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#1292

BILL NO. Z-13-01-02

ZONING MAP ORDINANCE NO. Z- 4-13

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 1<sup>st</sup> Addition to the City of Fort Wayne, Indiana on the East and Lots 4 & 9 of Noels 2<sup>nd</sup> 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. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana; thence Southerly following the East line of Lot 26 Ewing's, George W. 2<sup>nd</sup> 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. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana on the East and Lots 31, 32, 33, 46 in Ewing's, George W. 2<sup>nd</sup> 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. 2<sup>nd</sup> Addition to the City of

1 Fort Wayne, Indiana to the North and Lots 49, 50, 51, and 52 in Bonds 3<sup>rd</sup> Addition  
2 to the City of Fort Wayne, Indiana on the South to the Northerly extension of the  
3 East line of the West 5 feet of Lot 48 in Bonds 3<sup>rd</sup> Addition to the City of Fort  
4 Wayne, Indiana; thence Southerly along on the East line of the West 5 feet of Lot 48  
5 in Bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana extended Southerly to its  
6 intersection with the center line of Hendricks Street; thence Westerly along the  
7 center line of Hendricks Street to the Northerly extension of the West line of the East  
8 30 feet of Lot 57 in Bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana; thence  
9 Southerly along the Northerly extension of the West line of the East 30 feet of Lot 57  
10 in Bonds 3<sup>rd</sup> Addition, Southerly to its intersection with the South right of way of an  
11 alley bounded on the North by Lots 55 through 57 in Bonds 3<sup>rd</sup> Addition to the City  
12 of Fort Wayne, Indiana and the North line of Ewing's, Alexander, Estate outlots to  
13 the City of Fort Wayne, Indiana on the South; thence Westerly along the South right  
14 of way line of said alley 76 feet to the end of said alley; thence Northerly 5 feet to  
15 the Southeast corner of a vacated street right of way and South line of McMakens  
16 Addition and the North line of Ewing's, Alexander, Estate outlots to the City of Fort  
17 Wayne, Indiana (CSX Transportation); thence Westerly along said North line of  
18 Ewing's, Alexander, Estate outlots to the City of Fort Wayne, Indiana, crossing  
19 Broadway to the Southeast corner of Lot 2 in Chipmans Addition; thence  
20 Northeasterly following the East line of Lot 2 in Chipmans Addition to the City of  
21 Fort Wayne, Indiana 16.67 feet; thence West-Northwesterly 25 feet, thence  
22 Southerly 25 feet to a point on the South line of Lot 2 in Chipmans Addition that is  
23 16.67 feet West of the Southeast corner of Lot 2 in Chipmans Addition to the City of  
24 Fort Wayne, Indiana; thence Westerly along the South line of Lot 2 in Chipmans  
25 Addition to the City of Fort Wayne, Indiana to the extended center line of Jackson  
26 Street; thence North-Northwesterly along the center line of Jackson Street to the  
27 intersection with the extended North line of the South half of Lot 7 in Chipmans  
28 Addition to the City of Fort Wayne, Indiana; thence Easterly along the South half of  
29 Lot 7 in Chipmans Addition to the City of Fort Wayne, Indiana extending to the  
30 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 1<sup>st</sup> Addition to the City of Fort  
16 Wayne, Indiana on the East and Lot 9 of Noels 2<sup>nd</sup> 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 1<sup>st</sup> Addition  
19 to the City of Fort Wayne, Indiana on the South and Lot 3 in Bonds 1<sup>st</sup> Addition to  
20 the City of Fort Wayne, Indiana on the North, to the extended West line of Lot 3 in  
21 Bonds 1<sup>st</sup> Addition to the City of Fort Wayne; thence Northerly along the West line  
22 of Lot 3 in Bonds 1<sup>st</sup> Addition to the City of Fort Wayne, to the North line of Lot 2 in  
23 Bonds 1<sup>st</sup> 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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SECTION 3. That the area described as follows is hereby designated a CM5C  
(Neighborhood Commercial Corridor) District under the terms of Chapter 157 Title XV of the  
Code of the City of Fort Wayne, Indiana:

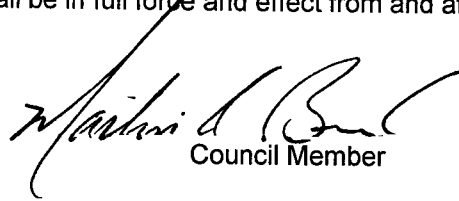
Beginning with the intersection of the center line of Van Buren Street and the center  
line of West Washington Boulevard; thence Southerly following the center line of  
Van Buren Street 570.0 feet to the intersection of the centerline of the first alley  
south of Jefferson our P.O.B.:  
Thence Easterly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

