City of Fort Wayne Common Council **DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Zoning Map Amendment

Case Number: REZ-2018-0033
Bill Number: Z-18-07-01
Council District: 4-Jason Arp

Introduction Date: July 10, 2018

Plan Commission

Public Hearing Date: July 9, 2018 (not heard by Council)

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

Plan Commission

Synopsis of Ordinance: To rezone approximately 1.0 acre of property from AR/Low Intensity

Residential to C2/Limited Commercial

Location: 7621 Illinois Road

Reason for Request: To construct a 3,500 square foot Sherwin Williams store.

Applicant: MEV Illinois LLC

Property Owner: The Wilson Homestead, LLC

Related Petitions: Primary Development Plan, Sherwin Williams

Effect of Passage: Property will be rezoned to the C2/Limited Commercial district which

will allow the redevelopment of the property for a retail use.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may

be used for single family uses.

1 #REZ-2018-0033 2 BILL NO. Z-18-07-01 3 4 ZONING MAP ORDINANCE NO. Z-5 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite Township) 6 7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, 8 INDIANA: 9 SECTION 1. That the area described as follows is hereby designated a C1 10 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV 11 of the Code of the City of Fort Wayne, Indiana: 12 THAT PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30 13 NORTH, RANGE 11 EAST OF THE 2ND PRINCIPAL MERIDIAN, ALLEN COUNTY, INDIANA, BEING ALSO A PART OF THE PARCELS PER THE CORRECTIVE QUIT 14 CLAIM DEED RECORDED NOVEMBER 30, 2015 IN THE ALLEN COUNTY RECORDER'S OFFICE PER INSTRUMENT NUMBER 2015060910, MORE 15 PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER 16 OF SAID SECTION 12; THENCE ALONG THE NORTH LINE OF THE NORTHWEST OUARTER OF SAID SECTION 12, SOUTH 88 DEGREES 42 MINUTES 47 SECONDS 17 WEST, A DISTANCE OF 1346.79 FEET TO THE NORTHEAST CORNER OF TRACT 1 2ND PARCEL PER THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910; 18 THENCE ALONG THE EAST LINE OF SAID TRACT 1 2ND PARCEL, SOUTH 00 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 65.63 FEET TO THE 19 SOUTHEAST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA 20 PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO 21 (2) COURSES: 1) SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A DISTANCE OF 261.99 FEET; 2) NORTH 88 DEGREES 25 MINUTES 28 SECONDS 22 WEST, A DISTANCE OF 9.49 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF 23 229.07 FEET: THENCE NORTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, A DISTANCE OF 135.00 FEET TO A POINT ON THE SOUTHERLY PROLONGATION 24 OF THE EAST LINE OF THE 1ST EXCEPTION PARCEL PER THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910; THENCE ALONG SAID 25PROLONGATION, NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A DISTANCE OF 13.14 FEET TO THE SOUTHEAST CORNER OF SAID 1ST EXCEPTION PARCEL; THENCE ALONG THE EAST LINE OF SAID 1ST EXCEPTION PARCEL, NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A DISTANCE OF 218.92 FEET TO THE SOUTHWEST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207025399; THENCE

ALONG THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207025399 THE FOLLOWING TWO COURSES; 1) NORTH 88 DEGREES 42 MINUTES 47 SECONDS EAST, A DISTANCE OF 13.17 FEET; 2) SOUTH 88 DEGREES 25 MINUTES 28 SECONDS EAST, A DISTANCE OF 89.07 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207025399, ALSO BEING THE SOUTHWEST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207019601, SOUTH 88 DEGREES 25 MINUTES 28 SECONDS EAST, A DISTANCE OF 32.82 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.715 ACRES MORE OR LESS; THE BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83).

