

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0017
Bill Number: Z-17-04-21
Council District: 2-Paul Ensley

Introduction Date: April 25, 2017

Plan Commission
Public Hearing Date: May 8, 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 4.4 acres of property from R3-Multiple Family Residential to C2-Limited Retail

Location: 2827 Rupp Drive (Former Verizon building)

Reason for Request: To redevelop the existing office building into apartments, construct a covered parking structure and a 9,500 square foot retail building.

Applicant: Todd Ramsey

Property Owner: Tippmann and Dumas, LLC

Related Petitions: Primary Development Plan, Triangle Park Apartments

Effect of Passage: Property will be rezoned to the C2-Limited Retail district which will allow the addition of a retail building to the existing development site.

Effect of Non-Passage: The property will remain zoned R3-Multiple Family Residential. The property may be redeveloped into apartments but no retail component could be added under the current zoning district.

1 **REZ-2017-0017**

2 **BILL NO. Z-17-04-21**

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

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. Q-22 (Sec. 30 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 C2 (Limited
9 Retail) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 PART OF THAT PART LYING NORTHWARD OF THE RIGHT OF WAY OF THE PUBLIC
12 HIGHWAY KNOWN AS STATE ROAD NO. 324 AND U.S. HIGHWAY NO. 30, OF THE
13 SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN
14 ALLEN COUNTY, INDIANA, CONTAINING 4.385 ACRES OF LAND, BEING METES AND
15 BOUNDS DESCRIBED AS FOLLOWS, TO-WIT:

16 COMMENCING ON THE NORTH LINE OF THE QUARTER SECTION AFORESAID AS
17 DEFINING THE CENTERLINE OF THE PUBLIC ROAD KNOWN AS THE TRIER ROAD, AT A
18 POINT SITUATED 873.0 FEET WESTWARD OF THE EAST QUARTER CORNER OF THE
19 SAID SECTION 30, TOWNSHIP 31 NORTH, RANGE 13 EAST, AND AT THE
20 EASTERNMOST OF THE TWO NORTH BOUNDARY CORNERS OF THE SUBJECT TRACT;
21 THENCE BY A DEFLECTION LEFT OF 125 DEGREES 02 MINUTES SOUTHEASTWARD, A
22 DISTANCE OF 231.03 FEET TO THE EASTERNMOST CORNER OF THE SUBJECT TRACT,
23 PROGRESSING IN CLOCKWISE COURSES ALONG THE SUBJECT TRACT BOUNDARIES;
24 THENCE BY A DEFLECTION RIGHT 59 DEGREES 05 MINUTES, A DISTANCE OF 267.0
25 FEET TO THE NORTHERLY RIGHT OF WAY LINK OF THE SAID U.S. HIGHWAY NO. 30
26 AND STATE ROAD NO. 324, INTERSECTING SAID RIGHT OF WAY LINK AT 90
27 DEGREES, AT A POINT SITUATED 75 FEET NORMALLY NORTHEASTWARD OF THE
28 CENTERLINE OF THE HIGHWAY AND ROAD AFORESAID, AT A POINT 968.9 FEET AS
29 ALONG SAID CENTERLINE MEASURED NORTHWESTWARD OF ITS INTERSECTION BY
30 THE EAST LINE OF THE QUARTER SECTION AFORESAID; THENCE BY A DEFLECTION
RIGHT OF 90 DEGREES , ALONG THE SAID RIGHT OF WAY LINE, A DISTANCE OF 664.5
FEET TO THE WESTERNMOST CORNER OF THE SUBJECT TRACT; THENCE
NORTHEASTWARD ALONG SAID RIGHT OF WAY LINE BY A DEFLECTION RIGHT OF 90
DEGREES A DISTANCE OF 85.4 FEET; THENCE NORTHEASTWARD BY A DEFLECTION
RIGHT OF 39 DEGREES 28 MINUTES ALONG SAID RIGHT OF WAY LINE A DISTANCE
OF 133.9 FEET TO A POINT SITUATED ON THE SOUTH LINE OF THE PUBLIC HIGHWAY
KNOWN AS THE TRIER ROAD AS SITUATED PARALLEL TO AND 25.0 FEET SOUTH OF
THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTHWARD BY A

