

ORDINANCE NO. 28-12

**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 the City of West Lafayette, Indiana, is hereby amended to rezone the following describer real estate, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A

Section 2: Said real estate is hereby rezoned as follows:


FROM: "R1" District
TO: "R1B" 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 5 DAY OF November, 2012.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 5 DAY OF November, 2012, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			



Presiding Officer

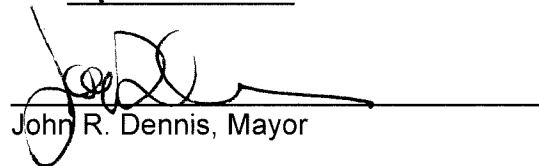
Attest:


Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON
THE 9 DAY OF November, 2012, AT THE HOUR OF
9:00 A.M.


Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 9 DAY OF
November, 2012, AT THE HOUR OF 9:00 A.M.


John R. Dennis, Mayor

Attest:


Judith C. Rhodes, Clerk-Treasurer

ORDINANCE NO. 28-12

**EXHIBIT A
Legal Description**

LAND DESCRIPTION – 17.40 Acre Tract

A part of the Northeast Quarter of Section 32, Township 24 North, Range 4 West in Tippecanoe Township, Tippecanoe County, Indiana described as follows:

Commencing at the Southeast Corner of said northeast quarter; thence North 0 degrees 33 minutes 56 seconds West along the east line of the land described in a deed to Stonebridge Development of West Lafayette, LLC, recorded as Record #07008512 a distance of 1173.70 feet to the northeast corner of said land; thence North 89 degrees 13 minutes 47 seconds West along the north line of said land a distance of 304.46 feet to the point of beginning; thence continuing North 89 degrees 13 minutes 47 seconds West along said north line a distance of 1030.28 feet to the west line of the east half of said quarter section; thence North 00 degrees 24 minutes 03 seconds West along said west line a distance of 733.56 feet; thence South 89 degrees 28 minutes 12 seconds East a distance of 1030.20 feet; thence South 00 degrees 24 minutes 03 seconds East a distance of 737.89 feet to the point of beginning, containing 17.40 acres, more or less

All divisions of land are subject to the Tippecanoe County Subdivision Ordinance.

Prepared by:
Dale L. Grimes, PLS
Director West Lafayette Operations

Date: January 23, 2009

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 18, 2012
Ref. No.: 12-320

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

RECEIVED

OCT 22 2012

CLERK - TREASURER

CERTIFICATION

RE: **Z-2509--SADDLEBROOK DEVELOPMENT, LLC (R1 to R1B):**
Petitioner is requesting rezoning of 17.4 acres located on the east side of CR 75 E, south of CR 500 N in West Lafayette, Tippecanoe 32 (NE) 23-5.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 17, 2012 the Area Plan Commission of Tippecanoe County voted 10 yes - 0 no on the motion to rezone the subject real estate from R1 to R1B. 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 November 5, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