1 of Lot 3 in Bonds Addition; thence Southerly 83.0 feet following the West line of  
2 said Lot 3 in Bonds Addition extending to the center line of an East-West alley;  
3 thence westerly 46.5 feet along the center line of said alley to the center line of a  
4 North-South alley; thence Southerly along the center line of said North-South alley  
5 between Lots 4 through 10 in Bonds 1<sup>st</sup> Addition to the City of Fort Wayne, Indiana  
6 on the East and Lot 9 in Noels 2<sup>nd</sup> and Lots 4 of Block 3 Noels 2<sup>nd</sup> and 9 of Block 4  
7 Noels 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana on the West to the center line  
8 of West Brackenridge Street; thence Easterly following the center line of West  
9 Brackenridge 52.17 feet to the extended East line of Lot 26 Ewing's, George W. 2<sup>nd</sup>  
10 Addition to the City of Fort Wayne, Indiana; thence Southerly following the East  
11 line of Lot 26 Ewing's, George W. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana  
12 to the center line of Lavina Street; thence Westerly following the center line of  
13 Lavina Street 84.87 feet to the extended center line of a North-South alley; thence  
14 Southerly along the center line of said North-South alley between Lot 34 in Ewing's,  
15 George W. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana on the East and Lots 31,  
16 32, 33 and 46 in Ewing's, George W. 2<sup>nd</sup> Addition to the City of Fort Wayne,  
17 Indiana on the West to the center line of an East-West Alley; thence Easterly along  
18 the center line of said East-West alley between Lots 34, 35, 36 and 37 in Ewing's,  
19 George W. 2<sup>nd</sup> Addition to the City of Fort Wayne, Indiana to the North and Lots 49,  
20 50, 51 and 52 in Bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana on the South  
21 to the Northerly extension of the East line of the West 5 feet of Lot 48 in Bonds 3<sup>rd</sup>  
22 Addition to the City of Fort Wayne, Indiana; thence Southerly along on the East line  
23 of the West 5 feet of Lot 48 in Bonds 3<sup>rd</sup> Addition to the City of Fort Wayne, Indiana  
24 extended Southerly to its intersection with the center line of Hendricks Street; thence  
25 Westerly along the center line of Hendricks Street to the Northerly extension of the  
26 West line of the east 30 feet of Lot 57 in Bonds 3<sup>rd</sup> Addition to the City of Fort  
27 Wayne, Indiana; thence Southerly along the Northerly extension of the West line of  
28 the East 30 feet of Lot 57 in Bonds 3<sup>rd</sup> addition, Southerly to its intersection with the  
29 South right of way of an alley bounded on the North by Lots 55 through 57 in Bonds  
30 3<sup>rd</sup> 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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Public Hearing Date, if applicable 1-7-13

Read the first time in full and on motion by Councilman Martin Bender  
Read the second time by title and referred to the Regulations Committee  
Committee. Read the third time in full and on motion by Councilman  
Glynn Hines, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
DIDIER	<u>✓</u>			
HARPER	<u>✓</u>			
HINES	<u>✓</u>			
JEHL	<u>✓</u>			
PADDOCK	<u>✓</u>			
SHOAFF	<u>✓</u>			
SMITH	<u>✓</u>			

DATED: 2-12-13 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. 2-4-13 on the 12<sup>th</sup> day of  
February, 2013

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY,  
CITY CLERK

Thomas F. Didier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13<sup>th</sup> day  
of February, 2013, at the hour of 3 o'clock PM . E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14<sup>th</sup> day of FEBRUARY  
2013, at the hour of 2:00 o'clock PM . E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

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.

BILL NO. Z-13-01-02

## REPORT OF COMMITTEE ON REGULATIONS

**FEBRUARY 12, 2013**

**GLYNN HINES - CHAIR  
RUSSELL JEHL - CO-CHAIR  
ALL COUNCIL MEMBERS**

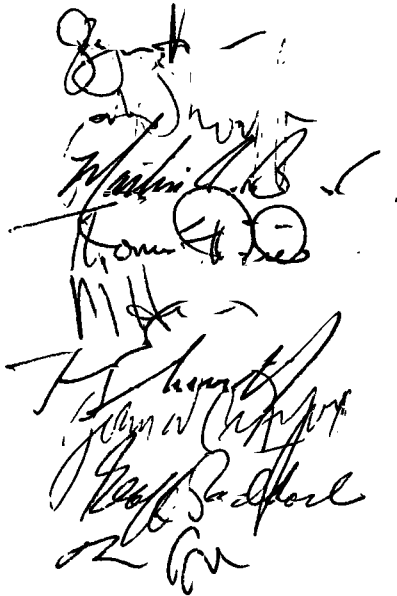
WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne, Indiana Zoning Map Nos. L-02 and L-06 (Sec. 11 and 12 of Wayne Township. The area is located along both sides of the 1000 to 1400 blocks of Broadway, south of West Washington Blvd. to the railroad elevation (Sections 2 and 11 of Wayne Township). HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE

DO PASS

DO NOT PASS

ABSTAIN

NO REC



A collection of handwritten signatures in black ink, including names like "Glynn Hines", "Russell Jehl", and others, written over the "DO PASS" column.

SANDRA E. KENNEDY  
CITY CLERK