

BILL NO. Z-13-12-27

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-11 (Sec. 14 of Aboite Township)**

SECTION 1. That the area described as follows is hereby designated an R3

Commencing at the Southwest corner of the Southeast Quarter of Section 14, Township 30 North, Range 11 East; thence East 20 rods; thence North 40 rods, thence West 20 rods; thence South 40 rods to the place of beginning, containing 5 acres, more or less.

EXCEPT that part deeded to The Board of Commissioners of the County of Allen, State of Indiana by Warranty Deed recorded as Document Number 2008058909 described as follows:

A part of the Southeast Quarter of Section 14, Township 30 North, Range 11 East, Aboite Township, Allen County, Indiana, and being that part of the grantor's land lying within the right-of-way line depicted on the attached Right-of-Way Parcel Plat marked Exhibit "B" described as follows: Beginning at the southwest corner of said quarter section, designated as point "4005" on said Exhibit "B"; thence North 0 degrees 40 minutes 15 seconds West 55.00 feet along the west line of said quarter section to the line between the point designated "1020" and the point designated "1050" on said Exhibit "B"; thence North 89 degrees 41 minutes 58 seconds East 0.16 feet along said line to said point "1050"; thence North 89 degrees 17 minutes 31 seconds East 203.01 feet to the point designated "1022" on said Exhibit "B"; thence North 81 degrees 18 minutes 13 seconds East 128.08 feet to the west line of the grantor's land and the point designated "1023" on said Exhibit "B"; thence South 0 degrees 40 minutes 15 seconds East 72.80 feet along said west line to the south line of said quarter section; thence South 89 degrees 17 minutes 31 seconds West 330.00 feet (distance derived from Deed Book 515, Page 234) along said south line to the point of beginning and containing 0.443 acres, more or less, inclusive of the presently existing right-of-way which contains 0.152 acres, more or less, for a net additional taking of 0.291 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. A-11 (Sec. 14 of Aboite

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: REZ-2013-0189
Bill Number: Z-13-12-27
Council District: 4-Mitch Harper

Introduction Date: December 17, 2013

Plan Commission
Public Hearing Date: January 6, 2014

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

Synopsis of Ordinance: To rezone approximately 4.56 acres from AR-Low Intensity Residential to R3-Multiple Family Residential.

Location: The north side of Aboite Center Road, on the west side of I-69.

Reason for Request: The applicant wishes to construct a 45-unit single-story apartment development.

Applicant: JR Parent

Related Petitions: Primary Development Plan, Yellow Retirement of Aboite

Effect of Passage: The current farmed ground will be rezoned to allow multiple family development.

Effect of Non-Passage: Property will remain AR and may continue to be used for agriculture or may be developed with low intensity single family homes.

Department of Planning Services
Rezoning Petition Application

Applicant	Applicant <u>JR Parent</u>		
	Address <u>P.O. Box 11311</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46865</u>
	Telephone <u>260-493-3000</u>	Fax _____	E-mail <u>jrparent@yellowretirement.com</u>

Property Ownership	Property Owner <u>JJ Parent Corp. Yellow Retirement LLC</u>		
	Address <u>P.O. Box 11311</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46865</u>
	Telephone <u>260-493-3000</u>	Fax _____	E-mail <u>jrparent@yellowretirement.com</u>

Contact Person	Contact Person <u>Cliff Patterson / MLS Engineering, LLC</u>		
	Address <u>217 Airport North Office Park</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46825</u>
	Telephone <u>260-489-8571</u>	Fax <u>260-489-8570</u>	E-mail <u>cliff@mlswebsite.us</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>North side Aboite Ctr. Road - 200' East of Coventry Lane</u>		
	Present Zoning <u>AR</u>	Proposed Zoning <u>R3</u>	Acreage to be rezoned <u>4.561 Ac.</u>
	Proposed density <u>9.87 D.U. Acre</u> units per acre		
	Township name <u>Aboite</u> Township section # <u>14</u>		
	Purpose of rezoning (attach additional page if necessary) <u>To allow construction of a 45 unit multi-family development</u>		
Sewer provider <u>Aqua Indiana</u> Water provider <u>Aqua Indiana</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 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.

