

#1292

BILL NO. Z-13-01-02

ZONING MAP ORDINANCE NO. Z-_____

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

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

SECTION 1. That the total area included in this Zoning Map amendment is
described as follows:

Beginning with the intersection of the center line of Van Buren Street and the center line of West Washington Boulevard, our Point of Beginning:
Thence Easterly along the center line of West Washington Boulevard to its intersection with the West line of the East Half of Lot 3 in Block 32 of Ewing Addition to the City of Fort Wayne, Indiana (Plat Record 2, page 40, Office of Allen County Recorder) extend Northerly; thence Southerly along said West line of the East half of Lot 3 extending to the North line of Lot 10 in Block 32 Ewing's Addition; thence Westerly along the North Line of Lot 10 Ewing's Addition to the Northwest corner of the East eight feet of the West half of said Lot 10 in Block 32 of Ewing Addition; thence Southerly along the West line of the East eight feet of the West half of said Lot 10 in block 32 of said Ewing Addition and extending to the intersection of the center Line of West Jefferson Boulevard; thence Easterly along the center line of West Jefferson to the intersection of the center line of Fulton Street; thence Southerly following the center line of Fulton Street to the center line of Sturgis Street; thence Westerly along the center line of Sturgis to its intersection with the center line of a North-South alley; thence Southerly along the center line of said North-South alley between Lots 5 through 10 in Bonds 1st Addition to the City of Fort Wayne, Indiana on the East and Lots 4 & 9 of Noels 2nd 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. 2nd Addition to the City of Fort Wayne, Indiana; thence Southerly following the East line of Lot 26 Ewing's, George W. 2nd 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. 2nd Addition to the City of Fort Wayne, Indiana on the East and Lots 31, 32, 33, 46 in Ewing's, George W. 2nd Addition to the City of Fort Wayne, Indiana on the West to the center line of an East-West Alley; thence Easterly along the center line of said East-West alley between Lots 34, 35, 36, 37 in Ewing's, George W. 2nd Addition to the City of

Fort Wayne, Indiana to the North and Lots 49, 50, 51, and 52 in Bonds 3rd Addition to the City of Fort Wayne, Indiana on the South to the Northerly extension of the East line of the West 5 feet of Lot 48 in Bonds 3rd Addition to the City of Fort Wayne, Indiana; thence Southerly along on the East line of the West 5 feet of Lot 48 in Bonds 3rd Addition to the City of Fort Wayne, Indiana extended Southerly to its intersection with the center line of Hendricks Street; thence Westerly along the center line of Hendricks Street to the Northerly extension of the West line of the East 30 feet of Lot 57 in Bonds 3rd Addition to the City of Fort Wayne, Indiana; thence Southerly along the Northerly extension of the West line of the East 30 feet of Lot 57 in Bonds 3rd Addition, Southerly to its intersection with the South right of way of an alley bounded on the North by Lots 55 through 57 in Bonds 3rd Addition to the City of Fort Wayne, Indiana and the North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana on the South; thence Westerly along the South right of way line of said alley 76 feet to the end of said alley; thence Northerly 5 feet to the Southeast corner of a vacated street right of way and South line of McMakens Addition and the North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana (CSX Transportation); thence Westerly along said North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana, crossing Broadway to the Southeast corner of Lot 2 in Chipmans Addition; thence Northeasterly following the East line of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana 16.67 feet; thence West-Northwesterly 25 feet, thence Southerly 25 feet to a point on the South line of Lot 2 in Chipmans Addition that is 16.67 feet West of the Southeast corner of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana; thence Westerly along the South line of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana to the extended center line of Jackson Street; thence North-Northwesterly along the center line of Jackson Street to the intersection with the extended North line of the South half of Lot 7 in Chipmans Addition to the City of Fort Wayne, Indiana; thence Easterly along the South half of Lot 7 in 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, and 10 in Chipmans Addition to the City of Fort Wayne, Indiana on the West and Lot 11 in 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.

