

1 #REZ-2018-0040

2 BILL NO. Z-18-08-25

3
4 ZONING MAP ORDINANCE NO. Z-_____

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. Q-14 (Sec. 31 of St. Joseph 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
13 The South 230.5 feet of Lot Number 2 in J.H. Feichter's Garden View Addition to
14 the City of Fort Wayne, according to the recorded plat thereof as recorded in Plat
15 Record 7, page 3, excepting therefrom the West 25 feet of Lot Number 2 to be used
16 for roadway and utility easement purposes, also excepting therefrom the South 10
17 feet of said Lot Number 2 for public utilities and thoroughfares, recorded in Deed
18 Record 698, page 321, in Allen County, Indiana.

19 and the symbols of the City of Fort Wayne Zoning Map No. Q-14 (Sec. 31 of St. Joseph
20 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
21 Wayne, Indiana is hereby changed accordingly.

22 SECTION 2. If a written commitment is a condition of the Plan Commission's
23 recommendation for the adoption of the rezoning, or if a written commitment is modified and
24 approved by the Common Council as part of the zone map amendment, that written
25 commitment is hereby approved and is hereby incorporated by reference.
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1 #REZ-2018-0040

2 BILL NO. Z-18-08-25

3
4 ZONING MAP ORDINANCE NO. Z-2918

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. Q-14 (Sec. 31 of St. Joseph Township)

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
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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
by CES

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant AGING & IN-HOME SERVICES OF NE INDIANA
 Address 3003 LAKE AVE
 City FT WAYNE State INDIANA Zip 46805
 Telephone 260-745-1200 Fax 260-422-4916 E-mail jgeer@agingih.org

Property Ownership
 Property Owner AREA III PROPERTIES INC
 Address 2927 LAKE AVE
 City FT. WAYNE State INDIANA Zip 46805
 Telephone 260-745-1200 Fax 260-422-4916 E-mail ashapiro@agingih.org
EXT 261

Contact Person
 Contact Person JASON GEER
 Address 2927 LAKE AVE
 City FT. WAYNE State INDIANA Zip 46805
 Telephone 260-415-0518 Fax 260-422-4916 E-mail jgeer@agingih.org

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 3003 LAKE AVE
 Present Zoning R-3 Proposed Zoning C1 Acreage to be rezoned .74
 Proposed density N/A units per acre
 Township name * ST. JOSEPH Township section # 072 FT. WAYNE ST JOSEPH (TS)
 Purpose of rezoning (attach additional page if necessary) TO BRING UP TO DATE, FEWER RESTRICTIONS ON SIGNAGE
 Sewer provider CITY OF FT. WAYNE Water provider CITY OF FT. 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 plat/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 Rezonings 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.

Aaron L. Shapiro (printed name of applicant) Aracoma Shapiro (signature of applicant) 7/18/18 (date)
Connie Benton Wolfe (printed name of property owner) Connie Benton Wolfe (signature of property owner) 7/18/18 (date)
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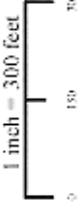
Received	Receipt No.	Hearing Date	Petition No.
7-20-18	127974	9-10-18	REZ-2018-0040

Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



Project Boundaries Represented with Bold Lines are for Representational Purposes Only

Although street names and symbols 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.
© 2014 Board of Commissioners of the County of Allen
North American Map, Inc.
State Plane Coordinate System, Indiana East
Photos and Contour: Springs 2016
DOB: K252618



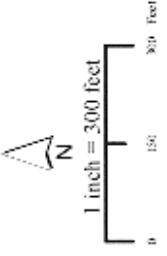


Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



Although aerial imagery is available, it was not employed in the compilation of this map. Aerial County Aerials are not a part of or partner in any way to the information contained herein and do not constitute any part of the map. Any errors or omissions in this map are the responsibility of the user. © 2018 Board of Commissioners of the County of Alameda. North American Datum 1983. Project and Location: Spring 2018. Page: K2102018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only



