

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0002
Bill Number: Z-17-01-25
Council District: 1-Paul Ensley

Introduction Date: January 24, 2017

Plan Commission
Public Hearing Date: February 13, 2017 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 1.43 acres of property from SC-Shopping Center to C3-General Commercial

Location: 10120 Maysville Road

Reason for Request: To allow for a Belle Tire Service Center within the Maysville Pointe Shopping Center.

Applicant: Christopher Enright Architect

Property Owner: Maysville Pointe Development Co., LLC

Related Petitions: Primary Development Plan, Belle Tire-Maysville Pointe

Effect of Passage: Property will be rezoned to the C3-General Commercial district, which will allow Belle Tire to also offer car repair services.

Effect of Non-Passage: The property will remain zoned SC-Shopping Center. Certain car repairs are not permitted within the SC district. Tire Sales is permitted.

#REZ-2017-0002

BILL NO. Z-17-01-25

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. ZZ-30 (Sec. 24 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 C3 (General
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

PART OF THE LANDS OF MAYSVILLE POINT DEVELOPMENT COMPANY AS RECORDED IN DOCUMENT
NUMBER 206044139 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING
WITHIN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN
COUNTY, INDIANA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT RAILROAD SPIKE MARKING THE NORTHEAST CORNER OF THE SOUTHEAST
QUARTER OF SAID SECTION 24; THENCE SOUTH 85 DEGREES 09 MINUTES 28 SECONDS WEST ON
AND ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF
1940.37 FEET TO ITS POINT OF INTERSECTION WITH THE SOUTHERN RIGHT OF WAY LINE OF
MAYSVILLE ROAD; THENCE NORTH 39 DEGREES 57 MINUTES 49 SECONDS EAST ON AND ALONG
THE SOUTHERN RIGHT OF WAY LINE OF MAYSVILLE ROAD, A DISTANCE OF 5.93 FEET; THENCE
SOUTH 49 DEGREES 54 MINUTES 25 SECONDS EAST, A DISTANCE OF 329.94 FEET TO A POINT ON
THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERN LINE OF THE LANDS OF H & H
RESTAURANT DEVELOPMENT, LLC AS RECORDED IN DOCUMENT NUMBER 2010066650; THENCE
SOUTH 39 DEGREES 59 MINUTES 00 SECONDS WEST ON AND ALONG SAID NORTHWESTERN LINE, A
DISTANCE OF 179.87 FEET TO THE POINT OF DEFLECTION OF THE NORTHWESTERN BOUNDARY OF
THE LANDS OF SAID H & H RESTAURANT DEVELOPMENT, LLC; THENCE SOUTH 49 DEGREES 42
MINUTES 58 SECONDS WEST ON AND ALONG THE NORTHWESTER LINE OF THE LANDS OF SAID H &
H RESTAURANT DEVELOPMENT, LLC, A DISTANCE OF 76.90 FEET TO THE POINT OF DEFLECTION OF
THE NORTHWESTERN BOUNDARY OF THE LANDS OF SAID H & H RESTAURANT DEVELOPMENT, LLC;
THENCE SOUTH 39 DEGREES 59 MINUTES 00 SECONDS WEST ON AND ALONG THE NORTHWESTERN
LINES OF THE LANDS OF SAID H & H RESTAURANT DEVELOPMENT, LLC AND SAID MAYSVILLE
POINT DEVELOPMENT COMPANY, A DISTANCE OF 643.58 FEET TO **POINT OF BEGINNING** OF THE
HEREIN DESCRIBED REAL ESTATE, SAID POINT OF BEGINNING BEING MARKED BY A 5/8" X 24"
REBAR WITH "FORESIGHT CONSULTING – BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 49
DEGREES 59 MINUTES 52 SECONDS EAST, A DISTANCE OF 217.53 FEET TO A POINT BEING MARKED
BY A MAG NAIL WITH A "FORESIGHT – BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 39
DEGREES 58 MINUTES 54 SECONDS WEST, A DISTANCE OF 286.00 FEET TO A CORNER OF THE
NORTHWESTERN BOUNDARIES OF THE LANDS OF SAID MAYSVILLE POINT DEVELOPMENT
COMPANY, SAID CORNER BEING MARKED BY A MAG NAIL WITH "BONAR" IDENTIFICATION WASHER;
THENCE NORTH 49 DEGREES 59 MINUTES 52 SECONDS WEST ON AND ALONG THE NORTHWESTERN
BOUNDARIES OF THE LANDS OF SAID MAYSVILLE POINT DEVELOPMENT COMPANY, A DISTANCE OF
217.53 FEET TO A CORNER ON THE NORTHWESTERN BOUNDARIES OF THE LANDS OF SAID
MAYSVILLE POINT DEVELOPMENT COMPANY, SAID CORNER BEING MARKED BY A "BONAR"
IDENTIFICATION CAP; THENCE NORTH 39 DEGREES 59 MINUTES 00 SECONDS EAST ON AND
ALONG THE NORTHWESTERN BOUNDARIES OF THE LANDS OF SAID MAYSVILLE POINT
DEVELOPMENT COMPANY, A DISTANCE OF 286.00 FEET TO THE **POINT OF BEGINNING**.

