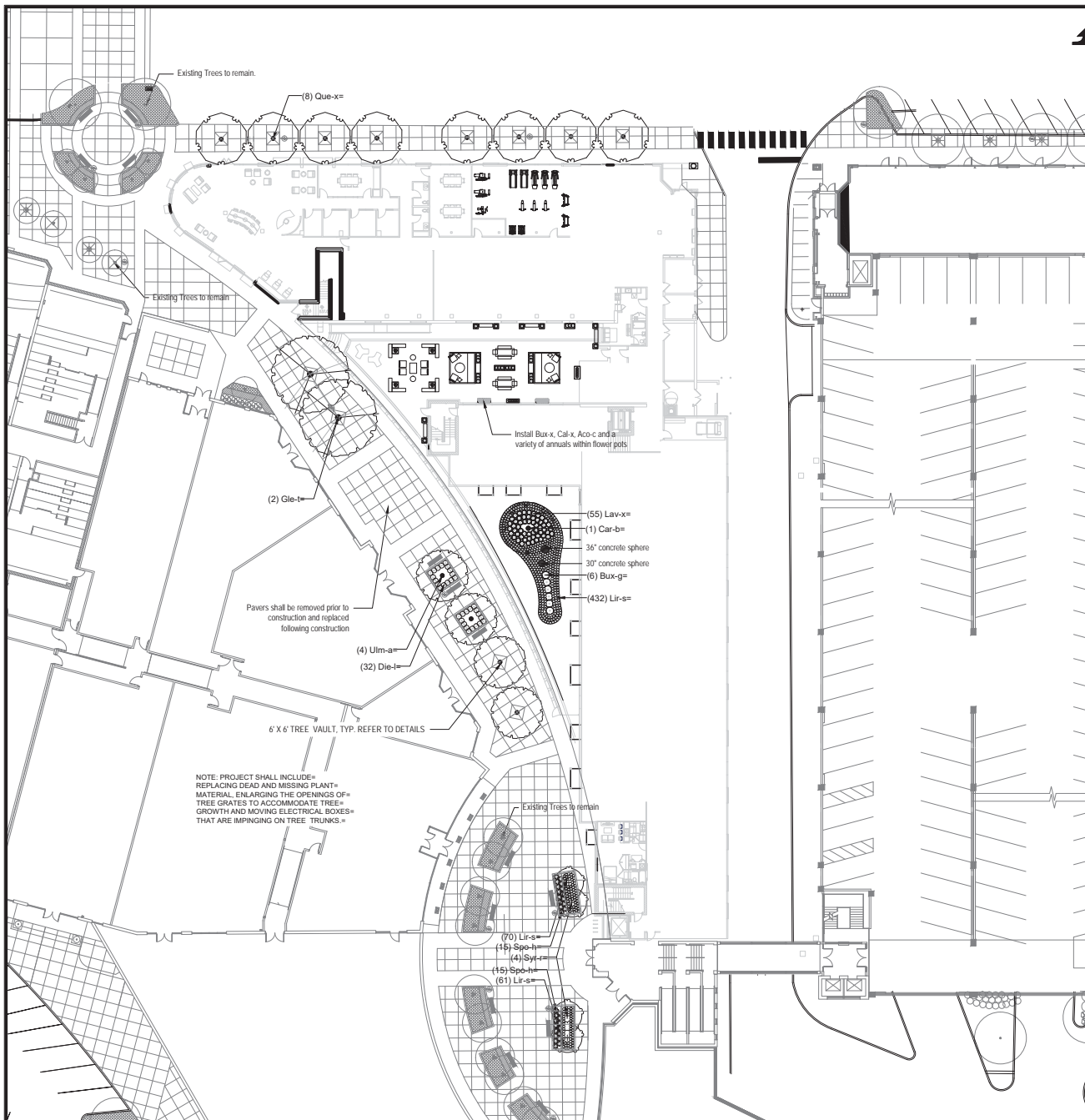
**STAFF REPORT**  
**July 14, 2016**

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**GENERAL LANDSCAPE & PLANTING NOTES**

