

1 #REZ-2018-0025

2 BILL NO. Z-18-05-21

3
4 ZONING MAP ORDINANCE NO. Z- 22-18

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. J-10 (Sec. 3 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 C1
10 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
11 of the Code of the City of Fort Wayne, Indiana:

12 Lot Number 28 and the North 15 feet of Lot Number 27 in Deer Park Amended Addition to
13 the City of Fort Wayne according to the plat thereof recorded in Plat Record 2, page 17, in
the Office of the Recorder of Allen County, Indiana.

14 EXCEPTING therefrom that portion conveyed to The Board of Commissioners of The
15 County of Allen Indiana by Warranty Deed recorded January 6, 2011 as Document Number
2011000736 described as follows:

16 Beginning at the Northwest corner of said Lot 28; thence North 88 degrees 24 minutes 46
17 seconds East (bearing based on Instrument No. 2009034229 as recorded in the Office of the
Allen County Recorder) 17.50 feet along the North line of said lot; thence South 1 degree 21
18 minutes 08 seconds East 65.00 feet to the South line of the North 15 feet of said Lot 27;
thence South 88 degrees 24 minutes 46 seconds West 17.50 feet along said South line to the
19 Southwest corner of said North 15 feet; thence North 1 degree 21 minutes 08 seconds West
65.00 feet along the West line of said Lots 27 and 28 to the place of beginning and
20 containing 1,138 square feet, more or less.

21 TOGETHER WITH:

22 Lot Number 29 in Deer Park Addition, an addition to the City of Fort Wayne according to
the plat thereof recorded in Plat Record 2, page 17, in the Office of the Recorder of Allen
23 County, Indiana. EXCEPTING therefrom that portion conveyed to The Board of
Commissioners of the County of Allen, Indiana, in Warranty Deed recorded December 10,
24 2010 as Document Number 2010062236.

25 and the symbols of the City of Fort Wayne Zoning Map No. J-10 (Sec. 3 of Wayne
26 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
27 Wayne, Indiana is hereby changed accordingly.
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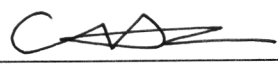
SECTION 2. If a written commitment is a condition of the Plan Commission's recommendation for the adoption of the rezoning, or if a written commitment is modified and approved by the Common Council as part of the zone map amendment, that written commitment is hereby approved and is hereby incorporated by reference.

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:



Carol T. Helton, City Attorney

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant University of Saint Francis of Fort Wayne, Indiana, Inc.
 Address 2701 Spring Street
 City Fort Wayne State IN Zip 46808
 Telephone 260-399-7700 E-mail rbienz@sf.edu

Contact Person
 Contact Person Rich Bienz, VP for Finance & Operations
 Address 2701 Spring Street
 City Fort Wayne State IN Zip 46808
 Telephone 260-366-7700 x6508 E-mail rbienz@sf.edu

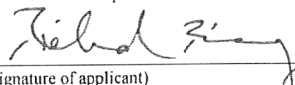
All staff correspondence will be sent only to the designated contact person.

Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 1516 Leesburg Rd & 1512 Leesburg Rd, Ft Wayne, IN 46808
 Present Zoning R-2 Proposed Zoning C-1 Acreage to be rezoned .35 acres
 Proposed density _____ units per acre
 Township name Wayne Township Township section # 0033012
 Purpose of rezoning (attach additional page if necessary) The University wants to house its student Health Clinic in the house at 1516 Leesburg Rd. and add several parking spaces on the vacant lot at 1512 Leesburg Rd.
 Sewer provider City Utilities Water provider City Utilities

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.