FACT SHEET

Case #REZ-2018-0040 Bill # Z-18-08-25 Project Start: 7 August 2018	
APPLICANT:	Aging & In-Home Services of Northeast Indiana
REQUEST:	To rezone property from R3/Multiple Family Residential to C1/Professional Offices and Personal Services to allow the use of the site and development standards.
LOCATION:	The site is located on the north side of the 3000 block of Lake Avenue. The address of the subject property is 3003 Lake Avenue (Section 31 of St. Joseph Township).
LAND AREA:	Approximately 0.7 acres
PRESENT ZONING:	R3/Multiple Family Residential
PROPOSED ZONING:	C1/Professional Offices and Personal Services
COUNCIL DISTRICT:	2-Russ Jehl
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

10 September 2018 Public Hearing

- No one spoke at the hearing.
- Connie Haas Zuber, Paul Sauerteig and Rachel Tobin-Smith were absent.

17 September 2018 – Business Meeting

Plan Commission Recommendation: DO PASS

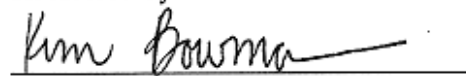
A motion was made by Judi Wire and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

5-0 MOTION PASSED

- Connie Haas Zuber, Paul Ensley, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
26 September 2018

Reviewed by:



Kimberly R. Bowman, AICP
Executive Land Use Director

PROJECT SUMMARY

The petitioner is requesting to rezone the property to C1/Professional Office and Personal Services from R3/Multiple Family Residential. The property has been utilized for decades as an office building. An office was approved by the Board of Zoning Appeals in 1977, which is the current use of the site. The rezoning proposal would allow for the property to be used for professional office and personal services type uses, without the need for each proposed use to go to the Board of Zoning Appeals for approval.

As mentioned, there is no development plan associated with this request and there are no structures proposed for this site at this time. Properties to the east, west, and north are already zoned C1, and used for similar office or medical type uses. The rezoning would allow for development standards and signage as allowed by the Zoning Ordinance.

PUBLIC HEARING SUMMARY:

Presenter: Aaron Shapiro, CEO of Aging & In-Home Services of Northeast Indiana, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

none

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2018-0040

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REQUEST:	To rezone property from R3/Multiple Family Residential to C1/Professional Offices and Personal Services to allow the use of the site and development standards.
LOCATION:	The site is located on the north side of the 3000 block of Lake Avenue. The address of the subject property is 3003 Lake Avenue (Section 31 of St. Joseph Township).
LAND AREA:	Approximately 0.7 acres
PRESENT ZONING:	R3/Multiple Family Residential
PROPOSED ZONING:	C1/Professional Offices and Personal Services

The Plan Commission recommends that Rezoning Petition REZ-2018-0040 be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area has seen a mixture of land developments from professional and medical offices to residential land uses. This proposal will provide for the development of additional office space without the need for new infrastructure improvements. This rezoning continues the trend of responsible mixed-used development. No undesirable precedent will occur due to the fact professional office uses have already occurred on the site for decades. The Comprehensive Plan supports this rezoning through the following objectives:
 - LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
 - LU5. Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
 - LU5.C Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.
 - LU6. Encourage carefully planned sustainable growth and coordinated development by encouraging mixed land uses.
 - LU6.C Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.
 - LU6.D Support carefully planned, coordinated, compatible mixed-use development.
 - LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.
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 property is completely developed with a quality-built office building that complements the adjacent structures. No changes are proposed to the building or site, except for maintenance and upkeep.
3. Approval is consistent with the preservation of property values in the area. This proposal allows for additional office uses to expand and provide services in the northeast quadrant of Fort Wayne. No changes are proposed to the existing office building. This proposal provides the owner with surety that the existing, approved building can be reconstructed in the case of a catastrophe. Having appropriate zoning assists lenders in appraising commercial properties correctly and may aid in

refinancing, if necessary.

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 September 17, 2018.



