

#1299

BILL NO. Z-12-11-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D-03 (Sec. 7 of Wayne 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:

Part of the fractional Southwest Quarter of Section 7; Township 30 North, Range 12 East, Allen
County, Indiana, described as follows:

Commencing at the South ¼ corner of said Section 7; thence Northerly, along the East line of the
Southwest ¼ of said Section 7, a distance of 1447.06 feet to the point of beginning; thence deflecting
89 degrees 37 minutes 50 seconds left from the prolongation of the preceding course, 270.8 feet to an
Easterly boundary of land conveyed to Paul and Ethel Lavergne and recorded in Document #76-28244
in the Office of the Recorder; thence deflecting 96 degrees 35 minutes 05 seconds right from the
prolongation of the preceding course, and along said Easterly boundary of Lavergne property, 149.2
feet; thence deflecting 82 degrees 39 minutes 40 seconds right from the prolongation of the preceding
course, 252.7 feet to a point on the East line of the Southwest ¼ of said Section 7; thence deflecting 90
degrees 23 minutes 05 seconds right from the prolongation of the preceding course, along the East
line of said Southwest ¼, a distance of 151.5 feet to the point of beginning, containing 0.90 acres,
more or less.

and the symbols of the City of Fort Wayne Zoning Map No. D-03 (Sec. 7 of Wayne
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. 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: 1299/12
Bill Number: Z-12-11-16
Council District: 4 – Mitch Harper

Introduction Date: November 27, 2012

Plan Commission
Public Hearing Date: December 10, 2012

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

Synopsis of Ordinance: To rezone approximately 1.53 acres of vacant property from R1-Single Family Residential to CM2-Limited Retail and Commercial

Location: The area is located north of Canopy Corners, on the west side of the street, at 2316 and 2328 Getz Road.

Reason for Request: The applicant seeks to construct a 4,000 square foot Wings, Etc. restaurant.

Applicant: Neil H. Kobi

Property Owners: Summit City Investments III, LLP

Related Petitions: Primary Development Plan, Wings, Etc.

Effect of Passage: Property will be rezoned to the CM2-Limited Retail and Commercial district, which will allow for a new restaurant, as well as other CM2 permitted uses.

Effect of Non-Passage: The property will remain zoned for single family residential uses.

Department of Planning Services
Rezoning Petition Application

Applicant	Applicant	<u>NEIL H KOBI</u>		
	Address	<u>1210 KORTE LANE</u>		
	City	<u>FORT WAYNE</u>	State	<u>IN</u> Zip <u>46807</u>
	Telephone	<u>260 341 7153</u>	Fax	E-mail <u>nhkobi@gmail.com</u>
Property Ownership	Property Owner	<u>SUMMIT CITY INVESTMENTS III LLP</u>		
	Address	<u>1210 KORTE LANE</u>		
	City	<u>FORT WAYNE</u>	State	<u>IN</u> Zip <u>46807</u>
	Telephone	<u>260 341 7153</u>	Fax	E-mail <u>nhkobi@gmail.com</u>
Contact Person	Contact Person	<u>NEIL KOBI</u>		
	Address	<u>1210 KORTE LANE</u>		
	City	<u>FORT WAYNE</u>	State	<u>IN</u> Zip <u>46807</u>
	Telephone	<u>260 341 7153</u>	Fax	E-mail <u>nhkobi@gmail.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>2316 + 2328 GETZ ROAD</u>	
	Present Zoning <u>R-1</u>	Proposed Zoning <u>CM-2</u> Acreage to be rezoned <u>1.534</u>
	Proposed density <u>(1)</u>	units per acre
	Township name <u>WAYNE</u>	Township section # <u>7</u>
	Purpose of rezoning (attach additional page if necessary) <u>COMMERCIAL DEVELOPMENT OF RESIDENTIAL PROPERTY</u> <u>FOR CONSTRUCTION OF A RESTAURANT</u>	
	Sewer provider <u>CITY FORT WAYNE</u>	Water provider <u>CITY FORT WAYNE</u>

