

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-2018-0033  
Bill Number: Z-18-07-01  
Council District: 4-Jason Arp

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Introduction Date: July 10, 2018

Plan Commission  
Public Hearing Date: July 9, 2018 (not heard by Council)

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

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Synopsis of Ordinance: To rezone approximately 1.0 acre of property from AR/Low Intensity  
Residential to C2/Limited Commercial

Location: 7621 Illinois Road

Reason for Request: To construct a 3,500 square foot Sherwin Williams store.

Applicant: MEV Illinois LLC

Property Owner: The Wilson Homestead, LLC

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Related Petitions: Primary Development Plan, Sherwin Williams

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Effect of Passage: Property will be rezoned to the C2/Limited Commercial district which  
will allow the redevelopment of the property for a retail use.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may  
be used for single family uses.

1 #REZ-2018-0033

2 BILL NO. Z-18-07-01

3  
4 ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. B-02 (Sec. 12 of Aboite Township)

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

10 SECTION 1. That the area described as follows is hereby designated a C1  
11 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV  
12 of the Code of the City of Fort Wayne, Indiana:

13 THAT PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30  
14 NORTH, RANGE 11 EAST OF THE 2ND PRINCIPAL MERIDIAN, ALLEN COUNTY,  
15 INDIANA, BEING ALSO A PART OF THE PARCELS PER THE CORRECTIVE QUIT  
16 CLAIM DEED RECORDED NOVEMBER 30, 2015 IN THE ALLEN COUNTY  
17 RECORDER'S OFFICE PER INSTRUMENT NUMBER 2015060910, MORE  
18 PARTICULARLY DESCRIBED AS FOLLOWS:  
19 COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER  
20 OF SAID SECTION 12; THENCE ALONG THE NORTH LINE OF THE NORTHWEST  
21 QUARTER OF SAID SECTION 12, SOUTH 88 DEGREES 42 MINUTES 47 SECONDS  
22 WEST, A DISTANCE OF 1346.79 FEET TO THE NORTHEAST CORNER OF TRACT 1  
23 2ND PARCEL PER THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910;  
24 THENCE ALONG THE EAST LINE OF SAID TRACT 1 2ND PARCEL, SOUTH 00  
25 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 65.63 FEET TO THE  
26 SOUTHEAST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA  
27 PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF  
28 SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO  
29 (2) COURSES: 1) SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A  
30 DISTANCE OF 261.99 FEET; 2) NORTH 88 DEGREES 25 MINUTES 28 SECONDS  
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THENCE SOUTH 00 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF  
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1 #REZ-2018-0033

2 BILL NO. Z-18-07-01

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5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. B-02 (Sec. 12 of Aboite Township)

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13 THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE  
14 COORDINATE SYSTEM EAST ZONE (NAD83).

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and the symbols of the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite 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. 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

#REZ-2018-0033

BILL NO. Z-18-07-01

**ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. B-02 (Sec. 12 of Aboite Township)**

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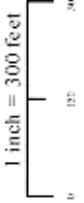