1 DEFLECTION LEFT OF 63 DEGREES 52 MINUTES A DISTANCE OF 25.0 FEET TO THE
2 NORTH LINE OF SAID QUARTER SECTION AT A POINT SITUATED 1302.2 FEET WEST
3 OF THE EAST QUARTER CORNER OF SAID SECTION; THENCE EAST BY A DEFLECTION
4 RIGHT OF 90 DEGREES 20 MINUTES ON THE NORTH LINE OF SAID QUARTER
5 SECTION AS DEFINING THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS THE
6 TRIER ROAD, A DISTANCE OF 428.2 FEET TO THE PLACE OF BEGINNING,
7 CONTAINING 4.385 ACRES OF LAND.

8 and the symbols of the City of Fort Wayne Zoning Map No. Q-22 (Sec. 30 of St. Joseph
9 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
10 Wayne, Indiana is hereby changed accordingly.

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

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

17 _____
18 Council Member

19 APPROVED AS TO FORM AND LEGALITY:

20 _____
21 Carol T. Helton, City Attorney
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Department of Planning Services
Rezoning Petition Application

Applicant
Applicant Todd Ramsey
Address 301 Airport North Office Park
City Fort Wayne State Indiana Zip 46825
Telephone 260-438-2483 E-mail tramsey@bnddevelopment.net

Contact Person
Contact Person Brett Miller
Address 217 Airport North Office Park
City Fort Wayne State Indiana Zip 46825
Telephone 260-692-6161 E-mail brett@mlswebsite.us

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 2827 Rupp Drive
Present Zoning R8 Proposed Zoning C2 Acreage to be rezoned 4.38
Proposed density _____ units per acre
Township name St. Joseph Township section # 30
Purpose of rezoning (attach additional page if necessary) to allow for a free standing retail facility on the property
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.

Todd Ramsey (printed name of applicant) _____ (signature of applicant) _____ (date)

X DAVID W. DUMAS X (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 <u>4/4/17</u>	Receipt No. <u>123486</u>	Hearing Date <u>5/8/17</u>	Petition No. <u>Per-2017-0017</u>
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SURVEY COMPLETED BY:

Corporate Office
221 Tower Drive
Moorice, IN 46712
Phone: (260) 692-6166
Fax: (260) 692-6642

Miller Land Surveying, Inc.

MLS
www.mlswebcites.us

Brett R. Miller, P.S. No. L52030059
Robert J. Marnett, P.S. No. L52140028

Prescription and Description of the Premises are given the first page of the plat.

Fort Wayne Office
217 Airport North Office Park
Fort Wayne, IN 46825
Phone: (260) 489-8571
Fax: (260) 489-8570

Precision and Professionalism is where we draw the line.

RECORD DESCRIPTION

PART OF THAT PART LYING NORTHWARD OF THE RIGHT OF WAY OF THE PUBLIC HIGHWAY KNOWN AS STATE ROAD NO. 324 AND U.S. HIGHWAY NO. 30, OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY, INDIANA, CONTAINING 4.385 ACRES OF LAND, BEING METES AND BOUNDS DESCRIBED AS FOLLOWS, TO-WIT:

FLOOD PLAIN CERTIFICATION

This property is within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) as defined by the FIRM (Flood Insurance Rate Map) for the City of Fort Wayne, Indiana, Community No. 180003, Panel No. 0305G, dated August 3, 2009.

NOTES

Location and sizes of underground utilities are shown from best available record drawings and/or field markings. Utility lines shown herein are approximate in location and intended for reference only. Call Indiana Underground Plant Protection Services (IUPPS) at 1-800-382-5544 for field marked location of utilities prior to any excavation.

Elevations are based upon a INCORS (Indiana Continuously Operating Reference Station Network) Indiana East. Datum = North American Vertical Datum (NAVD88).

This survey is not and shall not be constructed to be, an ALTA/NPS Land Title Survey, Boundary Survey, Route Survey, or Land Surveyor's Location Report of the subject tract. The contracted scope of services were limited to providing a topographic survey of the subject site for the purposes of civil engineering design and construction documents.

The locations and dimensions of all building structures on the face of the survey (if applicable) are not intended for structural design.