1. Plant material to be installed and maintained by a qualified and experienced landscaper installer.
2. All materials are subject to the approval of the Landscape Architect and Owner at any time. Landscape Architect to inspect all plant locations and plant bed conditions prior to installation. Stake all plant locations for review and approval by the Landscape Architect before planting. On-site adjustments may be required. Plants are to be freshly dug & transported of plants shall be done in a manner as to not destroy the natural shape, compromise the health, or alter the characteristics of plant materials.
3. Rootballs shall meet or exceed size standards as set forth in "American Standards for Nursery Stock". MAIN LEADERS OF ALL TREES SHALL REMAIN INTACT. Remove from the site any plant material that turns brown or defoliates within five (5) days after planting. Replace immediately with approved, specified material.
4. Plant counts indicated on drawings are for Landscape Architect's use only. Contractor shall make own plant quantity takeoffs using drawings, specifications, and plant schedule requirements (i.e., spacing), unless otherwise directed by Landscape Architect. Contractor to verify bed measurements and install appropriate quantities as governed by plant spacing per schedule.
5. All plant beds shall receive 3" minimum of genuine shredded hardwood bark mulch (unless otherwise noted). Apply pre-emergent herbicide as directed by the manufacturer prior to installing mulch. Seed all areas disturbed by construction activities that are not otherwise noted to receive pavement, planting bed, or other treatment.
6. The Contractor shall install and/or amend topsoil in all proposed bed areas to meet ASTM D5268 standards. Landscaper shall verify depth and quality of topsoil prior to plant installation. A minimum of 4" of topsoil is required for lawn areas; 12" for plant beds. Topsoil sources shall include the reuse of surface soil stockpiled on site, clean of roots, plants, sod, stones, clay lumps, and other extraneous or foreign materials larger than 1". Supplement with imported topsoil from off-site sources when quantities are insufficient. Do not obtain supplemental topsoil from agricultural land, bogs, or marshes. Inorganic amendments, organic amendments, and fertilizers shall be used to amend topsoil as needed for long-term plant health.
7. Verify all utility locations in the field prior to beginning work. Repair all damaged utilities to satisfaction of the Owner and Operating Authority at no additional cost. All workmanship and materials shall be guaranteed by the Contractor for a period of one (1) calendar year after Final Acceptance.
8. Install all plant material in accordance with all local codes and ordinances. Coordinate with the Owner to obtain any required permits necessary to complete work.
9. Maintain all plant material for a three (3) month period from date of Substantial Completion. Maintenance shall include pruning, cultivating, watering, weeding, fertilizing, restoring plant saucers, spraying for disease and insects, and replacing tree wrappings. Recommended long-term maintenance procedures shall be provided to the Owner before expiration of this period.

**PLANTING PLAN=**

Scale: 1" = 20'-0"

**PLANT SCHEDULE=**

TREES=	QTY=	BOTANICAL NAME=	COMMON NAME=	CONT=	CAL=	REMARKS=
Car-b=	1=	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	B & B=	2.5'Cal=	full, strong central leader, matched=
Gle-t=	2=	Gleditsia triacanthos inermis 'Skycycle'	Skyline Thornless Honeylocust=	B & B=	2.5'Cal=	full, strong central leader, matched=
Que-x=	8	Quercus robur 'Long'	Regal Prince English Oak=	B & B=	2.5'Cal=	spring dug, full, strong central leader, matched=
Syr-r=	4=	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac=	B & B=	2.5'Cal=	full, strong central leader, matched=
Ulm-a=	4=	Ulmus x americana 'Princeton Elm'	Princeton Elm=	B & B=	2.5'Cal=	full, strong central leader, matched=
SHRUBS=	QTY=	BOTANICAL NAME=	COMMON NAME=	SIZE=	HEIGHT=	REMARKS=
Aco-c=	22=	Acorus calamus 'Variegatus'	Striped Sweet Flag=	pot	#1=	space @ 18" o.c.=
Bux-g=	6=	Buxus x 'Green Mountain'	Green Mountain Boxwood=	container=	18"	space @ 3'-0" o.c., allow to mass=
Bux-x=	15=	Buxus x 'Green Velvet'	Green Velvet Boxwood=	container=	18"	space @ 3'-0" o.c., allow to mass=
Cal-x=	14=	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass=	pot=	#2=	space @ 3'-0" o.c.=
Cha=	24=	Chasmanthium latifolium=	Wood Oats=	pot=	#1=	space @ 18" o.c.=
Die-t=	32=	Diervilla lonicera 'Michigan Sunset'	Michigan Sunset Northern Bush Honeysuckle=	container=	18"	space @ 2'-0" o.c.=
Lav-x=	55=	Lavandula x intermedia 'Violet Intrigue'	Violet Intrigue Lavender=	pot=	#1=	space @ 2'-0" o.c.=
Lir-s=	563=	Liriope spicata=	Creeping Lily Turf=	pot=	#1=	space @ 12" o.c.=
Spo-h=	30=	Sporobolus heterolepis=	Prairie Dropseed=	pot	#1=	space @ 2'-0" o.c.=