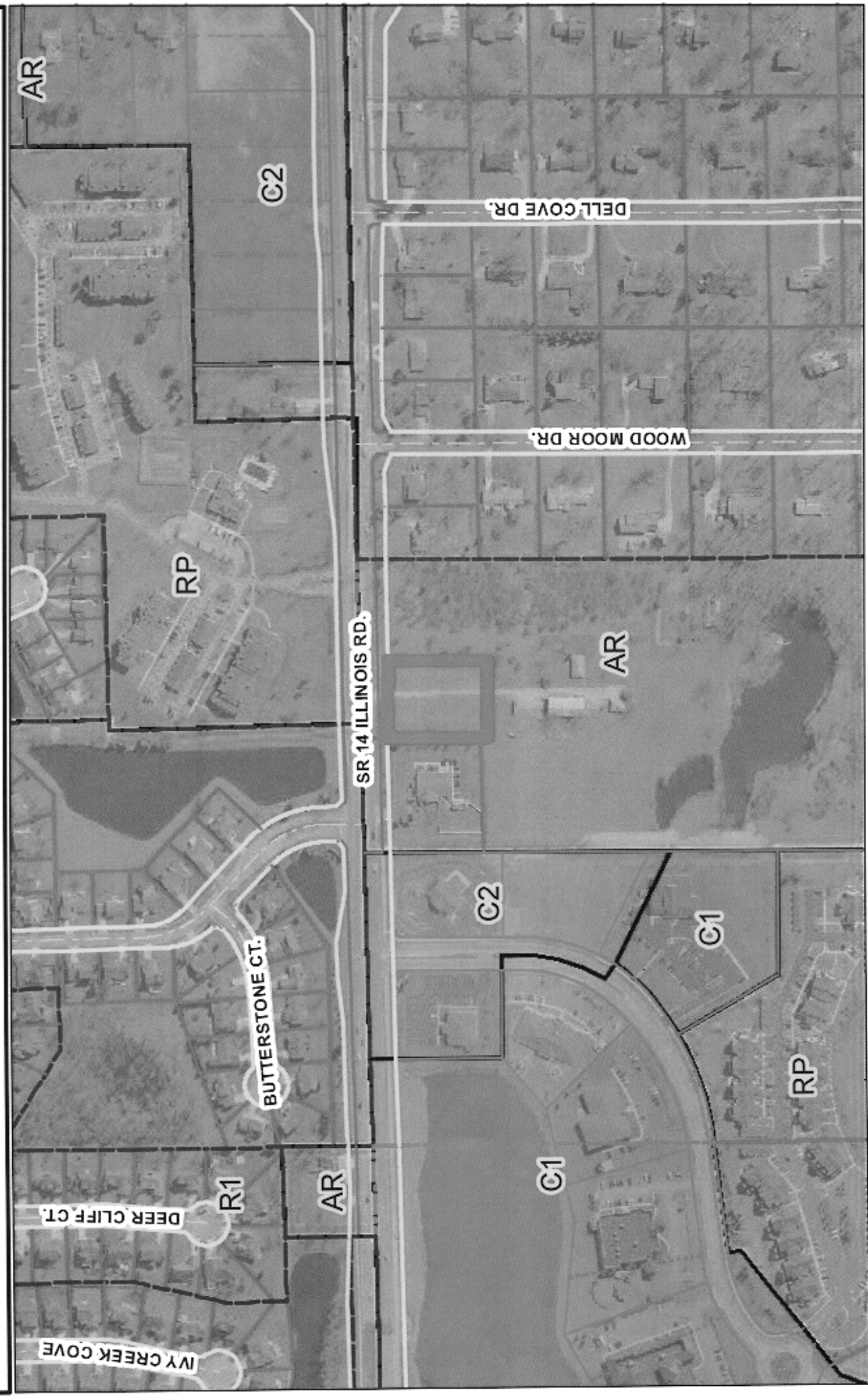
Rezoning Petition REZ-2018-0033 and Primary Development Plan PDP-2018-0028 - Sherwin Williams



Although these boundaries are not enforceable, they are shown for informational purposes only. The County does not warrant or guarantee the accuracy of the information contained herein and does not assume any liability resulting from any errors or omissions in this map. © 2018 by the County of Cook, Illinois. North Arrow: True North 1983. State Plane Coordinate System, Illinois East. Photo and Graphics: Spring 2018. Date: 7/2/2018

