

#REZ-2013-0045

BILL NO. Z-13-04-13

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. U-34 (Sec. 21 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 Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code
of the City of Fort Wayne, Indiana:

Part of the East Half of the Northeast Quarter of Section 21, Township 31 North,
Range 13 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at the Northeast corner of said Northeast Quarter; thence South 88
degrees 59 minutes 15 seconds West (assumed basis of bearings) along the North
line of said Northeast Quarter 1317.95 feet (1023.73 feet by deed) to the Northwest
corner of the East Half of said Northeast Quarter; thence South 00 degrees 07
minutes 01 second East along the West line of said East Half 970.00 feet to the
Southwest corner of the 16.415 acre tract of land described as "Parcel I" in
Instrument Number 2010007721, on file in the Office of the Allen County Recorder,
said point being the POINT OF BEGINNING, the following two (2) courses are
along the South line of said Parcel I; (1) thence North 88 degrees 59 minutes 15
seconds East parallel with said North line 880.00 feet; (2) thence North 00 degrees
07 minutes 01 second West parallel with said West line 60.00 feet; thence North 88
degrees 59 minutes 15 seconds East parallel with said North line and along the South
line of said Parcel I and the South line of the 0.983 acre tract of land described in
Instrument Number 980008340, on file in the Office of said Recorder, 387.24 feet to
the West line of the 1.187 acre tract of land described in Instrument Number
960064914, on file in the Office of said Recorder, the following two (2) courses are
along the West line of said 1.187 acre tract; (1) thence South 00 degrees 14 minutes
30 seconds West 274.65 feet; (2) thence South 00 degrees 00 minutes 00 seconds
West parallel to the East line of said Northeast Quarter 225.39 feet to the Northeast
corner of the 14.324 acre tract of land described in Instrument Number 204037874,
on file on the Office of said Recorder; thence South 88 degrees 59 minutes 25
seconds West along the North line of said 14.324 acre tract 1265.06 feet to the West
line said East Half 440.00 feet to the POINT OF BEGINNING, containing 13.317
acres, more or less.

1 and the symbols of the City of Fort Wayne Zoning Map No. U-34 (Sec. 21 of St. Joseph
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
3 Wayne, Indiana is hereby changed accordingly.

4
5 SECTION 2. That this Ordinance shall be in full force and effect from and after its
6 passage and approval by the Mayor.

7 _____
Council Member

8 APPROVED AS TO FORM AND LEGALITY:

9
10 _____
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: REZ-2013-0045
Bill Number: Z-13-04-13
Council District: 1 – Tom Smith

Introduction Date: April 23, 2013

Plan Commission
Public Hearing Date: May 13, 2013

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

Synopsis of Ordinance: To rezone approximately 13.32 acres of property from R1-Single Family Residential to RP-Planned Residential

Location: On the west side of the 5400 to 5500 blocks of Maplecrest Road.

Reason for Request: To allow for the development of a 95-unit apartment complex.

Applicant: Redwood Acquisition, LLC

Property Owners: Michael and Stephen Hallien

Related Petitions: Primary Development Plan, Maplecrest Luxury Apartments

Effect of Passage: Property will be rezoned to RP-Planned Residential which will allow the development of multi-family housing.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential. The property may develop with single-family housing and other permitted uses within the district.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Redwood Acquisition, LLC
Address 23775 Commerce Park Drive, Ste. 7
City Beachwood State OH Zip 44122
Telephone 216-360-9441 Fax 216-360-9443 E-mail _____

Property Ownership
Property Owner Michael C. and Steven J. Hallien
Address 5325 Maplecrest Road
City Fort Wayne State IN Zip 46835
Telephone _____ Fax _____ E-mail _____

Contact Person
Contact Person Michael C. Moellering/Robert C. Kruger
Address 200 East Main Street, Ste. 1000
City Fort Wayne State IN Zip 46802
Telephone 260-426-1300 Fax 260-422-2722 E-mail rkruiger@burtblee.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 5501 Maplecrest Road, Fort Wayne, IN 46835
Present Zoning R1 Proposed Zoning RP Acreage to be rezoned approx. 13.39
Proposed density _____ units per acre
Township name St. Joseph Township section # 21
Purpose of rezoning (attach additional page if necessary) To allow for development of multi-unit residential neighborhood.
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 Rezonings 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.

