

#1282

BILL NO. Z-12-06-22

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. Z-34 and ZZ-34 (Sec. 24 of St. Joseph Township)

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

SECTION 1. That the area described as follows is hereby designated a CM2

(Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code
of the City of Fort Wayne, Indiana:

A tract of land located in the Northwest Quarter and in the Northeast Quarter of
Section 24, T31N, R13E, in Allen County, the State of Indiana, more fully described
as follows:

COMMENCING at a Rebar stake with aluminum cap (FIRM 0042) situated in the
Northeast corner of said Northwest Quarter ; Thence South 85 Degrees 23 Minutes
35 Seconds West (Indiana State Plane Coordinate System East Zone-GPS Grid Basis
of Bearings), a distance of 442.19 feet along the North line of said Northwest
Quarter to the Northeast corner of Hopewood Addition as recorded in Allen County
Plat Book 18, page 163; Thence South 02 Degrees 05 Minutes 13 Seconds East, a
distance of 57.85 feet along the East line of said Hopewood Addition; Thence North
88 Degrees 30 Minutes 43 Seconds East, a distance of 100.01 feet along the South
line of the tract of land conveyed to the State of Indiana in Allen County Document
No. 92-023004; Thence South 02 Degrees 05 Minutes 13 Seconds East, a distance of
20.00 feet along the East right-of-way line of Meijer Drive as described in the
conveyance to the County of Allen in Allen County Document No. 95-020493 to a
Rebar stake with cap (FIRM 0042), the **TRUE POINT OF BEGINNING**; Thence
North 88 Degrees 31 Minutes 37 Seconds East, a distance of 30.77 feet along the
South line of the tract of land described in the conveyance to the County of Allen in
Allen County Document No. 95-020494 to a Rebar stake with cap (FIRM 0042);
Thence South 86 Degrees 11 Minutes 03 Seconds East, a distance of 510.39 feet
along the South line of said County of Allen tract to a Rebar stake with cap (FIRM
0042); Thence North 83 Degrees 45 Minutes 43 Seconds East, a distance of 251.76
feet along the South line of said County of Allen tract to a Rebar stake with cap
(FIRM 0042); Thence South 76 Degrees 14 Minutes 58 Seconds East, a distance of
122.76 feet along the South line of said County of Allen tract to a Rebar stake with
cap (FIRM 0042); Thence South 47 Degrees 13 Minutes 10 Seconds East, a distance
of 202.20 feet along the Westerly line of the tract of land described in the
conveyance to the State of Indiana in Allen County Document No. 92-023004 to a
Rebar stake with cap (Woolpert FIRM 0018); Thence South 60 Degrees 31 Minutes

