

1 **#REZ-2013-0192**

2 **BILL NO. Z-13-12-29**

3 **ZONING MAP ORDINANCE NO. Z-_____**

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. Z-30 (Sec. 24 of St. Joseph Township)**

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

8 SECTION 1. That the area described as follows is hereby designated a CM2
9 (Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code
10 of the City of Fort Wayne, Indiana:

11 Part of the Southwest Quarter of Section 24, Township 31 North, Range 13 East,
12 Allen County, Indiana, being more particularly described as follows, to-wit:

13 Commencing at the Northwest corner of the Southwest Quarter of Section 24,
14 Township 31 North, Range 13 East, being reference by a Harrison Marker; thence
15 South 00 degrees 00 minutes 00 seconds West (assumed bearing and basis of all
16 bearing in this description), along the West line of said Southwest Quarter, being
17 within the right-of-way of Wheelock Road, a distance of 1676.81 feet to a South line
18 of an existing tract as described in Document Number 2011057831 in the Office of
19 the Recorder of Allen County, Indiana; thence North 88 degrees 01 minutes 25
20 seconds East, a distance of 370.00 feet along said South line to a East line of said
21 Document Number 2011057831; thence North 00 degrees 00 minutes 00 seconds
22 East along said East line and being parallel with the West line of said Southwest
23 Quarter, a distance of 250.00 feet to a North line of an existing tract as described in
24 Document Number 2011059462 in said Office; thence North 88 degrees 01 minutes
25 25 seconds East, a distance of 537.54 feet along said North line to the POINT OF
26 BEGINNING; thence continuing North 88 degrees 01 minutes 25 seconds East, a
27 distance of 406.43 feet along said North line to the East line of said Document
28 Number 2011059462; thence South 00 degrees 05 minutes 21 seconds West, a
29 distance of 229.00 feet to the North line of an existing tract as described in
30 Document Number 2011059460; thence North 89 degrees 47 minutes 21 seconds
 East, a distance of 246.78 feet along said North line to the West right of way line for
 Indiana State Road 37; thence South 43 degrees 24 minutes 44 seconds West, a
 distance of 101.03 feet along said right of way line to a tangent curve concave to the
 South with a radius of 1196.92 feet; thence Southwesterly along said curve, a
 distance of 302.03 feet with a central angle of 14 degrees 27 minutes 28 seconds and
 a chord of 301.23 feet bearing South 36 degrees 10 minutes 59 seconds West to a
 Southwesterly line of said Document Number 2011059462; thence South 28 degrees
 46 minutes 08 seconds West, a distance of 58.98 feet along Southwesterly line to a
 Northwesterly line of said Document Number 2011059462; thence North 56 degrees

1 16 minutes 39 seconds West, a distance of 86.80 feet along said Southwesterly line
2 to a South line of said Document Number 2011059462; thence South 89 degrees 13
3 minutes 24 seconds West, a distance of 200.00 feet; thence North 48 degrees 34
4 minutes 10 seconds West, a distance of 61.00 feet; thence North 51 degrees 15
5 minutes 00 seconds West, a distance of 106.38; thence North 38 degrees 45 minutes
6 00 seconds East, a distance of 38.20 feet; thence North 00 degrees 00 minutes 00
7 seconds East, a distance of 400.08 feet the point of beginning, containing 5.819 acres
8 of land, subject to legal right-of-way for Indiana State Road 37, and subject to all
9 easements of record.

10 and the symbols of the City of Fort Wayne Zoning Map No. Z-30 (Sec. 24 of St. Joseph
11 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
12 Wayne, Indiana is hereby changed accordingly.

13 SECTION 2. That this Ordinance shall be in full force and effect from and after its
14 passage and approval by the Mayor.

15 _____
16 Council Member

17 APPROVED AS TO FORM AND LEGALITY:

18 _____
19 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-2013-0192
Bill Number: Z-13-12-29
Council District: 1-Tom Smith

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 5.82 acres from AR-Low Intensity Residential to CM2-Limited Retail and Commercial.

Location: Northeast corner of Wheelock and Maysville Roads.

Reason for Request: The applicant wishes to develop 3 commercial outlots, tentatively with a sit-down restaurant, drive-through restaurant and 66-room, two-story hotel.

Applicant: JR Parent

Related Petitions: Primary Development Plan, Yellow Retirement of Wheelock, and Maysville Corners, REZ-2013-0187

Effect of Passage: The current farmed ground will be rezoned to allow for commercial and retail development, including a hotel and restaurants.