By: Dave Conwill [Signature] 4/2/13
(printed name of applicant) (signature of applicant) (date)
Michael C. Hallien _____
(printed name of property owner) (signature of property owner) (date)
Steven J. Hallien _____
(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.
<u>4/3/13</u>	<u>111157</u>	<u>5/13/13</u>	

RCZ-2013-0045

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Rezoning Petition Application**

Applicant
Applicant Redwood Acquisition, LLC
Address 23775 Commerce Park Drive, Ste. 7
City Beachwood State OH Zip 44122
Telephone _____ Fax _____ E-mail _____

Property Ownership
Property Owner Michael C. and Steven J. Hallien
Address 5325 Maplecrest Road
City Fort Wayne State IN Zip 46835
Telephone _____ Fax _____ E-mail _____

Contact Person
Contact Person Michael C. Moellering/Robert C. Kruger
Address 200 East Main Street, Ste. 1000
City Fort Wayne State IN Zip 46802
Telephone 260-426-1300 Fax 260-422-2722 E-mail rkruger@burtblce.com

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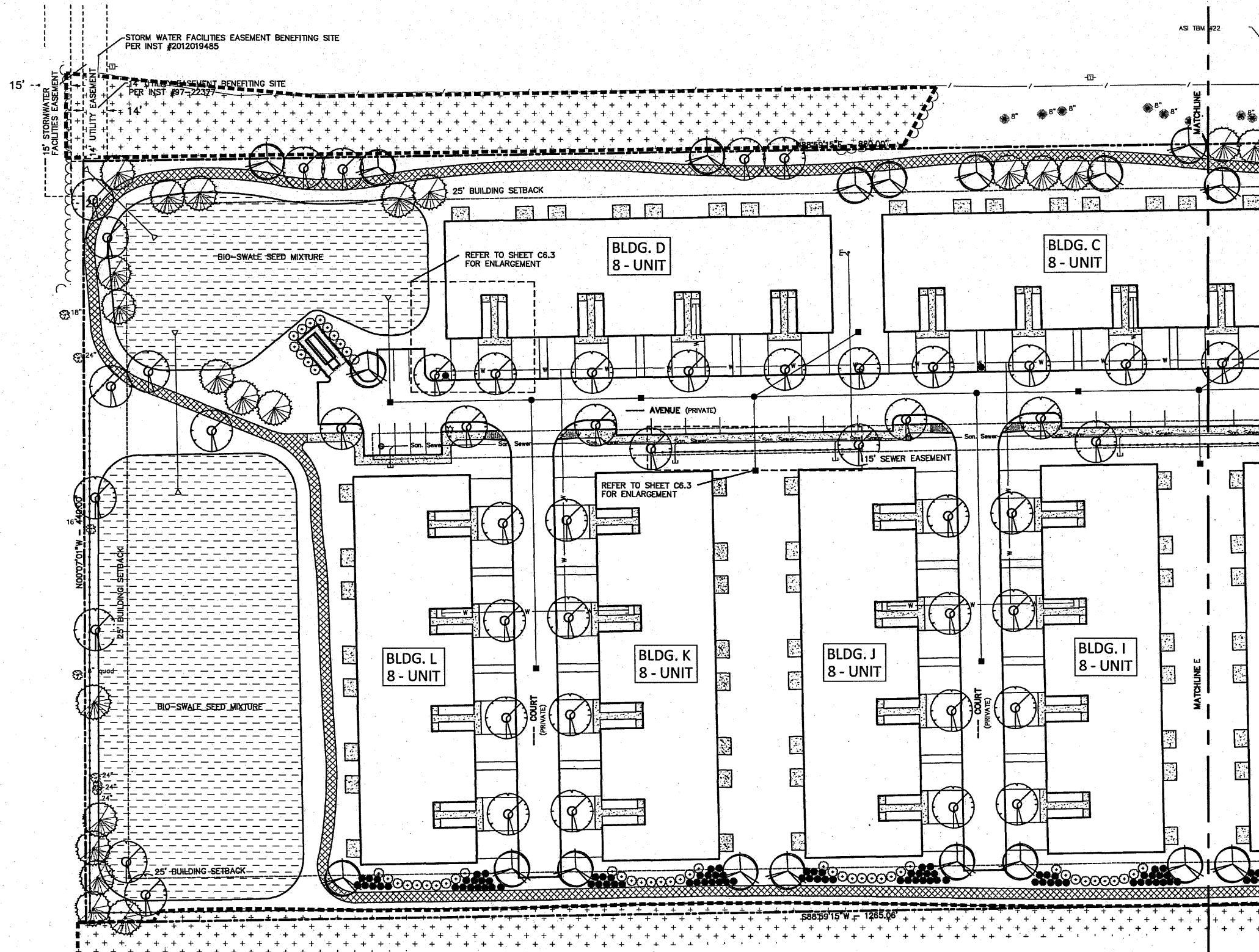
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By:
(printed name of applicant) _____ (signature of applicant) Michael C. Hallien (date) 4/2/2013
Michael C. Hallien
(printed name of property owner) _____ (signature of property owner) _____ (date) _____
Steven J. Hallien
(printed name of property owner) _____ (signature of property owner) Steven J. Hallien (date) 4-2-13
(printed name of property owner) _____ (signature of property owner) _____ (date) _____