**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**



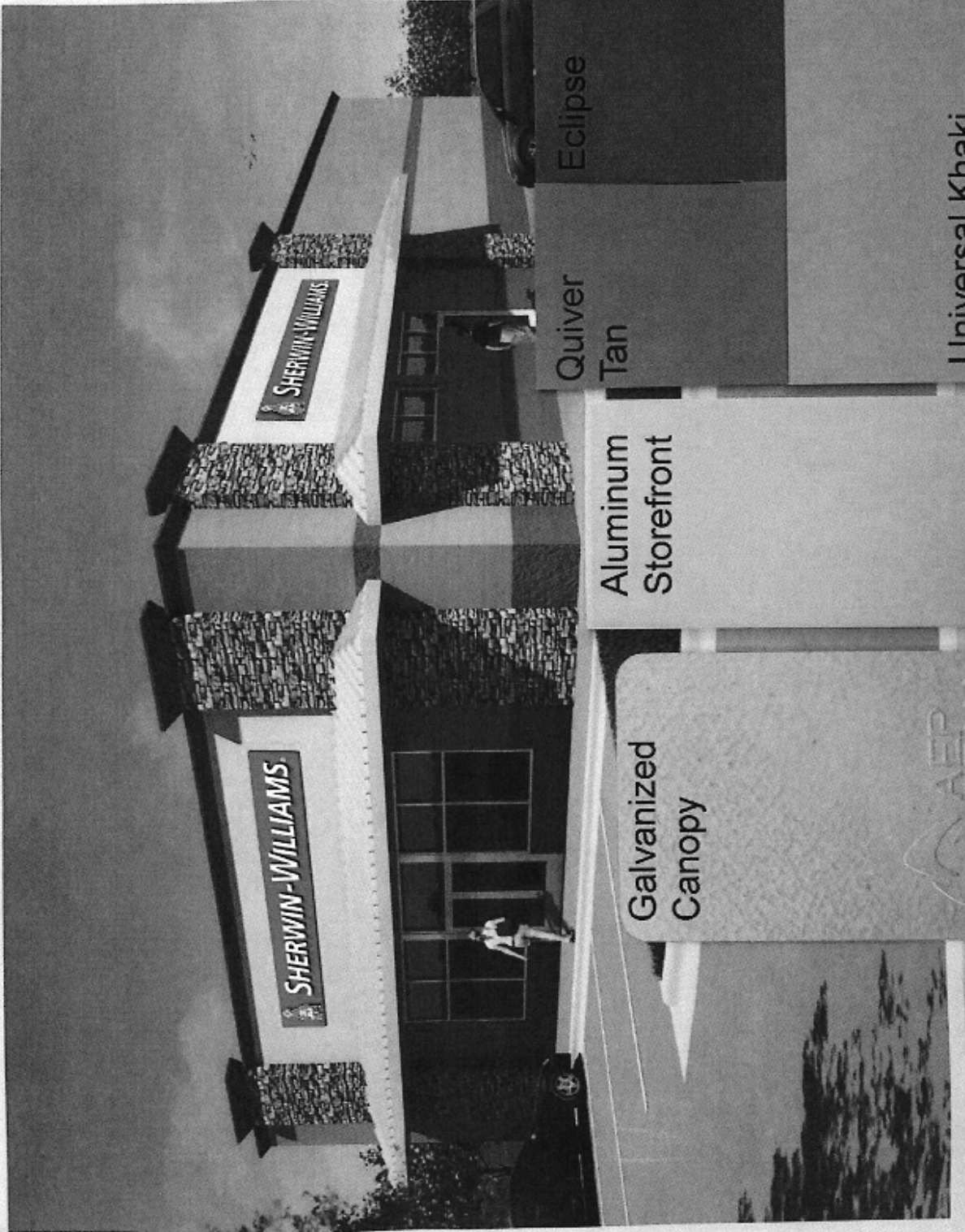


Although this map was prepared using the best information available, the City of Alton does not warrant or guarantee the accuracy of the information or any of the data shown on this map. The City of Alton is not responsible for any errors or omissions in this map.

© 2018 Board of Commissioners of the County of Alton  
 State Plane Coordinate System, National East  
 Datum of 1983  
 Date: 7/22/2018

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SHERWIN-WILLIAMS

SHERWIN-WILLIAMS

Galvanized  
Canopy



Aluminum  
Storefront

Quiver  
Tan

Eclipse

Universal Khaki

**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-2018-0033  
Bill Number: Z-18-07-01  
Council District: 4-Jason Arp

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Public Hearing Date: July 9, 2018 (not heard by Council)  
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Location: 7621 Illinois Road  
Reason for Request: To construct a 3,500 square foot Sherwin Williams store.  
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**BILL NO. Z-18-07-01**

**REPORT OF COMMITTEE ON REGULATIONS**

**August 14, 2018**

***Paul Ensley Chair***

***Thomas Didier Co-Chair***

***All Council Members***

An Ordinance amending the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite Township)

*To rezone approximately 1.0 acre of property from AR/Low Intensity to C2/Limited Commercial at 7621 Illinois Rd*

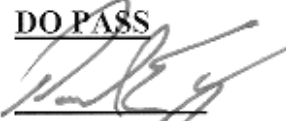
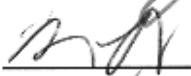
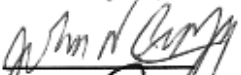




**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
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**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

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

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:

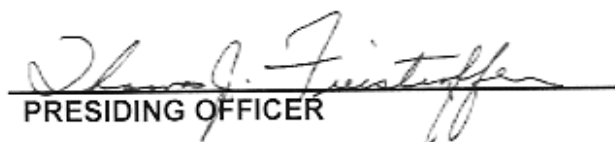
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: August 14, 2018

  
 STACY A. REED, DEPUTY CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 Zoning Ordinance No. Z-18-07-01 on the 14th day of August, 2018

  
 STACY A. REED  
 DEPUTY CITY CLERK

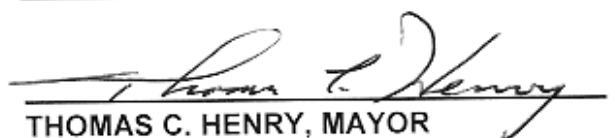
  
 PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th  
 of August 2018, at the hour of 9:50 o'clock A.M. E.S.T.