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

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant AGING & IN-HOME SERVICES OF NE INDIANA
 Address 3003 LAKE AVE
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 Telephone 260-745-1200 Fax 260-422-4916 E-mail jgeer@agingih.org

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 Township name * ST. JOSEPH Township section # 072 FT. WAYNE ST JOSEPH (75)
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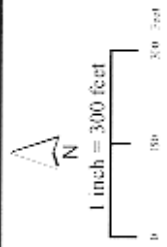


Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



Although cited rezoning candidates have been employed in the past in the town of its jurisdiction, the rezoning does not guarantee the rezoning will be approved. The rezoning is subject to the rezoning process of the County of Clark. Clark County, Oregon, 1981. State Bar of Oregon, 1981. 3003 Lake Ave. Clark County, Oregon 97003. Doc. 4/20/2018

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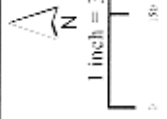
Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



Although the accuracy of the information presented is the responsibility of the applicant, the City of Columbus does not warrant the accuracy of the information presented herein. All other information is derived from the City of Columbus GIS data.

City of Columbus, Ohio
 State Plane Coordinate System, Indiana East
 NAD83
 Modified Cartesian, Spring 2014
 Date: 8/20/2018

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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-2018-0040
Bill Number: Z-18-08-25
Council District: 2-Russ Jehl

Introduction Date: August 28, 2018

Plan Commission
Public Hearing Date: September 10, 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 0.74 acres of property from R3/Multiple Family Residential to C1/Professional Office and Personal Services

Location: 3003 Lake Avenue

Reason for Request: To bring zoning into compliance with the use and seek signage per the ordinance allowances for office zoning.

Applicant: Aging and In-Home Services of NE Indiana

Property Owner: Area III Properties, Inc.

Related Petitions: None

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services which will be the appropriate district for the existing use as an office for senior/medical services.

Effect of Non-Passage: The property will remain zoned R3/Multiple Family Residential. The existing use may remain under the current Board of Zoning Appeals approvals. Redevelopment of the property may be difficult under the current zoning.

BILL NO. Z-18-08-25

REPORT OF COMMITTEE ON REGULATIONS

October 9, 2018

Paul Ensley Chair

Thomas Didier Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. Q-14 (Sec. 31 of St. Joseph Township)

3003 Lake Ave - Aging and In-Home Services of NE Indiana

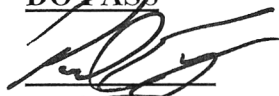

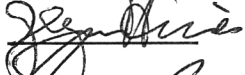



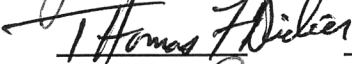
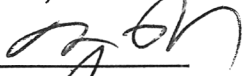
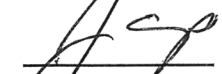
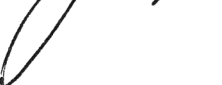
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

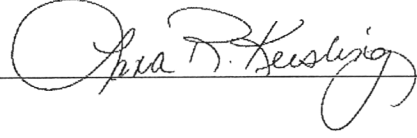
DO NOT PASS

ABSTAIN

NO REC

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**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 09/19/18

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:

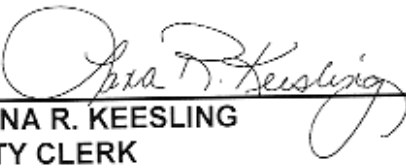
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 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: October 9, 2018

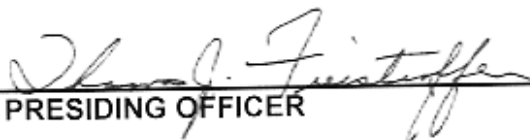


 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 Zoning Ordinance No. Z-18-08-25 on the 9th day of October, 2018



 LANA R. KEESLING
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th
 of October 2018, at the hour of 9:55 o'clock A.M. E.S.T.

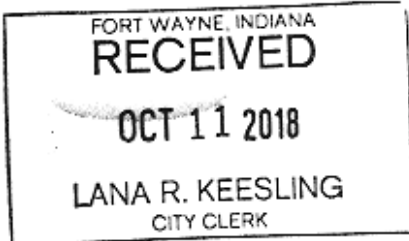


 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10TH day of OCTOBER
 2018, at the hour of 3:00 O'clock Pm E.S.T.



