

#1289

BILL NO. Z-12-07-21

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. Q-26 (Sec. 30 of St. Joseph Township)**

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

SECTION 1. That the area described as follows is hereby designated a CM2

(Limited Commercial and Retail) District under the terms of Chapter 157 Title XV of the Code
of the City of Fort Wayne, Indiana:

Part of the Northeast Quarter of Section 30, Township 31 North, Range 13 East in
Allen County, Indiana, more particularly described as follows:

COMMENCING at a brass plug marking the southeast corner of said Northeast
Quarter; thence North 02 degrees 54 minutes 31 seconds West (assumed basis of
bearings) along the east line of said Northeast Quarter 2510.09 feet to a point that is
South 02 degrees 54 minutes 31 East 127.00 feet from a one-inch diameter iron pin
marking the intersection of the centerline of State Road 37 with the east line of said
Northeast Quarter per the Indiana Department of Transportation State Highway
Right-of-Way Plans for Project Number ST-F 312(A); thence South 87 degrees 05
minutes 29 seconds West 50.00 feet to the west right-of-way line of Hobson Road
per said Right-of-Way Plans, said point also being the POINT OF BEGINNING, the
following two (2) courses are along said west right-of-way line; (1) thence South 02
degrees 54 minutes 31 seconds East 174.99 feet; (2) thence South 04 degrees 01
minute 38 seconds East 191.51 feet; thence South 87 degrees 35 minutes 19 seconds
West 226.02 feet; thence North 02 degrees 07 minutes 35 seconds West 16.43 feet;
thence South 87 degrees 52 minutes 25 seconds West 231.98 feet; thence North 49
degrees 49 minutes 37 seconds West 83.06 feet to the southeast right-of-way line of
State Road 37 per said Right-of-Way Plans, the following four (4) courses are along
said southeast right-of-way line; (1) thence North 39 degrees 46 minutes 18 seconds
East 211.39 feet; (2) thence North 53 degrees 40 minutes 42 seconds East 93.43 feet;
(3) thence North 65 degrees 54 minutes 05 East 287.61 feet; (4) thence South 51
degrees 00 minutes 42 seconds East 33.90 feet to the POINT OF BEGINNING,
containing 3.099 acres more or less.

and the symbols of the City of Fort Wayne Zoning Map No. Q-26 (Sec. 30 of St. Joseph
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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: 1289/12
Bill Number: Z-12-07-21
Council District: 2 – Russell Jehl

Introduction Date: July 24, 2012

Plan Commission
Public Hearing Date: August 13, 2012

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

Synopsis of Ordinance: To rezone approximately 3.1 acres of property from RP-Planned Residential to CM2-Limited Commercial and Retail.

Location: The southwest corner of Crescent Avenue and Hobson Road.

Reason for Request: To allow for a CVS Pharmacy and future retail building.

Applicant: G.B. Indiana 2, LLC

Property Owner: The Trustees of Purdue University on behalf of itself and the Trustees of Indiana University

Related Petitions: Primary Development Plan, CVS at Hobson and Crescent

Effect of Passage: Property will be rezoned to CM2-Limited Commercial and Retail which will allow the development of retail shops as well as other permitted uses in the CM2 district.

Effect of Non-Passage: The property will remain zoned RP-Planned Residential and may develop with single, two-family or multiple family residential uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant G. B. Indiana 2, LLC
Address Attn: Craig Forgey, 600 East 96th Street
City Indianapolis State IN Zip 46240
Telephone 317-819-0116 Fax N/A E-mail cforgey@gershmanbrowncrowley.com

Property Ownership
Property Owner The Trustees of Purdue University on behalf of itself and the Trustees of Indiana University
Address Attn: Walter J. Branson, 2101 E. Coliseum Boulevard
City Fort Wayne State IN Zip 46805
Telephone 260-481-6804 Fax N/A E-mail branson@ipfw.edu

Contact Person
Contact Person Jon A. Bomberger
Address 111 E. Wayne Street, Suite 800
City Fort Wayne State IN Zip 46802
Telephone 260-460-1658 Fax 260-460-1700 E-mail jon.bomberger@FaegreBD.com

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

Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property SW Corner of Crescent Avenue and Hobson Road
Present Zoning RP Proposed Zoning CM2 Acreage to be rezoned 3,232
Proposed density _____ units per acre
Township name St. Joseph Township section # 30
Purpose of rezoning (attach additional page if necessary) To allow for the development of a CVS Pharmacy, professional office, retail and other uses permitted in the CM2 district.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Filing Requirements
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.

