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#REZ-2013-0034

BILL NO. Z-13-04-10

### ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-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:

LOTS NUMBERED 237,238,239,240,241,242,243 AND 244 IN COUNTRY CLUB TERRACE, SECTION "A", AN ADDITION TO THE CITY OF FORT WAYNE, AS RECORDED IN PLAT RECORD 12, PAGE 42, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, TOGETHER WITH THE PORTION OF WINTHROP DRIVE VACATED BY CIRCUIT COURT IN BOOK 179, PAGE 145, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF COVINGTON ROAD (60 FOOT PUBLIC RIGHT OF WAY) AND THE NORTHWESTERLY RIGHT OF WAY LINE OF SOUTH BEND DRIVE (60 FOOT PUBLIC RIGHT OF WAY), SAID POINT BEING THE SOUTHEAST CORNER OF LOT 239 IN SAID COUNTRY CLUB TERRACE, SECTION "A"; THENCE LEAVING SAID NORTHWESTERLY RIGHT OF WAY LINE OF SOUTH BEND DRIVE. NORTH 89°38'12" WEST, ALONG THE NORTH LINE OF COVINGTON ROAD AND THE SOUTH LINES OF LOTS 239,238 AND 237, A DISTANCE OF 169.50 FEET TO THE SOUTHEAST CORNER OF LOT 237; THENCE, LEAVING SAID NORTH LINE, NORTH 00°13'20" WEST, ALONG THE WEST LINE OF LOT 237, A DISTANCE OF 145.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 237: THENCE. LEAVING SAID WEST LINE, SOUTH 89°37'07" EAST, ALONG THE NORTH LINE OF SAID LOT 237, A DISTANCE OF 49.72 FEET TO THE SOUTHWEST CORNER OF LOT 244; THENCE NORTH 00°01'33" EAST, ALONG THE WEST LINE OF SAID LOT 244, A DISTANCE OF 157.98 FEET TO THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY #24 (AKA WEST JEFFERSON BOULEVARD-VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE, NORTH 74°12'47" EAST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY #24, A DISTANCE OF 174.69 FEET; THENCE, LEAVING THE SOUTH RIGHT OF WAY LINE, SOUTH 15°34'33" EAST, A DISTANCE OF 43.81 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 237.20 FEET, A CENTRAL ANGLE OF 26°01'51" AND A CHORD DISTANCE OF 106,84 FEET WHICH BEARS SOUTH 61°54'30" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 107.77 FEET; THENCE SOUTH 48°53'33" EAST, A

1	DISTANCE OF 53.08 FEET TO THE AFOREMENTIONED NORTHWESTERLY RIGHT								
2	OF WAY LINE OF SOUTH BEND DRIVE; THENCE, SOUTH 40°49'37" WEST, ALONG THE NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 296.50								
3	FEET TO THE POINT OF BEGINNING.								
4	CONTAINING 81,358 SQUARE FEET (1.87 ACRES), MORE OR LESS								
5	and the symbols of the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne								
6	Township), as established by Section 157.082 of Title XV of the Code of the City of Fort								
7	Wayne, Indiana is hereby changed accordingly.								
8									
9	SECTION 2. That this Ordinance shall be in full force and effect from and after its								
10	passage and approval by the Mayor.								
11	Council Member								
12	APPROVED AS TO FORM AND LEGALITY:								
13	ATTIONED NO FOT ORIGINAL PLANTS.								
14	Carol T. Helton, City Attorney								
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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-2013-0034 Bill Number: Z-13-04-10

Council District: 4 – Mitch Harper

Introduction Date: April 23, 2013

Plan Commission

Public Hearing Date: May 13, 2013

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

Plan Commission

Synopsis of Ordinance: To rezone approximately 1.87 acres of property from RP-Planned Residential

and CM4-Intensive Commercial to CM2-Limited Retail and Commercial

Location: 5703 West Jefferson Boulevard

Reason for Request: To rezone a portion of the existing parking lot to the correct zoning district

and to downzone the CM4 district to a less intensive and more appropriate

district for the existing restaurant.

Applicant: Micah Brewer

Property Owner: McDonald's

Related Petitions: Amended Primary Development Plan, McDonald's

Effect of Passage: Property will be rezoned to CM2-Limited Retail and Commercial, which is

the appropriate district for the existing fast-food restaurant. The applicant is

replacing the existing structure with the updated McDonald's model.