Received	Receipt No.	Hearing Date	Petition No.
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R22-2013-0045



NOTES:

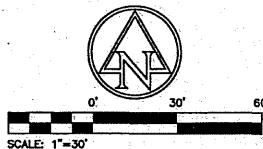
1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
2. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.

CAUTION !!

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

1-800-382-5544

CALL TOLL FREE
- INDIANA UNDERGROUND -



EXISTING LEGEND

- | | | | |
|---|--------------------|---|--------------------------|
|  | SANTARY MANHOLE |  | TELEPHONE MANHOLE |
|  | CURB INLET/MANHOLE |  | PEDESTAL TRAFFIC MANHOLE |
|  | BEEHIVE INLET |  | TRAFFIC POLE |
|  | CURB INLET |  | FIRE HYDRANT |
|  | DRAINAGE MANHOLE |  | SPRINKLER VALVE |
|  | MAILBOX |  | WATER VALVE |
|  | GUARD POST |  | OVERHEAD ELECTRIC LINE |
|  | SIGN |  | BURIED ELECTRIC LINE |
|  | TEST HOLE |  | BURIED GAS LINE |
|  | BUSH |  | TOP OF RIM ELEVATION |
|  | CONIFEROUS TREE |  | INVERT ELEVATION |
|  | DECIDUOUS TREE |  | REINFORCED CONCRETE PIPE |
|  | LIGHT POLE |  | CORRUGATED PLASTIC PIPE |
|  | POWER POLE |  | PLASTIC PIPE |

PROPOSED SITE LEGEND

-
-  DECIDUOUS SHADE TREE
 EVERGREENTREE / ORNAMENTAL TREE
 SHRUB/GRASS
 PERENNIAL BED
 EXISTING TREE MASS TO REMAIN
 MULCH BED/RING
 3-RAIL VINYL FENCE
 (REFER TO SITE LAYOUT PLAN)

PLANTING NOTES:

1. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS IN THE FIELD PRIOR TO BEGINNING WORK. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES ASSIGNED WITH WORK. UTILITIES SHALL BE REPAIRED TO SATISFACTION OF THE UTILITY OWNER AND/OR OPERATING AUTHORITY AT NO ADDITIONAL COST.
2. A MINIMUM OF 4" OF TOPSOIL SHALL BE PLACED ON ALL AREAS TO BE SEEDDED AND 12" FOR PLANTING BEDS. USE SUITABLE TOPSOIL FROM STOCKPILED SITE STRIPPING. TOPSOIL SHALL BE FREE FROM SUBSOIL, VEGETATION, WEEDS OR ANY EXTRANEOUS OR DELETERIOUS MATERIALS LARGER THAN 1". REMOVE ANY UNSTABLE AND EXCESS TOPSOIL, AS DETERMINED BY SOILS ENGINEERING FROM TESTS. FURNISH ANY ADDITIONAL TOPSOIL NEEDED AT NO ADDITIONAL COST. ADDED TOPSOIL SHALL BE INCORPORATED INTO EXISTING SOIL.
3. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE. IF IN QUESTION, CONTACT THE LANDSCAPE ARCHITECT.
4. ALL PLANTING BEDS SHALL HAVE A 3" THICK LAYER OF SHREDDED HARDWOOD BARK MULCH. NO UTILITY MULCH OR PROCESSING TREE TRUNKS SHALL BE ALLOWED. ALL PLANTING BEDS SHALL HAVE PRE-EMERGENT HERBICIDE APPLIED AS PER MANUFACTURER'S RECOMMENDATION, AFTER INSTALLATION IS COMPLETE.
5. FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE PLANTING. OPERATIONS ARE TO PROCEED UNTIL THEY LOGICALLY SHALL BE MARKED WITH A WOODEN STAKE INDICATING VARIETY AND SIZE OF TREE.
6. NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED, IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT PRIOR TO BID DATE IN WRITING. A PLAN SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTOR'S OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
7. ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, 2004 EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERMEN.
8. PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT CONFLICT WITH CONSTRUCTION AND AS DIRECTED BY OWNER.
9. ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR. THE CONTRACTOR SHALL INSPECT WITH LANDSCAPE ARCHITECT, AT END OF THIS PERIOD. ANY PLANT MATERIAL TERMED DEAD OR UNSATISFACTORY BY LANDSCAPE ARCHITECT SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.
10. ALL DISTURBED LAWN AREAS SHALL BE HYDRO-SEEDED OR SODDED AS SHOWN PER PLAN.
11. HYDRO-SEED AND SOD AREAS ARE TO BE GRADED UNIFORMLY WITHOUT ANY UNDULATIONS OR IRREGULARITIES IN THE SURFACE PRIOR TO ANY HYDRO-SEED OR SOD WORK.
12. ALL HYDRO-SEED AND SOD IS TO BE A BLUEGRASS BLEND AS FOLLOWS:

1. CLAMUS	
2. KENTUCKY BLUEGRASS (2 VARIETIES):	50%
3. PERENNIAL RYEGRASS (2 VARIETIES):	50%
4. PARTIAL SHADE	
5. KENTUCKY BLUEGRASS (4 VARIETIES):	10%
6. PERENNIAL RYEGRASS (1 VARIETY):	35%
7. RED FESCUE GRASS (2 VARIETIES):	55%

LANDSCAPE PLAN

PREPARED FOR:

REDWOOD ACQUISITION, LLC
23775 COMMERCE PARK
BEACHWOOD, OHIO

PROJECT:
MAPLECREST LUXURY APARTMENTS
REDWOOD AT MAPLECREST
FORT WAYNE, INDIANA

DATE:	04/02/2013
DRAWN BY:	JDS
CHK'D BY:	WAW
JOB NO.	