VICINITY MAP



SYMBOL AND LINE LEGEND

- | | | | |
|--|-----------------------|--|----------------------|
| | Air Conditioning Unit | | Electric Box |
| | Bench Mark | | Electric Meter |
| | Bollard | | Guy Anchor |
| | Boulder | | Light Pole Base Only |
| | Clean-Out | | Lug |
| | Control Point | | Power Pole |
| | Curb Cast Inlet | | Power Pole w/ Elec. |
| | Finish Floor | | Handicap |
| | Iron Pin | | Parking Block |
| | Mang Nod | | Automatic Sprinkler |
| | Manhole | | Fire Hydrant |
| | Post | | Post Indicator Valve |
| | Round Inlet | | Water Valve |
| | Sign | | Gas Meter |
| | Vault | | Telephone Pedestal |
| | Warning Riser | | Manhole - Telephone |

STRUCTURE TAB

STLR	Elevation	Invert	Invert	Invert	Invert
200	783.55	779.41E			
201	780.76	776.56W	776.56W		
202	780.14	775.99NE	776.01SW		
203	779.93 ¹	774.98SW			
204	778.84	773.79E	773.84NW	774.34SE	
205	779.37	775.23NW			
206	778.94	774.09SE	775.54W	774.69N	
207	779.65	766.80N	766.80N		(10 River Ridge)
208	779.99	Version (Communications)			
209	781.07	770.47E	767.87N	773.67SW	
210	780.75	776.75S	775.75 (Cach Basin)		
211	781.45	775.05W	774.06N		
212	781.86	776.36W	776.36N		
213	780.66	776.66SE	775.66 (Cach Basin)		
214	781.28	776.88NW	776.48E	776.48S	
215	781.73 ¹	774.23E	774.23S	774.03NE	
216	780.87	777.25E			
217	780.72	777.65E			
218	781.70	774.00E	775.90N		
219	781.40	777.40E	777.30N		
220	779.91 ¹				
221	781.27	779.52NE	778.52N (Cach Basin)		
222	780.43 ¹	770.13SE	770.08NW		
223	788.44	786.44 (Water Level)			
224	783.99	771.59SE	771.54NW		
225	780.59	779.34NW	778.14 (Cach Basin)		
226	780.53 ¹	779.18NW	777.98 (Cach Basin)		

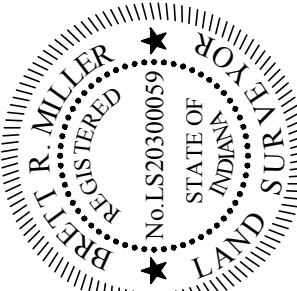
CONTROL TABLE

Point #	Nothing	East	Elevation	Description
501	1952721.77	772904.73	777.930	5/8" Steel Rebar w/ "Klear" Control Cap id.
502	1952625.843	772322.747	790.751 ¹	5/8" Steel Rebar w/ "Miller" Control Cap id. 7' N of Edge of Point.
503	194861.999	773011.420	784.342 ²	5/8" Steel Rebar w/ "Miller" Control Cap id. 93'W of Triangle Park Sign
555	195254.105	772904.436	781.335 ³	Rebar Nail Set on Top of curb
7777	194841.2	772648.2	782.915 ⁴	Mag Nail set in Light Pole Base
7778	195339.5	772592.9	789.444 ⁵	Bench Tie in Power Pole

The Above Elevations are Based on North American Vertical Datum (NAVD88)

CERTIFICATION

I Brett R. Miller certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; that to the best of my knowledge, information and belief all information shown hereon is true and accurate;



Quadrant mill

Brett R. Miller, P.S. 20300059

The Above Elevations are Based on North American Vertical Datum (NAVD88)

Reference Survey
ZK Tazian Associates, Inc.
Survey No. 13-04-11
Date: 4/20/2012

Wertzsch-Frank & Associates, Inc.
Project No. 13618.100
Date: March 17, 2014

Hofer & Davis

PDP-2

Triangle Park Apartments
2827 Rupp Drive
Fort Wayne, IN 46825

SECONDARY DEVELOPMENT PLAN

TOPOGRAPHIC SURVEY

PREPARED FOR:
IND Development, LLC
301 Airport North
Office Park
Fort Wayne, IN 46825
(260) 489-0109