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 J-J Parent Corp. <u>PARENT INVESTMENT ASSOCIATES, 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>

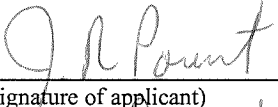
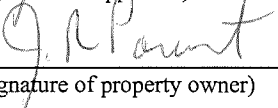
Contact Person	Contact Person <u>Cliff Patterson / MLS Engineering, LLC</u>		
	Address <u>217 Airport North Office Park</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46825</u>
	Telephone <u>260-489-8571</u>	Fax <u>260-489-8570</u>	E-mail <u>cliff@mlswebsite.us</u>

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>NE Corner - Wheelock & Maysville Roads</u>	
	Present Zoning <u>AR</u>	Proposed Zoning <u>R3 & CM2</u> Acreage to be rezoned <u>CM2-5.819 Ac.</u>
	Proposed density <u>7.54 D.U. Acre</u> units per acre	
	Township name <u>St. Joseph</u> Township section # <u>24</u>	
	Purpose of rezoning (attach additional page if necessary) <u>R3-Allows a 137 Unit multi-family project. CM2-Allows a Drive-thru & Dine-in Restaurants and a 66 room two-story hotel.</u>	
	Sewer provider <u>City of Fort Wayne</u> Water provider <u>City of Fort Wayne</u>	

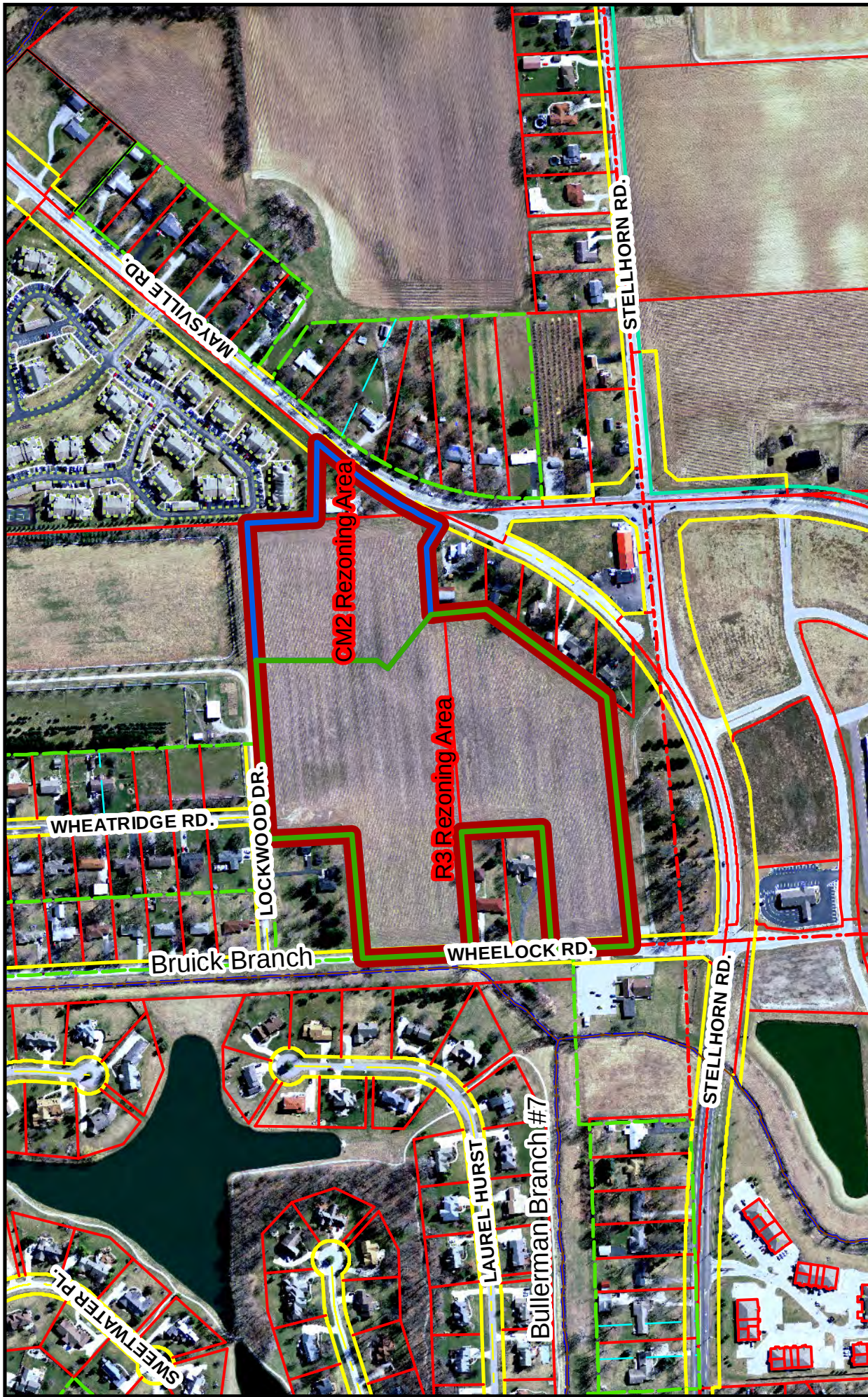
Filing Requirements	<i>Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.</i>	
	☒ Applicable filing fee	
	☒ Applicable number of surveys showing area to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

