

ORDINANCE NO. 27-22
**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: **R3W** district and **CBW** district
TO: **PDMX** district

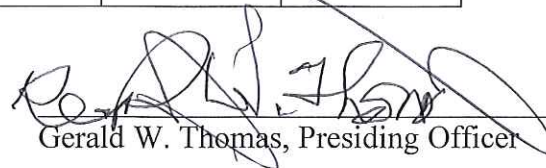
Section 3: This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

INTRODUCED ON FIRST READING ON THE 6 DAY OF September, 2022.

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

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 6 DAY OF September, 2022, HAVING BEEN PASSED BY A VOTE OF 5 IN FAVOR, 0 OPPOSED, 1 ABSTENTION, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco			✓	
Brown			✓	
Bunder			✓	
DeBoer	✓			
Hardesty	✓			
Leverenz	✓			
Parker	✓			
Sanders				✓
Thomas	✓			


Gerald W. Thomas, 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 7 DAY OF September, 2022.

Sana G. Booker
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 7 DAY OF September, 2022.

[Signature]
John R. Dennis, Mayor

Attest:

Sana G. Booker
Sana G. Booker, Clerk



Ordinance No. 27-22
Legal Descriptions

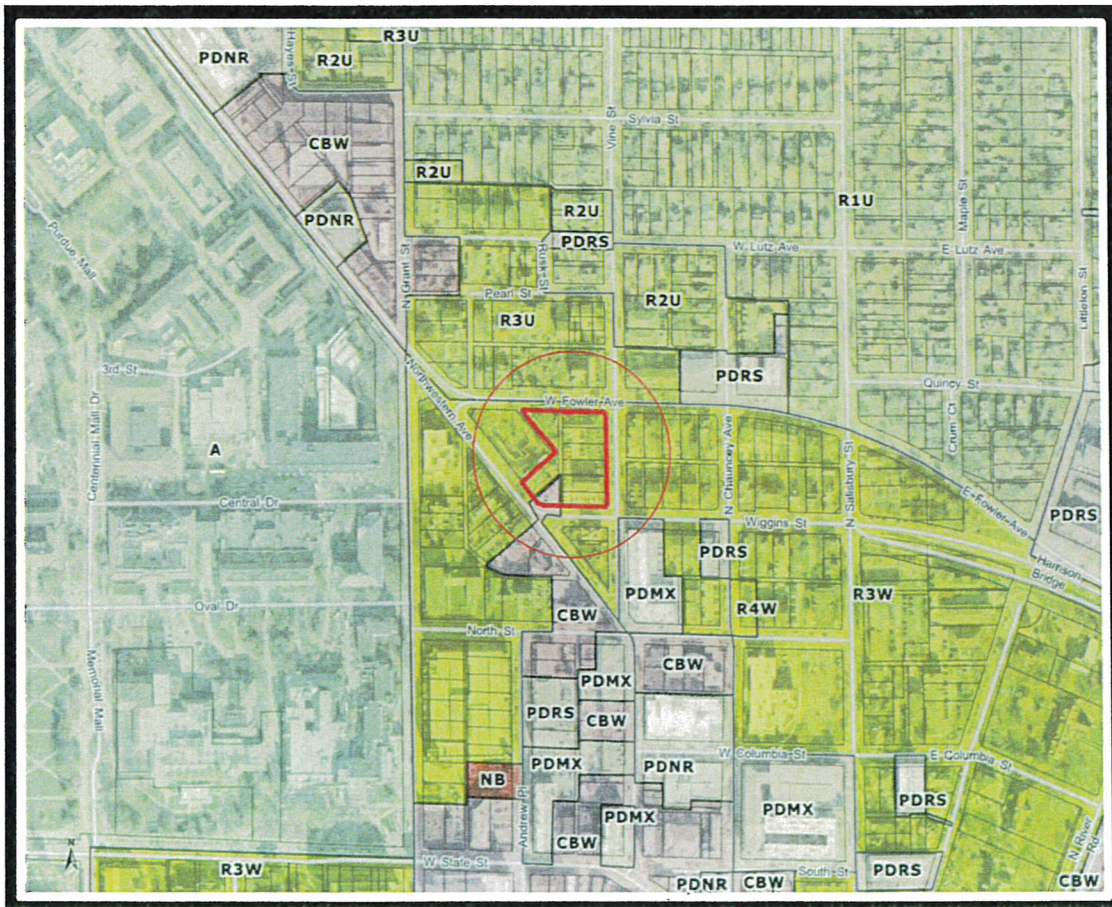
Lot Two (2) and a part of Lots One (1) and Seven (7) in Lentz's Subdivision of A.B. McLains Addition to the Town of Chauncey now West Lafayette, recorded February 25th, 1892 in Plat Book 1, Page 10 in the Office of the Tippecanoe County Recorder and Lots Two (2), Three (3), Four (4), Five (5) a part of Lots One (1) and Six (6) in Taylor and Stillwell's Addition to West Lafayette, recorded September 20, 1892 in Plat Book 1, Page 11, all located in the Northeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Four (4) West, City of West Lafayette, Wabash Township, Tippecanoe County, Indiana; being described as follows by Clem S. Kuns (LS20900172) of TBIRD Design Services Corp, Project Number 21042:

Commencing at the northeast corner of Lot One (1) in said Taylor and Stillwell's Addition; thence along the east line of said lot, South 00°31'39" East, 5.00 feet to the south corner of the State of Indiana real estate recorded in Deed Record 263, Page 397 and the Point of Beginning; thence continuing along the east line of said Taylor and Stillwell's Addition, South 00°31'39" East, 261.03 feet to the north corner of the State of Indiana real estate recorded in Deed Record 264, Page 443, said point being 10.00 feet northerly of the southeast corner of Lot Six (6) in said Addition; thence along said State of Indiana real estate, South 45°19'40" West, 6.96 feet; thence along said State of Indiana real estate and along the State of Indiana real estate recorded in Deed Record 263, Page 112, North 88°36'34" West, 184.91 feet; thence continuing along said State of Indiana real estate, North 70°17'36" West, 16.66 feet to the southwest line of Lot One (1) in Lentz's Subdivision; thence along the southwest line of Lot One (1) and Lot Two (2) in said Lentz's Subdivision, North 39°28'18" West, 77.12 feet to the northwest corner of said Lot 2; thence along the northwest line of said lot and the extension thereof, North 49°27'17" East, 136.24 feet to a point on the southwest line of said Lot 7; thence along said southwest line, North 41°21'33" West, 151.88 feet to the south corner of the State of Indiana real estate recorded in Deed Record 262, Page 579; thence along the east line of said real estate, North 13°40'25" East, 5.12 feet to the north line of said Lot 7 and the south right-of-way of Fowler Avenue; thence along said right-of-way, South 88°33'14" East, 129.19 feet to the northwest corner of the State of Indiana real estate recorded as Instrument Number 199209201762; thence along said State of Indiana real estate for the following three (3) courses: (1) South 01°26'46" West, 4.50 feet; (2) South 88°33'14" East, 10.00 feet; (3) North 01°26'46" East, 4.50 feet to said Fowler Avenue right-of-way; thence along said right-of-way and the north line of Lot One (1) in said Taylor and Stillwell's Addition, South 88°33'14" East, 101.81 feet to the west corner of the State of Indiana real estate recorded in Deed Record 263, Page 397; thence along the southwest line of said real estate, South 52°46'41" East, 8.55 feet to the Point of Beginning, containing, 1.29 acres, more or less.

SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD

Z-2848
4-UP, LLC – SHANE O’MALLEY
(4-Up Planned Development)
(R3W & CBW to PDMX)

STAFF REPORT
August 11, 2022



Z-2848
4-UP, LLC - 4-UP PLANNED DEVELOPMENT
R3W & CBW to PDMX

Staff Report
August 11, 2022

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Dan Teder, is requesting PDMX zoning on approximately 1.16 acres for a single-lot planned development consisting of a proposed six-story multi-family apartment building containing a maximum of 191 units with 334 bedrooms (with option to convert up to 1,382 square feet of ground floor residential space to commercial use) and a 107-space underground parking garage. This site is located on roughly the east half of the block bounded by Fowler Avenue, Vine Street, Wiggins Street, and Northwestern Avenue in the City of West Lafayette; Wabash 19(NW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property in this case is presently zoned R3W and CBW. Rezoning activity in the vicinity has largely been limited to Planned Developments (Fowler Avenue Apartments Z-2736, Hi-Vine Z-2641, Morris Rentals Z-2526). A mix of multi-family residential, commercial, and mixed-use zoning surround the subject property.

