#### ORDINANCE NO. 17-2023

### 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 Attacl	hed Legal l	<u>Description</u>	,	
Section 2:		hereby rezor CBW & PD PDMX distric	MX district			
Section 3: the Mayor.	This ordinance sh	all be in full	force and e	ffect from and	after its passa	age and signing by
INTRODUC	ED ON FIRST REA	ADING ON T	THE 10	DAY OF	July	, 2023.
MOTION TO COUNCILO	DADOPT MADE B R <u>Thomas</u>	Y COUNCII	LOR <u>Pa</u>	rker	, AND	SECONDED BY
WEST LAF	AINED, PASSED, AYETTE, INDIAI EEN PASSED BY EBEING:	NA, ON TH	E <u>/O</u>	DAY OF _	July	, 2023,
		AYE	NAY	ABSENT	ABSTAIN	]
	Blanco					
	Brown					=
	Bunder					
	DeBoer			~		
	Lee					
	Leverenz					

Parker Sanders Thomas

Peter Bunder, Presiding Officer

Attest:  Sana G. Booker, Clerk	SEAL MANA CIERK *
PRESENTED BY ME TO THE MAYOR OF THE _//_ DAY OF	THE CITY OF WEST LAFAYETTE, INDIANA ON , 2023.  Sana G. Booker, Clerk
THIS ORDINANCE APPROVED AND , 2023.	SIGNED BY ME ON THE DAY OF John R. Dennis, Mayor
Attest:  Sana G. Booker, Clerk	WEST LACE SEAL THE

#### Ordinance No. 17-2023 Legal Description [Updated 07.20.2023]

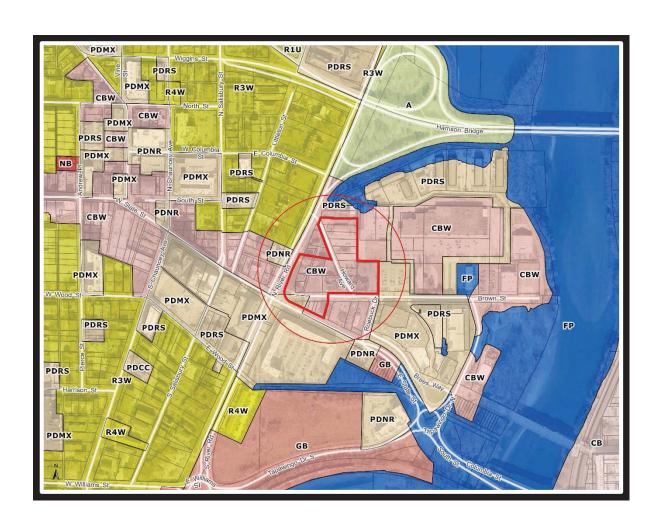
#### MODERNIZED DESCRIPTION - LANDMARK DEVELOPMENT PD

A part of Lot Numbered 12 (twelve) and 13 (thirteen) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th/, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

BEGINNING at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59 East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 (one) in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract), South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 340.85 feet; thence South 00°42'43" West, 60.00 feet to the northeast corner of "Parcel 1" as described in a Limited Warranty Deed to Bruno's Swiss Inn Incorporated, Document Number 200101018427, recorded July 18, 2001, in said Recorder's Office; thence along the east line of said "Parcel 1", South 15°08'22" West, 120.07 feet to the north rightof-way line of East State Street; thence along said north right-of-way line, North 64°17'12" West, 268.92 feet; thence northeasterly along a non-tangent curve to the right having a radius of 75.00 feet, a chord bearing of North 29°27'24" West, 69.17 feet and an arc length of 71.89 feet to a point on the western line of Rosa's Addition to the City of West Lafayette, as per the plat thereof, Plat Book 1, Page 2, recorded October 27, 1890 and Deed Record 93, Page 253, in said Recorder's Office; thence along said western line, also being the eastern line of Ellsworth Street (now North River Road) North 19°14'48" East, 258.50 feet; thence continuing along said eastern line North 23°14'20" East, 30.71 feet; thence along an existing party wall marking the southern line of the OB Irish, LLC real estate, recorded in Document Number 201414006012 in said Office of the Recorder, South 80°23'11" East, 234.17 feet; thence North 00°42'58" East, 22.54 feet; thence northeasterly along a tangent curve to the right having a radius of 181.00 feet, a chord bearing of North 09°53'01" East, 57.67 feet, and an arc length of 57.92 feet; thence North 19°03'03" East, 73.34 feet; thence northwesterly along a tangent curve to the left having a radius of 25.00 feet, a chord bearing of North 25°56'57" West, 35.36 feet and an arc length of 39.27 feet; thence North 70°56'57" West, 106.93 feet; thence North 21°05'35" West, 31.57 feet; thence North 23°08'49" East, 45.98 feet; thence South 70°56'57" East, 225.29 feet; thence southeasterly along a tangent curve to the left having a radius of 165.00 feet, a chord bearing of South 78°52'56" East, 45.55 feet, and an arc length of 45.69 feet to a point on the west line of said Weida Levee LLC tract, said point lying South 88°33'07" East, 267.75 feet and South 00°13'53" West, 182.90 feet from the northwest corner of Lot 12 in said Chauncey's Plat of Bottom Lands; thence along said west line South 00°06'47" West, 214.70 feet to the southwest corner thereof; thence along the south line of said tract South 89°44'13" East, 150.48 feet to the Point of Beginning, containing 5.23 acres, more or less.

