

1 #REZ-2019-0056

2 BILL NO. Z-19-09-14

3  
4 ZONING MAP ORDINANCE NO. Z- 38-14

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. F-03 (Sec. 8 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 Parcel I:

13 Lot Number One Highway Addition, Except the West 203.5 feet and Except the  
14 Highway in Wayne Township, Allen County, Indiana, by metes and bounds  
described as follows, to wit:

15 Commencing on the Northwesterly line of said Lot 1 at a point situated 203.5 feet  
16 Northeasterly of the West corner thereof; thence continuing Northeasterly on said  
17 Lot line, a distance of 315.1 feet to an existing concrete right-of-way monument;  
18 thence Southeasterly, a distance of 34.0 feet (Plat 44.0) to an existing concrete right-  
19 of-way monument on the Northwesterly right-of-way of U.S. Highway No. 24, at a  
20 point situated 528.6 feet Northeasterly of the intersection of said right-of-way line by  
21 the Southwesterly line of said Lot 1; thence Southwesterly on said North right-of-  
22 way line of U.S. No. 24 on a 0 degree 58 minute, more or less, circular curve right, a  
distance of 325.1 feet (Plat 321.6) to a point situated 203.5 feet Northeasterly of the  
intersection of the said right-of-way line by the Southwesterly line of said Lot 1;  
thence Northwesterly by a deflection right of 101 degrees 23 minutes from the  
extension Southwesterly of the subtended chord of the previous course, a distance of  
146.6 feet to the Point of Beginning; containing 0.64 acres, more or less.

23 Together with:

24 Parcel II:

25 Part of Lot Number 1, Highway Addition in Allen County, Indiana, recorded in Plat  
26 Record 15, page 13, in particular described as follows, to-wit:

27 Commencing at the south corner of Lot Number 1; thence running Northeastward on  
28 the Southeasterly boundary thereof on a line coincidental to the Northwesterly right-  
29 of-way line of U.S. Highway #24, a distance of 203.5 feet; thence Northwestward, s  
30

1 distance of 146.6 feet to the Northwesterly boundary of said Lot, as situated  
2 coincidentally with the Southerly right-of-way line of the former location of U.S.  
3 Highway #24, now designated as North Bend Drive; thence Southwestward on the  
4 Northwesterly boundary of said Lot, a distance of 203.5 feet to the West corner  
5 thereof, thence Southeast on the lot line between Lots Numbered 2 and 1 of said Plat,  
6 a distance of 208.85 feet to the place of beginning.

7 Except:

8 The Westerly 100.0 feet of Lot Number 1 in Highway Addition, as recorded in Plat  
9 Record 15, page 13, in the Office of the Recorder of Allen County, Indiana, more  
10 particularly described as follows:

11 Beginning at an iron pipe found marking the Southwest corner of Lot Number 1 in  
12 Highway Addition; thence Northwesterly along the Westerly line of said Lot  
13 Number 1, a distance of 208.45 feet (217.14 feet, plat) to an iron pipe found marking  
14 the Northwest corner of said Lot; thence Northeasterly with a deflection angle to the  
15 right of 98 degrees 40 minutes 25 seconds along the Northerly line of said Lot  
16 Number 1, also being the Southerly right-of-way line of North Bend Drive, a  
17 distance of 101.16 feet to a 5/8 inch iron pin set; thence Southeasterly with a  
18 deflection angle to the right of 81 degrees 19 minutes 35 seconds and parallel with  
19 the Westerly line of said Lot Number 1, a distance of 178.69 feet to a 5/8 inch iron  
20 pin set at a point on the Southerly line of said Lot, also being the Northerly right-of-  
21 way line of West Jefferson Boulevard; thence Southwesterly along a curve to the  
22 right having a radius of 5857.15 feet along the Southerly line of said Lot and said  
23 Northerly right-of-way line, an arc distance of 101.11 feet to the Point of Beginning,  
24 containing 0.445 acres.

25 and the symbols of the City of Fort Wayne Zoning Map No. F-03 (Sec. 8 Wayne Township),  
26 as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana  
27 is hereby changed accordingly.

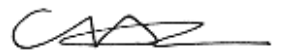
28 SECTION 2. If a written commitment is a condition of the Plan Commission's  
29 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
30 approved by the Common Council as part of the zone map amendment, that written  
commitment is hereby approved and is hereby incorporated by reference.