SECTION 2. That the area described as follows is hereby designated a CM5B (Downtown Edge) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Beginning with the intersection of the center line of Van Buren Street and the center line of West Washington Boulevard, our Point of Beginning:

1 Thence Easterly along the center line of West Washington Boulevard to its
2 intersection with the West line of the East Half of Lot 3 in Block 32 of Ewing
3 Addition to the City of Fort Wayne, Indiana (Plat Record 2, page 40, Office of Allen
4 County Recorder) extend northerly; thence Southerly along said West line of the
5 East half of Lot 3 extending to the North line of Lot 10 in Block 32 Ewing's
6 Addition; thence Westerly along the North Line of Lot 10 Ewing's Addition to the
7 Northwest corner of the East eight feet of the West half of said Lot 10 in Block 32 of
8 Ewing Addition; thence Southerly along the West line of the East eight feet of the
9 West half of said Lot 10 in block 32 of said Ewing Addition and extending to the
10 intersection of the center Line of West Jefferson Boulevard; thence Easterly along
11 the center line of West Jefferson to the intersection of the center line of Fulton Street;
12 thence Southerly following the center line of Fulton Street to the center line of
13 Sturgis Street; thence Westerly along the center line of Sturgis to its intersection with
14 the center line of a North-South alley; thence Northerly along the center line of said
15 North-South alley between Lots 4 and 5 in Bonds 1st Addition to the City of Fort
16 Wayne, Indiana on the East and Lot 9 of Noels 2nd Addition to the City of Fort
17 Wayne, Indiana on the West to the center line of an East-West alley; thence Westerly
18 following the center line of said East-West alley between Lot 4 in Bonds 1st Addition
19 to the City of Fort Wayne, Indiana on the South and Lot 3 in Bonds 1st Addition to
20 the City of Fort Wayne, Indiana on the North, to the extended West line of Lot 3 in
21 Bonds 1st Addition to the City of Fort Wayne; thence Northerly along the West line
22 of Lot 3 in Bonds 1st Addition to the City of Fort Wayne, to the North line of Lot 2 in
23 Bonds 1st Addition to the City of Fort Wayne; thence Westerly following the North
24 line of Lot 2 to the center line of Broadway; thence Southerly following the center
25 line of Broadway to the center line of an East-West alley between Lot 672 Hanna
26 addition on the North and Lot 673 Hanna Addition on the South; thence South-
27 Southwesterly along the center line of said alley to the center line of Van Buren
28 Street; thence Northerly following the center line of Van Buren Street to its
29 intersection with the center line of West Washington Boulevard, our P.O.B.

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19 SECTION 3. That the area described as follows is hereby designated a CM5C
20 (Neighborhood Commercial Corridor) District under the terms of Chapter 157 Title XV of the
21 Code of the City of Fort Wayne, Indiana:

22
23 Beginning with the intersection of the center line of Van Buren Street and the center
24 line of West Washington Boulevard; thence Southerly following the center line of
25 Van Buren Street 570.0 feet to the intersection of the centerline of the first alley
26 south of Jefferson our P.O.B.:
27 Thence Easterly along the center line of said alley with lots 669, 670 and 672 in
28 Hanna Addition on the north side and Lot 676, 675 and 673 in Hanna Addition on
29 the South to the center line of Broadway; thence Northerly along the center line of
30 Broadway to the extended North line of Lot 2 in Bonds Addition; thence Easterly
along the North line of Lot 2 in Bonds Addition to the intersection with the West line