# Z-2875 LANDMARK PROPERTIES, INC. (The Levee Redevelopment PD) (CBW & PDMX to PDMX)

#### STAFF REPORT June 15, 2023



Z-2875

## LANDMARK PROPERTIES, INC. THE LEVEE REDEVELOPMENT PLANNED DEVELOPMENT CBW and PDMX to PDMX

Staff Report June 15, 2023

#### REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of the owners and represented by attorney Kevin Riley, is requesting a rezone of approximately 5.23 acres for a proposed planned development of two, 7-story mixed-use buildings containing a total of 21,700 square feet of ground floor retail space and up to 590 apartment units with a maximum of 1,350 beds on property located at the northeast corner of State Street and North River Road, specifically, 212 Brown Street (Bruno's Pizza); 200 Brown Street (Campus Inn); 300 Brown Street (Puccini's Pizza); 224 E. State Street (Rubia Flowers); and 140 - 124 Howard Avenue (La Hacienda restaurant, a parking lot and a Chinese restaurant), in West Lafayette, Wabash 20 (SW) 23-4.

#### **ZONING HISTORY AND AREA ZONING PATTERNS:**

The subject property is currently zoned CBW and PDMX. CBW zoning and planned development zoning dominate the immediate vicinity. The most recent rezone activity in the vicinity of the subject property was the 332 Brown Street Hotel planned development (*Z*-2879).

#### **AREA LAND USE PATTERNS:**

Located within the studied area of the *West Lafayette Downtown Plan*, land use patterns in the Levee/Riverfront neighborhood of West Lafayette's downtown have been largely non-residential in nature with limited mixed-use. Retail, restaurant, multi-family apartments, and hotel uses dominate the immediate vicinity.

#### PARKING AND TRANSPORTATION:

Brown Street and Howard Avenue are urban local roads while State Street and River Road are primary arterials, according to the adopted *Thoroughfare Plan*. The proposed planned development seeks to deliver the first installment in the *Downtown Plan's* conceptual street grid for the Levee/Riverfront neighborhood. In this proposal, Howard Avenue is realigned to intersect at a perpendicular angle with River Road. A 60' right-of-way dedication is provided for the construction of a new local street running from realigned Howard Avenue to Brown Street while Brown Street itself is partially vacated at its current western terminus to accommodate part of one of the new buildings and a new park-plaza space. All new and modified streets will contain on-street public parking.

Both buildings contain internal parking garages. The garage for building "A" (located closest to the corner of River Road and State Street) contains 247 parking spaces, Building "B" contains 173 parking spaces. All parking levels are at and above grade and include bike storage rooms.

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

Public utilities are available to serve the site.

Apart from a planned private dog park behind Building "B" and standard urban streetscapes being provided for the new and modified streets, this planned development is providing (as conceptualized in the West Lafavette Downtown Plan) a corner parkplaza on the northeast corner of the State Street and River Road intersection. Coming in at approximately 20,000 square feet in area, this roughly triangular open space will be designed as an urban plaza that will be open to the public with seating and landscaping and have a direct pedestrian connection to a residential lobby and retail spaces in Building "A".

Additionally, wrapping the park-plaza space and southwest corner of Building "A", a segment of the Big-4 Trail will be installed. This 10' paved trail segment will bound the project's State Street and River Road frontages, providing an important linkage for this important trail facility.

#### STAFF COMMENTS:

Covering over five-acres, the Levee Redevelopment Planned Development is located on "Block 45" and the western two-thirds of "Block 47" in the West Lafayette Downtown Plan's future land use plan. Designated with the "Downtown Village" and "Conservation/Recreation" land use categories, the proposed planned development achieves and surpasses multiple policy goals of the *plan* including introducing the first installment of the planned street grid, delivering the planned park space at the southwest corner of the site, bringing a lively mix of residential and commercial uses, and even introducing modern "live-work" units.