  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 20<sup>TH</sup> day of August  
 2018, at the hour of 3:00 O'clock PM E.S.T.

FORT WAYNE, INDIANA  
**RECEIVED**  
**AUG 21 2018**  
 LANA R. KEESLING  
 CITY CLERK

  
 THOMAS C. HENRY, MAYOR

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and the symbols of the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite 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. 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 MEV Illinois LLC c/o Kevin Vernick  
 Address 350 West Hubbard St. Suite 250  
 City Chicago State IL Zip 60654  
 Telephone 773.327.0620 E-mail kvernick@vernickassociates.com

**Contact Person**  
 Contact Person Kevin Vernick  
 Address 350 West Hubbard St. Suite 250  
 City Chicago State IL Zip 60654  
 Telephone 773.327.0620 E-mail kvernick@vernickassociates.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 7621 Illinois Road  
 Present Zoning AG Proposed Zoning B2 Acreage to be rezoned 0.72  
 Proposed density 1 units per acre  
 Township name Aboite Township section # 30N  
 Purpose of rezoning (attach additional page if necessary) Rezoning to allow for construction of a 3,500 SF Sherwin Williams Store.  
 Sewer provider Adam Indiana Water provider City of Ft. 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.

Kevin Vernick Kevin Vernick 6/4/18  
 (printed name of applicant) (signature of applicant) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received <u>6.5-18</u>	Receipt No. <u>127261</u>	Hearing Date <u>7-9-18</u>	Petition No. <u>REZ-2018-0033</u>
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# ***THE HOMESTEAD WILSON, LLC***

6435 West Jefferson Blvd., Fort Wayne, IN 46804

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05/31/2018

To Whom It May Concern,

I am James J. Wilson, Managing Member of The Homestead Wilson, LLC, owner of the property located at 7600 Illinois Road, Fort Wayne, IN 46804.

This letter is written to support the application, made by Kevin Vernick, to change the zoning of the property at issue.

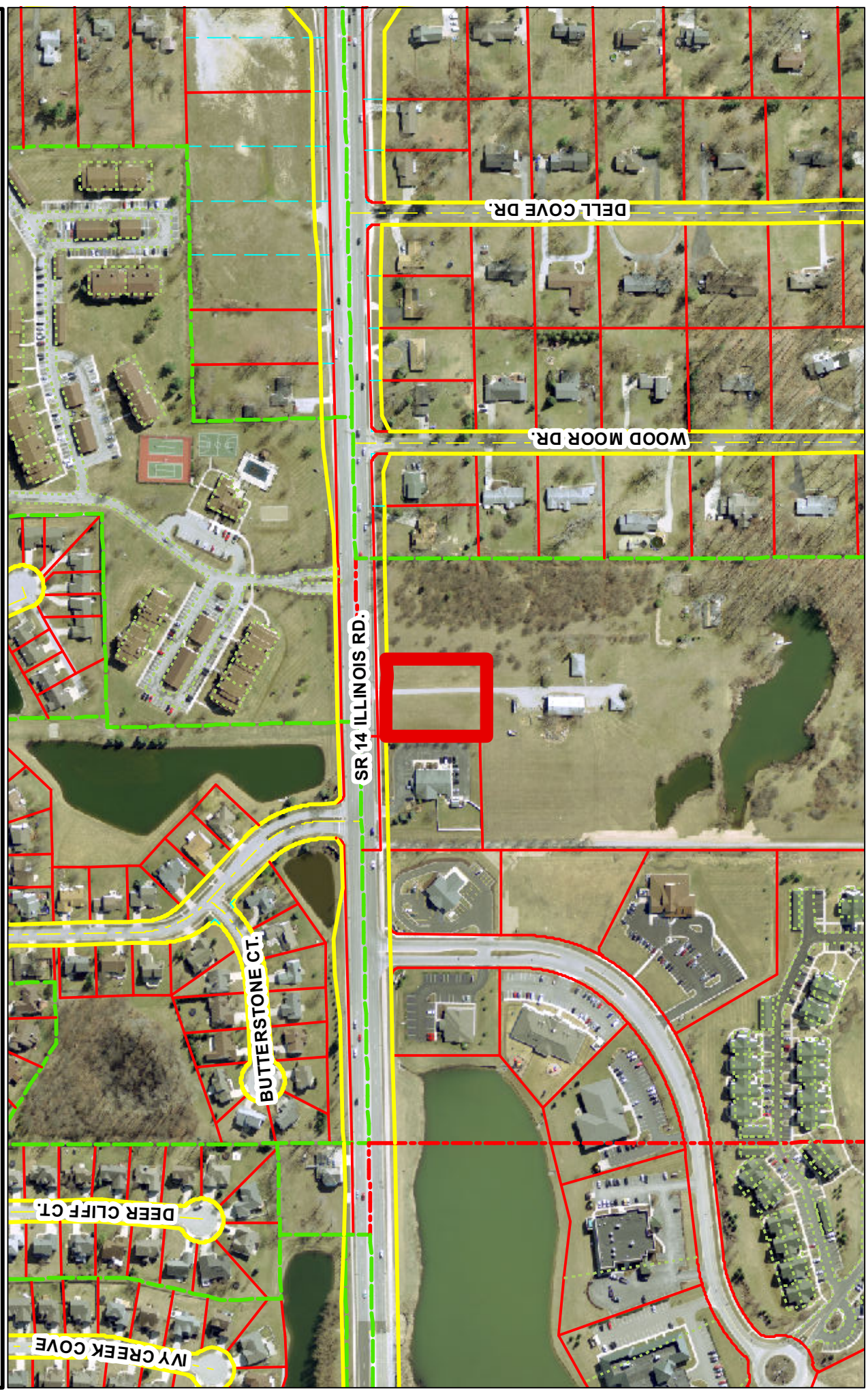
Please treat Mr. Vernick as an agent of The Homestead Wilson for the purposes of all zoning and other applications made regarding the property.