AREA LAND USE PATTERNS:

The rezone site area is currently improved with low-rise, multi-family apartment buildings. This section of West Lafayette's downtown area has been redeveloping in a more intense fashion for many years with numerous high and mid-rise mixed-use projects surrounding the subject property.

PARKING AND TRANSPORTATION:

According to the adopted *Thoroughfare Plan*, Northwestern Avenue, Fowler Avenue, and Wiggins Street are urban, primary arterials while Vine Street is an urban local road. Required rights-of-way are already in place for all streets. To improve traffic flow, access, and safety, the two public alleys presently on the site will be consolidated into a single alley (which will form the western boundary of the site, wrapping the Theta Nu Kappa Delta house). This new alley will vary in width from 22-feet to 24-feet and provide parking and delivery access to both the sorority house and the 4-UP apartment building.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Public utilities are available to serve the site.

STAFF COMMENTS:

According to the *West Lafayette Downtown Plan*, this block (block 1) is located in the "Downtown Village" land use category which supports a variety of mid-density residential and mixed-use developments.

The land use plan chapter of the *Downtown Plan* has specific details on how new development should take shape:

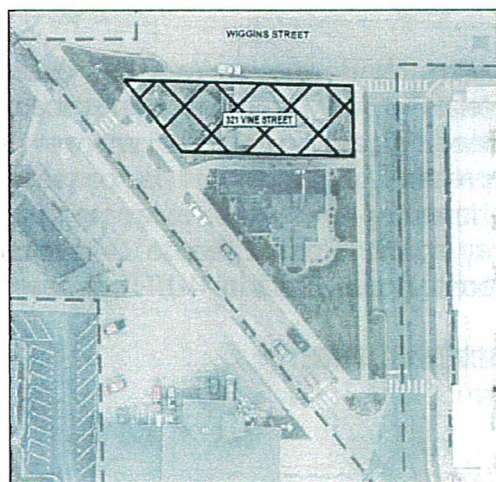
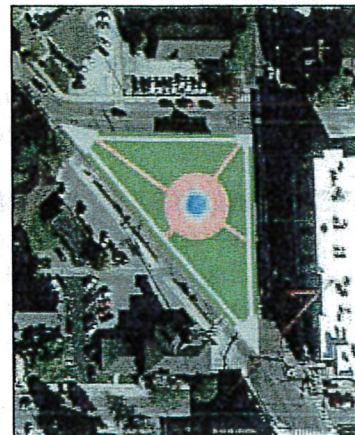
“This block is at an important crossroads, a place where the downtown meets the university and the New Chauncey neighborhood...Any redevelopment on this block should make use of existing alleys to provide rear-loaded vehicle access, minimize street curb cuts and protect the pedestrian orientation of the streetscape.”

With the consolidation of the existing narrow alleys into a single wider alley, vehicle movements through the site will be greatly improved all while protecting the block’s pedestrian-oriented streetscapes. The project also incorporates ground-floor walk-out units, widened sidewalks and streetscape elements, and private amenity spaces both inside and outside the building.

Another element of the *Downtown Plan* that is being supported by this project is the contribution of part of a planned park space option for Block 6, just south of the subject property across Wiggins Street. According to the *Downtown Plan*, this triangular block’s park option:

“...could be designed any number of ways: landscaped and hardscaped spaces, opportunities for seating, fountains, public art, etc.” (plan concept image at right)

With the development of the 4-UP project, the northern portion of the triangular block (shown below as 321 Vine Street) will be cleared, the existing houses demolished, the land seeded with grass and the property transferred to the City of West Lafayette.



Fulfilling multiple policy prescriptions found in the *Downtown Plan*, the 4-UP Planned Development is an ideal fit for West Lafayette’s downtown.

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. Planned Development construction plans per *UZO Appendix B-2*;
3. A final plat per *UZO Appendix B-3-2* as applicable, which includes all required right-of-way vacations/dedications;
4. Planned Development construction plans per *UZO Appendix B-2*;
5. Appropriate surety submitted with Final Detailed Plans;
6. 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;
7. A final MOT plan, subject to the approval of the Administrative Officer, shall be submitted with the Final Detailed Plans;
8. An application for addressing of the units shall be made to APC prior to the submission of the Final Detailed Plans as required;
9. FAA Determination shall be submitted with the Final Detailed Plans;
10. Per the narrative in the Preliminary Plans, the "321 Vine Street" area is to be demolished, seeded with grass, conveyed, and transferred to the City of West Lafayette "...at or about the time that construction of the Project is completed." As occupancy permits follow the completion of construction, no occupancy permits shall be granted for the Project until the developer has fulfilled the conditions for the "321 Vine Street" area as specified in the Preliminary Plan narrative.