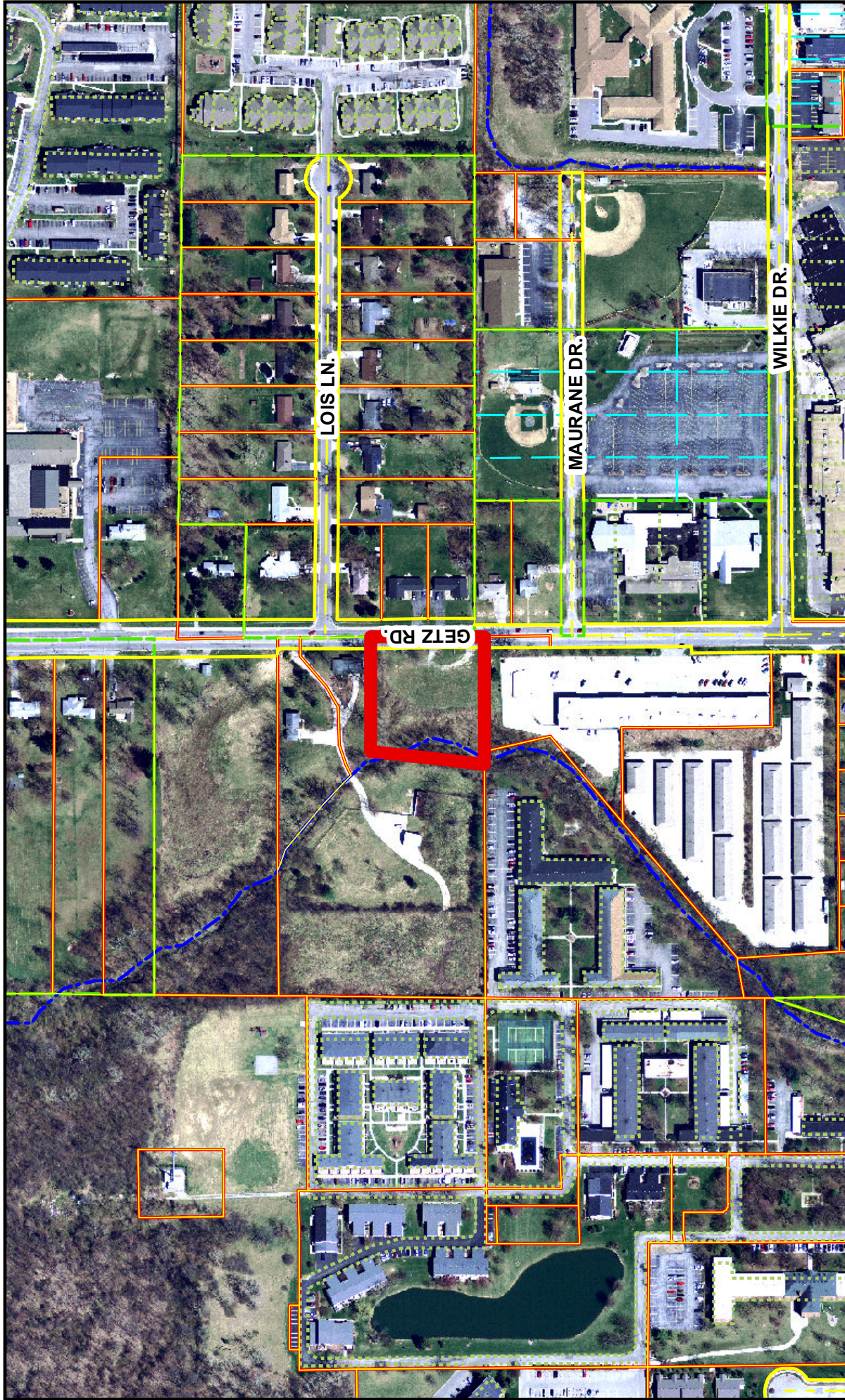
Filing Requirements	Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.	
	☒	Applicable filing fee
	☒	Applicable number of surveys showing area to be rezoned (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.