Thank You,

  
James J Wilson



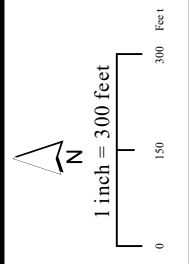
Rezoning Petition REZ-2018-0033 and Primary Development Plan PDP-2018-0028 - Sherwin Williams

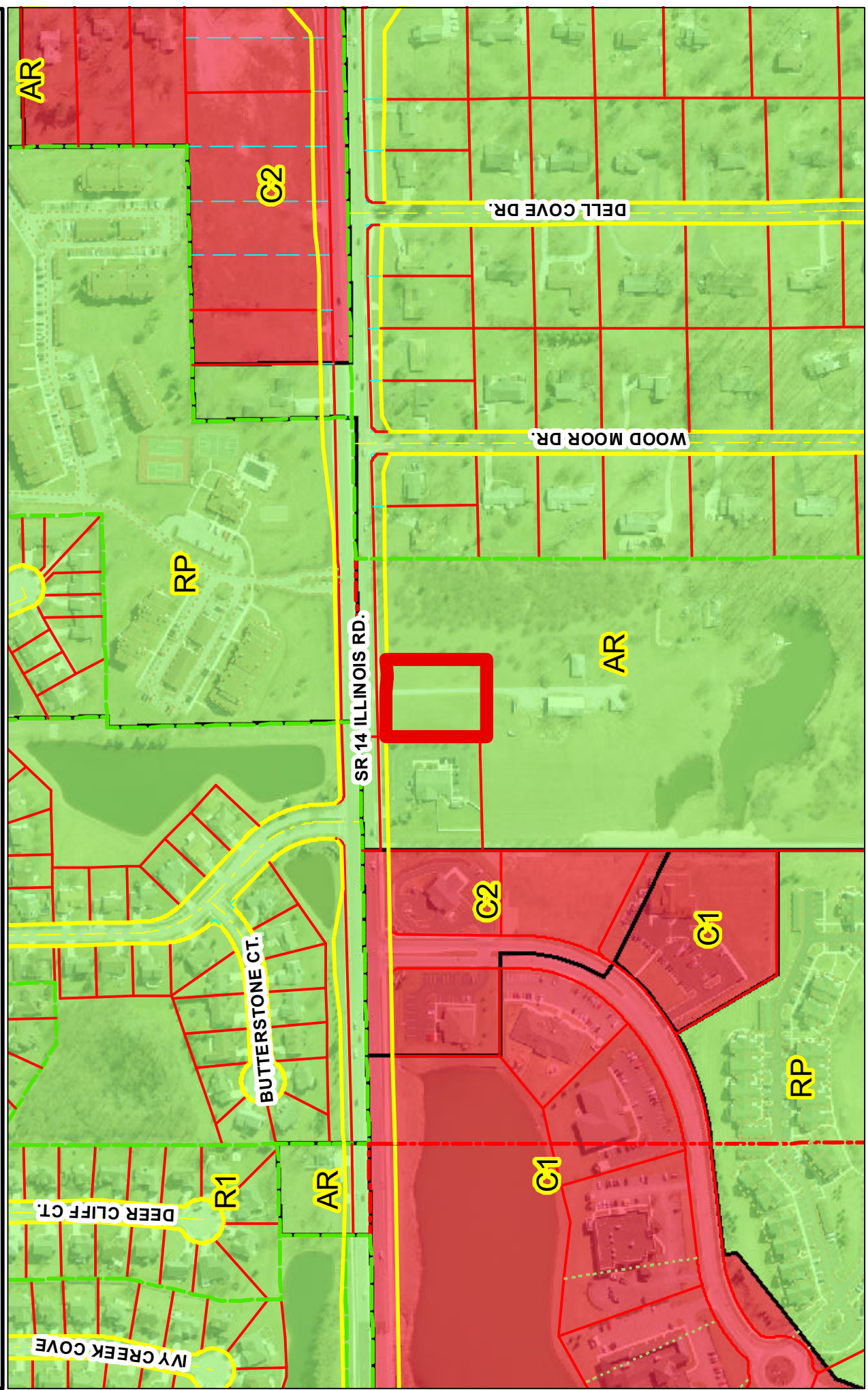


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Contours: Spring 2009  
 Date: 7/2/2018

**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**

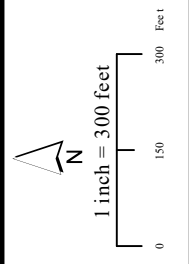




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**LANDSCAPE NOTES**

- LOCATING AND PROTECTING ALL UNDERGROUND UTILITIES, PRIOR TO DIGGING, IS RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
- PRIOR TO INSTALLATION, THE LANDSCAPE CONTRACTOR SHALL INSPECT THE SUB GRADE, GENERAL SITE CONDITIONS, VERIFY ELEVATIONS, UTILITY LOCATIONS, IRRIGATION, APPROVE TOPSOIL PROVIDED BY GENERAL CONTRACTOR AND OBSERVE THE SITE CONDITIONS UNDER WHICH THE WORK IS TO BE DONE. NOTIFY GENERAL CONTRACTOR OF ANY UNSATISFACTORY CONDITIONS. WORK SHALL NOT PROCEED UNTIL SUCH CONDITIONS HAVE BEEN CORRECTED AND ARE ACCEPTABLE TO THE LANDSCAPE CONTRACTOR AND/OR CONSTRUCTION MANAGER.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING TREES FROM DAMAGE DURING CONSTRUCTION. GENERAL CONTRACTOR TO INSTALL TREE PROTECTION FENCING PRIOR TO ANY SITE WORK.
- ALL SHRUB AND GROUND COVER BEDS TO BE MULCHED WITH A MINIMUM OF 3 INCHES OF CLEAN SHREDDED HARDWOOD MULCH.
- PLANTING HOLES TO BE DUG A MINIMUM OF TWICE THE WIDTH AND 6-12 INCHES DEEPER THAN THE SIZE OF THE ROOT BALL OF BOTH TREES AND SHRUBS. ALL PLANTING HOLES TO BE BACKFILLED WITH TOPSOIL AND ALL PLANTING OF HOLES PRIOR TO PLANTING SO TOP OF ROOT BALL DOES NOT SETTLE BELOW SURROUNDING GRADE.