ORDINANCE NO. _____

TO AMEND CERTAIN PORTIONS OF THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA, DESIGNATING THE TIME WHEN THE SAME SHALL TAKE EFFECT.

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See Attached Legal Description

Section 2: Said real estate is hereby rezoned as follows: FROM: R3W district and CBW district TO: PDMX 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 _____ DAY OF _____, 2022.

MOTION TO ADOPT MADE BY COUNCILOR _____, AND SECONDED BY COUNCILOR _____.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE _____ DAY OF _____, 2022, HAVING BEEN PASSED BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED, THE ROLL CALL VOTE BEING:

Table with 5 columns: Name, AYE, NAY, ABSENT, ABSTAIN. Rows include Blanco, Bunder, DeBoer, Kang, Leverenz, Parker, Sanders, Thomas, Brown.

Peter Bunder, Presiding Officer

Legal Description – “4-UP Planned Development”

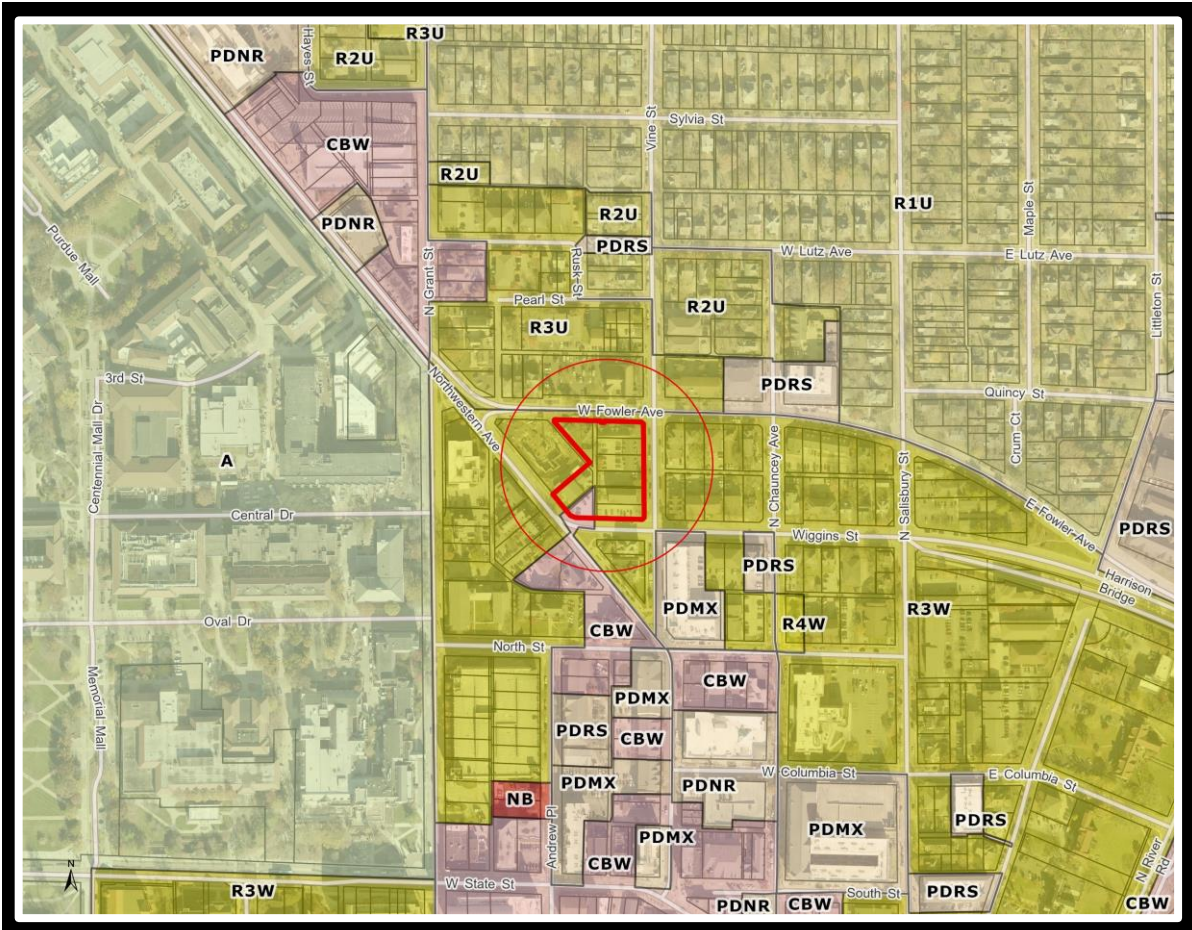
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Z-2848
4-UP, LLC – SHANE O’MALLEY
(4-Up Planned Development)
(R3W & CBW to PDMX)