9 10

TOGETHER WITH:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30 11 NORTH, RANGE 11 EAST OF THE 2ND PRINCIPAL MERIDIAN, ALLEN COUNTY, 12 INDIANA, BEING ALSO A PART OF THE PARCELS PER THE CORRECTIVE QUIT CLAIM DEED RECORDED NOVEMBER 30, 2015 IN THE ALLEN COUNTY 13 RECORDER'S OFFICE PER INSTRUMENT NUMBER 2015060910. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE 14 NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID 15 SECTION 12, SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A DISTANCE OF 1346.79 FEET TO THE NORTHEAST CORNER OF TRACT 1 2ND PARCEL PER 16 THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910; THENCE ALONG THE EAST LINE OF SAID TRACT 1 2ND PARCEL, SOUTH 00 17 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 65.63 FEET TO THE SOUTHEAST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA 18 PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO 19 (2) COURSES: 1) SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A 20 DISTANCE OF 261.99 FEET; 2) NORTH 88 DEGREES 25 MINUTES 28 SECONDS WEST, A DISTANCE OF 9.49 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 11 21 SECONDS EAST, A DISTANCE OF 229.07 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A 22 DISTANCE OF 229.07 FEET TO THE SOUTH LINE OF AFORESAID PARCEL DEDICATED TO THE STATE OF INDIANA; THENCE ALONG THE SOUTH LINE OF 23 SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO (2) COURSES: 1) SOUTH 88 DEGREES 25 MINUTES 28 SECONDS EAST, A 24 DISTANCE OF 9.49 FEET; 2) NORTH 88 DEGREES 42 MINUTES 47 SECONDS EAST, A DISTANCE OF 30.52 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 11 25 SECONDS EAST, A DISTANCE OF 229.51 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE TRUE POINT 26 OF BEGINNING; CONTAINING 0.210 ACRES MORE OR LESS; THE BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE 27 COORDINATE SYSTEM EAST ZONE (NAD83).

28

29

1	and the symbols of the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite
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. If a written commitment is a condition of the Plan Commission's
6	recommendation for the adoption of the rezoning, or if a written commitment is modified and
7	approved by the Common Council as part of the zone map amendment, that written
8	commitment is hereby approved and is hereby incorporated by reference.
9	
10	SECTION 3. That this Ordinance shall be in full force and effect from and after its
11	passage and approval by the Mayor.
12	
13	Council Member
14	
15	APPROVED AS TO FORM AND LEGALITY:
16	Court II II II O'I AII
17	Carol T. Helton, City Attorney
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	

Department of Planning Services Rezoning Petition Application

#	Applican	nt MEV	Illinois L	LC C/	Kevin	n Vernic	sk		
lica	Address	350 Wes	f Mybara	State IL	250		/ 0/ =	. 1	
Applicant	City C	71 (490		_StateC		Zip_	6065	4	
	Telephor	ne <u>173.32</u>	7.0620	_ E-mail <u>Kver</u>	MICKE V	/ev/IICK955	ociates	.com	
Contact Person	Address City _ Cl	350 West hi (490 ne <u>773.3</u>	27.0620	St. Sulte 2 State IV E-mail <u>Kverr</u> dence will be sen	_ 1ick@ve	ernickasso	ciates.	con	
				diction 🗖 Ci		-	_	isdiction	
				Illinois Road					
Request				sed Zoning 🗜					
	Proposed	I density	A (units per	acre
				1					
	Purpose of rezoning (attach additional page if necessary) Rezoning to allow for Construction of a 3,500 SF Sherwin Williams Store.								
	2018truction of a 5,500 St Merun Williams Store.								
	Sewer pr	ovider A	n Indian		Water r	orovider / 7	tof F	t. Warne	
	•						7		
Filing Requirements				ss the following fi filing fees and pi				this applicat	ion.
	□ Applicable filing fee								
Filing Juireme	Applicable number of surveys showing area to be rezoned (plans must be folded)								
Reg	☐ Legal Description of parcel to be rezoned ☐ Rezoning Questionnaire (original and 10 copies) County Rezonings Only								
property de Ordinance : to the hand I/we agree	escribed in the as well as all ling and disp	his application procedures an osition of this County the cos	that I/we agree d policies of the application; that at of notifying the	sion of this applica to abide by all p Allen County Plan the above informati e required interested	rovisions of Commission ion is true ar d persons at	f the Allen Cour on as those provis and accurate to the the rate of \$0.85	nty Zoning a tions, proceed best of my	and Subdivision lures and polici our knowledge	n Control es related e; and that
Kevin Vernick			Lenix Vermik				6/4/18		
(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)		
-	eived	•		_	Hearing Date			ion No.	
6.5.	.12	197.	161	7-9-1	8	REZ-	3018-	0033	

THE HOMESTEAD WILSON, LLC

6435 West Jefferson Blvd., Fort Wayne, IN 46804

05/31/2018

To Whom It May Concern,

I am James J. Wilson, Managing Member of The Homestead Wilson, LLC, owner of the property located at 7600 Illinois Road, Fort Wayne, IN 46804.