REVISIONS

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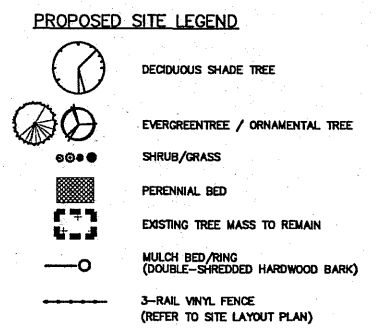
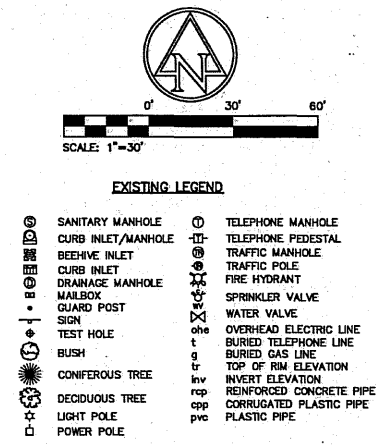
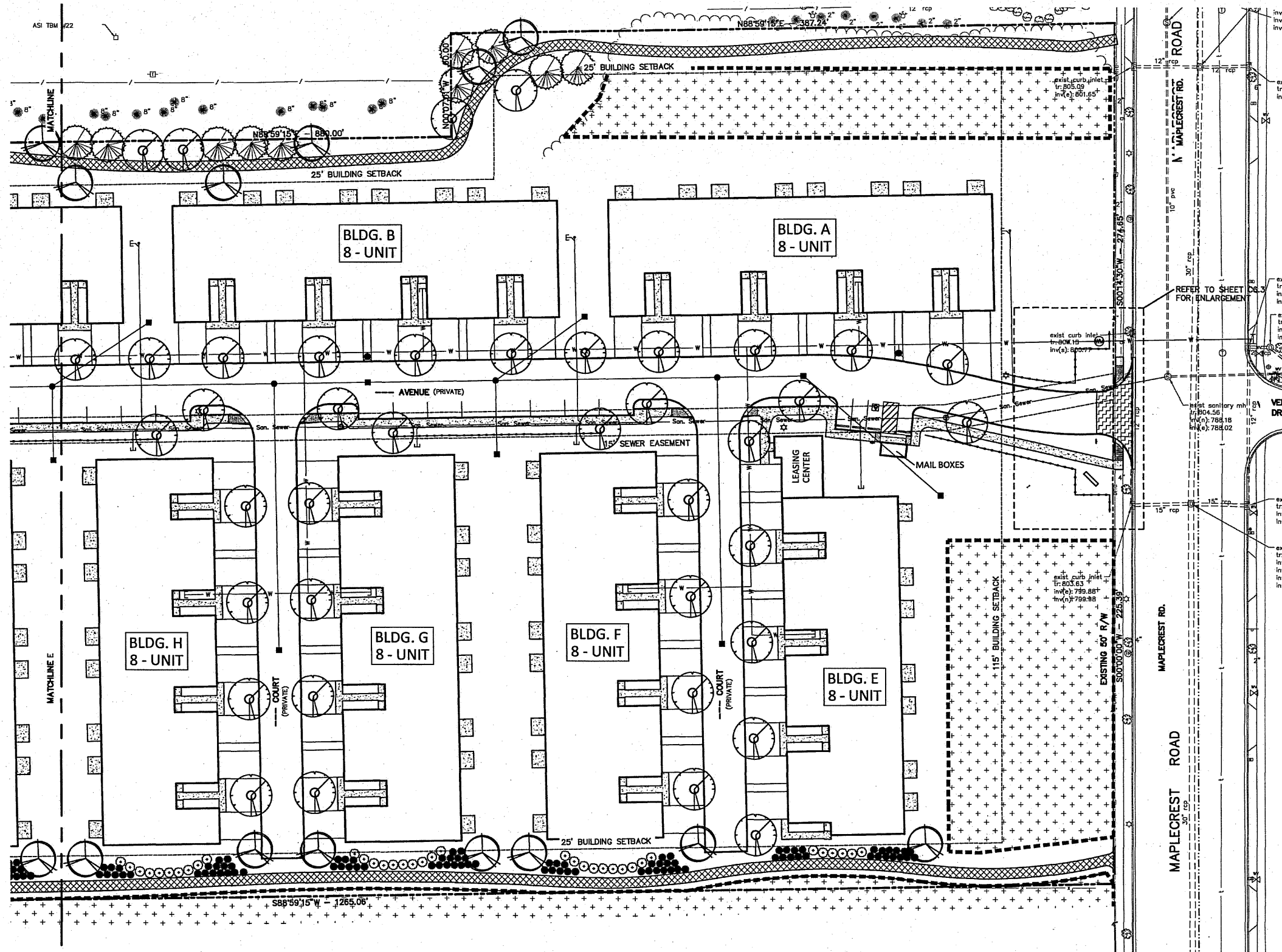
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- ALL HYDRO-SEED AND SOD IS TO BE A BLUEGRASS BLEND AS FOLLOWS: HYDRO-SEED AND SOD AREAS ARE TO HAVE OR NOXIOUS WEED AND FREE OF DISEASE. THE FOLLOWING BLEND OF TURFGRASS SHALL BE AS FOLLOWS:
• FULL SUN
KENTUCKY BLUEGRASS (2 VARIETIES): 50%
PERENNIAL RYEGRASS (2 VARIETIES): 50%
• PARTIAL SHADE
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PERENNIAL RYEGRASS (1 VARIETIES): 35%
RED FESCUE GRASS (2 VARIETIES): 55%

NOTES:

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1-800-362-5544
CALL TOLL FREE
- INDIANA UNDERGROUND -

7380 SHADLAND STATION
INDIANAPOLIS, IN 46268-3957
TEL: 317.547.5860 FAX: 317.543.0270
www.structurepoint.com

STRUCTUREPOINT INC.