1 CONTAINING 1.43 ACRES (62,214 SQUARE FEET) OF LAND, MORE OR LESS.
2 SUBJECT TO EASEMENTS, RIGHT OF WAYS, AND COVENANTS OF RECORD.

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

6
7 SECTION 2. If a written commitment is a condition of the Plan Commission's
8 recommendation for the adoption of the rezoning, or if a written commitment is modified and
9 approved by the Common Council as part of the zone map amendment, that written
10 commitment is hereby approved and is hereby incorporated by reference.

11
12 SECTION 3. That this Ordinance shall be in full force and effect from and after its
13 passage and approval by the Mayor.

14
15 _____
Council Member

16 APPROVED AS TO FORM AND LEGALITY:

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18 _____
19 Carol T. Helton, City Attorney
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Department of Planning Services
Rezoning Petition Application

Applicant Christopher Enright Architect
Address 628 E. Parent Avenue, Suite 106
City Royal Oak State MI Zip 48067
Telephone 248 330 9395 E-mail cenright@enrightarchitects.com

Contact Person Same as "Applicant" - Christopher Enright
Address _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

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

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 10314 Maysville Road
Present Zoning SC Proposed Zoning C3 Acreage to be rezoned 1.43 Acres
Proposed density _____ units per acre
Township name St. Joseph Township section # 24
Purpose of rezoning (attach additional page if necessary) Belle Tire offers tire sales along with automobile repair services which require a C3 Land Use Zoning designation. The current SC district does not accommodate these services.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

- Filing 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.

Christopher Enright Chm Enright 12 / 20 / 16
(printed name of applicant) (signature of applicant) (date)
Maysville Pointe
Development Co., LLC By: [Signature] 12 / 20 / 16
(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>1-3-17</u>	<u>122844</u>	<u>2-13-17</u>	<u>REZ-2017-0002</u>

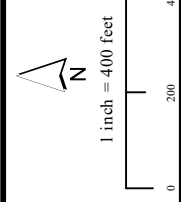


Rezoning Petition REZ-2017-0002 and Primary Development Plan PDP-2017-0002 - Belle Tire Maysville Road