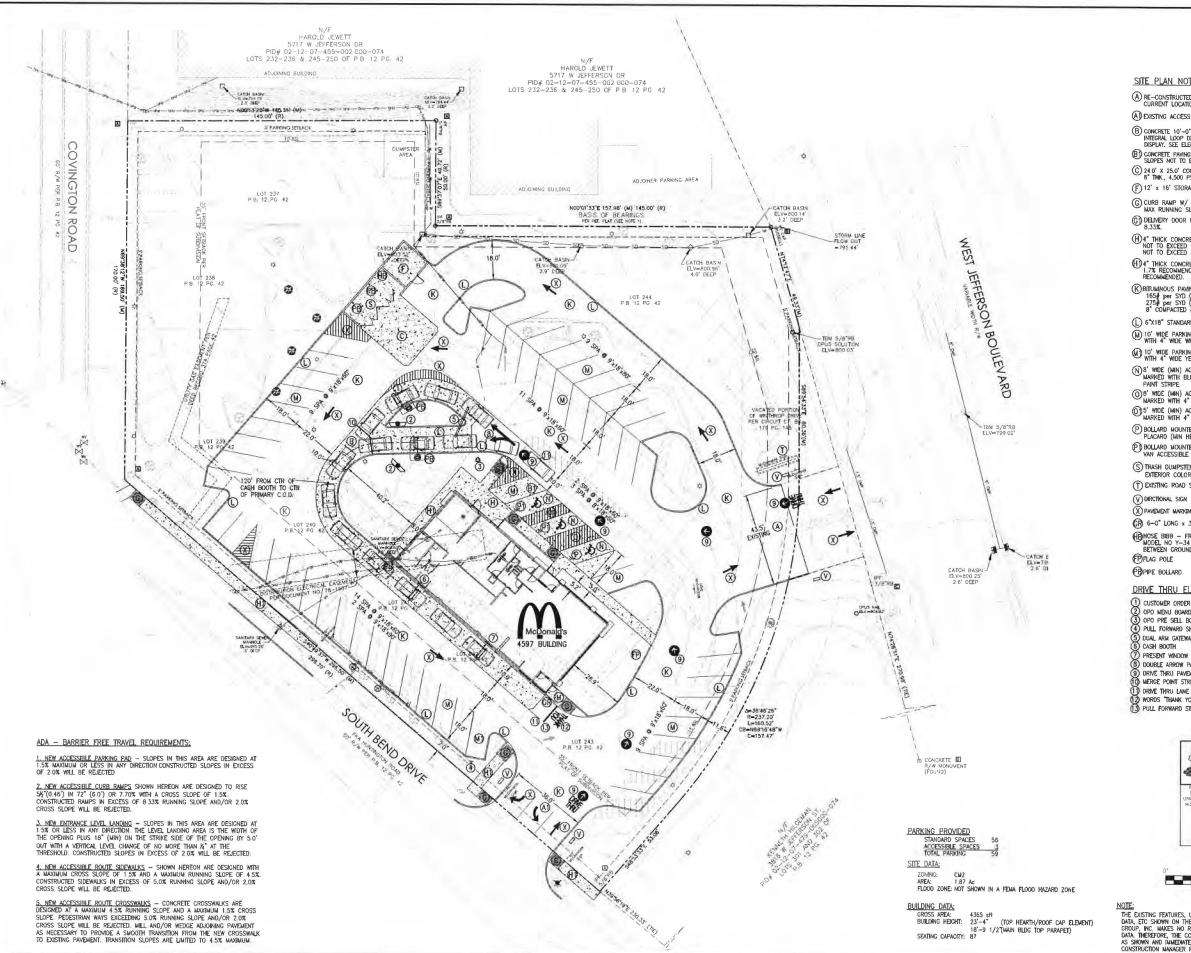
Effect of Non-Passage: The property will remain zoned CM4-Intensive Commercial and RP-Planned

Residential. The CM4 zoned area could develop with a use that is much more

intensive than surrounding uses.

