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Area Plan Commission of Tippecanoe County, Indiana

September 16, 2021  
Ref. No.: 2021-207

Tippecanoe County Commissioners  
20 North Third Street  
Lafayette, Indiana 47901

**CERTIFICATION**

**RE: Z-2839 JOHN CRISTODOULAKIS (GB to R3):**  
Petitioner is requesting rezoning for 1.224 acres located on the south corner of Paramount Drive and Genoa Drive, just north of Sagamore Parkway West, Wabash 2 (NE) 23-5.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 15, 2021 the Area Plan Commission of Tippecanoe County voted 17 yes - 0 no on the motion to rezone the subject real estate from GB to R3. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Board of Commissioners 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 Tippecanoe County Commissioners at its October 4, 2021 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

David Hittle  
Executive Director

DH/ksl

Enclosures: Staff Report & Ordinances

cc: John Christodoulakis  
Patrick Cunningham, Paramount Development Group, LLC  
Daniel Teder, Reiling, Teder & Schrier  
Mike Wolf, Building Commissioner

z-2839

ORDINANCE NO. 2021-29-CM  
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE  
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE  
FROM GB TO R3

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE  
COUNTY, INDIANA:

**Section 1:** The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code is hereby amended to rezone the following described real estate situated in Wabash Township, Tippecanoe County, Indiana

(Legal Description)

**Section 2:** The above-described real estate should be and the same is hereby rezoned from GB to R3.

**Section 3:** This ordinance shall be in full force and effect from and after its adoption.

(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 4th day of October, 2021.

VOTE:

<u>yes</u>	<u>[Signature]</u> Thomas Murtaugh, President
<u>yes</u>	<u>[Signature]</u> David Byers, Vice President
<u>yes</u>	<u>[Signature]</u> 10-4-21 Tracy Brown, Member

ATTEST:  
[Signature]  
Robert Plantenga, Auditor

LEGAL DESCRIPTION OF AREA OUT OF FLOODPLAIN:

A part of Lot 4 certified out of the floodplain as depicted on the Final Plat of Paramount-Lakeshore Subdivision Phase One-Section Two as recorded October 30, 2012 as Document Number 201212024555 in the Office of The Recorder of Tippecanoe County being located in Section 2, Township 23 North, and Range 5 West in Wabash Township, Tippecanoe County, Indiana, more particularly described as follows, to-wit:

Lot 4 of said subdivision: Except the following described tract; commencing at the Southwest corner of the East half of the Northeast Quarter of Section 2, Township 23 North, and Range 5 West; thence North 88°38'29" East, a distance of 654.02 feet; thence North 00°03'12" East, a distance of 116.72 feet to the point of beginning of the herein described tract; thence North 48°50'25" West, a distance of 1.33 feet; thence North 00°03'12" East, a distance of 99.54 feet; thence North 48°50' 25" West, a distance of 254.02 feet; thence North 41°37'55" West, a distance of 161.44 feet to the easterly right-of-way of Paramount Drive as platted in said subdivision; thence North 47°03'12" East along said right-of-way, a distance of 75.02 feet; thence South 41°37'55" East, a distance of 158.44 feet; thence South 48°50'25" East, a distance of 185.18 feet to the east line of said lot; thence South 00°03'12" West along said east line 199.07 feet to the point of beginning leaving 1.224 acres out of the floodplain.

Said area being above the elevations as noted on previous Vester and Associates, INC Job Numbers B-01301A & B96171, Dated July 12, 2002 & 07198 dated 8/15/07 & a DNR Letter dated June 28, 1999, REC# 79-990604-1

