

1 #1292

2 BILL NO. Z-12-08-07

3  
4  
5 ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

6 AN ORDINANCE amending the City of Fort Wayne  
7 Zoning Map Nos. L-02 and L-06 (Sec. 11 and 12 of Wayne Township)

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
9 INDIANA:

10 SECTION 1. That the area described as follows is hereby designated a CM5C  
11 (Neighborhood Commercial Corridor) District under the terms of Chapter 157 Title XV of the  
12 Code of the City of Fort Wayne, Indiana:

13 Beginning with the intersection of the center line of Van Buren Street and the center  
14 line of West Washington Boulevard, our Point of Beginning:  
15 Thence Easterly along the center line of West Washington Boulevard to its  
16 intersection with the West line of the East Half of Lot # 3 in Block 32 of Ewing  
17 Addition to the City of Fort Wayne, Indiana (Plat Record 2, page 40, office of Allen  
18 County Recorder) extend northerly; thence Southerly along said West line of the  
19 East half of Lot # 3 extending to the North line of Lot # 10 in Block 32 Ewing's  
20 Addition; thence Westerly along the North Line of Lot # 10 Ewing's Addition to the  
21 Northwest corner of the East eight feet of the West half of said Lot # 10 in Block 32  
22 of Ewing Addition; thence Southerly along the West line of the East eight feet of the  
23 West half of said Lot # 10 in block 32 of said of Ewing Addition and extending to  
24 the intersection of the center Line of West Jefferson Boulevard; thence Easterly  
25 along the center line of West Jefferson to the intersection of the center line of Fulton  
26 Street; thence Southerly following the center line of Fulton Street to the center line  
27 of Sturgis Street; thence Westerly along the center line of Sturgis to its intersection  
28 with the center line of a North-South alley; thence Southerly along the center line of  
29 said North-South alley between Lots 5 through 10 in Bonds 1<sup>st</sup> Addition to the City  
30 of Fort Wayne, Indiana on the East and Lots 4 & 9 of Noels 2<sup>nd</sup> Addition to the City  
of Fort Wayne, Indiana on the West to the center line of West Brackenridge Street;  
thence Easterly following the center line of West Brackenridge 52.17 feet to the  
extended East line of Lot 26 Ewing's, George W. 2<sup>nd</sup> Addition to the City of Fort  
Wayne, Indiana; thence Southerly following the East line of Lot 26 Ewing's, George  
W. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana to the center line of Lavina  
Street; thence Westerly following the center line of Lavina Street 84.87 feet to the  
extended center line of a North-South alley; thence Southerly along the center line of  
said North-South alley between Lot 34 Lot 26 Ewing's, George W. 2<sup>nd</sup> Addition to  
the City of Fort Wayne, Indiana on the East and Lots 31,32,33,46 Ewing's, George  
W. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana on the West to the center line of

1 an East-West Alley; thence Easterly along the center line of said East-West alley  
2 between Lots 34,35,36,37 Ewing's, George W. 2<sup>nd</sup> Addition to the City of Fort  
3 Wayne, Indiana to the North and Lots 49,50,51,52 Bonds 3<sup>rd</sup> Addition to the City of  
4 Fort Wayne, Indiana on the South to the Northerly extension of the East line of the  
5 West 5' of Lot 48 bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana; thence  
6 Southerly along on the East line of the West 5 feet of Lot 48 Bonds 3<sup>rd</sup> Addition to  
7 the City of Fort Wayne, Indiana extended Southerly to its intersection with the center  
8 line of Hendricks Street; thence Westerly along the center line of Hendricks Street to  
9 the Northerly extension of the West line of the east 30 feet of Lot 57 in Bonds 3<sup>rd</sup>  
10 Addition to the City of Fort Wayne, Indiana; thence Southerly along the Northerly  
11 extension of the West line of the East 30 feet of Lot 57 in Bonds 3<sup>rd</sup> addition,  
12 Southerly to its intersection with the South right of way of an alley bounded on the  
13 North by Lots 55 through 57 Bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana  
14 and the North line of Ewing's, Alexander, Estate out Lots to the City of Fort Wayne,  
15 Indiana on the South; thence Westerly along the South right of way line of said alley  
16 76 feet to the end of said alley; thence Northerly 5 feet to the Southeast corner of a  
17 vacated street right of way and South line of McMakens Addition and the North line  
18 of Ewing's, Alexander, Estate out Lots to the City of Fort Wayne, Indiana (CSX  
19 Transportation); thence Westerly along said North line of Ewing's, Alexander, Estate  
20 out lots to the City of Fort Wayne, Indiana, crossing Broadway to the Southeast  
21 corner of Lot 2 Chipmans Addition; Thence Northeasterly following the East line of  
22 Lot 2 Chipmans Addition to the City of Fort Wayne, Indiana 16.67 feet; thence  
23 West-Northwesterly 25 feet, then Southerly 25 feet to a point on the South line of  
24 Lot 2 Chipmans Addition that is 16.67 feet West of the Southeast corner of Lot 2  
25 Chipmans Addition to the City of Fort Wayne, Indiana; thence Westerly along the  
26 South line of Lot 2 Chipmans Addition to the City of Fort Wayne, Indiana to the  
27 extended center line of Jackson Street; thence North-Northwesterly along the center  
28 line of Jackson Street to the intersection with the extended North line of the South  
29 half of Lot 7 Chipmans Addition to the City of Fort Wayne, Indiana; thence Easterly  
30 along the South half of Lot 7 Chipmans Addition to the City of Fort Wayne, Indiana  
extending to the center line of a North-South alley; thence Northerly following the  
center line of said North-South alley between Lots 7, 8, 9,10 Chipmans Addition to  
the City of Fort Wayne, Indiana on the West and Lot 11 Chipmans Addition to the  
City of Fort Wayne, Indiana, to the intersection with the center line of Lavina Street;  
thence Easterly following the center line of Lavina Street to the intersection with the  
center line of Van Buren Street; thence Northerly following the center line of Van  
Buren Street to its intersection with the center line of West Washington Boulevard,  
our Point of Beginning, containing 19.89 acres of land, more or less.

