

#REZ-2014-0100

BILL NO. Z-14-10-19

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. Q-22 (Sec. 30 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 BTI
(Business Technology and Industrial Park) District under the terms of Chapter 157 Title XV
of the Code of the City of Fort Wayne, Indiana:

Tract 1:

A parcel of land located in the Southeast One Quarter of Section 30, Township 31 North, Range 13 East, Allen County, Indiana, lying South of Coliseum Boulevard and East of Kirkwood Park Addition, Section "F", more particularly described as follows:

02-08-30-408-001.000-072

Commencing at the Northeast corner of Lot Number 174 in the Plat of Kirkwood Park Addition, Section "F", as recorded in Plat Book 18, page 195 in the Office of the Recorder of Allen County, Indiana; thence Northerly along the Northerly projection of the East line of said Lot 174, a distance of 68.0 feet to the point of beginning. Beginning at the above described point; thence Westerly by a deflection left of 90 degrees 17 minutes 39 seconds from the last described line, a distance of 150.0 feet; thence by a deflection right of 90 degrees 06 minutes 54 seconds along the East right-of-way line of Glenhurst Avenue, a distance of 125.26 feet; thence continuing on said right-of-way line on a curve to the right having a radius of 15.0 feet, an arc length of 23.56 feet and being subtended by a chord deflecting left 45 degrees 30 minutes 29 seconds, a distance of 21.33 feet; thence by a deflection left of 45 degrees 25 minutes 44 seconds along the said right-of-way, a distance of 111.21 feet; thence by a deflection right of 90 degrees 19 minutes 33 seconds, a distance of 96.28 feet; thence on a curve to the right having a radius of 120.0 feet, an arc length of 46.65 feet and being subtended by a chord deflecting right 11 degrees 08 minutes 08 seconds, a distance of 46.35 feet; thence by a deflection right of 11 degrees 08 minutes 08 seconds, a distance of 57.92 feet; thence on a curve to the right having a radius of 120.0 feet an arc length of 141.78 feet and being subtended by a chord deflecting right 33 degrees 50 minutes 55 seconds, a distance of 125.29 feet; thence by a deflection right of 33 degrees 50 minutes 55 seconds, a distance of 107.85 feet; thence by a deflection right of 89 degrees 51 minutes 04 seconds, a distance of 133.54 feet to the point of beginning, containing 1.462 acres of land, more or less.

Tract 2:

Part of the Southeast One Quarter of Section 30, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows: 02-08-30-428-001.000-072 Beginning at the Northeast corner of Lot Number 174 in the Plat as recorded of Kirkwood Park Addition, Section "F", in the Office of the Recorder of Allen County; thence running North on the East line produced North, of said lot, a distance of 68.0 feet; thence by a deflection left of 90 degrees 02 minutes 44 seconds, a distance of 150.77 feet; thence by a deflection left of 90 degrees 00 minutes, a distance of 117.81 feet; thence by a deflection right of 90 degrees 00 minutes, a distance of 46.94 feet; thence by a deflection

right of 23 degrees 33 minutes 39 seconds, a distance of 203.07 feet; thence by a deflection right of 90 degrees 18 minutes 03 seconds, a distance of 72.50 feet; thence by a deflection left of 89 degrees 39 minutes 17 seconds, a distance of 101.10 feet; thence by a deflection left of 90 degrees 16 minutes 20 seconds a distance of 39.98 feet; thence by a deflection right of 90 degrees 00 minutes, a distance of 44.0 feet; thence by a deflection right of 90 degrees 00 minutes, a distance of 40.19 feet; thence by a deflection left of 89 degrees 43 minutes 40 seconds a distance of 58.02 feet; thence by a deflection right of 90 degrees 00 minutes, a distance of 206.67 feet; thence by a deflection right of 39 degrees 57 minutes 57 seconds, a distance of 279.85 feet; thence by a deflection right of 26 degrees 12 minutes 52 seconds, a distance of 202.81 feet to a point on the East line of said Kirkwood Park Addition, Section "F"; thence by a deflection right of 89 degrees 34 minutes 03 seconds along said East line, a distance of 353.99 feet to the point of beginning, containing 4.66 acres of land, more or less.