34 Seconds West, a distance of 441.96 feet along the North line of the tract of land described in the conveyance to Meijer Stores Limited Partnership in Allen County Document No. 200069239; Thence North 41 Degrees 04 Minutes 41 Seconds West, a distance of 158.72 feet; Thence South 73 Degrees 45 Minutes 31 Seconds West, for a distance of 210.17 feet to the beginning of a tangent circular arc; Thence Westerly, a distance of 12.43 feet along said circular arc that is concave Northerly, having a radius measuring 325.00 feet, having a central angle measuring 02 Degrees 11 Minutes 29 Seconds, and having a long chord bearing South 74 Degrees 51 Minutes 16 Seconds West and measuring 12.43 feet to the beginning of a tangent compound reverse circular arc; Thence Southwesterly, a distance of 28.80 feet along said circular arc that is concave Southeasterly, having a radius measuring 20.00 feet, having a central angle measuring 82 Degrees 30 Minutes 19 Seconds, and having a long chord bearing South 34 Degrees 41 Minutes 51 Seconds West and measuring 26.38 feet to the beginning of a tangent line; Thence South 06 Degrees 33 Minutes 18 Seconds East, for a distance of 27.57 feet to the beginning of a tangent circular arc; Thence Southerly, a distance of 111.31 feet along said circular arc that is concave Westerly, having a radius measuring 275.00 feet, having a central angle measuring 23 Degrees 11 Minutes 27 Seconds, and having a long chord bearing South 18 Degrees 09 Minutes 02 Seconds East and measuring 110.55 feet to the beginning of a tangent line; Thence South 29 Degrees 44 Minutes 46 Seconds East, a distance of 61.38 feet; Thence South 60 Degrees 31 Minutes 34 Seconds West, a distance of 7.03 feet along the North line of said Meijer tract to a Rebar stake with cap (Woolpert FIRM 0018); Thence South 23 Degrees 03 Minutes 45 Seconds West, a distance of 47.39 feet along the North line of said Meijer tract to a Rebar stake with cap (Woolpert FIRM 0018); Thence South 60 Degrees 31 Minutes 34 Seconds West, a distance of 367.83 feet along the North line of said Meijer tract to a Rebar stake with cap (Woolpert FIRM 0018); Thence North 61 Degrees 59 Minutes 14 Seconds West, for a distance of 31.81 feet along the North line of said Meijer tract to a Brass Plaque (D A Brown S0337); Thence Northerly, a distance of 133.09 feet along the East right-of-way line of Meijer Drive being a nontangent circular arc that is concave Easterly, having a radius measuring 1150.00 feet, having a central angle measuring 06 Degrees 37 Minutes 51 Seconds, and having a long chord bearing North 05 Degrees 24 Minutes 08 Seconds West and measuring 133.02 feet to a Rebar stake with cap (FIRM 0042) in the beginning of a tangent line; Thence North 02 Degrees 05 Minutes 13 Seconds West, a distance of 620.67 feet along said East right-of-way line to the **POINT OF BEGINNING**, said tract containing 9.567 Acres, more or less, and being subject to all public road rights-of-way and to all easements of record.

and the symbols of the City of Fort Wayne Zoning Map Nos. Z-34 and ZZ-34 (Sec. 24 of St. Joseph Township), as established by Section 157.201(B) of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. 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

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: 1282/12
Bill Number: Z-12-06-22
Council District: 1-Tom Smith

Introduction Date: June 26, 2012

Plan Commission
Public Hearing Date: July 9, 2012

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

Synopsis of Ordinance: To rezone approximately 9.57 acres of property from AR-Low Intensity Residential to CM2-Limited Retail and Commercial

Location: On the east side of the 10000 block of Meijer Drive, just north of the Meijer Store.

Reason for Request: The applicant is proposing a retail center between the Meijer store and St. Joe Center Road. The majority of the site is proposed to be rezoned to CM2-Limited Retail and Commercial, with one outlot in the middle of the development to be zoned to CM3 to allow for a “quick service” automobile maintenance facility (under a separate request).