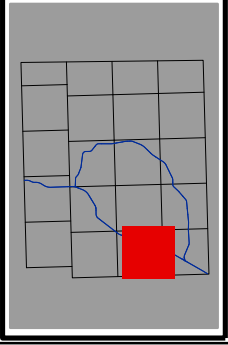
<u>JR Parent</u> (printed name of applicant)	<u>J. R Parent</u> (signature of applicant)	<u>12/3/13</u> (date)
<u>JR Parent</u> (printed name of property owner)	<u>J. R Parent</u> (signature of property owner)	<u>12/3/13</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
1214	113797	11/6/14	

Rez-2013-0189

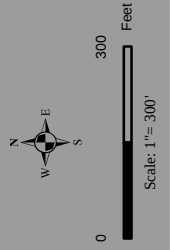


This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

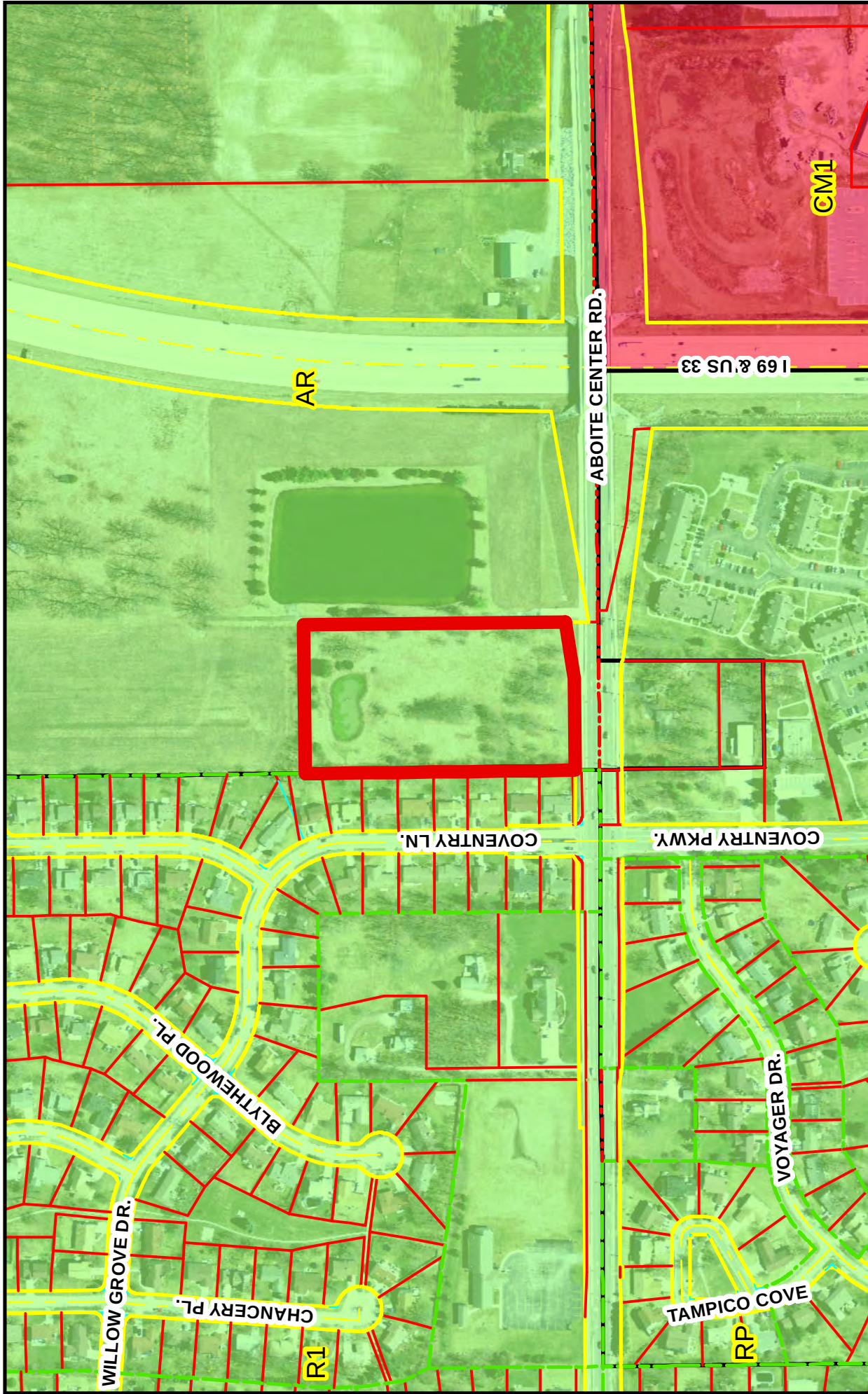


Rezoning Petition REZ-2013-0189 and Primary Development Plan - Yellow Retirement of Aboite

Printed: December 9, 2013
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Comours, 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 commission in this map.