MTS Engineering

www.mtswebste.us

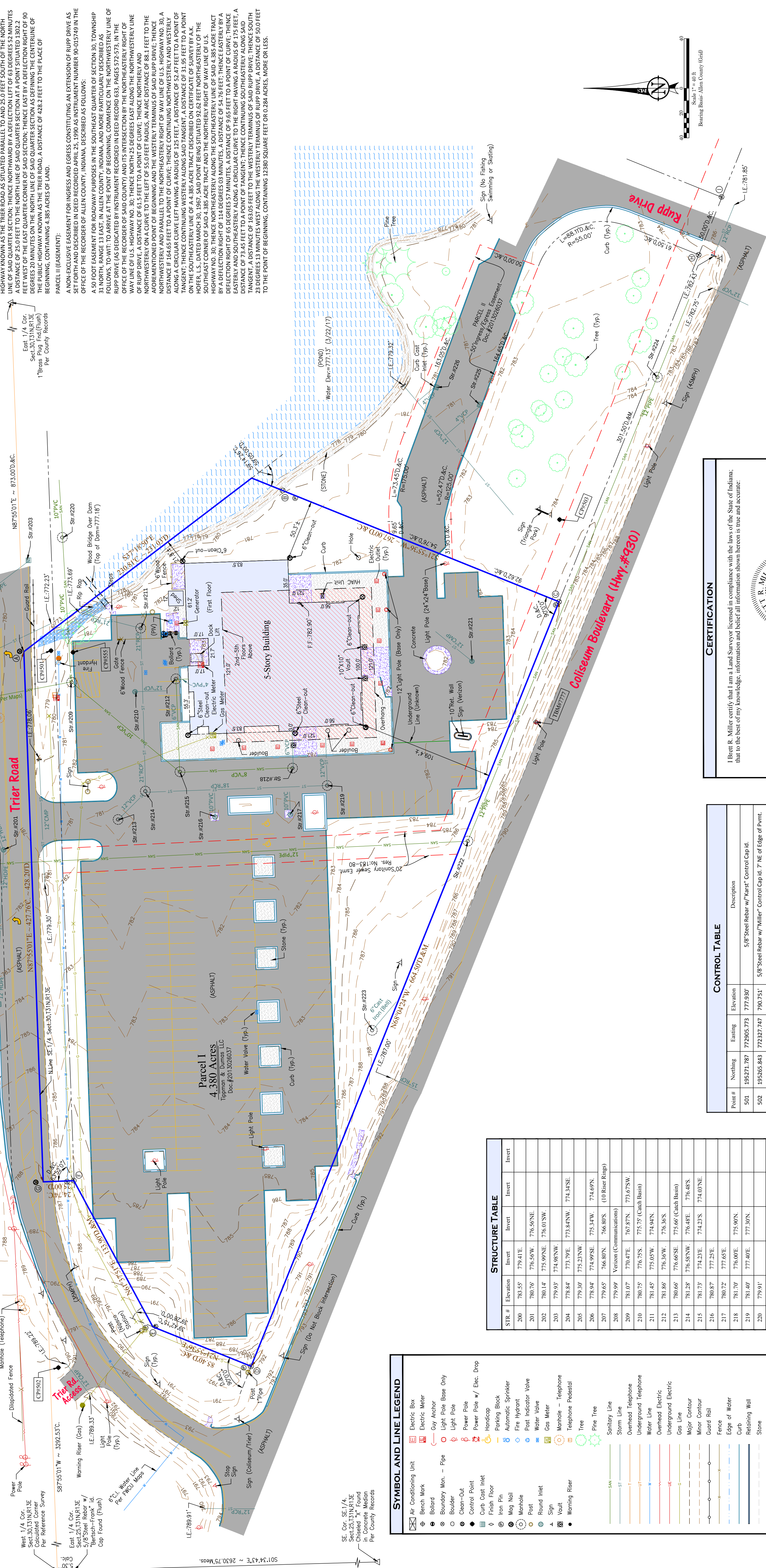
217 Fort Wayne Office
217 Airport North Office Park
Phone: (260) 489-8571
Fax: (260) 489-8570
Phone: (260) 692-6242
Fax: (260) 692-6242