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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

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Dr. Ashok Kadambi  
 Address 5010 West Jefferson Blvd.  
 City Fort Wayne State IN Zip 46804  
 Telephone 436-6900 E-mail akadambi@icloud.com

**Contact Person**  
 Contact Person Kerry Schoeph - MSKID & Assoc.  
 Address 1715 Magnavox Way  
 City Fort Wayne State IN Zip 46804  
 Telephone 260-432-9337 E-mail kcs@msktd.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 5010 West Jefferson Blvd., 5015 N. Bend Drive  
 Present Zoning RP Proposed Zoning C1 Acreage to be rezoned 1.03 +/-  
 Proposed density n/a units per acre  
 Township name Wayne Township section # 8  
 Purpose of rezoning (attach additional page if necessary) The existing building is a commercial building in a residential zoned area. The existing adjacent commercial buildings are already zoned commercial. The owner would like to do an addition & rezoning was recommended by the city.  
 Sewer provider Fort Wayne Water provider Fort Wayne

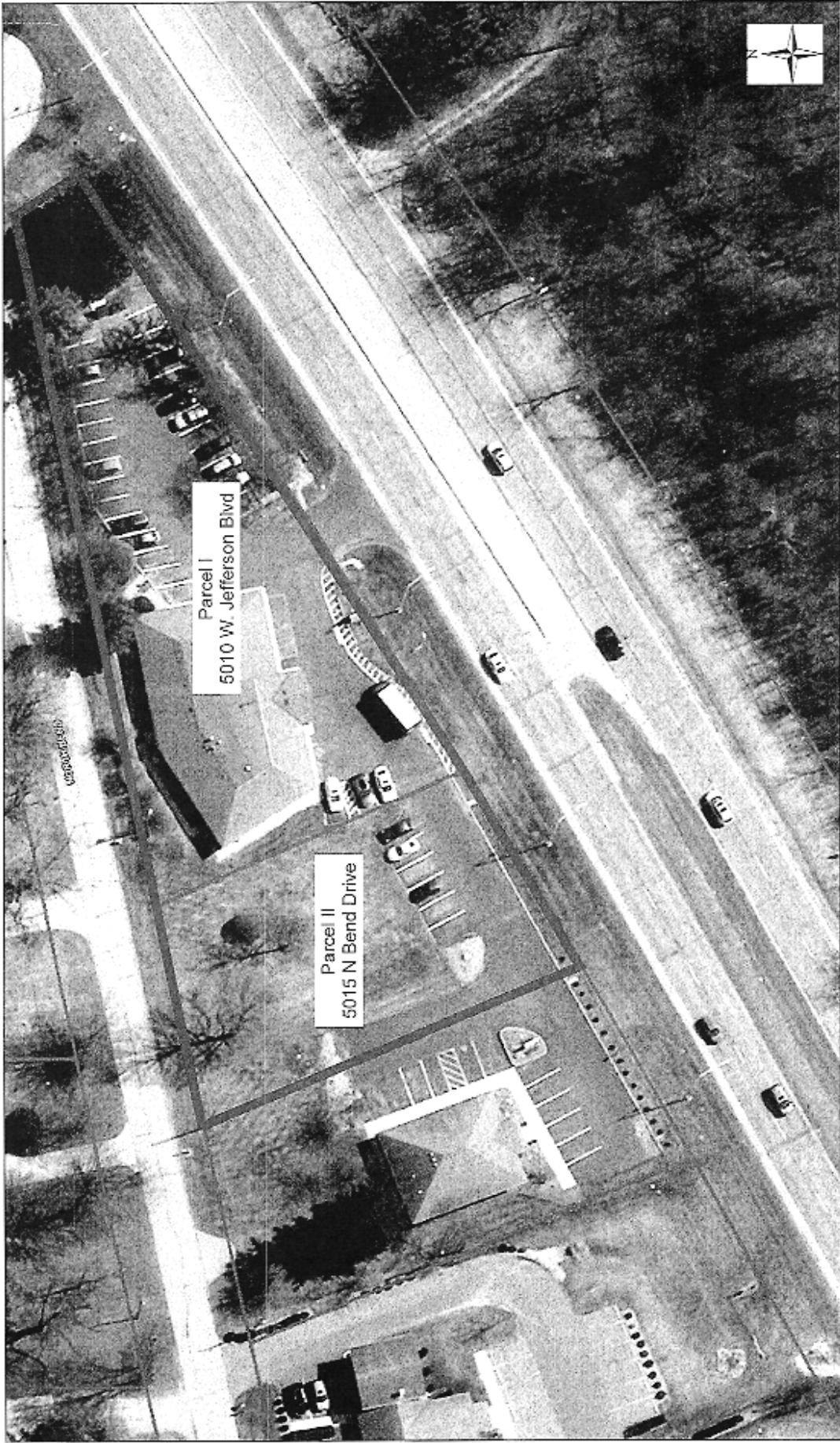
*Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submission requirements.*