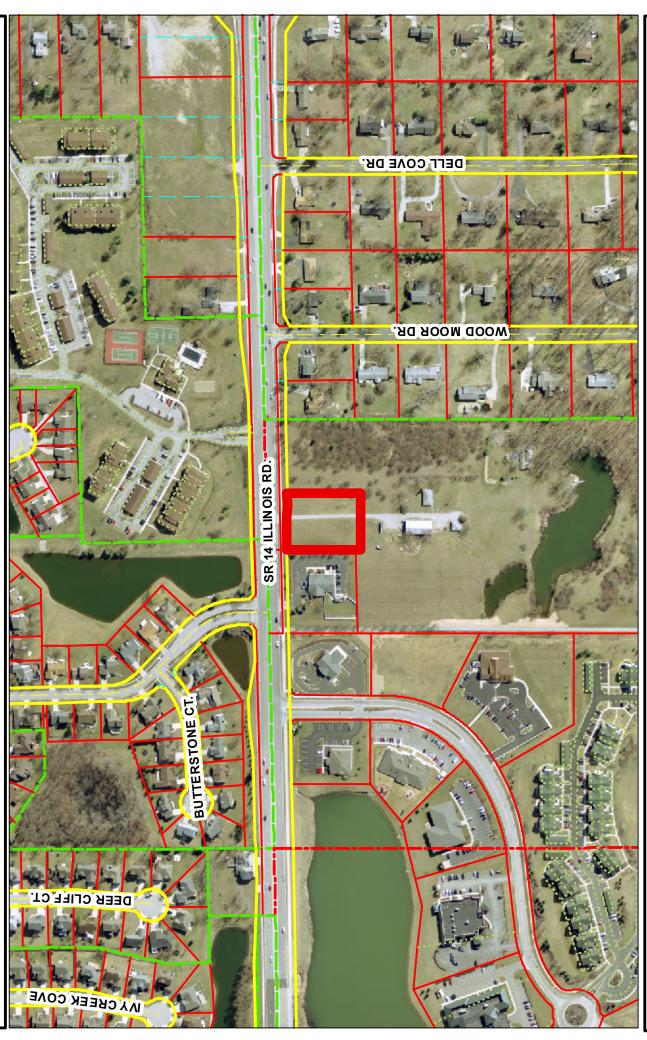
This letter is written to support the application, made by Kevin Vernick, to change the zoning of the property at issue.

Please treat Mr. Vernick as an agent of The Homestead Wilson for the purposes of all zoning and other applications made regarding the property.

