

FACT SHEET

Case #REZ-2017-0004 Bill # Z-17-01-26 Project Start: 24 January 2017

APPLICANT:	Chuck McQuaig
REQUEST:	To rezone property from C3/General Commercial to I1/Limited Industrial for the approval of a primary development plan for an approximately 23,000 square foot building addition to Prairie Farms..
LOCATION:	The building addition is proposed to the south side of the existing Prairie Farms facility, located at 3400 Lima Road (Section 26 of Washington Township).
LAND AREA:	Approximately 0.92 acres
PRESENT ZONING:	C3/General Commercial
PROPOSED ZONING:	I1/Limited Industrial
NEIGHBORHOOD	
ASSOCIATIONS:	Community Liaison, Northwest Area Partnership
COUNCIL DISTRICT:	1-Paul Ensley
ASSOCIATED PROJECTS:	Primary Development Plan, Belle Tire – Maysville Pointe
SPONSOR:	City of Fort Wayne Plan Commission

13 February 2017 Public Hearing

- No one spoke at the hearing in favor or in opposition.
- Mike Bynum, Justin Shurley and Tom Freistroffer were absent.
- Staff recommended Do Pass with a Written Commitment

20 February 2017 – Business Meeting

Plan Commission Recommendation: Do Pass with a Written Commitment

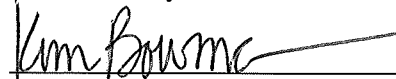
A motion was made by Tom Freistroffer and seconded by Judi Wire to return the ordinance to Common Council for their final decision.

7-0 MOTION PASSED

- Mike Bynum and Justin Shurley were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
21 February 2017

Reviewed By:



Kim Bowman, Executive Land Use Director

PROJECT SUMMARY

The petitioner requests a rezoning from C3/General Commercial to I1/Limited Industrial to allow for an addition to the Prairie Farms Dairy operation on Lima Road. There have been industrial/commercial uses on the dairy site since the 1950's and commercial and outdoor uses have been on the rezoning property since at least the 1980's. The addition will be on the south side of the existing dairy, and will extend over the vacated portion of Norfolk Avenue. That portion of Norfolk Avenue between Figel Avenue and Lima Road was vacated by City Council in 2016. Also being considered by Council this month is a petition to vacate the remainder of Norfolk Avenue to the east, and the north 90 feet of Figel Avenue, to accommodate an encroachment into the right-of-way. Both sides of Lima Road from the dairy north to Coliseum Boulevard are predominately industrially zoned. The area south of the dairy is a mixture of residential and commercial with many outdoor uses. The Comprehensive Plan encourages development that will not adversely affect the current conditions of an area or the character of the current structures in the area. It does not appear that expansion of the dairy will create any more intensive use of the area than the current uses.

The comprehensive plan supports this development through the following objectives:

LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The purpose of this rezoning request is to increase the footprint of the existing dairy and allow a new dock area on the south side of the new addition. Prairie Farms has purchased five (5) lots within Figel's Addition and vacated the portion of Norfolk Avenue to accommodate the new construction. The proposed addition appears to meet all ordinance requirements for setbacks and height. The development plan proposes a new ingress-egress and utility easement along the south side of the addition and loading dock. This easement will align with Lot 21 in Figel's Addition, one of three residential lots that would lose public access if the right-of-way vacation is approved. The easement intends to grant access to these three lots and the commercial properties farther east and north of Prairie Farms. These property owners would also need to grant access over the property they will obtain if the vacation is approved. The Plan Commission approval requires that the easement agreement is approved and executed before allowing the applicant to submit secondary plans.

PUBLIC HEARING SUMMARY:

Presenter:

Justin Hoffman, T-E Incorporated, presented the proposal to the Plan Commission as outlined above. Mr. Chuck McQuaig, Prairie Farms, also addressed the Plan Commission. Mr. McQuaig confirmed that the adjacent property owners will need to sign the proposed easement agreement and is working to obtain these signatures. Mr. McQuaig also stated that Prairie Farms will agree to maintain the roadway once it becomes private.

Comments in Favor:

- Greg Sive, owner of 3405 Lima Road – supportive of the request
- Rebecca Hollo, Arrow Fence Company – Arrow is okay with the request as long as their truck access is not affected.
- Jonathan Hernandez, Sunshine Communities – also okay with request as long as the rear emergency entrance to the mobile home community is not eliminated.

Comments in Opposition:

none

COMES NOW the Advisory Plan Commission of the City of Fort Wayne, State of Indiana, pursuant to authority vested in it by Indiana Code § 36-7-4 et.seq. and Fort Wayne City Code Chapter 157, both as amended, and adopts the following resolution.

