

1 **#REZ-2022-0043**

2 **BILL NO. Z-22-08-14**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. J-07 (Sec. 15 of Wayne Township)**

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 C3 (General
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 203118415:

13 LOTS 93 AND 94 IN RIVERSIDE TERRACE ADDITION TO THE CITY OF FORT WAYNE, ALSO THE
14 EAST HALF OF THE VACATED STREET LYING ADJACENT TO AND WEST OF SAID LOT 94.
15 TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 30
16 NORTH, RANGE 12 EAST, SITUATED IN FORT WAYNE, INDIANA, BEING DESCRIBED AS
17 FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF KINSMOOR AVENUE AND
18 PIEDMONT AVENUE IN THE CITY OF FORT WAYNE; THENCE WEST ALONG THE SOUTH LINE
19 OF KINSMOOR AVENUE, A DISTANCE OF 187 FEET; THENCE SOUTH PARALLEL TO THE WEST
20 LINE OF KINSMOOR AVENUE, A DISTANCE OF 256 FEET TO A POINT ON THE NORTH LINE OF
21 NUTTMAN AVENUE; THENCE EAST ALONG THE NORTH LINE OF NUTTMAN AVENUE, A
22 DISTANCE OF 187 FEET TO THE NORTHWEST CORNER OF NUTTMAN AVENUE AND
23 PIEDMONT AVENUE; THENCE NORTH ALONG THE WEST LINE OF NUTTMAN AVENUE A
24 DISTANCE OF 256 FEET TO THE POINT OF BEGINNING, SAID IN PREVIOUS DEED TO CONTAIN
25 1.07 ACRES OF LAND, MORE OR LESS, TOGETHER WITH THE WEST HALF OF VACATED
26 PIEDMONT AVENUE ADJOINING SAID PARCEL ON THE EAST.

27 and the symbols of the City of Fort Wayne Zoning Map No. J-07 (Sec. 15 of Wayne
28 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
29 Wayne, Indiana is hereby changed accordingly.

30 SECTION 2. If a written commitment is a condition of the Plan Commission's
 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
 commitment is hereby approved and is hereby incorporated by reference.

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SECTION 3. 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:



Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0043
Bill Number: Z-22-08-14
Council District: 4-Jason Arp

Introduction Date: August 23, 2022

Plan Commission
Public Hearing Date: September 12, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.44 acres from R1/Single Family Residential to C3/General Commercial.

Location: Lots 93 and 94 of Riverside Terrace Addition, and 1810 Nuttman Avenue (Lot 92)

Reason for Request: To allow for the expansion of surface parking for the Clyde Theatre, along with the property at 1833 Kinsmoor Avenue.

Applicant: Sweet Real Estate, LLC

Property Owner: Sweet Real Estate, LLC

Related Petitions: Special Use Approval from the Board of Zoning Appeals for a parking lot adjacent to residential

Effect of Passage: Property will be rezoned to the C3/General Commercial district, which, with a Special Use Approval, will allow for an expansion of surface parking.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which would not permit a parking lot for commercial uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Sweet Real Estate, LLC
Address 7100 W. Jefferson Blvd.
City Fort Wayne State IN Zip 46804
Telephone 260-432-0370 E-mail jerry.noble@surack.com

Contact Person
Contact Person Andrew Boxberger
Address 301 W. Jefferson Blvd. Suite 200
City Fort Wayne State IN Zip 46802
Telephone 260-423-9411 E-mail aboxberger@carsonllp.com

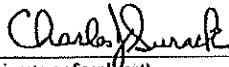
All staff correspondence will be sent only to the designated contact person.

Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property Lots 93 & 94 Riverside Terrace Add. and 1810 Nuttman Ave.
Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned .44
Proposed density NA units per acre
Township name Wayne Township section # 15
Purpose of rezoning (attach additional page if necessary) To create conformity with adjacent owned by applicant which is zoned C3, and to facilitate permissible off-site parking a special use approval from BZA in conjunction with the use of the adjacent parcel.
Sewer provider NA Water provider NA

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist 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

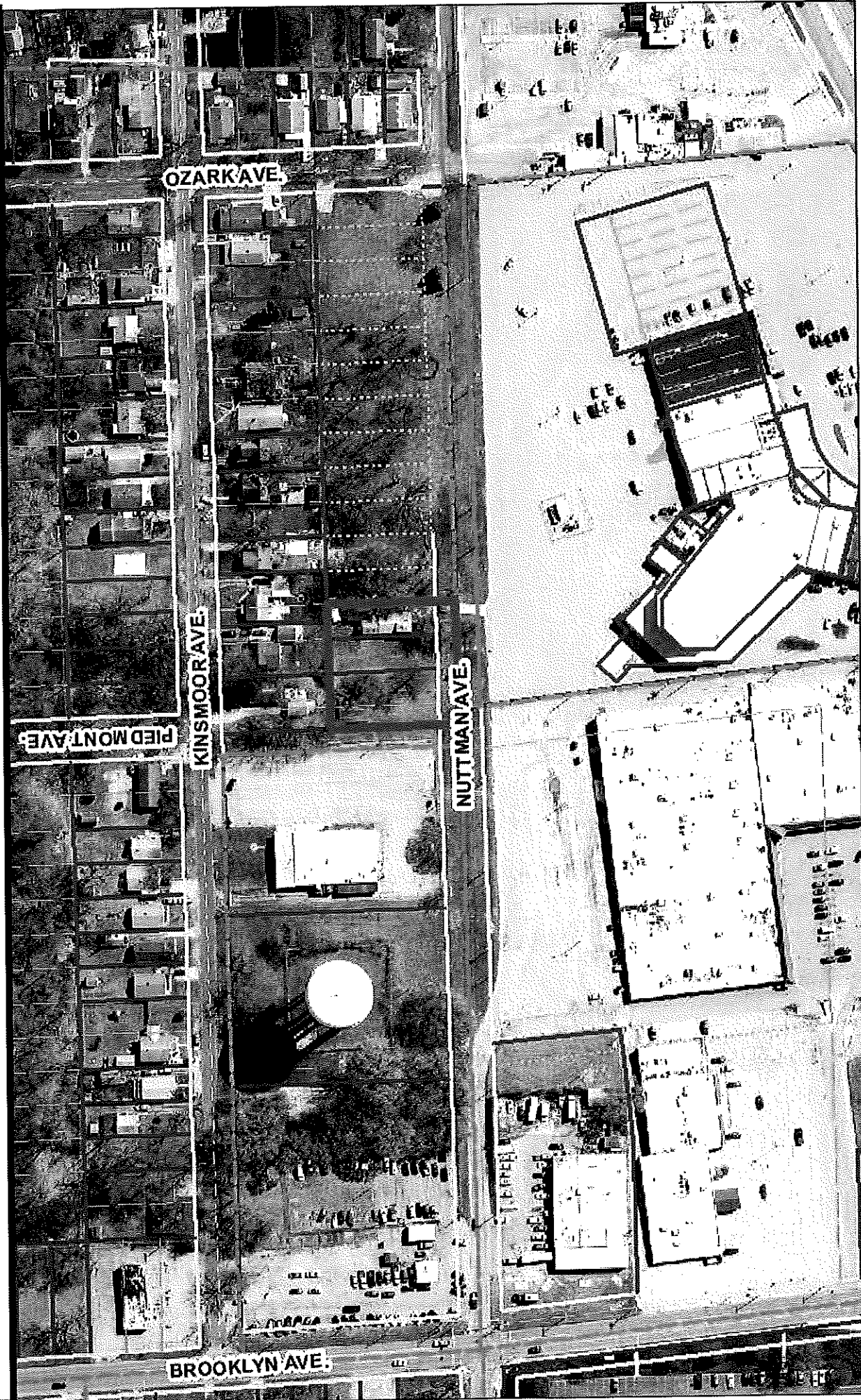
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

Charles Surack, Manager		8/2/22
(printed name of applicant)	(signature of applicant)	(date)
Charles Surack, Manager		8/2/22
(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 8/2/22	Receipt No. 141065	Hearing Date 9-12-22	Petition No. REZ-2022-0049
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Rezoning Petition REZ-2022-0043 Riverside Terrace Add. Lots 93, 94, and, 1810 Nuttman Avenue



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North American Urban 1000
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/17/2022