Thank You,

James J Wilson

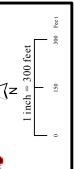




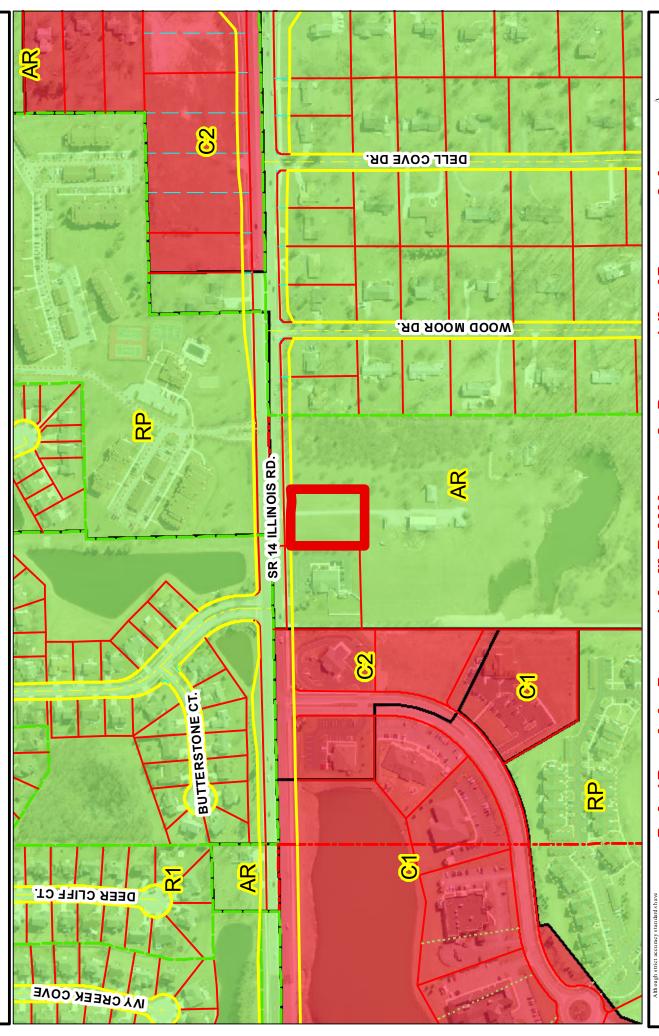
Although strict acounty standards have been employed in the complation of this map.

Alen County does not warm it or guarantee the accuracy of the information contained berein and deiselains any and althability estiming from any error or mission in this map.

Project Boundaries Represented with Bold Lines are for Representational Purposes Onl







Although sirreit accumey standards have been employed in the compilation of this map.

Alen County does not warm in or guarantee the accumey of the information constanted therein and distributes any and alliability resulting from any error or emission in this map.

© 2004 Board of Coun missioners of the County of Allen

Project Boundaries Represented with Bold Lines are for Representational Purposes Onl

C500

LANDSCAPE PLAN

РОВТ МАҮИЕ, INDIANA

ILLINOIS ROAD

SHERWIN WILLIAMS SNAJ9 TNEMEVOR9MI ETIS

2085 192 71£ :XA∃ 317 299 7500 WOOLPERT Suite 100

87294 M ,eilogensibnl

DB.

വ CKD. MC DES.

81\20\80 **3TAQ** 909870 ROJECT No:

3TA

ALL SHEUB AND GROUNDCOVER BEDS TO BE MULCHED WITH A MINIMUM OF 3. INCHES OF CLEAN SHREDDED HARDWOOD MULCH IF WITH A MINIMUM OF PROFESS OF CLEAN SHREDDED HARDWOOD MULCH IF WITH AND 6-12. INCHES DEEPER THAN THE SIZE OF THE ROOT BALL OF BOTH SHRUB AND FREE. AMEND BACKFILL WITH TOPSOIL MIX. BACKFILL AND TAMP BOTTOM OF HOLE SHORN TO PALAINING SO TOP OF ROOT BALL DO SETTLE BELOW SURROUNDING GRADE.

6. TOPSOIL MIX TO BE A PART'S SCREENED TOPSOIL AND 1 PART ORCANIC MATERIAL (i.e. NATURE'S HELPER OR FRO MIX).

7. EXISTING GRASS IN PROPOSED PLANTING AREAS TO BE REWOVED AND AREA IN WHIN IN DIAMETER PRIOR OF DELANTING SHRUBS. LARGER THAN 1 INCH IN DIAMETER PRIOR TO PERMONE ALL FORCAS AND DEBRIS LARGER THAN 1 INCH IN DIAMETER PRIOR TO PERMONE FERTILIZER AND DEBRIS LARGER THAN 1 INCH IN DIAMETER PRIOR TO DETREMINE FERTILIZER AND SEED SHRUBS. ALL DISTURBED AREAS (INCLUDING RIGHT-OF-WAYS) NOT RECEINING PLANTINGS OF THE CHANGES TO DESIGN AND/OR PLANT SUBSTITUTIONS TO BE AUTHORIZED AND ALL CHANGES TO DESIGN AND/OR PLANT SUBSTITUTIONS TO BE AUTHORIZED TO BE INCHIECT.