LANDSCAPE PLAN

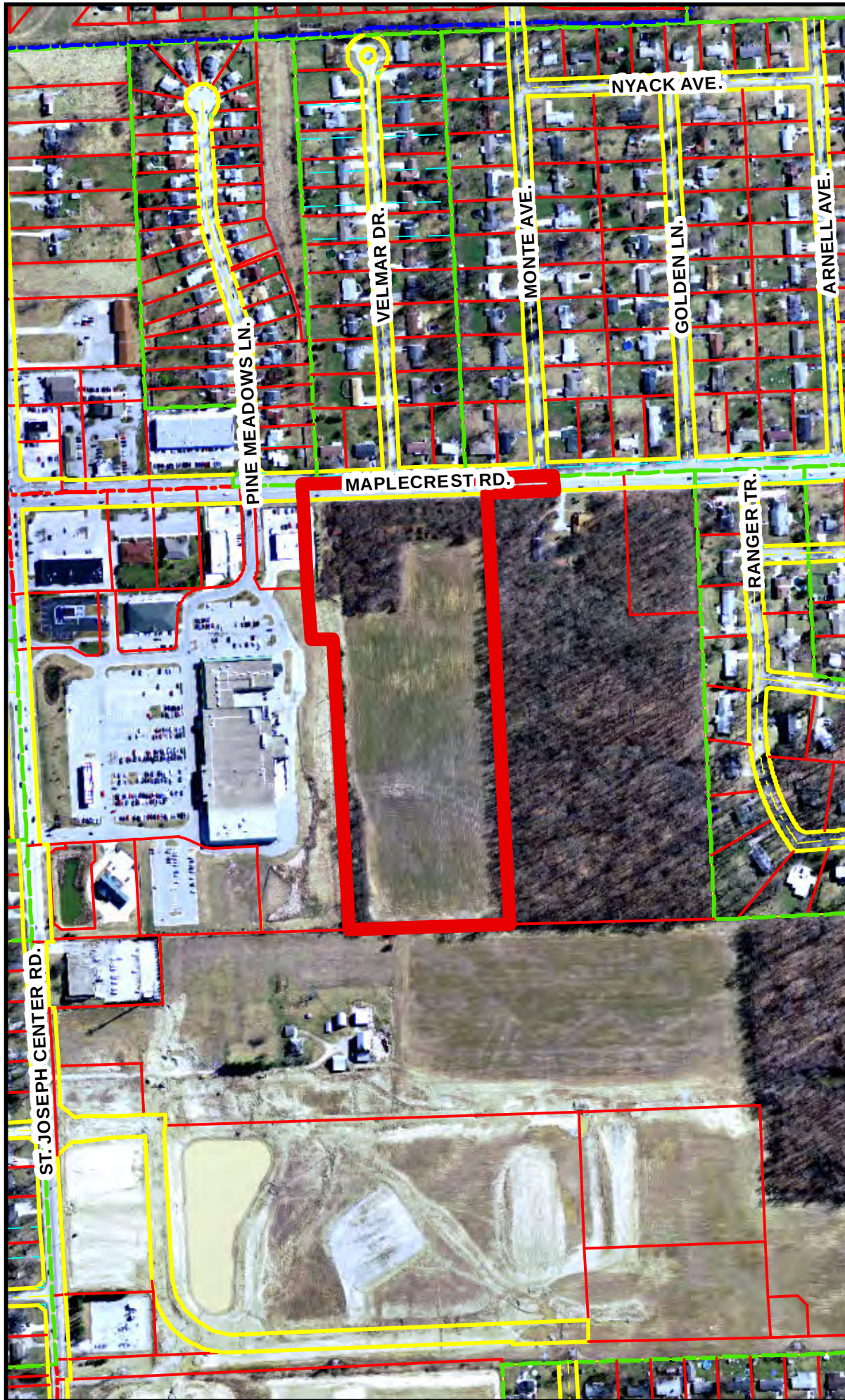
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PREPARED FOR: REDWOOD ACQUISITION, LLC
23775 COMMERCE PARK
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DATE: 04/02/2013
DRAWN BY: JWS
CHK'D BY: WAW
JOB NO.