- Filing Requirements**
- Applicable filing fee
  - Applicable number of surveys showing area to be rezoned (plans must be filed)
  - Legal Description of parcel to be rezoned
  - Rezoning Questionnaire (original and 10 copies) County Resonings Only N/A (city project)

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 Ordinances 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.

Ashok Kadambi (printed name of applicant)  (signature of applicant) 7/23/19 (date)  
CADDYSHACK, LLC (printed name of property owner)  (signature of property owner) 7/23/19 (date)  
 (signature of property owner) (President Caddyshack) (signature of property owner) (date)  
 (signature of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
7/24/19	137298	9-9-2019	REZ-2019-0056



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This map is intended for general reference purposes only. The information displayed herein is not guaranteed to be completely accurate or all inclusive.

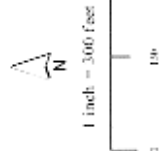
July 22, 2019



Rezoning Petition REZ-2019-0056 - 5010 W. Jefferson Blvd



Aller plans to annex our full fire  
 department to the central area of this map.  
 After Council approval of this map,  
 all existing zoning within the rezoning  
 area will remain in effect until the  
 rezoning is adopted by the City of Allier.  
 © 2009 Board of Commissioners of the City of Allier  
 State Plane Coordinate System, National East  
 Photo from GeoEye, Spring 2009  
 Date: 8/28/2019





## FACT SHEET

Case #REZ-2019-0056 Bill # Z-19-09-14 Project Start: Spetember 2019

APPLICANT:	Dr. Ashok Kadambi
REQUEST:	To rezone property from RP/Planned Residential to C1/Professional Office and Personal Services to bring the existing office building in conformance with the Zoning Ordinance.
LOCATION:	The site is located on the north side of the 5000 block of West Jefferson Boulevard and on the south side of the 5000 block of North Bend Drive. The address of the subject property is 5010 West Jefferson Boulevard (Section 8 of Wayne Township).
LAND AREA:	Approximately 1.1 acres
PRESENT ZONING:	RP/Planned Residential
PROPOSED ZONING:	C1/Professional Office and Personal Services
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

### 9 September 2019 Public Hearing

- There were no public comments at the hearing
- Justin Shurley was absent.

### 16 September 2019 – Business Meeting

#### Plan Commission Recommendation: DO PASS w/Written Commitment

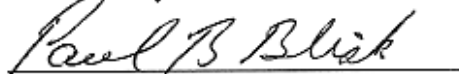
A motion was made by Justin Shurley and seconded by Billy Davenport to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 8-0 MOTION PASSED

- Tom Freistroffer was absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
September 20, 2019

Reviewed by:



Paul B. Blisk  
Deputy Land Use Director

## PROJECT SUMMARY

- A contingent use was approved in 1967 for a medical office and a special use was approved in 1995 for the parking lot.

The petitioner is requesting to rezone the property to C1/Professional Office and Personal Services from RP/Planned Multiple Family Residential. The property was developed as a medical office building with Board of Zoning Appeals approval. The rezoning proposal would allow for the property to be used for professional office and personal services type uses. Staff is not aware of any additions to the property or building.

All but one property in this portion of land between North Bend Drive and West Jefferson Boulevard have petitioned to rezone to C1/Professional Office and Personal Services, after a long history of BZA approvals for office use. The applicant attempted to include the lone property at 5014 West Jefferson in this request but the property owner declined. Properties to the west of the site are already zoned C1 and the property on the south site of West Jefferson was recently rezoned to C2/Limited Commercial, however it remains undeveloped.