. 5. ±

N88*25'28"W M. 9.49' M.

588*25*28"E M. 32.82" M.

S88*25*28"E M. 89:07* R1&W

NCRETE WALK

*

*

0

()

 \Box

TJAHGRA

12.

REVISION

Z

PROTECTING ALL UNDERGROUND UTILITIES, PRIOR TO DIGGING, ITY OF THE LANDSCAPE CONTRACTOR.

ILLINOIS ROAD / ABOITE TRAIL / S.R. 14

LANDSCAPE NOTES

2. BRECHAILIN OF HE LANDSCAPE CONTRACTOR SHALL INSPECT THE STRACK ON INSTALLATION, THE LANDSCAPE CONTRACTOR SHALL INSPECT THE STREAMS STREAMS ON INITIAL CONTRACTOR AND OBSEPRE THE STRE CONDITIONS. UNDER WHICH THE WORK CONTRACTOR AND OBSEPRE THE STRE CONDITIONS UNDER WHICH THE WORK IS TO BE DONE. NOTIFY GENERAL CONTRACTOR OF ANY UNSATISFACTOR CONDITIONS. WORK SHALL NOT PROCEED UNTIL SUCH CONDITIONS HAVE BEEN CONFRICTION MANAGER.

SENERAL AND LANDSCAPE CONTRACTOR ARE RESPONSIBLE FOR PROTECTING SENERAL AND LANDSCAPE CONTRACTOR AND FOR CONTRACTOR.

DISTURBED ASKAS (INCLUDING RIGHT-OF-WAYS) NOT RECEIVING PLANTINGS DISTURBED ASKAS (INCLUDING RIGHT-OF-WAYS) NOT RECEIVING PLANTINGS OF TOPSOIL AND SEEDED.

BY LANDSCAPE ARCHITECT.

10. ALL PARKING ISLANDS TO BE BERNED UP 6"—10" WITH CLEAN FRABLE TOPSOIL PRIOR TO PLANTING.

11. ALL LANDSCAPING STAUL BE INSTALLED IN CONFORMANCE WITH ANSI 260.1 THE AMERICAN STAULARD OF NON-SECONDINO OF INJESTATION OF INJESTALLED FOR ONE FLUL YEAR FROM DATE OF ACCEPTANCE BY THE OWNER. ALL PLANTS SHALL BE ALIVE AND AT A VIOGROUS RATE OF GROWTH AT THE END AT A VIOGROUS RATE OF GROWTH AT THE END ACTS OF GOD OR VANDALISM.

13. ANY PLANT THAT IS DETERMINED IDED. IN AN UNHEASTLY OR UNSCHITTY OF LOORS, NON-VIOGROUS RAPICLES OF GROWTH AT THE END OF THE CONDITION. LOST ITS SHAPE DIEL TO DEAD IN AN UNHEASTLY OR UNSCHITTY OF CONDITION. LOST ITS SHAPE DIEL TO DEAD BRANCHES OR OTHER SYMPTOMS OF POORS, NON-VIOGROUS ROWTH SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR SHALL DEAD IN THE BID CONTRACTOR WITH THE COST OF THE REPLACEMENT INCLUDED IN THE BID CONTRACTOR WITH THE COST OF THE REPLACEMENT INCLUDED IN THE BID

PRICE." 3HLY TWICE IN THE FIRST 24 HOURS AND APPLY MULCH

13.

4.

LANDSCAPE CODE SUMMARY

FORT WAYNE ZONING ORDINANCE - 01.01.2018

LANDSCAPE STANDARDS - 157.408

PARKING AREA ADJACENT TO PUBLIC STREET = 157.408(D)(2)(J)
LANDSCAPE CODE FOR TROUNES ON TREE FOR EVERY SIXTY (60) LF AND
75% OF FRONTAGE SMALL SHRUB BUFFER

ILLINOIS ROAD / ABOITE TRAIL / S.R. 14 (130 LF)
= 2.2 TREES & 97.5 LF (32.5 SMALL SHRUBS AT 3' 0.C.) REQUIRED
= 2 TREE & 33 SMALL SHRUBS PROVIDED