of Lot 3 in Bonds Addition; thence Southerly 83.0 feet following the West line of said Lot 3 in Bonds Addition extending to the center line of an East-West alley; thence westerly 46.5 feet along the center line of said alley to the center line of a North-South alley; thence Southerly along the center line of said North-South alley between Lots 4 through 10 in Bonds 1st Addition to the City of Fort Wayne, Indiana on the East and Lot 9 in Noels 2nd and Lots 4 of Block 3 Noels 2nd and 9 of Block 4 Noels 2nd 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. 2nd Addition to the City of Fort Wayne, Indiana; thence Southerly following the East line of Lot 26 Ewing's, George W. 2nd 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 in Ewing's, George W. 2nd Addition to the City of Fort Wayne, Indiana on the East and Lots 31, 32, 33 and 46 in Ewing's, George W. 2nd Addition to the City of Fort Wayne, Indiana on the West to the center line of an East-West Alley; thence Easterly along the center line of said East-West alley between Lots 34, 35, 36 and 37 in Ewing's, George W. 2nd Addition to the City of Fort Wayne, Indiana to the North and Lots 49, 50, 51 and 52 in Bonds 3rd Addition to the City of Fort Wayne, Indiana on the South to the Northerly extension of the East line of the West 5 feet of Lot 48 in Bonds 3rd Addition to the City of Fort Wayne, Indiana; thence Southerly along on the East line of the West 5 feet of Lot 48 in Bonds 3rd Addition to the City of Fort Wayne, Indiana extended Southerly to its intersection with the center line of Hendricks Street; thence Westerly along the center line of Hendricks Street to the Northerly extension of the West line of the east 30 feet of Lot 57 in Bonds 3rd Addition to the City of Fort Wayne, Indiana; thence Southerly along the Northerly extension of the West line of the East 30 feet of Lot 57 in Bonds 3rd addition, Southerly to its intersection with the South right of way of an alley bounded on the North by Lots 55 through 57 in Bonds 3rd Addition to the City of Fort Wayne, Indiana and the North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana on the South; thence Westerly along the South right of way line of said alley 76 feet to the end of said alley; thence Northerly 5 feet to the Southeast corner of a vacated street right of way and South line of McMakens Addition and the North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana (CSX Transportation); thence Westerly along said North line of Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana, crossing Broadway to the Southeast corner of Lot 2 in Chipmans Addition; thence Northeasterly following the East line of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana 16.67 feet; thence West-Northwesterly 25 feet then Southerly 25 feet to a point on the South line of Lot 2 in Chipmans Addition that is 16.67 feet West of the Southeast corner of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana; thence Westerly along the South line of Lot 2 in Chipmans Addition to the City of Fort Wayne, Indiana to the extended center line of Jackson Street; thence North-Northwesterly along the center line of Jackson Street to the intersection with the extended North line of the South half of Lot 7 in Chipmans Addition to the City of Fort Wayne, Indiana; thence

1 Easterly along the South half of Lot 7 in Chipmans Addition to the City of Fort
2 Wayne, Indiana extending to the center line of a North-South alley; thence Northerly
3 following the center line of said North-South alley between Lots 7, 8, 9, and 10 in
4 Chipmans Addition to the City of Fort Wayne, Indiana on the West and Lot 11
5 Chipmans Addition to the City of Fort Wayne, Indiana, to the intersection with the
6 center line of Lavina Street; thence Easterly following the center line of Lavina
7 Street to the intersection with the center line of Van Buren Street; thence Northerly
8 following the center line of Van Buren Street to its intersection with the center line
9 of first alley South of Jefferson, our P.O.B.

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

13 SECTION 4. That this Ordinance shall be in full force and effect from and after its
14 passage and approval by the Mayor.

15 _____
16 Council Member

17 APPROVED AS TO FORM AND LEGALITY:

18 _____
19 Carol T. Helton, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: 1292/12 (*revised*)
Bill Number: Z-13-01-02
Council District: 5 – Geoff Paddock

Introduction Date: January 8, 2013

Plan Commission
Public Hearing Date: January 7, 2013

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

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 CM5B-Downtown Edge District and CM5C-Neighborhood Commercial Corridor District, along a portion of the Broadway corridor. **This was originally introduced in August of 2012 with a request to rezone only to the CM5C district. Following public comment, the Plan Commission amended their initiation to include the CM5B district for the area of Broadway and West Jefferson/East Washington.**

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 CM5B and CM5C zoning districts.