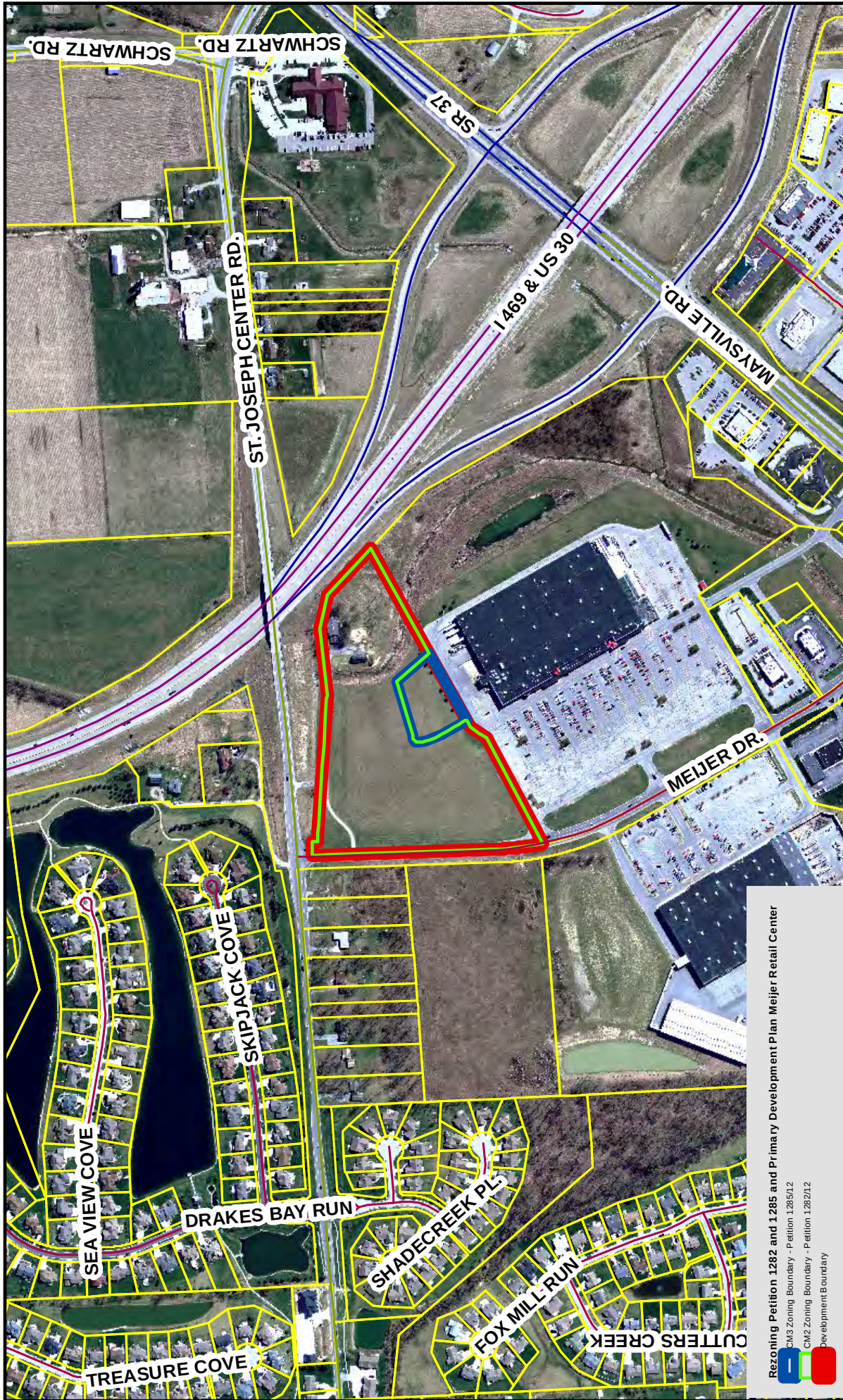
Applicant: Tricon Group Partners, LLC

Property Owners: Meijer Stores Limited Partnership

Related Petitions: Rezoning Petition 1285/12 and the Primary Development Plan of Meijer Retail Center

Effect of Passage: Property will be rezoned to CM2-Limited Retail and Commercial to allow for a retail center adjacent to the Meijer store.

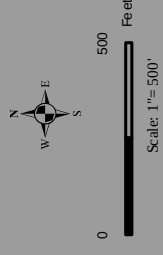
Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and can develop with the permitted residential or agricultural uses within the district.



This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project







Printed: June 18, 2012

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North American Datum 1983

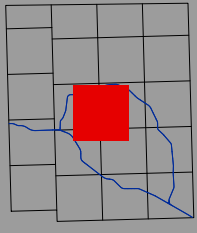
State Plane Coordinate System - Indiana East

Photos: Spring 2006 / Contours: 1999

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.