 THOMAS C. HENRY, MAYOR



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Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

**Department of Planning Services
Rezoning Petition Application**

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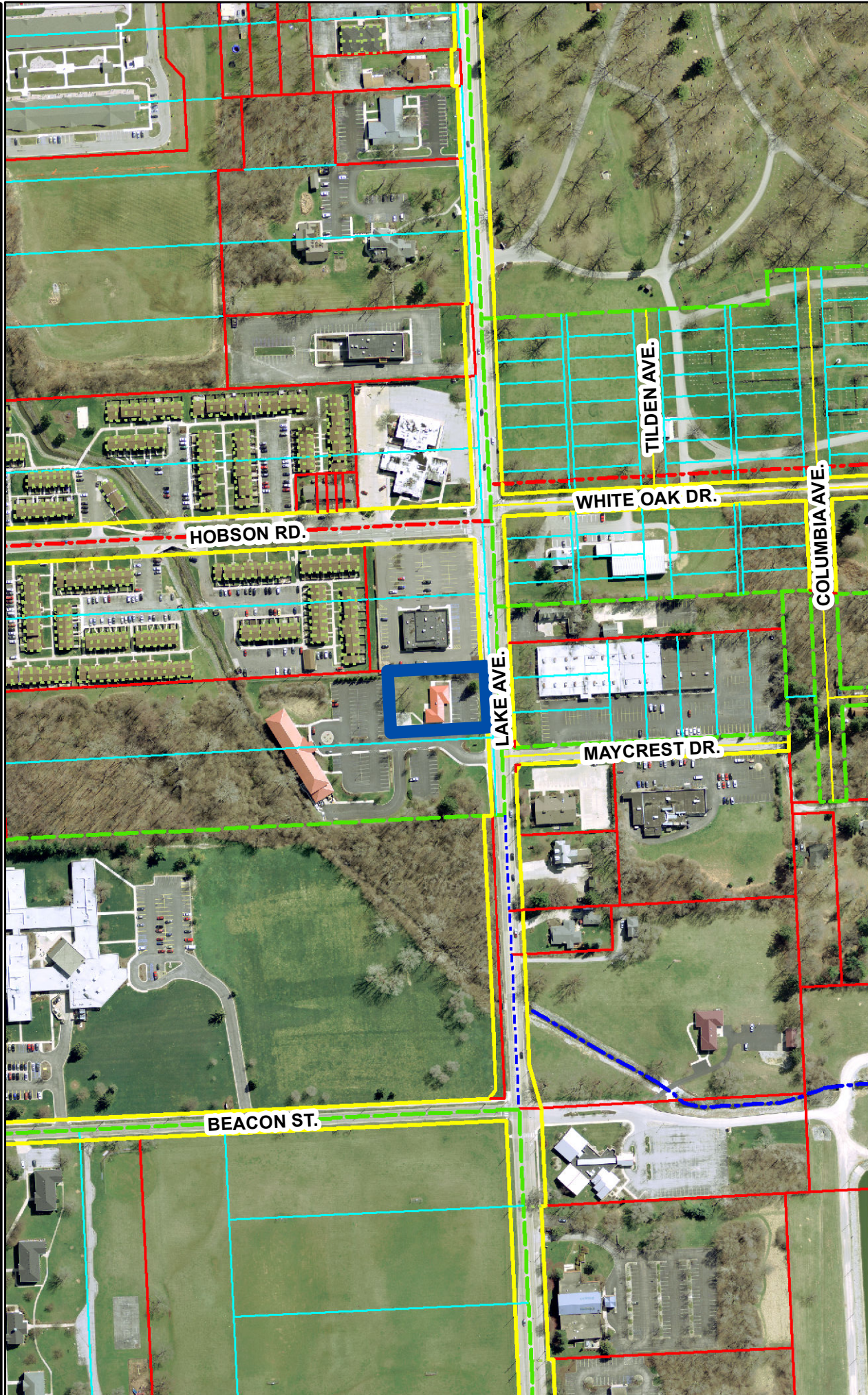
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<u>Connie Benton Wolfe</u> (printed name of property owner)	<u>Connie Benton Wolfe</u> (signature of property owner)	<u>7/18/18</u> (date)
_____ (printed name of property owner)	<u>Aaron L. Shapiro</u> (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
7-20-18	127974	9-10-18	RBZ-2018-0040



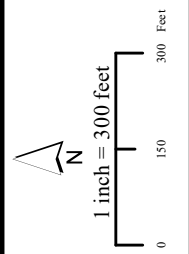
Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