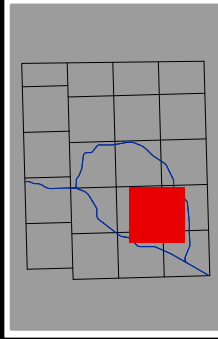
<u>NEIL H. KOBI - PARTNER</u>	<u>Neil H Kobi</u>	<u>11-6-12</u>
(printed name of applicant)	(signature of applicant)	(date)
<u>SUMMIT CITY INVESTMENTS III LLC</u>	<u>Neil H Kobi</u>	<u>11-6-12</u>
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>11/7/12</u>	<u>110163</u>	<u>12/10/12</u>	

Rez-2012-0116



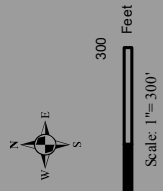
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

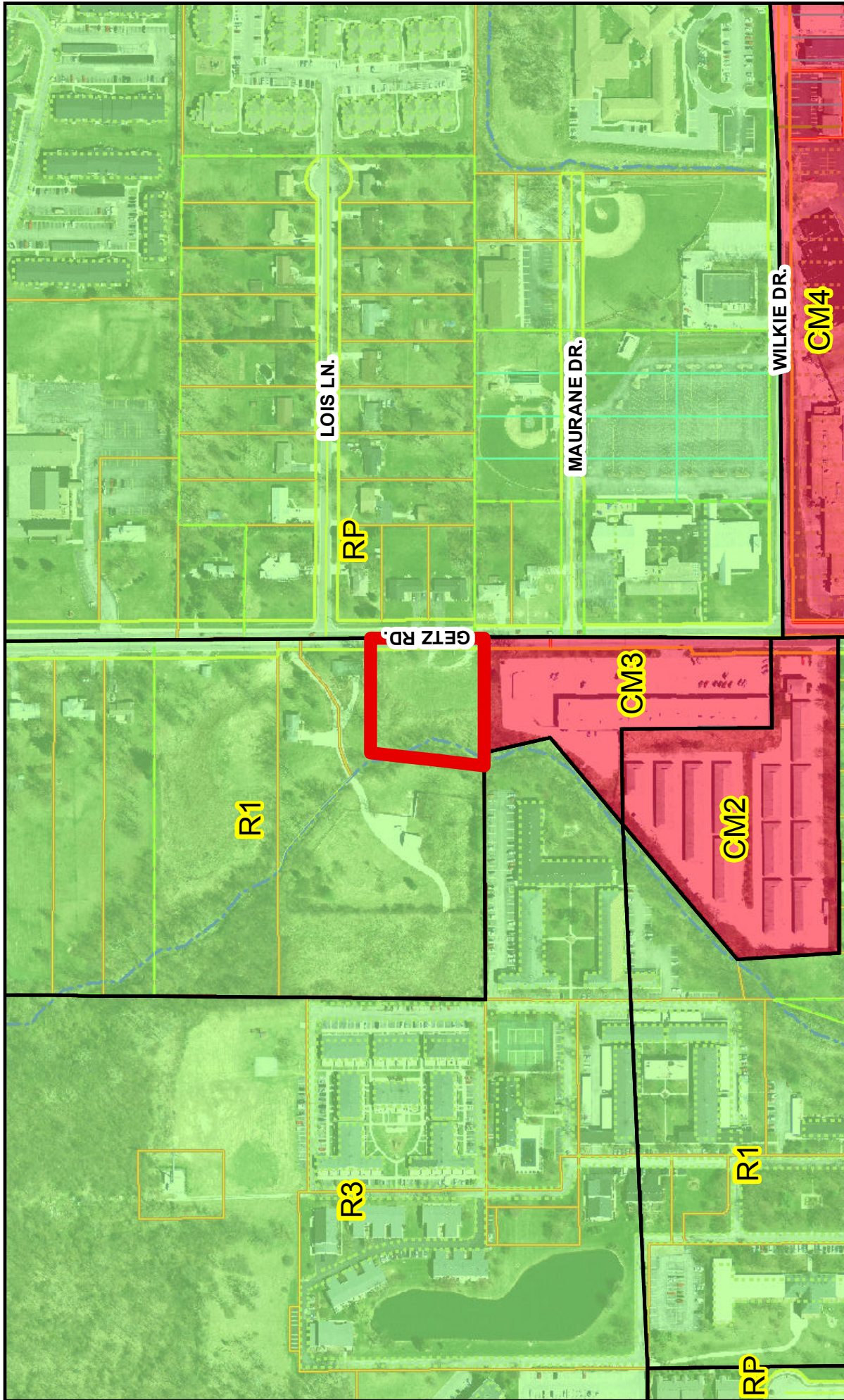


Printed November 14, 2012
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999
 Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