# **Department of Planning Services Rezoning Petition Application**

+	Applicant Micah Brewer								
Applicant	Address 236 W Warrick St.								
	City Knightstown	State IN	Zip <u>46148</u>						
A	Telephone 7654454455	Fax 7654454456	E-mail micah.brewer@efhcompanies.com						
Property Ownership	Property OwnerMcDonald's Corporation								
	Address 2111 McDonald's Drive								
	City Oak Brook	State IL	Zip 60523						
	Telephone 317-708-5700	Fax 317-708-5808	E-mail hank.helms@us.mcd.com						
	Contact Person Micah Brewer								
act	Address 236 W Warrick St.	AND THE CONTRACT OF THE CONTRA							
Contact Person	City Knightstown	State IN	Zip 46148						
O	Telephone <u>7654454455</u>	Fax 7654454456	E-mail micah.brewer@cfhcompanies.com						
	All staff corresp	All staff correspondence will be sent only to the designated contact person.							
	☐ Allen County Planning Jun	risdiction 🌠 City of Fort	Wayne Planning Jurisdiction						
	Address of the property 5703	W. Jefferson Blvd.							
	Present Zoning rp,cm-4 Prop	posed Zoning CM-2	Acreage to be rezoned 1.87						
est	Proposed density		units per acre						
Request	Township name Wayne Township section # 7								
\X	Purpose of rezoning (attach add	ditional page if necessary) S	tandardize / consolidate property						
	to one zoning classification: CM-4 not necessary. CM-2 meets regulations								
	(see attached legal description	(see attached legal description) require signage allowances for plans 793 ft site							
	Sewer provider Fort Wayne City Utilities Water provider Fort Wayne City Utilities								
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 Soo Plant 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								
ordinance to the hand I/we agree	described in this application; that I/we as as well as all procedures and policies of dling and disposition of this application; the	gree to abide by all provisions of the Allen County Plan Commission hat the above information/s true and	www are the owner(s) of more than 50 percent of the the Allen County Zoning and Subdivision Control as those provisions, procedures and policies related accurate to the best of my/our knowledge; and that he rate of \$0.85 per notice and a public notice fee of						
(printed na	4h ASTENGR ame of applicant)	(signature of applicant)	(date)						
Frank Brewster, Reg Devlpment Director Frank Blever 3/4/13									
•	ame of property owner)	(signature of property owner)	(date)						
(printed na	ame of property owner)	(signature of property owner)	(date)						
(printed na	ame of property owner)	(signature of property owner)	(date)						
		Received 3/14/13	Receipt No. Hearing Date Petition No. 3 110976 5/13/13						