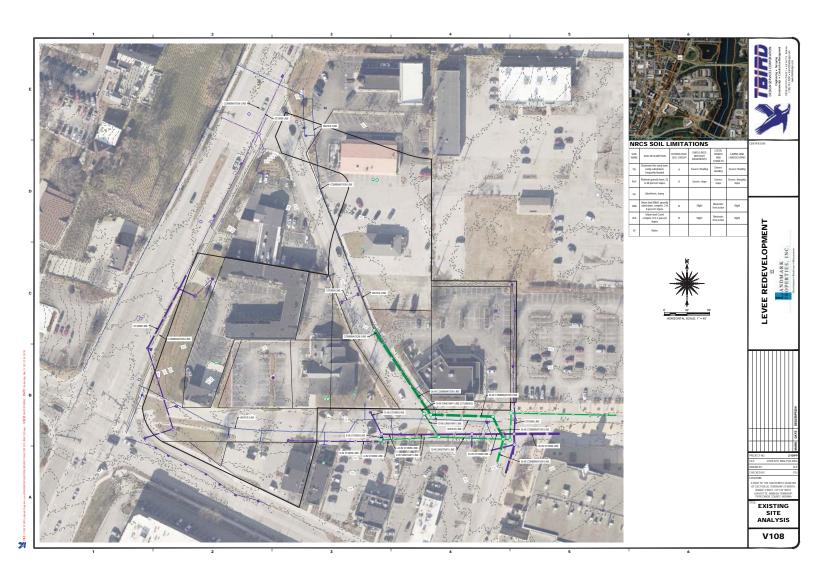
Weaving all these elements into a single, two-building project, the Levee Redevelopment PD begins a new chapter in the urban redevelopment of the Levee/Riverfront neighborhood and is a welcome first installment of the Downtown Plan's policies for this area.

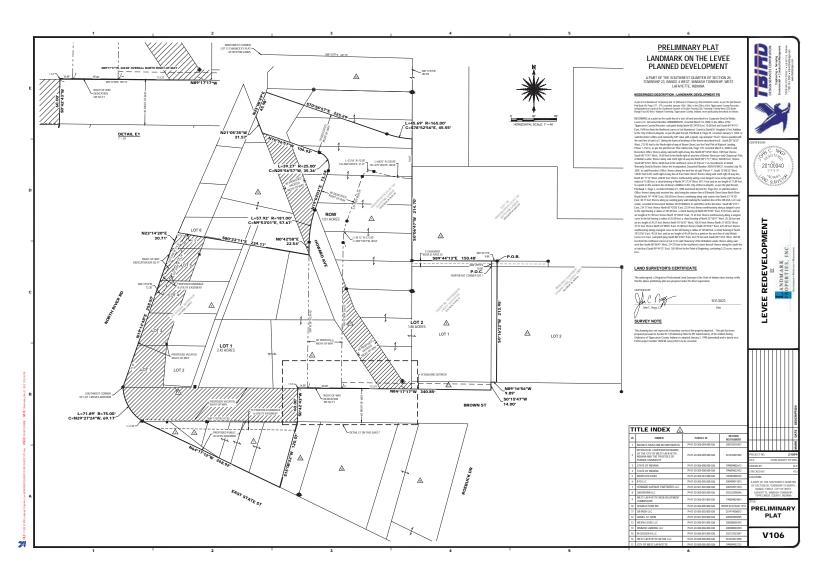
#### **STAFF RECOMMENDATION:**

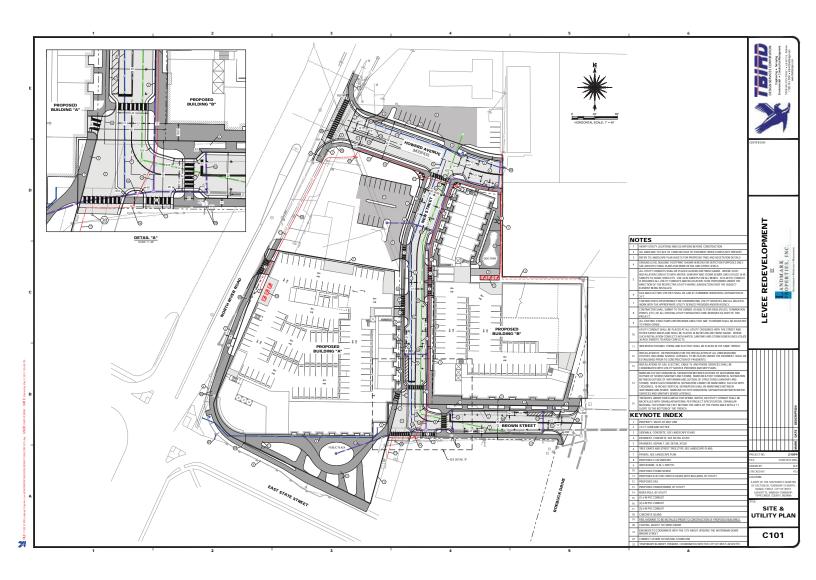
Approval, contingent on meeting all requirements of UZO 2-28-10 and the following for submission of Final Detailed Plans, signed off by those noted in that section to include:

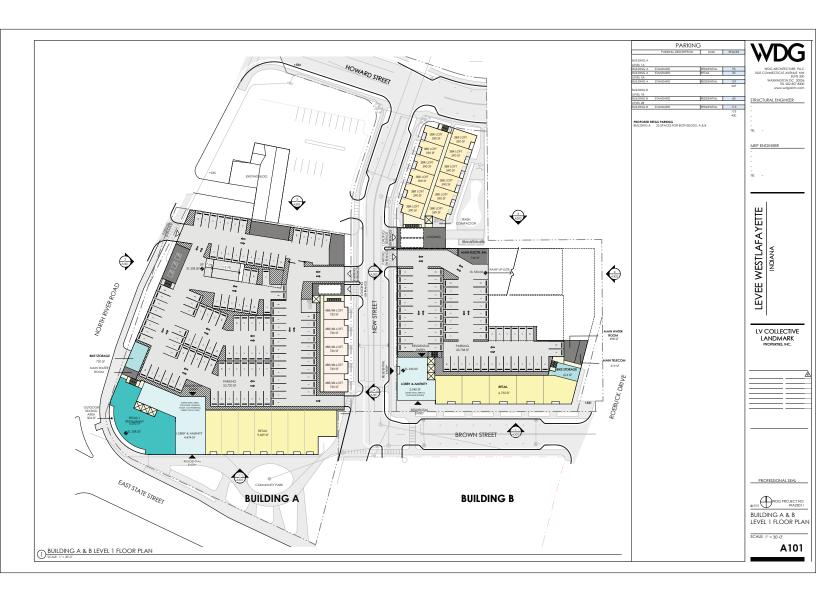
- 1. All sheets that make up the approved Preliminary Plan;
- 2. Planned Development construction plans per UZO Appendix B-2;
- 3. A final plat per UZO Appendix B-3-2;
- 4. Appropriate surety submitted with Final Detailed Plans:
- 5. Final landscape plan and plant schedule, in general conformity with the approved Preliminary Plans, shall be approved by the Greenspace Administrator with the submission of the Final Detailed Plans;

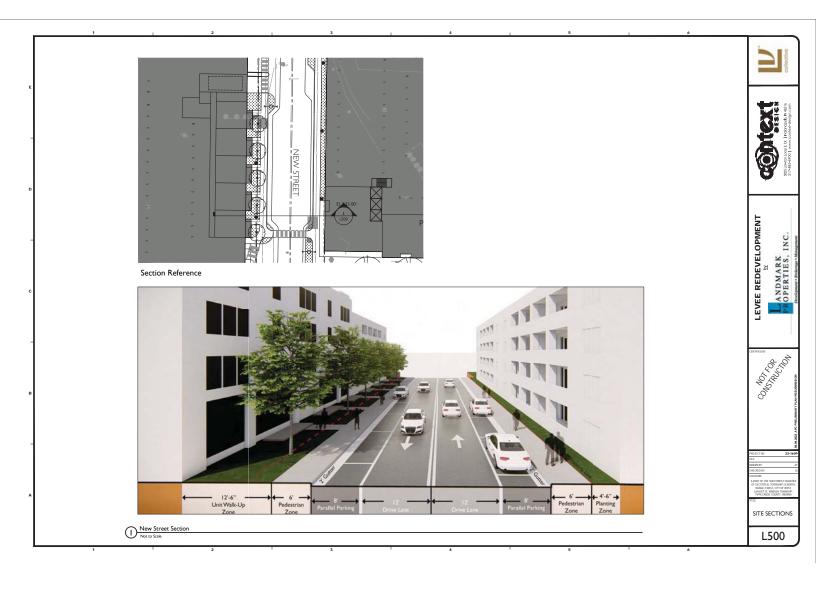
- 6. A final MOT plan, subject to the approval of the Administrative Officer, shall be submitted with the Final Detailed Plans;
- 7. An application for addressing of the units shall be made to APC prior to the submission of the Final Detailed Plans as required; and
- 8. FAA Determination shall be submitted with the Final Detailed Plans.