Tract 3

02-08-30-428-003.000-072

Commencing at the Southeast corner of Lot Number 166 of Kirkwood Park Addition, Section "F" as recorded in Plat Book 18, page 195 in the Allen County Recorder's Office; thence North along the East line of said Section "F", a distance of 383.97 feet to the point of beginning.

Beginning at the above described point; thence continuing North along said East line, a distance of 36.63 feet; thence by a deflection right of 90 degrees 25 minutes 57 seconds, a distance of 202.81 feet; thence by a deflection left of 26 degrees 12 minutes 52 seconds, a distance of 279.85 feet; thence by a deflection left of 39 degrees 57 minutes 57 seconds, a distance of 135.07 feet to a five-eighths inch diameter iron pin; thence by a deflection right of 89 degrees 59 minutes 31 seconds, a distance of 89.22 feet to a five-eighths inch diameter iron pin; thence by a deflection right of 90 degrees 00 minutes, a distance of 148.92 feet; thence by a deflection right of 90 degrees 00 minutes, a distance of 30.58 feet; thence by a deflection left of 49 degrees 14 minutes 2 seconds, a distance of 353.04 feet; thence by a deflection right of 61 degrees 07 minutes 09 seconds, a distance of 48.3 feet; thence by a deflection left of 36 degrees 24 minutes 13 seconds, a distance of 143.49 feet to the point of beginning, containing 0.85 acres more of land, more or less.

Tract 4:

Beginning at the Southeast corner of Lot Number 166 in Kirkwood Park Addition, Section "F" as recorded in Plat Book 18, page 195 in the Office of the Recorder of Allen County as marked by a three-quarter inch diameter pipe found; thence Northerly along the East line of said Lot Number 166 a distance of 169 feet to the center of Springfield Avenue; thence by a deflection right of 90 degrees 08 minutes 59 seconds, a distance of 193.67 feet to a P.K. nail set; thence by a deflection right of 90 degrees 00 minutes, a distance of 169.89 feet to a five-eighths inch diameter iron pin set on the North line of Lot Number 182 in Kirkwood Park, Section G, as recorded in Plat Book 27, pages 61 through 63; thence by a deflection right of 90 degrees 05 minutes 15 seconds along the North line of Lots Numbered 180, 181 and 182 in said subdivision, a distance of 193.23 feet to the point of beginning, containing 0.75 acre of land, more or less.

Tract 5:

Commencing at the Northeast corner of Lot Number 311 in New Kirkwood Park, Section H, as recorded in Plat Record 27, pages 143-145 in the Office of the Recorder of Allen County; thence North along the West right-of-way line of Hobson Road, a distance of 509.14 feet; thence by a deflection left of 24 degrees 17 minutes 00 seconds, a distance of 67.3 feet; thence by a deflection left of 41 degrees 15 minutes 30 seconds along the South right-of-way line of Coliseum Boulevard, a distance of 217.88 feet to the point of beginning.

Beginning at the above described point; thence by a deflection left of 111 degrees 36 minutes 35 seconds, a distance of 407.45 feet; thence on a non-tangent curve to the right having a radius of 400.0 feet, an arc length of 59.02 feet and being subtended by a chord deflecting right 108 degrees 18 minutes 07 seconds, a distance of 58.98 feet; thence by a deflection, right of 3 degrees 50 minutes 34 seconds, a distance of 168.89 feet; thence by a deflection right of 89 degrees 00 minutes 19 seconds, a distance of 80.56 feet; thence by a deflection left of 35 degrees 38 minutes 08 seconds, a distance of

172.41 feet; thence by a deflection right of 25 degrees 39 minutes 43 seconds, a distance of 163.46 feet to a point on the South right-of-way of Coliseum Boulevard; thence by a deflection right of 100 degrees 26 minutes along said right-of-way, a distance of 209.53 feet to the point of beginning, containing 1.938 acres of land, more or less.