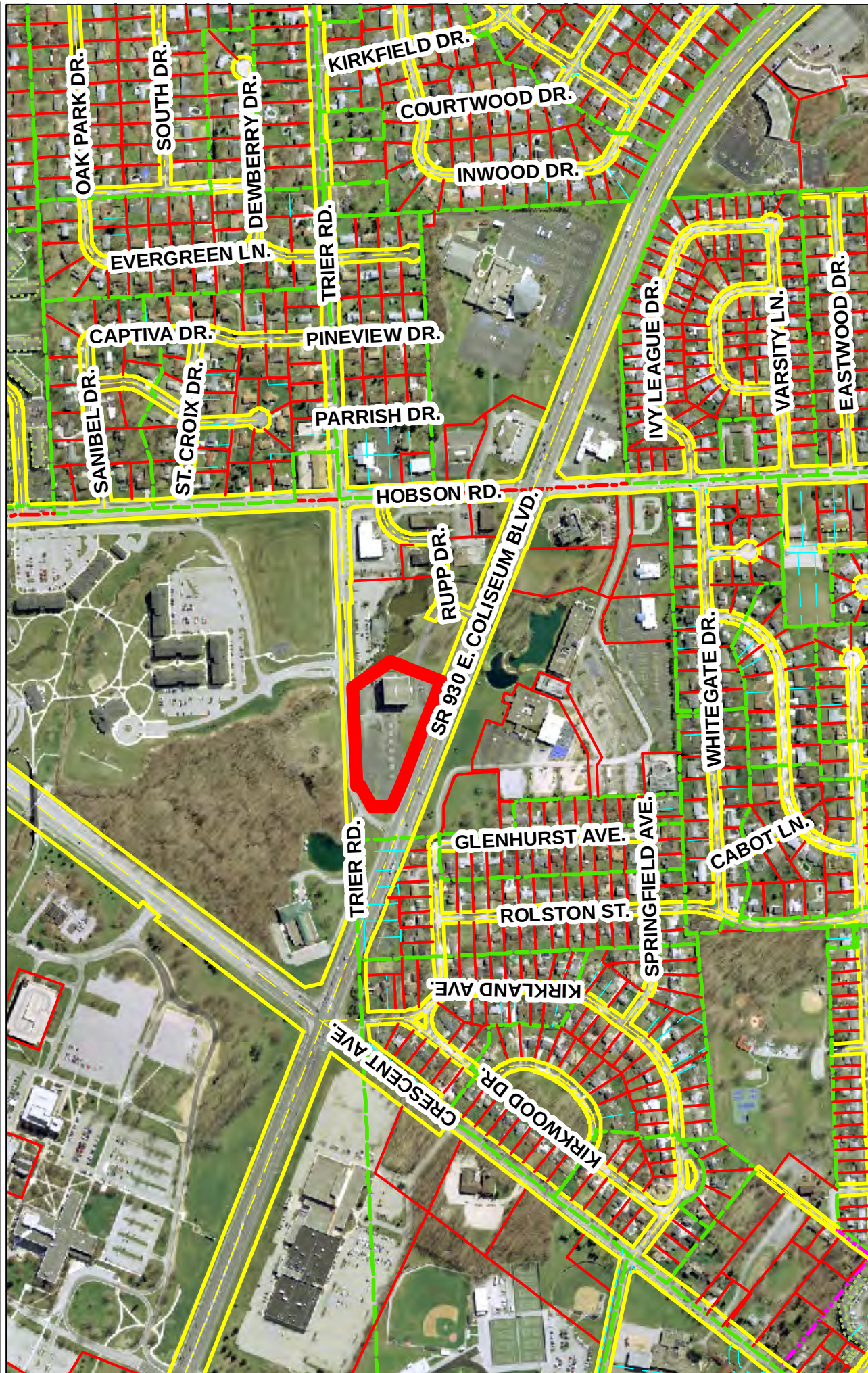
Brett R. Miller, P.E., N.E.S.20300059
Dorris S. Good, P.E., N.E.19800345