### SITE PLAN NOTES

- (A) RE—CONSTRUCTED ACCESS DRIVE, TO BE MAINTAINED IN ITS CURRENT LOCATION.
- (A) EXISTING ACCESS DRIVE, TO BE RE-CONSTRUCTED AND WIDENED
- (B) CONCRETE 10'-0" WIDE X 5" THK., 4,500 PSI. WITH INTEGRAL LOOP DETECTOR AT CUSTOMER ORDER DISPLAY, SEE ELECTRICAL PLANS FOR DETECTOR SPECS.
- (B) CONCRETE PAYING 5" THICK FIBRE REINFORCED, 4,500 PSI, CROSS SLOPES NOT TO EXCEED 2.0% IN ANY DIRECTION, 1.7% RECOMMENDED
- © 24.0' X 25.0' CONCRETE DUMPSTER PAD, 8" TMK., 4,500 PSI WITH 6% AIR ENTRAINMENT over 6" CA BASE.
- (F) 12' x 16' STORAGE SHED
- © CURB RAMP W/ NON SUP SURFACE, PER ADA STANDARDS MAX RUNNING SLOPE=8.33%, 7.5% RECOMMENDED.
- (i) DELIMERY DOOR RAMP W/ NON SUP SURFACE, MAX RUNNING SLOPE= 8.33%.
- (H)4" THICK CONCRETE SIDEWALK WITH MOMOLITHIC CURB. CROSS SLOPES NOT TO EXCEED 2.0%, 1.7% RECOMMENDED. RUNNING SLOPE NOT TO NOT TO EXCEED 5.0%, 4.5% RECOMMENDED.
- (1)4" THICK CONCRETE SIDEWALK. CROSS SLOPES NOT TO EXCEED 2.0%, 1.7% RECOMMENDED. RUNNING SLOPE NOT TO EXCEED 5.0%, 4.5% RECOMMENDED.
- (K)BITUMINOUS PAYING FOR PARKING LOT 165# per S70 (1-1/2") BITUMINOUS SURFACE over 275# per S70 (2-1/2") BITUMINOUS BINDER over 8" COMPACTED AGGRECATE BASE #33 (100% STD PROCTOR)
- (L) 6"X18" STANDARD CURB PER McDONALD'S SPECIFICATIONS
- $\stackrel{\textstyle \frown}{\mbox{M}}$  10' wide parking space (ctr to ctr paint stripe) marked with 4" wide white paint stripe
- 10' WIDE PARKING SPACE (CTR TO CTR PAINT STRIPE) MARKED WITH 4" WIDE YELLOW PAINT STRIPE (PMS123)
- (N) 8" WIDE (MIN) ACCESSIBLE PARKING SPACE (CTR TO CTR PAINT STRIPE)
  MARKED WITH BILDE PAINT HANDICAP GRAPHIC AND 4" WIDE BLUE
  PAINT STRIPE
- (i) B' MIDE (MIN) ACCESSIBLE AISLE (CTR TO CTR PAINT STRIPE)
  MARKED WITH 4" WIDE BLUE PAINT STRIPE
- (i) S' WIDE (MIN) ACCESSIBLE AISLE (CTR TO CTR PAINT STRIPE)
  MARKED WITH 4" WIDE BLUE PAINT STRIPE
- (P) BOLLARD MOUNTED ACCESSIBLE PARKING SIGN w/VAN ACCESSIBLE PLACARD (MIN HEIGHT 60" ABOVE PAVEMENT TO BOTTOM OF PLACARD)
- P BOLLARD MOUNTED ACCESSIBLE PARKING SIGN OVERALL HEIGHT TO MATCH VAN ACCESSIBLE SIGN
- $\begin{tabular}{lll} \hline \end{tabular} \begin{tabular}{lll} \hline $(S)$ Trash dumpster screening 6' high masonry fence $w/$ cate exterior color and material to match main building. \\ \hline \end{tabular}$
- T EXISTING ROAD SIGN TO BE MAINTAINED.
- (V) DIRCTIONAL SIGN
- (X) PAVENENT MARKINGS AS SHOWN (PAINTED WHITE)
- (R) 6-0" LONG x 3'-6" HIGH GUARD RAIL
- HBHOSE BIBB FROST PROOF AS MANUFACTURED BY WOODFORD MODEL NO Y-34 TO BE INSTALLED WITH 18" CLEARANCE BETWEEN GROUND AND HOSE CONNECTION
- PBPIPE BOLLARD

### DRIVE THRU ELEMENTS

- ① CUSTOMER ORDER DISPLAY W/ DETECTOR LOOP & CANOPY
- 2 OPO MENU BOARD 3 OPO PRE SELL BOARD
- 4 PULL FORWARD SIGN "RESERVED DRIVE THRU"
- 5) DUAL ARM GATEWAY WELCOME POINT W/"ANY LANE-ANY TIME" SIGN
- B) DOUBLE ARROW PAINTED YELLOW (PMS 123)
- DRIVE THRIL PAVEMENT MARKING PAINTED YELLOW (PMS 123)
- MERGE POINT STRIPE 6" WIDE PAINTED YELLOW (PMS 123) DRIVE THRU LANE STRIPE 6" WIDE PAINTED YELLOW (PMS 123)
- (3) PULL FORWARD STRIPE, 8" WIDE PAINTED YELLOW (PMS 123)





THE EXISTING FEATURES, UNDERLYING TOPOGRAPHY, SITE BOUNDARY AND EASEMENT DATA, ETC SHOWN ON THESE PLAN SHEETS IS PROVIDED BY OTHERS AND LANDWATE OR OFFICENCY TO THAT BUSILINE DATA. THEREFORE, THE CONTRACTOR SHOULD VERBY INFA EXISTING FEATURES ARE AS SHOWN AND IMMEDIATELY REPORT ANY DESCREPENCIES TO THE MCDONALD'S CONSTRUCTION MANAGER PRIOR TO STARTING CONSTRUCTION.





