

1 #REZ-2015-0022

2 BILL NO. Z-15-05-14

3 ZONING MAP ORDINANCE NO. Z-Failed

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. L-11 (Sec. 14 of Wayne Township)

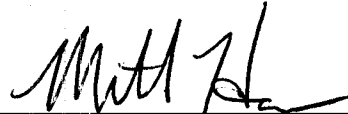
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby designated a C2 (Limited
9 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 Lot Number 14 Ewing's Out Lots in the Southwest Quarter of Section 14, Township
12 30 North, Range 12 East, according to the plat thereof, as recorded in Deed Record
13 31, pages 404-408, except that part appropriated for the widening of Rudisill
Boulevard, Boulevard Resolution No. 5-1913, as shown by Plat recorded in Plat

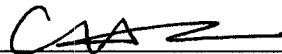
14 and the symbols of the City of Fort Wayne Zoning Map No. L-11 (Sec. 14 of Wayne
15 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
16 Wayne, Indiana is hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be in full force and effect from and after its
18 passage and approval by the Mayor.

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20 Council Member

21 APPROVED AS TO FORM AND LEGALITY:

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23 Carol T. Helton, City Attorney

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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2015-0022
Bill Number: Z-15-05-14
Council District: 5-Geoff Paddock

Introduction Date: May 26, 2015

Plan Commission
Public Hearing Date: June 8, 2015

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

Synopsis of Ordinance: To rezone approximately 3.4 acres of property from R1-Single Family
Residential to C2-Limited Commercial

Location: 810-870 West Rudisill Boulevard, between Indiana Avenue and South Wayne
Avenue

Reason for Request: To permit the use of the property for multiple family housing and business
resources to entrepreneurs, small business owners, makers, artisans and
artists. The existing multi-family structures will be rehabilitated.

Applicant: Community Action of NE Indiana, dba BrightPoint

Property Owner: Ambassador Campus Properties, LLC

Related Petitions: Primary Development Plan, Fort Wayne Starter Village

Effect of Passage: Property will be rezoned to C2-Limited Commercial which permits mixed
uses such as multiple family housing and small businesses in a live/work
situation. A Written Commitment to limit commercial uses is being proposed.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential and may
develop with single family permitted uses. The existing structures on the site
are multiple family housing buildings, previously used for Taylor University.

**Department of Planning Services
Rezoning Petition Application**

Applicant Applicant Community Action of Northeast Indiana, Inc. doing business as BrightPoint
 Address 227 E. Washington Blvd. / PO Box 10570
 City Fort Wayne State IN Zip 46853
 Telephone 260-423-3546 x201 E-mail sherryaden@canihelp.org

Contact Person Contact Person Joshua C. Neal / Barrett & McNagny LLP
 Address 215 East Berry Street
 City Fort Wayne State IN Zip 46802
 Telephone 260-423-9551 E-mail jcn@barrettlaw.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 800 W. Rudisill
 Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 3.55
 Proposed density _____ units per acre
 Township name Wayne Township section # 74
 Purpose of rezoning (attach additional page if necessary) to allow the subject real estate to be developed and used in connection with a multi-family housing development that is intended to provide both housing and business resources to entrepreneurs, small business owners, makers, artisans, and artists
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

see Exhibit "A" _____
 (printed name of applicant) (signature of applicant) (date)

see Exhibit "A" _____
 (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	Receipt No.	Hearing Date	Petition No.
5/5/15	117763	6/8/15	Per-2015-0022

Exhibit "A"

Rezoning Petition Application

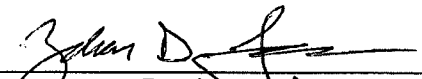
"Applicant"

COMMUNITY ACTION OF NORTHEAST INDIANA, INC.
doing business as BrightPoint

By: 
Printed Name: Stephen F. Hoffman
Its: President/CEO

"Property Owner"

AMBASSADOR CAMPUS PROPERTIES, LLC

By: 
Printed Name: Zachary D. Lesser
Its: Executive Director



Rezoning Petition REZ-2015-0022 and Primary Development Plan - Fort Wayne Starter Village

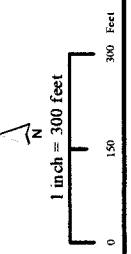


Project boundaries represented by bold colored lines are for representational purposes only.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photo and Contours: Spring 2009

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 responsibility for errors or omissions resulting from any error or omission in this map.

Date: 5/20/2015





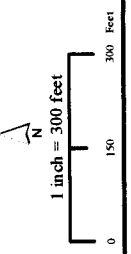
Rezoning Peition REZ-2015-0022 and Primary Development Plan - Fort Wayne Starter Village