0 50 100 Feet



1 inch = 150 feet



Rezoning Petition REZ-2022-0043 Riverside Terrace Add. Lots 93, 94, and, 1810 Nuttman Avenue



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North American Edition 1981
State Plane Coordinate System, Indiana East
Photos and Contours Spring 2006
Date: 8/17/2022



0 50 100 Feet

1 inch = 150 feet

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1	1.170 AC, MEASURED
2	1.651 AC, MEASURED
3	0.117 AC, MEASURED
4	1.405 AC, MEASURED

M₁ = MEASURED
C₁ = CALCULATED
C₂ = COLD
H₁ = HAZARD
P₁ = PAY
I₁ = I.D.D. SURVEY FLECTION
P.O.D. = POINT OF DEPARTURE
P.O.C. = POINT OF CONTACT

1. A FULL AND COMPLETE CONSENT OF THE PER THE STATE PANEL, I AM INCLUDING ADDITIONAL INFORMATION AND/OR THAT RELEVANT DOCUMENTATION NOT PRESENTED TO UNITED-PANAMA & ASSOCIATES, LLC AT THE TIME OF THIS DRAW.
2. THE DUMINATION OF WITNESSES OR OTHER INFORMATIONAL CONTRIBUTIONS NOT CONSIDERED AS A PART OF THIS DRAWING.
3. SEE WITNESSES I HAVE CALLED FOR KNOWLEDGE RELATED TO CLOSING THIS CONTRACT, APPROVED BY THE PERITIA.

[illegible][illegible]

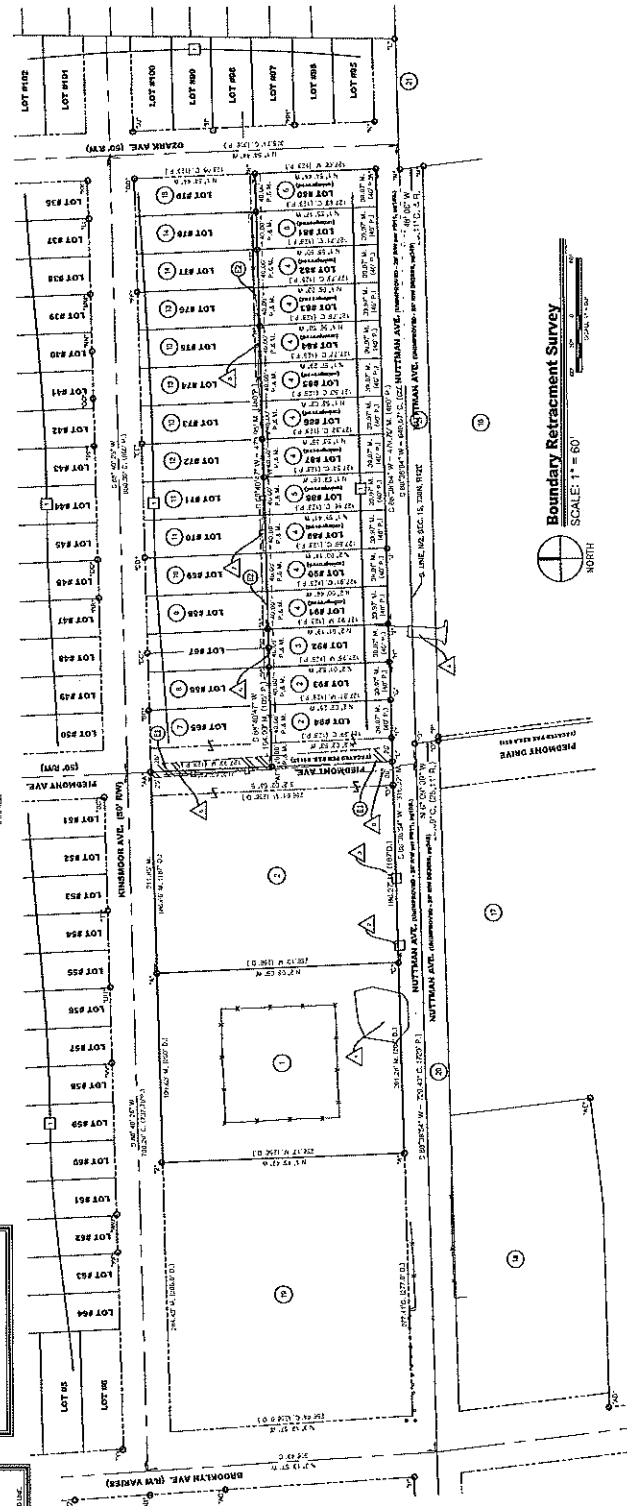
INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE OF DECLASSIFICATION INDEFINITE. AUTHORITY: 25 U.S.C. 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296,

