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#REZ-2014-0004

BILL NO. Z-14-01-12

ZONING MAP ORDINANCE NO. Z- 12-14

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. N-02 (Sec. 12 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 CM3  
(General Commercial) District under the terms of Chapter 157 Title XV of the Code of the  
City of Fort Wayne, Indiana:

Part of the Northwest quarter, Section 12, Township 30 North, Range 12 East in Allen  
County, by metes and bounds described as follows, to-wit:

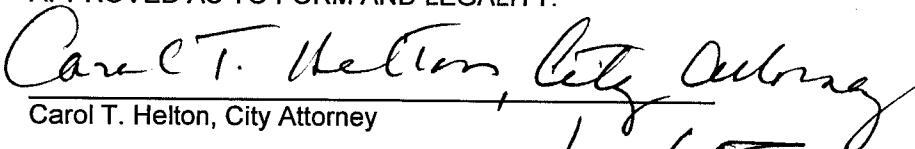
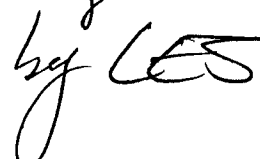
Lot 732 Hanna's Amended Addition to the City of Fort Wayne, as recorded in Deed Book 28,  
page 105, in the Office of the Recorder of Allen County, Indiana; containing 0.277 acres of  
land.

and the symbols of the City of Fort Wayne Zoning Map No. N-02 (Sec. 12 of Wayne  
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
Wayne, Indiana is hereby changed accordingly.

SECTION 2. 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:

  
\_\_\_\_\_  
Carol T. Helton, City Attorney  


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

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**Department of Planning Services**

Title of Ordinance:       Zoning Map Amendment  
Case Number:             REZ-2014-0004  
Bill Number:             Z-14-01-12  
Council District:         5 – Geoff Paddock

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Introduction Date:        January 28, 2014

Plan Commission  
Public Hearing Date:       February 10, 2014

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

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Synopsis of Ordinance:    To rezone approximately 0.28 acres of property from R2-Attached Single  
Family and Two Family Residential to CM3-General Commercial

Location:                 1422 Francis Street, at the northwest corner of Francis Street and Hayden  
Street.

Reason for Request:      This petition is to allow the vacant lot to be used as an outdoor garden and  
landscape display area for Cornerstone Landscape Group. Cornerstone is  
planning to build a new office and warehouse at 801 Hayden Street, which is  
will be located just east of this parcel.

Applicant:                The Cornerstone Landscape Group, Inc.

Property Owners:         Fort Wayne Urban Enterprise Association, Inc.

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Related Petitions:        Primary Development Plan, Cornerstone Landscape Property

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Effect of Passage:        Property will be rezoned to CM3-General Commercial which will allow the  
property to be redeveloped along with the adjacent parcels.

Effect of Non-Passage:    The property will remain zoned R2-Attached Single Family Residential and  
may redevelop with a single family home or duplex. This property has been  
vacant since the late 1990's and owned by the Fort Wayne Urban Enterprise  
Association since 2006.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Tim Pancake and The Cornerstone Landscape Group, Inc.  
 Address 620 Hayden Street  
 City Fort Wayne State IN Zip 46802  
 Telephone 260-425-9933 Fax 260-425-9922 E-mail tpancake@cornerstone-landscape.com

**Property Ownership**  
 Property Owner Fort Wayne Urban Enterprise Association, Inc.  
 Address 1830 Wayne Trace  
 City Fort Wayne State IN Zip 46803  
 Telephone 260-422-2304 Fax 260-424-0024 E-mail gina.kostoff@cityoffortwayne.org

**Contact Person**  
 Contact Person Tim Pancake  
 Address 620 Hayden Street  
 City Fort Wayne State IN Zip 46802  
 Telephone 260-425-9933 Fax 260-425-9922 E-mail tpancake@cornerstone-landscape.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 1422 Francis St.  
 Present Zoning R3 Proposed Zoning CM3 Acreage to be rezoned .277 acres  
 Proposed density \_\_\_\_\_ units per acre  
 Township name Wayne Township section # 12  
 Purpose of rezoning (attach additional page if necessary) for combining with adjacent 1417 South Hanna parcel (lot 731 Samuel Hanna's Amended Addition) for use as display gardens for landscape company.  
 Sewer provider Fort Wayne Water provider 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 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.