- TOPSOIL MIX TO BE 4 PARTS SCREENED TOPSOIL AND 1 PART ORGANIC MATERIAL (i.e. NATURE'S HELPER OR PRO MIX).
- EXISTING GRASS IN PROPOSED PLANTING AREAS TO BE REMOVED AND AREA TO BE HAND RAKED TO REMOVE ALL ROCKS AND DEBRIS LARGER THAN 1 INCH IN DIAMETER PRIOR TO PLANTING SHRUBS.
- ALL FERTILIZER TO BE DISTRIBUTED PRIOR TO SPREADING SEEDS. DISTURBED AREAS (INCLUDING RIGHT-OF-WAYS) NOT RECEIVING PLANTINGS TO RECEIVE 4 INCHES OF TOPSOIL AND SEEDS.
- ALL CHANGES TO DESIGN AND/OR PLANT SUBSTITUTIONS TO BE AUTHORIZED BY LANDSCAPE ARCHITECT.
- ALL PARKING ISLANDS TO BE BERMED UP 6"-10" WITH CLEAN FRABLE TOPSOIL PRIOR TO PLANTING.
- ALL LANDSCAPING SHALL BE INSTALLED IN CONFORMANCE WITH ANSI Z60.1 THE AMERICAN STANDARD FOR NURSERY STOCK, AND THE ACCEPTED STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERMEN.
- ALL PLANTS TO BE INSTALLED FOR ACCEPTANCE BY THE OWNER. ALL PLANTS SHALL BE ALIVE AND AT A VIGOROUS RATE OF GROWTH AT THE END OF THE GUARANTEE PERIOD. THE LANDSCAPE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR ACTS OF GOD OR VANDALISM.
- ANY PLANT THAT IS DETERMINED DEAD, IN AN UNHEALTHY OR UNSIGHTLY CONDITION, LOST ITS SHAPE DUE TO DEAD BRANCHES OR OTHER SYMPTOMS OF POOR, NON-VIGOROUS GROWTH SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT THE COST OF THE REPLACEMENT INCLUDED IN THE BID OR PROPOSAL PRICE.
- WATER THOROUGHLY TWICE IN THE FIRST 24 HOURS AND APPLY MULCH IMMEDIATELY.