**WABASH LANDING APARTMENTS II, LLC AND TAPAWINGO HOTEL, LLC  
WABASH LANDING APARTMENTS EXPANSION 2016 PD  
PDMX TO PDRS**

**Staff Report  
JULY 14, 2016**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioners/Owners, represented by BF & S Engineering, CSO Architects, Inc. and attorney Joseph Bumbleburg, are requesting PDRS zoning on approximately 0.78 acres for a 5-story apartment building containing 115 residential units and 115 parking spaces provided in the existing Wabash Landing parking garage. (The City of West Lafayette also owns part of the promenade and has given its consent.) The property is bounded by Brown Street, State Street, and Tapawingo Drive in the City of West Lafayette; Wabash 20 (SW) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The subject property is currently zoned PDMX from the original Wabash Landing Planned Development (Z-1838) approved in 1999. General Business zoning (GB) and various planned development zones surround the subject property including River Market Planned Development, zoned PDMX and also approved in 1999; the Speedway Planned Development, zoned PDNR and approved in 2005; and the most recent rezone petition in the vicinity, the Hampton Inn Planned Development (Z-2530) approved in 2013, now under construction.

**AREA LAND USE PATTERNS:**

The Levee has long been a commercial center for the city. With the original Wabash Landing Planned Development, this portion of downtown has begun to take on an urban mixed-use character. To the north is the Levee Plaza shopping center; to the east is Tapawingo Park. To the south across State Street is the Hampton Inn currently under construction and to the west are several restaurants and service uses.

**TRAFFIC AND TRANSPORTATION:**

Brown Street and Tapawingo Drive are classified as urban local roads while State Street is classified as a primary arterial according to the adopted *Thoroughfare Plan*. Wabash Landing presently has 940 parking spaces and they are divided over the following areas:

- 684 spaces in the garage,
- 116 spaces in the Brown Street surface lot,
- 24 spaces along Brown Street itself,
- 115 spaces in “Brees Way” along State Street, and
- 1 space behind Scotty’s restaurant.

Given the removal of 8,120 square feet of existing retail space and the addition of 115 residential units per the proposed planned development, the parking assignment would be reconfigured according to the following schedule:

- 92 spaces for the existing apartments (1 space per unit),
- 311 spaces for the movie theatre (1 per 4 seats plus 3 per 100 square feet of GFA),
- 258 spaces for the remaining 64,534 square feet of retail (4 per 1,000 square feet of GFA),
- 104 spaces for the existing hotel (1 space per room), and
- 115 spaces for the new apartment units (1 space per unit).

Under this proposed schedule, 880 of the 940 spaces would be reserved for specific uses inside Wabash Landing, leaving 60 extra spaces open. Other changes to the streetscape include:

- Updates to the hardscape and landscaping of the pedestrian promenade and the project's Brown Street frontage;
- The addition of two residential courtyards located off the pedestrian promenade;
- Extra lighting in the existing alley for security purposes; and
- Additional bike parking facilities located around the site.

#### **ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City utilities and Indiana American water are available to serve the site.

#### **STAFF COMMENTS:**

Wabash Landing Planned Development was a pioneering project for the City of West Lafayette when it was approved and constructed nearly seventeen years ago. Being the first large-scale, urban mixed-use redevelopment in West Lafayette steeped in the New Urbanism tradition, it established a new standard for development in the city; and, ever since, it has informed the negotiation process for nearly every planned development project that has come after it. This new proposal respects and elevates that standard in numerous ways.