Matthew G. Smith, P.E.
SODAS RECREATION LAND, COUNTY OF HAVANA, TEXAS

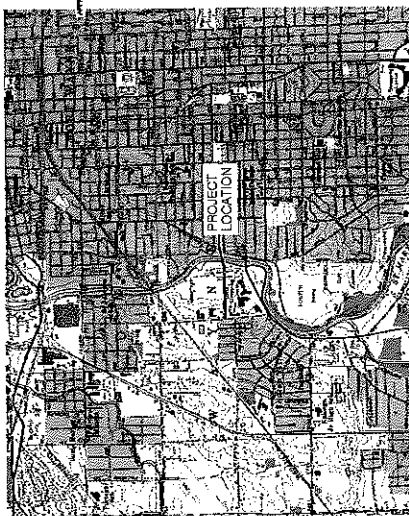
REVISIONS	
DATE	DESCRIPTION

CAD FILE:	RTPA_Standard
DRAWN BY:	NJZSLZ
CHECKED BY:	GGE
DATE:	BROWNSDOW
P/LCT. NO.	2129A-100

C0.0



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Site Location Map

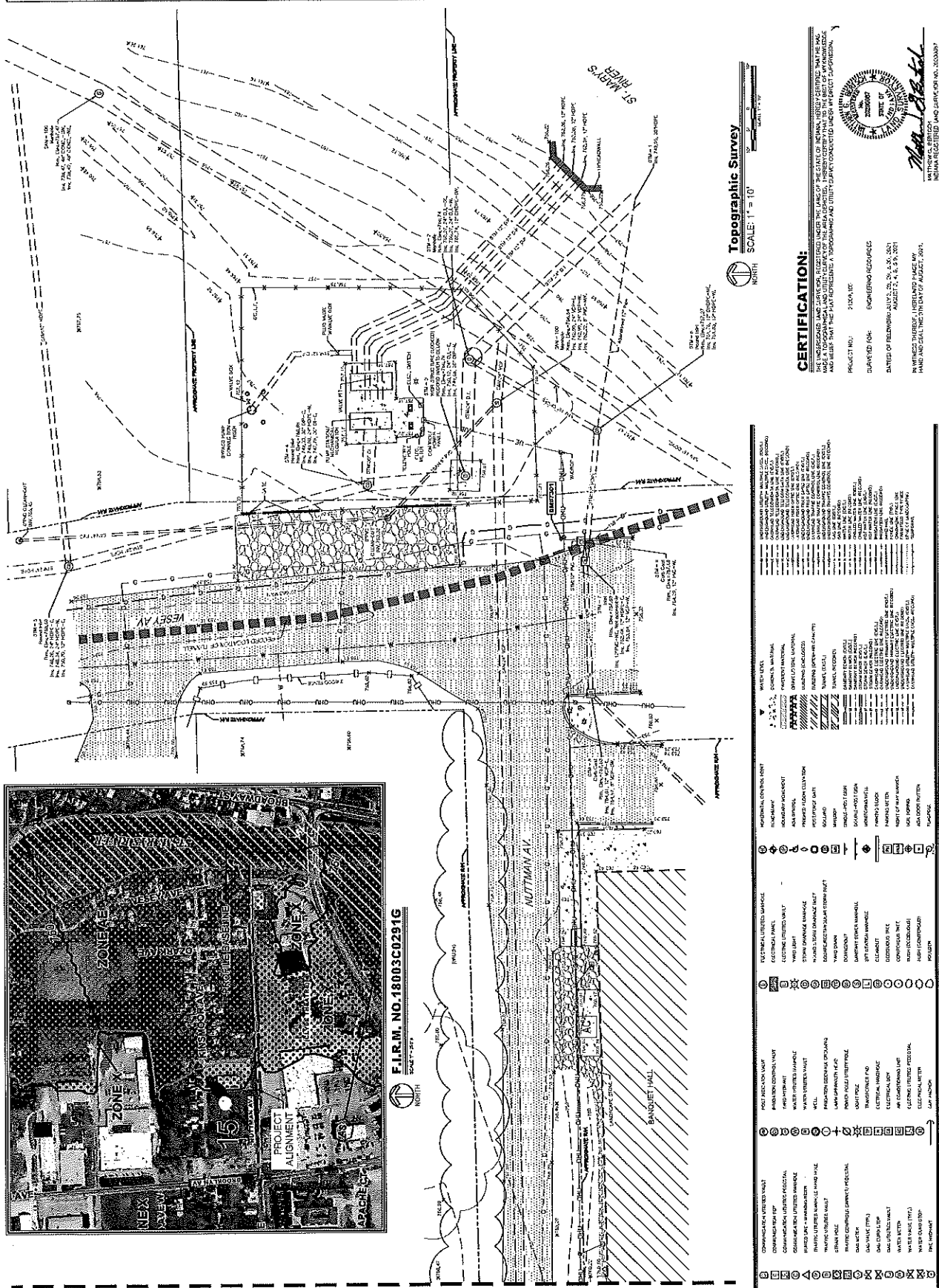
OF THE

CERTIFICATION:

CERTIFICATION:

THE UNDERSIGNED JACQ CLARK, REGISTERED UNDER THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFIES THAT HE HAS MADE A TOPOGRAPHIC AND UTILITY SURVEY OF THE AREA DESIGNATED, IN FULLY CERTIFY THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF THAT THIS PLAN REPRESENTS A TOPOGRAPHIC AND UTILITY CURVES CONDUCTED UNDER MY DIRECT SUPERVISION.

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SEE SHEET CO.2

REZONING FACT SHEET

Petition #REZ-2022-0043 Z-22-08-14 Project Start: August 2022

APPLICANT:	Sweet Real Estate, LLC
REQUEST:	To rezone property from R1/Single Family Residential to C3/General Commercial for development of a parking lot.
LOCATION:	1810 Nuttman Avenue and Lots 93 and 94 of Riverside Terrace Addition, 500 feet west of the intersection of Ozark Avenue and Nuttman Avenue (Section 15 of Wayne Township)
LAND AREA:	0.44 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECT:	none
SPONSOR:	City of Fort Wayne Plan Commission

12 September 2022 Plan Commission Public Hearing

- No one spoke at the hearing.
- Staff spoke with one neighbor prior to the hearing to explain the project limits.