and the symbols of the City of Fort Wayne Zoning Map Nos. L-02 and L-06 (Sec. 11 and 12  
of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City  
of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

# City of Fort Wayne Common Council

## DIGEST SHEET

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### Department of Planning Services

Title of Ordinance: Zoning Map Amendment  
Case Number: 1292/12  
Bill Number: Z-12-08-07  
Council District: 5 – Geoff Paddock

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Introduction Date: August 28, 2012

Plan Commission  
Public Hearing Date: September 10, 2012

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: The Fort Wayne Plan Commission has initiated a request to rezone approximately 19.9 acres of property from R2-Attached Single Family and Two Family Residential, R3-Multiple Family Residential, CM2-Limited Retail and Commercial, CM3-General Commercial, and IN3-Heavy Industrial to the CM5C-Neighborhood Commercial Corridor District, along a portion of the Broadway corridor. .

Location: The area is located along both sides of the 1000 to 1400 blocks of Broadway, south of West Washington Blvd. to the railroad elevation (Sections 2 and 11 of Wayne Township). See the file for specific properties.

Reason for Request: To permit mixed uses with a focus on neighborhood-oriented commercial and personal services at the street level, consistent with the CM5C rezoning, approved by Council in 2008.

Applicant: City of Fort Wayne Division of Community Development, initiated by Fort Wayne Plan Commission

Property Owners: Various, see file

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Related Petitions: None

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Effect of Passage: Property will be rezoned to the CM5C-Neighborhood Commercial Corridor District, which will continue the trend along the Broadway corridor of promoting mixed, neighborhood-oriented uses.

Effect of Non-Passage: The property will remain zoned for a variety of residential, commercial and industrial uses, which may allow new uses that are not considered compatible with the existing Broadway corridor uses.

Department of Planning Services  
Rezoning Petition Application

Applicant Planning and Policy / Division of Community Dev. City of Fort Wayne  
Address 200 E Berry St. Suite 320  
City Fort Wayne State IN Zip 46802  
Telephone 427-2138 Fax 427-1132 E-mail russell.garriott@cityoffortwayne.org

Property Owner See Attached  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Contact Person Russell Garriont, Planner II, Planning & Policy  
Address SAME Above  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

All staff correspondence will be sent only to the designated contact person.

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction  
Address of the property See Attached  
Present Zoning R2, R3, CM2, CM3, IN3 Proposed Zoning CMSC Acreage to be rezoned 19.89  
Proposed density \_\_\_\_\_ units per acre  
Township name Wayne Township section # WY 12 / L02 and L06  
Purpose of rezoning (attach additional page if necessary) Request from Business on Broadway Group and implementation of Around the Square Subarea Plan adopted by Common Council / 2008  
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Applications will not be accepted unless the following filing requirements are submitted with this application.  
Please contact staff for applicable filing fees and plan/survey submittal requirements.  
☒ Applicable filing fee  
☐ Applicable number of surveys showing area to be rezoned (plans must be folded)  
☐ Legal Description of parcel to be rezoned  
☒ Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Russell A. Garriont Russell A 7/23/12  
(printed name of applicant) (signature of applicant) (date)

\_\_\_\_\_  
(printed name of property owner) (signature of property owner) (date)

\_\_\_\_\_  
(printed name of property owner) (signature of property owner) (date)

\_\_\_\_\_  
(printed name of property owner) (signature of property owner) (date)

| Received | Receipt No. | Hearing Date | Petition No. |
|----------|-------------|--------------|--------------|
| 8/1/12   | no fee      | 9/10/12      | 1292         |

Rez-2012-084

# Memo

**To:** Fort Wayne Plan Commission  
**From:** Russ Garriott, Planner II, Planning & Policy, Division of Community Development  
**Date:** July 11, 2012  
**Re:** Request to rezone a portion of Broadway to **CM5C / Neighborhood Commercial Corridor**.  
From Washington Boulevard south to the railroad elevation just south of Hendricks Street.

