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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment

Case Number: REZ-2018-0044
Bill Number: Z-18-08-28
Council District: 4-Jason Arp

Introduction Date: August 28, 2018

Plan Commission

Public Hearing Date: September 10, 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 acre of property from R1-Single Family

Residential to C2-Limited Commercial

Location: 1907 Getz Road

Reason for Request: To rezone property to allow for a 2,700 square foot retail building.

Applicant: Peter Bobeck

Property Owner: Peter Bobeck

Related Petitions: Primary Development Plan, Getz Road Development (2018)

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

will allow a variety of retail uses.

Effect of Non-Passage: The site will remain zoned R1-Single Family Residential and may redevelop

with residential uses.

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#REZ-2018-0044

BILL NO. Z-18-08-28

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne 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 C2 (Limited Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Tract 1:

Part of Lot Number One (1) in Poplar Ridge Subdivision recorded in Plat Book 48, Page 124 in the Office of the Recorder of Allen County, Indiana, being part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second Principal Meridian, Wayne Township in Allen County, Indiana, more particularly described as follows:

Commencing at a Railroad Spike marking the Southwest corner of said Northeast Quarter; thence North 00 degrees 03 minutes 32 seconds West (GPS grid bearing and basis of bearings to follow), a distance of 212.75 feed (Deed) along the West line of said Northeast Quarter and within the right-of-way of Getz Road; thence South 88 degrees 44 minutes 45 seconds East, a distance of 40.0 feet (Deed) to the Southwest corner of an existing 0.850 acre tract as described in Document Number 2017025486 in the Office of the Recorder of Allen County, Indiana, said point also being the Point of Beginning of the herein described tract. Thence South 88 degrees 44 minutes 45 seconds East, a distance of 227.60 feet (Deed) along said South line to the East line of said 0.850 acre tract; thence South 00 degrees 03 minutes 32 seconds East, a distance of 22.00 feet along the Southerly extension of said East line; thence North 88 degrees 58 minutes 07 seconds West, a distance of 70.00 feet; thence South 01 degrees 01 minutes 53 seconds West, a distance of 16.87 feet; thence North 88 degrees 58 minutes 07 seconds West, a distance of 93.17 feet; thence North 72 degrees 37 minutes 45 seconds West, a distance of 67.16 feet to the Easterly right-ofway line of said Getz Road; thence North 00 degrees 03 minutes 32 seconds West, a distance of 20.87 feet along said Easterly right-of-way line to the Point of Beginning. Containing 0.164 Acres, more or less. Subject to easement of record.

T	Tract 2:
2	Part of the Northwest Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, Indiana more particularly described as follows, to-wit:
3	Commencing at the Southwest corner of the Northeast Quarter of Section 7,
4	Township 30 North, Range 12 East; thence North, along the West line of said
5	Northeast Quarter also being the centerline of the Getz Road, a distance of 212.75 feet; thence East, perpendicular to said West line, a distance of 40.0 feet, to the true
6	Point of Beginning; thence North, parallel with said West line, distance of 162.75; thence East, perpendicular to said West line, a distance of 227.6 feet; thence South,
7	parallel with said West line and distance of 162.75 feet, thence West, perpendicular
8	to said West line, a distance of 227.6 feet to the true Point of Beginning, said in previous deed to contain 0.850 acres of land, more or less.
9	
10	and the symbols of the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne
11	Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
12	Wayne, Indiana is hereby changed accordingly.
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14	SECTION 2. If a written commitment is a condition of the Plan Commission's
15	recommendation for the adoption of the rezoning, or if a written commitment is modified and
	approved by the Common Council as part of the zone map amendment, that written
16	commitment is hereby approved and is hereby incorporated by reference.
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18	SECTION 3. That this Ordinance shall be in full force and effect from and after its
19	passage and approval by the Mayor.
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21	Council Member
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23	APPROVED AS TO FORM AND LEGALITY:
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25	Carol T. Helton, City Attorney
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27	
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Department of Planning Services Rezoning Petition Application

	Applicant Peter Bobeck						
Applicant	Address 3333 W	. Homilton	RJ.				
Dobi:	City Fort Wayner Telephone 260-348-	2 State IN	Zip_ <u>46</u>	8/4			
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nct on	Contact Person See						
	Address						
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0 =	Telephone	E-mail					
	All staff cort	respondence will be sent only to	o the designated contact pers	con.			
and the special control has	☐ Allen County Planning	Jurisdiction 💆 City of I	Fort Wayne Planning Ju	risdiction			
	Address of the property 1907 Get 2 Road						
	Address of the property 1907 Get 2 Road Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 900185						
ts:	Proposed density W	010 2500	Square Feet	units per acre			
Request	Township name Wayr	u	Township section #				
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I am seeking rezoning of this parcel from a residential use to commercial to develop a use that is more consistent with the increased traffic along Getz Road.