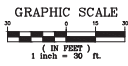
First, the design is architecturally sensitive to the existing buildings that are to remain. The five-story proposed apartment building is in keeping with the height and bulk of the existing four and five-story apartment buildings and the six-story hotel. Second, a greater efficiency in site utilization is achieved by adjusting the residential/commercial mix and their parking ratios to amounts commensurate with market demand; seventeen years of experience has informed this new development proposal well. Third, significant updates and additions to the amenity spaces (both public and private) will ensure that the vibrancy of Wabash Landing will continue.

In all, staff is pleased with the result of our negotiations. This new apartment building addition fits into the existing urban context while laying a new foundation for future redevelopment of not only Wabash Landing but the entire Levee in the years ahead.

#### **STAFF RECOMMENDATION:**

Approval, contingent on meeting all requirements of UZO 2-28-10 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 B-2;
3. A final plat per UZO Appendix B-3 as applicable;
4. Appropriate surety submitted with final detailed plans;
5. Plant schedule approved by the West Lafayette Greenspace Administrator that is in conformance with the approved Preliminary Plan;
6. Final design of the Sky Lounge and the courtyard spaces off the pedestrian promenade shall be approved by the Administrative Officer with the submission of the Final Detailed Plans;
7. A minor modification to the existing Wabash Landing PD shall be executed and approved prior to the submission of the Final Detailed Plans modifying the parking schedule so that it conforms with the new PD and the landscaping of the original planned development area including but not limited to: updating the landscaping amounts, locations and the plant schedule and replacing all deceased foliage, as directed and approved by the West Lafayette Greenspace Administrator.



**LEGEND=**

- Existing Sanitary Sewer=
- Existing Storm Sewer=
- Buried Water=
- Buried Gas=
- Buried Telephone=
- Buried Electric=
- Soil Boundary=
- New Storm Pipes=
- Fire Hydrant=
- Utility Valves=
- Gas Structure=
- Inlet/Catch Basin=
- Manholes=
- Light Pole / Ground Light=
- Electric Box=
- Telephone Splice Box=
- Telephone Splice Tub=
- Telephone Manhole=
- Steel Post=
- Sanitary Clean Out=
- Sprinkler Head=
- Drain Inlet=
- Sign=
- Electric Handhole=
- Electric Transformer=
- Telephone Handhole=
- Brick Pavers=
- Tree Grate W/Tree=
- Tree=