Richard Bienz  April 30, 2018
 (printed name of applicant) (signature of applicant) (date)

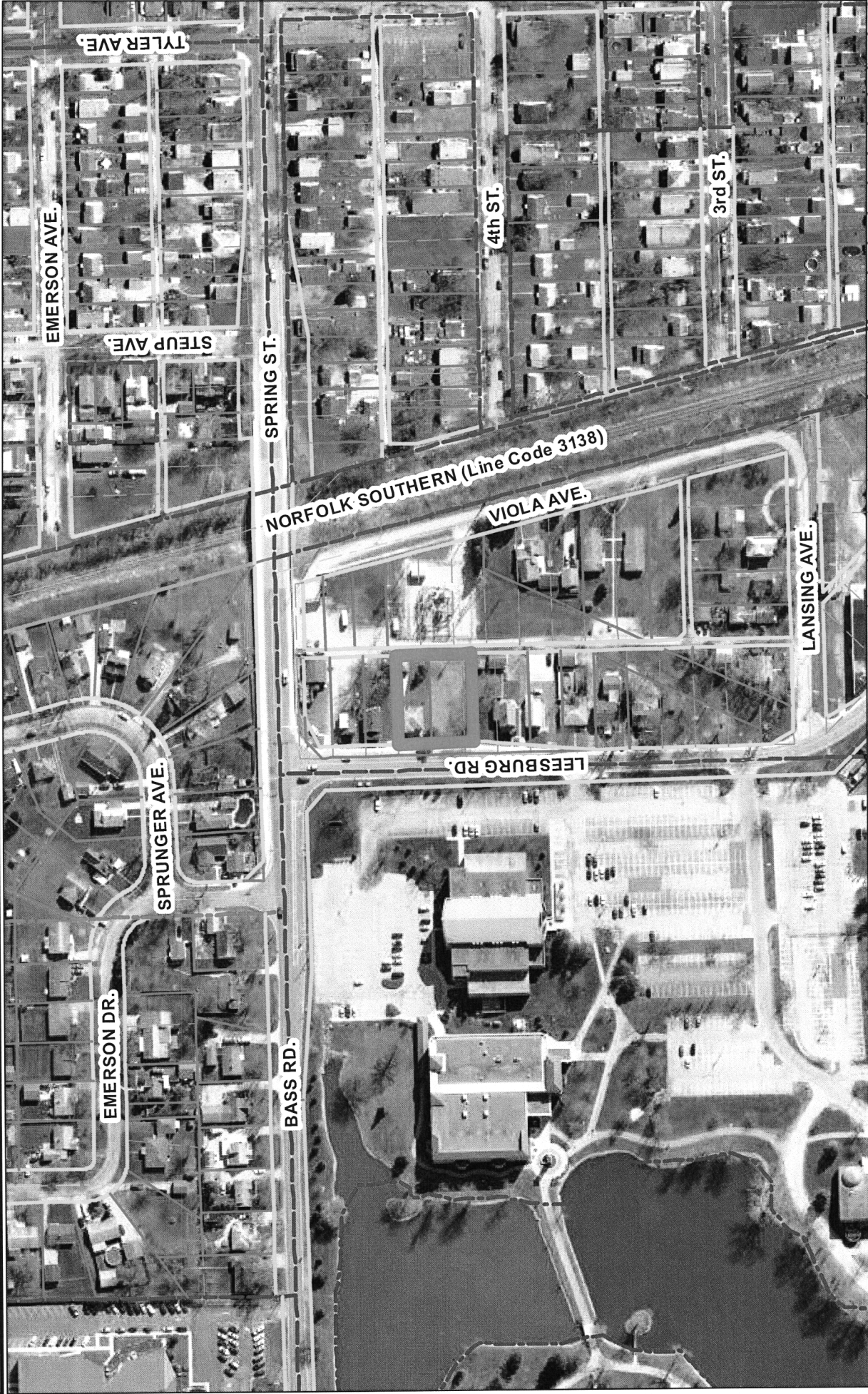
 (printed name of property owner) (signature of property owner) (date)

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Received	Receipt No.	Hearing Date	Petition No.
5-1-18	126853	6-11-18	REZ- 2018 - 0025

Rezoning Petition REZ-2018-0025 (USF - Leesburg)