This same parcel was submitted for rezoning in December of 2017. I am submitting the same survey as well as the same Primary Development Plan

The reasons for a "Do not Pass" recommendation were as follows:

Concern: Lack of specificity with respect to intended use

Developer Solution: Developer will limit prospective uses to the following:

- 1. Retail food and beverage uses such as small restaurant, café, or dessert / ice cream store
- 2. Quick serve restaurant
- 3. Stand alone professional office for uses such as insurance, financial services, banking, legal services

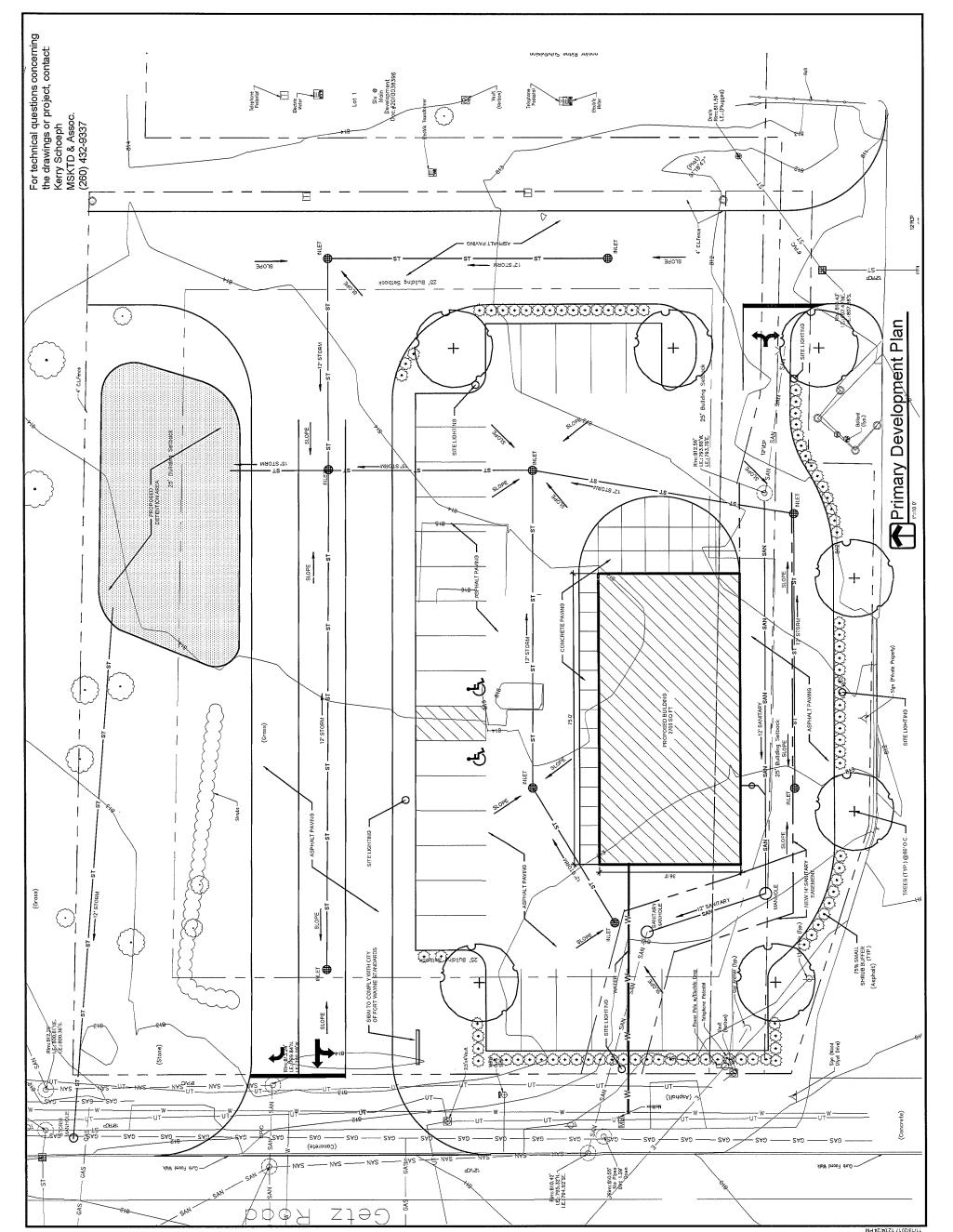
Concern: Southbound traffic on Getz Road might still try to turn left into existing Poplar Ridge entrance and cars leaving existing Poplar Ridge entrance will try to turn left to go Southbound on Getz

Developer Solution: Developer has come to an agreement with Poplar Ridge owner (Tom Chronister) whereby access road shown in Primary Development Plan would tie into Poplar Ridge and existing Poplar Ridge entrance would be limited to "Right In / Right Out" traffic. This limitation would be called out by both a "pork chop" at the entrance as well as signage on the property. Traffic Engineering has approved this solution.