JR Parent		<u>12/3/13</u>
(printed name of applicant)	(signature of applicant)	(date)
JR Parent		<u>12/3/13</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.
12/4	113798	1/6/14	

RCZ-2013-0187

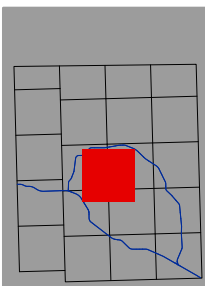
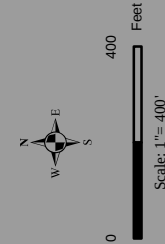


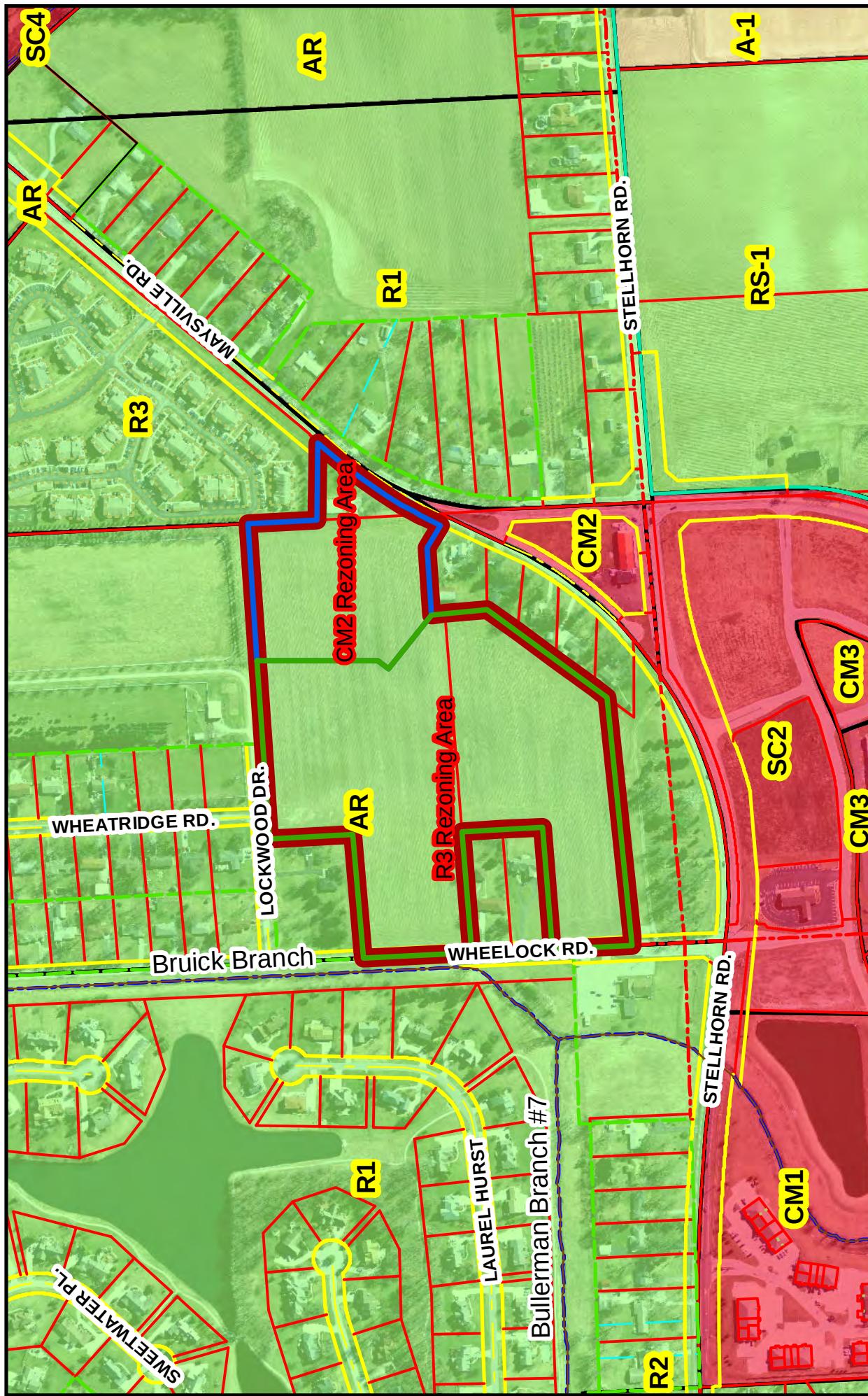
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

Rezoning Petitions REZ-2013-0187 and REZ-2013-0192 and Primary Development Plan Yellow Retirement of Wheelock and Maysville Corners

Printed: December 9, 2013
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2006 / Comours, 1999

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