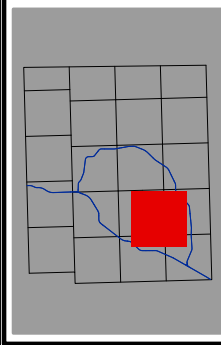


Rezoning Petition 1299/12 and Primary Development Plan - 2316 & 2328 Getz Road





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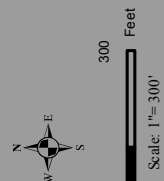


Rezoning Petition 1299/12 and Primary Development Plan - 2316 & 2328 Getz Road

Printed: November 14, 2012
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 Photos: Spring 2006 / Contours: 1999



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201 Fifth Street, Suite 100
Fort Wayne, IN 46808
Phone 260-490-6460
Fax 260-969-3037
molinger@c3builds.com

PROPERTY OWNER /
DEVELOPER:

SUMMIT CITY
INVESTMENTS III
LLP

1210 KORTE LANE
FORT WAYNE, IN 46807
Phone 260-341-7153
nhkobi@gmail.com

PROJECT:

2316 & 2328
GETZ ROAD

Fort Wayne, IN
46817

SHEET TITLE:
PRIMARY
DEVELOPMENT
LAYOUT

DRAWN BY: MDO

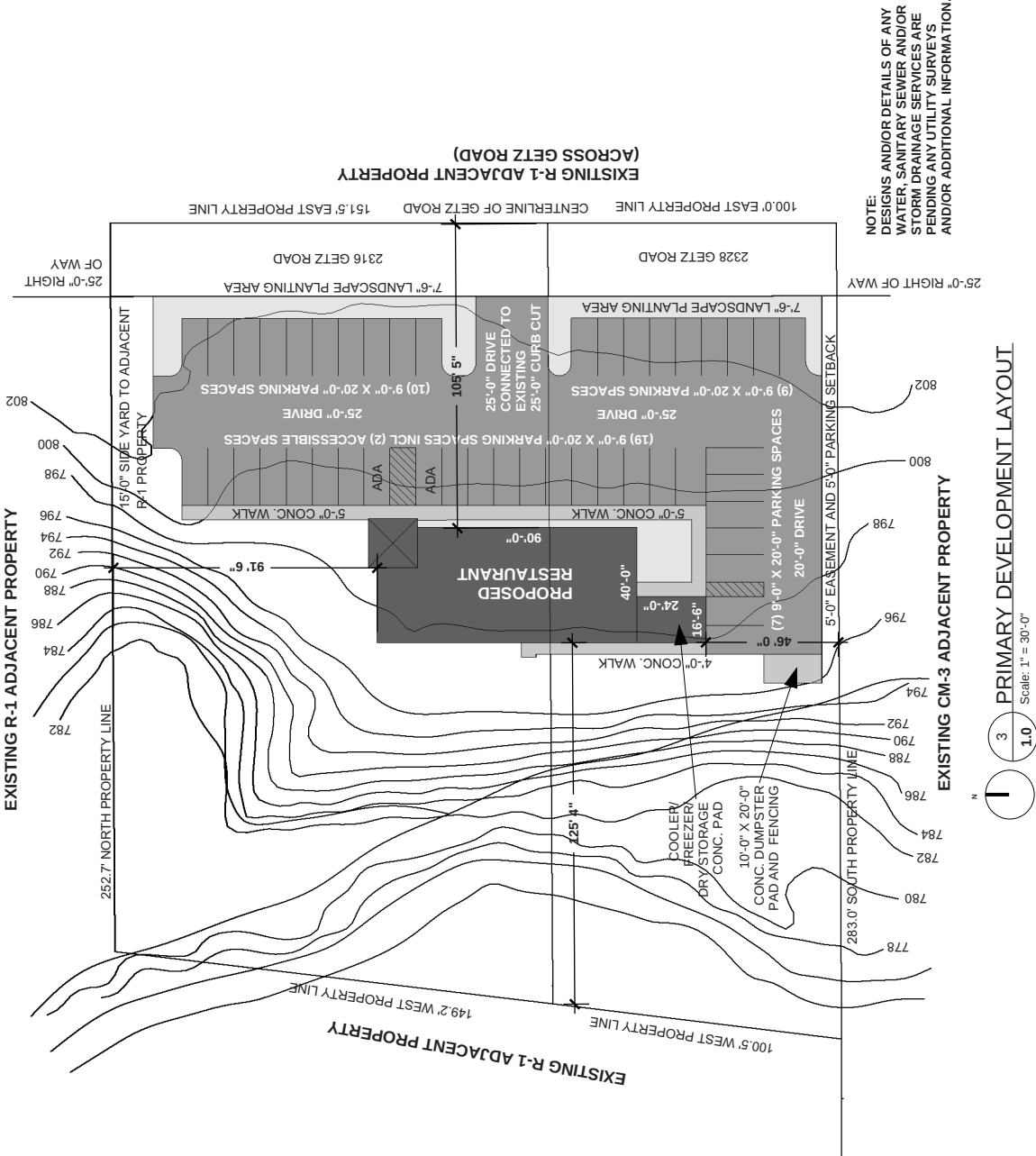
PROJECT NO.: 17812

DATE: 11.06.12

REVISION:

SHEET:

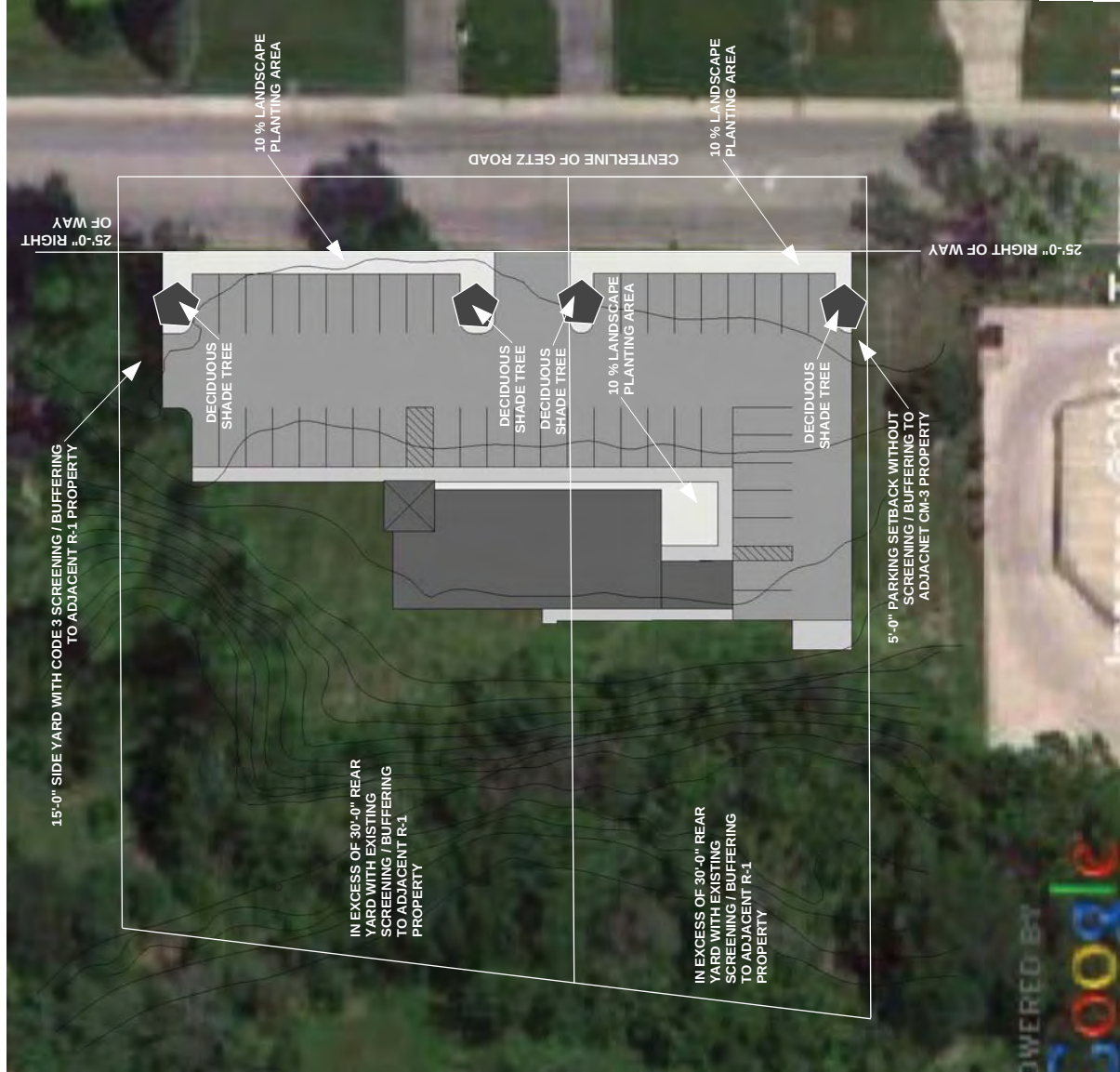
PD 1.0



NOTE:
DESIGNS AND/OR DETAILS OF ANY
WATER, SANITARY SEWER AND/OR
STORM DRAINAGE SERVICES ARE
PENDING ANY UTILITY SURVEYS
AND/OR ADDITIONAL INFORMATION



2 **1.0** **SITE LOCATION MAP**
Scale: 1" = 1000'-0"