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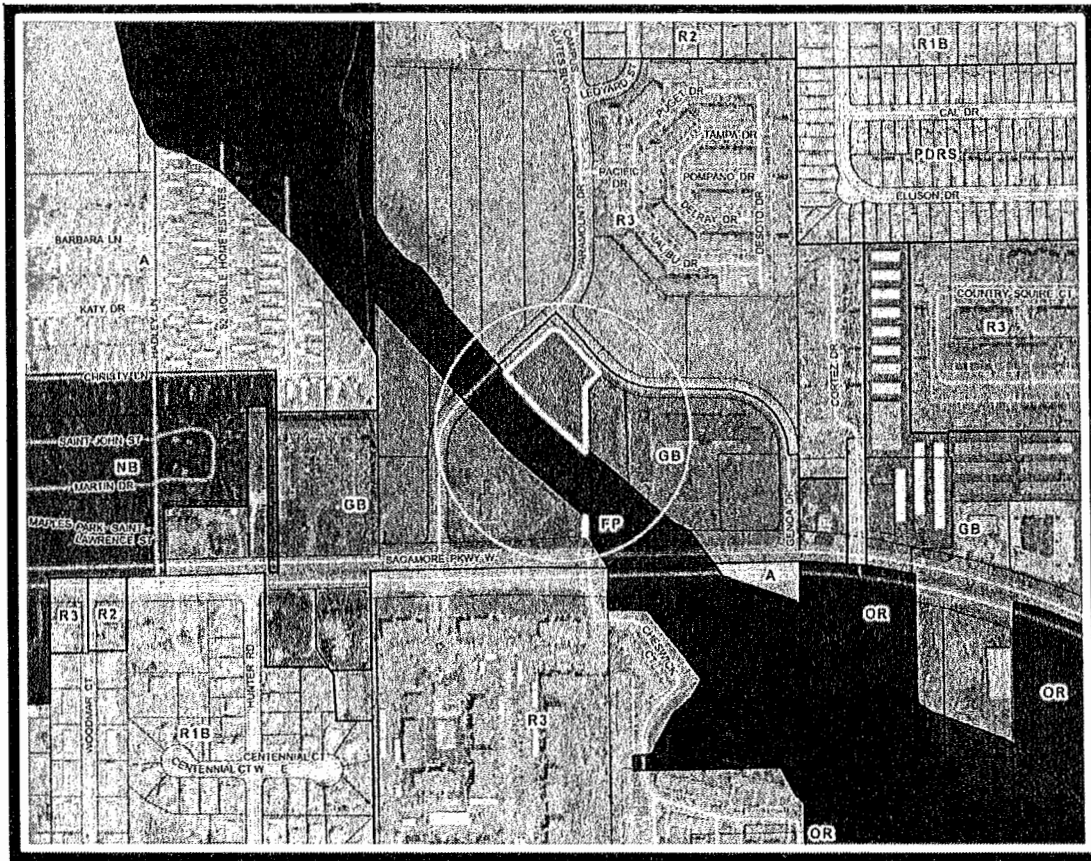
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**Z-2839**  
**JOHN CHRISTODOULAKIS**  
**(GB to R3)**

**STAFF REPORT**  
**September 9, 2021**

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**Z-2839**  
**JOHN CHRISTODOULAKIS**  
**GB to R3**

**Staff Report**  
**September 16, 2021**

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

Petitioner, represented by attorney Daniel Teder, is requesting rezoning for 1.224 acres located on the south corner of Paramount Drive and Genoa Drive, just north of Sagamore Parkway West, Wabash 2 (NE) 23-5.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The zoning history in this part of the county is quite lengthy and seems to be everchanging. This site is currently zoned GB, General Business as is land to the south across the ditch and to the east. A rezone from NB to R3 was heard and approved by the County Commissioner for the property to the west across Paramount Drive in August, (Z-2832). The property to the north is zoned R3, further to north is land zoned R2 and R1. Originally all these properties, located along the Cuppy-McClure Regulated Drain were zoned Floodplain. A Flood Plain certification was completed which drastically reduced the FP boundary at the same time expanding the existing NB zone that was already in place. In 2001, 16 additional acres were rezoned from NB to the current R3 designation.

**AREA LAND USE PATTERNS:**

This site is currently unimproved. To the east is a drainage pond and outside mall, to the north is multi-family subdivisions and the south across the ditch is a bank and restaurant.

**TRAFFIC AND TRANSPORTATION:**

Parking for multi-family housing in the county is two spaces per dwelling unit. The site has frontage on both Paramount Drive and Genoa Drive, both classified by the adopted *Thoroughfare Plan* as rural local roads. Access to the public road will require approval by the County Highway department. CityBus has a route (21 A) that travels along Paramount Drive to serve the residents in the area. Driveways for the site will be approved by the County Highway department.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

American Suburban Utilities and Indiana-American Water serve the rezone site. Drainage approval from either Drainage Board or the county surveyor will be necessary to complete the subdivision process. A 30' type C bufferyard is required when R3 zoned land is rezoned and developed adjacent to existing GB land. This bufferyard is required on east side of this property.

**STAFF COMMENTS:**

The many R3 rezone staff reports written over the decades for this area of the county includes both recommendations of approval and denial. Staff has more recently argued to limit the locations for new apartments, particularly apartments for Purdue students, to the downtown area of West Lafayette. Petitioner has provided no indication that this development is targeting students. This site has had the opportunity to develop commercially by right for over twenty years and has failed to do so. Staff recognizes that with the existing multi-family developments in the area, R3 is a logical zone for this location.

**STAFF RECOMMENDATION:**

Approval