Please see attached Exhibit "A"

(printed name of applicant) (signature of applicant) (date)

Please see attached Exhibit "B"

(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)

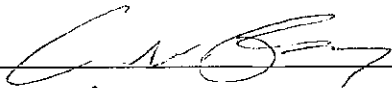
Received	Receipt No.	Hearing Date	Petition No.

EXHIBIT "A"

SIGNATURE PAGE OF APPLICANT

APPLICANT:

G.B. Indiana 2, LLC, an Indiana limited liability
company

By: 

Name: CRAG W FORNEY

Title: REGIONAL CONSTRUCTION MANAGER

EXHIBIT "B"

SIGNATURE PAGE OF PROPERTY OWNER

PROPERTY OWNER:

THE TRUSTEES OF PURDUE UNIVERSITY, on
its behalf and on behalf of The Trustees of Indiana
University

By: James S. Almond
Name: James S. Almond
Title: Asst. Treasurer



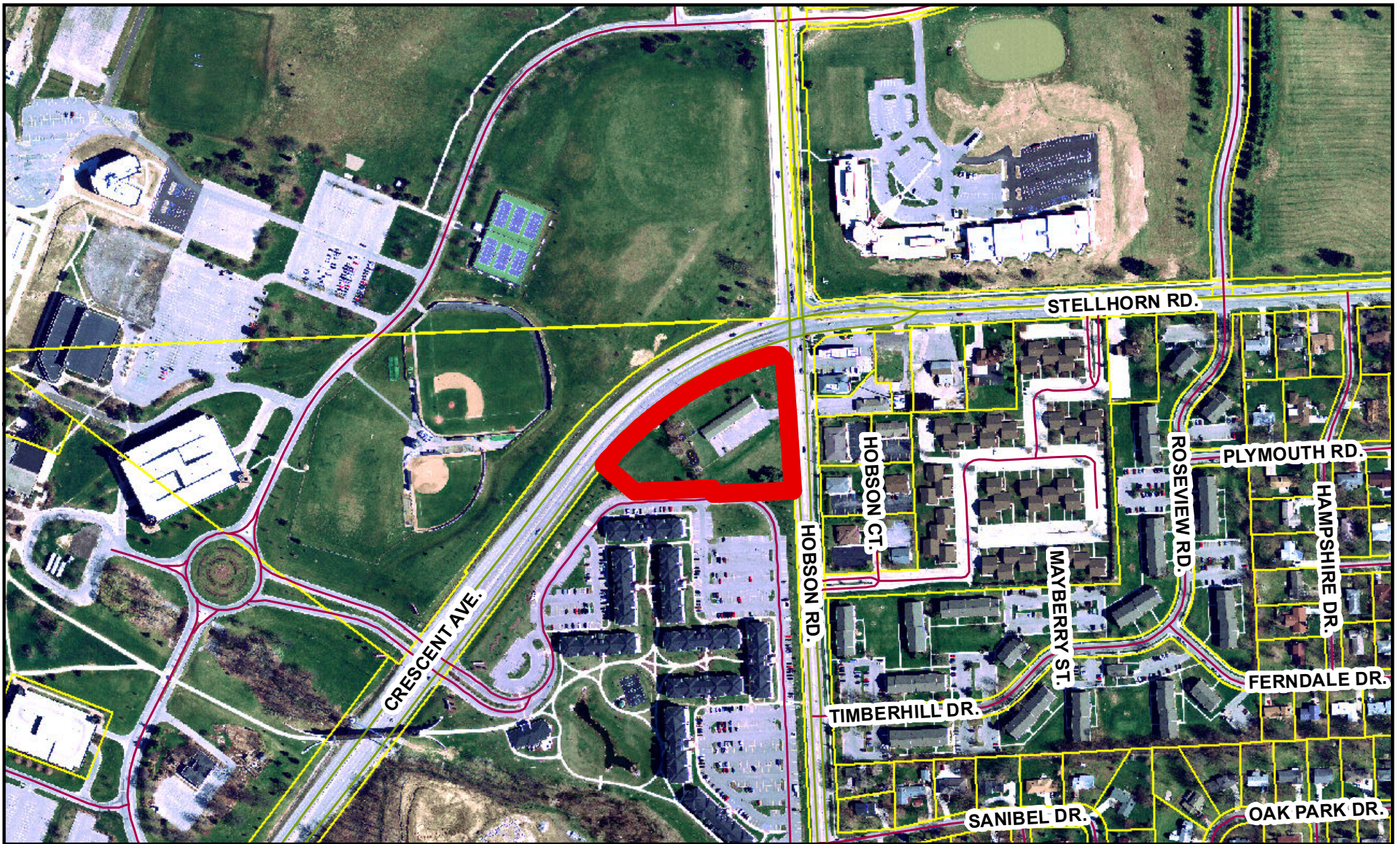
+ - CENTER OF PLANT

PLANT SPACING AS SPECIFIED
ON DRAWINGS. SEE PLANT LIST.

*Install plugs at 3' on center throughout the bottom of the basin

1. The Landscape Contractor shall be responsible for installing materials and plants shown on the landscape plan.
2. All nursery stock will be well branched, healthy, full, pre-inoculated and fertilized. Deciduous trees shall be free of fresh scars. Trunks will be wrapped if necessary to prevent sun scald and insect damage. The landscape contractor shall remove the wrap at the proper time as a part if this contract.
3. All nursery stock shall be guaranteed, by the contractor, for one year from date of final inspection.
4. Clean viable earth will be provided and graded by the General Contractor up to 6 inches below finished grade in turf areas and 18 inches in planting areas.
5. Soil shall be amended with 25% sphagnum peatmoss, 5% humus and 65% pulverized soil for all shrub, ornamental grass, perennial and annual beds.
6. Shredded hardwood mulch shall be applied three inches in depth to all planting beds, and all tree rings. Mulch shall not contain any form or other wastes.