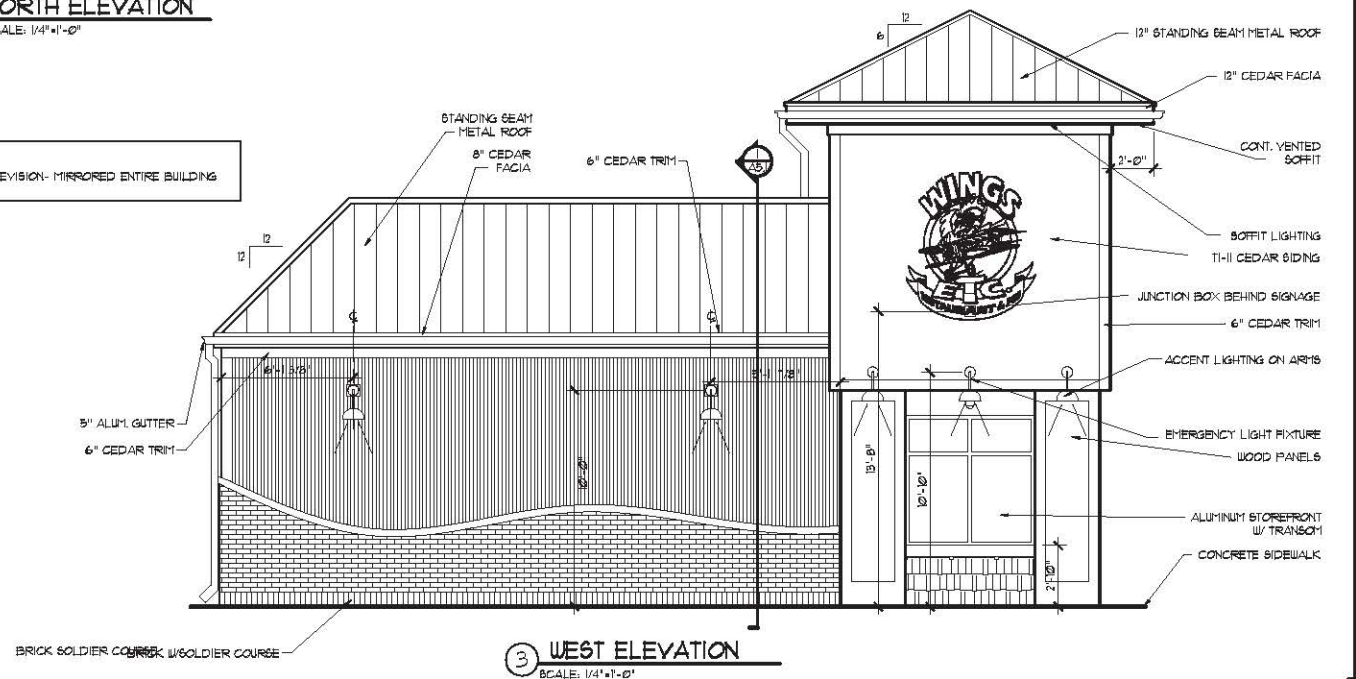
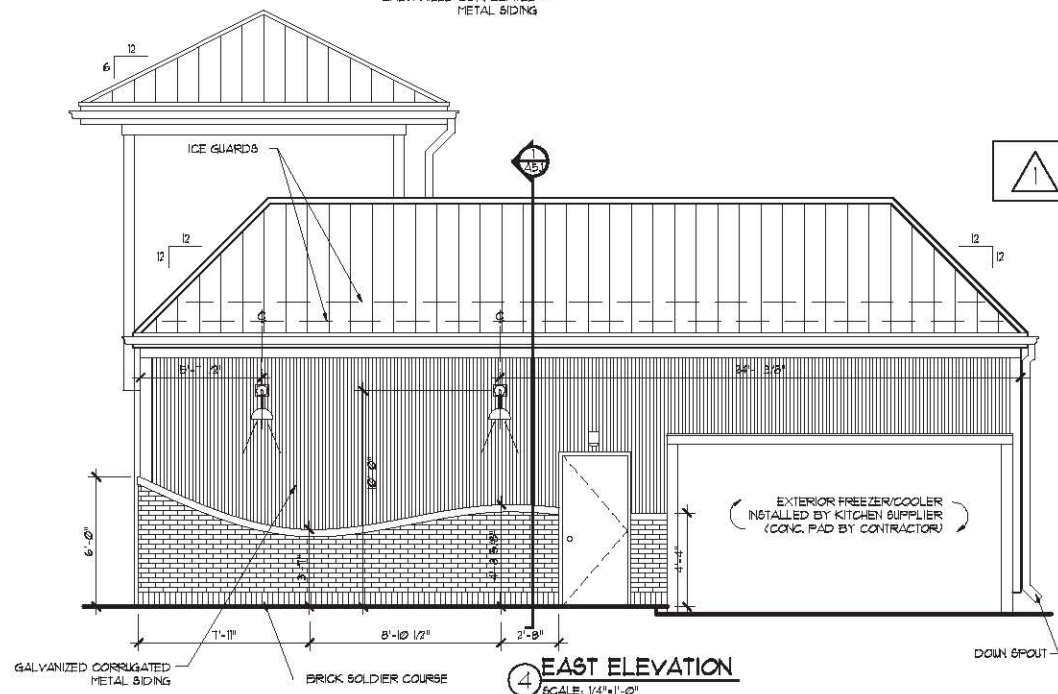