221 Tower Drive
Muncie, IN 46772
Manroe Office



Brett R. Miller
Brett R. Miller PLS



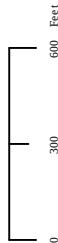


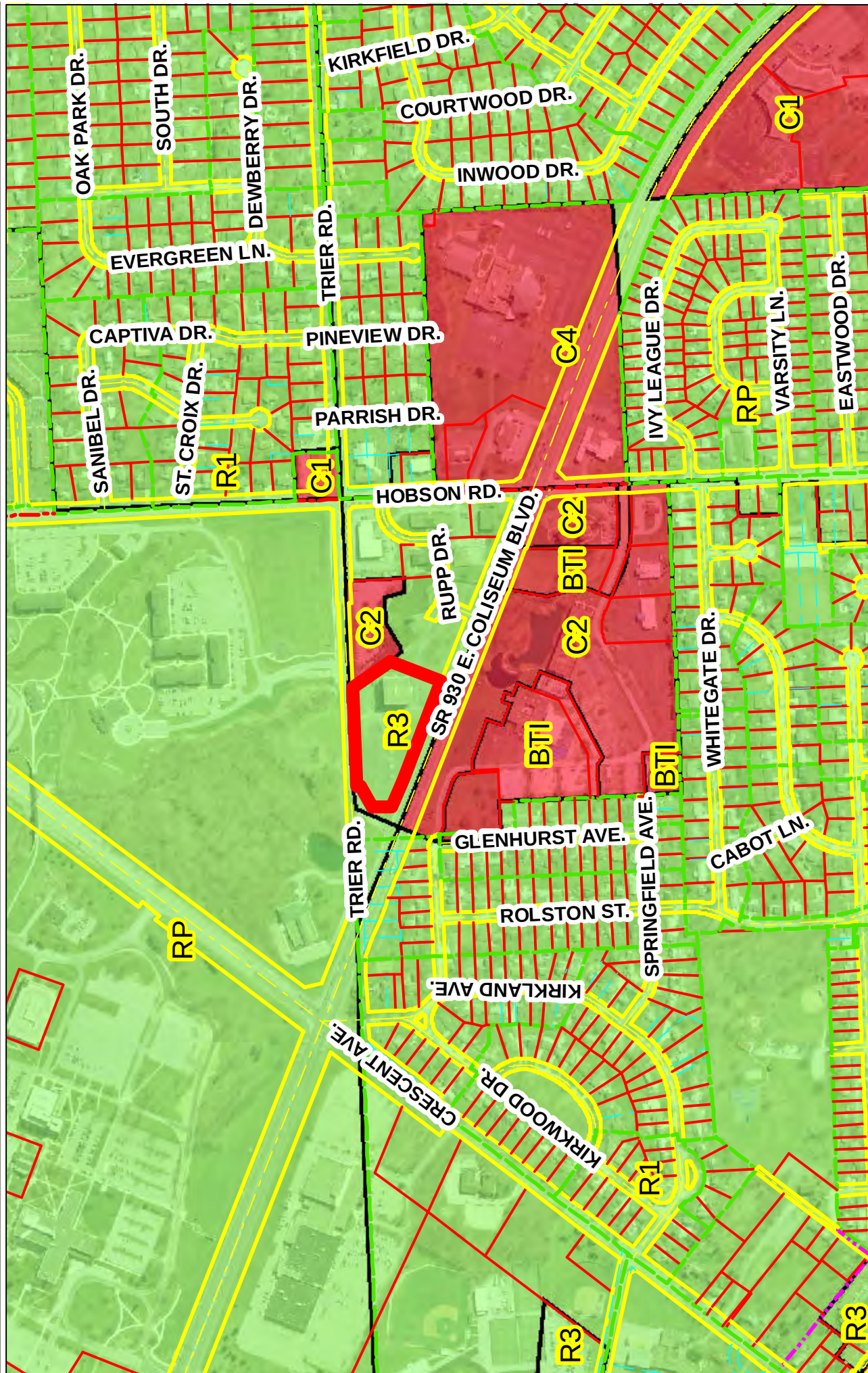
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/19/2017



1 inch = 600 feet





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1 inch = 600 feet