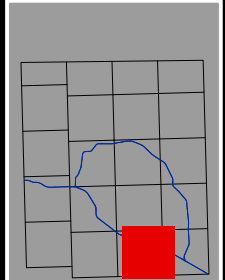
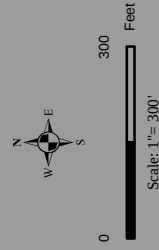


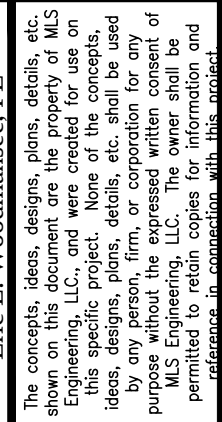
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Rezoning Petition REZ-2013-0189 and Primary Development Plan - Yellow Retirement of Aboite

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Yellow Retirement of Aboite
Coventry Lane & Aboite Ctr. Rd.
Sec. 14, Aboite Twp., Ft. Wayne, IN
Primary Development Plan

Sheet Number
C1.1



Commencing at the Southwest corner of the Southeast Quarter of Section 14, Township 30 North, Range 11 East; thence East 20 rods; thence North 40 rods; thence West 20 rods; thence South 40 rods to the place of beginning, containing 5 acres, more or less.

EXCEPT that part deeded to The Board of Commissioners of the County of Allen, State of Indiana by Warranty Deed recorded as Document Number 2008058909 described as follows:

ance 11 East Abote Township Allen County

A part of the Southeast Quarter of Section 14. Township 30 North. Range 11 East. Aboite Township. Allen County.

[illegible]

- Location and sizes of underground utilities are shown from best available record drawings and/or field markings. Utility lines shown hereon are approximate in location and intended for reference only. Call Indiana Underground Plant Protection Services (IUPPS) at 1-800-332-5544 for field marked location of utilities prior to any excavation.

– Indiana Underground Plant Protection Services (IUPPS) Locate Number: 1301180404

Classification based on social and economic conditions and geographical position (CPC)

observations processed by National Geodetic Survey (NGS) utilizing their Online Positioning User Service (OPUS) software. Datum = North American Vertical Datum (NAVD88).

Proposed Open/Cross/ Landscaped Areas	Proposed One Story Apartment Building, Total: 45 units

Proposed Concrete Walkways /
Driveways and Patios

Proposed Asphalt Pavement

[illegible][illegible]

Fire Hydrant 1000

[illegible]

Site Lighting: All lights are face mounted on the buildings

Landscape (keep as many existing trees as possible)

 Proposed Evergreen Tree Screening

Proposed Deciduous Tree

Site Data

Site Acreage – 4.561 Acres

Structures – 28% Lot Coverage

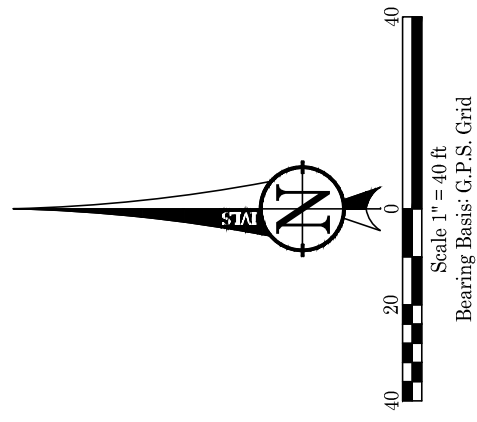
Building #1 = 20 units
Building #2 = 25 units
Building #3 = 25 units
Total = 45 units