**Resolution of the
Fort Wayne Plan Commission
Regarding Zoning Map Amendment**

WHEREAS the Department of Planning Services received a proposed map amendment to Chapter 157 of the Fort Wayne City Code (the Zoning Ordinance) on January 3, 2017 which it designated subsequently as Rezoning Petition REZ-2017-0004; and,

WHEREAS the Department of Planning Services provided for publication of a public hearing notice on the proposed map amendment in both *The Journal Gazette* and *The News-Sentinel* according to law; and,

WHEREAS the Fort Wayne Plan Commission conducted a public hearing on the proposed map amendment on February 13, 2017; and,

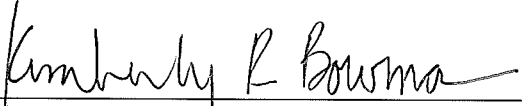
WHEREAS the Fort Wayne Plan Commission considered the petition in light of comprehensive plan and the zoning ordinance requirements; now, therefore,

BE IT RESOLVED by the Fort Wayne Plan Commission, meeting in open session, that a resolution and proposed ordinance be sent to the Fort Wayne Common Council recommending that the proposed map amendment REZ-2017-0004 for approximately 0.92 acres to I1/Limited Industrial;

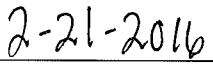
BE IT FURTHER RESOLVED that the Fort Plan Commission's Findings of Fact setting forth its reasons for this recommended action be included with the resolution and proposed ordinance resolving Rezoning Petition REZ-2017-0004; and,

BE IT FINALLY RESOLVED that the Executive Director of the Department of Planning Services be directed to execute this Resolution on behalf of the Fort Wayne Plan Commission and to present a copy of it to the Common Council of the City of Fort Wayne;

ADOPTED THIS 20th day of February 2017.



Kimberly R. Bowman, AICP
Executive Director, DPS
Secretary to the Fort Wayne Plan Commission



Date of Signature

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

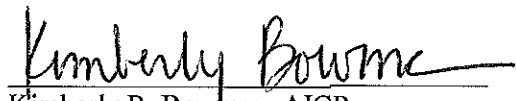
Rezoning Petition REZ-2017-0004

APPLICANT:	Chuck McQuaig
REQUEST:	To rezone property from C3/General Commercial to I1/Limited Industrial for the approval of a primary development plan for an approximately 23,000 square foot building addition to Prairie Farms.
LOCATION:	The building addition is proposed to the south side of the existing Prairie Farms facility, located at 3400 Lima Road (Section 26 of Washington Township).
LAND AREA:	Approximately 0.92 acres
PRESENT ZONING:	C3/General Commercial
PROPOSED ZONING:	I1/Limited Industrial

The Plan Commission recommends that Rezoning Petition REZ-2017-0004 be returned to Council with a "Do Pass" recommendation for the following reasons:

1. Approval of the rezoning request will be in substantial compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area surrounding the site is a mixture of industrial, commercial, and some residential uses. Adjacent properties currently allow equally intensive commercial and industrial uses.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. Prairie Farms Dairy is currently using this area for outdoor storage of tractor trailers, so the proposed use will be no greater impact on the surrounding uses.
3. Approval is consistent with the preservation of property values in the area. This proposal is consistent with surrounding zoning classifications and the commercial/industrial character of the Lima Road corridor.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is to allow an expansion of existing uses along the corridor.

These findings approved by the Fort Wayne Plan Commission on February 20, 2017.



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Chuck McQuaig
Address PO Box 10419
City Fort Wayne State IN Zip 46852
Telephone 260-483-6436 E-mail cmcquaig@prairiefarms.com

Contact Person
Contact Person T-E Incorporated c/o Justin Hoffman
Address 8620 Bluffton Road
City Fort Wayne State IN Zip 46809
Telephone 260-489-5541 E-mail jhoffman@t-einc.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 316 & 318 Norfolk Ave & 3300 Block of Lima Rd
Present Zoning C3 Proposed Zoning I1 Acreage to be rezoned 0.92
Proposed density _____ units per acre
Township name Washington Township section # 26
Purpose of rezoning (attach additional page if necessary) To align the proposed use of the property with the appropriate zoning.

Sewer provider City of Fort Wayne Water provider City of Fort Wayne

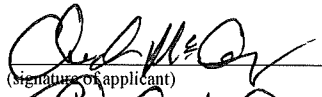
Filing Requirements
*Applications will not be accepted unless the following filing requirements are submitted with this application.
Please refer to checklist for applicable filing fees and plan/survey submittal requirements.*

- ☐ 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.