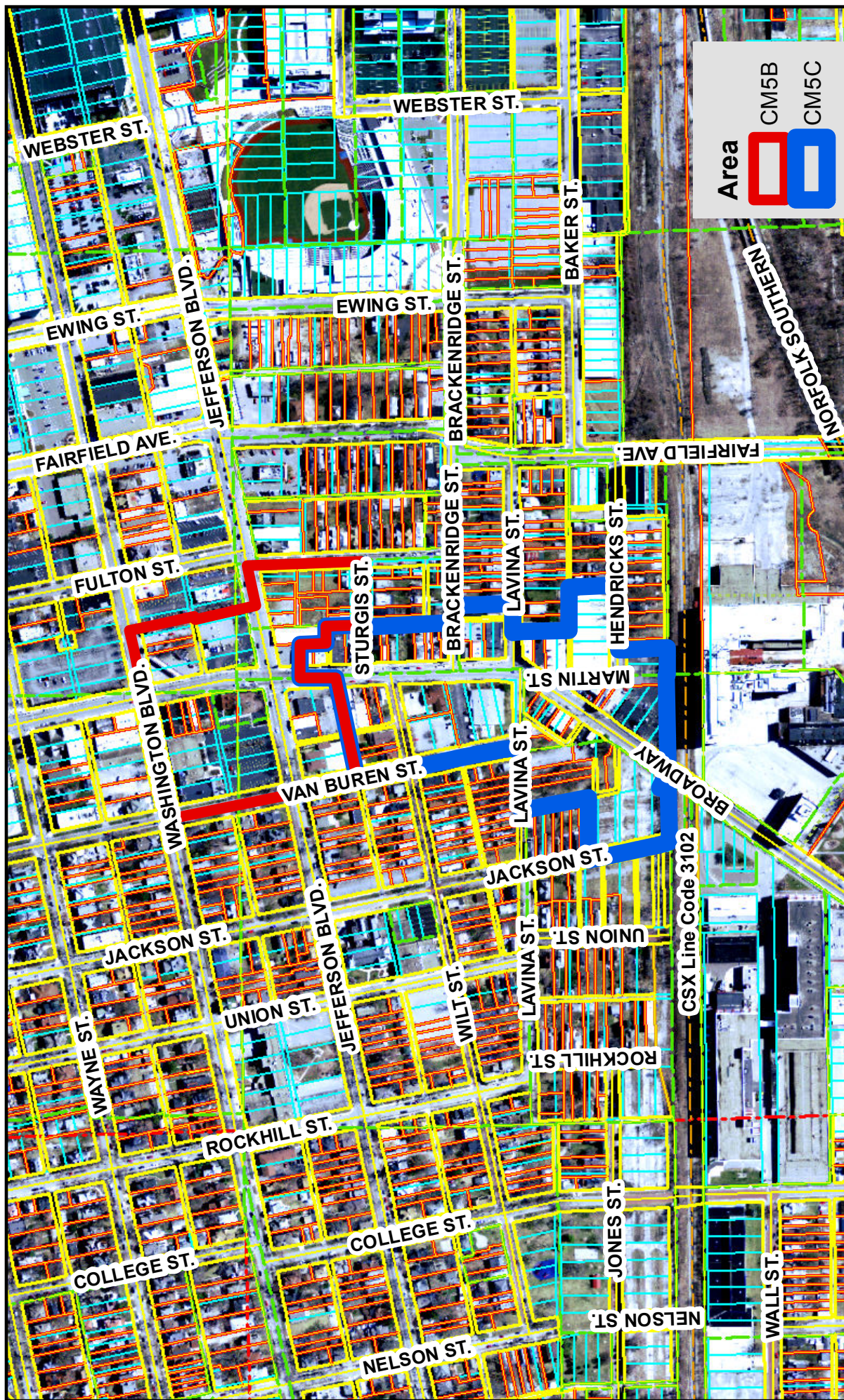
Applicant: City of Fort Wayne Division of Community Development, initiated by Fort Wayne Plan Commission

Property Owners: Various, see file

Related Petitions: None

Effect of Passage: Property will be rezoned to the CM5B-Downtown Edge District and 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.



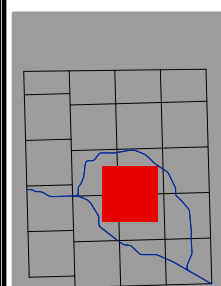
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