Tract 6:

Part of the Southeast One Quarter of Section 30, Township 31 North, Range 13 East, Allen County, Indiana; that part of a 60 foot Wide Access, Drainage & Utility Easement as described in Document Number 960029854 lying East of the lands of Karlin Park 3000 LLC per Document Number 2012012809 and bounded on the South by the lands of Indiana Postal & Federal Credit Union per Document Number 960064281 and the Lands of Fort Wayne Endoscopy Center LLC per Document Number 202037770, on the North by Tract 5 of the Lands of iAB Financial Bank per Document Number 2013032817 and the lands of Fort Wayne Real Estate Investments Inc. per Document Number 2009062461, all as recorded in the Office of the Recorder of Allen County, and on the East by the 40 foot right-of-way of Hobson Road; more particularly described as follows:

Commencing at the Northeast corner of Lot Number 311 in New Kirkwood Park, Section "H", as recorded in Plat Record 27, pages 143-145 in the Office of the Recorder of Allen County; thence North on and along the West 40 foot right-of-way of Hobson Road 173.16 feet (172.78 feet measured) to the South line of said 60 foot wide easement and the point of beginning of this description; thence West on and along the South line of said 60 foot wide easement by a deflection to the left of 89 degrees 41 minutes 7 seconds, a distance of 118.5 feet (117.66 feet measured) to a point of curvature; thence continuing West on said South line on a curve to the right having a radius of 500.00 feet and an arc length of 214.96 feet, being subtended by a chord deflecting right 12 degrees 18 minutes 59 seconds a distance of 213.31 feet to the point of tangency; thence Northwesterly continuing on said South line by a deflection to the right of 12 degrees 18 minutes 59 seconds, a distance of 167.81 feet to the Southwest corner of the lands of Karlin Park 3000 LLC; thence Northeasterly along the East line of said Karlin Park 3000 LLC by a deflection to the right of 89 degrees 1 minute 15 seconds, a distance of 60.01 feet to the North line of said 60 foot wide easement; thence Southeasterly along said North line by a deflection to the right of 90 degrees 58 minutes 45 seconds, a distance of 168.89 feet (168.84 feet measured) to the point of curvature; thence continuing along said North line on a curve to the left having a radius of 440.00 feet and an arc length of 189.16 feet, being subtended by a chord deflecting left 12 degrees 18 minutes 59 seconds a distance of 187.71 feet to the point of tangency; thence Easterly continuing along said North line by a deflection to the left 12 degrees 18 minutes 59 seconds, a distance of 118.12 (117.33 feet measured) to a point on the West right-of-way line of Hobson Road; thence South along said West right-of-way line by a deflection to the right of 89 degrees 41 minutes 7 seconds, a distance of 60.00 feet to the point of beginning, containing 0.672 acres more or less.

Tract 7:

Part of the Southeast One Quarter of Section 30, Township 31 North, Range 13 East, Allen County, Indiana; bounded on the South and East by Tract 2 of iAB Financial Bank Lands per Document Number 2013032817, bounded on the North by Lands of Karlin Park 3000 LLC as described in Document Number 2012012809, and bounded West by Tract 1 of the Lands of iAB Financial Bank per Document Number 2013032817, both as recorded in the Office of the Recorder of Allen County, Indiana; a parcel remnant more particularly described as follows:

Commencing at the Northeast corner of Lot Number 174 in the plat as recorded of Kirkwood Park Addition, Section "F", in the Office of the Recorder of Allen County; thence running North on the East line produced North, of said lot, a distance of 68.0 feet; thence by a deflection right of 90 degrees 02 minutes 44 seconds (89 degrees 54 minutes 59 seconds measured), a distance of 150.77 feet (150.49 feet measured) to a corner of Tract 2 of said iAB Financial Lands and the point of beginning of this description; thence North by a deflection to the left of 90 degrees 00 minutes (89 degrees 47 minutes 17 seconds measured) on and along the West line of Tract 2 of said iAB Financial Lands, a distance of 117.81 feet (117.70 feet measured) to a point on the South line of said Karlin Park 3000 Lands; thence West by a deflection to the left of 90 degrees 00 minutes 00 seconds on and along said