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The Business on Broadway Association (BOB) is requesting the Fort Wayne Plan Commission initiate a rezoning for the 1000 to 1400 blocks of Broadway from Washington Boulevard south to the railroad overpass just south of Hendricks Street (see attached map). The request is to rezone this area to CM5C / Neighborhood Commercial Corridor. The CM5C district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses. The current zoning for this area is CM2, CM3, R2, R3, and IN3.

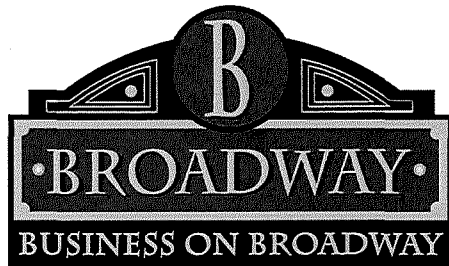
The **Department of Planning & Policy and the Division of Community Development supports this rezoning request.** The *Around the Square Sub-Area Plan*, adopted by Common Council in 2008, proposes this area be rezoned for mixed-use / CM5C.

Since 2009, the BOB association has worked with the City's Planning & Policy Department to inform property owners about CM5C zoning and the proposed rezoning district. Members of BOB have obtained signatures of support from nearly 50% of the property owners within this area. In addition to the petition drive, an open house was held on July 9, 2012 to answer questions from property owners. Notices for this open house were sent to all affected property owners.

The CM5C district was developed with the assistance of business owners along Broadway and Wells Street. This new zoning district was officially incorporated within the Fort Wayne Zoning Ordinance in 2007. Since then, three CM5C rezonings have been approved by the Plan Commission and Common Council. These rezonings include two on Wells Street and one on Pontiac.

If you have any questions regarding this rezoning, please feel free to contact me via phone at 427-2138 or email at [Russell.garriott@cityoffortwayne.org](mailto:Russell.garriott@cityoffortwayne.org).

Thank you for your consideration.



July 10, 2012

Department of Planning Services  
Citizens Square, Suite 150  
200 East Berry Street  
Fort Wayne, IN 46802

Dear Planning Services Staff:

The Business on Broadway Association (BOB) would like to request the Fort Wayne Plan Commission to initiate a rezoning for a portion of Broadway from Washington Boulevard to the railroad overpass just south of Hendricks Street. In accordance with the Around the Square Sub-Area Plan adopted by Common Council in 2008, we ask that this area be rezoned to CM5C/Neighborhood Commercial Corridor.

BOB has worked with the City's Planning & Policy Department for the last few years reaching out to businesses and property owners to inform them of the benefits of this mixed-use and more urban oriented zoning classification. Members of BOB have obtained signatures of support from nearly 50% of the property owners within this area. These signatures have been submitted to the City's Planning & Policy Department.

Regarding the petition, it has been supported by property owners who have made significant financial investment in this area since 2009. Properties that have been improved and renovated include: GE Union Hall, IAFF, Delaney's, IntraScape, Old Mill Properties/ Knitting Off Broadway, Gouloff-Jordan, Lupkin Designs. Properties currently being renovated include 1010 Broadway and Matt McCoy's buildings. All supported this rezoning effort. Poorman's has also signed in support of the rezoning. These property owners are very committed to doing what is best for this neighborhood and Broadway. Other investments near this area were made by St. Joe Hospital plus the building that belongs to Broadway Christian Church. However, St. Joe and Broadway Christian Church are not included within the petition area. So a significant amount of money invested by several different parties within a four or five block area.

An informational open house was held on Monday, July 9th from 5:30 to 7:00 at Wellspring Interfaith Social Services. At this meeting city staff and BOB members met with property owners within the affected area to provide information on the rezoning process and answer any questions.

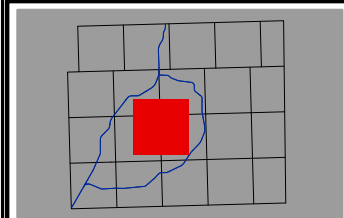
We hope the Plan Commission will support this request to initiate and look forward to having Broadway rezoned to a district that preserves its urban and pedestrian character while encouraging more business investment.