Chuck McQuaig

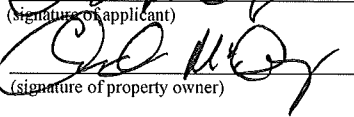
(printed name of applicant)


(signature of applicant)

12-28-16
(date)

Chuck McQuaig

(printed name of property owner)


(signature of property owner)

12-28-16
(date)

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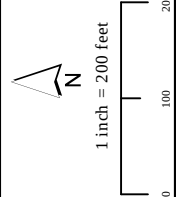
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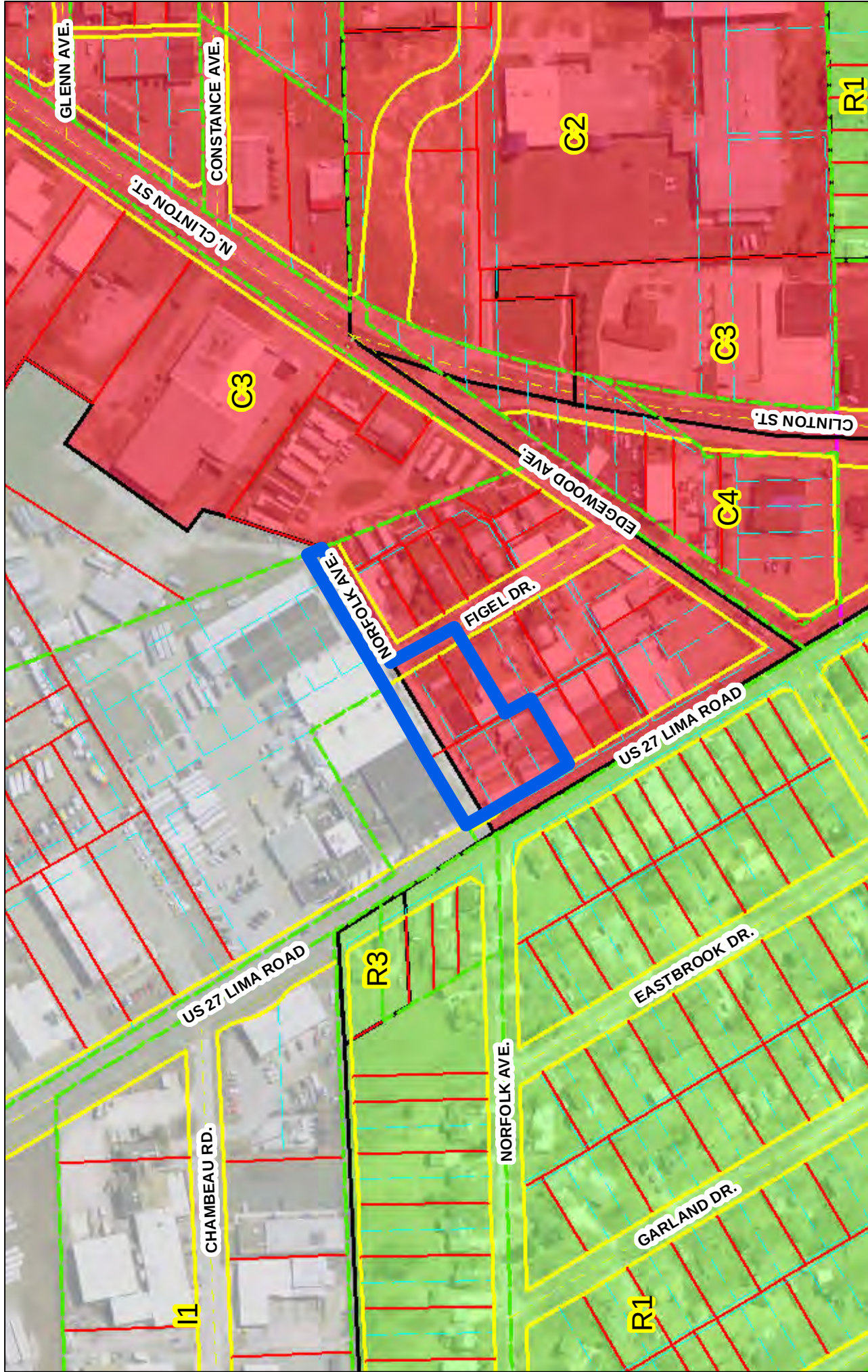
Received	Receipt No.	Hearing Date	Petition No.
<u>1-3-17</u>	<u>100865</u>	<u>2/13/17</u>	<u>REZ-2017-0004</u>



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 State Plane Coordinate System, Indiana East
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 Date: 4/26/2017





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