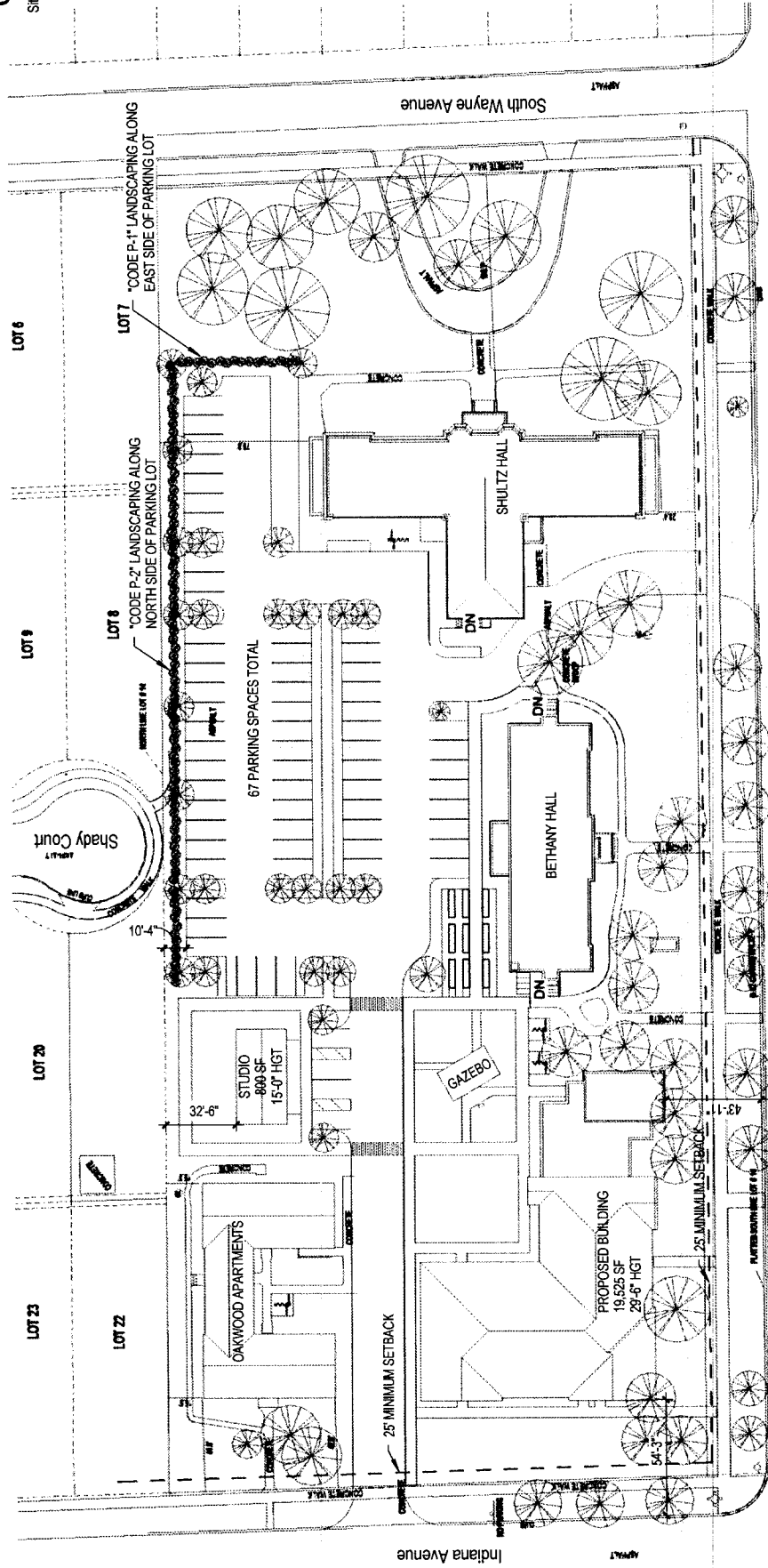


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Rudisill Boulevard

CAMI

Starter Village

RUDISILL BLVD
FORT WAYNE, IN 46807

① Site Plan
1" = 50'-0"

2-15-05-14

July 4, 2015

Re: Opposed to Brightpoint's Request for Rezoning and Enterprise Pointe

Dear Council Members:

Today we are celebrating our country's independence and it seems like a good day to write to you about my opposition to Brightpoint's request to rezone 800 W. Rudisill. I am proudly a self-made man and, as one individual working hard to build a business in 46807, I am investing more in the '07 than Brightpoint is proposing with Enterprise Point.

I am opening a motorcycle accessory and repair shop on Fairfield Avenue. To open my shop, I have invested \$100,000 into the building and more than \$150,000 in tools, supplies, and merchandise. That adds up to over \$250,000 of real money. My money - not taxpayer dollars.

I am employing more people than Brightpoint. I am hiring six full-time and two seasonal employees with an estimated payroll, at minimum, of \$100,000. Six of these eight employees live in the '07 so the money will stay in the '07. Compare this to the payroll Brightpoint is offering of two part-time employees at estimated \$17,500 each.

I am also partnering with other small businesses in '07 to encourage customers to frequent our establishments with the use of reward points.

I am opposed to the rezoning of 800 Rudisill and am very unhappy with the way this has been handled and the lack of consideration for the effect on my neighborhood; the place where I have invested in my home and my livelihood.

I respectfully request that you vote against rezoning to C-2.

Regards,

David Stauffer

Public Hearing Date, if applicable _____

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>2</u>	<u>6</u>	_____	<u>1</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: 7-14-15 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. Failed on the 14th day of
July, 2015

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK
John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day
of July, 2015, at the hour of 11:00 O'clock Am. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of July
2015, at the hour of 8:30 O'clock Am. E.S.T.
Thomas C. Henry
THOMAS C. HENRY, MAYOR

Z-15-05-14
BILL NO. ~~R-15-06-09~~ – BRIGHT POINT ZONING ISSUE

REPORT OF COMMITTEE ON FINANCE

JULY 7, 2015

*RUSS JEHL – CHAIR
TOM DIDIER – CO-CHAIR
ALL COUNCIL MEMBERS*

COURTESY PUBLIC HEARING – BRIGHT POINT ZONING ISSUE
COMMITTEE OF FINANCE 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

**SANDRA E. KENNEDY
CITY CLERK**

BILL NO. Z-15-05-14

REPORT OF COMMITTEE ON REGULATIONS

July 14, 2015

*Glynn Hines, Chair
Mitch Harper, Co-Chair
All Council Members*

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-11 (Sec. 14 of Wayne Township). The location is 810-870 West Rudisill Boulevard, between Indiana Avenue and South Wayne Avenue. **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

<i>Richard B. C</i>	<i>John N. Campbell</i>	_____	_____
<i>2 GM</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____
<i>[Signature]</i>	<i>[Signature]</i>	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**