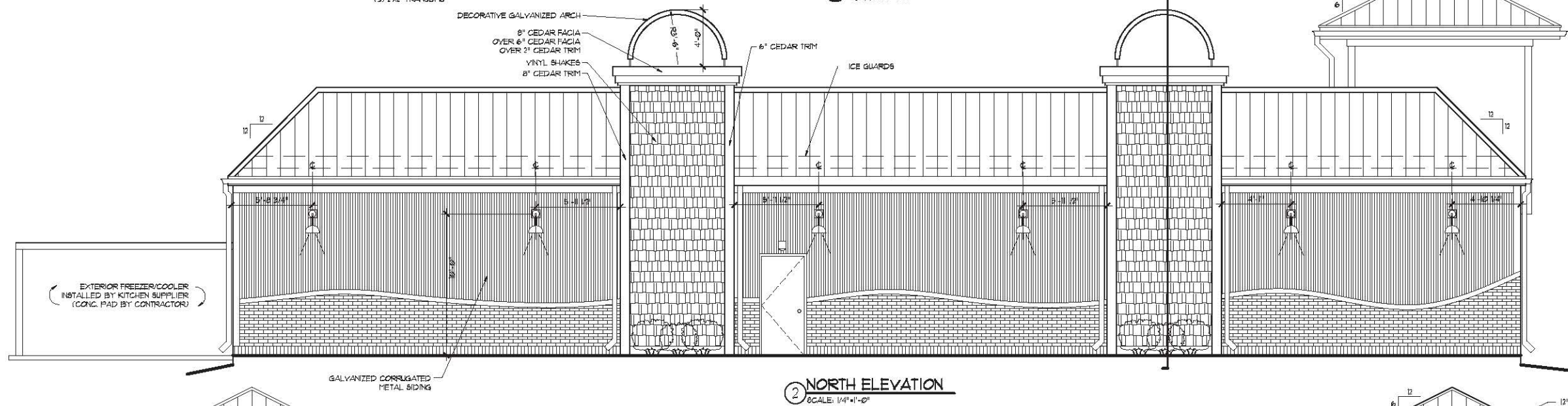
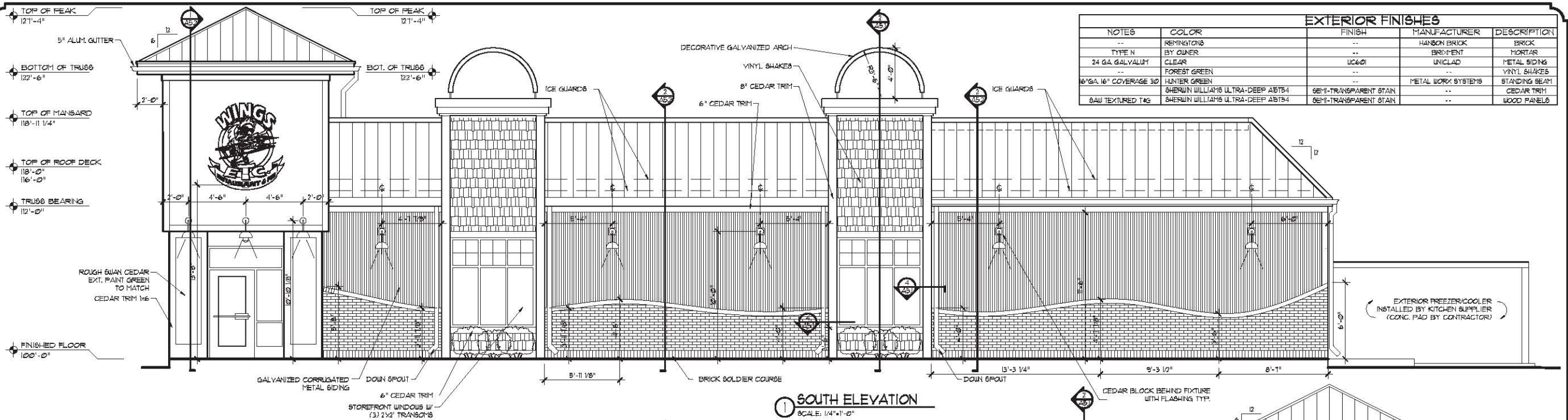