- Ryan Neumeister and Paul Sauerteig were absent.

19 September 2022 Business Meeting

Plan Commission Recommendation: Do Pass w/Written Commitment

- A motion was made by Rachel Tobin-Smith and seconded by Rick Briley to return the ordinance to Common Council with a DO PASS recommendation with a Written Commitment for their final decision.
- **6-0 MOTION PASSED**
- Ryan Neumeister, Tom Freistroffer and Paul Sauerteig were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
October 6, 2022

PROJECT SUMMARY

SITE HISTORY

- The site was platted as Riverside Terrace Addition in 1925 and originally planned to be used residentially. With the exception of one residence, this portion of the plat was never developed.

STAFF DISCUSSION

The petitioner requests rezoning a portion of property from R1/Single Family Residential to C3/General Commercial to allow for access to additional parking for Quimby Village. With the success of the Clyde Theatre and other commercial uses within Quimby Village, a number of additional parking spaces are needed. The site includes three lots within Riverside Terrace (Lots 92, 93 and 94). Two are undeveloped and one has a house at 1810 Nuttman Avenue. There are no other homes to the east of 1810 Nuttman. The remaining lots along Nuttman within the Riverside Terrace plat were vacated in 2021 for a future City stormwater project. The plat of Riverside Terrace has restrictive covenants with a sunset clause ending in 1945, so there are no apparent covenant issues with the rezoning petition.