1 South line, a distance of 17.49 feet to a corner of said Karlin Park 3000 Lands; thence on a non-
2 tangent-curve concave to the West on and along the West line of said Tract 1 of iAB Financial Lands,
3 having a radius of 120.00 feet and an arc length of 10.21 feet and being subtended by a chord
4 deflecting left 92 degrees 16 minutes 10 seconds a distance of 10.21 feet to a point; thence South by a
5 deflection to the left of 2 degrees 26 minutes 15 seconds on and along the West line of said iAB
6 Financial Bank Lands, a distance of 107.85 feet (107.57 feet measured) to a point on the North line of
7 said iAB Financial Bank Lands; thence East by a deflection to the left of 90 degrees 22 minutes 48
8 seconds on and along said North line, a distance of 17.40 feet to the point of beginning, containing
9 0.047 acres (2,029 square feet) more or less.

10 and the symbols of the City of Fort Wayne Zoning Map No. Q-22 (Sec. 30 of St. Joseph
11 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
12 Wayne.

13 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage
14 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-2014-0100
Bill Number: Z-14-10-19
Council District: 2 – Russ Jehl

Introduction Date: October 28, 2014

Plan Commission
Public Hearing Date: November 10, 2014

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

Synopsis of Ordinance: To rezone approximately 9.7 acres of property from C2-Limited Commercial to BTI-Business Technology and Industrial Park

Location: 2730, 2800, 2980, 2990 East Coliseum Boulevard

Reason for Request: To rezone a portion of an existing commercial park to the BTI district to expand uses of an existing business for limited assembly and fabrication.

Applicant: Nathan L. Moore/CME Corporation

Property Owner: P.A. Realty, Inc.

Related Petitions: Primary Development Plan, ITI Building Addition

Effect of Passage: Property will be rezoned to BTI-Business Technology and Industrial Park to allow the existing business to expand its services. All activities will take place indoors, with a building additions of up to 16,400 square feet.

Effect of Non-Passage: The property will remain zoned C2-Limited Commercial. The existing business may continue, but the business will not be able to secure a new contract and expand services. Retail businesses and services may develop on the site.

Department of Planning Services
Rezoning Petition Application

Applicant

Applicant Nathan L. Moore
Address 7235 Vicksburg Pike
City Fort Wayne State Indiana Zip 46804
Telephone 260-745-0251 E-mail nmoore@cmebuilditright.com

Contact Person

Contact Person P J Bruggeman
Address 2980 E Coliseum Blvd
City Fort Wayne State Indiana Zip 46805
Telephone 260.424.4329 E-mail bruggy2@aol.com

All staff correspondence will be sent only to the designated contact person.

Request

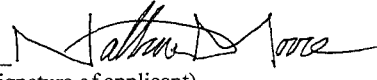
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 2730, 2800, 2980, 2990 E Coliseum Blvd
Present Zoning CM2 Proposed Zoning BTI Acreage to be rezoned 9.718
Proposed density _____ units per acre
Township name Saint Joe Township section # 30
Purpose of rezoning (attach additional page if necessary) To allow uses of limited assembly and fabrication.
Sewer provider City Utilities Water provider City Utilities

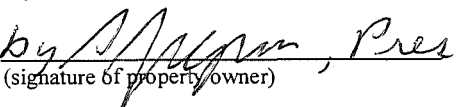
Filing Requirements

Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist 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.