Sincerely:

Barbara Schoppman, President  
Business on Broadway



**This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project**



## Rezoning Petition 1292/12

Printed: August 22, 2012

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North American Datum 1983

State Plane Coordinate System, Indiana East

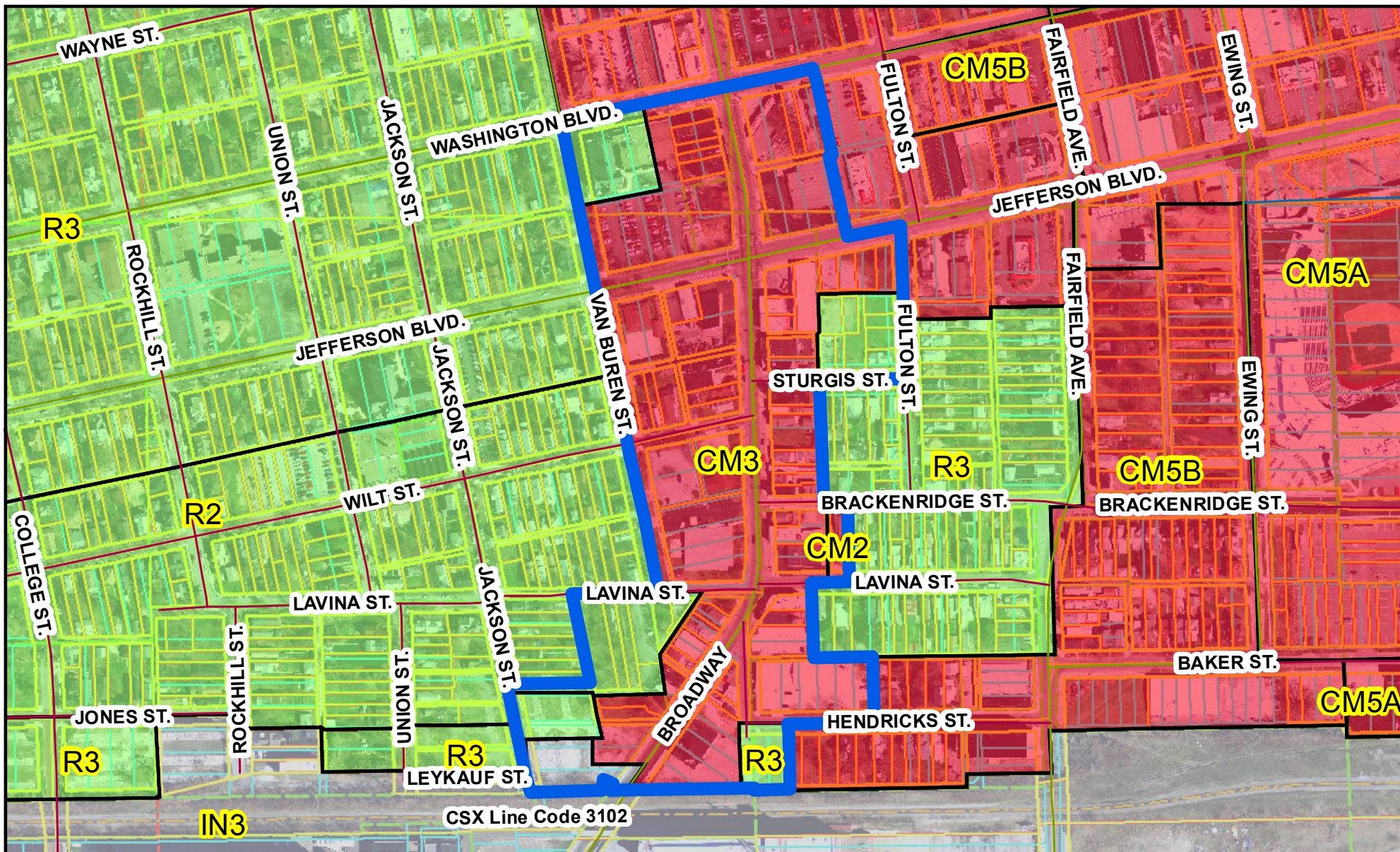
Photos: Spring 2006 / Contours: 1999

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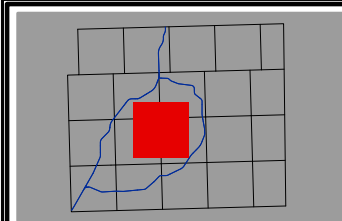


0 300 Feet

Scale: 1"= 300'



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## Rezoning Petition 1292/12

Printed: August 22, 2012  
 © 2004 Board of Commissioners of the County of Allen  
 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos: Spring 2006 / Contours: 1999

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