7. A chemical weed preventative barrier shall be applied in all wood mulch areas. A 4" x 14 gauge galvanized edger, Ryerson or approved equal shall separate the beds from the turf areas as shown
- on the plans. Edger is not required when adjacent to curbs, walls or walks.
8. All sod areas shall be sodded with 90/10 bluegrass fescue mix.
9. Indiana Underground Utilities will need to be contacted before any type of work is done on the site.
10. Do not disturb paving, lighting, landscaping, irrigation and/or fencing that is adjacent to the site. The contractor is responsible for the cost to repair such areas if damaged.
11. The contractor shall report any discrepancies in plan vs field conditions in writing immediately to the owners representative prior to continuing with that portion of the work.
12. All trees are to be guyed per the tree planting detail for a period of one year. During the construction period tighten the guy wires as necessary. The landscape contractor shall remove all guying material after one year.
13. Contractor shall be responsible for transitioning the sod areas into existing turf along the edge of the disturbed area.
14. The lawn sprinkler and irrigation system shall comply with City Plumbing Code.
15. All landscape irrigation equipment shall be equipped with either a rain sensor or a soil moisture sensing device which overrides the irrigation cycle of the sprinkler system when it rains and/or the soil has adequate moisture.
16. No lawn sprinkler / landscape irrigation system shall produce water runoff, over spraying, low head drainage or any other condition which results in flowing water onto property not served by lawn sprinkler / landscape irrigation system.
17. All lawn sprinklers / landscape irrigation system shall be protected with approved backflow devices.
18. All right-of-way trees shall be supplied balled and burlapped.
19. Any unpaved area of right-of-way shall be final graded and covered with a minimum of six inches of topsoil and either sodded or seeded.