The purpose of the rezoning is to bring the real estate into a commercial zoning district because the parking is separated from the Clyde property by public right-of-way and a stand-alone parking lot is a C3/General Commercial use. The applicant is also seeking a Special Use from the Board of Zoning Appeals to have the parking adjacent to residential zoning. Quimby Village is zoned C2/Limited Commercial, and the commercial businesses to the west up to Brooklyn Avenue are zoned C3/General Commercial. Single family homes exist to the north and east of the project site, along Ozark Avenue, Kinsmoor Avenue, and Vesey Avenue. The access and zoning of the neighboring homes is not proposed to change.

The lots to be rezoned are also adjacent to a former church building at 1833 Kinsmoor (to the west of said lots), which has been purchased and will be removed. This property will be used as temporary gravel parking, and Lots 92-94 will provide an access drive to the parking lot. With the construction of the City stormwater project in the near future, the applicant desires to hold off paving until all the other improvements are complete or underway. The Board of Zoning Appeals is also reviewing a development standards variance for temporary gravel and some landscape buffer variances. The applicant intends to install a privacy fence to buffer the neighbors from headlights and other visual impacts. They will also be reaching out to the neighbors with the proposed buffering plans.

The review of the proposed parking lot will take place through a Parking Lot Permit issued by the Right-of-Way division of the Board of Works. The plan will be reviewed for setbacks, landscaping and screening and stormwater management.

The applicant may also consider a Written Commitment associated with the rezoning request to restrict some of the retail commercial uses on the new parking area that may be more of an impact to the adjacent properties.

With consideration of a Written Commitment, the Comprehensive Plan could support this development through the following objectives:

LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

PUBLIC HEARING SUMMARY:

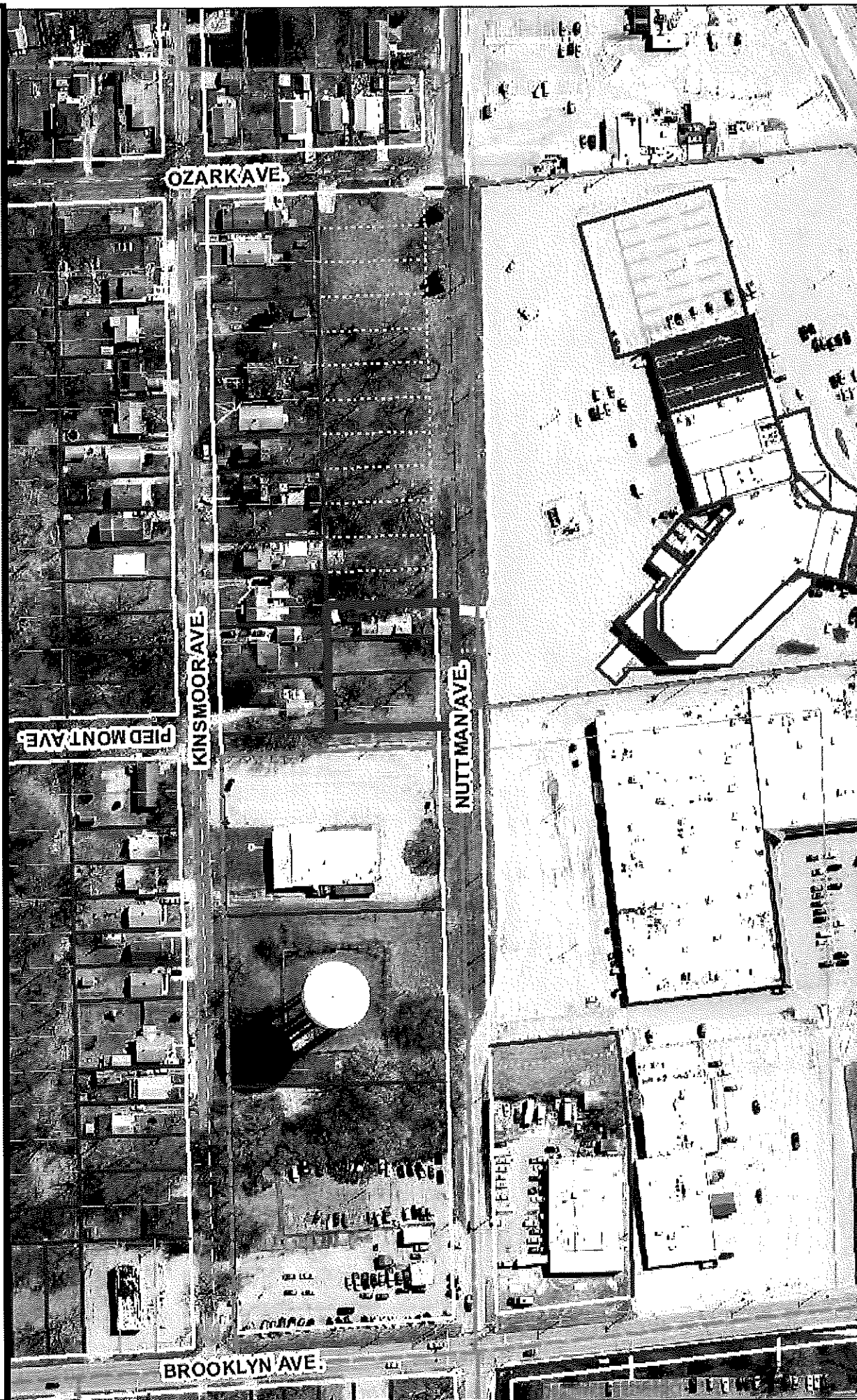
Presenter: Chris Nussbaum, representing the applicant, presented the project to the Plan Commission, as outlined above.