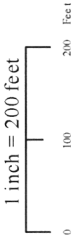


1 inch = 200 feet
0 100 200 Feet

Project Boundaries Represented with Bold Lines are for Representational Purposes Only

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State Plane Coordinate System, Indiana East
Photos and Contours, Spring 2009
Date: 5/3/2018

Rezoning Petition REZ-2018-0025 (USF - Leesburg)



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FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

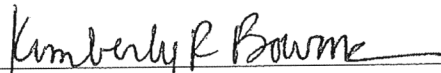
Rezoning Petition REZ-2018-0025

APPLICANT: University of Saint Francis of Fort Wayne, Indiana, Inc.
REQUEST: To rezone property from R2/Two Family Residential to C1/Professional Offices and Personal Services to permit a health clinic on the site.
LOCATION: The site is located on the east side of the 1500 block of Leesburg Road. The addresses of the subject properties are 1512 and 1516 Leesburg Road (Section 3 of Wayne Township).
LAND AREA: Approximately 0.35 acres
PRESENT ZONING: R2/Two Family Residential
PROPOSED ZONING: C1/Professional Offices and Personal Services

STAFF RECOMMENDATION: “Do Pass” of Rezoning Petition REZ-2018-0025 for the following reasons:

1. Approval of the rezoning request will be in substantial compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area surrounding the site is a mixture of residential, commercial, and industrial zoning districts. This rezoning continues the trend of responsible mixed-used development.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The structure will be utilized for an office use which is compatible with other structures in the area. The rezoning will allow for expansion of University of Saint Francis uses on the east side of Leesburg Road.
3. Approval is consistent with the preservation of property values in the area. This proposal would allow for continued University growth and investment on the site. Only renovations are proposed to the existing structure, and all Ordinance standards will be met with the exterior improvements. Parking will meet the necessary Ordinance requirements.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is not proposing extension of infrastructure. Public right-of-way with an improved street and public utilities are presently adjacent to the site.

These findings approved by the Fort Wayne Plan Commission on June 18, 2018.



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant University of Saint Francis of Fort Wayne, Indiana, Inc.
 Address 2701 Spring Street
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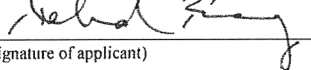
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Richard Bienz  April 30, 2018
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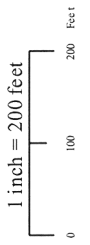
Received	Receipt No.	Hearing Date	Petition No.
<u>5-1-18</u>	<u>126853</u>	<u>6-11-18</u>	<u>REZ- 2018 - 0025</u>



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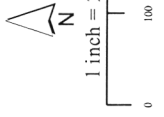
Rezoning Petition REZ-2018-0025 (USF - Leesburg)