COMMENTS:



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

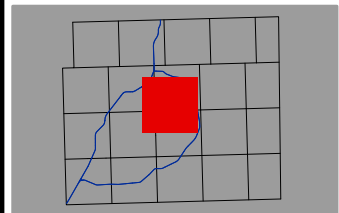
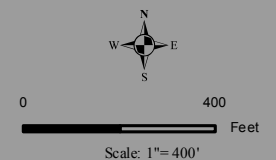
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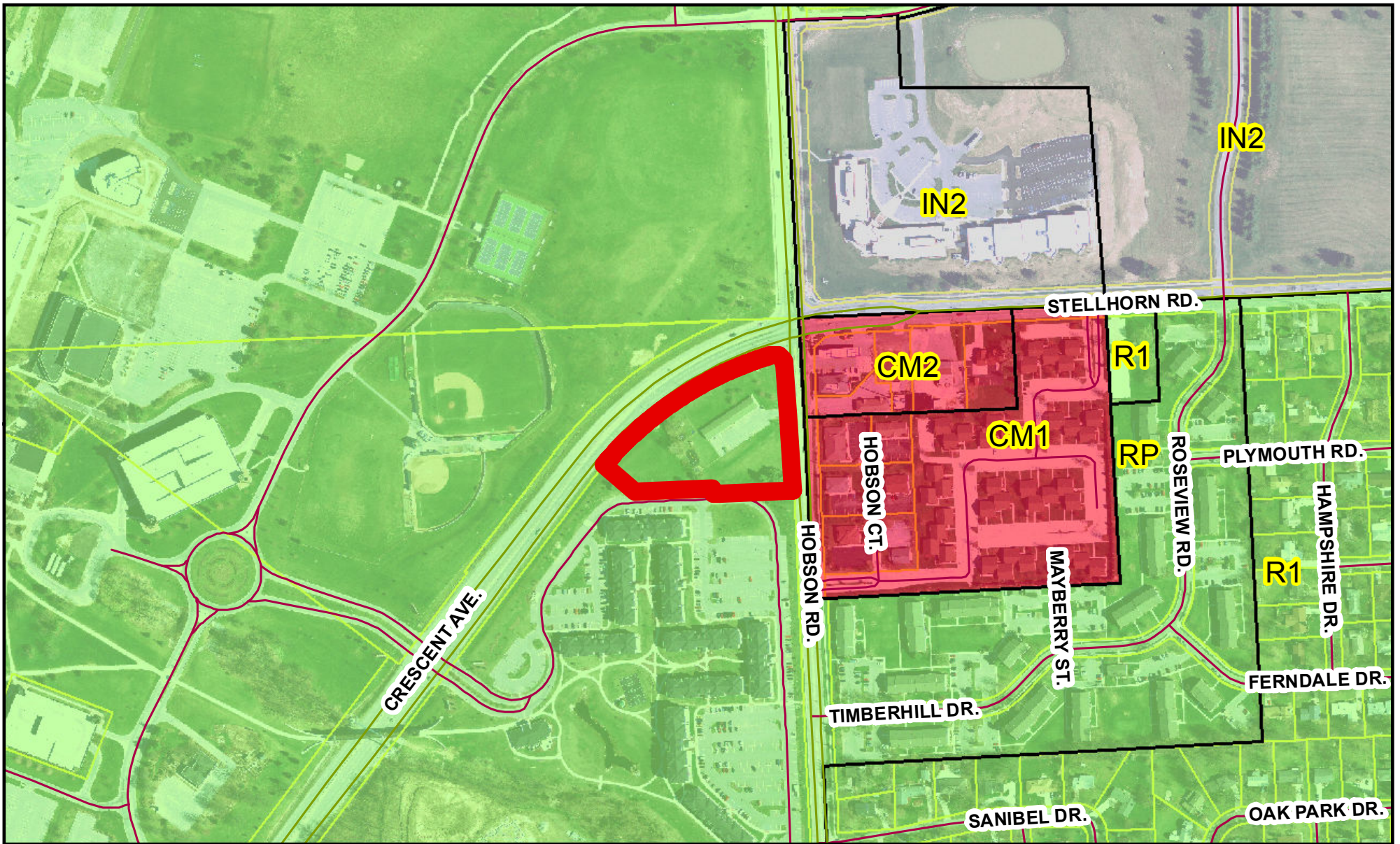
Printed: July 19, 2012

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 North American Datum 1983

State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

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Rezoning Petition 1289/12
Primary Development Plan - CVS at Hobson and Crescent

Printed: July 19, 2012

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