Project Boundaries Represented with Bold Lines are for Representational Purposes Only

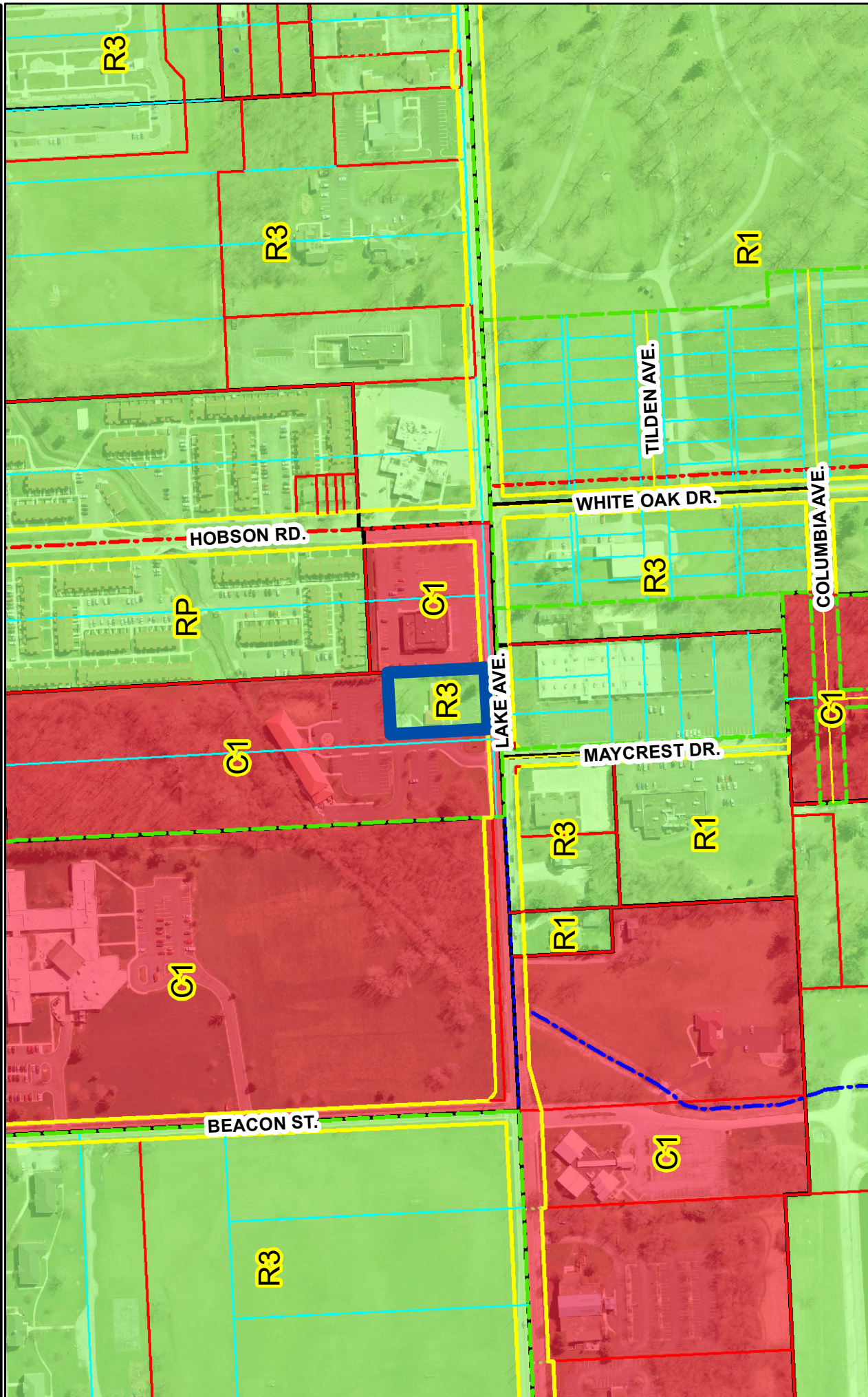
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 Photos and Contours: Spring 2009
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Rezoning Petition REZ-2018-0040 (3003 Lake Ave)



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