MCDONALD'S USA, LLC INDIANAPOLIS REGION SITE ID 013-0144

PROJECT LOCATIO 5703 W. JEFFERSON FT WAYNE, IN

PROJECT NUMBER 1268

G. LUKAS CHECKED

Ш IN 47201

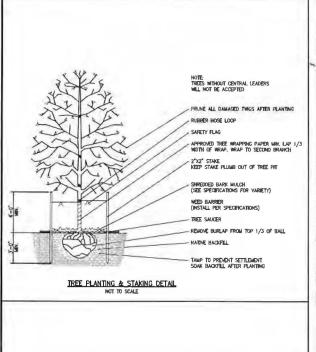
3

HEET NAME

SITE **PLAN** 

SHEET MUNICER

MARCH 16, 2013



# SHRUB PLANTING DETAIL NOT TO SCALE

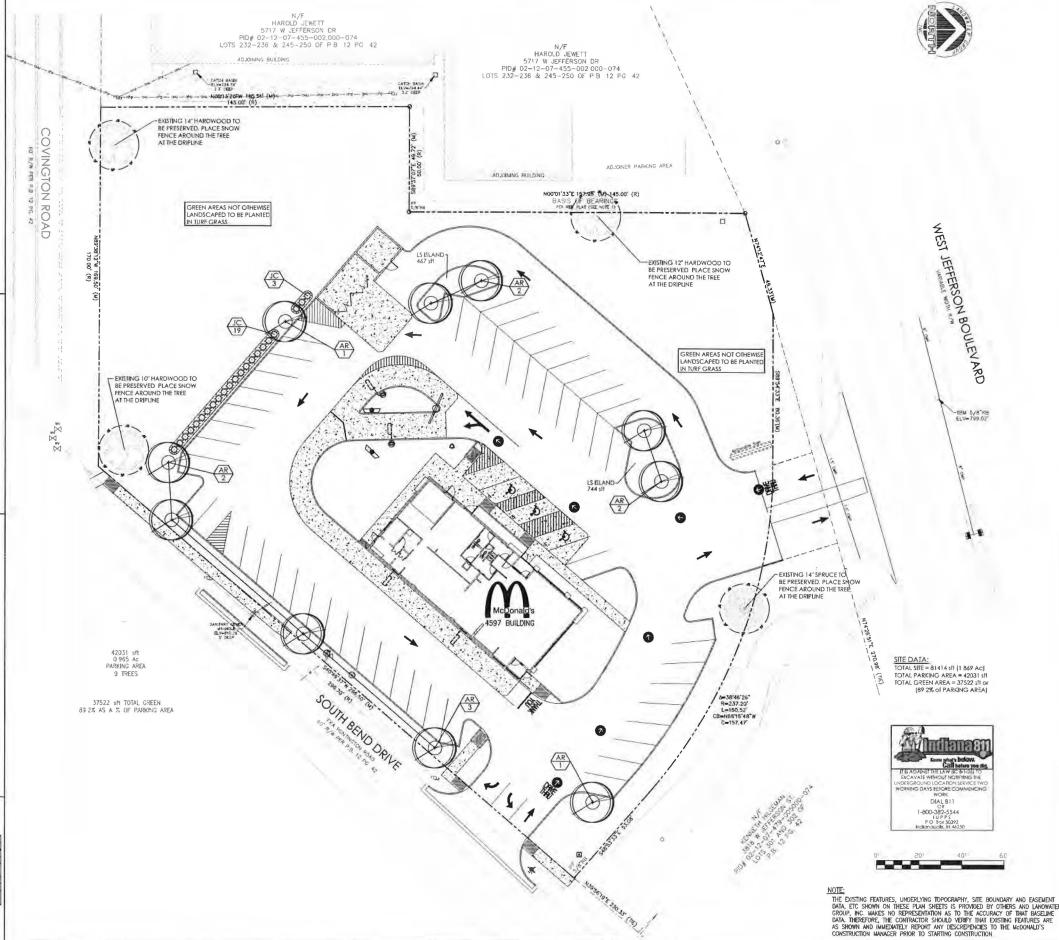
PRINE ALL DAMAGED TWIGS AFTER PLANTING

PLACE PLANT IN VERTICAL PLIAB POSITION

### GENERAL PLANTING NOTES:

- 1. Total quantities of materials shown on landscape drawings shall take precedence over quantities shown on the plant schedule.
- 2 LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN .
- 3. GENERAL CONTRACTOR SHALL PLACE 4" OF TOPSOIL AT ALL PLANTING AREAS.
- 4 PROTECT AND SAVE THE EXISTING PLANT MATERIALS WHENEVER POSSIBLE.
- 5. BLACK PLASTIC EDGING SHALL BE USED TO SEPERATE ALL TURF AREAS FROM PLANTING BEDS., PLACE EDGING FLUSH WITH GRADE.
- 6, POROUS WOMEN WEED BARRIER SHALL BE INSTALLED IN ALL SHRUB BEDS PLANT BEDS ARE TO BE FREE OF WEEDS AND GRASSES TERMINATE EXISTING UNWANTED PLANT MATTERIALS BY USE OF "ROUND-UP" HERBICIDE AS PER MANUFACTUREY'S SPECIFICATIONS.
- 7 SHRUB BEDS AND PLANTING BEDS SHALL BE COVERED WITH DARK BROWN SHREDDED MULCH INSTALLED 4" DEEP.
- 8, PLACE ONE FULL LAYER OF MULCH UNTIL THE WEED BARRIER IS NO LONGER VISIBLE.
- 9 LANDSCAPE CONTRACTOR SHALL SUPPLY OWNER WITH A SAMPLE OF ANY ROCK MULCH TO BE USED PRIOR TO INSTALATION
- 10. REPORT ANY DISCREPANCIES IN THE PLANS TO THE OWNER PRIOR TO STARTING CONSTRUCTION...

LEVIAIN	40 30	HEDU	LC				
SYMBOL	KEY	QTY	BOTANICAL NAME	COMMON NAME	COND	REMARKS	SPREAD AT MATE
0	AR	п	Acer rubrum "Auhama Flome"	Red Maple	2° Cal 5 & B	Med Caropy Tree	35"
31.4	æ	22	Amperus Chinensis Salatrock Cald	Søytesch Cold Janper	16"	Evergraven Shrub	3,