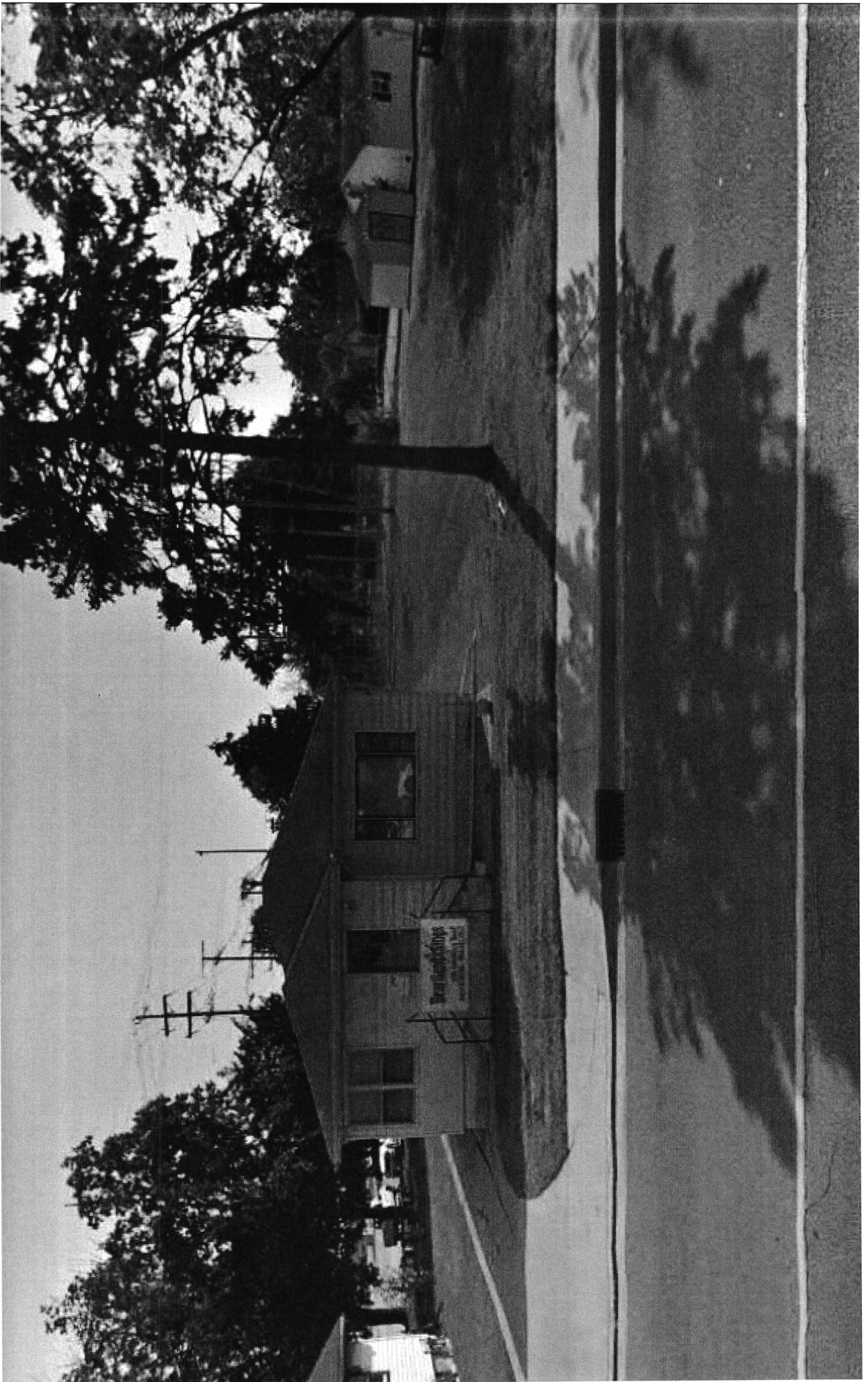


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City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0025
Bill Number: Z-18-05-21
Council District: 5-Geoff Paddock

Introduction Date: May 22, 2018

Plan Commission
Public Hearing Date: June 11, 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 0.35 acres of property from R2/Two Family
Residential to C1/Professional Office and Personal Services

Location: 1512 and 1516 Leesburg Road

Reason for Request: To redevelop the parcel with a university health care service in the existing
house.

Applicant: University of St. Francis

Property Owner: University of St. Francis

Related Petitions: none

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal
Services district which will allow the reuse of a vacant residential
structure, located across from the St. Francis campus.

Effect of Non-Passage: The property will remain zoned R2/Two Family Residential and may be
used for single or two family uses.

FACT SHEET

Case #REZ-2018-0025 Bill # Z-18-05-21 Project Start: 22 May 2018	
PROPOSAL:	Rezoning Petition REZ-2018-0025
APPLICANT:	University of Saint Francis of Fort Wayne, Indiana, Inc.
REQUEST:	To rezone property from R2/Two Family Residential to C1/Professional Offices and Personal Services to permit a health clinic on the site.
LOCATION:	The site is located on the east side of the 1500 block of Leesburg Road. The addresses of the subject properties are 1512 and 1516 Leesburg Road (Section 3 of Wayne Township).
LAND AREA:	Approximately 0.35 acres
PRESENT ZONING:	R2/Two Family Residential
PROPOSED ZONING:	C1/Professional Offices and Personal Services
COUNCIL DISTRICT:	5-Geoff Paddock
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

11 June 2018 Public Hearing

- No one spoke at the hearing, in favor or in opposition.
- Connie Haas Zuber and Justin Shurley were absent.