Timothy Pancake  
 (printed name of applicant) \_\_\_\_\_  
 \_\_\_\_\_  
 (signature of applicant) \_\_\_\_\_  
 \_\_\_\_\_  
 (date) 1/2/14

Gina Kostoff of FWUEA, Inc.  
 (printed name of property owner) \_\_\_\_\_  
 \_\_\_\_\_  
 (signature of property owner) \_\_\_\_\_  
 \_\_\_\_\_  
 (date) 1/2/14

\_\_\_\_\_  
 (printed name of property owner) \_\_\_\_\_  
 \_\_\_\_\_  
 (signature of property owner) \_\_\_\_\_  
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 (date) \_\_\_\_\_

\_\_\_\_\_  
 (printed name of property owner) \_\_\_\_\_  
 \_\_\_\_\_  
 (signature of property owner) \_\_\_\_\_  
 \_\_\_\_\_  
 (date) \_\_\_\_\_

Received	Receipt No.	Hearing Date	Petition No.
<u>1/2/14</u>	<u>113905</u>	<u>2/10/14</u>	

*rez-2014-004*



Rezoning Petition REZ-2014-0004 and Primary Development Plan - Cornerstone Landscape Property



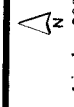
**Legend**

- Rezoning Boundary
- Development Plan Boundary

Project boundaries represented by bold colored lines are for representational purposes only.

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009



1 inch = 200 feet



Date: 1/21/2014



Rezoning Petition REZ-2014-0004 and Primary Development Plan - Cornerstone Landscape Property



**Legend**

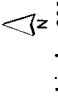
- Resoning Boundary
- Development Plan Boundary

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Date: 1/21/2014



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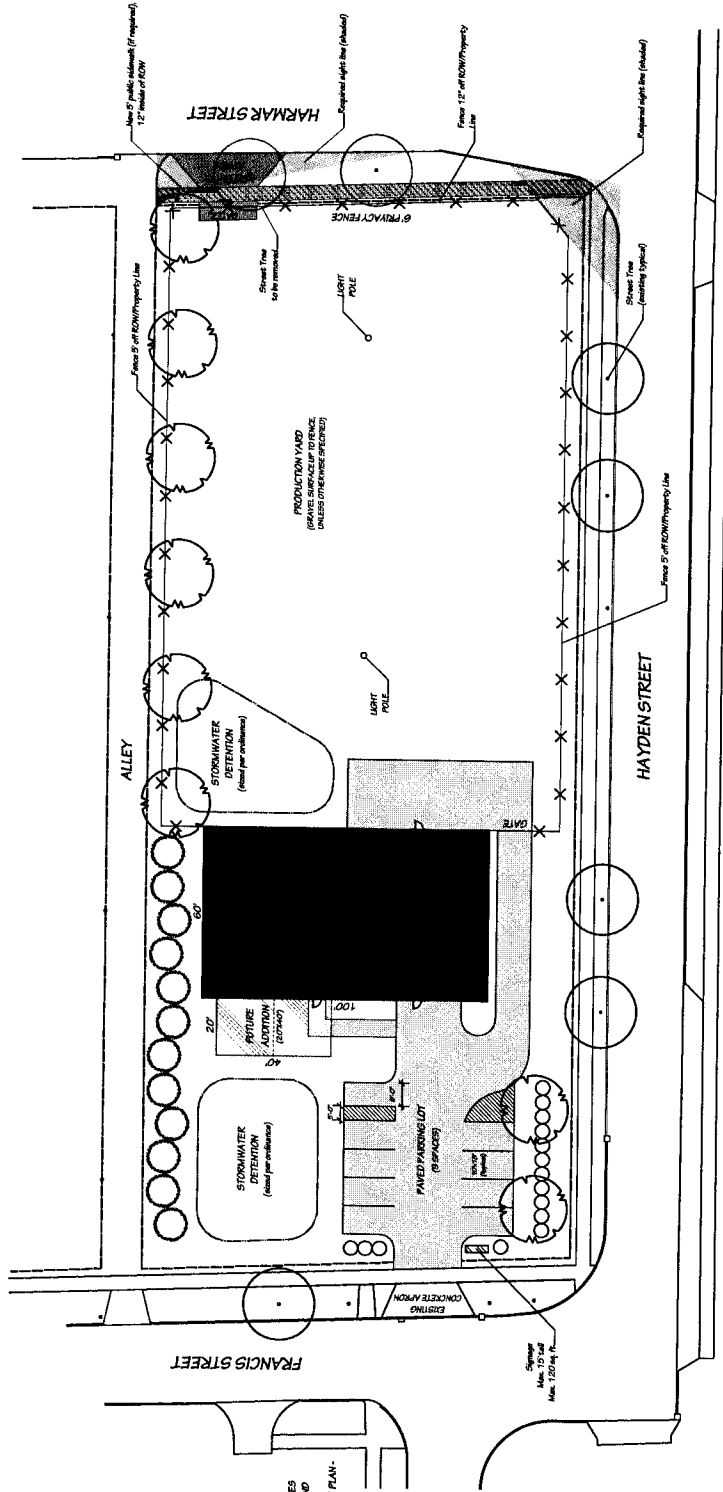