Rezoning Petition 1282/12 and 1285/12

Primary Development Plan - Meijer Retail Center

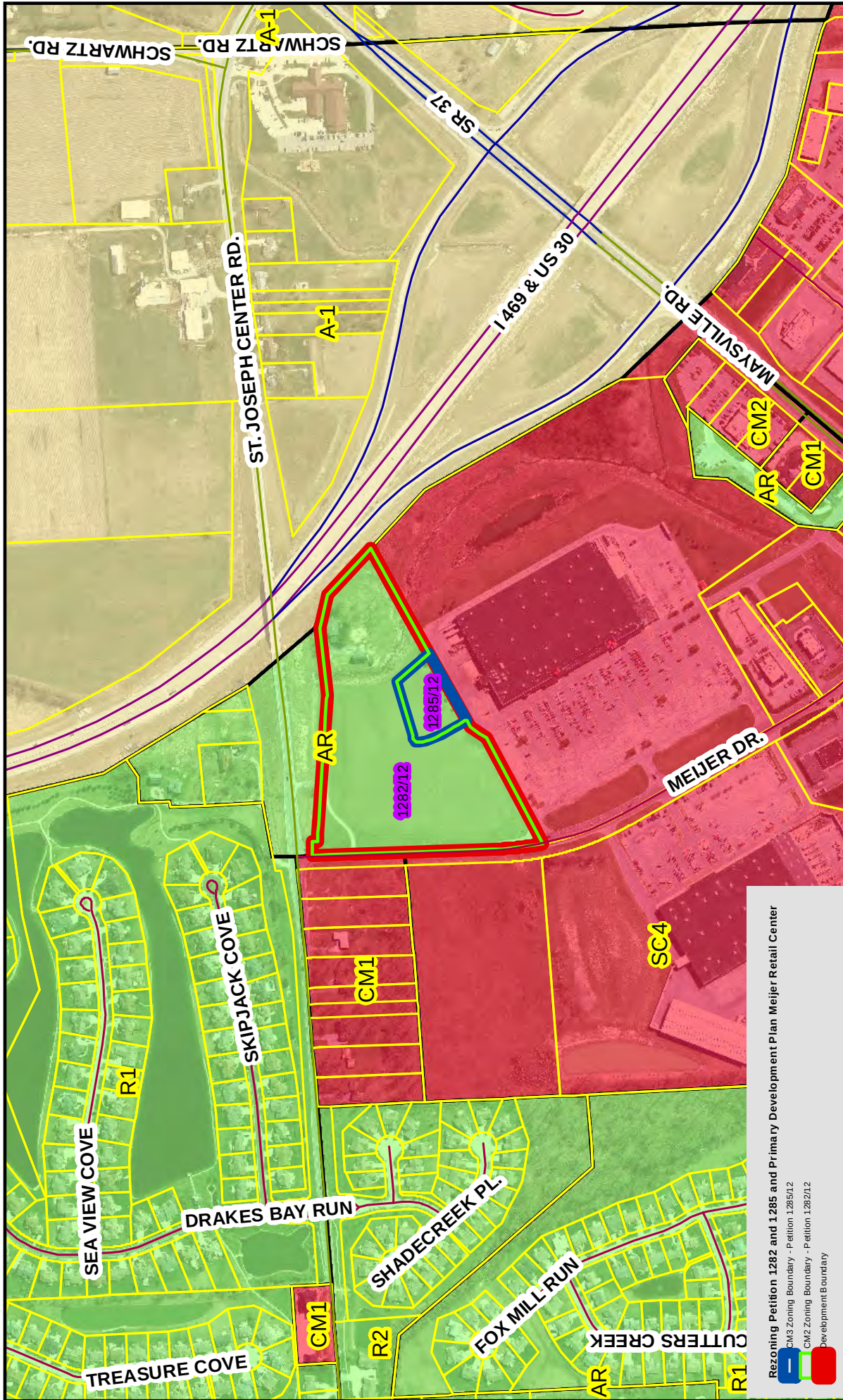


Rezoning Petition 1282 and 1285 and Primary Development Plan Meijer Retail Center