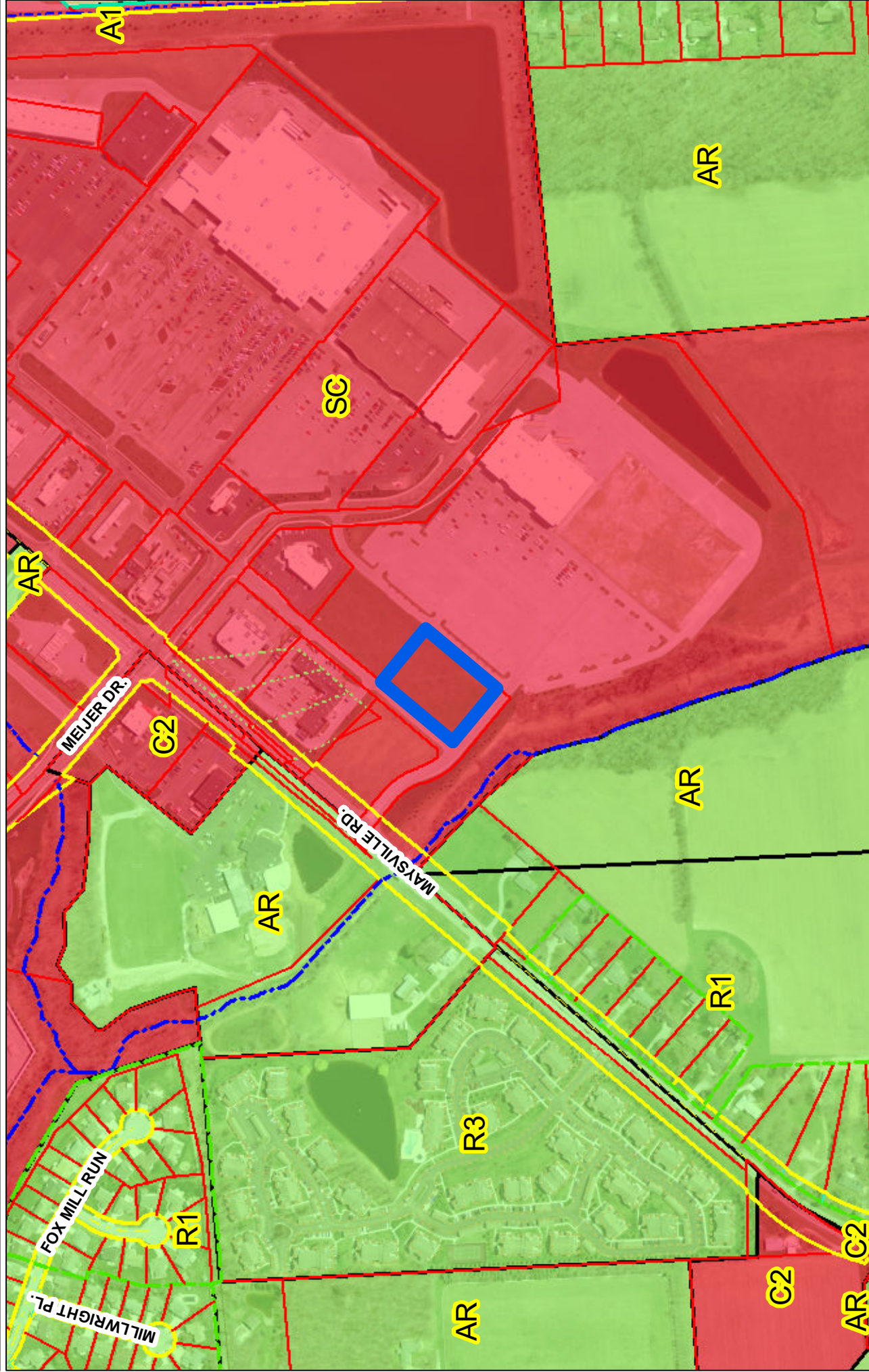
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 1/15/2017





Rezoning Petition REZ-2017-0002 and Primary Development Plan PDP-2017-0002 - Belle Tire Maysville Road



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State Plane Coordinate System, Indiana East
Photos and Contours, Spring 2009
Date: 1/15/2017

Project Civil Engineer/Land Surveyor:



ForeSight Consulting, LLC
1910 St. Joe Center Road, Suite 51
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

Project Developer:

Barnes Development Company, LLC
C/O Christopher Enright Architects
628 East Parent Avenue, Suite 106
Royaloak, Michigan 48067
Mr. Christopher Enright, NCARB
Phone: 248.330.9395

Property Owner:

Maysville Pointe Development Company, LLC
7597 East U.S. Highway No. 36
Avon, Indiana 46123



Primary Development Plan For:

BELLE TIRE

10314 Maysville Road, Fort Wayne, Indiana 46835



SITE LOCATION MAP
NOT TO SCALE

Development Statistics:

Project Area: 1.43 Acres
Total Building Area: 10,135 Square Feet
Parking Spaces Provided: 61 (Including 3 ADA)