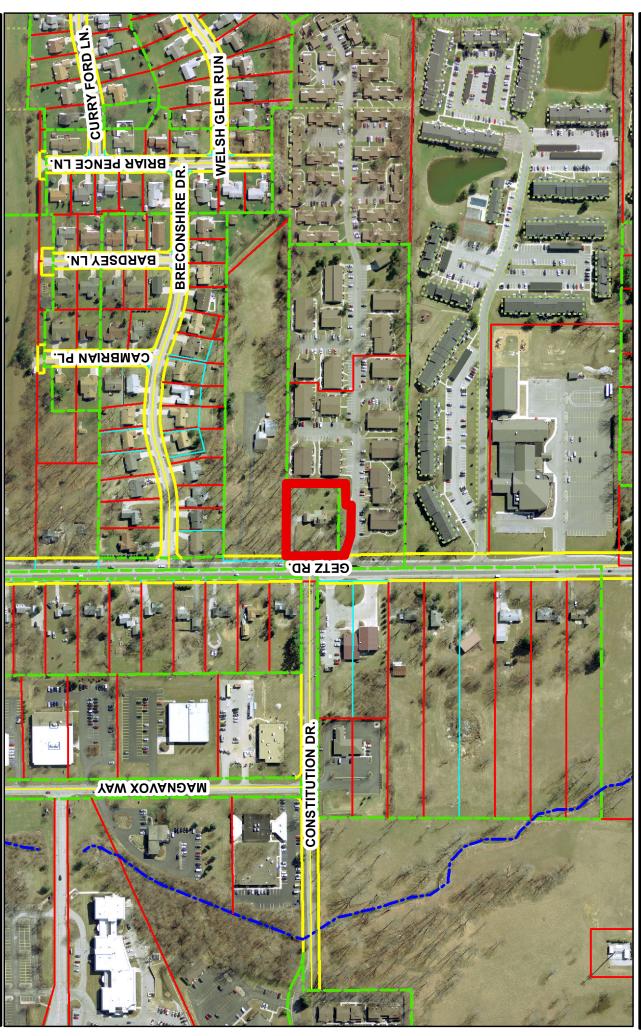
Developer:
Bobeck Real Estate Company
3333 W. Hamilton Road South, Fort Wayne, Indiana 46814
Office: (260) 432-1000

Foreign A Project for: Bobeck Real Estate









Although strict accuracy standards have been employed in the compilation of this map.

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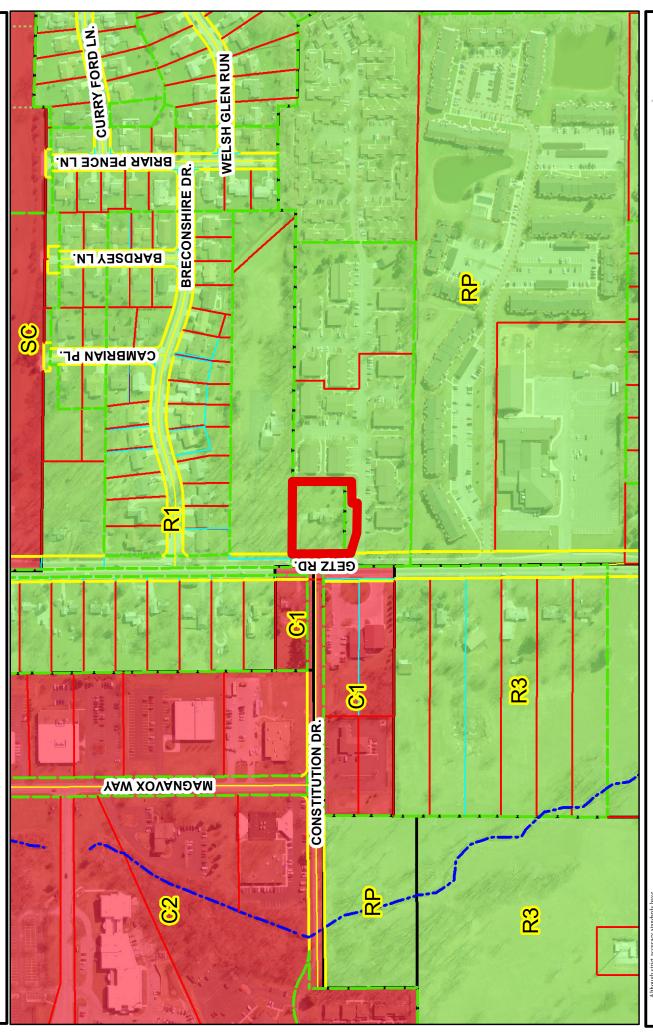


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OH Board of Commissioners of the County of Allen North American Datum 1983

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