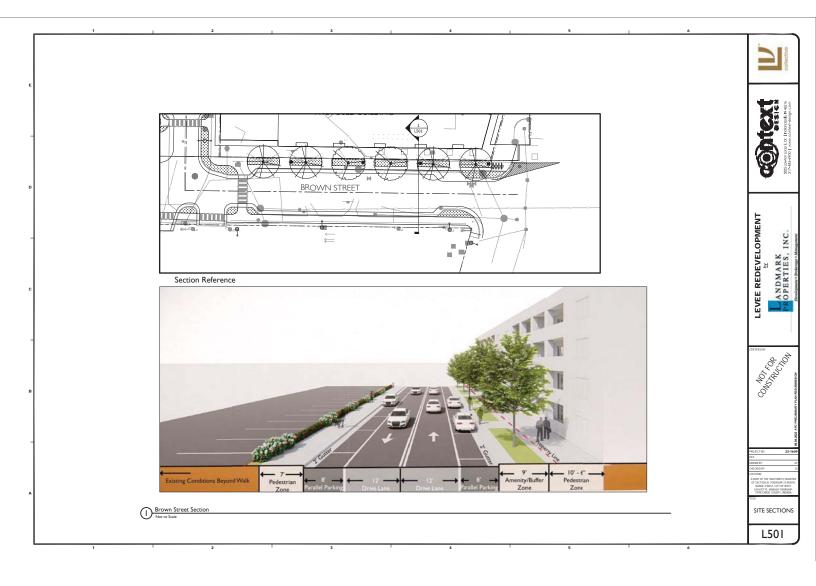














4- PERSPECTIVE VIEW - BLDG A - EAST FACADE (NEW STREET)



2- PERSPECTIVE VIEW - BLDG A - SW CORNER (SOUTH FACADE)



3- PERSPECTIVE VIEW - BLDG A - SE CORNER



1- PERSPECTIVE VIEW - BLDG A - SW CORNER



LEVEE WESTLAFAYETTE INDIANA

LV COLLECTIVE LANDMARK PROPERTIES, INC.

PROFESSIONAL SEAL

WOG PROJECT NO.

WAGSOIL

EXTERIOR
RENDERINGS

A401



4- PERSPECTIVE VIEW - BLDG B - SE CORNER



2 - PERSPECTIVE VIEW - BLDG B - SOUTH FACADE



3- PERSPECTIVE VIEW - BLDG B - WEST FACADE



1- PERSPECTIVE VIEW - BLDG B - SW CORNER



EXTERIOR RENDERINGS

A402



#### Area Plan Commission of Tippecanoe County, Indiana

June 22, 2023 Ref. No.: 2023-125

West Lafayette City Council 222 N. Chauncey Ave West Lafayette, Indiana 47906

#### **CERTIFICATION**

RE: Z-2875 LANDMARK PROPERTIES, INC. (The Levee Redevelopment PD) (CBW and PDMX to PDMX):

Petitioner is requesting a rezone of approximately 5.23 acres for a proposed planned development of two, 7-story mixed-use building containing a total of 21,700 square feet of ground floor retail space and up to 590 apartment units with a maximum of 1,350 beds on property located at the northeast corner of State Street and North River Road, specifically, 212 Brown Street (Bruno's Pizza); 200 Brown Street (Campus Inn); 300 Brown Street (Puccini's Pizza); 224 E. State Street (Rubia Flowers); and 140-124 Howard Avenue (La Hacienda restaurant, a parking lot and a Chinese restaurant), in West Lafayette, Wabash 20 (SW) 23-4.

Dear West Lafayette City Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I hereby certify that at a public hearing held on June 21, 2023 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from CBW and PDMX to PDMX. 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.

Public Notice has been given that this petition will be heard before the West Lafayette City Council at its July 10, 2023 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely.

David Hittle

**Executive Director** 

DH/kl

Enclosures: Site Plan, Staff Report & Ordinance

cc: Bruno Itin, BTO LLC and Bruno's Swiss Inn Incorporated

Naresh M. Vashi

Beau Pahud, Landmark Properties, Inc. and 300 Brown LLC

James J. Curtis, Jr., Howard Avenue Partners, LLC

Erin Easter & Nathan Manges, Interlocal Cooperation Board of the City of West Lafayette State of Indiana, c/o INDOT
West Lafayette Redevelopment Commission, c/o Department of Development
Sana Booker, City of West Lafayette
Kevin Riley, Reiling Teder & Schrier
Chad Spitznagle, City of West Lafayette