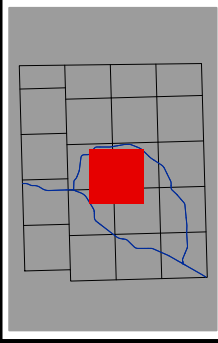
REVISIONS	

SHEET NO.
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This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project



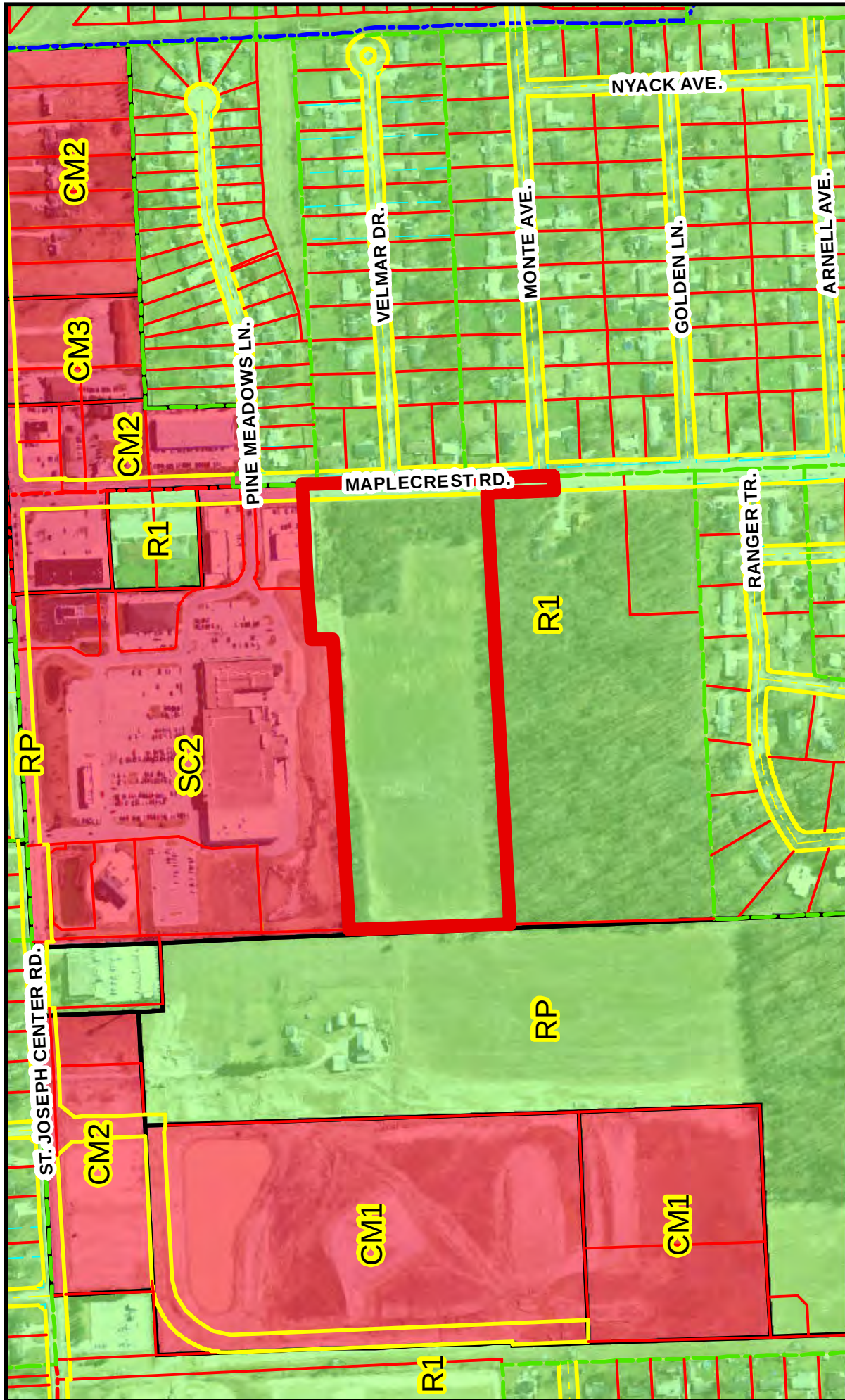
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Printed: April 09, 2013
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System - Indiana East
 Photos: Spring 2006 / Contours 1999

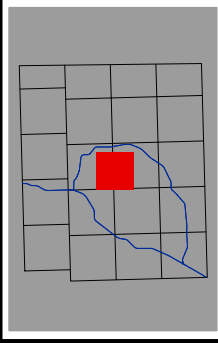
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0 400 Feet
 Scale: 1" = 400'



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Rezoning Petition REZ-2013-0045 and Primary Development Plan - Maplecrest Luxury Apartments

Printed: April 09, 2013
 © 2004 Board of Commissioners of the County of Allen
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 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999



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