18 June 2018 – Business Meeting

Plan Commission Recommendation: DO PASS

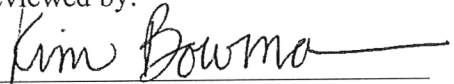
A motion was made by Rachel-Tobin Smith and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

9-0 MOTION PASSED

- All members were present.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
27 June 2018

Reviewed by:



Kimberly R. Bowman
Executive Land Use Director

PROJECT SUMMARY

The petitioner is requesting a rezoning of the property to C1/Professional Office and Personal Services from R2/Two Family Residential. The rezoning area includes two parcels currently, both of which have historically been utilized as residential dwellings. A structure is remaining on the property at 1516 Leesburg Road, which is proposed to be renovated into a health clinic associated with the University of Saint Francis. As mentioned, the property at 1512 Leesburg Road is currently vacant, and the University may develop parking on the site once rezoned. The rezoning proposal would allow for the property to be used for professional office and personal services and allow the proposed health clinic use.

As mentioned, there is no development plan associated with this request and there are no new structures proposed for this site at this time. The main purpose of the rezoning is to allow the use to be permitted. Since the platting of the residential subdivision in the late 1800s, the general area has seen significant change in land use and transitioned to other industrial, commercial, and institutional uses. The University of Saint Francis began in Fort Wayne in 1944 and continues to grow at its Spring Street location. Rezoning this property to C1 would be compatible with surrounding uses and zoning and allow for additional University uses on a property in need of investment.

PUBLIC HEARING SUMMARY:

Presenter: Tom Niezer, representing University of St, Francis, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

None

BILL NO. Z-18-05-21

REPORT OF COMMITTEE ON REGULATIONS

July 10, 2018

Paul Ensley Chair

Thomas Didier Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. J-10 (Sec. 3 of Wayne Township)

Rezone approximately 0.35 acres of property from R2/Two Family Residential to C1/Professional Office and Personal Services to redevelop the parcel with a university health care service in the existing house 1512 and 1516 Leesburg Road/University of Saint Francis

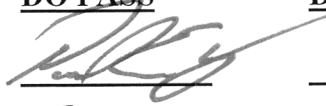



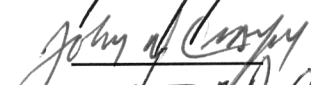
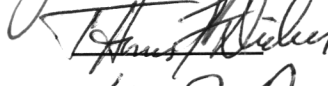
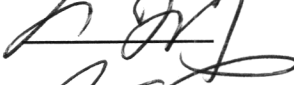
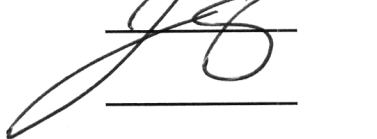
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

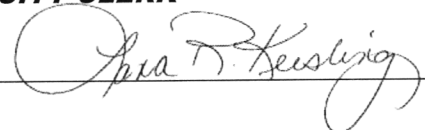
DO NOT PASS

ABSTAIN

NO REC

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**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 06-11-2018

Read the first time in full and on motion by Councilman Didier.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Ensley, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: July 10, 2018




 LANA R. KEESLING, CITY CLERK


Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-18-05-21 on the 10th day of July, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



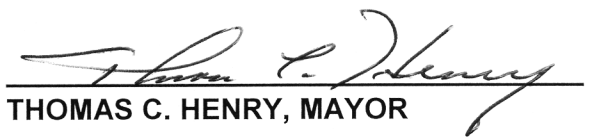
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of July 2018, at the hour of 9:45 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 16th day of JULY 2018, at the hour of 10:30 O'clock Am. E.S.T.



 THOMAS C. HENRY, MAYOR