McDONALD'S

USA, LLC
INDIANAPOLIS
REGION
SITE ID 013-0144
PROJECT LOCATION
5703 W. JEFFERSON
FT WAYNE, IN

PROJECT NUMBER

1268

D. KEY

A

SA

STATE OF

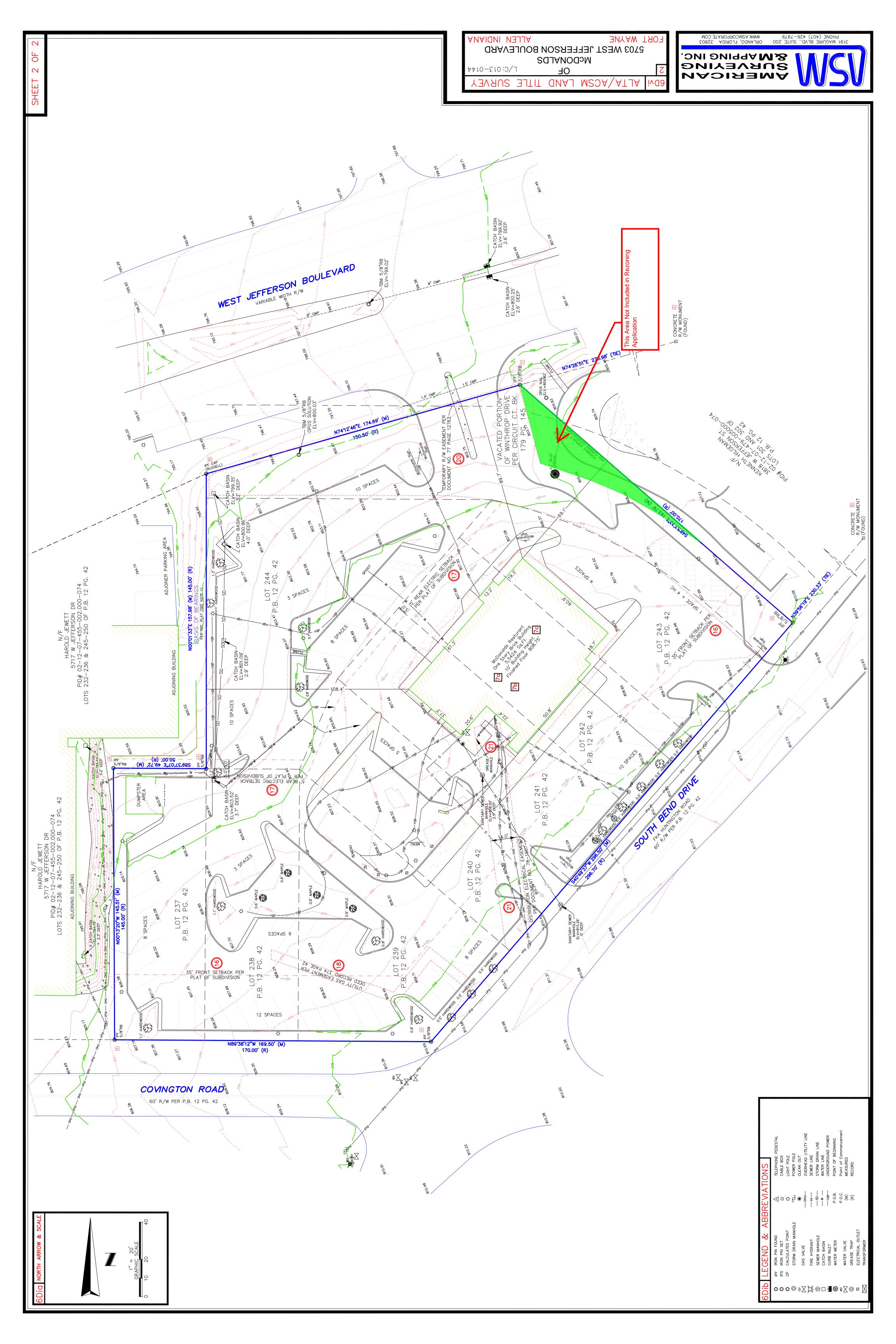
LANDSCAPE PLAN

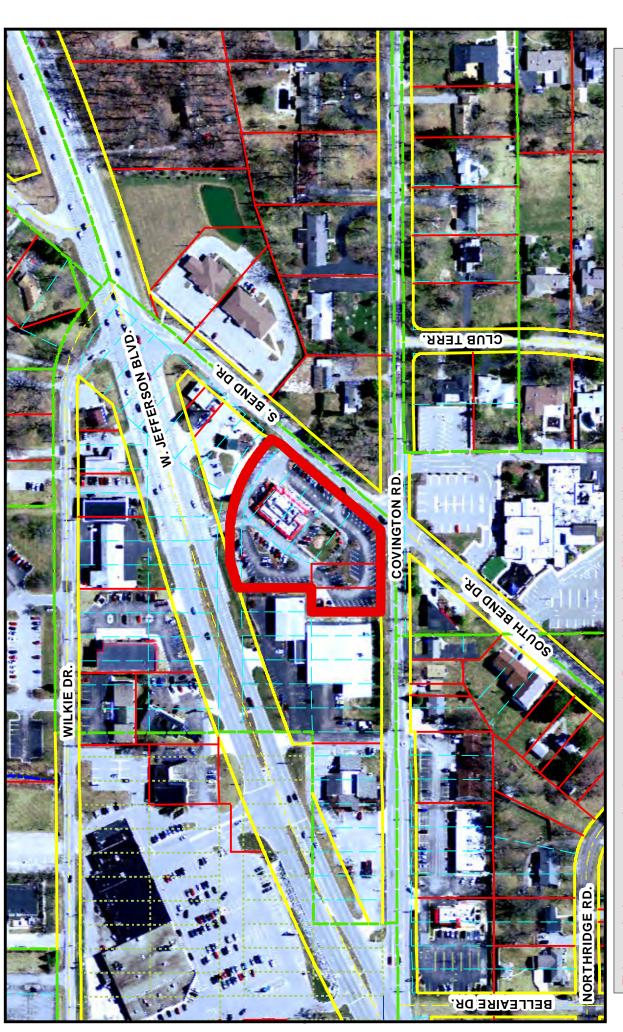
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MARCH 16, 2013

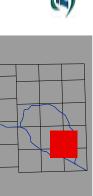
SHEET NAME

SHEET WINDER





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



# Rezoning Petition REZ-2013-0034 and Primary Development Plan- McDonalds



Although strict commence standards h

North American Dataline Hass
State Pance Coordinate System, Indiana East
Photos: Spring 2006 / Contours: 1999
strict accuracy standards have been employed in the compilation of this map Allen County does not warrant or