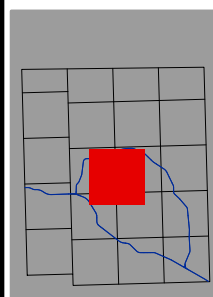
CM3 Zoning Boundary - Petition 1285/12

CM2 Zoning Boundary - Petition 1282/12

Development Boundary

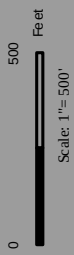


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 © 2004 Board of Commissioners of the County of Allen
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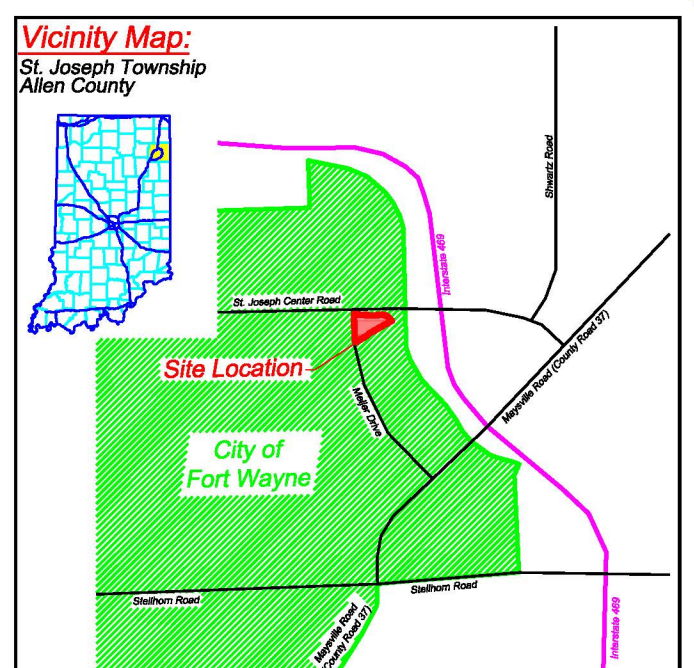
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Rezoning Petition 1282/12 and 1285/12 Primary Development Plan - Meijer Retail Center

Primary Development Plan
Meijer Retail Center

A Site Located in the North Half of
Section 24, Township 31 North, Range 13 East.
Allen County, Indiana



- Notes:
1. Current Zoning - AR
 2. No wetlands shown on this property per the National Wetlands Inventory dataset.
 3. Per Flood Insurance Rate Map 18003C0195G, revised August 3, 2009; within project limits, "0.2% annual chance of flood discharge contained in channel"
 4. Detailed landscaping plans to be established by Outlot use. Perimeter treatments will be minimal due to surrounding uses.
 5. All drive surfaces to be asphalt.
 6. All walks to be concrete.

Project Summary	
Current Zoning:	AR
Proposed Zoning:	CM-2, CM-3
Access:	Meijer Drive
Site Area:	10.75 AC
CM-2 Zoning Area:	9.57 AC
CM-3 Zoning Area:	1.18 AC
Utility Provided:	
Water:	City of Fort Wayne
Sanitary:	City of Fort Wayne
Storm Sewer Outlet:	Langley Drain
Areas:	
Building Footprint:	54,000 SFT

Developer:
Tricon Group Partners, LLC
317 Fiddlers Cove
Fort Wayne, IN 46825
Tel: (260) 489-8887

Engineer:
DABEC
D.A. Brown Engineering Consultants
5419 County Road 427, Suite C, Auburn, IN 46706
Phone: (260) 925 - 2020 Fax: (260) 925 - 1212
www.dabrownengineering.com

Revisions	
Date:	Description:
06/06/2012	
Scale:	Checked By:
As Noted	
Job No.	Sheet No.
1205-03-001	2 of 2

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Department of Planning Services
 Rezoning Petition Application

Applicant	Applicant <u>Tricon Group Partners, LLC</u>		
	Address <u>317 Fiddlers Cove</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46825</u>
	Telephone <u>(260) 489-8887</u>	Fax _____	E-mail _____

Property Ownership	Property Owner <u>Meijer Stores Limited Partnership, c/o Property Tax Dept</u>		
	Address <u>2929 Walker Ave NW</u>		
	City <u>Grand Rapids</u>	State <u>MI</u>	Zip <u>49544</u>
	Telephone _____	Fax _____	E-mail _____

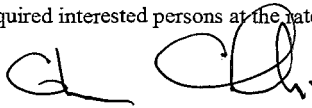
Contact Person	Contact Person <u>Glenn Conkling</u>		
	Address <u>317 Fiddlers Cove</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46825</u>
	Telephone <u>(260) 341-2248</u>	Fax _____	E-mail <u>glenn@tricongrouppartners.com</u>

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 <u>10030 Saint Joe Center Road, Ft Wayne, IN 46835</u>		
	Present Zoning <u>AR</u>	Proposed Zoning <u>CM2</u>	Acreage to be rezoned <u>9.57</u>
	Proposed density _____ units per acre		
	Township name <u>St. Joseph</u>		Township section # <u>24</u>
	Purpose of rezoning (attach additional page if necessary) <u>To develop vacant land into commercial retail center.</u>		
	Sewer provider <u>City of Fort Wayne</u>		Water provider <u>City of Fort Wayne</u>

Filing Requirements	<i>Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.</i>		
	☒ 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.