PARKING AREA ADJACENT TO NONRESIDENTIAL DISTRICT = 157.408(D)(2)(m)
LANDSCAPE CODE P-3 REQUIRES OWE THEE FOR EVERY SIXTY (60) LF AND
50% OF FRONTIAGE SMALL SHRUB BUFFER WEST (118 LF)
= 2 TREES & 59 LF (19.7 SMALL SHRUBS) REQUIRED
= 2 TREES & 20 SMALL SHRUBS PROVIDED

SOUTH (101 LF)
= 1.7 TREES & 50.5 LF (16.8 SMALL SHRUBS) REQUIRED
= 2 TREES & 17 SMALL SHRUBS PROVIDED

EAST (115.5 LF)
= 1.9 TREES & 58 LF (19.3 SMALL SHRUBS) REQUIRED
= 2 TREES & 20 SMALL SHRUBS PROVIDED

ADDITONAL PARKING AREA LANDSCAPE STANDARDS — 157.408(E)
10% OF THE TINTERONS PRICACE PARKING LOTT AREA SHALL BE LANDSCAPED.
PROVIDE ONE TREE FOR EVERY 300 SF OF REQUIRED LANDSCAPE AREA 16,975 SF OF PARKING AREA = 16975, SF OF LANDSCAPE AREA REQUIRED = 5,7 TREES REQUIRED = 6 TREES PROVIDED

PERMANENT SEED BLEND

IF SHRUB IS B & B, THEN REMOVE BURLAP & ROPE FROM TOP 1/3 OF BALL

SHRUB PLANTING

- 3 INCHES MULCH - 4 INCH DEEP SAUCER

Full, well shaped Full, well shaped Full, well shaped Full, well shaped

2.5" cal. 14'ht. 7'wd 2.5" cal. 14'ht. 7'wd 2.5" cal. 14'ht. 7'wd 2.5" cal. 14'ht. 7'wd

Prairie Pride Hackbu Fruitless KY Coffeet Shingle Oak Bald Cypress

Itis occidentalis 'P mnocladus dioica

cal. 8'ht. 4'wd.

Full, vigorous Full, vigorous

18"ht. × 18"wd. 18"ht. × 18"wd.

#3 cont. #3 cont.

Little Henry Sv Tor Birchleaf

Mugo

Toxus x med SHRUB

Apple

TREE

ORNAMENTAL

CONTRACTOR IS RESPONSIBLE FOR ALL QUANTITIES OF PLANTS ON LANDSCAPE PLAN.

PROVIDED FOR CONVENIENCE ONLY.

* QUANTITIES ARE

#2

Hot Rod Switche

TREE WRAP

6 LBS PER 1000 SF
90% FINE LEAF FESCUE (FESTUCA ARUNDINACEA)
REEL, REBEL II, WRANGLER, BONANTA, MOLAVE OR EQUAL
10% KENTUCKY BLUEGRASS (POA PRATENSIS)
80% PURITY, RUGBY II, MIDIRON VARIETIES OR EQUAL
80% WELD FREE
81.5% WED FREE
81.5% TESTILIZER PER 1000 SF
1 1/2 BALES OF STRAW PER 1000 SF

LAWN AREA (8,000 SF)

REMOVE BURLAP & ROPE FROM TOP 1/3 OF THE BALL

UNDISTURBED SUBSOIL

BACKFILL MIX

Know what's below.
Call before you dig.

THE BASIS OF ELEVATIONS HEREON IS NAVD 88. MAG NAIL W/WASHER "A & Z ENG LLC" FOUND — SEE DRAWING FOR LOCATION. **BENCHMARK:**

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE. TREE PLANTING

ELEVATION = 839.18"

Layout Tab Name: C500 LANDSCAPE PLAN, Images: ft wayne cerial.jpg: MAP.png: 7621 illinois Rd.jpg: __ags__d839b938f2d9472bb87f40e98fcecd8.jpg: fort wayne vicmap.jpg: \text{Normick}\078506-P.dwg: 078506-P.dwg: 0785

 \bigcirc

0

N00°06°11"W |