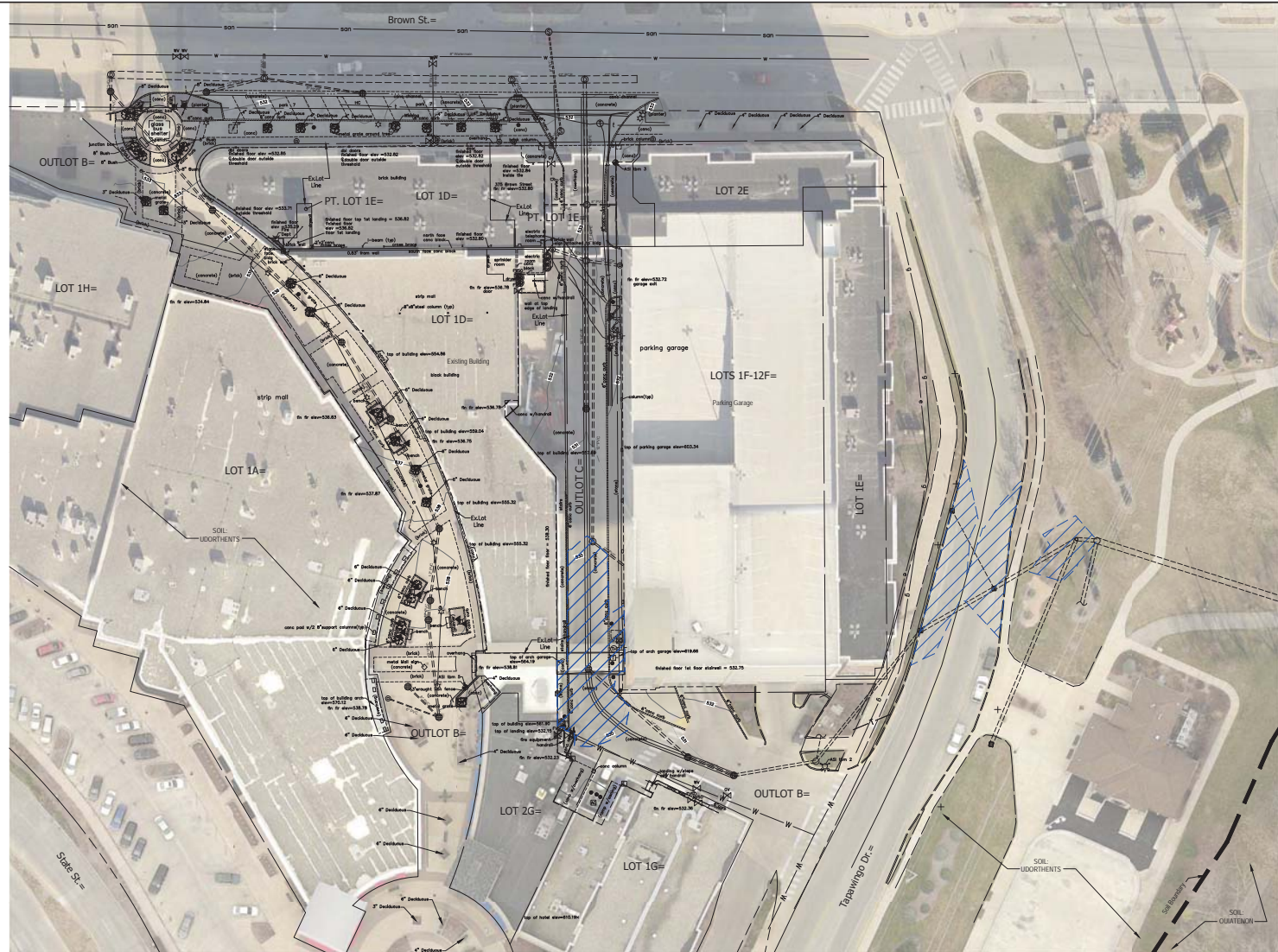
All Lots Lots are shown per the Amended Final Plat of Wabash Landing, Phase One, Part One, an Addition to the City of West Lafayette, Tippecanoe County, Indiana, recorded as Document Number 0306632 in the Office of the Recorder of Tippecanoe County, Indiana.

**BASE FLOOD ELEVATION (BFE) =**  
 The 530.1' Base Flood Elevation shown hereon was determined by the Indiana Department of Natural Resources / Division of Water, per Floodplain Analysis and Regulatory Assessment File Number GW-32589-0, dated 02/05/2016.

530.1' Contour =

Area Below 530.1' =

**NOTE: =**  
 • NO EXISTING VEGETATION ON REDEVELOPED SITE, LOT 1D =



RECOMMENDED FOR APPROVAL =	DESIGN ENGINEER =	DATE =
DESIGNED = JHM	DRAWN = CVS	
CHECKED = RAN	CHECKED = RAN	

**WABASH LANDING APARTMENTS EXPANSION 2016**  
**SITE ANALYSIS**  
**EXISTING UTILITIES, TOPOGRAPHY & AERIAL =**

Headquarters: 800 WESTFIELD BLVD., SUITE 300  
 INDIANAPOLIS, IN 46204-4302  
 TEL 317-713-8615  
 FAX 317-713-8618  
 www.brsinc.com

Branch Locations:  
 FORT WAYNE 260-469-1532  
 JEFFERSONVILLE 812-288-0500  
 LAFAYETTE 765-421-2600  
 MERRILLVILLE 219-769-2333  
 PLAINFIELD 317-839-3242

HORIZONTAL SCALE =	BRIDGE FILE =
1" = 30'	5869 =
VERTICAL SCALE =	DESIGNATION =
SURVEY BOOK =	SHEET =
	4 OF 28
CONTRACT =	PROJECT =

A: 15869 Proj Development Design Drawings 15869S104.dwg Revise: 5/25/2016 3:10 PM Saved: 5/25/2016 12:22 PM

BFS NO. = 3869 =