Public Hearing Comments:

None



Rezoning Petition REZ-2022-0043 Riverside Terrace Add. Lots 93, 94, and, 1810 Nuttman Avenue



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1 inch = 150 feet

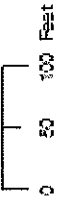


Rezoning Petition REZ-2022-0043 Riverside Terrace Add. Lots 93, 94, and, 1810 Nuttman Avenue



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1 inch = 150 feet

Clyde Park Rezoning

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Auction service
Accountant	Audiologist
Adoption service	Audio-visual studio
Adult care center	Automatic teller machine
Advertising	Automobile accessory store
Agricultural equipment sales	Automobile auction
Agricultural equipment service	Automobile body shop
Agricultural supply sales	Automobile detailing or trim shop
Air conditioning sales	Automobile maintenance (quick service)
Air conditioning service	Automobile rental
Alteration service	Automobile repair
Amusement park (1)	Automobile restoration
Animal grooming	Automobile rustproofing
Animal hospital	Automobile sales
Animal kennel	Automobile washing facility
Animal obedience school	Bait sales
Answering service	Bakery goods
Antique shop	Bank
Apparel and accessory store	Bankruptcy service
Appliance store	Banquet hall
Appraiser	Bar
Arcade	Barber shop
Architect	Barber/beauty school
Arena	Batting cages
Art gallery	Beauty shop
Art instruction	Bed and breakfast
Art studio	Betting or other gambling facility
Art supply store	Bicycle sales and repair shop
Assisted living facility	Billiard or pool hall
Athletic field	Bingo establishment
Attorney	Blood bank
Auction hall	Blood or plasma donor facility

9/19/22 Agreed to
by Applicant

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES

Boarding house	Day care
Boat sales	Day spa
Book store	Delicatessen
Bookkeeping service	Dentist
Bowling alley	Department store
Brewery (micro)	Diagnostic center
Broadcast studio	Dialysis center
Broker	Diaper service facility
Business training	Dinner theater
Campus housing (off-site)	Distillery (micro)
Candy store	Doctor
Catalog showroom	Dormitory
Caterer	Driving instruction
Check cashing	Drug store
Child care center	Dry cleaning store
Child care home (class I or II)	Educational institution
Chiropractor	Embroidery
Clinic	Employment agency
Clock sales	Engine repair
Clothing alterations	Engineer
Clothing rental	Entertainment facility
Clothing store	Equipment rental (limited)
Club, private	Equipment service
Coffee shop	Exhibit hall
Coin shop	Exterminator
Collection agency	Fabric shop
Community garden (including outdoor)	Farmers market
Computer sales and service	Feed store
Computer software store	Finance agency
Computer training	Financial planning service
Consignment shop	Fireworks sales
Consulting service	Fitness center
Consumer electronics sales	Flea market
Consumer electronics service	Floor covering store
Convenience store	Florist
Copy service	Foundation office
Correctional services facility	Fraternity house
Cosmetic store	Fruit/vegetable store
Costume rental	Funeral home
Counseling service	Furniture refinishing/repair
Country club	Furniture store
Craft instruction	Furrier
Craft studio	Game rental
Craft supply store	Game sales
Credit service	Garden equipment supply
Credit union	Gas station ⁽²⁾
Customer service facility	Gift shop
Dance instruction	Glass cutting/glazing shop
Data processing facility	Go-kart facility ⁽¹⁾
Data storage facility	Golf course, miniature