### **PUBLIC HEARING SUMMARY:**

Presenter: Kerry Schoeph from MSKTD represented the applicant and presented the proposal to the Plan Commission, as outlined above.

Public Comments:  
none

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Dr. Ashok Kadambi  
 Address 5010 West Jefferson Blvd.  
 City Fort Wayne State IN Zip 46804  
 Telephone 436-6900 E-mail akadambi@icloud.com

**Contact Person**  
 Contact Person Kerry Schoeph - MSKTD & Assoc.  
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*All staff correspondence will be sent only to the designated contact person.*

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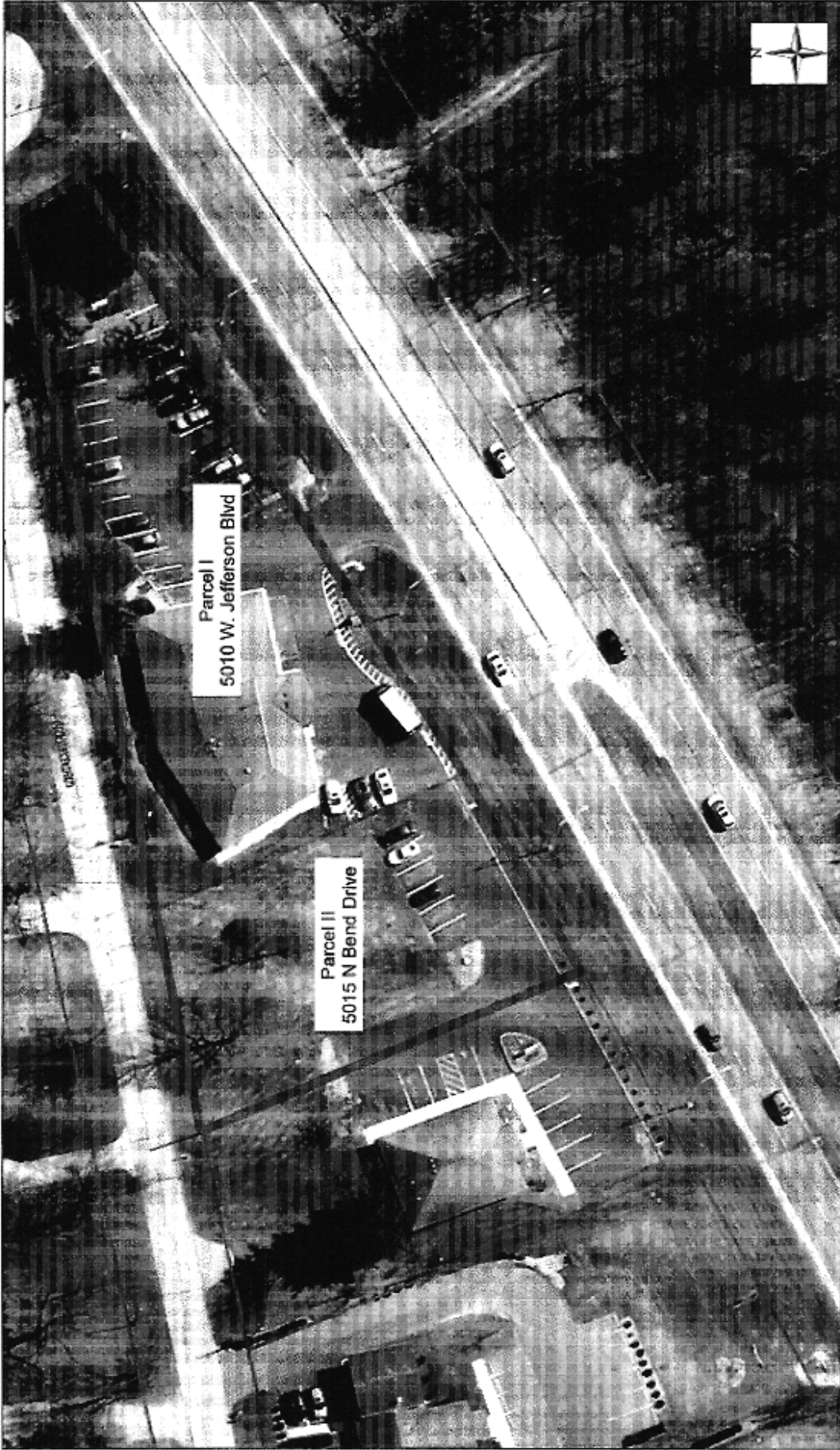
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- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only N/A (city project)