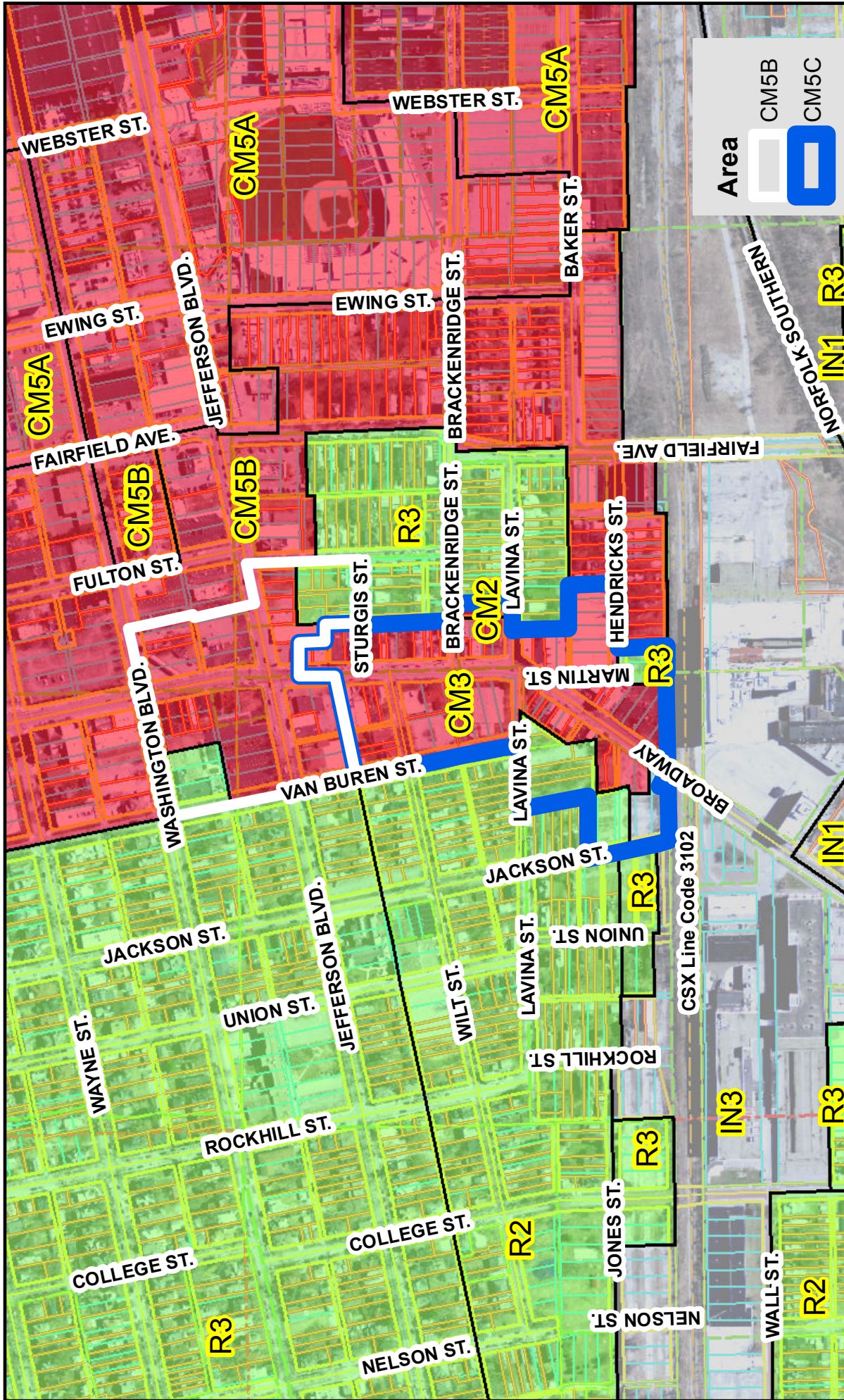
Rezoning Petition 1292/12

Printed: December 17, 2012
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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999
 Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



0 400 Feet
 Scale: 1"= 400'



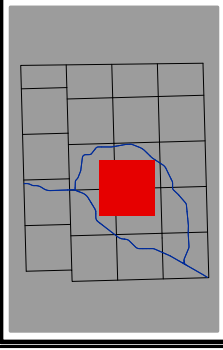


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Rezoning Petition 1292/12

Printed: December 17, 2012
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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

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0 400 Feet
 Scale: 1"= 400'

Department of Planning Services
 Rezoning Petition Application

Applicant

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 Ownership

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

Contact Person

Contact Person Russell Garriott, 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.

Request

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
 Address of the property See Attached CM5B 8.26/11.64
R2, R3, CM2, CM3, IN3
 Present Zoning CM3 IN3 Proposed Zoning CM5C Acreage to be rezoned 19.89 total
 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

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.

Russell A. Garrion #
 (printed name of applicant)

Russell a
 (signature of applicant)

7/23/12
 (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

Amended January 2013 Rez-2012-084