**LANDSCAPE CODE SUMMARY**

FORT WAYNE ZONING ORDINANCE - 01.01.2018  
 LANDSCAPE STANDARDS - 157.408

PARKING AREA ADJACENT TO PUBLIC STREET - 157.408(D)(2)(I)  
 LANDSCAPE CODE P-1 REQUIRES ONE TREE FOR EVERY SIXTY (60) LF AND 75% OF FRONTAGE SMALL SHRUB BUFFER

ILLINOIS ROAD / ABOITE TRAIL / S.R. 14 (130 LF)  
 = 2.2 TREES & 97.5 LF (32.5 SMALL SHRUBS AT 3' O.C.) REQUIRED  
 = 2 TREE & 33 SMALL SHRUBS PROVIDED

PARKING AREA ADJACENT TO NONRESIDENTIAL DISTRICT - 157.408(D)(2)(M)  
 LANDSCAPE CODE P-3 REQUIRES ONE TREE FOR EVERY SIXTY (60) LF AND 50% OF FRONTAGE SMALL SHRUB BUFFER

WEST (118 LF)  
 = 2 TREES & 59 LF (19.7 SMALL SHRUBS) REQUIRED  
 = 2 TREES & 20 SMALL SHRUBS PROVIDED

SOUTH (101 LF)  
 = 1.7 TREES & 50.5 LF (16.8 SMALL SHRUBS) REQUIRED  
 = 2 TREES & 17 SMALL SHRUBS PROVIDED

EAST (115.5 LF)  
 = 1.9 TREES & 58 LF (19.3 SMALL SHRUBS) REQUIRED  
 = 2 TREES & 20 SMALL SHRUBS PROVIDED

ADDITIONAL PARKING AREA LANDSCAPE STANDARDS - 157.408(E)  
 10% OF THE INTERIOR SURFACE PARKING LOT AREA SHALL BE LANDSCAPED.  
 PROVIDE ONE TREE FOR EVERY 300 SF OF REQUIRED LANDSCAPE AREA

16,975 SF OF PARKING AREA  
 = 1,697 TREES REQUIRED  
 = 6 TREES PROVIDED

**PERMANENT SEED BLEND**

6 LBS PER 1000 SF  
 90% FINE LEAF FESCUE (FESTUCA ARUNDINACEA)  
 REBEL, REBEL II, WRANGLER, BONANZA, MOJAVE OR EQUAL  
 10% KENTUCKY BLUEGRASS (POA PRATENSIS)  
 MIDNIGHT, RUGBY II, MIDIRON VARIETIES OR EQUAL  
 98% PURITY AND 85% GERMINATION  
 8 LBS 12-12-12 FERTILIZER PER 1000 SF  
 1 1/2 BALES OF STRAW PER 1000 SF