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<u>Ashok Kadambi</u> (printed name of applicant)	 (signature of applicant)	<u>7/23/19</u> (date)
<u>CADDYSHACK LLC</u> (printed name of property owner)	 (signature of property owner)	<u>7/23/19</u> (date)
 (printed name of property owner)	 (signature of property owner)	 (date)
 (printed name of property owner)	 (signature of property owner)	 (date)

Received <u>7/24/19</u>	Receipt No. <u>131298</u>	Hearing Date <u>9-9-2019</u>	Petition No. <u>REZ-2019-0056</u>
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July 22, 2019



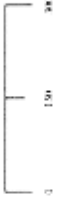
Rezoning Petition REZ-2019-0056 - 5010 W. Jefferson Blvd



Although every accuracy standard has been employed in the completion of this map, the City is not responsible for any errors or omissions. The information contained herein is for informational purposes only and does not constitute a warranty. For more information, please contact the City of Aurora, Planning Department, 1505 North Cooper Street, Aurora, CO 80010. Phone: 303.271.2000. Date: 8/23/2019.



1 inch = 300 feet



Rezoning Petition REZ-2019-0056 - 5010 W. Jefferson Blvd



Although these rezoning boundaries have been employed in a previous plan, it is not intended to be a guarantee of future zoning. The rezoning is subject to the City's rezoning process and the City's rezoning process may vary. The rezoning is subject to the City's rezoning process and the City's rezoning process may vary.

City of Aurora  
City Engineer  
1000 East  
Broadway, Aurora, CO 80012  
303.681.2000



1 inch = 300 feet



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-2019-0056  
Bill Number: Z-19-09-14  
Council District: 4-Geoff Paddock

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Introduction Date: September 24, 2019  
  
Plan Commission  
Public Hearing Date: September 9, 2019 (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 1.03 acres from RP/Planned Residential to  
C1/Professional Office and Personal Services.

Location: 5010 West Jefferson Boulevard

Reason for Request: To bring the existing use as a medical office into compliance with the  
zoning ordinance.

Applicant: Dr. Ashok Kadambi

Property Owner: Dr. Ashok Kadambi

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Related Petitions: none

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Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal  
Services zoning district. The rezoning will allow the existing use to  
conform to the ordinance.

Effect of Non-Passage: The property will remain zoned RP/Planned Residential, which does not  
permit offices as a use by right. The existing investment is non-  
conforming, which affects how the property can be developed or  
expanded in the future.

**BILL NO. Z-19-09-14**

**REPORT OF COMMITTEE ON REGULATIONS**


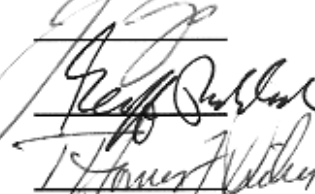
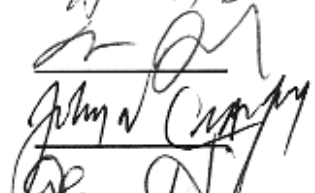


**October 8, 2019**

**Tom Freistroffer Chair**  
**Michael Barranda Co-Chair**  
**All Council Members**


An Ordinance amending the City of Fort Wayne Zoning Map No. F-03 (Sec. 8 of Wayne Township)

To rezone approximately 1.03 acres from RP to C1  
Dr. Ashok Kadambi – 5010 W Jefferson Blvd

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

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
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**LANA R. KEESLING**  
**CITY CLERK**



Public Hearing Date: September 9, 2019

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

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

Read the third time in full and on motion by Councilman Freistroffer, 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 8, 2019

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-19-09-14 on the 8th day of October, 2019

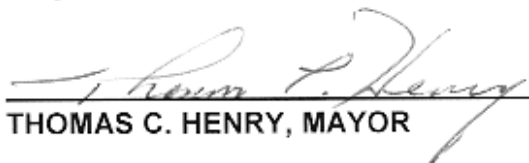
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th of October 2019, at the hour of 1:45 o'clock P.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10<sup>th</sup> day of OCTOBER 2019, at the hour of 9:00 o'clock AM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