CLIENT: <b>CORNERSTONE LANDSCAPE GROUP</b> 801 Hayden Street Fort Wayne, IN 46802	DRAWING: <b>PRIMARY DEVELOPMENT PLAN</b>	REVISIONS:
SHEET: 1 OF 1		DATE: 1/21/2014
DRAWN BY: TRP		

ALL INFORMATION CONTAINED IN THESE DRAWINGS IS THE PROPERTY OF CORNERSTONE LANDSCAPE GROUP, INC. THIS DOCUMENT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO OTHER USES OR REPRODUCTIONS ARE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE PROJECT ARCHITECT OR CORNERSTONE LANDSCAPE GROUP, INC.



SCALE: 1" = 20'



NOTE: THIS DEVELOPMENT PLAN IS FOR THE PROPERTY AT 1415 FRANCIS STREET AND 1422 FRANCIS STREET TO BE INCLUDED IN THIS DEVELOPMENT PLAN. SEE SEPARATE DRAWING.

Public Hearing Date, if applicable 2-10-14

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>      </u>	<u>      </u>	<u>2</u>
BENDER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
CRAWFORD	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
DIDIER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
HARPER	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
HINES	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
JEHL	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
PADDOCK	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
SHOAF	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
SMITH	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>

DATED: 2-25-14 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. 2-12-14 on the 25<sup>th</sup> day of  
February, 2014

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

Martin A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26<sup>th</sup> day  
of February, 2014, at the hour of 2:00 o'clock P.M. E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3<sup>RD</sup> day of MARCH  
2014, at the hour of 8:00 o'clock A.M. E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

BILL NO. Z-14-01-12

**REPORT OF COMMITTEE ON REGULATIONS**

**FEBRUARY 25, 2014**

*Tom Didier, Chair  
Mitch Harper, Co-Chair  
All Council Members*

**AN ORDINANCE** amending the City of Fort Wayne Zoning Map No. N-02 (Sec. 12 of Wayne Township). The location is 1422 Francis Street, at the northwest corner of Francis Street and Hayden Street. **COMMITTEE ON REGULATIONS 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

*Tom Didier*  
*Mitch Harper*  
*John W. Campbell*  
*Michael A. Bond*  
*Tommy*  
*Greg Butler*  
*John N*

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**SANDRA E. KENNEDY  
CITY CLERK**