<u>Tricon Group Partners by Glenn Conkling</u> (printed name of applicant)	 (signature of applicant)	<u>June 6, 2012</u> (date)
<u>Meijer Stores Limited Partnership</u> (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.
6/6/12	108447	7/9/12	1282/12

RBZ - 6012 - 0051

June 5, 2012

***Tricon Group Partners
Meijer Retail Center
St. Joe Center Road
Fort Wayne, IN
CM-2 Rezoning Tract***

Legal Description:

A tract of land located in the Northwest Quarter and in the Northeast Quarter of Section 24, T31N, R13E, in Allen County, the State of Indiana, more fully described as follows:

COMMENCING at a Rebar stake with aluminum cap (FIRM 0042) situated in the Northeast corner of said Northwest Quarter ; Thence South 85 Degrees 23 Minutes 35 Seconds West (Indiana State Plane Coordinate System East Zone-GPS Grid Basis of Bearings), a distance of 442.19 feet along the North line of said Northwest Quarter to the Northeast corner of Hopewood Addition as recorded in Allen County Plat Book 18, page 163; Thence South 02 Degrees 05 Minutes 13 Seconds East, a distance of 57.85 feet along the East line of said Hopewood Addition; Thence North 88 Degrees 30 Minutes 43 Seconds East, a distance of 100.01 feet along the South line of the tract of land conveyed to the State of Indiana in Allen County Document No. 92-023004; Thence South 02 Degrees 05 Minutes 13 Seconds East, a distance of 20.00 feet along the East right-of-way line of Meijer Drive as described in the conveyance to the County of Allen in Allen County Document No. 95-020493 to a Rebar stake with cap (FIRM 0042), the **TRUE POINT OF BEGINNING**; Thence North 88 Degrees 31 Minutes 37 Seconds East, a distance of 30.77 feet along the South line of the tract of land described in the conveyance to the County of Allen in Allen County Document No. 95-020494 to a Rebar stake with cap (FIRM 0042); Thence South 86 Degrees 11 Minutes 03 Seconds East, a distance of 510.39 feet along the South line of said County of Allen tract to a Rebar stake with cap (FIRM 0042); Thence North 83 Degrees 45 Minutes 43 Seconds East, a distance of 251.76 feet along the South line of said County of Allen tract to a Rebar stake with cap (FIRM 0042); Thence South 76 Degrees 14 Minutes 58 Seconds East, a distance of 122.76 feet along the South line of said County of Allen tract to a Rebar stake with cap (FIRM 0042); Thence South 47 Degrees 13 Minutes 10 Seconds East, a distance of 202.20 feet along the Westerly line of the tract of land described in the conveyance to the State of Indiana in Allen County Document No. 92-023004 to a Rebar stake with cap (Woolpert FIRM 0018); Thence South 60 Degrees 31 Minutes 34 Seconds West, a distance of 441.96 feet along the North line of the tract of land described in the conveyance to Meijer Stores Limited Partnership in Allen County Document No. 200069239; Thence North 41 Degrees 04 Minutes 41 Seconds West, a distance of 158.72 feet; Thence South 73 Degrees 45 Minutes 31 Seconds West, for a distance of 210.17 feet to the beginning of a tangent circular arc; Thence Westerly, a distance of 12.43 feet along said circular arc that is concave Northerly, having a radius measuring 325.00 feet, having a central angle measuring 02 Degrees 11 Minutes 29 Seconds, and having a long chord bearing South 74 Degrees 51 Minutes 16 Seconds West and

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