Nathan L. Moore  2014.09.29
(printed name of applicant) (signature of applicant) (date)

P.A. Realty, Inc.  9/30/2014
(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>10/1/14</u>	<u>116347</u>	<u>11/10/14</u>	<u>REZ - 2014 - 0100</u>

Rezoning Petition REZ-2014-0100 and Primary Development Plan - ITI Addition

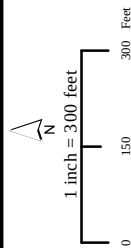


Project boundaries represented by bold colored lines are for representational purposes only.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

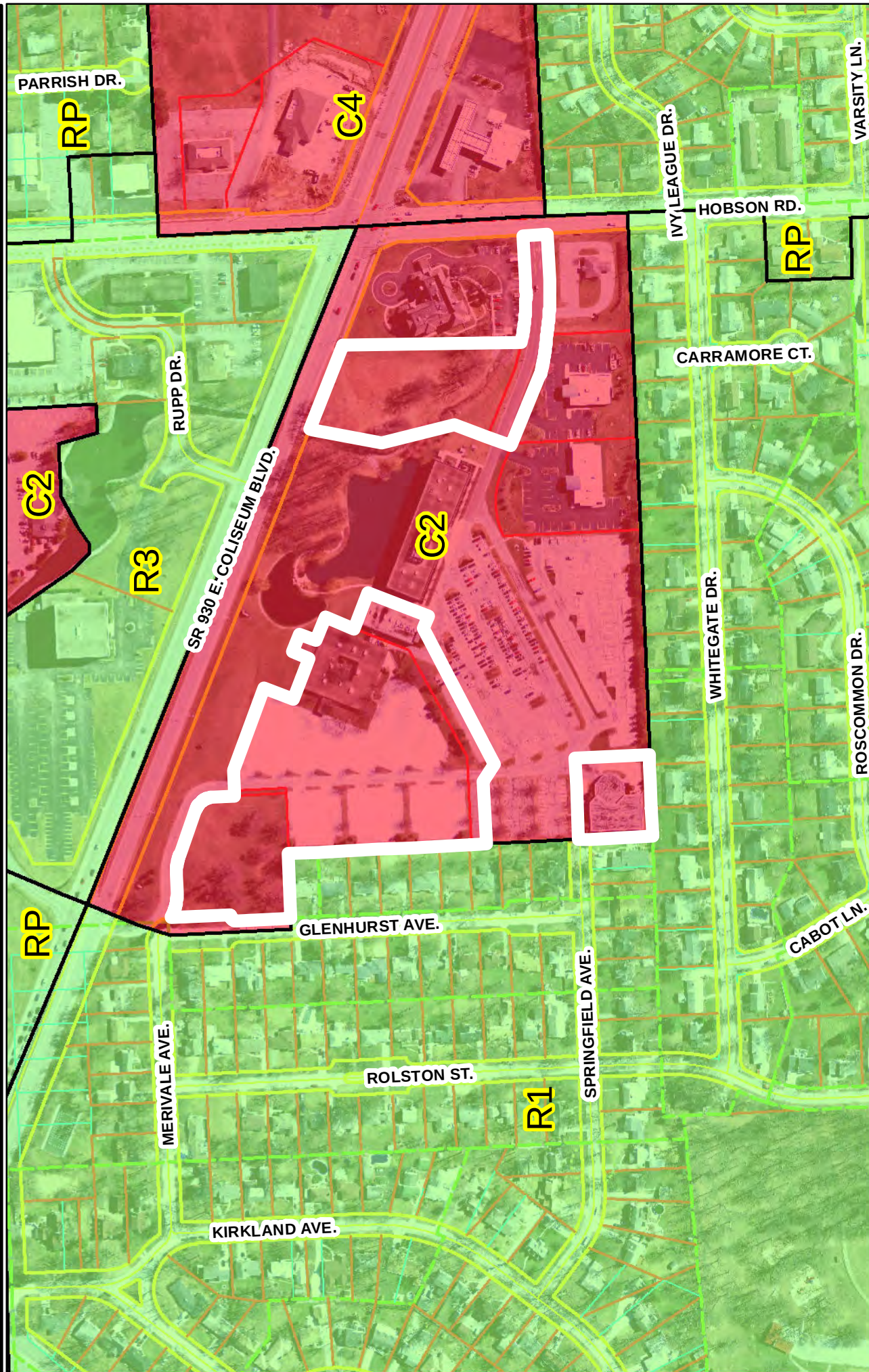
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Date: 10/20/2014





Rezoning Petition REZ-2014-0100 and Primary Development Plan - ITI Addition



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