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES

Golf driving range	Motor vehicle rental
Graphic design service	Motor vehicle repair
Greenhouse (retail)	Motor vehicle sales
Grocery store or supermarket	Movie rental
Group residential facility (large) ⁽¹⁾	Movie sales
Group residential facility (small)	Multiple family complex ⁽³⁾
Gun sales	Multiple family dwelling ⁽³⁾
Gymnastics instruction	Museum
Hardware store	Music instruction
Haunted house	Music store
Health club	Music studio
Heating sales	Musical instrument store
Heating service	Nail salon
Hobby shop	Neighborhood facility
Home improvement business	Nursing home
Home improvement store	Nutrition service
Home repair	Ophthalmologist
Homeless shelter ⁽¹⁾	Optician
Hospice care center	Optometrist
Hospital	Package liquor store
Hot tub sales	Paint store
Hotel	Painting studio
Household appliance store	Parking area ⁽¹⁾
Ice cream store	Parking area (off-site) ⁽⁴⁾
Insurance agency	Parking structure
Interior decorating store	Pawn shop
Interior design service	Pest control
Internet service	Pet store
Investment service	Pharmacy
Jewelry sales	Photography studio
Laboratory	Photography supply store
Land surveyor	Photography training
Landscape contracting service	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	Plant nursery
Luggage store	Plumbing sales
Manufactured home sales	Plumbing service
Marketing agency	Podiatrist
Martial arts training	Pottery sales
Massage therapy	Propane sales
Meat/fish market	Public transportation facility
Medical supply sales	Radio station
Medical training	Real estate
Model unit	Reception hall
Mortgage service	Recording studio
Motel	Recreation area ⁽¹⁾
Motor vehicle auction	Recreation facility

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES

Recreation uses	Tea room
Rental store	Telephone sales
Residential dwelling unit ⁽⁵⁾	Telephone service
Residential facility for homeless individuals (up to 8) ⁽⁴⁾	Television station
Restaurant, including drive-through	Tennis club
Retirement facility	Theater
Riding stable	Tire sales
Sandwich shop	Title company
Savings and loan	Tobacco store
Sculpture studio	Towing service (with no storage yard)
Seasonal sales	Townhouse complex ⁽³⁾
Security service	Toy store
Shoe repair shop	Trade show facility
Shoe store	Travel agency
Shooting range (indoor)	Treatment center
Sign sales store	Truck fueling station
Skating rink	Truck stop
Sleep disorder facility	Tutoring service
Social service agency	Universally permitted use ⁽⁴⁾
Sorority house	Variety store
Sporting goods sales	Veterinary clinic
Stadium/racetrack ⁽¹⁾	Warehouse/storage facility
Stained glass studio	Watch sales
Stationery store	Water park ⁽¹⁾
Stock and bond broker	Watercraft sales
Storage shed sales	Website service
Surgery center	Wedding consultant
Swim club	Weight loss service
Swimming pool sales	Wholesale facility
Tailor	Wind energy conversion system (micro) ⁽¹⁾
Tanning salon	Window repair
Tattoo establishment	Window sales
Tavern	Yoga instruction
Tax consulting	Zipline
Taxi service	Zoo
Taxidermist	

Notes:

- (1) If not adjacent to a residential district
- (2) No gas station canopy shall be located between the primary building and a residential district
- (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))
- (4) See universally permitted use definition for additional standards
- (5) Above, to the rear of, or attached to a permitted nonresidential use