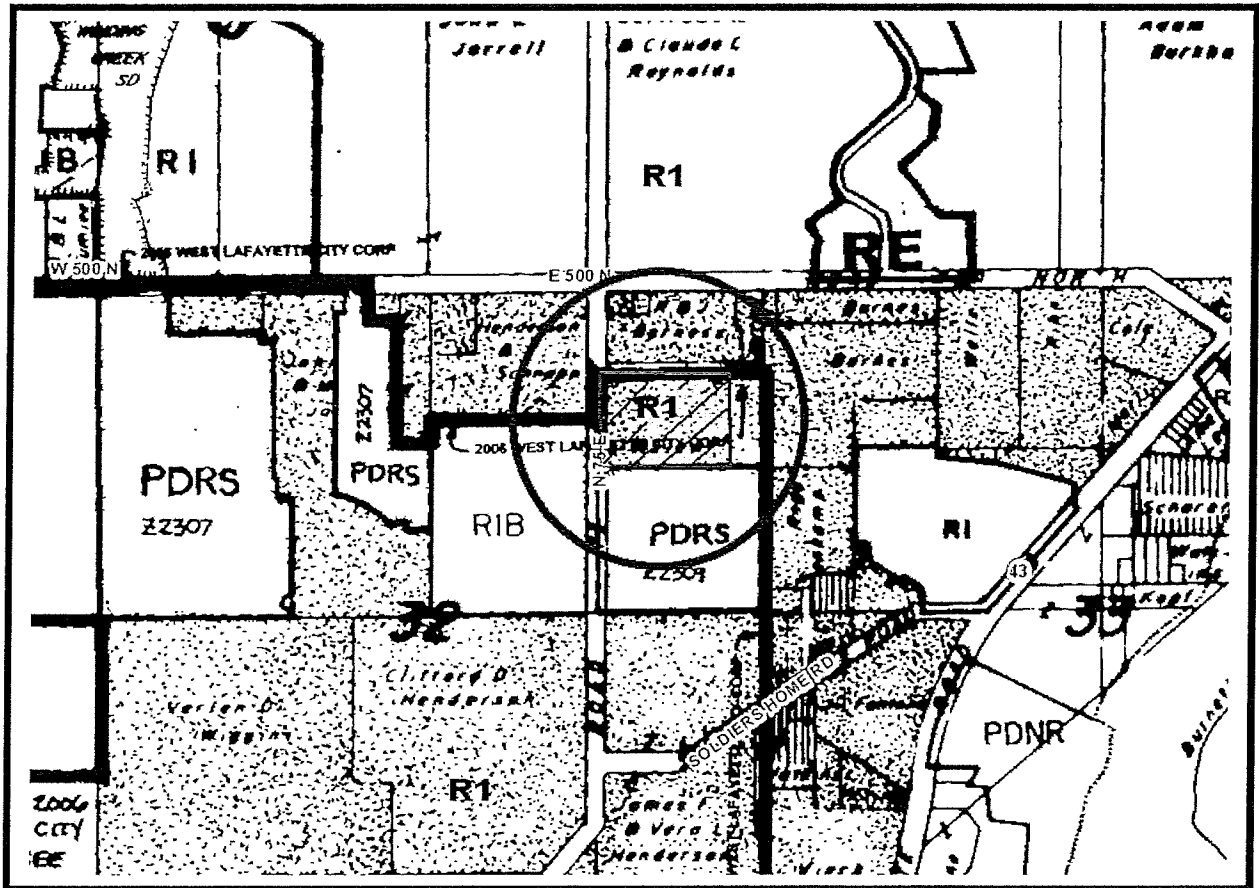
SDF/lmu

Enclosures: Staff Report & Ordinances

cc: John Scheumann
Daniel Teder
Dave Buck, West Lafayette City Engineer

Z-2509
SADDLEBROOK DEVELOPMENT, LLC
(R1 to R1B)

STAFF REPORT
October 11, 2012



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Daniel Teder, is requesting the rezoning of 17.40 acres from R1 to R1B. This acreage is also known as Lot 1 of Payton Place Minor Subdivision platted in April 2009. According to the City Engineer's Office, a development with approximately 57 lots is planned. The site is located just south of CR 500 N on the east side of CR 75 E at the extreme northern corporation limit of West Lafayette, Tippecanoe 32(NE) 24-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is zoned R1 and has been since the earliest zoning maps. R1B zoning is located to the west; that 47-acre tract was rezoned from R1 to R1B in 2000 (Z-1939). To the south, PDRS zoning can be found (Villas at Stonebridge, Z-2309). R1 zoning is located to the north, east and northwest.

AREA LAND USE PATTERNS:

The site in question is currently in row crop production. The Villas at Stonebridge, a planned development condominium project of 4-plexes, is adjacent to the south. Southwest across CR 75 is a single-family subdivision known as Prophet's Ridge. To the north and northwest land is farmed. The West Lafayette corporation boundary is just north of the subject land.

TRAFFIC AND TRANSPORTATION:

CR 75 East is classified as a rural local road and traffic counts taken in 2007 indicate that just over 1,000 vehicles travel this road daily.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities are available in the road right-of-way. No bufferyard would be required if this land is rezoned.

STAFF COMMENTS:

About 1,100 acres of land was annexed in 2006 by West Lafayette and has steadily been developing residentially ever since. Lauren Lakes, Prophet's Ridge and The Villas at Stonebridge have all developed in the past 10 years or so and bring over 400 home sites to the community. The existing R1 zoning and the availability of sewer and water essentially guarantees a residential future for this property.

On first glance, this rezone request may appear similar to another recent request in the area that staff opposed (Scheumann Properties, R1 to R2, Z-2501) but there are differences. First of all, that request was in the County and this request is within the city limits. Secondly, this site is adjacent to similar single-family zoning whereas the R2 request would have been an anomaly. Finally, the land in this request will likely be owner-occupied single-family homes and not duplex rentals as proposed in the R2 rezone.

With the adjacent 4-plexes to the south and the R1B zoned subdivision to the west, staff can support this 17 acre request for slightly denser single-family zoning.

STAFF RECOMMENDATION:

Approval