REAL ESTATE DESCRIPTION

BELLE TIRE REAL ESTATE DESCRIPTION (TRACT 1)
PART OF THE LANDS OF MAYSVILLE POINT DEVELOPMENT COMPANY AS RECORDED IN DOCUMENT NUMBER 2060441391
WITHIN THE OFFICE OF THE RECORDS OF ALLEN COUNTY, INDIANA, BEING WITHIN THE SOUTHEAST QUARTER OF SECTION
24, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24, SAID NORTHEAST
CORNER BEING MARKED BY A RAILROAD SPIKE, THENCE SOUTH 85 DEGREES 04 MINUTES 28 SECONDS WEST (INDIANA
STATE PLANE ZONE EAST GRID BEARING AND BASIS OF BEARINGS TO FOLLOW) ON AND ALONG THE NORTH LINE OF
THE SOUTHEAST QUARTER OF SECTION 24, A DISTANCE OF 1940.91 FEET TO THE POINT OF INTERSECTION OF THE NORTH
LINE OF SECTION 24 AND THE SOUTHERN RIGHT OF WAY LINE OF MAYSVILLE ROAD, THENCE NORTH 54 DEGREES 51
MINUTES 49 SECONDS EAST ON AND ALONG THE SOUTHERN RIGHT OF WAY LINE OF MAYSVILLE ROAD, A DISTANCE OF
543 FEET, THENCE SOUTH 44 DEGREES 54 MINUTES 25 SECONDS EAST, A DISTANCE OF 824.44 FEET TO A POINT ON
THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERN LINE OF THE LANDS OF H & H RESTAURANT DEVELOPMENT, LLC
AS RECORDED IN DOCUMENT NUMBER 2010066650 IN THE OFFICE OF THE RECORDS OF ALLEN COUNTY, INDIANA,
THENCE SOUTH 34 DEGREES 54 MINUTES 00 SECONDS WEST ON AND ALONG SAID NORTHWESTERN LINE AND THE
NORTHEASTERLY EXTENSION THEREOF, A DISTANCE OF 174.81 FEET TO A POINT OF DEFLECTION OF THE NORTHWESTERN
BOUNDARY OF THE LANDS OF H & H RESTAURANT DEVELOPMENT, LLC, THENCE SOUTH 44 DEGREES 42 MINUTES 50
SECONDS WEST ON AND ALONG THE NORTHWESTERN LINE OF THE LANDS OF H & H RESTAURANT DEVELOPMENT, LLC, A
DISTANCE OF 16.40 FEET TO A POINT OF DEFLECTION ON THE NORTHWESTERN BOUNDARY OF THE LANDS OF H & H
RESTAURANT DEVELOPMENT, LLC, THENCE SOUTH 34 DEGREES 54 MINUTES 00 SECONDS WEST ON AND ALONG THE
NORTHWESTERN LINES OF THE LANDS OF H & H RESTAURANT DEVELOPMENT, LLC AND MAYSVILLE POINT DEVELOPMENT
COMPANY, A DISTANCE OF 381.58 FEET TO POINT OF BEGINNING OF THE HEREIN DESCRIBED REAL ESTATE, SAID POINT
OF BEGINNING BEING MARKED BY A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING - BOUNDARY" IDENTIFICATION
CAP,
THENCE SOUTH 44 DEGREES 54 MINUTES 52 SECONDS EAST, A DISTANCE OF 217.53 FEET TO A SURVEY MARKER NAIL
WITH "FORESIGHT - BOUNDARY" IDENTIFICATION WASHER,
THENCE SOUTH 54 DEGREES 50 MINUTES 54 SECONDS WEST, A DISTANCE OF 286.00 FEET TO A CORNER OF THE
BOUNDARY OF THE LANDS OF MAYSVILLE POINT DEVELOPMENT COMPANY, SAID CORNER BEING MARKED BY A MAG
NAIL,
THENCE NORTH 44 DEGREES 59 MINUTES 52 SECONDS WEST ON AND ALONG THE BOUNDARY OF THE LANDS OF
MAYSVILLE POINT DEVELOPMENT COMPANY, A DISTANCE OF 217.53 FEET TO A CORNER OF THE BOUNDARY OF THE
LANDS OF MAYSVILLE POINT DEVELOPMENT COMPANY, SAID CORNER BEING MARKED BY A 5/8" REBAR WITH "BONAR"
IDENTIFICATION CAP,
THENCE NORTH 34 DEGREES 59 MINUTES 00 SECONDS EAST ON AND ALONG THE NORTHWESTERN BOUNDARY OF THE
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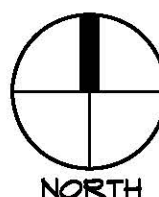
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Existing Utility Provider Information

Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NIPSCO

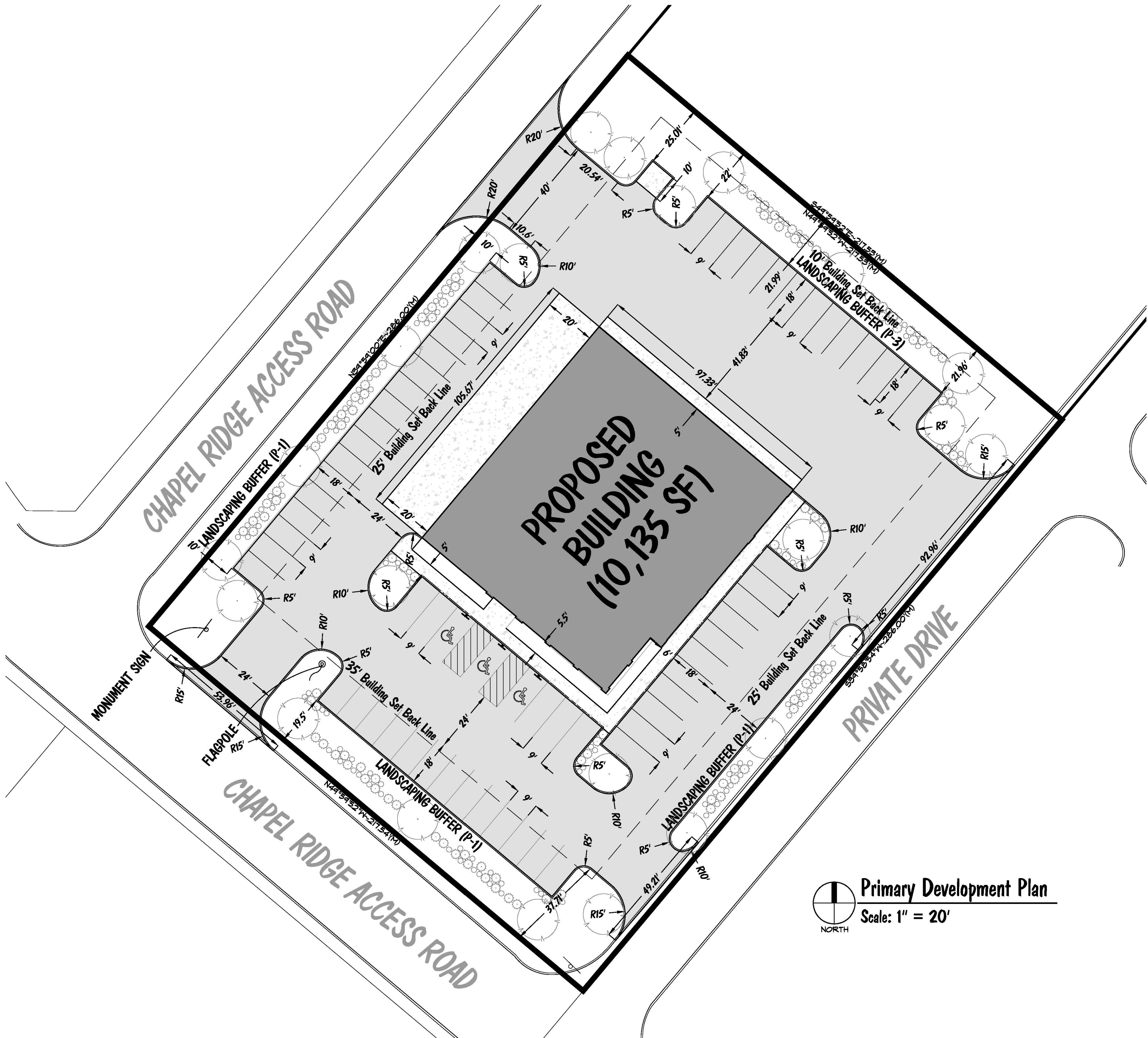
Contact Information

Allen County Department of Planning Services-Michelle Wood	260-449-7607
City of Fort Wayne Fire Department	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Carolyn Bokern	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Ramos	260-427-5064
City of Fort Wayne Stormwater Engineering Department-Patrick Joley	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Seals	260-427-5064
City of Fort Wayne Traffic Engineering Department-Kyle Wnling	260-427-1172
American Electric Power-Karen Palmer	260-408-1863
Frontier-Amy Holtzman	260-461-3325
NIPSCO-Mike Pruitt	260-439-1408
Comcast-Dawn Leonhardt	765-449-3811



Primary Development Plan

Scale: 1" = 20'

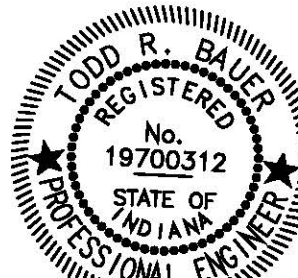


ForeSight Consulting, LLC

Civil Engineering ~ Land Surveying
1910 St. Joe Center Road, Suite #51
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.fsiste.biz



Certification:



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Performed for:



Primary Development Plan For:

BELLE TIRE

Maysville Road, Fort Wayne, IN 46835

Drawing Revisions

Commission Number
161838

Date
January 3rd, 2017

Title

Primary
Development Plan
Sheet Number

PD1



Know what's below.
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