6 UTILITY PROVIDERS

WATER SERVICE: CITY OF FORT WAYNE WATER ENGINEERING - 260-427-5064
SANITARY SEWER SERVICE: CITY OF FORT WAYNE SEWER ENGINEERING - 260-427-5064
STORM SEWER SERVICE: CITY OF FORT WAYNE STORMWATER ENGINEERING - 260-427-5064
ELECTRIC SERVICE: AMERICAN ELECTRIC POWER - 260-408-1863
NATURAL GAS SERVICE: NORTHERN INDIANA PUBLIC SERVICE COMPANY - 260-439-1408
COMMUNICATIONS SERVICES: FRONTIER - 260-461-3325 OR COMCAST - 765-449-3811

5 PRIMARY DEVELOPMENT DATA

PROJECT AREA: 1.534 ACRES
BUILDING AREA: 4,000 TOTAL SQUARE FEET (SF), 2,060 SF DINING AREA
BUILDING HEIGHT: 27' - 4"
PARKING SPACES REQUIRED: (7) TOTAL SPACES @ (1) SPACE / 300 SF DINING
PARKING SPACES PROVIDED: (45) TOTAL SPACES INCLUDING (2) ACCESSIBLE
BUILDING USE: RESTAURANT WITH NO DRIVE-THROUGH FACILITY
BUILDING OCCUPANCY: ASSEMBLY GROUP A-2 RESTAURANT AND BAR
BUILDING CONSTRUCTION: TYPE V-B, COMBUSTIBLE, UNPROTECTED
BUILDING ALLOWABLE AREA: 6,000 SQ. FT.
BUILDING ALLOWABLE HEIGHT: 35' - 0"



8/01/07 REVISION- MIRRORED ENTIRE BUILDING

ARCHITECTURAL GROUP III
201 S. Nappanee St. Elkhart, Indiana 46514-1953 • 574/293-0008



JOB TITLE

WINGS ETC.
RESTAURANT & PUB
S.R. 33 SOUTH
COSHEN, IN
GATEWAY PROPERTIES

JOB NO.
6104-6

DATE
03/08/07

REVISIONS
8/01/07

SHEET NO.
A-3
ELEVATION