Present Zoning – AR Proposed Zoning – R3

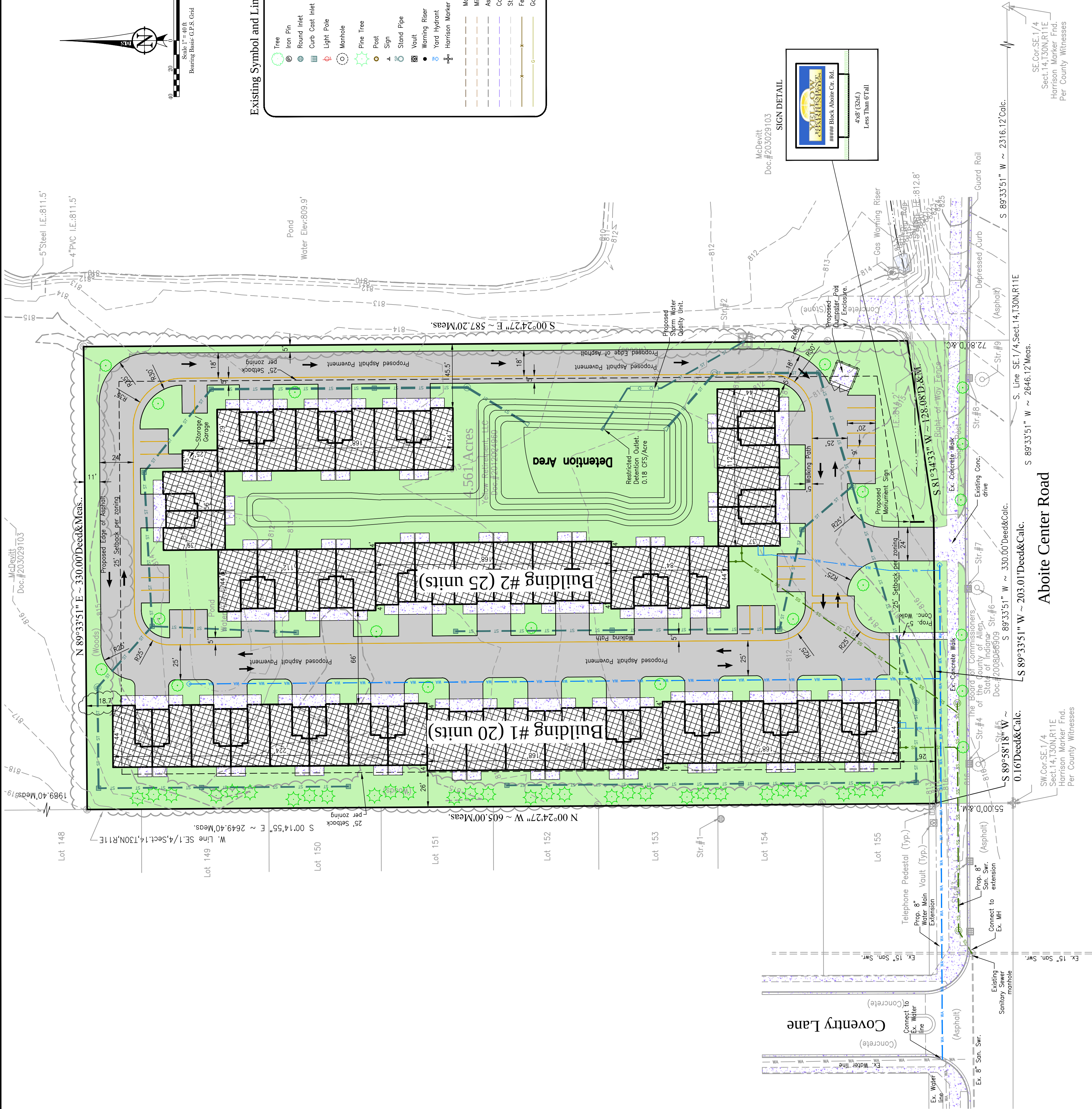
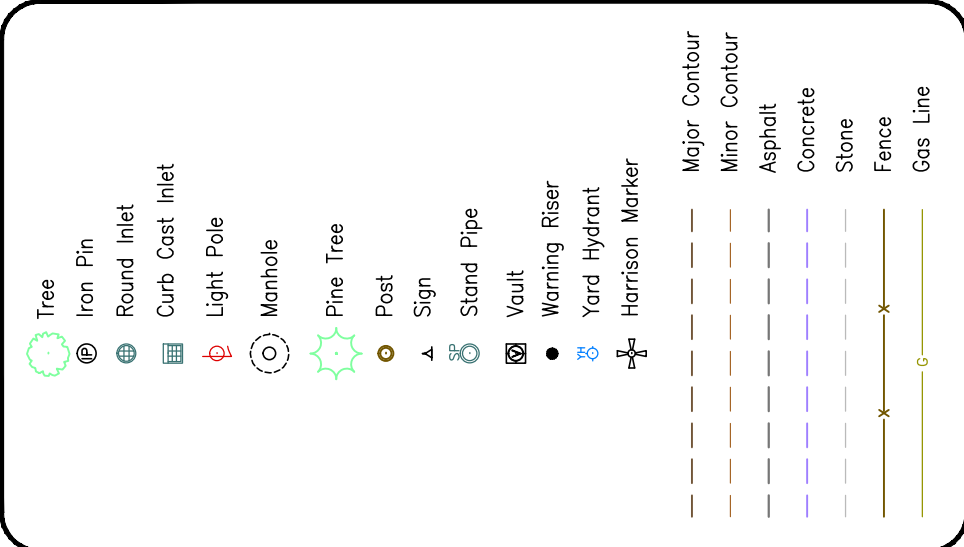
D.U./Acre Density – 9.87 DU/Ac.

Proposed Parking – 23 spaces + 45 driveways = (1.51/unit)

Recreation
Space Requirement: 45 units x 750 sf = 33,750 total sf. (0.57 acres)
Site Provided: 33,983 sf ~ 755 sf per unit



Existing Symbol and Line Legend



Notes:

1. Water and Sanitary Sewer service provided by the Aquo Indiana.
2. Proposed pavement shall be 8"-3"-1" Asphalt Pavement.
3. Detention shall be provided with a maximum release rate of 0.18 CFS per shed acre.
4. Requesting a reduction in the required Rear Yard setback to 18' for the Northern end of building #1.

Developer:



J-J Parent Corp.
P.O. Box 11311
Fort Wayne, IN 46865
Phone: (260) 493-3000

Primary Development Plan for Yellow Retirement of Aboite