LAWN AREA (8,000 SF)

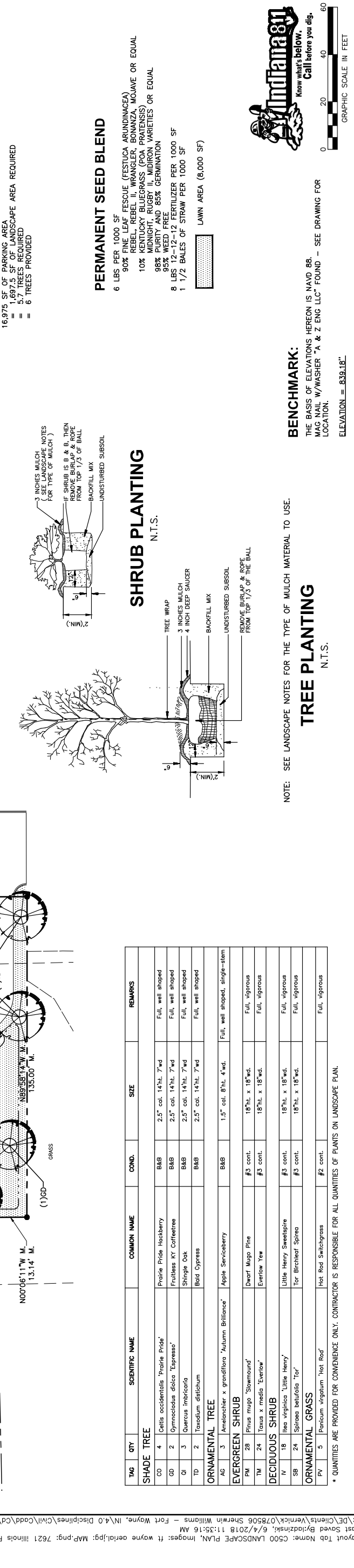
**SHRUB PLANTING**  
 N.T.S.

**TREE PLANTING**  
 N.T.S.

**BENCHMARK:**  
 THE BASIS OF ELEVATIONS HEREON IS NAVD 88  
 MAG NAIL W/WASHER "A & Z ENG LLC" FOUND - SEE DRAWING FOR LOCATION.  
 ELEVATION = 839.18'

**NOTE:** SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.

**QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL QUANTITIES OF PLANTS ON LANDSCAPE PLAN.**



TAG	QTY	SCIENTIFIC NAME	COMMON NAME	COND.	SIZE	REMARKS
<b>SHADE TREE</b>						
CO	4	Celtis occidentalis 'Prairie Pride'	Prairie Pride Hackberry	B&B	2.5' cal. 14"ht. 7"wd	Full, well shaped
GD	2	Gymnocladia dioica 'Espresso'	Frutless KY Coffeetree	B&B	2.5' cal. 14"ht. 7"wd	Full, well shaped
QI	3	Quercus imbricaria	Shingle Oak	B&B	2.5' cal. 14"ht. 7"wd	Full, well shaped
TD	2	Toxodum discoloratum	Bald Cypress	B&B	2.5' cal. 14"ht. 7"wd	Full, well shaped
<b>ORNAMENTAL TREE</b>						
AG	3	Amselochier x grandiflora 'Autumn Brilliance'	Apple Serviceberry	B&B	1.5' cal. 8"ht. 4"wd.	Full, well shaped, single-stem
<b>EVERGREEN SHRUB</b>						
PM	28	Pinus mugo 'Sawmount'	Dwarf Mugo Pine	#5 cont.	18"ht. x 18"wd.	Full, vigorous
TM	24	Toxus x media 'Everlow'	Everlow Yew	#3 cont.	18"ht. x 18"wd.	Full, vigorous
<b>DECIDUOUS SHRUB</b>						
IV	18	Ilex virginica 'Little Henry'	Little Henry Sweetspire	#5 cont.	18"ht. x 18"wd.	Full, vigorous
SR	24	Spiraea betulifolia 'Tor'	Tor Bitchleaf Spirea	#3 cont.	18"ht. x 18"wd.	Full, vigorous
<b>ORNAMENTAL GRASS</b>						
PV	5	Panicum virgatum 'Hot Rod'	Hot Rod Switchgrass	#2 cont.		Full, vigorous



Eclipse

Quiver  
Tan

Aluminum  
Storefront

Galvanized  
Canopy

Universal Khaki