STAFF REPORT
August 11, 2022



NOTE: RENDERINGS ARE A DESIGN TOOL INTENDED TO CONCEPTUALLY REPRESENT THE BUILDING AND SITE. RENDERINGS WILL NOT BE USED FOR CONSTRUCTION. THE ELEVATION DRAWINGS AND OTHER CONSTRUCTION PLANS SHALL BE USED FOR SPECIFIC INSTRUCTION ON THE DESIGN INTENT AND MATERIALS.



ARKOR

117 N. 4TH ST. STE. 2 | 764.479.4074
LAFAYETTE, IN 47901 | WWW.ARKOR-INC.COM

SEAL:
**PRELIMINARY PLAN
NOT FOR CONSTRUCTION**

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**OMALLEY - 4 UP APARTMENTS
NEW APARTMENT BUILDING**
Fowler Avenue
West Lafayette, Indiana 47906

PROJECT:

REV#	DATE	BY	DESCRIPTION
1	10/12/23	JRF	ISSUE FOR PERMITS
2	10/12/23	JRF	PRELIMINARY PLAN

DRAWN BY: JRF CHECKED BY: AAD

PLOT DATE: June 24, 2023

PROJ. NO.: **C-20031**

SHEET NAME:
3D IMAGES

SHEET NUMBER:
A100



IMAGE FROM FOWLER-VINE INTERSECTION



IMAGE FROM FOWLER @ ALLEY ENTRY



TRELLIS CANOPY IMAGE @ COURTYARD

Z-2848
4-UP, LLC - 4-UP PLANNED DEVELOPMENT
R3W & CBW to PDMX

Staff Report
August 11, 2022

REQUEST MADE, PROPOSED USE, LOCATION:

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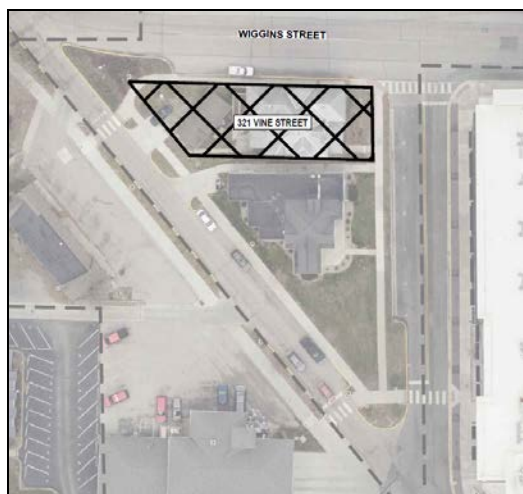
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Area Plan Commission of Tippecanoe County, Indiana

August 18, 2022
Ref. No.: 2022-191

West Lafayette City Council
222 N Chauncey Avenue
West Lafayette, Indiana 47906

CERTIFICATION

RE: Z-2848 4-UP, LLC – SHANE O’MALLEY (4-UP PLANNED DEVELOPMENT) (R3W & CBW to PDMX):

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Dear West Lafayette City Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 17, 2022 the Area Plan Commission of Tippecanoe County voted 16 yes – 1 no on the motion to rezone the subject real estate from R3W & CBW 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 September 06, 2022 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

David Hittle
Executive Director

DH/jae

Enclosures: Staff Report & Ordinances



cc: Shane O'Malley, 4UP, LLC
Shane O'Malley, Tomish Developers, LLC
Shane Campbell, Superior Concepts Industrial, LLC
Clem Kuns, T-BIRD Design Corp
Kevin Riley, Reiling Teder & Schrier